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PROCEEDINGS AND DEBATES OF THE 100th CONGRESS, FIRST SESSION

SENATE—*Tuesday, May 5, 1987*

(Legislative day of Tuesday, April 21, 1987)

The Senate met at 3 p.m., on the expiration of the recess, and was called to order by the Honorable Alan J. Dixon, a Senator from the State of Illinois.

The **PRESIDING OFFICER.** Our prayer today will be offered by Rev. Robert Brown, pastor of Central Baptist Church of Beckley, WV. Reverend Brown is sponsored by Senator Byrd.

PRAYER

The Reverend Robert Brown, Central Baptist Church, offered the following prayer:

Let us bow our heads. Let us pray.

"God of our weary years, God of our silent tears; Thou who hast brought us thus far on our way, Thou who hast by Thy might, led us into the light. Keep us for ever in the path we pray."—James Weldon Johnson and Rosemond Johnson.

Father, in Heaven, we bow to thank You for the privilege of living in a land as great as this. We thank Thee that Thou hast guided us through the framework of our history. We thank Thee that Thou hast taken a diversity of people and blended them together into a tapestry of nationalism, that the world might see that men can live as brothers.

We pray Thy blessings upon this Congress, especially the Senate of the United States of America. Lead them into a renewed sense of commitment. Help them, as they deliberate the laws which will govern us and make us strong. Give to them the judgment and the sensitivity which is required that this Senate will be able to improve the quality of life for each citizen.

We pray for this country, and the world. We pray that peace may abide, and that understandings will be reached which will cause men and women of good will to sit down at the table of brotherhood. Inspire this Senate, as it takes up the weightier issues of the day. Give them courage to work and to walk on the "cutting edge" of the many problems which will face them. Lift them now that they might eeet the challenges of this day which loom above them. Cause them to be the catalysts for peace. Let them be the gate through which prosperity will flow.

Grant now that this Senate will, by their work and by their faith, in this land, this system of government, and in Thee, achieve today the dreams and the visions which were so illusive on yesterday! Let this day be a day of victory for love, peace, truth, and the application of brotherhood everywhere. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The **PRESIDING OFFICER.** The clerk will please read a communication to the Senate from the President pro tempore (Mr. Stennis).

The assistant legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, DC, May 5, 1987.

To the Senate: Under the provisions of Rule I, Section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Alan J. Dixon, a Senator from the State of Illinois, to perform the duties of the Chair.

John C. Stennis,
President pro tempore.

Mr. DIXON, thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The **ACTING PRESIDENT** pro tempore. The majority leader is recognized.

THE VISITING CHAPLAIN

Mr. BYRD. Mr. President, I thank the Reverend Mr. Brown for his warm and very inspiring prayer.

I come from a State whose people are patriotic. They are law-abiding; they have the lowest crime rate of any State in the country. They believe in this Nation's flag. They suffered more deaths in Vietnam and Korea than any other State, percentagewise, insofar as the total male population that was eligible to serve was concerned. They believe in God. They know how to pray, and they know how to pray in ways that are inspiring.

I have attended a lot of camp meetings, homecomings, singing conventions, revivals. I do not count myself as being a student of the Scriptures. I do not count myself as being worthy to stand in the pulpit. But we have good people; we have good ministers.

I know that I speak for all of our colleagues today in welcoming Mr. Brown to the Senate. I am sure that there are millions out there who heard this prayer: Blessed is the Nation whose God is the Lord. That is the word that went out today from that pulpit right there, in front of the stars and stripes.

Robert Brown is a native of Ashland, KY. Since 1971, he has been the pastor of the Central Baptist Church in Beckley, WV. That was the hometown of the late Harley Kilgore, who sat in the Senate for a good many years. That is the county seat of the county which is my home.

His is a national Baptist congregation in my State. His wife, Sheilah, is the head of physical education at Woodrow Wilson High School in Beckley, one of West Virginia's most outstanding secondary educational institutions. The Browns have two sons, Robert, Jr., and Bryon Christopher.

In addition to his pastoral duties, the Reverend Mr. Brown is also first vice president of the West Virginia Baptist State Convention, as well as first vice president of the Raleigh County, WV, chapter of the NAACP.

Mr. Brown earned his undergraduate degree at Morehead State University in Kentucky, and pursued his theological education at the School of Theology at Virginia Union University in Richmond, VA. He also studied at the Presbyterian School of Christian Education at Union Seminary in Richmond.

● **This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.**

Prior to entering the pastorate, Mr. Brown taught school in McDowell County, WV.

McDowell County is one of the great coal-producing counties in this country. My foster father worked at Landgraff, in McDowell County, when I was about 4 or 5 years old, after we had earlier lived at Bluefield. A few days ago, I spoke of having lived at Bluefield. After Bluefield, my family moved to Landgraff, in McDowell County.

I remember hearing my foster father say from time to time that Landgraff was a very dangerous mine. He would talk about the "kettle bottoms" that were in that mine, which would drop out of the ceiling of the mine and injure or kill coal miners.

Prior to accepting a call to Central Church in Beckley, Mr. Brown pastored the beautiful Plain Baptist Church in Charlotte Courthouse, VA.

Like Shakespeare, himself, he, Mr. Brown, taught school at one time. Shakespeare taught school before he began to write his plays and before he became the great dramatist that he was.

I am glad that the Reverend Mr. Brown can be our guest chaplain today. I thank our Chaplain, Dr. Halverson, for allowing us the privilege of hearing this good man from Beckley. I hope that Mr. Brown and his family will enjoy their visit to the Capitol today.

Mr. President, do I have any time remaining?

The ACTING PRESIDENT pro tempore. The Senator has 4 minutes remaining.

Mr. BYRD. Mr. President, I ask unanimous consent that I may reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Without objection, the majority leader's time is reserved.

RECOGNITION OF THE ACTING REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The acting minority leader is recognized.

THE VISITING CHAPLAIN

Mr. SIMPSON. Mr. President, I, too, wish to thank Reverend Brown for his powerful message. It was beautifully presented.

I was most impressed by the part about walking on the "cutting edge," because indeed that is what we will be doing around here for some time, as we deal with the edge of the budget and deficit reduction. But we never use the word "cutting" when we talk about that. We just say "on the cutting edge." I am deeply appreciative of this fine man's message to us today.

CONGRESSIONAL BUDGET RESOLUTION

Mr. SIMPSON. Mr. President, I believe I will reserve the balance of my time. I do have a few more remarks, but I would yield such time as Senator McCain may require from leader time after Senator Proxmire has made his remarks.

I would inquire of the leader, perhaps, for the Members on our side of the aisle and the other side of the aisle, too, as to his intention as to being in session tonight and perhaps tomorrow night, and that is at the convenience of the majority leader as to what message we might be able to give to colleagues on both sides of the aisle. I know that is kind of the eternal plaint around here. I remember you would inquire of us often on that question. If you could share that, that would be good, Mr. Leader.

And then I, too, share with the majority leader, with regard to the attempt to get to Chiles No. 2 today, I believe we have 16 hours remaining on the budget, but we have not seen Chiles No. 2 proposal as yet and certainly we have people who wish to analyze that. We are not really prepared to get to a vote at 4:30, simply because it has not been presented to us for analysis and comment and thorough debate. That is not some expression to emphasize some type of evanescence of disarray that we are going to get into, it just is a fact. So, I would express that to the majority leader.

Mr. BYRD. Mr. President, if the distinguished assistant leader will yield, there are, as the assistant leader has said, 16 hours remaining on the budget resolution. I would hope we could consume about 6 hours of that today. That would leave 10 for tomorrow. I hope to finish the action on the resolution tomorrow.

The supplemental appropriation bill has been reported from the committee. I would like to proceed to the supplemental on Thursday and work on it Thursday and Friday.

I think it is important that we finish the budget resolution tomorrow, if at all possible. It has to go to conference. We have to know what the outcome of that is at some point and then we have to do the reconciliation measure. We have the debt limit coming soon. So, Mr. Chiles, will, shortly after we do the budget resolution today, introduce his amendment; Chiles No. 2, I will refer to it in that way. He will explain it.

Perhaps during the afternoon, the assistant leader on the other side and the Republican leader, when he returns, and I could discuss a time to vote on tomorrow, if we could agree on a time to vote on the Chiles amendment. I heard Mr. Domenici might have an amendment, a package tomorrow. Perhaps we could discuss a voting time for those amendments so the Senators would know precisely what time the Senate will be voting on the Chiles amendment and the Domenici amendment, and there may be other amendments.

But I would hope to finish action on the budget resolution tomorrow evening—because the 16 hours will have run its course—so we can take up the supplemental on Thursday. I hope I have answered the question adequately.

Mr. SIMPSON. I thank the majority leader and will certainly work toward a time agreement, if we can, and try to cooperate on that. I thank him for the information. That is very helpful.

Mr. BYRD. I thank my friend.

Mr. SIMPSON. I yield the balance of the leader's time to Senator McCain at the conclusion of Senator Proxmire's remarks.

Mr. DOMENICI. Mr. President, I wonder if the distinguished acting Republican leader might yield a minute to the Senator from New Mexico?

Mr. SIMPSON. Mr. President, how much time is remaining?

The ACTING PRESIDENT pro tempore. The acting minority leader has 3 minutes and 50 seconds remaining.

Mr. SIMPSON. I yield 1 minute of that to the Senator from New Mexico and then, I believe, under morning business Senator McCain will be able to obtain approximately 5 minutes plus the balance of the leadership time I will relinquish after the Senator from New Mexico.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, while I did not hear all of the remarks of the distinguished majority leader, I heard enough to at least express my concern about a couple of things in this new budget plan. I would say to the distinguished majority leader, we have not seen the proposed substitute amendment of the chairman of the Budget Committee, Senator Chiles. I understand that, however one categorizes it, it is apparently major. It is surely not just a single change. It would change many of the numbers in the budget resolution and many assumptions.

I just want to express my concern with reference to other Senators, aside from the Senator from New Mexico, who might have amendments. It would appear to me that if we do not have a chance to study the Chiles amendment for a while, it will be very difficult for anyone that wants to propose amendments. It would be difficult just to do the numbers under our parliamentary process which requires that they meet the deficit neutrality requirement and others.

So, while I do not want to delay things, I have some real concern about whether the Senate will be able to appropriately work its will if we do not have a substantial amount of time, either after it is offered or after it is voted upon, if it is voted upon, and I surely would like to see that occur. I do not want to give away a lot of time today by way of yielding unless I can say to my side of the aisle we are going to still have ample time to analyze this new plan and perhaps meet once in caucus. It will be a substantial modification from what I can gather—and I am not privy to it—but from what I understand, it would change defense substantially and the revenue side substantially. Obviously on the Western concern, I would assume, I think prudently, that we are not going to take that budget as we voted it on the Western issues. Those are all going to be changed, I would assume. We do need time to look at it and I want to express that as the ranking member of the committee.

Mr. BYRD. Mr. President, if I may take 1 minute of my own time, the distinguished Senator from Florida will call up his amendment very soon this afternoon, once we get back on the resolution, and we can take several hours today in debating that. He will explain it. The Senator from Florida has not been able to complete action on his amendment until today. We Democrats had our fourth conference today following the vote on last Wednesday on the original budget resolution that was adopted that day on a vote of 50 to 49. So the Senator from Florida will be in a position to explain the changes.

I feel that throughout the afternoon the matter can be debated and carefully examined. This will give Senators the opportunity to better understand what is in the package. We will have tomorrow to offer amendments and we could vote on the Chiles amendment tomorrow morning or tomorrow at noon or, as far as I am concerned, even later today.

What the Senator has said I am sure is valid, but I am sure that Mr. CHILES will be in a position to answer the questions of the Senator and will do so.

Mr. DOMENICI. I thank the Senator.

Mr. BYRD. I yield my remaining time to the Senator from Wisconsin, plus the time he has under morning business.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 15 minutes, with Senators permitted to speak therein for 5 minutes each.

HOW THE REAGAN DOCTRINE REPUDIATES TAFT AND EISENHOWER

Mr. PROXMIRE. Mr. President, for many Americans the most exciting challenge we have heard in our lifetime was the ringing declaration by President Kennedy in his inaugural speech:

> Let every nation know * * * that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty.

Today the Reagan administration speaks in similar terms. It offers what seems to be only a slightly different challenge. Christopher Layne, an adjunct scholar of the CATO Institute, put it this way in an article in the Wall Street Journal on April 15.

> (The Reagan Doctrine) aims to cause the Soviet empire's breakup, and ultimately the collapse of the Soviet state itself by resisting Soviet and Soviet-supported aggression everywhere; engaging the Kremlin in a high-tech arms race; and pressuring Moscow economically.

How does this differ from the prescription spelled out in the Kennedy inaugural? President Kennedy made the difference clear a few paragraphs later in his inaugural when he said that neither the United States nor the Soviets can take comfort from an arms race. Here is how President Kennedy put it in 1961:

> Both sides overburdened by the cost of modern weapons, both rightly alarmed by the steady spread of the deadly atom, yet both racing to alter that uncertain balance of terror that stays the hand of mankind's final war. * * * Let us never negotiate out of fear. But let us never fear to negotiate. * * * Let both sides * * * formulate serious and precise proposals for the inspection and control of arms and bring the absolute power to destroy other nations under the absolute control of all nations.

President Kennedy spoke in the strongest language of the preeminence of the struggle for freedom; but even in his ringing rhetoric he clearly recognized the limitations of the struggle. Obviously he understood we cannot and should not think in terms of overthrowing or collapsing the Soviet Union. He recognized that we live in a world of nuclear doomsday weapons. He recognized more than 27 years ago that arms control, not an arms race, must be the answer.

The Reagan doctrine takes a radically different tack. It goes far beyond a strategic and conventional arms race with the Soviet Union. It calls for extending our country's commitment all over the world. For this administration, it was not enough for our country to have the world's largest, most powerful and far and away its most costly Navy. The United States had such a Navy when the Reagan administration took office in 1981. But it was not enough. Why not? Here is why not: Since this doctrine sees no part of the world as so distant that it does not call for us to defend it against any Soviet subversion, we needed more. We needed a 600 ship Navy, with the worldwide airpower to accompany it. Under the Reagan doctrine it is not enough to consider responding to the pleas of other nation's for U.S. support. We have to search out regimes that might be subject to Soviet pressure and ask them to let us help them.

Now this is a rich country, Mr. President. But even this country cannot afford this kind of endlessly expensive search in the vain notion that somehow we can create an ideologically congenial world. Republicans have often been more aware of these limitations than Democrats. After all, it was Mr. Republican, Robert A. Taft, who pointed out that stopping communism everywhere in the world would impose a crushing burden on our taxpayers and fail in the process. And it was Dwight Eisenhower—a Republican and the man who understood the limits of military power better than any American President in this century—who recognized that this Nation could be most effective in a selective resistance to Communist expansion, rather than an extravagant effort to go head to head with communism wherever and whenever it appears anywhere on Earth. Both Taft and Eisenhower knew that America's economic strength provided the essential base for its military power. Certainly today they would have resisted the enormously costly doctrine that has played the major role in pushing our Federal Government deficits to a shocking $200 billion annually and our national debt to a mammoth $2.3 trillion.

Mr. President, this is not a plea for isolationism. This country is obviously the leader of the free world. We are and must continue to be the essential leader of the North Atlantic Treaty Organization. What is the purpose of NATO? It is not to invade, overwhelm, and replace communism in Eastern Europe and in the Soviet Union with democracy. One minute's reflection should persuade anyone that such a mission means suicide. It means death and destruction for all involved. The mission of NATO is not to attack or to invade any nation anywhere. What then is the mission of NATO, the great alliance our country leads? The NATO mission is to defend the freedom of the Western world—Europe and the United States.

How do we do that? How do we defend—did you get the word? "Defend," not attack—defend, without the crushing burden of an endless and dangerous nuclear and conventional arms race? We do it by reaching an agreement that would serve the interests of both the United States and the Soviet Union. That means an agreement that will permit both sides to use their resources to build a better life for their people. It is not enough to agree to a limit on intermediate and short-range nuclear weapons in Europe. That leaves both sides free to engage in an all-out intercontinental nuclear buildup. And not only a nuclear buildup but it allows an unlimited rush to move ahead in the most expensive military competition of all, dominance in conventional weapons.

Mr. President, I ask unanimous consent that an article in the Wall Street Journal, April 15, 1987, titled "The Overreaching Reagan Doctrine" by Christopher Layne be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Apr. 15, 1987]

The Overreaching Reagan Doctrine

(By Christopher Layne)

The Iran-contra affair doesn't just play into the hands of the foreign-policy left. It rekindles the warnings of traditional conservatives of the Dwight Eisenhower-Robert A. Taft mold by raising serious questions about the affordability or sustainability of the Reagan Doctrine.

Although rivals for the 1952 Republican presidential nomination, Eisenhower and Taft shared a broadly similar outlook. Their anti-communist credentials notwithstanding, they believed the U.S. should selectively contain the expanison of Soviet political and military power; they opposed a global crusade against communist ideology, per se. As Taft said, a policy of blocking communist advances "in every far corner of the world" could impose unacceptable economic and domestic political sacrifices on Americans.

The Reagan Doctrine has never been authoritatively defined, but its content can be inferred from various statements made by President Reagan and Secretary of State Shultz and the writings of such neo-conservative foreign-policy theorists as Charles Krauthammer, Irving Kristol and Norman Podhoretz. Although usually thought of as a policy of aiding anti-communist insurgencies and building Western-style democracies in the Third World, the doctrine is much more than that. It aims to cause the Soviet empire's breakup and, ultimately, the collapse of the Soviet state itself by resisting Soviet and Soviet-supported aggression everywhere; engaging the Kremlin in a high-tech arms race; and pressuring Moscow economically.

IDEOLOGICAL CONGENIALITY

The Reagan Doctrine seeks to create an ideologically congenial world and assumes American security requires nothing less. It also posits the interdependence of all of America's overseas commitments—leading to the belief that any setback, failure of resolve or curtailing of commitments will erode U.S. credibility and lead to a worldwide stampede to the Soviet camp. If accepted, the doctrine's assumptions define America's interests and its course of action: The U.S. must resist communism—and defend democracy—everywhere.

The inevitable byproduct of the Reagan Doctrine is what Alan Tonelson, formerly of Foreign Policy magazine, calls a "supplicant psychology," whereby Washington acts as if other nations' security is more important to the U.S. than it is to them. Under the doctrine's reasoning, if the U.S. fails to aid any country or insurgency facing a communist threat, America could be left alone in an ideologically hostile world. The U.S. thus is put in the posture of pleading with, or bribing, others to allow America to defend them. The ill-advised arms-for-hostages deal is a perfect example: Washington tried to bribe strategically important Iran to stay out of the Soviet orbit.

However, other states are more immediately threatened by the Soviet Union than America is and few of them want to become Soviet satellites. They need America much more than America needs them; they need to be supplicants, the U.S. does not. Until the U.S. sheds the supplicant psychology imbedded in the Reagan Doctrine, it will remain vulnerable to the free-riding and barely disguised blackmail practiced by its actual and potential security partners.

Contrary to its supporters; assertions, the Reagan Doctrine is not a cheap means of countering communism. It rules out devolving security responsibilities on others and calls for extending U.S. commitments abroad at a time when a strategically and economically overextended America should be looking for ways to reduce them. The doctrine requires undiminished support for traditional alliances, a 600-ship Navy and Rapid Deployment Force, and extended nuclear deterrence.

The Reagan Doctrine's likely ultimate costs are illustrated by the fact that notwithstanding the administration's six-year military buildup, various studies have shown that the gap between America's power and its strategic responsibilities has grown worse. Yet just keeping U.S. strength at its current level already is posing the economic dilemma of printing money, borrowing against future tax-payers' earnings or imposing heavy burdens on present ones.

Traditional conservatives have always worried that the burdens of a globalist foreign policy could impair the nation's economic health. Taft certainly did. Eisenhower put the point in even sharper focus. Economic strength, he said, is the foundation of military power. Americans must be careful, he warned, that their foreign-policy objectives do not become so excessive that pursuing them ends up destroying the vitality and strength of America's economic and political institutions.

Eisenhower and Taft knew that ensuring harmony between America's ambitions and its resources is a moral imperative because states that tolerate a persistent imbalance between the ends and means of policy run the risk of national ruin. (Though it's true that military spending was a higher percentage of U.S. gross national product during Ike's presidency than it is today, other demands on the Treasury have grown markedly and aren't likely to diminsh, and the U.S. no longer has such a pressing interest in nurturing the economic development of Western Europe and Japan with a security blanket.)

MAJORITY LEADER ROBERT BYRD

Mr. PROXMIRE. Mr. President, I ask unanimous consent that an article by Mark Shields paying tribute to the leadership of Majority Leader Robert Byrd in his proposed legislation to bring campaign spending under control be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Part-Time Legislators,12 and Full-Time Fund-Raisers

(By Mark Shields)

The man qualifies as an authentic political giant-killer. In 1971 in the Senate Democratic Caucus, he won the job of party whip by defeating the incumbent, Edward Kennedy. In 1976, he had to turn back a challenge from Hubert Humphrey before Senate Democrats elected him their leader, the position he has held continuously from then until now.

But for 16 years the Washington knock on this successful underdog has been remarkable for its harsh consistency: West Virginia Senator Robert C. Byrd, goes the capital consensus, has won favor from the Senate colleagues by doing favors for them. Without a colorful personality, he has often been written off as a master tactician lacking either a grand strategy or any articulated vision of national purpose.

That capital consensus is about to take it on the chin. This Congress will almost certainly move to end the public disgrace of legalized extortion we now employ to finance our congressional campaigns. Absent a national scandal, elected officeholders have been notoriously reluctant to monkey with a political system so divinely inspired as to have put them in office. But radical reform now appears almost inevitable. Both advocates and opponents of limited public financing of congressional elections agree that credit for this historic overhaul of campaign finance must go primarily to one man: Robert Byrd.

That task will not be an easy one. Major beneficiaries of any existing order are not customarily keen to tamper with the status quo. In area code 202, that list would include most organized interests with their own postage meter and political action committee. If not vision, what has led Byrd to this mission? The principal motivations for the majority leader's commitment to change look to be institutional and personal.

The institution about which Byrd manifestly cares a lot is the Senate. And the Senate is not working. One major reason is campaign money, its feverish pursuit and its unchecked growth. Because he is responsible for the scheduling of legislation for Senate floor action, Byrd confronts his colleagues' pervasive preoccupation with raising funds for their reelections, sometimes four years away. In an interview, the Senate leader described the daily entreaties directed at him: "Please, no votes tonight . . . no votes on Monday . . . no votes after 4 p.m. on Thursday . . . I've got a fund-raiser scheduled in Los Angeles . . . in New York . . . in my home state." Few would argue with Byrd's sad judgment that the Senate has become a place of "part-time legislators and full-time fund-raisers."

The personal angle pushing Byrd is just that. He asks an interviewer, "Do you honestly think that a butcher could get elected to the Senate today? A garbage collector? A small grocery man? A welder?" Listing his own previous occupations, Byrd emphatically makes his case why "we cannot turn over our democracy to an aristocracy of money." The present system increasingly requires candidates either to have independent wealth or friends and associates with wealth. In 1982, when his Republican opponent was a Sears Roebuck heir who had the independent support of the National Conservative Political Action Committee, Byrd got firsthand exposure to what it takes to raise $2 million. Of contemporary fund-raising he says, "We end up spending time with people only because they can give money to us."

The existing system for congressional fund raising has no admirers and only a handful of defenders. Opponents of public funding for legislative campaigns regularly change that such a plan would punish challengers and reward incumbents by limiting the amounts all candidates could spend. This argument is slightly disingenuous, coming as it frequently does from political action committees whose contributions now go to incumbents over challengers by a ratio of 6 to 1. Also overlooked is that two of the three executive incumbents—Gerald Ford and Jimmy Carter—who have run under public financing have lost.

Whether Byrd succeeds in his crusade "to restore public faith in the system" may depend in large part on the Republican Senate leader and presidential candidate, Bob Dole of Kansas. Dole once told the Wall Street Journal: "When these political action committees give money, they expect something in return other than good government. . . . Poor people don't make political contributions. You might get a different result if there were a poor-PAC up here." Those are strong words that Dole will have a chance to back up soon when the Senate confronts Byrd's revolutionary notion that, in politics, money may be a good servant but it is a brutal master.

Mr. PROXMIRE. Mr. President, I want to thank my good friend, the majority leader, and I yield the floor.

Mr. McCAIN addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Seven minutes and forty seconds remain, may I say to my friend from Arizona.

Mr. McCAIN. I thank the Chair.

LEVEL OF DEFENSE IN BUDGET RESOLUTION

Mr. McCAIN. Mr. President, I am one of a number of Senators from both sides of the aisle that believe this budget resolution is seriously flawed in many ways.

I do not want to elaborate on all flaws at this point because I believe that putting a budget resolution together has to be one of the most difficult assignments in the Congress, and I do not envy my friend, the chairman of the Budget Committee. There is no doubt in my mind that, under the constraints of deficit reduction, and the inevitable budget politics, it is impossible to create a perfect resolution.

I will not dwell today on my concerns about the high level of taxes this resolution contains, its weak approach toward domestic cuts, and its blatant bias against economies of the Western States.

I would like to lay these problems aside for a moment, Mr. President, and focus instead on the most dangerous, most pernicious flaw of this budget resolution. That is, the dangerously low levels of budget authority and outlays proposed for the defense function.

Let me preface my comments about defense spending with one clarification.

This Senator is deeply concerned about and strongly committed to balancing the Federal budget. This sea of red ink will drown us all if we do not regain the stable ground of black ink.

I also believe that both sides of the budget must bear its portion of the cuts this will require—defense and nondefense alike. After all, the defense portion of the budget is almost a third of the budget.

There is no question in my mind that the recurrence of huge Federal budget deficits requires a concerted and continuous commitment to fiscal restraint. We must be relentless, thorough, and above all, sensible.

Having said that, let me express my support for the President's defense request. It is reasonable and many of us have said it is credible. Indeed, as Democrats and Republicans alike have exclaimed—this is probably the most credible defense budget request this administration has ever sent to the Hill.

The reason it is credible is because it does not ask for enormous increases nor unreasonable new program starts. In fact, this request is about $8 billion less than the $320 billion request the President made last year. It has the support of many Members of this body, including the vast majority of the Senate Armed Services Committee.

But we must place the goals of maintaining a strong defense in context with the battle of the budget.

In this context, the President's proposal is too high. We must be realistic. Defense spending will have to be lower than many consider optimal, yet it must be high enough not to allow the vitality and strength of our Armed Forces to erode.

This is a difficult balance to achieve, and it requires clarity of vision and bipartisanship, at the very least.

It is more urgent than ever that we prioritize our defense goals, make the difficult decisions about the course of our national defense in the future, and then provide an adequate level of funding to finance our reined-in plans.

The ramifications of a failure to do so are the same as the failures of the "decade of neglect"—an era which is still so recently behind us. It left us with demoralized personnel, aging weapons and equipment, and a level of readiness—that might better be described as a level of apathy.

The realization that we needed a defense buildup hit Democrats and Republicans alike.

An overwhelming majority of the American people strongly supported the initial years of our defense buildup.

Since then we have spent billions of dollars—admittedly and regrettably not all of it wisely or productively—to rebuild and repair the vitality of our Armed Forces. Efforts to prevent waste in defense spending are being made constantly in order to ensure we get more for the taxpayers' money. As a result, we have restored strength and readiness to the military. We can respond to threats, protect our allies, and live up to our commitments and treaty agreements.

Let me elaborate on this point.

In 1980 air units of the Navy, Marines, and Air Force were equipped almost entirely with aircraft dating back to the mid-1950's—equipment that was becoming obsolete when I flew it in Vietnam.

Today, F-4's, outclassed by Soviet fighters, have been replaced by the infinitely more capable F-15;

A-4's, first flown 30 years ago, have been replaced by F-18's and Harriers;

The Army, which under President Carter operated tanks shown to be obsolete in the 1973 Yom Kippur war, now has almost 5,000 M-1 tanks, capable of defeating Soviet armor in Europe through the 1990's.

If we were still operating aircraft from the 1950's, we would not be able to defend troops on the ground in Europe.

If we were still using the tanks that were outmoded in 1973 we could not ensure freedom for our European allies. The capability of our Armed Forces—their ability to complete tasks assigned to them—to stop the Soviets from overrunning Europe, keep our trade routes free of interdiction, and ensure the flow of oil from the Middle East—has increased dramatically since 1980.

Just recently, Gen. Bernard Rogers, who is now retiring as head of NATO, stated to the Senate Armed Services Committee that never at any time in the many years that he has spent as a military officer was this Nation more ready to defend its national security requirements than they are today.

But we cannot say "the job is done" and go back to the neglectful policies that created the problems. Hopefully we have learned something and that hard won progress must be maintained.

And it is possible to maintain it, even in the face of Gramm-Rudman-Hollings laws and deep budget cuts.

Do not forget, Mr. President, that our national defense is this Government's top responsibility. Without a strong defense, our efforts to provide for our elderly and poor, to maintain our standard of living, to build futures for our children, and to maintain our economic strength would all be vulnerable.

I am disappointed therefore, that the chairman's mark in this budget resolution does not come close to providing enough defense. It does not come close to striking a balance between our national priorities.

The defense figure is not enough because it will prevent us from attaining the defense goals we have laid out and have worked toward these past 7 years.

In so doing, it would jeopardize our efforts toward arms control, treaty negotiations, and our stature as the strongest, freest nation on Earth.

I have three comments on this mark.

In the first place, the budget authority figure for 1988 is too low. The level of budget authority for defense, perhaps more than for any other area of the Federal budget, has a tremendous effect on future planning and priorities.

And, indeed, the adverse consequences of this budget would not be apparent until it is too late—5 or 10 years down the road. To provide perspective, on this point, Mr. President, let me point out that this budget resolution would place us at our lowest point in defense spending, compared to GNP by 1991—the lowest point; this is, since 1979.

Why is that bad? Well, let me illustrate.

As I remember, in April of 1980, in April of that year, the captain of the *Canisteo*—an oiler—was given orders to sail, but could not put to sea for lack of boiler-tech petty officers.

Is that what we want to return to? That is what this budget implies.

Budget authority spends out slowly in several defense accounts, reflecting the long-run nature of many of today's decisions about our defense priorities. Great fluctuations in budget authority have more than a disruptive effect on our Armed Forces—they result in deleterious and destructive interruptions that waste resources and undermine our current and future security.

It would be far better to establish a steady course of budget authority, which neither fluctuates wildly nor ignores the necessity of controlling Federal spending. In this vein, many have proposed that we keep budget authority constant in real terms. A real freeze is popular even with the distinguished chairman of the Senate Budget Committee, who stated his belief that the level in his own resolution was too low on March 31, 1987, during markup.

This brings me to another point—one which greatly disturbs me.

As we all know, the budget authority for fiscal year 1988 proposed in this budget is far, far, below both the President's request and a real freeze.

Yet, I have heard allusions to the effect that, with a little adjustment in the assumptions about defense spending—such as hard-to-figure inflation savings, Packard Commission efforts, and planned decreases—a budget authority figure of $289 billion is a real freeze.

I will not even begin to discuss such a tedious and imprecise claim. With similar assumptions, we could probably balance the entire Federal budget on paper, too.

No matter how you look at it, Mr. President, we all know that 289 does not equal 302.7. Two hundred and eighty nine is fourteen point seven billion dollars short a real freeze.

There are two more crucial issues beyond the too-low budget authority figures if the chairman's mark. These two problems have to do with the outlay level the budget resolution contains.

First, as my good friend from New Mexico has pointed out in a recent "dear colleague," the committee's budget proposal would require a 10-percent reduction in defense programs from this year's level.

This is because there are certain mandatory spending requirements—some associated with gimmicks used to avoid a sequester last year before the elections—that will add $7.3 billion to the fiscal year 1988 outlay requirement.

The arithmetic shows that, assuming no reductions in military personnel, the committee's defense mark allows new discretionary defense outlays of $58 billion—that is 10-percent less—a 10-percent cut—than this year's level in nominal terms. When you figure inflation into this analysis the situation is worse.

The mark is $6.9 billion below a real freeze in defense outlays. This reduction implies cuts in a number of important areas:

Cuts in flying hours, steaming days, and training hours;

Greater backlogs in depot maintenance, real property maintenance, and general support of the force; and

Reductions in military benefits or cuts in military and civilian pay raises requested by the President.

It implies reductions in procurement and research and development.

It implies, quite simply, a general decline in the quality of our Armed Forces. If this resolution is implemented, our defense spending will be, in 1991, at the second lowest level since World War II.

Second, and more serious, is the combination of outlays and budget authority the resolution contains. There is indeniably a mismatch in the levels of budget authority and outlays assumed in the budget resolution. The heart of this problem lies in the spendout rate the committee has assumed for new budget authority in fiscal year 1988.

Frankly, this puzzles me.

CBO has clearly chosen a spendout rate that does not reflect the mix of defense spending programs that all anticipate in coming years. CBO did its job—it simply figured out current services for fiscal year 1988, and in so doing came up with a ratio in the range of 80 percent. Everyone agrees this is inappropriate for budget purposes.

It is twice the ratio that has been embraced by the minority and majority members of the Senate Armed Services Committee. And, it is twice the level the Democratic members of the Senate Budget Committee agrees is appropriate.

Let me quote from the committee report:

> A ratio in the range of 40 percent is thought to allow the most flexibility in apportioning reductions to both the fast spending development and operations accounts and the slower spending procurement accounts.

There is no doubt that there is a consensus that the CBO's ratio is inappropriate for use in determining the correct level of outlays to sustain and maintain our military agenda.

Likewise, it seems there is a consensus that the appropriate spendout rate should be somewhere in the ball park of 40 percent—the minority members of the Armed Services Committee say 32 to 40 percent and the majority members say 38 to 42 percent and the majority members of the Budget Committee say 40 percent. Moreover, last year, the rate was about 43 percent.

Why then does the committee's resolution assume for fiscal year 1987 a rate in the ball park of 60 percent? I am deeply troubled by this discrepancy, Mr. President.

I am troubled because an error of this magnitude will be very serious. Let me illustrate.

The Armed Services Committee and minority members of the Budget Committee predict a 40-percent spendout rate.

Last year's spendout rate was in the neighborhood of 45 percent.

The committee has assumed that next year's rate will be in the order of 60 percent.

If the committee is correct, then the budget authority figure of $289 billion could be implemented given the outlays the committee has assumed.

If the committee is wrong, and the spendout rate is the same as last year, the budget authority figure will be more like $279 billion.

That is $10 billion less than the committee is claiming. It is $32 billion less than the President requested.

In order to achieve the savings required by this adjustment, we will have to cancel a tremendous amount of budget authority. If we chose to do this out of accounts other than those that include readiness items, we could face a variety of actions.

It seems to me that we are being told we can cut defense and not compromise it—or, in more simple terms, we can have our cake and eat it, too.

For instance, we could eliminate the entire procurement account. That would give us savings in outlays of $14 billion—but we would have to cancel $84 billion in budget authority.

We could eliminate the entire R&D account—cancel that $44 billion and we will have savings of $22 billion.

This is, of course, a tongue in cheek suggestion but as you can see, this is not where the cuts will be. They will mainly come from readiness and personnel accounts.

I think we all remember the sad state of our forces the last time these accounts were gutted. Under President Carter, ships were tied up at the dock for lack of sailors. Low quality recruits used comic books to learn how to operate tanks. Aircraft were cannibalized for spare parts. And pilots who had never had fired a missile found themselves on the front lines. Cutting readiness guarantees a return to the irresponsibility of the late 1970's. Cutting personnel accounts at a time of declining manpower pools is dangerous.

I do not want to beat a dead horse, Mr. President, but I would like to repeat myself this once. If we implement this budget resolution we will be headed in the same direction as the 1970's but we won't feel the consequences of our actions until it is too late.

The budget authority and outlay mismatch, in combination with the already too-low assumptions for defense, have serious implications. There is no doubt that the sacrifices we are being asked to make with respect to defense will undermine the progress we have made, the negotiations we are engaged in with the Soviets, and the other gains that are a result of our defense successes.

Let me conclude, Mr. President, by adding my comments about function 150, which deals with international affairs. As you know, function 150 will also be cut deeply in the chairman's budget.

These cuts, in addition to the defense cuts will be devastating, and I will give an example of this assertion. With the memory of Tehran and Beirut fresh in our minds, we all rushed last year to vote for an antiterrorism bill that included funding for urgently needed embassy construction. Those embassies were to be built to protect American diplomats against car bombs and other tools of the terrorist trade. In less than one line in function 150—"A 2-year hiatus in new building construction is assumed"—this budget blithely assumes that anti-American terrorists will be on holiday for 24 months.

Another section of the budget includes foreign assistance to our allies around the world. I acknowledge that foreign aid is not a popular portion of the Federal budget. But if other portions have borne an inordinate burden in erasing the deficit, foreign aid has been gutted. After 1988, aid programs to nonearmarked countries will be cut by 50 percent or more.

I hope that the distinguished chairman of the Senate Budget Committee will take these comments as they are meant—constructively and sincerely. He has said he agrees there is not enough defense in his resolution, but that he will have to pay for it with taxes. Well, he has raised $100 billion in taxes over 4 years, and the economy will probably yield another $300 billion. If those aren't taxes, I don't know what is.

As I said before, his task is not one I envy, and I admire his dedication and tenacity in undertaking the development of a final budget resolution. I do believe, however, that the defense numbers he has presented will gravely undermine our national security, and I urge him therefore, to add to this defense figure as he works toward a final Senate budget resolution.

BICENTENNIAL MINUTE

MAY 5, 1789: SENATE PASSES BILL FOR ADMINISTERING OATHS

Mr. DOLE. Mr. President, on May 5, 1789, 198 years ago today, the Senate passed its first bill. That measure provided for the administering of oaths in support of the Constitution. When President George Washington signed the act on June 1, It became the first statute of the first Congress.

Article VI of the Constitution requires that all Members of Congress, State legislators, and all Federal and State executive and judicial officers take such an oath. Accordingly, legislators in the spring of 1789 forced an act spelling out the wording of that oath and provisions for its administration. The oath they devised was short and simple: "I do solemnly swear or affirm that I will support the Constitution of the United States."

The Senate's consideration of this first bill triggered debate on matters of form and substance that went far beyond the specifics of a seemingly routine piece of legislation. Some Members questioned whether Congress could pass legislation applying to State officials. Others, arguing that the dignity and preeminence of the Senate was at stake, debated the proper terminology for the bill's enacting clause. For the bill's original version, which read "be it enacted by the Congress of the United States," they substituted "be it enacted by the Senate and Representatives of the United States of America in Congress assembled." The House reluctantly agreed to this change.

On June 4, 1789, the Senate President pro tempore administered the oath to Vice President John Adams. The Vice President, in turn administered it to all Members of the Senate. The oath was revised in 1862, during the Civil War, requiring Members to swear that they had never borne arms against the United States. It was again modified in 1868 to provide that Members "support and defend the Constituion of the United States against all enemies, foreign and domestic."

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

CONGRESSIONAL BUDGET RESOLUTION—1988

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the pending business, Senate Concurrent Rsolution 49, which the clerk will report.

The legislative clerk read as follows:

Calendar Number 93, Senate Concurrent Resolution 49, setting forth the congressional budget for the United States Government for fiscal years 1988, 1989, 1990, and 1991.

The Senate resumed consideration of the concurrent resolution.

Pending:

(1) Byrd motion to recommit the resolution to the Committee on the Budget, with instruction to report back forthwith, with language in the nature of a substitute.

(2) Chiles Amendment No. 174 (to the motion to recommit), with language in the nature of substitute, as amended.

(3) Chiles Amendment No. 179 (to Amendment No. 174), of a perfecting nature.

Mr. CHILES addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

AMENDMENT NO. 179, AS MODIFIED, TO AMENDMENT NO. 174, AS AMENDED

(Purpose: To propose a perfecting amendment incorporating the revised Chiles Democratic budget)

Mr. CHILES. Mr. President, I send to the desk a modification of my amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the modification.

The legislative clerk read as follows:

The Senator from Florida [Mr. CHILES] proposes a modification to his amendment numbered 174, as amended.

Mr. CHILES. Mr. President, I ask unanimous consent that further reading of the modification be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment, is as follows:

Strike all after the words "the Congress" on page 1, line 1, and insert in lieu thereof the following: hereby determines and declares that the concurrent resolution on the budget for fiscal year 1988 is established and the appropriate budgetary levels for fiscal years 1989, 1990, and 1991 are set forth.

MAXIMUM DEFICIT AMOUNTS

SEC. 2. (a) The levels and amounts set forth in this subsection are set forth for purposes of determining, in accordance with section 301(i) of the Congressional Budget and Impoundment Control Act of 1974, as added by the Balanced Budget and Emergency Deficit Control Act of 1985, whether the maximum deficit amount for a fiscal year has been exceeded; are determined on the basis of the economic and technical assumptions upon which the budget submitted by the President for fiscal year 1988 pursuant to section 1105 of title 31, United States Code, is based; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:
Fiscal year 1988: $932,000,000,000.
Fiscal year 1989: $995,400,000,000.
Fiscal year 1990: $1,067,300,000,000.
Fiscal year 1991: $1,150,900,000,000.

(2) The appropriate levels of total budget outlays are as follows:
Fiscal year 1988: $1,039,800,000,000.
Fiscal year 1989: $1,075,600,000,000.
Fiscal year 1990: $1,100,900,000,000.
Fiscal year 1991: $1,127,100,000,000.

(3) The amounts of the deficits are as follows:
Fiscal year 1988: $107,800,000,000.
Fiscal year 1989: $80,200,000,000.
Fiscal year 1990: $33,600,000,000.
Fiscal year 1991: −$23,800,000,000.

(b) The levels and amounts set forth in this subsection are set forth for informational purposes only; are not set forth for purposes of any determination to be made under titles III or IV of the Congressional Budget and Impoundment Control Act of 1974; are determined on the basis of the economic assumptions reported to the Congress by the Congressional Budget Office; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:
Fiscal year 1988: $920,800,000,000.
Fiscal year 1989: $988,400,000,000.
Fiscal year 1990: $1,077,700,000,000.
Fiscal year 1991: $1,174,700,000,000.

(2) The appropriate levels of total budget outlays are as follows:
Fiscal year 1988: $1,054,400,000,000.
Fiscal year 1989: $1,093,900,000,000.
Fiscal year 1990: $1,134,000,000,000.
Fiscal year 1991: $1,172,000,000,000.

(3) The amounts of the deficits are as follows:
Fiscal year 1988: $133,600,000,000.
Fiscal year 1989: $105,500,000,000.
Fiscal year 1990: $56,300,000,000.
Fiscal year 1991: −$2,700,000,000.

RECOMMENDED LEVELS AND AMOUNTS

SEC. 3. (a) The levels and amounts set forth in subsections (b) and (c) of this section and section 4 are set forth pursuant to subsections (a) and (b) of section 301 of the Congressional Budget and Impoundment Control Act of 1974; are set forth for purposes of any determination to be made under title III or IV of such Act (other than a determination under section 301(i) or 311(a) of such Act with respect to whether the maximum deficit amount for a fiscal year has been exceeded); and are based upon the economic and technical assumptions reported by the Congressional Budget Office.

(b) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990:

(1) The recommended levels of Federal revenues are as follows:
Fiscal year 1988: $680,300,000,000.
Fiscal year 1989: $726,800,000,000.
Fiscal year 1990: $790,800,000,000.
Fiscal year 1991: $863,800,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:
Fiscal year 1988: $20,300,000,000.
Fiscal year 1989: $26,400,000,000.
Fiscal year 1990: $26,700,000,000.
Fiscal year 1991: $35,800,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:
Fiscal year 1988: $59,700,000,000.
Fiscal year 1989: $63,900,000,000.
Fiscal year 1990: $68,900,000,000.
Fiscal year 1991: $74,300,000,000.

(2) The appropriate levels of total new budget authority are as follows:
Fiscal year 1988: $919,600,000,000.
Fiscal year 1989: $959,500,000,000.
Fiscal year 1990: $983,300,000,000.
Fiscal year 1991: $1,031,300,000,000.

(3) The appropriate levels of total budget outlays are as follows:
Fiscal year 1988: $849,800,000,000.
Fiscal year 1989: $878,000,000,000.
Fiscal year 1990: $904,900,000,000.
Fiscal year 1991: $928,700,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:
Fiscal year 1988: $169,500,000,000.
Fiscal year 1989: $151,200,000,000.
Fiscal year 1990: $114,100,000,000.
Fiscal year 1991: $64,900,000,000.

(5) The appropriate levels of the public debt are as follows:
Fiscal year 1988: $2,585,600,000,000.
Fiscal year 1989: $2,804,100,000,000.
Fiscal year 1990: $2,983,700,000,000.
Fiscal year 1991: $3,115,200,000,000.

and the amounts by which the statutory limits on such debt should be accordingly increased are as follows:
Fiscal year 1988: $231,800,000,000.
Fiscal year 1989: $218,500,000,000.
Fiscal year 1990: $179,600,000,000.
Fiscal year 1991: $131,500,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990, are as follows:

Fiscal year 1988:
(A) New direct loan obligations, $34,000,000,000.
(B) New primary loan guarantee commitments, $156,500,000,000.
(C) New secondary loan guarantee commitments, $100,600,000,000.

Fiscal year 1989:
(A) New direct loan obligations, $32,300,000,000.
(B) New primary loan guarantee commitments, $150,400,000,000.
(C) New secondary loan guarantee commitments, $97,900,000,000.

Fiscal year 1990:
(A) New direct loan obligations, $31,000,000,000.
(B) New primary loan guarantee commitments, $158,100,000,000.
(C) New secondary loan guarantee commitments, $94,600,000,000.

Fiscal year 1991:
(A) New direct loan obligations, $30,100,000,000.
(B) New primary loan guarantee commitments, $165,400,000,000.
(C) New secondary loan guarantee commitments, $91,000,000,000.

(c) The Congress hereby determines and declares that the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1988 through 1991 for each major functional category are:

(1) National Defense (050):

(A) Fiscal year 1988:
(i) New budget authority, $289,000,000,000.
(ii) Outlays, $283,600,000,000.
(iii) New direct loan obligations, $0.
(iv) New primary loan guarantee commitments, $0.
(v) New secondary loan guarantee commitments, $0.

Fiscal year 1989:
(i) New budget authority, $294,800,000,000.
(ii) Outlays, $288,000,000,000.
(iii) New direct loan obligations, $0.
(iv) New primary loan guarantee commitments, $0.
(v) New secondary loan guarantee commitments, $0.

Fiscal year 1990:
(i) New budget authority, $297,900,000,000.
(ii) Outlays, $292,000,000,000.
(iii) New direct loan obligations, $0.
(iv) New primary loan guarantee commitments, $0.
(v) New secondary loan guarantee commitments, $0.

Fiscal year 1991:
(i) New budget authority, $301,100,000,000.
(ii) Outlays, $296,000,000,000.
(iii) New direct loan obligations, $0.
(iv) New primary loan guarantee commitments, $0.
(v) New secondary loan guarantee commitments, $0.

(B) In accordance with the provisions of this resolution, the appropriate levels for function 050 (National Defense) shall be increased to $301,500,000,000 in budget authority and $290,600,000,000 in outlays for fiscal year 1988, $307,300,000,000 in budget authority and $295,000,000,000 in outlays for fiscal year 1989, $310,400,000,000 in budget authority and $299,000,000,000 in outlays for fiscal year 1990, $313,600,000,000 in budget authority and $303,000,000,000 in outlays for fiscal year 1991; and all appropriate budget aggregates shall be adjusted in a manner mathematically consistent with such modifications.

(2) International Affairs (150):

Fiscal year 1988:
(A) New budget authority, $15,800,000,000.
(B) Outlays, $15,800,000,000.

(C) New direct loan obligations, $6,000,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1989:

(A) New budget authority, $20,300,000,000.

(B) Outlays, $14,300,000,000.

(C) New direct loan obligations, $5,800,000,000.

(D) New primary loan guarantee commitments, $9,400,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1990:

(A) New budget authority $16,000,000,000.

(B) Outlays, $13,300,000,000.

(C) New direct loan obligations, $5,700,000,000.

(D) New primary loan guarantee commitments, $9,800,000,000.

(E) New secondary loan guarantee commitments $300,000,000.

Fiscal year 1991:

(A) New budget authority $15,300,000,000.

(B) Outlays, $11,300,000,000.

(C) New direct loan obligations, $5,700,000,000.

(D) New primary loan guarantee commitments, $10,200,000,000.

(E) New secondary loan guarantee commitments $300,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 1988:

(A) New budget authority $11,500,000,000.

(B) Outlays, $11,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $13,700,000,000.

(B) Outlays, $13,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $15,200,000,000.

(B) Outlays, $14,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $15,800,000,000.

(B) Outlays, $15,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(4) Energy (270):

Fiscal year 1988:

(A) New budget authority, $4,800,000,000.

(B) Outlays, $4,800,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $7,300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $4,500,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,000,000,000.

(B) Outlays, $4,600,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $4,700,000,000.

(B) Outlays, $4,200,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):

Fiscal year 1988:

(A) New budget authority, $16,000,000,000.

(B) Outlays, $15,100,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $16,500,000,000.

(B) Outlays, $16,200,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $16,900,000,000.

(B) Outlays, $17,300,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $16,800,000,000.

(B) Outlays, $17,200,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(6) Agriculture (350)

Fiscal year 1988:

(A) New budget authority, $29,400,000,000.

(B) Outlays, $28,600,000,000.

(C) New direct loan obligations, $17,500,000,000.

(D) New primary loan guarantee commitments, $8,500,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $30,100,000,000.

(B) Outlays, $26,200,000,000.

(C) New direct loan obligations, $16,200,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $25,500,000,000.

(B) Outlays, $22,300,000,000.

(C) New direct loan obligations, $15,000,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $22,200,000,000.

(B) Outlays, $20,300,000,000.

(C) New direct loan obligations, $14,200,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

(7) Commerce and Housing Credit (370):

Fiscal year 1988:

(A) New budget authority, $12,200,000,000.

(B) Outlays, $7,500,000,000.

(C) New direct loan obligations, $4,000,000,000.

(D) New primary loan guarantee commitments, $91,600,000,000.

(E) New secondary loan guarantee commitments, $100,300,000,000.

Fiscal year 1989:

(A) New budget authority, $12,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $4,100,000,000.

(D) New primary loan guarantee commitments, $93,900,000,000.

(E) New secondary loan guarantee commitments, $97,600,000,000.

Fiscal year 1990:

(A) New budget authority, $15,400,000,000.

(B) Outlays, $6,800,000,000.

(C) New direct loan obligations, $4,100,000,000.

(D) New primary loan guarantee commitments, $98,800,000,000.

(E) New secondary loan guarantee commitments, $94,300,000,000.

Fiscal year 1991:

(A) New budget authority, $12,800,000,000.

(B) Outlays, $4,800,000,000.

(C) New direct loan obligations, $4,100,000,000.

(D) New primary loan guarantee commitments, $103,400,000,000.

(E) New secondary loan guarantee commitments, $90,700,000,000.

(8) Transportation (400):

Fiscal year 1988:

(A) New budget authority, $29,400,000,000.

(B) Outlays, $28,400,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $29,600,000,000.

(B) Outlays, $27,900,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $30,300,000,000.

(B) Outlays, $27,700,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $30,900,000,000.

(B) Outlays, $27,500,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(9) Community and Regional Development (450):

Fiscal year 1988:

(A) New budget authority, $7,400,000,000.

(B) Outlays, $6,700,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $7,300,000,000.

(B) Outlays, $6,400,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $7,200,000,000.

(B) Outlays, $6,500,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $7,000,000,000.

(B) Outlays, $6,300,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 1988:

(A) New budget authority, $36,000,000,000.

(B) Outlays, $32,900,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $36,400,000,000.

(B) Outlays, $35,900,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $37,700,000,000.

(B) Outlays, $36,900,000,000.

(C) New direct loan obligations, $1,800,000,000.

(D) New primary loan guarantee commitments, $9,200,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $39,200,000,000.

(B) Outlays, $38,200,000,000.

(C) New direct loan obligations, $1,800,000,000.

(D) New primary loan guarantee commitments, $9,200,000,000.

(E) New secondary loan guarantee commitments, $0.

(11) Health (550):

Fiscal year 1988:

(A) New budget authority, $45,100,000,000.

(B) Outlays, $44,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $48,000,000,000.

(B) Outlays, $48,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $51,800,000,000.

(B) Outlays, $51,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $56,000,000,000.

(B) Outlays, $55,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

(12) Medicare (570):

Fiscal year 1988:

(A) New budget authority, $93,200,000,000.

(B) Outlays, $80,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $102,700,000,000.

(B) Outlays, $89,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $113,200,000,000.

(B) Outlays, $99,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $123,800,000,000.

(B) Outlays, $111,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(13) Income Security (600):

Fiscal year 1988:

(A) New budget authority, $168,000,000,000.

(B) Outlays, $130,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $175,500,000,000.

(B) Outlays, $137,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $181,500,000,000.

(B) Outlays, $142,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $215,200,000,000.

(B) Outlays, $151,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(14) Social Security (650):

Fiscal year 1988:

(A) New budget authority, $4,700,000,000.

(B) Outlays, $4,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,300,000,000.

(B) Outlays, $3,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(15) Veterans Benefits and Services (700):

Fiscal year 1988:

(A) New budget authority, $28,000,000,000.

(B) Outlays, $27,400,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $30,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $28,100,000,000.

(B) Outlays, $27,500,000,000.

(C) New New direct loan obligations, $1,000,000,000.

(D) New primary loan guarantee commitment, $28,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $28,000,000,000.

(B) Outlays, $27,700,000,000.

(C) New direct loan obligations, $900,000,000.

(D) New primary loan guarantee commitments, $30,700,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $28,300,000,000.

(B) Outlays, $27,900,000,000.

(C) New direct loan obligations, $800,000,000.

(D) New primary loan guarantee commitments, $33,000,000,000.

(E) New secondary loan guarantee commitments, $0.

(16) Administration of Justice (750):

Fiscal year 1988:

(A) New budget authority, $9,800,000,000.

(B) Outlays, $9,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $9,600,000,000.

(B) Outlays, $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $9,600,000,000.

(B) Outlays, $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $9,600,000,000.

(B) Outlays, $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(17) General Government (800):

Fiscal year 1988:

(A) New budget authority, $7,600,000,000.

(B) Outlays, $7,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New Secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $7,600,000,000.

(B) Outlays, $7,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New Secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $7,800,000,000.

(B) Outlays, $7,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New Secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $7,800,000,000.

(B) Outlays, $7,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New Secondary loan guarantee commitments, $0.

(18) General Purpose Fiscal Assistance (850):

Fiscal year 1988:

(A) New budget authority, $1,800,000,000.

(B) Outlays, $1,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $1,700,000,000.

(B) Outlays, $1,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $1,800,000,000.

(B) Outlays, $1,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $1,800,000,000.

(B) Outlays, $1,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(19) Net Interest (900):

Fiscal year 1988:

(A) New budget authority, $145,400,000,000.

(B) Outlays, $145,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $150,800,000,000.

(B) Outlays, $150,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $154,000,000,000.

(B) Outlays, $154,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $155,300,000,000.

(B) Outlays, $155,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(20) Allowances (920):

Fiscal year 1988:

(A) New budget authority, −$300,000,000.

(B) Outlays, −$600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $0.

(B) Outlays, −$300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $600,000,000.

(B) Outlays, $300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $1,200,000,000.

(B) Outlays, $800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(21) Undistributed Offsetting Receipts (950):

Fiscal year 1988:

(A) New budget authority, −$35,200,000,000.

(B) Outlays, −$35,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, −$36,300,000,000.

(B) Outlays, −$36,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, −$37,500,000,000.

(B) Outlays, −$37,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, −$38,900,000,000.

(B) Outlays, −$38,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 4. (a) Not later than May 14, 1987, the committees named in subsections (b) through (u) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $7,200,000,000 in contributions, $1,630,000,000 in budget authority and $1,630,000,000 in outlays in fiscal year 1988, $0 in contributions, $1,823,000,000 in budget authority and $1,823,000,000 in outlays in fiscal year 1989, $0 in contributions, $3,015,000,000 in budget authority and $3,015,000,000 in outlays in fiscal year 1990, and $0 in contributions, $2,305,000,000 in budget authority and $2,305,000,000 in outlays in fiscal year 1991.

(c) The Senate Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(d) The Senate Committee on Banking, Housing, and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provides spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(e) The Senate Committee on Commerce, Science, and Transportation shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $654,000,000 in budget authority and $636,000,000 in outlays in fiscal year 1988, $54,000,000 in budget authority and $51,000,000 in outlays in fiscal year 1989, $54,000,000 in budget authority and $53,000,000 in outlays in fiscal year 1990, and $54,000,000 in budget authority and $53,000,000 in outlays in fiscal year 1991.

(f) The Senate Committee on Energy and Natural Resources shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $170,000,000 in budget authority and $170,000,000 in outlays in fiscal year 1988, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1989, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1990, and $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1991.

(g) The Senate Committee on Environment and Public Works shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $190,000,000 in budget authority and $190,000,000 in outlays in fiscal year 1988, $195,000,000 in budget authority and $195,000,000 in outlays in fiscal year 1989, $198,000,000 in budget authority and $198,000,000 in outlays in fiscal year 1990, and $199,000,000 in budget authority and $199,000,000 in outlays in fiscal year 1991.

(h)(1) The Senate Committee on Finance shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $3,941,000,000 in outlays in fiscal year 1988, $0 in budget authority and $4,510,000,000 in outlays in fiscal year 1989, $0 in budget authority and $5,658,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $6,867,000,000 in outlays in fiscal year 1991.

(2) The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $11,300,000,000 in fiscal year 1988; $23,500,000,000 in fiscal year 1989; $23,500,000,000 in fiscal year 1990; and $32,500,000,000 in fiscal year 1991.

(3) The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to increase revenues, in addition to amounts specified in subsection (2), as follows: $7,000,000,000 in fiscal year 1988, $7,000,000,000 in fiscal year 1989, $7,000,000,000 in fiscal year 1990, and $7,000,000,000 in fiscal year 1991.

(i) The Senate Committee on Governmental Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $1,211,000,000 in outlays in fiscal year 1988, $0 in budget authority and $3,216,000,000 in outlays in fiscal year 1989, $0 in budget authority and $5,146,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $7,615,000,000 in outlays in fiscal year 1991.

(j) The Senate Committee on Labor and Human Resources shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof as follows: $80,000,000 in budget authority and $80,000,000 in outlays in fiscal year 1988, $110,000,000 in budget authority and $110,000,000 in outlays in fiscal year 1989, $110,000,000 in budget authority and $110,000,000 in outlays in fiscal year 1990, and $110,000,000 in budget authority and $110,000,000 in outlays in fiscal year 1991.

(k) The Senate Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $56,000,000 in budget authority and $56,000,000 in outlays in fiscal year 1988, $32,000,000 in budget authority and $32,000,000 in outlays in fiscal year 1989, $0 in budget authority and $13,000,000 in outlays in fiscal year 1990, $0 in budget authority and −$2,000,000 in outlays in fiscal year 1991.

HOUSE COMMITTEES

(l) The House Committee on Agriculture shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $7,200,000,000 in contributions, $1,630,000,000 in budget authority and $1,630,000,000 in outlays in fiscal year 1988, $0 in contributions, $1,823,000,000 in budget authority and $1,823,000,000 in outlays in fiscal year 1989, $0 in contributions, $3,015,000,000 in budget authority and $3,015,000,000 in outlays in fiscal year 1990, and $0 in contributions, $2,305,000,000 in budget authority and $2,305,000,000 in outlays in fiscal year 1991.

(m) The House Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(n) The House Committee on Banking, Finance and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(o) The House Committee on Education and Labor shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $911,000,000 in outlays in fiscal year 1988, $0 in budget authority and $900,000,000 in outlays in fiscal year 1989, $0 in budget authority and $913,000,000 in outlays in fiscal year 1990, $0 in budget authority and $1,007,000,000 in outlays in fiscal year 1991.

(p) The House Committee on Energy and Commerce shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $924,000,000 in budget authority and $3,906,000,000 in outlays in fiscal year 1988, $359,000,000 in budget authority and $3,856,000,000 in outlays in fiscal year 1989, $362,000,000 in budget authority and $4,961,000,000 in outlays in fiscal year 1990, and $363,000,000 in budget authority and $6,062,000,000 in outlays in fiscal year 1991.

(q) The House Committee on Government Operations shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $501,000,000 in outlays in fiscal year 1988, $0 in budget authority and $517,000,000 in outlays in fiscal year 1989, $0 in budget authority and $545,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $566,000,000 in outlays in fiscal year 1991.

(r) The House Committee on Interior and Insular Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $170,000,000 in budget authority and $170,000,000 in outlays in fiscal year 1988, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1989, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1990, and $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1991.

(s) The House Committee on Post Office and Civil Service shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $710,000,000 in outlays in fiscal year 1988, $0 in budget authority and $2,699,000,000 in outlays in fiscal year 1989, $0 in budget authority and $4,601,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $7,049,000,000 in outlays in fiscal year 1991.

(t) The House Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $56,000,000 in budget authority and $56,000,000 in outlays in fiscal year 1988, $32,000,000 in budget authority and $32,000,000 in outlays in fiscal year 1989, $0 in budget authority and $13,000,000 in outlays in fiscal year 1990, and $0 in budget authority and −$2,000,000 in outlays in fiscal year 1991.

(u)(1) The House Committee on Ways and Means shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $3,941,000,000 in outlays in fiscal year 1988, $0 in budget authority and $4,510,000,000 in outlays in fiscal year 1989, $0 in budget authority and $5,658,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $6,867,000,000 in outlays in fiscal year 1991.

(2) The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $11,300,000,000 in fiscal year 1988, $23,500,000,000 in fiscal year 1989, $23,500,000,000 in fiscal year 1990, and $32,500,000,000 in fiscal year 1991.

(3) The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to increase revenues, in addition to amounts specified in subsection (2), as follows: $7,000,000,000 in fiscal year 1988, $7,000,000,000 in fiscal year 1989, $7,000,000,000 in fiscal year 1990, and $7,000,000,000 in fiscal year 1991.

FUNDING FOR DEFENSE

SEC. 5. (a) Notwithstanding any other provision in this resolution, no increase in the levels for function 050 (National Defense) above those in section 3(c)(1)(A) of this resolution shall be effective unless—

(1) a reconciliation bill pursuant to section 4 of this resolution is enacted;

(2) the Senate Committee on Finance and the House Committee on Ways and Means, as an integral part of the changes in law reported pursuant to sections 4(h)(3) and 4(u)(3) of this concurrent resolution, provide that such changes in law shall not take effect unless the Committees on Appropriations of the Senate and the House of Representatives report legislation appropriating the full amount of the levels for function 050 (National Defense) for fiscal year 1988.

DETERMINATIONS OF WHETHER MAXIMUM DEFICIT AMOUNT IS EXCEEDED

SEC. 6. It is the sense of the Congress that any determination under section 311(a) of the Congressional Budget and Impoundment Control Act of 1974 with respect to whether a bill, resolution, amendment, or conference report would cause the maximum deficit amount for a fiscal year to be exceeded shall be based upon the same economic and technical assumptions, in the aggregate, upon which the budget submitted by the President for fiscal year 1988 pursuant to section 1105 of title 31, United States Code, is based.

DEFICIT REDUCTION ACCOUNT

SEC. 7. (a) It is assumed that as a procedure appropriate to carry out the purposes of the Congressional Budget and Impoundment Act of 1974 (within the meaning of section 301(b)(4) of such Act), the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives would, as an integral part of the changes in law reported pursuant to sections 4(h)(2) and 4(u)(2) of this concurrent resolution, report legislation to—

(1) establish a separate account in the Treasury into which revenues resulting from the changes in law reported pursuant to sections 4(h)(2) and 4(u)(2) of this resolution would be deposited,

(2) ensure that any revenues deposited in such account would not be available for appropriation,

(3) provide that any such revenues deposited in such account would be used to retire outstanding debt obligations of the United States Government, and

(4) ensure that the revenue increases resulting from the changes in law reported pursuant to sections 4(h)(2) and 4(u)(2) would not be effective for any fiscal year in which the allocations made by the Committee on Appropriations of either House pursuant to section 302(b) of the Congressional Budget and Impoundment Control Act of 1974 are exceeded.

(b) Legislation reported pursuant to subsection (a) shall not be considered to be extraneous for purposes of section 2001 of the Consolidated Omnibus Reconciliation Act of 1985 (as amended by section 7006 of the Omnibus Budget Reconciliation Act of 1986).

SALE OF GOVERNMENT ASSETS

SEC. 8. (a) It is the sense of the Congress that—

(1) from time to time the United States Government should sell assets to non-governmental buyers; and

(2) the amounts realized from such sales will not recur on an annual basis and do not reduce the demand for credit.

(b) The amounts to be realized from such sales not previously authorized by law shall not be treated as revenues, receipts, or negative outlays—

(1) for purposes of determining, in accordance with sections 301(i) and 311(a) of the Congressional Budget and Impoundment Control Act of 1974, as added by the Balanced Budget and Emergency Deficit Control Act of 1985, whether the maximum deficit amount for a fiscal year has been exceeded;

(2) for purposes of other points of order under section 311 of the Congressional Budget and Impoundment Control Act of 1974;

(3) for purposes of reconciliation under section 310 of the Congressional Budget and Impoundment Control Act of 1974; or

(4) for purposes of allocations and points of order under section 302 of the Congressional Budget and Impoundment Control Act of 1974.

(c) It is the sense of the Congress that the United States Government should sell assets to non-governmental buyers in the following amounts: $0.

BUDGETARY TREATMENT OF LEGISLATION AUTHORIZING THE PREPAYMENT OF CERTAIN LOANS

SEC. 9. When legislation authorizes the United States Government to waive the prepayment premium on certain Government loans guaranteed by an agency and advanced by the Federal Financing Bank and allows repayment with new Government guaranteed loans—

(1) for purposes of reconciliation under section 310 of the Congressional Budget and Impoundment Control Act of 1974, the contributions from such prepayment shall be scored as revenues and shall not be scored as negative outlays, and

(2) for purposes of allocations and points of order under section 302 of such Act, the contributions from such prepayment shall remain unassigned to committees.

RESERVE FUND FOR THE WELFARE REFORM INITIATIVE

SEC. 10. (a) Of the amounts specified in section 3 of this resolution, it is assumed that budget authority and outlays in amounts not to exceed the amounts specified in subsection (b) for fiscal years 1988, 1989, 1990, and 1991 would be allocated to the appropriate committees of the House of Representatives and the Senate to provide for the child care and job training initiative when the appropriate committees of the House of Representatives or the Senate have reported legislation that will, if enacted, make funds available for such initiative.

(b)(1)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1988 would not exceed $150,000,000 of new budget authority and $110,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1988 would not exceed $600,000,000 of new budget authority and $300,000,000 of outlays.

(2)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1989 would not exceed $160,000,000 of new budget authority and $160,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1989 would not exceed $730,000,000 of new budget authority and $670,000,000 of outlays.

(3)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1990 would not exceed $240,000,000 of new budget authority and $220,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1990 would not exceed $760,000,000 of new budget authority and $750,000,000 of outlays.

(4)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1991 would not exceed $300,000,000 of new budget authority and $290,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1991 would not exceed $990,000,000 of new budget authority and $880,000,000 of outlays.

(c) Upon the reporting of legislation pursuant to subsection (a), revised allocations under section 302(a) of the Congressional Budget and Impoundment Control Act of 1974, altered by amounts not to exceed those in such legislation, would be deemed to have been reported. Such revised allocations would be considered for the purposes of such Act as allocations contained in this resolution, and the appropriate committees of the House of Representatives and the Senate would report revised allocations, pursuant to section 302(b) of such Act to carry out this section.

RESERVE FUND FOR THE MEDICARE CATASTROPHIC HEALTH INSURANCE INITIATIVE

SEC. 11. (a) It is assumed that budget authority and outlays for fiscal years 1988, 1989, 1990, and 1991 would be allocated to the appropriate committees of the House of Representatives and the Senate to provide for the medicare catastrophic health insurance initiative, and the aggregates for fiscal years 1988, 1989, 1990, and 1991 in sections 2 and 3 of this resolution would be adjusted accordingly, when—

(1) legislation has been reported that will, if enacted, ensure that any legislation providing for any such additional funding will not increase the deficits for fiscal years 1988, 1989, 1990, and 1991 above the levels set forth in sections 2 and 3 of this resolution; and

(2) the appropriate committees of the House of Representatives or the Senate have reported legislation that will, if enacted, make funds available for such initiative.

(b) Upon the reporting of legislation pursuant to subsection (a), revised allocations under section 302(a) of the Congressional Budget Act of 1974, altered by amounts not to exceed those in such legislation, and revised functional levels and aggregates to carry out this section, would be deemed to have been reported. Such revised allocations, functional levels, and aggregates would be considered for the purposes of such Act as allocations, functional levels, and aggregates contained in this resolution, and the appropriate committees of such Houses would report revised allocations, pursuant to section 302(b) of such Act to carry out this section.

MEDICARE SAVINGS

SEC. 12. It is assumed that the Committee on Finance of the Senate and the Committees on Ways and Means and Energy and Commerce of the House of Representatives would achieve Medicare savings as specified in this resolution without increasing premiums or deductibles or delaying eligibility or otherwise raising beneficiary out-of-pocket costs.

Mr. CHILES. Mr. President, I want to take a few minutes, and explain some of the different features in the modified budget proposal now at the desk.

My colleague has had this experience several times before. I know the Senator from New Mexico is familiar with what happens when he tries to produce a budget on his side. You have a series of meetings. I am having those meetings. Some would like to continue to explore the changes. They think they are all goods but they would like to study them a little longer to see if there are other changes. We have been going through that process.

Overall, some of these changes are the result of the eloquence of my friend from New Mexico who pointed out some of what he perceived to be shortcomings in our budget. I am not sure that they were. Many of these changes which would have been made had he been participating in the Budget Committee.

I am sure he would have shared some of those ideas with us at that time. But he chose to wait until we came out here to share some of those views.

As I said, he has perhaps helped to precipitate a part of the process.

Mr. DOMENICI. Mr. President, I say to my good friend——

Mr. CHILES. Mr. President, I yield to the Senator.

Mr. DOMENICI. If I could take time off the resolution, I will only take a couple of minutes.

Mr. CHILES. I yield.

Mr. DOMENICI. I have described what the Senator has been going through as the rehabilitation of his budget. I assume he has rehabilitated it. The thing is that we want to make sure we understand what that final rehabilitated budget is all about.

I do want to speak to some of my colleagues on this side of the aisle. In particular, I want to speak to the distinguished Senator from Iowa, Senator GRASSLEY, who asked me if at some time he could spend 20 to 25 minutes discussing the budget.

I did not assume that the chairman was going to modify the amendment on Medicare that he had pending. He had the right. There were no yeas and nays. He has offered, in a sense, his major substitute.

So I may not be able to yield the floor right back to my good friend, but I can assure him that with almost 16 hours remaining, 20 to 25 minutes of our time will be so arranged where he will be able to discuss the budget.

I did also want to say to my friend from Florida, since I did not know which way he was going, there were four or five Senators from both sides of the aisle who wanted to discuss one aspect of the previous pending budget. I assume it is still very much the same. That was with reference to certain technologies. Their leader is the distinguished former chairman of the Environment and Public Works Committee, Senator STAFFORD.

I wanted to say to them that clearly the manager wants to discuss his major amendment first before he yields. I think that is quite appropriate and have no argument. But that also means that I am not prepared to yield to Senator STAFFORD and others until the distinguished chairman has yielded the floor. Then we will take some time off the resolution.

If there are Members on the other side of the aisle who want to speak on the same issue, I would assume they will get their time from the distinguished manager of the bill.

I yield the floor.

Mr. CHILES. I say to my friend from New Mexico and my colleagues I think we can accommodate them in a few minutes. I would like to explain the modification that we have before us. I understand there has been talk about staying in until approximately 6:30 tonight, and use about 6 hours on the concurrent resolution today. If we can do that by staying in until at least 6:30, we will do it. We will then have 10 hours remaining for tomorrow.

I spoke to the majority leader about setting the vote tomorrow morning. I think that can be done when the minority leader arrives. I think it may be after an hour apiece tomorrow morning, which will still leave us 4 hours on each side, and then vote on the modification.

Mr. President, these changes developed in much the same fashion that adjustments are made after you take out a ship for sea trials. We have been out there, and have found a few leaks. We found a few places where perhaps we could increase the speed of the engine. We believe we have made sound modifications. The changes are important and welcome. But the thing that made these changes possible is the broader involvement we have had since the budget came up for debate.

From the word "go" I have felt that two elements were keys to this year's budget discussion. I spoke at length about one of those elements the day we brought the budget to the floor. That element is participation. In the last several days in a number of caucuses the Democratic Members of the Senate have had their say and have shown how the budget resolution can be improved. The amendment I offer today is in many ways the product of their good work and their good will.

I still wait up with a light in the window, for the Republican leadership to stop by and offer a hand. For a period of time now, through hearings, markup, and Senate debate, we have sought that participation from the other side of the aisle and from the other end of Pennsylvania Avenue. That candle is not burning as brightly as it was. It is still flickering but the parlor is still empty. Nevertheless, the invitation is still extended.

Mr. President, participation is one of the two big concerns and the question of defense spending is no less important. That is, in fact, one of the areas where we believe improvements can be made through participation. Let me explain to the Senate the changes we put together and I will begin with the defense numbers.

From day one of the budget season, I have made it clear we need a strong level of defense spending. In all honesty, I believed the administration's defense spending level was a little flabby, through certainly more reasonable than it has been in the past. Still I thought it was too high. My guess is that perhaps the administration knew that it would be perceived as too high. Perhaps that number was made higher for some negotiating room.

Unfortunately, those negotiations never began. But because the Senate Democrats support a strong defense and because from the outset we wanted a higher degree of defense investment, we made some changes in this budget. At the same time, however, because we are also fully committed to deficit reduction and believe the President should be an active participant in the effort, we are proposing a pay-for-defense plan. Here is how it works:

The modified defense resolution contains two sets of defense numbers. One set of numbers is the same as the original reported budget plan, $289 billion in budget authority and $283.6 billion in outlays for fiscal 1988.

The modified resolution also contains a second set of defense numbers, $301.5 billion in budget authority and $290.6 billion in outlays for fiscal year 1988. These raise defense to the inflation-adjusted, zero real growth level.

To fund the higher defense figures, the budget reconciliation includes the necessary level of additional revenues. The minute the President signs the reconciliation package, the higher defense numbers take effect. If the President does not sign the defense reconciliation package, then the lower defense numbers remain.

That is participation, Mr. President. If the Congress and the President want more defense spending, we will have to raise the money to get it. We will have to include those revenues in the reconciliation bill we pass, and the President will have an opportunity to accept those revenues in the bill he signs. If the revenues do not go up to pay for the extra defense spending, then the level of defense spending will not go up either.

Mr. President, I think this is a fair way to get things done. In fact, we have done it before.

Back in 1982, the administration knew we needed highway improvements and construction in this country. Once the President signed onto that view, Congress followed his lead and added a nickel to the gasoline tax to pay the bill. The people accepted that. They knew we needed highways.

Mr. President, I certainly think defense is as important as highways, and I certainly think if we are willing to raise a nickel on the gasoline tax to pay for highways, we ought to be willing to find the additional revenue to pay for defense. I know the President feels we need a higher defense number, and I certainly hope he would feel that defense is as important as highways. Certainly highways are important, but if we cannot adequately defend this country we can have the best roads in the world and we will not have much of anyplace to go.

So in this budget we buy what we can afford, and if we want more, then we agree that we will pay more. If we want to spend less for defense, then we will have less defense. But we will not just be borrowing money, adding that up, and putting this fragile economy in more and more danger. We have with these tremendous debts, giving us higher interest rates, giving us a worse trade picture because we have been unwilling to pay the bill.

Mr. President, we made some other adjustments in this budget modification, but the bottom line has not changed. We still cut the deficit by roughly $37 billion this year and we still meet the Gramm-Rudman-Hollings target of no deficit at all in 1991.

We are able to do these things because we pay for the changes. More defense spending does not add to the deficit because we raise the money to pay for it.

Now, I might say to my friend from New Mexico, I hoped that this amendment might come from the other side in the best of worlds, as I perceive it. Those things do not always work out, and after we had a test vote of 50 to 49, I realized that with the budget as it came out of the committee, we had hit the high watermark and had to make some changes; we could wait no longer for our friends from the other side to make those changes.

Now, more defense spending does not add to the deficit because we raise the money to pay for it. By the same token, additional domestic spending does not add to the deficit because we found money to pay for that. And here is how we did it.

The President asked for $450 million to improve enforcement and collection activities at the Internal Revenue Service. Those improvements, according to CBO, will produce an additional $1.8 billion in revenues—not new taxes but the collection of old ones dues, which in turn will be used to take care of key domestic programs.

Our budget plan, as modified, contains no new revenues to fund new domestic programs. For domestic programs, we use money already in the budget. For defense programs, we pay for what we want and any additional new revenues beyond those raised for defense purposes still go strictly for deficit reduction.

Mr. President, last week we heard it said many times that there was some sort of an anti-Western bias in the budget. That certainly was not true, Mr. President. What really was in the budget and remains there is an antideficit bias.

It is true there is less spending than Westerners would like, but there is less spending than Easterners and Southerners would like. Yet with the leadership of Senator Bingaman, Senator Adams, Senator Baucus, Senator DeConcini, and Senator Wirth we have eased the situation in the West.

This budget modification means that cuts in Western programs are reduced by one-third. I might say, Mr. President, there would never ever have been a perceived bias if the champion of the West had been performing in the Budget Committee as he customarily does because he would have taken care of all of those matters at the time.

But the budget modification means the cuts are reduced by one-third. Now, of course, the Budget Committee does not single out programs for more spending or less, but by reducing the cuts in Western programs, by $130 million the authorizing committees have more room to work. It also means that pressure on agriculture will be less than it might have been. For that, Senator Exon and Senator Conrad, along with Senator Melcher and Senator Simon, deserve some special credit.

This modified budget plan brings the net deduction increase to $2.2 billion in budget authority for fiscal 1988. That is $870 million above the original budget plan reported from the committee. Senator Bradley and particularly Senator Hollings convinced us the need was there and the long-range benefits more than worth the investment. And with the leadership of Senators Pell and Simon, we have found a way to get the job done within the original limits of the budget.

We have found ways to make room for a modest pay increase for Federal civilian employees and Senator Pryor, Senator Glenn, Senator Sarbanes, Senator Simon, and Senator Mikulski took the lead in that effort.

Senator Lautenberg and Senator Cranston deserve special credit for their thoughtful involvement on veteran issues, Senator Kennedy on health programs, and Senators Mitchell and Simon for Medicare—in each area we found ways to ease the strain of a tight budget. All this was possible because more and more people joined the budget discussion with sound ideas.

We found the same thing to be true because Senator Riegle took charge and found ways to lower the amount of cutbacks for community development block grants. And he had the help of Senator Sasser and Senator Lautenberg in putting together a lean yet effective proposal. And, of course, Senator Sarbanes did as much in the area of urban development action grants.

Mr. President, all of these changes are constructive, and each comes within the limits we originally set for deficit reduction. But some people might ask why we waited until now to make these changes.

Well, the answer is the same today as it was months ago. We were waiting for others to join us. We have been separated from an agreement this long because we have been separated this long from our friends on the other side of the aisle.

We always left our calling card, but it was never picked up. All these changes could have been made months ago, and a great deal of time might have been saved. But there are still opportunities.

I hope our Republican friends will examine this budget modification carefully. They will see that the savings remain, the deficit is reduced, and investments are maintained.

They will see a genuine, worthwhile effort that succeeds in serving important needs. And they will see something else. They will see that the time is here to make the same hard choices we have had to make alone on our side of the aisle. We hope they will join us.

This plan is better than the one we had before, and it is much better than the President's budget. It is not perfect, but let's look at how it compares to the two alternatives we have—the President's plan and the sequester option.

No Senator among us could have seriously considered a 30-percent cut in education proposed by the White House. The sequester option would mean 559,000 fewer students served by Pell grants, and 1.2 million fewer disadvantaged students eligible for help.

All Senators want as strong a national defense as possible.

The distinguished Senator from Illinois, who sits in the chair, is one of those who constantly reminded the Senator from Florida that while he was going to be one of those in the first procedural vote, the 49-to-50 vote, I needed to recognize he felt our defense number had to be brought up in the neighborhood of zero real growth. Because of the outstanding work he had done in the authorizing committee on defense dealing with conventional forces and readiness, it was his perception there was no way we could handle those and maintain the kind of readiness situation we need without putting some money back in defense. We thank him for his help, along with many other Members, Senator Nunn, Senator Boren, Senator Exon, Senator Glenn, Senator DeConcini, and Senator Hollings, who said we needed to make these accommodations.

The modified committee plan means some $7 billion more in defense spending for fiscal 1988. The sequester option would mean a $30 billion cut below the baseline and $50 billion less in budget authority for fiscal 1988.

Energy programs under the administration's budget would be cut $2 billion in 1988 and $9 billion over 4 years. Sequester would mean the fill rate for the strategic petroleum reserve would be cut by 5,000 barrels a day rather than increased to 75,000 barrels per day.

Environmental programs under the White House budget would be cut $9 billion over 4 years.

Under both options, we would take big steps backward in the war against drugs. Transportation programs under the White House budget would be cut $14 billion in 4 years. Sequester would mean $3.1 billion less in budget authority for highways.

Farm programs under the President's budget would be cut $5 billion in fiscal 1988. Sequester would mean $2.6 billion less in Commodity Credit Corporation outlays over the years 1988–89.

Mr. President, this is not an exhaustive list, but it shows the damage that could be done unless we agree on a balanced approach which we think is reflected in the modified committee budget.

We know that we cannot keep borrowing as we have, and certainly this budget will mean we will borrow far less than under the administration's plan.

We will have $37 billion in deficit reduction this year, just as the original Gramm-Rudman-Hollings prescribed. We will reach the zero deficit target in 1991. But we will get there while making key investments, and certainly that is an improvement over the administration's budget.

We have done a great deal in the last few months, in the past few weeks, and within the past several days. We feel that it has been good work. We hope that we can make this bipartisan work, and we think this is a budget that both sides can be proud of.

Mr. DOMENICI. Mr. President, I want to use 1 or 2 minutes of my time, and then I will yield to my friend the distinguished senior Senator from Vermont.

I really have a great deal of difficulty with the budget that has been presented, even though I have only reviewed it for the last 10 minutes and have had no chance to analyze it in depth. Let me give my version, and I think it is an honest assessment.

I think this budget is grossly unfair. If I heard my friend from Florida correctly, he says that on domestic spending we know that we have a deficit, we know that we are going to need some new revenues, and domestic spending is going up. The domestic side of this is held hostage to nothing. You can spend the domestic side of this budget even if you do not adopt taxes.

But when it comes to defense, you cannot spend unless you raise taxes. Now, there is at least an implicit acknowledgment that the numbers in the original amendment were inadequate for our national defense. The distinguished chairman said it in committee. He did not say it today. Nonetheless, it was this original defense level, $289 billion in budget authority and $283.6 billion in outlays, which is completely inadequate that came out of committee. But what this amendment says is that when it comes to national defense, you will not provide for the national defense, and the President will not be able to get anything like an adequate amount, unless he agrees to the new taxes.

Frankly, it appears to me that that is pretty inconsistent treatment. If you need $7 billion or $8 billion to provide adequately for the national defense and you need $20 billion or more to provide for domestic programs—and I have not had a chance to figure exactly how much new money is in the domestic programs—you can provide for those.

Under the chairman's revised proposal you can hold defense hostage but you let nondefense go free. Unless the new taxes are passed, you do not get the defense money. But you will spend the domestic money, I guarantee you whether or not you get new taxes. I do not believe that is a fair approach to the problems that budget policy ought to address.

I think the distinguished chairman, in rehabilitating his budget, has added, to the best of my understanding—and this is quick—about $2 billion to the domestic side, in order to get more people who will support the budget. He has added nothing to the defense side, other than to say that we will go $7 billion if and only if we enact new taxes. I will be able to analyze that by the next time I speak. Whatever that is, defense will go up only if the President agrees to sign a reconciliation bill that includes new taxes.

As a matter of fact, it even seems more unfair the more I think of it, because I assume that what is really being said is, "You will sign the reconciliation bill with all the new taxes in it, not just the $7 billion, if that is the number needed for defense."

My reading would be $28 billion in new taxes over the 4 years for $7 billion in additional appropriated defense outlays. I gather that this is what the hostage is. A 1 year defense appropriations bill is hostage to a 4-year tax reconciliation. Unless my good friend the chairman is carving out one little niche and saying that we will have one separate reconciliation bill for the revenues for defense, then I think what we have is just about what I have described.

Domestic can go up, and there is nothing holding it hostage by way of a reconciliation bill, to pay for it, reducing the deficit with taxes. But when it comes to defense, it will go up, I assume, to a number that is thought to be needed. I do not assume he is putting a number in just to please six or eight Members on his side who think the previous number was too low. But the new defense is going to be held hostage to an increase in taxes, in a reconciliation bill to be signed by the President.

There are other things I have not had time to analyze, and I will try to do that before the evening is out. One other aspect we look at with particular interest is how the civilian work force is treated. The first resolution had, for the first time in history, to my knowledge, a 4-year reconciliation of both civilian and military pay at 2 percent a year, for a huge reduction off the baseline or a huge cut, which is the way it is called when we do anything to reduce the congressional baseline. Four years at 2 percent mandated, and then 50 percent pay absorption besides, was in the original one, and I would like to see where it is in this one. In the previous proposal 65 percent to 70 percent, by my rough estimate, of the entire reconciled cuts were to Government operations for civilian pay and freezes in their in-grade pay increases for a year.

I would like to analyze that one and a few other items before we get around to voting.

Mr. CHILES. Mr. President, will the Senator allow me a minute or so to comment on his remarks?

Mr. DOMENICI. Yes. Then the Senator from Vermont will have whatever time he needs.

Mr. CHILES. Mr. President, I find this interesting. My colleague is very perceptive. I think he is right: We have increased defense by $7 billion. We have increased the domestic side a little less than $2 billion. When this budget comes out, we will have cuts on the domestic side of around $9 billion but defense is not going to have any cuts. It is going to be at zero real, just where it was.

So when my colleague says we have added back these moneys to the domestic programs, most of this addback does not bring them up to where they would have been before. We did add some money back. Medicare was originally, cut $3.3 billion. It is now cut $3 billion. The farm programs were cut $1.6 billion, and they are now cut $1.4 billion.

My colleague would say that we are adding all this money to domestic programs when what it really amounts to is not cutting them as much. CDBG's were cut 25 percent, and now will be 10 percent. UDAG was cut 10 percent, and now will be cut 5 percent.

Cuts in some of the Western programs, about which the Senator from New Mexico is concerned, are "drastically" reduced. But that, in his view, it is adding back all this money to the domestic side while defense is treated so poorly.

The Senator ought to listen to some of the comments on our side. We are giving defense $7 billion to put it up to zero real, which is providing inflation money on top of the baseline. But in some of the other domestic programs, we are reducing the cuts we felt we had to make before.

If that is treating defense unfairly, as opposed to these domestic programs, maybe we should not have put money back into these Western programs or reduced the farm programs. Maybe we should not have held those Federal employees much less harmless as we made the changes and lost savings in those areas. It seems no matter what we do we "get it" from both sides.

First, we did not have enough money for defense. We had to add some of that back.

Then we did not have enough money. We are taking too much of these drastic cuts in Western States.

Now, as we ameliorate those cuts, we are giving domestic a field day as opposed to defense. I do not thinks that will wash, but I think it will be an interesting debate.

I hope my colleague from New Mexico and others will study this budget carefully and see what we set forth.

Mr. STAFFORD. Mr. President, will the Senator yield for a question?

Mr. CHILES. I am happy to yield to my good friend.

Mr. STAFFORD. Will the distinguished Senator from Florida comment on the fate of the education program for additions in this budget?

Mr. CHILES. I am happy to comment. Education is one of the areas where, as we came out of the committee, there were add-ons, approximately $1.4 billion or $1.5 billion above the freeze. We now have added $870 million in budget authority and $140 million in outlay programs, bringing the net education increases to $2.2 billion in budget authority for 1988, plus an increase of over $0.2 billion for Head Start.

So over the 4 years, education program add-ons are now $13.9 billion in budget authority and $9.1 billion outlays.

I know the Senator from Vermont has been very interested in these programs and was instrumental in giving encouragement to my colleague from South Carolina, Senator HOLLINGS. I did not hear from him personally.

Mr. STAFFORD. I thank the distinguished manager for what he said.

The PRESIDING OFFICER (Mr. ADAMS). Who yields time?

Mr. DOMENICI. Mr. President, I yield as much time to the distinguished senior Senator from Vermont as he wants and unless my friend, the chairman, wants some time on this side, following the Senator from Vermont, I yield 20 minutes to the distinguished senior Senator from Iowa in that sequence.

I yield the floor myself, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. STAFFORD. Mr. President, I very much thank the very able minority manager of the bill, Senator DOMENICI, for yielding to me for this purpose.

Mr. DOMENICI. Mr. President, if my friend will yield for a correction, both of those come off the Resolution, Mr. President, not off the pending amendment.

The PRESIDING OFFICER. The Senator has that right.

Mr. DOMENICI. I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. STAFFORD. Mr. President, it is my understanding that the Chiles budget—and I assume the pending modification—contains $500 million in fiscal years 1988 and 1989 for a "clean air initiative." I assume this may contemplate a larger Clean Coal Technology Program.

Mr. President, I have supported the Clean Coal Technology Program in the past, and expect to do so in the future. And I have no complaints about investing Federal money in the single most abundant fuel resource of the United States, because it is an investment in the country's future, and that, of course, is coal.

But while an investment in clean coal technology may well serve both future coal use and the environment, this Senator would find attempts to use this solely as an excuse for delaying reductions in air pollution unacceptable. The truth of the matter is that we do not need any technology whatsoever—much less new technologies—to achieve substantial reductions in sulphur dioxide in the atmosphere at the present time.

The Committee on Environment and Public Works, which I was privileged to chair for the last 6 years, has held hearing after hearing and commissioned study after study on the subject of ways to reduce air pollution. That voluminous record makes it abundantly clear that new technologies are not necessary prerequisites for purposes of controlling acid rain. For example, an 8- to 10-million-ton reduction in sulphur dioxide in the atmosphere could be achieved merely through fuel switching. Such an approach—which this Senator is not advocating, by the way—would require only what is now abundantly available throughout the United States: low sulphur coal.

For Members who find a fuel-switching approach to reducing emissions unacceptably disruptive, there are technologies available today—not tomorrow or next year—which can do the job now. Wet scrubbing can be used, of course, but so can other technologies. These include dry scrubbing, fluidized bed combustion, fluidized bed scrubbing, integrated gasification combined cycle combustion, and limestone injection-multistage burner [LIMB] technologies, to name but a few.

These technologies all exist and have been demonstrated on a commercial scale, either in the United States or other industrialized countries. Dry scrubbing, for example, is in operation in Minneapolis and gasification combined cycle combustion in Barstow, CA. Both plants have burned high sulphur coal with very high removal rates.

Whether a Member has a preference for an acid rain control program relying on low-sulphur fuels or one which relies on technology—and this Senator is concerned only with reducing the pollution, not the means selected—there are currently available, viable options.

A Clean Coal Technology Program is not a reason for delaying acid rain controls. This Senator will continue to support funding for such a program so long as it is clear that such a program is a complement to, and not a substitute for, a meaningful control program.

CLEAN COAL TECHNOLOGY/BUDGET RESOLUTION

Mr. BURDICK. I rise to express concern about the inclusion of additional funding for clean coal technology research in the budget resolution.

The specific Clean Coal Technology Program envisioned by this budget provision has not been considered nor authorized by the appropriate authorizing committees. Such a major and far-reaching program should not be created by fiat through the budget resolution process. The $500 million "clean air initiative" does not detail how these funds are to be expended. If these funds are made part of the budget resolution they should be allocated in accordance with the criterion agreed to in the joint envoys report and on as broad a geographic basis as possible.

Over the course of decades, the Congress has created an extensive array of coal research programs. Make no mistake, the development of clean coal technology will not be easy and it will not come cheap. The development of clean coal technology, as evidenced by existing Federal coal research efforts, will take years, even decades, to accomplish.

I have been informed by the chairman of the Environmental Protection Subcommittee Senator MITCHELL, that he intends to mark up an acid rain bill in June. The full committee will consider the legislation thereafter.

The Committee on Environment and Public Works has grappled with this complex issue for the past 7 years. Now is the time for comprehensive and coordinated action. We should avoid piece-meal efforts no matter how well-intentioned.

No region of the country has been immune from paying the price for cleaner air. The Northern Great Plains area has paid its share and then some. Provisions of the 1977 Amendments of the Clean Air Act have required every new powerplant to add scrubbers regardless if they burn low- or high-sulfur coal. This provision has added 25 to 30 percent to the cost of electricity generated from new plants in North Dakota. North Dakotans and other residents of the region are paying the price for cleaner air. These same provisions have impeded the use of low sulfur eastern and western coals. This has meant fewer jobs and less tax revenues for low-sulfur coal-producing areas in the East and West.

Mr. President, the development of clean coal technology is a laudable goal. Any additional research in this area should be specifically targeted and the private sector should assume greater financial responsibility for its development. Through coal switching from high sulfur to low sulfur eastern and western coals, we can effectively and economically reduce sulfur dioxide emissions from existing powerplants. Emissions can also be reduced through the use of existing control technology. These decisions are best made by utility managers on a case-by-case basis. We should allow the marketplace to choose the most effective and cost-efficient solution. We should not mandate specific acid rain control remedies. By the same token, we should not subsidize one sector of the coal industry at the expense of another.

In conclusion, Mr. President, I have serious reservations about including a $500 million blank check for clean coal technology under the guise of acid rain containment. This is not a substitute for a comprehensive acid rain bill, which must be considered, in finding a solution to the problem. There should be specific criterion established concerning the use of these funds which reflect the recommendations of the joint envoys report.

Thank you, Mr. President.

ACID RAIN, CLEAN COAL AND THE FISCAL YEAR 1988 BUDGET

Mr. LEAHY. Mr. President, the budget resolution, offered by Mr. CHILES and currently before the Senate, adds $700 million in new budget authority for a clean coal acid rain initiative. I rise today to express my opposition to a clean coal research program that does not dramatically reduce the pollution that causes acid rain. Clean coal research is not an acceptable substitute for meaningful pollution reduction.

Frankly, I am troubled by a budget that supports hundreds of millions of dollars for research we don't really need while dramatically cutting essential programs. During this week's debate we are being asked to vote for a $3.3 billion cut in Medicare and a $1.6 billion cut in agriculture. These are very painful cuts that hurt people directly. Cutting these programs while increasing subsidies for corporate research is simply not good budget or environmental policy.

Acid rain is the No. 1 environmental problem in my home State. It is a major economic problem as well. Our maple syrup industry just had a terrible year—the second in a row. Our scientists tell us that acid rain and air pollution are the villains. Vermont also depends heavily on the tourist and recreation industry. But acid rain kills our lakes, hurts our fishing, and threatens our forests.

I am not against acid rain research. I have supported the Clean Coal Technology Program already on the books and I share a concern over the effect of an acid rain control program on jobs. I am willing to support a properly constructed research program that is accompanied by strong pollution control. But Vermont simply cannot afford another year of congressional inaction on acid rain. We must act now to reduce the pollution that poisons our rain. Clean coal research, by itself, just doesn't do the job. That is why I am a cosponsor of the acid rain control legislation introduced by my colleagues, Senator STAFFORD and Senator MITCHELL.

The White House opposes all our efforts to protect ourselves from acid rain. They support spending $2.5 billion of taxpayers money on research that doesn't cost a penny in taxes but that solves our problem. It's interesting that this administration attacks Congress for domestic spending programs while supporting a multibillion-dollar subsidy to private industry. When it comes to acid rain I guess this administration believes in a tax and spend, tax and spend approach to Government policy.

Mr. President, the budget resolution does not describe the contents of the clean coal initiative it asks us to support. Nor do we know how the Clean Coal Program will come to the floor. It may be through authorization legislation reported by the Energy Committee. It may be through appropriations legislation. However the sponsors of the Clean Coal Program choose to proceed, I feel strongly that additional money for clean coal research should be considered only in the context of authorizing legislation for an acid rain control program that achieves the pollution reductions of the Stafford or Mitchell bills. I further believe that any clean coal program should meet the requirements of the United States-Canada special envoys report. I am pleased that the budget resolution leaves room for these improvements to the Clean Coal Program.

I am glad to see the bipartisan support from my colleagues in New England and elsewhere for acid rain control and against a research only aproach to this critical issue. I look forward to the day we will debate real pollution control and not just more research on the floor of this body.

Mr. BAUCUS. Mr. President, the pending budget resolution contains funding for clean coal technology research in the amount of $500 million for fiscal year 1988. This is a significant sum. It is a significant sum for a program that has never been considered or authorized by the appropriate committees.

I have two concerns about this resolution. First, I am concerned that the $500 million clean air initiative does not contain specifications on how these funds will be allocated. I am reluctant to endorse a blank check for clean coal technologies without an enumeration of how and where the funds will be spent. Second, I am concerned that the inclusion of funding for the Clean Coal Technology Program may be viewed as a substitute for a comprehensive Acid Rain Control Program. This is clearly not the case. We need a comprehensive acid rain bill enacted by the 100th Congress.

Mr. President, my State of Montana is blessed with abundant supplies of all the fossil fuels, but especially coal. And, in terms of pollution, this coal is the cleanest in the United States, and possibly the world.

But as clean as this coal may be, it can be made cleaner still. And in the process, it can be converted into usable energy with a much higher degree of efficiency. It is this kind of technology in which the United States should be investing if we hope to maintain our competitive position in the world.

Mr. President, for the near term the United States and the rest of the world must be content to rely on clean coals and existing clean coal technologies, such as scrubbers, fluidized bed combustion, and integrated gasification-combined cycle—so-called cool water—systems. But looking to the next century, this country must investigate and invest in more promising technologies. Therefore, clean coal technology funds should be allocated as broadly as possible.

For example, magnetohydrodynamics [MHD] is a promising clean coal technology that can burn either high- or low-sulfur coals. MHD generators produce electrical energy directly from thermal energy with a potential conversion efficiency in the range of 50 to 60 percent. The principle of operation is similar to that of conventional rotating generators except that the rotating wire conductor of the conventional generator is replaced by a moving electrically conductive fluid. Without explaining the system in greater detail, the results are most impressive: 60 percent conversion with virtually no pollution compared to today's technologies because combustion is needed only to create the working fluid.

MHD is not a pie in the sky theory. The process is rapidly approaching the commercialization phase. MHD should be a vital part of any comprehensive long-term energy research program.

I am also concerned that this clean air initiative may have little to do with any immediate air pollution benefits. There is certainly no suggestion to this effect in any documents accompanying the resolution. Maintaining air quality is a national problem. As we grow and our economies expand throughout the remainder of this century and into the next, there is a need for an aggressive environmentally sound energy program. Long-range transport of air-pollutants, global climate change, and other unknown atmospheric effects warrant continued research. But this research can not be an excuse to do nothing about current air pollution.

I, and others, have repeatedly called for an Acid Rain Control Program to curb damage to our lakes, our fish, our forests, and our health. The Clean Coal Technology Program is simply not a substitute for an effective Acid Rain Program. It is a much needed adjunct.

Members of the Committee on Environment and Public Works have twice reported acid rain legislation that would control, not study, these air pollutants. We have studied the acid rain legislation for nearly a decade. Now is the time for action. A research program alone is not enough.

The Clean Coal Technology Program fails to satisfy the commitment President Reagan made to Canadian Prime Minister Mulroney in accepting the "Joint Envoy's Report on Acid Rain." Canada is one of our most important friends. A technology demonstration program should produce near-term reductions by modifying existing plants with cost-effective technology. A stand-alone clean coal research program does not meet the spirit of the envoy's report.

The Clean Coal Program has no requirement that emissions reductions be achieved. It does not require use of technologies that can be installed in existing plants, nor does it require development of cost-effective alternatives. It does not encourage the use of low sulfur coal.

We know enough now to control acid rain by using coal that is naturally low in sulfur content, and by using existing technologies. We do not need to wait for the next generation of technologies to curb our emissions rates.

We need to develop technologies that will burn coal more efficiently and cleanly. We need to invest the years necessary to develop this technology. Energy research is needed, but it is not a substitute for comprehensive air pollution control.

The clean air initiative is a good idea. But it needs to be defined. It's definition should reflect the spirit of the recommendations made in the "Joint Envoys Report."

Mr. CHAFEE. Mr. President, the Chiles budget resolution contains an accommodation to a $500 million clean air initiative which I understand may go toward funding some type of clean coal technology program. I'm in favor of clean coal, and for that matter, clean oil and gas as well. But I have some serious questions as to whether the taxpayers of the United States ought to be the ones to pay for the development of these technologies. What has happened to the polluter pays principle?

My view might be somewhat different if the Budget Committee or the other proponents of this program could point to some immediate clean air benefits. But, so far as I know, there are no short-term benefits from this approach. As I have stated time and again, we need prompt action to curb acid rain—and that means the installation of controls. That should be our goal, Mr. President—reducing air pollution, not government subsidies to develop technologies that fail to solve the immediate problem.

The President of the United States has made a commitment to Canada, the oldest and best ally of the United States, to implement the "Joint Report of the Special Envoys on Acid Rain." If this budget item was for a program that implemented the envoys' recommendations, I might consider this portion of the budget to be less objectionable. But the Department of Energy's Clean Coal Technology Program does not implement the recommendations of the special envoys.

When the Subcommittee on Environmental Protection held a hearing earlier this year on the consistency of the Clean Coal Technology Program with the envoys' report, we received a letter from the Canadian Ambassador to the United States, which contained the following statement:

> * * * (I)t is our view that the current U.S. clean coal technology program does not meet the objectives of the Envoys report or still Canadian concerns about acid rain.

As chairman and now the ranking minority member of that subcommittee, I have sat through literally dozens of hearings on the subject of air pollution over the past several years. I am convinced that air pollution needs to be reduced in the United States, for the sake of our citizens as well as our friends in Canada. To the extent that the budget line-item identified as a clean air initiative reduces air pollution, I'm all for it. But as it stands right now, the money is nothing but a blank check with no guarantee that it buys anything in either the immediate or distant future. I hope that this will change before either an appropriations bill or an authorization, along the lines suggested by Senators DURENBERGER and MITCHELL, is brought to the floor. If it does, then this Senator may be able to express his support rather than his reservations.

Mr. President, if there is no objection I ask that the March 9, 1987, letter from Ambassador Gotlieb be printed in the RECORD.

The letter follows:

CANADIAN EMBASSY,
Washington, DC, March 9, 1987.

Hon. G.J. MITCHELL,
Chairman, Senate Subcommittee on Environmental Pollution, Senate Russell Office Building, Washington, DC.

DEAR SENATOR MITCHELL: We are very pleased that the Senate Subcommittee on Environmental Pollution is holding hearings on proposed acid rain control legislation. It is my pleasure to provide background information on the issue of particular concern at this week's hearing—the relationship between the U.S. Department of Energy's Clean Coal Technology [CCT] Program and the Joint Report of the Special Envoys on Acid Rain. If it would be helpful, I would be pleased to have this letter included in the permanent hearing record.

As you know, the Envoys' Report was the product of a year-long effort on the part of Drew Lewis, appointed by President Reagan, and William Davis, appointed by Prime Minister Mulroney, to study the acid rain problem and develop a plan to address it that would be acceptable to both Canada and the U.S., given the differing economic, social, and political implications of the problem in our two countries. As a result of their study, the Special Envoys concluded: "Acid rain is a serious environmental problem in both the United States and Canada . . . (and) a serious transboundry problem."

To begin the process of addressing the problem, the Special Envoys recommended that the U.S. implement a five-year, $5 billion commercial demonstration program to develop a menu of innovative, economically efficient technologies for controlling SO_2 and NO_x emissions. Specific criteria—including retrofitability, use of high-sulfur coal, and impact on transboundry emissions—were recommended for evaluating the suitability of proposed projects for government funding under this program.

Both President Reagan and Prime Minister Mulroney fully endorsed the Envoys' Report. My Government viewed the endorsement of the Special Envoys' recommendations as an important first step in bringing about significant, near-term reductions in U.S. pollutants which are now dispersed into Canada. Such reductions have been deemed essential by scientific bodies such as the Royal Academy of Sciences in Canada and the National Academy of Science in the U.S., if sensitive forests, soil, and surface waters in Eastern North America are to be protected from the environmental damage caused by acid rain.

In August of last year, DOE selected nine projects to be eligible for the $400 million made available by Congress for fiscal years 1986-1988 under the CCT Program. Shortly thereafter, DOE released a Report to Congress on the relationship between the projects selected and the recommendations of the Envoys' Report. While recognizing the difference in the goals of the CCT program and the program recommended by the Special Envoys, DOE concluded that "many of the technologies selected under the CCT Program are consistent with technologies which would have been selected if one followed the recommendations in the (Special Envoys' Report)."

In January 1987, the Administration took DOE's assessment one step further. Its proposed Budget for Fiscal Year 1988 recalls President Reagan's endorsement of the Special Envoys' Report and states that the commitment of already appropriated $400 million for the CCT Program was "a first step in carrying out the Envoys' recommendations." The budget proposes an additional $350 million in federal spending under the CCT Program, with at least as much funding to be provided by the private sector, "in response to the recommendations in the Envoys' Report." Noting additional state and private clean coal programs, the Administration concludes: "Together, the Federal and non-Federal investments beginning in 1986 constitute a national effort exceeding $5 billion in research, development, and demonstration of new technologies."

Because of the seriousness with which my Government views the Envoy process and the importance to Canada of its ultimate success, Environment Canada undertook extensive analysis of two issues—the DOE claim that the nine CCT projects satisfy the Envoys' recommendations and the Administration's suggestion in the FY 1988 budget proposal that current programs fulfill President Reagan's commitment to implement the Envoys' Report. Environment Canada's findings sharply contrast with DOE's and the budget proposal's conclusions. With respect to the particular projects selected in the first round of the CCT programs, Environment Canada found:

> The nine projects selected might, if they displace production from existing plants, reduce U.S. SO_2 emissions by up to 65,000 metric tonnes. (In 1984 total U.S. SO_2 emissions were 21.4 million tons.)
>
> The projects will make no significant near term contribution to reducing transboundary emissions.
>
> The projects have very limited early retrofit potential; the impact of the new technologies on electric utility emissions will be negligible until after the year 2005.
>
> Only two of the nine selected projects come close to meeting the Special Envoys' recommendations and criteria.

It is worth nothing that a recent Congressional Research Service (CRS) analysis of the CCT Program concurs with the conclusions of Environment Canada's studies. Specifically, it found that only three of the nine projects selected possibly meet the Envoys' Report criteria, and one of those three is so small that no emissions reductions can be expected from it. The total cost of the three projects is only $52 million. According to the CRS, "To achieve the goals of the Envoys' Report would require an integrated approach to clean coal technology demonstration focussed on the Envoys' recommendation and its goals. Such a program does not currently exist.

Environment Canada also assessed the various clean coal initiatives mentioned in President Reagan's recent budget proposal, based on information provided by DOE. It concluded:

> Only $1.7 billion of the proposed $5 billion in federal, state, and private expenditures appear to meet most of the special Envoys' technical criteria.

The potential reduction in transboundary pollution resulting from this spending is insignificant and will not alleviate the damage currently being caused in Canada by U.S. emissions of SO_2.

In the absence of an acid rain control program, significant emissions reductions resulting from the currently planned clean coal technology initiatives or existing air pollution control programs are at least 25 years away.

Based on these findings, it is our view that the current U.S. clean coal technology program does not meet the objectives of the Envoys' Report or still Canadian concerns about acid rain. However, bearing in mind the full endorsement of the Lewis/Davis Report by the President and pursuant to the Vice President's recent visit to Ottawa, it remains the hope and expectation of the Canadian Government that the Administration will take steps to fulfill Mr. Reagan's commitment.

We welcome the administration's proposal to focus new rounds of CCT project selection on criteria more in keeping with the Envoys' objectives. I want to stress that Canada is still firmly committed to the view that substantial near-term reductions in the transboundary flow of SO_2 emissions—on the order of 50 percent—are necessary if sensitive aquatic and terrestrial resources in Eastern North America are to be protected. Carrying out the Envoys' Report is only one step in bringing about these reductions.

Environment Canada's reports are enclosed. We would have no objection to their being included in the hearing record, if the Committee so desires.

I have followed the hearings that your subcommittee held earlier this year and am aware that questions have been raised regarding Canada's efforts in recent years to bring about emissions reductions. In that connection, I thought it might be useful for you to see the enclosed comparison of SO_2 emissions reductions that have taken place in the U.S. and Canada since 1970, when both countries adopted their respective Clean Air Acts. (Canada's was enacted in early 1971.) This paper, which shows overall emissions in the two countries and a breakdown by industrial sector, demonstrates that Canada has achieved reductions of 40 percent over the last decade and a half; since 1980, the base year for the legislative proposals now before the Congress, Canadian emissions have decreased by 14 percent.

The reductions in Canada on a percentage basis have been significantly greater than those in the U.S. over the same periods. It is particularly interesting to note that while Canada has decreased emissions from its major polluting sector—non-ferrous smelters—by 53 percent from 1970-1984, U.S. electric utilities, the primary source of emissions in the U.S., have achieved only an 8 percent reduction over the same period.

Notwithstanding the reductions already achieved, Canada recognizes the need to go still further. In September 1984, Prime Minister Mulroney committed Canada to an additional program of emissions reductions, with the goal of bringing about a 50 percent decrease in emissions over the next decade from 1980 base levels—from 4.6 million tonnes in 1980 to 2.3 million tonnes in 1994. In 1985, the Federal Government reached agreement with the provinces of Eastern Canada that they would implement programs within their respective jurisdictions to bring about these reductions. These programs on the provincial level are almost entirely in place.

At the same time, the Prime Minister announced the adoption of tighter emissions standards for the transportation sector. As of September 1987, new cars sold in Canada must meet NO_x emission standards equivalent to those in the U.S. Further, by December 31, 1989, trucks and buses must cut NO_x emssions by 14 percent, to the EPA standards for heavy duty vehicles which were announced in March 1985.

A more detailed description of the Canadian acid rain control program is enclosed. We are very proud of the emissions reduction efforts undertaken thus far by the provincial governments and Canadian industry, and we are committed to seeing the current acid rain control program through to its completion.

In closing, I would like to express our deep appreciation to you and to other members of the Senate Environment and Public Works Committee for your past and current efforts to seek a solution to this very serious environmental problem which affects both our countries. We wish you well in your current attempt to develop a viable legislative package that will accommodate the admittedly complex regional interests involved in this debate. I am happy to offer Canada's full cooperation in your efforts and would be pleased to share any research, modelling data, or additional details on the Canadian clean air program that you believe would be helpful. If we can be of assistance to you in any way, please do not hesitate to contact me.

Sincerely,

ALLAN GOTLIEB,
Ambassador.

Mr. COHEN. Mr. President, it is time to take positive action on controlling acid rain and restricting the emission of pollutants which cause this destructive phenomena. The United States must take a leading role in this effort, and we cannot delay any longer.

Study after study have been issued which demonstrate the degradation caused by acid deposition to lakes, streams, fish, wildlife and human health. Further evidence indicates that the effects of acid rain are also now being felt in our Western States, which previously had been left out of the equation.

This is not a New England versus Midwest issue, nor is it simply environmentalists versus energy producers. What we have on our hands is a national problem which demands a comprehensive, national solution rather than a piecemeal approach which merely responds to the pressures of the moment.

We currently have in place a clean coal technology program, administered by the Department of Energy. While this type of research effort, aimed at developing new technologies for reducing the harmful emissions which result from coal combustion, is worth Federal expenditures, it cannot and should not be the sole Federal program aimed at acid rain reduction. The DOE clean coal program does not meet the criteria set forth in the report of the joint United States-Canadian Envoys on acid rain cleanup efforts. The recommendations set forth in the Lewis-Davis report must be the basis of an rain control program in the United States, and in my view the most important of those recommendations is that which evisions a strong Federal regulatory role played by the Environmental Protection Agency. This aspect of an effective program is sorely lacking in our country today, and it prevents us from making meaningful progress in air pollution control.

I am pleased to join several of my colleagues from many areas of the country in urging the Senate to move ahead on an acid rain control program which will be effective. Such a program can include a clean coal technology program, but we cannot rely solely on this type of research effort if we expect to reduce the amount of damage currently being caused by acid rain. It is time to move ahead on a comprehensive control program, and I urge my colleagues to support this effort.

Mr. WIRTH. Mr. President, I am pleased to add my voice to that of my colleagues today, on the critically important issue of acid rain. The time has come for action, for strong legislation to reduce emissions of acid-forming pollutants.

The evidence is clear and compelling. Almost 1,000 lakes in the Northeast have been acidified by acid rain. These lakes have been rendered sterile.

But this is not just an eastern problem. Tens of thousands of lakes high in the Rockies and other western mountain ranges are extremely vulnerable to acid rain. Acid rain respects no boundaries, and my State of Colorado is not immune to acid rain. Early this year, the Environmental Protection Agency released a report confirming that these high mountain lakes have very little natural buffering capacity. Other experts tell us that many of these lakes are so vulnerable that with 10 times less acid, they could suffer as much damage as some lakes that already have been acidified in the East.

Thousands of other lakes, in this country and in Canada, are on the acid rain critical list. Unless we cut emissions, these lakes will be the next statistic in the list of dead lakes.

These facts call out for action. Research is important, Mr. President. I have always supported research on this, and other environmental problems. And I have been a strong supporter of research on fossil fuels, including new ways to use the Nation's enormous supplies of coal.

But research is not enough. We know that our lakes and streams are threatened. And we know how to save them.

We have enormous supplies of clean coal, in the West and in the East. Electric powerplants could significantly reduce their emissions of acid-forming pollutants by switching to these fuels.

We have years of experience with scrubbers, and we know they work.

And some exciting new technologies are being demonstrated, technologies that have been developed as part of our clean coal research.

For example, Colorado-Ute in western Colorado has installed a fluidized bed technology in their nuclear powerplant. That technology will not only cut sulfur dioxide emissions by 90 percent, but it will also make the facility more efficient.

These are not far-off technologies. According to the U.S. Department of Energy, these technologies will be commercially available in the next few years.

In short, we know what the problem is. And we know how to solve it in the East and prevent it in the West.

We have done a lot of research, and it is paying off. And we may want to do more clean coal research. But that is not enough. Research won't make the snow in the Rocky Mountains less acidic, and it won't save the lakes of the Northeast and Canada.

Mr. President, the time has come for enactment of strong, fair, cost-effective acid rain legislation.

Mr. PROXMIRE. Mr. President, I join my colleagues in speaking on the need for a connection between the new clean coal technologies and acid rain control. A Clean Coal Program not aimed at reducing emissions cannot be justified. And an acid rain program which makes no place for these technologies wastes an important opportunity for cost-effective reductions.

Can a Clean Coal Program coexist with a real acid rain law? You bet. In Wisconsin, which has the Nation's most sweeping acid rain law, utilities have looked to atmospheric and pressurized fluidized bed combustion technology as ways to reduce emissions while increasing plant efficiency. Fluidized bed technology gives utilities great freedom to choose their fuels, reducing costs to consumers and increasing plant efficiency. Yet installation of even this exciting new technology requires a boost. Utilities and industries which commit huge sums of money and years of planning to new equipment need assurance that the technologies work. That's where the Clean Coal Program comes in.

Other promising emission reduction techniques such as sorbent injection with humidification may even be cheap enough to compete with low-sulfur coal but we need a demonstration to prove it. The limestone-injection multiphase burner system may cost just one-fifth as much to install as stack gas scrubbers and eliminate one of the scrubbers most troubling side effects—what to do with the sludge the process creates. Yet here too, the technology needs help. The process must be tested on all the types of boilers used in the United States before companies will have the confidence to install it themselves.

Unfortunately, without emissions reduction requirements few companies will ever install these new technologies. Wisconsin utilities looked at clean coal because they had no choice. Wisconsin's new acid rain law required them to meet a 50 percent reduction in sulfur dioxide by 1993 and they needed to think creatively about pollution control. Federal acid rain control regulation would have the same effect, stimulating a new industry.

In order to ease the way for clean coal and reduce air pollution, an acid rain bill should offer the greatest possible flexibility for business decisions. Bills which require scrubbers at every plant will kill clean coal. So too, will bills which provide inadequate time for installation of new technologies.

I urge my colleagues to link clean coal and emission reductions into one effort which encourages companies that choose to use new methods to meet emissions requirements. However, any bills should also allow use of conservation, natural gas, low-sulfur coal, scrubbers, advanced coal cleaning, and cogneration or any other method which proves cost-effective.

But a clean-coal program should not be limited to retrofit technology. Instead, an ideal program should also focus on technologies which promise even more, both environmentally and economically in the long term, including coal gasification combined-cycle which promises to virtually eliminate emissions of acid rain precursors but needs to be made economically viable. These kinds of technologies will be particularly important for States expected to build a number of new powerplants in the next 20 or 30 years, particularly in the South and West.

Mr. WALLOP. Mr. President, on Wednesday, I criticized the Chiles amendent to the budget resolution. The Chiles plan has four fatal flaws. It requires a tax increase. It does not come close to meeting our deficit reduction targets for fiscal year 1988. The plan has disproportionate budget impacts on Western States. And, it would seriously weaken our national security.

I do not intend today to revisit these issues. Rather, I want to focus on just one item in the Chiles amendment which reveals another flaw in our rapidly disintegrating budget process. The item is an accommodation of $500 million for a clean-air intitiative. What this initiative entails is left to the imagination. We all know there are quite fertile minds in the Congress and one could only guess what would result from this $500 million largess.

It appears that the funding accommodation is a response to the administration's budget which is seeking $500 million for the Department of Energy's Clean-Coal Technology Program. The technology is to be developed as part of the effort to control acid rain. I have no quarrel with this goal. In fact, last year, I joined with several of my colleagues in a letter to the administration urging funding of the Clean Coal Program.

The Chiles budget plan simply releases $500 million for clean air. It is difficult to foresee where the funds will land in the absence of any budgetary guidance. The Budget Committee does not have the authority to dictate how the funds will be used.

To keep spending on a responsible budget track, we are being forced into debating program specifics during the time limited debate on the budget resolution. This is hardly an appropriate method for making public policy or drafting a budget resolution.

However, I now find myself joining with my colleagues in discussing the purpose of this clean-air initiative. After our experiences with the Clean Air Act, we are forced to have this discussion to protect the interests of our States. When we were drafting the clean-air amendments back in the late 1970's, a deal was cut. Powerplant emissions pollutants would be controlled by requiring only one type of technology, sulfur scrubbers.

It did not matter whether the powerplant used low-sulfur coal, such as we mine in Wyoming. That plant had to have an expensive and sophisticated scrubber. This was done to protect several States which relied on coal with a high sulfur content.

Everyone now realizes that this was the wrong policy. Yet, we have an opportunity to compound this error through the pending clean-air initiative. One perspective on clean-coal technology is that it is just a program to retrofit existing plants with better scrubbers for sulfur and nitrous oxide emissions. Such an interpretation merely continues the mistakes of the past.

The Research and Development Subcommittee of the Energy and Natural Resources Committee held several hearings early in April on the issue of clean coal. The purpose was to review an expanded focus of the

Clean-Coal Technology Program. It is not merely to retrofit plants. The purpose is to determine the most effective method for using our most abundant energy resource, coal, while minimizing the environmental impact. The program is definitely not a device to subsidize one segment of the producers nor to promote one type of pollution control technology.

These are some of the issues which ought to be debated as the Energy, not the Budget, Committee considers legislation on clean-coal technology. Since the issue is mentioned in the budget resolution, I, and several of my colleagues, will not let the matter slip by without commenting on the purpose for the funding accommodation.

Mr. LAUTENBERG. Mr. President, I rise to express my firm commitment for a comprensive acid rain control program. I have joined Senators MITCHELL, STAFFORD, and others in introducing the Acid Deposition Control Act of 1987 (S. 321). This legislation will make great strides in controlling the emissions causing acid rain.

As we consider the 1988 budget resolution, it is important that we keep this goal firmly in mind. Chairman CHILES' budget resolution, in fact, sets aside $500 million for a clean air initiative.

It is my understanding that this initiative places priority on funding a comprehensive acid rain control program that makes significant reductions in the emissions causing acid rain. Some questions have arisen over funding clean coal technology. It is my understanding that any funding from this budget resolution for clean coal technology is not assumed to be done separately or in lieu of a comprehensive approach to acid rain control, which makes significant reductions in sulfur dioxide and nitrogen oxides.

Mr. President, I am committed to the principle that clean coal technology is not and should not be authorized as a substitute for such a comprehensive approach. I understand this budget resolution to embody this principle.

Mr. RUDMAN. Mr. President, the budget resolution we have before us assumes a Federal commitment of hundreds of millions of dollars in fiscal year 1988 for the development and commercialization of clean coal technology. This assumes a considerable increase in Government support for the development of clean coal technology, which according to President Reagan, will ultimately cost the U.S. taxpayers $2.5 billion.

Proponents of this Federal effort insist that the development of clean coal technology will solve the acid rain problem. For people in my part of the country, a great deal rides on this promise. We, in New Hampshire, are witnessing a rapid deterioration of our prized forests, as well as increased acidification of our ponds, lakes, and streams. The effects of acid rain on aquatic systems have been well-documented; the potential human health effects of acid rain are even more onerous.

Given the seriousness of the problem, and the precious nature of what we, in New Hampshire, stand to lose if it is not addressed responsibly, I cannot support a research and development effort such as the clean coal program if it is offered as a way to delay efforts to enact legislation requiring emission controls for acid rain precursors.

On the other hand, if the Federal assistance for clean coal technology development is coupled with serious legislation imposing emissions controls and thereby creating a real market for the technologies being developed, I think it could be money well-spent. Certainly, the costs of acid rain control are heavy, particularly in States such as Ohio or West Virginia where so many jobs depend on the mining of high-sulfur coal. A political consensus has eluded us for years as the acid rain debate drags on. If a Federal clean coal program is necessary in order to win sufficient support to pass an acid rain control bill, then I might be convinced of its value. However, I will go on record right now as being unalterably opposed to the investment of billions of Federal dollars in the development of clean coal technology if it is unaccompanied by legislation requiring emission controls.

CLEAN COAL TECHNOLOGIES

Mr. DURENBERGER. Mr. President, I want to join with the distinguished Senator from Vermont, Senator STAFFORD, and other of our colleagues this afternoon to make a few comments on the clean coal technology program and the room for a clean coal program and clean air initiative that has been provided in this budget resolution.

In making these comments I want to focus the attention of Senators on three points. First, the President of the United States has promised the Canadian Government a very specific clean air initiative which was described in the report of the special envoys on acid rain. Not just any clean coal program will do to satisfy that commitment, as the Canadians have made clear in communications to the Congress on many occasions. There are very explicit criteria for the initiative included in the envoys' report and the Canadians expect that each of those criteria will be fulfilled.

Second, the clean coal technologies which is being conducted by the Department of Energy under authority which was provided by the Congress in an appropriations bill is not consistent with the provisions of the envoy's report. In fact, the rules which the Congress has established for that DOE program are inconsistent with the intent of the envoys and the only way that the rules can be changed is to provide further legislative direction on this subject. Thus, my second point, Mr. President, is that we cannot implement, the President's promise by simply appropriating $2.5 billion for the existing program. A futher clean coal authorizing act by the Congress will be necessary.

Third, if and when the Senate takes up legislation to authorize a new clean coal program consistent with the envoy's report, Members of the Senate will have an interest in assuring that a program to assist with the development of new coal combustion technology also include a long-term program to bring about significant reductions in the emissions which contribute to acid rain. I will be among those Members, Mr. President.

I have no objection to the clean coal initiative which the envoys recommended and which the President has promised our Candanian neighbors this Government would implement. In fact, I have joined with Senator MITCHELL to introduce a bill, S. 911, which explicitly authorizes expenditures of $2.5 billion over the next 5 years to implement the program which is described in the envoy's report. But that bill is drafted and intended to be part of a comprehensive amendment to the Clean Air Act which would also assure a substantial reduction in emissions of sulfur dioxide and oxides of nitrogen in the United States over the next 10 years. And it is only as part of a comprehensive clean air initiative that I can agree to any new authorization and funding for the development of clean coal technologies.

Mr. President, at the time that I introduced S. 911, I made a statement here on the floor of the Senate which explained the history of the clean coal program and described the criteria for projects which were included in the envoy's report. Rather than take additional time in the debate this afternoon, I would simply ask that the statement I made in support of that bill be printed in the RECORD.

The statement follows:

CLEAN COAL TECHNOLOGIES ACT OF 1987

Mr. DURENBERGER. Mr. President, I am today joining Senator George Mitchell of Maine to introduce the Clean Coal Technologies Act of 1987. The purpose of this legislation is to fully implement the recommendations of the Special Envoys appointed by the United States and Canada to consider the problem of acid rain and transboundary air pollution.

This bill authorizes a five-year, $5 billion program to deploy clean coal technologies which will significantly reduce emissions of sulfur dioxide and oxides of nitrogen from American powerplants. Half of this investment is to come from Federal appropriations and half from the private sector. The projects which will be funded under this program will meet each of the criteria developed by the Special Envoys.

Mr. President, although we introduce this authorization as a free-standing piece of legislation, it is our intention that any clean coal program only be acted upon as part of a comprehensive acid rain control program. Senator Mitchell will today be introducing comparable language as an amendment to S. 321 his comprehensive acid rain control bill. I am a cosponsor of that bill and will be cosponsoring his amendment.

In 1985 President Reagan traveled to Canada for his first summit with the recently elected Prime Minister, Brian Mulroney. That summit became known as the Shamrock Summit. High on the Canadian agenda for that summit was the problem of acid rain. The two leaders agreed to appoint special envoys to further explore the problem of acid rain and transboundary air pollution. The United States envoy was Mr. Drew Lewis, former Secretary of Transportation. Canada selected Mr. William Davis, formerly the Premier of Ontario as its envoy.

After many months of meetings and deliberations the Special Envoys issued a joint report including findings and recommendations in January of 1986. Among the findings of the Special Envoys were these two very important statements:

"Acid rain is a serious environmental problem in both the United States and Canada. Acidic emissions transported through the atmosphere undoubtedly are contributing to the acidification of sensitive areas in both countries."

"Acid rain is a serious transboundary problem. Air pollutants emitted by sources in both countries cross their mutual border, thus causing a diplomatic as well as environmental problem."

In addition to these findings the report included an assessment of the acid rain problem from the perspective of each nation. And the report analyzed the available means to control the air emissions which are the precursors of acid rain and came to the conclusion that the potential control strategies available were not adequate to foster a consensus for action within the American community.

Sulfur dioxide emissions, the principal pollutant of concern, can be reduced in a variety of ways. Three control strategies were examined closely by the Envoys. The sulfur can be washed from the coal before it is burned. The utility can switch to coals having a very low sulfur content. Or so-called scrubbers can be added which remove sulfur dioxide from the flue gas resulting from combustion.

The Envoys found fault with each of these three strategies. Coal washing produces only modest reductions in emissions. Switching to low sulfur coal would take jobs from the miners in high-sulfur coal fields. Scrubbers are an expensive technology and would likely lead to electricity rate increases in the Midwest.

There are, however, other pollution control strategies—not widely used at commercial scale in the United States which the Envoys believed might provide substantial reductions at the lesser cost than scrubbing without disruption in the markets for high sulfur coal.

To take full advantage of these technologies and to encourage the development of a policy consensus in the United States the Envoys recommended a five-year, $5 billion program to deploy these technologies at powerplants in the United States.

The heart of the Envoys' report is the following recommendation which sets forth a series of criteria which are to be applied to clean coal projects:

"Therefore the U.S. government should implement a five-year, five billion dollar control technology commercial demonstration program. The federal government should provide half the funding—2.5 billion dollars—for projects which industry recommends, and for which industry is prepared to contribute the other half of the funding.

"Because this technology demonstration program is meant to be part of a long-term response to the transboundary acid rain problem, prospective projects should be evaluated according to several specific criteria. The federal government should co-fund those projects that have the potential for the largest emissions reductions, measured as a percentage of SO_2 and/or NO_x removed. Among projects with similar potential, government funding should go to those that reduce emissions at the cheapest cost per ton. More consideration should be given to projects that demonstrate retrofit technologies applicable to the largest number of existing sources, especially existing sources that, because of their size and location, contribute to transboundary air pollution. In short, although the primary purpose of this research program is to demonstrate the kinds of technologies that would be needed for any future acid rain control program, it should also result in some near-term reductions in U.S. air emissions that affect Canadian ecosystems.

"Furthermore, special consideration should be given to those technologies that can be applied to facilities currently dependent on the use of high-sulfur coal."

On March 19, 1986 and in response to the report, President Reagan stated, "I fully endorse the report and will shortly issue a press statement to that effect." Eventually a press release was issued which summarized all of the coal research being conducted in the United States and concluded that the Envoys' recommendations could be satisfied by the existing research effort including the modest Clean Coal Technology program which was being conducted by the U.S. Department of Energy.

The DOE clean coal program had been established by the Congress in late 1985 when the Synthetic Fuels Corporation was terminated. $400 million had been made immediately available to fund clean coal projects with $350 million held in reserve. According to Congressional directives DOE had solicited proposals for clean coal projects in the spring of 1986.

It must be said, however, that the Clean Coal program was not created in anticipation of the Envoys' report nor as an answer, even in part, to the domestic acid rain problem. The purpose of the DOE program is to demonstrate the whole range of innovative technologies which would encourage the use of large domestic coal reserves.

In August of 1986 DOE tentatively selected nine projects for funding under the clean coal program. Because of the Administration's assertion that the DOE program would satisfy the commitment made in the Envoy's report, these nine projects have been closely examined to determine whether they do, in fact, meet the criteria for projects which were established by the Envoys. Most analysts came to the same conclusion, the projects make only minor contributions to the commitment which this Nation made to Canada when the President endorsed the Envoy's report.

In March of this year, the Ambassador to the United States from Canada wrote to Senator Mitchell in his capacity as Chairman of the Environmental Protection Subcommittee offering the following analysis of these nine projects:

Because of the seriousness with which my Government views the Envoy process and the importance to Canada of its ultimate success, Environment Canada undertook extensive analysis of two issues—the DOE claim that the nine CCT projects satisy the Envoys' recommendations and the Administration's suggestion in the FY 1988 budget proposal that current programs fulfill President Reagan's commitment to implement the Envoys' Report. Environment Canada's findings sharply contrast with DOE's and the budget proposal's conclusions. With respect to the particular projects selected in the first round of the CCT program, Environment Canada found:

The nine projects selected might, if they displace production from existing plants, reduce U.S. SO_2 emission by up to 65,000 metric tonnes. (In 1984 total U.S. SO_2 emissions were 21.4 million tonnes.)

The projects will make no significant near term contribution to reducing transboundary emissions.

The projects have very limited early retrofit potential; the impact of the new technologies on electric utility emissions will be negligible until after the year 2005.

Only two of the nine selected projects come close to meeting the Special Envoys' recommendations and criteria.

It is worth noting that a recent Congressional Research Service (CRS) analysis of the CCT Program concurs with the conclusions of Environment Canada's studies. Specifically, it found that only three of the nine projects selected possibly meet the Envoys' Report criteria, and one of those three is so small that no emissions reductions can be expected from it. The total cost of the three projects is only $52 million. According to the CRS, "To achieve the goals of the Envoys' Report would require an integrated approach to clean coal technology demonstration focussed on the Envoys' recommendation and its goals. Such a program does not currently exist."

Environment Canada also assessed the various clean coal initiatives mentioned in President Reagan's recent budget proposal, based on information provided by DOE. It concluded:

Only $1.7 billion of the proposed $5 billion in federal, state, and private expenditures appear to meet most of the Special Envoys' technical criteria.

The potential reduction in transboundary pollution resulting from this spending is insignificant and will not alleviate the damage currently being caused in Canada by U.S. emissions of SO_2.

In the absence of an acid rain control program, significant emissions reductions resulting from the currently planned clean coal technology initiatives or existing air pollution control programs are at least 25 years away.

Based on these findings, it is our view that the current U.S. clean coal technology program does not meet the objectives of the Envoy's Report or still Canadian concerns about acid rain. However, bearing in mind the full endorsement of the Lewis/Davis Report by the President and pursuant to the Vice President's recent visit to Ottawa, it remains the hope and expectation of the Canadian Government that the Administration will take steps to fulfill Mr. Reagan's commitment.

In a few days President Reagan will be returning to Canada for the 1987 summit with Prime Minister Mulroney. Discussions leading up to that meeting have indicated that Canada remains concerned that the United States is not making an adequate effort to fulfill the Envoys' recommendations. After a recent trip to Ottawa by Vice President Bush, the Administration has issued a new statement on this matter.

In that statement President Reagan indicated that the United States Government will commit $2.5 billion in funds, to be matched by an equal amount from the private sector, over the next five years to fulfill the recommendations of the Envoys.

Mr. President, the bill we are introducing today is an authorization for a clean coal program which would in every respect fulfill the recommendations in the Envoys' report. We are proposing this effort as one part of a comprehensive program to control the air pollutants which are the precursors of acid rain. This is not a stand alone measure. It is only the early phase of the larger effort which will be necessary to protect sensitive aquatic and other ecosystems in the United States and Canada from acidification caused by the deposition of air pollutants.

Some of our colleagues have announced their intention to oppose any further funding for a clean coal technology program until such time as the Administration and the Congress have made a statutory commitment to a long-term acid rain control program. Their determination to insist that clean coal and a complete acid rain program move together has my wholehearted support. The point of this bill is to provide the appropriate legislative vehicle for the clean coal technology portion of that larger package, not to suggest that further research on control technologies is necessary before a control strategy is enacted.

Mr. President, solutions for the national . . . continental . . . acid rain problem are available now. The technologies which will be deployed under this legislation have been demonstrated and are available to the utility industry today. This is not a research bill. We do not need additional years of research to study solutions to the acid rain problem. We can achieve near-term reductions in SO_2 and NO_x emissions and the movement of these pollutants across the boundary into Canada with cost effective technologies which are now available.

We have an obligation to our neighbor and most important partner in the community of nations to take all steps necessary to fulfill the recommendations of the Envoys' report.

Mr. President, I would ask that a copy of the Envoys' report and a text of the bill be included in the RECORD with my comments this morning.

Mr. MITCHELL. Mr. President, the budget resolution for fiscal year 1988 contains $500 million for the Clean Coal Technology Program. This program is a long-term effort to demonstrate various technologies that may reduce emissions from coal combustion. These technologies may be used on commercial powerplants in the future, but the program does not require such applications.

While I do not oppose funding for this program, I would like to make several observations about the role of this program in achieving acid rain reductions. The program may help develop a long-term strategy for preserving certain coal markets for future energy needs. This program, however, is not designed to reduce sulfur dioxide emissions in the near term since there are no mandated reductions. It is not designed to develop retrofit technologies for use in the near future. It is not designed to reduce transboundary pollution.

For these reasons, the Clean Coal Technology Program, despite its other merits, is not a substitute for an effective Acid Rain Control Program; nor would it implement at the United States-Canadian special envoys' report on acid rain. It does not fulfill the President's twice-stated commitment to seek $2.5 billion over 5 years to fund the technology demonstration program proposed by the envoys.

What this country needs to control acid rain is a Federal commitment to reduce emissions of sulfur dioxide and oxides of nitrogen. We need, as I have proposed in S. 321, a 50-percent reduction of sulfur dioxide as recommended by the National Academy of Sciences. We need a flexible emissions reduction program that assures cleaner air and better protection of public health within the next few years.

As stated repeatedly by witnesses testifying before the Environmental Protection Subcommittee, which I chair, technologies exist today to effectively control air pollutants that form acid rain.

Air pollution control equipment such as scrubbers are being used in dozens of plants around the country. Scrubber costs are declining as we gain more experience with them. Other technologies such as fluidized bed combustion and coal gasification have been demonstrated to be extremely effective in controlling emissions. The coal gasification plant in Cool Water CA, for example, reduces nitrogen oxide emissions to 90 percent below the current Federal new source standard.

More research is needed. But research in place of action is not enough. I will not oppose the funding for the Clean Coal Technology Program because I believe this research can produce valuable information about ways to burn coal with fewer emissions. I continue my call, however, for acid rain controls so our health and our environment will not be irreversibly damaged.

Mr. STAFFORD. Mr. President, I am prepared to yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Thank you, Mr. President.

I thank the floor manager, Senator DOMENICI, for yielding me this time to make a commentary on this first budget resolution, and I am particularly going to spend time on our estimates of deficits and how they project on the 1988 budget because we know that a deficit for fiscal year 1987 that ends up higher than we project and assume would increase the 1988 baseline by at least an amount equal to that of our mis-estimate for fiscal year 1987 so the fiscal year estimates where we are very important.

Consequently, a critical review of the 1987 deficit estimate has much relevance to the current debate on the 1988 budget resolution.

But while the rest of the world projects the 1987 deficit at between $185 billion and $200 billion, I commented on that last week; for some reason we are still assuming that that 1987 budget deficit will be only $171 billion.

This has me troubled, Mr. President.

And so I set about to determine the true answer to the critical question.

I began to doubt, in the finest Cartesian tradition, my own grasp of reality and understanding.

I decided to employ a rigorous, socratic dialectic in challenging my own assumptions.

Borrowing from Immanuel Kant, I decided that whatever is called by the name of knowledge must justify itself as such.

I took this approach because, as Francis Bacon once said:

> If a man will begin with certainties, he shall end in doubts; but if he will be content to begin with doubts, he shall end in certainties.

Indeed, I decided to consult with some of the greatest thinkers of the modern era to assist me in finding the truth about the critical question: "Is the 1987 deficit really only $171 billion?"

I decided to consult with these great thinkers because of their vast knowledge in dealing with other such critical questions throughout the history of thought, such as: "Does God exist?", and "What is the relation between Man and the Universe?"

If I were to continue being critical of CBO estimates of the deficit, as I have been, then sooner or later it would be wise for me to solicit the collective intellect of some of the most notable thinkers of all time.

Besides, how is it that an Iowa hog farmer like myself can claim to know more by the seat-of-his-pants than the rigor, exactitude, and cogency of mathematics, technical estimates, and CBO models?

And so, solicit I did.

Scanning the annals of history, I discovered that the first to raise a critical question of the same magnitude as mine, in the modern era, was Rene Descartes, in the early 17th century.

And so I approached him.

I found out very quickly, Mr. President, that Descartes and I had a lot in common.

He, too, was disillusioned with the lack of certitude, and with the confusion among analysts, wearied of the endless disputes between factions.

And he, too, was eager to know the truth about the critical question: "Is the 1987 deficit really only $171 billion?"

But after having applied the Cartesian method of doubting to the critical question, I realized that the Cartesian truth came up a little short.

The Cartesian method reduced knowing to a truth so clear and distinct that it could not in any way, Mr. President, be doubted.

But in applying such a rationalist methodology, the answer came out as follows: "Cogito est, ergo est," or "I think it is, therefore it is."

When translating this answer into budget terms, Mr. President, it reads: "I think the 1987 deficit is only $171 billion, therefore it is."

Now, there is obviously a problem in this, logically.

Descartes, as a rationalist, believed that because ideas are innate, and because mere numbers on a budget resolution are not to be trusted, the truth must be derived from human reason.

But if this is so, one could also think that the deficit will go up, or sideways, or any other way.

And hence the flaw in Descartes' logic.

Although Descartes' reasoning was rational and consistent, it did not stand up to the test of experience. And so I was right back where I was before; namely, posing the critical question, and searching for a true answer.

Obviously, this time I was going to look for something a little more concrete, supported by evidence.

And so I consulted with the British empiricist, John Locke.

Now, Locke maintained that the budget is not a rational thing. Now, we need people like Locke in U.S. Senate.

Understanding the budget, to Locke, requires organizing sense data and experiences, such as billions of dollars, budget functions, economic assumptions, and so forth.

First we begin with a "tabula rasa," or a "blank slate."

Then we would work upward, systematically, until we arrived at an entire budget.

If the bottom line showed a particular deficit by the time this process was completed, then that and only that would be the true deficit.

But this could not really be so.

After all, according to Locke's logic, we can only have demonstrative knowledge of the existence of underestimated deficits. There are no guiding principles for us to truly know that deficits are underestimated.

Our knowledge is derived from, and limited by the numbers on the pages of the budget resolution.

In other words, we cannot recognize underlying assumptions, smoke and mirrors, or gimmicks.

In fact, according to Locke, we would have to deny the effects of appropriations bills until the money was actually spent by the executive agencies.

Now, something just does not add up about this logic, Mr. President. There is such a thing, at least in my mind, as cause-and-effect.

And indeed, in the 20th century, man now knows that smoke and mirrors are used in deficit estimating. We have plenty of experience with that.

After having consulted with two great heavyweights—Descartes and Locke—and having received conflicting views, I was far from reassured in my understanding of the universe, or of the estimation of deficits.

My "sensus communus," or "common sense" was telling me one thing, but the greats were confusing me.

I was making a real effort to understand their arguments, but something was not quite clicking. So I moved on.

I visited with Bishop George Berkeley in hopes of making some progress toward seeking the truth.

But Berkeley had been listening to Locke, and took Locke to his illogical extreme.

He said that if our knowledge of the budget is derived from the sense data of numbers on a page, then ultimately what we know about deficits depends on our perceiving it.

For Berkeley, then: "Esse est Percipi," or "To Be is to be Perceived."

In other words, Mr. President, when we fall asleep at night, the deficit goes away.

This philosophy is very much appreciated here in 20th century Washington, DC, no doubt. I think you would agree with me.

At that point, the German idealist Liebniz entered the picture, in reaction to Berkeley, claiming once again that it is man's intellect, not numbers on a page, which is the true source of the true answer to the critical question. And so it went, back and forth. The empiricist David Hume responded:

"Man's intellect contains only a succession of perceptions, such as the fiscal year 1988 budget and that of the out-years." And that is where we are this very day, Mr. President.

There is no necessary connection, says Hume, between what we do this year, and what we do in subsequent years.

In fact, there is no connection between this budget and what we end up doing at all.

And finally, not only can we provide no answers to the question of the size of the deficit, we cannot even ask questions about whether we even have a budget.

You see, Mr. President, at that point of my consultations, Hume had eliminated all hope of knowing with any certainty.

Human reason could not stand up to experience, but experience was not being very logical.

While the rationalists were arguing that the deficit will be $171 billion in 1987 because human reason asserts it, the empiricists refused to even acknowledge that a budget document can exist.

Talk about mass confusion: That is it.

There was only one thing left for me to do.

Only one person could help me make sense out of all this.

I had to consult with Immanuel Kant.

Only Kant could make sense of this predicament.

When I first approached Kant for his thoughts, he had just awakened from a dogmatic slumber, he knew the only way he could resolve the dilemma was by being less confident in human reason than Descartes and Leibniz, and less skeptical than Locke and Hume.

He began to ponder the critical question aloud. First, he supposed we would develop a new estimating technique.

But how do we know it is reliable?

It cannot certify itself as reliable.

If we attempt to discover the best method of attaining estimates, we must discover a method of discovering the best method, and the method of discovering that, too, and so on, without really achieving anything.

In other words, Kant concluded that he would answer the critical question by being critical. One cannot know reality as reality actually is, but only as reality may be reflected in one's own conscious experience.

In budget terms, that means: One cannot know the deficit in itself.

Realities, like God, immortality, and the true size of the deficit, transcend our ability to know with certainty.

They can never be objects of knowledge.

If we attempt to reason about the real size of the deficit, we find that we can manufacture arguments for either of the two contradictory views with equal plausibility, which proves that all attempts at knowledge are futile.

But while Kant doubted we can have knowledge of the deficit in itself, he concluded that we can have faith.

We can have faith that the deficit will be as projected. If the budget resolution says $171 billion for 1987, then we can believe it. We cannot prove the existence of God, or that a moral law governs the universe, or that the fiscal year 1987 deficit will be $171 billion.

But our human nature demands that we believe these things.

And so Kant tells us that we should be critical of the critical question that we deal with.

The real critical question then, as it was a few minutes ago, and now should be: Do deficits really matter?

And thus, Mr. President, did I arrive at the culmination of my journey, and my consultations with the greats of modern times.

I had thought that by doubting first, I would end with certainties.

But instead, I have ended the way I started—with nothing but doubts.

The two great and significant questions, namely: Does God exist? and What is the relation between man and the universe? must make room for a new and great question: Is the fiscal year 1987 deficit really only $171 billion?

And the answer to this latter question, which is consistent with how history answered the former two, is: Do deficits really matter?

And so after a 3-year effort to determine the reliability of CBO estimates for our budget resolutions year after year, I must logically conclude that my efforts have been wasted.

And so, on faith, I bow to the rigor, cogency, and exactitude of the estimates presented in this resolution, and I accept the proposition that the fiscal year 1987 deficit will only be $171 billion.

But after all that, Mr. President, I must say that accepting a deficit in 1987 of $171 billion sure does not sit comfortably with the seat of my pants.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. SANFORD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina. Who yields time to the Senator from North Carolina?

Mr. BYRD. Mr. President, on behalf of Mr. CHILES, I yield whatever time the Senator requires.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. SANFORD. Mr. President, I rise today in support of the Chiles budget plan, and I would like to offer my highest praise for the distinguished Senator from Florida for demonstrating the leadership and cooperation that produced this document.

Throughout arduous and often heated discussions, he showed respect for every Senator's viewpoint, and he was skillful and reasonable in building a consensus. His task was not easy. Severe budget constraints required him to lead the committee to make some painful choices. With patience, reason, integrity, and a firm command of the numbers, he guided the committee through difficult negotiations to reach a consensus position.

The product of his work and skill is before us today. It merits our full support. Although every Senator—including the distinguished chairman of the Budget Committee—might like to make some changes in this plan, the budget before us represents a realistic and workable compromise. Its strengths are considerable:

The revised Chiles plan balances the budget by 1991, meeting the basic Gramm-Rudman target. Like Gramm-Rudman, it reduces the deficit by 1 percent of the GNP each year.

It is an honest budget. Rejecting quick fixes, gimmicks or phantom savings, the Chiles budget guarantees real savings by attacking the structural deficit.

The Chiles plan will enable America to invest and grow. It makes crucial investments in education and training, science and technology, trade, and human resources. Even in the face of spending restraints, it increases jobs programs, education and child care and provides for catastrophic health insurance and increased aid for the homeless.

The revised Chiles budget meets our real national security needs, providing $1.2 trillion in defense spending over 4 years.

This plan was hammered out during weeks of discussion and negotiation by the Budget Committee. It strikes an admirable balance between the need to reduce the deficit and the need to build and grow in a competitive world. I urge my colleagues' support for this budget package.

Mr. BURDICK. Mr. President, I rise to comment on several features of Senator CHILES budget proposal that affect programs under the Environment and Public Works Committee.

I appreciate how difficult it has been for the chairman of the Budget Committee to develop and bring this budget proposal to the Senate floor for consideration. Though this budget is not all that any of us might want, the chairman is to be commended for a worthy effort under difficult circumstances.

As chairman of the Environment and Public Works Committee, I want to point out to the Senate what the Chiles budget plan signifies for some of our programs.

I begin by observing that this has been a particularly active year for the Environment and Public Works Committee in terms of enactment of legislation that has been developed over a period of several years. Within the past 12 months major amendments have been enacted to the Safe Drinking Water Act; the Clean Water Act; Superfund; and the highway program. All measures have received the support of the public and nearly unanimous support of the Congress.

The Chiles budget plan provides current level funding for most programs within the jurisdiction of the committee. An increase is included for the Superfund Program which is absolutely essential for progress to be made in hazardous waste site cleanup. I commend the chairman of the Budget Committee for recognizing and supporting this effort in his budget plan.

I am concerned, however, about funding assumptions for our other programs. The Chiles plan assumes that $150 million will be levied from Nuclear Regulatory Commission licensees. This means that two-thirds of the NRC budget will be recovered from the utilities it regulates. Currently the NRC is empowered to collect one-third of its annual budget from user fees. In fact, not a dime has been used to defray NRC operating expenses because this matter is under litigation. Apart from that issue is a larger policy matter. I do not believe that it is appropriate to have the regulators and the regulated further bound by financial ties. We are all aware of the problems the NRC is experiencing. There is well-founded skepticism about the agency's ability to function objectively, and to discharge its duties in the public interest. To increase user charges will create the perception, if not the fact, of giving utilities leverage and influence over the NRC.

A second matter of concern to me is full funding of the Federal-aid highway program. On April 2, the Congress reauthorized the highway program. This matter was debated extensively in both Houses, and a bill passed with the concurrence and support of many Members of the Budget Committee. We worked closely with Senator CHILES and his staff throughout the process so that we would have a mutual understanding of the budgetary impact. I point out that the highway program is more than self-sustaining through the gas tax and other highway user taxes.

According to the Congressional Budget Office, there will be a cash balance of $9.7 billion at the start of fiscal year 1988. This balance is projected to increase to $10.3 billion by 1991. That's roughly $10 billion that's being used to offset the deficit every year. I agree with the argument that has been put forth that the highway trust fund should be taken off budget. That point is not at issue now, however. What is at issue, is honoring the commitment we made to the highway program only 4 weeks ago. My understanding is that the assumptions in the Chiles plan are in large part consistent with funding levels in Public Law 100-17, the Surface Transportation and Uniform Relocation Assistance Act of 1987. Outlay assumptions may, however, be slightly short in fiscal year 1988 subject to allocations within the Appropriations Committee. There is a $150 million discretionary increase available in the transportation function to equalize outlay spending for the highway program. I urge the Appropriations Committee to keep the commitment we made to the Nation's highway program by allocating sufficient funding for this purpose.

A final concern has to do with the inclusion of $350 million for unspecified clean coal, clean air programs. I believe this money should be dedicated to implementation of the recommendations of the joint envoys report on acid rain. The President has made a commitment to Canada that we are obligated to fulfill. The Environment and Public Works Committee has legislation under consideration that will accomplish these objectives.

Mr. ADAMS. Mr. President, I rise to engage the Senator from Florida in a colloquy. As the Senator from Florida knows, I have a deep interest in the Export-Import Bank. When the initial chairman's mark came out containing a call for the termination of the Direct Loan Program, I sent him a letter expressing my concerns about that proposal. I know that the chairman does not fully share my support for the Export-Import Direct Loan Program, and I understand the need to work toward the reduction of this budget deficit. It is a tough and formidable task and the chairman and the committee have done an extraordinary job. Nonetheless, it is now my understanding that the final disposition of the Export-Import Bank Loan Program will take place in the appropriations process.

Mr. CHILES. Mr. President, the Senator from Washington did share his concerns with me about the Export-Import Bank Loan Program. While he and I do not see eye to eye on the Direct Loan Program, he is correct in pointing out that any final decisions on Export-Import Bank funding will come in the appropriations process.

Mr. ADAMS. I know the Senator from Florida shares my commitment to improving the export position of the United States and while we disagree on this specific program, I hope we can work together fo find ways to deal with the trade deficit.

Mr. CHILES. The Senator from Washington and I share a deep concern for the skyrocketting trade deficits which have occurred under this administration. We need to aggressively promote our exports. We have taken some steps by creating a "war chest" to deal with predatory competition, and we will make even greater strides by dealing with our own budget deficit. But the Senator is right, more needs to be done and I hope to work with him in this area of concern.

Mr. ADAMS. Thank you Mr. President.

The **PRESIDING OFFICER.** Who yields time?

Mr. BYRD. Mr. President, I yield myself 3 minutes time off the concurrent resolution.

The **PRESIDING OFFICER.** The majority leader is recognized.

CLEAN COAL TECHNOLOGY

My BYRD. Mr. President, the current budget resolution recommends a level of $850 million for the clean coal reserve: $350 million for fiscal year 1988 and $500 million for fiscal year 1989. The $350 million for fiscal year 1988, together with the $150 million previously committed for that year, means that we will be funding the Clean Coal Program at $500 million for at least next year and the year after that. This is the amount requested by the administration, strongly supported by me, and comports with our commitment to Canada.

Clean coal is the key to a secure energy future for all of us. New clean coal technologies can meet increasingly stringent environmental and siting requirements without sacrificing energy efficiency. Many of these new technologies could reduce the cost of the new capacity we will need in the 1990's by 50 percent. Lower electricity costs translate into savings in all of our monthly bills and improved industrial competitiveness. By sharing the financial cost and regulatory risks with the private sector, the Federal Government can help society reap significant benefits. We should also seize this opportunity to gain a comparative advantage in producing clean coal technologies not only for our domestic needs, but for export as well.

Some have suggested that clean coal moneys should be held hostage to a resolution of the acid rain issue. Mr. President, this is a clear case of "cutting off one's nose to spite one's face." We have been debating acid rain for nearly a decade, with proponents trying to achieve the largest emission reductions in the shortest possible timeframe, usually without sufficient consideration for the economic disruption and energy policy implications of such approaches. In the meantime, Congress initiated a Clean Coal Technology Program that will achieve, among other things, long term, real reductions in emissions of acid rain precursors. Many of these technologies not only reduce sulfur dioxide; they also reduce nitrogen oxide. The Clean Coal Technology Program makes sense—economic sense, environmental sense, and energy policy sense. While we all argue about acid rain for another decade, clean coal technology will help to solve our environmental problems for us. If this issue is resolved any time soon, the availability of clean coal technologies will only help us to achieve whatever environmental goals we set.

The history of the Clean Coal Program so far demonstrates geographical and technological depth and breadth. The nine technologies chosen for the first round of the program were located in Ohio, Pennsylvania, Illinois, West Virginia, New York, and Wyoming. Fluidized bed combustion, sorbent injection, coal gasification and liquefaction, and new steelmaking processes all will be demonstrated. One hundred and thirty-nine statements of interest representing 30 States and 12 different technologies for a total project value of over $5 billion were submitted for the second round of the Department of Energy program spanning numerous technologies to be demonstrated. This program will do more than demonstrate first-of-a-kind projects—it will also address the scale-up and risk problems associated with early commercial use of these technologies. The lessons learned, having been cofunded by the Government and private companies, can then be applied to purely commercial projects throughout the country—thus will American taxpayers recoup a wise investment.

The Clean Coal Program will not favor a single region or a single technology. The program will demonstrate a variety of technologies on a variety of coals. East and West, North and South, United States and Canada, coal miners and electricity ratepayers—all will benefit from this wise investment in our energy and environmental future.

Mr. President, I yield the floor.

The **PRESIDING OFFICER.** Who yields time?

Mr. DOMENICI. Mr. President, I yield the distinguished acting Republican leaders as much time as he desires to offer a resolution.

CLEAN COAL PROGRAM

Mr. SIMPSON. Mr. President, I would like to talk briefly about funding for a clean coal initiative which is included in the budget.

Many Senators have begun to express concerns about the Clean Coal Program that is being fostered by the administration and those in Congress who are interested in reducing polluting emissions and preserving a vital domestic energy resource.

I believe a majority of Senators would like to support a Clean Coal Technology Program, but there are serious and significant concerns that must be addressed before additional money is appropriated for this program.

In March 1985, President Reagan and Prime Minister Mulroney appointed special envoys, Drew Lewis of the United States and William Davis of Canada, to assess the acid rain problem.

The joint report of the special envoys on acid rain was issued in January 1986. The report contained a number of recommendations for action to be taken to mitigate the acid rain problem, including a recommendation that the Government implement a 5-year, $5 billion cost-shared Controlled Technology Demonstration Program. Because of this recommendation much tentative support has developed for a Clean Coal Program.

However, we must be careful to ensure that any Clean Coal Program is carefully considered and constructed so that we do not have a situation evolving which mimics recent experience with the Synthetic Fuel Corporation. We are dealing with a potential expenditure of hundreds of millions of dollars and we must be cautious in spending this money.

Any Clean Coal Program should have specific criteria for technologies which can be immediately retrofitted to powerplants to reduce nitrogen and sulfur emissions. Without specific clean coal criteria, programs managers at the Department of Energy will probably provide funding for some marginal projects. We simply cannot afford to fund long-term research or marginal projects.

The special envoy's report was meant to help the United States address a critical transboundary air pollution problem with Canada. It seems implausible to me that Congress could authorize a Clean Coal Program without specifically including the Environmental Protection Agency on the project selection committee and in the clean coal process as a whole. Congress should give the administration clear direction in this regard—EPA must be thoroughly involved in any clean coal technology program if it is to have credibility with Americans and Canadians.

In reading over the joint envoy's report, I could not help but be struck by one facet of this well-intentioned document. That is the emphasis on the use of high-sulfur coals. America is fortunate to have an abundant supply of coal which allows us to reduce dependence on foreign energy supplies. We should be burning all types of coal in this country—and we are doing that. However, in the past, companies producing high-sulfur coal and representatives of States that produce high-sulfur coal have sought to provide market advantages for high-sulfur coal through legislation. The most egregious example of this type of political behavior was the inclusion of the percentage reduction requirement and the Clean Air Act amendments.

This requirement was inserted in a blatant attempt to micromanage coal markets so that high-sulfur coal would be given an advantage.

Wyoming is currently the number three coal producer in the United States following Kentucky and West Virginia. I do not believe Kentucky and West Virginia need any other legislative provisions to give high-sulfur coal further benefits in the marketplace. In fact, if that is what the Clean Coal Technology Program is still all about then I would expect that most western Senators would seriously oppose it.

However, I do believe the administration and most Members of Congress are making a good faith attempt at providing energy security and emissions reductions—and I trust that Congress will demonstrate that there is no intention to influence coal markets by providing some criteria which would provide for geographic equality with regard to the distributions of funds and projects in the Clean Coal Program.

In the Western United States we find that we do not have a sulfur dioxide problem, but that we may be facing a serious problem with nitrogen oxides. In this regard, fluidized bed combustion and similar technologies may be the best means of reducing nitrogen oxides in the West. This is why it is critical for Congress to assure that projects for all geographic reaches of the country are funded at similar levels.

As a Senator from one of the largest coal-producing States in the country, I would like to see a Clean Coal Program developed which is based on logic, honesty and good faith. I look forward to working with the members of the Energy Committee and the Appropriations Committee to assure that any clean coal authorization or funding mechanism includes the criteria I have mentioned today. Without these criteria it is difficult to imagine a Clean Coal Program garnering widespread support.

I trust that the administration and Members of Congress will continue to work to perfect a Clean Coal Program which can actually promote the use of coal and significantly reduce emissions in this country. While I think a Clean Coal Program will be very constructive in this regard, I must say candidly that I do not view the Clean Coal Program as a substitute for acid rain control legislation. However, a Clean Coal Program that is thoughtfully crafted could be a good first step in tackling the problem of acid rain head on.

I look forward to working with the majority leader and others who have a high interest in coal technologies in developing criteria for an American Clean Coal Program.

That should be done on the basis of present technology and flexibility, setting the standards and then allowing the States the ability to reach the standards and limitations that are set and not provided that in a legislative arena through something as egregious as the percentage reduction requirement of many years ago.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I yield myself such time as I may use in explaining our situation.

I understand that the distinguished Senator from Washington [Mr. EVANS] desires to speak, and his presence is a matter of a few moments.

I might say for the Members on this side that if they desire to speak on the budget or on the Chiles amendment, we have some time between now and 6 o'clock or 6:30. We are planning to go out some time around 6 or 6:30, and we hope to arrange a time certain on the Chiles amendment tomorrow morning, with some debate preceding it, and to have 4 or 5 hours on a side after it has been disposed of and before the time has run.

Having said that, I am not yet prepared to address the Chiles amendment, other than what I said to this point, and I ask unanimous consent that the time be charged equally on the resolution, under a quorum call.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I seek time and ask that it come off the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. SANFORD. There is no objection, and we yield whatever time is necessary.

Mr. DOMENICI. Mr. President, was there a unanimous-consent request? I did not hear it.

The PRESIDING OFFICER. The unanimous consent was that the quorum call be dispensed with.

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DOMENICI. Mr. President, I inquire how long the Senator intends to speak. I ask that only because the distinguished Senator from Washington had been waiting and had arrived, and I wanted to know how long it would be before we could yield him some time.

Mr. CONRAD. Fifteen minutes.

Mr. DOMENICI. I thank my friend. Mr. President, I ask unanimous consent that immediately following the 15 minutes, the Senator from Washington be recognized for 15 minutes, and that that 15 minutes come off the resolution on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

Mr. CONRAD. Mr. President, I have been asked, as a representative of the

Farm Belt, how, on the one hand, I can feel so strongly about reducing Federal budget deficits and, on the other hand, be arguing for a reduction in the cut that agriculture is being asked to take in this budget proposal.

Mr. President, I would like to take just a few minutes to show my colleagues and put into the RECORD what has been happening to us in the farm sector of America. I would like to explain why conditions in this section have deteriorated the last several years, to analyze why we have been hurt and perhaps offer some solutions.

This first chart, Mr. President, shows what has happened to the price of wheat—which is, of course, the dominant commodity in my State—over the last 12 years. It shows in 1982 dollars what has happened to the average annual price of a bushel of wheat and, as you can see, we have experienced steady declines in the value of our key commodity.

That leads to another problem which, I think, is shown quite clearly on charts describing what has resulted from the collapse in farm commodity values. These charts show what has happened to net farm income.

The first chart shows net farm income per farm with sales ranging from $40,000 to almost a quarter of a million dollars per year. In the period 1970 to 1979, you can see that the average income was over $41,000 a year. In the more recent period of 1980 to 1985, that average has dropped to just over $12,660 a year, a dramatic decline in income per farm.

Even more dramatic is what has happened to smaller sized farms, as can be seen in this chart which shows net farm income per farm with sales ranging from $20,000 to just over $100,000 a year. There the decline in income is even more dramatic.

From 1970 to 1979, the average income of these farms was just over $22,000. That has now declined in the period 1980 to 1985 to just over $2,000. In other words, these farms, the smallest sized farms, have experienced a decline in income of nearly 90 percent.

Now, I know that some in this body are aware of the dramatic increase in spending on agriculture by the Federal Government. And I am frequently asked on the floor of this Chamber and in the hallways of the Capitol: How can it be that we have had this dramatic rise in farm programs spending—up from $3 billion a year to some $26 billion a year just in the last 6 years? How can it be that spending on farm programs has increased so much, and yet farmers are still not doing well?

Let me share with my colleagues this next chart which shows the farm value of food plus farm program benefits as a percentage of disposable personal income, because I think this chart demonstrates very clearly what has been happening to the agricultural sector of this economy.

The top line shows the farm value of food, plus farm program outlays. The red line shows just the farm value of food as a percentage of disposable personal income. In other words, the gap between these lines represents the Government price supports that farmers have been receiving and obviously that share has increased. But the overall trend is very clear. The farmers' share, as a percentage of the disposable personal income in this society, has been in steady decline even when you include the dramatic increase in the farm program benefits. In fact between 1970 and 1986, we have gone from about 4.8 percent of disposable personal income down to a level of about 3.8 percent of disposable personal income. In other words, the agriculture sector's share, in relation to our economy as a whole, has been in sharp decline even with the dramatic increase in farm program benefits.

The next question that we get asked very often is how can that be? Why are commodity values dropping so sharply? And, again, I have a chart which I think starts to answer part of this question. This chart shows what has happened to the value of the U.S. dollar against the market basket of the currencies of our major trading partners. As we can see, in the 1980's, the value of the dollar has absolutely soared. It has pulled back some, and now in recent days, pulled back some more. But even with these declines, if we look at the value of the American dollar against the currencies of all the countries with whom we trade—and if we look at the value of the dollar on a trade-weighted basis based on how much we trade with our various trading partners—quite a different picture emerges from the one we get from reading our daily newspapers. The news was concentrated on the dramatic fall in the value of the dollar against the Japanese yen and against the West German currency.

But, at the same time, there has not been significant dollar realignment against the countries with whom we compete for agricultural markets.

Mr. President, this is a significant factor in the collapse of commodity values, those commodities which we have in rural America.

Obviously, when the value of the dollar soars, that puts tremendous downward pressure on commodity values for products to stay competitive in the international marketplace.

The next question that is frequently asked is, Why has the dollar gone up so dramatically and come back so little against most of the currencies of the countries with whom we trade?

This chart shows what has happened to what we call real interest rates. I think if we asked the question, as I have done in my State, all across my State, asking people, "Do you think interest rates have gone down in the last 5 or 6 years?" If you ask for a show of hands, all of the hands shoot up because people know that in fact, interest rates have gone down. But if you ask them a little different question, if you ask them about real interest rates, the difference between the interest rate they pay and the level of inflation, that gap, quite a different picture emerges.

There we have seen these real interest rates, again the gap between the rate of inflation and the interest rate people pay, that gap has widened dramatically. Historically, we have seen real interest rates of between 2 and 4 percent. That is, if you would look at the level of inflation in the 1950's and 1960's, which was on the order of 3 percent, and you add 2 or 3 percent to that, you find that interest rates were in the range of 5 or 6 percent. That is the long-term historical standard.

But starting in 1979, we see a dramatic change in that relationship between interest rates and the level of inflation. We see a dramatic increase up to the range of 12 percent on short-term bank loans for farmers. Even now the real interest rate is still in the neighborhood of 8 percent.

The next question we get very frequently from people is, "Well, why are those real interest rates so high?" I think this chart starts to tell that story. This shows Federal spending in revenues from 1977 to the present. As we can see, the spending has gone up, up, up, but the revenue line took a U/turn with the 1981 tax bill, when the people of this country received a dramatic tax reduction. The combination of that increased spending and reduced revenue produced the budget deficits; deficits that were in the range of $40 billion, $50 billion, $60 billion a year all of a sudden started hitting $180 billion, $190 billion, $200 billion a year, putting enormous pressure on interest rates.

I am supporting the Chiles proposal because it makes a first step. It is a positive first step at this stage of the budget process here in Congress. It is not enough. I personally believe we must have more deficit reduction. But it is a first step. And one of the ways it is a first step is that the Chiles amendment encompasses the start of Federal fair share tax enforcement program. Such a program would attack what I like to call the tax gap, the difference between what people legitimately owe and what they are paying.

And, as this chart reveals, that tax gap has absolutely exploded in this country, from about $30 billion a year in 1973 to now well over $100 billion a year in 1985.

That tax gap, money that is owed and due but is not being paid, is a significant source of revenue if we can tap it. Now we are not talking about a tax increase here. We are not talking about asking those who are already paying their fair share to pay more.

No, we are asking those who have failed to pay to step forward and start shouldering their responsibility. And in the Chiles budget, we have $450 million of new money for increased enforcement as well as an additional $25 million included in the chairman's mark to publicize this effort. The budget level envisions a public information and awareness campaign to inform people that we are going to have increased enforcement in this country and that those who have been ducking their responsibility—have been evading their taxes—are going to be asked to contribute.

For that reason, Mr. President, I am pleased to support the Chiles amendment.

Again, I feel strongly that we need to have more deficit reduction. And, as we go through the process, I am hopeful that by working together we can achieve greater deficit reduction.

But I want to emphasize again that this budget, the Chiles budget, is a good start. It reduces the deficit by nearly $40 billion. It starts a Federal fair share program to go after the tax gap. And it supports agriculture, not to the degree that it was supported last year, but it does support it far and above the levels provided for in the President's budget. The Chiles budget gives agriculture a chance, a chance to come forward with a program to increase farm income while reducing the amount that we expect to come from the Federal Government.

For those reasons, Mr. President, I stand in support of the Chiles budget. Again, I think it can be improved upon in the process, but it is a good first step and it deserves our support.

Thank you, Mr. President. I yield the floor.

The **PRESIDING OFFICER.** The Senator from North Dakota has yielded the floor.

Under the unanimous-consent request, the senior Senator from Washington is recognized.

(Mr. CONRAD assumed the chair.)

THE UNITED STATES BUDGET: IT'S IN OUR HANDS

Mr. EVANS. Mr. President, with the spring in Washington comes sunshine, cherry blossoms, yearning for a baseball team, and budget season. Groups and individuals from throughout the country troop to the offices of their elected representatives to discuss earnestly the need, on one hand, for balanced budgets and why, on the other hand, they deserve special treatment. The refrain is the same yes-but tune heard during the tax reform deliberations: Yes we're for eliminating deductions, but not ours. On the budget side it's: Yes we need to cut spending, but not spending on us.

Today is the first in what I plan to be a series of speeches on topics that now are the subject of significant debate in the Congress. I believe it is appropriate that I start with a discussion of Federal budgeting, where we develop our set of national priorities.

Budget debates can get arcane and esoteric as we talk about budget authority and outlays and functional and line-item allocations. Today, however, I want to address some more fundamental aspects of the budgetmaking exercise.

At base, a budget is really no more than a plan for spending. In an ideal world the plan would be consistent with priorities developed independently and which reflect a consensus view about what is best for the country now and into the future.

During his time in office, the President clearly has reshaped the budget agenda and refocused the budget dialogue. We are now talking regularly on the floor, of all things, about efficiency and looking to the private sector for examples of cost-effective program management.

For far too long we avoided talk about work instead of welfare, about getting the Federal Government out of local development projects, and about the need to look first to making Government more efficient before reaching for American pocketbooks. In short, we were shirking our responsibilities.

In some respects, we still are. It was not long ago that we passed the highway bill over the president's veto. It still has not sunk in that items like highway projects should not be traded like baseball cards or awarded as prizes for sitting on the right congressional committee.

Nevertheless, the environment is different now. We need to continue to press ahead with initiatives to streamline government. We need to continue to scrutinize Federal programs to ensure that we keep only the good ones and that those we keep are run well.

It should be obvious to all of us in Congress that we have much work to do. It is not enough that the budget environment has changed. We need to take direct action to fix the many structural flaws which continue to plague our budgeting system. Much like just eating away at the underbody of a car, these flaws, if not corrected, will slowly erode the framework of our entire budget process.

To start with, we find it difficult to even set priorities. Instead of terminating outdated or ineffective programs outright, and allowing good programs to prosper, we spread the burden of budget cuts for political gain at the expense of fiscal integrity. And it is so much easier that way. The result is doubly negative: Unneeded programs lethargically lumber forward trampling new initiatives; good programs are undernourished and unable to get the start they should.

What is more, our budget procedures simply do not work. It is not really the Budget Act itself, nor the good offices of those who attempt to guide us through its requirements. We simply must change not only the way we develop our budget resolution, but the way the Government as a whole conducts its financial affairs.

Currently, the Federal Goverment uses more than 150 different accounting systems, according to GAO. Each one is tailored to the needs of the particular agency using the system. There is little coordination of financial information. Is it any wonder we have difficulty deciding how to spend money next year when we are not sure how we spent it last year?

The result is a convoluted web of misinformation that is at best an opaque window on the financial status of the Federal Government. Financial "investigations" turn up billion dollar "slush funds" or, even worse, conclude that some funds just can't be accounted for. And all the while Congress sits with its bottomless pitcher of money, pouring it with reckless abandon into the sometimes overflowing coffers of Federal agencies.

Without question, Congress needs no special incentives to borrow and to tax and to spend. And borrow, and tax, and spend we have, with impunity. Until recently, we did not even have standards against which to measure our profligacy, no limits on or even guidelines for spending, no definite dificit targets. We did not have the limits that are common for our families, for local governments, and for the States of our Nation.

As we have done in so many other areas, we had made ourselves exempt from restrictions which the real world places on others. As a result, we have been able to avoid the strictures which moderate State, municipal, business, and personal spending. Everybody else has fixed spending guidelines or limits. We should too.

We have created a huge fiscal mess, and it will take time and effort to clean it up. Where do we start? To start with, we will have roughly $66 billion more in revenue for the next fiscal year than we had this year, without raising any taxes. That means that if we adopted a nominal outlay freeze on all Federal spending for 1 year we could achieve a fiscal year 1988 deficit of about $108 billion. We would clearly meet the Gramm-Rudman target. We would have accomplished what we are asked to accomplish.

And yet we all know that that is an unrealistic measure because it simply would not have the votes necessary, and unrealistic also because there are certain requirements which must grow. Net interest payments must grow, but entitlements also will grow and are largely "untouchable" in practical terms.

At least $15 billion of the $66 billion must be devoted to growth in these two areas. That leaves us with $51 billion. Out of that, we must subtract $15 billion unless we wish to break commitments we have made in past years. That leaves us with $36 billion. Approximately $20 billion of that must be devoted to compensate for one-time revenues realized last year from asset sales, which we cannot take again this year. Another $11 billion would be needed to provide for inflationary growth in defense and nondefense discretionary programs, and that leaves us just $5 billion available for deficit reduction, woefully short of any target. That is the current scenario.

Clearly, we are in a pinch. We will not be able to initiate new programs, or provide for real growth in old ones, and meet the deficit targets. We cannot succeed without either changing what we are doing on the spending side, and doing it now and doing it radically, or raising revenue. It is not that complicated.

The point is, we do not proceed in anything close to a rational manner in developing our budgets. We are not honest with ourselves or with the American people. As a result, we twist and squirm and sweat about meeting a deficit target of over $100 billion, perhaps the fifth biggest deficit in this country's history.

Some may ask, why worry? Like the Alfred E. Newman—why worry? Well, it is worthwhile to catalog briefly the various implications of spending beyond our means.

Huge deficits constrain our ability to moderate the effects of sudden economic crises. For example, repudiation of debt by financially strapped Third World countries or collapse of our agricultural banking sector could emit shock waves capable of shaking our economy apart absent the buffering effect of a solid financial foundation.

Deficits also are a constraint on innovation. Conspicuously rare in floor debates today are proposals for the sort of bold new program which our growing economy should allow us to consider. Instead, we wrangle over how we can best allocate budget cuts among the various existing programs competing for scarce Federal dollars. There are people in this country that need help; it will take ingenuity—and money—to help them.

On the whole, perhaps the most damaging effect of our debt addiction is that Americans now are looking to the future with pessimism and doubt. For the first time in post World War history we are looking to the future with pessimism and doubt. Our country has always been about hope and promise. Yet, today many of us see only dark clouds on the horizon. It is all the more distressing that we have created those clouds ourselves.

If we expect our long-range forecast to improve, we must begin now to take stock of ourselves and look more realistically at today's world. The world economy is shifting daily and countries which in the past have relied extensively on the United States for economic support are now our fierce competitors in international markets. More and more countries are showing they can run as fast as the traditional economic powers, at least in some races. Our growing debt is just so much dead weight that we can ill afford to carry in these evermore competitive times.

For these reasons and more there is no responsible course except to restore greater balance to our fiscal affairs. But if it is the only responsible course, the course we take must also be responsible.

Some suggest that a balanced budget amendment to the Constitution is the only way to control a spendthrift Congress. I emphatically disagree for at least three reasons. First, a constitutional convention called to develop a balanced budget amendment is likely to exceed its authority and devise all sorts of mischievous changes to our basic charter of government. We cannot afford to indulge in uncertain experiments when the foundation of our system of government is at stake.

Second, even if through some stroke of luck a constitutional convention limited itself to budgetary matters, it is wrong to seek constitutional solutions before exhausting other available remedies. It would be tragically ironic if, just as legislated deficit reduction measures are beginning to work, we cavalierly change the enduring document which we honor this year on its 200th anniversary.

Third, a balanced budget amendment by itself wouldn't work. Prohibition did not stop us from drinking, and a balanced budget amendment will not stop us from spending. Political will, not constitutional amendments, is the stuff of which balanced budgets are made. If we devote to deficit reduction all the energy and effort required to put together a constitutional convention, our time will be much better spent.

In contrast, Gramm-Rudman-Hollings is working regardless of what some would suggest. This is the first full fiscal year in which the budget reduction law is in effect. And in this year we will actually achieve a 2.3-percent real decline in Federal spending, the largest decline since 1955. In real terms, we will spend $6 billion less in the current fiscal year than we did in the last. And that despite significant growth in "untouchable" entitlement expenditures and interest payments. In the 2 years immediately preceding adoption of the budget law, real spending shot up by $70 billion. It is quite a contrast and quite an example. Who can say with honesty that Gramm-Rudman-Hollings is not working?

The reason Gramm-Rudman-Hollings has helped us moderate pressures to spend more is that it sets a series of declining, fixed, deficit targets. It does not ask us to hew unrealistically to a given program of spending cuts or mandate sometimes painful program terminations. It does not require that we raise taxes. To avoid across-the-board program cuts, all that is required is adopting a budget which through some combination of spending cuts and revenue increases will enable us to come within $10 billion of the established target. It would not be appropriate now to abandon the one that brought us to the deficit reduction dance.

While we finally have turned the corner on the deficit problem, much work lies ahead. We need to move forward and debate in detail the merits of adopting a capital budget for the U.S. Government. We would be able to pay for assets over their life-expectancy and thereby share the costs with future beneficiaries. At the same time, a capital budget would allow us to focus more attention on our failing infrastructure and make more rational investment decisions.

We must also press ahead with our discussions of current proposals for biennial budgeting. To set priorities, it is imperative that we know more details about the myriad Federal programs we are funding. It seems that all we do around here is talk numbers, with painfully little debate about the underlying policies. With biennial budgeting we will at least have an opportunity to exercise greater oversight than is currently possible. We could determine whether the money we spent last year and the year before was wisely spent before we decide how to spend next year's budget.

Providing line-item veto authority for the President is another reform step that should be taken. It is flatly contrary to the spirit of the congressional budget process to appropriate money through omnibus continuing resolutions. Having separate appropriations bills is important if we truly expect to exercise proper oversight over spending. It is necessary if the President is to have any realistic role in the appropriations process.

We like to talk about the distinction between the legislative and executive branch of government. But I can tell you, Mr. President, that as a former chief executive I knew very well that the Governor or a President participates in the legislative process by the use of a veto. You simply are cheated of your veto authority if you are faced with a comprehensive single bill, take it or leave it, on which the entire running of the U.S. Government depends. A line-item veto is necessary when two or more spending bills are combined, if they are passed, and this would give Congress additional incentives to meet their fiscal obligations.

Additionally, broad improvements can be made in the area of financial management. We should require disclosure of all Federal credit including loan subsidy costs. We should also do a better job of identifying trust fund amounts, including trust fund surpluses, as well as clearly specifying liabilities for future payments. All programs should be on-budget and total expenditures—not just net—should be shown. Finally, all agencies and the Government as a whole should be required to submit consolidated financial statements which have been subjected to independent audit. I might add that each of these elements I have just described are common with almost every State government in the United States.

At least part of the answer can come from the private sector, where companies must maintain books of sufficient coherence that investors are not misled and stockholders can ascertain what management is up to. We don't even know what we are talking about. Michael Boskin of Stanford concluded in a recent study that if General Motors had used Federal accounting procedures in 1984, they would have shown a net loss of $4.82 per share.

But according to accounting procedures commonly employed in business, they made more than $14 profit per share during that year. These are two sets of books using exactly the same figures. It is time the public—who hold all the stock in this government—have a better idea about what their elected managers are doing.

The important point is that we keep the pressure on the deficit. Even if we are unable to meet precisely the established target, it is imperative that we continue to take big bites out of our deficit.

In the final analysis, our budget must be oriented to promoting the American dream. Our objective should be a budget providing America neither with a stuffed shirt not a hair shirt, but a work shirt. It must be formulated with the understanding that we must balance not just income and expenditures, but spending for now and spending for the future. More accurately, investment for now and investments for the future. We need look no further than our Constitution for ultimate guidance for we must not forget that it is our responsibility to both provide for the common defense and promote the general welfare.

Certainly we cannot shortchange ourselves or our allies when it comes to defense spending. We have the largest and most advanced economy in the world and we must accept that for the forseeable future we have no alternative but to contribute significant resources to collective security efforts among free governments.

As our forefathers shed blood to obtain their freedom, so too we must sacrifice to protect the liberties we and our allies enjoy. Because some have questioned our ability or will to "pay any price, or bear any burden"—good words, fine words; they were the words of President John F. Kennedy in his inaugural remarks, to "pay any price, or bear any burden"—to preserve freedom, we must demonstrate through our actions that our resolve is undiminished. No one really wants to spend money on the implements of war, but free men and women cannot accept the consequences of weakness in a troubled world.

But we cannot simply throw money at the enemy and expect to deter him. The taxpayers money must be spent prudently and judiciously. And it must be spent with full knowledge that there are other pressing needs. Because in the United States, the guns-or-butter debate is of more than just theoretical interest. We must always remember that every gun that we buy deprives someone, somewhere, in our country the opportunity to put a little polish on an otherwise dull and frustrating life.

That is why our military strategy, while sufficiently broad in scope to protect our interests, must be realistic enough not to undermine our efforts to provide a better life for all Americans.

Only after we set forth our objectives, define the threat, develop a strategy, and take account of the forces needed to carry out the strategy should we allocate the funds needed. It is not clear we are presently doing that in the most efficient way. John M. Collins, a senior military analyst at the Congressional Research Service, states:

> Two basic factors are influential: We are being swamped by numbers and, simultaneously, we are losing our qualitative edge. That is a bad combination.

We must be flexible enough to adapt to the changing world environment. Economic power, perhaps even more than military might, will influence the action on the world stage in the years to come. While our muscle-bound military may be an effective bouncer at the door to the free world, it does little to influence what happens once inside.

"In the Rise of the Trading State," Richard Rosecrance states that:

> In the past, the military-political world was efficient. It was cheaper to seize a state's territory than to develop the sophisticated economic and trading apparatus to derive economic benefit from commerical exchange with it.

Vietnam and Afghanistan tell us that raw military might is not enough now. As we move toward the 21st century, it is imperative that we recognize the reality of economic power and take steps to ensure we can play in a game in which brains, not brawn, are most important.

There is much talk these days of competitiveness. We look almost desperately for ways to become more competitive. But we are not going to find them if we hid behind false walls of protectionism or cower in the face of burgeoning debt. Real competitiveness depends on stable growth and an economic environment in which there are few surprises for investors. Predictability is the key.

Capital must be available at relatively low cost so that small and large businesses alike will have more investment options and can plan for the future with less risk. Reducing the deficit—and increasing our collective savings—can play an important role in creating such an environment.

Only then will we be able properly to take care of all those millions of Americans for whom talk of tax shelters and bull markets has no relevance. Our budget must provide for feeding the hungry, protecting those without shelter, educating the uneducated, and otherwise assisting those unable to assist themselves. With a cautious eye on our adversaries, a caring eye on the less fortunate, and a hopeful eye on tomorrow, we can best allocate our scarce resources to provide for an abundant future for all Americans. I am sorry that we cannot.

The budget resolution we pass will send a strong signal to the American people, and to those throughout the world who have an interest in our economic affairs. What signal will we send? Will we say that we are for jobs, not welfare? Will we communicate that we want interest rates to continue to fall so that homeownership becomes a reality, not just a dream, for millions of young and lower-income Americans? Can we demonstrate that we want to keep our economic engine running so that Americans can buy new cars, new applicances, and provide a better life for themselves and their families?

Or, will we send the following message: that the old merry-go-round of tax and spend is being warmed up; that we do not want new investment because we are creating high inflation, high interest rates, and recession which follows? I fear the latter is true.

Our responsibility here is great for we truly shape the national agenda. What we do here affects vitally the lives of millions of Americans. But we cannot be all things to all people. We cannot say yes to every community that wants a new bridge just like we cannot say yes to every defense contractor. It is time we started looking at ourselves as part of the problem, but just as important that we realize that we can be a large part of the solution.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I suggest the absence of a quorum with the time to be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask that the time the Senator from New Mexico uses be taken off the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I wish to speak for a few moments. I do not wish to use too much time, because we want to try to reach a unanimous-consent agreement for tomorrow. I will speak for 7 minutes, and I ask that the Chair call my attention to the use of 7 minutes on this side.

Mr. President, first of all, I have not had a chance—and I will not, until morning—to have a complete analysis of the new Chiles budget that was submitted today to the U.S. Senate, which I presume we can call the Democratic budget.

As the distinguished chairman indicated, he has proceeded to try to solve all the problems on his side of the aisle, or at least the majority of them, and they are incorporated in this budget. So that clearly, if I read him correctly, there are going to be sufficient Democratic votes to pass it, if it is not altered. So I do not think I am in error in calling it the Democratic budget.

Let me first disabuse my colleagues of any notion that the revisions in this budget are going to accomplish a significant improvement in the defense budget. For those on that side of the aisle who were worried about where we were going in defense, I would like to disabuse them from any notion that we have really taken care of defense in an adequate manner in the Chiles budget.

As I indicated earlier, the Chiles budget plan holds the defense level hostage to taxes. But make no mistake: even if the defense level in the Chiles budget plan were to take place, it is not adequate to accommodate for the full effects of inflation on the defense budget. The Chiles plan calls for $301.5 billion in budget authority and $290.6 billion in outlays for defense.

Here, too, just as with the original Chiles mark, outlays will be governing because of points of order in this institution, the U.S. Senate, on outlays as well as budget authority. We have outlays and budget authority. The House has only budget authority. With an outlay limitation of $290.6 billion, it is unlikely, in my opinion, that the appropriators could appropriate much above $293 billion to $295 billion in budget authority.

I hope that those who are defense experts and those who are concerned about the adequacy of defense spending will check that out. that is my best judgment, and I truly believe that is the effect, if indeed we came out of conference with the full budget authority prescribed in the Democratic plan and the outlays level which is going to dictate what the program level ultmately will be.

Today, as eveidence of this—not taking it from me or analysts who have worked for us or CBO—the Armed Services Committee produced what they perceive to be about a zero-real-growth budget. That particular authorization bill is scored at $303 billion in budget authority and $294.3 billion in outlays—$4 billion more in outlays for a budget authority level that is higher than the Chiles mark which is before the Senate.

I am convinced that, realistically, the Appropriations Committee will have to cut almost $10 billion in budget authority and about $3.7 billion to $4 billion in outlays from this bill, as compared to the Armed Services mark, which they conclude is the best they could do on defense, in the committee that has the expertise. And they were trying diligently to reach a bottom-line number that would accommodate this budget resolution.

Now, that is one point.

But, Mr. President, Members of the Senate, the distinguished chairman of the Budget Committee said he has added $7 billion on the outlay side to defense and then said, of course, you are going to have to pay for that with new taxes. Nobody should be fooled. What this budget resolution has done is taken the old Chiles numbers and added $7 billion in each of the 4 years, $28 billion. And then in the first year there is some language in here that prescribes that $7 billion of the tax increase would go to this defense budget.

I submit that their is no assurance that in the second year, the third year, and the fourth year any of these taxes would go to defense, even if that provision, that is rather unique and difficult to enforce, were enforced. That is No. 1.

You might get the first $7 billion, but you surely will not get $28 billion, but interestingly enough even the $28 billion in defense has been followed in this budget resolution not with $28 billion in new reconciled revenues or new taxes, but $120 billion. This budget resolution distinguishes itself in that $120 billion in new taxes are added to its 4-year mandate and $7 billion of it in the first year might go to defense if everything works out all right and $28 billion may go to defense over the 4 years but there is about $100 billion that will go somewhere else.

Now, Mr. President, I really do not believe that that is a guarantee of anything with reference to defense. I think it is holding hostage $7 billion in defense in the first year, which I assume almost everyone truly believes we need, may indeed be less than bare bones, yet we are being asked to vote for $137 billion in new taxes over the next 4 years—$120 billion of which is reconciled.

I regret to tell my friends in the Senate that you ought to really think about this. I want to think back with you to past tax increases. In 1982, we had a major tax increase, and it was major, as a matter of fact, it was the largest tax increase in the history of the Republic, the so-called TEFRA tax increase. We voted that in in 1982 as a mandate of a budget resolution. The deficits were growing. America had come out of a recession and we were indeed beginning to grow and grow rather well. We decided we had to reduce the deficit and we passed a reconciliation instruction here and in the House that was finally implemented by what is called TEFRA.

There are still some Senators around who know how tough that was, the largest tax increase in the history of the Republic, TEFRA.

Do you know how many new tax dollars were raised in the first year of TEFRA, fiscal year 1983? It is my recollection that we raised $18 billion and $2.1 billion of the $18 billion was indirect revenue gain through better enforcement. It was not easy. It was tough and, Mr. President, at that point in time we did not have almost unanimity that you would not touch the general tax laws of this land. I assume this Senate will reaffirm such a position before we pass this budget resolution. I assume there will be a resolution saying whatever is in the budget resolution we do not change individual or corporate tax rates, and we leave tax reform on the corporate and personal side alone. We did not have this restriction when we struggled through TEFRA. We went back through the entire Tax Code and over 4 years raised $150 billion. In the first year—we changed all kinds of deductions and exemptions—we raised $15.9 billion.

One way of looking at this resolution is that it mandates $27 billion in new taxes in the first year. But I will give the chairman of the Budget Committee credit with at least saying he only intends $20 billion because he perceives that we will get $7 billion from refinancing of the REA and take credit for that on the revenue side.

I have grave doubts whether that will really end up that way when we come out of conference. But nonetheless, if you want to say it is $20 billion, even though there is $27 billion worth of revenue in the first year, $20 billion in the first year will be the largest single first year tax increase in the history of the Republic—$2 billion more than TEFRA. Over the 4 years, yes, it will be less, it will be $119 billion in new taxes as compared with TEFRA, that largest ever which was at $141 billion, in new non-compliance-based revenues.

Now, Mr. President, I do not say this, again I repeat, because the Senator from New Mexico thinks we are going to solve the budget problem without some revenue. But, Mr. President, I am convinced, looking back at the budget process, that we ought to forget about 4-year reconciliations on revenues, unless we are committed to absolute 4 years of mandated budget cuts in the reconciliation process. My friend, the chairman, will stand up and say we are. But I figured that one out, and we are only to the extent of about 33 percent of the expected cuts over 4 years. Only 33 percent of the cuts are mandated by reconciliation, making 67 percent kind of a hope, a wish, maybe we will get them, we sure hope we will. But I guarantee you it is no wish, no hope on the 4-year mandate of $119 billion worth of new revenues. It is there.

I submit the only way we can be fair with the American people and fair with the process is at least to begin to do things on a 2-year basis, 2 years of new taxes, and 2 years of budgeting.

So, Mr. President, I want to wrap up this evening by saying that by tomorrow I hope to have some time to take a real look at what I have been referring to as the Western bias in this budget, to see how it has been taken care of. Allegedly it has. I look at it and I cannot quite understand how that has occurred and I surely want to address it and call Senators' attention to at least what my perception of that is.

But tonight I only make the two points. Those who have signed on to this budget ought to look clearly at that defense number. Those who have signed on to the concept that we will hold defense hostage to taxes ought to really look at what they are holding defense hostage for. For $7 billion in new outlays, somehow or another we expect those who favor an adequate defense level to join on board, perhaps even the President, and support $119 billion in new taxes.

I really do not think that kind of hostage and that kind of leverage will work, nor do I believe that it is fair when you look at what is happening on the domestic side.

I know my friend, the Senator from Florida, will say why we should not hold any of the domestic side hostage. I believe that the domestic side is growing dramatically also, and but for Medicare, which I do not believe will get enforced when we come out of conference, I think the statement I have just made is true. Domestic spending will go up, not down; defense will go up, not down, although slightly. The Democratic budget still represents a cut of $56 billion over 4 years, $56 billion relative to the CBO baseline.

But, basically, I think if you are going to hold growth hostage to taxes, you ought to hold all growth equal, go through the whole domestic budget and say wherever it is going up, we are going to hold it hostage to these tax increases too. If you are going to do that for defense, you have some way of committing to those who are voting for it because of defense that some of those tax dollars beyond 1988 might indeed be available. I believe they will disappear into the woodwork and they will not be available for defense spending. We will be right back where we are again next year with defense having to be cut again because we have big deficits and we have not provided for a multiyear funding of defense.

From my standpoint for the evening for myself and for our side we need no additional time and I yield the floor at this point.

The **PRESIDING OFFICER.** The Senator from Florida is recognized.

Mr. **CHILES.** Mr. President, I listened with interest to the remarks of my colleague, the distinguished Senator from New Mexico. I look forward to him having a chance to study the budget over the night. I hope he will put it under his pillow and sleep on it. I think he will find out there is an awful lot of good things in it, and I am confident the more he gets a chance to study it the better he is going to like it.

We have a couple of points that the Senator from New Mexico has made and one is on defense and we are locking in the taxes, but he does not know where the additional taxes are going.

I would say to my good friend the provision that is in there, as it was in the original package, that all of the revenue that does not go to the defense goes for deficit reduction. It cannot be used for any spending. So if there is any additional revenue that is not used for defense it is not going to go for any new program. It is going to go to reduce the deficit and that has been something that the Senator from New Mexico helped lead the Senator from Florida in, as we proposed last year and the year before, provisions that would have reduced the deficit and tried to see that the taxes were used that way.

Now, the other point that I heard my good friend make was something to the effect of how high the taxes are. I would say that I think his further study will show him we do not have $20 billion in new revenue.

Mr. President, I want to speak on my time off the bill and I ask unanimous consent, because some earlier time had gone on the amendment, I would like to use some time off the bill and leave myself 25 minutes' time on the amendment so I would have that tomorrow. And if the Senator from New Mexico would like the same, I would put that in the same request. We will take time off the bill so that we are each left as we start tomorrow with 25 minutes each on the amendment.

The **PRESIDING OFFICER.** The Senator controls time on the amendment and the bill and he can designate the time any way he sees fit.

Mr. **CHILES.** I thank the Chair.

I was saying that our new revenue in the proposal is not $20 billion, but is $18.5 billion. And the original revenue in the first year of TEFRA was $17 billion. If we revise that to today's adjusted for inflation, we would be talking about $21 billion as opposed to the $18.5 billion.

But I think the Chiles revised budget is going to include $119 billion in new revenue over the next 4 years. That would compare with TEFRA, which I think the Senator from New Mexico said raised $150 billion over the 4-year life. And so, it is not quite as large but TEFRA was an amendment that was passed while the Republicans were in control and, I am sure, had votes on our side of the aisle as well. It was one that was passed because we felt it was necessary to pass during that time. We had to deal with the deficits that were rising.

This amendment will not be anywhere near as big. It will be $119 billion to $139 billion. And that, Mr. President, is a considerable difference.

But I would say to my good friend from New Mexico that with his concern about defense and about revenues, these are all items that I wish we had his support and his help in structuring a bipartisan package and the support of the President so we could assure that defense is adequately taken care of, so that we could assure that any revenue we put into this plan goes for deficit reduction—that is where it ought to go—so that we could know that we have a plan that the American people could have some confidence in.

Again, as I read what the President has now said is "I sent my budget over there. If they don't like it, they ought to pass a budget, then maybe we will sit down and talk."

From the time that we started our hearings in the Budget Committee, we have said, "Let's sit down and work out a bipartisan budget." That has not happened. So, obviously, we are forced to try to see if we can put together a budget of our own.

I think the budget that we put together is a good budget. I think my friend, as he gets a chance to study that over the night with his most excellent staff, is going to find out how good that it is. I think he is going to be in a better mood tomorrow. I hope that he will be out here trying to help us get some votes for it.

If not, we will have an interesting discussion tomorrow. And my understanding is—and I think we are waiting for the leaders now—well, I better wait and let them state what we will do tomorrow.

But I would now suggest the absence of a quorum with the time to be charged equally off the bill.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

COMPETITIVENESS

Mr. **DOMENICI**. Mr. President, I want to discuss a very interesting hearing that occurred this morning in the Appropriations Committee. Frankly, there is so much going on around the Senate that frequently some very substantive hearings go unattended.

The distinguished chairman of the Appropriations Committee, Senator STENNIS, called a hearing this morning on the issue of competitiveness. He had two very distinguished witnesses. I think many Senators are familiar with the former CIA Assistant Deputy Director, a man who has held various positions in the Defense Department of the United States, Admiral Inman, who was one of the witnesses. The other was a distinguished professor from the Kennedy School at Harvard, Doctor Reich.

I am sure that Senator STENNIS is going to have that hearing transcribed, because normally we do. But I do call to the attention of Senators who are interested in the issue of competitiveness that they should familiarize themselves with what these two distinguished witnesses said. I do not ask that they do that from the standpoint of helping them with some of the pending changes in our law that are running their way through here under the name of competitiveness but, rather, to hear the observations of these witnesses.

These two distinguished witnesses had some very good observations about how ineffective many of the concepts we have around here are—such as spending money on centers of excellence, on technology, on transfer centers—unless we focus on what they perceive to be the major issue. It is not the lack of scientific knowledge in our country or, as they indicated, even a lack of scientific research. They hit the nail on the head. They said America is suffering because there is too much lag time between our scientists finding out things and our business community being able to apply them in a way that is used in the American marketplace.

That concept—that process of taking out of the minds of men and out of research and applying it in the marketplace—is where the Japanese, according to these two distinguished men, have really taken a jump. The United States of America is still looking and watching and wondering how we do that better.

Having said that—and that is just an observation—both of them would have concluded that we are going to hang all kinds of clothes on a hanger called competitiveness. Before that hanger is finished, it is going to have all kinds of clothes on it. We are thinking that we are going to solve this competitive issue by a set of new clothes on a hanger, all of which will be part of a trade bill, part of an education bill, part of all kinds of efforts that we are going to put money into, trying to make science more effective.

RETIREMENT OF WALTER T. COX, PRESIDENT EMERITUS OF CLEMSON UNIVERSITY

Mr. **THURMOND**. Mr. President, I rise today to pay tribute to Walter T. Cox, president emeritus of my alma mater, Clemson University, who retired on April 30.

Walter Cox ranks among the finest and most dedicated of those individuals who helped to make Clemson University the outstanding educational institution it is today. In his 47 years of service, he has selflessly devoted his many talents and considerable energies to the welfare of the university.

His career at Clemson began in 1940, when he began working as a coach and administrator. He became the first vice president for student affairs in 1955, and held that post for 30 years, until his appointment as interim president of the university in 1985. To quote a resolution adopted by the board of trustees of Clemson, he accepted the challenge of that position with "personal humility, professional competence, and sincere love and devotion for this great institution * * *." Since the inauguration of Max Lennon as the current president, Dean Cox has served as his special assistant, as well as filling the post of vice president for institutional advancement.

Mr. President, Walter T. Cox has helped Clemson not only to survive, but to grow and prosper through years which have brought much change. During his student years, when he was a cadet corps commander and an outstanding student athlete, Clemson was a military college. After his graduation in 1939, and a year of service in the military, he returned to Clemson, and was instrumental in helping the university make the transition from military college to civilian institution.

During his tenure as a coach and then later as vice president of student affairs and dean of students, the student population of Clemson grew from 2,700 to more than 12,000. Not only did the number of students increase dramatically, but the whole face of the school changed. Women were admitted, and new facilities were established seemingly overnight. The university and its students and faculty reflected the profound transformation which were occurring in our State and our Nation.

Clemson University will never forget the importance of "Dean" Cox's many contributions, and his steadfast hand on the helm through the sometimes stormy waters of change. The many leaders who Clemson has produced owe him a debt of gratitude, which most recently was expressed in the presentation of the Clemson Medallion, the highest honor which the university can bestow.

Mr. President, I would like to ask my colleagues to join me in wishing President Emeritus Cox the very best on the occasion of his retirement, and commending him for a job well done.

NORTH CAROLINA: STAYING AHEAD THROUGH JOB TRAINING

Mr. **SANFORD**. Mr. President, through good times and bad, North Carolina's unemployment rate has consistently been below the national average. This is due to a number of factors: An excellent quality of life, sound investments in infrastructure, aggressive economic recruitment, and first-rate private and public colleges and universities. Another important factor is our statewide network of community colleges.

Every citizen in North Carolina lives within 30 miles of a community college, which teaches a wide range of occupational skills. Across North Carolina, 58 community colleges prepare people for the job market through vocational and technical training and adult basic education.

There are no diploma requirement for enrollment in these institutions. They are North Carolina's open door to education beyond the high school.

Over 600,000 students enroll each year in over 250 different vocational and technical programs. This means that each year, one in seven adult

North Carolinians takes advantage of these offerings.

Community colleges serve as an open door to education for those who have dropped out, those who want a more work-related education, those who seek continuing education, and those who desire technical education. These institutions also are a boost to our economic development efforts. They receive some 10 percent of their budgets from Federal funds.

At a recent Budget Committee field hearing, John A. Forlines, Jr., chairman of the North Carolina State Board of Community Colleges, outlined some of the reasons for the success community colleges have had in North Carolina. Any State that wants to equip its workers for today's jobs would do well to consider carefully what Mr. Forlines had to say. I ask unanimous consent his speech be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record as follows:

TESTIMONY BY JOHN A. FORLINES, JR.; ENHANCING ECONOMIC COMPETITIVENESS IN NORTH CAROLINA

I am pleased to be invited to address this distinguished committee about the contributions of North Carolina's community college system to the economic development of our State. I bring you greetings on behalf of the State Board of Community Colleges. It is with a sense of pride that I wish to outline some of the unique programs our system offers which enhance and sustain North Carolina's economic growth.

My own involvement with the community college system goes back more than 20 years to the establishment of Caldwell Community College and Technical Institute in my home county. It is my firm belief that the presence of the college—and the impact of its educational and training programs—has made a real difference in the prosperity and economic stability of our county. I have seen our neighboring counties benefit as well . . . drawing on the resources and opportunities available through Caldwell Community College and Technical Institute.

I know that many businesses have chosen to locate into Caldwell County because of the college. They know that people will have the opportunity to learn the skills they will need to work in the factories and offices. Unemployment in my area is very low, and I believe it is due in no small measure to the training and retraining opportunities we have available because of the community college system.

Let me begin by briefly telling you a little about our system. The community college system was founded in 1963 to provide the adults of North Carolina with technical and vocational training, two-year college parallel and adult basic education courses. That is our mandated mission. This mission, with its emphasis on occupational skills training, is unlike that of most other community college systems in the nation. Over 75 percent of our program offerings are in technical or vocational areas . . . less than eight percent falls into college transfer programs.

There are 58 institutions in the system. The most anyone from any of the 100 counties in North Carolina should have to drive to reach a campus is 30 miles.

Our system has an average annual enrollment that exceeds 600,000 students. About one out of every seven adults in North Carolina enrolls in our system each year. We offer 258 different technical and vocational programs . . . we provide 99 percent of *all* adult basic education instruction . . . one out of five of all high school certificates is awarded by our system. Furthermore, we have developed . . . with the help of our State's business leaders . . . several unique programs designed to meet their specific needs.

Local business and industry leaders play a vital role in advising our colleges on the changing needs of their particular business or industry. By serving on local advisory committees, they provide advice on skills which need to be taught, the proper equipment needed for training, and the related courses needed to develop life-long learning skills. Businesses and industries also invest in our colleges by providing both statewide and local scholarship money, donating equipment and loan personnel who have specialized skills to help teach our students.

Among the unique programs designed to meet the special needs of business and industry, is our much-copied New and Expanding Industrial Program. The North Carolina community college system established this program in 1963 . . . the nation's first training program expressly designed to promote industrial growth by providing local, customized training to new or expanding manufacturing and service companies. Since 1963, more than 171,925 employees from 1,972 companies have taken advantage of this special program.

In North Carolina, the agency responsible for recruiting new industries is the Department of Commerce. Close cooperation between that agency and the community college system has been critical to the recruitment of new industries. Our community colleges are involved from the very first contact of a prospect. We participate as a member of the "team," providing our training expertise and designing and providing customized skill training to new industries.

In 1984, we established another pioneer program . . . a network of small business assistance centers in our system. We now have centers located on 34 of our campuses. Each provides technical and managerial assistance to small business owners, would-be owners or their employees.

The State Board considers this assistance to small business owners to be critical to our state's continued economic progress. There are more than 126,900 small businesses in this state. Nearly 97 percent of all North Carolina businesses employ less than 100 people. Moreover, we estimate that by the year 2000, small business will be providing about 900,000 jobs to our citizens. In this year's budget we are requesting funds to finish expanding this important program to all 58 of our campuses.

Our system also has a program for assisting traditional industries, such as textiles, furniture and other manufacturing industries. Our cooperative skills centers are designed to allow our institutions to work with local industries to assess, design and implement local training programs for production workers and first-line supervisors. This program is designed to provide specific skill training for small groups of industrial employees, especially as their industries upgrade and modernize their facilities to meet the challenges of overseas competition and drastic changes in technologies.

Over the past year, we've been involved in a conference series with North Carolina's business and industry leaders . . . trying to find out what exactly their needs are and where they believe their businesses are going in the coming years. These conferences have been held at a time when our economy is shifting away from a base in traditional industries toward more high technology and information-based industries. And our traditional industries must incorporate high-technology into their production processes in order to be competitive.

All of these changes mean that the state must improve the general educational levels of our citizens . . . those currently working as well as those yet to enter the workforce. The leadership in North Carolina . . . both business and political leadership . . . is aware of this need, and it accounts for the good support they have given to the community college system and to education at other levels.

I believe that community colleges are in a unique position. We offer the programs that will help a high school youth get a better start or a dropout recover from a false start. We are equipped to offer training for the employees of a new business, an existing industry or an entrepreneur trying to get started. We offer displaced workers a new direction, and welfare mothers another chance.

We help conferences to discuss electronics, construction, metalworking, textiles and apparel, agriculture, and seven other industry groups. In every case, we raised awareness on both sides of the needs and opportunities we have if we work together. Let me outline some of these ideas for you.

First, communications: Most business leaders expressed the need to stay in touch with the educational community on an ongoing basis and to expand contact, both individually and through their various business associations. Most felt that business/industry advisory committees have the potential to be a useful tool in outlining local business and industry needs, but that these committees must be more effectively used.

Second, quality: Business and industry expect high quality in every facet of our program. They stress the need to create a "culture of quality" within our institutions. That, they believe, will translate into an "Attitude" toward quality that they want all their employees to have. They feel that the success of the student—providing him or her not only with the mechanical skills but also with a "quality-oriented" mentality—should be our aim.

In order to meet business expections of quality, it is imperative that we have modern facilities, up-to-date equipment and well-qualified instructors. Changing technolgy makes it difficult for colleges to keep up-to-date, but the programs quickly become useless if they are not current.

Third, retraining: Business leaders are telling us that their retraining needs will have to be varied . . . and in some cases . . . customized to fit specific local needs. Some employees will be sent through curriculum programs to get advanced technical training, others will need short-term training to provide specific new skills or to help them adapt to new technologies.

Fourth, skills needed in new employees: More and more, I hear from business leaders that employees must possess basic knowledge of math, reading and scientific principles skills in order to make it in today's workplace. However, they also stress listening and human relations skills, and analytical ability as among the basics each student should have before graduating.

Computer skills are also in demand . . . and are being used by wide range of employees. A greater need exists for workers who are able to apply computers to a variety of tasks . . . than for people who are experts or specialists in programming.

Fifth, work with public schools: The community college system and the public schools must work more closely together in providing joint services—or what we in educational circles call "articulated" programs—in order to turn out better prepared and higher-skilled graduates from our technical and vocational programs.

We are making some significant headway in this area. High school students can now take college-level courses through our community and technical colleges. Today more than 3,500 high school students are receiving additional training because of cooperative agreements between our institutions and local school boards.

Another innovative initiative for bettering the delivery of vocational education in this state—and one I heartily endorse—is increasing efforts to establish "2 plus 2" programs. Under 2 plus 2, high school students interested in vocational or technical careers begin learning the fundamentals of those careers in high school. Their junior and senior years would be planned to lead logically—and without loss of credit—into a two-year degree program or a one-year certificate program at one of our institutions.

Upon graduation from a community or technical college with a technical degree, the student would have more than a two-year program. He or she would have four years of preparation—two years in high school and two in the community college system.

Next fall, five of our colleges will be participating in pilot "2 plus 2" programs across the state. In fact, Gaston College in Dallas will be working with its local county public schools system in developing a school of technology in the area.

Both the State Board of Community Colleges and the State Board of Education have endorsed increasing articulation efforts between our two systems. At a joint meeting this January, the boards broadened the membership of a departmental articulation committee to include an institutional president and dean, a public school superintendent and principal, and a member from each of the boards.

On another note let me speak a few moments about a group or North Carolinians whose plight threatens to undermine—if not destroy—the economic growth and stability of this great state. I speak, of course, about the near million of our fellow citizens who lack even basic literacy skills.

The last census report by the United States government found more than 1.5 million adults in North Carolina never completed high school. Over three-quarters of a million adults—835,620 to be precise—had less than an eighth-grade education. For a state that prides itself on being progressive . . . this is simply not acceptable.

By law, the North Carolina community college system is the primary deliverer of adult basic education. We have our work cut out for us. Almost four years ago, the State Board directed that an all-out effort be made to bring this problem under control, and eventually eliminate it.

For four years, our system has undertaken a concerned systemwide and statewide adult literacy initiative. It is our aim to enlist all available means of support—public and private—state and federal—to identify and enroll as many adults who need these basic reading, writing and math skills.

We believe this course of action is only common sense. Today's job market demands workers with rudimentary learning skills for even the most basic jobs. Adult literacy training fits hand in glove with our system's primary mission of providing occupational skills training. For after all, how can you teach a man or woman any type of technical or vocational trade when they don't even possess the skills needed to read the textbooks.

Finally, I am heartened at the continued support that Congress has shown for education and training programs, in light of the present Administration's efforts to cut or eliminate them. I hope that you will continue to ensure that all our citizens can afford a higher education by resisting efforts to trim the budget at the expense of our greatest natural resource—the human mind.

I ask you for your continued support of student financial aid programs . . . and also, your support for vocational education and job training programs for the unemployed or displaced worker.

The Pell Grant program has been particularly important to community colleges and, today, enables 2,265 students to pursue a technical or vocational education through our system.

The rapid changes in technology virtually guarantee that more and more workers will face displacement in mid-career because of out-dated skills, and I believe that we must offer them the chance to be retrained. The state's economy needs their productive capacity—and in human terms—we cannot afford to abandon them.

I wish to thank this distinguished committee for allowing me the opportunity to express—not only the outstanding work of the community college system—but some of the problems we all will face if we neglect to plan effectively for tomorrow. These are important times . . . and we face important issues . . . not only in North Carolina, but across the nation, too. Aesop's fable of the ant and the grasshopper should remind us that only those who prepare for tomorrow will survive when winter comes.

I sincerely thank you for the opportunity you have given me to bring you the story of the North Carolina community college system.

DEATH OF FORMER CONGRESSMAN ANTONIO BORJA WON PAT

Mr. McCLURE. Mr. President, on Friday, May 1, former Congressman Antonio Borja Won Pat died. Tony was the first nonvoting Delegate from Guam and his passing marks the end of a chapter in Federal-territorial relations extending from before World War II.

Tony's long and distinguished service to this Nation and the residents of Guam began as a teacher and high school principal in Guam in the 1930's. At that time Guam, which the United States acquired following the Spanish American War, was administered by a Naval Governor and the residents were not citizens. Tony's father had in fact been brought to Guam by the Navy as a cook and there married a native Chamorro. The Guam Assembly was an advisery body to the Governor whose members were not elected until 1931. In 1936, however, the Guam Assembly unanimously requested citizenship and sent a delegation to Washington. The expenses of the delegation were raised by public subscription since the Governor refused the use of public funds. The effort to achieve citizenship and self-government were interrupted by the onset of World War II.

On December 10, 1941, 3 days after Pearl Harbor, Guam was invaded and occupied by Japan. For almost 4 years Guam remained under Japanese control until it was liberated in July 1944, with the island finally being secured on August 10, 1944. After the war, Tony began his political career by running for a seat in the Guam Assembly. He became Speaker and when the Guam Assembly again began to petition for citizenship, Tony came to Washington to testify in favor of organic legislation. In 1950 the Organic Act of Guam was enacted providing for civilian administration under an appointed Governor with citizenship and a popularly elected legislature. Tony was elected the first Speaker of the new Guam Legislature and continued to serve in that post until he came to Washington as the first Washington Representative when that post was created by the Guam Legislature in 1965. As Washington Representative he continued to press for increased self-government and in 1968 Congress enacted legislation to permit Guam to elect its own Governor.

Tony's effectiveness was also responsible in large part for the decision in 1972 by the Congress to grant Guam a nonvoting Delegate in the Congress. Tony was elected to that post and served on both the House Interior and Insular Affairs Committee and the House Armed Services Committee until 1984. His abilities were such that he became the first territorial nonvoting Delegate in over a century to chair a subcommittee of the House.

Mr. President, I have known Tony virtually the entire time I have been in Washington. Whether as a Washington Representative or as Delegate, he was always patient, courteous, and knowledgeable. He knew the lessons of World War II and was a strong and forceful advocate of the need of a well trained and prepared defense. He was also compassionate and mindful of the needs of the people who he represented. The list of social legislation which he authored to extend education and other benefits not only to Guam but throughout the United States is impressive. He never lost sight of the principles of self-government, however, and one of his final efforts was legislation which authorized Guam to formulate and adopt a constitution of its own to replace the Organic Act of

1950 which he had labored to have enacted. He was responsible for a major revision of the judicial system which placed Guam on a State-like basis with respect to court jurisdiction.

It is with a great sadness that we mark the passing of this man. Last week Tony attended the appropriations hearings on the territories. Even in retirement he had not lost his commitment and dedication to the people he so ably represented. His career mirrored the development of Guam from a territory whose residents were without citizenship, elected representation, or the fundamentals of self-government with a sparse economy and limited health, education, or other social benefits to a territory which enjoys full self-government with elected representatives, a developing economy, and generally State-like treatment under most Federal programs. The territories and the rest of the Nation will continue to owe a great debt to Tony for his statesmanship and vast contributions and his unceasing commitment to the growth and development of all parts of this Nation. My deepest condolences to Tony's wife, Ana, his eight children, and his grandchildren and great grandchildren.

TRIBUTE TO ANTONIO BORJA WON PAT

Mr. JOHNSTON. Mr. President, it is with heartfelt sadness that I rise today in tribute to our former colleague from Guam, Antonio Borja Won Pat, who died on Friday evening after a heart attack.

Tony served in the House from 1973 to 1984 as Guam's first elected Delegate to the Congress. But he was no stranger to Washington or to the Congress, having served as Guam's first elected Washington Representative from Guam since 1965. It was from this position that he lobbied successfully for the establishment of the office of Delegate. And it was while he held that position that I first came to know, admire, and respect Tony.

As the newly elected freshman Senator from Louisiana in November 1972, I found one of my first committee assignments to be chairman of the Territories Subcommittee of the then Senate Committee on Interior and Insular Affairs. Tony lost no time in tracking me down and began to teach me about the Pacific, and particularly about Guam. I last saw Tony on Thursday, after a hearing before the Interior Appropriations Subcommittee on the fiscal year 1988 budget request for Guam, and he was still teaching me about Guam and the Pacific and current political developments in this strategic part of the world.

Tony's first career was in fact as an educator, a vocation he followed even after he had formally left that profession. In 1948, he was elected to the Guam Assembly and was soon chosen as the Assembly's Speaker. From that position, he argued successfully for American citizenship for Guamanians and became one of the chief architects and driving forces behind the 1950 Guam Organic Act of 1950 which conferred U.S. citizenship on the people of Guam. During the 14 years Tony served in the Assembly he help force the foundations of the current legislative system in Guam and each year spent several weeks in Washington educating us all about Guam and Guam's needs as he lobbied for Federal funds. He continued to carry that message vociferously, yet gently, as he moved into the positions he subsequently held, first as Washington Representative and later as Delegate to the House of Representatives.

Won Pat was an exceptional advocate and negotiator who understood the true value of face-to-face negotiations. When he added his personal touch to a request, I found it very difficult to say no and when you look at the record of what Tony accomplished in his 12 years in Congress I'd say my experience was the norm, not the exception. Like all good teachers, Tony always had his facts together and had carefully thought through his presentation. He was patient, as good teachers are, but he also had the other quality good teachers have—persistence and diligence. It was this unique combination which made him so successful.

Guam has lost its elder statesman with Tony's passing, but he has left a sound legacy on which all Guamanians can build a better future. I feel fortunate to have counted him as my friend, and the legacy of knowledge about Guam and the Pacific that he has left me will be a tremendous source for me to draw on in the future. It is this legacy which will help us all fill the void his passing has left, and on which he would expect us to build in the future. In the end, Tony will remain our teacher and that's the way he would have wanted it to be.

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate on May 1, 1987, during the recess of the Senate, received a message from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received on May 1, 1987, are printed at the end of the Senate proceedings.)

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms., Emery, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON DEVELOPMENTS IN NICARAGUA—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 39

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 1, 1987, during the recess of the Senate, received the following message from the President of the United States; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I hereby report to the Congress on developments since my last report of November 10, 1986, concerning the national emergency with respect to Nicaragua that was declared in Executive Order No. 12513 of May 1, 1985. In that Order, I prohibited: (1) all imports into the United States of goods and services of Nicaraguan origin; (2) all exports from the United States of goods to or destined for Nicaragua except those destined for the organized democratic resistance; (3) Nicaraguan air carriers from engaging in air transportation to or from points in the United States; and (4) vessels of Nicaraguan registry from entering United States ports.

1. The declaration of emergency was made pursuant to the authority vested in me as President by the Constitution and laws of the United States, including the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.*, and the National Emergencies Act, 50 U.S.C. 1601 *et seq.* This report is submitted pursuant to 50 U.S.C. 1641(c) and 1703(c).

2. The Office of Foreign Assets Control of the Department of the Treasury issued the Nicaraguan Trade Control Regulations implementing the prohibitions in Executive Order No. 12513 on May 8, 1985, 50 Fed. Reg. 19890 (May 10, 1985). There have been no changes in those regulations in the past 6 months.

3. Since my report of November 10, 1986, fewer than 30 applications for li-

censes have been received with respect to Nicaragua, and the majority of these applications have been granted. Of the licenses issued in this period, most either authorized exports for humanitarian purposes, covering medical supplies, food, and animal vaccines, or extended authorizations previously given to acquire intellectual property protection under Nicaraguan law.

4. The trade sanctions complement the diplomatic and other aspects of our policy toward Nicaragua. They exert additional pressure intended to induce the Sandinistas to undertake serious dialogue with representatives of all elements of the Nicaraguan democratic resistance and to respond favorably to the many opportunities available for achieving a negotiated settlement of the conflict in Central America. The trade sanctions are part of a larger policy seeking a democratic outcome in Nicaragua by peaceful means.

5. The expenses incurred by the Federal Government in the period from November 1, 1986, through April 30, 1987, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the Nicaraguan national emergency are estimated at $187,007, all of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Customs Service, as well as in the Office of Foreign Assets Control, the Office of the Assistant Secretary for Enforcement, and the Office of the General Counsel), with expenses also incurred by the Department of State and the National Security Council.

6. The policies and actions of the Government of Nicaragua continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. I shall continue to exercise the powers at my disposal to apply economic sanctions against Nicaragua as long as these measures are appropriate and will continue to report periodically to the Congress on expenses and significant developments, pursuant to 50 U.S.C. 1641(c) and 1703(c).

RONALD REAGAN.

THE WHITE HOUSE, *May 1, 1987.*

ANNUAL REPORT OF THE DEPARTMENT OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 40

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 4, 1987, during the recess of the Senate, received the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

To the Congress of the United States:

In accordance with Section 308 of Public Law 97-449 (49 U.S.C. 308), I hereby transmit the 16th Annual Report of the Department of Transportation, which covers fiscal year 1982.

RONALD REAGAN.

THE WHITE HOUSE, *May 1, 1987.*

MESSAGES FROM THE HOUSE

At 3:21 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 55. Joint resolution designating the week of May 10, 1987, through May 16, 1987, as "National Osteoporosis Prevention Week of 1987."

The message also announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 3. An act of enhance the competitiveness of American industry, and for other purposes;

H.R. 921. An act to require the Secretary of the Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over national park system units;

H.R. 1044. An act to establish the San Francisco Maritime National Historical Park in the State of California, and for other purposes;

H.R. 1207. An act to amend the Federal Food, Drug, and Cosmetic Act to ban the reimportation of drugs produced in the United States, to place restrictions on the distribution of drug samples, to ban certain resales of drugs by hospitals and other health care entities, and for other purposes;

H.R. 1226. An act to amend the Federal Food, Drug, and Cosmetic Act to require the appointment by the Commissioner of Food and Drugs to be subject to Senate confirmation;

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978;

H.J. Res. 97. Joint resolution to recognize the Disabled American Veterans Vietnam Veterans National Memorial as a memorial of national significance; and

H.J. Res. 201. Joint resolution to designate April 1988 as "Fair Housing Month."

The message further announced that pursuant to section 501 of Public Law 99-205, the Speaker appoints as an additional member from the private sector to the National Commission on Agricultural Finance, the Honorable Cooper Evans of Grundy Center, IA, on the part of the House.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

S. 903. An act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code.

The enrolled bill was subsequently signed by the President pro tempore [Mr. STENNIS].

MEASURES REFERRED

The following bills and joint resolutions were read the first and second times by unanimous consent, and referred as indicated:

H.R. 921. An act to require the Secretary of the Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over national park system units; to the Committee on Energy and Natural Resources.

H.R. 1044. An act to establish the San Francisco Maritime National Historical Park in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1207. An act to amend the Federal Food, Drug, and Cosmetic Act to ban the reimportation of drugs produced in the United States, to place restrictions on the distribution of drug samples, to ban certain resales of drugs by hospitals and other health care entities, and for other purposes; to the Committee on Finance.

H.J. Res. 97. Joint resolution to recognize the Disabled American Veterans Vietnam Veterans National Memorial as a memorial of national significance; to the Committee on the Judiciary.

H.J. Res. 201. Joint resolution to designate April 1988 as "Fair Housing Month"; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3. An act to enhance the competitiveness of American industry, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 5, 1987, he had presented to the President of the United States the following enrolled bill:

S. 903. An act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1160. A communication from the Acting Secretary of Agriculture transmitting, pursuant to law, the 2nd quarter fiscal year 1987 commodity and country allocation table for food assistance; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1161. A communication from the Under Secretary of Agriculture transmitting, pursuant to law, the 3rd quarterly commodity and country allocation for food assistance for fiscal year 1987; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1162. A communication from the Acting Secretary of Agriculture transmitting a draft of proposed legislation to revise receipt-sharing for States and counties for moneys received from the National Forest System; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1163. A communication from the Acting Secretary of Agriculture transmitting a draft of proposed legislation to correct a number of problems in the REA Program; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1164. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report on the legal status of a new deferral and three revised deferrals of budget authority; jointly, pursuant to the order of January 30, 1975, to the Committee on Appropriations and the Committee on the Budget.

EC-1165. A communication from the Secretary of Defense transmitting, pursuant to law, a report on a violation of law involving expenditure of funds in excess of appropriations; to the Committee on Appropriations.

EC-1166. A communication from the Acting Director of the Defense Security Assistance Agency transmitting, pursuant to law, a confidential report on a foreign military assistance sale to Japan; to the Committee on Armed Services.

EC-1167. A communication from the Assistant Secretary of the Army transmitting a draft of proposed legislation to give authority to the Secretary of Defense to operate a military education and training program known as "The School of the Americas"; to the Committee on Armed Services.

EC-1168. A communication from the Under Secretary of Defense transmitting, pursuant to law, a report on efforts by DOD to increase defense contract awards to Indian businesses during fiscal year 1986; to the Committee on Armed Services.

EC-1169. A communication from the General Counsel of DOD transmitting a draft of proposed legislation to amend the Goldwater-Nichols DOD Reorganization Act of 1986 relative to joint duty management policies for officers of the Army, Navy, Air Force, and Marine Corps; to the Committee on Armed Services.

EC-1170. A communication from the Director of the Administrative Office of the U.S. Courts transmitting, pursuant to law, the eighth report on applications for delays of notice and customer challenges under the Right to Financial Privacy Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-1171. A communication from the Director of the Office of Management and Budget transmitting a draft of proposed legislation to prohibit the purchase of certain mortgages by the FNMA and the FHMLC; to the Committee on Banking, Housing, and Urban Affairs.

EC-1172. A communication from the President and Chairman of the Export-Import Bank of the U.S. transmitting, pursuant to law, a report on Tied Aid Credit; to the Committee on Banking, Housing, and Urban Affairs.

EC-1173. A communication from the Secretary of the Interior transmitting, pursuant to law, a copy of an application by the County of San Bernandino, Calif. for a loan and grant under the Small Reclamation Projects Act; to the Committee on Energy and Natural Resources.

EC-1174. A communication from the Secretary of the Interior transmitting, pursuant to law, an application for the Upper Yampa Water Conservancy District, Colorado for a loan and grant under the Small Reclamation Projects Act; to the Committee on Energy and Natural Resources.

EC-1175. A communication from the Secretary of the Interior transmitting a draft of proposed legislation to interchange management of certain Federal lands between the Bureau of Land Management and the Forest Service; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under the authority of the order of the Senate of May 1, 1987, the following reports of committees were submitted on May 4, 1987:

By Mr. BIDEN, from the Committee on the Judiciary, without amendment:

S. 392. A bill for the relief of Nabil Yaldo (Rept. No. 100-49).

S. 393. A bill for the relief of Emilie Santos (Rept. No. 100-50).

S. 423. A bill for the relief of Kil Joon Yu Callahan (Rept. No. 100-51).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 857. A bill to amend the Bilingual Education Act to make Federal financial assistance available for children of limited English proficiency without mandating a specific method of instruction, to encourage innovation at the State and local level through greater administrative flexibility, to improve program operations at the Federal level, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PELL, from the Committee on Foreign Relations:

Charles H. Dallara, of Virginia, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years; and

Fred J. Eckert, of Virginia, for the rank of Ambassador during the tenure of his services as U.S. Representative to the United Nations Agency for Food and Agriculture in Rome.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. PELL. Mr. President, for the Committee on Foreign Relations, I also report favorably a list of nominations in the Foreign Service which were printed in their entirety in the Record of April 10, 1987, and, to save the expense of reprinting them on the Executive Calendar, I ask unanimous consent that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BENTSEN (for himself, Mr. Mitchell, Mr. Dole, Mr. Byrd, Mr. Matsunaga, Mr. Bradley, Mr. Baucus, Mr. Pryor, Mr. Daschle, Mr. Chafee, Mr. Riegle, Mr. Boren, Mr. Durenberger, Mr. Heinz, Mr. Stennis, Mr. Rockefeller, Mr. Moynihan, Mr. Danforth, and Mr. Chiles):

S. 1127. A bill to provide for Medicare catastrophic illness coverage, and for other purposes; to the Committee on Finance.

By Mr. BREAUX (for himself and Mr. Simpson) (by request):

S. 1128. A bill to authorize appropriations for the Nuclear Regulatory Commission for fiscal years 1988 and 1989, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DANFORTH:

S. 1129. A bill to temporarily suspend the duty on triallate; to the Committee on Finance.

By Mr. PROXMIRE:

S. 1130. A bill to establish a commission to investigate allegations of censorship in the editorial operations of certain newspapers published by the Department of Defense; to the Committee on Armed Services.

By Mr. BREAUX (for himself and Mr. Cranston):

S. 1131. A bill to equalize the duties on canned tuna; to the Committee on Finance.

By Mr. TRIBLE:

S. 1132. A bill to authorize the Secretary of the Army to grant license to the Boy Scouts of America for the use of real property at Fort A.P. Hill as a permanent site for National Scout Jamborees; to the Committee on Armed Services.

By Mr. COCHRAN (by request):

S. 1133. A bill to extend and amend programs under the Older Americans Act of 1965, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. GRASSLEY (for himself, Mr. DeConcini, and Mr. Thurmond):

S. 1134. A bill to amend title 28, United States Code, to provide for the selection of the court of appeals to decide multiple appeals filed with respect to the same agency order; to the Committee on the Judiciary.

By Mr. DASCHLE:

S. 1135. A bill to amend the Internal Revenue Code of 1954 to allow individuals to direct that part or all of their income tax refunds be contributed to a trust fund established for the relief of domestic and international hunger, and to establish a commission to oversee the distribution of such contributions; to the Committee on Labor and Human Resources.

By Mr. CRANSTON (by request):

S. 1136. A bill to amend title 38, United States Code, to limit the types of proposed disciplinary actions in which disciplinary boards function, to allow for the delegation of authority of the Chief Medical Director in certain situations and for related purposes; to the Committee on Veterans' Affairs.

By Mr. DANFORTH (for himself, Mr. GRASSLEY, MR. BENTSEN, Mr. PRYOR, Mr. COCHRAN, Mr. HEFLIN, Mr. DURENBERGER, and Mr. BOND):

S. 1137. A bill to require implementation of a marketing loan program for agricultural commodities if negotiations fail to produce an international agreement on agricultural trade; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. METZENBAUM:

S.J. Res. 122. Joint resolution to designate the period commencing on October 18, 1987, and ending on October 24, 1987, as "Gaucher's Disease Awareness Week"; to the Committee on the Judiciary.

By Mr. BREAUX (for himself, Mr. LEVIN, Mr. PROXMIRE, Mrs. KASSEBAUM, Mr. SIMON, Mr. WEICKER, Mr. DOLE, Mr. METZENBAUM, Mr. LAUTENBERG, Mr. JOHNSTON, Mr. DODD, Mr. CRANSTON, Mr. BOSCHWITZ, Mr. ADAMS, Mr. BUMPERS, Mr. DURENBERGER, Mr. INOUYE, Mr. KERRY, Mr. MITCHELL, Mr. RIEGLE, Mr. SIMPSON, Mr. BRADLEY, Mr. COCHRAN, Mr. EXON, Mr. MOYNIHAN, Mr. ROCKEFELLER, Mr. DANFORTH, Mr. GORE, Mr. KENNEDY, Mr. MATSUNAGA, Mr. PELL, Mr. SARBANES, Mr. HEINZ, Mr. BIDEN, Ms. MIKULSKI, Mr. SPECTER, Mr. PRYOR, Mr. BENTSEN, Mr. CONRAD, Mr. NUNN, Mr. FOWLER, and Mr. GRAHAM):

S.J. Res. 123. Joint resolution to designate the period commencing on June 15, 1987 and ending on June 21, 1987, as "National Anti-Apartheid Week" and to designate June 16, 1987, as "National Anti-Apartheid Day"; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. BOND, Mr. BOSCHWITZ, Mr. BURDICK, Mr. CHAFEE, Mr. CHILES, Mr. COCHRAN, Mr. D'AMATO, Mr. DANFORTH, Mr. DECONCINI, Mr. DOLE, Mr. FORD, Mr. GARN, Mr. GRASSLEY, Mr. HEINZ, Mr. HOLLINGS, Mr. JOHNSTON, Mr. KERRY, Mr. LEVIN, Mr. MCCLURE, Mr. MATSUNAGA, Mr. MURKOWSKI, Mr. NUNN, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. ROCKEFELLER, Mr. SHELBY, Mr. STENNIS, Mr. TRIBLE, Mr. WARNER, Mr. ADAMS, Mr. DOMENICI, Mr. DURENBERGER, Mr. FOWLER, Mr. HUMPHREY, Mr. RIEGLE, Mr. STEVENS, Mr. KARNES, Mr. GRAMM, Mrs. KASSEBAUM, Mr. MCCAIN, Mr. QUAYLE, Mr. ARMSTRONG, Mr. EXON, Mr. GORE, Mr. HATCH, Mr. HECHT, Mr. HEFLIN, Mr. MITCHELL, Mr. REID, and Mr. ROTH):

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN (for himself, Mr. SPECTER, and Mr. SIMON):

S. Res. 206. Resolution expressing the sense of the Senate regarding the system of political representation in South Africa; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENTSEN (for himself, Mr. MITCHELL, Mr. DOLE, Mr. BYRD, Mr. MATSUNAGA, Mr. BRADLEY, Mr. BAUCUS, Mr. PRYOR, Mr. DASCHLE, Mr. CHAFEE, Mr. RIEGLE, Mr. BOREN, Mr. DURENBERGER, Mr. HEINZ, Mr. STENNIS, Mr. ROCKEFELLER, Mr. MOYNIHAN, Mr. DANFORTH, and Mr. CHILES):

S. 1127. A bill to provide for Medicare catastrophic illness coverage, and for other purposes; to the Committee on Finance.

MEDICARE CATASTROPHIC LOSS PREVENTION ACT

Mr. BENTSEN. Mr. President, together with my colleagues Senators MITCHELL, DOLE, BYRD, MATSUNAGA, BRADLEY, BAUCUS, PRYOR, DASCHLE, CHAFEE, RIEGLE, BOREN, DURENBERGER, HEINZ, STENNIS, ROCKEFELLER, MOYNIHAN, DANFORTH, and Mr. CHILES, I am today introducing the Medicare Catastrophic Loss Prevention Act of 1987. For more than a decade many of us here in the Congress have worked to improve health insurance coverage under the Medicare Program. However, a benefit package that protects the elderly and disabled from catastrophic health costs has eluded us. The time is now long overdue for such legislation.

Two months ago, I joined my esteemed colleague the Republican leader, Mr. DOLE, in introducing the President's catastrophic insurance legislation. At the time, I indicated that the President's bill was a good first step. The bill I am introducing today builds on the President's approach, to offer our most vulnerable citizens a greater measure of financial protection.

Over the past few months, the Finance Committee has held several hearings seeking the advice of older Americans, health providers, insurers and other experts on this issue. Over and over, the committee heard that while Medicare has made a remarkable difference in access to health care, the program does not fully keep its promise of protecting beneficiaries from financial catastrophe when a serious and lengthy illness strikes. In 1989, the average Medicare beneficiary will have to pay $542 out of his own pocket just toward those services Medicare covers. For almost seven million beneficiaries who will require hospitalization, out-of-pocket payments will average $1,720.

Today, the fear of financial catastrophe remains all too real for older Americans, who face an untenable choice between impoverishing themselves and receiving needed medical care. Eight percent of our senior citizens are spending more than a quarter of their incomes on medical care.

As chairman of the Committee on Finance, I take very seriously the responsibility to keep the promise of financial and personal security offered the elderly and disabled by the Medicare Program. The bill we introduce today will not mark the end of our work, for it does not address every shortcoming of the Medicare Program. I have listened with much sympathy to those who have told us of the need for better coverage of costs associated with long-term care, outpatient prescription drugs, mental health benefits, and other needed health services. Regrettably, budgetary constraints make it impossible to expand coverage of many areas where additional benefits can be justified. While the improvements provided under this bill are modest, all parties seem to agree that it is important to take a few steps now toward filling the gaps in Medicare's acute care benefits, and to initiate the research necessary to plan carefully for future benefit improvements. I would like to note that any cost associated with this modest benefit expansion will be offset by an increase in the premium paid by those who elect to purchase the additional coverage. Accordingly, there will be no impact on the deficit with adoption of this bill.

More specifically, S. 1127 would enhance Medicare coverage by expanding the voluntary Part B program to add new catastrophic benefits. Under our proposal, in 1989 the average Medicare beneficiary would pay $423 out of his own pocket—22 percent less than under current law. Out-of-pocket liability for beneficiaries with catastrophic coverage would be no more than $1,700 for Medicare covered services in 1988 and a projected $1,773 in 1989. This cap would rise in future years to keep pace with the Social Security COLA.

Under this improved benefit package, the elderly and disabled would be liable for no more than one inpatient hospital deductible annually, as opposed to as many as six under current law. Beneficiaries would receive an unlimited number of hospital days, and would no longer have to pay hundreds of dollars in coinsurance after the 60th hospital day as currently required. Our bill would reform the skilled nursing facility benefit, under which beneficiaries are currently charged daily coinsurance for days 21 to 100. This coinsurance not only penalizes the sickest patients but, as currently calculated, can actually exceed the cost of a day's stay in an SNF. Nor will Medicare currently pay for more than 100 SNF days. Under S. 1127, beneficiaries could receive up to 150 days of SNF care annually.

S. 1127 makes an important expansion in home health benefits, by allowing beneficiaries enrolled in the catastrophic program to receive daily home care for 45 days if they have been recently hospitalized—more than twice as long as under current law. With Medicare's prospective payment system resulting in patients being discharged from hospitals earlier, the availability of adequate transitional services, including skilled care at home, is more important than ever. The bill also clarifies that all Medicare beneficiaries are entitled to 3 weeks of daily home care even if they have not been hospitalized, and clarifies the current requirement that beneficiaries be "homebound" to receive home health benefits. These two changes resolve ambiguities surrounding administration of the current home health benefit, ensuring access to needed services for 31 million elderly and disabled.

This bill also recognizes that Medicare now covers 80 percent of the cost of immunosuppressive drugs, which are a critical component of a successful organ transplant, for only the first year. Under this bill, beneficiaries' costs for these drugs would be counted toward the catastrophic "cap" for as long as they are enrolled in the program. The bill also requires a study by the Institute of Medicine of appropriate prescription drug coverage by Medicare, including whether the costs of other prescription drugs should count toward the out-of-pocket medical cost cap.

I was especially disturbed to note that a recent survey found that 70 percent of the elderly believe that Medicare will pay for services such as long-term care that in fact are not a part of the current benefit. Many individuals and their families are unaware of limitations on Medicare coverage, a problem compounded by complex, constantly changing program rules. Some would argue that 65 percent of the elderly are already protected against catastrophic expenses by Medigap insurance. However, many private supplementary insurance plans also do not fill Medicare coverage gaps such as long-term care, and it is hard for consumers to shop knowledgeably for Medigap if the they do not have a good grasp of the kind of coverge they lack under Medicare. A recent report by the General Accounting Office (GAO) highlighted the fact that some Medigap policies fail to meet the model standards developed in 1980 by my colleague Senator BAUCUS.

Our bill would address this situation in two ways. The Secretary of Health and Human Services would be required to notify beneficiaries annually of the extent of coverage provided under the Medicare Program. This notice would be developed with the advice of groups representing the elderly and the insurance industry. In addition to its educational value, it is my hope that this notification will stimulate the market for insurance that meaningfully supplements Medicare by, for example, covering long-term nursing home care.

Second, our bill adopts the approach to Federal Medigap certification developed by my colleagues Senators DOLE, DOMENICI, DANFORTH, DURENBERGER, and others earlier this year. The State insurance commissioners would have 90 days to update their voluntary standards, to be effective within 1 year. Should they not do so, the Secretary of Health and Human Services would be required to issue alternative standards for Federal certification.

Recognizing that Medicare is currently designed as an acute care benefit, our bill will help build a base of knowledge for developing an appropriate long-term care policy. The bill calls for the Institute of Medicine to conduct a major study of public and private financing of long-term care.

S. 1127 is expected to generate substantial savings for both the Federal Government and States under Medicaid. Currently, many State Medicaid programs "buy in" to Medicare, paying Medicare cost-sharing amounts for beneficiaries who are eligible for both programs. Under our bill, some of these cost-sharing amounts will now be paid under the new catastrophic provisions, thereby generating about $360 million in Medicaid savings in fiscal year 1980—about 45 percent of which would accrue to the States. Our bill would give States considerable flexibility in deciding to use these funds, but would require that any savings attributable to this "windfall" be applied to improve health coverage of the lowest income elderly under the State's Medicaid program or to protect impoverishment for spouses confined to nursing homes.

Mr. President, the second part of this bill deals with the question of financing the new catastrophic benefits. Because the budget deficit precludes us from simply increasing expenditures from the general fund, we have two essential choices: taxes could be increased for the population as a whole, or premiums, fees, or taxes could be charged those who voluntarily choose to participate in the program. A consensus seems to be developing in favor of the latter approach—that any catastrophic benefits package should be paid for by those receiving the benefits. That approach was followed in the administration's bill and in the leading House proposal.

The administration originally recommended a flat premium increase of approximately $60 for calendar year 1987. In future years, the premium would be indexed to account for increased costs of health care. Unfortunately, according to the Congressional Budget Office the original estimate of the cost of the administration package was inaccurate and would not even have funded their relatively limited program. The premium increase necessary to fund a reasonable level of catastrophic benefits could easily exceed $150 annually per person or over $300 a year for an elderly couple. At $60 per person, it is possible that a flat premium would be acceptable as the sole revenue source for a catastrophic benefits proposal. But an additional flat premium of the magnitude required would place an unacceptable burden on many low and moderate income elderly couples.

Representatives STARK and GRADISON and the House Ways and Means Subcommittee on Health have proposed a financing mechanism based on the inclusion of the subsidized portion of part A and part B benefits in the income of the recipient. Their approach would provide the revenue to pay for catastrophic benefits through a mechanism that, to some extent, relates to the ability of an enrollee to pay for the added protection. I believe it is a worthy goal to reduce the burdens on those who would not be able to afford the type of flat premium increase which would be necessary to finance catastrophic protection. Yet this proposal permits some persons to benefit from catastrophic coverage without contributing anything toward the cost of the new benefits.

PROPOSAL

Today we are proposing a different approach. Our approach is based on two principles: that all who benefit from the new program should pay something for the coverage, and that those with higher income should pay progressively more than those with lower income.

The approach we put on the table today involves a two-pronged increase in the current part B premium. The current part B premium for 1987 is $17.90 per month per enrollee or $215 per year. The first element of my proposal would be a flat increase of $4 per month ($48 per year) in the part B premium. The second element would be an additional increase in the part B premium of $12 per year for each $150 of income tax due after the first $150. We call this second element the "supplemental premium."

As with the current part B premium, the additional $4 increase in the monthly premium and the supplemental premium would be pro-rated based on the number of months during the year that the individual is enrolled in part B. The $4 premium and the supplemental premium would be indexed to increases in the cost of the catastrophic benefits provided under the bill.

PREMIUM INCREASE IS CAPPED

The amount of the supplemental premium would be capped to insure that no individual pays more for the benefits than the benefits are worth. In fact, every enrollee would continue to receive a sizable Federal subsidy.

The cap would be set at $800 per part B enrollee for 1988 and would increase by $50 per year through 1992. Thereafter the cap would be adjusted annually based on the value of the total benefits provided under part B plus benefits provided under part A which are added as a part of the catastrophic package. The cap would also be pro-rated based on the number of months during the applicable year that the individual is enrolled in part B.

In order for a married couple who are both covered under part B to reach the cap, their taxable income would be more than $90,000. The Joint Committee on Taxation estimates that the average couple with that much taxable income has actual income—before deductions, exemptions, and credits—of over $97,000. A single individual would hit the cap at approximately $48,000 of taxable income, which translates into average actual income in excess of $52,000.

PREMIUMS ARE OPTIONAL

Since the additional premiums proposed would be treated as an increase in the current part B premium, they would be fully optional. If an eligible individual does not desire to receive part B coverage he or she can elect not to participate in the program and thus avoid all premiums. I do not anticipate, however, that many people will opt out of part B as a result of the premium increase. Historically, the Federal subsidy from general revenues for part B benefits has been about 75 percent of the costs. Even those enrollees whose premium payments reach the cap will continue to receive a sizable Federal subsidy. The benefits they receive under Medicare would cost significantly less than an equivalent benefit package would cost if purchased in the private sector.

PREMIUMS ARE DEDUCTIBLE

In addition, the premiums paid under S. 1127 are deductible on the enrollee's Federal income tax return in the same way that other payments for medical insurance (including the current part B premium) are deductible. In other words, the premiums are treated as a medical expense and may be deducted under Internal Revenue Code, section 213, to the extent the threshold in that section is reached.

PREMIUM COLLECTION

With enactment of S. 1127, the increase in the part B premium would be collected in two parts. The $4 per month increase in the basic part B premium would be collected at the same time and in the same manner as the current part B premium—that is, it would be deducted monthly from the Social Security, Railroad Retirement, or Civil Service check of the beneficiary. The supplemental premium would be collected at the same time and in the same manner as the enrollee's income tax.

DISTRIBUTIONAL EFFECTS

Mr. President, I believe that this proposal equitably distributes the burden of the total premiums paid for part B and catastrophic benefits based on ability to pay. All part B enrollees must pay something more, but not so much more that it will take an excessive portion of their income. According to the Joint Committee on Taxation, for those with income under $50,000 a year the percentage reduction in after tax income would be about one-half of 1 percent.

The Joint Committee on Taxation has prepared a table showing the distributional effects of S. 1127. I ask unanimous consent that the table be placed in the RECORD following this statement. I would also ask unanimous consent to insert tables prepared by the Joint Tax Committee showing the distributional effect of the Stark/Gradison proposal and a flat premium increase. In addition, I ask that a set of tables comparing the additional premiums and additional taxes paid at various income levels under this proposal and the Stark/Gradison proposal, respectively, be included in the RECORD at the conclusion of my remarks.

BUDGET EFFECTS

The package we are proposing is intended to be revenue neutral and budget neutral as estimated by the Joint Committee on Taxation. In other words, the proposal collects enough in additional premiums to pay for the benefits being provided. The bill also fits within the limits established in the budget resolution favorably reported by the Senate Budget Committee.

Moreover, both the basic premium increase and the supplemental premium would be indexed to increases in the cost of the catastrophic benefits provided under the proposal. As a result, the financing mechanism will be linked to the cost of the benefits into the future and the overall package will not result in increased Federal deficits in the years beyond the revenue estimating window used by the Joint Committee on Taxation. We intend this package to remain revenue neutral well into the future. As additional data become available, it may be necessary to fine tune the indexing mechanism which is currently in the bill in order to insure that revenue neutrality is maintained in the out years.

SUMMARY

Mr. President, we now have three different approaches for the financing of badly needed improvements in catastrophic coverage under the Medicare Program. We intend to pursue further this matter in the Finance Committee and intend to carefully consider the advantages and disadvantages of each proposal.

If we are to provide catastrophic health insurance we have an obligation to pay for it. Yet we must pay for it in an equitable manner that does not unduly burden those who are less able to pay. That will not be an easy task. It will be difficult to resist criticizing the various proposals on the table. I hope that we can overcome these obstacles and reach agreement on a financing mechanism that will allow us to provide this measure of catastrophic health protection to the Nation's elderly and disabled.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES IN ACT.

(a) SHORT TITLE.—This Act may be cited as the "Medicare Catastrophic Loss Prevention Act of 1987".

(b) AMENDMENTS TO THE SOCIAL SECURITY ACT.—Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Social Security Act.

SEC. 2. SCOPE OF BENEFITS UNDER PART A.

(a) FOR INDIVIDUALS COVERED UNDER PARTS A AND B.—Section 1812 (42 U.S.C. 1395d) is amended to read as follows:

"SCOPE OF BENEFITS FOR INDIVIDUALS COVERED UNDER PARTS A AND B

"SEC. 1812. (a) The benefits provided by the insurance program under this part to an individual who is covered by such program and by the insurance program under part B shall consist of entitlement to have payment made on his behalf or, in the case of payments referred to in section 1814(d)(2) to him (subject to the provisions of this part) for—

"(1) inpatient hospital services;

"(2)(A) post-hospital extended care services for up to 150 days during any calendar year, and (B) to the extent provided in subsection (e), extended care services that are not post-hospital extended care services;

"(3) home health services; and

"(4) in lieu of certain other benefits, hospice care with respect to the individual during up to two periods of 90 days each and one subsequent period of 30 days with respect to which the individual makes an election under subsection (c)(1).

"(b) Payment under this part for services furnished to an individual who is covered by the insurance programs established under this part and part B may not be made for—

"(1) post-hospital extended care services furnished to him during a calendar year after such services have been furnished to him for 150 days during that year; or

"(2) inpatient psychiatric hospital services furnished to him after such services have been furnished to him for a total of 190 days during his lifetime.

"(c)(1) Payment under this part may be made for hospice care provided with respect to an individual only during two periods of 90 days each and one subsequent period of 30 days during the individual's lifetime and only, with respect to each such period, if the individual makes an election under this paragraph to receive hospice care under this part provided by, or under arrangements made by, a particular hospice program instead of certain other benefits under this title.

"(2)(A) Except as provided in subparagraphs (B) and (C) and except in such exceptional and unusual circumstances as the Secretary may provide, if an individual makes such an election for a period with respect to a particular hospice program, the individual shall be deemed to have waived all rights to have payment made under this title with respect to—

"(i) hospice care provided by another hospice program (other than under arrangements made by the particular hospice program) during the period, and

"(ii) services furnished during the period that are determined (in accordance with guidelines of the Secretary) to be—

"(I) related to the treatment of the individual's condition with respect to which a diagnosis of terminal illness has been made, or

"(II) equivalent to (or duplicative of) hospice care;

except that clause (ii) shall not apply to physicians' services furnished by the individual's attending physician (if not an employee of the hospice program) or to services provided by (or under arrangements made by) the hospice program.

"(B) After an individual makes such an election with respect to a 90- or 30-day period, the individual may revoke the election during the period, in which case—

"(i) the revocation shall act as a waiver of the right to have payment made under this part for any hospice care benefits for the remaining time in such period and (for purposes of subparagraph (A), subsection (a)(4), and section 1812A(a)(4)) the individual shall be deemed to have been provided such benefits during such entire period, and

"(ii) the individual may at any time after the revocation execute a new election for a subsequent period, if the individual otherwise is entitled to hospice care benefits with respect to such a period.

"(C) An individual may, once in each such period, change the hospice program with respect to which election is made and such change shall not be considered a revocation of an election under subparagraph (B).

"(D) For purposes of this title, an individual's election with respect to a hospice program shall no longer be considered to be in effect with respect to that hospice program after the date the individual's revocation or change of election with respect to that election takes effect.

"(d) For purposes of subsection (b), inpatient psychiatric hospital services and post-hospital extended care services shall be taken into account only if payment is or would be, except for this section or the failure to comply with the request and certification requirements of or under section 1814(a), made with respect to such services under this part.

"(e)(1) The Secretary shall provide for coverage, under subsection (a)(2)(B) and section 1812A(a)(2)(B), of extended care services which are not post-hospital extended care services at such time and for so long as the Secretary determines, and under such terms and conditions (described in paragraph (2)) as the Secretary finds appropriate, that the inclusion of such services will not result in any increase in the total of payments made under this title and will not alter the acute care nature of the benefit described is subsection (a)(2).

"(2) The Secretary may provide—

"(A) for such limitations on the scope and extent of services described in subsection (a)(2)(B) and section 1812A(a)(2)(B) and on the categories of individuals who may be eligible to receive such services, and

"(B) notwithstanding sections 1814, 1861(v), and 1886, for such restrictions and alternatives on the amounts and methods of payment for services described in such subsection,

as may be necessary to carry out paragraph (1).".

(b) FOR INDIVIDUALS COVERED UNDER PART A ONLY.—Part A of title XVIII is amended by inserting after section 1812 the following:

"SCOPE OF BENEFITS FOR INDIVIDUALS COVERED UNDER PART A ONLY

"SEC. 1812A. (a) The benefits provided by the insurance program under this part to an individual who is covered by such program but not by the insurance program under part B shall consist of entitlement to have payment made on his behalf or, in the case of payments referred to in section 1814(d)(2) to him (subject to the provisions of this part) for—

"(1) inpatient hospital services for up to 150 days during any spell of illness minus 1 day for each day of inpatient hospital services in excess of 90 received during any preceding spell of illness (if such individual was entitled to have payment for such services made under this part unless the individual specifies in accordance with regulations of the Secretary that the individual does not desire to have such payment made);

"(2)(A) post-hospital extended care services for up to 100 days during any spell of illness, and (B) to the extent provided in section 1812(e), extended care services that are not post-hospital extended care services;

"(3) home health services; and

"(4) in lieu of certain other benefits, hospice care with respect to the individual during up to two periods of 90 days each and one subsequent period of 30 days with respect to which the individual makes an election under section 1812(c)(1).

"(b) Payment under this part for services furnished during a spell of illness to an individual who is covered by the insurance program under this part but not by the insurance program under part B may not (subject to subsection (c)) be made for—

"(1) inpatient hospital services furnished to the individual during such spell after such services have been furnished to the individual for 150 days during such spell minus 1 day for each day of inpatient hospital services in excess of 90 received during any preceding spell of illness (if such individual was entitled to have payment for such services made under this part unless he specifies in accordance with regulations of the Secretary that he does not desire to have such payment made);

"(2) post-hospital extended care services furnished to the individual during such spell after such services have been furnished to the individual for 100 days during such spell; or

"(3) inpatient psychiatric hospital services furnished to the individual after such services have been furnished to the individual for a total of 190 days during the lifetime of the individual.

"(c) If an individual is an inpatient of a psychiatric hospital on the first day of the first month for which he is entitled to benefits under this part, the days on which he was an inpatient of such a hospital in the 150-day period immediately before such first day shall be included in determining the number of days limit under subsection (b)(1) insofar as such limit applies to (1) inpatient psychiatric hospital services, or (2) inpatient hospital services for an individual who is an inpatient primarily for the diagnosis or treatment of mental illness (but shall not be included in determining such number of days limit insofar as it applies to other inpatient hospital services or in determining the 190-day limit under subsection (b)(3)).

"(d) The provisions of subsections (c) and (e) of section 1812 shall apply to individuals who are covered by the insurance program under this part but not by the insurance program under part B in the same manner and to the same extent as those provisions apply to individuals who are covered under both such programs.

"(e) For purposes of subsections (b) and (c), inpatient hospital services, inpatient psychiatric hospital services, and post-hospital extended care services shall be taken into account only if payment is or would be, except for this section or the failure to comply with the request and certification requirements of or under section 1814(a), made with respect to such services under this part.".

(c) CONFORMING CHANGES.—

(1) Section 1814(e) (42 U.S.C. 1395f(e)) is amended by inserting "or section 1812A" after "section 1812".

(2) Section 1861(dd)(2)(A)(iii) (42 U.S.C. 1395x(dd)(2)(A)(iii)) is amended by striking "section 1812(d)" and inserting in lieu thereof "section 1812(c)".

(3) Section 1902(g)(1) (42 U.S.C. 1396a(g)(1)) is amended by inserting "or section 1812A" after "1812".

SEC. 3. DEDUCTIBLES AND COINSURANCE UNDER PART A.

(a) FOR INDIVIDUALS COVERED UNDER PARTS A AND B.—Section 1813 (42 U.S.C. 1395e) is amended to read as follows:

"DEDUCTIBLES AND COINSURANCE FOR INDIVIDUALS COVERED UNDER PARTS A AND B

"SEC. 1813. (a)(1)(A) Subject to subparagraph (C), the amount payable for inpatient hospital services furnished to an individual who is covered by the insurance programs under this part and part B during the individual's first period of hospitalization to begin during a calendar year shall be reduced by a deduction equal to the inpatient hospital deductible for that year or, if less, the charges imposed with respect to such individual for such services, except that, if the customary charges for such services are greater than the charges so imposed, such customary charges shall be considered to be the charges so imposed.

"(B) For purposes of subparagraph (A), the term 'period of hospitalization' means, with respect to an individual, the period beginning on the first day the individual is furnished inpatient hospital services and ending on the individual's date of discharge (as established by the Secretary for purposes of section 1886) from the hospital (or, in the case of a transfer, hospitals) involved.

"(C) In the case of an individual with respect to whom—

"(i) a period of hospitalization begins during December of any calendar year,

"(ii) an inpatient hospital deductible is imposed with respect to such period of hospitalization, and

"(iii) a period of hospitalization begins during January of the following calendar year,

no inpatient hospital deductible shall be imposed with respect to a period of hospitalization beginning in January of such following year (and such period of hospitalization shall not be taken into account in determining the application of an inpatient hospital deductible to any period of hospitalization beginning for such individual after January 31 of such following year).

"(2) The amount payable to any provider of services under this part for services furnished during any calendar year to an individual who is covered by the programs established under this part and part B shall be further reduced by a deduction equal to the cost of the first 3 pints of whole blood (or equivalent quantities of packed red blood cells, as defined under regulations) furnished to him as part of such services during that year.

"(3)(A) The amount payable for post-hospital extended care services furnished in any calendar year to an individual who is covered by the insurance programs established under this part and part B shall be reduced by the coinsurance amount (promulgated under subparagraph (C) for that year) for of the first 10 days on which he is furnished such services during any stay in a skilled nursing facility, but in no event shall a coinsurance amount be imposed under this paragraph with respect to an individual for more than 10 days in any calendar year.

"(B) Before September 1 of each year (beginning with 1987), the Secretary shall estimate the national average per diem reasonable cost recognized under this title for post-hospital extended care services that will be furnished in the succeeding calendar year.

"(C) The Secretary shall, in September of each year (beginning with 1987) promulgate the coinsurance amount that shall apply to post-hospital extended care services furnished in the succeeding year. Such amount shall be equal to 15 percent of the national average per diem cost estimated under subparagraph (B) for that year. If the coinsurance amount determined under the preceding sentence is not a multiple of $1, it shall be rounded to the nearest multiple of $1 (or, if it is a multiple of 50 cents but not a multiple of $1, to the next higher multiple of $1).

"(4)(A) The amount payable for hospice care shall be reduced—

"(i) in the case of drugs and biologicals provided on an outpatient basis by (or under arrangements made by) the hospice program, by a coinsurance amount equal to an amount (not to exceed $5 per prescription) determined in accordance with a drug copayment schedule (established by the hospice program) which is related to, and approximates 5 percent of, the cost of the drug or biological to the program, and

"(ii) in the case of respite care provided by (or under arrangements made by) the hospice program, by a coinsurance amount equal to 5 percent of the amount estimated by the hospice program (in accordance with regulations of the Secretary) to be equal to the amount of payment under section 1814(i) to that program for respite care;

except that the total of the coinsurance required under clause (ii) for an individual may not exceed for a hospice coinsurance period the inpatient hospital deductible applicable for the year in which the period began. For purposes of this subparagraph, the term 'hospice coinsurance period' means, for an individual, a period of consecutive days beginning with the first day for which an election under section 1812(c) is in effect for the individual and ending with the close of the first period of 14 consecutive days on each of which such an election is not in effect for the individual.

"(B) During the period of an election by an individual under section 1812(c)(1), no copayments or deductibles other than those under subparagraph (A) shall apply with respect to services furnished to such individual which constitute hospice care, regardless of the setting in which such services are furnished.

"(b)(1) The inpatient hospital deductible for 1987 shall be $520. The inpatient hospital deductible for any succeeding year shall be an amount equal to the inpatient hospital deductible for the preceding calendar year, changed by the applicable percentage increase (as defined in section 1886(b)(3)(B)) which is applied under section 1886(d)(3)(A) for discharges in the fiscal year that begins on October 1 of such preceding calendar year, and adjusted to reflect changes in real case mix (determined on the basis of the most recent case mix data available). Any amount determined under the preceding sentence which is not a multiple of $4 shall be rounded to the nearest multiple of $4 (or, if it is midway between two multiples of $4, the next higher multiple of $4).

"(2) The Secretary shall promulgate the inpatient hospital deductible and all coinsurance amounts under this section between September 1 and September 15 of the year preceding the year to which they will apply.".

(b) FOR INDIVIDUALS COVERED UNDER PART A ONLY.—Part A of title XVIII is amended by inserting after section 1813 the following:

"DEDUCTIBLES AND COINSURANCE AMOUNTS FOR INDIVIDUALS COVERED UNDER PART A ONLY

"SEC. 1813A. (a)(1) The amount payable for inpatient hospital services furnished during any spell of illness to an individual who is covered by the insurance program under this part but not by the insurance program under part B shall be reduced by a deduction equal to the inpatient hospital deductible or, if less, the charges imposed with respect to such individual for such services, except that, if the customary charges for such services are greater than the charges so imposed, such customary charges shall be considered to be the charges so imposed. Such amount shall be further reduced by a coinsurance amount equal to—

"(A) one-fourth of the inpatient hospital deductible for each day (before the 91st day) on which such individual is furnished such services during such spell of illness after such services have been furnished to him for 60 days during such spell; and

"(B) one-half of the inpatient hospital deductible for each day (before the day following the last day for which such individual is entitled under section 1812A(a)(1) to have payment made on his behalf for inpatient hospital services during such spell of illness) on which such individual is furnished such services during such spell of illness after such services have been furnished to him for 90 days during such spell;

except that the reduction under this sentence for any day shall not exceed the charges imposed for that day with respect to such individual for such services (and for this purpose, if the customary charges for such services are greater than the charges so imposed, such customary charges shall be considered to be the charges so imposed).

"(b) The provisions of section 1813(a)(4) shall apply to individuals who are covered by the insurance program under this part but not by the insurance program under part B in the same manner and to the same extent as those provisions apply to individuals covered under both such programs.

"(2) The amount payable to any provider of services under this part for services furnished during any spell of illness to an individual who is covered by the insurance program under this part but not by the insurance program under part B shall be further reduced by a deduction equal to the cost of the first 3 pints of whole blood (or equivalent quantities of packed red blood cells, as defined under regulations) furnished to him as part of such services during such spell of illness.

"(3) The amount payable for post-hospital extended care services furnished during any spell of illness to an individual who is covered by the insurance program under this part but not by the insurance program under part B shall be reduced by a coinsurance amount equal to one-eighth of the inpatient hospital deductible for each day (before the 101st day) on which the individual is furnished such services after such services have been furnished to the individual for 20 days during such spell.

"(c)(1) For purposes of this section, the 'inpatient hospital deductible' for a year is the inpatient hospital deductible promulgated under section 1813 for that year.

"(2) The inpatient hospital deductible for a year shall apply to—

"(A) the deduction under the first sentence of subsection (a)(1) for the year in which the first day of inpatient hospital services occurs in a spell of illness, and

"(B) to the coinsurance amounts under subsection (a) for inpatient hospital services and post-hospital extended care services furnished in that year.".

(c) CONFORMING CHANGES.—

(1) Section 1814 (42 U.S.C. 1395f) is amended—

(A) in subsection (b) by striking "sections 1813 and 1886" in the matter preceding paragraph (1) and inserting in lieu thereof "sections 1813, 1813A, and 1886", and

(B) in subsections (d) and (f) by striking "section 1813" each place it appears and inserting in lieu thereof "sections 1813 and 1813A".

(2) Section 1833(d) (42 U.S.C. 1395l(d)) is amended by inserting "or section 1813A" after "section 1813".

(3)(A) Section 1861(y)(2) (42 U.S.C. 1395x(y)(2)) is amended—

(i) by striking "an individual in a skilled nursing facility to which paragraph (1) applies" and inserting in lieu thereof "in a skilled nursing facility to which paragraph (1) applies to an individual who is covered by the insurance programs established under parts A and B",

(ii) by striking "spell of illness" the first place it appears and inserting in lieu thereof "calendar year",

(iii) by striking "spell of illness" the second place it appears and "spell" each place it appears and inserting in lieu thereof "year",

(iv) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively,

(v) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively,

(vi) by inserting "(A)" after "(2)", and

(vii) by adding at the end thereof the following:

"(B) In the case of an individual who is covered by the insurance program under part A but not by the insurance program under part B, the provisions of subparagraph (A) shall be applied by substituting 'spell of illness' for 'calendar year' and by substituting 'spell' for 'year' each place it appears.".

(B) Section 1861(y)(3) is amended—

(i) by striking "an individual during any spell of illness in a skilled nursing facility to which paragraph (1) applies" and inserting in lieu thereof "during any calendar year to an individual who is covered under the insurance programs established under parts A and B in a skilled nursing facility to which paragraph (1) applies",

(ii) by striking "equal to" and all that follows through "31st day" and inserting "equal to the coinsurance amount established under section 1813(a)(3)(C) for each day before the 10th day".

(iii) by striking "spell" and inserting in lieu thereof "year",

(iv) by inserting "(A)" after "(3)", and

(v) by adding at the end thereof the following:

"(B) The amount payable under part A for post-hospital extended care services furnished during any calendar year to an individual who is covered by the insurance program established under part A but not by the insurance program established under part B in a skilled nursing facility to which paragraph (1) applies shall be reduced by a coinsurance amount equal to one-eighth of the inpatient hospital deductible for each day before the 31st day on which the individual is furnished such services in a facility during such spell and the reduction under this paragraph shall be in lieu of any reduction under section 1813A(a)(3).".

(4) Section 1866(a)(2) (42 U.S.C. 1395cc(a)(2)) is amended—

(A) in subparagraph (A) by striking "section 1813 (a)(1), (a)(3), or (a)(4)," and inserting in lieu thereof "paragraph (1), (3), or (4) of section 1813, paragraph (1) or (3) of section 1813A,", and

(B) in subparagraph (C) by inserting "or section 1813A(a)(2)" after "section 1813(a)(2)".

(5) Section 1886 (42 U.S.C. 1395ww) is amended by striking "section 1813" each place it appears in subsections (b)(1) and (d)(1)(A) and inserting in lieu thereof "sections 1813 and 1813A".

SEC. 4. LIMITATION ON COST-SHARING.

(a) SCOPE OF BENEFITS.—Section 1832(a) (42 U.S.C. 1395k(a)) is amended—

(1) by striking "and" at the end of paragraph (1),

(2) by striking the period at the end of paragraph (2) and inserting in lieu thereof "; and", and

(3) by adding at the end thereof the following:

"(3) entitlement to have payment made to him or on his behalf (subject to the provisions of this title) for any catastrophic medical expenses (as defined in section 1861(ff)(1)) for a calendar year.".

(b) PAYMENT OF BENEFITS.—

(1) Section 1833(a) (42 U.S.C. 1395l(a)) is amended—

(A) by striking "and" at the end of paragraph (3),

(B) by striking the period at the end of paragraph (4) and inserting in lieu thereof "; and", and

(C) by adding at the end the following:

"(5) in the case of catastrophic medical expenses described in section 1832(a)(3), 100 percent of such expenses.".

(2) The first sentence of section 1833(b) is amended—

(A) by striking "and" at the end of clause (3), and

(B) by inserting before the period the following: ", and (5) such deductible shall not apply with respect to the benefits described in section 1832(a)(3)".

(3) Section 1833(d) (42 U.S.C. 1395l(d)) is amended by inserting "(except as provided by subsection (a)(5))" before the period.

(4) Section 1833 (42 U.S.C. 1395l) is amended by inserting after subsection (e) the following new subsection:

"(f) In applying subsection (a)(5) in the case of an organization receiving payment under clause (A) of subsection (a)(1) or under a reasonable cost reimbursement contract under section 1876 or in the case of a renal dialysis facility—

"(1) the Secretary shall provide for an appropriate adjustment in the payment amounts otherwise made to reflect, in the aggregate, the aggregate increase in payments that would otherwise be made with respect to enrollees in the organization if payments were made other than under such clause or such a contract or with respect to individuals furnished services through the facility if payments were to be made on an individual-by-individual basis, and

"(2) the organization or facility shall provide assurances satisfactory to the Secretary that the organization or facility will not undertake to charge an individual during a year for any catastrophic medical expenses (as defined in section 1861(ff)(1)) incurred for that year.".

(c) ESTABLISHMENT OF CEILING.—

(1) Section 1833 (42 U.S.C. 1395l) is further amended by adding at the end the following:

"(m)(1) Not later than November 15 of each year (beginning with 1987), the Secretary shall promulgate the medicare catastrophic limit under this subsection for the succeeding year.

"(2) The medicare catastrophic limit for 1988 is $1,700. The medicare catastrophic limit for any succeeding year shall be an amount equal to the medicare catastrophic limit for the preceding year increased by the applicable increase percentage determined under section 215(i) in the previous year. Any amount determined under the preceding sentence which is not a multiple of $1 shall be rounded to the nearest multiple of $1 (or, if it is a multiple of 50 cents but not a multiple of $1, to the next higher multiple of $1).".

(2) Section 1861 (42 U.S.C. 1395x) is amended by adding at the end thereof the following:

"(ff)(1) The term 'catastrophic medical expenses' means, with respect to an individual for a calendar year (beginning with 1988), any beneficiary cost sharing amounts (as defined in paragraph (2)) incurred by an individual in the year after the individual has incurred out-of-pocket medical expenses (as defined in paragraph (3)) in the year in an amount equal to the medicare catastrophic limit established under section 1833(m) for the year.

"(2) The term 'beneficiary cost sharing amounts' means the amounts of expenses that an individual who is covered by the insurance program established under part B incurs that are attributable to—

"(A) the deductions and coinsurance amounts established under section 1813(a) and under subsection (y)(3),

"(B) the deductions established under section 1833(b), or

"(C) the difference between the payment amount provided under part B and the payment amount that would be provided if '100 percent' and '0 percent' were substituted for '80 percent' and '20 percent', respectively, each place either appears in section 1833(a), in section 1833(i)(2), in section 1835(b)(2), and in subsections (b)(2) and (b)(3) of section 1881.

"(3) The term 'out-of-pocket medical expenses' means the amounts expended by an individual who is covered under the insurance program established under part B that are—

"(A) beneficiary cost sharing amounts, or

"(B) amounts expended by an individual described in subsection (s)(2)(J) for immunosuppressive drugs furnished after the 1-year period specified in such subsection (in amounts not to exceed the reasonable charges for such drugs).".

(3) Subsections (c) and (g) of section 1833 (42 U.S.C. 1395l) are each amended by striking "(a) and (b)" and inserting in lieu thereof "(a), (b), and (f)".

(b) LIMITATION ON CHARGES WHERE MEDICARE CATASTROPHIC LIMIT IS REACHED.—Section 1866(a)(2)(A) (42 U.S.C. 1395cc(a)(2)(A)), as amended by section 3(c)(4) of this Act, is further amended by adding at the end the following new sentence: "A provider of services may not impose a charge under the first sentence of this subparagraph for services for which payment is made to the provider pursuant to section 1833(a)(5) (relating to catastrophic medical expenses).".

SEC. 5. INCREASE IN SUPPLEMENTARY MEDICAL INSURANCE PREMIUM.

(a) IN GENERAL.—Section 1839 (42 U.S.C. 1395r) is amended—

(1) in paragraph (1) of subsection (a), by striking all after "(a)(1)" and inserting in lieu thereof the following: "(A) The Secretary shall, during September of 1987 and of each year thereafter, determine the monthly actuarial basic rate for enrollees age 65 and over which shall be applicable for the succeeding calendar year. The monthly actuarial basic rate determined under this paragraph for a calendar year shall be the amount the Secretary estimates to be necessary so that the aggregate amount for the calendar year with respect to those enrollees age 65 and over will equal one-half of the total of the benefits and administrative costs that the Secretary estimates will be payable from the Federal Supplementary Medical Insurance Trust Fund for services performed and related administrative costs incurred in such calendar year with respect to such enrollees (excluding catastrophic coverage benefits and related administrative costs).

"(B) For purposes of this paragraph, the term 'catastrophic coverage benefits' has the meaning given to such term in subsection (g)(2)(C)(i).";

(2) in paragraph (3) of subsection (a) by striking "subsection (e)" and inserting in lieu thereof "subsections (e) and (g)";

(3) by striking paragraph (4) of subsection (a) and inserting in lieu thereof the following:

"(4)(A) The Secretary shall also, during September of 1987 and of each year thereafter, determine the monthly actuarial basic rate for disabled enrollees under age 65 which shall be applicable for the succeeding calendar year. The monthly actuarial basic rate determined under this paragraph for a calendar year shall be the amount the Secretary estimates to be necessary so that the aggregate amount for the calendar year with respect to disabled enrollees under age 65 will equal one-half of the total of the benefits and administrative costs which he estimates will be payable from the Federal Supplementary Medical Insurance Trust Fund for services performed and related administrative costs incurred in such calendar year with respect to such enrollees (excluding catastrophic coverage benefits and related administrative costs).

"(B) For purposes of this paragraph, the term 'catastrophic coverage benefits' has the meaning given to such term in subsection (g)(2)(C)(i).";

(4) in paragraph (1) of subsection (e) by striking "monthly actuarial rate" and inserting in lieu thereof "monthly actuarial basic rate"; and

(5) by adding at the end thereof the following new subsection:

"(g)(1) Notwithstanding any other provision of this section, except as provided in paragraph (3), the monthly premium otherwise determined under this section for an individual for 1988 and any succeeding calendar year shall be increased by an amount equal to the applicable monthly catastrophic coverage premium amount for that year.

"(2)(A)(i) The monthly catastrophic coverage premium amount for 1988 for individuals who are covered by the insurance programs under part A and this part shall be $4. The monthly catastrophic coverage premium amount for such individuals for any succeeding calendar year shall be the monthly catastrophic coverage premium amount determined under this subparagraph for the preceding calendar year, increased (or decreased) by the percentage increase (or decrease) in the actuarial comprehensive catastrophic benefit amount for the year for which the determination is made over the actuarial comprehensive catastrophic benefit amount for such preceding year.

"(ii) The monthly catastrophic coverage premium amount for any calendar year for individuals who are covered by the insurance program under this part but not by the insurance program under part A shall be an amount that bears the same ratio to the monthly catastrophic coverage premium amount determined under clause (i) for such year as the actuarial part B catastrophic benefit amount for such year bears to the actuarial comprehensive catastrophic benefit amount for such year.

"(B) If any monthly premium amount determined under subparagraph (A) is not a multiple of 10 cents, such premium amount shall be rounded to the nearest multiple of 10 cents.

"(C) For purposes of this paragraph—

"(i) the term 'catastrophic coverage benefits' means benefits payable under this title by reason of the enactment of the amendments made by sections 2(a), 3(a), 4, and 7(b) of the Medicare Catastrophic Loss Prevention Act of 1987,

"(ii) the term 'actuarial comprehensive catastrophic benefit amount' means, with respect to a calendar year, the amount that the Secretary estimates will equal the total of the catastrophic coverage benefits (and related administrative costs) that will be payable from the Federal Supplementary Medical Insurance Trust Fund and from the Federal Hospital Insurance Trust Fund in such calendar year with respect to enrollees under this part, and

"(iii) the term 'actuarial part B catastrophic benefit amount' means, with respect to a calendar year, the amount the Secretary estimates will equal the total of the catastrophic coverage benefits (and related administrative costs) that will be payable from the Federal Supplementary Medical Insurance Trust Fund in such calendar year with respect to such enrollees (excluding any amounts transferred pursuant to section 1841(j)).

"(3) For any calendar year after 1988, if an individual is entitled to monthly benefits under section 202 or 223 for November and December of the preceding year, and if the monthly premium of the individual under this section for December and for January is deducted from those benefits under section 1840(a)(1), the monthly premium otherwise determined under this section for an individual for that year shall not be increased, pursuant to paragraph (1), to the extent that such increase would reduce the amount of benefits payable to that individual for that January below the amount of benefits payable to that individual for that December (after the deduction of the premium under this section).".

(b) TRANSFERS TO HI TRUST FUND.—Section 1841 is amended by adding at the end the following:

"(j) There shall be transferred from time to time from the Trust Fund to the Federal Hospital Insurance Trust Fund amounts from the premiums under this part that are attributable to the changes (under sections 2(a), 3(a), and 7(b) of the Medicare Catastrophic Loss Prevention Act of 1987) in services performed and related administrative costs incurred in such calendar year with respect to individuals who are covered under the insurance program established by part A.".

SEC. 6. SUPPLEMENTAL PREMIUM FOR CATASTROPHIC ILLNESS COVERAGE.

(a) IN GENERAL.—Part B of title XVIII is amended by inserting after section 1839 the following:

"SUPPLEMENTAL PREMIUM FOR INDIVIDUALS COVERED BY PART B

"SEC. 1839A. (a)(1) Any individual described in paragraph (2) shall pay the applicable supplemental premium in the manner provided in subsection (c).

"(2) An individual is described in this paragraph if such individual—

"(A) is covered by the insurance program established under this part for any portion of any taxable year occurring after December 31, 1987, and

"(B) has Federal income tax liability for such taxable year in excess of $150.

"(b) For purposes of this section—

"(1) The term 'applicable supplemental premium' means an amount equal to the product of—

"(A) the number of months in the taxable year during which the individual was covered by the insurance program established under this part, multiplied by

"(B) the supplemental premium.

"(2)(A) The term 'supplemental premium' means an amount equal to the product of—

"(i) the premium rate for the taxable year, multiplied by

"(ii) the amount determined by dividing—

"(I) the individual's Federal income tax liability for such taxable year, by

"(II) $150.

If any amount determined under clause (ii) is not a whole number, such amount shall be rounded to the next lowest whole number.

"(B)(i) The term 'premium rate' means $1, increased or decreased by the adjustment under clause (ii) for the calendar year in which the taxable year begins.

"(ii) For purposes of clause (i), the adjustment for any calendar year beginning after 1988 is the percentage increase or decrease in the actuarial comprehensive catastrophic benefit amount (within the meaning of section 1839(g)(2)(C)(ii)) for such calendar year over such amount for the preceding calendar year. For purposes of 1988, the actuarial comprehensive catastrophic benefit amount shall be computed as if the medicare catastrophic limit under section 1833(m) applied to out-of-pocket medical expenses incurred for the entire calendar year.

"(3)(A)(i) In the case of a taxable year beginning in a calendar year after 1987 and before 1993, the applicable supplemental premium for any individual shall not exceed the amount which bears the same ratio to the amount determined under the table in clause (ii) as—

"(I) the number of months determined under paragraph (1)(A), bears to

"(II) 12.

"(ii) For purposes of clause (i)—

"If the taxable year begins in:	The amount is:
1988	$800
1989	850
1990	900
1991	950
1992	1,000.

"(B) In the case of a taxable year beginning in a calendar year after 1992, the applicable supplemental premium for any individual shall not exceed an amount equal to 65 percent of the product of—

"(i) the number of months determined under paragraph (1)(A), multiplied by

"(ii) the excess of—

"(I) the sum of 200 percent of the monthly actuarial basic rate for enrollees age 65 or over (as determined under section 1839), and the monthly per enrollee actuarial comprehensive catastrophic benefit amount for such calendar year, over

"(II) the sum of the basic and catastrophic monthly premiums for such year (as determined under section 1839 without regard to subsections (f)(2) and (g)(3) thereof).

"(4)(A) Except as provided in this paragraph, in the case of married individuals (within the meaning of section 7703 of the Internal Revenue Code of 1986)—

"(i) who file a joint return under section 6013 of such Code, and

"(ii) 1 or both of whom are described in subsection (a)(2) with respect to such taxable year,

the applicable supplemental premiums shall be determined by treating such individuals as 1 individual.

"(B) If paragraph (1) applies, the number of months taken into account under paragraph (1)(A) (other than for purposes of paragraph (3)) shall be determined by reference to the spouse who was covered by the insurance program established under this part for the longer period during the taxable year (or if covered for the same period, either spouse).

"(C) If paragraph (1) applies and both spouses are covered during the taxable year by the insurance program established under this part, the limitation under paragraph

(3) shall be equal to the sum of the limitations computed separately under paragraph (3) for each of the spouses.

"(c) For purposes of the Internal Revenue Code of 1986, any applicable supplemental premium required to be paid under subsection (a)(1) shall be treated as an addition to the tax imposed by chapter 1 of such Code for the taxable year to which such premium relates.

"(d)(1) For purposes of this section, the term 'Federal income tax liability' means—

"(A) the tax imposed by chapter 1 of the Internal Revenue Code of 1986 (without regard to this section), reduced by

"(B) the amount of the credits allowed under part IV of subchapter A of such chapter.

"(2) For purposes of section 213(d)(1)(C) of the Internal Revenue Code of 1986, the applicable supplemental premium under subsection (a)(1) shall be treated as a premium paid under this part in the taxable year following the taxable year to which such premium relates.

"(e) The Secretary of the Treasury shall, from time to time, transfer from the general fund of the Treasury to the Federal Supplementary Medical Insurance Trust Fund amounts equal to the aggregate monthly supplemental premiums paid pursuant to this section. Such transfer shall be appropriately adjusted to the extent that prior transfers were in excess of or less than the amounts required to be transferred.".

(c) INFORMATION REPORTING.—

(1) Section 6050F(a)(1) of the Internal Revenue Code of 1986 (relating to returns relating to Social Security benefits) is amended—

(A) by striking out "and" at the end of subparagraph (B), and

(B) by inserting after subparagraph (C) the following:

"(D) the number of months any individual is covered by the insurance program established under part B of title XVIII of the Social Security Act for such calendar year, and".

(2) Section 6050F(b) of such Code is amended—

(A) by inserting "or determining the months of coverage" after "payments" in paragraph (1), and

(B) by inserting "and the number of months of coverage," after "reductions," in paragraph (2).

(3) Section 6050F(c)(1)(A) of such Code is amended by inserting "and months of coverage described in subsection (a)(1)(D)" after "section 86(d)(1)(A)".

(d) CONFORMING AMENDMENTS.—

(1) Subsection (a)(1) of section 1840 (42 U.S.C. 1395s) is amended by striking out "(except as provided in subsections (b)(1) and (c))" and inserting in lieu thereof "(except as provided in section 1839A(a)(2) and subsections (b)(1) and (c) of this section)".

(2) Paragraph (2) of section 26(b) of the Internal Revenue Code of 1986 (relating to regular tax liability) is amended—

(A) by striking out "and" at the end of subparagraph (J),

(B) by inserting "and" at the end of subparagraph (K), and

(C) by adding at the end thereof the following new subparagraph:

"(L) section 1839A of the Social Security Act (relating to additions to tax with respect to applicable supplemental premiums).".

SEC. 7. MEDICARE COVERAGE OF HOME HEALTH SERVICES ON A DAILY BASIS.

(a) IN GENERAL.—Section 1861(m) (42 U.S.C. 1395x(m)) is amended by adding at the end the following: "For purposes of paragraphs (1) and (4), nursing care and home health aide services may be provided under such paragraphs seven days a week (with one or more visits per day) for a period of up to 21 days with a physician's certification of the need for such care and services on such a basis.".

(b) ADDITIONAL DAYS FOR CERTAIN INDIVIDUALS.—Section 1861(m) (42 U.S.C. 1395x(m)), as amended by subsection (a), is further amended by adding at the end the following: "In the case of an individual who is covered under the insurance program established under part B, and who is furnished nursing care and home health aide services within 30 days after being discharged from a hospital, the preceding sentence shall be applied by substituting '45 days' for '21 days'.".

SEC. 8. CLARIFICATION OF REQUIREMENT THAT INDIVIDUAL BE CONFINED TO HOME TO BE ELIGIBLE FOR HOME HEALTH SERVICES.

(a) PART A.—Section 1814(a) (42 U.S.C. 1395f(a)) is amended by adding at the end thereof the following: "For purposes of paragraph (2)(C), an individual shall be considered to be 'confined to his home' if the individual has a condition, due to an illness or injury, that restricts the ability of the individual to leave his or her home except with the aid of a supportive device (such as crutches, a cane, a wheelchair, or a walker) or if the individual has a condition such that leaving his or her home is medically contraindicated. While an individual does not have to be bedridden to be considered 'confined to his home', the condition of the individual should be such that there exists a normal inability to leave home, that leaving home requires a considerable and taxing effort by the individual, and that absences of the individual from home are infrequent or of relatively short duration.".

(b) PART B.—Section 1835(a) (42 U.S.C. 1395n(a)) is amended by adding at the end thereof the following: "For purposes of paragraph (2)(C), an individual shall be considered to be 'confined to his home' if the individual has a condition, due to an illness or injury, that restricts the ability of the individual to leave his or her home except with the aid of a supportive device (such as crutches, a cane, a wheelchair, or a walker) or if the individual has a condition such that leaving his or her home is medically contraindicated. While an individual does not have to bedridden to be considered 'confined to his home', the condition of the individual should be such that there exists a normal inability to leave home, that leaving home requires a considerable and taxing effort by the individual, and that absences of the individual from home are infrequent or of relatively short duration.".

SEC. 9. ANNUAL NOTICE TO MEDICARE BENEFICIARIES.

(a) NOTICE REQUIRED.—The Secretary of Health and Human Services (in this section referred to as the Secretary) shall notify each individual who is entitled to benefits under title XVIII of the Social Security Act of—

(1) the benefits that are available under the insurance programs established under such title (and the major categories of health care that are not covered under those programs),

(2) the limitations on payment (including deductibles and coinsurance amounts) that are imposed under such programs, and

(3) the ways in which such limitations differ for individuals who are covered under the program established under part B and individuals who are not covered under such program.

(b) TIMING.—The Secretary shall provide the notice described in subsection (a)—

(1) when an individual applies for benefits under part A or enrolls under part B, and

(2) annually thereafter.

(c) CONSULTATION REQUIRED.—The notice required by subsection (a) shall be prepared in consultation with groups representing the elderly and with health insurers.

SEC. 10. ADJUSTMENT OF AAPCC'S AND CONTRACTS FOR RISK-BASED ELIGIBLE ORGANIZATIONS.

The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall—

(1) modify any adjusted average per capita cost determined under section 1876(a) of the Social Security Act for an eligible organization with a risk-sharing contract to take into account the amendments made by sections 2(a), 3(a), 4, and 7(b) of this Act,

(2) modify each such contract, for portions of contract years occurring after December 31, 1987, to reflect the modifications made pursuant to paragraph (1), and

(3) require each such organization to make appropriate adjustments in the terms of its agreements with medicare beneficiaries to take into account such amendments.

SEC. 11. STUDY OF TREATMENT OF PRESCRIPTION DRUGS.

(a) STUDY REQUIRED.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall request the National Academy of Sciences, acting through the Institute of Medicine (in this section referred to as the "Academy" and the "Institute", respectively), to enter into a contract under which the Institute, in consultation with representatives of appropriate research and health-care organizations, will conduct a study to identify additional drugs, available by prescription only, the expenditures for which might appropriately be covered under title XVIII of the Social Security Act or be treated as out-of-pocket medical expenses (as defined in section 1861(ff)(3) of the Social Security Act) for purposes of making the determination described in section 1861(ff)(1) of such Act. The study shall include analyses and recommendations with respect to appropriate limitations on the amounts to be recognized as reasonable for such purposes.

(b) STUDY EXPENSES.—The Secretary shall enter into appropriate arrangements with the Academy under which the Secretary shall be responsible for expenses incurred by the Academy in connection with the study required by subsection (a).

(c) REPORTS.—

(1) Not later than six months after the date of the enactment of this Act, the Institute shall submit to the Secretary, to the Committee on Finance of the Senate, and to the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, an interim report with respect to the study required by subsection (a). The report shall describe the manner in which the study is being conducted and may include tentative findings and recommendations based upon the study.

(2) Not later than twelve months after the date of the enactment of this Act, the Insti-

tute shall submit to the Secretary, to the Committee on Finance of the Senate, and to the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, a final report with respect to the study required by subsection (a). The report shall include specific findings and recommendations based upon the study.

SEC. 12. HOSPICE CARE.

(a) Extension of Coverage Period.—

(1) Section 1812 (42 U.S.C. 1395d) is amended—

(A) in subsection (a)(4), by striking "and one subsequent period of 30 days" and inserting in lieu thereof ", a subsequent period of 30 days, and a subsequent extension period";

(B) in subsection (d)(1), by striking "and one subsequent period of 30 days" and inserting in lieu thereof ", a subsequent period of 30 days, and a subsequent extension period"; and

(C) in subsection (d)(2)(B), by inserting "or a subsequent extension period" after "30-day period".

(2) Section 1812A(a)(4), as added by section 2(b) of this Act, is amended by striking "and one subsequent period of 30 days" and inserting in lieu thereof ", a subsequent period of 30 days, and a subsequent extension period".

(b) Continued Certification of Terminal Illness for Extended Benefits.—Section 1814(a)(7)(A) (42 U.S.C. 1395f(a)(7)(A)) is amended—

(1) by striking "and" at the end of clause (i),

(2) by striking the semicolon at the end of clause (ii) and inserting in lieu thereof ", and", and

(3) by adding at the end the following new clause:

"(iii) in a subsequent extension period, the medical director or physician described in clause (i)(II) recertifies at the beginning of the period that the individual is terminally ill;".

SEC. 13. MODEL STANDARDS FOR MEDICARE SUPPLEMENTAL HEALTH INSURANCE POLICIES.

Section 1882 (42 U.S.C. 1395ss) is amended—

(1) in subsection (a) by striking "Such certification" and inserting in lieu thereof "Subject to subsection (k)(3), such certification",

(2) in subsection (b) by striking "(for so long as" and inserting in lieu thereof "(subject to subsection (k)(3), for so long as", and

(3) by adding at the end thereof the following new subsection:

"(k)(1)(A) If, within the period specified in subparagraph (B), the National Association of Insurance Commissioners (in this subsection referred to as the 'Association') amends the NAIC Model Regulation adopted on June 6, 1979 (as it relates to medicare supplemental policies) to reflect the changes in law made by the Medicare Catastrophic Loss Prevention Act of 1987, subsection (g)(2)(A) shall be applied, effective on and after the date specified in subparagraph (C), as if the reference to the Model Regulation adopted on June 6, 1979, were a reference to the Model Regulation as amended by the Association in accordance with this paragraph (in this subsection referred to as the 'amended NAIC Model Regulation').

"(B) The period specified in this subparagraph is the the period beginning on the date of the enactment of the Medicare Catastrophic Loss Prevention Act of 1987 and ending on the ninetieth day after such date.

"(C) The date specified in this subparagraph is the date that is 365 days after the date (within the period specified in subparagraph (B)) on which the National Association of Insurance Commissioners announces the adoption of the amendments referred to in subparagraph (A).

"(2)(A) If the Association does not amend the NAIC Model Regulation referred to in subsection (g)(2)(A) during the period specified in paragraph (1)(B), the Secretary shall issue Federal model standards (in this subsection referred to as 'Federal model standards') for medicare supplemental policies not later than 90 days after the last day of such period. Federal model standards issued by the Secretary pursuant to this subparagraph shall reflect the changes in law made by the Medicare Catastrophic Loss Prevention Act of 1987.

"(B) Effective on and after the date that is 365 days after the date on which the Secretary issues Federal model standards pursuant to subparagraph (A), this section shall be applied as if any reference to NAIC Model Standards were a reference to the Federal model standards.

"(3) Notwithstanding any other provision of this section, on and after the date specified in paragraph (1)(C) or the date specified in paragraph (2)(B) (as the case may be)—

"(A) no medicare supplemental policy may be certified by the Secretary pursuant to subsection (a),

"(B) no certification made pursuant to subsection (a) shall remain in effect, and

"(C) no State regulatory program shall be found to meet (or to continue to meet) the requirements of subsection (b)(1),

unless such policy meets (or such program provides for the application of standards equal to or more stringent than) the standards set forth in the amended NAIC Model Regulation or the Federal model standards (as the case may be).".

SEC. 14. DETERMINATION OF MEDICAID SAVINGS; STATE PLAN REQUIREMENT.

(a) Determination of Savings; Notice to States.—Before the beginning of each fiscal year (or portion thereof) for which this section applies to a State, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall—

(1) estimate and determine, with respect to each State with a State plan approved under title XIX of the Social Security Act, the total amount that would have been expended from State funds under such plan for such fiscal year (or portion thereof) but for the amendments made by sections 2(a), 3(a), 4, and 7(b) of this Act, and

(2) notify each such State of such amount.

(b) State Plan Requirement.—

(1) Each State plan shall provide, as a condition of approval under section 1902(a) of the Social Security Act, that—

(A) an amount equal to the amount of savings that are estimated by the Secretary pursuant to subsection (a) to accrue to the State for such fiscal year (or portion thereof) by reason of the amendments made in sections 2(a), 3(a), 4, and 7(b) of this Act, will be expended from State funds for such fiscal year for one or more of the purposes specified in paragraph (2), and

(B) the amounts expended pursuant to subparagraph (A) will be in addition to any amounts that would have been expended from State funds for such purposes for such fiscal year (or portion thereof) under the State plan (as in effect on the day before the date of the enactment of this Act).

(2) The purposes specified in this paragraph are—

(A) to provide coverage under the State plan, pursuant to section 1902(a)(10)(E) of the Social Security Act, for individuals described in section 1905(p)(1) of such Act, and

(B) to increase the maintenance needs monthly income levels applicable under the plan for the community spouses of institutionalized individuals.

(c) Effective Date.—

(1) Except as provided in paragraph (2), this section shall apply to the calendar quarter beginning on January 1, 1988, and 11 consecutive calendar quarters thereafter.

(2)(A) In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirement imposed by subsection (b), the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet this additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act.

(B) In the case of a State plan with respect to which the requirement imposed by subsection (b) first becomes effective, pursuant to subparagraph (A), for a calendar quarter beginning after January 1, 1988, this section shall apply to such calendar quarter and 11 consecutive calendar quarters thereafter.

SEC. 15. STUDY OF LONG-TERM CARE.

(a) Study Required.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall request the National Academy of Sciences, acting through the Institute of Medicine (in this section referred to as the "Academy" and the "Institute", respectively), to enter into a contract under which the Institute will conduct a study to—

(1) explore the options for the private funding of a portion of long-term care (including methods by which changes in Federal laws, including tax laws, could facilitate the development of such funding),

(2) analyze the effect that the provision of various types of private funding of long-term care would have on public funding of such care,

(3) review various options for public sector long-term care coverage, both means-tested and universal, with respect to their effects on both current and future State and Federal spending for health care,

(4) review the effectiveness and the cost implications of community-based long-term care services, including the types of limits necessary to prevent the overutilization of such services, and

(5) analyze, for each approach to the provision of long-term care, the relative payments derived from users of long-term care, non-utilizing elderly, and employed persons (including both pre-funding and pay-as-you-go payments).

(b) Considerations.—In conducting the study under subsection (a), the Institute shall take into account—

(1) the effect that impending demographic changes (both near-term and long-term)

will have on the various approaches to service utilization and funding, and

(2) the effect that membership in different socioeconomic groups has on the need, and ability to pay, for long-term care.

(c) STUDY EXPENSES.—The Secretary shall enter into appropriate arrangements with the Academy under which the Secretary shall be responsible for expenses incurred by the Academy in connection with the study required by subsection (a).

(d) REPORT.—Not later than October 1, 1989, the Institute shall submit to the Secretary, to the Committee on Finance of the Senate, and to the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, a report that—

(1) describes the study conducted under this section,

(2) includes a statement of the data obtained under the study, and

(3) specifies administrative actions and changes in law that the Institute considers to be appropriate to implement the findings of the study.

SEC. 16. REPORT ON ELIMINATION OF THREE-DAY PRIOR HOSPITALIZATION REQUIREMENT FOR EXTENDED CARE SERVICES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the steps that the Secretary has taken to implement the provisions of section 1812(e) of the Social Security Act (as redesignated by section 2 of this Act), relating to the elimination of the 3-day prior hospitalization requirement for extended care services. The report shall include all studies, data, and other information that the Secretary has available with respect to the implementation of those provisions, and the analyses that the Secretary has relied upon as a basis for not eliminating such requirement.

SEC. 17. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall apply to items and services furnished after, and premiums for months beginning after, December 31, 1987.

(b) Exceptions.—

(1) Notwithstanding section 1813(a)(1) of the Social Security Act, as amended by section 3(a)(2) of this Act, in the case of an individual with respect to whom—

(A) a spell of illness (as defined in section 1861(a) of the Social Security Act) begins before January 1, 1988, and

(B) a period of hospitalization (as defined in section 1813(a)(1) of the Social Security Act), which is included within that spell of illness, begins on or after January 1, 1988, and before February 1, 1988,

no inpatient hospital deductible shall be imposed with respect to such period of hospitalization (and such period of hospitalization shall not be taken into account in determining the application of such deductible to any subsequent period of hospitalization beginning for such individual on or before December 31, 1988).

(2) Notwithstanding sections 1812(a)(2)(A), 1812(b)(2), and 1813(a)(3) of the Social Security Act, as amended by sections 2(a)(2)(C), 2(a)(3)(B), and 3(a)(4) of this Act, respectively, in the case of an individual with respect to whom post-hospital extended care services (as defined in section 1861(i) of the Social Security Act) are furnished on December 31, 1987, the provisions of such sections (as they applied to post-hospital extended care services furnished on December 31, 1987) shall continue to apply to such individual until the end of the spell of illness during which such services were furnished.

(3) Notwithstanding section 1861(ff)(1) of the Social Security Act, as added by section 4(c)(2) of this Act, in determining when an individual has incurred out-of-pocket medical expenses (as defined in section 1861(ff)(3) of such Act) for calendar year 1988 that are equal to the medicare catastrophic limit established under section 1833(m) of such Act for that year, only expenses incurred on or after July 1, 1988, shall be taken into account.

(4) The amendments made by section 6 shall apply to taxable years ending after December 31, 1987.

(5) The amendments made by section 12 shall become effective on the date of the enactment of this Act.

(6) Sections 14, 15, and 16 shall be effective as provided in such sections.

DISTRIBUTIONAL EFFECT OF BENTSEN BILL

[1989 law at 1989 income levels]

Income class (1,000's of 1987 dollars)	Number returns [1] (1,000's)	Average change in premium per enrollee	Change in premium as percent of after-tax income [2]	Distribution of premium increase: Dollars in billion	Distribution of premium increase: Percent
0 to $10	8000.5	$40	−0.6	$0.3	8.0
$10 to $20	7838.0	58	−0.4	0.5	12.7
$20 to $30	4770.6	97	−0.3	0.6	14.7
$30 to $40	2591.6	149	−0.7	0.6	13.8
$40 to $50	1187.4	273	−0.9	0.5	10.8
$50 to $75	1083.5	460	−1.2	0.7	16.4
$75 to $100	406.1	735	−1.4	0.4	9.5
$100 to $200	342.0	837	−1.1	0.4	9.7
$200 and over	148.6	880	−0.3	0.2	4.4
Total	26,373.0	131	−0.7	4.3	100.0

[1] Number of returns includes elderly and disabled tax units that have no tax liability.

[2] Income concept does not include value of Medicare coverage or benefits.

Note.—Estimates take into account deductibility of premium as an itemized medical expense (under sec. 213 of the Code).

Source: Joint Committee on Taxation, April 30, 1987.

DISTRIBUTIONAL EFFECT OF STARK-GRADISON BILL WITH $1.30 MONTHLY PREMIUM INCREASE PER MEDICARE ENROLLEE

[Calendar year 1988]

Income class (1,000's of 1987 dollars)	Number returns [1] (1,000's)	Percent returns affected	Average change in tax per affected returns	Average change in tax per enrollee	Percent change in after-tax income [2]	Distribution of tax increase: Dollars in billion	Distribution of tax increase: Percent
0 to $5	1,783.7	75.6	$17	$12	−0.4	$0.0	0.4
$5 to $10	6,330.2	72.2	27	18	−0.2	0.1	2.4
$10 to $15	4,271.5	89.6	93	72	−0.7	0.4	6.9
$15 to $20	3,465.0	93.4	191	146	−1.0	0.6	12.1
$20 to $30	4,701.2	94.5	249	174	−1.0	1.1	21.7
$30 to $50	3,776.6	96.4	454	297	−1.2	1.7	32.3
$50 to $75	1,087.3	97.1	626	422	−1.2	0.7	12.9
$75 to $200	680.1	96.7	729	496	−0.8	0.5	9.4
$200 and over	135.8	98.0	711	494	−0.2	0.1	1.9
Total	26,231.2	87.4	223	159	−0.9	5.1	100.0

[1] Number of returns includes elderly and disabled tax units that do not file returns.

[2] After-tax income and inclusion amount does not reflect change in Medicare benefits under this bill.

Note.—Estimates take into account deductibility of premium increase and Stark-Gradison inclusion amount as itemized medical expense (under sec. 213 of the Code).

Source: Joint Committee on Taxation, April 30, 1987.

DISTRIBUTIONAL EFFECT OF $193 ANNUAL PREMIUM PER MEDICARE ENROLLEE

[Calendar year 1988]

Income class (1,000's of 1987 dollars)	Number returns [1] (1,000's)	Percent returns affected	Average change in tax per affected returns	Average change in tax per enrollee	Percent change in after-tax income [2]	Distribution of tax increase: Dollars in billion	Distribution of tax increase: Percent
0 to $5	1,783.7	75.6	$206	$150	−4.9	$0.3	4.9
$5 to $10	6,330.2	72.2	206	143	−1.9	0.9	16.7
$10 to $15	4,271.5	88.4	225	173	−1.6	0.8	15.1
$15 to $20	3,465.0	91.8	244	183	−1.3	0.8	13.8
$20 to $30	4,701.2	93.7	272	188	−1.1	1.2	21.2
$30 to $50	3,776.6	96.1	296	193	−0.8	1.1	19.0
$50 to $75	1,087.3	97.1	286	193	−0.5	0.3	5.4
$75 to $200	680.1	96.7	284	193	−0.3	0.2	3.3
$200 and over	135.8	98.0	278	193	−0.1	0.0	0.7
Total	26,231.2	86.7	248	175	−1.0	5.6	100.0

[1] Number of returns includes elderly and disabled tax units that do not file returns.

[2] After-tax income and inclusion amount does not reflect change in Medicare benefits under this bill.

Note.—Estimates take into account deductibility of premium increase as itemized medical expenses (under sec. 213 of the Code).

Source: Joint Committee on Taxation, April 24, 1987.

HYPOTHETICAL TAX LIABILITY AND PREMIUM AMOUNTS FOR ELDERLY TAXPAYERS UNDER STARK-GRADISON AND BENTSEN BILLS, CALENDAR YEAR 1988

Case and income [1]	Marginal tax rate (percent)	Tax liability [2]: Present law	Tax liability [2]: Stark-Gradison bill	Stark-Gradison bill: Change in tax liability	Stark-Gradison bill: Tax plus $1.30 per month premium	Bentsen bill: Supplemental premium
Single returns—One individual entitled to Medicare parts A and B coverage (Income includes $5,000 of Social Security benefits):						
(1) $8,940	0				$15.60	$48.00
(2) $10,700	15	0	$264.00	$264.00	297.60	48.00
(3) $32,500	28	$4,483.50	4,976.30	492.80	508.40	396.00
(4) $51,350	33	9,761.50	10,342.30	580.80	596.40	828.00
(5) $52,225	33	10,050.00	10,630.80	580.80	596.40	848.00
(6) $108,680	28	28,680.40	29,173.20	492.80	508.40	848.00
Joint returns—Two individuals entitled to Medicare parts A and B coverage (Income includes $7,500 of Social Security benefits):						
(1) $14,080	0				31.20	96.00
(2) $17,600	15		528.00	528.00	559.20	96.00
(3) $43,600	28	4,462.50	5,448.50	985.60	1,016.80	444.00
(4) $85,750	33	16,264.50	17,426.10	1,161.60	1,192.80	1,392.00
(5) $97,373	33	20,100.00	21,261.60	1,161.60	1,192.80	1,696.00
(6) $184,940	28	4 8,997.20	49,982.80	985.60	1,016.80	1,696.00

[1] Income is defined as adjusted gross income (before inclusion of Social Security benefits under Code sec. 86) plus Social Security benefits. Taxpayers are assumed not to have tax exempt interest or foreign source income.

[2] Taxpayers are assumed to use standard deduction, not to be blind, not to contribute to an individual retirement account, and not to be subject to alternative minimum tax.

Source: Joint Committee on Taxation, April 28, 1987.

● **Mr. HEINZ.** Mr. President, I am pleased to join with Senator BENTSEN in introducing the Medicare Catastrophic Loss Prevention Act of 1987. This bill provides a good basis for future Finance Committee work on this issue and, while not perfect, it is a significant improvement over the administration's catastrophic bill, both in its benefits and financing. I want to commend Senator BENTSEN for his leadership; I look forward to working with him as this bill comes before the committee.

The Medicare Catastrophic Loss Prevention Act redirects the debate on catastrophic protection for the elderly in several important ways. First, it includes improvements in the transitional care benefits under Medicare. Specifically, the expansion of the home health benefit and clarification of its homebound and intermittent care definitions will go a long way toward making home health care available to those who are discharged from hospitals in a sicker condition. I would hope that we might improve the home health benefit even further, along the lines of legislation (S. 961) I introduced earlier this year.

Another valuable transitional care benefit in the bill is the expansion of the skilled nursing facility benefit and limitation on copayments for SNF care. With patients being discharged from hospitals in greater need of followup care, this benefit expansion will prevent further erosions in quality of care that have been linked to Medicare's prospective payment system. Likewise, the elimination of the 210-day limit on hospice coverage will enable the terminally ill to take full advantage of this humane and vital benefit. Both of these benefit expansions are laudable and long overdue.

On the benefit side, there are several omissions in the bill that I hope can be corrected. First, it provides for only nominal prescription drug coverage. I hope the Finance Committee will expand on this benefit during markup. I recognize that, if not properly constructed, such a benefit could add substantial costs to the package. I have asked my staff to prepare several affordable prescription drug options for the committee's consideration.

Mental health coverage is another neglected benefit in this bill. Millions of older Americans could avoid costly hospitalization if the mental health benefits were more generous under Medicare. By expanding outpatient mental health coverage, from its completely inadequate level of $250 maximum annually, we could help avoid more costly catastrophes in the future. I understand that several members of the committee are planning to offer amendments addressing this issue and I intend to work with them.

Last, the bill should address the current rule requiring 3-day prior hospitalization for SNF care. This is an antiquated and unnecessary requirement and eliminating it would improve access to appropriate levels of care for thousands of elderly who are now inappropriately hospitalized.

On the financing side, the Medicare Catastrophic Loss Prevention Act incorporates a supplemental premium that is linked to a beneficiary's income. This is a significant improvement over the administration approach of premiums only. It is also laudable because it avoids any link to the actuarial value of Medicare, as is done in the catastrophic bill that emerged from the House Ways and Means Health Subcommittee recently.

I hope the committee will consider further refinements in the financing package such as including some revenues from a modest cigarette tax increase or from an expansion of Medicare coverage to State and local government employees. Doing so would allow for lower premiums, a somewhat lighter supplemental premium and opportunities for an improved benefits package.

Mr. President, the Medicare Catastrophic Loss Prevention Act is a good foundation upon which we can build. Our challenge now is to work within our fiscal constraints to construct the best possible bill. I remain concerned that our efforts are still too narrow, focused as they are on acute or transitional care problems. I believe we are overlooking the true catastrophe facing American families—the long term, chronic care problems. Solving those will take time, however, as well as greater political will by the American public and enormous resources. In the meantime, I look forward to the immediate challenge of enacting legislation to better protect the elderly from the fear and hardship that accompanies a serious illness.●

Mr. STENNIS. Mr. President, many people in my home State of Mississippi, as well as all over the country, find themselves facing complete financial ruin when a major illness strikes. I am personally familiar with this—I have seen it. These are people who have worked hard and saved all their lives for their later years and then suddenly have all their savings and financial holdings completely wiped out by an unexpected illness of a magnitude far beyond their monetary means.

These people need a plan, need a way, to protect themselves against such a catastrophe. They aren't asking for a handout but simply an opportunity to avoid financial ruin. They are willing to pay for this protection, but there must be a plan—one that is affordable for the average citizen.

The private sector simply has not been able to meet this need in our society. Therefore, I am convinced that the Federal Government must address the problem by providing a plan which is self-funded by the people who choose to participate.

I have been studying the various proposals that have been offered by Members of Congress for quite some time now and am convinced that the Medicare Catastrophic Loss Prevention Act of 1987, being introduced in the Senate today, is a reasonable approach. It is not overambitious. It does not provide more benefits than can be realistically paid for by the people. I am convinced that it is a financially sound plan that addresses many of the needs out there and one that deserves close attention by every Member of Congress. I join as a cosponsor of this measure and offer my full support.

Certainly, this proposal does not address all the medical cost problems that our senior citizens currently face but it goes a long way toward that end. I, along with many of my colleagues, continue to be concerned about the high cost of long-term care for all our citizens, but I realize that we can only do just so much at the present time. We must act within reason of what is financially feasible. We can perhaps do more later—with more study and more resources.

I commend my good friend, Senator BENTSEN, on his efforts on this matter and my other colleagues who have been directly involved in drafting this legislation. This proposal has much merit and I am pleased to be associated with it.

● Mr. RIEGLE. Mr. President, today I am pleased to join with my colleagues in cosponsoring S. 1127, the Medicare Catastrophic Loss Prevention Act of 1987. This legislation takes an important step toward improving health coverage for Medicare beneficiaries. The present Medicare Program leaves senior citizens vulnerable to devastating medical costs. Between 1980 and 1984, the average beneficiary's out-of-pocket expenses increased 49 percent for part A of Medicare and 31 percent for part B. During a hospital stay of 2 days, a Medicare beneficiary without supplemental insurance would, on average, incur out-of-pocket expenses for nearly $3,000. Expenses of over $1,600 would result with the average supplemental insurance policy.

For others, a long hospital stay can mean financial devastation. Lifelong savings intended for retirement years are spent on doctor and hospital bills. It is unacceptable to allow our senior citizens to face financial ruin and to experience the constant fear of catastrophic medical costs that can be incurred under the Medicare Program as it exists today.

Mr. President, S. 1127 will provide an excellent springboard for examining the very serious need for reform in the Medicare Program and for crafting a system of health coverage that truly protects senior citizens. Overall, the approach of S. 1127 represents an important improvement over the plan proposed earlier this year by the administration. One innovative feature of S. 1127 is its progressive method of financing expanded coverage under Medicare. In addition to an increase of $4 in the part B premium, the bill calls for a supplemental premium that will be indexed to the beneficiary's income tax. Rather than a flat increase in the contribution all beneficiaries would make to Medicare coverage, this contribution will vary with a person's ability to pay.

Compared to the administration plan, S. 1127 places a lower cap on out-of-pocket expenses under part A or B. While the cap of $1,700 set by S. 1127 is an improvement, it is important to consider that this amount would still be excessive for many elderly persons.

In our continued work to improve health care coverage for senior citizens, other serious gaps in the approach of S. 1127 should also be addressed. The single most catastrophic event for an older American is placement in a nursing home. Care for 1 year in the average nursing home is $22,000. Neither Medicare nor a private Medigap policy protects elderly persons and their families from the enormous financial burden of nursing home care. Under current law, this care is only available after the patient, and also the spouse, have reduced themselves to poverty by "spending down." A closer examination of this problem is needed if we are going to call this legislation catastrophic protection.

In many cases, adequate home health care can provide an alternative to nursing home care. S. 1127 increases the number of days for which beneficiaries can receive daily home health care from 21 to 45. But a shortcoming of the bill is that it limits extended home health care to persons who have experienced a recent hospitalization. Many individuals who have not experienced a recent hospitalization could benefit from extended home health care. In addition, unlike the House bill, S. 1127 lacks additional coverage for mental health services, a major shortcoming in the current Medicare benefit package.

Mr. President, S. 1127 has important strengths as well as room for improvement in its approach to protecting senior citizens from the catastrophic costs of illness. As a member of the Finance Subcommittee on Health, I will be working closely with the chairman of the committee, Senator BENTSEN, and the chairman of the Health Subcommittee, Senator MITCHELL, in an effort to build sound and equitable protections for our population of senior persons. In addition to addressing the issues of long-term care and home health care, we must also work toward improvements in the quality of health services for elderly persons. We are in the first stage of this long overdue effort and I urge my colleagues to join with us in developing solutions that will afford senior citizens real security.●

● Mr. PRYOR. Mr. President, I am pleased to join today with the distinguished chairman of the Senate Finance Committee [Senator BENTSEN] and other colleagues on the committee as a cosponsor of a comprehensive legislative package for catastrophic health care reform. The Senator from Texas has long been at the forefront of efforts to resolve the acute-care gaps in the Medicare Program which can result in catastrophic out-of-pocket expenses, and his staff has worked diligently to develop this proposal. I believe it is an excellent starting point for consideration by the Finance Committee.

In recent years there has been renewed interest in catastrophic health care coverage in large part because Health and Human Services Secretary

Otis Bowen publicly supported a catastrophic proposal in late 1985. He is to be commended for his efforts to bring this issue to the forefront in health care discussions. In his State of the Union Message in 1986, President Reagan authorized a commission to study the issue of catastrophic health care coverage, and that panel reported to Secretary Bowen last summer. Since that time, there has been a great deal of discussion among providers, public policymakers, and others about the best way to achieve comprehensive catastrophic health coverage reform.

Secretary Bowen's Private/Public Sector Advisory Committee on Catastrophic Illness identified three major areas of concern with respect to this problem: First, acute catastrophic expenses for persons 65 and over; second, acute catastrophic expenses for persons under 65; and third, catastrophic long-term health care expenses for all persons.

Mr. President, we would all like to be assured that our citizens will be protected against catastrophic financial loss resulting from health care expenses. Unfortunately, we are operating under severe budget constraints, and, perhaps more importantly, as testimony before the Senate Finance Committee this year has shown, there are some catastrophic health care problems for which we have not yet arrived at appropriate solutions. But I think it is important that we begin the debate, and that we take some first steps toward ensuring against such catastrophic losses.

The Bentsen legislation focuses primarily on the acute catastrophic coverage area. Specifically, the legislation:

Makes catastrophic coverage automatically available to all individuals who are enrolled in Part B.

Provides for a $1,700 annual cap on out-of-pocket expenses incurred under part A or B—individually or combined—for Medicare-covered services.

Eliminates the hospital coinsurance and current limit on number of hospital days. Requires beneficiary to pay only one hospital deductible per year.

Increases coverage of skilled nursing facility [SNF] days from 100 per benefit period to 150 per calendar year. Reduces beneficiary liability for SNF benefit coinsurance to 15 percent of the national average Medicare SNF cost per day for the first 10 days—10-day annual limit.

Eliminates the current 210-day limit on hospice coverage for all beneficiaries.

Eliminates "spell of illness" benefit period concept. Provides additional catastrophic protection against a beneficiary hospitalized in December and January having to pay two hospital deductibles.

Counts beneficiary costs for immunosuppressive drugs for organ transplant patients toward catastrophic expense cap.

Requires HHS to request an Institute of Medicine study of appropriate prescription drug coverage under Medicine study of appropriate prescription drug coverage under Medicare, or the possibility of counting the cost of drugs toward the $1,700 out-of-pocket cap.

Requires HHS Secretary to notify beneficiaries annually of what Medicare will and will not cover, and how coverage varies for catastrophic and noncatastrophic covered populations.

Adopts any changes recommended by National Association of Insurance Commissioners for medigap policy standards within 90 days of passage. If commissioners do not submit new standards, HHS Secretary must issue revised standards to be effective in one year.

Requires that States use savings accrued under Medicare from expanded Medicare coverage for expanded Medicaid coverage of low-income elderly or spousal impoverishment initiatives.

Requires HHS to request Institute of Medicine study of public and private long-term care options.

Makes technical changes conforming Medicare HMO rules to new benefit package.

Due to concerns about the Nation's deficit, the package has been designed to pay for itself through a combined beneficiary premium of $4 per month, plus an additional premium of $12 per year for each $150 of income tax after the first $150 in tax due. The $4 basic premium and the supplemental premium would be adjusted annually to reflect increases in the costs of the catastrophic benefit package.

As I said earlier in my statement, this package does not cover all of the areas I personally would like to see addressed. I am hopeful that during committee markup there will be additional consideration of prescription drug coverage, long-term care initiatives, the needs of Alzheimer's victims, and greater protection against spousal impoverishment. These are areas of significant concern to the eldery population, and I believe they should receive our most thoughtful consideration.

I am most encouraged by the inclusion of the home health care coverage in the proposal, and the efforts made toward resolving some of the prescription drug and long-term-care-coverage issues. I believe that this is an excellent bill for Finance Committee consideration, and I look forward to working with my colleagues on that panel in the development of a catastrophic health care package.●

● Mr. BAUCUS. Mr. President, I am pleased to join in support of the bill being introduced today by the distinguished chairman of the Finance Committee, Senator BENTSEN, to help protect America's senior citizens from catastrophic health care costs.

For too long, the Medicare Program has placed strict limits on the amounts it pays for medical costs while leaving those it was designed to protect exposed to staggering financial burdens when a serious illness strikes. For too long, even with Medicare, elderly Americans have lived in fear that their lifetime savings could be wiped out by health care expenses that they are simply unable to bear.

Several months ago, the Secretary of Health and Human Services, Dr. Otis Bowen, unveiled a plan to address the critical issue of catastrophic health insurance for our Nation's senior citizens. That plan was then introduced in the Senate as S. 592 with bipartisan support, demonstrating the strong interest that many of us have in addressing this important issue.

I supported S. 592 because it represented an important starting point, but we all recognized that it was not the last word.

As Secretary Bowen told us, the possible solutions to this problem are numerous. I agree. And, indeed, we have already seen a variety of proposals that have attempted to improve on the plan proposed by the administration earlier this year. But, after careful consideration, I believe that the bill that we are introducing today is a major step forward toward reaching a consensus on the best way to protect senior citizens from the potentially disasterous costs of extreme medical expenses.

This bill limits out-of-pocket payments by senior citizens to $1,700 per year for Medicare-covered services. Presently, of course, there are no limits. That provision alone is an important improvement over the administration's proposal which would require seniors to incur $2,000 of personal expenses before catastrophic coverage protection starts.

This bill also eliminates current limits on the number of hospital days that Medicare pays for. Just as important, the bill eliminates the present additonal charges that seniors face for hospital stays beyond 60 days.

We also have a provision to increase coverage for stays in skilled nursing care facilities from 100 to 150 days per year. And we expand the number of days of allowable home health care benefits from 21 to 45 days per year once a person is discharged from a hospital. These changes are particularly important for individuals who need additional medical attention to ensure their full recovery from a serious illness.

All of these are critical steps forward in our efforts to relieve senior citizens from the constant fear of financial ruin when the costs of serious acute illness become overwhelming. I am particularly pleased that this bill contains many of the essential elements of an affordable and responsible catastrophic illness protection plan.

I am aware, of course, that there are other financial problems faced by seniors which are not fully resolved by this bill. For example, the $1,700 limit would not apply to long-term nursing home care for the chronically ill or disabled. Other items that Medicare does not now pay for, such as outpatient prescription drugs, would also not apply to the limit on out-of-pocket expenses.

However, I am pleased that this bill sets the agenda for future action by calling for expert advice on the possibilities for additional coverage in these important areas. In the meantime, I see no reason why the lack of the ideal protection plan should preclude Congress from moving ahead with what is affordable and needed today.

Moreover, I believe that the method included for financing the new catastrophic illness protections proposed in this bill represents a considerable improvement over other alternatives that we have considered. Its most important feature is to combine a low monthly base payment with a graduated schedule of payments for higher income seniors. This unique financing scheme recognizes that premium costs must be kept to the bare minimum for millions of low-income elderly while others with greater means can afford more for meaningful protection.

As a member of the Finance Committee, I look forward to working closely with Senator BENTSEN and my colleagues on this important legislation.●

● Mr. MITCHELL. Mr. President, I am pleased to join with my colleague, the chairman of the Senate Finance Committee, Senator BENTSEN, in sponsoring the Medicare Catastrophic Loss Prevention Act of 1987, which will provide protection from the burden of the catastrophic costs of acute illness for the Nation's elderly.

For more than 20 years the Medicare Program has provided the elderly and disabled of our Nation with access to quality health care. Without Medicare, the elderly would face health care expenses that would consume nearly 50 percent of their median per capita income. Our Government can justifiably be proud of our commitment to quality health care for all of our citizens over 65, regardless of income.

While the Medicare Program has protected the vast majority of the elderly from overwhelming costs of health care that could devastate a lifetime of savings, the program does have its shortcomings. There are gaps in coverage.

The elderly are the heaviest users of health services. They account for 29 percent of all hospital discharges and 33 percent of the Nation's personal health care expenditures even though they constitute only 11 percent of the population.

The legislation we are introducing today will provide catastrophic illness protection from the costs of acute care for the Nation's 31 million Medicare beneficiaries. The plan would provide unlimited hospital care for Medicare beneficiaries after payment of one annual deductible, currently $520 per year.

Under current law, a beneficiary must pay a deductible each time he or she is admitted to the hospital with a new spell of illness, and hospital care after the 60th day is subject to a copayment.

Our bill would limit a Medicare beneficiary's annual out-of-pocket costs to $1,700 for any costs incurred under either part A or part B. In future years the cap is indexed to the Social Security cost-of-living adjustment.

In addition to hospital coverage, this legislation increases the number of days of Medicare coverage of skilled nursing facility [SNF] care from the current benefit of 100 days per benefit period to 150 days per calendar year.

Beneficiaries would pay coinsurance equal to 15 percent of the national average Medicare SNF cost per day for the first 10 days. Currently, beneficiaries pay coinsurance for days 20-100, at $65 per day. In some States, this amount is equal to, or greater than, the cost of the SNF bed.

I am particularly pleased that we have included an expanded Medicare home health benefit as part of this legislation. The bill would increase the number of days for which beneficiaries can receive daily home health care after hospital discharge from 21 to 45 days.

Last week I joined with Senator BRADLEY and other Senators in introducing the Medicare Home Health Services Improvement Act, a bill designed to protect beneficiary access to the current Medicare home health benefit, and to expand the home health benefit in a modest way.

While the home health care provision in this bill is not as expansive as the Bradley/Mitchell legislation, it represents a significant step toward greater flexibility in the provision of health care at home for Medicare beneficiaries.

This catastrophic care legislation contains a number of other important provisions, including the elimination of "spell of illness" concept, and the elimination of the current 210-day limit on Medicare hospice coverage for all beneficiaries regardless of income.

The bill also allows the cost of immunosuppressive drugs for transplant patients to be counted toward the $1,700 limit, and requests that the Institute of Medicine conduct a study on the feasibility of prescription drug coverage for Medicare beneficiaries.

While the cost of providing the additional benefits described in this bill are estimated at $2.4 billion in fiscal year 1988, the methods used to finance this program have been designed in a fair and progressive way.

Each beneficiary will pay an additional $4 monthly premium, to be adjusted annually based on increases in the cost of catastrophic benefits.

In addition to the $4 flat rate premium, a supplemental premium of $12 per year for each $150 of income tax due in excess of $150. This additional tax would be limited to $800 per year in 1988—rising to $1,000 in 1992 for a single beneficiary, after which the cap would increase according to a formula based on 65 percent of subsidized benefits under combined part B and the catastrophic proposal.

All enrollees would pay the $4 monthly premium for catastrophic illness protection, but less than half of Medicare beneficiaries would pay the supplemental tax because their total taxable income would be inadequate to reach the cutoff point.

I support the income-related financing mechanism of this bill. Elderly citizens represent a range of income groups, just as the under 65 population does. This financing method is a sincere attempt to provide an equitable way to distribute the burden of additional costs of expanded benefits fairly among the elderly population.

This legislation, like all the other catastrophic care proposals being discussed in the 100th Congress, addresses the costs of out-of-pocket costs to the elderly for acute care. It does not address the overriding crisis of long-term care for the elderly—the problem of the availability of long-term care or possible methods to finance such care.

And yet, the real crisis in health care—the most serious threat to the financial health of the elderly—is the cost of long-term care. Over 80 percent of out-of-pocket costs of health care for the elderly are for the expenses incurred for long-term care.

Nearly 50 percent of nursing home costs are borne by the elderly or their families. The remaining 50 percent is financed by the Medicaid Program, which was never designed to pay for the nursing home costs of middle-income elderly.

It is time that Congress faced the crisis of long-term care and began work to design a long-term care program which meets the needs of the elderly and spreads the financial burden among elderly beneficiaries, the State and Federal Governments, and private insurers. The tremendous cost of such a plan demands this kind of shared financing mechanism.

The vast majority of the elderly believe that Medicare covers the cost of long-term care. Often, it is only when facing placement in a nursing home that an elderly person becomes aware that there is no coverage under Medicare and in order to become eligible for Medicaid coverage, he or she will have to spend lifetime savings.

This bill requires HHS to notify beneficiaries annually of what Medicare will and will not pay for, and how coverage is different for individuals enrolled in the catastrophic plan. This is an important step toward educating the elderly about the need to prepare for the possibility of long-term care.

Clearly, we have a responsibility to inform the elderly about the lack of coverage for long-term care under Medicare, and more importantly, a responsibility to begin now to devise a workable program which will provide access to, and financing for, long-term care services.

This is a difficult task for our Nation to undertake. But we cannot ignore the growing crisis of long-term care. We cannot afford to say that it is too difficult an objective this year, or next year. Every year we delay will only add to the crisis.

The elderly population of our Nation is growing at a rapid rate. In 1900, 1 in 25 Americans was age 65 and older, by 1984, 1 in 8 Americans was over 65.

The 85-plus population is growing rapidly. The "old-old" population—the group most likely to require long-term care—is expected to increase sevenfold by the middle of the next century.

I commend Senator BENTSEN for his commitment to protecting Medicare beneficiaries from the catastrophic costs of acute illness. I strongly support this legislation and will work with Senator BENTSEN and other colleagues on the Finance Committee to pass this legislation this year.

This is an important first step toward providing elderly persons with adequate health-care protection from catastrophic costs that can wipe out a lifetime of savings and rob them of peace of mind and quality of life in their last years.

We must go beyond this proposal, however, to develop a workable program of benefits and financing for the true catastrophic costs of health care—the cost of long-term care for the Nation's 31 million Medicare beneficiaries.

I am committed to working toward this important objective and welcome the support of my colleagues in this body in this critical endeavor.●

● Mr. BRADLEY. Mr. President, I rise today to commend the chairman of the Finance Committee, Senator BENTSEN for introducing legislation to expand Medicare protection for catastrophic illnesses. This legislation takes important steps to close the gaps in our health-care system that often force our elderly citizens to impoverish themselves when a catastrophic illness strikes. I look forward to working closely with the chairman and other members of this committee in shaping this legislation and ensuring its passage.

I am particularly pleased that this bill broadens Medicare's Home Health Program so that it can more adequately meet the home care needs of the elderly. Currently, despite the fact that many elderly patients are being discharged from hospitals earlier than in the past because of the prospective payment system, Medicare reimbursed home health services are becoming less available to patients because of the Health Care Financing Administration's efforts to restrict the Medicare home-care benefit. I applaud the provisions in the Bentsen bill that increases daily home care from 21 to 45 days and clarifies the definition of "homebound."

Indeed, these measures resemble provisions in the Medicare Home Health Services Improvement Act, legislation that I introduced last week with the support of Senators MITCHELL, ROCKEFELLER, and others that would expand and clarify the Medicare home health benefit while upgrading home health quality standards. My legislation calls for 60 days of daily care, with no requirement for prior hospitalization, clarification of the definition of "homebound" so that it cannot be construed to mean "bedridden," and 3 weeks of skilled or nonskilled home care when it is less expensive than nursing home care. In the area of quality, our bill would, among other things, require HCFA to assess patient outcomes when it monitors home health quality, and require home health aides to complete an HHS-approved training program. I hope to include this legislation in various legislative vehicles, including Senator BENTSEN's catastrophic proposal. This year's reconciliation bill and the Mitchell-Pryor-Bradley nursing home quality bill will provide additional legislative opportunities to ensure action on this home-care legislation.

Mr. President, I am also pleased that Senator BENTSEN's bill increases Medicare's skilled nursing facility [SNF] coverage and eliminates the current 210-day limit on hospice coverage. These measures will ensure greater access to posthospital care; access that many of our elderly Americans badly need after they are released from the hospital in more intense phases of their illnesses and in greater need of various levels of postacute care.

Mr. President, I would also like to make reference to Senator BENTSEN's financing mechanism, which protects low income elderly and requires higher income elderly to carry a greater share of the costs for financing this important catastrophic benefit. While I have not had an opportunity to review the details of his proposal, I certainly praise the chairman for developing a progressive mechanism for financing the program.

In summary, I would like to commend the chairman for focusing his efforts on this critical health care issue, thank him for his continued interest and support for home care, and express my optimism that a sound and reasonable catastrophic proposal will emerge from the Finance Committee.●

Mr. BYRD. Mr. President, I am pleased to join the distinguished chairman of the Finance Committee and my other colleagues in introducing legislation to provide a catastrophic health insurance plan under the Medicare Program. Medicare is a landmark Federal program providing health insurance coverage—and peace of mind—to millions of America's elderly citizens, and those of us who worked hard for its enactment count it as one of our proudest accomplishments in the Congress.

But, Mr. President, we all are cognizant of the fact that the program does not address all the health care needs of the elderly. One especially critical area in which Medicare is deficient is the provision of coverage adequate to cover a catastrophic illness requiring a long hospital stay. The legislation we are introducing today addresses this deficiency.

With the legislation today we now have a very good basis for beginning debate in the Senate on how best to design a catastrophic insurance plan. Together with the plan advanced by the administration and the proposal now before the House Ways and Means Committee, we will be able to fully consider all the critical elements—from coverage adequacy to beneficiary costs and Government financing capabilities.

I am eager to begin this critical process, and I know elderly citizens all around the country and in my State of West Virginia are eager for us to do so. I commend the chairman, Mr. BENTSEN, for his bill today, which I am pleased to sponsor.

● Mr. CHILES. Mr. President, I am pleased to join with my colleagues on the Senate Finance Committee in introducing the Medicare Catastrophic Loss Prevention Act of 1987.

Several weeks ago, as chairman of the Senate Budget Committee, I conducted hearings to document the hardships faced by many elderly faced with catastrophic out-of-pocket expenses for medical care—medical care expenses not covered by Medicare or Medicaid. We found some truly gaping holes in the coverage now offered by these programs. The hearings also explored the possibilities of enacting legislation this year—even though we have such severe pressures to reduce our budget deficits—that would at least take a strong first step to close these gaps.

We thought we could find a way to enact a catastrophic health insurance bill this year on a deficit neutral basis, and the budget resolution we are now considering in the Senate makes provision for such a bill.

The bill we are introducing today would take that strong first step to fill in the health insurance gaps for the elderly. It would not solve all the problems. We have yet to address the full extent of the financial burden faced by families with someone institutionalized in a nursing home. The bill does not fully address the high costs incurred for prescription drugs. But I believe it is a good bill which will provide broad protection against the catastrophic costs incurred by many elderly for hospital and physician expenses, and it takes some important steps in laying the foundation for more comprehensive coverage of long-term care and drug costs.

First, the bill would limit the out-of-pocket liability for deductibles and copayments under Medicare to $1,700 a year. No Medicare beneficiary would be liable for out-of-pocket expenses for Medicare-covered services beyond this cap in any 1 year.

Second, there would be no limit on the number of Medicare-covered hospital days and all hospital copayments would be eliminated after payment of the initial hospital deductible, now set at $520. The deductible, now charged per admission, would be limited to one per calendar year.

Third, Medicare skilled nursing home, home health and hospice benefits would be expanded in recognition of the growing need for affordable health care as an alternative to long hospitalizations.

The skilled nursing home benefit would be increased from 100 days per year to 150, and the daily copayments required would be lowered from the current $65 charged for each day beyond 20 days to an amount equal to 15 percent of the national average Medicare skilled nursing facility cost per day. The new copayment would be only about $18 in 1998, and would be paid only for the first 10 days of nursing home care. After the first 10 days, no further nursing home copayments would be required.

Important changes are made to the Medicare home health benefit to alleviate a situation in which many elderly in need of home health care are now being denied payments. The bill makes it clear that daily home visits up to 45 days a year are covered by Medicare. In the case of someone not recently hospitalized, daily home care, as required, would be available for 21 days. The bill also provides important clarifications of the definition of "homebound" status for purposes of home health coverage. In addition, the upper limits on number of days of covered hospice care are eliminated.

Fourth, the bill would begin to address the catastrophic costs of some essential life-saving drugs by allowing the costs of immunosuppressive drugs used by organ transplant patients to be counted toward the overall catastrophic cap of $1,700. Under current law, such drugs are reimbursed at 80 percent of their cost for the first year of use only. Though this provision does not cover the high costs of other essential drug therapies necessary for Medicare beneficiaries, the bill also requires a study by the Institute of Medicine with recommendations for additional coverage of prescription drugs in the near future.

Fifth, the bill would require States to apply any Medicaid savings resulting from the expanded Medicare coverage to additional coverage or relief from out-of-pocket expenses for lower income elderly.

Mr. President, the bill we are introducing today would go a long way toward meeting the catastrophic illness expenses of Medicare beneficiaries. And it would do it in a deficit neutral way. The new catastrophic expense protections would be self-financing through additional premiums paid by Medicare beneficiaries themselves.

All beneficiaries would pay an additional catastrophic premium of $4 per month. Since Medicaid now picks up the premium for the lowest income elderly and our bill would encourage States to cover these expenses for even more elderly, I think this new premium is well within a realistic range for all beneficiaries.

At the same time, the bill recognizes that some beneficiaries with higher incomes would be willing and able to pay more for the additional catastrophic protection. The bill we are introducing provides for a supplemental premium based on ability to pay. The supplemental premium would be tax deductible, just as are premiums now paid for private health insurance, and there would be a cap on the total amount that could be charged of any beneficiary in any 1 year. The bill is designed so that once the new catastrophic coverage benefits are fully implemented, the total premium paid by any Medicare beneficiary would not exceed 65 percent of the full cost of current Medicare part B coverage as well as the new catastrophic coverage.

Mr. President, I believe this approach to financing the new catastrophic coverage is good policy. It provides a way to include important protections against catastrophic health care expenses for all beneficiaries even while recognizing that many beneficiaries may not be able to afford increased premiums. It makes it possible for us to consider an important health care initiative this year—without delay—even while we are still struggling with our overriding budget deficit problems.

At the same time, I want to make sure that the supplemental premium is structured in such a way that it is truly affordable to all Medicare beneficiaries and represents the best possible value for catastrophic coverage. As this bill is further considered by the Finance Committee and the Senate as a whole, I will want to thoroughly examine the structure of the supplemental premium to ensure that it's impact is fair and acceptable to all those who would choose to purchase the additional coverage.

In summary, Mr. President, I believe this bill sets out an equitable and solid framework for much-needed catastrophic illness expenses protection for the elderly and I look forward to working with my colleagues as we find ways to make it even better.●

● Mr. MOYNIHAN. Mr. President, I rise to join my colleagues in introducing a bill to provide catastrophic health insurance under the Medicare Program. This bill expands the Medicare Program to provide coverage for beneficiaries for a longer period of their stay in hospitals, and home health care they need upon their discharge and immunosuppressive drugs to aid in their recovery from a catastrophic illness. When catastrophic illness strikes the costs can be enormous—Medicare experts have estimated the costs from $2 to $5 billion a year based on the comprehensiveness of services. It is estimated that by the year 2030, there will be 8.6 million Americans over the age of 85, compared to 2.7 million in 1985 clearly increasing the need for such a benefit.

Under Senator BENTSEN's proposal, Medicare would be restructed to automatically cover those individuals enrolled in the Medicare Part B program for catastrophic illness. The cost of this coverage would be an additional $4 per month in the basic part B premium for 1988—future years to be indexed—and a supplemental premium of $12 per year for each $150 of income tax due after the first $150. For all those who receive part B coverage, the out-of-pocket expenses for all covered services would be limited to $1,700 per year. It is estimated that 30 million participants would receive protection against catastrophic illness expenses under this proposal.

In addition, this bill addresses another important problem, the long-term care provided in our skilled nursing and health related facilities [SNF's and HRF's]. It increases Medicare coverage of SNF's from 100 to 150 days in a calendar year, and changes the skilled nursing facility coinsurance so that beneficiaries pay coinsurance equal to 15 percent of the national average Medicare skilled nursing facility cost per day for the first 10 days. Currently beneficiaries pay coinsurance for days 20 to 100 at a cost of $65 per day in 1987.

As for extended long-term care, this bill requires HHS and the Institute of Medicine to study the public and private options for financing these services. I am pleased to see that inclusion of this provision which is quite similar to the provisions of S. 283, a bill I introduced on the first day of the 100th Congress. S. 283 asks the Comptroller General of the United States to conduct a study of the benefits and costs of modifying coverage under the Medicare Program to include different levels of extended or nonacute care; and to report the results of the study to the Congress prior to December 31, 1987.

At least as important in the discussion of catastrophic illness and long-term health care coverage is the costs of immunosuppressive and prescription drugs. This bill would expand part B coverage to include the cost of immunosuppressive drugs in the overall cap on individual expenditures for catastrophic illness.

This bill also requires that HHS and the Institute of Medicine study the possibility of incorporating the costs of prescription drugs into catastrophic coverage under Medicare. Often, these drugs are so costly that the elderly become impoverished simply trying to recover from a devastating illness, after paying for the treatment of that illness.

An added benefit of this bill is the savings which States will accrue from decreased Medicaid payments. Often a Medicare recipient will become impoverished due to their health care expenses and are forced to deplete their assets and go on Medicaid. This bill seeks to avoid this. Still, there are some who do not suffer catastrophic illness but have limited or low incomes and who require medical coverage. This bill requires that all savings in Medicaid, due to the expanded coverage of Medicare, be used toward providing health care coverage for these individuals and where possible prevent spousal impoverishment which arises due to the costs of caring for a loved one.

Importantly, this bill requires that the Secretary of Health and Human Services to notify all Medicare recipients of what Medicare will and will not pay for under this new arrangement. Educating beneficiaries will be vital and most necessary to the success of this program.

This legislation will certainly be improved, but to date it is the most comprehensive measure we have in helping the elderly to cope with their healthcare costs.●

Mr. DOLE. Mr. President, I am very pleased to join my distinguished colleague, Senator BENTSEN, in introducing S. 1127.

The issue of the costs of catastrophic care is of concern to all as evidenced by the number of bills, including my own, S. 754, which have been introduced in this and previous Congresses. This concern is not new, however, as my colleagues are well aware. It has been evident for some time that there were a number of elderly in this country faced with the prospect of impoverishment due to the catastrophic cost of an illness or series of illnesses. Our difficulty has been in determining; first, how to define catastrophic; second, how to finance any benefit expansion; third, how to protect low-income beneficiaries; and fourth, how to avoid preempting the private sector, which plays an important role in providing health insurance in this country.

Senator BENTSEN has, in the bill being introduced today, given us the opportunity to focus in particular on item No. 3, the protection of the low-income beneficiary.

FINANCING

It is clear that there is no perfect way to solve the problems related to the low-income elderly. However, this proposal goes a long way in the right direction.

It provides for an interesting combination of financing methods. There is a basic premium and an additional supplemental premium based on the amount of taxes an individual pays. Therefore, it takes into consideration an individual's ability to pay for catastropic protection and also in doing so allows this coverage to be more affordable for low income beneficiaries.

This Senator has some concern about using an individual's income tax liability as the mechanism for determining the amount of an individual's supplemental premium. On the other hand, this mechanism has the advantage that it is a voluntary, premium-based system, rather than a general tax increase. It preserves the concept of insurance—that individuals who benefit should pay for those benefits.

Another alternative would be to income test the benefit itself, but that is perceived by many as being very complicated and difficult to administer. It also has the potential to fundamentally change the nature of Medicare and create the impression that Medicare is a welfare program. This is not what we want to see happen.

Our proposal warrants full discussion, as it is certainly not perfect by any means. But it is a start and certainly an improvement over the House bill.

BENEFITS

In many respects, this bill is very similar to the bill that my colleagues and I introduced earlier this session with respect to benefits. The most notable changes that have been made are those related to home care and skilled nursing care. Both areas that deserve our attention. I was also pleased to note that a provision included in my original bill, S. 754, dealing with the coverage of out-of-pocket costs for prescription drugs has also been included.

CONCLUSION

As I noted at the time of introduction of S. 754, we are aware that these bills only address part of the problem. We are continuing to look at additional areas, especially the difficult matter of the financing of long-term care. As I have stated before in this Chamber, there are no easy solutions. However, it is gratifying to know that thoughtful individuals, such as Senator BENTSEN, are willing to work to develop meaningful solutions.

By Mr. DANFORTH:

S. 1129. A bill to temporarily suspend the duty on triallate; to the Committee on Finance.

SUSPENSION OF DUTY ON TRIALLATE

● Mr. DANFORTH. Mr. President, today I am introducing a bill which would temporarily suspend the duty on triallate, a herbicide product.

I ask unanimous consent that the text of the bill be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1129

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRIALLATE.

Subpart B of part 1 of the Appendix to the Tariff Schedules of the United States is amended by inserting in numerical sequence the following new item:

"908.07	S–(2, 3, 3'–tricholorallyl) disporopyl thiocarbamate (provided for in item 425.36, part 2D, schedule 4).	Free	No change...	On or before 12/31/90".

SEC. 2. EFFECTIVE DATE.

The amendment made by this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date that is 15 days after the date of enactment of this Act.●

By Mr. PROXMIRE:

S. 1130. A bill to establish a commission to investigate allegations of censorship in the editorial operations of certain newspapers published by the Department of Defense; to the Committee on Armed Services.

FREEDOM OF THE DEPARTMENT OF DEFENSE PRESS ACT

Mr. PROXMIRE. Mr. President, in recent months, I have been made aware of a number of complaints from civilian journalists at the military's Pacific Stars and Stripes newspaper that the paper is being censored to keep out or suppress unfavorable news.

The military is well aware of the fact that censorship in any form is prohibited under the first amendment of our Constitution. But, Stars and Stripes staffers, appreciative of the meaning of freedom of the press, are becoming increasingly concerned that stories in the Pacific are being either underplayed, or withheld from publication altogether because the military wants to avoid embarrassment and the airing of anything but pro-defense views.

If this seems at all like deja vu, it is. Just 3 years ago I spoke out on censorship involving the European Stars and Stripes. Five years ago, the military tried unsuccessfully to call for an end to investigative reporting in all its publications.

Today, I am offering a bill to appoint a civilian commission to investigate the Stars and Stripes newspapers' editorial decisionmaking process as well as the charges of censorship. This bill calls for the Secretary of Defense to appoint five civilian journalists to examine the censorship question at both the Pacific and European Stars and Stripes, and, if necessary, to recommend changes. The Society for Professional Journalists has already pledged its help. This issue has dragged on for too long, and nothing has been accomplished. It is important that this long-running dispute end soon so that Stars and Stripes can get on with its vital mission, and I think this bill is a big step in that direction.

The implications of these charges are very serious. It means that our soldiers based in the Pacific may not be realizing the full benefits of a free press even though they put their lives on the line for it and other freedoms every day. What a contradiction. What a deception. We send soldiers out to protect democracy and at the same time deny them one of the most important freedoms we have.

Listen to the pleas of one distraught civilian staffer in a letter I received earlier this year:

> The newspaper is now being routinely censored and the news in it managed. Interference by senior commanders and their public affairs officers in the editorial operations . . . is commonplace . . . This newspaper is a kind of public trust that is being badly abused and subverted. It is paid for, in large part, by taxpayer funding and the taxpayers have a right to know that it is providing censored news and information to their sons and daughters. If the DOD insists on censoring the paper then they should at least be forced to inform military personnel that this is taking place so they can opt to buy other publications.

I offer a small sampling of evidence that indicates the Stars and Stripes may not have the proper view of its mission:

On the day that an Army colonel entered prison last September after being convicted of misuse of Army funds, the Stars and Stripes decided not to run a story on the event. Up to that point, the newspaper had covered the story. But the editor-in-chief there, Col. Edwin Montgomery, informs me that the wayward officer's entry into prison was not newsworthy. Imagine. A colonel steals from the Army he helps supervise, and it is not newsworthy when he goes to prison. Any journalist worth his or her salt knows that when you've been following a story, you owe it to your readers to follow it to the end.

Last October, when hunger-striking Vietnam veterans made headlines for protesting aid to the Nicaraguan Contras, the Stars and Stripes skipped the issue initially. Colonel Montgomery has replied that he opposed publishing the story because he had doubts that the group really represented veterans. It was not until 2 days later, after the news had been run elsewhere, that Colonel Montgomery grudgingly decided to inform his Pacific personnel about the protest. But for soldiers in the Pacific, finally getting news of the efforts of the hunger-strikers, who were exercising the first amendment in their own way, was like getting to a movie 30 minutes late and being handed a box of stale popcorn.

In November, Mr. President, a story featuring comments by five Senators critical of the administration's decision to go above the SALT II limits in the deployment of long-range bombers was reworked to carry a different spin. The redone version of the story did not quote any of the Senators specifically, and, instead, in one paragraph next to the ending paragraph, glossed over the specific issues at hand.

And, in what I find absolutely appalling in this day and time, given the genuine concern of the dangers of the dreaded disease AIDS, the Pacific Stars and Stripes decided not to run an excellent New York Times story that discussed increasing concern about AIDS-carrying Filipino prostitutes working in the vicinity of Clark Air Base and Subic Bay Naval Station.

So what does Colonel Montgomery say about this? The colonel says that the story was not published because it was human interest, rather than straight news, and lacked balance and was possibly inaccurate. Instead, our soldiers who protect the first amendment got a very watered-down, self-serving story, published an entire month later, that talked about how the military was testing for AIDS in the area and how Filipino political factions opposed to U.S. military presence blamed AIDS on American GI's.

The problem has gone beyond mere complaints, Mr. President. A top-level civilian editor at the Pacific edition recently gave notice that he was resigning because of censorship.

Over in Europe, a Navy captain who left as editor-in-chief there and retired from the military last August, said in a recent article published in the distinguished Columbia Journalism Review:

> The degree of command influence became intolerable to me. It was getting progressively worse. It got to the point where I was getting calls on weekends from underlings speaking for generals and admirals . . . I just got sick of it."

Mr. President, I ask, does this sound anything like a free press in a democratic society? Not to me.

It's possible the military has too much control over the Stars and Stripes.

Both publications are run by a military editor-in-chief, who answers to a military commander-in-chief who oversees the entire military theater, from infantrymen and tanks, to ships, aircraft and nuclear warheads and, yes, the Stars and Stripes. Neither paper has had a civilian as editor-in-chief.

Both papers are also guided by what are called advisory boards. But each board is composed of military public affairs specialists, with the only exceptions being the civilian managing editors of the respective papers.

A recently formed review board is of little help in solving the current crisis, because it is focusing on the papers' business problems and the board is comprised totally of reserve military officers, many without backgrounds as working journalists.

Roughly $27 million in tax dollars has gone into the Stars and Stripes newspapers in both Europe and the Pacific over the last 3 fiscal years. Budgets are tight these days, and deficits run rampant. It is irresponsible to ask taxpayers to support a vehicle that runs up on the curb of the first amendment.

The DOD's mission statement indicates that Stars and Stripes has the duty "To bring DOD personnel and their dependents the same international, national, and regional news and opinion from commercial sources available to newspapers throughout the United States." It also says that there will be a free flow of news and information without censorship or news management.

Mr. President, I hope that my legislation is viewed as an instrument of protection.

We simply cannot in good conscience send troops abroad to lead the struggle for freedom and censor Stars and Stripes at the same time.

Our people overseas deserve better than second-class treatment. I hope we move swiftly on this. It is never too soon to deal with any affront to free speech.

Mr. President, I ask that copies of the following news articles: "Pacific Rift," published in the January 17, 1987, edition of Editor and Publisher; "Stars and Stripes and Censorship," from the January/February edition of the Columbia Journalism Review, and

"Stars and Stripes Comes Under Fire," published on April 5, 1987, in the Milwaukee Journal, be placed in the Record along with the legislation.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 1130

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom of the Department of Defense Press Act of 1987".

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) Establishment.—There is established the Commission on Freedom of the Department of Defense Press (hereafter in this Act referred to as the "Commission").

(b) Composition.—(1) The Commission shall be composed of 5 members appointed by the Secretary of Defense from among 10 persons who have demonstrated distinguished service in the field of journalism and are nominated by one or more professional journalism organizations designated by the Secretary.

(2) Members of the Armed Forces, employees of the Federal Government, and persons outside the Federal Government who perform any work in support of the Department of Defense shall be ineligible to serve as members of the Commission.

(c) Chairman and Vice Chairman.—The Commission shall select a Chairman and Vice Chairman from among its members.

(d) Period of Appointment; Vacancies.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(e) Initial Organizational Requirements.—(1) The Secretary of Defense shall make all appointments under subsection (b) within 60 days after the date of the enactment of this Act.

(2) The Commission shall convene its first meeting within 15 days after the first date on which all members of the Commission have been appointed. At that meeting the Commission shall select its Chairman and Vice Chairman and develop an investigative agenda and schedule for carrying out its duties under this Act.

SEC. 3. DUTIES OF THE COMMISSION.

The Commission shall—

(1) examine—

(A) the editorial policies and operations of the Pacific edition of the Stars and Stripes newspaper published by the Commander-in-Chief of the United States Pacific Command;

(B) the editorial policies and operations of the European edition of the Stars and Stripes newspaper published by the Commander-in-Chief of the United States European Command; and

(C) the policies and requirements of Department of Defense Instruction 5120.4, dated November 14, 1984,

to determine whether any censorship and news management is permitted by such policies and requirements or is practiced in such operations, and, if censorship or news management is practiced in such operations, whether the practice is impeding the free flow of news and information to military personnel;

(2) identify and investigate complaints made to the Department of Defense or the Commission by members and former members of the journalistic staff of the Pacific edition of the Stars and Stripes or the European edition of the Stars and Stripes with respect to matters within the responsibility of the Commission under paragraph (1); and

(3) determine whether increased civilian participation in the editorial operations of such newspapers, including the appointment of a civilian to serve as editor-in-chief of each such newspaper, will decrease the likelihood of censorship and news management in the flow of news and information to military personnel.

SEC. 4. REPORT.

Not later than 90 days after the date on which the Commission convenes its first meeting, the Commission shall submit to the Secretary of Defense and Congress a written report containing the results of its investigation under this Act together with such recommendations as it considers appropriate.

SEC. 5. POWERS OF THE COMMISSION.

(a) Hearings.—The Commission or, at its direction, any subcommittee or member of the Commission, may, for the purpose of carrying out the provisions of this Act, hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, administer such oaths, and require, by subpeona or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Commission or such subcommittee or member considers advisable.

(b) Information.—The Commission may secure directly from the Department of Defense, any other Federal department or agency, or the Stars and Stripes newspapers such information as the Commission considers necessary to enable the Commission to carry out its responsibilities under this Act. Upon request of the Chairman of the Commission, the head of such department, agency, or newspaper shall furnish such information to the Commission.

SEC. 6. COMMISSION PROCEDURES.

(a) Meetings.—The Commission shall meet at the call of the Chairman.

(b) Quorum.—(1) Three members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(2) The Commission shall act by resolution agreed to by a majority of a quorum of the Commission.

(c) Subcommittees.—The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) Open Meetings.—All meetings and hearings of the Commission and any panels established by the Commission shall be open to the public.

(e) Authority of Individuals To Act for Commission.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this Act.

(f) Issuance and Enforcement of subpoenas.—(1) Subpoenas issued pursuant to section 5(a) shall bear the signature of the Chairman of the Commission and shall be served by any person or class of persons designated by the Chairman for that purpose.

(2) In the case of contumacy or failure to obey a subpoena issued under section 5(a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt that court.

(g) Witness Allowances and Fees.—The provisions of section 1821 of title 28, United States Code, shall apply to witnesses requested or subpeonaed to appear at any hearing of the Commission. The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the Commission.

SEC. 7. COMMISSION PERSONNEL MATTERS.

(a) Compensation of Members.—(1) Except as provided in paragraph (2), each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for grade GS-18 of the General Schedule under section 5332 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the actual performance of the duties of the Commission.

(2) The Secretary of Defense may accept the voluntary services of any member of the Commission who offers to serve as a member without compensation. No compensation shall be paid under this subsection for voluntary services furnished by a member of the Commission and accepted by the Secretary.

(b) Travel Expenses.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) Staff.—(1) The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate a staff director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of a staff director shall be subject to confirmation by the Commission.

(2) The Chairman of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for GS-18 of the General Schedule under section 5332 of such title.

(d) Detail of Government Employees.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) Procurement of Temporary and Intermittent Services.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for GS-18 of the General Schedule under section 5332 of such title.

(f) Applicability of Other Federal Laws.—Service of an individual as a member of the Commission or employment of an individual by the Commission on a part-time or full-time basis and with or without compensation shall not be considered as service or employment bringing such individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United States. Service as a member of the Commission or as an employee of the Commission, shall not be considered service in an appointive or elective position in the Government for purposes of section 8344 or 8468 of title 5, United States Code, or any comparable provision of Federal law.

SEC. 8. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) Postal and Printing Services.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) Miscellaneous Administrative and Support Services.—The Administrator of General Services shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

(c) Travel.—To the maximum extent possible, the members and employees of the Commission shall travel on military aircraft, military ships, military vehicles, or other military conveyances when travel is necessary in the performance of a responsibility of the Commission, except that no such aircraft, ship, vehicle, or other conveyance may be scheduled primarily for the transportation of any such member or employee when the cost of commercial transportation is less expensive.

SEC. 9. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date on which the Commission submits its report under section 4.

SEC. 10. PAYMENT OF COMMISSION EXPENSES.

The compensation, travel expenses, and per diem allowances of members and employees of the Commission shall be paid out of funds available to the Department of the Army for the payment of compensation, travel allowances, and per diem allowances, respectively, of civilian employees of the Department of the Army. The other expenses of the Commission shall be paid out of funds available to the Department of the Army for the payment of similar expenses incurred by that Department.

[From Editor and Publisher, Jan. 17, 1987]

Pacific Rift

(By Andrew Radolf)

Civilian news staffers of *Pacific Stars & Stripes* are charging that the military commanders of the newspaper are continuing to censor news stories, particularly those dealing with Defense Department and military matters.

The staffers, who call themselves Concerned Civilian Employees of Stars and Stripes, have sent written complaints plus copies of what they allege is documentation of censorship to several U.S. congressmen and senators in the hopes of spurring an investigation.

The Army's Inspector General's office in Japan has already investigated the situation at Stars & Stripes, but in a Dec. 16, 1986 report it rejected the staffers' charges of censorship.

"We have concluded that in the examples provided, the determination of what was or was not printed was within the purview of editorial judgment or prerogative. In our opinion, there is no censorship or the management of the news in contravention of the Pacific Stars and Stripes charter . . . Self-restraint within the PS&S organization and in accord with the PS&S charter is not the same as a denial of journalistic freedom by pressures and influences from outside PS&S," the report stated.

A public affairs officer also will be reviewing Stars and Stripes from Jan. 20 to 23 during the regularly scheduled general inspection of the newspaper.

Military spokesmen said the upcoming inspection was "routine" and "not specifically because of the complaints."

The civilian staffers' group regarded the IG finding as an attempt by military officials to block their protests. In addition to "an on-site investigation led by congressional staffers," they also want the participation of professional journalists and academics "whose judgment of what constitutes censorship could be neither dismissed or disputed by military officials."

Last May, Adm. Ronald J. Hays, the U.S. commander-in-chief in the Pacific and the publisher of Stars and Stripes, stated he would not tolerate censorship of the newspaper by military officers who were displeased with its content *(E&P, June 21, 1986, p. 20.).*

Adm. Hays issued his statement after Stars and Stripes editors complained they were prevented from running stories about servicemen being sent back to the States after they tested positive for AIDS and financially strapped servicewomen and military wives working as barmaids in Okinawa.

The editors also charged that they were reprimanded for running an advance story about the battleship U.S.S. New Jersey's visit last summer to Japan.

Last August Air Force Col. Richard Stevenson was removed as the paper's commander and transferred to another post in Hawaii. He was replaced by Air Force Col. Edwin Montgomery, who previously worked at the Pentagon as a member of the Joint Staff.

"There were editorial decisions that were made that were incorrect," CINPAC spokesman Lt. Col. Terry McCann (USA) said of Stevenson's transfer. While declining to provide more specific details, McCann added that certain "policies and procedures were not in force to see that accurate and balanced information was being provided to the armed forces. It was not because of censorship."

The S&S staffers contend that Montgomery since his arrival has instituted a policy of "outright censorship" of the news.

"Montgomery routinely edits local copy and wire service reports, deleting information relating to AIDS, South Korean politics, adverse military news, and, most recently, stories which present the Reagan administration in a negative light.

"Usually he excuses such actions by explaining that the information 'is not balanced,' 'is sensationalized,' 'is in bad taste,' or is 'old news,'" the civilian employees stated in a Nov. 26 "Memorandum for Record."

Specifically, the employees charged that Montgomery had deleted comments critical of the Reagan adminstration in stories dealing with the Libya disinformation campaign and the president's decision to deploy nuclear weapons exceeding the SALT II limits.

"There is no censorship going on at Stars and Stripes. There are editorial decisions," stated McCann. "Censorship is put on by external sources."

McCann added that the command of Stars and Stripes was making a "determined effort" to see that the newspaper's military audience "received all the news in balanced coverage."

"If you define it (censorship) as directions given from above, there has certainly been none of that," stated Montgomery in a telephone interview from the paper's Tokyo offices. "I have received no instructions that a certain story is to be played or not to be played. The judgments I've made are all as to whether something was balanced, objective or too sensational."

Montgomery said the "difficulty" in editing Stars and Stripes is that "it is not exactly another commercial newspaper. We can only sell to a certain audience."

He explained that Stars and Stripes' "primary mission to provide uncensored news" to overseas military personnel "can run counter" to its secondary mission "to provide applicable DoD stories and information to improve mission capability."

As a result of that dual purpose, Montgomery continued, Stars and Stripes must "balance news value and military concerns" in covering "sensitive stories as non-sensationally as possible."

Montgomery said Adm. Hays was concerned that "the people working on the paper did not understand" the dual mission of Stars and Stripes.

His assignment at Pacific Stars and Stripes includes "reorganizing the whole outfit," Montgomery said, noting that the newspaper is experiencing "serious financial difficulties" as a result of the decline of the dollar against the yen.

Its main source of income comes from operating bookstores on military bases, he said. The newspaper sells some advertising, but it is restricted to products which are sold only to military or government personnel abroad. Circulation of the 35,000 daily newspaper, at 25¢ daily and 50¢ Sundays, also brings in some revenue.

In response to the financial problems, Pacific Stars & Stripes has reduced staffing at its bureaus and is reducing staff at its Tokyo head quarters through attrition that includes not filing the positions of military staff members when they are assigned to new duties.

Montgomery rejected charges of the Concerned Civilian staffers that S&S sought to terminate three of the civilian employees. He said that the financial crisis forced him to tell the three that the newspaper could no longer pay the $17,000 off-base housing allowance they were getting in addition to their salaries.

The three were told, Montgomery said, that they had the option of moving onto the base and continuing to work for S&S. One staffer chose to leave the newspaper, he said.

[From the Columbia Journal Review, January–February 1987]

Stars and Stripes and Censorship

Its mission to provide free and uncensored news, and its overseer is the U.S. Department of Defense. Not surprisingly, the history of the armed forces' newspaper, *Stars and Stripes*, is full of skirmishes along the border line between censorship and responsible editing. These days, some staff writers and editors say, the tension along that border is higher than ever.

In August, the commands of both the European and Pacific *Stars and Stripes* changed hands. Air Force Colonel Richard Stevenson was transferred from his job as editor of Pacific *Stars and Stripes*, which is based in Tokyo and has 40,000 readers, and Navy Captain Dale Patterson resigned from the top spot at the European paper, which is based in Darmstadt, West Germany, and has a circulation of 144,000.

Patterson, who retired to California at fifty-one, makes no bones about why he quit: "The degree of command influence became intolerable to me. It was getting progressively worse . . . It got to the point where I was getting calls on weekends from underlings speaking for generals and admirals. 'General So-and-So is outraged . . . Admiral Whatsis wants to know why . . . .' I just got sick of it."

Stevenson, who went to a military public relations job in Honolulu, would not comment, but several of his former employees say they think he was removed for his failure to make Pacific *Stars and Stripes* inoffensive enough for the military chiefs constantly looking over his shoulder. It's not, they add, as though he didn't try.

Staff members of Pacific *Stars and Stripes* complain fiercely—if anonymously—about the suppression of news. An informal group of mostly civilian editorial workers of the paper, which also employs GI journalists, say they sent letters detailing their complaints, and asking for help, to the American Civil Liberties Union and to the Society of Professional Journalists, Sigma Delta Chi. They want what *Stars and Stripes* critics have sought for years; civilian oversight for the newspaper, preferably by Congress.

"People seem to think now that because *Stripes* is under the Department of Defense, it's okay for anyone in the military to tamper with it," says a veteran staff member. "But the paper was always meant to provide the same quality of news that the GIs could get back home." Indeed, the newspaper's governing instructions, revised in 1984, forbid the withholding of news unless top commanders deem it threatening to U.S. security or the safety of military personnel. And in response to questions at a press conference last May, Admiral Ronald J. Hays, Commander-in-Chief of the U.S. Pacific Command and publisher of Pacific *Stars and Stripes*, vowed he would not tolerate any censorship.

It is true that a casual reader of either *Stars and Stripes* might question the charge that the newspapers have had their journalistic teeth pulled out by browbeaten editors. The Pacific paper, for instance, runs the devoutly antiestablishment *Doonesbury* comic strip. Last summer it ran a long staff-written series on American atrocities in the Philippines at the turn of the century.

But some writers and editors say Admiral Hays's promise has not been kept. Last summer, for example, a Pacific *Stars and Stripes* reporter was the first to spot the increasing number of GIs' wives on Okinawa who had taken jobs in bars to make ends meet during a severe decline in the value of the dollar. Colonel Stevenson, the staff members say, held the sensitive story for several weeks. A spokesman for publisher Hays say the article turned up "investigatory" information, which, under *Stars and Stripes* rules, must be submitted to an appropriate government agency, which, in turn, must take action before it can be published. Staff members feel it was held because it was unflattering to the military. In the end, somebody quietly slipped a draft of the Okinawa article to the Tokyo UPI office, and then *Stars and Stripes* ran UPI's version on page one.

Stevenson also did not allow the paper to print word of the expected arrival of the battleship *New Jersey* in Sasebo, Japan, last August. The Navy does not officially release ship movements, and a *Stars and Stripes* spokesman says the paper couldn't print speculation. But staff members point out the "nuclear-capable" *New Jersey*'s arrival was all over the Japanese press. They also say *Stars and Stripes* reporting on AIDS in the military has been downplayed in deference to local anxieties.

One editor says initial hopes for improvement under Stevenson's replacement, Air Force Colonel Ed Montgomery, didn't last long. The editor says Montgomery refused to use a wire-service story, which had run in the English-language *Japan Times*, about GIs who had been paid to marry Korean prostitutes in order to help them emigrate to the United States.

Montgomery, a former fighter pilot, says he thought the story was "sensational" and not newsworthy. "One man's editorial judgment is another man's censorship, " he says. "I'm the editor-in-chief, and I intend to make decisions here." Editing *Stars and Stripes*, Montgomery says, is not exactly the same as editing a civilian newspapers. "People perceive us to be a spokesman for the United States, and even though that's not true, it imposes a duty on us . . . . We are different. We have a military mission."

Some former *Stars and Stripes* employees take the long view. The newspaper has never been free and uncensored, they say, but the degree of pressure from above goes up and down. Timothy Hutchens, who was Pacific *Stars and Stripes* executive editor from 1981 to 1984 and who keeps in touch with former colleagues at the paper, says that in his last years at *Stars and Stripes* he grew so annoyed at officers "whose epaulets would be bristling over our stories" that he threatened to complain to Congress. He relayed that threat throughout the Pacific command and to the Pentagon, and for a time the pressure eased. "But since then," he says, "things certainly seem to have regressed."—Katherine Ellison

(Katherine Ellison is a national correspondent for the San Jose Mercury News.)

[From the Milwaukee Journal, Apr. 5, 1987]

Stars & Stripes Comes Under Fire

(By Frank A. Aukofer)

Washington, DC.—Over the years, millions of men and women in the U.S. military forces overseas have read and relied on their own newspaper, Stars & Stripes.

But there have been recurring charges that the newspaper, published by the Defense Department, has been censored by overzealous military commanders. A spate of complaints in recent months has prompted Sen. William Proxmire (D-Wis.) to draft legislation to investigate the situation.

Proxmire's bill, which he plans to introduce in this Senate soon, calls for the formation of a special investigating commission whose members would be appointed by the defense secretary but nominated by professional journalism organizations.

The senator's office already has contacted the Society of Professional Journalists, Sigma Delta Chi, for advice and assistance. Robert Wills, editor of the Milwaukee Sentinel, is national president of the organization.

Pentagon policy states specifically that "a free flow of news and information shall be provided to all military personnel without censorship or news management."

"The calculated withholding of unfavorable news is prohibited," the policy says.

Despite that, Proxmire has received complaints of censorship from civilian employes of the Pacific edition of Stars & Stripes. Based in Tokyo, Japan, the Pacific edition had a daily circulation last year of 37,389. The newspaper's European edition had a 1986 circulation of 120,938.

Though there have been allegations in the past of censorship of the European edition, the complaints Proxmire received have all focused on the Pacific edition.

In one instance related to Proxmire, the military commander who functions as editor-in-chief there killed a New York Times article that said prostitutes working near U.S. military and naval installations in the Philippine Islands were carrying the AIDS virus. AIDS is an acronym for Acquired Immune Deficiency Syndrome, a fatal disease that destroys the body's immune system.

When Proxmire asked the Pentagon to inquire, the military editor replied that the article in question was "more a human interest story . . . than a straight 'news report,' and it was badly unbalanced and possibly inaccurate [and] clearly implied that the only significant source for introducing AIDS to the Philippines was the U.S. serviceman."

The commander said he ordered a staff-written story, which described an AIDS testing program for bar hostesses in the vicinity of the U.S. installations—Clark Air Base and Subic Bay Naval Station. But a lower-ranking civilian editor who complained to Proxmire said The New York Times article contained information that readers of Stars & Stripes needed to know.

In another case, the military commander/editor held a story about U.S. veterans on a hunger strike to protest aid to Nicaraguan rebels because he said, he had doubts "about the legitimacy of this 'group' to represent 'veterans.' " The editor did run the story two days later after, he said, he had determined that at least some members of the group were veterans.

In a letter defending his actions, the military editor said his decisions did not involve censorship. He said: "Pacific Stars & Stripes has a clear responsibility to publish balanced, accurate objective and non-sensational news."

But a lower-ranking civilian editor, in a long letter to Proxmire, charged that the newspaper was being routinely censored by generals and admirals who wanted to make Stars & Stripes conform to their own ideology and political views.

He said the newspaper's military management argued that because the paper was published by the Pentagon, foreign governments believed it represented official U.S. views.

"This is complete and utter nonsense," the civilian editor wrote. "I have lived in Asia for almost 20 years . . . I can assure you that no Asian government is so bereft of talent and intelligence as to believe that the Pacific Stars & Stripes is in any way a reflection of the views of the U.S. government."

The Pentagon conducted a general inspection of Pacific Stars & Stripes and reported back that the allegations of censorship were based on staff objections to the exercise of editorial judgments and decisions by the military editor-in-chief. There was no findings of censorship.

But Proxmire, a onetime newspaper reporter whose interest in the censorship issue at Stars & Stripes dates back to 1982, was not satisfied. His bill would give a five-member commission composed of journalism professionals the power to investigate the editorial policies and operations of both the Pacific and European editions of Stars & Stripes. The commission's authority would include the power to subpoena witnesses and documents.

Under the legislation, the commission would have 90 days to conduct its investigation, issue a report and make appropriate recommendations.

By Mr. BREAUX (for himself and Mr. CRANSTON):

S. 1131. A bill to equalize the duties on canned tuna; to the Committee on Finance.

EQUALIZATION OF DUTIES ON CANNED TUNA

● **Mr. BREAUX.** Mr. President, the October 1986 section 332 report of the U.S. International Trade Commission on the U.S. tuna industry officially verified that our domestic tuna industry has been under assault from foreign imports and is undergoing an unprecedented change because of a surge in world production and imports into the United States of canned tuna. Imports of canned tuna have increased substantially both in absolute numbers and as a percentage of overall domestic consumption. Imports have increased nearly 300 percent in quantity since 1979 and over 221 percent in value. As a percentage of domestic consumption, imports increased about 200 percent during that time and now account for about 27 percent of consumption. These imports have steadily increased since 1979 with every year establishing a new record. From 1979, imports have exceeded previous years' levels by 11.8 percent, 11 percent, 23 percent, 39.6 percent, 32.7 percent, 31.7 percent and 31.2 percent, overall a 298-percent increase and early indications are that this year will set even a new record.

As a result, the U.S.-flag tuna boats have declined from 124 at the end of 1979 to 90 at the end of 1985. Of these 90, more than one-third are tied up at docks and not working. The number of U.S. tuna canneries have declined from 22 to 8 in the same time period. Of those eight, five are in Puerto Rico, two are in American Samoa and one is in California. Employment has declined 12 percent and wages are down 8 percent.

At a time when many industries are threatened by increased imports, it is legitimate to ask the question "what is different about the U.S. tuna industry." Mr. President, this is one of the most technologically advanced and modern fishing fleets in the world. It is unexcelled in equipment, maintenance, and production. This is an outmodel industry that is losing market share because it is antiquated or in need of reorganization. Furthermore, this is our last remaining U.S. distant water fishing fleet which has a significance much beyond its economic contribution. The U.S. tuna fleet is the only U.S. presence in the strategically important western Pacific Ocean area which is frequented by Soviet Union boats constantly. The Soviet Union has recently concluded a fishing agreement in this area which allows their continued presence. On the other hand, the administration has just completed negotiating an unprecedented Western Pacific fishing treaty which it will send to Congress some time within the next month. This treaty underlines and emphasizes the strategic importance of maintaining our fishing boats in the area and a general presence in the Western Pacific. This treaty includes a $10 million fishing rights provision in order to maintain our fishing fleet in the area. It would be ironic if we were to pay $10 million to maintain the tuna boats' presence in this area, while allowing our boats to disappear because of the structure of our tariffs.

I should emphasize, Mr. President, that this is not a bill to raise tariffs across the board but rather to equalize the tariff on imported canned tuna at 24 percent. The United States is the only country in the world that maintains separate tariffs on tuna packed in oil and tuna packed in water. The basic U.S. import duty on tuna packed in water is 6 percent which advances to 12½ percent when a predetermined quota is reached, while the duty rate on tuna packed in oil is 35 percent. In contrast, Thailand, the principal exporter of canned tuna into this country, has a tariff of 50 percent and the European Economic Community has a duty rate of 24 percent. Since the EEC and United States are the major markets for canned tuna—with the United States accounting for over 40 percent—the United States, with its lower tariff rate on canned tuna packed in water, becomes a siphon for all the major tuna exporting nations.

The need to maintain this industry has recently been recognized by the United States in last year's lifting of the embargo on canned tuna from Mexico. Because of the potential damage, the U.S. Trade Representative negotiated a voluntary trade agreement limiting the imports from Mexico to avoid devastating the United States industry. Yet, imports continue to flood in at an ever increasing rate from other nations.

As the International Trade Commission's report points out, imports of canned tuna have increased substantially both in absolute numbers and as a percentage of overall domestic consumption. Imports have increased nearly 300 percent in quantity since 1979 and over 221 percent in value. Each year since 1979, imports have established a new record over the previous year. Recently published figures on 1986 imports indicate a 31.2-percent increase over the previous year. I ask that these figures from the Department of Commerce be printed at this point in the RECORD.

Mr. President, to stem this flood of imports which, if allowed to continue to threaten the existence of our domestic industry, I am introducing a bill to change the structure of the tariff to a unified tariff, equalized at 24 percent, rather than two tiers at 12 percent and 35 percent. This will make our tariff correspond to that of the EEC in both level and structure. Since the two tiers were an historical anomaly resulting from a 1943 trade concession to Iceland for fish canned in brine and not a negotiated trade stand involving tuna, it is a fair solution to avoid the United States from being the worldwide dumping ground from canned tuna. I hope my colleagues will recognize the defense, foreign policy and economic needs for this legislation.

Mr. President, I ask unanimous consent that my bill and a table be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1131

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart C of part 3 of schedule 1 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

(1) by striking out items 112.30 and 112.34 and the superior heading thereto and inserting in lieu thereof the following new item:

"112.32	Tuna	24% ad val.	35% ad val.", and

(2) by amending item 112.90 to read as follows:

"112.90	Tuna	24% ad val.	35% ad val.".

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

U.S. IMPORTS FOR CONSUMPTION BY PRINCIPAL SOURCES, TUNA IN AIRTIGHT CONTAINERS (OIL AND WATER), JANUARY—DECEMBER, 1981–1986

Source	1981	1982	1983	1984	1985	1986
		Quantity (1,000 Pounds)				
Ecuador				890	5,175	2,886
Indonesia	146	595	2,634	2,222	1,386	815

U.S. IMPORTS FOR CONSUMPTION BY PRINCIPAL SOURCES, TUNA IN AIRTIGHT CONTAINERS (OIL AND WATER), JANUARY—DECEMBER, 1981–1986—Continued

Source	1981	1982	1983	1984	1985	1986
Japan	21,271	26,481	20,387	26,855	23,703	10,558
Malaysia	696	755	3,083	1,608	2,878	2,401
Philippines	21,451	27,631	32,018	22,225	30,797	27,982
South Korea	31	49	68	82	58	1,443
Spain [1]	170	120	133	214	336	237
Taiwan	15,771	10,704	18,710	17,935	23,472	28,579
Thailand	10,315	18,667	29,930	89,685	122,666	152,297
Venezuela				3	923	7,328
Other	1,001	2,575	3,260	597	1,552	2,095
Total	70,852	87,579	122,329	162,313	213,948	236,621
Value (1,000 Dollars)						
Ecuador				837	4,676	2,603
Indonesia	209	699	2,679	2,102	1,186	690
Japan	36,453	38,561	24,643	29,186	28,142	14,755
Malaysia	1,230	1,242	4,068	1,893	4,498	3,160
Philippines	30,504	31,085	32,291	20,396	25,930	23,124
South Korea	58	79	69	75	58	1,230
Spain [1]	402	300	268	376	560	557
Taiwan	24,631	14,366	22,772	22,475	29,801	34,483
Thailand	15,400	22,711	43,259	89,253	111,852	139,561
Venezuela				7	851	6,389
Other	1,471	4,299	4,289	677	1,584	2,074
Total	110,358	113,347	137,324	167,270	209,138	228,626
Unit Value (Per Pound)						
Ecuador				$0.94	$0.90	$0.91
Indonesia	$1.43	$1.18	$1.01	.95	.85	.85
Japan	1.71	1.46	1.20	1.09	1.19	1.40
Malaysia	1.77	1.64	1.32	1.18	1.16	1.32
Philippines	1.42	1.12	1.00	.92	.84	.83
South Korea	1.86	1.63	1.02	.91	.99	.85
Spain [1]	2.36	2.50	2.01	1.76	1.66	2.35
Taiwan	1.56	1.34	1.21	1.26	1.27	1.21
Thailand	1.49	1.22	1.08	1.00	.91	.92
Venezuela				2.30	.92	.87
Other	1.47	1.66	1.31	1.14	1.02	.99
Average	1.56	1.29	1.12	1.03	.98	.97
Percentage of Total Quantity						
Ecuador				1	2	1
Indonesia	(2)	1	2	1	1	(2)
Japan	30	30	17	17	11	5
Malaysia	1	1	2	1	2	1
Philippines	30	32	26	14	14	12
South Korea	(2)	(2)	(2)	(2)	(2)	1
Spain [1]	(2)	(2)	(2)	(2)	(2)	(2)
Taiwan	22	12	15	11	11	12
Thailand	15	21	33	55	57	64
Venezuela				(2)	(2)	3
Other	2	3	3	(2)	2	1
Total	100	100	100	100	100	100

[1] Mainly oil packed.

[2] Less than 1 percent, included in "other" listing.

Source: Department of Commerce, Bureau of Census. ●

By Mr. TRIBLE:

S. 1132. A bill to authorize the Secretary of the Army to grant a license to the Boy Scouts of America for the use of real property at Fort A.P. Hill as a permanent site for National Scout Jamborees; to the Committee on Armed Services.

NATIONAL BOY SCOUT JAMBOREE

Mr. TRIBLE. Mr. President, today I am introducing legislation which will allow Fort A.P. Hill, VA, to be established as the permanent site of the National Scout Jamboree.

Every 4 years, the Boys Scouts of America conducts a national jamboree. Nearly 25,000 Boy Scouts and 2,800 leaders from all regions of the United States and other nations attend this spectacular event. At the jamboree, these young men meet their brother Scouts from across the country and around the world, sharing experiences and adventures in a fun-filled and informative week of activities.

The last two jamborees were held at Fort A.P. Hill, located in Caroline County, VA. The jamborees were overwhelmingly successful and the Scouts are already preparing for their third jamboree at this location, to be held in August.

The Boys Scouts have asked for permission to establish A.P. Hill as the permanent site for its National Scout Jamboree. I am pleased that this organization has selected a location in my State as its choice for the jamboree and the legislation I am introducing would authorize the Secretary of the Army to grant the Boys Scouts of America a license for the use of property at Fort A.P. Hill as a permanent site for Boy Scout national jamborees.

The Boy Scouts of America is an outstanding organization. Its objectives are laudatory and the jamboree is an excellent event. I am hopeful that, with this legislation, this organization can work with the Army to establish Fort A.P. Hill as the permanent site of jamborees.

By Mr. COCHRAN (by request):

S. 1133. A bill to extend and amend programs under the Older Americans Act of 1965, and for other purposes; to the Committee on Labor and Human Resources.

OLDER AMERICANS ACT AMENDMENTS

● Mr. COCHRAN. Mr. President, on April 24, I introduced legislation, at the request of the administration, to reauthorize the Older Americans Act of 1965.

In my statement on that occasion, I mentioned that I was also a cosponsor of legislation which had been introduced by Senator MATSUNAGA, chairman of the Subcommittee on Aging, and which also reauthorizes the Older Americans Act.

My statement was misinterpreted in the processing of the CONGRESSIONAL RECORD, and Senator MATSUNAGA was added as a cosponsor of the administration's bill. This was an error.

I am today reintroducing the legislation requested by the administration to reauthorize the Older Americans Act so it will receive fair consideration by the Senate.

Senator MATSUNAGA is not a cosponsor of this bill.

Mr. President, I ask unanimous consent that a section-by-section analysis of this bill, as well as the bill itself, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE; REFERENCES IN ACT

SECTION 1. (a) This Act may be cited as the "Older Americans Act Amendments of 1987".

(b) Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Older Americans Act of 1965, unless otherwise specifically stated.

TITLE I—AMENDMENTS TO TITLE II—ADMINISTRATION ON AGING

APPOINTMENTS TO FEDERAL COUNCIL ON THE AGING; AUTHORIZATION OF APPROPRIATIONS

SEC. 101. (a)(1) Section 204(a) (42 U.S.C. 3016(a)(1)) is amended—

(A) in the first sentence, by striking out "by each appointing authority"; and

(B) in the second sentence, by striking out "two of the members appointed by each appointing authority" and inserting instead "five of the members".

(2) Section 204(a) is further amended by adding at the end the following new paragraph:

"(3) Members appointed in fiscal year 1988 and succeeding fiscal years shall be appointed by the President with the advice and consent of the Senate.".

(b) Section 204(g) (42 U.S.C. 3016(g)) is amended by striking out all that follows "to carry out the provisions of this section" and inserting instead "such sums as may be necessary for fiscal year 1988, and each of the two succeeding fiscal years.".

TITLE II—AMENDMENTS TO TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. (a) Section 303(a) (42 U.S.C. 3023(a)) is amended by striking out all that precedes "for the purpose of making grants" and inserting instead "such sums as may be necessary for fiscal year 1988 and each of the two succeeding fiscal years,".

(b)(1) Section 303(b)(1) (42 U.S.C. 3023(b)(1)) is amended by striking out all that precedes "for the purpose of making grants" and inserting instead "such sums as may be necessary for fiscal year 1988 and each of the two succeeding fiscal years,".

(2) Section 303(b)(2) (42 U.S.C. 3023(b)(2)) is amended by striking out all that precedes "for the purpose of making grants" and inserting instead "such sums as may be necessary for fiscal year 1988 and each of the two succeeding fiscal years,".

ALLOTMENTS: ELIMINATION OF HOLD-HARMLESS; STATE ALLOTMENTS BASED ON POPULATION AGED 70 AND OVER

SEC. 202. (1) Section 304(a)(1) (42 U.S.C. 3024(a)(1)) is amended—

(A) by striking out "Subject to paragraph (2), from" and inserting instead "From";

(B) by striking out "aged 60 or older" each time it occurs and inserting instead "aged 65 or older";

(2) by striking out paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(3) in paragraph (2), as redesignated, by striking out "aged 60 or older" and inserting instead "aged 65 or older".

STATE MATCHING FUNDS FOR OMBUDSMAN PROGRAM

SEC. 203. Section 304(d)(1)(B) (42 U.S.C. 3024(d)(1)(B)) is amended to read as follows:

"(B) such amounts as the State agency determines shall be available for paying such percentage as the State agency determines, but not more than 85 percent, of the cost of conducting an effective ombudsman program under section 307(a)(12);".

STATE PLANNING AND SERVICE AREAS

SEC. 204. (a) Section 305(a)(1)(E) (42 U.S.C. 3025(a)(1)(E)) is amended by striking out "in the case of a State specified in subsection (b)(5)(A),".

(b) Section 305(b)(5)(A) (42 U.S.C. 3025(b)(5)(A)) is amended to read as follows—

"(5)(A) Any State may designate, with the approval of the Commissioner and after considering the factors specified in subsection (a)(1)(E)—

"(i) one or more planning and service areas covering all of the older individuals in the State, in which the State agency performs the functions of an area agency for the entire State; or

"(ii) planning and service areas covering some of the older individuals in the State, in which the area plans are administered by public or private nonprofit agencies or organizations as area agencies on aging, and one or more additional planning and service areas, covering the remaining older individuals in the State, in which the State agency administers the area plan.".

DEFINITIONS OF GREATEST ECONOMIC AND SOCIAL NEED

SEC. 205. (a) Section 302 (42 U.S.C. 3022) is amended by adding at the end the following new paragraphs:

"(13) The term 'greatest economic need' means the need resulting from an income level at or below the poverty threshold established by the Bureau of the Census.

"(14) The term 'greatest social need' means the need caused by noneconomic factors which include physical and mental disabilities, language barriers, and cultural or social isolation affecting minority individuals or other elderly individuals who would not otherwise be expected to seek available services, which restricts an individual's ability to perform normal daily tasks or which threatens his or her capacity to live independently, and specifically includes factors that put an individual at risk of institutionalization.".

(b) Section 305(d) (42 U.S.C. 3025) is amended—

(1) by striking out paragraph (2); and

(2) by striking out "(1) after "(d)", and redesignating subparagraphs (A) through (D) as paragraphs (1) through (4).

(c) Section 306(a) (42 U.S.C. 3026(a)) is amended in paragraph (6) by striking out the matter following the end of subparagraph (K).

AMENDMENT TO REQUIRED ASSURANCES WITH RESPECT TO EXPENDITURES FOR SPECIFIED SERVICES

SEC. 206. (a) Section 306(a)(2) (42 U.S.C. 3026(a)(2)) is amended by striking out the matter preceding subparagraph (A) and inserting instead "provide assurances that some funds from the amount allotted for part B to the planning and service area will be expended for the delivery of one or more of the following categories of services—".

(b) Section 306 (42 U.S.C. 3026) is further amended by repealing subsection (b) and redesignating subsection (c) as subsection (b).

APPLICABILITY OF DAVIS-BACON ACT

SEC. 207. Section 307(a)(14)(D) (42 U.S.C. 3207(a)(14)(D)) is amended by inserting "for all contracts in excess of $100,000" after "assurances that".

COORDINATION OF COMMUNITY-BASED SERVICES

SEC. 208. Section 307(a) (42 U.S.C; 3027(a)) is amended—

(1) by striking out "; and" at the end of paragraph (20);

(2) by striking out the period at the end of paragraph (21) and inserting instead "; and"; and

(3) by inserting after paragraph (21) the following new paragraph:

"(22) provide assurances that area agencies on aging will facilitate the coordination of community-based services, pursuant to section 306(a)(6)(I), to individuals aged 65 or older who—

"(A) reside at home and are at risk of institutionalization because of limitations on their ability to function independently,

"(B) are patients in hospitals at risk of prolonged institutionalization, or

"(C) are patients in long-term care facilities, but who could remain in or be returned to the community if community-based services were available.".

OPTIONAL SLIDING FEE SCHEDULES FOR SUPPORTIVE SERVICES

SEC. 209. Section 307(a) (42 U.S.C; 3027(a)), as amended by section 208, is further amended—

(1) by striking out "; and" at the end of paragraph (21);

(2) by striking out the period at the end of paragraph (22) and inserting instead"; and"; and

(3) by inserting after paragraph (22) the following new paragraph:

"(23) (if the State agency elects to permit area agencies to charge fees, based on ability to pay, for supportive services under part B) specify the services under part B for which fees may be charged, and ensure that no fee for such services will be charged to low income individuals.".

DEMONSTRATION WAIVERS

SEC. 210. Section 308(a) (42 U.S.C. 3028(a)) is amended by adding after paragraph (3) the following new paragraph:

"(4) In the case of any demonstration porject of statewide significance relating to the initiation, expansion, or improvement of services assisted under this title which, in the judgment of the Commissioner, is likely to assist in promoting the objectives of this title, in a State or States—

"(A) the Commissioner may waive compliance with any of the requirements of section 305, 306, or 307, as the case may be, to the extent and for the period the Commissioner finds necessary to enable such State or States to carry out such project, and

"(B) costs of such project which would not otherwise be allowable as costs for which payments may be made from allotments under this title shall, to the extent and for the period prescribed by the Commissioner, be regarded as allowable costs under the State or area plan or plans approved under this title, or for the administration of such State or area plan or plans, as may be appropriate.".

ELIMINATION OF AUTHORITY TO USE SERVICES FUNDS FOR STATE PLAN ADMINISTRATION

SEC. 211. Section 308(b) (42 U.S.C. 3028(b)) is amended—

(1) by striking out paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4).

TRANSFER OF FUNDS FOR SUPPORTIVE SERVICES AND NUTRITION PROGRAMS

SEC. 212. Section 308(b) (42 U.S.C. 3028(b)), is amended by section 211, is further amended in paragraph (4) (B) (as redesignated) by striking out all that follows "subparagraph (A)—" and inserting instead the following:

"(i) not more than 50 percent of the funds appropriated for fiscal year 1988; and

"(ii) not more than 60 percent of the funds appropriated for fiscal year 1989; and

"(iii) not more than 75 percent of the funds appropriated for fiscal year 1990."

ELIMINATION OF MAINTENANCE OF EFFORT REQUIREMENT

SEC. 213. Section 309(c) (42 U.S.C. 3029(c)) is repealed.

TITLE III—AMENDMENTS TO TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

EDUCATION AND TRAINING

SEC. 301. (a) Section 411 (42 U.S.C. 3031) is amended to read as follows:

"SEC. 411. The Commissioner may make grants and enter into contracts to achieve the purposes of this part.".

(b) Section 412 (42 U.S.C. 3032), including the caption thereof, is repealed.

RESEARCH, DEMONSTRATIONS, AND OTHER ACTIVITIES

SEC. 302. (a) Section 421 (42 U.S.C. 3035) is amended to read as follows:

"SEC. 421. The Commissioner may make grants to or enter into contracts with any public or private agency, organization, or institution, or individual to support research and development related to the purposes of this Act, evaluation of the results of such research and development activities, and collection and dissemination of information concerning research findings, demonstration results, and other materials developed in connection with activities assisted under this title, and conducting of conferences and other meetings for purposes of exchange of information and other activities related to the purposes of this title.".

(b) Section 422 (42 U.S.C. 3035a) is amended to read as follows:

"SEC. 422. The Commissioner may, after consultation with the State agency in the State involved, make grants to or enter into contracts with any public or private agency or organization within such State for paying part or all of the cost of developing or operating nationwide, statewide, regional, metropolitan area, county, city, or community model projects which will demonstrate methods to improve or expand supportive services or nutrition services or otherwise promote the well-being of older individuals.".

(c) Sections 423, 424, and 426 (42 U.S.C. 3035b, 3035c, and 3035e), including the captions thereof, are repealed.

(d) Section 425 (42 U.S.C. 3035d) is redesignated as section 423.

AUTHORIZATION OF APPROPRIATIONS; TRANSFER OF FUNDS TO OTHER FEDERAL ENTITIES

SEC. 303. (a) Section 431(a) (42 U.S.C. 3037(a)) is amended by striking out "to carry out the provisions of this title" and all that follows and inserting instead "such sums as may be necessary for fiscal year 1988 and each of the two succeeding fiscal years to carry out the provisions of this title. Amounts appropriated under this section for each fiscal year shall remain available until the end of the succeeding fiscal year.".

(b) Section 431(b) (42 U.S.C. 3037(b)) is amended—

(1) by striking out paragraph (1); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2).

TITLE V—AMENDMENTS TO TITLE VI—GRANTS FOR INDIAN TRIBES

DUAL ELIGIBILITY OF INDIANS

SEC. 501. Section 602(a) (42 U.S.C. 3057a(a)) is amended—

(1) by inserting "and" at the end of paragraph (1);

(2) by striking out "; and" at the end of paragraph (2) and inserting a period instead; and

(3) by striking out paragraph (3).

AUTHORIZATION OF APPROPRIATIONS

SEC. 502. Section 608(a) (42 U.S.C. 3057g(a)) is amended by striking out all that follows "There are authorized to be appropriated" and inserting instead "such sums as may be necessary for fiscal year 1988 and each of the two succeeding fiscal years, to carry out the provisions of this title other than section 606.".

TITLEL VI—REPEAL OF TITLE VII—OLDER AMERICANS PERSONAL HEALTH EDUCATION AND TRAINING PROGRAM

SEC. 601. (a) Title VII (42 U.S.C. 3058 et seq.), including the captions thereof, is repealed.

(b) Section 304(d)(1) (42 U.S.C. 3024(d)(1)) is amended by striking out subparagraph (C) and redesignating subparagraph (D) as subparagraph (C).

(c) Section 307(f) (42 U.S.C. 3027(f)) is repealed.

TITLE VII—MINOR AND TECHNICAL AMENDMENTS; EFFECTIVE DATE

MINOR AND TECHNICAL AMENDMENTS

SEC. 701. (a) Section 102 (42 U.S.C. 3002) is amended—

(1) by inserting "(a)" after "SEC. 102.", and

(2) by adding at the end the following new subsection:

"(b) For definitions of additional terms used in this Act, see sections 302 and 507.".

(b) Section 102(a)(1) (42 U.S.C. 3002(a)(1)) is amended by striking out "other than for purposes of title V" and inserting instead "except that, as used in title V, the term 'Secretary' means the Secretary of Labor".

(c)(1) Section 102(a)(3) is amended by striking out "The term 'State' includes" and inserting instead "The term 'State' means each of the several States,".

(2) Section 302 (42 U.S.C. 3022) is amended by striking out clause (6), and redesignating clauses (7) through (14) as clauses (6) through (13).

(d) Section 205 (42 U.S.C. 3016) is amended by striking out subsection (c), and redesignating subsection (d) as subsection (c).

(e) Section 207 (42 U.S.C. 3018) is amended by striking out the subsection designation "(a)", and striking out subsection (b).

(f) Section 208 (42 U.S.C. 3019) is amended by inserting "section 210(a) and".

(g) Section 304 (a)(2) (42 U.S.C. 3024(a)(2) is amended by striking out "and section 308".

(h) Section 304 (c) (42 U.S.C. 3024(c)) is amended to read as follows:

"(c) For provisions governing the disbursement of funds in the case of a State's failure to qualify under the provisions of section 307, see section 307(d).".

(i) Section 304(d)(1) (42 U.S.C. 3024(d)(1)) is amended, in the matter preceding subparagraph (A), by inserting a comma after "section 308(b)".

(j) Paragraph (3) and (4) of section 308(b) (42 U.S.C. 3028 (b)), as redesignated by section 210 of this Act, are transferred to a new subsection (e) at the end of section 304 (42 U.S.C. 3024) and redesignated as paragraphs (1) and (2) of that subsection.

(k) Section 305(a)(2)(C) (42 U.S.C. 3025(a)(2)(C)) is amended by inserting before the semicolon at the end", in accordance with subsection (d)".

(l) Section 305(b)(5)(B) (42 U.S.C. 3025 (b)(5)(B)) is amended by striking out "after the date of enactment of the Older Americans Act Amendments of 1984".

(m) Section 306(a)(6)(G) (42 U.S.C. 3026(a)(6)(G)) is amended by striking out "and" after the semicolon.

(n) Section 307 (a)(13)(B) (42 U.S.C. 3027(a)(13)(B)) is amended by striking out "subclause (H)" and inserting instead "subparagraph (H)".

(o) Section 307(a) (42s U.S.C. 3027(a)) is amended—

(1) in paragraph (15)(C), by inserting "assign personnel to provide State leadership in developing legal assistance programs for older individuals throughout the State, and will" after "the State agency will"; and

(2) by striking out paragraph (18).

(p)(1) Section 307(a) (42 U.S.C. 3072(a)) is amended by adding after paragraph (17) the following new paragraph (18):

"(18) provide assurances that, to the extent otherwise permitted by law, preference will be given to providing services to older individuals with the greatest economic or social needs, with particular attention to low-income minority individuals, and include proposed methods of carrying out the preference in the State plan.".

(2) Section 305(a)(2) (42 U.S.C. 3025(a)(2)) is amended—

(A) by inserting "and" at the end of subparagraph (C);

(B) by striking out "; and" at the end of subparagraph (D) and inserting a period instead; and

(C) by striking out subparagraph (E).

(3) Section 305(a)(5)(A) (42 U.S.C. 3025(a)(5)(A)) is amended by inserting ", to the extent otherwise permitted by law," after "provide assurances that".

(q) Section 307(a)(21) (42 U.S.C. 3027(a)(21)) is amended by striking out "an amount equal to an amount".

(r) Section 307(d)(3) (42 U.S.C. 3027(d)(3)) is amended by striking out "allotments under section 304 and section 308" each place it occurs and inserting instead in each place "allotment under section 304".

(s) Section 321 (42 U.S.C. 3030d) is amended—

(1) by striking out "(a)" after "Sec. 321.", and by striking out subsection (b);

(2) by redesignating paragraph (19) as paragraph (21);

(3) by striking out "or" at the end of paragraph (18); and

(4) by inserting after paragraph (18) the following new paragraphs:

"(19) acquisition, alteration, or renovation of existing facilities, including mobile units, and, where appropriate, construction of facilities to serve as multipurpose senior centers;

"(20) assisting in the operation of multipurpose senior centers and meeting all or part of the costs of compensating professional and technical personnel required for the operation of multipurpose senior centers; or".

(t) Section 337 (42 U.S.C. 3030g) is amended by inserting "National" before "Association of Area Agencies on Aging".

(u) Section 601, 602, and 603 (42 U.S.C. 3057, 3057a, and 3057(b)) are each amended by inserting out "supportive services, including nutritional services" and inserting instead "supportive and nutrition services".

(v) Section 604 (42 U.S.C. 3057c) is amended in paragraphs (1) and (8) by inserting out "nutritional" each place it occurs and inserting instead "nutrition".

(w) Section 606 (42 U.S.C. 3057e) is amended by inserting out "nutritional" and inserting instead "nutrition".

EFFECTIVE DATE

SEC. 702. The amendments made by this Act shall become effective with respect to calendar quarters beginning on or after October 1, 1987.

OLDER AMERICANS ACT AMENDMENTS OF 1987

SECTION-BY-SECTION SUMMARY

The draft bill would make amendments to the Older Americans Act of 1965 ("the Act").

Short title

Section 1 of the draft bill provides the short title. When enacted it would be cited as the "Older Americans Act Amendments of 1987".

TITLE I—AMENDMENTS TO TITLE II—ADMINISTRATION ON AGING

Appointments to Federal Council on the Aging; authorization of appropriations

Section 101(a) of the draft bill would restore, for FY 1988 and succeeding fiscal years, the procedure in effect prior to enactment of P.L. 98-459, the Older Americans Act Amendments of 1984, under which appointments to the Federal Council on the Aging are made by the President with the advice and consent of the Senate.

Subsection (b) of the draft bill would authorize appropriations for the Council of such sums as necessary for FY 1988 and each of the two succeeding fiscal years.

TITLE II—AMENDMENTS TO TITLE III—GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING

Authorization of appropriations

Section 201(a) of the draft bill would authorize appropriations of such sums as necessary for FY 1988 and each of the two succeeding fiscal years, for grants to States for supportive services and senior centers.

Subsection (b) would authorize appropriations of such sums as necessary for FY 1988 and each of the two succeeding fiscal years, for grants to States for congregate nutrition services.

Subsection (c) would authorize appropriations of such sums as necessary for FY 1988 and each of the two succeeding fiscal years, for grants to States for home delivered nutrition—services.

Allotments: Elimination of hold-harmless; State allotments based on population aged 65 and over

Section 202 of the draft bill would amend the formula for allotments to States from appropriations under title III of the Act to base allotments on population aged 65 and over (the formula under current law is based on population aged 60 and over). States' authority to provide services to individuals aged 60 and over would remain unchanged.

This section would also eliminate the provision guaranteeing each State an allotment not less than its total allotment for the State grant program for FY 1984.

These amendments would direct more funds to States with greater needs for programs under the Act, due to larger numbers of older individuals in their populations.

State matching funds for ombudsman program

Section 203 of the draft bill would require States to provide 15 percent matching of Federal funding for long term care ombudsman activities under the State plan (the same matching share as is required for all other State administrative activities).

State planning and service areas

Section 204 of the draft bill would amend the provision permitting a State agency to function as an area agency. Under prior law, certain States, prior to October 1980, had obtained the approval of the Commissioner on Aging to designate the entire State as a single planning and service area, and to act as the area agency for the single area. Current law permits only those States to designate additional planning and service areas administered by other area agencies, and to continue to function as the area agency for the balance of the State. This section of the draft bill would permit any State, with the approval of the Commissioner, to become a Statewide area agency, or the area agency for some or all of the State's planning and service areas.

Definitions of greatest economic and social need

Section 205 of the draft bill would relocate the definitions of "greatest economic need" and "greatest social need" to the definitions section for title III.

This section would clarify that the definition of "greatest social need" includes factors which put an individual at risk of institutionalization.

This section would also specify that what is meant by "cultural or social isolation", for purposes of the definition of "greatest social need", is that affecting minority individuals or other elderly individuals who would not otherwise be expected to seek available services. The use of the term "minority individuals" conforms the term to that used in the State and area plan requirements. The remainder of the added language highlights that class of elderly individuals who, even though services are available, tend to withdraw and remain in a state of self-imposed isolation.

Amendment to required assurances with respect to expenditures for specified services

Section 206 of the draft bill would eliminate the requirement that area plans provide assurances that an "adequate proportion" of the area's funds for supportive services and senior centers will be expended for the delivery of specified priority services (access services, in-home services, and legal assistance), and would substitute a requirement to expend some funds for one or more of the priority services. This section would also make a conforming amendment to eliminate the related requirement that the area agency conduct a public hearing and obtain a waiver from the State agency before failing to expend funds for any priority service.

Applicability of Davis-Bacon Act

Section 207 of the draft bill would amend the Act to provide that only contracts in excess of $100,000 for construction, alteration, or renovation of multipurpose senior centers are subject to the requirements of the statute commonly known as the Davis-Bacon Act (rather than all such contracts, as under the current provision of the Act). Under current law, the threshold for contract coverage under the Davis-Bacon Act is $2,000, unchanged since it was set in 1935. The Administration is proposing to increase the threshold to $100,000 for non-defense contracts, in recognition of economic changes over the past several decades and to encourage competition and efficiency in government procurement.

Coordination of community-based services

Section 208 of the draft bill would require State plans to provide assurances that area agencies will facilitate the coordination of community-based services to older individuals residing at home, or in hospitals or long term care facilities, who are at risk of institutionalization but who could remain in or be returned to the community if community-based services were available.

Optional sliding scale fees for supportive services

Section 209 of the draft bill would permit States, at their option, to permit area agencies to charge fees, based on ability to pay, for supportive services under part B of title III. The State agency would be required to ensure that no fees for such services were charged to low income individuals. It would be left to State discretion to determine which supportive services would be subject to charges. As under current law, there would be no authority to charge fees for nutrition services under part C of title III.

Demonstration waivers

Section 210 of the draft bill would authorize the Commissioner to waive compliance with any requirements of sections 305, 306, and 307 of the Act (relating to State program organization, area plans, and State plans) in the case of demonstration projects promoting the objectives of title III.

Elimination of authority to use services funds for State plan administration

Section 211 of the draft bill would repeal the authority for States, upon application to the Commissioner, to use for State plan administration an additional three-fourths of one percent of their allotments under title III for supportive and nutrition services.

Transfer of funds for supportive services and nutrition programs

Section 212 of the draft bill would increase the portion of allotments that States may transfer between the supportive services and nutrition services programs from 30 percent under current law to 50 percent for FY 1988, 60 percent for FY 1989, and 75 percent for FY 1990.

Elimination of maintenance of effort requirement

Section 213 of the draft bill would repeal the requirement that a State's allotment for any fiscal year be reduced by the percentage by which its expenditures from State sources for that fiscal year are less than such expenditures for the preceding fiscal year. This requirement has the unintended effect of discouraging one-time expansions of State programs in response to temporarily increased need or from nonrenewable funding sources.

TITLE III—AMENDMENTS TO TITLE IV—TRAINING, RESEARCH, AND DISCRETIONARY PROJECTS AND PROGRAMS

Title III of the bill would simplify and streamline the provisions authorizing training, research, and discretionary programs and projects under title IV of the Act, and would eliminate barriers to participation by for-profit entities in activities under that title.

Education and training

Section 301 of the draft bill would amend the authority for education and training grants under part A of title IV of the Act. Section 411 of the Act would be amended to give the Commissioner general authority for grants and contracts to achieve the purposes of part A; specific descriptions of types of activities eligible for funding would be deleted. Section 412 of the Act (relating to multidisciplinary centers of gerontology) would be repealed; however, authority to fund these centers would be provided under section 411.

Research, demonstrations, and other activities

Section 302 of the draft bill would amend the authority for research, demonstrations, and other activities under part B of title IV.

Section 421 of the Act would be amended to give the Commissioner general authority to make grants to and enter into contracts with any public or private entity or individual for research and development, evaluation, collection and dissemination of information, and conducting of conferences.

Section 422 of the Act would be amended to give the Commissioner general authority, after consultation with the State agency, to make grants to and enter into contracts with any public or private agency or organization in the State for nationwide, statewide, regional, metropolitan area, county, city, or community demonstration projects.

Sections 423 (relating to special projects in comprehensive long-term care), 424 (relating to projects for legal assistance), and 426 (relating to utility and home heating cost demonstrations) would be repealed.

Authorization of appropriations; transfer of funds to other Federal entities

Section 303(a) of the draft bill would authorize appropriations of such sums as necessary for FY 1988 and each of the two succeeding fiscal years, to carry out the Secretary's discretionary activities under title IV. The amendment would also provide that amounts appropriated under this authority for any fiscal year would remain available until the end of the succeeding fiscal year.

Subsection (b) would repeal the prohibition of transfer of funds appropriated under title IV to any office or other authority of the Federal Government not directly responsible to the Commissioner.

TITLE V—AMENDMENTS TO TITLE VI—GRANTS FOR INDIAN TRIBES

Dual eligibility of Indians

Section 501 of the draft bill would repeal the provision requiring, as a condition of eligibility of an Indian tribal organization for a grant under title VI of the Act, that individuals to be served by the tribal organization not receive in the same year services under the States grant program under title III of the Act.

Authorization of appropriations

Section 502 of the draft bill would authorize appropriations, for the purpose of carrying out title VI of the Act, of such sums as necessary for FY 1988 and each of the two succeeding fiscal years.

TITLE VI—REPEAL OF TITLE VII—OLDER AMERICANS PERSONAL HEALTH EDUCATION AND TRAINING PROGRAM

Section 601 of the draft bill would repeal the Older Americans Personal Health Education and Training Program under title VII of the Act. This authority, which has never been funded, duplicates other programs addressing the same needs.

TITLE VII—MINOR AND TECHNICAL AMENDMENTS

Section 701 of the draft bill would make minor substantive and technical amendments to the Act.

Subsection (a) would add to the definitions section of title I a cross-reference to the definitions sections of titles III and V.

Subsection (b) would specify that the term "Secretary" as used in title V means the Secretary of Labor.

Subsection (c) would specify that the term "State" (as defined for the Act in title I) includes each of the several States, and would eliminate the redundant definition of the term in title III.

Subsection (d) would repeal an executed requirement to publish regulations implementing amendments made by the Older Americans Act Amendment of 1984.

Subsection (e) would repeal an executed requirement to report to the Congress on the need for elder abuse prevention services.

Subsection (f) would add a clarifying cross-reference.

Subsection (g) would eliminate obsolete and confusing language. (Since enactment of the 1984 amendments, States no longer receive a separate allotment for State plan administration.)

Subsection (h) would eliminate a duplicative provision, and substitute a cross-reference.

Subsection (i) would insert a comma.

Subsection (j) would relocate statutory material that is illogically located.

Subsection (k) would add a clarifying cross-reference.

Subsection (l) would delete obsolete language.

Subsection (m) would delete a superfluous conjunction.

Subsection (n) would correct terminology.

Subsection (o) and (p) would relocate statutory material that is illogically located.

Also, subsection (p) would amend the State and area plan requirements that preferences be given in providing services to individuals with the greatest economic or social needs. By requiring the preference only "to the extent otherwise permitted by law", the amendment clarifies that no actions will be required of State or area agencies that are inconsistent with applicable constitutional principles.

Subsection (q) would delete superfluous language.

Subsection (r) would delete obsolete and confusing language. (See explanation for subsection (g).)

Subsection (s) would make a clarifying amendment. (There is no longer a separate senior centers program; this program is part of the larger supportive services and senior centers program.)

Subsection (t) would correct the name of the National Association of Area Agencies on Aging.

Subsection (u), (v), and (w) would correct language referring to supportive and nutrition services.

Effective date

Section 702 of the draft bill would provide that the provisions of the bill become effective with respect to calendar quarters beginning on and after October 1, 1987.●

(By Mr. GRASSLEY (for himself, Mr. DECONCINI, and Mr. THURMOND):

S. 1134. A bill to amend title 28, United States Code, to provide for the selection of the court of appeals to decide multiple appeals filed with respect to the same agency order; to the Committee on the Judiciary.

SELECTION OF COURT FOR MULTIPLE APPEALS

● Mr. GRASSLEY. Mr. President, I rise today, on behalf of myself and Senators DECONCINI and THURMOND for the purpose of offering a commonsense solution to a very unseemly situation that exists in our Federal Appeals courts.

I'm referring to the so-called first to file rule now in effect when parties appeal Federal agency orders. Everyone who has studied this issue agrees that the human-chain, open-phoneline races and the subsequent proceedings to determine who was fractions of a second ahead of whom are wasteful of private and judicial resources, and are a sufficiently common spectacle to bring the legal process into public disrepute, if not ridicule.

This scenario is best illustrated by an article that appeared in the Wall Street Journal several years ago. I ask unanimous consent that the article be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 9, 1983]

OF ALL BIG RACES, THE LAWYERS' DERBY IS MOST APPALLING

(By Stephen Wermiel)

WASHINGTON.—The lawyers are in the starting gate . . . and they're off.

You won't find this race listed with oddsmakers in Las Vegas or Atlantic City. This race is to the courthouse. It is run by lawyers using walkie-talkies, open telephone lines, hand signals and split-second timing to be the first to appeal a decision by a federal regulatory agency to one of 12 federal appeals courts around the country.

The winner, under the law, gets the appeal heard in the court where he files. Many lawyers believe that getting to the right court can improve their chances of getting an agency overruled. Because regulatory decisions often satisfy none of the parties involved, those on all sides of a case frequently end up racing one another.

Judges aren't big fans of such contests, which they describe as unseemly, costly and unnecessary. "The most obvious fault of the sport is the image it conveys of the legal profession and the judicial system," says Judge Abner Mikva of the federal appeals court here. Many lawyers say they agree.

EVERY TWO SECONDS

Having said that, many lawyers continue to race. One race was won by lawyers who filed appeals every two seconds around the time that an order was expected to be released. Another was lost because a walkie-talkie's message failed to penetrate concrete building walls. One racer hung around an agency so long waiting for an order that the agency's staff invited him to their Christmas party.

The races can be tests of stamina, skill and ingenuity. Consider, for instance, a recent race at the Federal Energy Regulatory Commission, or FERC.

For a week, about a dozen people from two competing law firms have been camped out at FERC's public-documents room here. They are watching the daily postings for a decision allocating cheap hydroelectric power from the Niagara River in upstate New York. One firm represents municipal utilities. The other represents the state power authority and a single utility.

On the fifth business day, a few moments before the 3 p.m. posting, both teams nervously edge up to the barricade that keeps them several feet from the bulletin board. Suddenly, there it is. Some 53 orders will be posted this afternoon, but the ruling on Municipal Electric Utilities Association vs. Power Authority of the State of New York is first.

As soon as she sees opinion 151A, Genevieve Morelli shouts "file" into a walkie-talkie she has been holding for days. Miss Morelli is a lawyer for Duncan, Weinberg & Miller, which represents the municipal utilities. Her command is barked to a legal assistant down the hall, where a pay telephone has been kept open daily to the federal appeals court here in Washington.

THE FINAL LEG

The command crackles so clearly over the walkie-talkie that it is heard by Yolanda O'Bryant, a secretary with the firm, at another pay phone a mile away in the clerk's office at the appeals court. She signals to a friend, who files the appeal.

At the same instant that the FERC notice is posted, Michael Krusee, a legal assistant in the Washington office of the Rochester, N.Y., firm of Nixon, Hargrave, Devans & Doyle, also yells "file" into his walkie-talkie. His message must get to the federal appeals court in New York City, 200 miles away. That is where his firm's client, Rochester Gas & Electric Corp., and the power authority, represented by New York lawyer Barry Fischer, want the appeal filed. One obstacle: There is no phone available to them in the clerk's office at the New York court.

In a strategy devised by Mr. Fischer, Mr. Krusee's walkie-talkie is linked to one held by Susan Macy, a legal assistant stationed across the hall at the Post Liquor store. Mr. Fischer paid the store manager to install a telephone jack in an alcove. Rather than rely on a pay phone, the team brought its own phone, plugged it in each day and kept the line to New York open at a cost, Mr. Fischer estimates, of $600 a day.

Miss Macy relays the order to another legal assistant at a telephone on the 16th floor of the Municipal Building in Manhattan. This assistant instantly passes the order on by walkie-talkie to Karen Kimmel, a lawyer waiting across the street in the appeals-court clerk's office. The race is over within seconds after it began.

The result: "We're tied," says Cathy Lichtenberg, the lawyer who organized the appeal for the municipal utilities. Mr. Fischer agrees.

The outcome remains uncertain. The appeals court in Washington uses a time-stamp clock that denotes only hours and minutes. The appeal there was stamped 3 p.m. The clock in the New York court marks the seconds as well. That appeal was stamped 3 p.m. and 20 seconds.

A three-judge panel of the New York court is scheduled to hear arguments tomorrow on which court should keep the case. Such ties are occurring with increasing frequency, causing the courts both concern and exasperation.

"Unlike race tracks," the appeals court in Philadelphia complained in one case, "courts are not equipped with photoelectric timers, and we decline the invitation to speculate which nose would show first in a photo finish."

The appeals court here recently warned of "difficulties" when "faced with zealous representatives employing modern technology." The warning came in a FERC case involving the city of Gallup, N.M., which sought to appeal to the court here, and Public Service Co. of New Mexico, which sought to appeal to the appeals court in Denver, a favorite with energy producers.

The utility won the race by less than a second after finding a copy of FERC's order in a box on a guard's desk moments before the order was posted. But FERC protested that both sides had appealed its order before its 3 p.m. release time. The agency ordered that both sides file new appeals. In the second race, the utility won again, this time by nine full minutes. As these things go, that's approximately a millennium. Gallup suspects hanky-panky.

Although the utility twice got to the Denver court before Gallup got to the court right here in Washington, the dispute initially went to the Washington court anyway because Gallup had filed petitions there days before the first race was run. Eventually the court dismissed those petitions, saying that Gallup had "jumped the gun." At the same time, the court rejected FERC's argument that the first race shouldn't count because the filings came before 3 p.m. The agency's assertion that a clerk had checked the document-room clock before posting the order was undercut when, the court noted. "It came to light that the clock had been taken down that day to facilitate painting."

Complaining that once again its members were being asked to act "as finish-line judges," the court ruled that the Denver court had jurisdiction and that that court should decide if the first-race filings were "too early." That's where things now stand.

JUDGE HOLDS STOPWATCH

The appeals court in New Orleans once ordered FERC to decide who won a race. To do so, an agency law judge with a stopwatch in hand conducted three days of hearings, including a reenactment of the race.

Judge Mikva contends that a lawyer "cannot place sufficient reliance" on reputations of different courts "to justify putting his client and the judicial system to the expense of a race." And while expenses are difficult to measure, they can add up.

Thomas McGarity, a University of Texas law professor who had studied court races, in an article described one that cost $65,000. But he added that the image problems caused by such races "may be somewhat overblown" because they "rarely claim much, if any, media attention outside of the specialized legal press."

The American Bar Association, the quasi-governmental U.S. Administrative Conference and others have endorsed legislation that would give parties 10 days to appeal wherever they want. Then a lottery would be held to decide which court would hear the case. The plan passed the Senate last year but died in the House.

Meanwhile, the races go on because many lawyers insist that it really may make a difference which court hears a case. In the race to appeal the FERC hydroelectric ruling in either New York or Washington, "the parties affected are all in New York; it's a New York state problem," argues Mr. Fischer, the power authority's lawyer. The utilities' Mrs. Lichtenberg counters that the court in Washington "understands FERC."

THE FORMALDEHYDE CASE

Many of the races lead to major appeals-court decisions. When the Consumer Product Safety Commission last year banned home insulation with formaldehyde, the Formaldehyde Institute successfully raced to file the appeal in the federal appeals court in New Orleans. A Ralph Nader group had wanted the appeal heard in Washington, D.C. The New Orleans court recently overturned the ban.

The Amalgamated Clothing and Textile Workers Union recently succeeded in getting to the Washington court first with its appeal of Occupational Safety and Health Administration standards for worker exposure to cotton dust. The union beat out the American Textile Manufacturers Institute, which raced to appeal the case in Richmond, Va.

"It's absolutely clear that it doesn't make any sense to go through this," says Alan Morrison, the director of the Nader affiliated Public Citizen Litigation Group. But, he adds, "any lawyer who is worth his or her salt has to try to gain any advantage they can gain for their clients."

There is always room for refinements, though. Washington lawyer Sherman Poland says that years ago he concluded during a dry run that you shouldn't yell "File" into a walkie-talkie in a crowded regulatory agency room. "People might think you were saying 'Fire,'" Mr. Poland says. So, in the real race, he says, "They shouted 'Stamp it' instead."

Mr. GRASSLEY. The article would be humorous, but for the fact that it mocks our judicial system. The facts in the article are as true today as when they were written.

For example, just 2 months ago, the clerk of the fifth circuit court of appeals reported a "race to the courthouse" situation in an FERC matter, which I believe tops them all. It seems that both the producer and consumer groups—in attempting to be the first party to file—actually filed multiple petitions for review of an order that had yet to be handed down by FERC. Mobil Oil filed 50 such appeals of nonexistent orders. The eventual venue determination—after thousands of hours and tens of thousands of dollars—was decided by a flip of a coin.

The bill I offer today will eliminate the race to the courthouse—a farce played out too many times in clerk's offices around the Nation. The bill provides for random designation of a circuit from among those circuits in which petitions for review have been filed. The bill gives all sides 10 days to appeal an agency order and, if more than one appeal is filed, the judicial panel on multidistrict litigation would have designated the circuit with jurisdiction. The circuit panel chosen by the panel will continue to have the ability to transfer the case to a more convenient forum, for the benefit of the parties and in the interests of justice.

My colleagues will recall this is not a new proposal. Indeed, it goes back several Congresses to the days of the omnibus regulatory reform bills which were approved unanimously by the Senate.

This proposal has enjoyed the past support of the Administrative Conference of the United States, the Judicial Conference, the American Bar Association, and the Justice Department. Such widespread support has ironically proved its undoing in the past, however, as enactment has been thwarted by extraneous amendment.

The House Judiciary Committee has recently reported a clean bill on this issue. I hope we can expeditiously do the same.

I urge my colleagues to support this commonsense approach, which takes the "stopwatches" and "finish lines" out of the hands of courts and lets them go back to doing what they're constitutionally created to do.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1134

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SELECTION OF COURT FOR MULTIPLE APPEALS.

Section 2112(a) of title 28, United States Code, is amended by striking out the last three sentences and inserting in lieu thereof the following: "If proceedings are instituted in two or more courts of appeals with respect to the same order, the following shall apply:

"(1) If within ten days after issuance of the order the agency, board, commission, or officer concerned receives, from the persons instituting the proceedings, the petition for review with respect to proceedings in at least two courts of appeals, the agency, board, commission, or officer shall proceed in accordance with paragraph (3) of this subsection. If within ten days after the issuance of the order the agency, board, commission, or officer concerned receives, from the persons instituting the proceedings, the petition for review with respect to proceedings in only one court of appeals, the agency, board, commission, or officer shall file the record in that court notwithstanding the institution in any other court of appeals of proceedings for review of that order. In all other cases in which proceedings have been instituted in two or more courts of appeals with respect to the same order, the agency, board, commission, or officer concerned shall file the record in the court in which proceedings with respect to the order were first instituted.

"(2) For purposes of paragraph (1) of this subsection, a copy of the petition or other pleading which institutes proceedings in a court of appeals and which is stamped by the court with the date of filing shall constitute the petition for review. Each agency, board, commission, or officer, as the case may be, shall designate by rule the office and the officer who must receive petitions for review under paragraph (1).

"(3) If an agency, board, commission, or officer receives two or more petitions for review of an order in accordance with the first sentence of paragraph (1) of this subsection, the agency, board, commission, or officer shall, promptly after the expiration of the ten-day period specified in that sentence, so notify the judicial panel on multidistrict litigation authorized by section 1407 of this title, in such form as that panel shall prescribe. The judicial panel on multidistrict litigation shall, by means of random selection, designate one court of appeals, from among the courts of appeals in which petitions for review have been filed and received within the ten-day period specified in the first sentence of paragraph (1), in which the record is to be filed, and shall issue an order consolidating the petitions for review in that court of appeals. The judicial panel on multidistrict litigation shall, after providing notice to the public and an opportunity for the submission of comments, prescribe rules with respect to the consolidation of proceedings under this paragraph. The agency, board, commission, or officer concerned shall file the record in the court of appeals designated pursuant to this paragraph.

"(4) Any court of appeals in which proceedings with respect to an order of an agency, board, commission, or officer have been instituted may, to the extent authorized by law, stay the effective date of the order. Any such stay may thereafter be modified, revoked, or extended by a court of appeals designated pursuant to paragraph (3) with respect to that order or by any other court of appeals to which the proceedings are transsferred.

"(5) All courts in which proceedings are instituted with respect to the same order, other than the court in which the record is filed pursuant to this subsection, shall transfer those proceedings to the court in which the record is so filed. For the convenience of the parties in the interest of justice, the court in which the record is filed may thereafter transfer all the proceedings with respect to that order to any other court of appeals.".

SEC. 2. CONFORMING AMENDMENT.

Section 509(b) of the Federal Water Pollution Control Act (33 U.S.C. 1369(b)) is amended by striking out paragraph (3) and redesignating paragraph (4) as paragraph (3).

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act take effect 180 days after the date of the enactment of this Act, except that the judicial panel on multidistrict litigation may issue rules pursuant to subsection (a)(3) of section 2112 of title 28, United States Code (as added by section 1) on or after such date of enactment.●

By Mr. CRANSTON (by request):

S. 1136. A bill to amend title 38, United States Code, to limit the types of proposed disciplinary actions in which disciplinary boards function, to allow for the delegation of authority of the Chief Medical Director in certain situations and for related purposes; to the Committee on Veterans' Affairs.

DISCIPLINARY ACTIONS IN THE VETERANS' ADMINISTRATION'S DEPARTMENT OF MEDICINE AND SURGERY

Mr. CRANSTON. Mr. President, as chairman of the Veterans' Affairs Committee, I have today introduced, by request, S. 1136, a bill to limit the types of proposed disciplinary actions in which disciplinary boards function in the Veterans' Administration's Department of Medicine and Surgery, to permit the VA's Chief Medical Director to delegate authority in certain situations to appoint disciplinary boards, and for related purposes. The Administrator of Veterans' Affairs submitted this legislation by letter dated March 9, 1987, to the President of the Senate.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all Administration-proposed draft legislation referred to the Veterans' Affairs Committee. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD together with the March 9, 1987, transmittal letter and enclosed section-by-section analysis of the proposed bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1136

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4110 of title 38, United States Code is amended as follows:

(a) By inserting "or designee," after "The Chief Medical Director," in subsection (a).

(b) By striking out in subsection (a) "charges of inaptitude, inefficiency, or misconduct" and inserting in lieu thereof, "charges in disciplinary actions for performance or conduct during tenure with the Veterans' Administration, proposing the removal, suspension for more than 14 days or demotion involving loss of grade or pay".

(c) By striking out in subsection (d) "suitable disciplinary action, within limitations prescribed by the Administrator, which shall include reprimand, suspension without pay, reduction in grade, and discharge from the Department of Medicine and Surgery of such person." and inserting in lieu thereof "that the proposed disciplinary action be sustained or modified, within limitations prescribed by the Administrator.".

(d) By inserting "(who may redelegate)" after "the Chief Medical Director" in the first sentence of subsection (e), and by inserting "or designee" after "the Chief Medical Director" in the second sentence of subsection (e).

VETERANS ADMINISTRATION, OFFICE
OF THE ADMINISTRATOR OF VETERANS AFFAIRS,
Washington, DC, March 9, 1987.

Hon. GEORGE BUSH,
President of the Senate,
Washington, DC.

DEAR MR. SPEAKER: There is transmitted herewith, a draft bill "To amend title 38, United States Code, to limit the types of proposed disciplinary actions in which disciplinary boards function, to allow for the delegation of authority of the Chief Medical Director in certain situations and for related purposes" with the request that it be referred to the appropriate committee for prompt consideration and favorable action.

Current law, codified at section 4110 of title 38, United States Code, mandates a peer review process for disciplinary actions against non-probationary physicians, dentists, podiatrists, optometrists, nurses, physician assistants and expanded-function dental auxiliaries, for reasons of inaptitude, inefficiency, or misconduct. Under the current system, disciplinary boards are appointed by the Chief Medical Director (CMD), and the chairman and secretary of the board are appointed by the Administrator. When charges are sustained, the disciplinary board recommends appropriate disciplinary action to the Administrator, who either approves, modifies, suspends or disapproves such recommendation. The decision of the Administrator is final. The Administrator may delegate to the CMD the authority to appoint a chairman and secretary to the disciplinary board and to receive and act upon recommendations of the board, in which case the employee may appeal the decision to the Administrator. Under the current section 4110, the same procedural requirements apply to all disciplinary actions. There is no distinction between seriousness of offenses. Current procedures involve notice of charges, opportunity for a pre-decision hearing, right to legal representation and post-decision appeal. The hearing, required by request of the employee, is a trial type adversarial hearing of which a verbatim transcript is taken.

The current disciplinary board system has proven to be an overly centralized, time consuming and highly legalistic one, with an average case taking between six months and one year to complete. As the volume of disciplinary actions increases, further processing delays are incurred. The effect of the length and complexity of the current disciplinary board system has been to diminish the use of disciplinary actions as a means of ensuring high standards of professional performance in the medical centers. The complexity and its attendant cost act as a disincentive for management to take less than drastic disciplinary measures, serving to impede the principle of progressive discipline. The current disciplinary board system compares poorly with the Civil Service Reform Act, which has established expeditious mechanisms to process title 5 disciplinary actions. There is no reason why title 38 disciplinary actions should take longer to be resolved than those in effect for title 5 employees. Fairness requires that that two systems be reasonably equal in timeliness.

The draft bill would amend section 4110 to limit the appointment of disciplinary boards to cases where the proposed penalty is removal, suspensions of more than 14 days or demotions involving loss of grade or pay. By implication all lesser disciplinary actions would be excluded. Administrative appeal or grievance procedures would be established for these latter actions under regulations prescribed by the Administrator pursuant to current authority. As a result, the volume of 4110 disciplinary actions will be reduced, which will in turn reduce processing time for an average case. Further, lesser disciplinary actions can be effectively utilized in developing an effective progressive disciplinary approach. In addition, the draft bill would allow for delegation of the CMD's authority to appoint disciplinary boards to other officials. The draft bill would also allow the CMD to redelegate authority delegated to him by the Administrator to appoint a chairman and secretary to the disciplinary board and to receive and act upon recommendations of the board. It would not, however, affect the existing right to appeal a decision to the Administrator. Absent such an appeal, the decision of the Chief Medical Director or designee would have the same force and effect as a decision of the Administrator. Decentralizing the disciplinary board process will expedite board results.

Enactment of this measure would result in some limited cost savings through reduced expenses for processing disciplinary actions, including travel expenses for board members and reduced salary costs for employees pending disciplinary action. The major benefits would be a more responsive and timely disciplinary system.

A detailed analysis of this proposal is enclosed.

The Office of Management and Budget has advised that there is no objection to this draft bill from the standpoint of the Administration's program.

The Office of Management and Budget has advised that there is no objection to the submission of this draft bill to the Congress from the standpoint of the Administration's program.

Sincerely,
THOMAS K. TORNAGE,
Administrator.

SECTION-BY-SECTION ANALYSIS

The draft bill would amend section 4110 of title 38, United States Code. That section authorizes the Chief Medical Director to appoint disciplinary boards to determine charges of inaptitude, inefficiency or misconduct of certain non-probationary full-time care professionals. The draft bill would limit the function of disciplinary boards to determining charges in the more severe personnel actions which require a higher degree of due process protection. The draft bill would also allow delegation of certain authority to officials below the level of Chief Medical Director.

Subsection (a) of the draft bill would allow the Chief Medical Director to delegate authority to appoint disciplinary boards to an official of his choice. Currently, section 4110 provides that the Chief Medical Director shall appoint disciplinary boards. This results in a highly centralized and time consuming process. As amended by subsection (a), section 4110 would allow the Chief Medical Director to delegate authority to appoint disciplinary boards in cases where it can be more appropriately and expeditiously handled at other levels, such as the local medical center level.

Subsection (b) of the draft bill would limit the disciplinary board process to proposed removals, suspensions for more than 14 days or demotions involving loss of grade or pay. Under the current section 4110, the disciplinary board process is initiated by charges of inaptitude, ineffency or misconduct. There is no distinction between seriousness of offenses. The same procedural requirements exist for all disciplinary actions including short suspensions, transfers between VA facilities, reassignments within VA facilities and demotions not affecting grade or pay. An employee's interest affected by such lesser actions are much less substantial than those involved in serious disciplinary actions, and could adequately be protected by an administration appeal or grievance procedure. As amended by subsection (b), section 4110 boards would give the level of protection against arbitrary deprivation of the substantial property and liberty interests involved in the more severe disciplinary actions, while reserving other types of actions for appeals or grievance procedures set up by regulations prescribed by the Administrator under current authority.

Subsection (c) of the draft bill would provide that when the disciplinary board sustains the charges against the employee, it shall recommend that the proposed disciplinary action be sustained or modified under regulations prescribed by the Administrator. Currently, disciplinary boards are appointed to determine charges of inaptitude, inefficiency, or misconduct, without regard to the type of disciplinary action proposed. When changes are sustained, the board recommends appropriate disciplinary action. As amended by subsection (b) of this draft bill, the disciplinary board would be limited to specific proposed disciplinary actions. Subsection (c) would amend section 4110 to provide that when charges are sustained, the disciplinary board shall recommend sustaining or modifying the proposed disciplinary action, as appropriate.

Subsection (d) of the draft bill would authorize the Chief Medical Director to redelegate certain authority delegated by the Administrator. Currently, section 4110 requires the Administrator to appoint a chairman and secretary to disciplinary boards and to make final decisions on disciplinary actions recommended by such boards. The section also provides for delegation of the Administrator's authority to the Chief Medical Director. As amended by subsection (d) section 4110 would allow the Chief Medical Director to redelegate this authority to other officials as appropriate, to expedite the disciplinary board process. Further, subsection (d) provides that in absence of an appeal to the Administrator, the decision of the Chief Medical Director or designee shall have the same force and effect as a decision of the Administrator.

By Mr. DANFORTH (for himself, Mr. BENTSEN, Mr. PRYOR, Mr. COCHRAN, Mr. HEFLIN, Mr. DURENBERGER, Mr. GRASSLEY, and Mr. BOND):

S. 1137. A bill to require implementation of a marketing loan programs for agricultural commodities if negotiations fail to produce an international agreement on agricultural trade; to the Committee on Agriculture, Nutrition, and Forestry.

AGRICULTURAL TRADE LEGISLATION

● Mr. DANFORTH. Mr. President, I am today joined by Senators BENTSEN, PRYOR, COCHRAN, HEFLIN, DURENBERGER, GRASSLEY, and BOND in introducing legislation that would put substance behind the rhetoric of agricultural trade reform. By providing an incentive for producing nations to reduce trade subsidies and barriers, the bill would encourage real reform. At the same time, our legislation would guarantee American farmers that they will not be further victimized if negotiations fail. This no-lose approach already has the support of the National Corn Growers and the American Soybean Association.

Mr. President, the efficiency and productive capacity of American agriculture are marvels to the world, yet our farmers now face a depression rooted in global oversupply. As surplus food mountains have grown, so have production subsidies, market-distorting pricing policies, and barriers to foreign commodities. Such tools, though designed to support farm income, actually depress prices further by glutting markets already in surplus. Lower prices in turn encourage further Government intervention, and the downward spiral continues.

This is one instance when statistics leave no ambiguity. Over the past 5 years, the value of U.S. agricultural exports has declined by 9 percent per year, falling from $39.1 billion in fiscal year 1981 to $26.3 billion last year. Export volume has fallen at the same rate, from 158 million metric tons 5 years ago to 110 million tons in fiscal year 1986. Equally alarming is the loss of U.S. market share in major commodities, notably wheat and soybeans.

We cannot give up on the exports, since they are the key to U.S. farm income. In Missouri, for example, foreign sales of soybeans, corn, wheat, beef, and other products account for one-quarter of total farm receipts, and further trade losses would ruin farms, businesses, and small towns alike. Obviously, we must not concede markets to foreign competitors.

Nor can we afford to play chicken with unfair trade practices. Largely as a result of foreign subsidies and import barriers, it is simply not possible for most farmers to make a living outside of Government programs. If we are to cut the cost of these programs, we can only do it by raising prices; if we are to raise prices, we can only do it by reforming agricultural trade; if we are to reform trade, we can only do it through international negotiations.

Mr. President, the United States should lead producing nations down this better path, and we should begin by making agriculture a top priority during the upcoming round of trade negotiations. But this will take more than a unilateral commitment. Our competitors must have incentives to negotiate, as well as a clear understanding of the consequences of failing to reach agreement.

Our bill would provide the proverbial carrot and stick. The legislation sets our mutually beneficial objectives for the new round, while providing that unless Congress approves a multilateral agreement to discipline agricultural trading practices within 2 years, the Secretary of Agriculture will implement an across-the-board marketing loan program for the 1990 crop year.

Applied to cotton and rice under the 1985 farm bill, marketing loans have allowed U.S. producers to recapture lost export market without sacrificing farm income. Increased sales have whittled-down surpluses and paved the way for higher prices. Though new, marketing loans are a proven concept and a potent tool. Moreover, the costs of the program are mitigated by lower Federal storage costs and higher prices in the future, making this concept an affordable way to signal America's determination to compete in world markets.

Our bill makes several references to other legislation that deserve explanation. These references have been employed because of our hope and expectation that this bill will be incorporated into omnibus trade legislation now under consideration in the Senate.

Section 2 of the bill refers to sections 151 and 102 of the Trade Act of 1974. These are provisions in current trade law that enable Congress and the President to implement trade agreements on the basis of fast-track legislative procedures. Although current law expires on January 3, 1988, the Senate Finance Committee is currently considering the Omnibus Trade Act of 1987, S. 490, which would extend this fast-track authority for 6 years.

The negotiating objectives contained in section 105(b)(2)(L) of the Omnibus Trade Act that are referred to in section 2 of our bill were developed jointly by Senators on the Agriculture and Finance Committees. These objectives include increasing U.S. agricultural exports by eliminating barriers to trade, clarifying GATT rules for agricultural trade—particularly with respect to trade distorting subsidies, and preventing the harmful external effects of the European Community's Common Agricultural Policy.

Enactment of our bill would tell American negotiators at the Uruguay Round that Congress stands behind them. It would tell our competitors that the United States will not give up; we will negotiate not from weakness, but from strength based on the competitive edge of American agriculture. Finally, it would tell producers at home that they can look forward to better times sooner, rather than later. Mr. President, I urge my colleagues to join in this effort by supporting our legislation.

Mr. President, I ask unanimous consent that a summary of the bill and the legislative text be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CRISIS IN AGRICULTURAL TRADE.

The Congress finds that—

(1) United States agricultural exports declined by more than 37 percent since 1981, from $43.8 billion per year to $27.5 billion per year;

(2) the United States' market share of agricultural commodities and products has dropped worldwide by 28 percent during the last 5 years;

(3) for the first time in 15 years, the United States incurred monthly agricultural trade deficits in 1986;

(4) the loss of $1 billion in United States agricultural exports causes the loss of 35,000 agricultural jobs and the loss of 60,000 nonagricultural jobs;

(5) the loss of agricultural exports threatens family farms;

(6) increasing exports is vital to the financial well-being of the farm sector and to increasing farm income; and

(7) a significant cause of the loss of United States agricultural exports are changes in world agricultural markets, including the addition of new exporting nations and innovations in agricultural technology.

SEC. 2. MARKETING LOAN PROGRAM FOR AGRICULTURAL COMMODITIES.

(a) IN GENERAL.—If the requirement of subsection (b) is not met before the date that is 2 years after the date of enactment of this Act, notwithstanding any other provision of law, the Secretary of Agriculture shall establish a marketing loan program for each crop of an agricultural commodity that is supported through a loan and purchase program administered by the Secretary, that shall remain in effect until a law enacted after such date that implements a trade agreement meeting the objectives described in section 105 (b)(2)(L) of the Omnibus Trade Act of 1987 explicitly terminates the marketing loan program.

(b) REQUIREMENT.—The requirement referred to in subsection (a) is the enactment of a bill described in section 151(b)(1) of the Trade Act of 1974 that implements a trade agreement whch meets the objectives described in section 105(b)(2)(L) of the Omnibus Trade Act of 1987.

AGRICULTURAL TRADE INITIATIVE

Outline of the Danforth/Bentsen/Pryor/Cochran Proposal:

Congressional Findings: Stressing the importance of exports to the financial well-being of the farm economy.

Objectives for the New Round: The negotiation of multilateral or plurilateral trade agreements to discipline the use of market distorting export subsidies, pricing policies and barriers to U.S. exports.

Authority and Mandates:

If, within two years of enactment—

No agreement has been reached that meets U.S. negotiating objectives, or

Congress fails to approve such an agreement pursuant to fast-track legislative procedures of the Trade Act of 1974,

The Secretary of Agriculture would be required to immediately implement a fully competitive marketing loan program for all major U.S. farm commodities.

The marketing loan program would remain in place until rescinded by Congressional approval of such an agreement.

Advantages of the Initiative:

Improves the chances of a substantive trade agreement to eliminate the use of predatory agricultural trade practices.

Guarantees accelerated help for American farmers from the current disarray in world agricultural trade.

Strengthens the hand of American trade negotiators by imposing an incentive for trading partners to reach a meaningful agreement.

Demonstrates Congressional resolve and commitment to American farm trade interests and avoids unilateral "disarmament" of U.S. export programs.

Risks temporary expenditure of funds for a marketing loan program in an effort to save tens of billions of dollars in the long run.●

● Mr. COCHRAN. Mr. President, I am pleased to join with my distinguished colleagues, Senators DANFORTH, BENTSEN, and PRYOR, in introducing legislation to help assure U.S. trade negotiators are more successful in efforts to reduce agricultural export subsidies and trade barriers worldwide.

Mr. President, there were two guiding objectives in the development of the Food Security Act of 1985: First, continue to provide reasonable farm income protection, but also second, initiate policy in a world marketing environment for both domestic and international markets.

One provision included in the Food Security Act has proven to be very effective in competitively pricing commodities for which it has been implemented. I am referring to the provision called the "marketing loan." The marketing loan provision has been implemented for cotton, rice and honey with significant positive results.

A few statistics from the cotton industry indicate the extent of the program's successfulness.

Exports were 6.8 million bales in 1983/84; declined to 6.1 million bales in 1984/85; declined to 1.9 million bales in 1985/86—this level of exports combined with the 6.3 million bale mill use yields the lowest offtake of the century; and, in the first year of the marketing loan, reprojected to increase to 6.7 million bales in 1986/87—the second largest in 28 years and is almost a 350-percent increase.

U.S. mill use was 5.9 million bales in 1983/84; declined to 5.4 million bales in 1984/85; and, in anticipation of the benefits of the new cotton program, specifically the inventory protection provision, increased to 6.4 million bales in 1985/86; and, with the marketing loan fully implemented, is projected to increase to 7.2 million bales in 1986/87—this level of mill use combined with the 6.7 million bale export yields a total offtake of 13.8 million bales, the second largest in 20 years.

Ending stocks—combination of government stocks and private stocks—were 2.7 million bales in 1983/84; increased to 4.0 million bales in 1984/85; increased to 9.3 million bales in 1985/86, more than a 5-million-bale increase in 1 year, the largest single-season change in history except for 1937/38; and, with the marketing loan fully implemented, are projected to decline to 5.2 million bales in 1986/87—a 44-percent reduction in just 1 year.

Ending stocks are also divided into levels for government and private stocks. Throughout the 4 years, private, or free stocks, varied some but not too much. They were 2.1 million bales in 1983/84; 2.4 million bales in 1984/85; 3.1 million bales in 1985/86; and are projected to be 2.6 million bales in 1986/87.

Government stock—CCC owned and cotton under loan—varied significantly. There were 600,000 bales in 1983/84; increased to 1.6 million bales in 1984/85; increased to 6.2 million bales in 1985/86; and are projected to decline to 2.6 million bales in 1986/87.

Mr. President, what this data from the cotton industry indicates is that the marketing loan program is an effective trade policy because it tells the world that U.S. farmers are not going to unilaterally reduce production every time foreign producers decide to increase production. I believe the mere existence of the marketing loan program in our law will help our trade negotiators in the new GATT round.

I urge my colleagues to review these facts and consider the importance of returning to a trading system void of subsidies and support this bill as an effective approach to developing necessary trade negotiations.●

● Mr. PRYOR. Mr. President, today I am pleased to join Senators DANFORTH, BENTSEN, COCHRAN, HEFLIN, DURENBERGER GRASSLEY, and BOND in introducing legislation that will extend the marketing loan concept to agricultural trade reform. For far too long we have used rhetoric instead of action in trade matters. This bold new concept is a no-lose approach that provides the necessary incentive for agricultural producers worldwide to reduce trade subsidies and to negotiate true reform in our agricultural sectors.

The marketing loan concept that Senator COCHRAN and I introduced during the debate on the 1985 Food Security Act has proven most effective for rice, cotton, and honey. The marketing loan program has really become a rural development program because I can think of no other program that is adding jobs in rural America while at the same time dramatically boosting exports.

An independent study recently reported that the rice marketing loan, for example, will create by 1990 at least 15,000 new jobs while net rice exports are expected to total $3.3 billion by 1990 compared to only $1.8 billion under a basic loan program.

And now, Mr. President, I am very supportive of extending this very successful program to the trade arena. Foreign export subsidies have been a major factor in America's loss of farm exports in recent years. This legislation sends a simple clear message that we want a level playing field on which American commodities can compete. If this objective fails, then the marketing loan mechanism will be extended to all major commodities. We intend for American producers to have the necessary tools in which to compete and the marketing loan is one of those tools.

It is my hope that our trading partners will receive our message that we want them to cut subsidies and allow market forces to dictate supply and demand rather than artificial government signals.

This legislation set out mutually beneficial objectives for the new round of trade negotiations, while providing that unless Congress approves a multilateral agreement to discipline agricultural trading practices within 2 years, the Secretary of Agriculture will implement an across-the-board marketing loan program for the 1990 crop year.

The negotiating objectives contained in section 105(b)(2)(L) of the Omnibus Trade Act that are referred to in section 2 of our bill were developed jointly by Senators on the Agriculture and Finance Committees. These objectives include increasing U.S. agricultural exports by eliminating barriers to trade, clarifying GATT rules for agricultural trade—particularly with respect to trade distorting subsidies, and preventing the harmful external effects of the European Community's common agricultural policy.

Mr. President, enactment of this bill tells our negotiations that we are behind them and that we will provide tools that emphasize our resolve. It is time that we put action and direction to our past rhetoric. Enough is enough. Rural America and our agricultural industry stands ready to compete with anyone. But they deserve to compete on equal footing and Mr. President this bill today provides that no-lose position.●

By Mr. METZENBAUM (for himself and Mr. BOSCHWITZ):

S.J. Res. 122. Joint resolution to designate the period commencing on October 18, 1987, and ending on October 24, 1987, as "Gaucher's Disease Awareness Week"; to the Committee on the Judiciary.

GAUCHER'S DISEASE AWARENESS WEEK

● Mr. METZENBAUM. Mr. President, today, I am introducing a joint resolution for myself and my distinguished colleague, Mr. BOSCHWITZ, to designate the week beginning October 18, 1987, as "Gaucher's Disease Awareness Week." This is a companion bill to House Joint Resolution 227 introduced in the House by Congressman Lawrence Smith.

Gaucher's disease is an inherited genetic disorder which occurs among all racial and ethnic groups. It is the most common disorder in the family of painful and deadly enzyme diseases. It is more prevalent than Tay-Sachs among Eastern European Jews, and as prevalent as sickle cell anemia among the black community. Gaucher's disease may best be described as a genetic timebomb. With a carrier rate of 1 in 12 persons, the next generation is at high risk. Carriers have no signs of the disease; however, a white blood cell test or small skin biopsy can determine if someone has Gaucher's or is a carrier.

Gaucher's disease is a metabolic disorder caused by the absence of an essential enzyme. Victims are unable to break down fatty materials called lipids. This deficiency causes the body to store abnormal quantities of lipids in the spleen, liver, and bone marrow. Symptoms include chronic anemia, periodic severe bleeding episodes, painful bone inflammation and malformation, infection, and fractures.

In the infantile form, death occurs within 2 years. In the juvenile form, the lifespan is dramatically foreshortened. There is no treatment as yet, but there is promising research. Gaucher's disease is used as a prototype in the laboratory. When a cure is finally found, the mysteries of approximately 40 other inherited disorders may be solved as well.

The National Gaucher Foundation was established in 1984 to promote and support Gaucher's research, and to increase public awareness regarding this disease.

Mr. President, it is essential to raise awareness of the genetic nature of Gaucher's disease, the critically high number of carriers, the possibilities inherent in the prevention and treatment in this era of gene engineering, and the potential for victims of other genetic diseases.

Therefore, Mr. President, I urge my colleagues in the Senate to support this joint resolution so that we may focus attention on understanding the nature of Gaucher's disease, and on finding the means for prevention, treatment, or cure for victims of this disease and other genetic disorders. I ask unanimous consent that a copy of the joint resolution be printed at this point in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 122

Whereas Gaucher's disease is caused by the failure of the body to produce an essential enzyme;

Whereas the absence of such enzyme causes the body to store abnormal quantities of lipids in the liver and spleen and frequently has an adverse effect on tissues in the body, particularly bone tissue;

Whereas among Jewish persons, Gaucher's disease is the most common inherited disorder affecting the metabolism of lipids, which are one of the principal structural components of living cells;

Whereas there is no known cure for Gaucher's disease and no successful treatment of the symptoms of the disease;

Whereas the increased awareness and understanding of Gaucher's disease by the people of the United States can aid in the development of a treatment and cure for the disease;

Whereas the National Gaucher's Disease Foundation provides funds for research in the United States with respect to the disease; and

Whereas research and clinical programs with respect to Gaucher's disease should be increased: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period commencing on October 18, 1987, and ending on October 24, 1987, is designated as "Gaucher's Disease Awareness Week", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such period with appropriate ceremonies and activities.●

By Mr. BREAUX (for himself, Mr. Levin, Mr. Proxmire, Mrs. Kassebaum, Mr. Simon, Mr. Weicker, Mr. Dole, Mr. Metzenbaum, Mr. Lautenberg, Mr. Johnston, Mr. Dodd, Mr. Cranston, Mr. Boschwitz, Mr. Adams, Mr. Bumpers, Mr. Durenberger, Mr. Inouye, Mr. Kerry, Mr. Mitchell, Mr. Riegle, Mr. Simpson, Mr. Bradley, Mr. Cochran, Mr. Exon, Mr. Moynihan, Mr. Rockefeller, Mr. Danforth, Mr. Gore, Mr. Kennedy, Mr. Matsunaga, Mr. Pell, Mr. Sarbanes, Mr. Heinz, Mr. Biden, Ms. Mikulski, Mr. Specter, Mr. Pryor, Mr. Bentsen, Mr. Conrad, Mr. Nunn, Mr. Fowler, and Mr. Graham):

S.J. Res. 123. Joint resolution to designate the period commencing on June 15, 1987, and ending on June 21, 1987, as "National Anti-Apartheid Week" and to designate June 16, 1987, as "National Anti-Apartheid Day"; to the Committee on the Judiciary.

NATIONAL ANTI-APARTHEID WEEK AND NATIONAL ANTI-APARTHEID DAY

● Mr. BREAUX. Mr. President, each year commemorative bills are introduced to recognize, observe, or celebrate issues of importance to the American people.

Today I submit to you legislation to recognize and observe an issue of great significance to the American people and the world at large: opposition to apartheid. Apartheid is South Africa's political, social, and economic regime that uses torture as an instrument of social policy, repression as an instrument of public policy, and imprisonment as the punishment for political opposition. The South African practice of apartheid is based on violence, exploitation, and deprivation of basic human and civil rights.

The United States Congress has taken a strong stand against South Africa's racist regime and apartheid policies. However, the South African Government continues to ignore the United States' position. As well, people from all over the world have pleaded with the South African Government to end its practice of apartheid. The cries for peace and democracy however, have fallen on deaf ears in the South African Government.

Nonetheless, we must continue to tell the South African Government that apartheid is fundamentally wrong; that we will not accept its prohibitions and censorship on the reporting of news by local and foreign press media. The actions taken by the South African security forces, the unlawful detentions of blacks without due process of law, and the acts of Government violence are unconscionable. Very recently the South African Government imposed oppressive regulations which attempt to make peaceful protest and dissent illegal. Once again the South African Government has attempted to undermine the fundamental rights of free speech and assembly.

As a world leader America must nonviolently oppose the South African Government's actions. We must continue to evidence our commitment to the freedoms of speech and assembly, democracy, and the fair and accurate reporting of news.

It is fitting and proper that the U.S. Congress establish a week and day to be known as National Anti-Apartheid Week and National Anti-Apartheid Day as a symbolic gesture of our commitment to the freedoms of assembly and speech, democracy, and the belief that all people are created equal and endowed by our Creator with certain inalienable rights.

This joint resolution will serve as a beacon to highlight the democratic freedoms we enjoy and the inhumane policies and practices of apartheid. Let this resolution also signal to the rest of the world the United States' resolve to steadfastly oppose and work to eliminate the South African regime of apartheid.

The passage of this joint resolution will for the first time formally recognize a designated period of time in which the American people may uniformly register its dissent to the practice and policies of apartheid. Further it will provide Americans an opportunity to organize and implement rallies, forums, and events that will heighten the awareness of the world as to the evils of apartheid. Incidentally, all of the activities to be planned by Americans in protest of the South African Government are prohibited in South Africa and are punishable by imprisonment. Finally during National Anti-Apartheid Week Americans will have an opportunity to demonstrate and reaffirm the various freedoms guaranteed by the U.S. Constitution.

I call on my colleagues to give this joint resolution their consideration and support.

Mr. President, I ask unanimous consent that the joint resolution be printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res. 123

Whereas the evil of apartheid should be widely exposed to the American people and the world;

Whereas Congress' position in opposing apartheid reaffirms the fact that all people are created equal and endowed by our creator with certain inalienable rights;

Whereas the United States should distance itself from a racist regime which uses torture as an instrument of social policy, repression as an instrument of public policy, and prison as the reward for political opposition;

Whereas the South African practice of apartheid is based on violence, exploitation, and deprivation of basic human and civil rights, and is therefore incompatible with the most fundamental human and political rights as set forth in the charter of the United Nations and the Universal Declaration of Human Rights;

Whereas the South African government is directly and indirectly responsible for the death of thousands of innocent civilians, has detained thousands of people in prison without benefit of trial, and has served restriction orders on hundreds who have never been charged;

Whereas the South African government, under the present state of emergency, has, according to the South African Ministry of Law, detained an estimated 8,800 children, torturing and abusing many of them, and jailed an additional 59,000 other children who are awaiting trial;

Whereas local and foreign press and media are prohibited from filming, photographing, recording, or illustrating any incidents of unrest, or any action taken by the security forces under the state of emergency;

Whereas the South African government has prohibited the reporting of news concerning security force actions, detentions, conditions of detention, the release of detainees, violence, unlawful gatherings, strikes, boycotts and other forms of organized dissent, or any "subversive" statements unless such information is issued by the government or cleared by an official censor;

Whereas the South African government has periodically, and again on April 11, imposed an increasing amount of oppressive regulations which attempt to make all forms of peaceful protest and dissent illegal;

Whereas South Africa has extended apartheid to Namibia, which it occupies illegally in defiance of the United Nations and the World Court;

Whereas the South African government has directed military attacks and economic pressure against neighboring countries in an attempt ro preserve its domination of the southern African region as well as of South Africa itself;

Whereas Congress has adopted limited sanctions against South Africa; and

Whereas Congress should continue to take steps that will heighten the public's awareness of the evils of apartheid: Now, therefore, be it

Resolved by the Senate and House of Reprsentatives of the United States of America in Congress assembled, That the period commencing on June 15, 1987, and ending on June 21, 1987, is designated as "Natioal Anti-Apartheid Week" and June 16, 1987, is designated as "National Anti-Apartheid Day", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such period and day with appropriate programs, ceremonies, and activities.●

● Mr. LEVIN. Mr. President, today Senator Breaux and I—and 40 of our distinguished colleagues—are introducing a joint resolution which would designate the week of June 15-June 21 1987, as "National Anti-Apartheid Week" and June 16, 1987, as "National Anti-Apartheid Day."

The purpose of this resolution is a simple one. We want to call attention to the continuing tragedy in South Africa, a tragedy that was created and is sustained by the existence of the evil known as apartheid.

Apartheid is the system by which South Africa's white minority monopolizes the political power and most of the wealth in that country. It is the system that robs millions of men, women, and children of their most fundamental human rights. It is a system responsible for the deaths of thousands of innocent civilians and for the detention and abuse of hundreds of thousands, including 68,000 children.

It is a system that—to sustain itself—has illegally occupied Namibia and has directed military attacks and economic blockades against neighboring States. It is a system that is based on violence, exploitation, and deprivation of rights that Americans consider inalienable.

These facts about apartheid are well known to most Americans thanks to the coverage they have seen in newspapers and, particularly, on television. That is why the Pretoria regime has instituted a censorship system that bans the reporting of any news concerning the struggle against apartheid or concerning the regime's escalating violence against its opponents—black and white.

Fortunately, Pretoria's censorship regulations have not completely succeeded in sealing off the country. However, Pretoria's determination to keep the world ignorant of what is happening in South Africa makes it doubly incumbent on the rest of us—apartheid's opponents—to get the word out. That is why we are seeking to designate "National Anti-Apartheid Week" and "National Anti-Apartheid Day." It is our hope that this designation will encourage Americans to observe that day and week with appropriate programs, ceremonies, and educational activities. Knowledge is power. And it is power that we can use—that we must use—to eradicate the evil known as apartheid.

In closing, I ask unanimous consent to include for the RECORD excerpts of a recent statement by the Washington Office on Africa relative to the "horrendous and desperate plight of children incarcerated, abused and tortured by the apartheid government of South Africa."

There being no objection, the excerpt was order printed in the RECORD, as follows:

SOUTH AFRICA'S WAR AGAINST CHILDREN

WASHINGTON OFFICE ON AFRICA

Forty percent of the 25,000 persons detained under the current state of emergency imposed June 12, 1986 are children between the ages of 10 and 18. Of the 8,000 persons detained under the 1985 state of emergency, 2,000 were under sixteen, the youngest, a seven year old child. In 1985, an 8 year old was charged with "intimidation" and refused bail. Only after a public outcry was this child released into the custody of its parents. According to the *Weekly Mail*, the South African government has admitted that in 1986, 58,962 children were held in police cells awaiting trial. In 1985, they held 52,730 and in 1984, 62,136. These figures demonstrate beyond doubt the massive assault by the government on the children of South Africa.

It is clear from the available evidence documented and compiled by several respected human rights organizations in South Africa, such as the Detainees Parents Support Committee (DPSC) and the Black Sash, that not only are thousands of children being detained, but most are subjected to the most severe, brutal and sadistic forms of physical and pyschological torture and abuse. A report recently released by the International Commission of Jurists on March 16th, states that "children are being subjected to widespread physical abuse and torture by the [South African] security forces." Young people have reported being beaten, whipped, raped, having their bodies burned by boiling water and burning plastic, given electric shock, held in solitary confinement, subjected to marathon interrogation sessions aimed at forcing confessions, kicked, teargassed, threatened and ill fed. Several have come out of detention as corpses.

Black parents are forced to watch helplessly as their children are snatched away in the middle of the night by armed police and not told where their children are being taken or for what crime they are being charged. Their children are beaten in front of their eyes. Parents cannot find their children because the security officials will not answer their inquiries of publish the names of those detained. Their children do not return home and they don't know if they're in hiding, detained or dead. Detained Black children are denied visits from parents, lawyers or their doctors. It is indeed a deplorable and horrifying state of affairs in South Africa.●

By Mr. GRAHAM (for himself, Mr. ADAMS, Mr. DOMENICI, Mr. DURENBERGER, Mr. FOWLER, Mr. HUMPHREY, Mr. RIEGLE, Mr. STEVENS, Mr. KARNES, Mr. GRAMM, Mrs. KASSEBAUM, Mr. MCCAIN, Mr. QUAYLE, Mr. ARMSTRONG, Mr. HATCH, Mr. HECHT, Mr. HEFLIN, Mr. MITCHELL, Mr. REID, Mr. ROTH, Mr. BOND, Mr. BOSCHWITZ, Mr. BURDICK, Mr. CHAFEE, Mr. CHILES, Mr. COCHRAN, Mr. D'AMATO, Mr. DANFORTH, Mr. DECONCINI, Mr. DOLE, Mr. FORD, Mr. GARN, Mr. GRASSLEY, Mr. HEINZ, Mr. HOLLINGS, Mr. JOHNSTON, Mr. KERRY, Mr. LEVIN, Mr. MCCLURE, Mr. MATSUNAGA, Mr. MURKOWSKI, Mr. NUNN, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. ROCKEFELLER, Mr. SHELBY, Mr. STENNIS, Mr. TRIBLE, and Mr. WARNER):

S.J. Res. 124. A joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week"; to the Committee on the Judiciary.

JUST SAY NO TO DRUGS WEEK

● Mr. GRAHAM. Mr. President, today, with 51 original cosponsors, I am introducing a resolution designating the week of May 10-16, 1987, as "Just Say No To Drugs Week."

We recognize that the enormous and largely unchecked influx of illegal drugs across our borders is a particularly ominous threat to the youth of our Nation.

Peer pressure and the revelations that role models from the fields of sports and entertainment are addicted to drugs can contribute to the temptation to try illicit drugs.

The "Just Say No To Drugs" clubs which have been founded in schools across America have given our young people an option and the support to help them choose that option.

This resolution recognizes the Nation's young people who are publicly fighting drug abuse by saying no to drugs. They are contributing—by dedication and by courageous example—to the important goal of a drug-free America.

Next week, local communities around the country will be conducting events and rallies to demonstrate their commitment to fighting drug abuse. With the leadership of First Lady, Nancy Reagan, thousands of school children, their parents, and other concerned citizens will participate in these events.

In the State of Florida, 75 communities will host Red Ribbon Day on May 13. Floridians will wear red ribbons. Police cars and city vehicles in Miami will have red ribbons attached to their antennas. In Tallahassee, the capitol and other government buildings will be wrapped with red banners as a reminder to be vigilant in the war against drug abuse.

On May 15, 50,000 Florida school children will march statewide in the national "Just Say No" walk.

We can only combat the tragedy and waste of drug abuse among children and teenagers by education and reinforcement—and positive peer pressure. I ask my colleagues to salute this effort, and the young people who are making a difference, by supporting this resolution to declare "Just Say No To Drugs Week."●

ADDITIONAL COSPONSORS

S. 54

At the request of Mr. PRESSLER, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 54, a bill to make foreign nationals ineligible for certain agricultural program loans, payments, or benefits, and for other purposes.

S. 225

At the request of Mr. D'AMATO, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of S. 225, a bill to amend title II of the Social Security Act to protect the benefit levels of individuals becoming eligible for benefits in or after 1979 by eliminating the disparity—resulting from changes made in 1977 in the benefit computation formula—between those levels and the benefit levels of persons who become eligible for benefits before 1979.

S. 239

At the request of Mr. Thurmond, the name of the Senator from Alabama [Mr. Heflin] was added as a cosponsor of S. 239, a bill to establish an Intercircuit Panel, and for other purposes.

S. 260

At the request of Mr. Thurmond, the name of the Senator from Georgia [Mr. Nunn] was added as a cosponsor of S. 260, a bill to reform procedures for collateral review of criminal judgments, and for other purposes.

S. 284

At the request of Mr. Lautenberg, the name of the Senator from Tennessee [Mr. Gore] was added as a cosponsor of S. 284, a bill to amend section 232 of the Trade Expansion Act of 1962 to improve its administration, and for other purposes.

S. 429

At the request of Mr. Durenberger, the name of the Senator from Illinois [Mr. Dixon] was added as a cosponsor of S. 429, a bill to amend the Tax Reform Act of 1986 to delay for 2 years the exception for certain technical personnel from certain rules for determining whether an individual is an employee or independent contractor for employment tax purposes.

S. 454

At the request of Mr. Sasser, the name of the Senator from Connecticut [Mr. Weicker] was added as a cosponsor of S. 454, a bill to amend title XVIII of the Social Security Act to provide for part C program to furnish comprehensive catastrophic and preventive benefits through prepaid plans.

S. 465

At the request of Mr. Metzenbaum, the name of Senator from Massachusetts [Mr. Kennedy] was added as a cosponsor of S. 465, a bill to amend chapter 44, title 18, United States Code, to prohibit the manufacture, importation, sale or possession of firearms, not detectable by metal detection and x-ray systems commonly used at airports in the United States.

S. 466

At the request of Mr. Metzenbaum, the names of the Senator from Massachusetts [Mr. Kerry], and the Senator from Massachusetts [Mr. Kennedy] were added as cosponsors of S. 466, a bill to provide for a waiting period before the sale, delivery, or transfer of a handgun.

S. 533

At the request of Mr. Thurmond, the name of the Senator from South Carolina [Mr. Hollings] was added as a cosponsor of S. 533, a bill to establish the Veterans' Administration as an executive department.

S. 727

At the request of Mr. Hatfield, his name was added as a cosponsor of S. 727, a bill to clarify Indian treaties and executive orders with respect to fishing rights.

S. 780

At the request of Mr. Reid, the names of the Senator from Mississippi [Mr. Stennis], the Senator from Alabama [Mr. Shelby], the Senator from Michigan [Mr. Levin], and the Senator from Wisconsin [Mr. Proxmire] were added as cosponsors of S. 780, a bill to amend the enforcement provisions of the Federal Election Campaign Act of 1971.

S. 860

At the request of Mr. Boren, the names of the Senator from Illinois [Mr. Dixon], the Senator from Georgia [Mr. Nunn], the Senator from California [Mr. Wilson], the Senator from Alaska [Mr. Murkowski], the Senator from Montana [Mr. Melcher], and the Senator from North Carolina [Mr. Helms] were added as cosponsors of S. 860, a bill to designate "The Stars and Stripes Forever" as the national march of the United States of America.

S. 880

At the request of Mr. Durenberger, the name of the Senator from Arkansas [Mr. Bumpers] was added as cosponsor of S. 880, a bill entitled the "Superconductivity Competition Act of 1987."

S. 902

At the request of Mr. McClure, the names of the Senator from Maine [Mr. Cohen], and the Senator from California [Mr. Cranston] were added as cosponsors of S. 902, a bill to amend the Food Security Act of 1985 and the National School Lunch Act to extend to 1992 the eligibility of certain school districts to receive alternative forms of assistance for school lunch programs and to amend the Agriculture and Food Act of 1981, the Child Nutrition Amendments of 1986, and the School Lunch and Child Nutrition Amendments of 1986 to extend to 1992 the National Donated Commodity Processing Program.

S. 948

At the request of Mr. Roth, the name of the Senator from South Caroline [Mr. Thurmond] was added as a cosponsor of S. 948, a bill to condition the occupation of the new Soviet Embassy in Washington, DC, on improved United States security arrangements for the Embassy in Moscow.

S. 997

At the request of Mr. Pell, the name of the Senator from Arizona [Mr. DeConcini] was added as a cosponsor of S. 997, a bill to require the Director of the National Institute on Aging to provide for the conduct of clinical trials on the efficacy of the use of tetrahydroaminoacidine in the treatment of Alzheimer's disease.

At the request of Mr. DeConcini, the name of the Senator from Indiana [Mr. Lugar] was added as a cosponsor of S. 997, supra.

S. 998

At the request of Mr. DeConcini, the names of the Senator from Colorado [Mr. Wirth], and the Senator from New Mexico [Mr. Bingaman], were added as cosponsors of S. 998, a bill entitled the "Micro Enterprise Loans for the Poor Act."

S. 1016

At the request of Mr. Kennedy, the names of the Senator from Hawaii [Mr. Inouye], the Senator from Hawaii [Mr. Matsunaga], and the Senator from Washington [Mr. Adams] were added as cosponsors of S. 1016, a bill to provide financial assistance for the establishment and operation of literacy corps programs.

S. 1076

At the request of Mr. Bradley, the name of the Senator from Mississippi [Mr. Stennis] was added as a cosponsor of S. 1076, a bill to amend title XVIII of the Social Security Act to improve the availability of home health services under the Medicare Program, and for other purposes.

S. 1080

At the request of Mr. Boschwitz, the names of the Senator from Indiana [Mr. Quayle], and the Senator from Idaho [Mr. McClure] were added as cosponsors of S. 1080, a bill to amend the Automobile Information Disclosure Act to provide information as to whether or not certain motor vehicles are capable of using gasohol.

S. 1122

At the request of Mr. Daschle, the name of the Senator from North Dakota [Mr. Conrad] was added as a cosponsor of S. 1122, a bill to amend the Federal Meat Inspection Act to impose reciprocal inspection requirements for imported meat articles under certain conditions, and for other purposes.

SENATE JOINT RESOLUTION 14

At the request of Mr. Helms, the names of the Senator from California [Mr. Wilson], and the Senator from Washington [Mr. Evans] were added as cosponsors of Senate Joint Resolution 14, a joint resolution to designate the third week of June of each year as "National Dairy Goat Awareness Week."

SENATE JOINT RESOLUTION 15

At the request of Mr. PRESSLER, the names of the Senator from Kansas [Mrs. KASSEBAUM], and the Senator from Georgia [Mr. NUNN] were added as cosponsors of Senate Joint Resolution 15, a joint resolution designating the month of November 1987 as "National Alzheimer's Disease Month."

SENATE JOINT RESOLUTION 40

At the request of Mr. BREAUX, his name was added as a cosponsor of Senate Joint Resolution 40, a joint resolution to give special recognition to the birth and achievements of Aldo Leopold.

SENATE JOINT RESOLUTION 75

At the request of Mr. THURMOND, the names of the Senator from Rhode Island [Mr. CHAFEE], and the Senator from Indiana [Mr. QUAYLE] were added as cosponsors of Senate Joint Resolution 75, a joint resolution to designate the week of August 2, 1987, through August 8, 1987, as "National Podiatric Medicine Week."

At the request of Mr. BREAUX, his name was added as a cosponsor of Senate Joint Resolution 75, supra.

SENATE JOINT RESOLUTION 88

At the request of Mr. BRADLEY, the names of the Senator from New Jersey [Mr. LAUTENBERG], the Senator from California [Mr. WILSON], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Rhode Island [Mr. PELL], the Senator from Wisconsin [Mr. KASTEN], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Joint Resolution 88, a joint resolution to designate the period commencing November 15, 1987, and ending November 21, 1987, as "Geography Awareness Week."

SENATE JOINT RESOLUTION 97

At the request of Mr. HATCH, the names of the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. COCHRAN], the Senator from North Dakota [Mr. CONRAD], the Senator from Arizona [Mr. DECONCINI], the Senator from North Carolina [Mr. HELMS], the Senator from Massachusetts [Mr. KERRY], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of Senate Joint Resolution 97, a joint resolution to designate the week beginning November 22, 1987, as "National Adoption Week."

SENATE CONCURRENT RESOLUTION 35

At the request of Mr. DECONCINI, the names of the Senator from Colorado [Mr. WIRTH], and the Senator from Nevada [Mr. REID] were added as cosponsors of Senate Concurrent Resolution 35, a concurrent resolution expressing the sense of the Congress regarding the imposition of charges for outpatient care provided in medical facilities of the uniformed services to retired members of the Armed Forces, dependents of retired members, and dependents of members serving on active duty.

SENATE CONCURRENT RESOLUTION 43

At the request of Mr. BREAUX, his name was added as a cosponsor of Senate Concurrent Resolution 43, a concurrent resolution to encourage State and local governments and local educational agencies to provide quality daily physical education programs for all children from kindergarten through grade 12.

At the request of Mr. STEVENS, the names of the Senator from North Dakota [Mr. BURDICK], and the Senator from Pennsylvania [Mr. HEINZ], and the Senator from Florida [Mr. CHILES] were added as cosponsors of Senate Concurrent Resolution 43, supra.

SENATE RESOLUTION 167

At the request of Mr. BIDEN, the names of the Senator from Maryland [Mr. SARBANES], and the Senator from New York [Mr. MOYNIHAN] were added as cosponsors of Senate Concurrent Resolution 167, a resolution concerning constitutional principles pertinent to the making of treaties, and further concerning the interpretation of the treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems.

SENATE RESOLUTION 174

At the request of Mr. DECONCINI, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of Senate Resolution 174, a resolution expressing the sense of the Senate condemning the Soviet-Cuban build-up in Angola and the severe human rights violations of the Marxist regime in Angola.

SENATE RESOLUTION 176

At the request of Ms. MIKULSKI, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. DANFORTH], the Senator from South Dakota [Mr. DASCHLE], the Senator from Colorado [Mr. WIRTH], the Senator from Tennessee [Mr. GORE], the Senator from Florida [Mr. GRAHAM], and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Resolution 176, a bill calling for the immediate release of all the children detained under the state of emergency regulations in South Africa.

SENATE RESOLUTION 201

At the request of Mr. MOYNIHAN, the names of the Senator from California [Mr. CRANSTON], and the Senator from Colorado [Mr. WIRTH] were added as cosponsors of Senate Resolution 201, a resoluton to express the sense of the Senate in support of "Solidarity Sunday."

SENATE RESOLUTION 206—RELATING TO POLITICAL REPRESENTATION IN SOUTH AFRICA

Mr. LEVIN (for himself, Mr. SPECTER, and Mr. SIMON) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 206

Whereas South Africa (in August, 1984) implemented a new three-tiered parliament where South African whites share power with mixed race and Indian South Africans, but blacks are still excluded from the Parliament;

Whereas thousands of people have been killed in unrest in South Africa since the so-called colored elections of 1984;

Whereas elections, which again exclude the black majority, will be conducted on May 6, 1987;

Whereas tens of thousands, including children, have been detained by the South African government in an effort to suppress public protests against public policies and actions;

Whereas the Detainees Parents' Support Committee reports that 23 people have died in detention under suspicious circumstances since the state of emergency went into effect in June 1986; Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should strongly urge the Government of South Africa to implement a system of political representation for all South Africans which is based on the principle of "one person, one vote".

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

● Mr. LEVIN. Mr. President, today I am submitting a resolution which expresses the sense of the Congress that the President should urge the Government of South Africa to implement a system of political representation for all South Africans which is based on the principle of "one person one vote."

Two years ago I submitted this resolution to protest the implementation of the South African Government's new three-tiered parliament where South African whites share power with Indians and coloreds, thereby still denying political representation to the black majority.

Mr. President, that wicked and unjust system persists. But, over the next few days our attention will be focused even more on this disenfranchisement of our black brothers and sisters, due to the upcoming May 6 elections in South Africa.

The earlier elections of August 1984, which provided for segregated chambers for Indians and coloreds, in which their decisions could be overruled by the white government, and the upcoming May 6 elections were, and are a mockery of the democratic process. These elections will not bring peace or justice to South Africa for the simple reason that they still deny the right to vote to all South Africans.

As Randall Robinson of TransAfrica so aptly put it:

> The Government of South Africa promulgated a constitution that it advertised as a human rights advance, but that, in fact, continued the total political disenfranchisement of blacks and actually heralded the government's intention to press on relentlessly with its program of denying all political rights to blacks, stripping them of their South African citizenship and shipping many of them off to homelands. Black leaders who protested this new constitutional enshrinement of racism were immediately slapped into jail and held incommunicado without specified charges being brought against them.

It is important for the Congress to send a clear message to the South African Government that the United States believes that the continuation of the policy of disenfranchisement of the black majority should be ended and should be replaced by a system of one person, one vote. It is impossible to speak of the value of individual freedom and of democracy and ignore the blatant and massive denial of the most fundamental method of expressing that freedom and protecting that democracy. Yet this denial occurs in South Africa day after day through the continued refusal of the Government of South Africa to adhere to a policy of full voting participation.

Our own history has taught us the basic fairness of this proposition—a proposition that recognizes the basic dignity of each individual and allows each individual to express that dignity through participation in the political process in the form of exercising the right to vote.

Most of us in this body are familiar with Archbishop Desmond Tutu's continued exhortations in support of the values of freedom and democracy which are denied to the majority of his countrymen. But for those who might not have had the opportunity to hear this Nobel Peace Prize winner on the subject, I would like to share an excerpt from his remarks of February 3, 1985, on his enthronement as Anglican Bishop of the Diocese of Johannesburg.

> I for my part cannot keep quiet when God's children hurt, when they live in single hostels, when they are banned or detained arbitrarily, when they are uprooted . . . Please dear white fellow South Africans hear the cri de coeur we utter. It is that we too are just ordinary human beings. We too love to be with our wives everyday, we too want out children to rush out to meet us as we come back from work, we too would like to live where we can afford it. We too want to be able to move freely everywhere in the land of our birth, we too want to have security of tenure. We too want to participate in the decisions that affect our lives. These are not extravagant demands. They are the expectation of any human being. We want to have a new kind of South Africa. Where we all, black and white can walk tall together. . . .

Mr. President, it is important for the Senate to go on record in support of full voting representation for all South Africans. It is my hope that the next election in South Africa will be one which provides for political representation for all South Africans, which is based on the principle of "one person one vote".

I am pleased that Senator SPECTER and Senator SIMON have joined me in submitting this resolution.●

ADDITIONAL STATEMENTS

MILITARY PREDOMINANCE IN SPACE

● Mr. KERRY. Mr. President, one major issue facing this Nation today is the structure and direction of our space program. This decade has experienced an unprecedented growth in the Defense Department's Space Program. In 1982 for the first time since the creation of NASA, funds appropriate for the militarization of space outnumbered funds appropriated for the civil space program. This year the DOD space budget is more than double the current civil space budget. Specifically, the DOD space budget for fiscal year 1987 is $16.3 billion which is an increase of 85 percent since 1980.

The revitalization of the Expendable Launch Program which is vital for restoring the reliable launch capabilities of the United States is currently taking place entirely in the Department of Defense. The Air Force has plans on the drawing board for a heavy lift vehicle, which may constitute the next generation space vehicle. As the Washington Post reported recently there is a great danger that the next generation of space explorers, engineer and technicians will be under the direction of the Air Force.

It seems clear that the U.S. Space Program is following a path toward the military domination of space. Without the consent of this Congress and the American people we are moving away from the vision, goals and commitments we once had toward the peaceful development of space for the benefit of all mankind. We are moving away from the international cooperation and the development and transfer of technologies which have been the fruit of our space program over the past two decades.

I believe we must take a hard look at the direction our space program and ask ourselves whether the path we are on is the right one. I believe the historic strength of our country—our ingenuity, creativity and innovation should not be focused primarily on military technology. Rather they should be channeled and committed to the education, basic scientific research and the development of the peaceful technologies which will keep America economically strong and lead the Nation and world into the 21st century. Only in this way can we stop an inevitable arms race in space and insure the peaceful development of space for ourselves and our children.

I commend the article "Space Training School Lures Air Force's Best", to my colleagues and ask that it be printed in the RECORD.

The article follows:

LURES AIR FORCE'S BEST—'IT'S THE FAST TRACK,' A STUDENT SAYS

(By Molly Moore)

LOWRY AIR FORCE BASE, COLO.—Growing up in St. Louis, Chuck Rothermich spent hours watching "Star Trek" reruns and televised rocket launches. Now, as one of the first officers selected to attend the Air Force's space training school, 2nd Lt. Charles Rothermich has visions of being launched into orbit as a specialist on a space station.

He is jockeying for a job in the most rapidly expanding field in the U.S. Air Force—space operations. The number of officers assigned to space-oriented careers is expected to quadruple by the end of this decade, from less than 500 in 1980 to 2,000 by 1990, according to Air Force officials.

"It's the fast track of the Air Force," said Rothermich, 23, an electrical engineering graduate who will begin his space career as a satellite analyst at the new Consolidated Space Operations Center at Falcon Air Force Station near Colorado Springs.

The Defense Department, led by the Air Force, this year will spend $16.3 billion—twice as much as the National Aeronautics and Space Administration—on its space programs, according to Air Force officials. Military space spending has jumped 85 percent since 1980, according to the General Accounting Office, a vivid illusion of the military's growing dependence on space.

While the Air Force has been trying its institutional future to expanding space programs, its training efforts for its most sophisticated operations were "prehistoric," according to Maj. Gen. Larry N. Tibbetts, who oversees training at Lowry AFB. In an effort to update training for its space operators, the Air Force created the Undergraduate Space Training program, housed in a squat brick building here on the Colorado plains just outside Denver.

After five months of training, in courses that include space law, manned spaceflight and orbital mechanics, this year's approximately 200 graduates will be dispersed to jobs throughout the world. The majority will remain in the Colorado area, the center of the Air Force's space operations network. Some will work deep underground in the Cheyenne Mountain air defense center near here, monitoring missile attack systems. Others will be dispatched to remote satellite operations sites throughout the world, and still others will be assigned to NASA's Mission Control Center in Houston for manned shuttle flights.

But it is the jobs of the future, positions that have not been created, that are most enticing to many of the students.

"I want to be on a spaceflight: moon-based, Mars-based—I don't care. I want to explore the fringes," said 2nd Lt. Darin Janoschka, 22, a mechanical engineer who will be sent to the Houston center when he graduates.

Even in its infancy, the space school has felt the brunt of the harsh politics, internal Defense Department battles and unpredictable mechanical catastrophes that are shaping civilian and military space programs.

When the department slashed $139 million for a military space shuttle complex in Colorado from this year's budget request, the space training school was forced to cancel one class and reduce its planned enrollments by 20 percent, according to Lt. Col. Ronald G. Forrester, chief of the space training program.

The school's programs and enrollments also will fluctuate with the future of President Reagan's Strategic Defense Initiative, as well as with the success or setbacks of NASA's manned shuttle programs. In addition, as the Pentagon increases space spending at double the pace of all other budget increases Tibbetts said internal budget battles continue with some Air Force officials. "They say, 'Don't forget we still fly airplanes,' " he said.

The space training school started its first class of 25 students in October, hoping to fill the void of an "incomplete, unsatisfactory" effort at training space operators for individual systems, rather than provide them with a broad education that could be transferred from job to job, according to Tibbetts.

"We had a poorly trained group of people," he said of the Air Force's earlier space operators. "They learned all they learned on the job."

For the first time in 27 years, Air Force officials decided to create a new "undergraduate" training program and declared that the space operations specialty would have the same prestige as similar programs for pilots and navigators.

The Air Force selected the first students from among the brightest of its Reserve Officers' Training Corps (ROTC) programs. Most hold engineering or science degrees with heavy doses of mathematics and physics. But, even those rigorous college courses didn't prepare some of them.

Capt. Larry Mullins, instructor for a class in orbital mechanics, faced his students on one recent day after filling a chalk board with a mass of numbers and symbols: "Getting to this point in the problem will take 10 minutes for someone who is reasonably quick, 25 if you're slow." The class let out a collective groan.

For Air Force officers who've been accepted into the program after tenure in other service specialties, the program has been even more difficult.

The school has been starting a new class of 25 students each month. The first class graduated in February. The program now is limited to academic studies because the school has not received funding for the sophisticated satellite computer simulators it plans to use in training, officials said.

Eventually the program will also train space operators for the Navy and the Army, which have sizable space operations of their own.

Although Air Force officials say the program is not geared toward training astronauts, Tibbetts said, "One could see the time when they would be premier candidates for mission specialists."●

CINCO DE MAYO CELEBRATION

● Mr. ARMSTRONG. Mr. President, today I join with Hispanics around the United States and Mexico in celebrating Cinco de Mayo. On May 5, 1862, the Battle of Puebla, Mexico was fought under the leadership of General Ignacio Zaragoza.

General Zaragoza led 2,000 Mexicans against an invasion force of 6,000 French troops whose object was to conquer Mexico City because Mexico had defaulted on payments to France, England, and Spain. The three European countries decided to make a joint naval demonstration against Mexico to encourage them to pay their debt. The Europeans announced these maneuvers were not a sign of intention to conquer Mexico and nothing was desired but a settlement of Mexico's debt.

However, when the ships reached Mexico, a conference was held and preliminary agreements were reached. At this point, the British and Spanish ships sailed for home. The French, however, started a war of conquest under the leadership of Emperor Napoleon III, who was eager to establish a centralized monarchy under French control in Mexico.

The Mexicans emerged victorious when Emperor Napoleon III attacked the Mexican forts of Loreto and Guadalupe and General Zaragoza's soldiers held the French back.

General Zaragoza's victory continues to serve as an inspiration for all people in the Americas. Cinco de Mayo is a day of celebration to honor the defense of freedom, justice, and equality. These principles are still being fought for today in many nations. Our remembrance of May 5 underscores our continuing commitment to the cause of liberty and justice for all.●

INCREASED TAX ENFORCEMENT CAN REDUCE THE BUDGET DEFICIT

● Mr. KERRY. Mr. President, today the Senate resumes consideration of a concurrent resolution on the budget. With the exception of the sequester budget, all the alternatives we will debate—including the President's proposals—provide for increased revenues in their overall plan to reach the Gramm-Rudman-Hollings deficit targets. In the final analysis the tax writing committees of the Congress will determine the exact nature of the revenue measures that will be adopted in order to meet the revenue targets established in the budget resolution.

In their deliberations on sources of revenue I urge the tax writing committees of the Congress to give serious thought to greater tax enforcement efforts as a way of raising needed revenues in a fair and equitable manner.

Yesterday, a task force headed by Congressman BYRON L. DORGAN and cochaired by two former commissioners of the Internal Revenue Service—Donald C. Alexander and Jerome Kurtz—issued its report. To close a tax gap, estimated at $100 billion by the Internal Revenue Service, the Dorgan task force proposed a 5-year plan designed to raise the tax compliance rate and reduce the tax gap—the difference between taxes owed and taxes paid—by $7 billion in 1988 and by $35 billion per year at the end of a 5-year period in 1992. Over the duration of the 5-year plan a total of $105 billion of additional revenues will have been collected.

The task force has followed the Massachusetts and North Dakota approach of coupling increased enforcement efforts with greatly improved taxpayer services including easier access to IRS offices, better and more accurate telephone service and additional taxpayer assistance.

Mr. President, from the time I first entered the Senate in 1985 I have urged my colleagues to take a closer look at increased tax compliance as a source of additional revenues. During the budget resolution debate in May 1985 I introduced an amendment that assumed the Finance Committee would develop legislation "to reduce the tax enforcement gap * * *." I argued then and still believe that we should require those who have not payed their fair share to do so before we ask others to pay more in taxes.

The Dorgan task force is a start in that direction. Its recommendations are thoughtful. Its estimates are justifibly on the conservative side—as they assume that only a fraction of the tax gap will be eliminated. Mr. President, I commend the Dorgan task force and ask that a copy of the report be printed in the RECORD.

The report follows:

THE REPORT OF THE DORGAN TASK FORCE

(By Congressman Byron L. Dorgan and the Dorgan Task Force)

I. THE TASK FORCE

The Internal Revenue Service (IRS) has estimated that the gap between income taxes owed and income taxes actually paid exceeded $100 billion in 1986 and is growing. Recognizing that the "tax gap" has contributed in a major way to the budget deficit, Congressman Byron L. Dorgan (D-ND), himself a former state tax commissioner, formed a bipartisan Task Force of tax professionals with a variety of public and private sector experience to study the $100 billion tax gap and to recommend measures by which the tax gap could be narrowed.

Two former IRS Commissioners, Donald C. Alexander (1973 to 1977) and Jerome Kurtz (1977 to 1980) agreed to co-chair the Task Force. The other members of the Task Force are John B. Jones, Jr., Chair of the American Bar Association's Tax Section; Herbert E. Lerner, Chairman of the Tax Division of the American Institute of Certified Public Accountants; Ira A. Jackson and Thomas D. Herman, respectively Commissioner and First Deputy Commissioner of Revenue for the State of Massachusetts; Bernard M. (Bob) Shapiro, former Chief of Staff of the Congressional Joint Committee on Taxation; William W. Chip of Cadwalader, Wickersham & Taft; and Andrew W. Kentz, Legislative Counsel to Congressman Dorgan. Prior to his appointment to the office of Deputy Assistant Treasury Secretary (Tax Analysis), Eugene Steuerle, then of the American Enterprise Institute, was also a member of the Task Force.

The observations and recommendations contained in this report are the joint work product of the Task Force members acting as individuals. They are not to be taken as representing the positions of their respective organizations

II. THE TAX GAP

The "tax gap" is the difference between the amount of taxes voluntarily paid by individuals and corporations and the amount of taxes that would be collected if the rate of individual and corporate compliance with the tax laws were 100 percent. The IRS has estimated that taxpayers owed the government approximately $556 billion of income taxes in 1986 but would voluntarily pay only about $453 billion of those taxes. In other words, only 82 percent of taxes owed would be paid voluntarily, leaving a "tax gap" of over $100 billion. The IRS has projected that by 1992 the tax gap will exceed $200 billion.

These estimates relate only to income taxes on income from legal sources, i.e., they do not take into account income taxes on illegal income or any gap in the collection of estate, gift, employment, or excise taxes.

III. EXECUTIVE SUMMARY

The Task Force believes that a "tax gap" of $100 billion or anything approaching it is morally and fiscally unacceptable. The tax gap is morally unacceptable because millions of honest taxpayers are carrying the burden of taxes unpaid by those who shirk their obligations. The tax gap is fiscally unacceptable because it has contributed in a major way to the federal budget deficit.

While the tax gap cannot be closed completely, the Task Force concluded that a substantial amount of the tax gap could be collected through measures that were economically efficient and socially acceptable. In order to narrow the tax gap, the Task Force has proposed new and higher standards for the IRS in the areas of assisting taxpayers, examining returns, and collecting delinquent taxes. To ensure that these standards can be attained in a reasonable space of time, the Task Force has proposed a five-year plan of substantial changes in IRS operations and growth in IRS resources.

This five-year plan is designed to raise the compliance rate by a full percentage point in each year from 1988 through 1992. The Task Force has estimated that each percentage point increase in the compliance rate will narrow the tax gap by approximately $7 billion per year. If the five-year plan recommended by the Task Force is adopted, by 1992 the tax gap will have been narrowed by $35 billion. Over the duration of the five-year plan, a cumulative $105 billion of additional revenue will have been collected. An additional $35 billion or more would be collected each year thereafter.

An increase in IRS resources of the magnitude recommended by the Task Force will not increase the federal budget deficit, but will instead reduce it, because many dollars of additional tax will be collected for every additional budget dollar expended.

IV. OBSERVATIONS ABOUT THE TAX GAP

The following are general observations of the Task Force on the subject of closing the tax gap.

A. Can the tax gap be eliminated?

The Task Force concluded that complete elimination of the "tax gap" would be an unrealistic objective. Some of the tax is owed by taxpayers who are financially unable to pay. Some of the tax gap represents small sums owed by large numbers of taxpayers, which could be collected only at a cost that would approach or exceed the amount of taxes that would be collected. Other taxes could be collected only through an invasion of privacy and a severity of enforcement not tolerable in this country.

Although the Task Force recognized that the tax gap could not be closed entirely, it was convinced that a substantial portion of the tax gap is due to individual and corporate nonfilers and evaders from whom unpaid taxes can and should be collected. The Task Force believes that even full implementation of all its recommendations would not exhaust the potential for collecting unpaid taxes in an economically efficient and socially acceptable manner.

B. The need for balance

The Task Force believes that a balanced approach to tax administration is as important as increasing the resources devoted to tax collection. Specially, the Task Force feels very strongly that providing services to the great majority of taxpayers who wish to comply with the law is no less important than enforcing the law against those who attempt to evade their responsibilities.

C. Certain problems are endemic

The Task Force was regularly reminded by its members with public sector experience that many of the problems faced by the IRS in its effort to close the tax gap are not uniquely problems of the IRS. Rigidities in the Civil Service system that inhibit recruitment and retention of qualified personnel for certain positions and geographical regions, as well as shortcomings in the budget process that frustrate long-term planning, are examples of factors that hinder many federal administrative agencies, not just the IRS. Consequently, narrowing the tax gap may require changes with much broader implications than tax collection.

D. Revenue and the IRS budget

The Task Force felt that, historically, both Republican and Democratic administrations have failed to account adequately for the revenue impact of the IRS budget. Although the IRS has a unique revenue-generating function, it has not been immune to across-the-board budget cuts. Proposed IRS budgets have often been influenced more by overall federal employment targets than by their effect on revenue. In recent years the committees of Congress have been increasingly sensitive to the linkage between the amount spent on tax collection and the amount of taxes collected. However, the Congressional budget process, which separates responsibility for funding the IRS from responsibility for raising revenue, hinders full recognition of that linkage.

E. Measuring revenue impact

Even when the revenue impact of the IRS budget is taken into account by policymakers, the impact is likely to be understated because much of the revenue impact is not measurable. For example, raising the percentage of returns that are examined directly increases taxes collected by a predictable amount. However, increased audit activity also has an impact on voluntary compliance by millions of taxpayers who are not actually audited. Similar effects will result from providing taxpayers with services that facilitate and encourage compliance. Although these indirect effects may be more important over the long run in narrowing the tax gap than the direct effect of increased enforcement, the indirect effects are not readily measurable. For this reason, decisions to fund the IRS that are based entirely on measurable revenue effects will tend to result in substantial underfunding and misdirection.

F. The experience of the States

One of the advantages of the federal system is that all of the governments in the system can learn from the experience of the others. The State of Massachusetts, whose Governor is represented on the Task Force by his Commissioner and First Deputy Commissioner of Revenue, embarked several years ago on an innovative campaign to improve voluntary compliance with the tax system. The Massachusetts campaign combined a taxpayer outreach program, utilizing "taxmobiles" and other imaginative techniques to bring services to the taxpayer, with more thorough enforcement against tax evaders. Similarly, the State of North Dakota has had great success with its "fair share" program.

In shaping its own recommendations, the Task Force has followed the Massachusetts and North Dakota approach of coupling a new thoroughness in enforcement with greatly improved taxpayer services.

V. SPECIFIC RECOMMENDATIONS

A. Improve taxpayer services

1. Bring Services to Taxpayers

In spite of the 1986 Tax Reform Act, the tax law remains very complicated. In 1988 taxpayers will require increased levels of taxpayer assistance in order to cope with the many changes made by the Act. Taxpayers have a right to assistance from the government in understanding and fulfilling their obligations. The Task Force also believes that taxpayers who understand their obligations and receive cooperation and assistance from the IRS in fulfilling those obligations are more likely to pay the full amount of taxes owed.

The Task Force commends the IRS on the programs already in place to serve the American taxpayer. However, the Task Force believes that these programs need to be expanded to ensure that all taxpayers will benefit. Moreover, the IRS must not wait passively for taxpayers to solicit help. Rather, it should reach out and make its services available at times and places convenient to the taxpayer. *The Task Force therefore recommends that the IRS (1) institute a pilot program called "IRS Assistance Across America" utilizing "taxmobiles", "tax fairs", and other innovative approaches to bringing taxpayer services to taxpayers in rural areas and to other taxpayers not well served by present programs, and (2) expand by 365 the number of temporary walk-in offices open during the tax filing season. To make these improvements possible, the Task Force recomends that Congress increase authorized positions for taxpayer outreach programs by approximately 500 in FY88 and by an additional 125 in each fiscal year from FY89 through FY92.*

2. Taxpayer Assistance

The Task Force believes that taxpayers need and should receive additional help in preparing their tax returns. *The Task Force therefore recommends: (1) the expansion and improvement of tax return assistance programs, and (2) the expansion of current programs for taxpayer education. In order to make these improvements, the Task Force* *recommends that Congress increase authorized positions for taxpayer assistance and education by approximately 1,600 in FY88 and by an additional 400 in each fiscal year from FY89 through FY92.*

3. Upgrade Telephone Service

One of the most important forms of taxpayer service is telephone assistance. Private industry measures the adequacy of telephone assistance through a formula that approximately measures the percentage of callers who have their calls answered. Some industries achieve a 95 percent service rate for their customers. The IRS service rate is currently 75 percent. The IRS considers an 85 percent service rate to be optimal. *The Task Force recommends that the IRS achieve an 80 percent service rate for taxpayer telephone assistance in FY88, and 85 percent rate in FY89, and a 90 percent rate by FY92. Further, the Task Force recommends that assistance hours on evenings and weekends be expanded. To attain these goals, the Task Force recommends that Congress increase authorized 1,000 in FY 88 and by an additional 250 in each fiscal year from FY89 through FY92.*

4. Improve Telephone Accuracy

The Task Force is very concerned about the unacceptably low accuracy levels of IRS telephone assistance. Taxpayers will lose confidence in the tax system if they cannot get an accurate response to a question about the tax law from the very agency responsible for enforcing that law. *The Task Force therefore recommends that the accuracy of telephone responses be improved through enhanced training of telephone assistors and by achieving a one-to-one ratio of assistor to compute.*

5. Prompt Mail Response

The taxpayer who takes the time to write a letter to the IRS should be able to expect a prompt response. *The Task Force therefore recommends that the IRS strive to answer all mail within 14 days of receipt. In order to accomplish this, the Tax Force recommends that Congress authorize approximately 200 additional positions in FY 88 for mail response.*

6. Report to Congress

The Task Force believes that taxpayer services must be accorded the same level of attention as enforcement. *The Task Force recommends that the IRS report annually to the Ways & Means and Finance Committees on taxpayer services, including types of questions and inquiries received, the number of persons served, telephone assistance service rates, the accuracy of IRS advice to taxpayers, etc.*

B. Expand enforcement

1. Raise the Examination Rate

The percentage of returns that are examined has declined from 2.5 percent in 1976 to 1.14 percent in 1986. Some of the decline represents a focusing of resources on tax shelters, information return matching, and other activities that also serve to narrow the tax gap. Nevertheless, the Tax Force members were concerned that an increasing number of taxpayers feel that the probability of being examined is so low as to be disregarded. The Administration's FY88 budget proposes a substantial increase in appropriations and positions for the examination function. *The Task Force recommends that the examination rate be increased to 2.5 percent by 1992. To make this possible, the Task Force recommends that Congress authorize the additional positions requested by the Administration for the examination function in FY88, and increase authorized positions for examination by approximately 3,000 in each fiscal year from FY89 through FY92.*

2. Expedite Appeals and Litigation

An increased examination rate will bring about a corresponding increase in appeals within the IRS and cases before the courts. The expeditious handling of appeals and litigation is a taxpayer's right as well as a necessity if deficiencies uncovered upon examination are to be collected promptly. *The Task Force therefore recommends that Congress increase authorized positions for appeals and litigation by approximately 600 in each fiscal year from FY92.*

3. Increase Collections

The Task Force concluded that the inability of the IRS to enforce promptly the payment of accounts receivable reduces the credibility of the rest of the tax system. There is currently approximately $13 billion in the delinquent accounts segment of accounts receivable. *The Task Force recommends that the IRS collect at least 50 percent of delinquent accounts by FY92. To accomplish this goal, the Task Force recommends that Congress increase authorized positions for the collection function by approximately 1,200 positions in FY88 and by an additional 1,200 in each fiscal year from FY89 through FY92.* The Task Force also felt that the collections function of the Internal Revenue Service has lagged behind the private sector in terms of debt collection practice and technology. *The Task Force therefore also recommends that the General Accounting Office report to Congress comparing the effectiveness of Internal Revenue Service debt collection practices and technology with the best private sector practice and technology.*

4. Hire More Special Agents To Combat Tax Evasion

Special agents are specially trained revenue agents who deal with cases involving evidence of fraud or other criminal misbehavior. The Task Force believes that current efforts to uncover and prosecute tax crimes are inadequate. The Administration's FY88 budget proposes no significant increase in the number of special agents. *The Task Force recommends that funds be appropriated to increase the number of special agents by 250 in FY88 and by an additional 250 in each fiscal year from FY89 through FY92.*

5. Study Prosecutions

The decision whether to prosecute a tax crime and the actual prosecution of the crime is handled by the Justice Department. The Task Force was concerned that a large number of serious tax crimes were not being prosecuted for a variety of reasons, including insufficient resources and inadequate coordination between the IRS and the Justice Department. *The Task Force recommends that the General Accounting Office report to Congress on the efficacy of the current arrangements between the Internal Revenue Service and the Justice Department for prosecution of tax criminals.*

6. Match Proprietorship Returns

Failure to report income is by far the most important form of tax evasion. It is also the most difficult to uncover by examination. The IRS program for matching income information returns to individual tax returns has been very successful in identifying certain types of unreported income of individual taxpayers. The Task Force recognizes that the use of noncalendar taxable years and the accrual method of accounting by corporate taxpayers may preclude, for the time being, a cost-effective matching for many business taxpayers. However, a limited matching program for sole proprietorships is not precluded by these factors. *The Task Force therefore recommends that the IRS implement an information return matching program for proprietorships and that Congress authorize the additioanl positions requested by the Administration for this program.*

7. Collect More Taxes on Foreign Income

Evidence has accumulated in recent years that income earned outside the United States often escapes taxation. The IRS plans to conduct a study of this subject in FY89. *The Task Force recommends that the IRS accelerate the completion date of its foreign income study and expand its current programs to locate overseas non-filers, investigate "tax havens", and deal with money-laundering schemes. To facilitate expansion of existing programs (and such new programs as the IRS study concludes are needed), the Task Force recommends that Congress increase authorized positions for investigating overseas tax havens by approximately 600 positions in FY88 and increase authorized positions for other overseas enforcement programs by approximately 250 in each fiscal year from FY88 through FY92.*

8. Raise Penalty for Wealthy Non-Filers

The Task Force believes that the failure to file a return, particularly in the case of a wealthy taxpayer, is a serious crime that results in a substantial loss of taxes collected and the undermining of compliance by other taxpayers who perceive that the rich can avoid taxes. *The Task Force therefore recommends that failure to file a return be increased from a misdemeanor to a felony when the taxes owed equal or exceed $10,000.*

C. Administration and budgeting

1. Authorize Two-year IRS Budget

Implementation of the Task Force recommendations involves a substantial and steady increase in IRS resources over an extended time frame. In order for these additional resources to be absorbed efficiently, the Commissioner must be able to plan ahead. The current budget process interferes with long-term planning by the IRS and other federal agencies. To enable longer-term planning by the defense department, the Administration's FY88 budget proposes shifting to a two-year budget for defense. *The Task Force recommends that, beginning with FY88-89, the Congress approve a two-year budget for the IRS.*

2. Increase Flexibility in Allocation

Under current law the IRS Commissioner has authority to shift only 1 percent of his budget between accounts. This reduces his ability to apply resources where they will be most effective in narrowing the tax gap. *The Task Force therefore recommends that the Commissioner be authorized to shift up to 5 percent of his budget between accounts.*

3. Fund Unrelated Functions Separately

Over the years, the Internal Revenue Service has been tasked with a number of responsibilities not directly related to the tax system. The Task Force was concerned that assignment of unrelated functions to the IRS diverts resources that have been appropriated for tax collection, thereby exacerbating the tax gap. *The Task Force recommends that IRS not be assigned functions unrelated to tax collection and that existing, unrelated assignments be eliminated where* *feasible. In addition, the cost of unrelated functions assigned to the Internal Revenue Service should be identified as a separate budget item, with appropriations to be the responsibility of the committee or subcommittee primarily responsible for that function.*

4. Tax "Loophole" Task Force

Congress occasionally passes tax legislation without full awareness of the potential for tax avoidance in some of its provisions. *The Task Force recommends that the IRS establish a task force that will report to the Ways & Means and Finance Committees on a regular basis concerning those tax provisions that are being used by taxpayers to reduce taxes in a manner or to a degree that may not have been anticipated by Congress.*●

AGRICULTURAL RURAL DEVELOPMENT INSURANCE FUND ASSET SALES

● Mr. BOSCHWITZ. Mr. President, during consideration of amendment No. 161 offered by myself and Senators COCHRAN, HEFLIN, PRYOR, KARNES, BOND, DURENBERGER, GRASSLEY, BURDICK, DANFORTH, and MCCONNELL to H.R. 1157, Senators HARKIN and I had a colloquy regarding the sale of rural development insurance fund [RDIF] assets to finance any additional outlays that might have resulted from the $5.02 per bushel marketing loan for soybeans and the sunflower marketing loan contained in the amendment.

The rural development insurance fund is used to insure or guarantee loans for water systems and waste disposal facilities, community facilities and industrial development in rural areas.

As is usually the case with these complicated matters, both of us were partially right and partially wrong. This explanation is extended in the RECORD to clarify the matter.

The discussion between myself and Senator HARKIN centered around whether or not sales of RDIF assets to offset the possible increased outlays caused by adoption of my amendment would impair the ability of the Secretary to continue making loans for various purposes in rural America.

After discussions with experts at the Department of Agriculture and the staff of pertinent committees, the conclusion again appears to be that asset sales would not reduce the level of new RDIF loan activity.

Basically, the fund already operates with no assets. Currently the fund borrows money from the Treasury to make new loans and then sells those loans to the Federal Financing Bank. My amendment would simply shift RFID asset sales from the Federal Financing Bank to the private sector.

Congress, through the authorizing committees sets an upper limit on budget authority for lending activities carried out through the fund. The Appropriations Committee approves an overall program level for each activity and reimburses the fund for its losses. Such losses occur because loans are made at below market rates and because of loan defaults, and slow repayment. These losses would be reflected in discounts on loans sold to private investors on a nonrecourse basis.

Congress, through Public Law 99-509, the Omnibus Reconciliation Act of 1986, and Public Law 99-591, the continuing appropriation for fiscal year 1987, directed the Secretary of Agriculture to sell enough RDIF assets to realize a net revenue of $1 billion in 1987, $501 million in 1988 and $343 million in 1989.

Because the Secretary does not expect to receive a dollar for dollar return on the face value of RDIF assets which are sold, the USDA currently estimates that to achieve the required outlay savings it will need to sell $1.927 billion in 1987, $1.160 billion in 1988, and $1.170 billion in 1989 of RDIF assets. The total of $4.257 billion in face value represents about 50 percent of the Department's RFID portfolio.

The sale of these assets to the private sector will reduce the inflow of revenue to the fund because repayment will no longer be received on these loans. However, the sale of these assets will not impair the ability of the fund to continue to make whatever levels of new loans are mandated by the Congress simply because the ability to borrow funds from the Treasury will continue in existence and the Congress will continue to provide appropriations to reimburse the fund for its losses.

Hopefully, this brief explanation of RDIF asset sales will clear up any misunderstandings that may have arisen during consideration of H.R. 1157.●

GULF-CHEVRON'S SUPPORT OF THE MARXIST GOVERNMENT OF ANGOLA

● Mr. GRASSLEY. Mr. President, today I want to express my continued concern about the inexcusable political, military, and economic situtation that exists in the Marxist country of Angola.

We all know that Angola is, at this time, controlled by the illegitimate Marxist Popular Movement for the Liberation of Angola, or the MPLA. The MPLA breached the Alvor accord of 1975 which gave independence to Angola from Portugal, by seizing control of the country and shutting out the opposition from rightfully participating in the new government.

Today, the main opposition, the National Union for the Total Independence of Angola, or UNITA, continues to be prevented from rightfully taking part in the Government. As a result, the United States refuses to recognize the Marxist regime. On the other hand, UNITA, led by Dr. Jonas Savimbi, has received strong bipartisan support from the Congress in its fight to exercise its lawful rights.

The only reason the MPLA was able to seize power in 1975, and has been able to maintain control up to this time, is the fact that the Marxist regime is propped up by 45,000 Cuban troops and receives billions of dollars worth of military and economic aid from the Soviet Union, which has supported the MPLA since the early 1960's.

However, one of the most incredible and disturbing crutches the MPLA uses to prop up marxism is the American multinational oil corporation, Gulf-Chevron. Chevron is in a 49-51 partnership with Angola's state owned oil company, and produces about 81 percent of the country's total crude oil production. The Chevron Corp. has provided over $1 billion in annual oil revenues to Angola, which are used to pay off the Cuban proxies of the Soviet Union. This is an interesting case history of where communism depends on capitalism for its protection and existance. Karl Marx must be howling from his grave.

Some State Department bureaucrats seem to have indicated a willingness to officially recognize Angola, while other Presidential advisers have hinted that United States companies might be required to curtail future activities in Angola as the risks become greater.

Notwithstanding the unreliability of some of those in the State Department, it is abundantly clear that Congress is steadily increasing pressure on Angola and the corporations that support its illegal Government. Congress has denied the use of Angolan oil for Defense Department purposes. The Export-Import Bank of the United States can no longer grant loans, credits or guarantees to companies that operate in Angola until all foreign troops are removed. In addition, under an amendment that I sponsored, companies doing business in Angola are prohibited from taking tax credits on their United States income equal to the amount of tax they pay to Angola. These bipartisan measures are likely to continue and intensify in the future as Congress attempts to promote democracy in Angola.

Mr. President, I urge Chevron and other companies in Angola to work with Congress in promoting democracy within Angola by terminating support for the illegitimate Angolan Government and the repression of its people.●

"ANDERSON'S ARMY"

● Mr. ARMSTRONG. Mr. President, I rise today to call the attention of my colleagues in the Senate to an extraordinary family from Colorado Springs, CO. This isn't your everyday family of 10, but a dedicated clan more appropriately referred to as Anderson's Army. Lt. Col. James Anderson, a 35-year veteran of the Army, and his wife Connie, have produced a perfect record of eight-out-of-eight dedicated military service people.

James was the first of five paratroopers in the family and was airborne, ranger, rigger, pathfinder, HALO military freefall, commander of the Golden Knights, the Army parachute team, and much more.

Sons Steve, Jimmy, and Bill followed in the Army. Steve was an Eagle Scout, OCS graduate, airborne, ranger, master parachutist, pathfinder, jungle warfare and cold weather survival instructor. He is currently a captain and is chief of the light fighters course, 10th Mountain Division, Jimmy was also an Eagle Scout, a Citadel graduate, airborne, ranger, jump master, rigger, master parachutist with both Danish and Norwegian wings, HALO freefall, Special Forces, Green Beret and arctic ski school, 10th Special Forces in Europe. Bill was a Life Scout, a Citadel graduate, airborne, ranger, master parachutist, jungle warfare and company commander of the 82d Airborne Division. Michael, another Eagle Scout, spent 10 years in the Air Force.

Daughter Judi kept the tradition alive and is now a sergeant and communications specialist in the Air Force. David, a 1986 Air Force ROTC graduate, was also an Eagle Scout and airborne. He is now at Mather AFB Navigational School in California. And last but not least, the last of the Anderson sons, Tim and Tom, who were also Eagle Scouts, will become Air Force ROTC graduates and new second lieutenants in June.

Some say the traditional patriotic fervor in America is lacking. Mr. President, I don't think it is, and the proof is right here. We should look upon the Andersons with pride, as they have looked upon America with pride and dedicaiton. They represent the finest in America, a country which stands for freedom for all and a nation which will unite to preserve the privileges which our forefathers so steadfastly fought to attain. I commend the entire Anderson family, on behalf of all Coloradans, for their selfless commitment.●

WORKER RETRAINING VITAL

● Mr. LEVIN. Mr. President, I should like to take this time to draw attention to an exceptional article written by Barbara Vobejda of the Washington Post. Her piece focuses on the challenges that the United States must address in order to remain competitive in a global economy.

The article, which is reprinted below, stresses that the training and retraining of our workers is vital to the pursuit of competitiveness. Workers hired 10, 15 or 20 years ago were often employable even though they lacked basic reading and math skills. As technologies within our factories have developed, however, these limited skills are no longer sufficient. As a result, these workers cannot understand or control the computer-based technologies that are currently being integrated into so many factories.

As we train and retrain our labor force, we must keep these factors in mind and realize that in order to be effective, training for technology literacy must initially focus on basic reading and math skills.

There are a number of efforts throughout the country focusing on these problems. For instance, in my home State, the Advanced Center for Technology Training [ACTT] has brought to the United States from England the Organization for Rehabilitation through Training's [ORT] system for technology training. The programs offered by ACTT are particularly relevant because of their emphasis on basic skills training. Once students have mastered these basic skills they can advance to ACTT's computer integrated manufacturing curriculum.

Even as our country's technology continues to become more sophisticated, we must remember that it is our human resources that make us competitive. Since the level of our labor force's skills determine our productivity, training and retraining will play a critical role over the next decade.

I ask that the article by Barbara Vobejda be printed in the RECORD.

The article follows.

[From the Washington Post, Apr. 14, 1987]

THE NEW CUTTING EDGE IN FACTORIES: EDUCATION

(By Barbara Vobejda)

YPSILANTI, MI.—Lavester Frye works at an assembly table eight hours a day building automobile horns, setting a metal plate on a metal dish with one hand, adding a tiny ring with the other.

In the 22 years he has worked at the Ford Motor Co., it never really has mattered that he didn't finish high school. He always has had jobs like this one, jobs that depend more on his hands than his mind.

But Frye has been told that his job soon will become more complicated. To improve productivity, the company is phasing in an intricate statistical system of quality control.

The news made Frye feel nervous and unprepared, and when he looked at the charts he would be expected to keep under the new system, he was even more troubled by what he saw: decimal points. "A long time ago at school, I had decimals, but it faded out of my mind," he said.

On this factory floor, amidst the assembly lines, the huge hulking furnaces and the din of metal on metal, the ability to put a decimal point in the proper place suddenly has become a ticket to a job.

Like thousands of other workers across the country, Frye is experiencing firsthand the transformation of the American workplace in pursuit of competitive advantage. He also sees—and feels, painfully—that, in this race to keep up with other countries, a critical and often missing factor is education.

In the national debate over declining U.S. competitiveness, education is perhaps the word most often uttered. Plant supervisors blame schools for turning out undisciplined workers whose bad habits drive down productivity. Corporate executives complain that job applicants can't read or write.

Educators warn that American students lag far behind their international counterparts in math skills, signaling trouble in the next generation of technicians. Also looming ahead, social scientists say, is a massive, problem-ridden underclass of high school dropouts that will drain the economy in welfare costs and lost productivity.

Education matters in this new global race because the work force matters more than machinery, more than capital, more than technology.

"Human resources—that's what gives you the competitive edge," said Pam Spence, training coordinator at the Ford plant. "Everybody's buying the high-tech equipment. . . . The only competitive edge we'll have over anyone else is our human assets."

The quality of education, experts agree, is increasingly the most important single determinant of the quality of America's work force, from the high-technology laboratories that rely on engineers with graduate degrees to the Rust Belt industries retraining workers in a struggle to revive. The skills and deficits of the employes determine productivity; an auto worker confused over decimal points slows output and probably overlooks defective products.

"Education is the foundation. If you have a weak dollar and you solve the deficit problem and all those ducks fall into place and you have a poor education system, you're still not going to compete," said Harley Shaiken, a professor who specializes in work and technology at the University of California at San Diego.

Ford's efforts to improve productivity are typical of many employers: the company is automating, introducing more sophisticated quality control and enhancing employe participation in management. And in the low-slung, red-brick building that houses the Ford plant here, there is plenty of evidence that a lot of the workers simply aren't up to it.

Les Walker came to work at the plant four decades ago as a 17-year-old high school dropout. "If you could read or write a little bit, you could get a job," he said of the booming postwar period when he was hired. "Now there's so much change. . . ."

Walker inspects the valves on shock absorbers that will be built into Ford bumpers. Soon, "statistical process control," which is designed to pinpoint and correct defects in manufacturing, will be introduced to his section of the plant. He'll need to use math skills he hasn't needed before and never learned in school: fractions, division, averaging and decimals.

When Frye and Walker complete their afternoon shift at 3, they and several others gather in a converted office off the factory floor, hunching over high school books around a cafeteria table. They have volunteered for free courses, arranged under a 1982 United Auto Workers-Ford agreement, to prepare for the high school equivalency test. They also have taken instruction in computers and basic reading and math.

As the assembly line gears up for the second shift, Frye, 48, learns how to figure a percentage. Walker, 56, scratches out ratios and proportions.

These workers, most of whom could retire in a few years, would not lose their jobs if they failed to learn statistical process control. But they know job promotions depend on their ability to adapt, and many of them believe that they will be better, more productive workers if they learn the new systems. They don't want to be left behind.

"I want to be prepared when it gets here," 55-year-old Daniel Hughes said of the new technology.

Hilton H. Schaarschmidt, who uses a computer to distribute automobile parts to be assembled by other workers, summed up his choice after more than two decades in the factory. "If I can't work the computer, someone else can; I would be back out on the [assembly] line," he said. "I don't want to be back out on the line."

RETRAINING WORKERS FOR THE YEAR 2000

Three-quarters of today's work force will still be working in the year 2000, so the training and retraining of current workers is critical in reviving the nation's standing in the world economy. Many believe that the next 10 or 15 years will be the period of the most intense global competition.

"We're going to make it or break it with these workers," said Pat Choate, director of policy analysis at TRW Inc. and a noted author on the subject of American competitiveness.

But for the long term, competitiveness must rely on the quality of education being offered in elementary and secondary classrooms, to youngsters still years away from their first paycheck.

"A failure in basic education in 1987 will be extremely difficult to rectify because of the very large scale and intense kinds of technological changes we know will be taking place in the future," University of California professor Shaiken said.

American schools, however, are doing "very poorly" in supplying a broad basic education, Shaiken said. "Many students graduate from high school without any grasp of basic math or reading skills. To the extent that continues, then competitiveness is just something you talk about."

Recent studies comparing the mathematics test scores of American schoolchildren to their international counterparts support Shaiken's pessimism. While Japanese schoolchildren finished first or second in most categories, American scores ranked in the middle in comparisons of eighth-grade arithmetic and algebra skills for 20 countries. U.S. achievement dropped even lower, to the botton quarter, in geometry and measurement. There was similar low performance among American 12th-graders in algebra and calculus.

"In school mathematics, the United States is an underachieving nation and our curriculum is helping to create a nation of underachievers," according to the Second International Mathematics Study, released this year.

While most experts put heavy emphasis on education as a competitive strategy, there is a minority viewpoint, based primarily on productivity statistics, that plays down education as a factor.

"I don't think we have strong evidence at all that losing competitiveness is due to the lack of a well-education populace," said Thomas G. Sticht, a San Diego consultant who has studied the link between literacy and productivity and participated in a recent Department of Education study of literacy. The loss of manufacturing jobs to workers overseas, he said, is due to the availability of cheap labor—not to higher educational levels abroad.

"That has nothing to do with the fact that somebody can't calculate a percentage," he said. Henry Levin, a Stanford University professor in education and economics, agrees that education is overrated as a factor in competitiveness. He asserts that most newly created employment in this country requires relatively low-level skills in service sector jobs, such as clerical work or jobs in the electronics component industry. Few of the new positions are for engineers or highly educated technicians.

And while the sophisticated products of an increasingly high-tech economy may be designed by a few highly skilled engineers, the real profits will come when the product is produced and sold. That will not require a highly sophisticated work force, Levin said.

"It's easy to talk about education as the problem . . . [but] what is it about education that's going to make a difference?" he asked. "Education is part of the solution, but it's not as crucial a solution as people make it to be."

THE JAPANESE PHILOSOPHY: IMPROVEMENT

Down the road from Ford's Ypsilanti building, executives at a new Mazda plant in Flat Rock, Mich., say they have a very clear idea of how education can make a difference.

They want their new employees to be able to work in teams, to rotate through various jobs, to understand how their task fits into the entire process, to spot problems in production, to trouble-shoot, articulate the problem to others, suggest improvements and write detailed charts and memos that serve as a road map in the assembly of the car.

For the Japanese-owned company, it adds up to a management philosophy modeled on the Japanese concept of *kaizen*, roughly translated as "improvement." That means that every employee, executive to custodian, is expected to help find ways to build "the best car at the lowest price."

"The plant of the past required individuals . . . to perform a task within very specific parameters, very routine," said David Merchant, vice president for personnel at the Mazda facility. "The plants of the future, which are the plants of today, require people to do a lot more than that . . . . Education is important in terms of preparing people to do that."

Merchant is overseeing an extraordinary effort to create a work force—mostly American—that matches the Japanese philosophy. In preparation for its assembly line to open this fall, the company is sifting through more than 96,000 applicants to fill 3,100 hourly positions, using what it says is the most complex hiring process in the United States or Canada.

Applicants are given a two-hour written test in reading, writing and math. They are interviewed at length, asked to undergo a medical exam and given a two-step "assessment." Before they complete the process, successful applicants may have been in the pipeline for two months and will have spent up to six hours being observed in discussion groups and another six hours at a simulated team assignment, assembling an automobile part, for example.

The company, which every week tests 600 applicants and interviews and assesses more than 100, has been "a little disappointed" at the number of applicants who lack the basic math and language skills, but nevertheless has found plenty of qualified people to hire, Merchant said.

Compare that handpicked batch of fresh employees to the work force at Ford, where the average hourly worker has more than 17 years on the job. Financial hard times, largely due to foreign competition, have cut the company's hourly work force nearly in half. The remaining workers are those with the most seniority, hired at a time when little attention was paid to education skills and the rule of thumb for hiring was, as one union official said, "FBI": friends, brothers, in-laws.

At Mazda, there has been no need to offer remedial programs in reading, writing or math to the hundreds of workers who have so far been hired. But Ford and other long-time employers have found that before they can retrain, they must help substantial numbers of employees become literate.

"It's pretty hard to give somebody computer training if they don't have the three Rs," said Mark Dillon, a spokeman for American Crystal Sugar Co. in Moorhead, Minn.

As his company added computerized testing equipment to its sugar manufacturing process, it became clear that some employes were unable to read and write and could not be trained without remedial courses. But fewer than two dozen employes signed up for the literacy classes the company began offering. "It takes a pretty big person to say, 'I have to learn to read,'" Dillon said.

FIGHTING U.S. FUNCTIONAL ILLITERACY

"Functional illiteracy" among American aduts often is cited as one of the biggest obstacles in the nation's efforts to improve productivity. While 95 percent of young adults are literate, there are large numbers who fail at more complicated tasks required to function effectively in most jobs.

A recent survey by the National Assessment of Educational Progress reported that only 43 percent of Americans in their early 20s could decipher a street map, for example.

Donald Fronzaglia, director of personnel for the Polaroid Corp., said his company became aware of the literacy problem years ago when a supervisor was investigating why the rate of scrap—material discarded as unusable—had gone up significantly in one section of the plant.

When the supervisor asked an employe to demonstrate how he was cutting film into sections, he found that the worker couldn't read a tap measure and was throwing away large sheets of film that could have been cut into usable pieces. The supervisor eventually discovered that other workers lacked similar basic skills.

Polaroid has introduced literacy programs, also aimed at preparing workers to participate more in problem-solving on the production line. "We believe the people closest to the problem are in the best position to understand what went wrong," Fronzaglia said. "People who don't have [basic] skills may repeat the same error."

Aside from the challenge of retraining those on the job, there is the problem of the growing number of Americans who, largely because of poor skills, will never find work or will end up moving from one menial, low-paying position to another. The financial drain on society created by this group—in welfare, drug problems, urban crime and incarceration—will have increasingly serious implications for the nation's economic health and competitive position, according to several recent studies.

A report by the National Alliance of Business warns of the dramatic change in the worker pool looming ahead over the next 10 to 15 years.

"Most striking will be the growth of less-well-educated segments of the population that have typically been the least prepared for work," the report said. "The number of minority youth will increase while the total number of youth of working age will decline. The number of high school dropouts will rise as will the number of teen-age mothers."

The report urged businesses and government to improve education, training and retraining. "No [economic] sector can afford a growing underclass that cannot get or keep jobs. . . ."

Despite the dismal predictions, economist Choate and many others argue that the immediate challenge is preparing those already on the job for the changing workplace. "Most of us still think education is for kids," he said, "[but] it's today's adults that face the intense competition." It is their performance that will determine competitive success, "not tomorrow's kids."

At Ford's Yspilanti plant, UAW local president Bob Bowen echoes the concern for today's work force and the critical need for flexibility. "If you have an educated person, they can adapt to the change," he said, proudly listing fellow workers who have signed up to take high school courses in makeshift factory classrooms. "The only way we can be competitive is to have the best workers."●

ABM TREATY INTERPRETATION

● Mr. McCONNELL. Mr. President, this morning, during the Senate Foreign Relations Committee consideration of the State Department authorization bill, the members spent the entire session debating interpretations of the ABM Treaty. There are sharply divided views on the committee.

To contribute to the discussion, the Senate Foreign Relations Committee minority staff prepared a report entitled, "The Anti-Ballistic Missile Treaty of 1972: Treaty Formation and Interpretation Under the Constitution." I would like to submit the summary of findings for the RECORD.

I think my colleagues will find this report a straightforward, fair, and full presentation of an issue that has been discussed by some of my colleagues prematurely and with far too little emphasis on the Soviet record of violations and the Soviet's interest in SDI research and development. We have heard from a number of witnesses in the Foreign Relations Committee who have raised concerns about what we might, could, or should not do within the context of the ABM Treaty terms. There has been little discussion of the severe constraints that a new, restrictive interpretation would have on the security of our Nation. There has been little emphasis on the Soviet's SDI plans, programs, and goals.

I think the minority staff report is a useful reminder that this discussion is not just an abstract legal debate; there are very real security interests at stake.

I would like to submit the report's summary of findings and commend it to my colleagues for their consideration.

The summary follows:

THE ANTI-BALLISTIC MISSILE TREATY OF 1972: TREATY FORMATION AND INTERPRETATION UNDER THE U.S. CONSTITUTION

(Report of the Minority Staff to the Committee on Foreign Relations)

INTRODUCTION

Our Administration has stated that the Soviet Union now has an overwhelming strategic offensive first strike capability, and also an emerging nationwide ABM defense. This dangerous strategic imbalance is demonstrable objectively with unclassified data, and it presents a grave threat to American national security. It is precisely what the SALT treaties and negotiation process was supposed to prevent.

President Reagan's Strategic Defense Initiative essentially is our best response to this Soviet threat, but before the U.S. can deploy SDI we must first develop and test it. The Soviets, too, are hard at work on their own SDI-type systems, and the President has warned that they may be ten years ahead of the U.S. in space defenses.

The ABM Treaty has prevented neither a Soviet nationwide ABM defense, nor a Soviet lead in SDI-type systems development. It should not hinder the United States from developing our own responsive SDI either.

The issue is whether the ABM Treaty constrains American SDI development and testing. The Soviet interpretation of the treaty has always been that SDI-type development and testing is permitted for them, but since March 1985 they have tried to induce the U.S. to adopt a restrictive interpretation. The restrictive interpretation would make the U.S. SDI merely an endless, wasteful research program, thereby eventually choking it off and preventing a U.S. response to the grave Soviet threat. This is why the Soviets are trying so hard to induce the United States to adopt the restrictive interpretation.

The broad interpretation of the ABM Treaty would permit SDI development and testing, but not actual deployment. Unfortunately, it is only SDI deployment that will actually protect us.

The following is the draft SUMMARY of FINDINGS of a lengthy study by the Minority Staff to the Senate Committee on Foreign Relations. The study is entitled The Anti-Ballistic Missile Treaty of 1972: Treaty Formation and Interpretation Under the U.S. Constitution. This carefully researched study examines the Constitution and the rules of the U.S. Senate together with the 4 main sources for interpreting a treaty under international law: the terms of the treaty itself; the negotiating record; the ratification record; and the subsequent practice of the parties.

Analyzing the first 3 sources, the study concludes that the broad interpretation of the treaty is legally correct, but Soviet subsequent practice in violation of the treaty gives the U.S. the right to suspend or even terminate it in whole or in part. Moreover, the study concludes that a fundamental change of circumstances also provides a basis for the U.S. to amend, supplement, or terminate the treaty.

It would be tragically ironic if, in circumstances of Soviet ABM Treaty violations extreme enough to justify U.S. termination of the treaty, the U.S. instead should decide to constrain itself unilaterally in such a way that we were prevented from developing SDI as a response to Soviet ABM Treaty break out.

SDI development and testing is vital to American national survival, and the broad interpretation is not only legally correct, but it is also vital to deploying SDI.

II. FINDINGS REGARDING THE AGREEMENT OF THE TREATY PARTIES

1. The ABM Treaty instruments are consistent with a permissive or broad interpretation of development and testing rights for ABM systems based on "Other Physical Principles" (OPP.)

2. The ABM Treaty instruments, taken together, are inconsistent with a restrictive interpretation, by which future-type ABM system development rights would be limited to fixed, land-based systems and components. If Article II defining ABM system components encompasses future-type systems for purposes of Articles III through IX, then Agreed Statement D exempting development and testing of ABMs based on "Other Physical Principals" (OPP) would be superfluous, in failing to augment Article III deployment limits. Moreover, Article V(2) would be defective. Article V(2) limits development, testing, and deployment of automatic or semi-automatic systems for rapid reload of ABM launchers, but does not address laser or other directed energy systems with continuous fire capabilities. Thus the text of Article V(2) implies a scope that actually excludes future-type or OPP systems.

3. The negotiating record, properly reviewed per Article 32 of the Vienna Convention on the Law of Treaties, indicates:

(a) the Soviet version of Article II defined an ABM system as one consisting of the three conventional components, i.e. ABM interceptor missiles, ABM launchers, and ABM radars;

(b) the Soviet delegation accepted inclusion of the phrase "currently consisting of" to precede the list of then-existing ABM components only upon explicit U.S. assurance that the issue of possible constraints on future-type or OPP systems would be settled elsewhere than in Article II;

(c) the Soviet delegation recurringly excluded (or bracketed as non-agreed text) explicit limitations upon future-type or OPP ABM systems within the text of current Article V;

(d) Agreed Statement D was the sole textual agreement regulating future-type or OPP ABM systems and components; it mandated discussions before deployment, but not before development and testing; and

(e) neither Agreed Statement D nor a reported oral reference to it in January 1972 established a Soviet commitment to limit future-type of OPP ABM system development to fixed land-based systems.

4. The ABM Treaty instruments and negotiating record establish unambiguously that future-type ABM systems and components based upon "Other Physical Principles" than those embodied in ABM systems existing in 1972 may be developed and tested without limit upon their mode of potential deployment.

5. Future-type or OPP ABM systems or components may be tested as mobile land-based, sea-based, air-based, or space-based systems, so long as a system or component of a system, and not merely a subcomponent, is "created" subsequent to May 26, 1972

and is based on "Other Physical Principles" than those of the systems existing on May 26, 1972.

6. Agreed Statement D, together with Soviet assurances in the course of its negotiation, may be reasonably construed as precluding post-discussion deployments of future-type OPP ABM systems without amendment of the treaty by agreement of the parties, or by withdrawal from the treaty after six months' notice of jeopardy to "supreme national interests" of a party.

7. The Soviet Union may retain a claim-of-right to deploy ABM systems based upon "Other Physical Principles" in a fixed-land based mode after discussion and notice, but without the consent of the United States. The Soviets may claim: fulfillment of "the obligation not to deploy ABM systems and their components except as provided in Article III of the treaty," per Agreed Statement D; the right to modernize ABM systems per Article VII; fulfillment of a consultation duty in the Standing Consultative Commission per Article XIII; and no need for specific limitations per Article XIV amendment to the treaty, beyond the 1974 Protocol.

8. Interpreting the ABM Treaty as preserving development and testing rights for future-type OPP ABM systems and components accords with general principles of international law. It preserves a permissive construction, when a restrictive construction would impair on an indefinite basis an attribute of sovereignty, the right of self-defense. It accords with Article 51 of the United Nations Charter, which codifies the inherent right of individual and collective self-defense, and with Article 103 of that Charter, which precludes impairment of Charter rights by subsequent treaties.

III. FINDINGS REGARDING RATIFICATION OF THE TREATY

9. The U.S. Senate gave its advice and consent for the President to ratify the ABM Treaty without any amendment, reservation, declaration, or interpretation whatsoever intended to qualify the obligations of the treaty parties as signed by the President on May 26, 1972.

10. The Senate Rules in effect during consideration of the ABM Treaty were those for the 92nd Congress. See S. Doc. 92-1. Review of Rules XXXVI and XXXVII (now revised as Rules XXIX and XXX) indicates that the Senate could act only as a body, whether in the procedures for amendment to the treaty text in the Committee of the Whole, or in the procedures for interpretation of the treaty, namely, by amendment to the resolution of advice and consent to ratification by the full Senate, per Rule XXXVII(1). Thus the Rules of the Senate in effect in 1972, then as now, preclude amendment, reservation, or interpretation affecting the obligations of treaty signatories except by action by the Senate as a body. See Rule XXXVII.

11. All of the official documents submitted by, and testimony of the officials presumptively authorized to bind the United States in making treaties—the President, the Secretary of State, and the Head of the SALT I delegation—are consistent with a limitation of future-type OPP ABM systems before deployment only. Development and testing of future-type OPP ABM systems and components is not prohibited. Moreover, neither in the treaty instruments submitted by the Secretary of State and transmitted by the President, nor in the official testimony of Secretary Rogers and Ambassador Smith was there a single statement explicitly limiting development and testing of future-type OPP ABM systems only to a fixed land based mode.

12. On June 13, 1972, the President transmitted seven Agreed Statements signed by the heads of delegation, within the ABM Treaty instruments. These are within the scope of the resolution of ratification of August 3, 1972, and are within the treaty instruments exchanged between the two governments on October 3, 1972. These Agreed Statements include Agreed Statement D, and other agreed interpretations. The Senate acted upon the ABM Treaty, including Agreed Statement D, as a body, in accordance with Senate Rule XXXVII. Agreed Statement D establishes a duty, in event that future-type ABM systems or components based on Other Physical Principles "are created in the future:"

"In order to ensure fulfillment of the obligation not to deploy ABM systems and their components except as provided in Article III of the Treaty . . . specific limitations on such systems and their components would be subject to discussion in accordance with Article XIII [establishing the Standing Consultative Commission] and agreement in accordance with Article XIV [for amendment] of the Treaty." (Emphasis added.)

13. Senate rules in effect during the 92nd Congress, as now, require for amendment, reservation, or binding effect of an interpretation of a treaty more than mere interpretative declaration of either an individual witness or a member of the Senate in the course of hearings or during Floor debate, unless the Senate as a body formally approves this interpretation by amendment to the treaty or by reservation contained within the resolution of advice and consent to ratification. See Rule XXXVII.

14. Interpretive declarations of witnesses or members during hearings of the Senate Committee on Foreign Relations or the Committee on Armed Services have no effect upon legal duties under a treaty with an unqualified resolution of advice and consent to ratification. The main evidence in the Nunn Report is irrelevant to the role of the Senate in treaty formation. The Senate must act as a body, as in the Committee of the Whole, or as the full Senate, to affect the obligations under a treaty. The Rules of the Senate, together with customary practices under the Rules, as amended, establish that the internal deliberations of committees are not authoritative acts of the Senate for purposes of qualifying obligations under a treaty pursuant to Senate Rule XXXVII (in 1972), now revised as Rule XXX.

15. Where the Senate as a body does not condition its advice and consent to ratification upon an amendment to the treaty, reservation, or qualification of the resolution of ratification, the internal deliberations of a Senate committee may have only a supplementary, probative value in ascertaining the meaning of the terms of a treaty, if the meaning of the terms in the treaty instruments, as supplemented by the generally more pertinent preparatory work on the treaty, remains unclear. Internal Senate deliberations may be utilized as supplementary means of interpretation, per Article 32 of the Vienna Convention.

16. When the terms of a treaty are explained by a report of a committee of the Senate, the report of the committee is neither binding on the U.S. nor on other parties, but it may constitute a supplementary means of ascertaining the agreement of the parties. The Senate Committee on Armed Services did not even issue a report on the ABM Treaty. The Senate Committee on Foreign Relations issued a report in July, 1972. It explicitly treated "future exotic types" of ABM systems in a brief summary at pages 3-4. It stated that future exotic types of OPP ABM systems "may not be deployed even in permitted areas." It specified for future exotic type ABM systems no limitation on the development or testing, other than the specific prohibition on deployment. It relied on the section-by-section analysis of the Secretary of State that also identified only a prohibition upon deployment, not upon development and testing of future-type exotic or OPP ABM systems.

17. The debate on the ABM Treaty on the Floor of the Senate occurred subsequent to inconsistent testimony by officials testifying before committees: the Secretary of State, Head of the SALT I delegation, and Chairman of the Joint Chiefs of Staff indentified the deployment phase as the first prohibited phase regarding future-type OPP ABM systems or components, without specifying any limitation on development and testing or of the permitted mode of basing of OPP ABM systems being developed and tested. These were the most authoritative witnesses, because two of them has the authority to bind the United States in the negotiations.

In contrast, hand corrected testimony of Dr. John S. Foster, a written response to supplemental questions to defense Secretary Laird, and various other statements of witnesses indicated that some Executive Branch officials who were not present at the negotiations considered that the Soviet government had acquiesced in limiting development and testing of future-type OPP ABM systems and components to a fixed land based mode.

18. Notwithstanding notice of alternative interpretations of rights and restrictions upon future-type OPP ABM systems, no member of the Senate among the 90 members present and voting on the ABM Treaty, proposed an amendment to the treaty itself, a reservation, binding interpretation, or other amendment to the resolution of advice and consent to ratification. The resolution of advice and consent to ratification passed by a Senate vote of 88 to 2 on August 3, 1972.

19. By passing a "clean" resolution of ratification, the Senate had no reason to and did not instruct the President to communicate any particular interpretation of the obligations under the treaty respecting future-type OPP ABM systems. Even had the Senate acted as a body to qualify its consent to ratification, which it did not, the failure to communicate that qualification to the President, and from the President to the other treaty party, would have the effect of deleting the qualification from the treaty obligations.

It was, in 1972, settled law that a proviso adopted by the Senate to qualify a treaty, if excluded from the instruments of ratification, and not communicated to the other treaty party, will have no legal effect on the other treaty party. This is still settled law today.

See *New York Indians* v. *U.S.* 170 U.S. 1 at 23 (1897). The same lack of legal effect results from later enactment of a resolution of the Senate attempting to reinterpret a previously-ratified treaty: "It cannot be regarded as part of the treaty, since it received neither the approval of the President nor the consent of the other contracting power. . . Obviously, the treaty must contain the whole contract between the parties, and the power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the [representatives] of the other contracting power. The Senate has no right to ratify the treaty and introduce new terms into it, which shall be obligatory upon the the other power, although it may refuse its ratification or make such ratification conditional upon the adoption of amendments to the treaty." See *Fourteen Diamonds* v. *U.S.*, 183 U.S. 176 at 182, 183 (1901) (Brown, J., concurring opinion). As Professor Louis Henkin wrote in 1972: "Attempts by the Senate to withdraw, modify, or interpret its consent after a treaty is ratified have no legal weight; nor has the Senate any authoritative voice in interpreting a treaty or terminating it." (*Foreign Affairs and the Constitution*, page 136, emphasis added.) Where a foreign party to a multilateral convention has failed to transmit the act of its legislature, even when the legislature has acted as a body to qualify the applicable provisions of the (Warsaw) convention, a U.S. court will apply the terms of the treaty without the legislative qualification. See *Kelly* v. *S.A. Belge*, 242 F. Supp. 129 (1965) at 141-142. Moreover, a foreign government's insistence upon an interpretation of a treaty provision, not officially transmitted to U.S. treaty negotiators, will not be considered by a U.S. court. See *sullivan* v. *Kidd*, 254 U.S. 433, 442 (1921).

20. Only two members of the Senate, both of whom were among the 88 who voted affirmatively to give advice and consent to ratification, mentioned future-type OPP ABM systems during the floor debate. Neither of the two Senators who mentioned possible treaty effects on development and testing of future-type OPP ABM systems relied upon his understanding of this issue as a basis for voting to ratify the treaty.

Senator Hiram L. Fong of Hawaii expressed support for the ABM Treaty and the SALT I Interim Agreement. Senator Fong expected that research and development was allowed, "but not the deployment of exotic or so-called future systems." Senator Fong expressed an interest in extensive arms limits, not in reliance upon but despite the perception of a permissive development regime for future-type OPP ABM systems. Congressional Record, pp. S-26707, 26708, August 3, 1972.

Senator Strom Thurmond of South Carolina expressed support for the ABM Treaty in spite of the Senator's perception of a restrictive regime for exotic future-type OPP ABM systems. Senator Thurmond identified as a drawback of the ABM Treaty a perceived limit on developing "new kinds of systems to protect our population. The most promising type appears to be the laser type, based on entirely new principles. Yet we forego forever the ability to protect our people." Congressional Record, S-26700, August 3, 1972. Senator Thurmond explained his vote in favor of the ABM Treaty despite, not because of, his perception of development and deployment limits on future-type OPP ABM systems: "It is my judgment that, on balance, the ABM Treaty should be approved despite the drawbacks. I cite the negative side so that we do not enter into this treaty in a state of euphoria." S-26700, August 3, 1972.

Thus in the Senate Floor debate, only 2 out of the 88 Senators who voted affirmatively on the ABM Treaty specifically referenced development of future-type OPP ABM systems. The public record indicates that neither of the two Senators considering this issue voted affirmatively in reliance upon either restrictive or permissive conditions for mobile or space-based "exotic" future-type OPP ABM systems. Senator Fong favored the ABM Treaty despite a perceived permissive development regime. Senator Thurmond favored the ABM Treaty despite a perceived restrictive development regime.

The only Senator shown by the Floor debate to have possibly relied upon a restrictive regime, Senator James L. Buckley, voted against ratification. But Senator Buckley had already announced his "grave misgivings" about the SALT I agreements before "future system" limits were publicly identified. See The New York Times, May 27, 1972, pp. 1-8. Because Senator Buckley's oppostion to the ABM Treaty preceded the very limited Senate consideration of future system development issues, this is scarcely strong reliance. The Congressional Record for August 3, 1972, at S-26700, indicates Senator Buckley's greater concern that future-type OPP ABM systems might not be legally deployed than that they not be developed. Both the restrictive and permissive interpretations ban deployment. Either way, Senator Buckley opposed the ABM Treaty. This is scarcely evidence of reliance on the issue of future systems by Senators who voted the opposite way and who did not mention future systems in the Floor debate.

21. If the only two affirmatively-voting Senators who mentioned the future system development issue took opposite positions on what the treaty allowed, and voted in favor of the ABM Treaty despite their views on this obscure issue, what does this imply about the degree of reliance by the 86 affirmatively-voting Senators who failed to mention the development of future-type OPP ABM systems during the Floor debate? It strongly suggests that the 86 Senators who were silent on this future systems issue did not indicate any reliance upon it in casting their affirmative votes.

22. The clear inattention to exotic ABM technology, which Henry A. Kissinger, former Assistant to the President for National Security, said was regarded in 1972 like "science fiction," was part of a general inattention to the details of the entire ABM Treaty on the part of the Senate as a body. The entire summary of treaty provisions occupied only two pages in the SALT I Report of the Senate Committee on Foreign Relations. Most of the Senate's attention was focused on the merits or demerits of a defense of the national capital, and the effects of limiting strategic offensive weapons under the Interim Agreement.

23. Senate Majority Leader Mike Mansfield summarized the clear lack of concern for ABM Treaty effects and the lack of Senate interest in studying, debating, or interpreting the treaty during the Floor debate of August 3, 1972.

"We are considering one of the most important treaties to come before this body in a good many years. Yet, there seems to be little interest on the part of the membership to discuss the pending business. We will have to twiddle our thumbs and wait for the expiration of the time limit unless . . . [members] undertake their constitutional responsibility." Quoted in H. Purvis and S.J. Baker, Legislating Foreign Policy, Boulder, Colorado: Westview Press, 1984, pp. 162-163.

24. To characterize the views of Senators and Executive Branch witnesses as "unanimous" in supporting a restrictive interpretation, as Senator Biden stated on March 11 and 26, 1987, is to seriously misrepresent the entire ratification process.

25. To characterize the inaction of the Senate as a body as "reliance" upon a restrictive view of rights, as does the Nunn Report of March 1987, is to misconstrue the actions of the Senate on the ABM Treaty. The Senate neither amended, reserved, or conditioned its advice and consent to ratification upon any view of future-type OPP ABM systems.

26. The Senate Committee on Foreign Relations in its July 1972 report did at least assert that exotic future-type OPP ABM systems "may not be deployed even in permitted areas." (Emphasis added.) Senators may have relied upon this report in consenting to ratification of the treaty. There was no contrary testimony, in contrast to positive assertions stating the permissibility of developing and testing mobile ABM systems and components based on Other Physical Principles.

27. In the event of perceived ambiguity regarding the scope of Agreed Statement D, the duty of good faith incumbent upon all treaty parties may lead the U.S. to interpret Agreed Statement D as prohibiting deployment of future-type OPP ABM systems unless a party suspends or withdraws from the treaty, the parties amend its terms, or the U.S. ascertains through review in the Standing Consultative Commission that the Soviet Union reserves a claim to deploy future-type systems in the one permitted land based ABM area.

IV. SUBSEQUENT PRACTICE AFFECTING TREATY OBLIGATIONS

28. Subsequent practice of the parties includes amendment of the ABM Treaty by the Protocol of 1974 (restricting each side to a single deployment area), and by Agreed Statements in October 1978 and June 1985 (affecting concurrent SAM-ABM missile and radar testing and duties pertaining to Article VI on ABM-mode testing constraints). These agreements establish a practice of modifying treaty rights and duties only by express written agreement. These agreements do not materially affect interpretation of the right to develop future-type OPP ABM systems.

29. There has not been subsequent practice in the application of the treaty which establishes the subsequent agreement of the parties regarding interpretation of Articles III and V, and Agreed Statement D, per Vienna Convention Article 31(3)(b).

30. Subsequent statements proximate to treaty ratification by officials presumptively authorized to represent and bind the U.S. government—the President, the Secretary of State, and the Head of the SALT I delegation—are consistent with a permissive (broad) interpretation of ABM development rights for future-type OPP ABM systems.

31. A Statement "on behalf of the Soviet government" proximate to treaty ratification by the Presidium of the USSR on September 29, 1972, expressly rejected unilateral U.S. declarations interpreting SALT I obligations during the U.S. ratification process. Pravda reported on September 30, 1972 the proceedings before the closed meeting of the Presidium of the USSR in the Kremlin on September 29th:

V. V. Kuznetsov, First Deputy Foreign Minister, stated "on behalf of the Soviet government"

"At the same time, to this day there are political figures in the United States who continue to insist on pursuing 'from a position of strength' policy with regard to the Soviet Union. During the discussions of the Soviet-U.S. agreements in the United States, these figures advanced various far-fetched 'conditions' and 'interpretations' for the agreements which had already been signed, thus intended to obtain one-sided advantages for the United States . . . The treaty and the interim agreement need no far-fetched interpretations or conditions. It is important that the clauses of the agreements which have been concluded be steadily implemented in both their letter and their spirit." Pravda, September 30, 1972, pp. 1-2.

This top level Soviet statement also suggests that the USSR would have rejected any U.S. attempts to condition ratification of the treaty in any way, just as Soviet negotiators had repeatedly rejected U.S. attempts to restrict development and testing of future-type OPP ABM systems.

32. Other Soviet official statements, subsequent to the ABM Treaty signing but preceding ratification, are consistent with a permissive, broad interpretation of future-type OPP ABM development and testing rights. During U.S. Senate consideration of the ABM Treaty, on June 21, 1972 the USSR Ministry of Foreign Affairs signed to press an article apparently written by Victor Viktorovich Shustov, an official of the Soviet Ministry of Foreign Affairs. The article appeared under Shustov's usual pseudonym, V. Viktorov, and was entitled "Agreements of Historic Importance." The "Viktorov" article, published in Mezhdunarodnaya zhizn [International Affairs], Number 7, July 1972, at pp. 18-27, contained a paragraph which referred to "the emergence [poiavlenid] of new deployed ABM systems." An inference could be drawn that new ABM systems might "emerge" until the stage of deployment. An alternative translation of the Russian word "poiavlenid" is the word "appearance," in the context of the initial appearance of the fully developed system. Either of these translations is consistent with a permissive interpretation of the future-type OPP ABM system development issue:

"The significance of the Soviet-U.S. SALT accords signed in Moscow is exceptionally great. These documents are primarily an expression of the sides' intention to avoid a new round in the nuclear missile arms race. Consistent implementation of these accords will prevent the emergence [poiavlenid] of new deployed ABM systems. This in turn will considerably reduce the incentive to develop more sophisticated types of offensive weapons. These would inevitably appear if ABM systems developed without restriction since the desire constantly to improve ABM defense would lead to a situation in which the arms race process would continue to gather momentum uncontrollably."

Later, during the Soviet Presidium's consideration of the ABM Treaty preceding their vote recommending ratification on September 29, 1972, Soviet Defense Minister Grechko asseted:

"[The ABM Treatly] imposes no limitations on the performance of research and experimental work aimed at resolving the problem of defending the country against nuclear missile attack . . ." (Emphasis added.)

In The Washington Post on September 30, 1972, Robert Kaiser wrote an article which placed the Senate on notice, three days before the exchange of instruments of ratification, of the prospect that the Soviet Union had a rationale for a permissive interpretation of future-type OPP ABM development and testing rights:

"Grechko's curt remark does not provide enough evidence to say whether the Soviets now have another interpretation. It is possible that the Soviet defense minister was only reassuring hardliners here [in Moscow] that research and development on all kinds of weapons will continue . . ."

33. Excepting official statements proximate to ABM Treaty ratification, which provide supplemental evidence consistent with the permissive interpretation of the treaty, subsequent abstract statements that precede the actual "creation" of new ABM systems or components lack the practical foundation by which to infer practical construction of the treaty. Agreed Statement D is contingent for its application upon the future occurrence of a condition subsequent, i.e. creation of future-type OPP ABM systems or components.

34. Between May 1972 and June 1985 there is no record of official Soviet reference to or legal analysis of Agreed Statement D in open, unclassified publications. As evidenced by a letter from Ambassador Henry Cooper placed in the CONGRESSIONAL RECORD by Senator Quayle, as recently as March 1985 the Soviet Union tabled a draft arms control treaty to limit weapons in space, indicating that in the Soviet view the ABM Treaty did not heretofore prohibit development and testing of ABM systems or components of future types in a space-based mode.

35. Official Soviet statements since May 1985 indicate official Soviet interest in adopting, after 13 years of protecting their own right to develop and test mobile future-type systems, a restrictive interpretation of rights to develop and test ABM systems and components based on "Other Physical Principles," at least as it would apply to the U.S.

36. Official U.S. statements in the period 1978 to 1984, in connection with Arms Control Impact Statements prepared by the U.S. Arms Control and Disarmament Agency, indicate either a disruption of institutional memory of the failure to obtain Soviet agreement upon a restriction of future-type OPP ABM system development rights, or an effort on the part of some U.S. Executive Branch officials to extend restrictions upon future-type OPP ABM systems to accomplish what the ABM Treaty negotiators failed to accomplish between 1969 and 1972 during the negotiations. But even these official U.S. statements in the period 1978 to 1984 are not indicative of an intent by the U.S. government to modify the terms of the ABM Treaty, or to bind the U.S. unilaterally to more restrictive obligations than apply to the Soviet Union.

37. Establishment of the U.S. Strategic Defense Initiative Organization (SDIO) in 1984 created conditions under which ABM development rights had a potential practical impact, and was a precondition to U.S. practical construction of the ABM Treaty's Agreed Statement D.

38. Commencing with Department of Defense initiatives to review ABM development rights in 1984-1985, the Reagan Administration commenced the assembly of ABM Treaty negotiating records in January 1985, and initiated review of the ABM Treaty obligations in 1984-1985. In October 1985 the Legal Adviser in the Department of State completed a preliminary review of the ABM Treaty instruments and the negotiating record, and concluded that a permissive or broad interpretation of development and testing rights for future-type OPP ABM systems was supported by that record.

39. In August 1986 the President reviewed a supplemental memorandum of the Department of State Legal Adviser on the ABM Treaty. The President decided to provide the U.S. Senate access to the negotiating records of the ABM Treaty, pursuant to the request of Senator Sam Nunn and members of the Committee on Foreign Relations, following passage of an amendment to the Defense Authorization Bill to compel the production of documents.

40. Following review of the negotiating record, and concurrent with the release of the first installment of the 157 page Nunn Report on ABM Treaty interpretation on March 11, 1987, Senator Joseph Biden introduced S. Res. 167, which if enacted would bar recourse to the ABM Treaty negotiating record to ascertain the meaning of the terms, or any special meaning given to a term, in contradiction of Article 31(4) and 32 of the Vienna Convention on the Law of Treaties and the incorporation of customary international law in the U.S. Constitution.

V. SUBSEQUENT SOVIET PRACTICES IN VIOLATION OF THE ABM TREATY PROVIDE THE UNITED STATES THE RIGHT TO SUSPEND OR TERMINATE THE ABM TREATY IN WHOLE OR IN PART

41. Practices of the Soviet Union subsequent to ratification of the ABM Treaty in 1972 constitute evidence of an expanding pattern of Soviet violations of ABM Treaty duties. The Soviet Union embarked upon concurrent testing of ABM and air defense system components virtually from the outset of the ABM Treaty's ratification. The Soviets demonstrated a capability for rapid relocation of a moveable ABM-3 type radar, the Flat Twin, quickly moving it from Sary Shagan to Kamchatka in 1975. The Soviets continued development work on moveable radar systems with ABM applications. Even before signing the SALT II Treaty in 1979, the Soviet government had underway a program to construct the large ABM radar near Krasnoyarsk, in violation of Article VI(b) of the ABM Treaty. This radar was completed externally in 1986, after fruitless U.S. diplomatic efforts to induce a halt in its construction.

42. A variety of activities, some legal and some almost certainly illegal, suggest Soviet provision of a base for the defense of the national territory of the Soviet Union, even while some members of the Senate propose to restrict unilaterally the U.S. testing and development of future-type OPP ABM systems and components.

43. Official unclassified findings of Soviet violations of the ABM Treaty are summarized in the following table:

PRESIDENTIAL REPORTS TO THE CONGRESS ON SOVIET NONCOMPLIANCE WITH THE ANTIBALLISTIC MISSILE TREATY OF 1972

Issue	GAC report, Dec. 2, 1983	President			
		Jan. 23, 1984	Feb. 1, 1985	Dec. 23, 1985	Mar. 10, 1987
Overall assessment			Potential violation	May be preparing defense of national territory.	Continuing concerns; may be preparing defense of national territory.
Deployment of Krasnoysrsk radar	Violation	Almost certainly a violation	Violation	Violation; no corrective action	Violation; appeared to be completed externally in 1986.
Mobility of ABM components	FLAT TWIN radar move; violation	Potential violation	Potential violation	Potential violation	Potential violation.
Concurrent testing of ABM and air defense components.			Highly probably violations	Highly probably violations	Highly probably violations.
ABM capabilities of modern SAMs				SA–X–12 may have some ABM capability.	Evidence insufficient.
Rapid reload of ABM launchers			Classified report	Serious cause for concern	Serious cause for concern; legal ambiguity.
Deliberate concealment measures	Violations				

Sources: Report by the President to the Congress of October 10, 1984, summarizing the GAC Report of Dec. 2, 1983; Reports by the President to the Congress on Soviet noncompliance, Jan. 23, 1984, Feb. 1, 1985, Dec. 23, 1985, and Mar. 10, 1987.

44. The United States has the right to suspend or terminate, in whole or in part, the ABM Treaty as a consequence of acts of the Soviet Union that defeat an essential object or purpose of the treaty, as provided by Article 60 of the Vienna Convention on the Law of Treaties.

45. The United States has the further rights to withdraw from the ABM Treaty in event that "extraordinary events" jeopardize its "supreme interests," per Article XV(2) of the ABM Treaty.

46. The United States has the right to defer withdrawal from the ABM Treaty while seeking through negotiations the cessation of ongoing illegal Soviet activities; the United States may preserve its right to withdraw from the treaty as a consequence of material breach.

VI. A FUNDAMENTAL CHANGE OF CIRCUMSTANCES (REBUS SIC STANTIBUS) PROVIDES A BASIS TO AMEND, SUPPLEMENT, OR TERMINATE THE TREATY

47. Article 62 of the Vienna Convention on the Law of Treaties permits a party to invoke as a ground for terminating or withdrawing from a treaty a "fundamental change of circumstances" in accordance with the doctrine of rebus sic stantibus. The existence of the circumstances which have changed must have "constituted an essential basis of the consent of the parties to be bound by the treaty;" and "the effect of the change" must be "radically to transform the extent of obligations still to be performed under the treaty."

48. A statement of the Head of the U.S. SALT I delegation, Ambassador Gerard C. Smith, on May 9, 1972, is evidence that an essential basis of the ABM Treaty, on the U.S. side, was the continuing efficacy of limitations on strategic offensive arms, so as to "constrain and reduce on a long-term basis threats to the survivability of our respective strategic retaliatory forces."

49. Soviet evasion of SALT I Interim Agreement limits on "heavy" ICBM deployments between 1972-1979, Soviet augmentation of strategic offensive forces between 1972-1979, Soviet creation of an overwhelming first strike counterforce threat, Soviet maintenance since 1985 of strategic nuclear delivery vehicles in excess of those agreed for SALT II, Soviet violations of the qualitative limits of SALT II, and the termination of SALT II as a political commitment by reason of Soviet treaty violations in May 1986, preclude "the survivability of our strategic retaliatory force" with the ABM Treaty limits established in 1972, and further limited by the ABM Protocol of 1974.

50. The failure of the parties to the ABM Treaty to further constrain and reduce on a long-term basis threats to the survivability of the respective strategic retaliatory forces constitutes a fundamental change of circumstances essential to safeguarding the purposes of the ABM Treaty itself.

51. Systematic Soviet evasion of ABM Treaty provisions intended to preclude covert or rapid overt deployment of illegal ABM systems, constitutes a further and fundamental change of circumstances essential to achieve ABM Treaty purposes. Soviet acts that defeat the confidence building purposes of the ABM Treaty include: concurrent testing of strategic surface-to-air interceptor missiles and radars in an ABM-mode with ballistic missiles and ABM system components; the deployment of more than ten thousand SAM systems that are largely mobile and that some Soviet officials admit can intercept ICBMs; the deployment and ongoing construction of permitted large phased array radars (LPARs) on the periphery of Soviet territory, but with redundant, overlapping, and internetted coverage and potential or actual roles in ABM battle management and the deployment of an illegal LPAR near Krasnoyarsk.

Timely warning of the provision of an illegal base for the illegal defense of national territory can no longer be assured as a consequence of the concurrent development, testing, and deployment of long-lead time components of Soviet systems that may be or become part of a territorial defense of the Soviet Union against ballistic missiles.

52. On the U.S. side, the Strategic Defense Initiative research program indicates the potential feasibility of developing technology and systems that may provide the means for exercising the right of national self-defense. The right of self-defense is inherent in national sovereignty and customary international law as codified in Article 51 of the United Nations Charter. The potential feasibility of developing future-type ABM systems that include components based on "Other Physical Principles" than those of ABM systems in existence when the ABM Treaty was signed may constitute a fundamental change of circumstances.

53. The inability to constrain and reduce threats to the survivability of strategic retaliatory forces, the inability to provide reliability warning of covert or rapid overt deployment of Soviet ABM systems as a consequence of acts not expressly banned by the ABM Treaty, together with concurrent testing that is irreversible, and the potential feasibility of developing ABM systems based on "future-type" OPP ABM technology, altogether constitute fundamental changes of circumstances since the signing of the ABM Treaty fifteen years ago.

54. The aforementioned fundamental changes in circumstances provide the policy and legal basis for amending, supplementing, or terminating the ABM Treaty for the purpose of strengthening international security in future decades.

PRELIMINARY RECOMMENDATIONS

1. Unless unequivocal information is reported by the Legal Advisor of the Department of State, contradicting the findings of the August 1986 report indicating failure of the contracting parties to restrict, in 1972, rights to develop mobile ABM systems or components that are based on "Other Physical Principles," the United States should adopt a permissive or broad interpretation of ABM Treaty development and testing rights.

Various objectives may be served by adopting a permissive or broad interpretation of the ABM Treaty:

(a) The Strategic Defense Initiative Organization and the military services can design a test program for the purpose of demonstrating system performance with lesser expenditure of time and funds if ABM Treaty development rights for mobile and space-based development and testing for future-type OPP ABM systems are exercised;

(b) The President has already placed on the bargaining table a proposal to defer ABM system deployment until 1996. Adoption of a permissive interpretation of development and testing rights as fully in accord with the treaty obligations agreed upon in 1972, strengthens the credibility of the President's proposal during ongoing arms control negotiations; and

(c) Adoption of a legally correct interpretation of the ABM Treaty signals to the Soviet Union that its increasingly brazen pattern of expanding ABM Treaty violations will not, by intimidation or threat of further violations, cause the United States to impose upon itself a policy of unilateral vulnerability.

2. The Senate should request that the President expedite determination of criteria that distinguish "Other Physical Principle" future-type ABM systems from current type ABM systems.

The President should advise the Senate regarding whether an ABM system that relies upon one component that was not in existence as of May 26, 1972 qualifies the entire AMB system as an OPP system.

3. The Senate should recommend to the President declassified publication of:

(a) ABM Treaty negotiating records pertaining to development, testing, and deployment rights for ABM systems and components based on "Other Physical Principles"; and

(b) A history of the SALT I negotiations, encompassing both the ABM Treaty and the Interim Agreement, and their integral links and interdependence.

4. Bearing in mind that the President and the Senate have a shared responsibility to assure that the treaty making process establishes mutuality of obligations, the Senate should reject proposed legislation (e.g., S. Res. 167) designed to preclude use of treaty negotiating records even though other treaty parties may use them to assert rights or purported obligations of the United States, in accordance with Article 32 of the Vienna Convention on the Law of Treaties.

5. To fulfill its constitutional responsibilities in treaty making, the Senate should review all treaties before it to ascertain whether a qualification of the resolution of advice and consent to ratification is required. The Senate should condition or qualify its consent to ratification in a manner that:

(a) is legally binding;

(b) assures mutuality of obligations;

(c) provides timely notice to treaty parties through the exchange of instruments of ratification; and

(d) does not forego the Senate's responsibility to advise and consent by prior ratification of incomplete treaties.

Ever since President Polk sought prior ratification of a treaty to establish the Oregon boundary in 1846, if not earlier, presidents have sought prior ratification of a treaty, even when a condition has not been fulfilled or an instrument is not yet agreed. See S.B. Crandall, "Treaties: Their Making and Enforcement," at pp. 67-72 (2nd edition, 1916). If the Senate is to meet its constitutional responsibility, as with the Threshold Test Bank Treaty now before it, it should insist upon the completion of all of the essential treaty instruments including a new Protocol on verification before rendering its advice and consent.

6. The Senate may, from time to time, request that its members serve as observers during treaty negotiations. It may, from time to time, request access to the treaty negotiating records. It should, without exception, obtain a detailed section-by-section analysis of any treaty transmitted for advice and consent to ratification. Ultimately, the Senate and the President depend upon the good faith conduct of the two branches of government, in the exercise of a shared power.

7. To preserve and strengthen the role of the Senate in treaty formation, it is essential that the Senate respect its own rules for the ratification process: Rule XXXVII as it applied to the ABM Treaty in 1972, and Rule XXX in effect today have safeguards for qualifying consent to ratification of a treaty, so that all treaty parties are on express notice of whether and how the Senate has modified the treaty obligation that the President may elect to ratify. The action that counts under the Senate's own rules is not the testimony before committees, but the reduction of proposed qualifications in the form of an amendment to the treaty itself, or an amendment or reservation to the resolution of ratification. Only by faithfully applying its own rules can the Senate facilitate "the restoration of constitutional balance in the making of the foreign commitments" that the Senate, by S. Res. 85 in the 91st Congress declared to be "not only compatible with the requirements of efficiency, but essential to the purpose of democracy."●

S. 1083—A BILL TO DELAY THE EMPLOYER SANCTIONS PROVISION OF THE IMMIGRATION REFORM AND CONTROL ACT OF 1986

● Mr. DOMENICI. Mr. President, I am pleased to add my name as a sponsor of S. 1083, legislation offered by my good friend, the senior Senator from Arizona [Mr. DeConcini].

This legislation would delay implementation of the employer sanctions provisions of the Immigration Reform and Control Act of 1986 for 4 months. Such a delay is essential to assure even a measure of fairness under what is really a bad law.

Last year, I declined to support the Immigration Act for several reasons. First, I thought that it was improper for the Federal Government to place employers in a position where they had to enforce the immigration laws of the country.

Second, I was concerned that increased discrimination against Hispanics might result from the employer sanctions provision.

Finally, I believed that the bill would have a devastating effect on the agricultural interests in this country, failing as it did to assure an adequate supply of workers at harvest time.

It does not please me to say this, but events since the bill became law have demonstrated the validity of my concerns:

We have seen an industry spring up to provide phony documents to persons seeking amnesty. We have seen employers fire illegal aliens, even when the act stated clearly that persons already employed could keep their jobs. We have seen allegations of discrimination because of the act. We have seen the future of some agricultural interests threatened because the seasonal agricultural worker provisions in the law fail to work for them.

Some changes must be made in this law. Last week, I addressed myself to the draft regulations proposed by the Department of Agriculture and the need for the Department to reevaluate them. Additional areas require attention.

One is the effective date for implementing the employer sanctions provision of the act. A first offense under the act makes an employer who knowingly hires illegal aliens subject to a fine of up to $2,000 per illegal alien hired. Employers are also required to keep records on all employees hired after December 1, 1986. Failure to do this properly can result in a $1,000 fine.

Because of the heavy fines that can be levied, the act included a 6-month education period, during which no enforcement actions could take place. During this time, which ends on June 1, the Government was to distribute forms and information to employers, and conduct a public education program about the employer sanctions provisions.

So far, the education effort has been inadequate. The Immigration and Naturalization Service [INS] was to send employers a handbook explaining the employer sanctions provision, plus copies of all the necessary forms, but has yet to do so. In addition, the final regulations and forms to implement the employer sanctions provision were just issued last Friday.

The INS admits that a great deal of ignorance exists about these provisions of the act.

So what should we do? I really do not blame INS for the problem; they have done a reasonable job under very difficult circumstances. But the effort, sadly, has been inadequate. The employers of this Nation should not be held accountable for that.

One key way to ease this situation would be to extend that education period—a period that really has yet to begin—through September. A 4-month extension would give the INS the time it needs to develop and distribute materials that explain just what the law does, and what employers must do to adjust to these important requirements.

Such a solution won't solve the basic problem, but it will ease the difficulties. For this reason, I commend Senator DeConcini and am pleased to cosponsor his bill. I urge its early enactment by the Senate.●

AFGHANISTAN: LETTERS FROM THE STATE OF RHODE ISLAND

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a U.N. report as: "A situation approaching genocide."

As chairman of the Congressional Task Force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the Record two letters each day from various States in the Nation. Today, I submit two letters from the State of Rhode Island and ask that they be printed in the Record.

The letters follow:

Fall River, RI.

Dear Senator Humphrey: I recently read a Reader's Digest article on Afghanistan. Those poor people! I had no idea of the horendous acts the Soviets were getting away with. You have my husbands support and mine to "hurry" some action against them. In the meantime I'll pray for them.

Thank you,

Mr. and Mrs. STEPHEN PRICE.

BARRINGTON, RI.

MY DEAR SENATOR HUMPHREY: I am heartsick about the plight of the Afghan people. The Reader's Digest is doing a great service in informing the world of the human-rights violations by the Soviets in that brave country.

How naive I was (at age 67) to hope that Gorbachev would have some compassion and end his countries atrocities there.

I can't believe that my concern would matter but I know that oftentimes just one more contribution or opinion makes that difference.

Thank you for your concern. I hope my concerns will help in some small way.

Very truly yours,

RUTH LELAND.●

THE 39TH ANNIVERSARY OF THE STATE OF ISRAEL

● Mr. KENNEDY. Mr. President, on May 4, 1987, the people of the United States once again join with the people of Israel to celebrate the 39th anniversary of the birth of the State of Israel. Throughout those 39 years, Israel and the United States have shared the same goals, democratic ideals, friendship, and constant efforts to advance the cause of peace and freedom in the Middle East and around the world. On this special day, let us pause and consider all that Israel represents to the United States.

Israel is our oldest and closest friend in the Middle East, a constant and steadfast ally, a beacon of liberty and democracy in the Middle East. The people of Israel have demonstrated time and again their commitment to a just and lasting peace. And I am proud to be part of the efforts here in the United States to maintain our unswerving commitment to the security of Israel.

A strong Israel is essential to a lasting peace in the Middle East and I will continue to oppose attempts to arm Arab countries pledged to destroy the State of Israel. What the Middle East needs is not more sophisticated arms for Arab States but more sophisticated diplomacy to bring the parties to the conference table and begin direct negotiations for peace.

Last October, the world paid a fitting tribute to a brilliant man of peace when it awarded the Nobel Peace Prize to Elie Wiesel. In the 40 years since his rescue from near death in the Buchenwald Concentration Camp, Elie Wiesel has become the conscience of humanity on the horror of the Holocaust and a pre-eminent advocate of human rights throughout the world. In honoring him with this distinguished award, the world rededicated itself to the enduring cause of "never, never again."

We must renew and redouble our efforts to permit all who dream of "next year in Jerusalem" to realize that goal. We rejoice in the new freedom of Natan Shcharansky, Yuri Orlov and David Goldfarb and are hopeful that that recent Soviet indications of increased Jewish emigration will bear fruit. Yet Soviet emigration is still at unacceptable low levels. Only 914 Jews were allowed to emigrate in 1986 compared to the peak of 51,000 in 1979. And Benjamin Charny and other Soviet cancer patients still await permission to seek urgent medical care and to join their loved ones in the West. On this anniversary, we pledge ourselves again to never give up or give in until all who wish to depart the Soviet Union are permitted to do so.

Throughout the last four decades, Israel has proven itself to be, in the words of President Kennedy, "a symbol to all of the invincibility of the human spirit." On this auspicious anniversary, let us remember the courage and the vision of the founders of Israel, and commend the generations that have followed them for their success in building a homeland of freedom and democracy in the Middle East.●

ORDERS FOR WEDNESDAY

Mr. BYRD. Mr. President, the following unanimous consent requests have been discussed with the distinguished Republican leader, the distinguished chairman of the Budget Committee, and the distinguished ranking members of the Budget Committee. I think it is agreeable on all sides. While the distinguished Republican leader is on the floor, I shall put the request.

RECESS UNTIL 10 A.M.

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that, after the two leaders have been recognized under the standing order, there be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., and that Senators be permitted to speak therein for not to exceed 5 minutes each; and, that at the hour of 10:30 a.m. the Senate resume consideration of the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EQUAL DIVISION OF TIME AND VOTE AT 12 NOON

Mr. BYRD. Mr. President, I ask unanimous consent that between the hour of 10:30 and 12 noon the time be equally divided between Mr. DOMENICI and Mr. CHILES; and that a vote occur at the hour of 12 noon on the pending amendment by Mr. CHILES; provided, further, that upon the disposition of that amendment there be not to exceed 9 hours remaining on the budget resolution to be equally divided between Mr. DOMENICI and Mr. CHILES.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF MR. DOMENICI

Mr. BYRD. Mr. President, I also ask unanimous consent that, upon the disposition of the pending amendment by Mr. CHILES, Mr. DOMENICI be recognized to call up an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the agreement follows:

Ordered, That at 10:30 a.m. on Wednesday, May 6, 1987, the Senate resume consideration of the pending business, S. Con. Res. 49, a concurrent resolution setting forth the congressional budget for the United States Government for the fiscal years 1988, 1989, 1990, and 1991.

Ordered further, That the time between 10:30 a.m. and 12:00 noon on Wednesday, May 6, 1987, be equally divided and controlled by the Senator from New Mexico [Mr. DOMENICI] and the Senator from Florida [Mr. CHILES].

Ordered further, That at the hour of 12:00 noon the Senate proceed to vote on the pending amendment by the Senator from Florida [Mr. CHILES] and that upon disposition of that amendment, there be not to exceed 9 hours remaining on the budget resolution, to be equally divided and controlled by the Senator from New Mexico [Mr. DOMENICI] and the Senator from Florida [Mr. CHILES].

Ordered further, That upon the disposition of the Chiles amendment, the Senator from New Mexico [Mr. DOMENICI] be recognized to call up an amendment.

PROGRAM

Mr. BYRD. Mr. President, this means that there will be 9 hours remaining following the disposition of the amendment by Mr. CHILES on tomorrow on the overall budget. The vote at noon will be a rollcall vote. There will be other rollcall votes during the afternoon. It will be my intention to complete action on the budget tomorrow, which means that the Senate could be in late. I hope the Senate will not be in late. But I want very much to begin on the supplemental appropriation bill on Thursday.

Consequently, Senators should be prepared to stay in tomorrow as long as it is necessary to complete action on the budget.

Mr. DOLE. Mr. President, if the majority leader will yield, I have been checking to see how many amendments there might be on this side. I certainly share the view of the majority leader. If we can complete action on this bill, the earlier the better tomorrow. I do not anticipate more than maybe four or five amendments at this time. There may be others after they have had an opportunity to study the Chiles amendment. And I would guess that some of those would not take a great deal of time; maybe 15 to 20 minutes on a side.

So, if we all work together, we may be able to complete action at an early hour tomorrow evening.

Mr. BYRD. Yes. I hope so.

As the Republican leader has stated, I would hope to go out at an early hour tomorrow evening. In this side I only know of the pending Chiles amendment and one other amendment.

I did not have full attendance at my conference today, although it was a good attendance. Someone could come up with an amendment that I do not know about.

So far as I know, I know of the pending amendment and one more on this side. So it seems to me that we should be able to complete action on the budget at a reasonably early hour. But Senators should be aware that it is my intention to stay in until we finish action on this matter tomorrow evening. The time, of course, will eventually run, after which Senators could still call up amendments, but there would be no time for debate.

The distinguished Republican leader has indicated that on his side, so far as he knows, there are four or five amendments, and on this side I only know of the pending amendment and one other. It may be that not all those amendments will be called up. It could very well be, that time will be yielded back on the overall concurrent resolution in the final analysis.

Senators should be prepared. There will be rollcall votes tomorrow, and I hope that all Senators will be in attendance.

TRADE ACT AMENDMENTS OF 1987

Mr. BYRD. Mr. President, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BYRD. Is the House message on the trade bill, H.R. 3, at the desk?

The PRESIDING OFFICER. Yes, it is.

Mr. BYRD. Mr. President, I want to put this bill on the calendar. The Finance Committee will be reporting out a trade bill, and other committees in the Senate will be reporting out various pieces of legislation that have a bearing on the overall subject of trade and competitiveness.

I understand from the Republican leader that he is not in position to give me consent to put the House bill on the calendar. Therefore, I would have to resort to rule XIV.

Mr. President, I ask that the House bill have the first reading.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to enhance the competitiveness of American industry, and for other purposes.

Mr. BYRD. Mr. President, I ask for second reading of the House bill.

The PRESIDING OFFICER. Is there objection?

Mr. DOLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The bill will remain at the desk.

RECESS UNTIL TOMORROW AT 10 A.M.

Mr. BYRD. Mr. President, does the Republican leader have any further business he wishes to transact today?

Mr. DOLE. No, Mr. President.

Mr. BYRD. I thank the leader.

Mr. President, there being no further business to come before the Senate today, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 10 o'clock tomorrow morning.

The motion was agreed to and the Senate, at 6:43 p.m., recessed until Wednesday, May 6, 1987, at 10 a.m.

NOMINATIONS

Executive nominations received by the Secretary of the Senate May 1, 1987, under authority of the order of the Senate of February 3, 1987:

THE JUDICIARY

Robert F. Kelly, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania vice Donald W. VanArtsdalen, retired.

DEPARTMENT OF JUSTICE

David F. Levi, of California, to be U.S. attorney for the eastern district of California for the term of 4 years vice Donald B. Ayer, resigned.

Robert H. Edmunds, Jr., of North Carolina, to be U.S. attorney for the middle district of North Carolina for the term of 4 years vice Kenneth W. McAllister, resigned.

Jesse R. Jenkins, of North Carolina, to be U.S. Marshal for the western district of North Carolina for the term of 4 years vice Max E. Wilson, resigned.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Peter G. Burbules, xxx-xx-xxxx U.S. Army.

The following-named officer for appointment to the grade indicated, under the provisions of title 10, United States Code, section 601(a), in conjunction with assignment to a position of importance and responsibility designated by the President under title 10, United States Code section 601(a):

To be lieutenant general

Maj. Gen. John T. Myers, xxx-xx-xxxx U.S. Army.

The following-named officer for appointment to the grade indicated, under the provisions of title 10, United States Code, section 601(a), in conjunction with assignment to a position of importance and responsibility designated by the President under title 10, United States Code, section 601(a):

To be lieutenant general

Maj. Gen. John S. Crosby, xxx-xx-xxxx U.S. Army.

The following-named officer for appointment to the grade indicated, under the provisions of title 10, United States Code, section 601(a), in conjunction with his assignment to a position of importance and responsibility, designated as such by the President under title 10, United States Code, section 601(a):

To be lieutenant general

Maj. Gen. Edward Honor, xxx-xx-xxxx U.S. Army.

IN THE NAVY

The following-named lieutenant commanders in the line of the Navy for promotion to the permanent grade of commander, pursuant to title 10, United States Code, section 624, subject to qualifications therefor as provided by law:

UNRESTRICTED LINE OFFICER (11XX/13XX)

Abercrombie, Austin Gray
Abrams, Michael Dane
Ackerbauer, Kris Timerman
Ahlberg, Steven James
Alexander, Ronald Keith
Allen, John Bruce
Allen, Lois Elizabeth
Alley, James Ray
Amirault, Richard Bradford
Ammann, Clement Joseph, Jr.
Andersen, Lorin Emerson
Anderson, Darl Richard
Anderson, William Harvey, Jr.
Angus, Marlene Ann
Arrants, Charles Samuel
Arsenault, Arthur John, Jr.
Baker, Joe Allen, III
Baker, Rush Emmons, III
Ballard, William Garnet
Barber, Arthur Houghton, III
Barela, Maximo Avilucea
Barnes, Robert Carroll
Bartron, Robert Patrick
Baumstark, Michael Wayne
Beal, Stephen Dennis
Bean, Jerry Wayne
Behn, Marilyn May
Behre, Christopher Peter
Belden, Bruce Edward
Benkert, Joseph Albert
Bergazzi, Wesley Allen
Bernasconi, Stephen Joseph
Bernitt, Thomas Richard
Bertin, Michael Stephen
Besancon, Michael David
Billmyer, Carola Alma
Bishop, Harold Ralph
Bishop, Mary Ann
Blake, William Robert, Jr.
Boland, James Francis, Jr.
Boone, William Thomas
Bossio, Frank Teobaldo
Brady, Roger William, Jr.
Bray, James David
Brennock, Daniel Joseph
Bridges, Robert Thomas
Brooks, Frederick Martin
Brown, Carradean Lynn
Brown, Larry Warren
Brunstad, William Joseph
Bryant, Franklin David, Jr.
Bryce, Dexter Scott
Bueker, Charles Dennis
Bullard, Donald Kenneth
Bunevitch, Gary Joseph
Burdett, Arthur Clinton, III
Bury, Stephen Joseph
Busch, Daniel Edward

Butler, Charles Steven
Calhoun, Brian Murray
Campbell, James Anthony
Campbell, Kay
Campbell, Michael Patrick
Cannon, Miles Joseph, Jr
Capello, Leonard William
Carino, Freddie Fry
Carman, James Allen, Jr.
Carnevale Lelia Vittetow
Carota, Leonard Nicholas, Jr.
Carter, Earl Frederick, Jr
Carter, Thomas Beeman, Jr.
Casalegno, Lorenzo Peter
Cassada, William Paul
Cassidy, Patrick Thomas
Castan, William Charles, Jr.
Castleman, Bruce Allen
Chanik, Evan Martin, Jr.
Chapman, James Haselden, Jr.
Chase, Michael Robert
Chatten Ann Leilani
Chiaverotti, Gary Robert
Chisholm, Peter Carroll
Christensen, Robert Kragh
Christensen, Steven Donald
Cillo, Richard Charles
Clair, William Charles
Clarey, Robert James
Clarkson, Danny Leroy
Clay, Michael Barrett
Coachman, Sandra Lynne
Coburn, Bruce Norman, Jr.
Cockrell, Kenneth Dale
Coleman, Frank Stewart, Jr.
Collins, James Vincent
Collins, Kathy Ellen
Collins, Robert Frank
Conway, Robert Thomas, Jr.
Cook, Norman Rhode, III
Cook, William Terrance
Cooper, Charles Grafton, III
Cooper, Ronald Stephen
Corteville, Douglas Floyd
Covert, Harold Duane
Cox, Henri Edwin
Crane, Larry Wayne
Crawford, Bruce Wayne
Crenshaw, Lewis Womack, Jr.
Crews, Jeffrey Wiley
Crowell, Philip Holmes, III
Crumley, Glenn Doyle
Cummings, Brian James
Curts, Raymond James
Dahmen, David Atherton
Dailey, John Coughlan
Dailey, John Lawrence, Jr.
Daling, Michael Ernest
Daugherty, Terry Lee
Davis, Robert Eugene
Dawson, Jean Anne
Dean, Robert Murrell
Decker, Wilson Banks
Deemer, Richard Eugene
Denny, Patrick Leo
Destafney, James Joseph, Jr.
Deulley, Gary Wayne
Dever, John Arthur
Dick, Richard L.
Ditzler, Donald Frederick, II
Dodge, Kathleen Virginia Wol
Donahue, Conrad James, Jr.
Dorsett, Charles Edward
Drake, Stephen Lee
Dudash, Terrence Mark
Dull, Timothy Jefferson
Dunaway, William Michael
Dunn, William Howard
Durfee, David Webster
Duvall, Michael John
Edmonson, Ronnie Eugene
Egolf, Roy Terrance
Einsidler, Barry David
Elam, Harry Bailey
Enewold, Steven Lee
Enright, Thomas Francis
Erazo, Luis Ricardo
Erwin, Tina Marie
Espinosa, William Michael
Esterlund, Richard Carlton
Evans, Monty Jay
Feeks, Thomas Michael
Ferguson, Jerry Francis
Ferriter, Edward Chadwick
Fishburne, Lillian Elaine
Fisher, Rory Hilton
Fitzgerald, Mark Paul
Fitzpatrick, Robert Bruce
Flanagan, John Joseph, III
Fleming, John Leroy
Flenniken, Robert James
Fondern, Steven Verne
Ford, Robert Dale
Ford, Thom Woodward
Foster, William Keith
Fox, Martin
Francisco, Roger Benton
Franken, Daniel Joe
Franklin, James Curtis
Fogate, Andrew Thomas
Funk, Glen Allen
Gabrynowicz, Mark Peter
Gallagher, Thomas Paul, III
Gallic, Frank Michael
Gangewere, Robert Russell, Jr.
Garrison, Paul Carmichael, II
Gay, Frederick Sydney, Jr.
Gaylor, Steven Charles
Gershon, Joseph Stephen
Getzfred, Lawrence Daniel
Gibbs, Ronald Mcbuel
Gibson, Deane Kimbleton
Gibson, Robert John
Gillespie, Dennis Michael
Glover, Grey Allen
Goad, Steven Robert
Gogolin, James Henry
Golay, Mark Allen
Goldberg, Marc David
Golden, Kenneth Eugene
Golding, Robert Alfred, Jr.
Goodell, Michael Stephen
Gorman, John Paul
Gorman, Thomas Francis, Jr.
Goulding, William Albert
Grant, Jeffrey Wayne
Grassi, Thomas Anthony
Greanias, George Hampson
Green, Consuella
Green, David Kell
Greene, Joellen Smith
Greenert, Jonathan William
Gregor, John Bradley
Griffin, Patricia
Gripp, Jan William
Groenert, Frederick Earl, Jr.
Guidry, Mark
Hadrosky, Fern Kay
Haggart, James Alan
Hale, Christopher Dyer
Hamlin, James Sherrill, Jr.
Hammontree, James D.
Hampson, Gary Wayne
Handforth, Dwight Warner
Hansen, Mark Albert
Harding, Ross Miller
Hardman, Andrew Hale
Harger, Tommy Charles
Harris, Jeffrey Bruce
Harris, Russell Eric
Hartling, Robert Michael
Harvey, John Collins, Jr.
Hathaway, Carmrid Glaston, II
Hathaway, Dennis Alan
Henderson, Craig Brooks
Hendrickson, Scott Lars
Herr, David Lawrence
Hess, Lawrence Edward
Hess, Randall James
Hierholzer, Danny Boyd
Hiers, Carol Alice
Hilfer, Roger Terrill
Hillenmayer, James Donald
Hilley, Howard Stevens, III
Hlavka, Stanford Harold
Hobbie, Richard James
Holder, Thomas Vincent
Holk, George Bertwell
Holt, Thomas Hugh
Hudspeth, Gary Benton
Hughes, Louis Allan
Hunt, Marilyn Rose
Hunter, Sheilah Martin
Hunter, Stuart McKlveen, III
Hutchison, Jeffrey Alexander
Hutton, Linda Vaught
Ingram, Alfred Lovered Verno
Ingram, Steven Rodney
Jack, Gary Michael
Jackson, James Gail
Jannuzzi, John Leo
Janora, Thomas Edward
Johnson, Jacob Lee, Jr.
Jones, Larry Edward
Kane, James Christopher
Karas, John George
Kauler, Robert David
Keeper, Robert Harold
Keho, Jeffrey Donald
Keifer, Orion Paul
Kelley, Kevin John
Kelly, Barry Lee
Kelly, James Dean
Kenny, John Michael
Kidrick, James Grant
Kiloline, Thomas John, Jr.
Kinzer, John Francis
Kircher, Karen Lesley
Kirkpatrick, William Robert
Klaas, Adrian Leverne
Klaus, Robert Franz
Klingseis, Francis Joseph
Koch, Dana Susan
Kohlenberg, Clarence Michael
Kohler, David Ryan
Kordis, William Stephen
Korejwo, Henry Allan
Kovach, George Eugene
Krajnik, Joseph Scott
Kreeger, Theodore Wilbur
Kuehne, Arthur Perry
Kunkle, Steven Alan
Kyle, Thomas George
Labrecque, Terence Paul
Ladd, Ronald Rye
Laedlein, Paul Arthur
Landers, Paul Kennedy
Lanning, Roger Brian
Laraway, Rita Ann
Larimer, Stephen Walker
Larson, Larry Edward
Law, Douglas Jay
Lawson, James Wood
Lee, Thomas Jenkins
Leggitt, Leulla Rausch
Lennon, Michael Alan
Limper, Carolyn Elizabeth
Lindner, Carl Max, III
Lisner, Charles David
Lochausen, Vernon C.
Locke, William Nash, Jr.
Loren, Donald Patrick
Lowell, Robert Owen
Luczak, Michael Arthur
Lussier, Christopher Bernard
Lyons, Melvin Charles
Mackinnon, David Robert
Maddocks, Mary Bruno
Madison, Patrick Timothy
Maher, John Dennis
Malone, William Thomas
Marinelli, Jay William

Mariner, Rosemary Bryant
Marsh, Willie Clyde
Marshall, David Warren
Marshall, William Jordan, III
Marvin, George Rowe
Marzluff, Peter Wade
Marzola, David Samuel
Maskell, Robert Emmett
Maslowsky, Robert David
Massey, Patrick Lee
Mathwick, Cynthia McGeorge
Maughan, Wesley Earl
McCallum, Keith Eugene
McCartney, Patrick Loren
McCullough, Bernard Joseph, I
McDonald, Harvey Blaylock
McGinty, Louis Leon
McKearney, Terrance James
McKenzie, Alan Bruce
McNally, William John
Meier, David Kirk
Mercker, Eric Edward
Merdinger, Susan Elaine
Mericle, David Dean
Meyer, Ethel
Meyer, Mary Jayne
Meyer, Timothy Hugh
Michael, Carole Joan
Midgett, John Richard
Mikolai, George Anthony
Miller, John Richard
Miller, Michael James
Miller, Paul Franklin
Miller, Robert Burton, II
Miller, Terry Robert
Milligan, Martha Louise
Milliken, Mark Reed
Mills, Catherine Carter
Mills, John Brian
Miskelly, Elizabeth Tyler
Mocini, Vincent Peter
Montgomery, William Morgan J.
Moon, Robert Lee
Moore, Paul Andrew, Jr.
Morris, Prima Amelia Escalon
Morrison, William Marcus
Moseman, James August
Moss, Brian William
Mulcahey, Kevin Edward
Murphy, Ann Kathryn
Murphy, Charles Duncan
Murphy, Robert Thomas
Murray, Billy Dennis
Murray, Michael Kevin
Myers, Lawrence Carroll, III
Myers, Michael Stephen
Myers, Richard Christian
Nadeau, Thomas Richard
Neff, James Richard
Nelson, Hugh Douglas
Nelson, Patrick Andrew
Nestlerode, Robert Norman
Nibbs, Virginia Wallace
Nichols, Steven Ray
Nigro, Vincent John
Norton, Donald Gordon
Noziglia, Robert Everett, Jr.
Odea, Jane Skiles
Olson, Eric Thor
O'Neil, Patrick David
Orchard, Fred Gregg
Orcutt, Robert Edgar, Jr.
Osborn, Colin Campbell
Over, Nicolaas
Paine, Richard Charles
Palko, Thomas Albert
Parish, George Rod, III
Parr, Larry Steven
Pebley, James Walter
Peck, Richard Paul
Penn, William Thomas
Perrich, David Wayne
Perry, Craig Cameron
Peters, Jon Christopher
Peters, Kenneth Mizell
Phaup, Andrew Lesueur, Jr.
Phillips, Harry Cullum, III
Phillips, James William
Pierce, Craig Anderson
Pierce, Roger Allan
Ploeger, David Charles
Pohtos, Robert Nicholas
Poling, Thomas Clinton
Powell, James Richard
Powers, Glenn Curtis
Provencher, Ronald Henri
Purnell, Helen Lucille
Quick, Gary Wayne
Quinn, James Joseph
Rader, Michael Thomas
Radner, Richard
Randall, Donald William
Reece, Jerrald Douglas
Reese, Raoul Buryle
Reid, Thomas John
Reinhardt, Peter Joseph
Renninger, James Bruce
Repsholdt, Kai Thorvald
Reynolds, William Wayne
Richards, James Joseph
Richardson, Larry Don
Rigas, Trifon
Riley, Richard Preston
Robb, Randolph Roland
Roberts, William Howard
Rode, Alexander Michael
Rodman, William Blount, V
Rogers, Thomas Foster
Rollins, Bryan Lee
Rondestvedt, Christian Rober
Rosakranse, Billieann
Rosel, Marianne Brigetta
Ross, Thomas Joseph
Rowe, Wayne James
Rowland, Michael Lyndon
Rowley, James William
Ruehe, Frederic Richard
Rohl, Philip Calvin
Rupnik, John Stanley, III
Russell, James Emmitt
Russell, Thomas Beckwith, III
Samples, David Olin
Sammon, Stephen Michael
Sanderson, William Curtis
Sanders, Robert Jesse, Jr.
Saunders, Alexander R., II
Satterwhite, Bernard Mason J.
Schaeffer, George, III
Scala, Peter Anthony
Schreckengast, Stewart Wayne
Schneegas, David Alan
Schwartzel, Joseph Henry
Schutz, Paul Stewart
Scully, Kirk Raymond
Scott, Robert Peter
Severinghaus, Richard Jordan
Settle, Amy
Shaw, Claude B
Shaffer, James Stark
Shepherd, William Stinson
Sheehy, Patrick Thomas
Sherlock, Barbara Jean
Sherland, Paul Garfield
Shoop, Darreld Russell II
Sherwin, John Stephen
Sidman, Howard Blauvelt
Short, William Edward, Jr.
Simpson, Michael Doyle
Sigler, Steven Joseph
Skowronek, Leslie Jeanne
Skjoldager, Jack Owen
Slaven, George Edward, Jr.
Slagle, Brian Allen
Smania, David John
Slighter, William Jan
Smith, Steven Michael
Smith, Robert Dale
Snead, James Clayton
Smoot, Marc Lee
Sobieck, Thomas George
Snook, Richard Eric
Sparaco, John Richard
Sonn, Bruce Eric
Spencer, Sterling Roger
Spearman, Walter Cuthbertson
Spishock, Patricia Mary
Spencer, William Edward
Stack, John Jacob
Springman, Robert Eugene
Stalnaker, Steven Dickenson
Stack, Robert Bryan
Steinestel, Richard Roy
Stapleford, James Randall
Stencil, John Craig
Steuer, Donald Francis, Jr.
Stevenson, John Raymond, Jr.
Streck, Steven Clarence
Stutzman, Galen D.
Sudkamp, Stephen Donald
Sullivan, William Daniel
Summerall, Daniel Bush
Sutherland, Paula Karen
Tallent, Hamlin Bruce
Tanguay, David Reheal
Tarbox, Judith Ann
Thigpen, Dan Irvin
Thompson, Thomas Allen
Tilley, Patrick James
Tilton, Terry Warren
Toalson, Vance Lee
Toms, Terry Jack
Tomsic, Joseph Andrew Michae
Torrey, Martin Edward
Trahan, Charles Ray, Jr.
Turnblacer, Theodore Charles
Turner, Gary Woodrow
Tyson, William Jeanes, III
Ungvarsky, William Joseph
Usher, Jill Roberta
Vanbelle, Bruce Thomas
Vanhook, Robert Joseph
Vervoorn, Robert William
Villarreal, John Mark
Vining, Pierre Grigsby
Virgilio, Richard Louis
Visscher, Pieter Arend
Vogel, Edward William
Vugteveen, Dana Lyle
Wachendorf, Miles Benton
Wahling, Mary Lee
Walker, Kenneth Dowell
Walker, Rickey Ray
Wallace, George Allen
Ward, William Howard
Wareasbury, Theresa Ann
Watts, Robert Darryl
Waylett, Don Harry
Webb, T. Ladson, Jr.
Weber, Joel Nathan
Weddell, David Ward
Weideman, Craig Francis
Weitz, Charles Arthur, Jr.
Welch, Bryant Earl
Wessman, Laurel Anne Hargan
Wessman, Lynn Gammon
Whaley, James Thomas
Wheeler, Christopher Everett
Whittaker, Kent Pidge
White, Carroll Leroy
White, William Sutton
Whitworth, Larry Joe
Wight, Randy Lee
Williams, Claven
Williams, Robbie Lyn
Williams, Vicki Owens
Willis, Clarence Coleman
Willmann, David William
Wilson, Craig Willard
Wilson, Donald Frederick
Wilson, Eugene Kennon, Jr.
Wilson, Richard Allen
Wilson, Thomas J.

Wingast, Leda Beth
Witowski, Thomas Stephen
Woerman, William Joseph, II
Womack, Stephen L.
Word, Frank Brown
Worley, Dennis Lee
Worthing Lewis Kendall, III
Wright, David Keith
Woethrich, Chris Allen
Wynkoop, Peter
Yirak, John Lester
York, Francine Faye
York, James Kent
Young, Brian Keith
Zimm, Alan Douglas
Zortman, James Milton

ENGINEERING DUTY OFFICERS (14XX)

Bailey, Steven Everett
Ballard, James Claude, III
Bisceglia, Stephen Vincent
Blocher, Ayers Haden, III
Brown, Martin Richard, Jr.
Burgamy, Kirk Steven
Cole, Lonnie William
Erman, Reginald Joseph, Jr.
Evans, William Gaylord
Everett, Hobart Ray, Jr.
Freund, Bruce Richard
Hedderich, Conrad Peter
Henning, Peter John
Hollis, Stephen Joe
Klein, Glenn Edward, Jr.
Leary, James Marcellus
Lipsey, Mark Dillman
Luby, Robert Emmett, Jr.
Macdonald, Gordon Scott
McCord, Raymond Scott
Moody, Wiliam Vincent
Moore, Gary Edward
Morrissette, Thomas Ludwig
Moss, Charles Michael
Ni, Randolph
Reimann, Otto George
Riggs, Bernard Allan
Romeo, Martin
Rucker, Harry Jospeh
Scheib, Timothy Edward
Silvestri, Michael Julio
Smith, Kenneth Melvin, Jr.
Stillwell, John Wayne
Stone, David Lee
Thornhill, David Tracy
Toddenham, Read Stapley

AERONAUTICAL ENGINEERING DUTY OFFICERS (AVIATION ENGINEERING) (151X)

Barnes, Timothy John
Batog, John Stanley
Beach, Edwin Franklin
Behr, Michael Ray
Buckley, Bruce William
Carter, James Robert
Dacey, Leo Francis
Fisher, Rand Hilton
Graves, Marshall Warren, Jr.
Heifner, Robert Jack
Henry, Douglas Gordon
Herman, Richard John
Hixson, Roy Lester, III
Human, Billy Bert
Johnston, Charles Herbert, Jr.
Kosiek, Martin Stanley
Moebius, Richard Carl
Rogers, Matthew Joseph
Scott, Winston Elliott
Weller, Joseph Dickson, Jr.
Yerkes, William Mark, Jr.

AERONAUTICAL ENGINEERING DUTY OFFICERS (AVIATION MAINTENANCE) (152X)

Bralley, Guy Suvier
Ciarula, Thomas Alan
Dacquisto, Nicholas Joseph
Hanna, Lynn Kenneth
Peschke, Marguerite McNiel
Reed, Thomas Wood
Ruth Richard Lee
Ruthazer, Robert Pearson
Scalia, August
Taylor, Patrick Earl
Trayner, Richard Elwood
Watry, Coleen Ann
Williams, James Michael

AVIATION DUTY OFFICERS (154X)

Refo, Ian Blair
Roach, John James, III
Skipper, Donald Wiggins
Thompson, Gregory Scott

SPECIAL DUTY OFFICERS (CRYPTOLOGY) (161X)

Ammons, Richard Patterson
Colton, Arthur, II
Grabtree, Charles Scott
Davis, John Michael
Ditewig, William Thomas
Gallina, Judith Anne
Grant, Roderick Campbell
Griffith, Elizabeth Stolberg
Hemer, Glenn Alan
Henry, Michael Dewitte
Jerome, Reed Willis
Johnson, John Lynn
Kennedy, Clarence
Kretzmann, David Fredrick Th
Kurzanski, Edward Joseph
Ludwig, John Michael
McDonald, Melvyn Kenneth
Nixon, Ray Byron
Rapin, Jerome P.
Scagnelli, Michael Louis
Sena, Michael George
Sheleheda, Frank Richard, Jr.
Smith, Richard Clarence
Stevens, William Ray
Taylor, Howard C.D.

SPECIAL DUTY OFFICERS (INTELLIGENCE) (163X)

Brown, Rabon Dempsey, Jr.
Carroll, Patricia Ann
Cook, James Dean
Darrah, Joan Ellen
Duggan, Michael John
Failmezger, Victor, Jr.
Hubbard, Robert Leroy
Jerome, Cheryl Ann Baum
Johnson, Walter Reece, Jr.
Key, William Tigner
Kirkpatrick, James Reid
Levitre, Rosanne Marie
Lopardo, John Paul
Lyman, Rod Guy
Maresh, David Joseph
Oneal, Michael Simms
Papworth, Richard Nicholaus
Patton, Pamela Johnston
Ranum, Gary Donn
Ruzicka, Richard Milos
Schippereit, Stuart Jonathan
Simeral, Robert Lee
Slagel, Charlsie Lucretta Ru
Stewart, Joseph David
Templer, Robert James, Jr.
Thomas, Gerry Steven
Tiernay, Terry Wayne

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS) (165X)

Davidson, James Edward
Hessler, Dennis John
Smith, Charles Derek
Vansickle, James D.

SPECIAL DUTY OFFICERS (OCEANOGRAPHY) (18XX)

Aldinger, William Tyson, Jr.
Berry, George Hamilton
Duddy, Daniel Francis
Etro, James Francis
Hacunda, Michael Richard
Johnson, John Edward, Jr.
Liechty, John Dale
Malay, Jonathan Thomas
Sandgathe, Scott Alphonse
Sleichter, William Thomas
Zeile, Fred Carl, III

LIMITED DUTY OFFICERS (LINE) (61XX/62XX/63XX/64XX)

Adams, James P., Jr.
Andersen, Richard E.
Ascione, Raymond Armond
Bales, James Leonard
Bauder, John T.
Biegler, Loren W.
Boycourt, Ivon G., Jr.
Breslin, Joseph J., III
Briley, Earl D.
Calabrese, Geoffrey J.
Carawon, Bruce C.
Casper, J. Kip
Clayburn, Michael W.
Colman, Hubert E.
Davis, Robert Edward
Fenton, William C., Jr.
Fone, Raymond Bernard
Free, James Rodgers, Jr.
Freegard, Sidney B., Jr.
Glidden, Eric S.
Godwin, Jackie Eugene
Gschwend, David A.
Hill, Thomas G.
Hogue, Charles W.
Hopkins, Michael Rodney
Howard, John Leon
Hurst, Ernest W.
Iannetta, John Michael
Johnson, Patrick H.
Judd, Michael Ray
Justet, Patrick K.
Kearney, Thomas Earl
Kitts, Joseph Carroll
Knueppel, Wolfgang Werner
Larson, Glenn Kermit
Manaffey, Joseph W.
McNeal, Garrel Ruel
Moore, Johnnie C., Jr.
Morris, Erwin C., Jr.
Phipps, Frank P.
Poch, Richard R., Sr.
Reed, Ralph G.
Sage, William R.
Saye, William Andrew
Slack, Robert H.
Stewart, William J.
Stuntz, Richard L.
Walthall, James Edward

Executive nominations received by the Senate May 5, 1987:

THE JUDICIARY

Larry J. McKinney, of Indiana, to be U.S. district judge for the southern district of Indiana vice William E. Steckler, retired.

Philip M. Pro, of Nevada, to be U.S. district judget for the district of Nevada vice Harry E. Claiborne, impeached.

David G. Larimer, of New York, to be U.S. district judge for the western district of New York vice a new position created by Public Law 98-353, approved July 10, 1984.

Rodney S. Webb, of North Dakota, to be U.S. district judge for the district of North Dakota vice Paul Benson, retired.

DEPARTMENT OF AGRICULTURE

Ewen M. Wilson, of Virginia, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Robert L. Thompson, resigned.

NATIONAL ADVISORY COUNCIL ON EDUCATIONAL RESEARCH AND IMPROVEMENT

Noreen C. Thomas, of Washington, to be a member of the National Advisory Council on Educational Research and Improvement for a term expiring September 30, 1988, vice Wallie Cooper Simpson, term expired.

COMMUNICATIONS SATELLITE CORPORATION

Michael A. McManus, Jr., of New York, to be a member of the Board of Directors of the Communications Satellite Corporation until the date of the annual meeting of the Corporation in 1990, reappointment.

FEDERAL LABOR RELATIONS AUTHORITY

Jerry Lee Calhoun, of Washington, to be a member of the Federal Labor Relations Authority for a term of 5 years expiring July 29, 1992, reappointment.

NATIONAL COUNCIL ON THE HANDICAPPED

Joni Tada, of California, to be a member of the National Council on the Handicapped for a term expiring September 17, 1988, vice Joseph Dusenberry, term expired.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

John R. Wall, of Ohio, to be a member of the Occupational Safety and Health Review Commission for the term expiring April 27, 1993, reappointment.

IN THE ARMY

The following-named officer for appointment to the grade indicated under the provisions of title 10, United States Code, section 601(a), in conjunction with assignment to a position of importance and responsibility designated by the President under title 10, United States Code, section 601(a):

To be lieutenant general

Maj. Gen. George R. Stotser, [redacted] U.S. Army.

The U.S. Army National Guard officer named herein for appointment as a Reserve commissioned officer of the Army, under the provisions of title 10, United States Code, sections 593(a), 3371 and 3384:

To be major general

Brig. Gen. Donald Burdick, [redacted]

The U.S. Army National Guard officer named herein for appointment as a Reserve commissioned officer of the Army, under the provisions of title 10, United States Code, sections 593(a), 3371 and 3384:

To be major general

Brig. Gen. Charles J. Wing, [redacted].

IN THE AIR FORCE

The following-named individuals for appointment as Reserve of the Air Force (ANGUS) in the grade indicated under the provisions of sections 593 and 8351, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform duties as indicated:

MEDICAL CORPS

To be lieutenant colonel

Ian R. Anderson, [redacted]
George G. Bemis, Jr., [redacted]
Douglas B. McMullen, [redacted]
Charles N. Mullican, [redacted]

NURSE CORPS

To be lieutenant colonel

Joann Still, [redacted]

CHAPLAIN

To be lieutenant colonel

Charles R. Miller, [redacted]

IN THE AIR FORCE

The following Air National Guard of the United States officers for promotion in the Reserve of the Air Force under the provisions of sections 593 and 8379, title 10 of the United States Code. Promotions made under section 8379 and confirmed by the Senate under section 593 shall bear an effective date established in accordance with section 8374, title 10 of the United States Code. (Effective dates in parentheses):

LINE OF THE AIR FORCE

To be lieutenant colonel

Maj. David H. Adams, [redacted] (1/12/87).

Maj. Hanan S. Berman, [redacted] (1/11/87).

Maj. Robert J. Caster, [redacted] (1/20/87).

Maj. Hilton A. Condit, Jr., [redacted] (1/31/87).

Maj. John W. Cook, [redacted] (12/29/87).

Maj. David G. Draper, [redacted] 1/22/87).

Maj. Howard L. Hogan, [redacted] (1/11/87).

Maj. Robert B. Koenig, [redacted] (2/2/87).

Maj. Blake N. Lancaster, [redacted] (1/24/87).

Maj. Kenneth W. Mahon, [redacted] (2/9/87).

Maj. James A. McDill, [redacted] (2/7/87).

Maj. Jay A. Mengel, [redacted] (2/25/87).

Maj. David A. Miles, [redacted] (1/10/87).

Maj. Theron D. Ward, [redacted] (1/11/87).

Maj. Hal G. Wick, [redacted] (1/10/87).

LEGAL CORPS

To be lieutenant colonel

Maj. Tracey I. Arpen, Jr., [redacted] (1/11/87).

MEDICAL SERVICE CORPS

To be lieutenant colonel

Maj. James L. Gilbert, [redacted] (1/10/87).

MEDICAL CORP

To be lieutenant colonel

Maj. Carlos A. Calimano, [redacted] (1/10/87).

DENTAL CORPS

To be lieutenant colonel

Maj. Joseph W. Brookreson, [redacted], (1/21/87).

IN THE NAVY

The following-named Naval Reserve Officers' Training Corps candidates to be appointed permanent ensign in the line or staff corps of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Gregory A. Fowler
John B. Jacobs
John A. McGuire

The following-named Navy enlisted Commissioning Program candidate to be appointed permanent ensign in the line or staff corps of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Raymond D. Maxwell

The following-named Naval Reserve Officers to be appointed permanent ensign in the line or staff corps of the U.S. Navy, pursuant to title 10, United States Code section 531:

Mark A. Bigler
Kevin M. Coates
John J. Coffey
Patrick J. Coll
Elizabeth Dauphin
Jeffrey G. Grap
Thomas Hale, III
Ian M. Hall
Douglas C. Hamilton
John R. Heilman
Stevena B. Hemmrich
Eric B. Hills
Nathan S. Hines
Craig A. Huff
Mark B. Hyten
Vernon P. Kemper
Patrick O. Kennedy
Del T. Kirkpatrick
Michael J. Larson
Lisa A. Lynch
Alan M. Lytle
Michael A. Machemehl
Jeffrey R. Macris
Steven E. Moreland
Russell J. Morrison
Dondi J. Pangalangan
James A. Pinkepank
Mark A. Riser
Patrick J. Ryan
Patrick W. Stanton
Gary W. Sweany
John R. Tappert
Mark S. Wasdahl
Kevin D. Waskow
Matthew A. Weingart
David A. Williams
Stepehn C. Woll
Philip Yu
John S. Zavadil
Robert L. Zouhar

The following-named U.S. Navy officers to be appointed permanent commander in the Medical Corps of the U.S. Naval Reserve, pursuant to title 10, United States Code, section 593:

Paul W. Esposito
Richard B. Phillips

The following-named U.S. Navy officer to be appointed permanent commander in the Nurse Corps of the U.S. Naval Reserve, pursuant to title 10, United States Code section 593:

Elizabeth K. Hart

HOUSE OF REPRESENTATIVES—*Tuesday, May 5, 1987*

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We admit, gracious God, that when we are honest with ourselves we sense how many gifts we have received from others—from people of every kind. Yet, we know, too, how easy it is to forget those good gifts have not come always by our own doing or our own accomplishments, but have come to us through the gifts of those who support us and care for us. In this moment of prayer we acknowledge the great debt that we have to so many who have cared for us, who have prayed for us, whose love was our gift, and whose attention was our blessing. For those who have watched over us, and continue to offer their support, we offer this our prayer of praise and thanksgiving. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PROTECTIONS FOR WORKERS SUBJECT TO TELEPHONE MONITORING

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS of California. Mr. Speaker, although it is not widely known, thousands of businesses regularly eavesdrop on the telephone conversations of their employees and customers. Such monitoring is usually done secretly, without employees or members of the public knowing when they are being monitored. The constant threat that their conversations are being listened to by a third party erodes workers' dignity and privacy, and, of course, monitoring invades the privacy of the person at the other end of the line.

This monitoring occurs under a loophole in the Federal wiretap law, which otherwise prohibits the monitoring of telephone conversations without court order. To close this loophole, I have introduced H.R. 1950, which would require an audible tone when employers listen in on employee telephone conversations. The bill would not limit an employer's ability to monitor conversations for service quality. Nor would it interfere with wiretaps for law enforcement purposes. It would merely require notice to employees that they are being monitored.

Eighty Members are cosponsoring this important bill. I urge my other colleagues to join us in protecting workplace privacy.

IN SUPPORT OF PRESIDENT REAGAN

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, over the next couple of months the American people are going to see from some Democrats and some members of the press a lot of President-bashing going on around this place, and you might even see some Republicans with their tails between their legs worrying about what is going to happen.

I just want to tell you that this is one Republican who does not intend to put his tail between his legs. I am going to stand with one of the greatest Presidents that this country has ever known. President Reagan is a great American. On his watch he has stopped communism dead in its tracks throughout this world. And as a matter of fact, he even won one back.

He has been a great American and a great President who has made America great again and he has made the world safer for my children and grandchildren and I, for one, will do everything that I can over the next 2 years to make sure that he is going to continue to carry out his programs, which have done so much for the American people.

INTRODUCTION OF CHILD ADOPTION ASSISTANCE ACTS

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, if there is one thing on which all Americans can agree, it is that families are vital to our society. Whether we consider education, nutrition, housing, or law enforcement, the Government plays an important, but clearly secondary, role to the family in protecting life and in fostering a good quality of life.

Yet, sadly, family issues have become extraordinarily contentious in recent years. Now, we have come up with an issue on which people from the right, the left, and the center can join hands. I am delighted to announce that there has come about a unique alliance around the issue of adoption. Members from both parties and both bodies have joined to introduce two pieces of legislation to provide child adoption benefits for Federal Government employees and members of the military.

The costs of adoption can be staggering and too often prove a barrier to individuals and couples trying to build families through this means. Employees who have a biological child get health benefits for the pregnancy and delivery. Employees who adopt, on the other hand, receive no benefits through their health plans.

The average nonprofit agency fee in 1985 was $6,000 and ranged much higher. Private adoptions cost around $11,000. Fortunately, the costs involved with the adoption of children with special needs are relatively low. Yet, even minimal charges can be discouraging to families of limited means.

This administration has been quite aggressive in encouraging adoption. Yet, the Federal Government provides no benefits whatever for civil servants and members of the military who want to adopt. Almost 50 private employers and a number of State and local governments now assist employees with adoption expenses or provide leave for the adoptive parent. Companies have found that these benefits cost little and are an effective way of recruiting and retaining quality employees. By providing adoption benefits, these employers are helping to promote an important societal goal.

Specifically, the bills I am introducing today will reimburse Federal employees, including postal workers and employees of Congress, and members of the armed services for expenses incurred in the legal adoption of children under 18 years of age. Each employee will be entitled to up to $2,000 to cover reasonable and necessary expenses associated with the adoption including agency and placement fees, legal fees, counseling fees, medical costs, foster care charges, and travel costs.

This legislation will put the Federal Government on record as truly supporting adoption. Establishing adoption assistance for employees of the Federal Government is long overdue.

THE HIGH COST OF THE LOW DOLLAR

(Mr. DANNEMEYER asked and was given permission to address the House

☐ This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, more and more newspapers in this country raise questions about the high cost of the low dollar. This is the third time in 20 years that we have embarked on the suicidal policy of deliberate dollar debasement. The result is a confidence crisis the like of which the world has not seen since the waning days of the Carter administration, when the dollar was falling like a rock and some long-term Treasury issues of face value $1,000 fetched less than $500 in the secondary markets. But it would be a mistake to assume that bondholders were the only losers.

Who else is paying the high cost of the low dollar? First, holders of savings accounts and life insurance policies, whose holdings have lost nearly one-half of their value in terms of foreign exchange. Second, prospective homeowners who are once more forced to pay mortgage rates at double-digit figures. Third, consumers who are hit with higher prices of imported goods. Fourth, American producers and exporters who, ironically, were supposed to be the beneficiaries of the insane currency debasement policy. But now they find themselves even less competitive as a result of the widening interest rate differentials which favor their competitors abroad.

The cost of each of our previous experiments with the low dollar was a skyrocketing interest-rate structure which pushed the economy into a recession. Is there any reason, Mr. Speaker, to believe that the cost of our present ill-conceived experiment with the low dollar is going to be less high?

REPEAL OF ONE-WAY TOLL ON VERRAZANO-NARROWS BRIDGE

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, I am today joined by a bipartisan coalition of my colleagues from New York and New Jersey in introducing legislation to repeal the congressionally mandated one-way toll on the Verrazano-Narrows Bridge.

The toll experiment has been a catastrophe. It has cost the city over $7 million in lost revenues and has significantly increased traffic problems in the metropolitan region. Perhaps the most serious consequence of this disastrous experiment is the creation of three new air pollution "hot spots" in New York City. This hazardous increase in air pollution has placed New York State in further violation of its EPA-approved State implementation plan.

The December 31, 1987, Clean Air Act deadline is looming—it is estimated that up to 70 areas will not meet the compliance deadline. Ironically, while the Federal Government has threatened New York with severe sanctions if hot spots are not eliminated by the December 31 deadline, Congress itself is responsible for the new hot spots which have resulted from the misconceived Verrazano toll-change.

The Verrazano Bridge is a local bridge, built and maintained with local funds. The unprecedented Federal mandate which forced the toll-change is an affront to New York City's government and a threat to the sovereignty and integrity of every local government. We must correct our mistake and put an end to this disaster. I urge my colleagues to support legislation to repeal the one-way toll law.

CHILD SUPPORT ENFORCEMENT: LET'S REFORM THE REFORMS

(Mrs. ROUKEMA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, with Mother's Day approaching, this is an appropriate time to take a new look at the child support enforcement amendments we passed in 1984. That was landmark legislation—but loopholes still are preventing half of all the women holding valid child support orders from collecting the full amount they are legally owed.

Now is the time to reform those reforms! Closing the loopholes will prevent families from falling onto the welfare rolls.

Last week I made the case for mandatory, immediate wage withholding of child support and the need for full reciprocity among the States. Today, let me stress the importance of requiring a review of support orders every 2 years—allowing adjustments for the cost of living and new salary data.

In 1985, New Jersey reviewed 1,500 active child support cases based on uniform State guidelines. As a result, those support orders were adjusted upward dramatically. And, because of that adjustment, 27 percent of these families were removed from the AFDC Program. Now that's concrete evidence that tough child support enforcement is welfare prevention!

I urge your support for this child support enforcement package.

GUN CONTROL AND RAMPANT CRIME IN NEW YORK CITY

(Mr. MARLENEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARLENEE. Mr. Speaker, something is rotten in the Big Apple, and the Nation has its eyes on New York City this week as the trial of Bernard Goetz continues. Goetz is the victim and the symbol of twin horrors in this Nation: rampant crime in the cities and gun control laws which do not allow the innocent to protect themselves.

Two years ago Goetz shot four men in self-defense. Since that time, we have learned that all of these men had criminal records. Two of them admitted they intended to rob Mr. Goetz before the grand jury which handed down the Goetz' indictments, and one of them has since been arrested for raping and robbing a woman in the Bronx, and who did the liberal Big Apple put on trial?

Bernard Goetz, the man New York City refused to grant a firearms license, even though he had been mugged twice before. New York City could not and would not protect Goetz, but they put him on trial instead.

Perish the thought that anyone in the Red Apple should resist moving bands of criminals. Perish the thought that a female should disinvolve a rapist.

As Goetz said in an interview a few weeks ago, "In New York City, you are still not allowed the right to defend yourself."

The bottom line is, of course, if you do not like the environment of rape-mug-murder and gun control, do not go there.

PLACING U.S. INSURANCE COMPANIES UNDER ANTITRUST LAWS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute.)

Mr. GIBBONS. Thank you, Mr. Speaker. I just wanted to inform the House that I have just introduced a bill that will put the casualty insurance companies of the United States under the antiturst laws of the United States.

I think for far too long we have allowed this form of enterprise to escape the disciplines of our antitrust laws.

All of us have faced the horror of cancellation of insurance policies, and failure to renew insurance policies.

While the evidence seems to point to the fact that these same insurers are doing pretty well in the market, I think they have been playing fast and loose with the fact that they are not under the antitrust laws.

I hope that this Congress will take that matter up and correct this problem.

APPOINTMENT AS ADDITIONAL MEMBER TO NATIONAL COMMISSION ON AGRICULTURAL FINANCE

The SPEAKER. Pursuant to section 501 of Public Law 99-205, the Chair appoints as an additional member to the National Commission on Agricultural Finance the Honorable Cooper Evans of Grundy Center, IA.

FEDERAL PESTICIDE PROGRAMS IMPROVEMENT ACT OF 1987

(Mr. CRAIG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAIG. Mr. Speaker, today I introduce the Federal Pesticide Programs Improvement Act of 1987, a companion measure to S. 398. This legislation will stop the duplication of pesticide research by Federal agencies.

Currently, the Environmental Protection Agency researches the effects of a chemical prior to its registration for use. Under provisions of the National Environmental Policy Act, agencies that wish to use the chemical on public lands must then duplicate much of EPA's research, in addition to filing the usual environmental impact statement.

My bill would allow Federal agencies to access studies done by the EPA and use them to comply with NEPA requirements. This would in no way change the restrictions or requirements mandated by NEPA; rather, it would simply stop the need for duplication where it presently occurs.

Passage of this bill would save testing costs, eliminate waste through duplication, and expedite emergency pest control.

□ 1220

THE PLIGHT OF DIVIDED SPOUSES IS HEARTBREAKING

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, I ask my colleagues to join me today in extending best wishes to Dr. Galina Vileshina and her husband, Pyatras Pakenas, on their 10th wedding anniversary.

Unhappily for Dr. Vileshina, a neurosurgeon and American citizen from my district, today's celebration with her husband will mean only a long-distance phone call to Pyatras, 6,250 miles away in Lithuania. As one of only a few such couples in the United States, Galina, and Pyatras have not seen each other for 7 years. Mr. Pakenas' request for emigration has been denied 17 times by Soviet officials.

The plight of the divided spouses is heartbreaking, and is especially true in this case. Pyatras, a former attorney now working in a meat factory, recently suffered a heart attack and is very sick and requires heart bypass surgery.

In spirit we are with this couple on this special day. With our support, all divided spouses are not alone.

COST OF UNITED STATES CONTINUED COMMITMENT TO DEFENSE OF JAPAN

(Mr. DURBIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, during the course of the debate on the defense authorization bill I will be offering an amendment with Congresswoman MARCY KAPTUR of Ohio. The purpose of this amendment is to call on the United States Department of Defense to prepare a study estimating the 5-year expense to the United States of America for our national security interests in the Far East. To be more specific, I am asking the Pentagon to assess the cost of the United States continued commitment to the defense of Japan. Today the United States is spending about $3.2 billion per year in defense of this country while the Japanese pay in only $1.5 billion for this defense.

Every man, woman, and child in the United States of America pays taxes of $1,200 per year for our military defense. In the nation of Japan each of their citizens pays only $100. They expend 1 percent of their gross national product on defense, we expend 6 percent.

I think as we assess the trade deficit, the future of America's commitment overseas and the expense of those commitments, it is important that the study which we are calling for take place.

CONGRATULATIONS TO OLLIE DELCHAMPS

(Mr. CALLAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Speaker, I rise to advise the House that my good friend and constituent, Oliver H. Delchamps, Jr., was installed as chairman of the board of the U.S. Chamber of Commerce on April 27.

Ollie Delchamps is a native of Mobile, AL, where he is chairman of the executive committee of Delchamps, Inc., a supermarket chain. He is a graduate of the University of Alabama and serves on the university's board of trustees. He is also chairman of the advisory board for S.D. Bishop State Junior College. His civic contributions to our State and city have been tremendous and are far too numerous to list. Ollie has given generously of his time and resources to community organizations and charities, and he was recognized as Mobilian of the Year in 1971. He is a great Mobilian, a great Alabamian, and a great American.

The chamber showed splendid judgment in selecting Ollie Delchamps for the prestigious position of chairman of the board. He has held a number of posts with the national chamber, most recently as treasurer, and will make an excellent spokesman for the business community in the coming year. As chairman of the board, Ollie will work with the White House, Congress, and foreign dignitaries to advance the interests of American businesses.

Mr. Speaker, I am proud that Ollie Delchamps is my friend, and I am proud of his many accomplishments. I wish him the very best in this endeavor.

Congratulations, Ollie.

TAX FREEDOM DAY

(Mr. LUNGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUNGREN. Mr. Speaker, yesterday was indeed a special one for the hard-working Americans who pay for the operation of government. It was Tax Freedom Day.

Economists at the Tax Foundation estimate that it takes the average American from January 1, 1987, through May 3 to pay the tax collector, assuming every dollar in his or her paycheck is paid out for Federal, State, and local government taxes.

According to the Tax Foundation, since 1984, the date that Americans are liberated from government has actually moved 6 days farther on the calendar—from April 28 to May 4. In fact, American taxpayers have just returned to the same point they were before the President's tax cuts were enacted in 1981.

Yet, this apparently is still not enough to satisfy the appetite of the House Democratic leadership for additional taxes.

Mr. Speaker, the problem is not that Americans are undertaxed. Even under current law taxes will rise an average of $77 billion a year over the next 5 fiscal years—1988–92. According to CBO, this will amount to almost $400 billion in additional revenue by 1992.

Enough is enough, Mr. Speaker. It is time for the House Democratic leadership to back off from its grab for the pocketbooks of American taxpayers.

TE'O ARMY RESERVE CENTER, FIRST-EVER PERMANENT MILITARY STRUCTURE IN SAMOA

(Mr. SUNIA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SUNIA. Mr. Speaker, I want to bring to the attention of the Members of this body a recent historical development in the district I represent, the territory of American Samoa.

On April 15, the U.S. Army opened a $2 million, 150-member Reserve center in American Samoa, the first-ever permanent military structure in the territory. Named after one of American Samoa's most heroic soldiers, Sp4c. Fiatele Taulago Te'o, the center will provide our Reserve unit with a long-awaited home.

Mr. Speaker, the Te'o Army Reserve Center in American Samoa symbolizes many things. First and foremost, it pays tribute to one of the few American Samoa natives who perished in the Vietnam war. Te'o was a much decorated soldier, receiving, among other honors, the Purple Heart and the Bronze Star Medal. Te'o served his country and his people bravely, and the dedication of the new Army Reserve center in his name is a fitting testimonial to his unselfish service.

The opening of the Reserve center also brings home to the people of American Samoa a sense of readiness. It highlights the importance of maintaining an alert, efficient, prepared military force. We in American Samoa are both grateful and honored to be chosen as the site for the Army's newest Reserve center.

Mr. Speaker, young men and women in my territory enlist in this Nation's Armed Forces at an extraordinarily high rate. The pride we fell as patriotic Americans shines through in our Reserve unit as well, a fact borne out by the high words of praise the unit received during the new center's dedication ceremony. The Army Reserve in American Samoa embodies everything good about the military, and I am pleased to be able to commend it and its new home here today. Thank you.

KRASNOYARSK RADAR FACILITY IS A VIOLATION OF THE ABM TREATY

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, over the next 2 weeks we will be beginning the debate and continuing the debate and discussion of the 1987 Defense authorization, one of the most important documents we will be working on in this session of the House of Representatives. As we debate this document, we will be looking at those weapons systems being proposed for the defense of this Nation and the free world, we will be looking at arms control issues, we will be looking at issues relative to treaties currently this country is involved in such as the SALT Treaty and the ABM Treaty.

Mr. Speaker, I just left the Rules Committee where I fervently fought to have an amendment, the Weldon amendment offered to the Defense authorization bill during discussion and debate tomorrow regarding one very specific point relative to the ABM Treaty. That point relates to the Krasnoyarsk radar facility which has been installed in Siberia and which is openly acknowledged by many individuals throughout this Nation and the world as an open violation of the ABM Treaty.

It is my fervent hope that this amendment is allowed to come before this body, fully debated and discussed and we can in fact take a stand and acknowledge that one single violation which practically everyone in this country agrees is a violation of the existing ABM Treaty.

EXPEDITED FUNDS AVAILABILITY ACT

Mr. ST GERMAIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 28) to limit the number of days a depository institution may restrict the availability of funds which are deposited in any account, as amended.

The Clerk read as follows:

H.R. 28

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Expedited Funds Availability Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress hereby finds that—

(1) the writing and depositing of checks is an important element in the efficient operation of the American economy;

(2) many people rely on the rapid availability of funds deposited in their accounts for the basic necessities of life;

(3) notwithstanding the fact that depository institutions usually receive provisional credit from the Federal Reserve for checks they receive within one to two business days after such checks are deposited with them, many depository institutions have imposed inordinate delays on the availability of those funds to depositors;

(4) the incidence of returned checks, which depository institutions often use to justify their delayed funds availability policies, amount to approximately one percent of all checks written in the United States, and a substantial portion of these returned checks are paid on second presentment;

(5) with few exceptions, efforts by State governments, Federal agencies, and the financial industry have been unsuccessful in curbing the abuses which have been found in the area of delayed funds availability; and

(6) a coordinated Federal response is the most reasonable way to assure that depositors throughout the United States are treated fairly in gaining access to funds in their accounts.

(b) PURPOSE.—It is the purpose of this Act to—

(1) adopt temporary, maximum time limits for the availability of funds deposited by check;

(2) replace those temporary time limits with standard availability ceilings within 3 years after the effective date of section 4;

(3) require depository institutions to fully disclose their funds availability policies to depositors;

(4) permit States, and individual depository institutions, to adopt funds availability policies which allow depositors to gain access to funds earlier than prescribed by Federal law or regulation; and

(5) prescribe appropriate enforcement mechanisms to ensure compliance with the provisions of this Act.

SEC. 3. DEVELOPMENT OF PERMANENT EXPEDITED FUNDS AVAILABILITY SYSTEM.

(a) PERMANENT EXPEDITED FUNDS AVAILABILITY SYSTEM.—

(1) DEVELOPMENT REQUIRED.—The Board of Governors of the Federal Reserve System shall immediately begin to develop an expedited funds availability system which will meet the funds availability schedule established in subsection (b).

(2) TIME LIMIT ON IMPLEMENTATION.—The expedited funds availability system shall be implemented as soon as possible, but in no event later than 3 years after the effective date of section 4.

(b) SCHEDULE.—

(1) NEXT BUSINESS DAY AVAILABILITY.—Funds deposited in an account at a depository institution by checks described in any subparagraph of section 4(c)(2) shall be available for withdrawal not later than the start of the business day following the business day on which such checks were deposited.

(2) AVAILABILITY OF LOCAL CHECKS.—Subject to paragraph (5), not more than 1 business day shall intervene between the business day on which checks drawn on a local originating depository institution are deposited in an account at a depository institution and the business day on which the funds involved are available for withdrawal.

(3) AVAILABILITY OF NONLOCAL CHECKS.—For all other checks, not more than 4 business days shall intervene between the business day on which such checks are deposited in an account at a depository institution and the business day on which the funds involved are available for withdrawal.

(4) REDUCTION OF TIME PERIODS WHERE POSSIBLE.—The Board shall, by regulation, reduce the time period established under paragraph (3) to as short a time as possible and equal to the average check processing time achievable for each category of check under an improved check clearing system.

(5) TIME PERIOD ADJUSTMENTS FOR CERTAIN LOCAL CHECKS.—The Board may extend by 1 business day the period established under paragraph (2) with respect to funds deposited in an account at a depository institution by checks drawn on a local originating depository institution, other than an institution that is a participant in the same check clearinghouse association, if the Board determines that such extension is necessary in light of average check processing times achievable under an improved check clearing system with respect to such particular receiving depository institution.

(6) TIME PERIOD EXTENSION FOR CERTAIN DEPOSITS IN NONCONTIGUOUS STATES OR TERRITORIES.—Notwithstanding any other provision of law, any time period established under paragraph (2) or (3) shall be extended by 1 business day in the case of any deposit—

(A) in an account at a depository institution which is located in Alaska, Hawaii, Puerto Rico, or the Virgin Islands; and

(B) by a check drawn on an originating depository institution which is not located in the same State, commonwealth, or territory as the receiving depository institution.

(c) Regulations.—In connection with the establishment of the expedited funds availability system described in subsection (a), the Board shall consider (among other proposals) requiring, by regulation, that—

(1) the Federal Reserve banks and depository institutions shall take such actions as are necessary to automate the process of returning unpaid checks;

(2) each depository institution and Federal Reserve bank shall place its endorsement, and other notations specified in regulations of the Board, on checks in the positions specified in such regulations;

(3) within one business day after an originating depository institution is presented a check (for more than such minimum amount as the Board may prescribe)—

(A) such originating depository institution shall determine whether it will pay such check; and

(B) if such originating depository institution determines that it will not pay such check, such originating depository institution shall directly notify the receiving depository institution of such determination;

(4) regardless of where a check is cleared initially, all returned checks shall be eligible to be returned through the Federal Reserve System; and

(5) originating depository institutions shall be permitted to return unpaid checks directly to, and obtain reimbursement for such checks directly from, the receiving depository institution.

(d) Check Return; Notice of Nonpayment.—No provision of this section shall be construed as requiring that, with respect to all checks deposited in a receiving depository institution—

(1) such checks be physically returned to such depository institution; or

(2) any notice of nonpayment of any such check be given to such depository institution within the times set forth in subsection (b).

(e) Reports.—

(1) Implementation progress reports.—

(A) Required semiannually.—The Board shall transmit a report to both Houses of the Congress not later than 6 months after the date of the enactment of this Act and every 6 months thereafter until the schedule established in subsection (b) is implemented.

(B) Contents of report.—Each such report shall describe the actions taken by the Board to achieve the schedule established in subsection (b).

(2) Evaluation of temporary schedule report.—

(A) Report required.—The Board shall transmit a report to both Houses of the Congress not later than 2 years after the date of the enactment of this Act regarding the effects the temporary schedules established under section 4 have had on depository institutions and the public.

(B) Contents of report.—Such report shall also assess the potential impact the implementation of the schedule established in subsection (b) will have on depository institutions and the public, including an estimate of the risks to and losses of depository institutions and the costs and benefits to consumers. Such report shall also contain such recommendations for legislative or administrative action as the Board may determine to be necessary.

SEC. 4. EXPEDITED FUNDS AVAILABILITY.

(a) Next Business Day Availability for Cash Deposits; Wire Transfers.—Except as provided in section 5, in any case in which—

(1) any cash is deposited in an account at a receiving depository institution staffed by individuals employed by such institution, or

(2) funds are received by a depository institution by wire transfer for deposit in an account at such institution,

such cash or funds shall be available for withdrawal not later than the business day after the business day on which such cash is deposited or such funds are received for deposit.

(b) Cash Deposits at an ATM.—In any case in which cash is received at an automated teller machine for deposit in an account at a depository institution, such cash shall be available for withdrawal not later than the business day after the business day on which such cash is so received.

(c) First Year Schedule.—

(1) In general.—Except as provided in subsection (f) and section 5, funds deposited by check in an account at a depository institution before the end of the 1-year period beginning on the date this section takes effect shall be available for withdrawal not later than the business day provided in the applicable paragraph of this subsection.

(2) Next business day availability.—Funds deposited in an account at a depository institution by check shall be available on the business day after the business day on which such funds are deposited in the case of—

(A) a check for not more than $100;

(B) a check deposited in a branch of a depository institution and drawn on another branch of the same depository institution if both such branches are located in the same check processing region or in the same State;

(C) a check which—

(i) is endorsed only by the person to whom it was issued; and

(ii) is drawn on the Treasury of the United States;

(D) a check which—

(i) is endorsed only by the person to whom it was issued;

(ii) is drawn on the treasury of a State;

(iii) is deposited in a receiving depository institution which is located in such State and is staffed by individuals employed by such institution; and

(iv) is deposited with a special deposit slip which indicates it is a check drawn on the treasury of a State;

(E) a check which—

(i) is endorsed only by the person to whom it was issued;

(ii) is drawn on the treasury of a unit of general local government;

(iii) is deposited in a receiving depository institution which is located in the same State as such unit of general local government and is staffed by individuals employed by such institution; and

(iv) is deposited with a special deposit slip which indicates it is a check drawn on the treasury of a unit of general local government; and

(F) a cashier's check, certified check, teller's check, or depository check which—

(i) is endorsed only by the person to whom it was issued;

(ii) is deposited in a receiving depository institution which is staffed by individuals employed by such institution; and

(iii) is deposited with a special deposit slip which indicates it is a cashier's check, certified check, teller's check, or depository check, as the case may be.

(3) Availability of local checks.—Subject to subsection (e)(2), not more than 2 business days shall intervene between the business day on which funds are deposited in an account at a depository institution by a check drawn on a local originating depository institution and the business day on which such funds are available for withdrawal.

(4) Availability of nonlocal checks.—Not more than 6 business days shall intervene between the business day on which funds are deposited in an account at a depository institution by a check drawn on a nonlocal originating depository institution and the business day on which such funds are available for withdrawal.

(d) Second and Third Year Schedule.—

(1) In general.—Except as provided in subsection (f) and section 5, funds deposited by check in an account at a depository institution during the second and third year after the effective date of this section shall be available for withdrawal not later than the business day provided in the applicable paragraph of this subsection.

(2) Next business day availability.—Funds deposited in an account at a depository institution by a check described in any subparagraph of subsection (c)(2) shall be available for withdrawal as provided in such subsection.

(3) Availability of local checks.—Subject to subsection (e)(2), not more than 1 business day shall intervene between the business day on which funds are deposited in an account at a depository institution by a check drawn on a local originating depository institution and the business day on which such funds are available for withdrawal.

(4) Availability of nonlocal checks.—Funds deposited in an account at a depository institution by a check drawn on a nonlocal originating depository institution shall be available for withdrawal as provided in subsection (c)(4).

(e) Time Period Adjustments.—

(1) In general.—Notwithstanding any other provision of law, the Board may, by regulation—

(A) shorten any time period established under subsection (c) or (d); and

(B) extend by one business day any time period established under subsection (c) or (d), or shortened under subparagraph (A), with respect to any deposit made at a shared or nonproprietary automatic teller machine.

(2) Adjustments for certain local checks.—The Board may extend by 1 business day the period established under subsection (c)(3) or (d)(3) with respect to funds deposited in an account at a depository institution by checks drawn on a local originating depository institution, other than an institution that is a participant in the same check clearinghouse association, if the Board determines that such extension is necessary in light of average check processing times achievable under an improved check clearing system with respect to such particular receiving depository institution.

(3) Extension for certain deposits in noncontiguous States or territories.—Notwithstanding any other provision of law, any time period established under subsection (c) or (d) shall be extended by 1 business day in the case of any deposit—

(A) in an account at a depository institution which is located in Alaska, Hawaii, Puerto Rico, or the Virgin Islands; and

(B) by a check (other than a check described in any subparagraph of subsection (c)(2)) drawn on an originating depository institution which is not located in the same State, commonwealth, or territory as the receiving depository institution.

(f) Subsection (c) and (d) Schedules Superseded by Section 3 System.—If the expe-

dited funds availability system established under section 3(a) is implemented before the end of the 3-year period referred to in paragraph (2) of such section, the schedules established in subsections (c) and (d) (other than subsection (c)(2)) shall not apply after the date such system is implemented.

SEC. 5. SAFEGUARD EXCEPTIONS.

(a) NEW ACCOUNTS.—In the case of any account established at a depository institution by a new depositor, the following provisions shall apply with respect to any deposit in such account during the 30-day period beginning on the date such account was established:

(1) NEXT BUSINESS DAY AVAILABILITY OF CASH ITEMS.—Except as provided in paragraph (3), in the case of—

(A) any cash deposited in such account;

(B) any funds received by such depository institution by wire transfer for deposit in such account; and

(C) any funds deposited in such account by cashier's check, certified check, teller's check, depository check, or traveler's check,

such cash or funds shall be available for withdrawal on the business day after the business day on which such cash or funds are deposited or, in the case of a wire transfer, such funds are received for deposit.

(2) AVAILABILITY OF OTHER ITEMS.—In the case of any funds deposited in such account by a check (other than a check described in paragraph (1)(C)), the availability for withdrawal of such funds shall not be subject to the provisions of section 3(b), 4(c), or 4(d).

(3) LIMITATION RELATING TO PARAGRAPH (1)(C) CHECKS IN EXCESS OF $5,000.—In the case of funds deposited in such account during such period by checks described in paragraph (1)(C) the aggregate amount of which exceeds $5,000—

(A) paragraph (1) shall apply only with respect to the first $5,000 of such aggregate amount; and

(B) not more than 8 business days shall intervene between the business day on which any such funds are deposited and the business day on which such excess amount shall be available for withdrawal.

(b) DEPOSITS BY CHECKS IN EXCESS OF $5,000.—In the case of funds deposited on any business day in an account at a depository institution by checks the aggregate amount of which exceeds $5,000, sections 3(b), 4(c), and 4(d) shall apply only with respect to the first $5,000 of such aggregate amount.

(c) CHECKS REDEPOSITED AFTER INITIAL RETURN.—In the case of a check which was returned unpaid by the originating depository institution, sections 3(b), 4(c), and 4(d) shall not apply to any subsequent redeposit of such check in an account at a depository institution.

(d) REPEATED OVERDRAFTS.—In any case in which, on three separate and distinct occasions within any 6-month period, any account (or successor account as defined by the Board, by regulation) of a depositor has been the subject of checks which were written by such depositor and which were in excess of the available funds in the account involved, sections 3(b), 4(c), and 4(d) shall not apply to any such account for a period of 6 months following the last occasion involved.

(e) FOREIGN CHECKS.—Sections 3(b), 4(c), and 4(d) shall not apply in any case in which a check is drawn on a depository institution, or an office of a depository institution, located outside of the United States.

(f) EMERGENCY CONDITIONS.—Subject to such regulations as the Board may prescribe, sections 3(b), 4(c), and 4(d) shall not apply to amounts deposited in any receiving depository institution in the case of—

(1) any interruption of communication facilities;

(2) suspension of payments by another depository institution;

(3) any war; or

(4) any emergency condition beyond the control of the receiving depository institution,

if the receiving depository institution exercises such diligence as the circumstances require.

(g) PREVENTION OF FRAUD LOSSES.—

(1) IN GENERAL.—The Board may, by regulation or order, suspend the applicability of this Act, or any portion thereof, to any classification of checks if the Board determines that—

(A) depository institutions are experiencing an unacceptable level of losses due to check-related fraud, and

(B) suspension of this Act, or such portion of this Act, with regard to the classification of checks involved in such fraud is necessary to diminish the volume of such fraud.

(2) SUNSET PROVISION.—No regulation prescribed or order issued under paragraph (1) shall remain in effect for more than 45 days (excluding Saturdays, Sundays, legal holidays, or any day either House of Congress is not in session).

(3) REPORT TO CONGRESS.—

(A) NOTICE OF EACH SUSPENSION.—Within 10 days of prescribing any regulation or issuing any order under paragraph (1), the Board shall transmit a report of such action to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(B) CONTENTS OF REPORT.—Each report under subparagraph (A) shall contain—

(i) the specific reason for prescribing the regulation or issuing the order;

(ii) evidence considered by the Board in making the determination under paragraph (1) with respect to such regulation or order; and

(iii) specific examples of the check-related fraud giving rise to such regulation or order.

(h) EXCEPTION.—

(1) IN GENERAL.—In accordance with regulations which the Board shall prescribe, sections 3(b), 4(c), and 4(d) shall not apply with respect to any check deposited in an account at a depository institution if the receiving depository institution has reasonable cause to believe that the check is uncollectible from the originating depository institution. For purposes of the preceding sentence, reasonable cause to believe requires the existence of facts which would cause a well-grounded belief in the mind of a reasonable person. Such reasons shall be included in the notice required under paragraph (2).

(2) NOTICE REQUIREMENT.—

(A) IN GENERAL.—In the case of any check which the receiving depository institution determines is a check described in paragraph (1), the receiving depository institution shall—

(i) if the deposit of such check is made in person by the depositor at the receiving depository institution, immediately provide written notice of such determination to the depositor; or

(ii) if such check is received for deposit in any other manner, mail notice of such determination to the depositor before the end of the business day following the business day on which such deposit is received.

(B) SUBSEQUENT DETERMINATIONS.—If the facts upon which the determination of uncollectibility is based only become known to the receiving depository institution after the time notice is required under subparagraph (A), the depository institution shall mail such notice to the depositor as soon as practicable but not later than the end of the business day following the business day on which such facts become known to the depository institution.

(C) CONTENTS OF NOTICE.—In addition to the reasons required to be disclosed under paragraph (1), any notice required under this paragraph shall contain a statement of the day the funds deposited will be available for withdrawal.

(D) RECORD OF NOTICE.—Each depository institution shall retain a record of each notice provided under this subsection for purposes of paragraph (6).

(3) AVAILABILITY OF FUNDS.—In the case of any check which the receiving depository institution determines is a check described in paragraph (1), the funds deposited by such check shall be available for withdrawal by the end of such period of time as the depository institution may establish, except that such period shall not exceed a reasonable period as determined by the Board.

(4) BASIS FOR DETERMINATION.—No determination under this subsection may be based on any class of checks or persons.

(5) OVERDRAFT FEES.—If the receiving depository institution determines that a check deposited in an account is a check described in paragraph (1), the receiving depository institution shall not assess any fee for any subsequent overdraft with respect to such account, if—

(A) the depositor was not provided with the written notice required under paragraph (2) (with respect to such determination) at the time the deposit was made;

(B) the overdraft would not have occurred but for the fact that the funds so deposited are not available; and

(C) the amount of the check is collected from the originating depository institution.

(6) COMPLIANCE.—Each agency referred to in section 13(a) shall monitor compliance with the requirements of this subsection in each regular examination of a depository institution and shall describe the extent to which this subsection is being complied with in each annual report to each House of the Congress.

SEC. 6. MISCELLANEOUS PROVISIONS.

(a) EFFECT ON POLICIES OF DEPOSITORY INSTITUTIONS.—No provision of this Act shall be construed as—

(1) prohibiting a depository institution from making funds available for withdrawal in a shorter period of time than the period of time required by this Act; or

(2) affecting a depository institution's right—

(A) to accept or reject a check for deposit;

(B) to revoke any provisional settlement made by the depository institution with respect to a check accepted by such institution for deposit;

(C) to charge back the depositor's account for the amount of such check; or

(D) to claim a refund of such provisional credit.

(b) REGULATORY RESPONSIBILITY OF BOARD FOR PAYMENT SYSTEM.—

(1) RESPONSIBILITY FOR PAYMENT SYSTEM.—In order to carry out the provisions of this Act, the Board of Governors of the Federal Reserve System shall have the responsibility to regulate—

(A) any aspect of the payment system, including the receipt, payment, collection, or clearing of checks; and

(B) any related function of the payment system with respect to checks.

(2) Regulations.—The Board shall prescribe such regulations as it may determine to be appropriate to carry out its responsibility under paragraph (1).

(c) After-Hours Deposits.—For purposes of this Act, any deposit which is made on a Saturday, Sunday, legal holiday, or after the close of business on any business day shall be deemed to have been made on the next business day.

(d) Prohibition on Freezing Certain Funds in an Account.—In any case in which a check is deposited in an account at a depository institution and the funds represented by such check are not yet available for withdrawal pursuant to this Act, the depository institution may not freeze any other funds in such account (which are otherwise available for withdrawal pursuant to this Act) solely because the funds so deposited are not yet available for withdrawal.

(e) Employee Training on and Compliance With the Requirements of This Act.—Each depository institution shall—

(1) take such actions as may be necessary to fully inform each employee of such institution of the requirements of this Act; and

(2) establish and maintain procedures reasonably designed to assure and monitor employee compliance with such requirements.

(f) Availability at Start of Business Day.—Wherever any provision of this Act requires that funds be available for withdrawal on any business day, such funds shall be available for withdrawal at the start of such business day.

SEC. 7. EFFECT ON STATE LAW.

(a) In General.—Any law or regulation of any qualified State which requires that funds deposited or received for deposit in an account at a depository institution chartered by such State be made available for withdrawal in a shorter period of time than the period of time provided in this Act or in regulations prescribed by the Board under this Act shall—

(1) supersede the provisions of this Act and any regulations by the Board to the extent such provisions relate to the time by which funds deposited or received for deposit in an account shall be available for withdrawal; and

(2) apply to all federally insured depository institutions located within such State.

(b) Qualified State Defined.—For purposes of subsection (a), the term "qualified State" means any State which has a law or regulation in effect before the end of the 2-year period beginning on the date of the enactment of this Act which requires that funds deposited or received for deposit in an account at a depository institution chartered by such State be made available for withdrawal in a shorter period of time than the period of time provided in this Act or in regulations prescribed by the Board under this Act (as in effect at the end of such 2-year period).

SEC. 8. PAYMENT OF INTEREST.

(a) In General.—Except as provided in subsection (b) or (c) and notwithstanding any other provision of law, interest shall accrue on funds deposited in an interest-bearing account at a depository institution beginning not later than the business day on which the depository institution receives provisional credit for such funds.

(b) Special Rule for Credit Unions.—Subsection (a) shall not apply to an account at a depository institution described in section 19(b)(1)(A)(iv) of the Federal Reserve Act if the depository institution—

(1) begins the computation of interest or dividends at a later date than the date described in subsection (a) with respect to all funds, including cash, deposited in such account; and

(2) provides notice of the interest payment policy in the manner required under section 9(f).

(c) Exception for Checks Returned Unpaid.—No provision of this Act shall be construed as requiring the payment of interest or dividends on funds deposited by a check which is returned unpaid.

SEC. 9. DISCLOSURE OF FUNDS AVAILABILITY POLICIES.

(a) Notice for New Accounts.—Before an account is opened at a depository institution, the depository institution involved shall provide written notice to the potential customer of the specific policy of such depository institution with respect to when a customer may withdraw funds deposited into the customer's account.

(b) Preprinted Deposit Slips.—All preprinted deposit slips that a depository institution furnishes to its customers shall contain a summary notice, as prescribed by the Board in regulations, that deposited items may not be available for immediate withdrawal.

(c) Mailing of Notice.—

(1) First mailing after enactment.—In the first regularly scheduled mailing to customers occurring more than 30 days after the effective date of this section, each depository institution shall send a written notice containing the specific policy of such depository institution with respect to when a customer may withdraw funds deposited into such customer's account.

(2) Subsequent changes.—Each time—

(A) a depository institution makes a significant change in the specific policy of such depository institution with respect to when a customer may withdraw funds deposited into such customer's account; or

(B) any period prescribed in section 4(c) or 4(d) is shortened or lengthened by the Board under section 4(e),

such depository institution shall send a written notice to its customers of such change not less than 30 days before the date such change becomes effective.

(d) Posting of Notice.—

(1) Specific notice at manned teller stations.—Each depository institution shall post, in a conspicuous place in each location where deposits are accepted by individuals employed by such depository institution, a specific notice which describes the time periods applicable to the availability of funds deposited in a customer's account.

(2) General notice at automated teller machines.—In the case of any automated teller machine at which any funds are received for deposit in an account at any depository institution, the Board shall prescribe, by regulations, that the owner or operator of such automated teller machine shall post a general notice that funds deposited in such machine may not be immediately available for withdrawal.

(e) Notice That Funds May Be Available Sooner Than Required.—Each written notice required under this section shall contain a statement, in such form as the Board may prescribe, that informs depositors that deposited funds may be available sooner than the time prescribed under the policy of the depository institution.

(f) Notice of Interest Payment Policy.—If a depository institution described in section 8(b) begins the computation of interest or dividends at a later date than the date described in section 8(a) with respect to all funds, including cash, deposited in an interest-bearing account at such depository institution, any notice required to be provided under subsections (a) and (c) shall contain a written description of the time at which such depository institution begins to compute interest or dividends with respect to the deposit of such funds.

SEC. 10. MODEL DISCLOSURE FORMS.

(a) Development.—The Board may publish model disclosure forms and clauses for common transactions—

(1) to facilitate compliance with the disclosure requirements of this Act; or

(2) to aid customers by utilizing readily understandable language.

(b) Voluntary Use.—Nothing in this Act requires the use by any depository institution of any model disclosure form or clause published by the Board under subsection (a).

SEC. 11. FORGED TREASURY CHECKS.

Section 3712(a) of title 31, United States Code, is amended to read as follows:

"(a) Claims over Forged or Unauthorized Endorsements.—

"(1) Period for claims against presenting bank.—If the Secretary of the Treasury determines that a check is issued by the Secretary has been paid over a forged or unauthorized endorsement, the Secretary may reclaim the amount of the check from the presenting depository institution (as such term is defined in section 19(b)(1)(A) of the Federal Reserve Act), or any other endorser who has breached its guarantee of endorsement, not later than—

"(A) the end of the 1-year period beginning on the date such check was paid; or

"(B) the end of the 180-day period beginning on the date a timely claim with respect to such check is received under section 3702.

"(2) Civil action to enforce liabilities for forged checks, etc.—Except as provided in paragraph (3), the United States may bring a civil action to enforce any liability of an endorser, transferor, depositary, or fiscal agent on a forged or unauthorized signature or endorsement on, or any change in, a check or warrant issued by the Secretary of the Treasury, the United States Postal Service, or any disbursing official or agent not later than the end of the 1-year period beginning on the date the check or warrant is presented to the drawee for payment.

"(3) Three additional years for civil action on certain claims.—If the United States has given an endorser written notice of a claim against the endorser within any period referred to in paragraph (1), the 1-year period established under paragraph (2) for bringing a civil action against such endorser with respect to such claim shall be extended by 3 additional years.".

SEC. 12. REGULATIONS.

(a) Regulations.—The Board shall prescribe regulations—

(1) to carry out the provisions of this Act;

(2) to prevent the circumvention or evasion of such provisions; and

(3) to facilitate compliance with such provisions.

(b) Override of Uniform Commercial Code.—Except as provided in section 7, this Act and regulations prescribed under this Act shall supersede any provision of the law of any State, including the Uniform Commercial Code as in effect in such State, which is inconsistent with this Act or such regulations.

(c) CONSULTATION.—In prescribing regulations under subsection (a), the Board shall consult with the Comptroller of the Currency, the Board of Directors of the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, and the National Credit Union Administration Board.

SEC. 13. ADMINISTRATIVE ENFORCEMENT.

(a) ADMINISTRATIVE ENFORCEMENT.—Compliance with the requirements imposed under this Act, including regulations prescribed by and orders issued by the Board of Governors of the Federal Reserve System under this Act, shall be enforced under—

(1) section 8 of the Federal Deposit Insurance Act in the case of—

(A) national banks, by the Comptroller of the Currency;

(B) member banks of the Federal Reserve System (other than national banks), by the Board of Governors of the Federal Reserve System; and

(C) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System), by the Board of Directors of the Federal Deposit Insurance Corporation;

(2) section 5(d) of the Home Owners' Loan Act of 1933, section 407 of the National Housing Act, and section 17 of the Federal Home Loan Bank Act, by the Federal Home Loan Bank Board (acting directly or through the Federal Savings and Loan Insurance Corporation), in the case of any institution subject to any of those provisions; and

(3) the Federal Credit Union Act, by the National Credit Union Administration Board with respect to any Federal credit union or insured credit union.

(b) ADDITIONAL POWERS.—

(1) VIOLATION OF THIS ACT TREATED AS VIOLATION OF OTHER ACTS.—For purposes of the exercise by any agency referred to in subsection (a) of this section of its powers under any Act referred to in that subsection, a violation of any requirement imposed under this Act shall be deemed to be a violation of a requirement imposed under this Act.

(2) ENFORCEMENT AUTHORITY UNDER OTHER ACTS.—In addition to its powers under any provision of law specifically referred to in subsection (a) of this section, each of the agencies referred to in such subsection may exercise, for purposes of enforcing compliance with any requirement imposed under this Act, any other authority conferred on it by law.

(c) ENFORCEMENT BY THE BOARD.—

(1) IN GENERAL.—Except to the extent that enforcement of the requirements imposed under this Act is specifically committed to some other Government agency under subsection (a) of this section, the Board of Governors of the Federal Reserve System shall enforce such requirements.

(2) ADDITIONAL REMEDY.—If the Board determines that—

(A) any depository institution which is not a depository institution described in subsection (a), or

(B) any other person subject to the authority of the Board under this Act, including any person subject to the authority of the Board under section 6(b) or 9(d)(2),

has failed to comply with any requirement imposed by this Act or by the Board under this Act, the Board may issue an order prohibiting any depository institution, any Federal Reserve bank, or any other person subject to the authority of the Board from engaging in any activity or transaction which directly or indirectly involves such noncomplying depository institution or person (including any activity or transaction involving the receipt, payment, collection, and clearing of checks and any related function of the payment system with respect to checks).

(d) PROCEDURAL RULES.—The authority of the Board to prescribe regulations under this Act does not impair the authority of any other agency designated in this section to make rules regarding its own procedures in enforcing compliance with requirements imposed under this Act.

SEC. 14. CIVIL LIABILITY.

(a) CIVIL LIABILITY.—Except as otherwise provided in this section, any depository institution which fails to comply with any requirement imposed under this Act or any regulation prescribed under this Act with respect to any person is liable to such person in an amount equal to the sum of—

(1) any actual damage sustained by such person as a result of the failure;

(2)(A) in the case of an individual action, such additional amount as the court may allow, except that the liability under this subparagraph shall not be less than $100 nor greater than $1,000; or

(B) in the case of a class action, such amount as the court may allow, except that—

(i) as to each member of the class, no minimum recovery shall be applicable; and

(ii) the total recovery under this subparagraph in any class action or series of class actions arising out of the same failure to comply by the same depository institution shall not be more than the lesser of $500,000 or 1 percent of the net worth of the depository institution involved; and

(3) in the case of any successful action to enforce the foregoing liability, the costs of the action, together with a reasonable attorney's fee as determined by the court.

(b) CLASS ACTION AWARDS.—In determining the amount of any award in any class action, the court shall consider, among other relevant factors—

(1) the amount of any actual damages awarded;

(2) the frequency and persistence of failures of compliance;

(3) the resources of the depository institution;

(4) the number of persons adversely affected; and

(5) the extent to which the failure of compliance was intentional.

(c) BONA FIDE ERRORS.—

(1) GENERAL RULE.—A depository institution may not be held liable in any action brought under this section for a violation of this Act if the depository institution demonstrates by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide error, notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

(2) EXAMPLES.—Examples of a bona fide error include clerical, calculation, computer malfunction and programming, and printing errors, except that an error of legal judgment with respect to a depository institution's obligation under this Act is not a bona fide error.

(d) JURISDICTION.—Any action under this section may be brought in any United States district court, or in any other court of competent jurisdiction, within one year after the date of the occurrence of the violation involved.

(e) RELIANCE ON BOARD RULINGS.—No provision of this section imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule, regulation, or interpretation thereof by the Board of Governors of the Federal Reserve System, notwithstanding the fact that after such act or omission has occurred, such rule, regulation, or interpretation is amended, rescinded, or determined by judicial or other authority to be invalid for any reason.

SEC. 15. ELECTRONIC CLEARINGHOUSE PROCESS STUDY.

(a) STUDY REQUIRED.—The Board shall study the feasibility of modernizing and accelerating the check payment system through the development of an electronic clearinghouse process utilizing existing telecommunications technology to avoid the necessity of actual presentment of the paper instrument to a payor institution before such institution is charged for the item.

(b) CONSULTATION; FACTORS TO BE STUDIED.—In connection with the study required under subsection (a), the Board shall—

(1) consult with appropriate experts in telecommunications technology; and

(2) consider all practical and legal impediments to the development of an electronic clearinghouse process.

(c) REPORT REQUIRED.—The Board shall report its conclusions to the Congress within 9 months of the date of the enactment of this Act.

SEC. 16. DEFINITIONS.

For purposes of this Act—

(1) the term "account" means any demand deposit account and any other similar transaction account at a depository institution;

(2) the term "Board" means the Board of Governors of the Federal Reserve System;

(3) the term "business day" means any day other than a Saturday, Sunday, or legal holiday;

(4) the term "cash" means United States coins and currency, including Federal Reserve notes;

(5) the term "cashier's check" means any check which—

(A) is drawn on a depository institution;

(B) is signed by an officer or employee of such depository institution; and

(C) is a direct obligation of such depository institution;

(6) the term "certified check" means any check with respect to which a depository institution certifies that—

(A) the signature on the check is genuine; and

(B) such depository institution has set aside funds which—

(i) are equal to the amount of the check; and

(ii) will be used only to pay such check;

(7) the term "check" means any negotiable demand draft drawn on or payable through a depository institution;

(8) the term "check clearinghouse association" means any arrangement by which participant depository institutions exchange deposited checks on a local basis, including an entire metropolitan area, without using the check processing facilities of the Federal Reserve System;

(9) the term "check processing region" means the geographical area served by a Federal Reserve bank check processing center or such larger area as the Board may prescribe by regulations;

(10) the term "Council" means the Payments System Advisory Council;

(11) the term "depository check" means any cashier's check, certified check, teller's check, and any other functionally equivalent instrument as determined by the Board of Governors of the Federal Reserve System;

(12) the term "depository institution" has the meaning given such term in clauses (i) through (vi) of section 19(b)(1)(A) of the Federal Reserve Act;

(13) the term "local originating depository institution" means any originating depository institution which is located in the same check processing region as the receiving depository institution;

(14) the term "nonlocal originating depository institution" means any originating depository institution which is not a local depository institution;

(15) the term "originating depository institution" means the branch of a depository institution on which a check is drawn;

(16) the term "participant" means a depository institution which—

(A) is located in the same geographic area as that served by a check clearinghouse association; and

(B) exchanges checks through the check clearinghouse association, either directly or through an intermediary;

(17) the term "receiving depository institution" means the branch of a depository institution in which a check is first deposited;

(18) the term "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands;

(19) the term "teller's check" means any check issued by a depository institution and drawn on another depository institution;

(20) the term "unit of general local government" means any city, county, town, township, parish, village, or other general purpose political subdivision of a State;

(21) the term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands; and

(22) the term "wire transfer" has such meaning as the Board shall prescribe by regulations.

SEC. 17. EFFECTIVE DATE.

(a) DATE OF ENACTMENT.—Sections 1, 2, 3, 10, 11, 12, 15, 16, and 17 shall take effect on the date of the enactment of this Act.

(b) 90 DAYS AFTER DATE OF ENACTMENT.—Sections 4, 5, 6, 7, 8, 9, and 13 shall take effect 90 days after the date of the enactment of this Act.

(c) 180 DAYS AFTER DATE OF ENACTMENT.—Section 14 shall take effect 180 days after the date of the enactment of this Act.

(d) REGULATORY AUTHORITY OF THE BOARD.—Notwithstanding subsections (b) and (c), any provision of this Act which authorizes the Board of Governors of the Federal Reserve System to prescribe regulations shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the rule, a second is not required on this motion.

The gentleman from Rhode Island [Mr. ST GERMAIN] will be recognized for 20 minutes and the gentleman from Ohio [Mr. WYLIE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. ST GERMAIN. Mr. Speaker, I yield myself such time as I may consume.

The Nation's financial system—banks, savings and loans, credit unions—all operate on other people's money, and it is time that we gave the people access to their own money.

H.R. 28 provides that consumers—the customers who deposit their checks in federally insured institutions—shall have use of their deposits as soon as modern technology allows.

H.R. 28 ends the so-called float game that has delayed funds availability to consumers, provided unwarranted profits for banks, and generated a rising tide of fees for bank customers.

The effort to bring justice to this area of financial services is not new to this House. Legislation has been pending for three consecutive Congresses and the House, on January 23, 1986, passed a check-hold bill only to have it die in the adjournment rush.

The current legislation is cosponsored by 148 Members of the House. The files of the Banking Committee are bulging with letters of complaint about outlandish hold policies imposed by banking institutions—complaints across the spectrum of the population—senior citizens, the affluent, the poor, the hard working middle class with specific case histories.

Even Social Security checks—drawn on the U.S. Treasury—have been subjected to holds. Internal Revenue refunds—again good solid Treasury instruments—have been placed in the deep freeze of check holds.

The holds are not limited to any class of checks or deposits. The examples are across the board—payroll checks, personal checks, cashier's checks, Government checks. The delays are a crazy quilt of arbitrary policies imposed willy-nilly by financial institutions—a few days in one institution, a few weeks in another. The consumer, seldom told about what check hold policy applies, is often victimized by inflated bounced check charges imposed despite deposits made well in advance. In fact, the banking industry is clearing between $3 billion and $4 billion annually from return check charges, many of which are caused by the banks' own check hold schemes.

Mr. Speaker, the record of abuses has been established. Statutory remedies such as those provided in H.R. 28 are long overdue.

H.R. 28 strikes a balance between the clear rights of consumers and the need to protect banking institutions from possible fraud. The legislation has been worked out carefully over three Congresses and represents a true bipartisan effort to put together a workable package.

The legislation contains four key elements:

First, an interim schedule effective 90 days after enactment providing maximum time periods that banks can hold checks.

Second, a permanent schedule of maximum time periods that must be in place no later than 3 years after enactment. This schedule will range from next day availability for such items as Government checks, checks under $100 and cashier checks, to 1 day for local checks and 4 days maximum for nonlocal checks.

Third, full and timely disclosure of check hold policies of each institution to each depositor.

Fourth, safeguards that limit the possibility of fraud.

Mr. Speaker, the Federal Reserve is required to make the maximum effort and employ the best technology to assure that these schedules can be made as short as possible. The Federal Reserve will have the authority to add a day to the local schedule under extraordinary circumstances when other alternatives are not available. However, it is our intent that these extensions be granted only on a case-by-case basis and that this not become an easy or frequently used route for banks to circumvent the purposes of the act.

Mr. Speaker, the technology to speed check clearing and the return of checks is available to the banking industry now. This technology is now used widely to move funds almost instantaneously around the world—something that happens when it is profitable for the financial institutions. Now, we are asking that some of that same technology be used to give consumers access to their funds. The Federal Reserve has a big responsibility to see that this happens and that its regulations, implementing this act, are designed to help the consumer and not to accommodate every possible exception that can be dreamed up by the banking industry's army of lawyers.

The Federal Reserve, for too long, has dragged its feet, failed to heed our requests and those of consumers to take administrative steps to improve the situation. We intend to watch the Federal Reserve closely to make certain that it understands the intent of this act.

Mr. Speaker, H.R. 28 is a solid workable solution to a problem that has directly affected millions of American consumers. It is fair to the banks and fair to the consumer.

It is time to end the shell game of check holds that has victimized consumers for much too long.

Mr. Speaker, H.R. 28 establishes both temporary and permanent maximum hold periods. Beginning on the first year after enactment, certain classes of checks must be available for withdrawal on the next business day after the check is deposited. This special time period, which carries forward into the permanent schedule, applies to no or low risk checks such as cashier's checks, checks drawn on the same institution into which they are deposited, government checks and checks for less than $100.

The temporary and permanent schedules generally distinguish between local checks and nonlocal checks. Local checks are drawn on banks in the same check processing region as the bank into which they are deposited, and nonlocal checks are drawn on banks outside the check processing region of the bank into which they are deposited.

During the first year, local checks must be available for withdrawal on the third day following the day of deposit, and beginning in the second year, and continuing into the fourth year when the permanent schedule takes effect, local checks must be available on the second day following the day of deposit. The bill gives the Federal Reserve Board some flexibility to extend these time periods on a case-by-case basis. One extra day may be added to these periods if the average time to process checks drawn on a particular local institution exceed the time limits otherwise allowed.

During the first 3 years, nonlocal checks must be available for withdrawal on the seventh day after they are deposited. When the permanent schedule takes effect at the beginning of the fourth year, the maximum hold period for nonlocal checks is 4 intervening days. In other words, the funds must be available for withdrawal on the fifth day after the check is deposited.

This maximum hold period for nonlocal checks is an outside limit. The Board must shorten the maximum time where, for any category of check, the check processing system could be improved to shorten the processing time for the majority of checks within the category to 2 or 3 days.

The underlying premise is that the maximum time periods are to be as short as possible. The bill does not expect all checks to physically return to the bank of deposit within the maximum hold periods. Rather, the maximum schedules are to reflect average processing times, and the Federal Reserve is to improve the check clearing system during the 3 years before the permanent schedule takes effect to make the average processing time for each category of checks as short as possible. This may require developing more efficient check processing routes and utilizing new technology.

□ 1230

Mr. Speaker, I reserve the balance of my time.

Mr. WYLIE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of suspending the rules and adopting H.R. 28, the Expedited Funds Availability Act.

Under the leadership of Chairman ST GERMAIN, the Banking Committee reported out, what I consider to be, an exemplary consumer protection measure. I would like to commend Chairman ST GERMAIN for his diligence and patience in pursuing this measure and for his willingness to consider all sides of the issue. Representatives CARPER and SHUMWAY also deserve credit for working with the chairman in producing this impressive consumer measure before us today.

The problem this legislation tackles is one that I'm sure is one many Members of Congress have heard complaint of, although it is not a problem with banks in Columbus, I am pleased to say. Some financial institutions impose unreasonably long hold periods on funds deposited by check. These holds prevent depositors from withdrawing funds, one witness said, sometimes for periods as long as 3 weeks, while the institution itself has the use of these funds usually within 1 or 2 days after the deposit is made. Unreasonably long hold periods not only inconvenience depositors, but can also cause severe hardship. The depository institutions explain that hold periods are necessary to protect them from checks that bounce or are returned for insufficient funds. H.R. 28 seeks to remedy that by directing the Federal Reserve to expedite the check return process.

Specifically, at the end of a 3-year phase-in period, the permanent availability schedule provides that all local checks be made available for withdrawal after no more than 1 intervening business day, while nonlocal checks must be available after no more than 4 intervening business days. Moreover, the legislation provides for next day availability for deposits made by Government checks, checks of $100 and under, bank-issued checks such as certified checks, and checks drawn on the same institution.

To strike a balance, protections are also afforded the depository institution. The availability schedules do not apply to deposits made during the first 30 days after an account is opened by a new depositor, or to that portion of a deposit which exceeds $5,000 in the aggregate in any one business day.

I am pleased that an amendment which I offered at the request of Treasury in the 99th Congress, to provide for a 1-year statute of limitations on the time period in which Treasury can return Government checks to banks that paid those checks over a forged or unauthorized endorsement was adopted. That period is now 6 years.

In conclusion, I believe that H.R. 28 represent needed legislation, and that it succeeds in providing a solution to a very pressing consumer problem. I urge my colleagues to support this legislation so consumers will have the full use of their deposited funds at the earliest practical time.

Mr. Speaker, I reserve the balance of my time.

Mr. ST GERMAIN. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

□ 1240

Mr. SCHUMER. Mr. Speaker, I thank the committee chairman for yielding time to me.

Mr. Speaker, I rise in support of H.R. 28, which will end banks' practice of holding funds for unnecessarily long periods of time. It is about time, Mr. Speaker, that the consumer, the depositor, got the benefit of his or her money in the account, and that the interest was not collected for 1 day or 3 days or sometimes even longer than a week by the bank, for the bank, and of the bank.

I salute the chairman of our committee and the ranking minority member who struggled to get this bill finally passed and signed into law.

Mr. Speaker, I would like to engage in a colloquy with the chairman of our committee.

I would like to clarify that the statement of regulatory responsibility of the Federal Reserve Board in section 6(b) of the bill is provided only to confirm the authority of the Board under section 12(a) of the bill to carry out the provisions of the bill and is not intended to expand the authority of the Board beyond what is essential to accomplish the check-clearing purposes of the bill. In particular, section 6(b) is not intended to grant the Board any new authority to restrict access to the payment system by any depository institution.

Mr. Speaker, I would ask the gentleman, is that correct?

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. SCHUMER. I am happy to yield to the committee chairman.

Mr. ST GERMAIN. Mr. Speaker, let me say that I am well aware of the point of the gentleman is attempting to make. My views on the nonbank bank question are quite clear, and I have expressed them repeatedly in committee, on the floor, and in various public statements. In no way is the Expedited Funds Availability Act a nonbank bank bill. I have stated this on the floor during the 99th Congress in a colloquy with the distinguished gentleman from Ohio when we last addressed this issue. Let me reiterate this now, in the words of H.R. 28, as proposed, relating to the authority granted to the Board of Governors of the Federal Reserve System over the payment system as stated in section 6(b): "In order to carry out the provisions of this act, the Board of Governors of the Federal Reserve System shall have the responsibility to regulate * * *" this act, period.

Mr. WYLIE. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in strong support of H.R. 28, the Expedited Funds Availability Act of 1987 and I commend the gentleman from Rhode Island [Mr. ST GERMAIN], the distinguished chairman of our Banking Committee and the gentleman from Ohio [Mr. WYLIE], the ranking minority member for their leadership in bringing this measure before us today.

I have heard many of my constituents complain about the difficulties they have encountered while waiting for their checks to clear. The holding periods for out-of-town checks can be unduly long, and I am certain that many have bounced a check because they have counted on deposits that had not yet cleared the bank. H.R. 28 is responsible legislation that addresses this important problem without overburdening our banks.

Due to the great strides in computer and communication technology, 10-day holding periods for checks are no longer warranted. H.R. 28 ensures that within 3 years, local checks will be available the day after deposit, and all others within 4 business day. This measure returns to bank customers their right to have access to their funds as quickly as modern technology will allow.

Furthermore this legislation provides safeguards to protect depository institutions from check fraud and other abuses. The bill also protects consumer rights by requiring depository institutions to give customers specific notice of their funds availability policies by mail within 30 days of enactment. Notice must also be given whenever the institution plans a significant policy change.

Mr. Speaker, I have supported similar legislation in the past, and I believe that H.R. 28 strikes an even better balance between the interests of consumers and our depository institutions. Accordingly, I urge my colleagues to join in supporting this legislation.

Mr. ST GERMAIN. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. LAFALCE], a member of the committee.

Mr. LAFALCE. Mr. Speaker, I have long favored this legislation. I introduced similar legislation in the previous Congress and the Congress before that, and I strongly urge the adoption of this bill despite the fact that the Consumer Federation of America favors it.

Mr. Speaker, I rise in strong support of H.R. 28, the Expedited Funds Availability Act.

In 1984, 1985, and 1986 I sponsored legislation to improve the availability of funds to bank customers and to prevent banks from abusing the check clearing process to the detriment of the consumer. My legislation also ensured that in our rush to improve the process we do not create a situation which would encourage fraud and greatly increase the costs of doing business, which ultimately would have been passed on to the consumer.

A. ACTION IS LONG OVERDUE

Congressional action to end the so-called float game—a game in which banks have been able to set their own rules, often to the detriment of their customers, is long overdue. Despite widespread support in the House of Representatives in both the 98th and 99th Congresses, we still do not have effective checkhold legislation on the books. Last year, the House of Representatives passed such legislation on two separate occasions, once by a vote of 282 to 11 and again on voice vote. Unfortunately, this legislation became embroiled with other nonrelated banking issues, and Congress adjourned without completing final action.

While I believe that Congress will finally act this year and pass checkhold legislation, the possibility still exists that this bill could become a pawn in the larger debate over banking legislation which is currently underway in both the House and the other body. We must not allow this to happen and push to enact this legislation without further delay.

B. THE FLOAT GAME

If Congress does not act expeditiously on this legislation, we most certainly can expect a continuation of the chorus of consumer grievances which have gone unattended for far too long. By way of explanation, the float game, which this legislation is designed to eliminate, occurs when bank and thrift customers are refused access to their funds until deposited checks have cleared. In some instances, customers have been informed that the clearing process takes up the 3 weeks—a time period that simply does not square with the reality of the check clearing system.

For example, we have all heard stories of banks customers who deposit a check drawn on a bank literally across the street from their own bank and are told that they must wait weeks for the check to clear. We even hear tales about individuals subjected to inordinate holds when transferring money from one account to another in the same bank. These horror stories are not merely isolated anecdotes. After several years of hearing testimony before the Banking Committee on this subject, it is well established that some financial institutions are using the cover of the check clearing system as a pretext to utilize deposited funds on their behalf while withholding them from their depositors.

The Federal Reserve banks, which are responsible for the check clearing system, that is, the movement of checks forward through the interstate processing system, are highly efficient. When the accepting bank starts a check on the way through the system to the payer bank, the check is subjected to mechanized handling which results in a very rapid clearance of good checks. Moreover, within 3 days of a check entering the system, the bank in which the check has been deposited receives a provisional credit from the Federal Reserve.

While this provisional credit does not guarantee that the check will not ultimately bounce, it gives the bank authority to make use of the funds until they are utilized by the depositor. The banks have every incentive to prolong the availability of funds to their customers until they are absolutely certain that the check has cleared, and sometimes even longer. Consequently, banks are able to obtain cost-free funds, which enable them to earn huge sums, by some estimates almost $300 million annually, at the expense of their customers.

Admittedly, a problem can occur for the banks when a check is bad and must be sent back through the system. However, only 1 percent of total checks fail to clear. Under these circumstances, inordinate delays are simply not warranted. But, since the institutions have a vested interest in the float game, they have little incentive to improve the system for returning bad checks, and the 99 percent of checks that are good pay the price.

Although a Federal response to this problem has been intolerably slow in coming, several of the States, including my own State of New York, have acted to end the float game. Once again, the States have proven to be a useful laboratory for social experimentation, and, in this case, have demonstrated that we can successfully terminate abuses in this area of behalf of the consumer, while accommodating the legitimate interests of the financial institutions.

C. THE NEED FOR FLEXIBILITY

Flexibility in the checkhold area is particularly important to maintain. As originally introduced, H.R. 28 mandated rigid time periods for funds availability, which could have prevented the Federal Reserve from responding to unanticipated circumstances. Moreover, a rigid schedule could have encouraged check fraud, a result that would increase costs to the consumer and perhaps deny many more needed financial services.

I believe that the Banking Committee recognized these concerns, and that the final product represents a well-balanced approach to the problem. In those circumstances where the likelihood of bad checks is de minimus, the legislation sets specific limits on the amount of time that a bank may place a hold on checks after their deposit. For example, banks must provide next-day availability for checks of less than $100 or U.S. Treasury checks endorsed by the payee. Checks drawn on local banks must be honored by the third business day after deposit, with this hold period decreasing to 1 business day 39 months after enactment for checks drawn on a bank located in the same Federal Reserve check processing region. Similarly, during the first 3 years, checks drawn on nonlocal banks must be available for withdrawal on the seventh business day after deposit. Eventually, all nonlocal checks must be available after no more than 4 business days.

These timetables represent a marked improvement over the current situation. And they have been devised to be consistent with the current technology. Equally important, however, is the bill's blend of specific timetables with regulatory flexibility. If, for example, existing technology improves dramatically, the Federal Reserve can shorten the time periods. Conversely, under certain narrowly drawn circumstances, the Fed can extend by 1 day the availability schedule for local checks.

In addition to establishing a specific yet flexible time schedule, the legislation also recognizes that the complexities of the check clearing system and the mechanical and operational problems inherent in speeding the return process can result in situations which increase the risk of loss to the institutions accepting checks for deposit. It is for these reasons that I am particularly pleased that the legislation incorporates a good faith amendment, which I have strongly supported in the past, that permits banks to suspend the availability schedules in those situations where they have a reasonable cause to believe that a check may be uncollectible.

In crafting this provision, the committee took special care to ensure that the standard for invoking the exception was to be an objective, not a subjective, one. Nor is this exception intended to permit banks to discriminate against low-income customers or on any other class-based characteristics. Rather, the banks must rely on specific factual evidence to justify their suspicions, and if a reasonable man would conclude that the check may well be uncollectible, the bank is protected against liability if it delays availability.

Providing banks with carefully circumscribed discretion to protect themselves against potential fraud also greatly benefits the consumer who otherwise would pay, either directly or indirectly, for the increased costs that widespread check kiting schemes might visit upon the banks. Moreover, several States have incorporated such good faith exceptions into their checkhold legislation, and have done so without undermining their basic thrust or engendering any consumer complaints. Indeed, one of the strongest proconsumer elements of this legislation is the provision which allows financial institutions to take reasoned steps to prevent fraud and thereby reduce costs which otherwise would be passed along to the consumer.

D. CONCLUSION

Mr. Speaker, this legislation will end the widespread abuse of the check clearing system that now exists. It provides consumers with the certainty they need regarding when their funds will be available to them; it ensures that such availability will be prompt, not dilatory, and that the vast sums now being earned by the banks on the float will go to the consumers who are entitled to them; and it provides stiff penalties designed to ensure full compliance with these new standards.

The legislation also avoids the micromanagement of previous versions, and provides the Federal Reserve with the flexibility, under carefully defined circumstances, to adjust the timetables contained within the bill. Finally, the bill enables the banks to take appropriate steps to protect themselves and their customers against check fraud without running afoul of the act's proscriptions.

H.R. 28 is a strong and well-balanced piece of consumer legislation. We have passed similar legislation before, and each time we have come back we have improved the product. But the time for final action is now, and this legislation should not be further entangled in any extraneous matters, but should be enacted independently into law as soon as possible.

Mr. WYLIE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SHUMWAY].

Mr. SHUMWAY. Mr. Speaker, I am pleased to rise today in support of this legislation. I suppose I do not need to tell the Members of the House that this particular bill or this proposal as embodied in this bill has had a long history in the Banking Committee. We have spent many days in this session debating the issue, and finally we have come up with a product which I think adequately balances the competing interests.

On the one hand we have the interests of the banking community, and on the other hand we have tried to meet the interests of consumers who are the patrons of the banking community.

Last year we had a bill before us to which I offered an amendment here on the floor, an amendment which allowed banks some degree of leeway in situations where they suspect that a system of fraud or check-kiting or perhaps insolvency was in the picture and, therefore, the instrument would not be paid. That amendment, called the good faith amendment, did pass.

This year, rather than having to go that route, we sat down with the competing interests and worked out language which is compatible to all and which provides for the same kind of good faith. It requires that adequate notice of any hold be given to the depositor, and I think it will not work a severe hardship on either banks or the consumer community.

The bill is still not ideal, in my estimation. There are some aspects of it that I think could be improved, and I am hopeful that as the process goes on, perhaps that may be the case. Nevertheless, as the bill is now presented to the House for its debate and vote here today, I believe it is the best product we can fashion in the Banking Committee, and I am pleased to support it.

Mr. Speaker, I appreciate the gentleman's having yielded me this time.

Mr. ST GERMAIN. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. MORRISON], a member of the committee.

Mr. MORRISON of Connecticut. Mr. Speaker, I thank the committee chairman for giving me this opportunity to rise in strong support of this legislation which protects consumers from abuse, abuse that we have found existing in our banking system, and that is the use by financial institutions of the float that belongs to the people whose funds are on deposit, not to the institutions where they are on deposit.

This is a carefully balanced and well-structured bill that over a period of time will gradually reduce the time that checks can be held without credit to customers' accounts.

In Connecticut there has already been legislation in this area, but it only goes part of the way. This legislation will shorten up the periods during which checks can be held without credit to the accounts of depositors. This is a very good step in the right direction.

Included in this legislation is a study, a study that could give us an answer to the whole problem of the holding of checks. It is a study for the electronic transfer system for the clearing of balances so that float could forever be abolished within our banking system, because in fact, even in short periods of float that remain after this bill takes full effect, there remains a source of potential abuse, potential illegality, and potential problems.

Mr. Speaker, I hope that this study will move the Federal Reserve and the banking industry toward a system where you can be sure, when you make your deposit in the bank, that it will be your funds to use and the bank will know at that time that those funds are good.

Mr. WYLIE. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Speaker, I rise in strong support of H.R. 28, legislation to limit the amount of time that banks and other depository institutions can hold checks before they are credited to their customers' accounts.

This bill represents long over due equity for consumers.

The legislation would allow, after a 3-year phase-in, 1 intervening day for local checks, with local defined as institutions within the same Federal Reserve check clearing region. It would also allow 4 intervening days for all other checks. The bill also contains a good faith amendment which would allow a bank to hold a check longer if in good faith they believe it to be fraudulent or uncollectible.

For my State of New Jersey, where most institutions already keep their check holds to a minimum, it would mean that institutions in what we generally refer to as the tristate region of northern New Jersey, New York City, and parts of Connecticut, would all be considered local. For my many constituents who commute from northern New Jersey into New York City to work each day, their pay check drawn on a New York City Bank would be considered local and could not be held more than 1 intervening business day.

The bill as originally drafted contained some overly strict regulations and I supported amendments to bring those provisions in line with practical reality. I must commend my colleague from Delaware, Mr. CARPER, for his outstanding work in this area. The final product we are considering here today is the result of lengthy deliberation and compromise. This bill will help the consumer, while being fair to the financial institutions. With technology changing at a rapid pace, I believe that we should be moving toward a system which reflects those changes.

I strongly urge my colleagues to support this legislation. A similar bill was passed twice by the House last year but was not enacted. It is time we got on with this issue in the equitable and responsible manner set forth in this bill.

Mr. ST GERMAIN. Mr. Speaker, I yield 5 minutes to the gentleman from Delaware [Mr. CARPER], a member of the committee.

Mr. CARPER. Mr. Speaker, I thank the chairman of the committee for yielding this time to me.

Mr. Speaker, I believe we have a responsibility to consumers to ensure that they soon have reasonable access to the money they have deposited into their accounts. I believe we also have a responsibility to financial institutions to make sure they are not placed in the hands of check-kiters or perpetrators of fraudulent schemes. This carefully crafted compromise before us today meets satisfactorily, I think, both our responsiblities to consumers and to our banking system.

The check-clearing system in America today reminds me a little of the story of the tortoise and the hare. When we consumers deposit checks into our accounts, those checks move quickly throughout the country to the institution on which those checks were originally drawn. Why so fast? Because the sooner they get there, the sooner our institutions have actual funds they can invest. This trip seldom takes more than 2 days.

When a check bounces, however, it lumbers back through the return process more like a turtle than a rabbit. This return trip may take 1 to 2 weeks.

I have nothing against turtles, but they don't belong in our check-clearing system. We want a check return system that works with rabbit-like quickness. This legislation provides the incentive to make such a system possible, while also protecting the legitimate interests of banks from check-kiters and other crooks.

□ 1250

Here's how our bill will work. For Americans who deposit Government checks, including checks drawn on the U.S. Treasury, or State and local governments, as well as checks for less than $100, this legislation will ensure that, immediately, those checks receive next-day availability.

For those checks that are drawn on banks located within the same clearinghouse, usually the same community, this bill will require after 3 years, no more than 1 intervening business day for availability. That means checks deposited on Monday must be available no later than Wednesday morning for withdrawal. This bill also will require 1 intervening business day availability day when banks are located in the same check-clearing region. We do, however, give the Federal Reserve a bit of leeway in case 2 days might be needed, in some instances.

The good news within this bill is that over three-fourths of all the checks deposited must be available for withdrawal within 2 business days. Over three-fourths of all checks deposited on a Monday must be available for withdrawal no later than Thursday morning. In almost all other transactions, funds deposited on Monday must be available no later than the following Monday.

In addition to that, our legislation directs institutions which accept deposits into interest-bearing accounts to begin crediting interest on deposits as soon as financial institutions have the use of those funds themselves on those interest-bearing accounts.

Finally, let me just mention that we have reached a compromise in this bill on the preemption of State check-hold laws. We say to those States which already have enacted legislation that is deemed more proconsumer than this legislation, "You may keep it." We say to those States which have no such legislation on the books, "You have 2 years in which to enact legislation that may be deemed more proconsumer than this bill."

However, at the end of 2 years, we close the door, and we establish this legislation as a national uniform standard for the rest of the country, grandfathering in previously adopted State legislation which is more favorable to consumers.

This bill is a stronger bill than the one the Senate has passed. It is more favorable to consumers than the Senate's bill. This legislation is also more favorable to consumers than virtually any similar legislation which has been adopted at the State level. Our bill is the result of a long, hard climb; it is the result of a lot of give and take and compromise.

Mr. Speaker, I want to commend and thank the chairman of our committee, the ranking minority member, as well as Mr. SHUMWAY and others who have worked with me on this compromise. I strongly urge its adoption today.

Mr. WILEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Hawaii [Mrs. SAIKI].

Mrs. SAIKI. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in strong support of H.R. 28, the Expedited Funds Availability Act of 1987. As a cosponsor of H.R. 28, I am pleased to have my name associated with this bill. Also, as a member of the House Banking Committee, I appreciated the opportunity to work with Chairman ST GERMAIN and the other distinguished members of the Banking Committee in crafting this very fine piece of legislation.

Inequities in the timely clearing of checks has placed an inordinate burden on the hard working men and women of our Nation. In some instances, checks have been held for up to 2 and 3 weeks before consumers are allowed access to their money. Unreasonable delays in clearing checks greatly affects the poor and elderly as their cash-flow is often very limited.

H.R. 28 will ensure that consumers are treated with fairness, and it provides a reasonable approach to the check hold issue.

Voting "aye" for this legislation is voting for the consumers' right to timely access to the money they worked so hard to earn.

Mr. WILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. I thank the gentleman for yielding me this time.

Mr. Speaker, I too, want to congratulate the chairman of our committee, Mr. ST GERMAIN, who was pushing this legislation long before it was in vogue.

I also want to thank our ranking member, Mr. WILEY from Ohio, for the impetus he has given to this legislation.

Mr. Speaker, we see on this bill a large number of cosponsors, and these are Member that have worked hard on this legislation. We want to congratulate them today, too, for their diligence and dedication.

Much has been said of this being good consumer legislation and it is. Much has been said about keeping in step with the modern technology, and we are doing that. Much has been said about standardizing the rules, and I think with this legislation we are doing that.

In Wisconsin, we have not had a great deal of a problem in this area. Probably, the overriding issue in my opinion—and it hasn't been brought up—is that of keeping the trust and confidence of the consumer and with the financial institutions. At the very foundation of our banking system there must be this trust and confidence. By passing legislation, I feel we are engendering that. That is the real merit of this legislation. Our financial institutions today are going through a tremendous welter of change. What is happening in banking today is going to happen to many institutions. So this is really, in a sense, vanguard legislation. For that reason, we take our hats off to the people that have been pushing this legislation, because with this, we are thinking anew and acting anew. What is happening in banking today is what is going to be happening in many, many institutions that other committees will be experiencing.

I hope that the other committees can look to the Banking Committee as the committee that is really the vanguard and setting the pace for future legislation.

Mr. WILEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. WORTLEY].

Mr. WORTLEY. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in strong support of H.R. 28, the Expedited Funds Availability Act of 1987, more commonly referred to as the check-hold bill. I commend the chairman and my colleagues on the Banking Committee for a continued bipartisan effort to have this important consumer legislation enacted. This legislation would end lengthy checkholds imposed by financial institutions without facilitating fraud and abuse in the check clearing system.

It is unfortunate, but financial institutions have a history of placing unnecessary and unwarranted holds on checks deposited by their customers. This is done despite the fact that the banks are sometimes earning interest on their customers' deposited checks before the customers themselves have access to their own money. Financial institutions have a legitimate right, and duty, to protect the integrity of the check clearing process, and a limited check-hold period is necessary. But the irresponsibility of many institutions in this area has made it necessary for Congress to put an end to excessive check-hold periods.

New York State has been somewhat ahead of the Federal Government in this matter because it already has a functioning and effective funds availability law for its consumers. I am pleased to note that the bill before us today would expand on the efforts of New York State by further restricting the amount of time that financial institutions may deny consumers access to their funds and by requiring next-day availability for very small checks or checks issued by the U.S. Treasury and State and local governments. These would include Social Security checks, VA checks and other such lifeline funds.

Mr. Speaker, for some persons check holds are simply a matter of inconvenience and small amounts of interest lost. For others, check holds can actually mean the difference between having food on the table or being able to pay the month's rent. There are many persons who absolutely need timely access to their money in order to survive. This access should be available as quickly as modern technology will allow.

I also wholeheartedly support the disclosure requirements contained in this bill. Regardless of what amount of time financial institutions are allowed to hold checks, it is very important that the consumer be made fully aware of the check-hold schedule. Without such information, the consumer is likely to write bad checks and be required to pay a corresponding penalty. In addition, it is important to prod the Federal Reserve into reforming the check clearing system which is currently outdated and slow.

Mr. Speaker, I believe this is important and beneficial legislation, and I urge my colleagues to approve it without delay.

□ 1300

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Ohio [Mr. WYLIE] has 8 minutes remaining and the gentleman from Rhode Island [Mr. ST GERMAIN] has 3 minutes remaining.

Mr. ST GERMAIN. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. GONZALEZ], a member of the committee.

Mr. GONZALEZ. Mr. Speaker, I certainly wish to endorse this very great sustained effort over the course of months—a couple of years, in fact. The legislation before us today is the result of many hearings, a comprehensive set of hearings. We heard from all segments of the industry concerned, and witnesses, under the very able and inspiring leadership of Chairman ST GERMAIN, and with a tremendous boost on a bipartisan basis from the gentleman from Ohio [Mr. WYLIE], the ranking minority member.

I feel that our colleagues can feel very well satisfied that all sides have been heard, that all rights have been protected, and that the ultimate goal is to serve the greatest interest of the greatest number, which happen to be the depositors in our financial institutions.

Mr. SMITH of Florida. Mr. Speaker, no legitimate reason exists for present check holding policies. Hold periods bear no relationship to the time actually needed for banks to collect funds deposited by check. Banks are capitalizing on a highly lucrative policy at the expense of depositors. While consumers must wait days or weeks for access to their own money, banks are earning interest on these funds within 1 or 2 days after they are deposited. By taking advantage of the hold, banks are able to use other peoples' money to make hundreds of millions of dollars each year for themselves.

The Expedited Funds Availability Act (H.R. 28) would end this abusive practice by limiting the length of time that banks can hold checks before giving customers use of their funds. The bill provides that in 3 years all local checks would be available the day after deposit and that all nonlocal checks would be available the fourth day after deposit. At the same time, the bill provides sufficient safeguards for banks.

I am pleased to have been a consistent cosponsor of this legislation. It would be of enormous value to the consumer, particularly those who live on fixed means. The millions of Americans who live from pension check to pension check rely on quick access to their deposits for the basic neccesities of life. Waiting a week or more for access to their payroll, welfare, or Social Security deposits can be a grave hardship. In fact, check holds are one factor that prevents low-income people from using checking accounts at all. Consequently, they are forced to cash their checks at check cashing centers or liquor stores and pay fees, which they are least able to afford. There is no question that the Expedited Funds Availability Act would end a serious hardship for millions of Americans with limited financial resources.

In addition to the difficulties involved in not having access to their own money, consumers are often subjected to overdraft charges, creditor's bad check fees, and late fees which are assessed when funds in their accounts are on hold and thus unavailable. Not only can this be extremely costly, it also can injure the consumer's credit rating.

Large corporate customers do not endure checkholds. Most banks do not put holds on corporate checking accounts, but holds are routinely imposed on those of individuals and small businesses. Thus, current bank policy hits hardest at students, small business people, the elderly, and the poor.

Something must be done to correct this injustice. If we did not pass this legislation, we would be saying to our constituents that Congress doesn't care about the elderly and the average American who depends on timely access to his own money. We must abolish this abusive checkholding practice and restore equity and fairness to our banking system. I urge my colleagues to support this measure.

Mr. RANGEL. Mr. Speaker, I want to commend the House Banking Committee for its prompt response to the issue of check holding. I strongly suport H.R. 28, the Expedited funds Availability Act, which places limits on the amount of time a bank may place a hold on checks deposited by its customers. Enactment of this type of legislation is long overdue and will be received with overwhelming appreciation by many bank customers.

The practice of holding checks for sometimes as long a week before a depositor can have access to those funds has placed hardship on many individuals. This is especially true for people living on fixed incomes, from paycheck to paycheck, who often need access to these funds immediately. For some individuals, the waiting period means a delay in payments to creditors and/or overdrawn checking accounts.

While I understand that banks and other financial institutions must be protected, I also feel strongly that recent technological advances make it possible for these institutions to determine the collectibility of funds in a shorter period of time. H.R. 28 offers a reasonable solution that protects the interest of both parties.

Mr. Speaker, both the House and the Senate passed similar versions of this legislation during the waning days of the 99th Congress. The proposal has received the proper congressional review. I urge my colleagues to fully support the passage of the Expedited Funds Availability Act.

Ms. KAPTUR. Mr. Speaker, I rise today in support of H.R. 28, the Expedited Funds Availability Act. This bill will protect American consumers against the unfair check hold practices of some of our banking institutions. H.R. 28 will remove the unnecessary wait placed upon bank customers for access to their funds because of undue holds on deposited checks; holds placed even on checks drawn from the Government, an employer, or another local bank. This bill will also reduce the unearned profits that these banks reap from the float game, a practice of using funds deposited by customers while denying these same customers access to or interest on these funds.

During the past year since an Expedited Funds Availability Act last came before the House, much work has been done to ensure this bill can be complied with by all banks. The Banking Committee members have worked with all parties involved to work out a funds availability schedule which is fair to the consumer and gives banks enough flexibility to protect themselves against fraud. H.R. 28 meets both criteria.

H.R. 28's important consumer protection provisions are as follows. Within 3 years of enactment of this bill, all checks drawn on the U.S. Treasury, such as Social Security checks, will be available at the start of the business day after the day of deposit. The same is true for checks under $100, State government checks, and cashier's and certified checks. For local checks, no more than 1 business day shall intervene between the business day of deposit and the day those funds are available for withdrawal. With certain well-defined exceptions, there shall be no more than 3 intervening business days hold on nonlocal checks.

The bill also contains new safeguards for banks which provide exceptions to this schedule for new accounts, accounts with repeated overdrafts, and for foreign checks. In addition, the availability schedule will apply only to the first $5,000 of any check deposited in excess of that amount.

H.R. 28 is a tight, well-written, and well-thought-out bill. It will help all of our country's consumers, especially those with low or fixed incomes who need quick access to their funds. In helping consumers, this bill also helps our banking institutions by promoting better customer relations while protecting them against the major risks of granting access to deposited funds. I urge my colleagues to enthusiatically support the passage of H.R. 28.

Ms. OAKAR. Mr. Chairman, the Expedited Funds Availability Act (H.R. 28) will benefit 70 million consumers who maintain checking or savings accounts at banks, savings and loans, and other depository institutions. The bill also helps small businesses.

The check hold bill as it is known, will substantially improve check processing and require funds deposited by check to be available in a timely manner; no later than 7 business days for out of State checks and from 1 to 6 days for all other checks. Exceptions to the schedule are included to protect banks from unscrupulous people and certain circumstances which might otherwise result in attempted check fraud. This is a reasonable and responsible measure that will result in major improvements to the check processing system over time. The phase-in of the schedule gives banks plenty of time to adjust and with the exceptions it provides safeguards to the bank against check kitting and other fraudulent schemes.

Adam Smith, the famous economist and author of the legendary book "The Wealth of Nations" wrote that—

> It is but a very small part of the man's wants which the produce of his own labor can supply. He supplies a far greater part of them by exchanging for part of the produce of other men's labor. Everyone thus lives by exchanging.

In today's modern society, the medium of exchange is often a check. Incredibly, 100 million checks a day are written to pay for $60 billion worth of goods and services. These checks are presented daily to local banks and other depository institutions for processing and payment. After the check is presented and credited to an account, the bank typically begins the hold period.

In extensive hearings, the Committee on Banking, Finance and Urban Affairs learned that holds are put on personal checks, and pay checks, and even U.S. Government checks. The hardship this causes consumers is obvious and according to statistics, we either know the hardship first hand or know someone who was the victim of these indiscriminent hold periods.

Why do banks put holds on checks? There really seems to be no justification. According to the Federal Reserve, 99 percent of all checks clear—that is funds are available in a person's account to cover the amount of the check—the first time the check is presented for payment. In the relatively few cases where a check is returned, the Federal Reserve found half the checks clear the second time through. A study by the U.S. Public Interest Research Group found that of the 1 percent of checks that don't clear the first time, only 1 in every 5,245 results in a loss to the bank and that the majority of these checks are for amounts less than $100. The statistics prove that check fraud—writing checks without sufficient funds—is a relatively infrequent occurrence and does not justify routine and indiscriminent hold periods.

Hold periods can extend to 20 days for some checks. This clearly unwarranted practice leaves consumers out in the cold. You deposit a check in an account and receive credit from the bank, but find out later after the funds are committed to someone else that your bank put an arbitrary hold on the funds and won't release them. As a result, you are victimized by the hold periods, your check bounces, you now must pay a $20 fee for writing a bad check, and your credit rating is blemished, all for something completely beyond your control. Under present conditions, consumers have no way of knowing what portion of their account is available for spending. For millions of consumers, not only those who live margin to margin, check holds are a serious impediment to their day-to-day management of household funds.

One thing is clear, banks stand to lose a lucrative source of fee income from charging for checks returned for insufficient funds. The Federal Reserve estimated that banks could raise as much as $3.5 billion from bounced checks. The expedited funds bill could reduce by 50 percent the amount of checks returned and in turn reduce the amount of bounced check fees the banks can levy.

The Expedited Funds Availability Act is a skillfully drafted bill that benefits consumers by getting them their money quickly and by setting forth a time schedule of availability that they can plan around. At the same time, the bill protects banks from back checks artists and situations that could be exploited by unscrupulous people to defraud a bank.

Mr. Speaker, H.R. 28 is a good bill that will help 70 million consumers and thousands of small business. I commend the chairman of the Committee on Banking, Finance and Urban Affairs for his leadership on this issue. I support the bill and I urge my colleagues to join me in supporting the bill.

Thank you Mr. Speaker.

Mr. BEREUTER. Mr. Chairman, I rise in strong support of H.R. 28, the Expedited Funds Availability Act of 1987. This legislation is long overdue, and is one of the most important pieces of consumer legislation that Congress will address this year.

Anyone who has moved from one area of the country to another can readily attest to the problems that occasionally arise in trying to establish a new checking account. Several years ago, one of my staff members in the midst of a move from Nebraska to Washington opened a checking account in a Washington area bank with a cashier's check from her Nebraska bank. She was told that she could not take money from the account and that it would not earn interest for 2 weeks.

This situation is also a frequent problem for college students who move away from home. All too frequently I hear stories about college student constituents who deposit checks from their parents in their own accounts and then do not have access to the money for 2 or 3 weeks. For many students that can mean a lot of lean days.

H.R. 28 strikes a reasonable compromise between the concerns of banks and depositors. This bill will limit the number of days that a bank can restrict access to funds deposited in an account. The bill insures consumers more timely access to their funds by implementing availability schedules over the next 3 years that will reduce holds on checks.

After a 3-year phase-in period, deposits made by checks must be available for withdrawal after no more than one intervening business day, while nonlocal checks must be available after no more than 4 intervening business days. This bill would also provide for next day availability for deposits made by government checks, checks of $100 and under, bank-issued checks such as certified checks, and checks drawn on the same institution.

While this bill will speed the availability of funds for a depositor, protections are also afforded banks and other depository institutions. The availability schedules do not apply for deposits made during the first 30 days after an account is opened by a new depositor, or for the portion of a deposit which exceeds $5,000 in any 1 business day. The bill also contains a provision which allows for an exception to the mandated availability schedule if the depository institution has reasonable cause to believe that the check is uncollectible.

Although Congress addressed funds availability legislation on two occasions during the 99th Congress, the bill before us today is an improvement over the previous legislation passed by the House. Last year, many Members, including myself, were concerned that the availability schedules were too inflexible and impracticable. H.R. 28 addresses these concerns while still meeting the needs of consumers.

Mr. Chairman in closing I would reiterate that this Federal banking legislation is long overdue. H.R. 28 correctly, in my judgment, is premised on the priniciple that bank customers are entitled to have access to their funds as quickly as modern technology will allow.

This legislation represents progress for banking consumers. Most Nebraska banks will have no difficulty meeting its requirements, nor should banks in other parts of the United States.

Mr. Chairman, I encourage my colleagues to support the passage of this bill.

Mr. BIAGGI. Mr. Chairman, I rise as a cosponsor and strong supporter of H.R. 28, the Expedited Fund Availability Act.

The problem this legislation seeks to address is known to every person in this country who has deposited a check into their bank account. For too long, our banks have been allowed to unfairly place holds on deposited checks for days or even weeks, unnecessarily preventing their customers from drawing on those funds or earning interest. The banks, though, are able to invest this money almost immediately, allowing them to earn interest on the money they are withholding from their customers. Estimates indicate that banks are earning in the neighborhood of $300 million a year by taking advantage of the so-called float.

But, while the banks make out very nicely under current policy, the customer is subjected to considerable inconvenience and financial hardships. As an original member of the House Select Committee on Aging, I am particularly concerned about the adverse impact this policy is having on senior citizens and others on fixed or low incomes. Those individuals often do not have the luxury of a cushion in their bank account. They live literally from one pay or benefit check to the next. If they cannot get access to that money in a timely fashion, they are not just inconvenienced, they go hungry.

This is simply an unacceptable situation and H.R. 28 would change things for the better. In fact, it should be emphasized that while the consumer would clearly benefit under H.R. 28, there are also more than ample protections for the banking industry as well.

Let's examine the check-hold policy that now exists, and the reforms provided for under H.R. 28. First of all, I would concede that there is sound logic behind the principle of check-hold periods. They are designed to protect banks and other financial institutions from fraud and abuse losses attributable to bad checks. However, upon closer scrutiny, we find that 99 percent of all deposited checks are collected by banks within 1 or 2 business days—according to estimates by the Federal Reserve Board. It's hard to understand, then, why 75 percent of the financial institutions surveyed by U.S. Public Interest Research Group hold out-of-State checks for 6 business days or more; and why some check-hold periods last as long as 20 business days.

H.R. 28 takes these facts into consideration and proposes reasonable changes. Under this measure, maximum holds on checks will range from next business day to 7 intervening business days for the first 3 years after enactment. The bill then limits holds to next-day availability for checks issued and processed in the same Federal Reserve region, to 4-day availability for most out-of-region checks.

But, as mentioned earlier, the banks are not without ample protection under this legislation. Specifically, the measure allows exceptions to the check-hold limits in cases of new accounts—30 days or newer—in cases of unacceptably high levels of losses due to check-related fraud; in cases where there is a "reasonable cause to believe that a check is uncollectible"; in cases where an individual has overdrawn three checks within a 6-month period; and in cases of foreign checks.

Mr. Chairman, this bill reflects the fact that technological advances have expedited the check clearing process. This bill reflects the fact that consumers need and deserve quicker access to their checks—their money. This bill reflects the fact that banks need and deserve reasonable protections against fraud and abuse. Simply put, this is a bill that deserves our strong support.

Mr. WYLIE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in conclusion, I do believe that H.R. 28 represents much needed consumer legislation. It succeeds in providing a solution to a problem which was brought out very forcibly by hearings before our Committee on Banking, Finance and Urban Affairs. So I urge my colleagues to support this consumer legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ST GERMAIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would like to say this and give a few quick examples of why we are on the floor with this bill today.

A gentleman goes to the bank with his Internal Revenue refund check, a Treasury check. He is told that it will be 20 days before he can write a check on that check. Now mind you, that is an Internal Revenue Service refund. Uncle Sam has already been using his and his wife's funds for a long period of time. Now he is told another 20 days, whereas in reality, according to the evidence presented to the committee, the bank had the money within 24 hours, the very next day. As a matter of fact, if a Treasury check is going to bounce, then the whole system has gone kaput.

Another example. A minister deposits his funds from his flock: checks in the amount of $3,500, cash in the amount of $3,000. He writes a check 2 days later for approximately $500. They bounce the check. Why? Because they said that those checks that he deposited had not cleared. My God Almighty, he also deposited $3,000 in cash, and he cannot even use his cash that his flock contributed to the church.

That is why, Mr. Speaker, we are here today.

I want to thank the gentleman from California [Mr. SHUMWAY] for working on a compromise, the gentleman from Delaware [Mr. CARPER] for working on a compromise, the gentleman from Ohio [Mr. WYLIE] for his support, and all the members of the committee on my side of the aisle who also over this long period of time have worked with me to fashion a piece of legislation that is fair to the financial institutions, but also fair to the consumer.

This is an opportunity, Mr. Speaker, to say to our consumers, "We are here representing you. We are here to make sure that you get the use of your money, your hard-earned dollars, in a timely fashion." And for that reason at the proper time I am going to ask for a record vote so that we can tell the Senate that this bill is important to the Members of the House.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island [Mr. ST GERMAIN] that the House suspend the rules and pass the bill, H.R. 28, as amended.

The question was taken.

Mr. ST GERMAIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 388, nays 5, answered "present" 1, not voting 39, as follows:

[Roll No. 80]

YEAS—388

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Aspin
Atkins
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Callahan
Campbell
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crockett
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
Erdreich
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Flake
Florio
Foley

Ford (MI)
Ford (TN)
Frank
Frenzel
Gallegly
Gallo
Garcia
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Gregg
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
MacKay
Manton
Markey
Marlenee
Martin (IL)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCollum
McCurdy
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nelson
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Ravenel
Ray
Regula
Rhodes
Richardson
Rinaldo
Ritter
Roberts
Robinson
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Watkins
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NAYS—5

Armey
Crane
DeLay
Hunter
Mack

ANSWERED "PRESENT"—1

Martin (NY)

NOT VOTING—39

Annunzio
Barton
Biaggi
Boner (TN)
Burton
Cardin
Clay
Combest
English
Espy
Fish
Flippo
Foglietta
Frost
Gaydos
Gephardt
Guarini
Hatcher
Horton
Hutto
Kemp
Levine (CA)
Lowery (CA)
Madigan
McCandless
McDade
McEwen
McKinney
Nichols
Petri
Rangel
Ridge
Rodino
Shaw
Slaughter (VA)
Smith (FL)
Stokes
Tauzin
Walker

□ 1320

Mr. HUNTER changed his vote from "yea" to "nay."

So (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. McCANDLESS. Mr. Speaker, during rollcall 80, the vote on H.R. 28, the Expedited Funds Availability Act of 1987, I was at the White House for the signing of a Presidential Executive order implementing steps toward a drug-free America.

I voted for H.R. 28 at the subcommittee and committee levels, and had I been present during rollcall 80, I would have voted "yea."

PERSONAL EXPLANATION

Mr. SHAW. Mr. Speaker, during rollcall No. 80, I, too, was absent for the vote on H.R. 28, the Expedited Funds Availability Act of 1987. I, too, was at the White House for the signing of a Presidential Executive order which would implement the steps toward a drug-free America.

I am a cosponsor of H.R. 28 and support it.

Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GUARINI. Mr. Speaker, on rollcall 80 on the Expedited Funds Availability Act, I was inadvertently absent, attending the President's signing of the White House Conference on Drugs.

Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HUTTO. Mr. Speaker, during rollcall No. 80 on H.R. 28, I was unable to be here today to vote due to my attendance at the White House ceremony creating the White House Conference on a Drug-Free America.

If I had been here, I would have voted "yea."

PERSONAL EXPLANATION

Mr. SMITH of Florida. Mr. Speaker, I was absent during the vote on H.R. 28, the Expedited Funds Availability Act of 1987, because I was attending the signing of the Executive order creating the White House Conference on Drug Free America. Had I been present, I would have voted "yea."

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER pro tempore. Pursuant to House Resolution 152 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 1748.

□ 1326

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. Russo (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Monday, May 4, 1987, all time for general debate had expired.

Pursuant to House Resolution 152, it is in order to consider immediately after the enacting clause is read the amendment in the nature of a substitute consisting of the text of H.R. 2169, as modified by the amendments set forth in section 2 of House Resolution 152, by and if offered by, Representative Aspin, or his designee which is considered as having been read, is not subject to amendment, but shall be debatable for 2 hours, equally divided and controlled by the proponent and a Member opposed thereto.

If adopted, said amendment shall be considered as an original text for the purpose of further amendment under the 5-minute rule in lieu of the amendment in the nature of a substitute now printed in the reported bill.

The Clerk will read the enacting clause.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

AMENDMENT IN THE NATURE OF A SUBSTITUTE, AS MODIFIED, OFFERED BY MR. ASPIN

Mr. ASPIN. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute, as modified, is as follows:

Amendment in the nature of a substitute, as modified, offered by Mr. ASPIN: Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 1988".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS.

This Act is divided into 3 divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Other National Defense Authorizations.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

SEC. 100. SHORT TITLE.

This division may be cited as the "Department of Defense Authorization Act, 1988".

TITLE I—PROCUREMENT

SEC. 101. ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for procurement for the Army as follows:

(1) For aircraft, $2,703,124,000 for fiscal year 1988.

(2) For missiles:

(A) $2,270,175,000 for fiscal year 1988.

(B) $1,221,166,000 for fiscal year 1989.

(3) For weapons and tracked combat vehicles, $3,345,737,000 for fiscal year 1988.

(4) For ammunition, $2,238,808,000 for fiscal year 1988.

(5) For other procurement:

(A) $5,071,920,000 for fiscal year 1988, of which—

(i) $884,560,000 is for tactical and support vehicles;

(ii) $3,036,355,000 is for communications and electronics equipment; and

(iii) $1,151,005 is for other support equipment.

(B) $156,900,000 for fiscal year 1989.

(b) AUTHORIZED MULTIYEAR CONTRACTS.—(1) Subject to paragraph (2), the Secretary of the Army may enter into multiyear contracts in accordance with section 2306(h) of title 10, United States Code, for procurement of the following:

(A) High-Mobility Multipurpose Wheeled Vehicle program.

(B) AN/ALQ-136 jammer.

(2) A multiyear contract authorized by paragraph (1) may not be entered into unless the anticipated cost over the period of the contract is no more than 88 percent of the anticipated cost of carrying out the same program through annual contracts.

SEC. 102. NAVY AND MARINE CORPS.

(a) AIRCRAFT.—(1) Funds are hereby authorized to be appropriated for procurement of aircraft for the Navy as follows:

(A) $9,253,177,000 for fiscal year 1988.

(B) $2,980,378,000 for fiscal year 1989.

(2) Of the funds appropriated or otherwise made available for procurement of aircraft for the Navy for fiscal year 1988:

(A) $5,729,763,000 is available only for combat aircraft programs as follows:

For the A-6F program, $853,224,000.

For the EA-6B program, $521,571,000.

For the F-14A/D program, $873,848,000.

For the FA-18 program, $2,580,222,000.

For the SH-60B program, $143,641,000.

For the SH-60F program, $329,961,000.

For the E-2C program, $427,296,000.

(B) $833,193,000 is available only for modification of aircraft programs as follows:

For the A-6 series, $219,651,000.

For the H-2 series, $45,108,000.

For the P-3 series, $172,865,000.

For the S-3 series, $142,522,000.

For the ES-3 series, $115,200,000.

For the E2 series, $71,139,000.

For common electronic countermeasures (ECM) equipment, $66,708,000.

(b) WEAPONS.—Funds are hereby authorized to be appropriated for fiscal year 1988 in the total amount of $5,815,815,000 for procurement of weapons (including missiles and torpedoes) for the Navy as follows:

(1) For missile programs, $5,230,085,000.

(2) For torpedo programs, $354,462,000, as follows:

For the MK-48 torpedo program, $243,444,000.

For the MK-30 mobile target program, $31,495,000.

For the antisubmarine rocket (ASROC) program, $9,522,000.

For the modification of torpedoes and related equipment, $16,015,000.

For the torpedo support equipment program, $33,348,000.

For the antisubmarine warfare range support program, $20,638,000.

(3) For other weapons, $101,540,000, of which $28,023,000 is for the MK-15 close-in weapon system program.

(4) For spares and repair parts, $129,728,000.

(c) SHIPBUILDING AND CONVERSION.—(1) Funds are hereby authorized to be appropriated for shipbuilding and conversion for the Navy as follows:

(A) $9,923,955,000 for fiscal year 1988.

(B) $7,832,900,000 for fiscal year 1989.

(2) Amounts authorized under paragraph (1) are available for shipbuilding and conversion programs as follows:

For the Trident submarine program, $1,330,800,000 for fiscal year 1988 and $1,398,300,000 for fiscal year 1989.

For the CVN aircraft carrier program, $644,000,000 for fiscal year 1988 and $797,000,000 for fiscal year 1989.

For the SSN-688 nuclear attack submarine program, $1,736,900,000 for fiscal year 1988 and $1,527,800,000 for fiscal year 1989.

For the SSN-21 nuclear attack submarine program, $257,600,000 for fiscal year 1988.

For the aircraft carrier service life extension program (SLEP), $729,755,000 for fiscal year 1988.

For the CG-47 Aegis cruiser program, $3,328,900,000 for fiscal year 1988 and $825,000,000 for fiscal year 1989.

For the DDG-51 guided missile destroyer program, $5,500,000 for fiscal year 1988 and $2,196,900,000 for fiscal year 1989.

For the LHD-1 amphibious assault ship program, $772,900,000 for fiscal year 1988 and $741,100,000 for fiscal year 1989.

For the LSD-41 cargo variant program, $324,200,000 for fiscal year 1988.

For the TAO-187 fleet oiler program, $279,100,000 for fiscal year 1988 and $256,400,000 for fiscal year 1989.

For the strategic sealift program, $43,400,000 for fiscal year 1988 and $35,400,000 for fiscal year 1989.

For the sealift enhancement program, $17,800,000 for fiscal year 1988.

For the landing craft, air cushion program, $43,700,000 for fiscal year 1988.

For the TACS auxiliary crane ship program, $53,100,000 for fiscal year 1988 and $55,000,000 for fiscal year 1989.

For service craft, $12,500,000 for fiscal year 1988.

For outfitting and post delivery, $343,800,000 for fiscal year 1988.

(d) OTHER PROCUREMENT, NAVY.—Funds are hereby authorized to be appropriated for fiscal year 1988 for other procurement for the Navy in the amount of $4,901,766,000 as follows:

(1) For the ship support equipment program, $759,780,000.

(2) For the communications and electronics equipment program, $1,666,323,000.

(3) For aviation support equipment, $688,337,000.

(4) For the ordnance support equipment program, $861,172,000.

(5) For programs for civil engineering support equipment, supply support equipment, and personnel/command support equipment, a total of $625,328,000.

(6) For spares and repair parts, $308,826,000.

(e) PROCUREMENT, MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 1988 for procurement for the Marine Corps (including missiles, tracked combat vehicles, and other weapons) in the amount of $1,286,195,000.

(f) MULTIYEAR PROCUREMENT.—The Secretary of the Navy may not carry out multiyear procurement for the Navy AGM-84A Harpoon missile program or for the Marine Corps Hawk missile program.

SEC. 103. AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for procurement for the Air Force as follows:

(1) For aircraft:

(A) $11,557,844,000 for fiscal year 1988.

(B) $3,053,277,000 for fiscal year 1989.

(2) For missiles:

(A) $7,296,259,000 for fiscal year 1988.

(B) $1,280,815,000 for fiscal year 1989.

(3) For other procurement, $8,360,679,000 for fiscal year 1988, of which—

(A) $763,139,000 is for munitions and associated support equipment;

(B) $223,961,000 is for vehicular equipment;

(C) $2,088,320,000 is for electronics and telecommunications equipment; and

(D) $5,296,259,000 is for other base maintenance and support equipment.

SEC. 104. DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal year 1988 for the Defense Agencies in the amount of $1,240,269,000.

SEC. 105. RESERVE COMPONENTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 1988 for procurement of aircraft, vehicles, communications equipment, and other miscellaneous equipment for the reserve components of the Armed Forces as follows:

For the Army National Guard, $65,000,000.

For the Air National Guard, $238,000,000.

For the Army Reserve, $90,000,000.

For the Air Force Reserve, $163,500,000.

For the Marine Corps Reserve, $40,000,000.

(b) AUTHORIZATIONS IN ADDITION TO OTHER AMOUNTS.—The authorizations of appropriations contained in subsection (a) are in addition to any other amount authorized to be appropriated by this or any other Act.

(c) FY88 Limitation on Obligations for Unbudgeted Items.—Of the amount appropriated or otherwise made available to the Department of Defense for fiscal year 1988 for procurement, not more than $596,500,000 may be obligated or expended for procurement of equipment for the reserve components of the Armed Forces (including the National Guard) for items not included in the President's budget for fiscal year 1988, as set forth in the budget justification documents submitted to Congress in support of the budget request for the Department of Defense.

SEC. 106. AUTHORIZATION FOR CHEMICAL DEMILITARIZATION PROGRAM.

Funds are hereby authorized to be appropriated to the Secretary of Defense for fiscal year 1988 for the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 747), in the amount of $389,100,000, of which—

(1) $94,100,000 shall be for operation and maintenance;

(2) $3,500,000 shall be for research, development, test and evaluation;

(3) $144,500,000 shall be for procurement; and

(4) $147,000,000 shall be for military construction for the Army.

SEC. 107. EXTENSION OF AUTHORITY PROVIDED SECRETARY OF DEFENSE IN CONNECTION WITH THE NATO AWACS PROGRAM.

Effective on October 1, 1987, section 103(a) of the Department of Defense Authorization Act, 1982 (Public Law 97-86; 95 Stat. 1100) is amended by striking out "fiscal year 1987" both places it appears and inserting in lieu thereof "fiscal years 1988 and 1989".

SEC. 108. ARMY PROGRAMS.

(a) AH-64 Apache Attack Helicopter.—Of the AH-64 Apache helicopters acquired with funds provided for aircraft procurement for the Army for fiscal year 1988, one battalion (consisting of 18 of such aircraft) shall be designated for the Army National Guard.

(b) AHIP Scout Helicopter.—Funds provided for fiscal year 1988 for advance procurement of AHIP aircraft may not be obligated unless the Secretary of Defense, based on operational test results, determines that the AHIP aircraft is the most cost-effective scout helicopter available to the Army and certifies that determination to the Committees on Armed Services of the Senate and House of Representatives.

(c) Bradley Fighting Vehicle.—Of the amount provided for fiscal year 1988 for advance procurement for the Bradley Fighting Vehicle program, $10,000,000 may not be obligated until the Secretary of Defense—

(1) ensures that production of components for such vehicle is consistent with production of end items; and

(2) certifies to the Committees on Armed Services of the Senate and House of Representatives that production of such components will be consistent with production of end items.

(d) HEMTT Truck Program.—(1) The Secretary of the Army shall award contracts for procurement of Heavy Expanded Mobility Tactical Truck (HEMTT) vehicles for fiscal years after fiscal year 1988 using full and open competitive procedures, with a competition based on the technical data package for the vehicle. Any competition for such a contract may propose minor substitutions or modifications to the vehicle, so long as the competitor warrants that the performance of the vehicle as proposed will meet or exceed the specifications for performance of the current HEMTT vehicle.

(2) The Secretary of the Army shall reevaluate whether there is a valid requirement for a palletized loading system. If the Secretary determines that there is a requirement for such a system, the Secretary shall reexamine the specifications for the system and incorporate into solicitations for the HEMTT vehicle a requirement that the Government have an option to purchase a palletized loading system for the vehicle at a fixed price.

(3) The Secretary of the Army shall structure deliveries under the fiscal year 1988 production contract for the HEMTT vehicle and Army plans and schedules so that (assuming that production funds are provided for fiscal year 1989 for heavy trucks) a competition may be held as required by paragraph (1) and a contract awarded with deliveries to the Army under the fiscal year 1989 contract to begin no later than the final delivery of vehicles produced under the fiscal year 1988 contract.

SEC. 109. NAVY AIRCRAFT PROVISIONS.

(a) H-53 Modifications.—Of the amount appropriated for procurement of aircraft for the Navy for fiscal year 1988, $25,000,000 shall be available only for safety-related modifications of the H-53 series aircraft.

(b) P-3 Aircraft.—From funds appropriated or otherwise made available for procurement of aircraft for the Navy for fiscal year 1988, the Secretary of the Navy may not obligate more than a total of $207,011,000 for—

(1) procurement of P-3C aircraft; and

(2) modifications to existing P-3 aircraft.

(c) OBOGS System.—Aircraft may not be procured under the A-6F, F-14D, or FA-18 aircraft programs using funds made available for fiscal year 1988 except for aircraft configured with an On Board Oxygen Generating System (OBOGS).

SEC. 110. AIR FORCE PROVISIONS.

(a) Transfers of T-46 Funds to Naval Aircraft Programs.—(1) Funds appropriated for procurement of aircraft for the Air Force that were originally provided for the terminated T-46 program (as such funds are described in paragraph (2)) shall, to the extent provided in appropriation Acts, be made available for aircraft programs of the Navy as described in paragraph (3), and may not be used for any other purpose.

(2) Air Force aircraft procurement funds to be made available for the purposes described in paragraph (3) are $151,000,000 appropriated for fiscal year 1987 and $149,000,000 appropriated for fiscal year 1986.

(3) Funds provided for Navy aircraft programs under this subsection shall be used as follows:

(A) $146,700,000 for procurement of EA6-B Prowler aircraft.

(B) $4,900,000 for advance procurement of EA-6B Prowler aircraft.

(C) $12,600,000 for EA-6B spares.

(D) $42,400,000 for A-6 aircraft modifications.

(E) $48,700,000 for E-2 aircraft modifications.

(b) Transfer of Other Procurement Air Force Funds.—Of funds appropriated for other procurement for the Air Force for fiscal year 1987 that are available for the BDU-50 practice bomb, $8,000,000 shall, to the extent provided in appropriations Acts, be made available for other procurement for the Navy for fiscal year 1988 and shall be used only for procurement of BDU-45 practice bombs.

(c) PAVE Tiger System.—The amount of $95,800,000 authorized for research, development, test, and evaluation for the Air Force for fiscal year 1985 for which funds were appropriated is hereby reauthorized for procurement of the PAVE Tiger System, and such funds may not be used for any other purpose.

(d) Defense Meteorological System Satellite.—The Secretary of the Air Force may enter into a multiyear contract under section 2306(h) of title 10, United States Code, for the Defense Meteorological System Satellite program.

(e) Transport Aircraft.—Funds provided for fiscal year 1988 for procurement of aircraft may not be used to purchase transport aircraft unless the aircraft are equipped with ground proximity warning systems.

SEC. 111. REPORT ON CONDITION OF CERTAIN C-130 AIRCRAFT.

(a) Inspection.—The Secretary of the Air Force, in conjunction with the Air National Guard, shall inspect the eight C-130H aircraft stored since 1974 at Air Force Plant No. 6 in Marietta, Georgia, in order to determine the current condition of such aircraft and the work required to return such aircraft to operating status.

(b) Report.—The Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the inspection under subsection (a). The report shall include the Secretary's estimate of the amount it would cost to put such aircraft in useful service for the Air National Guard. The report shall be submitted not later than 60 days after the date of the enactment of this Act.

SEC. 112. REVISION OF CHEMICAL DEMILITARIZATION PROGRAM.

(a) Definition.—For purposes of this section, the term "chemical stockpile demilitarization program" means the program established by section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), to provide for the destruction of the United States' stockpile of lethal chemical agents and munitions.

(b) Environmental Impact Statement.—(1) The Secretary of Defense shall issue the final Programmatic Environmental Impact Statement on the chemical stockpile demilitarization program by January 1, 1988. The Environmental Impact Statement shall be prepared in accordance with all applicable laws.

(2) After considering such environmental impact statement, the Secretary shall decide, by February 1, 1988, whether to carry out the chemical stockpile demilitarization program by onsite destruction, through regional destruction centers, or through a national destruction site.

(c) Disposal Technologies.—(1) Funds provided for fiscal year 1988 for the chemical stockpile demilitarization program may not be obligated for procurement or for an Army military construction project at a military installation or facility inside the continental United States until the Secretary of Defense provides to Congress a written certification that the concept plan under the program includes the following:

(A) Evaluation of alternate technologies for disposal of the existing stockpile and selection of one such technology to be used for such purpose.

(B) Full-scale operational verification of the technology selected for such disposal.

(C) Maximum protection for public health and the environment.

(2) The limitation in paragraph (1) shall not apply with respect to the obligation of funds for the technology evaluation or development program.

(d) REVISED CONCEPT PLAN.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a revised concept plan for the program. The revised plan—

(1) shall incorporate the matters determined under subsections (b) and (c); and

(2) shall specify any revised schedule and revised funding requirements necessary to enable the Secretary to meet the requirements under subsections (b) and (c).

The revised plan shall be submitted by March 15, 1988.

(e) SURVEILLANCE AND ASSESSMENT PROGRAM.—The Secretary shall conduct an ongoing comprehensive program of—

(1) surveillance of the existing chemical stockpile; and

(2) assessment of the condition of the stockpile.

SEC. 113. LIMITATION ON OBLIGATION OF FUNDS.

The maximum amount that may be obligated from an account or for an activity for which funds are specifically authorized in the title is the amount authorized to be appropriated in this title for that account or activity.

SEC. 114. ASSESSMENT OF CAPABILITIES OF B-1B TO PENETRATE ENEMY AIR DEFENSES.

(a) INDEPENDENT ASSESSMENT.—The Secretary of Defense shall provide for an independent assessment of the ability of the B-1B aircraft to penetrate air defenses of potential enemies. The Secretary shall appoint a panel of experts from the private sector to conduct the assessment and shall provide the panel such resources as are necessary, including technical assistance by private contractors, to assist it in conducting the assessment. Individuals appointed to the panel shall be independent of the Air Force and shall have no arrangements with the Air Force that would constitute a conflict of interest.

(b) CONFIGURATIONS TO BE CONSIDERED.—The panel shall estimate the air defense penetration capabilities of the B-1B aircraft in all of its mission profiles as it is estimated to be configured at each of the following times:

(1) Initial operational capability.

(2) The time the assessment is conducted.

(3) The completion of the developmental test and evaluation/initial operational test and evaluation period in fiscal year 1989.

(4) The completion of the baseline modifications program in fiscal year 1991.

(c) THREATS TO BE CONSIDERED.—The panel shall estimate the air defense penetration capabilities of the B-1B aircraft against the threats described in—

(1) the 1981 joint Office of the Secretary of Defense/Air Force Bomber Alternatives Study;

(2) the 1986 Strategic Bomber Force Study; and

(3) the most current threat baseline established by the intelligence community.

(d) DOD COOPERATION.—The Secretary of Defense shall ensure that individuals serving on the panel receive the full cooperation of all components of the Department of Defense in carrying out the functions of the panel under this section.

(e) REPORTS.—The Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives—

(1) an initial report on the assumptions that are to be used by the panel in the assessment;

(2) periodic reports on the development and progress of the assessment; and

(3) the final report of the panel (together with such comments as the Secretary considers appropriate), to be submitted in conjunction with the submission of the President's budget for fiscal year 1989.

(f) FUNDING.—Of the amounts appropriated for aircraft procurement for the Air Force for fiscal year 1988, $1,000,000 shall be available only for the conduct of the assessment under this section.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

PART A—AUTHORIZATIONS AND PROGRAM LIMITATIONS

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal year 1988 and for fiscal year 1989 for the use of the Armed Forces for research, development, test, and evaluation in amounts as follows:

(1) For the Army:

(A) $4,556,517,000 for fiscal year 1988.

(B) $850,300,000 for fiscal year 1989.

(2) For the Navy (including the Marine Corps):

(A) $7,843,775,000 for fiscal year 1988.

(B) $942,389,000 for fiscal year 1989.

(3) For the Air Force:

(A) $15,800,427,000 for fiscal year 1988.

(B) $876,233,000 for fiscal year 1989.

(4) For the Defense Agencies:

(A) $7,357,780,000 for fiscal year 1988.

(B) $255,000,000 for fiscal year 1989.

(5) For testing activities for fiscal year 1988—

(A) $169,217,000 for the activities of the Deputy Under Secretary of Defense, Test and Evaluation; and

(B) $91,221,000 for the Director of Operational Test and Evaluation.

(b) LIMITATION ON OBLIGATIONS.—The maximum amount that may be obligated from an account for which funds are authorized to be appropriated in subsection (a) is the amount authorized to be appropriated for that account.

SEC. 202. LIMITATION OF FUNDS FOR THE ARMY.

(a) AAWS-M AND MILAN II PROGRAMS.—(1) Of the funds authorized in section 201 for the Army for fiscal year 1988, $59,146,000 is available only for the Advanced Anti-Tank Weapon System-Medium (AAWS-M) program and, of such amount, no more than $12,000,000 may be obligated for that program until the Secretary of the Army certifies to the Committees on Armed Services of the Senate and the House of Representatives that the Army has completed the Milan II evaluation.

(2) For purposes of paragraph (1), the term "Milan II evaluation" means evaluation of the Milan II system as an interim alternative medium-range anti-tank weapons system, as directed in the joint explanatory statement of the committee of conference accompanying the conference report on House Joint Resolution 738 (House Report 99-1005, page 555). Such evaluation shall be based on full operational testing of the Milan II system.

(3) For the purposes of paragraph (2), full operational testing consists of use by several operational units of battalion size or greater for a period of at least six months.

(b) OTHER SPECIFIED ACTIVITIES.—Of the funds authorized in section 201 for the Army for fiscal year 1988—

(1) $7,500,000 is available only for the development of the Wide-Area Side Penetrating Mine (WASPM);

(2) $10,000,000 is available only for development of the Composite Helicopter Rotor System; and

(3) $6,000,000 is available only for the Common Module Tunable Laser program.

(c) UNFUNDED PROGRAMS.—Of the funds appropriated pursuant to the authorization in section 201 for the Army for fiscal year 1988, no funds may be obligated for the Patriot Anti-Tactical Missile System or for the Aquila Remotely Piloted Vehicle program.

SEC. 203. ARMY HELICOPTER PROGRAMS.

(a) LHX LIMITATION.—No more than $10,000,000 appropriated or otherwise made available to the Department of Defense for fiscal year 1988 may be used for research, development, test, and evaluation for the concept development of the Light Helicopter Experimental (LHX) program.

(b) APACHE, BLACKHAWK, AND AHIP PROGRAMS.—Of the funds appropriated for research, development, test, and evaluation for the Department of Defense for fiscal year 1988—

(1) $25,000,000 shall be available only for the AH-64 Apache attack helicopter program;

(2) $25,000,000 shall be available only for the UH-60 Blackhawk utility helicopter program;

(3) $10,000,000 shall be available only for the OH-58 AHIP scout helicopter program; and

(4) $125,000,000 shall be available only for the T-800 helicopter engine program.

(c) STUDY.—(1) The Secretary of Defense shall carry out a study evaluating—

(A) development programs of the Army for rotary-wing aircraft;

(B) Army force structure for rotary-wing aircraft; and

(C) Army mission requirements for rotary-wing aircraft.

(2) Of the funds appropriated pursuant to this title, $5,000,000 shall be available only for the study under paragraph (1).

(3) The Secretary shall submit to Congress a report on such study no later than February 15, 1988.

SEC. 204. LIMITATION ON FUNDS FOR THE NAVY.

(a) INTEGRATED AIRCRAFT AVIONICS.—(1) Of the funds authorized in section 201 for the Navy for fiscal year 1988, $28,375,000 is available only for the Integrated Aircraft Avionics program, of which—

(A) $23,000,000 is available only for the Integrated Electronic Warfare system (INEWS); and

(B) $3,000,000 is available only for development of the Integrated Communication Navigation Identification Avionics (ICNIA) system.

(2) Of the funds authorized in section 201 for the Navy for fiscal year 1989, $22,093,000 is available only for continuation of the Integrated Aircraft Avionics program.

(b) OTHER SPECIFIED ACTIVITIES.—Of the funds authorized in section 201 for the Navy for fiscal year 1988—

(1) $13,988,000 is available only for the development of the V-22 Anti-Submarine Warfare Variant Aircraft;

(2) $24,642,000 in fiscal year 1988 and $25,870,000 in fiscal year 1989 is available only for the Low-Cost Anti-Radiation Seeker development program;

(3) $26,035,000 is available only for the Marine Corps Assault Vehicles program; and

(4) $15,000,000 is available only for the Quick Reaction Surveillance System development program.

(c) UNFUNDED PROGRAMS.—Of the funds authorized in section 201 for the Navy for fiscal year 1988, no funds may be obligated for the following programs:

(1) The Advanced Air-to-Air Missile program.

(2) The Advanced Lightweight Torpedo program.

(3) The Battle Group Passive Horizon Extension System Trainer program.

SEC. 205. NAVY ATTACK SUBMARINE PROGRAM.

(a) ADVANCED SUBMARINE TECHNOLOGY.—(1) There is hereby established an Advanced Submarine Technology Program to be carried out by the Secretary of Defense through the Director, Defense Advanced Research Projects Agency. In carrying out the program, the Director shall conduct research, development, test, and evaluation of advanced submarine technology that may be applied to submarines of the SSN-688 class, SSN-21 class, or other classes of submarines. Technology to be examined through the program includes technology relating to polymers, compliant coating, propulsion, techniques for hull drag reduction, materials, weapon control systems, acoustic and nonacoustic signature reduction, and sensors.

(2) The objective of the program shall be to obtain prototype hardware of promising submarine technologies in the shortest possible time.

(3) Of the funds provided for the Navy for fiscal year 1988 for research, development, test, and evaluation, $112,899,000 shall be made available to the Director, Defense Advanced Research Projects Agency for the advanced submarine technology program. The Secretary of Defense shall make such amount available to the Director within 30 days after enactment of a law making appropriations for fiscal year 1988 for research, development, test, and evaluation for the Navy.

(b) REPORT REQUIREMENT.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a detailed plan for the conduct of the program. The report shall include—

(A) information on the technologies to be studied and developed,

(B) milestones for significant achievements,

(C) plans for prototype hardware development, and

(D) a description of anticipated costs.

(2) Not later than six months after the submission of the report required by paragraph (1), the Secretary of Defense shall submit a report updating the information in the initial report, including any additional information the Secretary considers appropriate to the conduct of the program.

(c) LIMITATION ON FUNDS.—None of the funds appropriated by this or any other Act for the research and development of the SSN-21 Seawolf Attack Submarine program may be obligated or expended during any period of time in which a report required by subsection (b) is overdue.

(d) CONCEPT STUDIES FOR SSN-688 IMPROVEMENT.—Of the funds authorized in section 201 for the Navy for fiscal year 1988, $15,000,000 is available only for concept and design studies, together with cost estimates, for accomplishing the following on SSN-688 Los Angeles class submarines:

(1) Providing greater operational/tactical and maximum speed than the present SSN-688 class submarine.

(2) Using HY-100 steel to permit greater operational depths.

(3) Providing greater acoustic and nonacoustic quieting.

(4) Providing greater weapons carrying capacity than either the SSN-688 submarine or the proposed SSN-21 submarine.

(e) INDEPENDENT STUDIES.—The Secretary of Defense shall obtain an independent concept study in accordance with subsection (d) from two qualified independent shipbuilders and shall provide the results of the Navy concept study and of the shipbuilders' studies, together with development and deployment schedules and cost estimates under each, to the Committees on Armed Services of the Senate and House of Representatives not later than March 1, 1988.

SEC. 206. LIMITATION ON FUNDS FOR THE AIR FORCE.

(a) SPACE DEFENSE SYSTEM.—(1) Of the funds authorized in section 201 for the Air Force for fiscal year 1988, not more than $50,000,000 is available for the Space Defense System development program, of which—

(A) $40,000,000 is for the Air-Launched Miniature Vehicle program; and

(B) $10,000,000 is for the Ground-Based Laser Technology program.

(2) None of the funds authorized in section 201 are available for production verification of the miniature homing vehicle portion of the Space Defense System program.

(b) ALTERNATE ICBM BASING TECHNOLOGIES.—Of the funds authorized in section 201 for the Air Force for fiscal year 1988, not more than $250,000,000 is available for alternate ICBM basing technologies.

(c) TACTICAL AIRCRAFT.—Of the funds authorized in section 201 for the Air Force for fiscal year 1988, not more than $196,264,000 is available for the F-111 Squadron, F-15 Squadron, F-16 Squadron, F-4G Wild Weasel Squadron, and A-7 Squadron programs.

(d) ADVANCED STRATEGIC MISSILE SYSTEM.—Of the funds authorized in section 201 for the Air Force for fiscal year 1988, $154,162,000 is available only for the Advanced Strategic Missile System effort.

(e) OTHER SPECIFIED ACTIVITIES.—Of the funds authorized in section 201 for the Air Force for fiscal year 1988—

(1) $46,650,000 is available only for the Excimer Mid-Range Laser Development (EMRLD) program;

(2) $150,000,000 is available only for the development of the Boost Surveillance Tracking Satellite (BSTS), to be administered only by the Secretary of the Air Force;

(3) at least $10,714,000 is available only for the development of the Integrated Electronic Warfare system and the Integrated Communication Navigation Identification Avionics system for the full-scale engineering development program;

(4) $27,607,000 is available only for the Sensor Fuze Weapons project;

(5) $15,000,000 is available only for the Precision Location Strike System development program;

(6) $41,117,000 is available only for the development of the Side Looking Airborne Radar program;

(7) $25,995,000 is available only for the Traffic Control/Approach Landing Systems Program, of which—

(A) $14,330,000 is available only for the Microwave Landing System,

(B) $5,000,000 is available only for the Air Traffic Control Survivability project,

(C) $5,000,000 is available only for the Rapid Deployable Air Traffic Control System; and

(8) $15,000,000 is available only for Non-Acoustic Anti-Submarine Warfare related activity.

(9) $50,000,000 is available only for the Pave Tiger program;

(10) $10,000,000 is available only for the TR-1 Propulsion Upgrade program;

(11) $94,967,000 is available only for the Manufacturing Technology (MANTECH) program, of which—

(A) $35,000,000 is available only for programs associated with the revitalization of the United States machine tool industry, and

(B) $5,000,000 is available only for the National Center for Manufacturing Sciences;

(12) $8,973,000 is available only for the Space and Missile Rocket Propulsion program, of which $3,300,000 is available only for the Integrated Stage Technology project; and

(13) $150,000,000 is available only for development of the Advanced Launch System.

(f) F-4D AIR DEFENSE AIRCRAFT.—The Secretary of the Air Force may spend not more than $30,000,000 to complete development of a derivative of the F-4D aircraft for the air defense mission. Funds to be used for such purpose are funds appropriated to the Air Force for fiscal year 1987 for research, development, test, and evaluation but not authorized.

SEC. 207. B-1B BOMBER PROGRAM.

(a) FUNDING LIMITATION.—Of the funds authorized in section 201, not more than $375,672,000 shall be available for research, development, test, and evaluation for the B-1B bomber program during fiscal year 1988.

(b) QUARTERLY STATUS REPORTS.—Before the end of each quarter of fiscal year 1988, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a status report on the B-1B baseline program. Each such report shall address the ability of the B-1B aircraft to meet—

(1) performance objectives,

(2) technical and fiscal problems, and

(3) significant milestones.

(c) LIMITATION ON AIRCRAFT ENHANCEMENT.—Funds described in subsection (a) may not be used for modernization of the B-1B bomber aircraft. The Secretary of Defense shall submit a description of any planned aircraft enhancement to the Committees on Armed Services of the Senate and the House of Representatives, together with—

(1) full justification for such enhancements,

(2) the total program costs, and

(3) schedule.

Any such enhancement may be initiated only if specific authorization and appropriation for the enhancement are provided by law.

(d) SYSTEMS INTEGRATION.—The Secretary of the Air Force shall request proposals from contractors to perform the function of B-1B systems integration and shall report to the Committees on Armed Services of the Senate and the House of Representatives on the feasibility and cost of using a contractor, rather than the Air Force, for that function.

(e) Evaluation of B-1B Flight Test Program.—In order to ensure the adequacy of the proposed flight test program for the B-1B aircraft, the Director of Operational Test and Evaluation of the Department of Defense shall assume the responsibilities and exercise the authorities of the Director under section 138 of title 10, United States Code, with respect to the use of funds provided for fiscal year 1988 for such flight test program insofar as the use of such funds involves operational test and evaluation functions (as defined in such section).

SEC. 208. LIMITATION ON FUNDS FOR DEFENSE AGENCIES.

(a) Specified Activities.—Of the funds authorized in section 201 for the Defense Agencies for fiscal year 1988—

(1) $293,450,000 is available only for Strategic Technology, of which—

(A) $5,500,000 is available only for optical processor research,

(B) $50,000,000 is available only for the Light Sat program, and

(C) $4,000,000 is available only for the Amos Large Optical System program;

(2) $122,136,000 is available only to the Defense Advanced Research Projects Agency for tactical technology, of which $7,600,000 is available only for the Vector Thrust program;

(3) $25,000,000 is available only to the Defense Advanced Research Projects Agency for the Hypersonic Weapons Technology program;

(4) $2,000,000 is available only to the Defense Advanced Research Projects Agency for metallurgy research;

(5) $8,000,000 is available only for manufacturing technology associated with guided ordnance;

(6) $10,000,000 is available only for a pilot project to acquire quality semiconductor circuits;

(7) $2,000,000 is available only for personnel radiation protection research;

(8) $20,000,000 is available only for X-Ray lithography research;

(9) $5,000,000 is available only for the Rankine Cycle Energy Recovery (RACER) system; and

(10) $10,000,000 is available only to the Director, Defense Advanced Research Projects Agency for the Advanced Torpedo Program.

(b) LANDSAT Program.—Of the funds provided for research, development, test, and evaluation for the Defense Agencies for fiscal years 1988 and 1989, funds shall be provided to the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence to be used for LANDSAT data acquisition and for development of LANDSAT satellites numbers 6 and 7 (including launch costs) as follows:

(1) For fiscal year 1988, $25,000,000.

(2) For fiscal year 1989, $45,000,000.

(c) University Research Initiatives.—Of the funds available under section 201 for the Defense Agencies, $200,000,000 is available only for the University Research Initiatives (URI) program in fiscal year 1988 and $210,000,000 is available only for that program in fiscal year 1989.

SEC. 209. ADVANCED TACTICAL FIGHTER AIRCRAFT.

Funds appropriated for fiscal year 1988 may not be used for the Advanced Tactical Fighter aircraft program until the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives written certification that the prototype aircraft will include all physical and structural modifications necessary to satisfy fully the requirements of the Navy concerning aircraft carrier catapults and arresting gear.

SEC. 210. ELECTRONIC WARFARE PROGRAMS.

(a) Funding.—(1) Of the funds authorized to be appropriated by this title for fiscal year 1988, not more than $443,347,000 shall be for electronic warfare programs, to be appropriated to the Secretary of Defense and allocated as provided in subsection (b).

(2) None of such funds may be appropriated to the Secretary of a military department for electronic warfare programs.

(b) Allocation of Funds.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, shall allocate among the military departments funds appropriated for fiscal year 1988 for electronic warfare programs in such manner as the Secretary determines appro- priate.

(c) Submission of Master Plan.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a detailed master plan for electronic warfare programs. Such plan shall—

(1) describe joint service electronic warfare programs that will satisfy electronic warfare requirements against the current and future threat; and

(2) identify those electronic warfare systems that will be terminated.

(d) Obligation Limitation.—Not more than 50 percent of the funds allocated to each of the military departments under subsection (b) may be obligated or expended for electronic warfare programs until the report required by subsection (c) is submitted to the Committees on Armed Services of the Senate and House of Representatives and a period of 15 legislative days has expired.

SEC. 211. TECHNOLOGY BASE PROGRAMS.

Of the funds authorized in section 201, the following amounts are available only for technology base programs:

(1) For the Army:

(A) $790,399,000 of funds authorized for fiscal year 1988.

(B) $850,300,000 of funds authorized for fiscal year 1989.

(2) For the Navy:

(A) $784,920,000 of funds authorized for fiscal year 1988.

(B) $894,426,000 of funds authorized for fiscal year 1989.

(3) For the Air Force:

(A) $776,409,000 of funds authorized for fiscal year 1988.

(B) $876,233,000 of funds authorized for fiscal year 1989.

SEC. 212. CONVENTIONAL DEFENSE INITIATIVE.

(a) In General.—In this Act, Congress continues the program of Conventional Defense Initiatives begun in Public Law 99-661 to provide an emphasis on improving the conventional weapons of the Armed Forces (and the testing of such weapons) and to enhance cooperation with the other member nations of the North Atlantic Treaty Organization and other major non-NATO allies. The initiative is intended to improve the fighting power and survivability of the combat forces of the United States and to raise the threshold for nuclear war.

(b) Army.—Of the funds authorized in section 201 for the Army for fiscal year 1988, $136,100,000 is available only for the Conventional Defense Initiative, of which—

(1) $500,000 is available only for the Ammunition Containerization Development,

(2) $5,000,000 is available only for Guard and Reserve unique research and development,

(3) $8,000,000 is available only for the Combat Vehicle Support Systems program,

(4) $10,000,000 is available only for Milan II evaluation and $10,000,000 is available only for Bofars Bill evaluation,

(5) $600,000 is available only for the Chemical Mask Improved Drinking system program,

(6) $13,000,000 is available only for Multi-Purpose Assault Weapon evaluation,

(7) $9,000,000 is available only for the Combat Diesel Engine program,

(8) $5,000,000 is available only for Ardvark/LVS integration,

(9) $10,000,000 is available only for Recovery Vehicle ARV-90 development, and

(10) $3,000,000 is available only for the evaluation of the Weasel.

(c) Navy.—Of the funds authorized in section 201 for the Navy for fiscal year 1988, $78,600,000 is available only for the Conventional Defense Initiative, of which—

(1) $50,000,000 is available for the Laser Communication development program,

(2) $6,000,000 is available only for the Electro-Magnetic Catapult program,

(3) $8,000,000 is available for the Autonomous Piloted aircraft program,

(4) $8,600,000 is available only for the Acoustic Video Processor program,

(5) $5,000,000 is available only for the Ring Laser Gyro program, and

(6) $1,000,000 is available only for the evaluation of small rotary engines for use in unmanned aircraft vehicles.

(d) Air Force.—Of the funds authorized in section 201 for the Air Force for fiscal year 1988, $84,000,000 is available only for the Conventional Defense Initiative, of which—

(1) $70,000,000 is available for a classified aircraft program,

(2) $4,000,000 is available only for an Advanced Tactical Transport system program,

(3) $8,000,000 is available only for Popeye evaluation, and

(4) $2,000,000 is available only for an activated metals program.

SEC. 213. PROHIBITION ON TESTING ELECTROMAGNETIC PULSE IN CHESAPEAKE BAY.

During fiscal year 1988, the Secretary of the Navy may not carry out an electromagnetic pulse program in the Chesapeake Bay area in connection with the Electromagnetic Pulse Radiation Environment Simulator Program for Ships (EMPRESS).

Part B—Strategic Defense Initiative

SEC. 221. FUNDING LEVEL FOR STRATEGIC DEFENSE INITIATIVE.

(a) Amount Authorized.—Of the amount authorized in section 201 for research, development, test and evaluation for the Defense Agencies, not more than $3,000,000,000 is available for the Strategic Defense Initiative (SDI) program.

(b) Specified Activities.—Of the funds available for the Strategic Defense Initiative program under subsection (a)—

(1) $25,000,000 is available only for the study of a ground-based defense system for use in defense against accidental launch of strategic ballistic missiles; and

(2) $75,000,000 is available only for a classified laser program.

SEC. 222. REPORT ON STRATEGIC DEFENSE INITIATIVE DEPLOYMENT COSTS.

(a) Report Requirement.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the total cost to develop, produce, deploy, operate, and maintain the missile defense system described in the 1987 report entitled "Report of the Technical Panel on Missile Defense in the 1990s" prepared by the George C. Marshall Institute.

(b) Deadline for Report; Classification.—The report shall be submitted no later than six months after the date of the enactment of this Act and shall be submitted in unclassified form.

SEC. 223. ANNUAL REPORT ON STRATEGIC DEFENSE INITIATIVE BUDGET.

(a) Report Requirement.—Not later than March 1 each year, the Secretary of Defense shall submit to Congress a report on the budget for the Strategic Defense Initiative for each of the next two fiscal years. Each such report shall provide—

(1) a detailed breakdown of that budget (by program element, project, and task) for each of the fiscal years covered by the report;

(2) a descriptive summary of each program element of the Strategic Defense Initiative for each of the fiscal years covered by the report; and

(3) the total funding for the Strategic Defense Initiative planned for each year of the current five-year defense plan.

(b) Classification of Report.—The report under subsection (a) shall be submitted in both an unclassified form and a classified form.

SEC. 224. LIMITATION ON ABM SYSTEMS.

(a) Limitation.—Funds appropriated or otherwise made available to the Department of Defense may not be obligated or expended to develop, test, or deploy an anti-ballistic missile (ABM) system or component which is sea-based, air-based, space-based, or mobile land-based.

(b) Removal of Limitation.—The limitation in subsection (a) shall cease to apply if the President certifies to the Congress—

(1) that he has notified the Soviet Union that extraordinary events related to the subject matter of the limitation in subsection (a) have jeopardized the supreme interests of the United States, necessitating United States actions inconsistent with the limitation of subsection (a), and

(2) that such notification to the Soviet Union included a statement of the extraordinary events he regards as having jeopardized the supreme interests of the United States.

Part C—Advanced Anti-Tactical Ballistic Missile Projects

SEC. 231. DEMONSTRATION PROJECTS UNDER SDI PROGRAM.

(a) Funding.—Of the funds provided for the Strategic Defense Initiative program for fiscal year 1988, $73,000,000 shall be available only for experiments and demonstration projects relating to antitactical ballistic missile (ATBM) systems. Such experiments and demonstration projects shall be conducted within 3 years after the date of the enactment of this Act.

(b) Demonstration Projects.—(1) Such projects shall include exploration of the potential for anti-ballistic missile purposes of—

(A) terminal defense missiles,

(B) hypervelocity kinetic energy weapons, and

(C) high energy laser components.

(2) To the maximum extent practical, such projects should also include exploration of battle management and command, control, communications, and intelligence requirements for system architectures for an antitactical ballistic missile.

(c) Cooperation With Allies.—Such projects shall be conducted on a matching fund cooperative program basis with United States allies that have signed Memoranda of Understanding (MOU's) for participation in the Strategic Defense Initiative program.

SEC. 232. ARMY PROGRAM.

Of the funds authorized in section 201 for the Army, $50,000,000 is available only for the joint development and deployment, on a matching fund cooperative program basis, of an Anti-Tactical Ballistic Missile (ATBM) system with United States allies. Such system shall be designed to be no less capable than the SA-X-12 system of the Soviet Union.

Part D—Miscellaneous

SEC. 241. COOPERATIVE MEDICAL RESEARCH WITH THE VETERANS' ADMINISTRATION.

Of the amount authorized in section 201 for the Defense Agencies, $25,000,000 is available only for Cooperative Medical research to be administered by the Secretary of Defense and the Administrator of Veterans' Affairs.

SEC. 242. LINCOLN LABORATORY IMPROVEMENT PROJECT.

(a) Modernization and Expansion Project.—The Secretary of the Air Force is authorized to enter into a contract with the Massachusetts Institute of Technology for a modernization and expansion project at the Lincoln Laboratory complex at Hanscom Air Force Base, Massachusetts. The project includes construction of, and additions and modifications to, research offices, laboratory spaces, and supporting facilities necessary to carry out the activities of the Lincoln Laboratory.

(b) Project Cost and Duration.—The amount obligated under the contract for the modernization and expansion project may not exceed $135,000,000. The project shall be completed in not more than 12 years. Costs incurred under the contract may include costs of financing charges (including financing charges on amounts provided by the Massachusetts Institute of Technology for the project), but may not include a fee or profit for the Massachusetts Institute of Technology or for Lincoln Laboratory.

(c) Funding.—Payments under a contract under subsection (a) shall be made from appropriations available to the Secretary of the Air Force for research, development, test, and evaluation for the year for which the contract requires the payment to be made.

(d) Title.—Title to the facilities, and to associated equipment, funded by such contract shall be conveyed to the United States upon completion of the project and acceptance of the facilities by the Secretary.

(e) Use of Facilities.—The right of the Massachusetts Institute of Technology to use such facilities and equipment shall be as provided by contracts with the United States.

(f) Budget Act.—The authority of the Secretary of the Air Force to enter into a contract under subsection (a) shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

SEC. 243. FUNDS FOR COOPERATIVE PROJECTS WITH MAJOR NON-NATO ALLIES.

Of the funds appropriated pursuant to the authorizations of appropriations for fiscal year 1988 in section 201, up to $40,000,000 shall be available for cooperative research and development projects with major non-NATO allies under section 1105 of the Department of Defense Authorization Act, 1987 (division A of Public Law 99-961).

TITLE III—OPERATION AND MAINTENANCE

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

(a) In General.—Funds are hereby authorized to be appropriated for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

For the Army, $20,661,994,000.

For the Navy, $23,787,230,000.

For the Marine Corps, $1,875,067,000.

For the Air Force, $19,894,482,000.

For the Defense Agencies, $7,330,307,000.

For the Army Reserve, $855,803,000.

For the Naval Reserve, $951,215,000.

For the Marine Corps Reserve, $70,261,000.

For the Air Force Reserve, $1,020,457,000.

For the Army National Guard, $1,896,552,000.

For the Air National Guard, $1,984,192,000.

For the National Board for the Promotion of Rifle Practice, $4,099,000.

For Defense Claims, $193,574,000.

For the Court of Military Appeals, $3,461,000.

For Environmental Restoration, Defense, $392,800,000.

For Military Health Care, $2,116,800,000.

(b) General Authorization for Contingencies.—There are authorized to be appropriated, in addition to the amounts authorized to be appropriated in subsection (a), such sums as may be necessary—

(1) for unbudgeted increases in fuel costs; and

(2) for unbudgeted increases as the result of inflation in the cost of activities authorized by subsection (a).

(c) Limitation on Obligations.—The maximum amount that may be obligated from an account for which funds are authorized to be appropriated in subsection (a) is the amount authorized to be appropriated for that account plus any amount authorized for that account under subsection (b).

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 1988 and fiscal year 1989 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working-capital funds, in amounts as follows:

For the Army Stock Fund, $193,207,000.

For the Navy Stock Fund, $329,400,000.

For the Air Force Stock Fund, $226,007,000.

For the Defense Stock Fund, $132,600,000.

SEC. 303. LIMITATION ON THE USE OF OPERATION AND MAINTENANCE FUNDS TO PURCHASE INVESTMENT ITEMS.

Funds appropriated for fiscal year 1988 for operation and maintenance of the Department of Defense may not be used to purchase any item with a unit cost of $5,000 or more if purchases of such item during fiscal year 1987 were chargeable to appropriations made to the Department of Defense for procurement.

SEC. 304. AVAILABILITY OF UNITED STATES PRODUCTS AT DEFENSE PACKAGE STORES OVERSEAS.

(a) Treatment of Wines.—(1) Chapter 147 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2489. Overseas package stores: treatment of United States wines

"(a) General Rule.—The Secretary of Defense shall ensure that each nonappropriated-fund activity engaged principally in selling alcoholic beverage products in a packaged form (commonly referred to as a 'package store') that is located at a military installation outside the United States shall give appropriate treatment with respect to wines produced in the United States to ensure that such wines are given, in general, an equitable distribution, selection, and price when compared with wines produced by the host nation.

"(b) Annual Report.—The Secretary shall submit to Congress an annual report on the implementation of this section.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2489. Overseas package stores: treatment of United States wines.".

(b) Regulations Deadline.—(1) The Secretary of Defense shall prescribe regulations to implement section 2489 of title 10, United States Code, as added by subsection (a), not later than 90 days after the date of the enactment of this Act.

(2) Not later than 180 days after such date of enactment, the Secretary shall submit to Congress a report on the implementation of such section and of the regulations prescribed under paragraph (1).

(c) Initial Report.—The first report under subsection (b) of such section shall be submitted not later than one year after the date of the enactment of this Act.

SEC. 305. NONAPPROPRIATED-FUND BEER AND WINE PURCHASES.

(a) Purchases From Sources Within State.—Section 2488(a)(2) of title 10, United States Code, is amended by striking out "purchased for resale on a military installation located in the contiguous States".

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to purchases of malt beverages and wine after the end of the 60-day period beginning on the date of the enactment of this Act.

SEC. 306. PRICING AT COMMISSARY STORES.

(a) In General.—(1) Section 2486 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) The Secretary of Defense shall prescribe regulations establishing uniform pricing policies for merchandise authorized for sale by this section. The policies in the regulations shall—

"(1) require the establishment of a sales price of each item of merchandise at a level which will recoup the actual product cost of the item (consistent with this section and sections 2484 and 2685 of this title); and

"(2) promote the lowest practical price of merchandise sold at commissary stores.".

(2) The heading for section 2486 of such title is amended to read as follows:

"§ 2486. Commissary stores: merchandise that may be sold; uniform surcharges and pricing"

(3) The item relating to section 2486 in the table of sections at the beginning of such chapter is amended to read as follows:

"2486. Commissary stores: merchandise that may be sold; uniform surcharges and pricing.".

(b) Regulations Deadline.—The Secretary of Defense shall prescribe the regulations required by section 2486(d) of title 10, United States Code, as added by subsection (a), not later than 90 days after the date of the enactment of this Act.

(c) Conforming Amendments.—(1) Sections 4621 and 9621 of such title are each amended—

(A) by striking out subsection (b); and

(B) by redesignating subsections (c), (d), (e), (f), (g), (h), and (i) as subsections (b), (c), (d), (e), (f), (g), and (h), respectively.

SEC. 307. LIMITATIONS ON ARMY DEPOT MAINTENANCE FUNDING AND CIVILIAN PERSONNEL.

(a) Army Depot Maintenance.—Of the funds appropriated or otherwise made available to the Department of Defense for fiscal year 1988 for operation and maintenance, not less than $1,031,000,000 shall be available for Army depot maintenance functions performed by civilian personnel of the Army.

(b) Civilian Personnel Strength.—During fiscal year 1988, the average level of civilian personnel under the Army Materiel Command who are performing Army depot maintenance functions shall be not less than 20,500 persons.

SEC. 308. PROHIBITION ON MANAGING CIVILIAN PERSONNEL BY END STRENGTHS.

(a) Prohibition on Management by End Strength.—Section 129(a) of title 10, United States Code, is amended—

(1) by inserting "and" before "(2)";

(2) by striking out ", and (3)" and all that follows through "such fiscal year"; and

(3) by striking out the period at the end of the second sentence and inserting in lieu thereof "or any constraint or limitation (known as an 'end-strength') on the number of such personnel who may be employed on the last day of such fiscal year.".

(b) Elimination of Requirement That Civilian Personnel End Strengths Be Authorized By Law.—Section 115(b) of such title is amended—

(1) by striking out paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2) and in subparagraph (A) of that paragraph—

(A) by striking out "annual" before "active duty" the first place it appears in the first sentence;

(B) by striking out "the annual civilian personnel end strength level" in the first sentence and inserting in lieu thereof "projecting civilian personnel strength levels";

(C) by striking out "next fiscal year, and shall include in that report justification for the strength levels recommended and an explanation of the relationship between the personnel strength levels recommended for that fiscal year" and inserting in lieu thereof "next fiscal year. The Secretary shall include in that report justification for the strength levels recommended for active duty end strengths and projected for civilian personnel and an explanation of the relationship between such strength levels";

(3) by redesignating paragraph (4) as paragraph (3) and in that paragraph striking out "or civilian"; and

(4) by redesignating paragraph (5) as paragraph (4).

SEC. 309. REPORT ON OPERATING AND SUPPORT COSTS OF MAJOR WEAPONS SYSTEMS.

(a) Report Requirement.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the operating and support costs of major weapons systems of the Department of Defense.

(b) Matters to be Included in Report.—The Secretary shall include in the report required by subsection (a) the following:

(1) An explanation of the reasons why there is a positive correlation between the increase in dollar value of major weapons systems of the Department of Defense and the increase in operating and support costs of the Department, including—

(A) how or whether the programming and budget process has contributed to the relationship; and

(B) how the relationship applies at more detailed levels.

(2) An examination of the link between operating and support costs and readiness of the Department of Defense.

(3) An examination of the feasibility of providing Congress an annual report on the operating and support costs of each major weapon system.

(4) Identification of the specific budget accounts and appropriations which cover the operation and support costs for the major weapons systems.

(5) An examination of the feasibility of treating the operation and support costs of each major weapon system as overhead of the weapon system, to be automatically included in the budget and appropriation for such weapon system.

(c) Deadline.—The report required by subsection (a) shall be submitted not later than February 1, 1988.

SEC. 310. FUNDING LIMITATION AND STUDY ON DUAL SOURCE MAINTENANCE FOR F-15 AIRCRAFT.

(a) Funding Limitation.—None of the funds appropriated or otherwise made available to the Department of Defense for fiscal year 1988 may be used to establish a second source of maintenance for the F-15 aircraft at McClellan Air Force Base.

(b) Study Requirement.—The Secretary of Defense shall conduct a study on contracting for maintenance of the F-15 aircraft from more than one source for the purposes of determining—

(1) the cost of establishing a second source of maintenance for the F-15 aircraft at McClellan Air Force Base, Sacramento, California;

(2) the future growth of the F-15 aircraft maintenance workload; and

(3) whether a second source of maintenance for the F-15 aircraft is necessary.

(c) Report to Congress.—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives, by September 1, 1988, a report on the study required by subsection (b). The report shall include the findings of the study and the Secretary's recommendations on whether a second source of maintenance for the F-15 aircraft should be established.

SEC. 311. REPORT ON EFFORTS TO MEASURE READINESS.

(a) Report Requirement.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of Department of Defense efforts to—

(1) identify and measure readiness of the Department of Defense; and

(2) relate such identification and measurement to the budget process.

(b) Deadline.—The report required by subsection (a) shall be submitted no later than February 1, 1988.

SEC. 312. EXTENSION OF AUTHORIZATION FOR CERTAIN HUMANITARIAN ASSISTANCE.

(a) Transportation of Relief Supplies to Afghan Refugees.—Section 305(a)(1) of the Department of Defense Authorization Act, 1986 (Public Law 99-145), is amended by striking out "for fiscal year 1986 the sum of $10,000,000 and for fiscal year 1987" and inserting in lieu thereof "for each of fiscal years 1986, 1987, and 1988".

(b) TRANSPORTATION OF RELIEF SUPPLIES TO CERTAIN COUNTRIES.—Section 1540(a) of the Department of Defense Authorization Act, 1985 (Public Law 98-525), is amended by striking out "fiscal year 1987" and inserting in lieu thereof "fiscal years 1987, 1988, and 1989".

SEC. 313. REPEAL OF REQUIREMENT TO PAY CERTAIN EXPENSES INCIDENTAL TO VOLUNTEER SERVICES FROM NONAPPROPRIATED FUNDS.

The last sentence of section 1588(c) of title 10, United States Code, is hereby repealed.

SEC. 314. AUTHORITY TO PROVIDE FREE SHUTTLE SERVICE FOR MEMBERS AND FAMILIES IN REMOTE AREAS.

(a) IN GENERAL.—Section 2632 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) In the case of a military installation located in a remote area (as determined by the Secretary concerned), the Secretary of the military department concerned, under regulations prescribed by the Secretary of Defense—

"(1) may waive the requirement for a fare for transportation under subsection (a); and

"(2) may provide such transportation to persons attached to, or employed in, that department and dependents of such persons.".

(b) REGULATIONS.—The regulations described in section 2632(e) of such title, as added by subsection (a), shall be prescribed no later than 30 days after the date of the enactment of this Act.

TITLE IV—PERSONNEL AUTHORIZATIONS

PART A—ACTIVE FORCES

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 1988, as follows:

(1) The Army, 780,900.

(2) The Navy, 592,200.

(3) The Marine Corps, 199,600.

(4) The Air Force, 598,700.

SEC. 402. STRENGTH OF ACTIVE-DUTY OFFICER CORPS.

(a) ONE-YEAR DELAY IN REQUIRED PERCENTAGE REDUCTIONS.—The table in section 403(a) of the Department of Defense Authorization Act, 1987 (Public Law 99-661) is amended—

(1) by striking out "September 30, 1988" and inserting in lieu thereof "September 30, 1989"; and

(2) by striking out "September 30, 1989" and inserting in lieu thereof "September 30, 1990".

(b) GAO STUDY.—(1) The Comptroller General shall conduct a study of the growth since 1980 in the size of the active-duty officer corps and how that growth relates to requirements of the Armed Forces for commissioned officers on active duty. The study shall particularly examine those requirements in light of the reductions required by section 403(a) of Department of Defense Authorization Act, 1987, and shall consider alternatives for reducing the number of officers on active duty with the minimum effect on readiness.

(2) The Comptroller General shall submit a report on the study under paragraph (1) to the Committees on Armed Services of the Senate and House of Representatives not later than December 31, 1987. The report shall identify legislative changes that would be necessary to implement required officer strength reductions under alternative proposals recommended by the Comptroller General.

SEC. 403. FUNDS SAVINGS.

Amounts authorized to be appropriated for fiscal year 1988 for military personnel of the Department of Defense are reduced, by reason of savings attributable to reductions during fiscal year 1987 in the number of commissioned officers on active duty required by section 403(a) of Department of Defense Authorization Act, 1987 (Public Law 99-661), as follows:

(1) For "Military Personnel, Army", $49,438,000.

(2) For "Military Personnel, Navy", $46,461,000.

(3) For "Military Personnel, Air Force", $50,057,000.

(4) For "Military Personnel, Marine Corps", $9,080,000.

PART B—RESERVE FORCES

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for selected reserve personnel of the reserve components as of September 30, 1988, as follows:

(1) The Army National Guard of the United States, 457,270.

(2) The Army Reserve, 319,378.

(3) The Naval Reserve, 149,486.

(4) The Marine Corps Reserve, 42,800.

(5) The Air National Guard of the United States, 113,429.

(6) The Air Force Reserve, 79,562.

(7) The Coast Guard Reserve, 14,000.

(b) WAIVER AUTHORITY.—The Secretary of Defense may vary an end strength prescribed by subsection (a) by not more than 5 percent.

(c) ADJUSTMENTS.—The end strength prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) IN GENERAL.—Within the strengths prescribed in section 411, the reserve components of the Armed Forces are authorized, as of September 30, 1988, the following number of Reserves to be serving on full-time active duty or, in the case of members of the National Guard, full-time National Guard duty for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 25,060.

(2) The Army Reserve, 12,407.

(3) The Naval Reserve, 21,407.

(4) The Marine Corps Reserve, 1,745.

(5) The Air National Guard of the United States, 7,840.

(6) The Air Force Reserve, 695.

(b) WAIVER AUTHORITY.—The Secretary of Defense may vary an end strength prescribed by subsection (a) by not more than 5 percent.

SEC. 413. INCREASE IN NUMBER OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) SENIOR ENLISTED MEMBERS.—The table in section 517(b) of title 10, United States Code, is amended to read as follows:

"Grade	Army	Navy	Air Force	Marine Corps
E-9	589	201	163	18
E-8	2,406	404	488	74".

(b) OFFICERS.—The table in section 524(a) of such title is amended to read as follows:

"Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander.	3,191	1,000	615	115
Lieutenant Colonel or Commander.	1,376	520	422	75
Colonel or Navy Captain	348	188	184	25".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 1987.

PART C—MILITARY TRAINING STUDENT LOADS

SEC. 421. AUTHORIZATION OF TRAINING STUDENT LOADS.

(a) IN GENERAL.—For fiscal year 1988, the components of the Armed Forces are authorized average military training student loads as follows:

(1) The Army, 82,503.

(2) The Navy, 68,993.

(3) The Marine Corps, 20,341.

(4) The Air Force, 38,574.

(5) The Army National Guard of the United States, 18,501.

(6) The Army Reserve, 15,075.

(7) The Naval Reserve, 2,841.

(8) The Marine Corps Reserve, 3,970.

(9) The Air National Guard of the United States, 2,508.

(10) The Air Force Reserve, 1,968.

(b) ADJUSTMENTS.—The average military student loads authorized in subsection (a) shall be adjusted consistent with the end strengths authorized in parts A and B. The Secretary of Defense shall prescribe the manner in which such adjustment shall be apportioned.

TITLE V—MILITARY PERSONNEL

SEC. 501. EXTENSION OF AUTHORITY TO MAKE TEMPORARY PROMOTIONS OF CERTAIN NAVY LIEUTENANTS.

Section 5721(f) of title 10, United States Code, is amended by striking out "September 30, 1987" and inserting in lieu thereof "September 30, 1989".

SEC. 502. EXTENSION OF CERTAIN RESERVE OFFICER MANAGEMENT PROGRAMS.

(a) GRADE DETERMINATION AUTHORITY FOR RESERVE MEDICAL OFFICERS.—Sections 3359(b) and 8359(b) of title 10, United States Code, are amended by striking out "September 30, 1987" and inserting in lieu thereof "September 30, 1989".

(b) PROMOTION AUTHORITY FOR CERTAIN RESERVE OFFICERS SERVING ON ACTIVE

DUTY.—Sections 3380(d) and 8380(d) of such title are amended by striking out "September 30, 1987" and inserting in lieu thereof "September 30, 1989".

(c) YEARS OF SERVICE FOR MANDATORY TRANSFER TO THE RETIRED RESERVE.—Section 1016(d) of the Department of Defense Authorization Act, 1984 (10 U.S.C. 3360 note), is amended by striking out "September 30, 1987" and inserting in lieu thereof "September 30, 1989".

SEC. 503. EXTENSION OF SINGLE-PARENT ENLISTMENT AUTHORITY IN RESERVE COMPONENTS.

Section 523(d) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 100 Stat. 3871), is amended by striking out "September 30, 1988" and inserting in lieu thereof "September 30, 1990".

SEC. 504. AUTHORITY TO AWARD DEGREE OF MASTER OF LAWS IN MILITARY LAW.

(a) ARMY JUDGE ADVOCATE GENERAL'S SCHOOL.—Chapter 401 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 4315. The Judge Advocate General's School: master of laws in military law

"Under regulations prescribed by the Secretary of the Army, the Commandant of the Judge Advocate General's School of the Army may, upon recommendation by the faculty of such school, confer the degree of master of laws (LL.M.) in military law upon graduates of the school who have fulfilled the requirements for that degree.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"4315. The Judge Advocate General's School of the Army: master of laws in military law.".

SEC. 505. WITHHOLDING OF STATE AND LOCAL INCOME TAXES FOR NATIONAL GUARD AND RESERVE DRILL PAY.

Subchapter II of chapter 55 of title 5, United States Code, is amended—

(1) by striking out "do not" in section 5517(d); and

(2) by inserting "(other than service described in section 5517(d) of this title)" in the third sentence of section 5520(a) after "Armed Forces".

SEC. 506. ONE-YEAR DELAY IN MINIMUM PERCENTAGE OF AIR FORCE ENLISTEES REQUIRED TO BE WOMEN.

Section 551(a) of the Department of Defense Authorization Act, 1985 (10 U.S.C. 8251 note), is amended by striking out "fiscal year 1988" and inserting in lieu thereof "fiscal year 1989".

SEC. 507. PROHIBITION OF CERTAIN INTERAGENCY FUNDS TRANSFERS.

The Secretary of Defense (or Secretary of a military department) may not use funds appropriated to the Department of Defense for fiscal year 1988 or fiscal year 1989 to make deposits or payments under section 229(b) of the Social Security Act (42 U.S.C 429(b)) or for any other purpose in connection with that section.

SEC. 508. STUDY OF WARTIME MOBILIZATION REQUIREMENTS OF THE COAST GUARD.

(a) 10-YEAR PLAN.—The Secretary of Transportation shall submit to Congress a plan to enable the Coast Guard to meet 95 percent of its wartime mobilization requirements by September 30, 1998. Such plan shall include recommendations with respect to—

(1) annual increases in authorized end strengths for Coast Guard Selected Reserve personnel;

(2) recruiting and training resources; and

(3) equipment and other logistic support necessary to enable the Coast Guard to meet that requirement.

(b) DEADLINE.—The plan required by subsection (a) shall be submitted not later than 60 days after the date of the enactment of this Act.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

PART A—PAY AND ALLOWANCES

SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1988.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1988 shall not be made.

(b) THREE PERCENT INCREASE IN BASIC PAY, BAQ, AND BAS.—The rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 3 percent effective on April 1, 1988.

(c) THREE PERCENT INCREASE IN CADET AND MIDSHIPMAN PAY.—Effective April 1, 1988, section 203(c)(1) of title 37, United States Code, is amended by striking out "$494.40" and inserting in lieu thereof "$509.23".

PART B—TRAVEL AND TRANSPORTATION

SEC. 611. TRANSPORTATION ALLOWANCE TO ENCOURAGE VOLUNTARY EXTENSIONS OF TOURS OF DUTY IN FOREIGN COUNTRIES.

(a) IN GENERAL.—(1) Chapter 7 of title 37, United States Code, is amended by adding at the end the following new section:

"§ 433. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty

"(a) Under regulations prescribed by the Secretary concerned, a member of a uniformed service who—

"(1) is stationed outside the United States; and

"(2) voluntarily agrees to extend his overseas tour of duty for a period equal to at least one-half of the overseas tour prescribed for his permanent duty station;

is entitled to the transportation allowance described in subsection (b) for himself and each dependent who is authorized to, and does, accompany him.

"(b) The transportation allowance authorized by subsection (a) is an allowance provided in connection with authorized leave for transportation—

"(1) from a member's permanent duty station to a place approved by the Secretary concerned (or his designee) and from that place to his permanent duty station; or

"(2) from a member's permanent duty station to a place no farther distant than his home of record (if he is a member without dependents) and from that place to his permanent duty station.

"(c) The transportation allowance authorized by this section may not be provided to an enlisted member who, with respect to an extension of duty described in subsection (a)—

"(1) elects to receive special pay under section 314 of this title for duty performed during such extension of duty; or

"(2) elects to receive rest and recuperative absence or transportation at Government expense, or any combination thereof, under section 705 of title 10 for such extension of duty.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"433. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty.".

(b) EFFECTIVE DATE.—Section 433 of title 37, United States Code, as added by subsection (a), shall take effect on October 1, 1987.

SEC. 612. REPEAL OF CERTIFICATION REQUIREMENT TO IMPLEMENT LODGINGS PLUS PER DIEM AMENDMENTS.

(a) REPEAL OF CERTIFICATION REQUIREMENT.—Section 614 of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3879), is amended—

(1) by striking out subsection (b); and

(2) by striking out "(a) IN GENERAL.—".

(b) EFFECTIVE DATE.—The amendments to section 404(d) of title 37, United States Code, made by section 614 of such Act shall apply with respect to travel performed after the end of the 90-day period beginning on the date of the enactment of this Act.

PART C—BONUSES AND SPECIAL AND INCENTIVE PAYS

SEC. 621. CAREER SEA PAY.

(a) IN GENERAL.—Section 305a of title 37, United States Code, is amended to read as follows:

"§ 305a. Special pay: career sea pay

"(a) Under regulations prescribed by the President, a member of a uniformed service who is entitled to basic pay is also entitled, while on sea duty, to special pay at the applicable rate under subsection (b).

"(b) The monthly rates for special pay under subsection (a) are as follows:

"ENLISTED MEMBERS

Pay grade	Years of sea duty						
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6
E-4	$50	$60	$120	$150	$160	$160	$160
E-5	50	60	120	150	170	315	325
E-6	100	100	120	150	170	315	325
E-7	100	100	120	175	190	350	350
E-8	100	100	120	175	190	350	350
E-9	100	100	120	175	190	350	350
	Over 7	Over 8	Over 9	Over 10	Over 11	Over 12	Over 13
E-4	$160	$160	$160	$160	$160	$160	$160
E-5	350	350	350	350	350	350	350
E-6	350	350	365	365	365	380	395
E-7	375	390	400	400	410	420	450
E-8	375	390	400	400	410	420	450
E-9	375	390	400	400	410	420	450
			Over 14	Over 16	Over 18		
E-4			$160	$160	$160		
E-5			350	350	350		
E-6			410	425	450		
E-7			475	500	500		
E-8			475	500	520		
E-9			475	520	520		

"WARRANT OFFICERS

Pay grade	Years of sea duty						
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6
W-1	$130	$135	$140	$150	$170	$175	$200
W-2	150	150	150	150	170	260	265
W-3	150	150	150	150	170	270	280
W-4	150	150	150	150	170	290	310
	Over 7	Over 8	Over 9	Over 10	Over 11	Over 12	Over 13
W-1	$250	$270	$300	$325	$325	$340	$360
W-2	265	270	310	340	340	375	400
W-3	285	290	310	350	375	400	425

"WARRANT OFFICERS—Continued

Pay grade	Years of sea duty						
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6
W-4	310	310	310	350	375	400	450

Pay grade	Over 16	Over 18	Over 20
W-1	$375	$375	$375
W-2	400	400	400
W-3	425	450	450
W-4	450	500	500

"OFFICERS

Pay grade	Years of sea duty			
	Over 3	Over 4	Over 5	Over 6
0-1	$150	$160	$185	$190
0-2	150	160	185	190
0-3	150	160	185	190
0-4	185	190	200	205
0-5	225	225	225	225
0-6	225	230	230	240

Pay grade	Over 7	Over 8	Over 9	Over 10	Over 11	Over 12
0-1	$195	$205	$215	$225	$225	$240
0-2	195	205	215	225	225	240
0-3	195	205	215	225	225	240
0-4	215	220	220	225	225	240
0-5	230	245	250	260	265	265
0-6	255	265	280	290	300	310

Pay grade	Over 14	Over 16	Over 18	Over 20
0-1	$250	$260	$270	$280
0-2	250	260	270	280
0-3	260	270	280	290
0-4	270	280	290	300
0-5	285	300	315	340
0-6	325	340	355	380

"(c) Under regulations prescribed by the President, a member of a uniformed service, except for a member in pay grades E-5 through E-9 with more than five years of sea duty, who is entitled to career sea pay under this section and who has served 36 consecutive months of sea duty, is entitled to a career sea pay premium of $100 a month for the thirty-seventh consecutive month and each subsequent consecutive month of sea duty served by such member.

"(d)(1) For the purpose of determining the years of sea duty with which a member shall be credited under this section, the term 'sea duty' means duty performed by a member while permanently or temporarily assigned to a ship, ship-based staff, or ship-based aviation unit and while serving on a ship or while serving as a member of the off-crew of a two-crewed submarine.

"(2) For the purpose of determining entitlement to career sea pay under this section, the term 'sea duty' means duty performed by a member—

"(A) while permanently or temporarily assigned to a ship, ship-based staff, or ship-based aviation unit and while serving on a ship the primary mission of which is accomplished while under way or while serving as a member of the off-crew of a two-crewed submarine; or

"(B) while permanently or temporarily assigned to a ship or ship-based staff and while serving on a ship the primary mission of which is normally accomplished while in port, but only during a period that the ship is away from its homeport.

A ship is considered away from its homeport for purposes of subparagraph (B) when it is at sea or in a port that is more than 50 miles from its homeport.".

(b) TRANSITION.—A member entitled to career sea pay during the 3-month period ending on the effective date of this section, at a rate higher than the rate established by this Act for the member's pay grade and years of sea duty, shall continue to receive the higher rate until such time as the member is permanently reassigned to duty for which the member is not entitled to the pay.

(c) EFFECTIVE DATE.—Section 305a of title 37, United States Code, as amended by subsection (a), shall take effect on October 1, 1987, except that—

(1) the amendments to the tables in section 305a(b) for members in pay grades above E-4 with five or more years of sea duty; and

(2) the amendments to section 305a(c), may be effective on a different date if such date is no later than October 1, 1988, and is specified under regulations prescribed by the President.

SEC. 622. EXTENSION OF AVIATION OFFICER CONTINUATION PAY.

Section 301(b) of title 37, United States Code, is amended by striking out "September 30, 1987" in subsections (e)(2), (e)(3), and (f) and inserting in lieu thereof "September 30, 1989".

SEC. 623. EXTENSION OF ENLISTMENT AND REENLISTMENT BONUS AUTHORITIES.

(a) FIVE-YEAR EXTENSION OF ACTIVE-DUTY BONUSES.—Sections 308(g) and 308a(c) of title 37, United States Code, are amended by striking out "September 30, 1987" and inserting in lieu thereof "September 30, 1992".

(b) THREE-YEAR EXTENSION OF RESERVE COMPONENT BONUSES.—Sections 308b(g), 308c(f), 308e(e), 308g(h), 308h(g), and 308i(i) of such title are amended by striking out "September 30, 1987" and inserting in lieu thereof "September 30, 1990".

PART D—MISCELLANEOUS

SEC. 631. AUTHORITY FOR CERTAIN REMARRIED SURVIVOR BENEFIT PLAN PARTICIPANTS TO WITHDRAW FROM PLAN.

(a) AUTHORITY TO WITHDRAW.—(1) An individual who is a participant in the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, and is described in paragraph (2) may, with the consent of such individual's spouse, withdraw from participation in the Plan.

(2) An individual referred to in paragraph (1) is an individual who—

(A) is providing coverage for a spouse or for a spouse and child under the Plan; and

(B) remarried before March 1, 1986, and at a time when such individual was a participant in the Plan but did not have an eligible spouse beneficiary under the Plan.

(b) APPLICABLE PROVISIONS.—An election under subsection (a) shall be subject to subparagraphs (B) and (D) of section 1448(a)(6) of title 10, United States Code, except that in applying such subparagraph (B) to subsection (a), the one-year period referred to in clause (ii) of such subparagraph shall extend until the end of the one-year period beginning 90 days after the date of the enactment of this Act.

(c) TREATMENT OF PRIOR CONTRIBUTIONS.—No refund of amounts by which the retired pay of a participant in the Survivor Benefit Plan has been reduced by reason of section 1452 of title 10, United States Code, may be made to an individual who withdraws from the Survivor Benefit Plan under subsection (a).

SEC. 632. LAW APPLICABLE TO OCCUPANCY BY COAST GUARD PERSONNEL OF SUBSTANDARD FAMILY HOUSING UNITS.

(a) IN GENERAL.—Section 2830 of title 10, United States Code, is amended—

(1) by striking out "the Secretary of a military department" in subsection (a) and inserting in lieu thereof "the Secretary concerned";

(2) by striking out "Subject to" in subsection (b) and all that follows through "military department" and inserting in lieu thereof "(1) The Secretary concerned"; and

(3) by adding at the end of subsection (b) the following new paragraph:

"(2) The authority to enter into leases under paragraph (1) shall be exercised—

"(A) in the case of a lease by the Secretary of a military department, subject to regulations prescribed by the Secretary of Defense; and

"(B) in the case of a lease by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, subject to regulations prescribed by that Secretary.".

(b) CONFORMING AMENDMENTS.—(1) Section 2801(d) of such title is amended by inserting "(other than section 2830)" after "This chapter".

(2) Section 475 of title 14, United States Code, is amended—

(A) by striking out subsection (b); and

(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

SEC. 633. COLLECTION OF AMOUNTS OWED TO SERVICE RELIEF SOCIETIES FROM FINAL PAY OF MEMBERS.

(a) IN GENERAL.—Section 1007 of title 37, United States Code, is amended by adding at the end the following new subsection:

"(h) Under regulations prescribed by the Secretary concerned, an amount that a member owes to the Army Emergency Relief, the Air Force Aid Society, or the Navy Relief Society may be deducted from the pay on final statement of such member and paid to the relief society to which the amount is owed.".

(b) EFFECTIVE DATE.—Section 1007(h) of such title, as added by subsection (a), shall take effect on October 1, 1987.

SEC. 634. COST REDUCTIONS FOR FISCAL YEAR 1988.

(a) SELECTIVE REENLISTMENT BONUS.—During fiscal years 1988 and 1989, the Secretary concerned may not pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

(b) TEMPORARY LODGING EXPENSES.—During fiscal year 1988, none of the funds appropriated to the Department of Defense may be spent for the purpose of paying temporary lodging expenses pursuant to section 404a(a) of title 37, United States Code, to—

(1) any member of the uniformed services in pay grade E-5 or above; or

(2) any member of the uniformed services in pay grade E-4 or below with no dependents.

(c) RESERVE UNIT AND INDIVIDUAL TRAINING.—During fiscal year 1988, the amount spent for reserve unit and individual training may not exceed $4,644,582,000.

TITLE VII—HEALTH CARE PROVISIONS

SEC. 701. SHORT TITLE.

This title may be cited as the "Defense Health Care Amendments of 1987".

PART A—MEDICAL READINESS

SEC. 711. REVISION OF RESERVE FORCES HEALTH PROFESSIONS FINANCIAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Chapter 105 of title 10, United States Code, is amended—

(1) by striking out the chapter heading and inserting in lieu thereof the following:

"CHAPTER 105—ARMED FORCES HEALTH PROFESSIONS FINANCIAL ASSISTANCE PROGRAMS

"Subchapter	Sec.
I. Health Professions Scholarship Program for Active Service	2120
II. Health Professions Stipend Program for Reserve Service	2128

"SUBCHAPTER I—HEALTH PROFESSIONS SCHOLARSHIP PROGRAM FOR ACTIVE SERVICE";

(2) by striking out "chapter" each place it appears in sections 2120, 2123, 2124, and 2127 and inserting in lieu thereof "subchapter"; and

(3) by adding at the end the following new subchapter:

"SUBCHAPTER II—HEALTH PROFESSIONS STIPEND PROGRAM FOR RESERVE SERVICE

"Sec.

"2128. Financial assistance: health-care professionals in reserve components.

"2129. Reserve service: required active duty for training.

"2130. Penalties, limitations, and other administrative provisions.

"§2128. Financial assistance: health-care professionals in reserve components

"(a) ESTABLISHMENT OF PROGRAM.—For the purpose of obtaining adequate numbers of commissioned officers in the reserve components who are qualified in health professions specialties critically needed in wartime, the Secretary of each military department may establish and maintain a program to provide financial assistance under this subchapter to persons engaged in training in such specialties. Under such a program, the Secretary concerned may agree to pay a financial stipend to persons engaged in training in certain health care specialties in return for a commitment to subsequent service in the Ready Reserve.

"(b) PHYSICIANS IN CRITICAL SPECIALTIES.—(1) Under the stipend program under this subchapter, the Secretary of the military department concerned may enter into an agreement with a person who—

"(A) is a graduate of a medical school;

"(B) is eligible for appointment, designation, or assignment as a medical officer in the Reserve of the armed force concerned; and

"(C) is enrolled or has been accepted for enrollment in a residency program for physicians in a medical specialty designated by the Secretary concerned as a specialty critically needed by that military department in wartime.

"(2) Under the agreement—

"(A) the Secretary shall agree to pay the participant a stipend, in an amount determined under subsection (e), for the period or the remainder of the period of the residency program in which the participant enrolls or is enrolled;

"(B) the participant shall not be eligible to receive such stipend before appointment, designation, or assignment as a medical officer for service in the Ready Reserve;

"(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve; and

"(D) the participant shall agree to serve, upon successful completion of the program, two years in the Ready Reserve for each year, or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.

"(c) GRADUATE NURSES IN CRITICAL SPECIALTIES.—(1) Under the stipend program under this subchapter, the Secretary of the military department concerned may enter into an agreement with a person who—

"(A) is a registered nurse;

"(B) is eligible for appointment, designation, or assignment as a Reserve officer in the Nurse Corps of the Army or Navy or as an Air Force nurse; and

"(C) is enrolled or has been accepted for enrollment in an accredited program in nursing in a specialty designated by the Secretary concerned as a specialty critically needed by that military department in wartime.

"(2) Under the agreement—

"(A) the Secretary shall agree to pay the participant a stipend, in an amount determined under subsection (e), for the period or the remainder of the period of the graduate nursing program in which the participant enrolls or is enrolled;

"(B) the participant shall not be eligible to receive such stipend before appointment, designation, or assignment in the Nurse Corps of the Army, Navy, or as an Air Force nurse for service in the Ready Reserve;

"(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve; and

"(D) the participant shall agree to serve, upon successful completion of the program, two years in the Ready Reserve for each year, or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.

"(d) BACCALAUREATE STUDENTS IN NURSING OR OTHER HEALTH PROFESSIONS.—(1) Under the stipend program under this subchapter, the Secretary of the military department concerned may enter into an agreement with a person who—

"(A) will, upon completion of the program, be eligible to be appointed, designated, or assigned as a reserve officer for duty as a nurse or other health professional; and

"(B) is enrolled, or has been accepted for enrollment in the third or fourth year of—

"(i) an accredited baccalaureate nursing program; or

"(ii) any other accredited baccalaureate program leading to a degree in a health-care profession designated by the Secretary concerned as a profession critically needed by that military department in wartime.

"(2) Under the agreement—

"(A) the Secretary shall agree to pay the participant a stipend of $100 per month for the period or the remainder of the period of the baccalaureate program in which the participant enrolls or is enrolled; and

"(B) the participant shall not be eligible to receive such stipend before enlistment in the Ready Reserve;

"(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve; and

"(D) the participant shall agree to serve, upon graduation from the baccalaureate program, one year in the Ready Reserve for each year, or part thereof, for which the stipend is paid.

"(e) AMOUNT OF STIPEND.—The amount of a stipend under an agreement under subsection (b) or (c) shall be—

"(1) the stipend rate in effect for participants in the Armed Forces Health Professions Scholarship Program under section 2121(d) of this title, if the participant has agreed to serve in the Selected Reserve; or

"(2) one-half of that rate, if the participant has agreed to serve in the Individual Ready Reserve.

"(f) INDIVIDUAL READY RESERVE DEFINED.—In this subchapter, the term 'Individual Ready Reserve' means that element of the Ready Reserve of an armed force other than the Selected Reserve.

"§2129. Reserve service: required active duty for training

"(a) SELECTED RESERVE.—A person who is required under an agreement under section 2128 of this title to serve in the Selected Reserve shall serve not less than 12 days of active duty for training each year during the period of service required by the agreement.

"(b) IRR SERVICE.—A person who is required under an agreement under section 2128 of this title to serve in the Individual Ready Reserve shall serve—

"(1) not less than 30 days of initial active duty for training; and

"(2) not less than five days of active duty for training each year during the period of service required by the agreement

"§2130. Penalties, limitations, and other administrative provisions

"(a) FAILURE TO COMPLETE PROGRAM OF TRAINING.—(1) A member of the program who, under regulations prescribed by the Secretary of Defense, is dropped from the program for deficiency in training, or for other reasons, shall be required, at the discretion of the Secretary concerned—

"(A) to perform one year of active duty for each year (or part thereof) for which such person was provided financial assistance under this section; or

"(B) repay the United States an amount equal to the total amount paid to such person under the program.

"(2) The Secretary of a military department, under regulations prescribed by the Secretary of Defense, may relieve a member participating in the program who is dropped from the program from any requirement that may be imposed under paragraph (1), but such relief shall not relieve him from any military obligation imposed by any other law.

"(b) PROHIBITIONS OF DUPLICATE BENEFITS.—Financial assistance may not be provided under this section to a member receiving financial assistance under section 2107 of this title.

"(c) REGULATIONS.—This subchapter shall be administered under regulations prescribed by the Secretary of Defense.".

(b) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of subtitle A, and at the beginning of part III of subtitle A, of title 10, United States Code, are amended by striking out the item relating to chapter 105 and inserting in lieu thereof the following:

"105. Armed Forces Health Professions Financial Assistance Programs.. 2120".

(c) Repeal of Prior Program.—(1) Section 672 of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 663), is repealed.

(2) The repeal of section 672 of the Department of Defense Authorization Act, 1986, by paragraph (1) does not affect an agreement entered into under that section before such repeal, and the provisions of such section as in effect before such repeal shall continue to apply with respect to such agreement.

(d) Funding Limit for Fiscal Year 1988.—The total amount obligated during fiscal year 1988 under agreements under section 2128 of title 10, United States Code, as added by subsection (a), may not exceed $9,000,000.

(e) Effective Dates.—(1) The repeal made by subsection (c) shall take effect on October 1, 1987.

(2) An agreement entered into by the Secretary of a military department under section 2128 of title 10, United States Code, as added by subsection (a), may not obligate the United States to make a payment for any period before October 1, 1987.

SEC. 712. ARMED FORCES HEALTH PROFESSIONS SCHOLARSHIP PROGRAM.

(a) Critically Needed Wartime Skills Residency Requirement Permitted.—Section 2122 of title 10, United States Code, is amended—

(1) by inserting "(a)" before "To be eligible"; and

(2) by adding at the end the following new subsection:

"(b) The Secretary of Defense may require, as part of the agreement under subsection (a)(2), that a person must agree to accept, if offered, residency training in a health profession skill which has been designated by the Secretary as a critically needed wartime skill.".

(b) 2500 Scholarships Targeted for Critically Needed Wartime Skills.—

(1) In General.—Section 2124 of title 10, United States Code, is amended by striking out "except that" and all that follows through the end of the section and inserting in lieu thereof the following: "except that—

"(1) the total number of persons so designated in all of the programs authorized by this subchapter shall not, at any time, exceed 6,000; and

"(2) of the total number of persons so designated, at least 2500 shall be persons—

"(A) who are in the final two years of their course of study; and

"(B) who have agreed to accept, if offered, residency training in a health profession skill which has been designated by the Secretary as a critically needed wartime skill.".

(2) Effective Date.—Section 2124(2) of such title, as added by paragraph (1), shall take effect on October 1, 1988.

SEC. 713. EDUCATION LOAN REPAYMENT PROGRAM FOR HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.

(a) Coverage of Certain Loans to Nurses.—Subsection (a)(3) of section 2172 of title 10, United States Code, is amended by inserting "or under part B of title VIII of such Act (42 U.S.C. 297 et seq.)" after "seq.)".

(b) Extension of Date for Initial Appointment.—Subsection (d) of such section is amended by striking out "October 1, 1988" and inserting in lieu thereof "October 1, 1990".

SEC. 714. CONSTRUCTIVE SERVICE CREDIT FOR OFFICERS APPOINTED WITH HEALTH PROFESSIONS EXPERIENCE.

(a) Regular Components.—Section 533(b)(1)(B) of title 10, United States Code, is amended—

(1) by inserting "(i)" after "(B)"; and

(2) by adding at the end the following:

"(ii) Credit for experience in a health profession (other than medicine or dentistry), if such experience will be directly used by the armed force concerned.".

(b) Army Reserve.—Section 3353(b)(1)(B) of such title is amended—

(1) by inserting "(i)" after "(B)"; and

(2) by adding at the end the following:

"(ii) Credit for experience in a health profession (other than medicine or dentistry), if such experience will be directly used by the Army.".

(c) Naval Reserve and Marine Corps Reserve.—Section 5600(b)(1)(B) of such title is amended—

(1) by inserting "(i)" after "(B)"; and

(2) by adding at the end the following:

"(ii) Credit for experience in a health profession (other than medicine or dentistry), if such experience will be directly used by the Navy or Marine Corps, as appropriate.".

(d) Air Force Reserve.—Section 8353(b)(1)(B) of such title is amended—

(1) by inserting "(i)" after "(B)"; and

(2) by adding at the end the following:

"(ii) Credit for experience in a health profession (other than medicine or dentistry), if such experience will be directly used by the Air Force.".

SEC. 715. STANDBY CAPABILITY FOR SELECTIVE SERVICE REGISTRATION OF HEALTH CARE PERSONNEL.

Section 10(h) of the Military Selective Service Act (50 U.S.C. App. 460(h)) is amended—

(1) by striking out "If at" and all that follows through "nevertheless," and inserting in lieu thereof "The Selective Service system shall"; and

(2) by inserting "(including a structure for registration and classification of persons qualified for practice or employment in a health care occupation essential to the maintenance of the Armed Forces)" after "national emergency".

SEC. 716. REMOVAL OF CEILINGS ON SPECIAL PAY FOR MEDICAL OFFICERS.

(a) Ceiling Removal.—Section 302(b) of title 37, United States Code, is amended—

(1) by striking out "in an amount not to exceed $8,000" in paragraph (1); and

(2) by striking out paragraph (3).

(b) Limit on Obligations.—The Secretary concerned may not obligate funds during fiscal year 1988 for incentive special pay under section 302(b) of such title in an amount which is more than the amount proposed to be available for such purpose in the budget presentation materials submitted to Congress for fiscal year 1988.

Part B—Peacetime Health Care

SEC. 721. CATASTROPHIC LOSS PROTECTION UNDER CHAMPUS FOR ACTIVE-DUTY DEPENDENTS.

(a) In General.—Section 1079(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(5) An individual or family group may not be required by reason of this subsection to pay a total of more than $1,000 for health care in any fiscal year under a plan under subsection (a).".

(b) Effective Date.—Paragraph (5) of section 1079(b) of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1987.

SEC. 722. TWO-YEAR PROHIBITION ON FEE FOR OUTPATIENT CARE AT MILITARY MEDICAL TREATMENT FACILITIES.

During fiscal years 1988 and 1989, the Secretary of Defense may not impose a fee for the receipt of outpatient medical or dental care at a military medical treatment facility.

SEC. 723. ALLOCATION TO HEALTH PROFESSIONS OF SPECIFIED PORTION OF NAVY OFFICER ACCESSIONS AND GROWTH IN END STRENGTHS.

The Secretary of the Navy shall ensure that—

(1) not less than 25 percent of the number of original appointments made in officer grades in the Navy during each of fiscal years 1988 and 1989 shall be made in health profession specialties (or with a view to assignment of the officer to a health profession specialty); and

(2) not less than 15 percent of any increase in authorized end strength for the Navy for each of fiscal years 1988 and 1989 over the end strength of the Navy authorized for fiscal year 1987 shall be dedicated to personnel to be assigned to duty in the health professions.

Part C—Health Care Management

SEC. 731. IMPLEMENTATION OF MILITARY HEALTH CARE ACCOUNT.

(a) Requirement for Implementation.—The Secretary of Defense shall, in the budget request for each fiscal year, request appropriations for the Military Health Care Account established under section 1100 of title 10, United States Code, for the purpose of carrying out functions with respect to the Civilian Health and Medical Program of the Uniformed Services. The amount of the request for such health care account shall be the total amount of funds that the Secretary determines is necessary to carry out such functions. The Secretary may not request operation and maintenance appropriations in other accounts to carry out such functions.

(b) Amendment to Account.—Section 1100 of such title is amended by striking out subsection (b) and redesignating subsections (c), (d), (e), and (f) as subsections (b), (c), (d), and (e), respectively.

SEC. 732. AIR FORCE DEMONSTRATION PROJECTS ON ALTERNATIVE HEALTH CARE DELIVERY SYSTEM.

(a) Demonstration Project.—The Secretary of the Air Force shall conduct two projects designed to demonstrate the alternative health care delivery system described in subsection (b). The projects—

(1) shall begin during fiscal year 1988 and continue for not less than two years, and in no event shall terminate before the demonstration project required by section 733 of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3894) (as amended by section 733 of this Act), has continued for one year; and

(2) shall include all covered beneficiaries within one catchment area of a medical facility of the uniformed services.

(b) Alternative Health Care Delivery System.—The alternative health care delivery system that the projects shall demonstrate is a system in which the commander of a medical facility of the uniformed services is responsible for all funding and all medical care of the covered beneficiaries in the catchment area of the facility. The commander may use any type of health care delivery system, for any scope of coverage, as he considers appropriate.

(c) AUTHORITY.—For purposes of carrying out this section, the Secretary of the Air Force shall have the authority given to the Secretary of Defense in sections 1079, 1086, 1092, 1097, 1098, and 1099 of title 10, United States Code.

(d) QUARTERLY FUNDING NOT REQUIRED.—For purposes of carrying out this section, the limitation in section 1100(b) of title 10, United States Code (as redesignated by section 731(b)), relating to quarterly requests for funds and quarterly availability of funds does not apply.

(e) REPORT.—The Secretary of the Air Force shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the demonstration projects. The report shall be submitted at the same time as the report on the demonstration project of the CHAMPUS reform initiative is submitted (as described in section 702(c)(1)(C) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3899)). Such report shall include—

(1) a description of the results of the demonstration projects; and

(2) a comparison of the costs of providing health care under the system used in the demonstration projects with the costs of providing health care under CHAMPUS and under the CHAMPUS reform initiative demonstration project required by section 702 of such Act.

(f) DEFINITIONS.—In this section:

(1) The term "catchment area" means the area within approximately 40 miles of a medical facility of the uniformed services.

(2) The term "CHAMPUS" has the meaning given such term by section 1072(4) of title 10, United States Code.

(3) The term "covered beneficiary" means a beneficiary under chapter 55 of title 10, United States Code.

SEC. 733. ADDITIONAL REQUIREMENTS FOR CHAMPUS REFORM INITIATIVE.

(a) EVALUATION METHODOLOGY REQUIRED FOR DEMONSTRATION PHASE OF CHAMPUS REFORM INITIATIVE.—(1) Section 702(a) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3899), is amended by adding at the end the following new paragraph:

"(4) The Secretary of Defense shall develop a methodology to be used in evaluating the results of the demonstration project required by paragraph (1) and shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on such methodology. The Secretary may not award a contract for such demonstration project until 60 days elapse after the date on which the Secretary submits the report.".

(2) Section 702(c)(1)(C)(i) of such Act is amended by inserting before the semicolon the following: ", evaluated in accordance with the methodology developed under subsection (a)(4)".

(b) NEW SOLICITATION REQUIRED FOR DEMONSTRATION PHASE OF CHAMPUS REFORM INITIATIVE.—

(1) FUND LIMITATION AND NEW SOLICITATION.—The Secretary of Defense—

(A) may not obligate or expend funds appropriated or otherwise made available for the demonstration project under a contract awarded under Solicitation No. MDA903-87-R-0047 (issued for the CHAMPUS reform initiative demonstration project required by section 702(a)(1) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3899)); and

(B) not later than 30 days after the date of the enactment of this Act, shall issue a new solicitation for such demonstration project which incorporates the additional requirements described in paragraph (2).

(2) ADDITIONAL REQUIREMENTS FOR DEMONSTRATION PHASE.—The solicitation issued pursuant to paragraph (1)(B) shall meet the following requirements:

(A) The solicitation shall cover the same regions and States as subregions I, II, and III of Solicitation No. MDA903-87-R-0047.

(B) No fewer than five contracts for the demonstration phase shall be awarded under the solicitation, and the Secretary shall reorganize the regional and State areas to be covered by each contract to reflect such five-contract requirement.

(C) No contractor may be awarded more than one contract under the solicitation.

(D) At least 60 days must elapse between the date of the issuance of the solicitation and the date on which any final bid under the solicitation is accepted.

(c) LIMITATIONS ON ISSUANCE OF REQUESTS FOR PROPOSALS.—

(1) REQUIREMENT FOR ONE YEAR OF OPERATION OF CHAMPUS DEMONSTRATION PROJECT.—Section 702(c) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3899), is amended by adding at the end the following new paragraph:

"(2) The Secretary may not issue a request for proposals with respect to the second (or any subsequent) phase of the CHAMPUS reform initiative until—

"(A) all principal features of the demonstration project, including networks of providers of health care, have been in operation for not less than one year; and

"(B) 60 days elapse after the date on which the Secretary submits the report described in paragraph (1)(C).".

(2) REQUIREMENT FOR INCLUSION OF ENROLLMENT SYSTEM.—Section 702(c) is further amended by adding at the end the following new paragraph:

"(3) In any request for proposals with respect to the second (or any subsequent) phase of the CHAMPUS reform initiative, the Secretary shall include a requirement for the inclusion of a health care enrollment system that meets the requirements specified in section 1099 of title 10, United States Code, with respect to—

"(A) covered beneficiaries included in the demonstration project; and

"(B) facilities of the uniformed services located in the geographical areas covered by the demonstration project.".

(d) FUNDING LIMITATIONS.—

(1) CONTRACT FOR DEMONSTRATION PROJECT.—None of the funds appropriated or otherwise made available to the Department of Defense may be obligated or expended for the purpose of entering into a contract for the demonstration phase of the CHAMPUS reform initiative required by section 702(a)(1) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3899), until the requirements of section 702(a)(4) of such Act (as added by subsection (a)) are met.

(2) REQUESTS FOR PROPOSALS.—None of the funds appropriated or otherwise made available to the Department of Defense may be obligated or expended for the purpose of requesting a proposal for the second (or any subsequent) phase of the CHAMPUS reform initiative as described in section 702(c) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3899), until the requirements of section 702(c) (2) and (3) of such Act (as added by subsection (c)) are met.

SEC. 734. MEDICAL INFORMATION SYSTEMS ACQUISITION AMENDMENTS.

(a) REQUIREMENT FOR CONDUCT OF OPERATIONAL TEST.—Section 704(b)(1) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3901), is amended by adding at the end the following new sentence: "During the entire duration of the test (as described in paragraph (2)(B)), each system of each vendor shall be complete, with all hardware and Level I and II software components of the system (as defined in Solicitation No. DAHC 26-85-R-0009) in operation.".

(b) EXTENSION OF VETERANS' ADMINISTRATION DECENTRALIZED HOSPITAL COMPUTER PROGRAM.—Section 704(c)(1) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3901), is amended by striking out "October 1, 1987" and inserting in lieu thereof "October 1, 1988".

(c) FUNDING LIMITATION.—None of the funds appropriated or otherwise made available to the Department of Defense may be obligated or expended for the purpose of the acquisition of the Composite Health Care System until the operational testing required by section 704(b) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3901)—

(1) is carried out for each of the four vendors which has submitted a medical information system for testing under paragraphs (1) and (2) of such section; and

(2) is carried out in accordance with such section (as amended by subsection (a)).

(d) REPORT REQUIREMENT AMENDMENTS.—(1) Subparagraphs (B) and (C) of section 704(a)(1) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 99 Stat. 3900), are amended to read as follows:

"(B) the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives the report described in paragraph (2); and

"(C) 30 days elapse after the report required by subsection (d)(2) is submitted.".

(2) Section 704(d)(2) of such Act is amended by striking out "such testing is completed" and inserting in lieu thereof "the report required by subsection (a)(1)(B) is submitted".

TITLE VIII—GENERAL PROVISIONS

SEC. 801. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in title I, II, or III for any fiscal year between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) The total amount of authorizations for any fiscal year that the Secretary of Defense may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON OBLIGATION LIMITATIONS.—A transfer made under the authority of this section increases by the amount of the transfer the obligation limitation provided on the account (or other amount) to which the transfer is made.

(d) NOTICE TO CONGRESS.—The Secretary of Defense shall promptly notify Congress of transfers made under the authority of this section.

SEC. 802. EXPIRATION OF AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1989.

Authorizations for appropriations in this Act for fiscal year 1989 shall be effective only with respect to appropriations made during the first session of the One Hundredth Congress.

SEC. 803. CONTRACT GOAL FOR MINORITIES.

Section 1207(a) of the Department of Defense Authorization Act, 1987 (Public Law 99-661; 100 Stat. 3973), is amended—

(1) by striking out "or" at the end of paragraph (2) and inserting in lieu thereof "and"; and

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof the following: ", including any nonprofit research institution that was an integral part of a historically Black college or university before November 14, 1986.".

SEC. 804. CLARIFICATION OF LIMITATION ON CONTRACTING FOR SHORT-TERM NAVAL VESSEL REPAIR WORK.

Subsection (d) of section 7299a of title 10, United States Code (as added by section 1201(a) of the Department of Defense Authorization Act, 1987), is amended to read as follows:

"(d)(1) Before issuing a solicitation for a contract for short-term work for the overhaul, repair, or maintenance of a naval vessel, the Secretary of the Navy shall determine if there is adequate competition available among firms able to perform the work at the homeport of the vessel. If the Secretary determines that there is adequate competition among such firms, the Secretary—

"(A) shall issue such a solicitation only to firms able to perform the work at the homeport of the vessel; and

"(B) may not award such contract to a firm other than a firm that will perform the work at the homeport of the vessel.

"(2) Paragraph (1) applies notwithstanding subsection (b) or any other provision of law.

"(3) Paragraph (1) does not apply—

"(A) in the case of voyage repairs; or

"(B) in the case of a vessel that is assigned to the Naval Reserve force and homeported on the West Coast of the United States.

"(4) In this subsection, the term 'short-term work' means work that will be for a period of six months or less.".

SEC. 805. RATES FOR PROGRESS PAYMENTS ON CERTAIN NAVAL SHIP REPAIR CONTRACTS.

(a) IN GENERAL.—(1) Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 7312. Repair or maintenance of naval vessels: progress payments under certain contracts

"(a) RATES.—The Secretary of the Navy shall provide that the rate for progress payments on naval ship contracts to which this section applies shall be—

"(1) 90 percent, in the case of firms considered to be small businesses, and

"(2) 85 percent, in the case of all other firms.

"(b) COVERED CONTRACTS.—This section applies to any contract awarded by the Secretary of the Navy for repair, maintenance, or overhaul of a naval vessel (other than a nuclear-powered vessel) for work required to be performed in one year or less.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"7312. Repair or maintenance of naval vessels: progress payments under certain contracts.".

(b) TRANSITION.—The amendment made by subsection (a) does not apply to a contract awarded pursuant to a solicitation issued before the date of the enactment of this Act.

SEC. 806. DOMESTIC CONSTRUCTION OF CERTAIN VESSELS.

Section 7309(a) of title 10, United States Code, is amended by striking out "no naval vessel, and no vessel of any other military department," and inserting in lieu thereof "no vessel to be constructed for any of the armed forces".

SEC. 807. IMPROVED CONGRESSIONAL OVERSIGHT OF SPECIAL ACCESS PROGRAMS.

(a) IN GENERAL.—(1) Chapter 2 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 119. Special access programs: congressional oversight

"(a) DISCLOSURE OF TOTAL AMOUNT BUDGETED FOR SPECIAL ACCESS PROGRAMS.—The Secretary of Defense shall submit to the defense committees each year, at the same time that the President's budget is transmitted for the next fiscal year under section 1105 of title 31, an unclassified report setting forth the total amount requested in that budget for special access programs of the Department of Defense (as defined in subsection (e)).

"(b) ANNUAL NOTICE AND JUSTIFICATION FOR NEW SPECIAL ACCESS PROGRAMS.—(1) Not later than November 1 of each year, the Secretary of Defense shall provide in writing to the chairman and ranking minority member of each defense committee, with respect to each new special access program—

"(A) notice of the designation of the program as a special access program; and

"(B) justification for such designation.

"(2) A notice and justification under paragraph (1) with respect to a program shall include—

"(A) the current estimate of the total program cost for the program; and

"(B) an identification of existing programs or technologies—

"(i) that are not treated so as to conceal their existence or scope; and

"(ii) that are similar to the technology, or that have a mission similar to the mission, of the program that is the subject of the notice.

"(3) In this subsection, the term 'new special access program' means a special access program that has not previously been covered in a notice and justification under this subsection.

"(c) ACCESS BY OTHER MEMBERS; RESPONSES.—(1) Any member of a defense committee, upon submitting a request in writing to the chairman of that committee, shall be permitted to read any notice and justification received by the chairman of that committee under subsection (b).

"(2) If the Secretary receives a timely response from a member of a defense committee with respect to a notice and justification provided under subsection (b), the Secretary shall respond in writing to any question or concern raised in such response not later than 30 days after the receipt of such response.

"(3) For purposes of paragraph (2), the term 'timely response' means a written communication that—

"(A) pertains to a program described in a notice and justification received under subsection (b); and

"(B) is received by the Secretary of Defense not less than 30 days after the date on which the notice and justification to which the communication pertains was received under subsection (b).

"(d) REPORTS ON MODIFICATIONS TO SPECIAL ACCESS CRITERIA.—(1) The Secretary of Defense shall submit to the defense committees a report describing any change in the criteria for designating a program of the Department of Defense as a special access program.

"(2) Any such report shall be submitted not later than 30 days before the date on which the change takes effect.

"(e) DEFINITIONS.—In this section:

"(1) The term 'special access program' means a program of the Department of Defense that is designated within the department—

"(A) as a special access program or compartmentalized program; or

"(B) in any other manner that results in the program being treated in a manner that conceals from public disclosure the existence or scope of the program.

"(2) The term 'defense committees' means—

"(A) the Committees on Armed Services of the Senate and House of Representatives; and

"(B) the Defense Subcommittees of the Committees on Appropriations of the Senate and House of Representatives.

"(3) The term 'program of the Department of Defense' does not include any of the following:

"(A) A program of an agency or other entity of the United States outside the Department of Defense which receives funds through amounts appropriated to the Department of Defense.

"(B) A program of an agency or other entity of the Department of Defense which is funded through the national foreign intelligence program or which is considered to be an intelligence-related activity.

"(C) A special operations activity.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"119. Special access programs: congressional oversight.".

(b) FIVE-YEAR REFERENCE AMOUNTS.—The first report under subsection (a) of section 119 of title 10, United States Code (as added by subsection (a)), shall set forth—

(1) the total amount requested in the President's budget for each of the five previous fiscal years for special access programs of the Department of Defense that were included in that budget; and

(2) the total amount appropriated for each such year for such programs.

(c) INITIAL NOTICE AND JUSTIFICATION FOR SPECIAL ACCESS PROGRAM DESIGNATIONS.—The first notice and justification under subsection (b) of section 119 of title 10, United States Code (as added by subsection (a)), shall cover each existing special access program.

(d) INITIAL REPORT ON CRITERIA FOR SPECIAL ACCESS DESIGNATION.—(1) The Secretary of Defense shall submit to the defense committees a report on the criteria used for designating a program of the Department of Defense as a special access program.

(2) The report under paragraph (1) shall be submitted not later than 60 days after the date of the enactment of this Act.

(e) DEFINITIONS.—The definitions in subsection (e) of section 119 of title 10, United States Code (as added by subsection (a)), apply to subsections (b) through (d).

SEC. 808. CONVENTIONAL DEFENSE ADVISORY BOARD.

(a) CREATION OF BOARD; FUNCTIONS.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 180. Conventional Defense Advisory Board

"(a) ESTABLISHMENT.—There is within the Department of Defense a Conventional Defense Advisory Board.

"(b) PURPOSE AND RESPONSIBILITIES.—(1) The Board shall examine and survey all aspects of conventional warfare relating to the fighting ability and sustainability of the armed forces, particularly with regard to the conventional defense of Europe.

"(2) The Board shall (within the scope of its functions under paragraph (1)) specifically examine, survey, and make recommendations concerning the sufficiencies and deficiencies of—

"(A) research and development programs;

"(B) weapons procurement programs;

"(C) ammunition procurement programs; and

"(D) programs affecting the sustainability of forces in the field.

"(c) MEMBERSHIP AND SUPPORT.—(1) The members of the Board shall be appointed by the Secretary of Defense and shall include representatives of—

"(A) the Department of Defense;

"(B) defense industry; and

"(C) the academic and research community.

"(2) The Secretary of Defense shall make available to the Board such information as it may require in the performance of its duties.

"(d) REPORTS.—(1) The Board shall report to the Secretary of Defense by March 1 each year concerning the relationship between the current programs of the Department of Defense and the requirements for more adequate conventional defense. With respect to such relationship, the report shall, at a minimum, specify—

"(A) shortfalls;

"(B) excess; and

"(C) recommendations for correcting these imbalances.

"(2) The Secretary of Defense shall forward the report required under paragraph (1) to Congress within 30 days of its receipt, together with such additional views as the Secretary may desire.

"(3) The Secretary of Defense may require such additional reports from the Board as the Secretary considers necessary.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"180. Conventional Defense Advisory Board.".

SEC. 809. REACTIVATION OF RIVERBANK ARMY AMMUNITION PLANT.

The Secretary of the Army shall reactivate Riverbank Army Ammunition Plant, California, no later than September 30, 1988.

SEC. 810. OUTLAY SAVINGS FROM DELAY OF CERTAIN PAYMENTS

The Secretary of Defense shall direct that (notwithstanding any other provision of law) any payment which would otherwise be made to a contractor (other than a small business concern) by any component of the Department of Defense during the last 12 days of September 1988 shall be made not earlier than October 1, 1988.

SEC. 811. ELIGIBILITY OF MAJOR NON-NATO ALLIES TO COMPETE ON CERTAIN MAINTENANCE CONTRACTS.

(a) IN GENERAL.—Any major non-NATO ally shall be eligible to bid under competitive procedures on any Department of Defense contract for maintenance, repair, and overhaul associated with the European Workload Program. Any contract with such a non-NATO ally may be carried out in the ally's facilities or in facilities in Europe.

(b) DEFINITION.—For purposes of subsection (a), the term "major non-NATO ally" has the meaning given that term by section 1105(g)(1) of the Department of Defense Authorization Act, 1987 (Public Law 99-661).

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SECTION 2001. SHORT TITLE.

This division may be cited as the "Military Construction Authorization Act, 1988".

TITLE I—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of the Army may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

UNITED STATES ARMY FORCES COMMAND

Fort Bragg, North Carolina, $43,710,000.
Fort Campbell, $12,410,000.
Fort Carson, Colorado, $2,050,000.
Fort Devens, Massachusetts, $1,840,000.
Fort Greely, Alaska, $6,400,000.
Fort Hood, Texas, $31,500,000.
Fort Hunter Liggett, California, $1,000,000.
Fort Irwin, California, $4,450,000.
Fort Lewis, Washington, $960,000.
Fort McCoy, Wisconsin, $720,000.
Fort McPherson, Georgia, $1,400,000.
Fort Ord, California, $6,890,000.
Fort Pickett, Virginia, $390,000.
Fort Polk, Louisiana, $490,000.
Fort Riley, Kansas, $4,850,000.
Fort Sam Houston, Texas, $3,300,000.
Fort Stewart, Georgia, $12,570,000.
Fort Wainwright, Alaska, $25,100,000.
Presidio of San Francisco, California, $1,550,000.

UNITED STATES ARMY WESTERN COMMAND

Aliamanu Military Reservation, Hawaii, $5,000,000.
Hawaii, Various, $12,300,000.
Schofield Barracks, Hawaii, $10,550,000.

UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND

Fort Belvoir, Virginia, $10,110,000.
Fort Benning, Georgia, $11,000,000.
Fort Bliss, Texas, $13,040,000.
Fort Dix, New Jersey, $7,750,000.
Fort Hamilton, New York, $960,000.
Fort Lee, Virginia, $14,350,000.
Fort Leonard Wood, Missouri, $10,000,000.
Fort McClellan, Alabama, $4,700,000.
Fort Rucker, Alabama, $5,700,000.

MILITARY DISTRICT OF WASHINGTON

Cameron Station, Virginia, $400,000.

UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland, $7,160,000.
Anniston Army Depot, Alabama, $2,100,000.
Corpus Christi Army Depot, Texas, $2,950,000.
Dugway Proving Ground, Utah, $5,250,000.
Fort Wingate, New Mexico, $370,000.
Lake City Army Ammunition Plant, Missouri, $21,000,000.
Letterkenny Army Depot, Pennsylvania, $2,000,000.
Lexington-Blue Grass Depot Activity, Kentucky, $570,000.
Navajo Depot Activity, Arizona, $4,000,000.
Pine Bluff Arsenal, Arkansas, $2,000,000.
Pueblo Depot Activity, Colorado, $620,000.
Red River Army Depot, Texas, $7,950,000.
Redstone Arsenal, Alabama, $21,000,000.
Savanna Army Depot, Illinois, $2,550,000.
Seneca Army Depot, New York, $1,250,000.
Sierra Army Depot, California, $2,600,000.
Tooele Army Depot, Utah, $6,700,000.
Umatilla Depot Activity, Oregon, $1,050,000.

UNITED STATES ARMY INFORMATION SYSTEMS COMMAND

Fort Huachuca, Arizona, $1,250,000.
Fort Ritchie, Maryland, $16,500,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, New York, $14,800,000.

UNITED STATES ARMY HEALTH SERVICES COMMAND

Walter Reed Army Medical Center, District of Columbia, $1,300,000.

MILITARY TRAFFIC MANAGEMENT COMMAND

Bayonne Military Ocean Terminal, New Jersey, $2,010,000.
Sunny Point Military Ocean Terminal, North Carolina, $2,190,000.

ASSISTANT CHIEF OF ENGINEERS

Classified, United States, $4,000,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Army may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

UNITED STATES ARMY, JAPAN

Japan, Various, $13,250,000.

EIGHTH UNITED STATES ARMY

Camp Casey, Korea, $28,000,000.
Camp Castle, Korea, $3,200,000.
Camp Hovey, Korea, $11,800,000.
Camp Howze, Korea, $4,150,000.
Camp Jackson, Korea, $4,350,000.
Camp Kyle, Korea, $2,750,000.
Camp Mercer, Korea, $720,000.
Camp Nimble, Korea, $2,200,000.
Camp Page, Korea, $5,900,000.
Camp Red Cloud, Korea, $8,500,000.
Korea, Various, $4,850,000.

BALLISTIC MISSILE DEFENSE SYSTEMS COMMAND

Kwajalein, $26,560,000.

UNITED STATES ARMY SOUTH

Honduras, $4,150,000.

UNITED STATES ARMY EUROPE AND SEVENTH ARMY

Bad Kreuznach, Germany, $10,200,000.
Baumholder, Germany, $10,800,000.
Einsiedlerhof, Germany, $5,900,000.
Giessen, Germany, $1,250,000.
Grafenwoehr, Germany, $5,700,000.

Hanau, Germany, $1,300,000.

Hohenfels, Germany, $19,250,000.

Mainz, Germany, $1,100,000.

Rheinberg, Germany, $8,650,000.

Stuttgart, Germany, $14,200,000.

Various, Germany, $19,500,000.

Vilseck, Germany, $60,400,000.

Wiesbaden, Germany, $38,900,000.

Wildflecken, Germany, $16,100,000.

Zweibruecken, Germany, $1,900,000.

SEC. 2102. FAMILY HOUSING.

(a) Construction and Acquisition.—The Secretary of the Army may construct or acquire family housing units (including land acquisition), using amounts appropriated pursuant to section 2104(a)(6)(A), at the following installations in the number of units shown, and in the amount shown, for each installation:

Fort Rucker, Alabama, seven manufactured home spaces, $110,000.

Fort Irwin, California, two hundred and seventy units, $30,000,000.

Fort Ord, California, two hundred and eleven units, $19,000,000, of which not more than twenty-four units may be constructed at Fort Hunter Liggett, California.

Bamberg, Germany, one hundred and six units, $11,200,000.

Baumholder, Germany, one hundred and fifty-two units, $12,600,000.

Various Locations, Germany, two hundred and twenty-eight units, funded under section 2103.

Vilseck, Germany, one hundred and eighty-eight units, $17,000,000.

Helemano, Hawaii, two hundred units, $21,000,000.

Pearl City, Hawaii, sixty units, $6,700,000.

Schofield Barracks, Hawaii, one hundred units, $11,200,000.

Saint Louis Support Center, Illinois, one hundred units, $9,700,000.

Fort Polk, Louisiana, three hundred and fifty units, $27,000,000.

Fort Drum, New York, one hundred units, $10,000,000.

Fort Hood, Texas, one hundred and fifty units, $9,400,000.

Fort A.P. Hill, Virginia, twenty-five units, $2,200,000.

Fort Eustis, Virginia, thirty-two manufactured home spaces, $480,000.

(b) Planning and Design.—The Secretary of the Army may carry out architectural and engineering services and construction design activities, using amounts appropriated pursuant to section 2104(a)(6)(A), with respect to the construction or improvement of military family housing units in an amount not to exceed $21,900,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) In General.—Subject to section 2825 of title 10, United States Code, the Secretary of the Army may improve, using amounts appropriated pursuant to section 2104(a)(6)(A), existing military family housing units in an amount not to exceed $100,000,000, of which $9,223,000 is available only for energy conservation projects.

(b) Waiver of Maximum Per Unit Cost for Certain Improvement Projects.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Army may carry out projects to improve existing military family housing units at the following installations in the number of units shown, and in the amount shown, for each installation:

Sharpe Army Depot, California, thirty units $1,300,000.

Fort McNair, District of Columbia, four units $220,000.

Fort Riley, Kansas, one hundred and twenty-eight units, $5,100,000.

Selfridge Air National Guard Base, Michigan, two hundred and ten units, $8,000,000.

Fort Leonard Wood, Missouri, fifteen units $600,000.

Fort Bliss, Texas, one hundred and forty-four units, $5,300,000.

Fort Belvoir, Virginia, one hundred and ninety-eight units, $8,800,000.

Giessen, Germany, one hundred and forty-four units, $5,152,000.

Various locations, Germany, convert unused attic space and upgrade one hundred and two units into three hundred and thirty adequate units, $24,388,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) In General.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1987, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $2,508,333,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $400,610,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $335,530,000.

(3) For military construction projects inside the United States at New Cumberland Army Depot, Pennsylvania, authorized by section 101 of the Military Construction Authorization Act, 1986, $30,000,000.

(4) For unspecified minor construction projects under section 2805 of title 10, United States Code, $15,600,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $133,120,000.

(6) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $309,490,000;

(B) for support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,281,183,000, of which not more than $36,008,000 may be obligated or expended for the leasing of military family housing units in the United States, the Commonwealth of Puerto Rico, and Guam, and not more than $144,122,000 may be obligated or expended for the leasing of military family housing units in foreign countries; and

(C) for the Homeowners Assistance Program as authorized by section 2832 of title 10, United States Code, $2,800,000.

(b) Limitation on Total Cost of Construction Projects Authorized in This Title.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(c) Planning Assistance.—Of the amount appropriated pursuant to subsection (a)(5), the Secretary of the Army shall use at least $250,000 for community planning assistance for communities located near the newly established Light Infantry Division Post at Ft. Drum, New York.

SEC. 2105. EXTENSION OF CERTAIN PRIOR YEAR AUTHORIZATIONS.

(a) Extension of Authorization of Certain Fiscal Year 1984 Projects.—Notwithstanding the provisions of section 607(a) of the Military Construction Authorization Act, 1984 (Public Law 98-115, 97 Stat. 780), authorizations for the following projects authorized in section 101 of that Act, as extended by section 2107(a) of the National Defense Authorization Act, 1987 (Public Law 99-661), shall remain in effect until October 1, 1988, or the date of enactment of the Military Construction Authorization Act for fiscal year 1989, whichever is later:

(1) Unaccompanied personnel housing in the amount of $1,400,000 at Argyroupolis, Greece.

(2) Operations building in the amount of $370,000 at Argyroupolis, Greece.

(3) Multipurpose recreation facility in the amount of $480,000 at Argyroupolis, Greece.

(4) Unaccompanied officer housing in the amount of $600,000 at Perivolaki, Greece.

(5) Operations building in the amount of $410,000 at Perivolaki, Greece.

(6) Multipurpose recreation facility in the amount of $620,000 at Perivolaki, Greece.

(7) Physical fitness training center in the amount of $1,000,000 at Elefsis, Greece.

(b) Extension of Authorization of Certain Fiscal Year 1985 Projects.—Notwithstanding the provisions of section 607(a) of the Military Construction Authorization Act, 1985 (Public Law 98-407, 98 Stat. 1515), authorizations for the following projects authorized in section 101 of that Act, as extended by section 2107(a) of the National Defense Authorization Act, 1987 (Public Law 99-661), shall remain in effect until October 1, 1988, or the date of enactment of the Military Construction Authorization Act for fiscal year 1989, whichever is later:

(1) Barracks with dining facility in the amount of $11,400,000 at Presidio of San Francisco, California.

(2) Barracks in the amount of $6,600,000 at Presidio of San Francisco, California.

(3) Barracks modernization in the amount of $660,000 at Argyroupolis, Greece.

(4) Barracks modernization in the amount of $660,000 at Perivolaki, Greece.

(5) Barracks with dining facility in the amount of $2,350,000 at Elefsis, Greece.

(c) Extension of Authorization of Certain Fiscal Year 1986 Projects.—Notwithstanding the provisions of section 603(a) of the Military Construction Authorization Act, 1986 (Public Law 99-167), authorizations for the following projects authorized in sections 101 and 102 of that Act shall remain in effect until October 1, 1988, or the date of the enactment of a Military Construction Authorization Act for fiscal year 1989, whichever is later:

(1) Military personnel administration center in the amount of $2,650,000 at Presidio of Monterey, California.

(2) Family housing, new construction, fifty manufactured home spaces in the amount of $712,000 at Fort Carson, Colorado.

(3) Ammunition storage in the amount of $850,000 at Amberg, Germany.

(4) Boiler plant automation in the amount of $6,000,000 at Bamberg, Germany.

(5) Tactical equipment shop in the amount of $3,350,000 at Hanau, Germany.

(6) Military operations on urbanized terrain in the amount of $3,250,000 at Hohenfels, Germany.

(7) Child care center in the amount of $470,000 at Karlsruhe, Germany.

(8) Modified record fire range in the amount of $2,850,000 at Nuernberg, Germany.

(9) Flight simulator building in the amount of $2,900,000 at Weisbaden, Germany.

(10) Multi-purpose training ranges in the amount of $20,000,000 at Wildflecken, Germany.

(11) Upgrade multi-purpose building in the amount of $800,000 at Elefsis, Greece.

(12) Air conditioning upgrade in the amount of $5,900,000 at Schofield Barracks, Hawaii.

(13) Child care center in the amount of $1,350,000 at Camp Darby, Italy.

(14) Dining facility modernization in the amount of $4,350,000 at Fort Leavenworth, Kansas.

(15) Family housing, new construction, fifty manufactured home spaces in the amount of $700,000 at Fort Riley, Kansas.

(16) Family housing, new construction, fifty manufactured home spaces in the amount of $689,000 at Fort Campbell, Kentucky.

(17) Unaccompanied personnel housing complex in the amount of $2,550,000 at Yongin, Korea.

(18) Water pollution abatement in the amount of $770,000 at Army Materials and Mechanics Research Center, Massachusetts.

(19) Family housing, new construction, twenty manufactured home spaces in the amount of $317,000 at Fort Devens, Massachusetts.

(20) Family housing, new construction, fifty manufactured home spaces in the amount of $637,000 at Fort Bragg, North Carolina.

(21) Family housing, new construction, twenty-four manufactured home spaces in the amount of $351,000 at Dugway Proving Ground, Utah.

(22) Family housing, new construction, 6 units, in the amount of $596,000 at Fort Myer, Virginia.

(23) Museum site preparation and utilities in the amount of $2,500,000 at Fort Rucker, Alabama.

TITLE II—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

UNITED STATES MARINE CORPS

Marine Corps Logistics Base, Albany, Georgia, $1,530,000.

Marine Corps Logistics Base, Barstow, California, $3,230,000.

Marine Corps Base, Camp Lejeune, North Carolina, $38,705,000.

Marine Corps Air Station, Camp Pendleton, California, $3,350,000.

Marine Corps Base, Camp Pendleton, California, $25,410,000.

Marine Corps Air Station, Cherry Point, North Carolina, $28,500,000.

Marine Corps Air Station, El Toro, California, $3,160,000.

Marine Corps Air Station, Kaneohe Bay, Hawaii, $24,153,000.

Marine Corps Air Station, New River, North Carolina, $6,530,000.

Marine Corps Development and Education Command, Quantico, Virginia $4,900,000.

Marine Corps Air Station, Tustin, California, $5,110,000.

Marine Corps Air-Ground Combat Center, Twentynine Palms, California, $18,420,000.

Marine Corps Air Station, Yuma, Arizona, $3,870,000.

SPACE AND NAVAL WARFARE SYSTEMS COMMAND

Naval Surface Weapons Center, Dahlgren, Virginia, $30,620,000.

Naval Underwater System Center, Newport, Rhode Island, $750,000.

Naval Coastal Systems Center, Panama City, Florida, $5,400,000.

Naval Air Development Center, Warminster, Pennsylvania, $300,000.

CHIEF OF NAVAL OPERATIONS

Naval Space Surveillance Field Station, Hawkinsville, Georgia, $2,890,000.

Naval Tactical Interoperability Support Activity Detachment Six, Mayport, Florida, $500,000.

Naval Air Detachment, Tinker Air Force Base, Oklahoma, $11,800,000.

Commandant, Naval District, Washington, District of Columbia, $20,920,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Station, Galveston, Texas, $24,190,000.

Naval Station, Ingleside, Texas, $88,800,000.

Naval Air Station, Jacksonville, Florida, $4,630,000.

Naval Air Station, Key West, Florida, $6,580,000.

Naval Station, Lake Charles, Louisiana, $2,770,000.

Naval Amphibious Base, Little Creek, Virginia, $16,720,000.

Naval Station, Mayport, Florida, $1,480,000.

Naval Station, Mobile, Alabama, $40,700,000.

Naval Submarine Base, New London, Connecticut, $5,200,000.

Naval Station, New York, New York, $16,200,000.

Atlantic Fleet Headquarters Support Activity, Norfolk, Virginia, $5,070,000.

Naval Air Station, Norfolk, Virginia, $4,970,000.

Naval Air Station, Oceana, Virginia, $4,540,000.

Naval Station, Pascagoula, Mississippi, $42,100,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Naval Air Station, Adak, Alaska, $44,200,000.

Naval Air Station, Alameda, California, $11,400,000.

Trident Refit Facility, Bangor, Washington, $1,080,000.

Naval Amphibious Base, Coronado, California, $2,760,000.

Naval Station, Everett, Washington, $37,500,000.

Naval Air Station, Lemoore, California, $2,560,000.

Naval Magazine, Lualualei, Hawaii, $5,310,000.

Naval Air Station, Miramar, California, $6,500,000.

Naval Air Station, North Island, California, $25,270,000.

Commander, Oceanographic System, Pacific, Pearl Harbor, Hawaii, $1,280,000.

Fleet Intelligence Center, Pacific, Pearl Harbor, Hawaii, $13,097,000.

Naval Station, Pearl Harbor, Hawaii, $430,000.

Naval Submarine Base, Pearl Harbor, Hawaii, $7,180,000.

Naval Station, San Diego, California, $36,680,000.

Naval Submarine Base, San Diego, California, $4,120,000.

Naval Station, Treasure Island, San Francisco, California, $4,430,000.

Naval Air Station, Whidbey Island, Washington, $12,650,000.

CHIEF OF NAVAL EDUCATION AND TRAINING

Naval Air Station, Corpus Christi, Texas, $1,180,000.

Fleet Combat Training Center, Atlantic, Dam Neck, Virginia, $450,000.

Naval Guided Missiles School, Dam Neck, Virginia, $550,000.

Naval Training Center, Great Lakes, Illinois, $2,310,000.

Naval Air Station, Kingsville, Texas, $10,000,000.

Naval Technical Training Center Detachment, Lackland Air Force Base, Texas, $10,800,000.

Naval Air Station, Memphis, Tennessee, $11,220,000.

Naval Education and Training Center, Newport, Rhode Island, $7,480,000.

Naval Training Center, Orlando, Florida, $3,050,000.

Naval Air Station, Pensacola, Florida, $28,200,000.

Naval Technical Training Center, Pensacola, Florida, $8,170,000.

Fleet Anti-Submarine Warfare Training Center, Pacific, San Diego, California, $5,020,000.

Naval Technical Training Center, San Francisco, California, $10,100,000.

NAVAL MEDICAL COMMAND

Naval Hospital Branch, Adak, Alaska $700,000.

NAVAL OCEANOGRAPHY COMMAND

Naval Eastern Oceanography Center, Norfolk, Virginia, $600,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communication Area Master Station, Atlantic, Norfolk, Virginia, $8,400,000.

Naval Communication Station, Stockton, California, $2,800,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Activity, Adak, Alaska, $2,860,000.

Naval Security Group Activity, Northwest, Chesapeake, Virginia, $4,530,000.

Naval Security Station, Washington, District of Columbia, $3,000,000.

Naval Security Group Activity, Winter Harbor, Maine, $1,550,000.

NAVAL SUPPLY SYSTEMS COMMAND

Naval Supply Center, Charleston, South Carolina, $8,170,000.

Naval Supply Center, Norfolk, Virginia, $1,310,000.

Naval Supply Center, Pearl Harbor, Hawaii, $3,280,000.

Naval Supply Center, Pensacola, Florida, $1,000,000.

NAVAL AIR SYSTEMS COMMAND

Naval Air Rework Facility, Alameda, California, $16,000,000.

Naval Air Rework Facility, Cherry Point, North Carolina, $500,000.

Naval Air Rework Facility, Jacksonville, Florida, $5,000,000.

Naval Air Test Center, Patuxent River, Maryland, $6,500,000.

NAVAL FACILITIES ENGINEERING COMMAND

Naval Construction Battalion Center, Gulfport, Mississippi, $2,950,000.

Navy Public Works Center, Norfolk, Virginia, $6,100,000.

Navy Public Works Center, Pearl Harbor, Hawaii, $11,203,000.

Navy Public Works Center, Pensacola, Florida, $4,150,000.

Naval Construction Battalion Center, Port Hueneme, California, $5,870,000.

Navy Public Works Center, San Diego, California, $5,700,000.

Navy Public Works Center, San Francisco, California, $11,700,000.

NAVAL SEA SYSTEMS COMMAND

Charleston Naval Shipyard, Charleston, South Carolina, $1,400,000.

Naval Weapons Station, Charleston, South Carolina, $1,670,000.

Naval Weapons Station, Concord, California, $4,640,000.

Naval Weapons Support Center, Crane, Indiana, $6,720,000.

Naval Weapons Station, Earle, New Jersey, $3,540,000.

Naval Ordnance Station, Indian Head, Maryland, $6,860,000.

Naval Undersea Warfare Engineering Station, Keyport, Washington, $8,170,000.

Philadelphia Naval Shipyard, Philadelphia, Pennsylvania, $14,000,000.

Naval Weapons Station, Seal Beach, California, $15,970,000.

Mare Island Naval Shipyard, Vallejo, California, $4,040,000.

Naval Weapons Station, Yorktown, Virginia, $22,880,000.

STRATEGIC SYSTEMS PROJECT OFFICE

Naval Submarine Base, Kings Bay, Georgia, $86,415,000.

VARIOUS LOCATIONS

Land Acquisition, $8,091,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

UNITED STATES MARINE CORPS

Marine Corps Air Station, Futenma, Okinawa, Japan, $4,790,000.

Marine Corps Air Station, Iwakuni, Japan, $1,080,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Facility, Brawdy Wales, United Kingdom, $850,000.

Naval Station, Guantanamo Bay, Cuba, $917,000.

Naval Air Station, Guantanamo Bay, Cuba, $1,770,000.

Naval Air Station, Keflavik, Iceland, $14,120,000.

Atlantic Fleet Weapons Training Facility, Roosevelt Roads, Puerto Rico, $2,020,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Mobile Construction Battalion, Camp Covington, Guam, $14,700,000.

Naval Air Station, Cubi Point, Republic of the Philippines, $1,490,000.

Naval Support Facility, Diego Garcia, Indian Ocean, $1,000,000.

Naval Facility, Guam, $650,000.

Naval Magazine, Guam, $10,800,000.

Naval Supply Depot, Guam, $8,460,000.

Naval Ship Repair Facility, Guam, $5,100,000.

COMMANDER IN CHIEF, UNITED STATES NAVAL FORCES EUROPE

Naval Support Office, La Maddalena, Italy, $7,480,000.

Naval Activities, London, United Kingdom, $600,000.

Naval Support Activity, Naples, Italy, $25,650,000.

Naval Air Station, Sigonella, Italy, $2,460,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communication Area Master Station, Mediterranean, Naples, Italy, $5,300,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Activity, Edzell, Scotland, $770,000.

Naval Security Group Activity, Sabana Seca, Puerto Rico, $400,000.

Naval Security Group Activity, Terceira Island, Azores, $700,000.

NAVAL FACILITIES ENGINEERING COMMAND

Navy Public Works Center, Guam, $2,360,000.

Navy Public Works Center, Subic Bay, Republic of the Philippines, $7,680,000.

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—The Secretary of the Navy may construct or acquire family housing units (including land acquisition), using amounts appropriated pursuant to section 2205(a)(8)(A), at the following installations in the number of units shown, and in the amount shown, for each installation:

Navy Public Works Center, San Diego, California, five hundred and eighty units, $52,840,000.

Navy Public Works Center, San Francisco, California, four hundred and forty-four units, $38,380,000.

Nuclear Power Training Unit, Ballston Spa, New York, two hundred units, $15,810,000.

Naval Station, New York, New York, two hundred and fifty units, $25,490,000.

Marine Corps Base, Camp Pendleton, California, two hundred and sixty-eight units, $25,760,000.

Marine Corps Air Station, El Toro, California, one hundred units, $8,660,000.

Marine Corps Air-Ground Combat Center, Twentynine Palms, California, one hundred units, $11,530,000.

Marine Corps Air Station, Beaufort, South Carolina, thirty-seven mobile home spaces, $540,000.

Marine Corps Recruit Depot, Parris Island, South Carolina, twenty-five mobile home spaces, $370,000.

Marine Corps Development and Education Command, Quantico, Virginia, ten mobile home spaces, $166,000.

Marine Corps Finance Center, Kansas City, Missouri, eight mobile home spaces, $120,000.

Naval Station, Keflavik, Iceland, two hundred fifty units, $20,000,000.

(b) PLANNING AND DESIGN.—The Secretary of the Navy may carry out architectural and engineering services and construction design activities, using amounts appropriated pursuant to section 2205(a)(8)(A), with respect to the construction or improvement of military family housing units in an amount not to exceed $6,248,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) IN GENERAL.—Subject to section 2825 of title 10, United States Code, the Secretary of the Navy may improve, using amounts appropriated pursuant to section 2205(a)(8)(A), existing military family housing units in the amount of $28,943,000.

(b) WAIVER OF MAXIMUM PER UNIT COST FOR CERTAIN IMPROVEMENT PROJECTS.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Navy may carry out projects to improve existing military family housing units at the following installations in the number of units shown and in the amount shown, for each installation:

Navy Public Works Center, San Diego, California, six units, $284,400.

Navy Public Works Center, Great Lakes, Illinois, three hundred and fifty-six units, $14,207,800.

Navy Public Works Center, Great Lakes, Illinois, sixty units, $1,996,300.

Navy Public Works Center, Great Lakes, Illinois, five units, $164,100.

Navy Public Works Center, Great Lakes, Illinois, one hundred and two units, $4,725,500.

Naval Air Station, Brunswick, Maine, two hundred and twenty-four units, $8,130,500.

Naval Security Group Activity, Winter Harbor, Maine, thirty-two units, $2,251,700.

Naval Security Group Activity, Winter Harbor, Maine, ten units, $294,500.

Naval Security Group Activity, Winter Harbor, Maine, thirty units, $2,920,600.

Naval Security Group Activity, Winter Harbor, Maine, twenty units, $920,000.

Naval Air Station, Fallon, Nevada, one hundred and six units, $8,129,300.

Naval Air Engineering Center, Lakehurst, New Jersey, four units, $190,000.

Marine Corps Air Station, Cherry Point, North Carolina, two units, $94,300.

Marine Corps Air Station, Cherry Point, North Carolina, two hundred and eighty-two units, $11,957,200.

Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania, seventy-five units, $3,398,400.

Naval Weapons Station, Yorktown, Virginia, twenty units, $625,300.

Naval Air Station, Whidbey Island, Washington, eleven units, $632,600.

Navy Public Works Center, Guam, two hundred and twelve units, $18,473,800.

Naval Station, Roosevelt Roads, Puerto Rico, two hundred and sixteen units, $6,840,000.

SEC. 2204. DEFENSE ACCESS ROADS.

The Secretary of the Navy may, using funds appropriated pursuant to section 2205(a)(7), make advances to the Secretary of Transportation for the construction of defense access roads under section 210 of title 23, United States Code, at the following locations and in the following amounts:

Naval Construction Battalion Center, Huenneme, California, $800,000.

Naval Air Station, Moffett Field, California, $400,000.

Naval Station, San Diego, California, $350,000.

Naval Station, Norfolk, Virginia, $1,200,000.

Naval Submarine Base, Groton, Connecticut, $1,250,000.

Naval Station, Everett, Washington, phase I, $10,000,000.

SEC. 2205. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1987, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,119,390,000 as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $992,244,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $121,147,000.

(3) For military construction projects at Kings Bay, Georgia, authorized by section 201(a) of the Military Construction Authorization Act, 1986, $28,675,000.

(4) For military construction projects at Naval Weapon Station, Earle, New Jersey, authorized by section 2201(a) of the Mili-

tary Construction Authorization Act, 1987, $19,500,000.

(5) For unspecified minor construction projects under section 2805 of title 10, United States Code, $16,500,000.

(6) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $148,655,000.

(7) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $14,000,000.

(8) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $234,857,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $543,812,000 of which not more than $14,347,000 may be obligated or expended for the leasing of military family housing in the United States, the Commonwealth of Puerto Rico, and Guam, and not more than $22,220,000 may be obligated or expended for the leasing of military family housing units in foreign countries.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS AUTHORIZED IN THIS TITLE.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

SEC. 2206. AUTHORIZATION OF PROJECTS FOR WHICH FUNDS HAVE BEEN APPROPRIATED.

(a) PROJECTS.—(1) In addition to the military construction projects authorized under title II of the Military Construction Authorization Act, 1987 (Public Law 99-661), the Secretary of the Navy may acquire real property and may carry out the following military construction projects in the following amounts which have been appropriated for such projects before the date of the enactment of this Act:

Naval Supply Center, Pearl Harbor, Hawaii, Cold Storage Facility, $11,500,000.

Cubi Point, Republic of the Philippines, Bachelor Officers' Quarters, $5,300,000.

(2) Notwithstanding the provisions of section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of the projects authorized by paragraph (1) may not exceed the total amount authorized for such projects by such paragraph.

(b) FAMILY HOUSING.—In addition to the expenditures for improvements to military family housing authorized by section 2203 of the Military Construction Authorization Act, 1987 (Public Law 99-661), the Secretary of the Navy may make expenditures, out of funds appropriated before the date of the enactment of this Act, to improve existing family housing units, pursuant to section 2825 of title 10, United States Code, in an amount not to exceed $22,000,000.

(c) EFFECTIVE DATE.—The provisions of this section shall take effect on the date of the enactment of this Act.

SEC. 2207. EXTENSION OF CERTAIN PRIOR YEAR AUTHORIZATIONS.

(a) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1984 PROJECTS.—Notwithstanding the provisions of section 607(a) of the Military Construction Authorization Act, 1984 (Public Law 98-115), authorizations for the following projects authorized in section 201 of that Act, as extended by section 2209(b) of the Military Construction Authorization Act, 1987 (Public Law 99-661), shall remain in effect until October 1, 1988, or the date of enactment of the Military Construction Authorization Act for fiscal year 1989, whichever is later:

(1) Unaccompanied enlisted personnel housing in the amount of $10,000,000 at the Naval Air Station, Jacksonville, Florida.

(2) Electrical distribution lines in the amount of $7,200,000 at the Mare Island Naval Shipyard, Vallejo, California.

(3) Heating, Ventilation and Air Conditioning System, in the amount of $4,540,000 at the Naval Air Station, Alameda, California.

(b) EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 1986 PROJECTS.—Notwithstanding the provisions of section 606(a) of the Military Construction Authorization Act, 1986 (Public Law 99-167), authorizations for the following projects authorized in section 201 of that Act shall remain in effect until October 1, 1988, or the date of enactment of a Military Construction Authorization Act for fiscal year 1989, whichever is later:

(1) Plating shop modernization in the amount of $12,740,000 at the Naval Ordnance Station, Louisville, Kentucky.

(2) Bachelors enlisted quarters and mess hall in the amount of $4,700,000 at the Naval Magazine, Guam.

(3) LAMPS Mark III training building in the amount of $305,000 at the Fleet Combat Training Center, Pacific, San Diego, California.

(4) Physical fitness center in the amount of $5,380,000 at the Marine Corps Air-Ground Combat Center, Twentynine Palms, California.

(5) Dredging in the amount of $6,570,000 at the Naval Supply Center, Oakland, California.

(6) Dredging in the amount of $8,650,000 at the Naval Air Station, Alameda, California.

(7) Paint and finishing hangar in the amount of $22,000,000 at the Naval Air Rework Facility, Alameda, California.

(8) Special intelligence support facility in the amount of $1,520,000 at the Marine Corps Base, Camp Pendleton, California,

(9) Combat swimmer trainer facility in the amount of $3,000,000 at the Naval Amphibious Base, Coronado, California.

(10) Communications facilities in the amount of $2,750,000 at the Naval Station, Guantanamo Bay, Cuba.

(11) Bachelor enlisted quarters in the amount of $15,300,000 at the Naval Station, Long Beach, California.

(12) Seabee material transit facility in the amount of $6,960,000 at the Naval Construction Battalion Center, Port Hueneme, California.

SEC. 2208. NAVAL WEAPONS STATION, EARLE, NEW JERSEY.

Section 2201(a) of the Military Construction Authorization Act, 1987 (Public Law 99-661) is amended by striking out "Naval Weapons Station, Earle, New Jersey, $34,760,000" and inserting in lieu thereof "Naval Weapons Station, Earle, New Jersey, $54,760,000".

TITLE III—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of the Air Force may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Utah, $36,300,000.
Kelly Air Force Base, Texas, $19,750,000.
McClellan Air Force Base, California, $23,100,000.
Newark Air Force Base, Ohio, $580,000.
Robins Air Force Base, Georgia, $15,500,000.
Tinker Air Force Base, Oklahoma, $11,500,000.
Wright-Patterson Air Force Base, Ohio, $22,750,000.

AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tennessee, $17,500,000.
Brooks Air Force Base, Texas, $4,100,000.
Edwards Air Force Base, California, $5,750,000.
Eglin Air Force Base, Florida, $22,150,000.

AIR NATIONAL GUARD

Buckley Air National Guard Base, Colorado, $16,900,000.

AIR TRAINING COMMAND

Chanute Air Force Base, Illinois, $8,350,000.
Columbus Air Force Base, Mississippi, $5,450,000.
Goodfellow Air Force Base, Texas, $5,500,000.
Keesler Air Force Base, Mississippi, $6,300,000.
Lackland Air Force Base, Texas, $13,900,000.
Laughlin Air Force Base, Texas, $1,872,000.
Mather Air Force Base, California, $7,100,000.
Randolph Air Force Base, Texas, $8,100,000.
Reese Air Force Base, Texas, $1,660,000.
Sheppard Air Force Base, Texas, $13,700,000.
Vance Air Force Base, Oklahoma, $3,190,000.
Williams Air Force Base, Arizona, $3,350,000.

AIR UNIVERSITY

Gunter Air Force Station, Alabama, $8,800,000.
Maxwell Air Force Base, Alabama, $24,200,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Alaska, $5,465,000.
Elmendorf Air Force Base, Alaska, $4,300,000.
Shemya Air Force Base, Alaska, $38,350,000.
Various Locations, $15,800,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Oklahoma, $14,600,000.
Andrews Air Force Base, Maryland, $20,000,000.
Dover Air Force Base, Delaware, $2,300,000.
Kirtland Air Force Base, New Mexico, $46,000,000.
Little Rock Air Force Base, Arkansas, $5,880,000.
McGuire Air Force Base, New Jersey, $1,640,000.
Pope Air Force Base, North Carolina, $11,000,000.
Scott Air Force Base, Illinois, $7,080,000.
Travis Air Force Base, California, $1,500,000.

PACIFIC AIR FORCES

Bellows Air Force Base, Hawaii, $460,000.

Hickam Air Force Base, Hawaii, $2,450,000.

Kaena Point, Hawaii, $3,400,000.

SPACE COMMAND

Cape Cod Air Force Station, Massachusetts, $2,150,000.

Cavalier Air Force Station, North Dakota, $3,750,000.

Clear Air Force Base, Alaska, $4,000,000.

Peterson Air Force Base, Colorado, $1,650,000.

SPECIAL PROJECT

Various Locations, CONUS, $19,073,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Louisiana, $2,900,000.

Beale Air Force Base, California, $2,180,000.

Blytheville Air Force Base, Arkansas, $5,900,000.

Carswell Air Force Base, Texas, $5,010,000.

Castle Air Force Base, California, $10,650,000.

Dyess Air Force Base, Texas, $1,300,000.

Ellsworth Air Force Base, South Dakota, $11,550,000.

Fairchild Air Force Base, Washington, $6,000,000.

F.E. Warren Air Force Base, Wyoming, $2,108,000.

Grand Forks Air Force Base, North Dakota, $1,600,000.

Griffiss Air Force Base, New York, $12,730,000.

Holbrook Radar Bomb Score Site, Arizona, $1,890,000.

K.I. Sawyer Air Force Base, Michigan, $840,000.

Loring Air Force Base, Maine, $3,630,000.

Malmstrom Air Force Base, Montana, $14,460,000.

McConnell Air Force Base, Kansas, $4,750,000.

Minot Air Force Base, North Dakota, $8,600,000.

Offutt Air Force Base, Nebraska, $3,950,000.

Plattsburgh Air Force Base, New York, $2,900,000.

Vandenberg Air Force Base, California, $6,200,000.

Whiteman Air Force Base, Missouri, $89,300,000.

Wilder, Idaho, $2,350,000.

Wurtsmith Air Force Base, Michigan, $10,200,000.

TACTICAL AIR COMMAND

Bangor International Airport, Maine, $1,500,000.

Base 51, $610,000.

Base 52, $600,000.

Bergstrom Air Force Base, Texas, $9,190,000.

Davis-Monthan Air Force Base, Arizona, $4,650,000.

England Air Force Base, Louisiana, $2,300,000.

George Air Force Base, California, $210,000.

Holloman Air Force Base, New Mexico, $6,400,000.

Indian Springs Auxiliary Air Field, Nevada, $4,400,000.

Langley Air Force Base, Virginia, $9,150,000.

Luke Air Force Base, Arizona, $2,800,000.

MacDill Air Force Base, Florida, $3,041,000.

Mountain Home Air Force Base, Idaho, $1,900,000.

Nellis Air Force Base, Nevada, $8,650,000.

Seymour-Johnson Air Force Base, North Carolina, $11,150,000.

Shaw Air Force Base, South Carolina, $4,980,000.

Tyndall Air Force Base, Florida, $2,000,000.

UNITED STATES AIR FORCE ACADEMY

Air Force Academy, Colorado, $2,680,000.

VARIOUS LOCATIONS

Classified Location, $1,500,000.

(b) Outside the United States.—The Secretary of the Air Force may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

MILITARY AIRLIFT COMMAND

Lajes Field, Portugal, $4,600,000.

Rhein-Main Air Base, Germany, $11,450,000.

PACIFIC AIR FORCES

Camp Humphreys, Korea, $5,550,000.

Clark Air Base, Republic of the Philippines, $15,140,000.

Diego Garcia Air Base, Indian Ocean, $18,600,000.

Kadena Air Base, Japan, $12,350,000.

Kunsan Air Base, Korea, $11,000,000.

Osan Air Base, Korea, $16,640,000.

Suwon Air Base, Korea, $3,650,000.

Yokota Air Base, Japan, $2,600,000.

SPACE COMMAND

Thule Air Base, Greenland, $3,000,000.

STRATEGIC AIR COMMAND

Andersen Air Force Base, Guam, $3,600,000.

TACTICAL AIR COMMAND

Masirah, Oman, $3,325,000.

Seeb, Oman, $8,260,000.

Thumrait, Oman, $5,010,000.

UNITED STATES AIR FORCES IN EUROPE

RAF Alconbury, United Kingdom, $2,150,000.

Aviano Air Base, Italy, $1,450,000.

RAF Bentwaters, United Kingdom, $11,210,000.

Bitburg Air Base, Germany, $4,690,000.

Camp New Amsterdam, The Netherlands, $2,600,000.

RAF Chicksands, United Kingdom, $1,250,000.

RAF Croughton, United Kingdom, $900,000.

RAF Fairford, United Kingdom, $2,950,000.

Hahn Air Base, Germany, $7,670,000.

RAF Lakenheath, United Kingdom, $3,620,000.

Pruem Air Station, Germany, $2,000,000.

Ramstein Air Base, Germany, $3,460,000.

San Vito Air Station, Italy, $390,000.

Sembach Air Base, Germany, $1,100,000.

Spangdahlem Air Base, Germany, $5,050,000.

RAF Upper Heyford, United Kingdom, $2,400,000.

RAF Welford, United Kingdom, $1,200,000.

Wenigerath Storage Site, Germany, $1,750,000.

RAF Wethersfield, United Kingdom, $1,300,000.

RAF Woodbridge, United Kingdom, $1,650,000.

Zweibrucken Air Base, Germany, $4,500,000.

VARIOUS LOCATIONS

Base 89, $4,300,000.

SEC. 2302. FAMILY HOUSING.

(a) Construction and Acquisition.—The Secretary of the Air Force may construct or acquire family housing units (including land acquisition), using amounts appropriated pursuant to section 2305(a)(6)(A), at the following installations in the number of units shown, and in the amount shown, for each installation:

Holbrook, Arizona, thirty-four units, $2,530,000.

Clark Air Base, Philippines, three hundred units, $23,260,000.

RAF Bentwaters, United Kingdom, Family Housing Management Office, $330,000.

(b) Planning and Design.—The Secretary of the Air Force may carry out architectural and engineering services and construction design activities, using amounts appropriated pursuant to section 2305(a)(6)(A), with respect to the construction or improvement of military family housing units in an amount not to exceed $7,000,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) In General.—Subject to section 2825 of title 10, United States Code, the Secretary of the Air Force may improve, using amounts appropriated pursuant to section 2305(a)(6)(A), existing military family housing units in an amount not to exceed $110,000,000.

(b) Waiver of Maximum Per Unit Cost for Certain Improvement Projects.—Notwithstanding the maximum amount per unit for an improvement project under section 2825(b) of title 10, United States Code, the Secretary of the Air Force may carry out projects to improve existing military family housing units at the following installations, in the number of units shown, and in the amount shown, for each installation:

Maxwell Air Force Base, Alabama, twenty units, $758,000; fifty-six units, $2,710,000.

Eielson Air Force Base, Alaska, sixty-eight units, $5,504,000.

Elmendorf Air Force Base, Alaska, twelve units, $760,000; sixty-four units, $4,669,000.

Edwards Air Force Base, California, one hundred units, $4,024,000.

Lowry Air Force Base, Colorado, one unit, $74,000.

Peterson Air Force Base, Colorado, six units, $363,000.

Eglin Air Force Base, Florida, eighty-two units, $2,422,000.

Homestead Air Force Base, Florida, one hundred and fifty units, $5,287,000.

Eglin Auxiliary Airfield No. 9, Florida, one hundred and sixty-four units, $3,177,000.

MacDill Air Force Base, Florida, seven units, $556,000; one unit $110,000.

Barksdale Air Force Base, Louisiana, one hundred and fourteen units, $5,342,000.

England Air Force Base, Louisiana, one hundred and six units, $3,465,000.

Andrews Air Force Base, Maryland, five units, $325,000.

Offutt Air Force Base, Nebraska, two hundred units, $8,122,000.

Pease Air Force Base, New Hampshire, two hundred units, $7,177,000.

McGuire Air Force Base, New Jersey, one hundred units, $4,263,000.

Holloman Air Force Base, New Mexico, one hundred and sixty-four units $6,102,000.

Plattsburgh Air Force Base, New York, twenty-nine units, $2,800,000.

Shaw Air Force Base, South Carolina, one hundred and twenty-five units, $4,385,000; one hundred and thirty-one units, $4,702,000.

Carswell Air Force Base, Texas, one hundred and thirty-six units, $7,904,000.

Kelly Air Force Base, Texas, eighteen units, $1,356,000.

Lackland Air Force Base, Texas, one unit, $46,000.

Randolph Air Force Base, Texas, five units, $400,000; eighty units, $2,619,000.

Langley Air Force Base, Virginia, seven units, $540,000; one hundred and thirty-two units, $4,039,000.

Ramstein Air Base, Germany, eight units, $536,000; nine units, $350,000; two hundred and forty units, $11,202,000; two hundred and eighty units, $16,990,000.

Kadena Air Base, Japan, eighty-two units, $4,143,000; four units, $407,000; one hundred and ninety-nine units, $12,177,000.

Yokota Air Base, Japan, ninety-five units, $5,061,000.

Torrejon Air Base, Spain, two units, $68,000.

RAF Mildenhall, United Kingdom, two units, $183,000.

SEC. 2304. DEFENSE ACCESS ROADS.

The Secretary of the Air Force may, using funds appropriated pursuant to section 2305(a)(5), make advances to the Secretary of Transportation for the construction of defense access roads under section 210 of title 23, United States Code, at Havre Air Force Station, Montana, in an amount not to exceed $4,100,000.

SEC. 2305. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1987, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,990,423,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $806,909,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $192,365,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $16,000,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $124,536,000.

(5) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $4,100,000.

(6) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $143,120,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $703,393,000 of which not more than $8,818,000 may be obligated or expended for the leasing of military family housing units in the United States, the Commonwealth of Puerto Rico, and Guam, and not more than $68,024,000 may be obligated or expended for the leasing of military family housing units in foreign countries.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS AUTHORIZED IN THIS TITLE.—Notwithstanding the cost variations authorized by section 2353 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

SEC. 2306. AUTHORIZATION OF PROJECTS FOR WHICH FUNDS HAVE BEEN APPROPRIATED.

(a) IN GENERAL.—In addition to the military construction projects authorized under title III of the Military Construction Authorization Act, 1987 (Public Law 99-661), the Secretary of the Air Force may acquire real property and may carry out the following military construction projects in the following amounts which have been appropriated for such projects before the date of the enactment of this Act:

Goodfellow Air Force Base, Texas, Unaccompanied Officer Personnel Housing, $10,000,000.

Clark Air Base, Republic of Philippines, as follows:

(A) Aerospace systems branch, $1,050,000.

(B) Alter unaccompanied enlisted personnel housing, $1,850,000.

(C) Alter unaccompanied enlisted personnel housing, $3,150,000.

(D) Child care center, $2,000,000.

(E) COPE THUNDER operations facility, $4,650,000.

(F) Essential maintenance facility, phase II, $4,600,000.

(G) Fire station, $760,000.

(H) Petroleum operations facility, $1,600,000.

(I) Portomod warehouse, $460,000.

Blytheville Air Force Base, Arkansas, Gymnasium, $2,750,000.

(b) LIMITATION.—Notwithstanding the provisions of section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of the projects authorized by subsection (a) may not exceed the total amount authorized for such projects by such subsection.

(c) EFFECTIVE DATE.—The provisions of this section shall take effect on the date of the enactment of this Act.

SEC. 2307. EXTENSION OF CERTAIN PREVIOUS AUTHORIZATIONS.

Notwithstanding the provisions of section 603(a) of the Military Construction Authorization Act, 1986, (Public Law 99-167), authorizations for the following projects authorized in sections 301 and 302 of that Act shall remain in effect until October 1, 1988, or the date of the enactment of a Military Construction Authorization Act for fiscal year 1989, whichever is later:

(1) Cold Storage Facility, in the amount of $3,350,000 at Lowry Air Force Base, Colorado.

(2) Portomod Support in the amount of $300,000 at Kunsan Air Base, Korea.

(3) Portomod Support in the amount of $260,000 at Kwang-Ju Air Base, Korea.

(4) Portomod Support in the amount of $860,000 at Osan Air Base, Korea.

(5) TR-1 Ground Station in the amount of $4,500,000 at Base 30, at a Classified Location, overseas.

(6) Chemical Warfare Protection—Avionics Shop in the amount of $1,450,000 at Camp New Amsterdam, The Netherlands.

(7) GEODSS—Composite Support Facility in the amount of $2,250,000 and a Spacetrack Observation Facility in the amount of $12,400,000 at GEODDS Site 5 in Portugal.

(8) Florennes, Belgium, Four Hundred units, $29,200,000.

(9) Ramstein Air Base, Germany, Four Hundred units, $30,000,000.

(10) Camp New Amsterdam, The Netherlands, Ninety units, $7,444,000.

TITLE IV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—The Secretary of Defense may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations inside the United States:

DEFENSE COMMUNICATIONS AGENCY

Arlington Service Center, Virginia, $13,565,000.

DEFENSE INTELLIGENCE AGENCY

Bolling Air Force Base, District of Columbia, $805,000.

DEFENSE LOGISTICS AGENCY

Defense Fuel Support Point, Key West, Florida, $9,400,000.

Defense General Supply Center, Richmond, Virginia, $3,800,000.

Defense Fuel Support Point, Mukilteo, Washington, $7,290,000.

DEFENSE MEDICAL FACILITIES OFFICE

Fort Wainwright, Alaska, $9,100,000.

Kings Bay, Georgia, $6,600,000.

Malmstrom Air Force Base, Montana, $16,500,000.

McGuire Air Force Base, New Jersey, $550,000.

Lackland Air Force Base, Texas, $1,350,000.

Langley Air Force Base, Virginia, $1,500,000.

Naval Air Station, Whidbey Island, Washington, $16,500,000.

DEFENSE NUCLEAR AGENCY

Field Command, Kirtland Air Force Base, New Mexico, $1,127,000.

DEPARTMENT OF DEFENSE DEPENDENTS SCHOOL

Hanscom Air Force Base, Massachusetts, $4,432,000.

NATIONAL DEFENSE UNIVERSITY

Fort McNair, District of Columbia, $5,000,000.

NATIONAL SECURITY AGENCY

Fort Meade, Maryland, $4,950,000.

OFFICE OF THE SECRETARY OF DEFENSE

Classified Location, $25,386,000.

Classified Location, $43,148,000.

STRATEGIC DEFENSE INITIATIVE

Fort Monmouth, New Jersey, $3,450,000.

White Sands Missile Range, New Mexico, $3,180,000.

(b) OUTSIDE THE UNITED STATES.—The Secretary of Defense may acquire real property and may carry out military construction projects in the amounts shown for each of the following installations and locations outside the United States:

DEFENSE COMMUNICATIONS AGENCY

Patch Barracks, Stuttgart, Germany, $1,030,000.

RAF Croughton, United Kingdom, $500,000.

DEFENSE MEDICAL FACILITIES OFFICE

Classified, $6,400,000.

Classified, $7,000,000.

Rheinberg, Germany, $2,250,000.

Iraklion Air Station, Greece, $340,000.

Naples, Italy, $30,000,000.

San Vito Air Station, Italy, $670,000.

Camp Lester, Japan, $1,400,000.

Misawa Air Base, Japan, $4,700,000.

Woensdrecht, The Netherlands, $360,000.

Subic Bay, Republic of the Philippines, $3,500,000.

RAF Fairford, United Kingdom, $7,300,000.
RAF Weathersfield, United Kingdom, $740,000.
RAF Bentwaters, United Kingdom, $1,300,000.

DEFENSE NUCLEAR AGENCY

Johnston Island, $4,100,000.

DEPARTMENT OF DEFENSE DEPENDENT SCHOOLS

Bitberg, Germany, $2,413,000.
Schweinfurt, Germany, $5,320,000.
Sembach, Germany, $2,930,000.
Spangdahlem, Germany, $7,300,000.
Stuttgart, Germany, $3,030,000.
Wuerzburg, Germany, $3,153,000.
San Miguel, Republic of the Philippines, $2,960,000.
Fort Buchanan, Puerto Rico, $1,200,000.
RAF Bicester, United Kingdom, $5,650,000.
RAF Upwood, United Kingdom, $3,900,000.

NATIONAL SECURITY AGENCY

Classified, $15,000,000.

STRATEGIC DEFENSE INITIATIVE

Pacific Missile Range, Kwajalein, $16,565,000.

SEC. 2402. FAMILY HOUSING.

The Secretary of Defense may construct or acquire four family housing units (including land acquisition), using amounts appropriated pursuant to section 2405(a)(9)(A), at classified locations in the total amount of $1,000,000.

SEC. 2403. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, the Secretary of Defense may improve, using amounts appropriated pursuant to section 2405(a)(9)(A), existing military family housing units in an amount not to exceed $186,000.

SEC. 2404. DEFENSE ACCESS ROADS.

The Secretary of Defense may, using funds appropriated pursuant to section 2405(a)(8), make advances to the Secretary of Transportation for the construction of defense access roads under section 210 of title 23, United States Code, at Brooke Army Medical Center, San Antonio, Texas, in an amount not to exceed $8,600,000.

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1987, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $522,312,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $173,201,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $141,011,000.

(3) For military construction projects at Fort Meade, Maryland, authorized by section 101(a) of the Military Construction Authorization Act, 1986, $15,000,000.

(4) For military construction projects at Fort Lewis, Washington, authorized by section 101(a) of the Military Construction Authorization Act, 1985, $86,000,000.

(5) For unspecified minor construction projects under section 2805 of title 10, United States Code, $6,000,000.

(6) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $10,000,000.

(7) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $62,800,000.

(8) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $8,600,000.

(9) For military family housing functions—

(A) for construction and acquisition of military family housing and facilities, $1,186,000; and

(B) for support of military housing (including functions described in section 2833 of title 10, United States Code), $18,514,000, of which not more than $15,188,000 may be obligated or expended for the leasing of military family housing units in foreign countries.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS AUTHORIZED IN THIS TITLE.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(c) PROJECT.—Of the amount appropriated pursuant to the authorization in subsection (a)(7), at least $2,000,000 shall be used for the planning and design of a bridge for route 32 over the Gladys Spellman Memorial Parkway providing access to the National Security Agency.

SEC. 2406. AUTHORIZATION OF PROJECTS FOR WHICH APPROPRIATIONS HAVE BEEN MADE.

(a) IN GENERAL.—In addition to the military construction projects authorized under title IV of the Military Construction Authorization Act, 1987 (Public Law 99-661), the Secretary of Defense may acquire real property and may carry out a military construction project for a medical center clinic annex addition/alteration at Vandenberg Air Force Base, California, in the amount of $1,900,000 which has been appropriated for such project before the date of the enactment of this Act.

(b) LIMITATION.—Notwithstanding the provisions of section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of the project authorized by subsection (a) may not exceed the total amount authorized for such project by such subsection.

(c) EFFECTIVE DATE.—The provisions of this section shall take effect on the date of the enactment of this Act.

SEC. 2407. EXTENSION OF PRIOR YEAR AUTHORIZATIONS.

Notwithstanding the provisions of section 606(a) of the Military Construction Authorization Act, 1986 (Public Law 99-167), the authorization for the Elementary and High School in the amount of $7,080,000 at Florennes, Belgium, authorized in section 402 of such Act shall remain in effect until October 1, 1988, or the date of enactment of a Military Construction Authorization Act for fiscal year 1989, whichever is later.

SEC. 2408. BROOKE ARMY MEDICAL CENTER.

(a) PROHIBITION.—No funds may be obligated or expended during fiscal years 1987 and 1988 for the construction of the medical facility authorized by section 2401 of the Military Construction Authorization Act, 1987, at Brooke Army Medical Center, San Antonio, Texas.

(b) REPORT.—The Secretary of Defense shall, not later than March 1, 1988, transmit a report to the Committee on Armed Services of the Senate and the House of Representatives containing—

(1) a cost estimate for the construction of such medical facility with space for 450 beds;

(2) a cost estimate for the construction of such medical facility with space for 200 beds, and an estimate of the costs likely to be incurred as a result of the transfer of services from Brooke Army Medical Center to Wilford Hall Air Force Hospital; and

(3) a cost estimate of the expansion of such medical facility from 200 to 450 beds.

(c) REPEAL.—Section 2403(a) of the National Defense Authorization Act, 1987, is repealed.

TITLE V—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization infrastructure program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1987, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization infrastructure program as authorized by section 2501, in the amount of $396,000,000.

TITLE VI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1987, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 133 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $191,717,000; and

(B) for the Army Reserve, $95,100,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserves, $67,637,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $98,492,000; and

(B) for the Air Force Reserve, $67,370,000.

TITLE VII—GENERAL PROVISIONS

PART A—EXPIRATION OF AUTHORIZATIONS; EFFECTIVE DATE

SEC. 2701. EXPIRATION OF AUTHORIZATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), all authorizations contained in titles I, II, III, IV, and V for military construction projects, land acquisition, family housing projects and facilities, and contributions to the NATO Infrastructure Program (and authorizations of appropriations therefore) shall expire on October 1, 1989, or the date of the enactment of the Military

Construction Authorization Act for fiscal year 1990, whichever is later.

(b) Exception.—The provisions of subsection (a) do not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the NATO Infrastructure Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before October 1, 1989, or the date of the enactment of the Military Construction Authorization Act for fiscal year 1990, whichever is later, for construction contracts, land acquisition, family housing projects and facilities, or contributions to the NATO Infrastructure Program.

SEC. 2702. EFFECTIVE DATE.

Except as otherwise provided, the provisions of this division shall take effect on October 1, 1987.

PART B—MILITARY CONSTRUCTION PROGRAM CHANGES

SEC. 2711. TURN-KEY SELECTION PROCEDURES FOR DEFENSE AGENCIES.

Section 2862 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking out "The Secretaries of the military departments, with the approval of the Secretary of Defense," and inserting in lieu thereof "The Secretary concerned", and

(B) by adding at the end the following new sentence: "Such procedures may be used by the Secretary of a military department only with the approval of the Secretary of Defense."; and

(2) in subsection (b), by inserting after "The" the following: "Secretary of Defense, with respect to any Defense Agency, or the".

SEC. 2712. LONG-TERM FACILITIES CONTRACTS.

(a) New Coverage.—Section 2809(a)(1)(B) of title 10, United States Code, is amended—

(1) by redesignating clause (vi) as clause (vii);

(2) by adding after clause (v) the following new clause:

"(vi) Hospital or medical facilities.".

(b) Extension.—Section 2809(c) is amended by striking out "1987" and inserting in lieu thereof "1988".

(c) Report.—Each Secretary who has entered into a contract under section 2809 of title 10, United States Code, shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives by February 15, 1988, containing—

(1) the date and duration of, the other party to, and the nature of the activities carried out under each contract entered by the Secretary under such section; and

(2) recommendations, and the reasons therefor, concerning whether the authority to enter into contracts under such section should be extended.

SEC. 2713. SETTLEMENT OF CONTRACTOR CLAIMS.

(a) In General.—Chapter 169 of title 10, United States Code, is amended by adding at the end of subchapter III the following new section:

"§ 2863. Payment of contractor claims

"Notwithstanding any other provision of law, the Secretary concerned may pay meritorious contractor claims that arise under military construction contracts or family housing contracts using any unobligated funds appropriated to such department and available for military construction or family housing construction, as the case may be.".

(b) Technical Amendment.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"2863. Payment of contractor claims.".

(c) Effective Date.—The amendment made by subsection (a) shall apply only to funds appropriated after the date of enactment of this Act.

SEC. 2714. GUARD AND RESERVE MINOR CONSTRUCTION.

Section 2233a(b) of title 10, United States Code, is amended by striking "$100,000" and inserting in lieu thereof "$200,000".

SEC. 2715. FAMILY HOUSING IMPROVEMENT THRESHOLD.

Section 2825(b)(1) of title 10, United States Code, is amended by striking out "$30,000" and inserting in lieu thereof "$35,000".

SEC. 2716. FAMILY HOUSING LEASING.

Section 2828(g) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting after "constructed" the following: "or rehabilitated to residential use"; and

(2) by adding the following new subparagraph at the end of paragraph (8):

"(C) In addition to the contracts authorized by paragraph (7) and subparagraphs (A) and (B) of this paragraph, the Secretary of the Army may enter into one or more contracts under this subsection for not more than a total of 3,500 family housing units, the Secretary of the Navy may enter into one or more contracts under this subsection for not more than a total of 2,000 family housing units, and the Secretary of the Air Force may enter into one or more contracts under this subsection for not more than a total of 2,100 family housing units.".

SEC. 2717. FAMILY HOUSING RENTAL GUARANTEE PROGRAM.

Section 802 of the Military Construction Authorization Act, 1984 (10 U.S.C. 2821 note), is amended—

(1) in subsection (a)—

(A) by inserting after "constructed" the following: "or rehabilitated to residential use"; and

(B) by striking out "The Secretary of a military department," and inserting in lieu thereof "The Secretary concerned, ";

(2) in subsection (b)(3), by striking out "not";

(3) in subsection (b)(6), by adding before the semicolon at the end the following: "unless the project is located on government owned land, in which case the renewal period may not exceed the original contract term"; and

(4) in subsection (b)(11), by striking out "of the military department".

SEC. 2718. NO-COST ACQUISITION OF FAMILY HOUSING.

Section 2822(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4) Housing units acquired for no consideration, if—

"(A) the Secretary concerned provides to the appropriate committees of Congress written notification of the facts concerning the proposed acquisition; and

"(B) a period of 21 days elapses after the notification is received by those committees.".

SEC. 2719. HIGH COST THRESHOLD.

Section 2828(e)(1) of title 10, United States Code, is amended by striking out "$16,800" and inserting in lieu thereof "$20,000".

SEC. 2720. ENCROACHMENT ON INSTALLATIONS.

Section 2391(b)(1) of title 10, United States Code, is amended to read as follows:

"(b)(1)(A) Subject to subparagraph (B), the Secretary of Defense may make grants, conclude cooperative agreements, and supplement funds made available under Federal programs administered by agencies other than the Department of Defense in order to assist State and local governments, and regional organizations composed of State and local governments, in planning community adjustments required—

"(i) by the proposed or actual establishment, realignment, or closure of a military installation,

"(ii) by the cancellation or termination of a Department of Defense contract or the failure to proceed with an approved major weapon system program, or

"(iii) by the encroachment of a surrounding civilian community on an installation.

"(B) The Secretary may carry out subparagraph (A) only if the Secretary determines that—

"(i) the action described in clause (i) or (ii) of such subparagraph is likely to impose a significant impact on the affected community; or

"(ii) in the case of action described in clause (iii) of such subparagraph, the encroachment of the surrounding civilian community is likely to impair the continued operational utility of the military installation.".

SEC. 2721. MINOR CONSTRUCTION OUTSIDE THE UNITED STATES.

(a) In General.—Section 2805(c) of title 10, United States Code, is amended—

(1) by striking out "The" and inserting in lieu thereof "(1) Except as provided in paragraph (2), the"; and

(2) by adding at the end the following new paragraph:

"(2) The authority provided in paragraph (1) may not be used with respect to any exercise-related unspecified military construction project outside the continental United States."

(b) Additional Limitation.—Section 2805(a) of such title is amended—

(1) by striking out "Within" and inserting in lieu thereof "(1) Except as provided in paragraph (2), within"; and

(2) by adding at the end the following new paragraph:

"(2) No Secretary may use more than $5,000,000 for exercise-related unspecified minor military construction projects outside the continental United States during any fiscal year.".

PART C—MISCELLANEOUS PROVISIONS

SEC. 2731. PILOT PROGRAM FOR MILITARY FAMILY HOUSING.

(a) In General.—(1) The Secretary of Defense shall, using funds appropriated pursuant to the authorization in subsection (f), establish and carry out a pilot program for the purpose of assisting units of general local government to increase the amount of affordable family housing available to military personnel.

(2) In establishing and carrying out such program, the Secretary shall select at least five units of general local government which are severely impacted by the presence of military bases and personnel and which meet the criteria in subsection (b).

(b) Selection Criteria.—The Secretary shall select such local governments on the basis of the following criteria:

(1) The extent, or the potential extent, of a joint civilian-military effort to increase, or

prevent the decrease of, affordable housing units in the community served by the local government.

(2) The extent of willingness, or potential extent of willingness, of private corporations to contribute or loan money for the purpose of assisting in the effort described in paragraph (1).

(3) A commitment by the local government to assure that a reasonable proportion, taking into consideration the extent of Federal funding, of the housing units provided as a result of the effort described in paragraph (1) will be made available to military personnel.

(c) Types of Assistance.—In carrying out this section, the Secretary may make grants, enter into cooperative agreements, and supplement funds made available under Federal programs administered by agencies other than the Department of Defense in order to assist units of general local government and housing and redevelopment authorities and nonprofit housing corporations authorized by such local governments.

(d) Use of Funding.—Funds made available under this section may be used for—

(1) funding a revolving housing loan fund established and administered by a government, authority, or corporation described in subsection (c);

(2) funding a housing loan guarantee fund established and administered by such a government, authority, or corporation to ensure repayment of housing loans made by a private lender;

(3) funding feasibility studies of potential housing programs;

(4) funding one-time start-up costs of housing programs;

(5) funding joint community-military technical advisory organizations; and

(6) other similar and related activities,

in order to expand the supply or prevent the loss of affordable family housing.

(e) Report.—The Secretary of Defense shall make a report to the Committee on Armed Services of the Senate and the House of Representatives no later than March 15 of 1988, 1989, 1990, and 1991 with respect to activities carried out under this section.

(f) Authorization of Appropriations.—There is authorized to be appropriated for fiscal years 1988, 1989, and 1990, a total of not more than $1,000,000 for the purpose of carrying out this section.

(g) Termination.—The authority to provide assistance under this section shall terminate on September 30, 1990.

SEC. 2732. FORT DERUSSY, HAWAII.

(a) Designation.—Congress hereby designates Fort DeRussy, Hawaii, as the primary Armed Forces Recreation Center for the Pacific. The Secretary of the Army shall administer that fort as the primary rest and recreation area for members of the Armed Forces and their families throughout the Pacific.

(b) Prohibition.—Funds appropriated or otherwise available to the Department of Defense or any other department, agency, or instrumentality of the United States may not be used in any way for the express purpose of selling, leasing, renting, excessing, or otherwise disposing of any portion of the land constituting Fort DeRussy, Hawaii (as constituted on the date of the enactment of this Act).

(c) Construction of Section.—Subsection (b) applies notwithstanding any other provision of law, including subsection (b) of the fiscal year 1987 Treasury-Postal section.

(d) Termination of Superseded Authority.—Any authority provided by subsections (c) and (d) of the fiscal year 1987 Treasury-Postal section shall not have any force or effect after the date of the enactment of this Act.

(e) Definition.—For purposes of this section, the term "fiscal year 1987 Treasury-Postal section" means section 509 of the Act entitled "An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1987, and for other purposes", as contained in section 101(m) of the joint resolution entitled "Joint Resolution making continuing appropriations for the fiscal year 1987, and for other purposes" (H.J. Res. 738; Public Laws 99-500 and 99-591).

SEC. 2733. RESTRICTIONS ON USE OF CERTAIN FUNDING.

(a) Nellis Air Force Base, Nevada.—None of the funds available for use by the Department of Defense in fiscal year 1988 may be used, directly or indirectly, to deactivate, convert, transfer, or otherwise diminish any part of the 474th Tactical Fighter Wing stationed at Nellis Air Force Base, Nevada.

(b) Mather Air Force Base, California.—None of the funds available for use by the Department of Defense in fiscal year 1988 may be used, directly or indirectly, in connection with (including any study made with respect to) any closure or realignment of Mather Air Force Base, California.

(c) Fort Monmouth, New Jersey.—None of the funds available for use by the Department of Defense in fiscal year 1988 may be used, directly or indirectly, to relocate the headquarters element and the elements of the several directorates of the Joint Tactical Command, Control, and Communications Agency at Fort Monmouth, New Jersey.

(d) Strategic Homeporting.—(1) Funds appropriated pursuant to the authorizations in section 2208 of the Military Construction Authorization Act, 1987, and in section 2205 of this Act for Naval Station Everett, Washington, may not be obligated or expended for such purpose until—

(A) all Federal, State, and local permits required for the dredging activities to be carried out with respect to homeporting at Everett, Washington, have been issued, including all permits required pursuant to, or otherwise in connection with, the Federal Water Pollution Control Act; and

(B) the State of Washington has appropriated in fiscal year 1987 its share of funds for fiscal years 1988 and 1989 for all projects agreed with by the Department of the Navy for homeporting at Everett, Washington.

(2) The provisions of this subsection shall apply to any activity carried out after November 14, 1986.

(e) Minot Air Force Base, North Dakota.—None of the funds available for use by the Department of Defense in fiscal year 1988 may be used, directly or indirectly, to deactivate, convert, transfer, or otherwise diminish any part of the 5th Fighter Intercepter Squadron, stationed at Minot Air Force Base, North Dakota.

SEC. 2734. PROHIBITION OF FUNDING FOR CERTAIN MILITARY CONSTRUCTION CONTRACTS ON GUAM.

(a) In General.—Except as provided in subsection (b), funds appropriated pursuant to any authorization made by this Act may not be expended with respect to any contract for a military construction project on Guam if any work is carried out on such project by any person who is a nonimmigrant described in section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)).

(b) Exception.—In any case in which there is no acceptable bid made in response to a solicitation by the Secretary of a military department for bids on a contract for a military construction project on Guam and the Secretary concerned makes a determination that the prohibition contained in subsection (a) is a significant deterrent to obtaining bids on such contract, the Secretary concerned may make another solicitation for bids on such contract and the prohibition contained in subsection (a) shall not apply to such contract after the end of the 21-day period beginning on the date on which the Secretary concerned transmits a report concerning such contract to the Committees on Armed Services of the Senate and the House of Representatives.

(c) Effective Date.—This section shall apply only to contracts entered into, amended, or otherwise modified on or after the date of the enactment of this Act.

SEC. 2735. PENTAGON ANNEX DESIGN.

Section 2725 of the Military Construction Authorization Act, 1987 (Public Law 99-661; 100 Stat. 4043) is hereby repealed.

PART D—REAL PROPERTY TRANSACTIONS.

SEC. 2741. LEASE OF FACILITY, SAN FRANCISCO, CALIFORNIA.

(a) In General.—The Secretary of Defense shall enter into a lease with the City and County of San Francisco, California, which shall provide for the use, without consideration and for a 10-year period, by such City and County of the former Public Health Service facility located in the Presidio of San Francisco, California, and currently administered by the Secretary of the Army and used for a language school, storage, and other purposes.

(b) Effective Date.—Such lease shall be executed no later than 6 months after the date of enactment of this Act and shall provide for immediate occupancy by the City and County at the end of such 6-month period.

(c) Use of Property.—The property is to be used by the City and County throughout the term of such lease for an AIDS treatment and research center.

(d) Reverter.—If the City and County fails to use the facility for the purpose described in subsection (c), the Secretary of Defense shall terminate the lease and provide the facility for use by the Secretary of the Army.

SEC. 2742. SALE OF LAND AND REPLACEMENT OF CERTAIN FACILITIES, KAPALAMA MILITARY RESERVATION, HAWAII.

(a) In General.—Subject to subsections (b) through (g), the Secretary of the Army may convey approximately 43.72 acres of real property, together with improvements thereon, at Kapalama Military Reservation, Hawaii, and may replace and relocate facilities located on such property.

(b) Consideration.—In consideration for the real property and improvements described in subsection (a), the purchasers of such property and improvements shall pay the United States—

(1) in a manner determined by the Secretary, for the cost of the design and construction of suitable replacement facilities to be constructed at Fort Shafter, Fort Kamehameha, Tripler Army Medical Center, and Schofield Barracks, Hawaii;

(2) for any cost incurred by the Department of the Army under this section with respect to the relocation of facilities; and

(3) the amount of any difference referred to in subsection (d).

(c) Sale and Replacement Activities.—The Secretary may use any amount received from the purchaser as described in paragraphs (1) and (2) of subsection (b) for the purpose of carrying out this section.

(d) Payment of Excess Into Treasury.—If the fair market value of the real property and improvements described in subsection (a) exceeds the costs described in paragraphs (1) and (2) of subsection (b), as determined by the Secretary, the purchaser shall pay the amount of such difference to the Secretary, and the Secretary shall deposit such amount into the Treasury as miscellaneous receipts.

(e) Competitive Bid Procedures.—The conveyance described in subsection (a) shall be carried out under competitive bid procedures.

(f) Legal Description of Real Property.—The exact acreage and legal description of the real property described in subsection (a) shall be determined by a survey which is satisfactory to the Secretary. The cost of the survey shall be borne by the purchaser.

(g) Additional Terms.—The Secretary may require such additional terms and conditions under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2743. LAND CONVEYANCE, LAWRENCE TOWNSHIP, INDIANA.

(a) Authority To Sell.—Subject to subsections (b) through (e), the Secretary of the Army may sell and convey to Lawrence Township, Marion County, Indiana all right, title, and interest of the United States in and to a parcel of land, consisting of approximately 3.23 acres, comprising a portion of Fort Benjamin Harrison, Indiana.

(b) Conditions of Sale.—(1) In consideration for the sale and conveyance, the Township shall pay to the United States the fair market value, as determined by the Secretary, of the property to be conveyed by the United States under subsection (a).

(2) The Township shall execute and file the deed of conveyance in the appropriate registry.

(c) Recapture Rights.—The Secretary shall include in the deed of conveyance a condition that the United States may reenter and use the property without compensation in the event of a national emergency or declaration of war.

(d) Legal Description of Lands.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by surveys that are satisfactory to the Secretary. The cost of any such survey shall be borne by the Township.

(e) Additional Terms and Conditions.—The Secretary may require such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2744. LAND TRANSFERS: ROCK ISLAND, ILLINOIS, AND FORT SAM HOUSTON, TEXAS.

(a) Authority to Transfer.—Subject to subsections (b) through (d), the Secretary of the Army may transfer, without consideration, to the administrative jurisdiction of the Administrator of Veterans' Affairs—

(1) two parcels of real property, and improvements thereon, totaling approximately 17.17 acres, comprising a portion of the Rock Island Arsenal, Rock Island, Illinois; and

(2) a parcel of real property, and improvements thereon, totaling approximately 8.5 acres, comprising a portion of Fort Sam Houston, Texas.

(b) Conditions on Conveyance.—The Administrator shall—

(1) use the real property described in subsection (a) for cemeteries which are to be part of the National Cemetery System;

(2) transfer any such real property back to the administrative jurisdiction of the Secretary of the Army, if it is not used for such a cemetery; and

(3) enter into an agreement with the Secretary to carry out the purposes of this section.

(c) Legal Description and Surveys.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by surveys that are satisfactory to the Secretary. The cost of such surveys shall be borne by the Administrator.

(d) Additional Terms and Conditions.—The Secretary may require such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2745. PROPERTY TRANSFER, BROOKLYN, NEW YORK.

In accordance with the provisions of section 202 of the Federal Property and Administrative Services Act of 1949 (U.S.C. 483) governing transfers of excess property, the Administrator of General Services shall transfer, without reimbursement, to the Secretary of the Navy the excess six story building and associated land, known as Dayton Manor, located near Fort Hamilton, Brooklyn, New York, for rehabilitation and use as military family housing.

[Division C of Aspin Substitute]

April 22, 1987

DIVISION C—OTHER NATIONAL DEFENSE AUTHORIZATIONS

TITLE I—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 3101. SHORT TITLE.

This title may be cited as the "Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1988".

Part A—National Security Programs Authorizations

SEC. 3111. OPERATING EXPENSES.

Funds are authorized to be appropriated to the Department of Energy for fiscal year 1988 for operating expenses incurred in carrying out national security programs (including scientific research and development in support of the Armed Forces, strategic and critical materials necessary for the common defense, and military applications of nuclear energy and related management and support activities) as follows:

(1) For weapons activities, $3,523,225,000 for fiscal year 1988, to be allocated as follows:

(A) For research and development, $769,019,000.

(B) For weapons testing, $396,550,000.

(C) For production and surveillance, $1,893,830,000.

(D) For nuclear directed energy weapons research, development, and testing, $240,000,000.

(E) For the defense inertial confinement fusion program, $149,000,000.

(F) For program direction, $74,826,000.

(2) For defense nuclear materials production, $1,424,521,000 to be allocated as follows:

(A) For uranium enrichment for naval reactors, $141,500,000.

(B) For other uranium enrichment, $11,500,000.

(C) For production reactor operations, $540,035,000.

(D) For processing of defense nuclear materials, including naval reactors fuel, $485,700,000, of which $80,000,000 shall be used for special isotope separation.

(E) For supporting services, $221,747,000.

(F) For program direction, $24,039,000.

(3) For environmental restoration and management of defense waste and transportation, $578,519,000, to be allocated as follows:

(A) For environmental restoration, $97,798,000. Such funds may also be used for plant and capital equipment.

(B) For waste operation and projects, $411,597,000.

(C) For waste research and development, $51,082,000.

(D) For hazardous waste process planning, $7,112,000.

(E) For transportation management, $8,400,000.

(F) For program direction, $2,530,000.

(4) For verification and control technology, $95,500,000.

(5) For nuclear materials safeguards and security technology development program, $73,200,000.

(6) For security investigations, $32,000,000.

(7) For naval reactors development, $544,100,000.

SEC. 3112. PLANT AND CAPITAL EQUIPMENT.

Funds are authorized to be appropriated to the Department of Energy for fiscal year 1988 for plant and capital equipment (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, land acquisition related thereto, and acquisition and fabrication of capital equipment not related to construction) necessary for national security programs as follows:

(1) For weapons activities:

Project 88-D-101, general plant projects, various locations, $24,200,000.

Project 88-D-102, sanitary wastewater systems consolidation, Los Alamos National Laboratory, Los Alamos, New Mexico, $1,000,000.

Project 88-D-103, seismic upgrade, Building 111, Livermore National Laboratory, Livermore, California, $1,100,000.

Project 88-D-104, safeguards and security upgrade, Phase II, Los Alamos National Laboratory, Los Alamos, New Mexico, $3,500,000.

Project 88-D-105, special nuclear materials research and development laboratory replacement, Los Alamos National Laboratory, Los Alamos, New Mexico, $10,000,000.

Project 88-D-106, nuclear weapons research, development, and testing facilities revitalization, Phase II, various locations, $28,962,000.

Project 88-D-121, general plant projects, various locations, $26,500,000.

Project 88-D-122, facilities capability assurance program, various locations, $15,400,000.

Project 88-D-123, security enhancement, Pantex Plant, Amarillo, Texas, $5,700,000.

Project 88-D-124, fire protection upgrade, various locations, $1,700,000.

Project 88-D-125, high explosive machining facility, Pantex Plant, Amarillo, Texas $2,700,000.

Project 88-D-126, personnel radiological monitoring laboratories, various locations, $1,000,000.

Project 88-D-129, small intercontinental ballistic missile (SICBM) warhead production facilities, various locations, $29,400,000.

Project 87-D-104, safeguards and security enhancements, Phase II, Livermore National Laboratory, Livermore, California, $7,000,000.

Project 87-D-123, protective clothing decontamination facility, Rocky Flats Plant, Golden, Colorado, $4,608,000.

Project 87-D-127, environmental, safety, and health upgrade, Mound Plant, Miamisburg, Ohio, $1,737,000.

Project 87-D-130, receiving and shipping facility, Pinellas Plant, St. Petersburg, Florida, $2,400,000.

Project 86-D-103, decontamination and waste treatment facility, Livermore National Laboratory, Livermore, California, $12,000,000.

Project 86-D-104, strategic defenses facility, Sandia National Laboratories, Albuquerque, New Mexico, $15,000,000.

Project 86-D-105, instrumentation systems laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $8,000,000.

Project 86-D-106, laboratory data communications center, Los Alamos National Laboratory, Los Alamos, New Mexico, $12,200,000.

Project 86-D-122, structural upgrade of existing plutonium facilities, Rocky Flats Plant, Golden, Colorado, $221,000.

Project 86-D-123, environmental hazards elimination, various locations, $13,289,000.

Project 86-D-125, safeguards and site security upgrade, Phase II, Pantex Plant, Amarillo, Texas, $2,000,000.

Project 86-D-130, tritium loading facility replacement, Savannah River Plant, Aiken, South Carolina, $46,773,000.

Project 85-D-102, nuclear weapons research, development, and testing facilities revitalization, Phase I, various locations, $33,500,000.

Project 85-D-103, safeguards and security enhancements, Livermore National Laboratory and Sandia National Laboratories, Livermore, California, $9,200,000.

Project 85-D-105, combined device assembly facility, Nevada Test Site, Las Vegas, Nevada, $28,000,000.

Project 85-D-106, hardened engineering test building, Livermore National Laboratory, Livermore, California, $100,000.

Project 85-D-112, enriched uranium recovery improvements, Y-12 Plant, Oak Ridge, Tennessee, $12,544,000.

Project 85-D-113, power plant and steam distribution system, Pantex Plant, Amarillo, Texas, $2,000,000.

Project 85-D-115, renovate plutonium building utility systems, Rocky Flats Plant, Golden, Colorado, $1,060,000.

Project 85-D-121, air and water pollution control facilities, Y-12 Plant, Oak Ridge, Tennessee, $998,000.

Project 84-D-107, nuclear testing facilities revitalization, various locations, $5,458,000.

Project 84-D-112, Trident II warhead production facilities, various locations, $3,300,000.

Project 84-D-124, environmental improvements, Y-12 Plant, Oak Ridge, Tennessee, $5,878,000.

Project 84-D-211, safeguards and site security upgrading, Y-12 Plant, Oak Ridge, Tennessee, $18,253,000.

Project 82-D-107, utilities and equipment restoration, replacement, and upgrade, Phase III, various locations, $76,929,000.

(2) For materials production:

New production reactor, location to be determined, $20,000,000.

Project 88-D-146, general plant projects, various locations, $31,230,000.

Project 88-D-153, additional reactor safeguards, Savannah River, South Carolina, $2,900,000.

Project 87-D-150, radioactive liquid effluent treatment facility, Richland, Washington, $5,000,000.

Project 87-D-152, environmental protection, plantwide, Savannah River, South Carolina, $2,800,000.

Project 87-D-159, environmental, health, and safety improvements, Phases I and II, Feed Materials Production Center, Fernald, Ohio, $35,000,000.

Project 86-D-148, special isotope separation project, Idaho Falls, Idaho, $35,000,000.

Project 86-D-149, productivity retention program, Phases I, II, and III, various locations, $55,160,000.

Project 86-D-151, PUREX electrical system upgrade, Richland, Washington, $1,900,000.

Project 86-D-152, reactor electrical distribution system, Savannah River, South Carolina, $4,500,000.

Project 86-D-154, effluent treatment facility, Savannah River, South Carolina, $19,175,000.

Project 86-D-156, plantwide safeguards systems, Savannah River, South Carolina, $13,000,000.

Project 85-D-139, fuel processing restoration, Idaho Fuels Processing Facility, Idaho National Engineering Laboratory, Idaho, $28,000,000.

Project 85-D-140, productivity and radiological improvements, Feed Materials Production Center, Fernald, Ohio, $7,831,000.

Project 85-D-145, fuel production facility, Savannah River, South Carolina, $21,100,000.

Project 84-D-134, safeguards and security improvements, plantwide, Savannah River, South Carolina, $9,685,000.

Project 84-D-135, process facility modifications, Richland, Washington, $10,000,000.

Project 83-D-148, non-radioactive hazardous waste management, $4,200,000.

Project 82-D-124, restoration of production capabilities, Phases II, III, IV, and V, various locations, $10,600,000.

(3) For defense waste and transportation management:

Project 88-D-171, general plant projects, various locations, $20,436,000.

Project 88-D-173, Hanford waste vitrification plant, Richland, Washington, $7,500,000.

Project 87-D-172, WESF K-3 filter upgrade, Richland, Washington, $2,800,000.

Project 87-D-173, 242-A evaporator crystallizer upgrade, Richland, Washington, $7,200,000.

Project 87-D-174, 241-AQ tank farm, Richland, Washington, $22,300,000.

Project 87-D-175, steam system rehabilitation, Phase I, Richland, Washington, $12,600,000.

Project 87-D-177, test reactor area liquid radioactive waste cleanup system, Phase III, Idaho National Engineering Laboratory, Idaho, $3,900,000.

Project 87-D-180, burial ground expansion, Savannah River, South Carolina, $8,200,000.

Project 87-D-181, diversion box and pump pit containment buildings, Savannah River, South Carolina, $6,800,000.

Project 86-D-174, low-level waste processing and shipping system, Feed Materials Production Center, Fernald, Ohio, $4,628,000.

Project 86-D-175, Idaho National Engineering Laboratory security upgrade, Idaho National Engineering Laboratory, Idaho, $742,000.

Project 85-D-157, seventh calcined solids storage facility, Idaho National Engineering Laboratory, Idaho, $2,181,000.

Project 85-D-158, central warehouse upgrade, Richland, Washington, $56,000.

Project 85-D-159, new waste transfer facilities, H-area, Savannah River, South Carolina, $13,682,000.

Project 81-T-105, defense waste processing facility, Savannah River, South Carolina, $120,000,000.

Project 77-13-f, waste isolation pilot plant, Delaware Basin, Southeast New Mexico, $35,901,000.

(4) For naval reactors development:

Project 88-N-101, general plant projects, various locations, $4,800,000.

Project 88-N-102, expanded core facility receiving station, Naval Reactors Facility, Idaho, $2,100,000.

Project 88-N-103, material handling and storage modifications, Knolls Atomic Power Laboratory, Niskayuna, New York, $400,000.

Project 88-N-104, prototype availability facilities, Kesselring site, Knolls Atomic Power Laboratory, West Milton, New York, $1,000,000.

Project 87-N-102, Kesselring site facilities upgrade, Knolls Atomic Power Laboratory, West Milton, New York, $8,400,000.

(6) For capital equipment not related to construction:

(A) For weapons activities, $266,230,000, of which $17,000,000 shall be allocated for nuclear directed energy weapons and $10,000,000 shall be allocated for the defense inertial confinement fusion program.

(B) For materials production, $91,285,000.

(C) For defense waste and transportation management, $43,687,000.

(D) For verification and control technology, $5,100,000.

(E) For nuclear safeguards and security, $4,600,000.

(F) For naval reactors development, $45,000,000.

SEC. 3113. FUNDING LIMITATIONS.

(a) NUCLEAR DIRECTED ENERGY WEAPONS RD&T.—Of the funds appropriated to the Department of Energy for fiscal year 1988 for operating expenses and plant and capital equipment, not more than $279,000,000 may be obligated or expended for nuclear directed energy weapons research, development, and testing.

(b) INERTIAL CONFINEMENT FUSION.—Of the funds appropriated to the Department of Energy for fiscal year 1988 for operating expenses and plant and capital equipment, not less than $159,000,000 shall be used for the defense inertial confinement fusion program.

PART B—RECURRING GENERAL PROVISIONS

SEC. 3121. REPROGRAMMING.

(a) NOTICE TO CONGRESS.—(1) Except as otherwise provided in this title—

(A) no amount appropriated pursuant to this title may be used for any program in excess of the lesser of—

(i) 105 percent of the amount authorized for that program by this title; or

(ii) $10,000,000 more than the amount authorized for that program by this title; and

(B) no amount appropriated pursuant to this title may be used for any program which has not been presented to, or requested of, the Congress.

(2) An action described in paragraph (1) may be taken after a period of 30 calendar days (not including any day on which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) has passed after receipt by the Committees on Armed Services and Appropriations of the Senate and House of Representatives of notice from the Secretary of Energy (in this title referred to as the "Secretary") containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

(b) LIMITATION ON AMOUNT OBLIGATED.—In no event may the total amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) IN GENERAL.—The Secretary may carry out any construction project under the general plant projects provisions authorized by this title if the total estimated cost of the construction project does not exceed $1,200,000.

(b) REPORT TO CONGRESS.—If at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $1,200,000, the Secretary shall immediately furnish a complete report to the Committees on Armed Services and Appropriations of the Senate and House of Representatives explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) IN GENERAL.—(1) Except as provided in paragraph (3), construction on a construction project described in paragraph (2) may not be started, and additional obligations may not be incurred in connection with the project, above the total estimated cost of the construction project whenever the current estimated cost of the project exceeds by more than 25 percent the higher of—

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project as shown in the most recent budget justification data submitted to the Congress.

(2) Paragraph (1) applies to any construction project which is authorized by section 3012 of this title or which is in support of national security programs of the Department of Energy and was authorized by any previous Act.

(3) An action described in paragraph (1) may be taken after a period of 30 calendar days (not including any day on which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) has passed after receipt by the Committees on Armed Services and Appropriations of the Senate and House of Representatives of notice from the Secretary containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

(b) EXCEPTION.—Subsection (a) shall not apply to any construction project which has a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

Funds appropriated pursuant to this title may be transferred to other agencies of the Government, but only for the performance of the work for which the funds were authorized and appropriated. Funds so transferred may be merged with the appropriations of the agency to which the funds are transferred.

SEC. 3125. AUTHORITY FOR CONSTRUCTION DESIGN.

(a) IN GENERAL.—(1) Within the amounts authorized by this title for plant engineering and design, the Secretary may carry out advance planning and construction designs (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such planning and design does not exceed $2,000,000.

(2) In any case in which the total estimated cost for such planning and design exceeds $300,000, the Secretary shall notify the Committees on Armed Services and Appropriations of the Senate and House of Representatives in writing of the details of such project at least 30 days before any funds are obligated for design services for such project.

(b) SPECIFIC AUTHORITY REQUIRED.—In any case in which the total estimated cost for advance planning and construction design in connection with any construction project exceeds $2,000,000, funds for such design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY CONSTRUCTION DESIGN.

In addition to the advance planning and construction design authorized by section 3112, the Secretary may perform planning and design using available funds for any Department of Energy defense activity construction project whenever the Secretary determines that the design must proceed expeditiously in order to meet the needs of national defense or to protect property or human life.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriation Acts and section 3121, amounts appropriated pursuant to this title for operating expenses and plant and capital equipment are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. ADJUSTMENTS FOR PAY INCREASES.

Appropriations authorized by this title for salary, pay, retirement, or other benefits for Federal employees may be increased by such amounts as may be necessary for increases in such benefits authorized by law.

SEC. 3129. AVAILABILITY OF FUNDS.

When so specified in an appropriation Act, amounts appropriated pursuant to this title for operating expenses or for plant and capital equipment may remain available until expended.

PART C—MISCELLANEOUS PROVISIONS

SEC. 3131. ALLOWABLE COSTS TO INCLUDE CERTAIN INFORMATION PROVIDED TO CONGRESS AND STATE LEGISLATURES.

(a) ALLOWABLE COSTS.—Section 1534(b) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1986 (title XV of Public Law 99-145; 42 U.S.C. 7256a(b)), is amended—

(1) by inserting "(1)" before "Not later than"; and

(2) by adding at the end the following new paragraph:

"(2) In any regulations implementing subsection (a)(2), the Secretary may not treat as not allowable (by reason of such subsection) the following costs of a contractor:

"(A) Costs of providing to Congress or a State legislature, in response to a request from Congress or a State legislature, information of a factual, technical, or scientific nature, or advice of experts, with respect to topics directly related to the performance of the contract.

"(B) Costs for transportation, lodging, or meals incurred for the purpose of providing such information or advice.".

(b) EFFECTIVE DATE.—Regulations to implement paragraph (2) of section 1534(b) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1986 (as added by subsection (a)), shall be prescribed not later than 90 days after the date of the enactment of this Act. Such regulations shall apply as if included in the original regulations prescribed under such section.

SEC. 3132. LIVERMORE NATIONAL LABORATORY.

(a) REDESIGNATION.—The Ernest Orlando Lawrence Livermore National Laboratory facilities at Livermore, California, which were so named by section 212(d)(2) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1265), shall be known hereafter as the "Livermore National Laboratory". Any reference in any law, regulation, map, document, or record of the United States to such facilities shall be deemed hereafter to be a reference to the Livermore National Laboratory.

(b) REPEAL.—Section 212(d)(2) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1265) is hereby repealed.

SEC. 3133. MODERNIZATION OF NUCLEAR WEAPONS COMPLEX.

(a) STUDY.—The President shall conduct a study, in consultation with experts in both the Federal Government and the private sector, on the nuclear weapons complex for the purpose of determining the overall size and productive capacity necessary to support national security objectives.

(b) PLAN.—The President shall formulate a plan, based on the study conducted under subsection (a), to modernize the nuclear weapons complex by achieving the necessary size and capacity determined under the study. Such plan shall include—

(1) actions necessary to ensure operation of facilities in the nuclear weapons complex in a safe and environmentally acceptable manner;

(2) a schedule for implementation of the plan; and

(3) the estimated costs of implementation of the plan.

(c) REPORT.—The President shall submit a report to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives containing recommendations resulting from the study required by subsection (a) and a description of the plan required by subsection (b). The report shall be submitted by February 15, 1988.

(d) NUCLEAR WEAPONS COMPLEX DEFINITION.—In this section, the term "nuclear weapons complex" includes facilities for nuclear weapons research, development, and testing, nuclear materials production, nuclear weapons components manufacture, and assembly of nuclear weapons.

SEC. 3134. NUCLEAR WEAPONS COUNCIL AMENDMENTS.

(a) UNDER SECRETARY OF DEFENSE FOR ACQUISITION TO BE CHAIRMAN.—Section 179(a) of title 10, United States Code, is amended by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) The Under Secretary of Defense for Acquisition.".

(b) ASSISTANT TO SECRETARY OF DEFENSE FOR ATOMIC ENERGY.—(1) Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 141. Assistant to the Secretary of Defense for Atomic Energy

"There is an Assistant to the Secretary of Defense for Atomic Energy, who shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant to the Secretary shall advise the Secretary of Defense and the Joint Nuclear Weapons Council on nuclear energy and nuclear weapons matters.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"141. Assistant to the Secretary of Defense for Atomic Energy.".

(3) Section 5316 of title 5, United States Code, is amended by striking out "Chairman of the Military Liaison Committee to the Atomic Energy Commission, Department of Defense" and inserting in lieu thereof "Assistant to the Secretary of Defense for Atomic Energy".

SEC. 3135. SENSE OF CONGRESS ON NUCLEAR TESTING.

(a) FINDINGS.—The Congress finds the following:

(1) Since World War II, the United States has relied on a strategy that combined nuclear deterrent forces and conventional forces to deter aggression.

(2) The Soviet Union and its allies maintain larger standing conventional forces than the United States and its allies.

(3) The nuclear forces of the United States contribute greatly to the prevention of major worldwide war, as they have for more than 40 years.

(4) Continued testing of nuclear weapons is essential to maintain confidence that nuclear deterrent forces are safe, reliable, and effective.

(5) The United States has entered into agreements that limit nuclear tests to (A) not more than 150 kilotons yield; and (B) underground tests.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the United States should continue a prudent and reasonable nuclear test program, within the terms of applicable agreements, so long as the United States relies on nuclear deterrence as an element of national defense strategy.

TITLE II—NATIONAL DEFENSE STOCKPILE

SEC. 3201. SHORT TITLE.

This title may be cited as the "Strategic and Critical Materials Stock Piling Amendments of 1987".

SEC. 3202. STOCKPILE REQUIREMENTS.

(a) PURPOSE OF STOCKPILE.—Section 2 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by adding at the end the following new subsection:

"(c) It is the intent of Congress—

"(1) that the National Defense Stockpile be used to serve the interest of national defense only and not be used for economic or budgetary purposes; and

"(2) that the quantities of materials stockpiled under this Act should be sufficient to sustain the United States for a period of not less than three years during a war emergency situation that would necessitate total mobilization of the economy of the United States for a conventional global war of indefinite duration.".

(b) ESTABLISHMENT OF STOCKPILE REQUIREMENTS BY LAW.—Section 3 of such Act (50 U.S.C. 98b) is amended to read as follows:

"ESTABLISHMENT BY LAW OF STOCKPILE REQUIREMENTS

"SEC. 3. (a) The materials that are strategic and critical materials for the purposes of this Act, and the quality and quantity of each such material to be acquired for the purposes of this Act and the form in which each such material shall be acquired and stored, shall be established by law.

"(b) Such materials when acquired, together with the other materials described in section 4, shall constitute and be collectively known as the National Defense Stockpile (hereinafter in this Act referred to as the 'stockpile').

"(c) Determinations under subsection (a) shall be known as 'stockpile requirements'.".

(c) INITIAL LEVEL OF STOCKPILE REQUIREMENTS.—The determinations in effect as of October 1, 1984, under section 3(a) of the Strategic and Critical Materials Stock Piling Act shall be the stockpile requirements for the purposes of such section, as amended by this Act, until otherwise provided by law.

SEC. 3203. TRANSFER OF CERTAIN STOCKPILE FUNCTIONS TO THE SECRETARY OF DEFENSE.

(a) IN GENERAL.—Sections 5, 6, 6A, 10, and 11 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d, 98e, 98e-1, 98h-1, 98h-2) are amended by striking out "President" each place it appears and inserting in lieu thereof "Secretary".

(b) DEFINITION OF SECRETARY.—Section 12 of such Act (50 U.S.C. 98h-3) is amended by adding at the end the following new paragraph:

"(3) The term 'Secretary' means the Secretary of Defense.".

SEC. 3204. ANNUAL RECOMMENDATION OF STOCKPILE REQUIREMENTS BY SECRETARY OF DEFENSE.

The Strategic and Critical Materials Stock Piling Act is amended by adding at the end the following new section:

"ANNUAL REPORT ON STOCKPILE REQUIREMENTS

"SEC. 14. (a) IN GENERAL.—In order to assist Congress in determining stockpile requirements under section 3, the Secretary shall submit to Congress an annual report on stockpile requirements. Each such report shall be submitted with the annual report submitted under section 11(b) and shall include—

"(1) the Secretary's recommendations with respect to stockpile requirements; and

"(2) the matters required under subsection (b).

"(b) NATIONAL EMERGENCY PLANNING ASSUMPTIONS.—Each report under this section shall set forth the national emergency planning assumptions used in determining the stockpile requirements recommended by the Secretary, based upon total mobilization of the economy of the United States for a conventional global war for a period of not less than three years. Assumptions to be set forth include assumptions relating to each of the following:

"(1) Length and intensity of the assumed emergency.

"(2) The military force structure to be mobilized.

"(3) Losses from enemy action.

"(4) Military, industrial, and essential civilian requirements to support the national emergency.

"(5) Budget authority to meet the total mobilization, military, industrial, and essential civilian requirements.

"(6) The availability of supplies of strategic and critical materials from foreign sources, taking into consideration possible shipping losses.

"(7) Domestic production of strategic and critical materials.

"(8) Civilian austerity measures.".

SEC. 3205. STOCKPILE MANAGEMENT.

The Strategic and Critical Materials Stock Piling Act is amended by adding after section 14 (as added by section 3204) the following new sections:

"INTERAGENCY AGREEMENTS

"SEC. 15. (a) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary may enter into an interagency agreement with the head of any other department or agency for the performance of functions of the Secretary relating to section 6.

"(b) REIMBURSEMENT.—The Secretary shall reimburse the head of any such agency for expenses incurred by that agency in the administration of functions relating to the stockpile assigned to that agency by the Secretary under such an interagency agreement.

"APPROPRIATIONS TO BE MADE TO DEPARTMENT OF DEFENSE

"SEC. 16. Appropriations for the operation and management of the stockpile and for deposit to the National Defense Stockpile Transaction Fund shall be made as part of appropriations made to the Department of Defense for the military functions of the Department.".

SEC. 3206. USES OF STOCKPILE TRANSACTION FUND.

Section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(b)(2)) is amended by striking out subparagraph (F).

TITLE III—CIVIL DEFENSE

SEC. 3301. AUTHORIZATION OF APPROPRIATION.

There is hereby authorized to be appropriated $154,806,000 for fiscal year 1988 for the purpose of carrying out the Federal Civil Defense Act of 1950.

SEC. 3302. PROHIBITION.

Notwithstanding any other provision of law, funds available to the Federal Emergency Management Agency for fiscal years 1987 and 1988 for obligation and expenditure under the Federal Civil Defense Act of 1950 may not be withheld or withdrawn at any time (before, on, or after the date of the enactment of this Act) during such fiscal years from any State or any other entity on the basis of such State or other entity's failure to participate, or determination not to participate, in a simulated nuclear attack exercise.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 1 hour and the gentleman from Alabama [Mr. DICKINSON], who is opposed to the amendment, will be recognized for 1 hour.

The Chair now recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, what we have here is an amendment to bring Department of Defense, the DOD authorization bill consistent with the budget resolution that passed the House of Representatives just a couple of weeks ago.

Let me explain how it is that we have this amendment before us.

□ 1330

The Committee on Armed Services marked up the Department of Defense bill at a time when we did not know what the House was going to do as far as the budget resolution. We marked up our bill in committee and we marked up to a number which I think most of the committee members felt was appropriate for what was needed to defend the country.

At the time we marked up, it seemed pretty clear to me that that number was more than the budget resolution was going to give us for defense. I thought the committee ought to be a bit more realistic in its mark, but in any case, it was the decision—it was my argument that we really ought to mark up to a number which is a bit more consistent with what I think most of us understood the Committee on Budget to bring the number in for defense.

Regardless of that, it was the decision of the committee to go ahead and mark whatever number they thought was appropriate to defend the country.

The bill that the committee then reported out was a bill that was about $6 billion below the President's request. The President's request was for $132 billion; the committee mark was at $305.9 billion. That, in essence, I think, represented what the Committee on Armed Services thought we ought to spend on defense if we had no budget constraints which were driving us lower.

However, soon after our committee reported out this number of $305.9 billion, the House of Representatives passed the budget resolution for fiscal year 1988, and the budget resolution had a very, very different number for defense. It had, in fact, less money for defense in 1988 than there was in 1987, by about $1 billion, and of course, much less when you consider the inflation effect of the last year.

So what we have is a budget resolution that says that the budget authority for defense this year should be $288.6 billion. We have a committee report that has defense at a number of $305.9 billion and the substitute which is before you is a substitute to bring the $305.9 billion down to $288.6 billion.

I would also point out that the amendment that is before you in the form of a substitute also reconciles the outlay numbers with the budget resolution. The budget resolution says that our outlay numbers for fiscal year 1988 should not be any higher than $281.7 billion and that is a number which is also what the substitute has, an outlay number of $281.7 billion.

What we have before is, when you cut away all of the underbrush, what we have here is a vote on the issue of whether or not the defense bill, the defense authorizaton bill, which passes the House of Representatives, whether that number should be consistent with the budget resolution or not.

I tried, and the committee tried, in its markup before the subcommittees—we went back to the subcommittees and remarked—I packaged the amendments and put it forward. I tried not to have the substitute different from the committee mark in any important respect. In other words, the carriers, which is a controversial issue, the two carriers that were in the committee mark, they are also in the substitute.

Other things like the amount of arms control amendments that were in the committee mark, we kept them in the substitute. If they did not make it into the committee mark, I did not put them in the substitute.

In other words, I do not want this vote today to be a vote on carriers or a vote on SALT or a vote on nuclear testing or a vote on any of those issues. Those issues will come up and will be voted on. Those amendments will be offered, no matter whether the substitute carries or the original bill carries.

What we are doing with this amendment and with this substitute is, in essence, just to highlight and to focus on the one single issue, which is the issue of dollars.

We tried to do that in a way that was as noncontroversial as possible so that all of the other issues that were relevant before will still be relevant and amendments will be in order.

Mr. Chairman, what we have here is an amendment. It is an amendment that has been put together because of an action by the Committee on the Budget. It is an amendment to make the budget resolution and the House authorization defense bill consistent with one another, to make the budget resolution and the authorization bill consistent with one another and both the same. It is a matter that we put before the House.

If you were to ask my personal opinion, I think we are not spending enough on defense and we are getting to a point where it is going to be of great concern, but I also think that it would be grossly absurd for the House of Representatives to at one point vote for a budget resolution in which we limited defense spending and then turn around a couple of weeks later and vote for a defense bill which was totally inconsistent with the budget resolution.

Mr. Chairman, this is the test of the budget resolution. If the House Committee on Armed Services in defense is going to blow by the budget resolution by $17 billion in budget authority, that is the end of that budget resolution before we have even gone to conference on it.

I think that it is very, very important that the finances of the country, the deficit, all of that rests on our ability to live up to budget resolutions. A majority of this House, by a comfortable margin, voted for the budget resolution. I would think that anybody who voted for the budget resolution would feel honor-bound to vote for bills consistent with the budget resolution, and that is the opportunity that we have.

It is the reason why I am voting for this budget resolution, this number, to get the substitute to make it consistent with the budget resolution.

I think there is some chance that maybe in the other body, we will be able to come up a little bit because it looks like maybe the budget resolution that passes in the other body is going to be a higher number, and maybe we can go higher in the conference. I hope that is an opportunity because there are some areas that I would like to increase.

But in the meantime, I think it is very important that we do pass this substitute and make the armed services bill consistent with the budget resolution.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. RUSSO). The gentleman from Wisconsin [Mr. ASPIN] has consumed 7 minutes.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment because I think it is unnecessary and because I think it is unwise.

The Chairman has pretty well laid out how we got in the position where we are now. As it has been pointed out, the administration came in and sent a budget over asking for $312 billion for defense spending. Where did this figure come from and what does it represent?

It represents a 3-percent growth over last year's spending level, not the request of last year, but last year's spending level. Three percent growth, which the administration feels is reasonable, justified, and I, too, feel that it is reasonable and justified.

But, our committee, the Committee on Armed Services, met—we have a policy committee impaneled by our chairman and we had a long procession of witnesses come before our committee to testifty as to the threat that we face, as to the level of spending necessary to do an adequate job of meeting that threat.

□ 1340

Mr. Chairman, let me say to the members of the committee that I would remind them to look at our Constitution and ask, What is our job? What are we supposed to do as Members of the House of Representatives?

In the Preamble of the Constitution, it says: We the people, in order to form a more perfect union and establish justice, ensure domestic tranquillity, and provide for the common defense—now, that is our job, to provide for the common defense of this great country of ours, because, if we do not provide an adequate defense, then all those rights and privileges and entitlements we hold so dear are in danger of going by the board and being taken away from us.

We must first provide for the adequate defense of this great country and its people, and that is what the Committee on Armed Services has attempted to do. We heard the most prestigious witnesses we could find that were knowledgeable about our defense structure and our defense posture in this country, and it was our firm and independent judgment, based on testimony that this is a fair and necessary level of expenditure. We felt, after hearing all the witnesses, assessing the threat, and learning what the level of expenditure is that the Soviets expend every year—and we are very far behind the power curve there—we felt that an expenditure of some $5 billion less than that asked by the administration would be fair and adequate to meet the needs of this great country.

It was for this reason that it was the policy committee that determined that this is the correct spending level, regardless of the budget.

Now, this is where the chairman of the committee and I differ. The chairman feels that it is necessary for our committee to mark to what the Budget Committee says the budget shall be. Well, the fact is that we are not legally bound to do that; not the authorization committee. The Committee on Appropriations, yes. But it is our job to mark to what we think should be the figure that is necessary. I think that is what is incumbent on us, and that is what we did.

Now, the chairman of the committee has come in and said, "Well, the mark of the Budget Committee in the House has reduced it $17 billion more." That is taking it down to $288 billion.

Mr. Chairman, I am telling the members of the committee that this is not cutting into fat. The fat has long since gone. We are cutting into the bone and sinew of our defense establishment when we are cutting it $25 billion less than the administration asked for and $17 billion more than the Armed Services Committee of the House of Representatives felt was a just and justifiable figure.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. Yes, I am glad to yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank the vice chairman of the committee for yielding.

I think this is an important point to make to the House and to the Nation, and that is that the Armed Services Committee, and particularly the policy committee, elicited testimony from our past experts on defense, and we tried to build this defense budget from the ground up, not just reacting to President Reagan's numbers, and, as I understand the gentleman, we came to the conclusion that something pretty close to the President's level, that is, $305.7 billion, was necessary to defend this Nation.

If I could have the attention of the chairman of the committee, I would like to ask the chairman—I think that was the consensus the committee and the chairman alike arrived at—Could the chairman respond briefly?

Mr. DICKINSON. I would be glad to yield to the chairman of the committee if he would like to respond to the question.

Mr. HUNTER. My question to the committee chairman is simply this: We put this steering committee together along with our other subcommittees and elicited testimony as to what America needs to defend herself, and we came to the conclusion, and it is my understanding, that the chairman of the committee came to the conclusion also that we need somewhere in the neighborhood of $305 billion to defend America adequately. Is that accurate?

Mr. ASPIN. Mr. Chairman, if the gentleman will yield, let me explain it to the gentleman from California.

I do think that, over the long haul, what we do need is real growth in the defense budget. I have thought that for a long time, and I do think we need some real growth on a day-to-day basis. I would not say that it should be exactly $305 billion, but we do need some real growth.

The problem we face, if I could point this out to the gentleman, is the enormous squeeze of the budget deficit. The question is, then, Can we do it with less than real growth for a couple of years? The answer is, Yes, of course, in any 1 year, 2 years, or 3 years, that we can do it with less than real growth in the defense budget. That is exactly what we are having; less than real growth, and it is not a tragedy or a disaster.

It is a tragedy or a disaster only if it continues on indefinitely in the future. But on a regular basis, it is my belief that, given what is going on in the Soviet Union and considering what we need to defend the country, the best thing would be a nice steady rate of real increase of about 3 percent, 3 to 5 percent.

Mr. HUNTER. Mr. Chairman, if the gentleman will yield further and if I could just ask one other question, I would ask the chairman this: Basically, the $305.7 billion that the committee came up with is a 1-percent real increase and was appropriate for this year, was it not?

Mr. ASPIN. The gentleman is correct. It is a 1-percent real increase above the rate of inflation, yes.

Mr. HUNTER. And it was an appropriate or adequate rate for this year; is that correct?

Mr. DICKINSON. Mr. Chairman, let me reclaim my time. I will yield such time as the gentleman may use later, and in that way he could control his own time.

Mr. HUNTER. Mr. Chairman, I thank the gentleman.

Mr. DICKINSON. Mr. Chairman, the chairman of the committee has said, I think very properly, that we cannot continue to adequately fund and protect this country if every year we have a negative growth.

It seems to me that the common perception among people across the country is that we have vast defense spending, that we are getting fat on defense contracts and we are really spending more than is needed, and a disproportionate part of the budget. If the truth be known—and I think most people would be surprised at this—less than 30 percent of the total budget goes into defense spending. It is less than 30 percent. It is not even a third of the total budget, whereas social and welfare spending consumes some 46 percent of the total budget.

So there is a great disparity there. Yet when we try to balance the budget, what the Budget Committee has done is taken 50 percent of all cuts out of defense, even though there is only 30 percent of the total expenditure in defense. So 50 percent, by the action of the Budget Committee, comes out of defense spending.

This is the third year in a row, if we cut to the level that the chairman would advocate, that we have had negative spending. We had 2½ percent 2 years ago, we had 4.2 percent last year, and this year, at the figure the chairman would put in here, we have a 5-percent net loss in defense spending. We have had negative growth 3 years in a row, and the gentleman is right, we cannot continue to spend in this fashion each year on defense and expect to have a credible deterrence or a real tough defense posture.

In trying to reach this mark, we have zeroed many very important weapons systems: The Bigeye chemical bomb, the ground-launched cruise missile, the Aquila, and Harrier. The Harrier was the No. 1 program for the Marine Corps when they came before us just a few years ago. This is a vertical takeoff jet plane, and this is the No. 1 plane they fly to defend themselves and defend this country. We have zeroed it because of these budget cuts. This includes the advance lightweight torpedo, the vertical-launched ASROC, and the program goes on and on, not to mention military construction where we build things for the quality of life for our servicemen at home and abroad.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Chairman, I appreciate the gentleman's yielding.

I understand that the chairman of the committee indicated that the committee settled on the figure of 305?

Mr. DICKINSON. Yes, 305.

Mr. STRATTON. And is it not a fact that the chairman of the Senate Armed Services Committee has already approved a figure of 12.3 percent, so if we were to support the position of the committee, it would make it easier, would it not, in conference because we would be closer to each other in terms of the money figures?

Mr. DICKINSON. Yes; that is certainly the case. And let me point out the fallacy in this amendment that we are debating now.

When we cut to the $288 billion, there is no reason whatever to believe that that is going to be the final budget figure. Every year, when the Budget Committees of the House and Senate get together, they go into conference and they compromise between the low figure and the high figure and come to some meeting ground in between. They have never come out with the low figure. Yet our committee chairman would ask us to take 18 billion additional dollars out of the defense budget to the low figure that we know is not going to be the final figure.

□ 1350

What happens if we do that? Then we go into conference with the Senate. If we have money to add back, then how is it added back? If we have additional moneys that we can use because the Budget Committees have finally met and got a conference report, and it is more than the figure we are marking to, how do we add back?

I will tell you how we add back. If you have never been in conference, you might find it very interesting. Everybody goes into the conference, House and Senate, and everybody has got their pet rock or their pet project, and they get to trading, and they trade parochial interests, not national interests, when they start adding back these things they are interested in in their district. It is probably the worst way to legislate; it is the worst way to come up with a good, fair defense budget. I think we are making a very serious mistake to mark to the low figure when we know it is not going to be the correct figure. There is no reason to do it. We are not legally bound to do it. We know that it is going to be a figure that will not stand up through conference both in the House and the Senate in the Budget Committee and in the Armed Services Committee.

Mr. Chairman, I think we do ourselves an injustice. I think we are doing the country an injustice, and I would like to see, this one time, the House come out and support the Armed Services Committee that marked what we perceived to be the threat, what we think is necessary to fulfill our obligation to defend this country, and then let the Budget Committee come up with this ultimate figure and let the Appropriations Committee do what they want to. But our job is to authorize. I would hope that is what we do.

Mr. ASPIN. Mr. Chairman, I yield 6 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the Aspin substitute to the defense authorization bill of 1988, for fiscal year 1988. I support the Aspin substitute because it makes the defense bill conform to our budget resolution. If we were not working down for a deficit of $220 billion last year, if we were not faced with a deficit of $175 billion in fiscal year 1988, then I might join some of my colleagues on the Armed Services Committee and say that this is an authorization bill and, as such, it ought to reflect what we optimally need for defense in this country. The Appropriations Committee can decide what we can afford.

This is a period of unusual, unprecedented budget austerity, and I think in this period the authorization committee and the Appropriations Committee alike have to be disciplined by the budget. The budget resolution and the Aspin amendment is disciplined. It hues to the budget resolution.

I support the Aspin substitute not just because it gets to the right bottom line, a bottom line that conforms to the budget resolution, but because in a tight budget period, it reflects the right priorities.

The substitute meets the budget resolution by reducing the defense committee, the authorization committee's markup by $17 billion. Now, that is an enormous sum of money. Any time you cut $17 billion from a budget, you run the risk of cutting muscle with fat; throwing the essential out with the unessential. But if you look through the Aspin substitute, you will see that it is carefully crafted. It protects the gains in readiness and personnel that we have made over the last few years. For example, the Aspin substitute adds funding. Enough funding to operations and maintenance to cover inflation and it calls for a 3 percent pay increase for our armed forces military personnel on April 1, 1988. These priorities are protected in the Aspin substitute, not withstanding the fact that $17 billion is cut from the markup.

The substitute also reflects our comittee's judgment that the President's request, his budget request, favored nuclear weapons modernization over and at the expense of conventional defense. For example, whereas the President proposed to phase out one of the two open production lines for the M-1 tank, the Aspin substitute retains the committee's position. It authorizes a steady production rate of 720 M-1 tanks in fiscal years 1988 and 1989.

Furthermore, whereas the President would have shut down in short time the only attack helicopter production line we have open in this country, and would have stopped the procurement of Apache Helicopters at a level of about half of what the army has indicated is its need. A position that our ranking member has himself criticized. Our budget and the Aspin substitute both provide for more Apache Helicopters and keep open the prospect that we can keep open that line and not have a gap in our production line for attack helicopters.

The committee added $2.3 billion in conventional weapons programs to the budget. The Aspin substitute honors that decision. It supports conventional defense. It leaves $2 billion of that $2.3 billion in taking out only $300 million in reaching its goal of cutting $17 billion from the markup.

To protect conventional defense, the Aspin substitute takes money out of nuclear weapons modernization, at least to a greater extent than the committee would. For example, the Aspin substitute reduces the procurement of test missiles for the MX from 21 to 12 by 9 missiles. The Aspin amendment also cuts funding for "black programs" which we cannot openly discuss here on the floor, but the programs like the advanced cruise missile, the advanced technology bomber, the Stealth bomber; those programs have cost problems, technical problems, schedule problems, and the Aspin amendment takes note of that and cuts $2 billon from those "black programs."

Even so, the Aspin substitute still provides substantial funding for nuclear weapons modernization. For example, the Aspin substitute contains over $2 billion for the Midgetman Missile, and it contains over $4.5 billion to bring on line the Trident II, D-5 missile.

The Aspin substitute does not take all of its money either out of nuclear weapons modernization. It goes selectively to troubled, problem-plagued programs, and it cuts those that should be cut and eliminates that that are nice to have but cannot be afforded this year.

For example, the Bigeye chemical bomb; the Aquila remotely piloted vehicle. Both of them are zeroed out; both have problems; both deserve to be cut.

The authorization for the AMRAAM stand-off missile, air-launched. It still has to prove itself; it still has technical problems, it still has cost problems. The authorization is reduced as it should be. The ground-launched cruise missile, cut on the expectation that it will be zeroed out anyway if the administration's zero-zero option in the INF talks actually comes to fruition. Why buy more GLCM's, ground-launched cruise missiles if we are going to eliminate them altogether from Europe?

The F-15 ASAT program is cut. Not so much for cost control, for arms control reasons, but because of its limited range and its limited utility. It is not worth the cost. Its cost-effectiveness does not justify itself.

The AV-8 Harrier, the attack aircraft which the Marines are using as a vertical takeoff airplane is eliminated from the budget not because it is a program failure. To the contrary, the Harrier would be nice to have. But in this budget, there are a few nice things that we cannot have.

We have told ourselves for years that we have got to make vertical eliminations, cut out a few programs that we have bought that we cannot afford so that we can buy the programs that we desperately and seriously need. This substitute adheres to that logic and it does just that.

For the sake of our national defense and our national economy, I urge the Members' support for this worthwhile amendment.

Mr. DICKINSON. Mr. Chairman, I yield 6 minutes to the gentleman from Virginia [Mr. BATEMAN].

Mr. Chairman, will the gentleman yield?

Mr. BATEMAN. I yield to the gentleman from Alabama.

Mr. DICKINSON. I thank the gentleman.

Mr. Chairman, I would really like to take this moment to correct something that the gentleman who just spoke in the well said. He is technically correct when he says that the President's budget did eliminate one of the M-1 tank lines and did eliminate the production rate or lower the production rate of the Bradley. It did eliminate, ultimately, two hot production lines for helicopters which I offered an amendment that these were restored.

The point that I want to make is that it was the Army that made this decision; a very shortsighted decision in my opinion. They were betting on a new aircraft that they call the LHX. As of right now, the LHX has not even been adequately defined. They do not know how much it is going to weigh; they do not know what its mission is. Yet, they are willing to cut off the two hot production helicopter lines, the Blackhawk and the Apache, betting "on the come," so-to-speak, which is really sort of pie-in-the sky, for an aircraft that would not be operational until 1995. It was for this reason that I think the Army was very shortsighted in this action.

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I think they were precipitous. I offered the amendment in committee. The committee almost unanimously agreed to it and we put it back in and as of now we do not know what the LHX is going to be or even if we will have it by next year.

Mr. Chairman, I thank the gentleman for yielding so I could make this correction.

Mr. BATEMAN. Mr. Chairman, I thank the distinguished ranking member for yielding this time and rise in reluctant opposition to the substitute.

The substitute is well thought out in the context of making a reduction in the level of authorization by some $17 billion beyond that which the committee bill has already reduced the President's request. I think that is a very serious mistake, because on this issue I have to come down on the side of those who point out the constitutional reponsibility of the Congress to provide for the common defense.

I do not believe that responsibility is measured by providing less than that which is minimally required for our national security. A defense authorization bill which authorizes negative growth in our defense budget for the third consecutive year does not meet the requirements for national security, not even in minimal terms.

Our distinguished chairman has pointed out in his comments a few minutes ago that you can stand negative growth maybe 1 year in the defense budget, maybe 2 years, but you cannot stand it year after year. Under this substitute, we would be imposing negative growth on our Department of Defense for the third consecutive year.

This does many things which are I think grievous errors. One of the things, obviously, is to eliminate a part of that which everyone is convinced is indeed needed.

Another thing that it does is create peaks and valleys in our authorization process that make it impossible for the Department of Defense to do what we constantly enjoin them to do and that is to buy smarter, to buy more economically, to get more things for the dollars being spent. That they can do if we have the consistency and steadfastness of purpose to authorize them to procure systems which the committee believes are indeed necessary.

It is repetitious, Mr. Chairman, but I think it bears repetition, that the defense policy panel after weeks of hearings came to a clear consensus that the President's request for the Department of Defense this year is constrained, was reasonable and desirably needed to be approved. That was a clear concensus of that panel. That being the consensus of the panel, and the committee having marked up based upon a review of our Nation's strategy for all the critical areas of the world, the various military, naval and air systems necessary for our defense, came to the conclusion that the $305 billion level was minimally adequate.

Now to say that we must be driven to reduce it by $17 billion more is something that this Member does not feel he can do consistent with our constitutional responsibility.

While we for the last 3 years have had negative growth in the defense budget, the Soviet Union, which obviously in the principal potential threat, has not abated its effort. They are not failing to deploy new weapons systems, new advanced aircraft, new advanced submarines, additional naval vessels, including even large-deck aircraft carriers. The threat as measured by Soviet capabilities and an advancement in numbers and in technology has not abated. Therefore, it is indiscreet, it is unwise for us to abate our effort and to bring to this floor a defense budget with a negative growth factor.

I think we are constrained by our constitutional responsibility not to do so.

Mr. Chairman, I thank the gentleman for yielding the time.

Mr. RAY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Chairman, I thank the gentleman for yielding me the time.

I just feel, you know, we are hearing this afternoon about all the tremendous decreases on the part of the Defense Department and the action taken by the Congress. I think we ought to set all the facts out and set them out straight so that perhaps we could have a more meaningful dialog relative to the Aspin amendment.

Since 1980, Mr. Chairman, up to the present and not including this year's budget, there are two areas where we have had major, major growth, in the expenditures of our country. The first area, of course, is in paying the interest on the debt that we have incurred. The interest we have incurred on that debt is the largest singular area that we have to pay year in and year out.

Next to that, Mr. Chairman, is the defense budget that we have been passing, and I am going back to 1980.

The fact is this, that since 1980 and including the 2 years prior to this one, that the real growth factor for the Defense Department as approved by the Congress and signed by the President, is 5.4 percent real growth, 5.4 percent plus the rate of inflation, since 1980.

The amendment that we refer to today has a reduction of less than 1 percent. So I think it is unfair to perhaps indicate that we are not doing whatever possible for the security of our country. We have.

As a matter of fact, what we are doing is including, and it is all inclusive, by the way, in the amendment, all the important items, weapons systems, research and development, even improving the quality of life for the Defense Department.

So I think it does not pay to cry poor mouth, because we have been feeding that machine for 7 solid years and what we are trying to do now is probably demonstrates some fairness across the board, which is badly needed for this country.

Mr. Chairman, I thank the gentleman for yielding to me.

Mr. DICKINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York (Mr. MARTIN].

Mr. MARTIN of New York. Mr. Chairman, as we go through this procedure that is a great deal like a roller coaster and if you look at our authorizations and appropriations year after year for the defense of the country, we can look back to about 3 years ago when the highly touted Rose Garden agreement called for a freeze in real spending for defense with a subsequent 3-percent real growth for 2 years. Everyone, including the chairman of the full committee, has spoken to how this is the third year of real decline in defense expenditures.

The gentleman from Alabama has underscored the small percentage that defense relates to the total budget, especially when you consider that it was nearly 50 percent of the budget during the administration of John F. Kennedy.

I embrace what the gentleman from Alabama has to say relative to what we can do here as far as authorization, and to disagree with the chairman that we are somehow bound by the mystical figures of the Budget Committee, which I want to point out called not one witness to attest to what is the appropriate level of spending.

We marked up in our committee to what we felt the threat was and then we found ourselves cutting the figures down to some predetermined figure set by the Budget Committee, again without any hearings.

There are a couple of things I would like to speak about if I could, specifically military construction, the subcomittee of which I am privileged to be the vice chairman. I want to point out that the Aspin substitute revisits and talks about $700 million more in cuts in the military construction budget. I want to point out that the request from the administration was less than $10 billion initially. Here is another $700 million.

If the Aspin substitute passes, it amounts to something on the order of an 18-percent cut again this year from what was requested by the administration.

I would say over the prior 2 years we are talking about a reduction on the order of an average of 15 percent.

Why do I talk about those figures specifically? Let me tell you why. Back in 1982 and 1983 the Congress passed, and the President signed, authorizations and appropriations to spend quite a bit of money in buying new weapons, to upgrade what was a very pitiful situation after the Ford and Carter years. Those weapons systems are now coming on line and being delivered. We have to have facilities to take care of these weapons that we purchased, and, what is more important, we have to have facilities for these young sailors, soldiers, marines, and airmen; not only facilities to live in, but facilities to work on this equipment that we have purchased for them.

□ 1410

And here we are talking about an 18-percent cut as far as military construction is concerned in this budget, and we sometimes wonder why we hear complaints from those young men and women, both in this country and around the world, who are wearing the uniform and defending this country and find themselves living in World War II barracks or working on equipment out in the mud somewhere in Germany.

I want to point out, and underscore as well, that the Aspin substitute talks to an additional $3.1 billion cut in readiness.

In addition, there are a number of programs that were totally zeroed. I just want to speak to one of those because it has a certain emotional appeal as a result of my background. In 1968 I was in the Marine Corps in Vietnam. I recall one harrowing evening in November of that year when we were flying air support for an EC-121 between Hanoi and Haiphong. I think that it might have upset the Members of Congress who were sitting then, and it certainly upsets me in retrospect, to know that there I was in a piece of equipment over Hanoi and Haiphong trying to protect some unwitting folks in a helpless EC-121 under me. We did not even have a radar in the aircraft. We were just as helpless as a witch on a broom running up over Hanoi and Haiphong, and it made quite an impression on me.

So here we are today and the close-air-support vehicle that we have supported all along for the Marine Corps, namely the Harrier is right back to zero. I want to say to my colleagues if the time comes and we find ourselves in conflict and those marines, who are your constituents and our citizens, are out there fighting and calling for close-air support, we are not going to be able to call up our local Harrier manufacturer and ask him if he would hustle one of those over to help you out and save a few lives and carry the day. They are not going to be able to get that over to you in a day. It takes some time. That is why I wanted to speak to just one of the programs that is totally eliminated in the Aspin substitute.

Mr. Chairman, I ask my colleagues to vote down the Aspin substitute, as I do not think that it is in the best interest of the defense of this country.

Mr. RAY. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I thank my distinguished Georgian colleague for yielding time to me.

Mr. Chairman, I rise in strong support of the Aspin amendment. I was very enthusiastic when we received the defense budget this year. In fact, it was $312 billion, and represented a 3-percent real increase.

I for one support that budget that originally came out of the Pentagon, and wish that the practical circumstances would allow us to enact it. I think that it is a good budget. I thought that it was well thought through. I thought that the administration was on the right track in providing a 3-percent real increase in the defense budget.

I happen to believe, Mr. Chairman, that we ought to have roughly 2½- to 4-percent real increase every year rather than having this roller-coaster effect every year of going up 10, coming down to zero, and going back, because I think that it does create a lot of uncertainty in the Pentagon and in their planning, and consequently I think that it costs us more money, because we have a tendency to have no real consistency in growth in defense spending.

In particular, I was very glad to see the administration proposal for a very strong increase in the research and development programs, because I believe that we do need more and smarter weapons systems.

However, in reviewing this budget, Mr. Chairman, we have to remember that we have to look at the budget crunch and the practical realities involved. Our committee originally marked to $304 billion. That was because we did not know what the Budget Committee was going to do. However, when the Budget Committee came back with its figure of $288 billion, it was then very evident that we on the House Armed Services Committee had very little choice except to support and make our budget resolution and our budget findings conform with the budget resolution.

I think that it is pure nonsense if we get up here and authorize and vote on figures which are in excess of the budget resolution knowing that those particular figures will never become law. We in Congress make the rules and make the laws for everybody else, but we do not seem to like it very much when we have to follow rules that other people make. What I am suggesting, Mr. Chairman, is that we have got to follow the rules under which the Budget Committee has set forth $288 billion, and that is all that this amendment does.

What are our choices, Mr. Chairman? We could very easily authorize $312 billion, the President's original recommendation, or the committee's original recommendation at $304 billion. But what are we doing? We are giving the Appropriations Committee a license to determine the priorities of what our budget is going to be. So if the Armed Services Committee is going to have any authority or any efficacy whatsoever, we had better authorize a realistic level so that we can be sure that what we authorize finally becomes law.

So, therefore, Mr. Chairman, in an effort to preserve the efficacy and the strength and what I consider to be the credibility of the Armed Services Committee, we must pass the Aspin amendment and conform with the budget resolution.

Mr. DICKINSON. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. I thank the gentleman for yielding time to me.

Mr. Chairman, I think that it is critical for those Members who are listening to the debate to understand that what we attempt to do today is to not violate the budget resolution. We do not have a budget resolution yet. We are only in the first stage of trying to adopt a budget resolution, and this is absolutely critical for those who are following this debate to understand. By casting a vote in favor of the Dickinson substitute, we are not in any way, shape, or form passing something that conflicts with the budget resolution. We do not have it yet.

If the Senate passes a budget resolution and the House goes into conference committee with the Senate, and we come out with a budget resolution that sets a final number, well, they are not going to have any choice but to go along with the budget resolution.

I think that we have to be consistent. I think that we have to be consistent on defense spending as much as I think we have to be consistent on nondefense spending. But to concede the debate now is not, contrary to what the gentleman just argued, is not to turn everything over to the Appropriations Committee. What we are doing is turning everything over to the U.S. Senate. We are not keeping any of it on our own turf. We are conceding the much lower number, and there is no Member in the House of Representatives who does not agree that we are going to be at a much higher number than what the House passed.

The real tragedy is that the chairman of the Armed Services Committee, and I would say almost unanimously in respect of my colleague, the gentleman from California [Mr. DELLUMS], almost unanimously the members of the Armed Services Committee on both sides of the aisle would agree that the number that we have in the House-passed budget resolution is too puny, too low, and it is a big mistake. Yet the House passes a budget resolution that cuts the livin' daylights out of defense.

I listened to the chairman intently make the argument that if we have a 1-year freeze in defense or a 1-year cut in defense, we can survive it. Maybe if we have 2 years, we can. I agreed with the chairman, and 3 years ago I advocated myself a freeze in defense spending, and maybe it is even possible to go forward 2 years in a row with fewer dollars for defense, because of how much we spent early on. But, Mr. Chairman, the problem is that we are now in our third year of real decreases in defense spending, and what we are in the process of doing is unraveling so many of the gains that we tried to make on a bipartisan basis at the beginning of this whole defense debate starting in 1981.

We are actually being faced with making decisions of not putting new equipment on existing systems because we do not have enough money to repair existing systems to make those systems function as they were supposed to function when they were first built.

□ 1420

In other words, we are killing the readiness of our systems in this country. We are going to be building up a depot maintenance backlog, which means we are not going to repair our planes and our tanks and our Jeeps and so many of the things we need to fix to keep them in running order. This means we are going to be cutting back on flying hours. The young men who are going to get in the aircraft are not going to get the training they want and the training exercises are going to be cut back.

So what we are doing is beginning to unravel so much of what the American people paid for in 1981 and 1982 and 1983. We are going 3 years in a row of cuts.

What I ask the House to do is not to violate the final budget resolution. I do not want to violate the final budget resolution, but I do not want to concede to the U.S. Senate the job of trying to decide what the budget is going to look like and take ourselves out of the debate because we go to a number that everybody knows is too low, and a number that flat-out is not going to be accepted.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. KASICH. I am glad to yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, I did not want to interrupt the train of thought of the gentleman, but I would like to add emphasis to one point he made. When the gentleman was talking about readiness and systems being full up, it is my recollection that there were six F-111's on the Libyan raid that were not allowed and did not drop their ordnance because there was a malfunction somewhere in the system. They had standing orders that if they were not fully operational and full up, they were not to drop ordnance, and my recollection is six of the aircraft that were launched were not able to do this, which just emphasizes the point the gentleman was making.

Mr. KASICH. As the vice chairman says, we are talking now about real readiness, the ability of systems to function.

But the bottom line is, ladies and gentlemen, this is not a Ronald Reagan argument that we ought to have a real increase in defense spending. This is the gentleman from Wisconsin, LES ASPIN, the chairman of the Committee on Armed Services. This is SAM NUNN, the most respected defense voice probably in this country right now. They are arguing that we ought to have at least a 3-percent increase. What I say is let us not throw our gloves in and our bats in and give up the game, and let the other body write the whole defense bill. Let us come out with a good, strong budget resolution that sends a clear signal that we do not want to be weak on defense, but rather we want to take care of the defense of this country.

I appreciate the gentleman yielding me this time.

Mr. RAY. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I was listening to the comments around the House and talk about those Members who should happen to vote for the Aspin substitute on being weak on defense.

Here we go again. I have not heard too many people talk about the $600 toilet seats, the $5,000 coffee pots, and the $400 hammers. They are all in these budgets too, and I very seldom see one debate in the House where the fiscal conservatives do not get up and say my God, we cannot waive the budget authority. We have to stay within the confines of America's budget process.

I want to say that I want to identify myself and associate myself with the comments and the statements and the testimony of the Committee on Armed Services' chairman, Mr. ASPIN.

Most chairmen around here go for all they can; they have to. This is a vicious dog fight.

But, the chairman has come out, and he is telling us, it is not a missile that will be America's greatest threat. It will be the solvency of our financial system in the process of America's fiscal responsibility that will protect us and keep us free.

That is a powerful statement from a chairman, and I think that the gentleman from Wisconsin, LES ASPIN, today should be commended, and should be supported.

Let us talk about this so-called weakness on defense. Two years ago Newsweek performed an extensive analytical review of America's military strength in comparison with that of the Soviet Union. They compared the 28 major weapons systems. They found that America was superior, clearly a leader in 9 of those areas, and equal to the Soviets in 15 others, trailing the Soviets only in 4 specific areas.

Every one of our generals and every one of our admirals and Pentagon brass have told us that, God forbid, if a conflict would break out, it would be in the conventional arena; and we are woefully behind in that conventional arena.

What have we done in this House? What are we doing to protect that? Well, we are developing here another billion-dollar missile program to cure all the ills of the world. I am not surprised there is not a missile in here to cure AIDS and measles, and I think it is time that Congress takes a foothold and does what is right.

Finally, I would just like to offer in my own little, humble way that if the Committee on Rules does allow me, I will be bringing up a couple of amendments.

I hope that they are not opposed. If they are allowed to be offered by the excellent subcommittee chairman, Mr. MAVROULES, one is a buy-America amendment, and one would change the Procurement, Competition and Contracting Act when it deals with a protest being filed to protect the integrity of the ongoing process.

Let me say this. I had heard a general on national TV a couple of months ago that stated that one of the problems with our buy-America amendments to the defense bill is that it would limit America's defense in the future; and by the way, he says that he can control costs by buying some of these items a lot cheaper.

I think it is time that Congress sends a message over to the Pentagon that we can hire generals from Korea for a lot less money, too. It is time we take a look at that.

Mr. Chairman, I rise today in solid support of the Aspin substitute, even though there are some blind turkeys and buzzards and sitting ducks that have to be shot down in this as well in the later process; but I believe what he is doing is right.

I commend the Committee on Armed Services for bringing forward a very difficult bill through a long, arduous process of give and take. I would hope that my little comments would not be overlooked, and hopefully my amendments will be allowed to be offered, and the House will look favorably upon them.

I yield back the balance of my time.

Mr. DICKINSON. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. ROWLAND], one of our newer but more able members of the committee.

Mr. ROWLAND of Connecticut. Mr. Chairman, I would first like to thank the gentleman from Alabama [Mr. DICKINSON], the ranking member, for allowing me the time to speak this afternoon.

There is no question, as the gentleman intimated earlier, this has been a very difficult process.

Mr. Chairman, as I did yesterday, I rise to discuss the defense authorization bill but specifically with regard to the proposed Aspin substitute.

There are a number of elements of the chairman's proposal which I would like to comment on. However, in a nutshell, I think we should ask ourselves: "What does this substitute really do?"

Quite frankly, I think it substitutes bad policy for good.

No. 1, I believe it employs smoke and mirrors to reach the $289 billion level. For instance, $4.7 billion of the so-called savings are nothing other than an accounting sleight of hand. We won't make $4.7 billion in payments to contractors in the final 12 days of fiscal 1988.

Well, those $4.7 billion in so-called savings still will need to be paid out the subsequent fiscal year.

I would suggest to those in this body who really do want to cut our Nation's defense for the third year in a row, that they have an obligation to make real—not "phony"—cuts.

Turning to another part of the Aspin substitute, we do find a true cut. The start of the military pay raise is delayed 3 months to April 1988 rather than in January. This is an absolute embarrassment to this Congress. One of the first actions we took this year was a raise in congressional pay—and a substantial one at that.

But today, we are telling our men and women in the service: "Sorry you guys have to wait. The budget comes first, and we take care of ourselves before you!"

As a member of the Readiness Subcommittee, one thing has been clear to me. If we are going to continue to have an all volunteer military, we must provide adequate compensation so that we can induce good people into the service. And keep them there.

Earlier this session, we made the GI bill permanent. That was an excellent action. But now, we are going to turn around with the Aspin substitute and slap the morale of our service people.

Some of my colleagues might ask: "Well where are we going to get the money?"

As I said yesterday, I don't believe we need two ICBM systems. We should fish or cut bait in regard to having either the MX Peacekeeper or the small Midgetman ICBM but not both.

We have already developed the MX; we have deployed a portion of the missiles into silos; and money is in the budget to base them in a mobile mode, the rail garrison. These MX cuts will simply serve to delay the needed testing programs while we waste billions of dollars to develop the Midgetman.

As I said yesterday, I'll be happy to improve on this. If an amendment is passed to kill the MX rail garrison development, I will offer an amendment to scrap outright the Midgetman. That will save over $2 billion this year alone!

Other significant cuts are contained in the Aspin substitute. All funds for the vital AV-8B Harrier light attack aircraft are eliminated. This makes absolutely no sense whatsoever.

The AV-8B is a "one of a kind" aircraft having the ability to take off and land without the need of a runway. It is a critical part of our Nation's ability to move quickly in adverse and hostile territory for close military actions. To cancel a program outright when it is at its mid-point, is downright cost ineffective.

Then there is the cut in our strategic defense initiative program. The total aggregate cut from the President's request is over $2 billion!

In sum, Mr. Chairman, the Aspin substitute is not a balanced package of reductions and as such, I will not support it.

As a member of the committee, I feel that it is my duty to stand here and support a level of spending for defense which will assure our Nation's security. That level is what Mr. Dickinson will establish at $302 billion. I would remind the membership that $302 billion represents a freeze—so the usual rhetoric and hoopla about "massive military buildups" doesn't hold here.

If the Aspin substitute passes, then Mr. DICKINSON will offer his amendment. The approach by the distinguished ranking Republican on the committee is a responsible one which will fulfill our obligation to provide what is minimally needed to protect our country.

I hope all of our colleagues on both sides of the aisle will support this moderate alternate.

□ 1430

Mr. RAY. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Chairman, I ask unanimous consent that I may be permitted to engage in a brief colloquy with the chairman.

Mr. Chairman, I ask unanimous consent that I offer this colloquy in behalf of myself and the gentleman from Massachusetts [Mr. ATKINS].

The CHAIRMAN pro tempore (Mr. DURBIN). The Chair would advise that the gentleman may only revise and extend his own remarks, so that any portion of the colloquy attributed to the other gentleman could not be inserted.

Mr. MAVROULES. I thank the Chairman.

Mr. Chairman, I rise to engage in a brief colloquy concerning language on pages 18 and 19 under the heading "depleted uranium penetrator."

Mr. Chairman, is it the intent of the House Committee on Armed Services that if the manufacturer does not warranty the round, then that round should not be acquired?

Mr. RAY. Mr. Chairman, will the gentleman yield?

Mr. MAVROULES. I yield to the gentleman.

Mr. RAY. I thank the gentleman for yielding.

Mr. Chairman, yes, as it was described to me by the chairman, the purpose of the language is to provide for dual-source breakout of depleted uranium penetrators and also to obtain performance warranties from the manufacturer of the round. If the contractor does not provide the warranty in this manner, the Government should not procure it before the warranty is obtained.

Mr. MAVROULES. I thank the gentleman for clearing up that issue.

Second, in cases that involve multiyear procurement, where multiyear acquisition may be started before fiscal year 1988 but involve fiscal year 1988 acquisition, would dual source breakout acquisition strategy apply?

Mr. RAY. Well, the committee's intent is to have a strong production base with at least two producers of the depleted uranium penetrator.

Mr. MAVROULES. I thank the chairman. I hope that this clears up any misunderstanding concerning the committee's intent. Clearly the purpose is to have the producers obtain sufficient business to sustain the production base.

I want to thank the gentleman very much for this colloquy.

Mr. DICKINSON. Mr. Chairman, I yield 5 minutes to the ranking member of the Subcommittee on Investigations, the very capable gentleman from Kentucky [Mr. HOPKINS].

Mr. HOPKINS. Mr. Chairman, I rise in opposition to the amendment.

I am disturbed by what now has become an annual tradition: The unilateral effort to mangle the work and intent of the Armed Services Committee's authorization bill, by its own chairman.

This yearly ritual has the effect of "purging" the real world objectives of our committee's product and substituting a transparent statement of political expediency.

Instead of a coherent blueprint for the defense of our Nation, we end up with a series of confused and sometimes conflicting directives designed to survive inside the beltway and seemingly ignore the world beyond.

As I look back at the trend in defense spending for the past 10 years, I have to ask, "Has there been a reduction in the threats and challenges posed by our adversaries?"

The obvious answer is, "No, there has not."

Yet, the defense budget proposed by the gentleman from Wisconsin once again reduces our ability to meet these challenges by cutting defense spending for the third year in a row.

Mr. Chairman, our committee greeted the administration's defense budget request this year with a sigh of relief and the hope that the 3-percent real growth increase sought by the President signaled a willingness to work with the Congress to stabilize the wild up and down swings in defense spending witnessed during the past 10 years.

It is important to remember that we entered the 1980's with the corrosive legacy of years of negative growth in our defense budget.

This trend was dramatically reversed with the sudden increase of 13 percent growth during fiscal year 1981.

From that high-water mark, Congress has reduced the growth of the defense budget every year.

For the past 2 years it actually shrank in real dollars, with cuts of 4 percent in 1985 and 3 percent last year.

The substitute now before us represents the third consecutive year of defense reductions, a decrease of 5 percent in real terms under last year's budget.

To bring some additional stability to the defense spending, Congress this year received the first ever 2-year Defense authorization request.

In fact, credit for this welcome development should be shared by all of us since it came at the insistence of Congress.

But once we had it, what did we do with it?

Nothing. Each of the authorizing and appropriating committees nervously looked around waiting to see who would take the first plunge.

And, when no one volunteered, the 2-year defense budget died a quiet and unnoticed death.

So here we are today, business as usual, being asked to destabilize not only our national defense but also destabilize the defense budget process.

Mr. Chairman, in the astute words of my colleague from Wisconsin "This boom or bust approach to defense budgeting does no good either for our economy or our national security."

I couldn't agree more with this observation.

I urge you to defeat the Aspin substitute and strongly reject the unstable budgeting practices it represents.

Mr. RAY. Mr. Chairman, may I inquire of the chairman as to the time remaining?

The CHAIRMAN pro tempore. The gentleman from Georgia [Mr. RAY] has 36 minutes remaining and the gentleman from Alabama [Mr. DICKINSON] has 27 minutes remaining.

Mr. RAY. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I speak today in behalf of an orderly process. For about 200 years our country worked its will on legislation by first authorizing in the authorizing committees and then appropriating in the Appropriations Committees. Then we put this budget ceiling over the matter, but the Budget Committee does not have the ability, the staff nor the time to look into all the matters that come before the authorizing committees.

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I would like to go back to the procedure of having the authorizing committee act in a thoughtful way that it thinks is necessary for national defense, and that is what is done in the bill that is before you. An amendment is offered which cuts it back just to fit the budget process, rather than to fit what is needed for our national defense. We can cut it back still further. The one that we have, the one from the committee, cuts back $6 billion out of the President's request. So we can make further cuts in this.

I favor further cuts in the bill that is before us; but to just capitulate and go to a situation where we are going to let the Committee on the Budget run the whole works, when they do not have the opportunity by staff or time or hearings to handle it, in my feeling, is a mistake.

The question has been raised about the solvency of America. There is a great problem about the solvency of America, but it is not because of national defense. National defense is in the Constitution. We are supposed to take care of it. Most of the things we are spending money for today are not in the Constitution at all, as things that we are supposed to do.

In the time of Mr. Kennedy's Presidency, 42 percent of our budget went for national defense; 29 percent went for social programs. Today, just exactly the reverse is true.

In the last few years, we have been nibbling back on our obligations to NATO. We told them we would give a 3-percent increase if they would give a 3-percent increase. Many of them are doing that. We are not doing it in the amendment that is being offered today by the chairman of the Committee on Armed Services.

So I say to fulfill our commitment to NATO, where we have such great deficiencies in conventional weaponry, to make logic out of our procedure and have the authorization committee seriously consider these matters and have the Appropriations Committee act upon that, with whatever guidance they can get from the Committee on the Budget, is a step in the right direction for orderly procedure.

Since we have not been using that procedure in the last few years, we have found ourselves many times with the Appropriations Committee coming in before even the authorization committee comes in. Utter chaos in the procedures of Congress!

I urge that the Members of Congress approve the bill that has come from the House Committee on Armed Services, approved by the policy committee of that committee, approved by the full committee overwhelmingly. I would appreciate it very much if we could all vote for that bill, rather than for the amendment which I think is not so thoughtfully contrived.

Mr. RAY. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I come to the floor this afternoon wearing two hats. I serve on the Committee on Armed Services that brings the defense authorization bill for 1988 before this body, and I serve on that committee as the chairperson on the Subcommittee on Military Installations and Facilities that has the responsibility for the military construction portion of this budget.

I also come here, Mr. Chairman, wearing a hat simply as a representative of the constituency of the Eighth Congressional District. I choose to speak under that hat this afternoon.

First of all, Mr. Chairman, I will call my colleagues' attention to a very interesting situation. Today, we debate the largest authorization bill that will be debated in this Congress, with enormous implications, yet there were more people surrounding the home of one of our Presidential candidates than there are members of the press observing this debate.

I do not make that observation to be cute, to be dramatic, to be flippant, to be arrogant or to be demagogic, Mr. Chairman, but to simply try to point out to my colleagues in as graphic terms as possible that there is something incredibly wrong going on in this city and in this country where we tend to be more preoccupied with the politics of personalities and cultism than we are with the significant issues that have impact upon millions of human beings in this country and in the world.

At this particular time, what could be more important than the military budget, for inside this military budget, there are authorizations for nuclear weapons that have no other useful purpose but to potentially destroy human life on this planet beyond our capacity to comprehend.

In this budget, there is authorization for programs to embrace a foreign policy, not based upon the principles of peace, commitment to human rights, human freedoms, human dignity, human evolution, human development and a recognition of the magnificence of the human spirit, but rather an embracing of simplistic cold war ideas that have masqueraded as American foreign policy for over 40 years.

Third, inherent in this budget are resources that render us impotent, and I use the term advisedly, impotent in our capacity to address the human misery of millions of people in this country who desperately have the right to believe that their Government will deal with their problems.

Senior citizens, living in fear; black and brown and red and yellow and white Americans who cannot find work, who live in poverty, some living on the streets of America. Millions of human beings unemployed, factories closing. Drugs running rampant in urban America.

As one of the most sophisticated nations in the world, we have not conquered literacy. And so this budget is terribly important in terms of the preservation of human life, what role we play in the world, and whether we have the capacity to address the domestic issues of our time.

As I said, more people were staked out around a gentleman's home than are staked out to deal with these significant questions. I say it again, to bring us starkly to the reality that America must awaken to the fact that our future lies not in our capacity to analyze personal behavior, but to address the myriad of human problems that confront us.

Having said that, Mr. Chairman, I would like to make this point. A number of my colleagues who preceded me in the well spoke to the dollar figure of this budget. The budget figure was cut down. We do not have 3-percent real growth, 4-percent real growth, 10-percent real growth. What does "real growth" mean?

It is an increase in the budget over and above inflation when that is factored in. Now, Mr. Chairman, I would argue and challenge any Member to argue on the floor of this House, to tell me that there is, indeed, intrinsic value in a dollar figure. Do you get more defense for $312 billion? Can you argue with me straight faced that you get less defense for $301 billion, $297 billion, $260 billion? Are you more of an American if you support $312 billion? Are you un-American and unpatriotic if you support a budget under $280 billion?

What is intrinsic in a dollar figure? We have allowed ourselves to be reduced to auctioneers, as I have said many times on this floor. Can I hear it for 10-percent real growth? Can I hear it for 7-percent real growth? Give me 2-percent real growth. I am real liberal if I believe in 3-percent real growth. You are ultraradical if you believe in freezing the budget. You are beyond comprehension if you want to go below it.

So we play games with numbers. So why do we debate when all we have to do is throw up dollar figures and come down with a figure and say that is what the military budget will be.

I reject that notion. I have always stated, and state today, that we ought to spend what is necessary in defense of this country, but let us have the debate over what is, indeed, necessary.

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Mr. Chairman, I have been here over 16 years, and I keep screaming, "Let us have a debate." I am not an auctioneer. I am here to discuss policy. We never debate policy here; we argue weapons.

One says, "Give me 50 MX missiles."

The other says, "No, I'll give you 40."

"No, we'll compromise at 45."

But we do not discuss policy.

The President of the United States presented us with a military budget based upon three policies, Mr. Chairman, first, that we ought to move beyond nuclear deterrence to the development of a nuclear warfighting capability. I reject that policy and am prepared to debate the danger and the expense that is inherent in moving from deterrence to a warfighting capability.

The second policy is this: this administration said that we must improve our capacity to intervene in the Third World. This gentleman disagrees with that. I happen to believe that the problems of the world cannot lend themselves to a military solution. It is not bullets and bombs and MX missiles and cruise missiles that are going to solve the problems of the world. The problems of the world are poverty, disease, hunger, inadequate education, death squads, corporate oligarchies, and military juntas. These are the issues that have to be addressed.

The third policy, Mr. Chairman, that this administration based its military budget upon is that one-third to one-half of our military budget ought to be directed at fighting a protracted land war in Europe. First of all, we do not have the infrastructure in this country to fight a protracted land war. We do not have the industrial base. We have not embraced economic policies of full employment and reindustrialization. Yet we beat our breasts macho style and say that we ought to be able to fight a 2- or 2½-year land war in Europe without even the infrastructure, to say nothing of the fact that when we ask the Pentagon, it is the belief of the Pentagon and the Soviet Union that if we ever went to war in Europe, within a matter of days or a few short weeks we would escalate a global strategic nuclear war, destroying human life beyond the ability of any Member of this Congress to comprehend.

Yet we never debate these matters, I say to my colleagues. All we debate is numbers. We beat our breasts over who is more radical and who is more liberal and who is more patriotic, based upon a dollar figure. That is absurd. We cannot build a military budget based upon dollar figures. Let us debate what our needs are. Let us debate what our threat is. Let us debate what our role in the world is.

I am supremely confident, Mr. Chairman, that if we ever got to that honest level of debate, we would indeed reduce the military budget. We would reject warfighting military weapons and destabilizing military weapons. We would reject star wars when the American people came to find out that this is a $1 to $2 trillion absurdity that would never defend them but only give us additional nuclear weapons systems.

I believe America would reject the deployment of more MX missiles if they understood the danger. I believe they would reject going forward with more destabilizing weapons if we could debate it more in the open and if more members of the press and more of the American people would focus on the serious and critical issues of our time rather than the behavior of a given personality.

The CHAIRMAN pro tempore (Mr. Russo). The time of the gentleman from California [Mr. Dellums] has expired.

Mr. RAY. Mr. Chairman, I yield 2 additional minutes to the gentleman from California [Mr. Dellums].

Mr. DELLUMS. Mr. Chairman, I thank my colleague for his generosity.

Mr. Chairman, for 6 consecutive years we have offered an alternative military budget on this floor. After 6 consecutive years, that alternative military budget died in the dark. It died in the dark because we do not have time to debate constructive alternatives. We simply look at the administration's request, the Armed Services Committee develops its approach, the budget is passed by the Congress, we reconcile it, and we go forward, and the whole debate is around numbers but never around policy.

So this year I chose not to introduce an alternative. It is a gross waste of time. But I will put it into the Record so those Members who are interested will at least have an opportunity to read it, and at a time when the American people begin to demand a diligent pursuit of policy and move away from an analysis of personalities, we would then have a serious debate on the floor of this Congress and we would come to an intelligent and rational military program based on the assumption that we can reduce the risk of war, that we can move away from an interventionist foreign policy, that we can get rid of overlapping, wasteful, and redundant weapons systems, that we can reform procurement to move us beyond waste, fraud and abuse, and that we can develop Federal programs that better address the human condition in the military and the families of military people with a degree of compassion and sanity that is worthy of those who serve in the U.S. military.

Finally, Mr. Chairman, we can create new programs that can move us away from a heavy reliance on militarism and develop reconversion so that we can move toward a full-time peaceful employment that will guarantee full employment and reindustrialization and that will satisfy the great hopes of the American people.

Mr. Chairman, the House Armed Services Committee bill is said to reflect the committee view of overall military needs in the absence of budget constraints, while the Aspin substitute supposedly places that view within the constraints of the House passed budget resolution.

I disagree with the committee's view of military needs as well as the view reflected in the Aspin substitute. I disagree both with respect to the military policies put forward in these proposals as well as to their budgetary soundness.

Neither approach proposes new authorizations consistent with budget process mandated outlay levels. For example, more than one-third of the outlay reductions proposed in the Aspin substitute come not from reducing new authorizations, but simply from an accounting maneuver of delaying fiscal year 1988 payments until fiscal year 1989. This is irresponsible and dishonest.

More important, I strongly disagree with the policies embodied in both proposals. In each of the past 5 years I have introduced a substitute to the Defense authorization bill putting forward my view of what would constitute a sound defense policy. I have done so in the interests of provoking a serious debate of the basic policy issues which underly our defense policy and should underly the defense authorization process.

Unfortunately, my substitute has not generated the requisite serious debate on these basic policy issues and for this reason I will not insist on this substitute being debated and voted on. Instead, I am submitting a statement which outlines my views on these issues along with the spending implications of these proposals.

The statement follows:

DELLUMS DEFENSE ALTERNATIVE

POLICY OBJECTIVES

The Dellums proposal provides the Nation with a secure national defense. It does so at responsible funding levels and without sacrificing personnel benefits or readiness.

The Dellums proposal rejects the three fundamental tenets of the Reagan military build-up: (1) the development of nuclear first-strike and war-fighting capabilities; (2) the use of military force to impose U.S. views on Third World nations; and (3) the preparation to re-fight World War II in Europe.

Instead, the Dellums plan is directed at seven goals:

1. Reducing the risk of nuclear war;
2. Increasing readiness while cutting forces committed to Third World intervention;
3. Reducing the number of troops stationed in Europe and Asia;
4. Eliminating overlapping and unnecessary weapons systems;
5. Reforming the procurement process to reduce waste;
6. Fully funding programs for military families; and
7. Establishing new programs for economic conversion and military toxic waste cleanup.

THE PRESIDENT'S REQUEST

The President requested $312.0 billion in new authority for FY88. This is $27.7 billion or about 10 percent above the FY87 level of $284.3 billion.

The FY88 request comes on top of the most rapid increase in military spending in the peacetime history of the United States. The amount requested for FY88 is almost two and one-quarter times the FY80 $144 billion appropriation. After adjusting for inflation, the FY88 request is still more than 54 percent above that of FY80 (almost 6 percent per year real growth).

The President has attempted to justify this continued massive spending increase on a supposed "decade of neglect". Yet, actual spending (outlays) for the military has risen, in real terms (over and above the rate of inflation), every year since 1977. [See OMB, Budget of the United States Government FY88, Historically Tables, pp. 6.1(7), (8)].

THE HOUSE ARMED SERVICES COMMITTEE PROPOSAL (H.R. 1748)

The House Armed Services Committee proposal essentially mimics the President's proposal providing the equivalent of $305.8 billion in new Budget Authority (the dollar amount is actually less in that personnel dollar amounts are not included in the Authorization bill).

The Aspin amendment proposes the budget resolution target of $288.6 billion in new Budget Authority and $281.4 billion in outlays. It does so through various accounting sleight of hands including the delay of 11 days of payment of FY88 expenses into FY89. While this technically keeps the outlay figure within the budgetary limits, it also places far greater pressure on making substantial reductions in FY89 and thereafter.

Both proposals, while proposing somewhat different dollar levels, are simply continuing the military policies of the Reagan period. The basic fallacy of these policies and a suggested alternative are detailed below.

THE DELLUMS PROPOSAL

The Dellums proposal would result in FY88 Budget Authority (BA) of $272.5 billion with Outlays at $279.7 billion. The resulting Outlay level, which is in significant measure a function of prior year appropriations, is $200 million above that of FY87, and thus is just above an Outlay freeze. While Dellums outlays are $17.8 billion less than under the Reagan plan, these levels for FY88 would still be more than double the amount appropriated in FY80, and some 42 percent above the FY80 level in real (inflation adjusted) terms—more than 4.3 percent per year over and above inflation. Thus, the Dellums proposal more than meets the 1978 NATO commitment of 3 percent per year, real growth. However, it should be noted that a 3 percent per year rate of real growth would mean the doubling of the entire defense establishment every 23 years.

Adoption of the Dellums proposal would result in three-year budget period savings of $155.4 billion in BA and $104.4 billion in Outlays, as compared with the President's plan.

POLICY, NOT PERCENTAGES

Defense spending must be analyzed in terms of U.S. foreign and military objectives, not in terms of percentages of real growth or other statistical measures. The Dellums view is that if high levels of spending are necessary to ensure national security, then sufficient money should be provided. If they are not necessary, then reductions should be made, even substantial ones.

Recent concern over the level of military spending resulted from the Reagan deficits and the Gramm-Rudman law. In my view, however, these simply force the Congress to do for budgetary reasons what should be done for reasons of national security—craft a defense budget that provides for a strong defense posture at an acceptable price. We should spend whatever is necessary to meet these goals. But, we should not waste money to meet arbitrary growth goals.

The Dellums proposal is in strong disagreement with the Administration view as to what is, in fact, necessary for national security. In our view, the national security role of the U.S. must be to exert international leadership to bring the world closer to peace. Military tensions must be eased, detente must be revived, and the threat of nuclear war must be reduced.

THE REAGAN BUILD-UP: THREE TENETS

It should be emphasized that the extraordinary military build-up over the last years has not been directed at strengthening national defense. Instead, it has been directed at three limited policy areas—all contrary to the national interest, and to the interests of national security.

First, nuclear programs have been directed at developing a first-strike and nuclear war-fighting capability, rather than "deterrence".

Second, a substantial part of the military build-up has been directed not at our defense, nor at the Soviet Union, but at increasing our capability to intervene in the Third World.

Third, somewhere between one-third and one-half of our military expenditures are dedicated to the preparation of re-fighting a World War II type land war on European soil.

DELLUMS CHALLENGES REAGAN ASSUMPTIONS

We reject these tenets. Substantial reductions in military spending would be possible were the Congress to challenge these basic assumptions.

In the proposal that follows, we make substantive efforts in this direction. The proposal which follows is not my view of an ideal defense budget. Rather, it is what would be immediately possible given current world realities as well as the realities of the present budgetary situation.

THE ALTERNATIVE

The alternative is built upon seven basic policy positions:

(1) Reduce the risk of nuclear war

The only value of nuclear weapons is to prevent their use. This is the view of every responsible military thinker and policy maker of either party. While some existing nuclear weaponry may be necessary to deter nuclear war, the Administration's nuclear weapons policy has not been directed at enhancing "deterrence". Our existing inventory of well over 25,000 warheads is more than sufficient for that purpose.

Instead, the Administration's policy has been directed at creating both a first-strike and a nuclear war-fighting capability. A first-strike capability has "utility" only for initiating a nuclear war and annihilating the planet through mass destruction and "nuclear winter" effects.

Similarly, a nuclear war-fighting capability is "useful" on the belief that nuclear weapons, on the scale of Hiroshima and Nagasaki, can actually be used in battle. The Reagan Administration, while muting its early rhetoric about fighting and winning a nuclear war, has continued its policy of buying weapons and communications systems to fight both sustained and limited nuclear war.

The Administration has requested increased purchases of accurate, high-powered first strike weapons, such as the MX missile and the Trident II submarine launched missile. These systems are designed for preemptive attacks aimed at eliminating the Soviet's nuclear war fighting ability. They do not deter Soviet first-use since the particular capabilities of these, as opposed to other missile systems, systems are no longer useful subsequent to a Soviet first-strike. Indeed, because of their power, range, and accuracy, these weapons encourage Soviet first use in times of international tension.

Strategic Defense Initiative (SDI). Similarly, we oppose the misguided SDI ("Star Wars") proposals. The defensive capability of this strategic defense system is illusory. Moreover, much of the rhetoric in support of the program is dishonest. In particular, the Administration continues to emphasize the population shield concept, while the bulk of the SDI effort is now directed at missile defense and potential first-strike space-based weaponry. The population shield concept is completely discredited by all serious SDI commentators. In addition, while the Administration continues to call SDI a non-nuclear system, its most promising technologies will require nuclear explosions in space.

By raising the false hope of a ballistic missile defense, the Reagan Administration has tried to lower the urgency of negotiating arms control agreements with the Soviet Union. Rather than searching for a negotiated settlement the Administration is devoting increasing shares of the military budget to a misguided technological fix.

The technology itself has proved elusive. Conventional lasers have not been able to develop sufficient power to shoot down warheads. More powerful lasers, with energy provided through nuclear explosions, would require the orbiting of a massive nuclear power plant and could only be used above the atmosphere. Railguns, particle beam weapons and x-rays are all remote possibilities. The computer hardware and software necessary to identify, track, and intercept a missile in the first few moments of flight is also beyond the capability of current technology. In addition, there is no way to effectively test this incredibly complex system.

More important, the mere testing of any of these technologies would repudiate the ABM (anti-ballistic missile) treaty, one of the few viable strategic treaties we have with the Soviet Union. In our view, no money should be provided for anything which would directly violate the Treaty or whose purpose is to provide technologies whose testing, would directly violate the ABM Treaty. The proposal provides sufficient monies to maintain basic research in the field of laser technology and ballistic missile defense, but no monies for the development or testing of these technologies.

PROPOSED REDUCTIONS AND ELIMINATIONS

We propose to eliminate all funding for the production or development of additional nuclear weaponry:

We eliminate all new funds for 21 additional MX missiles (saving $1.3 billion), for the 66 Trident II (D-5) missiles ($2.3 billion), or for the production of additional sea-launched (475) and ground-launched (37) cruise missiles ($1.2 billion).

We end new research authority for the MX ($0.6 billion), Trident II (D-5) ($1.1 billion), Midgetman ($2.3 billion), and for "tactical" nuclear missiles.

We eliminate the Strategic Defense Initiative (SDI or "Star Wars"); we reallocate $1.2 billion of these moneys for basic research in laser technology and missile defense to other RDTE accounts (saving $4.6 billion).

We terminate funding for the development of chemical and biological weaponry.

We terminate funding for Department of Energy (DOE) atomic warhead production.

We cancel purchase of the next Trident submarine ($1.4 billion), which is being built exclusively as a Trident II/D-5 launcher.

We end anti-satellite (ASAT) procurement and development (saving $500 million).

We establish a substantial ($500 million) new research program aimed at improving verification capabilities for nuclear weapons testing and deployment.

(2) Establish a noninterventionist conventional policy

The proper U.S. defense policy is to defend U.S. security interests; not to intervene militarily in and against Third World countries.

The Congress continues to rubber-stamp Administration efforts to create the 600-ship Navy, particularly the increase in the number of aircraft carrier battle groups from the present 13 to 15. The principal purpose of such battle groups is for intervention against Third World countries.

The enormous cost of these carrier groups comes not from the carriers ($3.5 billion each), but from the accompanying ships, aircraft, and personnel needed to make the carrier group a viable fighting unit. A basic carrier battle group consists of one carrier ($3.5 billion), its air wing of 80 to 90 planes ($3 billion), and escorting cruisers (up to $1 billion each) and destroyers (up to $850 million each) plus various support and supply ships. The long term operating costs of carrier groups far outstrips the initial purchase costs.

Moreover, these battle groups have no "utility" against the alleged threat, the Soviet Union. Indeed, much as MIRVed missiles provide a more inviting target for preemptive destruction, so to do large, heavy carrier battle groups provide tempting targets for Soviet attack. Rather, their purpose is primarily for intervention against Third World areas. For example, most recently, two carrier groups were deployed against Libya, while last year two were deployed against Nicaragua.

Devoting such an extensive part of our naval budget to these forces is both inappropriate and expensive. The alternative would initially maintain the current level of 13 battle groups, with phased reductions to 10 groups over the next five years. The alternative proposes cuts in the procurement of battle group escort and support ships (where the bulk of the task force spending occurs) and in the reduced carrier air wings.

PROPOSED REDUCTIONS AND ELIMINATIONS

We propose no battle group increases for FY88.

We limit the purchase of battle group destroyers and cruisers to 1 of the 2 CG-47 Aegis cruisers (saving $1.0 billion) and eliminate the DDG-51 destroyers ($2.3 billion).

We reduce the number of carrier-based airplane purchases. Present inventories are already adequate for the existing groups. Our purchases are for spares, training, and continuing modernization. Thus, we reduce purchases of F-18's, A-6E's, and AV-8B's (saving $2.9 billion). We reduce missile purchases in line with plane reductions ($0.4 billion).

(3) Reduce the number of troops stationed in Europe and Asia

Between one-third and one-half of the entire military budget is predicated on the assumption that we will fight a World War II-like land war against the Soviet Union in Europe. This is irrational.

Both the Warsaw Pact and NATO forces in Europe are equipped with conventional and nuclear weapons. Further, the Warsaw Pact forces have twice the committed divisions and three times the number of tanks as the NATO forces. Even if we gave the Pentagon everything it asks for, we would not even approach parity.

Obviously our military planners know that a land war in Europe would not remain conventional. An extended European land war would require a general mobilization, just as has been required in the two land wars in Europe this century. A better way to prepare for this possibility is to increase our lift capabilities so that we could mobilize in a matter of days or weeks, rather than the months or years of prior wars.

In addition, our 250,000 solidiers in Europe effectively relieve our NATO allies from the obligation of providing for their own territorial defense. The effect on defense spending of those countries is obvious. While the United States spends 7 percent of its GDP on defense, France spends 4 percent, Germany 3.4 percent, and Italy 2.7 percent. There is no need to maintain such a large standing army to protect our own valid national security interests.

PROPOSED REDUCTIONS AND ELIMINATIONS

We propose reducing our European presence by two divisions, decommissioning one division and returning the other to the continental United States.

We reduce the end strength levels of the Navy, Air Force and Marine Corps to their FY82 levels.

We maintain National Guard and Reserve strengths at their FY86 levels.

(4) Reduce the overlapping and unnecessary weapon systems

The massive increase in military funding has led to plans based on the availability of funds, rather than necessity or mission. Many programs are being over-bought. Moreover, inter-service rivalry has led to an unnecessary level of duplication and redundancy. In a third of budgetary restraint, certain systems, while not necessarily part of improper rationales, are not required in the numbers requested. Similarly, the development of even more sophisticated systems at enormous cost should be rejected, particularly when the improvements over existing models are marginal.

PROPOSED REDUCTIONS AND ELIMINATIONS

We reject the major build-up of air force air wings. The Administration seeks to increase the number of wings to 40, from the present 36.5. We retain the present structure.

We call for reductions in F-15 purchases to 24 (saving $0.7 billion), and F-16 purchases to 36 ($2.0 billion). Complementary reductions in missiles and electronics provide additional savings ($1.3 billion).

(5) Reform procurement practices to end waste and abuse

In 1985, the Congress became acutely aware of the procurement system in the Pentagon. The publicity surrounding the Pentagon's purchase of various dime-store hardware items for thousands of dollars per item has forced Congress to insist on initial reforms in this area. These reforms must go much further and efforts must be made to end not only overcharging, but also to end the pervasive inter-service rivalry that results in the purchase of duplicative and redundant weapon systems.

To make a reformed procurement system work effectively means that the Defense Department must have a cadre of well-trained, well-paid, and motivated procurement experts. These individuals, both civilian and military, must have the respect of the President and the Congress. Calls to contract-out government functions, pay freezes, threats to the retirement systems, mandatory polygraph and urinalysis tests, and generalized attacks on government, all undermine the effectiveness of this key workforce.

PROPOSED REFORMS

We provide a 3 percent pay raise for civilian employees as well as for the military.

We increase staffing and grade levels of procurement specialists.

We halt further A-76 contracting cost comparisons.

We reject plans for widespread polygraph and urinalysis examinations.

(6) Fund programs for members of the military and families

While the proposal argues that troop reductions are necessary, we strongly believe that members of the services and their families should be provided substantially improved living and quality-of-life conditions. We propose fully funding family housing, dependent programs, and extending the length of accompanied tours. We also believe the Pentagon should increase its efforts to find employment for spouses of members of the military. These efforts must be fully funded.

(7) Create new programs for economic "conversion" and military toxic waste cleanup

The burden of a decision to eliminate or reduce certain weapon systems should be a national one. The cities and towns where those particular systems are produced should not be forced to shoulder this national burden. Thus, the proposal includes monies for approximately 150,000 jobs for fiscal year 1988 in areas where workers on military programs are displaced as a result of weapon systems cuts.

Military sites are major sources of toxic waste dumps and environmental pollution. Substantial efforts are needed to begin the process of removing the dangerous conditions present in many of these sites. The proposal includes monies for initiating such a program.

The table which follows contain the budgetary figures of the Alternative. The figures were aggregated from individual line items.

Budget authority	*Fiscal year 1988*
Procurement	70,792
RDT&E	30,137
Operations and Maintenance	80,152
Military Construction	5,235
Family Housing	3,235
Atomic Energy	2,842
Conversion/Toxic Cleanup	6,000
Personnel (dollar equivalent of troop strength, including full COLA) and other	74,131
Total	272,524

Mr. RAY. Mr. Chairman, I yield 3 minutes to the distinguished chairperson of the Subcommittee on Military Personnel and Compensation, the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, as chairman of the Subcommittee on Military Personnel and Compensation, I rise in reluctant support of the Aspin substitute to conform H.R. 1748 as reported from the Committee on Armed Services to the budget resolution number for defense. In its original markup, the committee made a $1.3 billion cut in the President's budget request for military personnel—the maximum that could prudently be cut without adversely impacting personnel readiness and morale. H.R. 1748 reduces the military personnel account by an additional $700 million.

The allocation of further cuts among the subcommittees in order to conform H.R. 1748 to the budget resolution reflects a conscious decision to protect personnel and readiness to the maximum extent possible. Nonetheless, additional cuts in the military personnel account were required—and those cuts were very difficult to make.

As I stated during general debate yesterday, there was virtually no program growth in the President's fiscal year 1988 budget request for military personnel other than funding for a pay raise and increased end strength for the active duty Navy and the Reserve components. In the committee-reported bill, we reduced the military pay raise from 4 percent to 3 percent, effective January 1, 1988, but did not cut end strength. In the remark to meet the budget resolution, however, the Subcommittee on Military Personnel and Compensation reluctantly delayed the pay raise until April 1, 1988, approved a 1,000 cut in the Navy end strength request and froze all the Reserve components, with the exception of the Army National Guard, at last year's levels. That was a very difficult decision to make. Congress has already approved the procurement of additional ships. As those vessels come into the inventory, they must be manned. Similarly, the decision to virtually freeze Reserve end strength is out of sync with previous congressional direction to the Department of Defense and the services to turn more missions over to the National Guard and Reserve.

The final reduction to meet the subcommittee's target came from deauthorization of the temporary lodging expense [TLE] during fiscal year 1988 except for junior enlisted personnel with families—those in pay grades E-4 and below. Last year's continuing appropriation resolution imposed a similar restriction. TLE is one of the reimbursements paid to military families for the out-of-pocket expenses they incur during a permanent change-of-station move on Government orders. I want to emphasize that the subcommittee recommended this limitation on TLE with the greatest reluctance. I have introduced an amendment to restore eligibility for TLE for all service members which I intend to offer should funding become available from reductions in other programs.

As I stated at the outset, there were no easy cuts to be made in the military personnel account this year. We have tried to reduce growth rather than cutting into existing force structure or current manpower programs. Before I voted for the budget resolution a few weeks ago, I had a conversation with Budget Committee Chairman BILL GRAY about the impact of the budget resolution on military personnel. The gentleman from Pennsylvania [Mr. GRAY] indicated that he would make every effort to take care of military personnel in the final budget conference resolution, and I will certainly hold him to that commitment. We cannot afford to take any chances with our most valuable defense resource: our men and women in uniform.

As a result of my discussions with the Budget Committee chairman, I supported the budget resolution and, therefore, support the Aspin substitute conforming H.R. 1748 to the budget resolution number for defense.

Mr. RAY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oklahoma [Mr. McCURDY].

Mr. McCURDY. Mr. Chairman, I rise in support of the Aspin substitute. I do so somewhat reluctantly because I would have preferred that we have a higher defense budget, a higher level this year than the one that was passed by the Budget Committee or recommended by the Budget Committee and passed the full House.

But the fact of the matter is that the budget did pass the full House and many of us voted for that because that was the only option available to us this year. The President's budget received 27 votes. Certainly that was not an alternative. We were faced then with the issue of whether or not we were going to reduce the deficits over a period of years, and we made that decision. So we were forced in the Committee on Armed Services to make a decision. How do we bring our budget in the Armed Services Committee into line with the overall budget levels? We did that, and I have to commend the gentleman from Alabama and others on the other side of the aisle who worked with us. They did work with us in the subcommittees to try to resolve this very difficult process and to try to bring those numbers into line in a manner that reflected our overall policy, that reflected the concerns that we and others in the Armed Services Committee had that we protect readiness, that we protect personnel, and that we maintain the strength in those areas that we felt was necessary, including conventional strength, which has been so ignored over the years, to try again to establish some priorities within this authorization bill. It was a painful process, and yet it was done with alacrity, and I am surprised, quite frankly, that it went as quickly as it did. But I have to commend the gentleman on the other side for working with us. We did come out with the best possible bill under the circumstances.

Now, I too, hope that the Senate comes in with a higher level and that in conference we will come and be able to resolve some of these issues in a more positive manner and I think that will certainly occur.

Even though I think it is reluctant; it is not the best possible solution that we have today, it is the only solution that we have today so that we are not placed in a position of having a point of order or an amendment that is made in order that would have an across-the-board cut with no priorities, with no reflection of the concerns that we have had in these vital areas such as readiness and personnel and conventional capabilities.

I think that each Member must and should vote for the Aspin substitute.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Ohio.

Mr. KASICH. I thank the gentleman for yielding to me.

Mr. Chairman, I just think it is so important that we make the point one more time that this is not a debate to bust the U.S. Congress budget resolution. This is a vote that disagrees with the priority mix in the House-passed budget resolution. We do not want to cede the whole game to the U.S. Senate because everybody knows the numbers are going to be higher than what we are doing on this House floor.

For those who are concerned about the budget, I am telling you we are not doing anything to violate the overall budget resolution. We do not have one yet. Please vote for a better mix and a better set of priorities.

I get so tired of hearing all these speeches about how "I have to reluctantly to do this," and "how we need more for defense." This is the opportunity to go for it and send a clear message that we want a change in priorities, a change in the mix, but not a vote to bust the congressional-passed budget resolution.

Mr. DICKINSON. I thank the gentleman for that statement.

Mr. Chairman, just in concluding debate on this particular amendment, let me say for the interest and edification of those Members and people who are not totally familiar with the House process, for years, long before I came here, we had a two-step process. We had an authorization process to be followed by an appropriation process. This is how we came to legislate and to pass a defense bill, the public works bill, and the other spending bills that the Congress passes.

Because of the growing concern over the mounting Federal deficit, there was put in place our budget committee system, so this was the third step in the process whereby the Budget Committee was supposed to get together and determine what is the total size of the pie that we are going to cut up and to apportion then to all of the spending committees of the Congress.

Well, it sounded nice; it sounded good. This was going to be the regulating body of the Congress that says this much money can be spent for public works, this much can be spent for Medicare, this much for defense and so forth. We had a time limit set and the Budget Committee was supposed to function by a certain time. Then our authorizing process had to function by a certain time, and then the Appropriations Committee had to function and appropriate the money before the Congress adjourned.

Unfortunately, the system just does not work. The Budget Committee has never, never made its target on time. Two years ago, we were finished with a bill on the floor; the Senate had finished its bill. We were in conference with the Senate before we even got the budget resolution. Last year, they were still late. They were late this year. As a result, we had to go forward and mark up our bill and after we marked it up, then the Budget Committee comes out and says, "Hey, we have got a figure. Have you gone and worked it our with the Senate now? Is that a final figure?" No; it is not a final figure. That is just what the House Budget Committee did.

"Will it be the final figure?" No; it will not be the final figure. The fact is, we are not, as the authorizing committee, and I said this before, legally bound by the budget resolution. We are trying to, in an effort, to effect comity and good faith, work within the system, but we are not bound as is the appropriations process.

So we have come up with what we feel is a fair figure, a fair amount of expenditure to do our job. If the Budget Committee later comes along and makes a different budget figure, then they have that authority. There is no reason for us to cut $17 billion additional to conform to a budget figure that is not the final figure. We do not know what it is going to be until they go to conference with the Senate. I think we would be going through an exercise in futility here.

Whatever we do is not going to be the final mark; it really has no meaning. Yet, in order to try to comply with the budget, we are going back to what is euphemistically called smoke and mirrors. We are slipping pay dates. We are deferring payments.

For instance, we are delaying the paying of our military uniformed services by 3 months because the outlays would be reduced by one-quarter of the year's expenditure. We are delaying by this amendment and by what would be required evidently under the budget outlay figure, we are saying that progress payments to contracts are going to be delayed. First it was 10 days and then we had to go to 12 days so that in the last part of the year moneys that are owed to contractors, we will withhold those payments for 12 days to get into the next fiscal year, then we will pay them. We are not saving any money. It is just gimmickry to get us by the outlay figure.

What we are doing here is unnecessary. I think we are sending the wrong signal. I would like to see the House Armed Services Committee figure stand, at least until we get a final budget figure which we do not have and might not have for 2 more months.

For that reason, I would argue against supporting the chairman's amendment. It is not necessary. I do not think it is wise. I would hope that the Members of the House would vote it down.

Mr. RAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the Aspin amendment. Mr. Chairman, I do so not because our defense programs could not use the $312 billion requested by the President, and not because I did not support the committee's version of $305 billion, but because the fiscal restraints that we have brought upon ourselves make the Aspin amendment the only feasible and realistic amendment and alternative that we can adopt.

I take a minute to say that the policy of spending $5 for each $4 that have come into the Treasury for the last several years has gotten us in the unwelcome status of a debtor nation, meaning that we owe foreign countries more than they owe us. It simply means that we are at a point in time in the history of this Nation where in the South, we would say the chickens have come home to roost, and I would say that the roost is just a little bit shaky.

It is not that we have a tremendous pot of money to take money out of; it is a matter of trying to balance up the delicate situation between our domestric sector, which is important. We have to look after those who are bound by health problems, those who need education and those who have to have some service from the domestic sector.

Mr. Chairman, I am prodefense. I realize that we have to have a strong deterrent.

□ 1510

Many of us remember World War II and know that had we not entered the war at the appropriate time, we know if the Germans had taken England and we had not stopped the Japanese when we did, where we might be today in a very bad situation; so we have to have a very strong deterrent.

Mr. Chairman, I would encourage my colleagues to support the Aspin amendment. I would encourage my colleagues to take a good look at what I would call real military reform.

I would ask my colleagues to remember that the procurement manual of the Department of Defense is 3,000 pages, that it takes 125 days to buy an average procurement contract by our defense contractors with the Government, and that the average large contract takes almost a year to procure.

We need, Mr. Chairman, to save these wasteful dollars which no doubt the 400 amendments that we will discuss in the next few days will further encumber.

Finally, Mr. Chairman, because of the fiscal responsibility that we face as a nation, because we have to be realistic, I ask for full support of the Aspin amendment.

Mrs. MARTIN of Illinois. Mr. Chairman, here is some background material that I believe reinforces my position:

[U.S. Arms Control and Disarmament Agency, Washington, DC, May 4, 1987]

Background: The bilateral, US-USSR, Nuclear and Space Talks (NST) in Geneva are divided into three negotiating groups: Strategic Arms Reduction Talks (START), Intermediate-Range Nuclear Force (INF), and Defense and Space Talks (DST). Round I of NST began in March, 1985; Round VII ended in March, 1987. Round VIII began in late April for the INF Negotiating Group and two weeks later for the START and Defense and Space groups. The three components of the US Delegation are headed by Ambassador and Chief NST Negotiator Max Kampelman (DST) Ambassador Ronald Lehman (START), and Ambassador Maynard Glitman (INF).

US objectives in NST are to reach agreements on offensive nuclear weapons that enhance stability and reduce the likelihood of war, that codify deep reductions from current force levels, that leave each side with equivalent levels of forces and that are effectively verifiable. With regard to defensive weapons, the US seeks to reverse the erosion of the ABM Treaty and engage in constructive dialogue on a jointly managed transition to greater reliance on defensive systems should research show that effective defenses are feasible.

Although the Soviets agreed to three separate negotiating groups they have "linked" agreement on strategic offensive arms to prior agreement in Defense and Space. In Defense and Space, so far, they have sought to constrain the current Strategic Defense Initiative (SDI) research program beyond the constraints of the ABM Treaty; such constraints are unacceptable to the US. Linkage between DST and INF has, on several different occasions, been imposed and then publicly removed by the Soviets to appear as a concession. In October of 1985, General Secretary Gorbachev announced that the Soviets were willing to reach an INF agreement without one in DST; but following the Reykjavik meeting in October, 1986, the Soviets "relinked" all of the negotiations. The current Soviet position presented as a major initiative by Gorbachev in late February, 1987 once again delinked INF from START and Defense and Space. Since the beginning of the NST, the Soviets have linked agreement in START to agreement in Defense and Space.

From 13-15 April, 1987, Secretary of State George Shultz and accompanying U.S. experts visited Moscow and held a series of meetings with General Secretary Gorbachev and Foreign Minister Shevardnadze which included extensive discussion of NST issues. Relatively little progress on START and Defense and Space issues was achieved but considerable progress was made in the INF area.

UNITED STATES AND SOVIET POSITIONS—INF

At Reykjavik, the US and the Soviet Union agreed in principal to a global limit of 100 long-range INF (LRINF) missile warheads for each side, with none in Europe. (LRINF include US Pershing II and ground-launched cruise missiles (GLCM) and Soviet SS-20s and SS-4s). The residual missile warheads would be deployed in Soviet Asia and on US territory. The Soviets dropped their long standing insistence that British and French strategic missiles be included in such an agreement. The sides also agreed on the need for effective verification (including on-site inspection) of obligations assumed. After thorough consultation with its NATO allies, the US tabled an INF Draft Treaty on March 4 building on the progress achieved in the negotiations to that date, including the agreements-in-principle reached at Reykjavik. The US INF Treaty also contains a comprehensive approach, including specific inspection measures, to ensure effective verification of the agreement.

Issues between the sides that remain to be settled before a mutually agreeable Treaty can be completed include:

The Soviets have insisted that the 100 permitted US LRINF missile warheads deployed in the US be deployed beyond striking distance of Soviet territory (i.e. no deployments in Alaska). The US opposes any constraints on deployment within US territory.

The US seeks equal, global limits, as part of the initial INF Treaty, on US and Soviet SRINF missiles in the range band between the Soviet SS-23 (ca. 500km) and the Pershing II (1800km) at the current Soviet level, thereby according the US the right to match the Soviet level. The US could exercise its right to equality either by deploying new SRINF systems or through conversion. The Soviets have opposed any solution which would permit the US to offset with US systems the current Soviet monopoly on SRINF systems.

In Moscow, the Soviets proposed to deal with SRINF in a separate negotiation that would lead to a zero outcome for SRINF in Europe and equality on a global basis. In Moscow, the Soviets also stated that on signature of an INF treaty, they would withdraw S-12's deployed in East Germany and Czechoslovakia and destroy them. This, in effect, establishes a new initial ceiling below the current Soviet levels. In Geneva, recently, they further elaborated their approach to an SRINF solution which the US is carefully considering.

After consulting with its Allies, the United States will respond to these new Soviet positions.

The US maintains that, in view of the importance of effective verification, the sides must address verification details as part of the process of reaching agreement on a Treaty. While there is agreement in principle to some basic principles of verification, detailed discussions are just beginning. The Soviets have also indicated at various times that they may want to defer consideration of verification details until after a Treaty is agreed. This would not be acceptable to the US.

With respect to verification, the US has proposed a series of measures that include non-interference with national technical means of verification (including a ban on telemetry encryption), data exchanges, onside inspection to confirm baseline data, inspections to verify elimination of systems, and inspections to verify permitted residual INF levels.

US experts in Moscow noted that verification and several of the remaining technical issues in the LRINF area could be facilitated if the Soviets would agree to a global zero outcome for LRINF—the preferred goal of the United States.

START

At Reykjavik the US and the Soviet Union reached agreement in principle on 50% reductions by 1991 in strategic offensive forces. This would be implemented by reduction to 1600 strategic nuclear delivery vehicles (SNDVs). SNDVs are ICBMs, SLBMs and heavy bombers. It would also be implemented by limits on strategic nuclear warheads to 6000; these include ballistic missile warheads, air-launched cruise missiles (ALCMs) and other heavy bomber armaments—with each heavy bomber armed with other than ALCMs (e.g. gravity bombs and short range air-to-surface missiles (SRAMs)), to count as a single warhead toward the 6000 limit. In addition, both sides agreed to seek a mutually acceptable solution to the question of limiting long-range nuclear-armed, sea-launched cruise missiles (SLCMs) and agreed that SLCMs would not be included in the 1600 SNDV and 6000 warhead aggregates.

Issues between the sides include the following:

The Soviets continue to link 50% reductions to agreement in Defense and Space and agreement to begin negotiations on a comprehensive ban on nuclear weapons testing.

The US seeks warhead sublimits of no more than 4800 ballistic missile warheads, 3300 ICBM warheads, and 1650 warheads on permitted ICBMs except those silo-based light and medium ICBMs with six or fewer warheads; the US goal in proposing these sublimits is to prevent a concentration of warheads on the most destabilizing forces such as heavy ICBMs with highly-fractionated payloads (i.e., carrying several warheads).

Taking into account the Soviet concern about substantial force restructuring, the U.S. proposed in Moscow that the fifty percent cuts be implemented over seven years instead of five. This would allow the Soviet side time to make necessary adjustments to meet the US-proposed sublimits.

The Soviets had earlier made proposals, in effect, for sublimits of 80-85% for warheads on ballistic missiles and 60% on warheads on ICBMs but they withdrew these proposals in connection with their Reykjavik proposal. In Moscow, the Soviets argued that the price of their agreement at Reykjavik to a bomber weapon counting rule was the dropping of any ballistic missile warhead sublimits. This is incorrect—U.S. acceptance of the bomber counting rule was precisely on the assumption that there would be warhead sublimits. Unfortunately, no progress was made on this issue during the Moscow meetings.

While the Soviets have argued that overall reductions under the 1600/6000 limits would include fifty percent reductions in heavy ICBMs, sublimits on only heavy ICBMs cannot substitute for the US proposed package of three sublimits.

The US has proposed that a START Treaty limit both sides' missile throw-weight, one of the most important measures of destructive power, to 50% of the current Soviet level and that the reduction be codified by either direct or indirect limits. The Soviets claim that the proposed 50% reduction in strategic forces would result in approximately a 50% reduction in their ballistic missile throw-weight, but they have refused to codify this reduction as an obligation under the Treaty.

The US would ban mobile ICBMs, principally because of verification difficulties; the Soviets would permit them but have not addressed US concerns about verification.

On verification, while there is agreement on the broad principles (data exchange and observation of both reductions and remaining inventories as in INF), the sides have not addressed the details of specific measures and the Soviets appear to be more restrictive in terms of access for on-site inspection.

Finally in Moscow, the U.S. proposed that the two sides begin drafting treaty language during Round VIII and that we seek to conclude a START Treaty by the end of 1987 or early 1988.

DEFENSE AND SPACE

During the April Moscow meetings, the United States offered a new proposal along the following lines:

The United States and the Soviet Union would commit through 1994 not to withdraw from the ABM Treaty.

This commitment would be contingent on implementation as scheduled of agreed START reductions, i.e., 50 percent cuts to equal levels of 1600 delivery vehicles and 6000 warheads, with appropriate sublimits, over 7 years from entry into force of a START agreement; it would not alter the sovereign rights of the sides under customary international law to withdraw in the event of material breach or jeopardy to supreme interests.

After 1994, either side could deploy defensive systems of its choosing, unless mutually agreed otherwise.

To further enhance predictability, the two sides would establish an annual exchange of data on their planned strategic defense activities, would implement the US "Open Laboratories" initiative, and establish procedures for reciprocal observation of strategic defense testing.

The United States believes this package would establish a regime that would dramatically reduce nuclear arms, ensure that neither side faces sudden changes in the strategic environment, facilitate enchanced mutual confidence through greater awareness of the strategic defense programs and plans of the other side, and allow both sides to continue their exploration of the potential for strategic defense. In other words, it is a regime that would establish strategic stability at radically lower levels of nuclear forces well into the future.

In Moscow, the Soviets again called for a 10-year period of nonwithdrawal from the ABM Treaty. But as under the new U.S. proposal, this period wold be keyed to initial START reductions of 50 percent. They did add a new element suggesting the two sides agree on a list of prohibited space-based objects. They also adjusted the timing of subsequent negotiations.

The new Soviet proposal does appear to have some constructive elements. For example, the proposal, like ours, is made in the context of the 50 percent START reductions on which we had agreement in principle at Reykjavik. This eliminates the difficult issue of offensive reductions during the second half of their nonwithdrawal period. Additionally, the Soviet offer to conduct negotiations during, rather then after, the nonwithdrawal period about subsequent ABM activities is a positive step. Nevertheless, several very difficult issues remain in this area.

Miss SCHNEIDER. Mr. Chairman, I would like to note that the substitute defense authorization offered by the chairman of the Armed Services Committee, Mr. ASPIN, calls for a significant reduction in Department of Defense research outlays compared to the committee proposal. I highly commend this portion of the substitute authorization and I feel that such action is long overdue. Frankly, our research spending priorities are totally out of line with our national research priorities. We are squandering money on research for exotic weaponry while our ability to invent and produce consumer electronics, manufacturing processes and medical technologies is under constant threat from overseas.

Defenders of unchecked growth in military research and development argue that the nation benefits from nonmilitary spinoffs from these investments. But the facts defy this rationale. The fruits of military research and development are often left on the shelf in the security vaults. They are released only after they have been independently reinvented in the private sector, and as likely as not by foreign competitors. Getting military research and development to the civilian marketplace is a losing proposition—it is too specialized, too costly, and in most cases designed for a purely military environment. By the time a spinoff is available, it is often obsolete. John Young, president of Hewlitt-Packard has said that "military research is so exotic and so slow that it offers little commercial use." According to Eric Bloch, Director of the National Science Foundation, civilian technologies are in most cases more advanced than those used by the military.

If one needs further proof that our research and development priorities need rearranging, simply look at our overseas competition. The nondefense R&D outlays as a percentage of GNP for West Germany and Japan are about a third greater than our own. We have been moving in exactly the wrong direction in our R&D investment. Since 1980 Defense R&D has grown by 96 percent while civilian R&D has decreased by 15 percent. For every dollar that we spend for research and development at Health and Human Services, we spend nearly $9 on the military. For every dollar available to the National Science Foundation, the Defense R&D community has nearly $30, at both HHS and NSF, the share of research moneys available has been declining in recent years.

Mr. Chairman, it is high time that we put the brakes on our out-of-control military R&D spending and consider where some of that money could be more wisely invested. It is time to recognize that our nation's security depends on much more than high-technology weaponry. Our future is tied to the wise use of all of our intellectual resources, and particularly to the development of commercially useful technologies. We must place a higher priority on using our science to solve problems of health, environment, and energy. An end to the growth in an already bloated military research and development account is a small first step in the right direction.

Mr. BADHAM. Mr. Chairman, I rise in opposition to the Aspin substitute. The amendment would exacerbate a growing problem wherein the top line allocation for defense is increasingly determined by near term House budgetary expediency rather than threat based military requirements.

The notion that the $288.7 billion allocated for defense in the House-passed budget resolution is adequate to preserve the status quo for defense is an illusion. Fiscal year 1988 would mark the third consecutive year of negative real growth in the procurement accounts. Proponents of these decreases argue that they can and should be accommodated by trimming waste from the procurement request. However, it is evident from the substitute proposed by the gentleman from Wisconsin that we have gone beyond trimming waste from the procurement request. Indeed, worthy programs are terminated not for cause, but solely on the basis of affordability. It should go without saying that abandoning worthy programs in midstream is perhaps the greatest waste of all.

As a member of the Committee on Armed Services, I cannot and will not abdicate my responsibility to instruct the House on what is required for defense to satisfy the esthetics of the budget process. Quite frankly, I am hopeful that any final budget resolution will provide an increased level of funding for defense so that a number of worthy programs can be restored.

Mr. FRENZEL. Mr. Chairman, I rise in support of the Aspin substitute amendment.

The committee drafted its bill prior to adoption of the House budget resolution. While I was dissatisfied with that budget, I did feel it offered the promise of enhanced control over defense spending. Adopting the Aspin substitute will conform this bill to the budget, generating significant savings. For that reason, I support it strongly.

Mr. Chairman, the Aspin proposal contains a number of controversial provisions that have not cleared the committee, and it contains a number of flimsy savings. However, along with the smoke, it does make some real cuts. It is the only document we have which meets the budget targets passed by the full House only weeks ago. As such, it provides as good a working document as we can find in which to frame the debate of defense policy for the coming year.

Critics of the Aspin substitute call it draconian. I do not think so. It is less than the President would like, but it provides for a reasonably strong defense for the coming year.

Earlier this year, I, along with Mr. PORTER, introduced a budget resolution that we felt presented adequate funding levels for all areas, but which achieved more real savings than any other proposal considered by the House. We considered a number of possible defense savings reforms, and arrived at a defense BA figure of $284 billion. The Aspin substitute provides almost $5 billion more than that figure. It should not be considered inadequate.

Mr. Chairman, this vote boils down to one of fiscal responsibility. We can't cut any spending unless we cut all spending. I urge my colleagues to support the Aspin amendment, and to proceed with the defense debate from a more fiscally responsible starting point.

Mrs. LLOYD. Mr. Chairman, I rise in reluctant support of this amendment chiefly because it places the authorization level for defense programs in line with the House-passed budget resolution. However, I am distressed by the cuts recommended from the previous HASC levels of H.R. 1748 which are painful in some cases and devastating in others. Also, I am somewhat concerned that, although I strongly endorse a renewed emphasis on conventional weapons systems in terms of NATO's needs, I believe that the Air Force procurement is somewhat a casualty of this as well as of that services' difficulties with the B-1B bomber.

I am dismayed that H.R. 1748 and the substitute retain full funding for initiating work on two new nuclear carriers while crippling or sacrificing certain strategic systems such as SRAM-II, a must weapon for the advanced technology bomber, tactical programs such as ATBM R&D and conventional elements such as Harrier-II aircraft and the Aquila RPV.

Nevertheless, I am pleased that the sustitute retains the $100 million add which I strongly supported for advanced submarine RDT&E and I understand that there will be HASC hearings on the pace and nature of the Navy's approach. I strongly endorse the $20 million in the substitute for the x-ray lithography initiative which is a joint DOD/DOE program which I was pleased to catalyze with a letter to Under Secretary Godwin early in this Congress. I am gratified to note that I was able to obtain support for a companion $20 million to carry out DOE work in x-ray lithography through the Energy Research and Development Subcommittee under the Science, Space, and Technology Committee.

Mr. RAY. Mr. Chairman, that concludes the debate on this side. I have no additional requests for time and I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. RUSSO). All time has expired.

The question is on the amendment in the nature of a substitute as modified, offered by the gentleman from Wisconsin [Mr. ASPIN].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. RAY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 249, noes 172, not voting 12, as follows:

[Roll No. 81]

AYES—249

Ackerman
Akaka
Alexander
Andrews
Aspin
Atkins
AuCoin
Barnard
Bates
Beilenson
Biaggi
Bilbray
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Brown (CO)
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chandler

Chapman
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Coyne
Crockett
Darden
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Espy
Evans
Fascell
Fazio
Feighan
Flake
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gibbons
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hochbrueckner
Howard
Hoyer
Huckaby
Hughes
Jacobs
Jeffords
Jenkins
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Lewis (GA)
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Miller (WA)
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Moakley
Mollohan
Moody
Morella
Morrison (CT)
Mrazek
Murphy
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Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Rahall
Rangel
Ray
Richardson
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Rodino
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Roemer
Rose
Rostenkowski
Roth
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith, Denny (OR)
Smith, Robert (OR)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tauke
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOES—172

Anderson
Applegate
Archer
Armey
Badham
Baker
Ballenger
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Buechner
Bunning
Callahan
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Courter
Craig
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Fawell
Fields
Fish
Flippo
Gallegly
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Grandy
Gregg
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hefley
Herger
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Hopkins
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Hubbard
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Hutto
Hyde
Inhofe
Ireland
Johnson (CT)
Kasich
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Kolbe
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Lagomarsino
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Martin (IL)
Martin (NY)
McCandless
McCollum
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinari
Montgomery
Moorhead
Morrison (WA)
Murtha
Myers
Nelson
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Quillen
Ravenel
Regula
Rhodes
Rinaldo
Ritter
Roberts
Robinson
Rogers
Roukema
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Solomon
Spence
Stangeland
Stratton
Stump
Sundquist
Sweeney
Swindall
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOT VOTING—12

Annunzio
Anthony
Berman
Boner (TN)
Burton
Combest
Gephardt
Horton
Levine (CA)
Marlenee
McKinney
Tauzin

The Clerk announced the following pair:

On this vote:

Mr. McKinney for, with Mr. Combest against.

□ 1530

Mr. HANSEN changed his vote from "aye" to "no."

Mr. UDALL and Mr. VENTO changed their votes from "no" to "aye."

So the amendment in the nature of a substitute as modified, was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. RUSSO). Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. TRAXLER], having assumed the Chair, Mr. RUSSO Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION REVITALIZATION ACT OF 1987

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 154 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 154

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 27) to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Banking, Finance and Urban Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, substitute shall be considered for amendment by title, each title shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 7 of rule XVI are hereby waived. It shall be in order to consider en bloc the amendments printed in the report of the Committee on Rules accopanying this resolution, by and if offered by Representative St Germain of Rhode Island, or his designee, said en bloc amendments shall be considered as read, shall be debatable for not to exceed forty minutes, equally divided and controlled by the proponent of the amendments and a Member opposed thereto, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole. No other amendment which changes or affects the subject matter of title I shall be in order. It shall be in order to consider en bloc the amendments printed in the report of the Committee on Rules accompanying this resolution, by and if offered by Representative Pepper of Florida, or his designee, said en bloc amendments shall be considered as read, shall be debatable for not to exceed forty minutes, equally divided and controlled by the proponent of the amendments and a Member opposed thereto, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The **SPEAKER** pro tempore. The gentleman from Texas [Mr. Frost] is recognized for 1 hour.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Missouri [Mr. Taylor], pending which I yield myself such time as I may consume.

□ 1540

Mr. FROST. Mr. Speaker, House Resolution 154 is a modified open rule providing for the construction of H.R. 27, the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987. The rule provides for 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs.

The rule makes in order the Banking Committee amendment in the nature of a substitute, now printed in the bill, as an original bill for the purpose of amendment under the 5-minute rule and provides that the substitute shall be considered for amendment by title and that each title shall be considered as having been read. In addition, the rule waives all points of order against the substitute for failure to comply with the provisions of clause 7, rule XVI—the germaneness rule.

Mr. Speaker, House Resolution 154 is a modified open rule because only one en bloc amendment to title I is made in order in the rule. That amendment, printed in the report accompanying this rule, by and if offered by the gentleman from Rhode Island, the chairman of the Committee on Banking, Mr. St Germain, or his designee, shall be considered en bloc and shall be considered as having been read. The rule provides that the St Germain amendment shall not be subject to amendment or to a division of the question in the House or in the Committee of the Whole and shall be debatable for not to exceed 40 minutes, that time to be equally divided and controlled by the proponent of the amendments and a Member opposed.

The St Germain amendments are significant amendments to the committee amendment and I should like to take a moment to explain them. H.R. 27, as reported by the Banking Committee, provides for a 2-year $5 billion recapitalization of the Federal Savings and Loan Insurance Corporation. That provision was agreed to by the full Committee by a vote of 25 to 24, reversing the vote of the Subcommittee on Financial Institutions which had adopted a provision providing for a $15 billion 5-year recapitalization by a vote of 23 to 20. Because of the closeness of these votes, and the ongoing debate as to which level of funding for the FSLIC is best suited to meet the financial crisis that currently faces the savings and loan industry and the FSLIC, the Committee on Rules has recommended a rule which will permit the House to make a choice between the reported $5 billion 2-year recapitalization and a $15 billion 5-year recapitalization. However, because of the sensitive nature of the problem facing the FSLIC, the Committee also recommends that no other amendment which affects the subject matter of title I shall be in order.

The rule also specifically makes in order the consideration of en bloc amendments, printed in the report accompanying the rule, by and if offered by the gentleman from Florida [Mr. Pepper] or his designee. These en bloc amendments, which amend title II of the committee amendment in the nature of a substitute, shall be debatable for 40 minutes, equally divided and controlled by the proponent of the amendments and a Member opposed. The amendments shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole. The Pepper amendments broaden the eligibility for capital forbearance to minority savings and loan associations and directs the Department of the Treasury to develop a program providing for the deposit of Federal funds in minority savings and loans.

Mr. Speaker, while the rule specifically makes the Pepper amendments in order to title II, the rule does not preclude the offering and consideration of any other germane amendment to either title II or title III. However, Members should be aware that since this bill is narrowly drafted, amendments that go beyond the subject matter of titles II and III are not germane and will be subject to a point of order. In other words, other banking issues such as nonbank banks and a moratorium on the expansion of bank powers are not germane to H.R. 27 and therefore cannot be considered.

Finally, Mr. Speaker, the rule provides that at the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and that any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or the amendment in the nature of a substitute. The rule also provides that the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except on motion to recommit with or without instructions.

Mr. Speaker, I cannot stress enough the vital importance of the provisions of this bill. In the course of the past few months the news has been filled with reports on the precarious state of the savings and loan industry and the related strains on the FSLIC. My State is in a particularly troublesome situation and it is abundantly clear that FSLIC must be recapitalized to insure the savings of depositors in these troubled S&L's.

But just as importantly, it is vital that the forbearance provisions of title II be enacted to allow those well-managed institutions in economically depressed areas a chance to revitalize and work themselves back into a healthy financial status. The Federal Home Loan Bank Board is in need of some direction from the Congress as to how to manage this financial crisis, and the forbearance provisions of H.R. 27 are an important element in the ability of the savings and loan industry to return to a healthy and profitable state. In addition, the provision of title III of the bill which permanently extends titles I and II of Garn-St Germain—those provisions which include authority for the emergency interstate acquisitions of closed thrifts and the net worth certificate program—are of enormous importance to the health and well-being of the savings and loan industry. Finally, title III also imposes a fee on those FSLIC-insured institutions that leave the system and reaffirms that deposits up to the statutorily prescribed amount, in federally insured depository institutions, are backed by the full faith and credit of the U.S. Government.

In sum then, Mr. Speaker, H.R. 27 is a reasoned and rational congressional approach to a financial crisis. I urge my colleagues to adopt this rule and to pass this bill which will go a long way toward assisting this vital industry to regain its health and to protect the depositors in the Nation's savings and loan associations.

Mr. TAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 154 is the rule under which the House will consider H.R. 27, a complicated method to raise new capital through bond financing to help shore up the ailing Federal Savings and Loan Insurance Corporation.

Under this rule, which is about two-thirds open, the House will decide whether to raise $5 billion in new capital over the next 2 years, or whether to raise $15 billion over 5 years.

The Members will have an opportunity to vote on this issue, although the rule limits amendments that can be offered to title I of the bill to those specified in the Rules Committee report. Under the rule, the House will be allowed one vote on three amendments to be offered by the gentleman from Rhode Island, the chairman of the Committee on Banking [Mr. St Germain].

Mr. Speaker, one of the major controversies surrounding the bill, made in order by this rule, has been the amount necessary to recapitalize

FSLIC's insurance fund, and over what amount of time.

Although the administration and some members of the Banking Committee supported $15 billion in bond financing over 5 years, the committee reported $5 billion over 2 years.

One can only imagine the twists and turns this issue has taken during the past few days, for lo and behold, last Tuesday there was a surprise reversal of position on the part of the Speaker and the Banking Committee chairman, and this rule reflects the new realities of the parliamentary situation.

Mr. Speaker, I am not opposed to this rule because it is what the bipartisan leadership of the Committee on Banking asked for.

Mr. Speaker, the amendments to title I specified in the rule are to be offered by Mr. St Germain en bloc, and they would:

Provide for $15 billion in new FSLIC funding over a 5-year period;

Place an annual cap of $3.5 billion on this new financing, unless Congress passes a joint resolution authorizing a higher amount; and

Allows Congress to stop the funding 2 years after enactment by passing a joint resolution prior to the end of that period.

The amendments to be offered by the gentleman from Rhode Island are debatable for 40 minutes, are not subject to further amendment, and are not divisible.

Mr. Speaker, the amendments to title I specified in the rule are the only amendments that will be in order to that title. Since title I is closed to any other amendments that any other Member of the House might have, some Members may well oppose this rule.

Mr. Speaker, the rule further specifies a set of amendments to be offered by the gentleman from Florida, the chairman of the Committee on Rules, Mr. Pepper.

Those amendments are to title II, they are to be offered en bloc, and are debatable for 40 minutes. They are not subject to further amendment, and they are not subject to division.

The amendments by Mr. Pepper add new language relating to minority-owned savings and loan institutions in title III. In essence, the minority-owned provisions are closed.

One of the amendments instructs FSLIC to use forbearance in closing minority-owned savings and loans so that they will be kept open even though they may not meet the economic depression criteria for other S&L's found in the bill.

The second amendment directs the Treasury Department to deposit more Federal funds in FSLIC-insured, minority-owned savings and loan institutions.

Mr. Speaker, the major provision of title II deals with capital forbearance of well-managed S&L's whose net worth has fallen below a certain level. Those portions of title II will be open to amendment under the 5-minute rule.

The general provisions of H.R. 27 are found in title III, and they will be open to amendment under the 5-minute rule.

Included in title III is a penalty fee, known as exit fees for FSLIC-insured institutions that excercise their option to convert to FDIC insurance programs.

Mr. Speaker, under the bill as reported, the 12 regional Federal Home Loan Banks are to put up $1 billion to create a separate Financing Corporation, which in turn will sell $2.5 billion worth of zero-coupon bonds each year to private investors.

The complex borrowing arrangement in H.R. 27 was originally proposed so that the S&L industry would ultimately finance the borrowing costs associated with recapitalizing the fund.

The S&L members of FSLIC would be responsible for repaying the interest on the 30-year bonds through new, higher assessments levied on their deposits by FSLIC.

Mr. Speaker, the Federal Savings and Loan Insurance Corporation currently backs more than $900 billion worth of deposits at 3,200 S&L's. S&L insolvency has dwindled the primary insurance fund reserves to $1.4 billion in the past few months.

A recent General Accounting Office audit report concluded that FSLIC is technically bankrupt, since its current liabilities outweigh assets by about $3 billion. The GAO predicted that FSLIC would need some $24 billion over the next several years in order to close and sell hundreds of bankrupt S&L's.

Mr. Speaker, the Congress needs to act quickly on this bill to recapitalize the FSLIC, if we are to keep faith with the hundreds of thousands of depositors who have come to rely on FSLIC-insured thrift institutions. This rule is the first step, and I urge it be adopted.

□ 1550

Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. Wylie].

Mr. WYLIE. Mr. Speaker, I rise in support of the rule on H.R. 27, and I want to commend the gentleman from Missouri for his excellent statement in support of the rule and in support of what we are trying to do here today.

To afford a little background as to why we are here, it was about 2 years ago that Ed Gray, Chairman of the Federal Home Loan Bank Board, George Gould, Under Secretary of the Treasury for Finance, and the other regulators came to see some of us saying that the Federal Savings and Loan Insurance Corporation fund was in trouble. This came on the heels of the closing of the privately insured savings and loans in Ohio which was quickly followed by the S&L problem in Maryland.

To the Chairman's credit, he began hearings on this issue almost immediately. We came up with a bill which would have provided $15 billion to recapitalize the FSLIC fund over a period of 5 years. The savings and loan industry signed off on the bill, the Federal Home Loan Bank Board signed off on it, Treasury signed off on it, and it passed the House on the Suspension Calendar.

The other body passed a similar bill, but other issues were added, and the other body, feeling it could get more in the way of banking legislation by that process, did not give us a clean vote on the FSLIC recap.

After the 99th Congress adjourned, the U.S. League came up with a plan which would provide $5 billion over a 2-year period. GAO, which has no axe to grind in this controversy, says that $5 billion is not enough; that, in effect, with only $5 billion the taxpayers will end up bailing out troubled S&L's; I do not see any other way around it, after having listened to testimony for over 2 years on this issue.

GAO says, that $15 billion is needed to maintain public confidence and to ensure that depositors are paid from the Federal Savings and Loan insurance fund, which—and I emphasize this—is the insurance fund established for the purposes of seeing that no depositor ever loses money.

Moreover, in my judgment, the special assessment can be phased out more quickly under a $15 billion, 5-year plan, which is more likely to succeed than under a $5 billion 2-year plan.

Title II of the bill provides for a plan of forbearance for institutions which have found themselves in difficulty, mostly through no fault of their own, because of changes in our economic structure. S&L's in Texas, Oklahoma, Louisiana, and California have been hard hit because oil prices and, in some cases, agriculture prices have dropped. These are the States where the most serious problems exist.

I think some reasonable forbearance provision is justified.

Title III pertains to the exit fee, and there will be more discussion on that later.

The exit fee is what the name implies: that is, in effect, a cost or charge for withdrawing from the Federal Savings and Loan Insurance Corporation in favor of moving to the Federal Deposit Insurance Corporation. The fear is that there might be a widespread exodus that could erode the base of FSLIC.

I think that probably some exit fee should be exacted.

In conclusion, Mr. Speaker, I urge my colleagues to support this rule and the amendment to fully fund the FSLIC recapitalization. It's time for Congress to act to preserve public confidence in our Nation's thrift institutions and their Federal insurer, FSLIC.

Mr. TAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BARTLETT], a member of the committee.

Mr. BARTLETT. Mr. Speaker, I rise in strong support of this rule and of H.R. 27, and plan to also support the amendment to be offered by the gentleman from Rhode Island [Mr. ST GERMAIN] and the gentleman from Ohio [Mr. WYLIE] that will increase the capitalization amount for the Federal Savings and Loan Insurance Corporation to the $15 billion.

The size of the problem that the FSLIC faces is at minimum the $15 billion that will be discussed in that amendment. Congress should be certain that it provides for the adequate capitalization of the FSLIC in order to resolve current problems and accomplish orderly transitions for some institutions and to avoid a potential crisis.

This new capital must be coupled with other provisions that are contained in the bill in title II of H.R. 27, which provides for changes in the accounting and regulatory treatment of thrifts, as well as forbearance for those well-managed institutions whose troubles are due to regional economic decline.

Others will discuss in some detail the need for that $15 billion of minimum capitalization, which I support. I plan to take a few minutes now, and during the general debate, to discuss the details of the forbearance and reform section of the bill, or title II.

I will discuss in broad terms the need for, under this rule, forbearance and regulatory reform and then detail some of those forbearance and regulatory items during the general debate.

First, I want to begin by making crystal clear that title II is not a hold-harmless provision against closing institutions that are so deeply insolvent that they cannot recover. Those institutions will be closed or merged with other institutions. They must be so that the rest of the industry can survive.

Nothing in title II of H.R. 27 would prevent or restrict the closing of those institutions that are so deeply insolvent that they cannot recover.

What title II does do is it ensure three things will happen. First, that those institutions that are so insolvent that they have to be closed will be closed or merged with other healthly institutions; second, ensure that those institutions that can work their way back to health will be allowed to do so; and third, it will change those regulations of the Federal Home Loan Bank Board that are currently driving down the valuation of commercial real estate and commercial real estate loans to an artificially low level, even below the real market value, which is already low enough.

□ 1600

Too many of the Bank Board's regulations have provided a value that is even less than the already depressed market value.

Title II provides for no radical changes. It simply replaces unrealistic regulations with regulations that are based on either generally accepted accounting principles or traditional principles of regulatory accounting. By way of background for this legislation, on the forbearance section, I would comment to the Speaker that although our national economy is experiencing overall growth, there are actually two economies in this country. One is the one with robust growth and development that we see on the East and West Coasts. The other is in America's heartland and in the Southwest where depressed oil and agricultural prices have caused a decline in property values, which are the collateral for loans by thrifts, of often as much as 60 to 80 percent of a decline. These declines in property values have had a disastrous effect on collateral-based institutions, the savings and loans, that are also feeling the effects of overbuilding.

Unfortunately, Mr. Speaker, the response of the regulators at the national level, in dealing with the thrifts in depressed areas, has often been unduly harsh and has exacerbated an already existing problem. The regulators have come to those areas and have sometimes required most thrifts to reappraise their properties and write down the value of their loans to and beyond the depressed market value and often below that value.

Additionally, thrifts have not been allowed to establish loan loss reserves, as are allowed by other financial institutions.

So this two-part effort, the full $15 billion recapitalization combined with forbearance and regulatory reform, has been formulated and drafted by the committee chairman, the gentleman from Rhode Island [Mr. ST GERMAIN], by the gentleman from Ohio [Mr. WYLIE], and by members of the Banking Committee from both sides of the aisle. Title II contains provisions that would establish a forbearance policy for well-managed institutions and would change many of the harsh accounting practices and establish an appeal for those thrifts.

During the course of the general debate on the bill I will come back to discuss the details of each of the provisions that are contained in Title II.

Mr. TAYLOR. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Virginia [Mr. PARRIS], a member of the Committee on Banking, Finance and Urban Affairs.

Mr. PARRIS. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of the rule and of the legislation, H.R. 27, that is before us this afternoon.

There is always a simple answer to a very complex problem, and this is one of them, but the problem with that is that those simple answers are invariably wrong. In this case what we have is a fairly simple situation. We have a thrift industry which has been overrun by changes in technology and computer capabilities and all the things we know about in the delivery of financial services in this Nation, and consequently we deregulated—and that was the right decision, in my view—back in 1981, and we gave those thrifts new powers to engage in commercial lending activities. Some of the managements of those thrift industries turned out to be not the right kind of managements that we would want. Some of the asset distribution was wrongfully mismanaged. In some cases there was outright fraud. But that is history now, and we have to address the problem as we find it today.

It has been alluded to earlier in this debate that the FSLIC is in deep financial trouble. It is, and let me tell the Members just how deep. In a letter yesterday the General Accounting Office indicated that its estimate in March of the loss of FSLIC and its insurance fund for calendar year 1986 will be close to $11 billion—that is billion—in 1 year, and the accumulated deficit of that insurance fund will be in the range of $6 billion. Let me repeat. That is $6 billion in the red.

That is why many of us, Mr. Speaker, suggested that the initial bill reported by the committee—and I might add that was by the margin of one vote—was woefully inadequate to even meaningfully address this problem. The president of the Dallas Federal Home Loan bank testified that it would cost $6 to $8 billion just to solve the Dallas regional problems, and there are 12 regional banks.

Where in God's name does it make any sense to deal with a bill that would provide the authority to issue bonds for only $2.5 billion a year for 2 years when you cannot even solve the problems in the vicinity of the Dallas Airport with that kind of money?

Therefore, Mr. Chairman, it is absolutely imperative that we adopt the St Germain-Carper-Wylie substitute which will be offered in the general consideration on this issue to increase the authorization to $15 billion.

But even that will not be enough. If there is anybody in this room who believes we are going to solve this problem with the adoption of this legislation, you ought to think again because many experts would have us believe that the accumulated deficits of FSLIC are approaching $35 to $45 billion—and the obligation of that deficit will be inescapable.

What we have witnessed, Mr. Speaker, is the regulators losing the ability to control this changing industry, and the deficits that have accumulated will surely become an obligation of the Federal taxpayer, if we do not address this situation. What we are attempting to do in this bill is to avoid that obligation.

Mr. Speaker, I would hope that the Members who will follow this debate and the merits of this bill will look very carefully at the needs of this industry, which can and will continue to provide an important service to the consumers of this Nation, but only if we step forward in a courageous way today and adopt this legislation.

Mr. TAYLOR. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, this bill is sorely needed to begin to solve the problems the S&L industry is experiencing. I will be supporting H.R. 27, as reported, providing for an additional $5 billion over a 2-year period to supplement the current insurance funds.

For the sake of fiscal integrity of the savings and loan industry, we must reject the $15 billion proposal. It is time we stop trying to solve problems by throwing money at them. Yesterday, Senator PROXMIRE, chairman of the Senate Banking Committee was quoted as saying:

> The condition of the FSLIC is being deliberately exaggerated by the U.S. Treasury and the Federal Home Loan Bank Board to pressure Congress into acting on a $15 billion "clean" FSLIC bill, which they support.

Mr. PROXMIRE went on to say:

> In the next several weeks, we will see stories about how FSLIC is almost out of money, about how there may be one or two large thrift failures just around the corner that will supposedly bust the remaining fund.

I thought this very curious coming from the chairman, until yesterday afternoon when the Treasury Department called up my office to inform me that GAO's recent report stating the FSLIC was $3 billion in the red had just been updated to $6 billion in the red.

Who are these guys trying to kid! I'm not saying they aren't telling it like it is, just that it is quite a coincidence that they happen to "update" their "figures" 24 hours before debate is to begin on the bill.

Additionally, we must not forget that these are not Federal funds. This is money the S&L's themselves will be paying. At a time when many S&L's in my district are in a gray area of solvency due to poor economic conditions in the State, we in Congress are attempting to pile more and more obligations onto them. Aren't financial conditions bad enough without asking them to pay an additional billion dollars a year? To ask them to pay anything higher than $5 billion is asking them to pay too much.

Over the next 2 years economic conditions may change dramatically. I know we in Oklahoma are counting on things getting better. They couldn't get much worse. Should we experience an improvement in the State, the net worth of many of our S&L's would improve and the amount of funding necessary would be diminished.

Treasury's own analysis has stated that the FSLIC can only reasonably spend $5 billion in 1 year, yet some are advocating giving them much more. Well, I can tell you what would happen to that money. We would see a swelling in the personnel at FSLIC and more bureaucracy! Just what we need.

Oklahoma is economically depressed from the drop of energy prices over the last year. In 1986 alone, the S&L industry in Oklahoma lost $249 million. However, 60 percent of housing loans in Oklahoma come from S&L's. Nationally the number is 52 percent. Our actions today could seriously damage an industry that provides our Nation with over half of its housing mortgages. In 1986, FSLIC insured S&L's provided more than $265 billion in loans to the American people.

We must consider not only the present cost of increasing premiums, but also the costs of paying back these bonds. Thrifts in Oklahoma will pay $47 million for recapitalization under the $5 billion plan. But if the $15 billion plan is approved, the price tag goes up to $125 million.

That $78 million difference—the additional money Oklahoma thrifts would pay under the $15 billion amendment—is what concerns me. Can the thrifts afford it? And just as important, can Oklahoma afford it?

In both cases, the answer is no.

The thrifts in Oklahoma have burden enough with the $5 billion plan. This amendment would triple that burden and quite possibly seal the doom of Oklahoma thrifts that might otherwise work their way out of their current distress.

This amendment also would take $78 million out of the lending pool Oklahomans rely on for home mortgages. The arithmetic is simple. Figuring an average mortgage of $80,000, that's enough money to finance nearly 1,000 homes, and in one State alone.

So we have a situation where we have an industry that makes over half of all housing mortgages in the country being debt ridden for 15 or 20 years. When they pay back this debt, those dollars are not available for home lending, their primary mainstay. And since their income will be less with paying back these bonds, they will need more income to remain healthy. The only avenue left is to raise the costs of the money they are lending to home buyers. This could impact the entire home lending market. If an industry that provides over half of all home lending raises its prices, you can be assured the rest of lenders will follow.

American homeowners and those Americans hoping to be homeowners someday, are the real losers of this amendment.

Mr. TAYLOR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the chairman of the committee, the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. ST GERMAIN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I hope those people from Oklahoma know what they are doing. I hope they know what they are doing because in the State of Oklahoma we have some troubling S&L's. And it is an insuring fund.

I originally thought we could survive on five and two. However, as one who has to look at this responsibly, I did indeed change my mind. Let us remember the committee vote was originally 23 to 20 in the subcommittee, and then it was 24 to 23 in full committee, a 1-vote margin on $5 billion for 2 years against $15 billion for 5 years.

□ 1610

I would say to my colleagues that it is an insuring fund. Many institutions who are now yelling about the 15-5 are the very institutions that should have yelled at their State legislators and State regulators who allowed a lot of these institutions to run amok and run wild. Now the time has come to face the music.

Remember, my colleagues, if we do not take this means using other than taxpayers' funds to solve the dilemma, your taxpayers, your constituents may well end up footing the bill. I am sure you do not want to have to explain that one.

Mr. Speaker, I do want to thank the Rules Committee for the rule that they have brought before us today. I would like to thank Mr. FROST and Mr. TAYLOR for their presentations. They were very accurate and precise presentations of the rule. I think it is a well-constructed rule and it is a fair rule. It allows all the Members to vote one way or the other on the important, crucial issue of the 15-5 as opposed to the 5 and 2, without bringing in all kinds of other formulas that would really mess up this very, very delicately balanced funding proposition.

Once again, I say "thank you" to the Rules Committee to my colleagues. I hope they will see fit to support this rule so we can get on with the debate and make the important decisions before the end of the day.

Mr. FROST. Mr. Speaker, I have no additional requests for time, I yield back the balance of my time and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 154 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 27.

□ 1613

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 27) to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation, with Mr. GLICKMAN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Rhode Island [Mr. ST GERMAIN] will be recognized for 30 minutes and the gentleman from Ohio [Mr. WYLIE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. ST GERMAIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 27 is a recognition of the serious drain on the Federal Savings and Loan Insurance Corporation [FSLIC] from its attempts to deal with the problems in the savings and loan industry. FSLIC needs additional funds as soon as possible. The condition of the thrift industry has placed severe strains on the Federal Home Loan Bank Board's—Bank Board—resources and the FSLIC insurance fund. Although estimates differ as to the amount of new funds FSLIC needs, there is no disagreement that new funding sources are necessary to supplement the current deposit insurance base.

A comparison of FSLIC's insurance fund balance and the current cost of resolving known troubled institutions alone indicates that financial resources other than those FSLIC has traditionally depended on are necessary. The Bank Board is now closely monitoring 351 troubled institutions with total assets of $117 billion. The Bank Board estimates that these institutions have net operating losses of nearly $10 million a day or $3.6 billion per year. FSLIC losses resulting from assistance it has provided to institutions have increased dramatically, from $23 million in 1980 to $10.8 billion in 1986.

Recognizing the importance of establishing a funding mechanism to shore up the FSLIC fund, H.R. 217 provides up to $5 billion to FSLIC over a 2-year period. The funding mechanism, which will have no impact on the budgetary process, will be accomplished by an initial funding from the Federal Home Loan Banks and then through the sale of bonds in the private markets.

However, as was stated last Tuesday in a joint statement by Speaker WRIGHT and myself, continued monitoring of the problems in the industry argues convincingly that the situation requires a $15 billion recapitalization plan over 5 years, thereby providing the long range confidence needed in the industry. In fact, just yesterday the General Accounting Office [GAO] stated that as of December 31, 1986, FSLIC was insolvent by $6 billion. During hearings in March, GAO testified that a negative net worth of $3 billion was expected at that stage of their audit.

Therefore, I will offer an amendment providing for new funding for FSLIC in the amount of $15 billion over 5 years, with an annual cap for new financing of $3.5 billion. The bill includes a provision for sunset of the funding mechanism by a joint resolution and a provision that the $3.5 billion ceiling be raised under emergency conditions—again by joint resolution.

In addition to the funding mechanism, the legislation contains several other key elements:

First, the bill includes a forbearance program for well-managed institutions operating with impaired capital levels in designated economically depressed areas. By "well-managed" the committee does not include those institutions whose managers are incompetent or where insiders have engaged in fraud or other criminal activity. I thought this point was clear but some have chosen to falsely interpret the forbearance provisions as a method of keeping all institutions open. Frankly, that kind of distortion does not belong in a debate of this importance. Relief granted under the bill's forbearance provisions also applies to those institutions which have loan participations with troubled thrifts, even though the former may not be located in an economically depressed area as defined by this legislation.

Second, the bill requires each Federal Home Loan Bank to establish an appeal process by which aggrieved institutions and borrowers can obtain timely review of regulator actions by "outside experts."

Third, the bill provides that the committee will periodically review and evaluate FSLIC's performance over the next several years. The review and evaluation will focus on how FSLIC spends the funds, which institutions it closes, what type of assistance and forbearance it provides, and whether its personnel and funding resources are adequate. I should add here that many Members are reluctant to grant FSLIC the authority to raise $15 billion. Their concern is that FSLIC, flush with new money, will act to close many of the institutions that have negative net worth, especially smaller institutions. I want to assure those Members that the committee will insist on full and comprehensive reports from the Bank Board detailing their activity. The committee is required to review the Bank Board's reports, conduct other oversight activities as necessary, and then report its findings to the House as a whole. Rest assured, the committee will indeed be vigilant, and if significant changes in FSLIC's conduct are warranted I will not hesitate to recommend them.

Fourth, finally, the bill provides for an exit fee for institutions leaving FSLIC.

H.R. 27 recognizes that the problems experienced by some insured institutions are due in part to economically depressed conditions in certain areas of the country. The bill includes a number of strong forbearance provisions designed to help institutions and borrowers in economically depressed areas. It allows well-managed savings and loans and borrowers adequate time to develop business plans, to restructure portfolios, and to acquire additional capital all under the careful supervision of the Bank Board. In addition, H.R. 27 encourages institutions to work with troubled borrowers by reaffirming that generally accepted accounting principles should be used to permit loan restructuring without loss recognition where appropriate.

Mr. Chairman, the committee has sought to achieve a balanced approach, taking into consideration the many competing concerns and issues involved in H.R. 27. We believe that the bill, as it will be amended, is an appropriate compromise, giving FSLIC the funding mechanism for raising $15 billion in new capital but at the same time recognizes the concerns of insured institutions and borrowers seeking fair and equitable treatment from the Bank Board.

H.R. 27 includes forbearance provisions, yet it also preserves the regulatory independence of the Bank Board. In this regard, I would like to clear up some ambiguity that has arisen pursuant to the forbearance provisions in title II. While capital forbearance standards are set forth in section 202, such forbearance will be granted only for those well-managed institutions whose capital position has been affected by loans made in economically depressed regions. Clearly, this is forbearance for economic reasons, and in no way restricts the rights and supervisory duties of regulators to uncover and correct any fraud, criminal activity and managerial incompetency. We expect the Bank Board and FSLIC to do no less than this in fulfilling their supervisory responsibilities in this regard.

Mr. Chairman, the bill we have before us today represents the beginning of what is to be a long-term process with the overall goal of restoring the thrift industry's trust in its regulator, of rebuilding the public's confidence in the deposit insurance fund, and preserving those well-managed depository institutions dedicated to home ownership financing.

□ 1620

Mr. WYLIE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. PARRIS].

Mr. PARRIS. Mr. Chairman, I take the floor of the House again on this matter to discuss with my colleagues the simple proposition that there is a desperate need here for this Congress to help this industry in its time of crisis.

Let me reassure the average depositor in the average S&L around the Nation that there is no need to run down and withdraw your money, if your account balance is under $100,000, because it is not the depositors who are at risk here. My amendment to this legislation pledges once again the full faith and credit of the United States for the protection of the average depositors. Rather, the industry is at risk here, and not even all of it. Seventy-five percent of the industry is adequately capitalized and making historic profits; but unfortunately, 25 percent of it is in desperate trouble and losing money at an ever increasing rate.

Let me share with you the news issued by the Federal Home Loan Bank System which operates the insurance fund, dated April 17, 1987. It reported that the 74 percent of the FSLIC insured thrifts reporting profits during the fourth quarter of last year had a net income of $2.3 billion, but in sharp contrast the 26 percent of the industry in that same period that was losing money had aggregate losses of $3.2 billion, $500 million more were lost by 26 percent of the industry than was made by 74 percent of the industry.

The problem, Mr. Chairman, that we have is what I call severability. What we have got to do is find a way in the interests of the consumers of the Nation and of the thrift industry itself to segregate that healthy segment and place it in some kind of posture in which they will not be adversely impacted by the disasters being faced by the unhealthy and unsound segment.

This is not an interest rate problem, Mr. Chairman. It is an asset quality problem. The savings and loan industry has simply made loans to various developers, landowners and others around the country, who have lost money and the quality of the assets securing the loans made by the S&L's in trouble simply do not have a market value that is the equivalent of the amount of the loan.

We are currently witnessing a race to the Treasury between the Federal Home Loan Bank Board, in by far the biggest the deepest trouble with a deficit estimated to be $35 billion to $45 billion; by the Farmers Home Administration, estimated to have a need of $8 billion; by the Pension Guarantee Fund, the Maritime Commission and two or three other Government agencies, all in the race to the Federal Treasury to get their hands on public funds to keep from getting in deeper financial trouble. All at the same time. The consequences of their successfully accomplishing that struggle are enormous for all of us.

That is an unseemly foot race, Mr. Chairman, and the Congress has been watching it happen. We have simply got to address this problem in a meaningful way and we have to do it now.

Mr. ST GERMAIN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LAFALCE].

Mr. LAFALCE. Mr. Chairman, I rise in strong support of H.R. 27, the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987.

Action to recapitalize the Federal Savings and Loan Insurance Corporation [FSLIC] is long overdue. Last year the House of Representatives passed similar legislation by voice vote. Unfortunately, this legislation became embroiled in extraneous controversies regarding other banking-related issues, and the 99th Congress ended without arresting the decline of FSLIC's financial fortunes.

A. THE INTEGRITY OF THE LEGISLATIVE PROCESS

As we resumed consideration of the FSLIC recap legislation in the 100th Congress, many of the same factors which precipitated the stalemate in the 99th Congress threatened to reemerge. Earlier this year the Senate passed omnibus banking legislation dealing with a multitude of issues including FSLIC recap, checkholds, bank powers, and nonbank banks. The House of Representatives has yet to even consider much of what the Senate did in its legislation, several parts of which were extremely controversial.

The integrity of the legislative process and rightful prerogatives of this body and its Committee on Banking could not be preserved if we simply acquiesced in the Senate legislation. Yet, by tying such controversial and unexplored issues to vital legislation such as the FSLIC and checkhold bills, the Senate presented us with a dilemma. We could surrender our right to independently consider these issues in order to secure passage of emergency legislation, or we could insist that the issues be treated separately on their own merits and pass a clean FSLIC bill.

I have constantly urged my colleagues on the Banking Committee, including Chairman ST GERMAIN, not to go to conference on any matter that had not been considered on the floor of the House and to insist on a clean FSLIC bill. Chairman ST GERMAIN agreed that this was the proper course of action, and supports a clean FSLIC bill. This was the only responsible course to have taken, and I am confident that when the Senate evaluates the situation it will not attempt to hold this much needed legislation hostage to a controversial and unrelated agenda.

B. THE HEALTH OF THE THRIFT INDUSTRY

The thrift industry and FSLIC are having serious problems, and it is important that Congress address them as soon as possible. FSLIC cannot be expected to be substantially healthier than the industry which it insures. From 1934 to 1979 FSLIC provided assistance to 124 institutions and only had to pay off depositors in 13 of these cases. From 1982 to 1986 FSLIC provided assistance to 124 institutions, a 5-year total that equalled the amount assisted in the first 45 years of the Bank Board's existence. In addition, during this same period, FSLIC closed down an additional 48 institutions; in 1986 alone 21 institutions have been closed down, and if resources permitted, the figure would have been much higher. For example, the Bank Board lists 180 institutions that it considers in hopeless financial condition and which should be either dissolved or merged, and another 180 thrifts which may soon be similarly situated.

Indeed, the condition of the savings and loan industry in this country is such that it would be unconscionable for us to further delay action on this legislation. While the overwhelming majority of the Nation's 3,234 S&Ls are in good financial shape, more than 445 thrifts are insolvent under Generally Accepted Accounting Principles [GAAP]. These insolvent institutions hold more than $112 billion in assets, and are losing money at the rate of $2 billion per year. These losses may soon, if not already, total almost $4 billion per year, and could go even higher.

C. FSLIC'S FINANCIAL CONDITION

GAO has estimated that it would cost FSLIC $23.5 billion just to resolve its current caseload of insolvent institutions. Unfortunately, FSLIC is in no better shape than many of the institutions that it insures. Moreover, GAO has also concluded that FSLIC's 1986 losses will total almost $11 rather than the $8 billion previously reported, leaving it with a $6 billion deficit right now.

As a result of FSLIC's de facto insolvency, the Federal Home Loan [FHL] Banks may soon be precluded from making any more FSLIC guaranteed loans or advances to thrifts. Moreover, FSLIC does not have the money available to repay the FHL banks advances that are already guaranteed, much less future advances. Without such advances, many thrifts may experience a liquidity crunch, which could precipitate runs similar to what occurred with State-insured systems in Ohio and Maryland.

D. THE NEED FOR ADEQUATE RECAPITALIZATION

H.R. 27 will give us the opportunity to do so. It can restore FSLIC's financial health, and buy us the time to resolve the broader, underlying problems which have jeopardized not just FSLIC but the thrift industry as well. However, if we are to accomplish this very central purpose, we need an adequate recapitalizaiton plan, not one that will perpetuate a crisis atmosphere and make FSLIC recap legislation as much a perennial as the budget process.

Last year's House-passed legislation providing for a 5-year, $15 billion recapitalization plan offered us the possibility of dealing with these severe problems in a rational and sustained fashion. The Banking Committee supported the $15 billion plan, the administration support it, and the House passed it by voice vote.

Because the Banking Committee had established such a strong record supporting the need for the full $15 billion recapitalization plan, I was both extremely surprised and disappointed when the Banking Committee decided to scale back the plan, by just one vote, to 2 years and $5 billion. This amount is clearly inadequate to resolve the great problems facing the thrift industry, FSLIC and thrift depositors.

Fortunately, on April 28, Speaker WRIGHT and Chairman ST GERMAIN, both of whom supported the scaled-back recap plan, reconsidered their position and announced that the situation required an infusion of confidence that could only be inspired by the $15 billion plan. Consequently, they agreed to support an amendment to title I of this bill substituting the 5 year, $15 billion for the 2 year, $5 billion plan adopted in committee.

If the House concurs with the recommendations of the Speaker and chairman of the Banking Committee, then we can place FSLIC on a sound financial footing for the foreseeable future instead of keeping it on the brink of insolvency. We can also reestablish confidence in the thrift industry, and let both depositors and the marketplace know that Congress intends to back up its commitment to those who rely on the Federal Government to insure their deposits.

E. COST TO THE TAXPAYER

There are several other reasons why this legislation deserves our support. Through the use of a creative and innovative financing plan, the legislation raises the $15 billion without resorting to any taxpayer money or Federal guarantees. This $15 billion will be supplemented by an additional $10 billion to be raised through depository premiums and fees, thus providing a total of $25 billion over 5 years. In times of fiscal constraint we are fortunate to have been able to devise such a plan without further adding to the already enormous Federal budget deficit.

F. EXIT FEES

Finally, the legislation recognizes that the long-term viability of FSLIC cannot be maintained if the health S&Ls flee the system. The bill requires the payment of 2 + 2 exit fees in order to provide a disincentive for thrifts to leave the system, and also to generate funds sufficient to meet the financial obligations incurred in connection with the recapitalization in the event of a large-scale exodus. So critical is it to retain healthy thrifts in the system that I believe that the House should approve any amendments raising these fees to a level that ensures their effectiveness. I intend to support such amendments.

G. CONCLUSION

Mr. Chairman, it is not often that we are confronted with truly emergency legislation, but I believe that H.R. 27 is such a bill. If we do not act and pass a clean, unencumbered FSLIC bill, those responsible will have to face the consequences of their inaction, much like those in Ohio and Maryland who failed to heed early signs of danger, and paid the price for not doing so. FSLIC is even less well off than the Ohio and Maryland insurance funds. We have been tempting fate for too long with this legislation. It should have become law in the 99th Congress; it must become law in the 100th Congress.

□ 1630

Mr. WYLIE. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, as I said earlier, I listened to testimony on this issue for almost 2 years in the House Banking Committee. We came out with a unanimous report in the 99th Congress that the $15 billion recapitalization over a 5-year period was absolutely essential to save the Federal Savings and Loan Insurance Corporation fund.

I asked GAO for a report, and they came and testified before our committee, and they said that the problem is more serious than the $5 billion, 2-year recapitalization program would solve.

As I said, I sent a letter to the General Accounting Office, and I got this response back:

> DEAR MR. WYLIE: In response to your letter of May 1 to the Comptroller General, this is to inform you that we are in the process of finalizing the audit of the financial statements of the FSLIC for calendar year 1986 and expect to have our report completed within the next two to three weeks.
>
> While we have not finalized all of the work on the audit, it is apparent that the deficit for FSLIC will be greater than that which we preliminarily estimated at the time of our March 3 testimony before the Banking Committee. We currently anticipate that FSLIC's loss will be close to $11 billion and the accumulated deficit will be in the range of $6 billion. * * *

Mr. Chairman, that renders the $5 billion, 2-year plan obsolete. It says that there is $6 billion in deficit already, and a $5-billion-a-year plan would certainly not be sufficient.

The gentleman from New York [Mr. LAFALCE], the gentleman who preceded me in the well, made a very important point which I want to reemphasize. This is an industry problem, and the industry should help themselves.

It is not as if the money is not there. The seed money for this $15 billion recapitalization will come from the surplus now in the 12 Federal Home Loan banks. The financing mechanism which is employed is identical except in amount to the amendment in the bill which we reported out, and identical to the provision which was in the bill which passed the 99th Congress.

Under our plan, which will not use taxpayers' funds, $3 billion would be contributed to a special financing corporation by the 12 Federal Home Loan banks which are owned by member S&L's. I repeat that for emphasis: This is money which comes out of surplus and is owned by the S&L's. This is like an insurance policy. As a matter of fact it is called the Federal Savings and Loan Insurance Corporation fund. It is like automobile insurance. There is an analogy. We buy automobile insurance, we hope that we do not have to use that insurance, but if we do, it is there. If somebody else has to use the insurance, we have paid into it, but it is a part of a general overall fund.

The $3 billion, as I emphasized earlier, would be from earned surplus of the banks. The financing corporation would then leverage that $3 billion into a $15 billion fund by issuing long-term bonds, which would be sold in the private capital markets.

The healthy thrifts are understandably reluctant to be committed to sharing the cost of a full FSLIC recapitalization, but they are already paying a special assessment at the present time; and this does not increase the special assessment. There is a regular assessment and it does not increase that. As a matter of fact, as I said earlier, I think that the special assessment would be more likely to be phased out under the 15-5 plan than under the 5-2 plan. Adoption of a clearly inadequate plan virtually ensures that the recapitalization plan will fail and that either the special assessment will have to be continued long into the future, or the taxpayers' money would have to be used to bail out the fund.

I mentioned a little earlier the forbearance provision in the bill, and while I recognize that all of us will not agree on the forbearance provision, there are some justified concerns about that. One of the justified concerns I think it that it would micromanage the Federal Home Loan Bank Board in its administration of some of these programs. I concede that perhaps more work needs to be done, but I think that we need to go with the forbearance provision that is in the bill.

I will talk a little bit more about the exit fee, which is in another title of the bill, a little later on when we get to some debate on that, but in conclusion, Mr. Chairman, I think that we need to support the St Germain-Carper-Wylie amendment, and I have a letter here from the Secretary of the Treasury, who says, "I strongly support the compromise amendment you are sponsoring."

The gentleman from New York [Mr. LaFalce] a little earlier pointed out that the Speaker has signed off on it, the administration has signed off on it, the National Association of Homebuilders, the National Council of Savings Institutions, the Consumers Federation of America and the Realtors have all signed off on it. Everyone who has really studied this problem feels that we do need the $15 billion, 5-year recapitalization program, and I urge adoption of the amendment.

Mr. ST GERMAIN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. Lehman], a member of the committee.

Mr. LEHMAN of California. Mr. Chairman, today the House will vote on legislation that recapitalizes the Federal Savings and Loan Insurance Corporation. This legislation is needed to provide additional resources for the thrift insurance fund and to ensure without a doubt the safety and soundness of the fund.

I am confident that the package as approved by the committee does just that. I encourage my colleagues to join me in support of H.R. 27, as reported by the committee, and to resist any efforts to amend the bill today.

As you all know, this issue was addressed at length by both the Financial Institutions Subcommittee and the full Banking Committee, and the $5 billion plan approved by the committee is both adequate and reasonable in meeting the needs of FSLIC and the thrift industry, nationwide.

The $5 billion plan is an industry-funded, self-help plan which does not cost the taxpayer or Federal Government a thing. In addition, H.R. 27 provides for adequate forbearance to allow well-managed thrifts in economically depressed regions to work out their problems. Finally, H.R. 27 provides strong congressional oversight over the industry and ensures that if further relief measures are required over the next 2 years, then Congress can revisit the issue.

Under the committee proposal, $10 billion would be raised through the sale of bonds and through both regular and special assessments levied on the industry. Let me point out that these assessments will cost thrifts in California almost $1.2 billion in debt service obligation over the next 20 years.

Increasing the recapitalization to $15 billion would dramatically increase the debt service obligation and cost California thrifts, alone, almost $3.2 billion over the next 20 years. Servicing this debt would severely erode the competitive position of many thrifts and would certainly be contrary to the intent of the capitalization package.

Mr. Chairman, I acknowledge that there is discrepancy over the cost of resolving the FSLIC case load of troubled thrifts. However, the $5 billion, 2-year plan approved by the committee would raise the same amount of funds during the first 2 years as would the larger $15 billion package. More importantly, the 2-year plan encourages strong congressional oversight over the industry and the bank board, and gives the entire thrift industry adequate time to work its way out of these problems without saddling it with the tremendous, long-term debt obligation of the $15 billion package.

Clearly, there need to be changes in the thrift industry and the manner in which the industry is regulated. H.R. 27 recognizes this and is a reasonable and equitable approach toward meeting this goal.

I urge you to join me in voting for H.R. 27, as reported by the House Banking Committee, and to oppose any efforts to amend the bill.

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentlewoman from New Jersey [Mrs. Roukema].

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of legislation to recapitalize the Federal Savings and Loan Insurance Corporation and in support of the St Germain-Wylie amendment to raise the funding level from $5 billion to $15 billion.

It is not often that three independent Government agencies reach the same conclusions about how best to solve a problem. However, in this case, the Treasury Department, the Federal Home Loan Bank Board which oversees FSLIC, and the General Accounting Office, not to mention the Speaker of the House and the chairman of our Committee, and the ranking Republican, all agree. $56 billion is the lowest recapitalization level which can adequately address the problems facing FSLIC.

The problems of FSLIC are varied. From risky real estate lending during boom times, to trouble in the energy and agricultural sectors of our country, a growing number of savings and loans are experiencing trouble in maintaining their net worth. Let me state unequivocally, however, that the savings and loans in my State of New Jersey are for the most part very healthy and profitable. Unfortunately, their colleagues in other States have not been so fortunate nor prudent.

Here is the situation in its starkest terms. The industry has almost $1 trillion in deposits. As of the third quarter of 1986, 445 thrift institutions were insolvent according to generally accepted accounting principles. These held $112.7 billion in assets and were losing $5 billion per year. The most recent General Accounting Office information indicates that FSLIC's loss for 1986 will be close to $11 billion and that its deficit will be in the $6 billion range. FSLIC is currently insolvent.

The St Germain-Wylie amendment is supported by the administration, the Federal Home Loan Bank Board, and is in line with recommendations made by GAO. The plan would raise about $25 billion over 5 years, $15 billion from borrowed from the capital markets and $10 billion from various sources of FSLIC income, including continuation of the special assessment on the industry itself and from the sale of assets acquired through the liquidation or merger of failed institutions.

It is central to the recapitalization proposal that it be enough to restore long-term confidence amongst investors because over half of the necessary money must come from the capital markets. The financing corporation created by this legislation must sell bonds on the bond market to raise money.

Wall Street investment bankers have testified before our committee that if the financing proposal is not adequate to cover the extent of the problem, it will be more expensive to sell these bonds. In other words the financing corporation will have to offer a higher rate of interest, up to 150 basis points more, to sell the bonds. This means that there will not be as much money for FSLIC to use in dealing with failing thrifts.

We need the $15 billion to restore confidence for a second reason as well. We want to return to a healthy Savings and Loan System. That means attracting new investors into the industry, as well as just selling the bonds discussed above. We also need depositors to feel secure in their actions. Because the $15 billion has been recommended as the lowest acceptable funding level by three independent Federal Government agencies, it would appear to the investing and depositing public that Congress had acted half-heartedly, rejecting the sound advice of our experts if we were to only approve $5 billion. Such a rejection would send a signal of fear and hesitancy into the financial world.

The Federal Home Loan Bank Board has stated quite clearly: " * * * the adopting of plans involving lesser recapitalization resources (i.e., $5-$7.5 billion) would be tantamount to the adoption of a continuous crisis resolution." [Letter from Chairman Gray of FHLBB to MSR on March 9, 1987]. He calls a $5 billion plan "a continuous crisis resolution." He doesn't say that the $5 billion plan is not as good as $15 billion, he says it will keep us in a continual crisis!

I know that the healthy savings and loans do not want to continue to pay the special assessment to cover the losses of the savings and loans which have gotten themselves into trouble. I can certainly understand their opposition. However, they have benefited for years from the public confidence in the FSLIC System. I am sure that if that sign they all have in their window that says "FSLIC insured" were suddenly taken away, they would feel quite clearly just how valuable a sound FSLIC Insurance System is to them.

I also realize that this is their money we are using to recapitalize the system, and not taxpayers' money. Therefore, they want us to spend it prudently. I agree, but I think that to ensure that we do not need to have taxpayer money bail out the FSLIC Insurance System, we should follow the advice of the experts and take the strongest action we can to restore safety and soundness to the system. Further, there is an escape clause in the bill which will allow us after 2 years to terminate the program if we believe the problem has been solved. The legislation allows for the passage of a joint resolution to terminate the program.

The industry wants this program to be over in 2 years. Under this bill, we take the word of the experts but allow the industry to come back in 2 years to make their case that the problem has been solved. The burden of proof will be on the industry to prove that contrary to what the experts advised, we no longer need the program.

The House voted for this measure last year with recapitalization funding at $15 billion. The situation has only gotten worse, with more savings and loans in trouble and FSLIC with lower and lower reserves. My colleagues, we must act decisively and quickly to recapitalize FSLIC with enough money to do the job, not just postpone the inevitable.

☐ 1640

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. WORTLEY].

Mr. WORTLEY. Mr. Chairman, I thank the gentleman from Ohio for yielding me this time.

Mr. Chairman, I am supporting a $15 billion recapitalization of the weakened Federal Savings and Loan Insurance Corporation. While I recognize the legitimate concerns of many in the savings and loan industry, I am endorsing this amount over the committee-approved amount of $5 billion because I believe failure to adequately address this problem today would be shortsighted and threatens a large component of our financial system.

As a member of the Banking Committee, I have been exposed both this year and last year to hours of testimony vividly portraying the perilous condition that FSLIC is in. However, members do not have to take my word—or that of the committee chairman and vice chairman—about the seriousness of this problem and the necessity for more than just a short-term fix. For its part, the Federal Home Loan Bank Board calculates that FSLIC now has a lower ratio of reserves to deposits than the Ohio and Maryland funds had immediately prior to their collapse. The Bank Board and the Department of Treasury estimate that the cost of resolving the problems confronting FSLIC to be more than $23 billion. The Treasury Department believes that a $5 billion recapitalization is actually a "pray as you go" plan which is totally inadequate.

Other voices, including Newsweek columnist Jane Bryant Quinn and William Isaac, past chairman of the Federal Deposit Insurance Corporation, agree that much more than $5 billion is vital. Quinn warns savings and loan customers as well as taxpayers that the FSLIC "lies on the brink of death."

Mr. Chairman, we would be entirely remiss not to heed these warnings. The size of the problem dramatically demonstrates the need for a responsibly funded recapitalization plan. The $15 billion plan is essential to provide assurance to the customers of the savings and loan industry and to avoid a collapse of the industry itself which would have disastrous consequences for the economy and for the availability of housing which the savings and loans have long helped to provide. By acting now in a responsible manner, the industry will provide its own help and the taxpayers will not be called upon to pay the cost of a Government bailout.

To address the concerns of the industry itself, I think it is important to point out that tough restrictions accompany the 5-year, $15 billion plan. An annual cap for new financing is set at $3.5 billion, unless Congress passes a joint resolution prior to the end of that period. In addition, the plan specifically allows Congress to stop the funding 2 years after enactment by passing a joint resolution. I also note that the bill includes generous forbearance provisions that will allow well-managed institutions with sufficient capital and reasonable prospects for recovery to keep their doors open and to restore their solvency. The bill also calls for a phasedown of the special assessment insurance premium that institutions have been paying since March 1985.

I do not have the confidence that we can settle for a 2-year interim plan that expects the Congress to revisit the issue and to act in a timely manner if further funding is needed. For well over a year, this issue has become a political football and Congress has not been able to enact a recapitalization of any size. This is an emergency. We need decisive action now.

Mr. ST GERMAIN. Mr. Chairman, I yield 5 minutes to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Chairman, I thank the gentleman for yielding this time.

Mr. Chairman, it might be helpful to conduct just a brief review of how we ended up where we are today. One year ago, our committee and the Congress asked the S&L industry, along with the Federal Home Loan Bank Board, to put their heads together and to come up with a plan to replenish, to restore the health of the FSLIC.

We waited, and no such consensus plan was forthcoming. Subsequently, the Congress asked the Treasury to develop a plan to recapitalize, to replenish the FSLIC.

We give then some direction. We said, we want you to develop a plan that meets the full magnitude of the problem that has been identified by the General Accounting Office, almost $25 billion over the next 5 years.

We said, we want an industry self-help plan. We said, we do not want this plan to cost the taxpayers a dime. We want it to be budget neutral.

The Treasury developed such a plan. They proposed it to the Congress. We in the House of Representatives overwhelmingly endorsed and passed it last year.

The other body ultimately passed it as well, although at the 11th hour, and the legislation died because of the lack of time.

There is a difference between what we knew in 1986 and what we know in 1987. This difference is, we are more aware today of certain regulatory abuse, the abuse of discretion on the part of the regulators of the savings and loan industry; and we have tried in title II to address that abuse of discretion.

We have built into this legislation forbearance provisions to make sure that institutions that are well run by competent, honest people have a chance to make it.

We have provided in this legislation for accounting changes. We have built into this legislation an appeals process.

We have provided in this legislation for a quarterly review by our Committee on Banking, Finance and Urban Affairs of the Home Loan Bank Board.

The Board of the Home Loan Bank will be restructured over the course of the next few months, and that 3-member board that will emerge this summer will not look at all like the board the existed at the beginning of this year.

□ 1650

Today, my colleagues, we have before us a recapitalization plan that is a $5 billion plan.

I am afraid it is nothing more than a Band-Aid on a patient who is bleeding to death. The problems with the FSLIC $5 billion plan before us today is that it is woefully inadequate. Other members of the committee have cited the most recent GAO report that the FSLIC is $6 billion in the hole right now, this afternoon, today.

We effectively put FSLIC right back on the brink of insolvency if all we do is authorize $5 billion. We raise the possibility that the strong savings and loans would walk away from the FSLIC. They can become FDIC insured, they can leave behind them roughly 2,000 marginal performers or weak sisters within the savings and loan industry whose challenge will be to keep the FSLIC afloat. That is a hopeless situation.

Another problem that we have with this legislation before us, if we pass this legislation and only provide for the $5 billion, what we do is perpetuate the appearance that we in the Congress have punted, punted again on a difficult situation. When faced with the option of doing the easy thing and putting off tomorrow the tough choice, we will be doing the easy thing. Fourth, what we do by voting for this $5 billion increase, is to increase the likelihood that the taxpayers, the Treasury will be asked to solve this problem next year.

Finally, we make this plan more expensive, more expensive for the FSLIC and, again, we put that FSLIC right back on the brink of bankruptcy. We have today a rare convergence of opinion on what we should do; the Speaker of the House, the President of this country, our Treasury Department, the General Accounting Office, the chairman of this committee and our ranking Republican member, Mr. WYLIE have agreed on the need to amend the $5 billion to provide instead for the $15 billion that FSLIC really needs. If we do so, we can go out of here feeling good about the work we have done this day, and America's depositors in S&L institutions will sleep better tonight.

Mr. Chairman, I yield back the balance of my time.

Mr. WYLIE. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman and my colleagues, faced with the overwhelming evidence which has been mentioned here during this debate, it is now clear that the $5 billion over a 2-year period recapitalization plan as reported out of our Banking Committee on April 1 is inadequate. The amendment which Chairman ST GERMAIN, Mr. CARPER, and I will be offering later on would raise $15 billion over a 2-year period in the capital markets; no taxpayers' money would be involved. The plan is budget neutral. As the Speaker and Chairman ST GERMAIN said last week our monitoring of the continuing problems in the industry has convinced us that the committee-passed bill needs to be beefed up. We are in agreement that the situation does indeed require the kind of long-range confidence that can be infused with a $15 billion, 5-year recapitalization plan similar to that approved by the House in the last Congress and supported by the administration.

I note the presence of the Speaker on the House floor and I wonder if I have stated his position correctly.

Mr. WRIGHT. Mr. Chairman, will the gentleman from Ohio yield?

Mr. WYLIE. I would be glad to yield to the distinguished Speaker, the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. I thank the gentleman for yielding.

Yes; the gentleman from Ohio has correctly stated my position.

As the gentleman is aware, earlier this year I tended to favor no more than $5 billion. I thought at that time that such sum would be adequate. Doubts have been raised in my mind as to the adequacy of the $5 billion figure. It probably would suffice for the first year or for the first year and a half perhaps, but in order to give an unmistakable demonstration of our determination in Congress to see this problem through, in order to allay any public fears that may have arisen due to the inordinate amount of publicity which has attended the few spectacular failures that have occurred in savings and loans, and in order to ensure the public confidence I believe now that it would be desirable for us to go ahead and authorize the entire $15 billion amount.

That is based on some large extent, in my judgment, upon the report of the General Accounting Office to the effect that it now can count some $6 billion which it believes probably will be needed in order to save and hold free from harm investors in various savings and loan institutions.

By no means would I favor $15 billions or any sum if I thought it would give an "open sesame" to overzealous regulators intent upon closing institutions that could be saved or intent upon foreclosing on notes whose holders otherwise can save themselves from bankruptcy.

I note that the committee has done an excellent job in providing forbearance language. I believe that language to be very important.

Additionally, it seems to me quite important that the amendment which will be offered by the gentleman from Ohio and the distinguished chairman of the committee, the gentleman from Rhode Island [Mr. ST GERMAIN], provides that no more than $3.5 billion might be obligated in any one year. It further provides that within 2 years the Congress itself should have a look back, an opportunity to review whether or not these regulators, operating with governmental power, have conducted themselves in the manner intended by Congress.

That it seems to me is quite important, vitally important. And for those reasons I have changed my mind. I believe the gentleman is on the right track.

I think the chairman of the committee also has had occasion to review and look at the problem again in light of recent facts and figures and in view of the requirement that the Congress make an unequivocal statement that we do intend to protect depositors in these federally insured institutions.

Mr. WYLIE. I thank the Speaker. Very well done.

Mr. ST GERMAIN. Mr. Chairman, would the gentleman yield?

Mr. WYLIE. I yield to the chairman.

Mr. ST GERMAIN. I thank the gentleman for yielding.

I want to say this: Never before has the spotlight been placed on a regulatory body, to wit the Federal Home Loan Bank Board, and FSLIC, as has occurred over the past 7 or 8 months and particularly since January of this year.

We retained additional expert staff on the Committee on Banking, Finance and Urban Affairs who went into the field. They did determine that, yes indeed, arbitrary, capricious actions had been taken by the Home Loan Bank Board and for that reason we put in strong forbearance provisions.

The amendment that I shall be offering in conjunction with Mr. WYLIE, Mr. CARPER, under the rule provides for $15 billion and 5 years, but it has a cap of $3.5 billion per year.

I think it is important for the Nation, for the people at large, for the industry to know that the Congress is ready to bite the bullet and do what has to be done.

Mr. Chairman, let me say this: Certainly, if it is found that there is no need for $15 billion, you can bet your bottom dollar it will not be utilized. We are going to be watching them every step of the way and I think that to say I am going to have a tonsillectomy and just take out one tonsil is a real mistake. We have to go the whole route here and take out both tonsils because if you leave one in, it might infect the patient in such a manner that the patient would never, ever recover.

For that reason I plead with the membership to support the amendment for $15 billion.

Mr. WYLIE. I thank the gentleman for his comments.

Mr. Chairman, I would be remiss if I did not thank the distinguished Speaker for his strong and excellent statement. It takes a good man to change his view, but he did change it based on new evidence which came to his attention.

One of those pieces of evidence was this GAO report to which I referred a little earlier.

But I know what can happen if public confidence is shaken in the financial institution system, with the closing of the privately insured state chartered S&L's in the State of Ohio. I think the Speaker made a point that continued maintenance of public confidence in FSLIC is so very, very important.

□ 1700

Mr. ST GERMAIN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. ANDREWS].

Mr. ANDREWS. Mr. Chairman, first I would like to identify myself with the remarks of the Speaker, Mr. JIM WRIGHT, and compliment the chairman of the committee, compliment the leadership on the Republican side and specifically, my friend and colleague, the gentleman from Delaware, Mr. TOM CARPER, on trying to hammer out a compromise that I think is in the best interest to the savings and loan business and the country as a whole.

Mr. Chairman, I rise in support of the Federal Savings and Loan Insurance Corporation Revitalization Act. This bill is a well crafted compromise that will ensure the integrity of the savings and loan industry and the health of savings and loan institutions in States with troubled economies like Texas.

Established in 1934, the insurance fund has been critical in maintaining the public's faith in Federal savings institutions. The stamp of federally insured means safety to millions of depositors. If Congress were to do nothing to address the dwindling insurance fund, it would be overcome by the mounting losses from several savings and loan institutions.

These losses have already placed great stress on the industry. Once enacted, this bill will allow the Federal Home Loan Bank Board to close many troubled institutions whose losses have been draining the insurance fund.

But this bill would not be complete without consideration of the consequences of such closings. In the State of Texas, the Federal Home Loan Bank Board has designated twelve savings and loans as hopelessly insolvent. In Louisiana, Mississippi, Arkansas, and New Mexico, 14 other institutions also have been designated as hopelessly insolvent. Institutions that cannot recover need to be closed to protect depositors and the integrity of the insurance fund.

The risk of closing such institutions, however, is losing savings and loans that would be healthy were it not for the local economy. Twenty percent of Texas savings associations ended 1986 with a negative net worth. The loss of all these institutions would be devastating to Texas.

If a savings and loan's problems are not due to bad management—and Texas has had its share of these problems, too—then it deserves a chance to weather a depressed local economy. The forbearance provisions of H.R. 27 offers this chance.

The work of the House Banking Committee on this bill has been tremendous. By addressing all sides of these issues, the committee has ensured that the final result will be fair to all regions of the country including Texas.

Mr. WYLIE. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. HILER].

Mr. HILER. Mr. Chairman, I rise in support of the amendment that will be offered to increase the capitalization from $5 to $15 billion. I think I am one of those typical Members who, 3 or 4 months ago, had a fairly open mind in this area, and because of my work in the Committee on Banking, Finance and Urban Affairs, spent quite a bit of time looking at the different facts and different perspectives.

But I became persuaded over the course of several months while the Banking Committee looked at this issue, that $5 billion would not get the job done. It is not enough money to solve the problem that is out there.

If we recapitalize the FSLIC with an inadequate amount of money, we will be looking at this problem in another 18 or 24 months. Some say, what is wrong with just looking at it in 18 or 24 months? The problem is that the Congress, in its infinite wisdom, so often takes so long to look at things. We have been nearly a year in coming up with a proposal that may eventually get passed, and through no lack of effort, but it is a controversial issue that has taken a long time, and we may be another 3 or 4 months before we finally get a bill to the President's desk for his signature.

In the other body, they have passed a bill that has not only the FSLIC provisions, but has nonbank bank provisions, has moratoria on securities powers provisions, had added a great number of things which will complicate the conference when it meets.

We need to pass the $15 billion to put some assurance in the marketplace that we have provided a long-term solution. As the chairman mentioned, and as the Speaker mentioned, if that full $15 billion is not needed, there is a mechanism in the bill which allows for the full House, on an expedited fashion, to take this up again.

As the chairman so adequately mentioned, if we do not need the money, there will not be any trouble in getting this bill to the floor.

The gentleman from Delaware [Mr. CARPER], in talking about expedited funds availability earlier today, talked about jack rabbits, those checks that move very quickly through the system. If we do not need $15 billion, the chairman will have this bill going through like a jack rabbit to deauthorize the remainder of the money.

Mr. WYLIE. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING. Mr. Chairman, I rise today in strong support of the St Germain amendment to H.R. 27.

As a member of the House Committee on Banking, Finance and Urban Affairs, I have had the privilege to sit in on the hearings on H.R. 27. One thing is evident to me from these hearings.

First, the Federal Savings and Loan Insurance Corporation is facing a tremendous deficit. There has been much talk here today about how large is that problem. Read the headlines and you will see how big the problem is.

The Washington Post, March 4, 1987, "Five Billion Dollar Loss Seen in Closing S&L's in Five States."

The Wall Street Journal from the same date, "FSLIC Technically Bankrupt at the End of 1986."

Now we can argue that the size of the problem is not as big as some would lead us to believe. But the word "bankruptcy" has a very simple meaning. The money just isn't there.

So it is obvious that we are confronted with an emergency situation. And how will we deal with this situation. Will we deal with it by taking a bold step toward fiscal solvency. or, will we deal with it by attaching a band-aid that will have to be reapplied in the 101st Congress.

I think that we owe it to the depositors of the savings and loan industry to deal with this problem today, not put it off for years to come. How do the opponents of this funding amendment plan to explain their stand to their constituents who have sunk their life savings into a local S&L. I am going to tell mine that I attempted to secure their savings by voting for the St Germain amendment.

Mr. WYLIE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, as the debate winds up, I want to call to the attention of the full House that this is a two-part bill, and both parts are absolutely essential.

First of all, the legislation requires the full $15 billion of capitalization in order to work at all. That is the minimum amount. That is the amount that will be offered by the gentleman from Rhode Island [Mr. ST GERMAIN] and the gentleman from Ohio [Mr. WYLIE] in a subsequent amendment, which is the minimum necessary in order to get the job done.

□ 1710

I think we have seen the breadth of support for the $15 billion as demonstrated by Members from both sides of the aisle and from all regions of the country who understand that it is not just a problem for one region or for one group of institutions but that in fact the purpose of the capitalization is to insure the deposits of customers, men and women who are the savers of this country and who have placed their deposits in the savings and loans on the assurance that they would be insured. And the only way to provide for that insurance is to have it fully insured for the $15 billion.

The second part of the bill is equally important, and that is title II, which is the regulatory reform and the forbearance section, which makes the capitalization work and which ensures that we will be able to close down those institutions that need to be closed down because they are so deeply insolvent that they cannot come back, and which provides that the regulators will be given the tools and the mandate to allow those others that can be preserved to work their way back to health.

This amendment in this bill makes it a consumer bill. It is one that provides for adequate insurance funds and an adequate regulatory atmosphere to insure deposits of customers of savings and loans all over this country.

So, Mr. Chairman, I urge a vote for the St Germain-Wylie amendment and for the bill containing both sections, the capitalization and the forbearance sections.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I would like to bring up this point. The gentleman is from an area of the country, and in what he said he just struck a chord. The gentleman said there is support from all areas and all sections of the country.

Mr. CHAIRMAN. The time of the gentleman from Texas [Mr. BARTLETT] has expired.

Mr. ST GERMAIN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Texas [Mr. BARTLETT] and I ask the gentleman to yield.

Mr. BARTLETT. I yield to the chairman of the committee.

Mr. ST GERMAIN. Mr. Chairman, as the gentleman said, there is support from all sections of the country.

I have had Members come up to me and say this: "Well, my S&L's have called me, and they say they are not in any trouble. We don't have any problem in my section of the country."

And I said, "Really?" Then I said, "Well, I am from the Northeast, where the Boston Regional Bank Board is located, and I've got news for you. We've never had any problems at any point. We run the most conservative S&L's in the world. You know, they are the old New England Yankees."

All right. We have had no problems there, but we recognize the fact that we are not living on a little island, that we are part of the insuring fund as a totality, and that is why we in New England and the Northeast are supporting 15 and 5.

Mr. BARTLETT. Mr. Chairman, I thank the gentleman for his statement.

Mr. ST GERMAIN. Mr. Chairman, I think it is very important to realize that this is not a sectional or regional situation, but we are looking to the health of an industry that is national, and now and then we have to help other sections of the country. That is why I appreciated the gentleman's bringing out the point that support for this bill comes from all sections of the Nation.

Mr. BARTLETT. Mr. Chairman, the gentleman is correct. The FSLIC insures customers' deposits in Rhode Island and in Connecticut, as well as in Ohio, Texas, California, and Florida, and it must be fully funded and adequately and conservatively operated in order to insure those funds for those customers.

Mr. Chairman, I wish to enter into the RECORD a description in some detail of some of the title II sections.

PROVISIONS IN TITLE II

H.R. 27 contains a number of changes in the regulatory accounting treatment of thrifts:

(1) Regulatory actions regarding loan loss reserves or write-downs of net worth shall not exceed the requirements for transfer or recognition under Generally Accepted Accounting Principles. Regulatory Accounting Principles (RAP), applied to examined thrifts within the last year, have resulted in excessive write-downs. These write-downs would in most cases go beyond what would be required of a commercial bank in a similar circumstance.

(2) General Loss Reserves and Specific Loss Reserves for assets classified as "doubtful" can be treated as capital for determining regulatory capital or regulatory net worth. Unlike banks, thrifts have been prohibited from establishing loan loss reserves that can be counted towards their net worth.

(3) FASB 15 can be used to restructure loans where the original borrower could repay at least the face value of the note. The regulators have been reluctant to allow the restructuring of loan agreements between institutions and their borrowers.

(4) Commercial loan fees (points) would be amortized over th life of the loan. This provision would prevent the abuses which have occurred where a thrift could immediately book fees as earnings once a loan is made.

(5) There will no longer be a mandatory reappraisal upon foreclosure. Commercial banks do not require reappraisals and the market value of a property can often be determined without one.

(6) After two years the Bank Board will submit a plan for the gradual implementation of GAAP accounting for the entire system.

H.R. 27 will also change the asset classification system and mandate that the Bank Board adopt a system containing these categories: (a) Other assets specially mentioned; (b) substandard; (c) doubtful; and (d) loss.

No increase in the reserve requirement or loan loss reserve shall be required for any asset classified as either "other assets" or "substandard." This would prevent a regulator from instituting a "double whammy" in classifying a loan when a savings and loan is required to write down a portion of a loan on its net worth and to require them to set aside funds in a loan loss reserve.

Title II contains a statutory capital forbearance provision that is closely modeled after the Bank Board's capital forbearance policy. A thrift that is below the 3 percent net worth requirement may avoid the appointment of a receiver or conservator if its problems are due to an economic decline and not fraudulent or imprudent operating practices, and it had a plan to regain its regulatory net worth. An institution with below a 0.5 percent net worth could still qualify if it met the above conditions and had a reasonable change of recovery.

This bill also provides for improvements in the supervisory process. The Board must adopt new guidelines on the expedited approval of renegotiated loans, the recognition of additional financial capability of borrowers, new standards for when reappraisal is necessary, a change in the R-41 appraisal standard, and the establishment of an appraisal review system for each FHLB district.

Title II provides for streamlined internal appeals process for institutions that want to appeal the decision of a supervisory agent regarding an appraisal, the classification of a loan, or a requirement to add to reserves. Some decisions can be reviewed by the Bank Board itself. An appeals process for borrowers is also in the bill. These provisions are necessary to prevent arbitrariness at the lowest regulatory level where decisions are being made that could affect the viability of an institution.

Other provisions in the bill include a Bank Board study of the feasibility of creating an asset acquisition holding company that could warehouse real estate assets until they become marketable, extensive Congressional oversight of all Bank Board activities, and a requirement that the Board create guidelines to prevent the dumping of assets.

This legislation—a $15 billion recapitalization combined with forbearance and regulatory reform—is in the best interest of depositors and homeowners who rely on savings and loans, as well as for the future health of the S&L industry and the nation's financial system as a whole.

Ms. OAKAR. Mr. Chairman, I rise in strong support of H.R. 27, the Federal Savings and Loan Insurance Corporation Recapitalization Act.

The Congress and the American people should accept no delay in enacting this important and urgently needed legislation. The issue is quite clear: The FSLIC, which insures the deposits at more than 3,000 thrift institutions holding over $1 trillion in deposits has sustained steady losses since 1981 when the fund stood at $6.3 billion compared to a deficit today. There is no choice but to recapitalize the fund. The amount of recapitalization is important, but whether it be $5, $10, $15 billion or more, it should not stand in the way of this Congress moving expeditiously to create the mechanism to raise the funds and to provide the proper protection to consumers' deposits at the Nation's savings and loans.

The FSLIC was created more than 50 years ago by the National Housing Act, to insure the deposits held at the nation's savings and loans. Since that time, the S&L industry has become important to both the economy and society. As the holder of over a trillion dollars in funds it is an important participant in the financial services marketplace and as the lender of the majority of home mortgage funds it deserves a great deal of credit for making America a nation of homeowners.

When the FSLIC was created in 1934, only 35 percent of American families owned their home compared to over 60 percent today. The continuing role of savings and loans in our society and among financial institutions needs to be protected and preserved.

The legislation we are considering today is vitally important to the preservation of a separate and distinct thrift industry. From 1981 to 1986, 211 S&L's were merged with other institutions or liquidated. At the same time, the number of insolvent thrifts climbed from 16 in 1980 to 445 last year.

Despite the current condition of the FSLIC, consumers should be reassured that the full faith and credit of the U.S. Government stands behind the FSLIC. Moreover, the losses that have occured from the failure of some S&L's is not reflective of the general condition of the industry. According to the General Accounting Office, a substantial segment of the industry is both solvent and profitable. As of September 1986, about 85 percent of FSLIC insured S&L's were solvent. At the same time, 80 percent of the industry recorded aggregate profits of $6.9 billion during the first three quarters of 1986. Consumers should be aware that the current problems of the FSLIC should not be generalized to the entire thrift industry.

The bill before us today will set the S&L industry on the straight course to recovery by combining measures to increase the insurance fund, provide forbearance to help well managed thrifts over temporary difficulties, and require strict oversight of the regulatory process to ensure everyone's rights and interests are protected.

Specifically, the bill provides for the creation of a financing corporation to serve as the mechanism for raising the funds necessary to replenish the insurance fund. Additionally, the bill provides a forebearance program to relieve the financial burden affecting institutions and borrowers in designated economically depressed areas. The committee acted to ensure that an institution can not participate in the forebearance program if it's weakened capital position is the result of imprudent operating practices. The bill also imposes exit or penalty fees on any institution leaving the insurance fund after the recapitalization plan is implemented.

This is a reasonable and responsible measure to respond to extraordinary conditions that necessitate our expenditious consideration and approval. I urge my colleagues to join me in supporting this measure. I also want to commend my colleagues on the Banking Committee who exercised their responsibilities with respect to this legislation so diligently.

Lets protect our constituents deposits and pass this legislation today.

Mr. GRADISON. Mr. Chairman, for the second time in 7 months, the House has before it a bill which provides for the recapitalization of the Federal Savings and Loan Insurance Corporation. The serious difficulties that trouble the Nation's savings and loan institutions are well known to the Members of the House and to the public. Nearly 450 S&L's across the country are bankrupt. In addition, there are 270 problem thrifts on the Federal Home Loan Bank Board's list of significant supervisory cases. These problem thrifts are losing $4.8 billion annually. Yet, insolvent S&L's remain in business because Federal regulators are unable to close them. FSLIC, which should be closing them down, is unable to do so because it is in the red by approximately $6 billion.

The drain on FSLIC's resources in recent years has been expanding at an extraordinary rate. In 1980, insurance losses resulting from assistance provided to thrifts were $23.2 million. In 1986, estimates are that insurance losses totaled nearly $10.8 billion. Over this period, total insurance losses were in excess of $19 billion.

Under these conditions, it has become a cliche that recapitalization of the FSLIC insurance fund is urgently needed. I agree. The real issue, however, is whether we will provide for both meaingful capital infusion and real regulatory and supervisory reform which will guard against a repeat performance of the crisis in the S&L industry in the near future. I have come to the conclusion, Mr. Chairman, that H.R. 27 fails on both counts and should be defeated.

Estimates of what is required to ensure the solvency of the insurance fund vary greatly. The estimates range from $5 billion to upward of $32 billion. Most estimates, however, including those completed by the Treasury, the General Accounting Office, and the Federal Home Loan Bank Board are at, or in excess of, $20 billion. The $5 billion in funding over a 2-year period provided for in H.R. 27 is clearly inadequate to the task at hand. It is just as naive to think that we can grow our way out of the FSLIC mess as it is that we are going to grow out of the deficit. The $15 billion contemplated by the amendment made in order by the rule gets us closer to the mark, but still falls short of what may ultimately be required.

H.R. 27, Mr. Chairman, rather than strengthening the regulatory and supervisory system, actually acts to dilute the power of Federal regulators. By writing capital and borrower forbearance into law, the House would limit the ability of the FHLBB and its principal supervisory agents to oversee effectively the Nation's thrift industry. The inflexibility of these provisions, contained in title II of the bill, has justifiably raised the concern of the 12 Federal Home Loan Bank Board presidents.

I applaud the efforts of Members who will offer amendments to strengthen title II. I will support the amendment to require thrifts to switch from RAP to GAAP accounting principles, in addition to an amendment to strike the provisions in the bill for borrower appeals. Even with the adoption of these amendments, H.R. 27 will only take us where we should have been and not where we need to go.

Over the last few months, Mr. Chairman, I have burdened my colleagues with several letters and statements outlining my contunued concerns with the budgetary treatment of recapitalization. As I have indicated on previous occasions, any FSLIC recapitalization is likely to cost billions of taxpayer dollars. Ultimately, the question is how much.

We should, therefore, be honest with the American people on this point and not attempt to hide the true cost in budgetary gimmickry. The CBO cost estimate accompanying this legislation indicates that the scoring of this proposal is based on the assumption that the nominally private financing corporation would be off-budget. That assumption is an extremely close call. According to CBO, the financing corporation succeeds in avoiding the creation of FSLIC debt only on narrow, technical grounds. From the point of view of an honest budget process, the precedent set by the creation of the financing corporation is a bad one and extraordinarily shortsighted.

Finally, Mr. Chairman, as a former chairman of the Federal Home Loan Bank in Cincinnati and a representative of the area hardest hit by the Ohio savings and loan crisis, I am deeply concerned about the depositors and their investments. Over $900 billion are currently on deposit in the Nation's S&L's. Institutional pressures and political parochialism have prevented the emergence of meaningful reform and adequate recapitalization of the insurance fund. Congress has dallied. My colleagues are all aware of the "it's the best we're going to get and we need a recap" rhetoric. There is plenty of blame to go around; the Congress, the administration, and the industry are all responsible for the situation in which we now find ourselves. We are on the verge of adopting a bread crumb strategy—throwing a little capital FSLIC's way from time to time—ensuring that the day of reckoning will likely occur on someone else's watch.

I recognize that FSLIC needs help, but I remain convinced that the solution proposed by the committee is seriously flawed. For these reasons, I urge the defeat of this legislation.

The CHAIRMAN. The gentleman from Ohio, Mr. WYLIE, has no further time remaining.

Mr. ST GERMAIN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to House Resolution 154, the committee amendment in the nature of a substitute now printed in the reported bill shall be considered by titles as an original bill for the purpose of amendment, and each title shall be considered as having been read.

No amendments changing or affecting the subject matter of title I are in order except the amendments numbered 1 in House Report 100-77, by and if offered by, Representative ST GERMAIN, which shall be considered en bloc. The amendments numbered 2 in House Report 100-77, by and if offered by, Representative PEPPER, or his designee, are in order and shall be considered en bloc.

The Clerk will designate title I.

The text of title I of the committee amendment in the nature of a substitute is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FSLIC RECAPITALIZATION

SECTION 101. SHORT TITLE.

This title may be cited as the "Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987".

SEC. 102. FINANCING CORPORATION ESTABLISHED.

The Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) is amended by inserting after section 20 the following new section:

"SEC. 21. FINANCING CORPORATION.

"(a) ESTABLISHMENT.—Notwithstanding any other provision of law, the Board shall charter a corporation to be known as the Financing Corporation.

"(b) MANAGEMENT OF FINANCING CORPORATION.—

"(1) DIRECTORATE.—The Financing Corporation shall be under the management of a directorate composed of 3 members as follows:

"(A) The Director of the Office of Finance of the Federal Home Loan Banks (or the head of any successor to such office).

"(B) 2 members selected by the Chairman of the Federal Home Loan Bank Board from among the presidents of the Federal Home Loan Banks.

"(2) TERMS.—Each member appointed under paragraph (1)(B) shall be appointed for a term of 1 year.

"(3) VACANCY.—If any member leaves the office in which such member was serving when appointed to the Directorate—

"(A) such member's service on the Directorate shall terminate on the date such member leaves such office; and

"(B) the successor to the office of such member shall serve the remainder of such member's term.

"(4) EQUAL REPRESENTATION OF BANKS.—No president of a Federal Home Loan Bank may be appointed to serve an additional term on the Directorate until such time as the presidents of each of the other Federal Home Loan Banks have served as many terms on the Directorate as the president of such bank (before the appointment of such president to such additional term).

"(5) CHAIRPERSON.—The Chairman of the Federal Home Loan Bank Board shall select the chairperson of the Directorate from among the 3 members of the Directorate.

"(6) STAFF.—

"(A) NO PAID EMPLOYEES.—The Financing Corporation shall have no paid employees.

"(B) POWERS.—The Directorate may, with the approval of the Board, authorize the officers, employees, or agents of the Federal Home Loan Banks to act for and on behalf of the Financing Corporation in such manner as may be necessary to carry out the functions of the Financing Corporation.

"(7) ADMINISTRATIVE EXPENSES.—

"(A) IN GENERAL.—All administrative expenses of the Financing Corporation shall be paid by the Federal Home Loan Banks.

"(B) PRO RATA DISTRIBUTION.—The amount each Federal Home Loan Bank shall pay shall be determined by the Board by multiplying the total administrative expenses for any period by the percentage arrived at by dividing—

"(i) the aggregate amount the Board required such bank to invest in the Financing Corporation (as of the time of such determination) under paragraphs (4) and (5) of subsection (d) (as computed without regard to paragraph (3) or (6) of such subsection); by

"(ii) the aggregate amount the Board required all Federal Home Loan Banks to invest (as of the time of such determination) under such paragraphs.

"(C) ADMINISTRATIVE EXPENSES DEFINED.—For purposes of this paragraph, the term 'administrative expenses' does not include—

"(i) issuance costs (as such term is defined in subsection (g)(5)(A));

"(ii) any interest on (and any redemption premium with respect to) any obligation of the Financing Corporation; or

"(iii) custodian fees (as such term is defined in subsection (g)(5)(B)).

"(8) REGULATION BY BOARD.—The Directorate shall be subject to such regulations, orders, and directions as the Board may prescribe.

"(9) NO COMPENSATION FROM FINANCING CORPORATION.—Members of the Directorate shall receive no pay, allowances, or benefits from the Financing Corporation by reason of their service on the Directorate.

"(c) POWERS OF FINANCING CORPORATION.—The Financing Corporation shall have only the following powers, subject to the other provisions of this section and such regulations, orders, and directions as the Board may prescribe:

"(1) To issue nonvoting capital stock to the Federal Home Loan Banks.

"(2) To invest in any security issued by the Federal Savings and Loan Insurance Corporation under section 402(b) of the National Housing Act.

"(3) To issue debentures, bonds, or other obligations and to borrow, to give security for any amount borrowed, and to pay interest on (and any redemption premium with respect to) any such obligation or amount.

"(4) To impose assessments in accordance with subsection (f).

"(5) To adopt, alter, and use a corporate seal.

"(6) To have succession until dissolved.

"(7) To enter into contracts.

"(8) To sue and be sued in its corporate capacity, and to complain and defend in any action brought by or against the Financing Corporation in any State or Federal court of competent jurisdiction.

"(9) To exercise such incidental powers not inconsistent with the provisions of this section or section 402(b) of the National Housing Act as are necessary or appropriate to carry out the provisions of this section.

"(d) CAPITALIZATION OF FINANCING CORPORATION.—

"(1) PURCHASE OF CAPITAL STOCK BY FEDERAL HOME LOAN BANKS.—

"(A) IN GENERAL.—Each Federal Home Loan Bank shall invest in nonvoting capital stock of the Financing Corporation at such times and in such amounts as the Board may prescribe under this subsection.

"(B) PAR VALUE; TRANSFERABILITY.—Each share of stock issued by the Financing Corporation to a Federal Home Loan Bank shall have par value in an amount determined by the Board and shall be transferable only among the Federal Home Loan Banks in the manner and to the extent prescribed by the Board at not less than par value.

"(2) AGGREGATE DOLLAR AMOUNT LIMITATION ON ALL INVESTMENTS.—The aggregate amount of funds invested by all Federal Home Loan Banks in nonvoting capital stock of the Financing Corporation shall not exceed $1,000,000,000, not more than $500,000,000 of which may be required to be invested in any calendar year.

"(3) MAXIMUM INVESTMENT AMOUNT LIMITATION FOR EACH FEDERAL HOME LOAN BANK.—The cumulative amount of funds invested in nonvoting capital stock of the Financing Corporation by each Federal Home Loan Bank shall not exceed the aggregate amount of—

"(A) the sum of—

"(i) the reserves maintained by such bank on December 31, 1985, pursuant to the requirement contained in the first 2 sentences of section 16; and

"(ii) the undivided profits (as defined in paragraph (7)) of such bank on such date; and

"(B) the sum of—

"(i) the amounts added to reserves after December 31, 1985, pursuant to the requirement contained in the first 2 sentences of section 16; and

"(ii) the undivided profits of such bank accruing after such date.

"(4) PRO RATA DISTRIBUTION OF 1ST $1,000,000,000 INVESTED IN FINANCING CORPORATION BY HOME LOAN BANKS.—With respect to the first $1,000,000,000 which the Board may require the Federal Home Loan Banks to invest in capital stock of the Financing Corporation under this subsection, the amount which each Federal Home Loan Bank (or any successor to such bank) shall invest shall be determined by the Board by applying to the total amount of such investment by all such banks the percentage appearing in the following table for each such bank:

"Bank	*Percentage*
Federal Home Loan Bank of Boston	*1.8629*
Federal Home Loan Bank of New York	*9.1006*

Federal Home Loan Bank of Pittsburgh	*4.2702*
Federal Home Loan Bank of Atlanta	*14.4007*
Federal Home Loan Bank of Cincinnati	*8.2653*
Federal Home Loan Bank of Indianapolis	*5.2863*
Federal Home Loan Bank of Chicago	*9.6886*
Federal Home Loan Bank of Des Moines	*6.9301*
Federal Home Loan Bank of Dallas	*8.8181*
Federal Home Loan Bank of Topeka	*5.2706*
Federal Home Loan Bank of San Francisco	*19.9644*
Federal Home Loan Bank of Seattle	*6.1422*

"(5) PRO RATA DISTRIBUTION OF AMOUNTS REQUIRED TO BE INVESTED IN EXCESS OF $1,000,000,000.—With respect to any amount in excess of $1,000,000,000 which the Board may require the Federal Home Loan Banks to invest in capital stock of the Financing Corporation under this subsection, the amount which each Federal Home Loan Bank (or any successor to such bank) shall invest shall be determined by the Board by multiplying such excess amount by the percentage arrived at by dividing—

"(A) the sum of the total assets (as of the most recent December 31) held by all insured institutions which are members of such bank; by

"(B) the sum of the total assets (as of such date) held by all insured institutions which are members of any Federal Home Loan Bank.

"(6) SPECIAL PROVISIONS RELATING TO MAXIMUM AMOUNT LIMITATIONS.—

"(A) IN GENERAL.—If the amount any Federal Home Loan Bank is required to invest in capital stock of the Financing Corporation pursuant to a determination by the Board under paragraph (5) (or under subparagraph (B) of this paragraph) exceeds the maximum investment amount applicable with respect to such bank under paragraph (3) at the time of such determination (hereinafter in this paragraph referred to as the 'excess amount')—

"(i) the Board shall require each remaining Federal Home Loan Bank to invest (in addition to the amount determined under paragraph (5) for such remaining bank and subject to the maximum investment amount applicable with respect to such remaining bank under paragraph (3) at the time of such determination) in such capital stock on behalf of the bank in the amount determined under subparagraph (B);

"(ii) the Board shall require the bank to subsequently purchase the excess amount of capital stock from the remaining banks in the manner described in subparagraph (C); and

"(iii) the requirements contained in subparagraphs (D) and (E) relating to the use of net earnings available for dividends shall apply to such bank until the bank has purchased all of the excess amount of capital stock.

"(B) ALLOCATION OF EXCESS AMOUNT AMONG REMAINING HOME LOAN BANKS.—The amount each remaining Federal Home Loan Bank shall be required to invest under subparagraph (A)(i) is the amount determined by the Board by multiplying the excess amount by the percentage arrived at by dividing—

"(i) the amount of capital stock of the Financing Corporation held by such remaining bank at the time of such determination; by

"(ii) the aggregate amount of such stock held by all remaining banks at such time.

"(C) PURCHASE PROCEDURE.—The bank on whose behalf an investment in capital stock is made under subparagraph (A)(i) shall purchase, annually and at the issuance price, from each remaining bank an amount of such stock determined by the Board by multiplying the amount available for such purchases (at the time of such determination) by the percentage determined under subparagraph (B) with respect to such remaining bank until the aggregate amount of such capital stock has been purchased by the bank.

"(D) LIMITATION ON DIVIDENDS.—The amount of dividends which may be paid for any year by a bank on whose behalf an investment is made under subparagraph (A)(i) shall not exceed an amount equal to 1/2 of the net earnings available for dividends of the bank for the year.

"(E) TRANSFER TO ACCOUNT FOR PURCHASE OF STOCK REQUIRED.—Of the net earnings available for dividends for any year of a bank on whose behalf an investment is made under subparagraph (A)(i), such amount as is necessary to make the purchases of stock required under subparagraph (A)(ii) shall be placed in a reserve account (established in such manner as the Board shall prescribe by regulations) the balance in which shall be available only for such purchases.

"(F) NET EARNINGS AVAILABLE FOR DIVIDENDS DEFINED.—For purposes of this paragraph, the term 'net earnings available for dividends' means the net earnings of a bank for any period as computed after reducing the amount of earnings for such period by the amount required to be carried (for such period) to reserves maintained by such bank pursuant to the first two sentences of section 16 of this Act.

"(7) UNDIVIDED PROFITS DEFINED.—For purposes of paragraph (3), the term 'undivided profits' means retained earnings minus the sum of—

"(A) that portion required to be added to reserves maintained pursuant to the first two sentences of section 16 of this Act; and

"(B) the dollar amounts held by the respective Federal Home Loan Banks in special dividend stabilization reserves on December 31, 1985, as determined under the following table:

"Bank	*Dollar amount*
Federal Home Loan Bank of Boston	*$3.2 million*
Federal Home Loan Bank of New York	*7.7 million*
Federal Home Loan Bank of Pittsburgh	*5.2 million*
Federal Home Loan Bank of Atlanta	*12.3 million*
Federal Home Loan Bank of Cincinnati	*5.9 million*
Federal Home Loan Bank of Indianapolis	*37.4 million*
Federal Home Loan Bank of Chicago	*6.0 million*
Federal Home Loan Bank of Des Moines	*32.7 million*
Federal Home Loan Bank of Dallas	*45.0 million*
Federal Home Loan Bank of Topeka	*13.7 million*
Federal Home Loan Bank of San Francisco	*21.9 million*
Federal Home Loan Bank of Seattle	*33.6 million*

"(e) OBLIGATIONS OF THE FINANCING CORPORATION.—

"(1) LIMITATION ON AMOUNT OF OUTSTANDING OBLIGATIONS.—The aggregate amount of obligations of the Financing Corporation which may be outstanding at any time (as determined by the Board) shall not exceed the greater of—

"(A) 5 times the amount of the nonvoting capital stock of the Financing Corporation which is outstanding at such time; or

"(B) the sum of the face amounts (the amount of principal payable at maturity) of securities described in subsection (g)(2) which are held at such time in the segregated account established pursuant to such subsection.

"(2) NET PROCEEDS TO BE INVESTED IN CAPITAL OF FSLIC.—Subject to such terms and conditions as may be approved by the Board, the net proceeds of any obligation issued by the Financing Corporation shall be used to—

"(A) purchase capital certificates or capital stock issued by the Federal Savings and Loan Insurance Corporation under section 402(b)(1)(A) of the National Housing Act; or

"(B) refund any previously issued obligation the net proceeds of which were invested in the manner described in subparagraph (A).

"(3) LIMITATION ON TERM OF OBLIGATIONS.—No obligation of the Financing Corporation may be issued which matures—

"(A) more than 30 years after the date of issue; or

"(B) after December 31, 2026.

"(4) INVESTMENT OF UNITED STATES FUNDS IN OBLIGATIONS.—Obligations issued under this section by the Financing Corporation with the approval of the Board shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public funds the investment or deposit of which shall be under the authority or control of the United States or any officer of the United States.

"(5) MARKET FOR OBLIGATIONS.—All persons having the power to invest in, sell, underwrite, purchase for their own accounts, accept as security, or otherwise deal in obligations of the Federal Home Loan Banks shall also have the power to do so with respect to obligations of the Financing Corporation.

"(6) NO FULL FAITH AND CREDIT OF THE UNITED STATES.—Obligations of the Financing Corporation and the interest payable on such obligations shall not be obligations of, or guaranteed as to principal or interest by, the Federal Home Loan Banks, the United States, or the Federal Savings and Loan Insurance Corporation and the obligations shall so plainly state.

"(7) TAX EXEMPT STATUS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), obligations of the Financing Corporation shall be exempt from tax both as to principal and interest to the same extent as any obligation of a Federal Home Loan Bank is exempt from tax under section 13.

"(B) EXCEPTION.—The Financing Corporation, like the Federal Home Loan Banks, shall be treated as an agency of the United States for purposes of the first sentence of section 3124(b) of title 31, United States Code (relating to determination of tax status of interest on obligations).

"(8) OBLIGATIONS ARE EXEMPT SECURITIES.—Notwithstanding paragraph (6), obligations of the Financing Corporation shall be deemed to be exempt securities (within the meaning of laws administered by the Securities and Exchange Commission) to the same

extent as securities which are direct obligations of the United States or are guaranteed as to principal or interest by the United States.

"(9) MINORITY PARTICIPATION IN PUBLIC OFFERINGS.—The Chairman of the Board and the Directorate shall ensure that minority owned or controlled investment banking firms, underwriters, and bond counsels throughout the United States have an opportunity to participate to a significant degree in any public offering of obligations issued under this section.

"(10) ANNUAL LIMITATION ON NET NEW BORROWING.—

"(A) FIRST AND SECOND YEAR LIMITATION.—Net new borrowing by the Financing Corporation shall not exceed an amount equal to—

"(i) $2,500,000,000 in the 1-year period beginning on the date of the enactment of the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987; and

"(ii) $2,500,000,000 in the 1-year period beginning after the end of the period referred to in clause (i).

"(B) SUNSET PROVISION FOR BORROWING AUTHORITY.—No net new borrowing may be made by the Financing Corporation after the end of the 2-year period beginning on the date of the enactment of the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987.

"(f) ASSESSMENT AUTHORITY OF THE FINANCING CORPORATION.—

"(1) IN GENERAL.—The Financing Corporation may, with the approval of the Board, assess semiannually on each insured institution an assessment, except that the aggregate amount assessed under this paragraph on any insured institution for any year may not exceed an amount equal to 1/12th of 1 percent of the aggregate amount of all accounts of insured members of such insured institution for such year.

"(2) SUPPLEMENTAL ASSESSMENT AUTHORIZED.—Upon the unanimous vote of the Directorate that additional funds are needed to pay the interest on the obligations of the Financing Corporation because no other funds are available, the Financing Corporation may, with the approval of the Board and in addition to any assessment assessed under paragraph (1), assess on each insured institution an assessment, except that the aggregate amount assessed under this paragraph on any insured institution for any year may not exceed an amount equal to 1/8th of 1 percent of the aggregate amount of all accounts of insured members of such insured institution for such year.

"(3) TOTAL AMOUNT OF ASSESSMENTS MAY NOT EXCEED INTEREST AND FINANCING COSTS.—The aggregate amount of all assessments assessed under paragraphs (1) and (2) for any year may not exceed—

"(A) the aggregate amount of—

"(i) issuance costs (as such term is defined in subsection (g)(5)(A)) incurred with respect to obligations issued during such year;

"(ii) interest paid on (and any redemption premium paid with respect to) obligations of the Financing Corporation during such year; and

"(iii) custodian fees (as such term is defined in subsection (g)(5)(B)) incurred during such year; minus

"(B) the aggregate amount of any payments under subsection (g)(4) during such year.

"(4) PAYMENT TO FINANCING CORPORATION.—All assessments assessed by the Financing Corporation under paragraph (1) or (2) shall be paid to the Financing Corporation.

"(g) USE AND DISPOSITION OF ASSETS OF THE FINANCING CORPORATION NOT INVESTED IN FSLIC.—

"(1) IN GENERAL.—Subject to such regulations, restrictions, and limitations as may be prescribed by the Board, assets of the Financing Corporation, which are not invested in capital certificates or capital stock issued by the Federal Savings and Loan Insurance Corporation under section 402(b)(1)(A) of the National Housing Act, shall be invested in—

"(A) direct obligations of the United States;

"(B) obligations, participations, or other instruments of, or issued by, the Federal National Mortgage Association or the Government National Mortgage Association;

"(C) mortgages, obligations, or other securities for sale by, or which have been disposed of by, the Federal Home Loan Mortgage Corporation under section 305 or 306 of the Federal Home Loan Mortgage Corporation Act; or

"(D) any other security in which it is lawful for fiduciary and trust funds to be invested under the laws of any State.

"(2) SEGREGATED ACCOUNT FOR ZERO COUPON INSTRUMENTS HELD TO ASSURE PAYMENT OF PRINCIPAL.—The Financing Corporation shall invest in, and hold in a segregated account, noninterest bearing instruments—

"(A) which are securities described in paragraph (1); and

"(B) the total of the face amounts (the amount of principal payable at maturity) of which is approximately equal to the aggregate amount of principal on the obligations of the Financing Corporation,

to assure the repayment of principal on obligations of the Financing Corporation.

"(3) LIMITATION ON INVESTMENT IN ZERO COUPON INSTRUMENTS FOR SEGREGATED ACCOUNT.—The aggregate amount invested by the Financing Corporation under paragraph (2) shall not exceed the amount needed to satisfy the requirements of paragraph (2).

"(4) EXCEPTION FOR PAYMENT OF ISSUANCE COSTS, INTEREST, AND CUSTODIAN FEES.—Notwithstanding the requirements of paragraph (1), the assets of the Financing Corporation referred to in paragraph (1) which are not invested under paragraph (2) may be used to pay—

"(A) issuance costs;

"(B) any interest on (and any redemption premium with respect to) any obligation of the Financing Corporation; and

"(C) custodian fees.

"(5) DEFINITIONS.—For purposes of this subsection—

"(A) ISSUANCE COSTS.—The term 'issuance costs'—

"(i) means issuance fees and commissions incurred by the Financing Corporation in connection with the issuance or servicing of any obligation of the Financing Corporation; and

"(ii) includes legal and accounting expenses, trustee and fiscal and paying agent charges, costs incurred in connection with preparing and printing offering materials, and advertising expenses, to the extent that any such cost or expense is incurred by the Financing Corporation in connection with issuing any obligation.

"(B) CUSTODIAN FEES.—The term 'custodian fee' means—

"(i) any fee incurred by the Financing Corporation in connection with the transfer of any security to, or the maintenance of any security in, the segregated account established under paragraph (2); and

"(ii) any other expense incurred by the Financing Corporation in connection with the establishment or maintenance of such account.

"(h) MISCELLANEOUS PROVISIONS RELATING TO FINANCING CORPORATION.—

"(1) TREATMENT FOR CERTAIN PURPOSES.—Except as provided in subsection (e)(7)(B), the Financing Corporation shall be treated as a Federal Home Loan Bank for purposes of sections 13 and 23.

"(2) FEDERAL RESERVE BANKS AS DEPOSITARIES AND FISCAL AGENTS.—The Federal Reserve banks are authorized to act as depositaries for or fiscal agents or custodians of the Financing Corporation.

"(3) APPLICABILITY OF CERTAIN PROVISIONS RELATING TO GOVERNMENT CORPORATION.—Notwithstanding the fact that no Government funds may be invested in the Financing Corporation, the Financing Corporation shall be treated, for purposes of sections 9105, 9107, and 9108 of title 31, United States Code, as a mixed-ownership Government corporation which has capital of the Government.

"(4) QUARTERLY REPORTS TO CONGRESS.—

"(A) REPORT REQUIRED.—Before the end of the 2-week period beginning on the first day of each calendar quarter, the Financing Corporation shall submit a detailed written report on the preceding calendar quarter to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

"(B) CONTENTS OF REPORT.—Each report required under paragraph (1) shall contain a complete description of—

"(i) all activities of the Financing Corporation during the calendar quarter with respect to which the report is made;

"(ii) the financial condition of the Financing Corporation as of the end of such calendar quarter;

"(iii) all income of the Financing Corporation during such calendar quarter and the source of such income; and

"(iv) all expenditures made or expenses paid by the Financing Corporation during such calendar quarter, including administrative expenses and any expense which—

"(I) was incurred in connection with an activity of the Financing Corporation; and

"(II) was paid by any other person on behalf of or for the benefit of the Financing Corporation.

"(i) FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION INDUSTRY ADVISORY COMMITTEE.—

"(1) ESTABLISHMENT.—There is hereby established the Federal Savings and Loan Insurance Corporation Industry Advisory Committee (hereinafter in this subsection referred to as the 'Committee').

"(2) MEMBERSHIP.—

"(A) APPOINTMENT.—The Committee shall consist of 13 members selected as follows:

"(i) 1 member appointed by the Chairman of the Board from among individuals who are officers of insured institutions and who are not members of the Board or employees of the Board, the Federal Savings and Loan Insurance Corporation, or the Board of Directors of any Federal Home Loan Bank.

"(ii) 1 member elected from each Federal Home Loan Bank district (by the members of the Board of Directors of each such bank who were elected by the members of such bank) from among individuals who are officers of insured institutions.

"(B) TERMS.—Members shall be appointed or elected for terms of 1 year.

"(C) CHAIRPERSON.—The member appointed under subparagraph (A)(i) shall be the chairperson of the Committee.

"(D) VACANCIES.—Any vacancy on the Committee shall be filled in the manner in which the original appointment was made.

"(E) PAY AND EXPENSES.—Members of the Committee shall serve without pay but each member of the Committee shall be reimbursed, in such manner as the Board may prescribe by regulation, by the Federal Home Loan Bank which elected such member (and, in the case of the member appointed by the Chairman of the Board, by the Board) for expenses incurred in connection with attendance of such members at meetings of the Committee.

"(F) MEETINGS.—The Committee shall meet from time to time at the call of the chairperson or a majority of the members.

"(3) DUTIES OF THE COMMITTEE.—The duties of the Committee are as follows:

"(A) To review the reports and budgets prepared pursuant to section 22C and any other matter which the Board may present for the Committee's consideration.

"(B) To confer with the Board on the reports, budgets, and other matters reviewed under subparagraph (A).

"(C) To prepare written comments and recommendations for the Board and the Federal Savings and Loan Insurance Corporation with respect to the reports, budgets, and other matters reviewed under subparagraph (A) (which shall be submitted to the Board in a timely manner after each meeting).

"(4) ANNUAL REPORT.—

"(A) REQUIRED.—Not later than January 15 of each year, the Committee shall submit a report to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

"(B) CONTENTS.—The report required under subparagraph (A) shall describe the activities of the Committee during the preceding year and the reports and recommendations made by the Committee to the Board and the Federal Savings and Loan Insurance Corporation during such year.

"(5) REGULATIONS.—The Board shall prescribe such regulations as the Board determines to be appropriate to avoid conflicts of interest with respect to the disclosure to and use by members of the Committee of information relating to the Board, the Federal Savings and Loan Insurance Corporation, the Federal Home Loan Banks, and the Federal Asset Disposition Association.

"(6) FEDERAL ADVISORY COMMITTEE ACT DOES NOT APPLY.—The Federal Advisory Committee Act shall not apply to the Committee.

"(7) TERMINATION.—The Committee shall terminate when the Financing Corporation terminates under subsection (j).

"(j) TERMINATION OF THE FINANCING CORPORATION.—

"(1) IN GENERAL.—The Financing Corporation shall be dissolved, as soon as practicable, after the earlier of—

"(A) the date by which all stock purchased by the Financing Corporation in the Federal Savings and Loan Insurance Corporation has been retired; or

"(B) December 31, 2026.

"(2) BOARD AUTHORITY TO CONCLUDE THE AFFAIRS OF FINANCING CORPORATION.—Effective on the date of the dissolution of the Financing Corporation under paragraph (1), the Board may exercise, on behalf of the Financing Corporation, any power of the Financing Corporation which the Board determines to be necessary to settle and conclude the affairs of the Financing Corporation.

"(k) REGULATIONS.—The Board may prescribe such regulations as may be necessary to carry out the provisions of this section, including regulations defining terms used in this section.

"(l) DEFINITIONS.—For purposes of this section—

"(1) INSURED INSTITUTION.—The term 'insured institution' has the meaning given to such term by section 401(a) of the National Housing Act.

"(2) INSURED MEMBER.—The term 'insured member' has the meaning given to such term by section 401(b) of the National Housing Act.

"(3) DIRECTORATE.—The term 'Directorate' means the directorate established in the manner provided in subsection (b)(1) to manage the Financing Corporation.".

SEC. 103. MIXED OWNERSHIP GOVERNMENT CORPORATION.

Section 9101(2) of title 31, United States Code, is amended by adding at the end thereof the following new subparagraph:

"(K) The Financing Corporation.".

SEC. 104. RECAPITALIZATION OF FSLIC.

Section 402(b) of the National Housing Act (12 U.S.C. 1725(b)) is amended to read as follows:

"(b) ISSUANCE AND SALE OF CAPITAL CERTIFICATES AND STOCK TO FINANCING CORPORATION.—

"(1) AUTHORIZATION TO ISSUE.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, the Corporation may issue—

"(i) nonredeemable capital certificates; and

"(ii) redeemable nonvoting capital stock.

"(B) REQUIREMENT RELATING TO AMOUNT OF STOCK.—The aggregate amount of stock issued by the Corporation under subparagraph (A)(ii) shall be equal to the aggregate amount of the investments made by the Federal Home Loan Banks in the capital stock of the Financing Corporation under section 21 of the Federal Home Loan Bank Act.

"(C) CERTIFICATES AND STOCK MAY BE SOLD ONLY TO FINANCING CORPORATION.—Capital certificates and stock issued under subparagraph (A) may be sold only to the Financing Corporation in the manner and to the extent provided in section 21 of the Federal Home Loan Bank Act and this subsection.

"(D) PROCEEDS OF SALE ARE PART OF PRIMARY RESERVE.—The proceeds of any sale of capital certificates or stock under this subparagraph shall be considered part of the primary reserve established by the Corporation pursuant to section 404(a).

"(E) NO DIVIDENDS.—The Corporation shall pay no dividends on any capital certificates or stock issued under this subparagraph.

"(2) EQUITY RETURN ACCOUNT.—

"(A) IN GENERAL.—The Corporation shall establish and maintain (until all capital certificates and stock issued under subparagraph (A) have been paid off and retired) an equity return account—

"(i) which shall consist only of amounts contributed in accordance with the requirements of subparagraph (B);

"(ii) which shall not be treated as reserves of the Corporation; and

"(iii) the earnings accruing in which shall be transferred in the manner provided in subparagraph (D).

"(B) CONTRIBUTIONS TO ACCOUNT.—

"(i) NO CONTRIBUTION IF RESERVES-TO-ACCOUNTS RATIO IS LESS THAN 0.5 PERCENT.—No contribution shall be made to the equity reserve account established pursuant to subparagraph (A) in any year in which the reserves-to-accounts ratio is less than 0.5 percent.

"(ii) ANNUAL CONTRIBUTIONS REQUIRED.—Except as provided in clause (i), the Corporation shall make contributions to the equity reserve account established pursuant to subparagraph (A)—

"(I) at the end of each year beginning after 1996 through the final payoff year (as defined in clause (vii)); and

"(II) in amounts determined under clauses (iii), (iv), (v), and (vi) of this subparagraph.

"(iii) AMOUNT OF PRIMARY CONTRIBUTION.—The primary contribution to the equity return account for any year for which a contribution is required to be made shall be the amount determined by dividing—

"(I) the aggregate amount of capital stock issued by the Corporation and purchased by the Financing Corporation under paragraph (1)(A); by

"(II) the number of years between the first year beginning after 1996 in which the reserves-to-accounts ratio is equal to or greater than 0.5 percent and the final payoff year (taking into account the first and last year described).

"(iv) AMOUNT OF ADDITIONAL CONTRIBUTION ALLOWED IF RESERVES-TO-ACCOUNTS RATIO DOES NOT EXCEED 1.25 PERCENT.—In any year in which the reserves-to-accounts ratio is equal to or greater than 1 percent but less than 1.25 percent, the Federal Home Loan Bank Board may require the Corporation to make an additional contribution of an amount not to exceed the amount determined by dividing—

"(I) the investment return amount (as defined in clause (viii)) computed at an annual compound rate not to exceed 6 percent; by

"(II) the number of years between the first year beginning after 1996 in which the reserves-to-accounts ratio was equal to or greater than 1 percent and the final payoff year (taking into account the first and last year described).

"(v) AMOUNT OF ADDITIONAL CONTRIBUTION ALLOWED IF RESERVES-TO-ACCOUNTS RATIO DOES NOT EXCEED 1.75 PERCENT.—In any year in which the reserves-to-accounts ratio is equal to or greater than 1.25 percent but less than 1.75 percent, the Federal Home Loan Bank Board may require the Corporation to make an additional contribution of an amount not to exceed the amount determined by dividing—

"(I) the investment return amount computed at an annual compound rate not to exceed 8 percent, minus the sum of any amounts contributed under clause (iv); by

"(II) the number of years between the first year beginning after 1996 in which the reserves-to-accounts ratio was equal to or greater than 1.25 percent and the final payoff year (taking into account the first and last year described).

"(vi) AMOUNT OF ADDITIONAL CONTRIBUTION ALLOWED IF RESERVES-TO-ACCOUNTS RATIO EXCEEDS 1.75 PERCENT.—In any year in which the reserves-to-accounts ratio is equal to or greater than 1.75 percent, the Federal Home Loan Bank Board may require the Corporation to make an additional contribution of an amount not to exceed the amount determined by dividing—

"(I) the investment return amount computed at an annual compound rate not to exceed 10 percent, minus the sum of any amounts contributed under clause (iv) or (v); by

"(II) the number of years between the first year beginning after 1996 in which the reserves-to-accounts ratio was equal to or greater than 1.75 percent and the final payoff year (taking into account the first and last year described).

"(vii) Final payoff year defined.—For purposes of this subparagraph, the term 'final payoff year' means the year of maturity of the last maturing obligation of the Financing Corporation (which was issued under section 21 of the Federal Home Loan Bank Act and matures before January 1, 2027).

"(viii) Investment return amount.—For purposes of clauses (iv), (v), and (vi), the term 'investment return amount' means the amount which would be realized on the aggregate amount invested by the Financing Corporation in capital stock issued by the Corporation under paragraph (1) over the period of the investment if the return on the investment is computed at the rate described in subclause (I) of the respective clauses.

"(C) Investment of amounts in account.—Amounts accumulating in the equity return account may be invested in such manner as the Corporation determines.

"(D) Transfer of earnings to primary reserve.—Earnings accruing on any investment (under subparagraph (C)) of amounts in the equity return account shall be transferred to the primary reserve account of the Corporation established pursuant to section 404(a) as such earnings are realized by the Corporation and shall not be treated as amounts in the account.

"(E) Retirement of capital stock using balance in account.—Upon maturity of all obligations of the Financing Corporation under section 21 of the Federal Home Loan Bank Act, the Corporation shall payoff and retire any capital stock issued under paragraph (1)(A)(ii) using only amounts accumulated in the equity return account.

"(F) Reserves-to-accounts ratio defined.—For purposes of this paragraph, the term 'reserves-to-accounts ratio' means, with respect to any year, the amount determined by dividing—

"(i) the amount of reserves of the Corporation (determined as of December 31 of the preceding year); by

"(ii) the aggregate amount of all accounts of all of its insured members (determined as of such date).

"(3) Financing corporation defined.—For purposes of this subsection, the term 'Financing Corporation' means the Financing Corporation established under section 21 of the Federal Home Loan Bank Act.

"(4) No reduction or suspension of insurance premiums while stock is outstanding.—Notwithstanding any other provision of law, the provisions of subsections (b)(2), (d)(1)(B), and (g) of section 404 shall not apply as long as any share of capital stock issued under paragraph (1)(A)(ii) is outstanding.".

SEC. 105. FSLIC AUTHORITY TO CHARGE PREMIUMS REDUCED BY AMOUNT OF FINANCING CORPORATION ASSESSMENTS.

Section 404 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(j) Authority To Charge Premiums Reduced by Amount of Financing Corporation Assessments.—Notwithstanding any other provision of this section, the sum of—

"(1) the amount of any premium required to be paid by any insured institution under subsection (b)(1); and

"(2) the amount of any premium authorized to be assessed by the Corporation under subsection (c) with respect to such institution,

for any period shall be reduced by the amount of any assessment paid for such period by such insured institution to the Financing Corporation pursuant to section 21(f) of the Federal Home Loan Bank Act.".

SEC. 106. MISCELLANEOUS PROVISIONS.

(a) Federal Home Loan Bank Dividends.—Section 16 of the Federal Home Loan Bank Act (12 U.S.C. 1436) is amended by adding at the end thereof the following new subsection:

"(c) Exception in Case of Losses in Connection With Financing Corporation Stock.—

"(1) In general.—Notwithstanding subsection (a) of this section, if—

"(A) a Federal Home Loan Bank incurs a chargeoff or an expense in connection with such bank's investment in the stock of the Financing Corporation under section 21;

"(B) the Board determines there is an extraordinary need for the member institutions of the bank to receive dividends; and

"(C) the bank has reduced all reserves (other than the reserve account required by the first 2 sentences of subsection (a)) to zero,

the Board may authorize such bank to declare and pay dividends out of undivided profits (as such term is defined in section 21(d)(7)) or the reserve account required by the first 2 sentences of subsection (a).

"(2) Requirements of section 21 not affected.—Notwithstanding any payment of dividends by any Federal Home Loan Bank pursuant to an authorization by the Board under paragraph (1), the applicable provisions of section 21 shall continue to apply with respect to such bank, and to such bank's investment in the Financing Corporation, in the same manner and to the same extent as if such payment had not been made.".

(b) Conforming Amendment.—Section 402(h) of the National Housing Act (12 U.S.C. 1725(h)) is amended—

(1) by striking out "After the effective date" and inserting in lieu thereof "(1) After the effective date"; and

(2) by adding at the end thereof the following new paragraph:

"(2) The first three sentences of paragraph (1) shall not apply to stock issued by the Corporation to the Financing Corporation under subsection (b)(1)(A).".

(c) Limitation on Special Assessment.—Section 404(c) of the National Housing Act (12 U.S.C. 1727(c)) is amended—

(1) by striking out "(c) The Corporation" and inserting in lieu thereof "(c)(1) Special Assessment.—Subject to paragraph (2), the Corporation"; and

(2) by adding at the end thereof the following new paragraph:

"(2) Limitations on Amount of Assessment.—The amount of any additional premium assessed by the Corporation against any insured institution under paragraph (1) in any of the following years shall not exceed the amount listed in connection with each such year in the following table (unless the Federal Home Loan Board determines that severe pressures on the Corporation exist which necessitate an infusion of additional funds):

"For year:	*The amount of the additional premium may not exceed:*
1987	*5/48 of 1 percent of the total amount of the accounts of the insured members of such institution*
1988	*1/12 of 1 percent of the total amount of the accounts of the insured members of such institution*
1989	*1/16 of 1 percent of the total amount of the accounts of the insured members of such institution*
1990	*1/24 of 1 percent of the total amount of the accounts of the insured members of such institution*
1991	*1/48 of 1 percent of the total amount of the accounts of the insured members of such institution".*

(d) Priority of Secured Interests.—Section 10 of the Federal Home Loan Bank Act (12 U.S.C. 1430) is amended by adding at the end thereof the following new subsection:

"(e) Priority of Certain Secured Interests.—Notwithstanding any other provision of law, any security interest granted to a Federal Home Loan Bank by any member of any Federal Home Loan Bank or any affiliate of any such member shall be entitled to priority over the claims and rights of any party (including any receiver, conservator, trustee, or similar party having rights of a lien creditor) other than claims and rights that—

"(1) would be entitled to priority under otherwise applicable law; and

"(2) are held by actual bona fide purchasers for value or by actual secured parties that are secured by actual perfected security interests.".

(e) Secondary Reserve.—Section 404 of the National Housing Act (12 U.S.C. 1727) is amended by striking out subsection (h).

AMENDMENTS OFFERED BY MR. ST GERMAIN

Mr. ST GERMAIN. Mr. Chairman, I offer amendments.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments is as follows:

Amendments offered by Mr. St Germain:

Page 7, strike out line 24 and all that follows through page 8, line 2, and insert in lieu thereof the following: "shall not exceed $3,000,000,000.".

Page 17, strike out line 18 and all that follows through page 18, line 3, and insert in lieu thereof the following:

"(A) In general.—Subject to paragraph (1), net new borrowing by the Financing Corporation shall not exceed an amount equal to—

"(i) $3,500,000,000 in the 1-year period beginning on the date of the enactment of the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987; and

"(ii) $3,500,000,000 in each subsequent 1-year period.".

Page 18, after line 3, insert the following new subparagraph (and redesignate the subsequent subparagraph accordingly):

"(B) Exception.—The annual limitation contained in subparagraph (A) shall not apply to any 1-year period if—

"(i) the Board determines by unanimous vote that severe pressures on the Federal Savings and Loan Insurance Corporation exist which necessitate an infusion of additional funds in such period;

"(ii) the Secretary of the Treasury concurs in the determination of the Board under clause (i); and

"(iii) the Congress authorizes net new borrowing in such 1-year period in excess of such limitation through the adoption of a joint resolution.".

Page 18, line 7, strike out "2" and insert in lieu thereof "5".

Page 18, after line 10, insert the following new subparagraph:

"(D) EARLIER SUNSET DATE AUTHORIZED.—Notwithstanding subparagraph (C) or any other provision of this section, no new net borrowing may be made after the end of the 2-year period beginning on the date of the enactment of the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987 if the Congress so provides through the adoption of a joint resolution which takes effect on or before the end of such 2-year period.".

Page 21, strike out lines 22 and 23 and insert in lieu thereof "exceed $2,200,000,000 (as determined on the basis of the purchase price)".

The CHAIRMAN. Under the rule, the amendments are considered en bloc, are considered as having been read, and are not subject to amendment or to a demand for a division of the question.

The gentleman from Rhode Island [Mr. St Germain] will be recognized for 20 minutes and a Member opposed will be recognized for 20 minutes.

The Chair understands that the Member opposed will be the gentleman from North Carolina [Mr. Neal].

Mr. NEAL. Yes, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. St Germain].

Mr. CARPER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 82]

ANSWERED "PRESENT"—382

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Armey
Aspin
Atkins
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Chandler
Chapman
Cheney
Clarke
Clay
Clinger
Coats
Coble
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Feighan
Flake
Flippo
Florio
Foglietta
Ford (MI)
Frenzel
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Jacobs
Jeffords
Johnson (CT)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Morrison (CT)
Morrison (WA)
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nielson
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Sabo
Saiki
Sawyer
Saxton
Schaefer
Schneider
Schroeder
Schuette
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stokes
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Watkins
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Young (AK)
Young (FL)

☐ 1730

The CHAIRMAN. Three hundred eighty-two Members have answered to their names, a quorum is present, and the Committee will resume its business.

The Chair recognizes the gentleman from Rhode Island [Mr. St Germain].

Mr. ST GERMAIN. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the amendment offered for consideration provides FSLIC with $15 billion in funding over 5 years, with an annual cap for new financing of $3.5 billion. In addition, language is included to provide for a sunset of the funding by joint resolution. Title I is also amended to include a provision allowing the $3.5 billion ceiling to be raised under emergency conditions—also by joint resolution.

The critical need for recapitalization has become more acute than ever as evidenced by the growing drain on FSLIC's resources and the insurance fund in addressing current problems facing the savings and loan industry. The magnitude of the problem and the condition of the industry has not improved. The latest figures released by the Bank Board indicate that those severely troubled institutions being monitored by the Bank Board are incurring net operating losses of $10 million a day or $3.6 billion a year, up from $6 million a day and $2.2 billion a year. As of April 17, 1987, the Bank Board also released statistics revealing that 26 percent of insured institutions were unprofitable during the fourth quarter of 1986, a substantial increase from 20 percent in the beginning of the year. For all of 1986, unprofitable thrifts had aggregate losses of $8.3 billion of which $3.2 billion occurred in the fourth quarter of 1986.

In addition, GAO, as of yesterday, has increased its December 31, 1986, estimate of FSLIC's contingent liability from $8 billion to over $10 billion which will increase FSLIC's insolvency to an estimated negative $6 billion.

Based upon the significance of this recent information, we believe that a recapitalization plan of $15 billion is absolutely essential to restore public confidence and preserve those depository institutions dedicated to home ownership financing.

☐ 1740

Mr. Chairman, may I inquire as to how much time I have consumed?

The CHAIRMAN. The gentleman from Rhode Island [Mr. St Germain] has consumed 2 minutes and 45 seconds.

Mr. NEAL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the question before us today is whether we are going to provide less money and more oversight, or more money and less oversight. This is really the choice we will be making. The two approaches offered are: First, the committee bill, which provides $5 billion over 2 years, and the amendment offered by our chairman, which provides $15 billion over 5 years.

For the first 2 years both approaches are very similar. In fact, the amendment limits the amount of money authorized by this bill that can be spent during the first 2 years to $3.5 billion a year. Under the committee approach, the FSLIC will have new resources of $2.5 billion a year. If you add to that their income from other sources, it brings the total available to $5 billion a year. So FSLIC will have $5 billion a year for 2 years. At the end of the 2-year period we can take a look at the situation. If FSLIC needs more money, we can provide them with it by extending the program for additional time.

This in essence is the choice we will make: less money, more oversight, or more money, less oversight.

The amendment essentially says, give them $15 billion for 5 years and we will come back someday to take another look. I think that that is too long a period of time and too much money without adequate oversight.

Let me address quickly three issue that have been raised against the lower dollar figure. One is that if we do not provide the bigger dollar figure, then somehow the taxpayers are going to have to pick up the bill. Let me say to you that there is nothing in this bill anywhere that would provide for taxpayer financing of FSLIC. That is not contemplated, either by the bill as reported from the Banking Committee or by the amendment. It is a red herring.

The second issue that has been raised is that somehow if we do not provide the bigger dollar figure, there will be the sense that we are really not behind the program and somehow we are going to abandon those people who have put their money into thrift institutions. But let me read language that we adopted in committee that is now in the bill. It is known as the Parris amendment, was adopted by the committee unanimously, as I recall, and it says this. "It is the sense of the Congress that it should reaffirm that deposits up to the statutorily prescribed amount in federally insured depository institutions are backed by the full faith and credit of the United States."

I believe this language, which is really just a restatement of what has been, and is understood by the public to be, the policy of our Government regarding FSLIC insured deposits. It is not correct to suggest that Congress will or even can walk away from this problem.

The third argument in favor of the larger amount has to do with a letter regarding a GAO report that will be issued sometime. The GAO under its own rules, requires that, according to the GAO—this is what they told a staffer of ours this morning—they must recognize all losses, but anticipate no gains. It is like looking at our budget here and saying that all of our expenditures are losses, and that is what we are going to focus on. We are not going to look at tax revenue coming in.

Furthermore, Mr. Chairman, a distinguished Member of the other body was quoted in a publication dated May 5, The American Banker, as saying that the condition of the FSLIC is being deliberately exaggerated by the U.S. Treasury and the Federal Home Loan Bank Board to pressure Congress into acting on a $15 billion "clean" FSLIC bill which they support.

Mr. Chairman, let me repeat again what I believe is our choice today: a smaller amount of money over a shorter period of time, requiring that we come back in here at the end of 2 years and take another look, and if more money is needed, provide it; or a much larger amount of money over a much larger period of time with much less oversight and much less accountability. The longer term I have considered will give too much leeway to the regulators, give them too long a leash, reduce our level of oversight, and I urge Members to oppose the amendment.

The CHAIRMAN. The Chair would like to remind Members that it is not in accordance with our rules to quote an individual Member of the other body.

Mr. ST GERMAIN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. Wylie], the distinguished ranking minority member of the committee.

Mr. WYLIE. I thank the Chairman for yielding time to me.

Mr. Chairman, I have stated my position earlier in the general debate and in the debate on the rule, but I believe that the amendment is so important that I would like to reiterate a couple of points that I made.

The facts really are on the record. Adoption of a $5 billion recapitalization program is not even remotely adequate to address the magnitude of the known problems and could virtually ensure that the crisis facing some 20 percent of the thrift industry will continue.

As the gentleman from Virginia [Mr. Parris] stated earlier, in the fourth quarter of 1986 the 26 percent of the Savings and Loan's that were unprofitable lost more money than than the 74 percent of the industry that was profitable. Now the GAO letter says that, "We currently anticipate that FSLIC's loss will be $11 billion and the accumulated deficit will be in the range of $6 billion." I do not think that GAO deliberately exaggerated the seriousness of the issue. Why would they? This is an objective agency which is selected by the Congress to do these things for us, and we asked for their report. I do not think that you can downplay the significance of the report that they have given to us.

We must take responsible action and adopt a fully recapitalized plan. We asked the Treasury to develop a plan to save FSLIC from collapse almost 2 years ago, and the Treasury came up with this $15 billion plan which I stated earlier passed the House by a voice vote in the 99th Congress. Everybody had signed off on it at that time, including the U.S. League.

This amendment which is before us today, as I stated earlier, is supported by the administration, the Homebuilders, and the National Council of Savings Institutions, which is another savings and loan league, among others. It is also supported by American Bankers Association, the New York Times in an editorial today, the Washington Post, and the Wall Street Journal. So it is not without support.

The Secretary of the Treasury wrote today:

> An inadequate recapitalization of FSLIC could have numerous damaging repercussions. First, FSLIC would have no hope of operating other than on a precarious edge—either insolvent or close to it. Second, while on the brink of insolvency, FSLIC also would be denied cash resources to do more than stumble from crisis to crisis. Third, the costs of delay—at least $2 billion per year according to GAO—would build because FSLIC would be too weak to supervise institutions effectively. If this compromise amendment is not adopted, Congress is just setting up the taxpayer to bail out FSLIC.

Mr. Chairman, I urge in the strongest possible terms support for the St Germain-Carper-Wylie amendment.

Mr. NEAL. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. Vento], a member of the committee.

Mr. VENTO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Federal Savings and Loan Insurance Corporation justifiably does have a necessity for additional funding resources. However, I would suggest that there is a world of difference between giving the patient a shot of penicillin and bleeding the patient to death, and that is what this $15 billion amendment, Mr. Chairman, tends to do, is to bleed the patient to death.

What this amendment would propose to do is to provide for additional borrowing by the FSLIC to the extent that I think would put an unnecessary burden on a thrift industry that is having extreme difficulty today.

Much ado has been made in the debate today of the pressing need for Congress to send a message. And I agree. Congress must act and send a message to investors, to the thrifts and their depositors and to the American people that we are committed to maintaining the economic integrity of this important sector of our financial community and the FSLIC fund.

However, while we must send a message, what we say is equally important. The Banking Committee bill sent out a balanced message affirming support while maintaining pressure for returns. If the pending amendment is adopted that balanced, carrot-stick approach is lost forever and Congress will send out the wrong message.

If this amendment is adopted, the body in effect will be washing our hands of any meaningful repair of FSLIC and thrifts. A $15 billion, 5-year program with forebearance, no controls on direct investment, and too low exit fees is a recipe for failure.

Mr. Chairman, when the committee reported H.R. 27, we put in place a 2-year, $5 billion cap. This framework was not pulled out of a hat, but was the result of careful consideration, lengthy hearings, and heated debate. At that time, the majority view of the committee was that $5 billion was all that could be reasonably raised over a 2-year period and was adequate to met the FSLIC needs. The 2-year time frame also insured effective congressional oversight and gave us a natural opportunity to fine tune this legislation. These circumstances have not changed since we reported H.R. 27 and neither should this bill. Congress should keep in place the reasonable limits contained in H.R. 27. Those limits are the only effective control that we have. Expanding the time frame and the funding level will not speed the recovery of our thrifts; it will not offer more protection for depositors; and, it will not add one more ounce to the public confidence in FSLIC. The $15 billion 5-year plan will discourage new capital, encourage stronger institutions to abandon FSLIC and will abdicate congressional oversight responsibility.

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Nearly 25 percent of the savings and loans are in trouble according to the General Accounting Office, and the question is whether or not we want to provide 5 years of authority, 15 billion dollars' worth of borrowing authority, 10 to 15 billion dollars' worth of special assessments which are going to be piled on top of that, or the current plan in H.R. 27 the $5 billion over 2 years, and there will be assessments piled on top of that to the extent of likely $10 billion, and whether we are going to put that particular burden on the savings and loan industry. The effect of this is going to be, to drive more savings and loans into problems when you put that type of burden on them. That is why some of us would rather try a lighter touch in terms of this issue, in terms of borrowing, in terms of special assessments.

Someone suggested here that if this $15 billion is too much that we can come back and pass a joint resolution of the House and the other body. That is right. If we make a mistake right now, we can come back and pass a new law. That is curious oversight and I might add extremely cumbersome.

In other words, we do not have to go with this basic law and policy, but the fact of the matter is, we do not have to make that mistake right now. We can defeat this amendment, provide the $5 billion, and provide adequate funding for this particular program, and come back in 2 years and look at what the circumstances dictates. Congress will be here in 2 years; the Banking Committee will be available to address further authority and need.

But you cannot do that if you modify this, if you move in the direction that is being proposed right now, so I suggest we defeat this amendment and come back in 2 years and leave a little discretion with the Congress, not place all this authority in a three member board, the FHLBB, who has preformed so questionably in the last few years.

Mr. ST GERMAIN. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the hour is late. We are all tired, but this is an extremely important matter. Every speaker you have heard today is a friend of the savings and loan industry. The only difference is how best to deal with the S&L problems.

I strongly support the St Germain amendment; the $15 billion solution is the only correct solution. We need to bite the bullet and vote that amount.

The current deficit in the FSLIC fund is $6 billion. What good is a $5 billion bail-out going to do? It will not even get them out of the red.

It is important for us to face up to that unfortunate reality and put a proper amount of money in the fund.

Not a penny of taxpayer money is involved. Let me repeat, not a penny of taxpayer money is involved. Let me repeat, not a penny of taxpayer money is involved.

The $15 billion solution, the St Germain solution, is the proper answer; and I urge all of my colleagues to support it.

Mr. NEAL. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the amendment offered by my friend, the gentleman from Rhode Island.

There is a very serious breakdown in the logic of those who would place this enormous debt burden of $15 billion on the backs of the thrift industry without meaningful congressional oversight for 5 or more years.

On the one hand they say that the FSLIC is in dire financial condition. I'm not going to argue with the General Accounting Office's numbers. I am in agreement that recapitalization not only is necessary but also that the need is an urgent one.

Why is it that the FSLIC is in such straits? There are several reasons, not the least of which are the pockets of general economic despair which exists in a dozen or more States in this country. You know these States—the oil producers and our agricultural regions being most obvious among them.

Now, in my view, here's where the logic breaks down. We've got well-managed thrifts in those States which are just barely making it—thrifts that, due to local or regional economic conditions, not of their own making, are just getting by.

But they are getting by because they are well-managed. They are troubled, yes, but not because they have taken excessive risks or engaged in reckless activities. They are victims of the depressed state of local economies in which they operate.

Does it follow logically that in order to solve the FSLIC's problems, we should further bleed these well-managed but struggling institutions, institutions which otherwise stand a chance of recovering coincident with the recovery of their local economies?

After all, the entire thrift industry will pick up the full tab plus debt service for recapitalization. It will come right off their bottom line.

When they take that hit to the bottom line, you will magnify FSLIC's caseload.

We are told that the FSLIC must be recapitalized in order for it to deal adequately with its problem caseload. But by going for the $15 billion, by increasing the cost burden on the thrift industry, we run the very real risk of increasing that caseload, by pushing well-managed but marginal institutions over the line.

I've followed the thrift industry for many years, and I know that the higher we raise the price tag, the more we're going to do to discourage much needed outside capital from coming into the business. The higher we raise the price tag, the more we do to encourage stronger institutions to abandon the FSLIC, leaving the remainder to foot the bill for recapitalization.

This is sheer folly, Mr. Chairman. I urge my colleagues to vote "no" on the $15 billion amendment and to approve the funding level as reported by the Banking Committee.

Mr. ST GERMAIN. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. McMillan].

Mr. McMILLAN of North Carolina. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of the St Germain amendment which calls for a $15 billion recapitalization plan for the FSLIC. I represent a State with a healthy thrift industry, but I believe this measure is necessary to protect the longrun interests of savings and loan depositors nationwide. We are faced with a national problem. The $15 billion—which will be funded by the industry, not the taxpayer—is essential to preserve depositor confidence.

Studies clearly demonstrate the need for more than $5 billion, as proposed by the U.S. Savings League. In order to restore faith in the industry, a relatively long-term, comprehensive plan which calls for a sizable recapitalization plan is needed. With the annual limitation of $3.5 billion in the $15 billion plan, the annual cost to the industry would be no more than under the U.S. League 2-year program for $5 billion. Moreover, the investment community and the public would perceive the $15 billion plan as seriously addressing the problem, and result in lower financing costs to the industry.

I urge Congress to preserve confidence in the industry and support the $15 billion plan, the St Germain amendment.

Mr. NEAL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Shumway], a member of the Committee on Banking, Finance and Urban Affairs.

Mr. SHUMWAY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in opposition to the amendment changing the FSLIC recapitalization plan from 2 years/$5 billion, to 5 years and $15 billion.

The bill as it now stands calls for an authorization of $5 billion to be spent by FSLIC over the next 2 years. This plan is more than adequate for the needs of both the industry and the Nation.

The plan now in the bill provides for nothing less than the maximum amount of money that the Bank Board can spend without waste. The Banking Committee has received lengthy testimony to this effect, and the Treasury Department's own analysis states that the Board is not capable of efficiently spending any more than this.

It makes very little sense to require any industry to pay for a plan which authorizes spending beyond what its regulator can effectively utilize. This money's highest and most productive use is in the hands of the private institutions themselves, where those dollars can be used to rebuild the industry's capital base.

Because we know that $5 billion over 2 years is all the Bank Board can effectively handle, we know that the adoption of the $15 billion recapitalization will encourage the Board to prematurely and dogmatically close troubled institutions at a rate faster than its' administrative staff can effectively oversee. However, solving the savings and loan problem by "throwing money at it" is not in the long-term best interests of the industry.

Adopting a $15 billion recap also places FSLIC institutions at a long-term cost disadvantage, since Treasury's plan will discourage new capital from entering the industry. The net result of such action will be to assure the competitive disadvantage of savings institutions by assuring high assessment costs.

This is certainly a self-defeating approach to the problem, especially when you remember that there will be no taxpayer money used in this recapitalization effort. All funds come directly from the industry.

This is a critical distinction because it is the industry itself which has everything to lose if the recapitalization goes sour. The individual institutions are more deeply concerned about the success or failure of the plan than is Congress, for they have the reputation and credibility of their own businesses, as well as that of the industry at stake.

Further, it is they who are the real experts in the savings and loan business. It is the owners and operators of the S&L's themselves who run the business on a day-to-day basis, and who have a working feel for the way a recapitalization plan should best be structured.

The solution the industry advocates is eminently reasonable: Give the Bank Board all the money it can reasonably spend for 2 years—allowing the Board to close down failed institutions as fast it might desire for a time—but then to revisit the plan to see whether or not these actions are appropriate, and whether further action must be taken.

Although there is some cost associated with the 2-year plan because bonds issued under such a plan will be slightly more expensive; nevertheless, the savings and loan industry has stated that given the choice between ultimately paying more for the recap, or locking itself into a long-term position with the 5-year plan, it would rather bear the costs associated with review power.

Mr. Chairman, we in Congress should be happy to endorse a plan which allows congressional oversight into a matter as central as the safety and soundness of the savings and loan system. This is an issue over which we have plenary and justifiable jurisdiction. If we are to revisit this issue in the 101st Congress, we will have a look at both the efficiency of the Federal Home Loan Bank Board's liquidation efforts, and at the then-prevailing financial climate. Both of these factors are essential parts of a workable recapitalization plan.

Industry support, flexibility over time, and a check on the administrative procedures being implemented at the Bank Board are all advantages of the 2-year proposal. The only "disadvantages" purported are that it will be slightly more expensive, but an expense favored by those paying the bill, and that Congress will not have to deal with the problem again. Neither of these arguments is persuasive.

Mr. Chairman, the 2-year plan is the better proposal. I oppose the amendment before the House and urge my colleagues to do likewise.

□ 1800

Mr. ST GERMAIN. Mr. Chairman, may I inquire as to the time remaining?

The CHAIRMAN. The gentleman from North Carolina [Mr. Neal] has 8 minutes remaining, and the gentleman from Rhode Island [Mr. St Germain] has 11 minutes remaining. The Chair will recognize the gentleman from Rhode Island to close debate.

Mr. ST GERMAIN. Mr. Chairman, I yield 2 minutes to the gentleman from the District of Columbia [Mr. Fauntroy] a member of the committee.

Mr. FAUNTROY. Mr. Chairman, I rise in strong support of Mr. St Germain's amendment to H.R. 27. This amendment would increase the FSLIC recapitalization from $5 to $15 billion, a sum more in keeping with the real needs facing the savings and loan industry at this time. This larger sum will provide a degree of confidence in the industry's future which the smaller sum might have failed to achieve.

The S&L industry has for several years been in a precarious situation, with large numbers of them failing or being taken over by other banks. The outlook is for more of the same during the next 1 to 3 years, until a greater degree of stability can be attained.

It is of utmost importance that small depositors be fully protected through this period, and this can only be assured if the FSLIC has adequate funds to do the job. The S&L's can be thought of as America's "workingmen's banks." Although some of them are quite large, most of them are of moderate size and their depositors tend to be of moderate means—the backbone of the American populace. To a very large extent, these insitutions invest their funds in the housing market, further demonstrating their essential contribution to the cement which holds our society together.

The moment to provide the assistance to these institutions is now, while it is still possible to restore health to the industry—and prevent the risk of panic—a panic in which the small depositor would inevitably lose more than the giants, who know how to protect themselves. The average depositor is counting on us to guard his interests, to see that his savings are in safe keeping until the day comes when he needs them.

The $15 billion which we vote today will provide him that security. We must not fail him. We must support the St Germain amendment.

Mr. NEAL. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. COELHO].

Mr. COELHO. Mr. Chairman, I urge that my colleagues vote in opposition to the amendment that is pending. The question that we have here today is one of oversight: should the oversight be provided by the Congress itself or should the oversight be provided by FSLIC?

I think it is an easy question to answer when you look at what has been happening over the last 2 or 3 years.

So I urge defeat of the amendment.

Mr. Chairman, I rise in opposition to the amendment by my friend, the gentleman from Rhode Island.

The essential difference between his amendment and the bill as reported by the Banking Committee is one of oversight.

It is no secret that the FSLIC is an agency with severe managerial problems. The membership of its parent Home Loan Bank Board is in transition, "acting" appointments fill several senior posts, and the press reports "dissension" and an independent study recommending massive reorganization.

In these circumstances, it is easy to understand why the savings industry—which will pay all of the costs of the borrowing—prefers the shorter, 2-year program reported by the Banking Committee to the 5-year authority contained in this amendment. It wants effective, near-term oversight by the Congress, the promise of early review after new management is installed at the FSLIC and the FHLBB and after the valuable changes contained in title II of this bill have been implemented.

Advocates of the pending amendment argue that $5 billion in borrowing—at $2.5 billion annually—is not enough to solve FSLIC's caseload problem. That may be, but with FSLIC's managerial mess it is hard to know.

Combined with industry assessment, FSLIC will have $10 billion total in the next 2 years. That is close to the $12 billion the pending amendment would potentially provide for the first 2 years—$3.5 billion annually in borrowing, for $7 billion, plus $5 billion in assessments.

Importantly, however, if you give FSLIC a green light to borrow $15 billion today, even with the annual $3.5 billion cap, the temptation remains to rush to judgment on troubled institutions. The agency would be in a position to rush to resolve problem cases today with financing arrangements where the actual cash would be raised and transferred in years 3, 4, and 5.

The businesslike approach is to stick with the builtin oversight of a 2-year, $5 billion borrowing authorization as contained in the bill reported by the committee.

I urge the House to vote "no" on the pending amendment.

Mr. ST GERMAIN. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. KENNEDY], a member of the committee.

Mr. KENNEDY. Mr. Chairman, I rise in strong support of the St Germain amendment.

A substantial part of the savings and loan industry is in serious trouble. The high interest rates of recent years have squeezed the profit margins of S&L's. Add to that a growing number of defaults in agriculture and a drop in the price of energy, and you have a recipe for insolvency.

The hard times and the lure of fast money have tempted a number of S&L's to make unwise investments, and in some cases to play loose with the money entrusted to them by their depositors. Some of the troubled thrifts will recover—in fact 80 percent of the S&L's nationwide are currently making a profit—but there are some that simply have to be closed down.

There are two things we should be certain about:

First, this is not a Government bailout. The $15 billion fund created by the St Germain amendment would not come from the taxpayers. It is to be funded entirely by bonds issued by FSLIC.

Second, if we do not give FSLIC enough authority and resources to do the job right this time, we will come back to this issue in just a few months to do it all over again. By next time, the troubled thrifts will have pulled the industry down further into the mud, and it will take a much bigger shovel to dig it out. Next time it will be the taxpayers who will have to foot the bill.

The healthy thrifts are complaining because the $15 billion plan may cost them more money in annual assessments. All of the S&L's are in the same boat. It's a leaky boat and all of the thrifts, healthy or sick, are going to have to help bail.

Mr. NEAL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Chairman, although I am a total novice at the art of banking, I have spent a quarter of a century arguing for fair treatment of minorities. I rise today in opposition to the St Germain amendment because of the potential adverse consequences it holds for minority-owned savings and loans, for housing and other building projects in minority communities, and for those who save at miniority-owned institutions.

Last year 64 minority-owned savings and loans reported to the Federal Home Loan Bank Board. Nineteen of those institutions, nearly a third of them, reported net worth of less than 3 percent of assets. Minority-owned savings and loans represent an important resource in minority communities. They supply the loans that allow us to purchase our homes and to improve our businesses. They serve as a repository for our savings. And they provide white-collar jobs for our citizens. Each time a minority-owned S&L closes the minority community loses a monetary resource for improving the community, it loses a repository for savings, and it loses a source of meaningful work.

We are all aware that savings and loans are in a period of crisis and that it is the responsibility of the FSLIC to insure that those who save at savings and loans will not be devastated by this crisis. It is also the responsibility of the FSLIC to get the savings and loan industry back on a sound footing. One of the ways it will do that is by closing down certain institutions.

I believe that even the savings and loan associations agree that irresponsibly managed, or worse, illegally managed institutions should be shut down. They drag the whole industry down. But the associations strongly disagree with anything that would encourage the FSLIC to shut down S&L's just because they have a low net worth. Those institutions should be given the help they need to regain vigorous financial health.

Five billion dollars in new borrowing authority will allow the FSLIC to close the irresponsibly and illegally managed institutions. It will not allow the FSLIC to snuff out the smaller, weaker institutions that serve important functions in our communities despite their modest means.

Fifteen billion dollars, on the other hand, is viewed by the minority institutions, and by many other small savings and loans I might add, as the FSLIC's license to kill. I don't want us to look back on this bill in a couple of years and be reminded of that famous comment once made by one of our generals: "It became necessary to destroy it in order to save it." I respect the efforts of the gentleman from Rhode Island to supply the FSLIC with sufficient borrowing authority to deal with the problems now facing the S&L's. But a balance must be struck. The FSLIC must ge given a $5 billion license to heal. It must not be given a $15 billion license to kill.

The CHAIRMAN. The gentleman from Rhode Island [Mr. ST GERMAIN] has 8 minutes remaining and the gentleman from North Carolina [Mr. NEAL] has 5½ minutes remaining.

Mr. ST GERMAIN. Mr. Chairman, I believe I have 10 minutes remaining. We had better check the figures.

The CHAIRMAN. The gentleman from Rhode Island has 8 minutes remaining.

Mr. ST GERMAIN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. I thank the Chairman.

Mr. Chairman, I urge support of the St Germain amendment. Let me say, ladies and gentleman, that I think if you look at the economic history of the United States from the time of the founding of this republic, you will note that until 1933 there were ups and downs and up and downs, and many of them were caused by the financial system, by panics. A panic meant that people felt that their money was not safe in a bank. They would line up around the corner, pull the money out, bank after bank would go under, and the ripples as they expanded outward would throw the economy, at best, into a severe recession and many times a depression.

One of the great inventions of the New Deal, perhaps greater than any but Social Security, was the Federal insurance system. That is the system that has kept our economy on a relatively even keel from the day it was founded until the present. To play with it, to tamper with it is not fair, is not right. The system is in trouble. It needs our help. To cut corners on something so fundamental, so real in terms of the survival of this economic system does not make sense.

I know our friends in the thrift industry are telling us to not vote for this amendment. Let me say this: the thrift industry is lucky indeed that they have Federal insurance.

□ 1810

It is a godsend. It is a gift. Most industries in America would like that insurance, but insurance, by its very essence, means that you help someone in your industry in need when they need help, and then if you need help, they will help you.

When I hear the thrifts saying go for only 5-2, do not raise us to 15-5, it is like an automobile driver saying, "I didn't have an accident. That was my neighbor down the block. My premiums shouldn't rise." That is not how insurance works, we must tell our friends in the thrift industry.

I urge support of the St Germain-Wylie amendment for the economic soundness not only of the financial system, but of this country.

Mr. NEAL. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. ANTHONY].

Mr. ANTHONY. Mr. Chairman, since the primary concern in the debate over recapitalizing the Federal Savings and Loan Insurance Corporation seems to be one of the numbers, I'd like to share with my colleagues a few numbers—numbers having to do with what recapitalization will cost my State of Arkansas alone.

The bill, H.R. 27, as it was reported by the Banking Committee, provides for bonding authority in the amount of $5 billion. The St Germain amendment will raise that number to $15 billion.

The difference between those two approaches, as it relates to Arkansas is nothing short of staggering.

I am advised that Arkansas thrifts would be expected to come up with $39 million in present value dollars for their share of the recapitalization under the program as reported by the Banking Committee.

I am further advised that, should the House agree to triple what the Banking Committee approved and go to a $15 billion bonding authority, the cost to Arkansas thrifts is going to rise to at least $106 million.

That's a difference of $67 million, Mr. Chairman, $67 million taken straight out of the Arkansas economy and sent off to the FSLIC in Washington.

Thrifts, of course, leverage their money. They leverage up to 20 times on a dollar, I'm told. Twenty times that $67 million is $1,340 million. Now, that's the kind of money we like to see invested in Arkansas, yet the advocates of the $15 billion amendment would deprive Arkansas of it.

Mr. Chairman, I oppose the amendment to raise the recapitalization bonding authority to $15 billion because I think it is self-defeating, in that it will further weaken the thrift industry and add, ultimately, to the FSLIC caseload.

But if that were not sufficient reason, I would oppose it just as vigorously on grounds of what Arkansas institutions and, ultimately, all citizens of Arkansas, stand to lose by such excessive funding.

I urge my colleagues to take a hard look at the cost of this amendment to their own districts and states. Its burden is measured in numbers far larger than its face amount of $15 billion.

Mr. ST GERMAIN. Mr. Chairman, I yield 2½ minutes to the gentleman from Louisiana [Mr. ROEMER], a member of the committee.

Mr. ROEMER. Mr. Chairman, I support the St Germain-Wylie amendment.

Savings and loans problems are enormous, but manageable. The FSLIC fund is facing a $6 million shortfall right now, this afternoon, $20 billion over the next 5 years, best guess. Enormous problems, but manageable.

The committee has reported to the floor a bill that tries to manage the problems. No. 1, we restructure the Federal Home Loan Bank Board Regulatory System and tighten its regulatory ethics.

No. 2, we offer forbearance to those S&L's managed professionally, but which need time to allow good management and stabilizing real estate values to make them whole and well.

No. 3, we come to the issue of refunding.

The committee offered a two and five plan, by a vote of 25-24. I think the committee is wrong. The disadvantage of two and five is that it is too little too late.

No. 2, the shortfall will not go away by itself. It must be managed. All these guys who come up here and tell us about the savings in two and five, it is like the Fram oil filter. You pay me now, or you pay me later.

The reason we ought to do it now, 15-5, is that is the size of the problem.

Reason No. 2, you know what shuts banks down and S&L's down, do you not? It is not the regulators; it is the loss of public confidence. That is what is on the floor today.

Can the United States Congress restore the public confidence in the savings and loan industry? Two and five does not do that. If we pass two and five, you could hear the doors of S&L's shut down across America. It is wrong.

Fifteen-five, it is long enough, it is big enough, it is fair enough to do the job. To do anything less means we will be back next year doing twice this much with taxpayers' dollars. Fifteen-five. Vote "yes" on the St Germain amendment.

The CHAIRMAN. The Chair would advise that both the gentleman from Rhode Island [Mr. ST GERMAIN] and the gentleman from North Carolina [Mr. NEAL] have 3½ minutes remaining each.

Mr. NEAL. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Chairman, I rise in opposition to the St Germain amendment. The point was made by the gentleman from North Carolina best when he said, "Less money and more oversight or more money and less oversight."

Quite, frankly, we have seen what I believe are some scare tactics relating to this issue. I bet many Members of this House believe that if we adopt a $5 billion plan that it is nothing more than a taxpayer finance plan because almost every argument provided here says that if we do not adopt the $15 billion plan, the taxpayers are going to be responsible.

Chairman ST GERMAIN and I had an exchange in the Committee on Banking, Finance and Urban Affairs in which he told me that there is no assurance that the taxpayer will, in fact, be responsible if the $5 billon were to pass.

Many people have said that the large and solvent savings and loans are the only ones concerned about this. What leads us to believe that they do not care about their depositors? Why should we risk the solvency of the healthy institutions. They support a $5 billion recapitalization and if there are still problems we can revisit the issue in 2 years.

I urge a no vote on the St Germain amendment.

Mr. ST GERMAIN. Mr. Chairman, I yield 2½ minutes to the gentleman from Delaware [Mr. CARPER], a member of the committee.

Mr. CARPER. Mr. Chairman, as we meet here today, the FSLIC is hemorraging badly. Unless we act swiftly and decisively, it will literally be bled to death.

If you want to stop the hemorraging and pull the FSLIC from the brink of insolvency, vote for this amendment. If you want to merely apply a Band-aid and leave the FSLIC on the brink, vote against it.

If you favor a real industry self-help plan, vote for this amendment. If you want to increase the likelihood of a taxpayer bailout, vote against it.

If you want to follow the clear and consistent advice of GAO, and at the same time restore the confidence of depositors, vote for this amendment. If you want to ignore GAO's counsel and further erode depositor confidence, vote against this amendment.

If you want to better insure a vital and competitive S&L industry in the long run, vote for this amendment. If you want to drive a nail into the coffin of the S&L industry, vote against it.

The FSLIC issue before us is not a Democrat or Republican issue. It is a safety and soundness issue for our Nation's financial system. A vote for this amendment is a victory for depositors, consumers, taxpayers, and in the long-run, it is a victory for a healthier S&L industry.

I realize that this is a tough vote for many Members. But if you think this one is tough, just wait. Wait until next year when we may be asked to vote to appropriate millions of taxpayers' dollars to complete the job we should have done today.

The question before us today is whether the Congress will deal squarely with this difficult and complex issue now or put off our day of reckoning.

The question before us is who will ultimately pick up the tab for bringing the FSLIC back to health—the S&L industry itself or, very possibly, American taxpayers. And, the question before us is whether we will vote today for the interests of depositors and consumers or vote with the special interests of the industry.

Those are the questions. This amendment is the answer, the right answer. I urge its adoption.

□ 1820

Mr. MORRISON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. CARPER. I yield to the gentleman from Connecticut.

Mr. MORRISON of Connecticut. Mr. Chairman, I just want to associate myself with the gentleman's remarks and commend the gentleman from Delaware [Mr. CARPER] and the chairman of the committee for their leadership. They are taking us to the right solution, and I hope the House will follow their lead.

The CHAIRMAN. The Chair will state that the gentleman from Rhode Island [Mr. ST GERMAIN] has 1 minute remaining, and the gentleman from North Carolina [Mr. NEAL] has 2½ minutes remaining.

Mr. NEAL. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. Chairman, I believe that H.R. 27 is a sensible response to the serious problem being faced by FSLIC and the savings and loan industry across this country.

The funding level provided in the committee bill is clearly sufficient to ensure that the funds on deposit at our Nation's savings and loans are safe and secure without unnecessarily burdening the industry with excessive debt.

Mr. Chairman, I believe it is absolutely critical for the Congress to closely monitor the activities of the FSLIC during these challenging times.

Forbearance will clearly be an intricate part of the final solution, and to be sure that we get that forbearance that is so desperately needed is to keep the regulators on a short financial leash held by this Congress.

That is why, Mr. Chairman, I am supporting the committee bill as reported out of committee and opposing the amendment.

Mr. NEAL. Mr. Chairman, I yield myself my 1 remaining minute.

Mr. Chairman, I think the best way I can use that 1 minute is to repeat what I think is the most critical argument here, and that is the question of whether we are going to exercise adequate oversight or not.

If we provide a lower level of funding, $5 billion over 2 years, we will be back in here taking another look at this sometime before the end of the 2-year period. If we do not provide the $15 billion over 5 years, there is no telling what the regulators will do with it, and we will not be watching them. Let me say again that there is nothing in the bill that says there is going to be a taxpayer bailout. That is a red herring. People have said that if we do not agree to the larger amount, there will be a taxpayer bailout. There is nothing in the bill or in anyone's reasonable expectation that that would be the case.

The GAO report tells us that there is a problem. We know there is a problem.

Mr. Chairman, I ask the Members to support better oversight and vote against the amendment.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. NEAL] has expired.

The gentleman from Rhode Island [Mr. ST GERMAIN] has 1 minute remaining.

Mr. ST GERMAIN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, No. 1, let me point out that the plan was devised by the Federal Home Loan Banks, not by the Home Loan Bank Board, not by Ed Gray, not by the Treasury, and not by the chairman of the Banking Committee. It was devised by the industry.

The Home Loan Bank Board's presidents are responsive to the banks, to the S&L's and their districts. They have signed a letter to me dated April 28, 1987, all 12 of them, representing California, Arkansas, Boston—all of them—and this is what they say, referring to the plan, the $15 billion plan:

> The plan uses no taxpayer dollars. It would raise $15 billion over five years in capital markets, using the resources of the Federal Home Loan Banks and the FSLIC insured institutions. The $5 billion—two-year bill (H.R. 27) as reported by the House Banking Committee with an "exit fee" of only two years and statutory forbearance is clearly inadequate, and virtually ensures that a taxpayer bailout of the FSLIC will ultimately be required.

Mr. Chairman, I ask that the Members check the bill. The bill itself says, the full faith and credit of the U.S. Treasury, and the U.S. Government stands behind this bill. That means taxpayer dollars, I say to the Members, and I repeat that the banks, the S&Ls themselves, came up with this plan. We did not, the Treasury did not. I ask the Members to back them up.

The CHAIRMAN. All time has expired.

The question is on the amendments offered by the gentleman from Rhode Island [Mr. ST GERMAIN].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. NEAL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 153, noes 258, answered "present" 1, not voting 21, as follows:

[Roll No. 83]

AYES—153

Ackerman
Andrews
Archer
Armey
Aspin
Atkins
Baker
Ballenger
Barnard

Bartlett
Barton
Bates
Beilenson
Bentley
Bereuter
Berman
Biaggi
Bilirakis
Boggs
Boland
Bonior (MI)
Bryant
Bunning
Cardin
Carper
Chapman
Cheney
Clay
Coleman (TX)
Conte
Coughlin
Courter
Coyne
DeLay
Dellums
Dickinson
DioGuardi
Donnelly
Downey
Durbin
Dyson
Early
Fields
Fish
Foley
Frank
Frenzel
Gallo
Garcia
Gonzalez
Gradison
Grandy
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hertel
Hiler
Hochbrueckner
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Jeffords
Jones (TN)
Kemp
Kennedy
Kildee
Kleczka
Konnyu
LaFalce
Lagomarsino
Leach (IA)
Leland
Lent
Levin (MI)
Lewis (CA)
Lightfoot
Lungren
Markey
Matsui
Mavroules
Mazzoli
McCandless
McDade
McGrath
McHugh
McMillan (NC)
Meyers
Michel
Moakley
Morella
Morrison (CT)
Mrazek
Nagle
Nielson
Nowak
Ortiz
Parris
Pashayan
Pease
Pepper
Perkins
Price (IL)
Rangel
Ravenel
Regula
Rhodes
Ridge
Ritter
Rodino
Roemer
Roth
Roukema
Saiki
Saxton
Scheuer
Schumer
Skaggs
Smith (IA)
Smith (NE)
Smith (TX)
Smith, Robert (NH)
Snowe
Solarz
St Germain
Stark
Stenholm
Stokes
Stratton
Sweeney
Swindall
Synar
Tauke
Thomas (CA)
Towns
Traxler
Vucanovich
Walker
Waxman
Weiss
Wilson
Wolf
Wortley
Wylie
Yates
Young (AK)
Young (FL)

NOES—258

Akaka
Alexander
Anderson
Anthony
Applegate
AuCoin
Badham
Bennett
Bevill
Bilbray
Bliley
Bonker
Borski
Bosco
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Buechner
Bustamante
Byron
Callahan
Campbell
Carr
Chandler
Chappell
Clarke
Clinger
Coats
Coble
Coelho
Coleman (MO)
Collins
Conyers
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeFazio
Derrick
DeWine
Dicks
Dixon
Dorgan (ND)
Dornan (CA)
Dowdy
Dreier
Duncan
Dwyer
Dymally
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Flake
Flippo
Florio
Foglietta
Ford (MI)
Ford (TN)
Frost
Gallegly
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Grant
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Holloway
Hopkins
Hutto
Hyde
Inhofe
Ireland
Jacobs
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennelly
Kolbe
Kostmayer
Kyl
Lancaster
Lantos
Latta
Leath (TX)
Lehman (CA)
Lehman (FL)
Lewis (FL)
Lewis (GA)
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Mack
MacKay
Madigan
Manton
Marlenee
Martin (IL)
Martin (NY)
Martinez
McCloskey
McCollum
McCurdy
McEwen
McMillen (MD)
Mfume
Mica
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morrison (WA)
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Oakar
Oberstar
Obey
Olin
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Patterson
Penny
Petri
Pickett
Pickle
Porter
Price (NC)
Pursell
Quillen
Rahall
Ray
Richardson
Rinaldo
Roberts
Robinson
Rogers
Rose
Rostenkowski
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Schaefer
Schneider
Schroeder
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (NJ)
Smith, Denny (OR)
Smith, Robert (OR)
Solomon
Spence
Spratt
Staggers
Stallings
Stangeland
Stump
Sundquist
Swift
Tallon
Taylor
Thomas (GA)
Torres
Torricelli
Traficant
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Watkins
Weber
Weldon
Wheat
Whittaker
Whitten
Williams
Wise
Wolpe
Wyden

ANSWERED "PRESENT"—1

Bateman

NOT VOTING—21

Annunzio
Boehlert
Boner (TN)
Boucher
Burton
Combest
Cooper
Dingell
Gephardt
Horton
Kolter
Levine (CA)
Lowry (WA)
McKinney
Roe
Slaughter (VA)
Studds
Tauzin
Udall
Walgren
Yatron

□ 1840

Mr. DIXON and Mr. COLEMAN of Missouri changed their votes from "aye" to "no."

Mr. ORTIZ changed his vote from "no" to "aye."

So the amendments were rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. TRAXLER. Mr. Chairman, on rollcall No. 83, the vote on the St Germain amendments, I inadvertently voted "aye." It was my intention to vote "no."

The CHAIRMAN. The Clerk will designate title II.

The text of title II is as follows:

TITLE II—THRIFT FORBEARANCE; REGULATORY REFORM; CONGRESSIONAL OVERSIGHT

SEC. 201. SHORT TITLE.

This title may be cited as the "Thrift Institution Forbearance, Regulatory Reform, and Congressional Oversight Act".

SEC. 202. CAPITAL FORBEARANCE.

(a) FEDERALLY CHARTERED THRIFT INSTITUTIONS.—Section 5(d)(6) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(d)(6)) (relating to appointments of receivers and conservators) is amended by adding at the end thereof the following new subparagraphs:

"(E) CAPITAL FORBEARANCE FOR ASSOCIATIONS WITH NET WORTH OF 0.5 PERCENT OR MORE.—Notwithstanding clause (i) or (iii) of subparagraph (A), a receiver or conservator may not be appointed for an association with a net worth of 0.5 percent or more, as determined in accordance with regulatory accounting principles, because of the weak capital condition of the association, if—

"(i) the association's weak capital condition is—

"(I) a result of losses recognized on, the nonperforming status of, or the failure of borrowers to otherwise remain in compliance with the repayment terms of, loans, or participations in loans, adversely affected by economic conditions in a designated economically depressed region; and

"(II) not the result of imprudent operating practices such as speculative lending practices, insider abuses, and excessive operating expenses; and

"(ii) the association submits a plan, for the Board's approval, to increase its capital and agrees to submit regular reports on its progress in meeting its goals under the plan.

"(F) CAPITAL FORBEARANCE FOR ASSOCIATIONS WITH NET WORTH OF LESS THAN 0.5 PERCENT.—

"(i) Notwithstanding clause (i) or (iii) of subparagraph (A), an association with a net worth of less than 0.5 percent, as determined in accordance with regulatory accounting principles, may submit a written request to the Board that a receiver or conservator not be appointed with respect to such association because of the weak capital condition of the association.

"(ii) If the Board determines that—

"(I) the conditions described in subparagraph (E)(i) have been met with respect to such association; and

"(II) the association has reasonable prospects of returning to a satisfactory capital level,

the Board shall approve the request of the association.

"(G) DESIGNATED ECONOMICALLY DEPRESSED REGION DEFINED.—For purposes of subparagraph (E), the term 'designated economically depressed region' means any geographical region which the Board determines, by regulation, to be a region within which real estate values have suffered serious declines due to severe economic conditions, such as a decline in energy, agricultural, and real estate values.".

(b) FEDERALLY INSURED STATE CHARTERED THRIFT INSTITUTIONS.—Section 407(b) of the National Housing Act (12 U.S.C. 1730) (relating to involuntary termination of insurance) is amended by adding at the end thereof the following new paragraph:

"(4) CAPITAL FORBEARANCE .—

"(A) INSTITUTIONS WITH NET WORTH OF 0.5 PERCENT OR MORE.—For purposes of this paragraph, the Corporation may not determine that an insured institution with a net worth of 0.5 percent or more, as determined in accordance with regulatory accounting principles, is in an unsafe or unsound condition to continue operations for purposes of this subsection because of the weak capital condition of such insured institution, if—

"(i) the weak capital condition is—

"(I) a result of losses recognized on, the nonperforming status of, or the failure of borrowers to otherwise remain in compliance with the repayment terms of, loans, or participations in loans, adversely affected

by economic conditions in a designated economically depressed region; and

"(II) not the result of imprudent operating practices such as speculative lending practices, insider abuses, and excessive operating expenses; and

"(ii) the insured institution submits a plan, for the Corporation's approval, to increase its capital and agrees to submit regular reports on its progress in meeting its goals under the plan.

"(B) INSTITUTIONS WITH NET WORTH OF LESS THAN 0.5 PERCENT.—

"(i) An insured institution with a net worth of less than 0.5 percent, as determined in accordance with regulatory accounting principles, may submit a written request to the Corporation that no action be taken under this subsection because of the weak capital condition of the association.

"(ii) If the Corporation determines that—

"(I) the conditions described in subparagraph (A)(i) have been met with respect to such insured institution; and

"(II) the insured institution has reasonable prospects of returning to a satisfactory capital level,

the Corporation shall grant the application of the association.

"(C) DESIGNATED ECONOMICALLY DEPRESSED REGION DEFINED.—For purposes of this paragraph, the term 'designated economically depressed region' means any geographical region which the Corporation determines, by regulation, to be a region within which real estate values have suffered serious declines due to severe economic conditions, such as a decline in energy, agricultural, and real estate values.".

(c) MEMBERS OF HOME LOAN BANKS.—Section 6(i) of the Federal Home Loan Bank Act (12 U.S.C. 1426(i)) (relating to termination of membership of member in a Federal Home Loan Bank) is amended—

(1) by striking out "(i) Any Member" and inserting in lieu thereof "(i) TERMINATION OF MEMBERSHIP.—(1) Any member"; and

(2) by adding at the end thereof the following new paragraph:

"(2) CAPITAL FORBEARANCE.—

"(A) MEMBERS WITH NET WORTH OF 0.5 PERCENT OR MORE.—For purposes of paragraph (1), the Board may not, with respect to any member with a net worth of 0.5 percent or more, as determined in accordance with regulatory accounting principles, remove such member from membership in a Federal Home Loan Bank because of the weak capital condition of such member, if—

"(i) the weakened capital condition is—

"(I) a result of losses recognized on, the nonperforming status of, or the failure of borrowers to otherwise remain in compliance with the repayment terms of, loans, or participations in loans, adversely affected by economic conditions in a designated economically depressed region; and

"(II) not the result of imprudent operating practices such as speculative lending practices, insider abuses, and excessive operating expenses; and

"(ii) the member submits a plan, for the Board's approval, to increase its capital and agrees to submit regular reports on its progress in meeting its goals under the plan.

"(B) INSTITUTIONS WITH NET WORTH OF LESS THAN 0.5 PERCENT.—

"(i) Any member with a net worth of less than 0.5 percent, as determined in accordance with regulatory accounting principles, may submit a written request to the Board that no action be taken under paragraph (1) because of the weak capital condition of the member.

"(ii) If the Board determines that—

"(I) the conditions described in subparagraph (A)(i) have been met with respect to such member; and

"(II) the member has reasonable prospects of returning to a satisfactory capital level,

the Board shall grant the application of the member.

"(C) DESIGNATED ECONOMICALLY DEPRESSED REGION DEFINED.—For purposes of this paragraph, the term 'designated economically depressed region' means any geographical region which the Board determines, by regulation, to be a region within which real estate values have suffered serious declines due to severe economic conditions, such as a decline in energy, agricultural, and real estate values.".

SEC. 203. CAPITAL CERTIFICATE PROGRAM; REAFFIRMATION OF AUTHORITY TO PURCHASE CAPITAL CERTIFICATES.

The Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) is amended by inserting after section 22 the following new section:

"SEC. 22A. CAPITAL CERTIFICATE PROGRAM.

Notwithstanding any other provision of law and without limitation on any other authority of the Board or the Federal Savings and Loan Insurance Corporation, the Board may exercise its authority to purchase capital certificates in the case of any association, insured institution, or member which is eligible for capital forbearance under subparagraph (E) or (F) of section 5(d)(6) of the Home Owners' Loan Act of 1933, section 407(b)(4) of the National Housing Act, or under section (6)(i)(2) of this Act, as the case may be.".

SEC. 204. APPLICATION OF CERTAIN GAAP ACCOUNTING RULES FOR REGULATORY PURPOSES.

(a) FEDERALLY CHARTERED THRIFT INSTITUTIONS.—The Home Owners' Loan Act of 1933 (12 U.S.C. 1461 et seq.) is amended by redesignating section 9 as section 10 and by inserting after section 8 the following new section:

"SEC. 9. ACCOUNTING PRINCIPLES ESTABLISHED FOR FEDERAL ASSOCIATIONS.

"(a) IN GENERAL.—The Board shall prescribe regulations which specify that the following accounting principles and procedures apply with respect to associations for regulatory accounting purposes:

"(1) FEES FOR RESIDENTIAL LOANS.—

"(A) TREATED AS INCOME.—Amounts received by an association from any fee imposed by the association for making any loan or otherwise extending credit (the repayment of which is secured by real property consisting of any 1 to 4 family residence) may be treated as income by the association for the year in which the loan or other extension of credit is made.

"(B) BOARD GUIDELINES REQUIRED.—Not later than 60 days after the date of the enactment of the Thrift Institution Forbearance, Regulatory Reform, and Congressional Oversight Act, the Board shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate guidelines which limit to a reasonable amount the fees which may be treated in the manner described in subparagraph (A).

"(2) FEES FOR COMMERCIAL LOANS.—Amounts received by an association from fees commonly designated as 'points' and imposed by the association for making any commercial loan shall be amortized over the life of the loan.

"(3) AUTHORIZING USE OF GAAP FOR DETERMINING WHEN TO REAPPRAISE UPON FORECLOSURE.—Generally accepted accounting principles for determining when a reappraisal of property shall be required upon any foreclosure on such property shall apply for purposes of determining when, under regulatory accounting principles, a reappraisal of property shall be required upon any foreclosure on such property by an association (or any other action by the association in lieu of foreclosure).

"(4) APPLICATION OF GAAP TO LOAN LOSS RESERVES AND RECOGNITION OF LOSS RULES.—Under regulatory accounting principles, any amount required—

"(A) to be transferred to any account of an association as a reserve or allowance for possible loan losses; or

"(B) to be recognized as a loss by the association with respect to—

"(i) any loan or other extension of credit by an association; or

"(ii) any other asset of an association,

shall not exceed the amount which would be required to be transferred or recognized under generally accepted accounting principles under the circumstances involved.

"(5) AUTHORIZING USE OF FASB 15 FOR TROUBLED DEBT RESTRUCTURING.—If—

"(A) an association engages in troubled debt restructuring with respect to any loan by the association; and

"(B) the troubled debt restructuring complies with Statement of Financial Accounting Standards Numbered 5 and Statement of Financial Accounting Standards Numbered 15 (as issued by the Financial Accounting Standards Board),

regulatory accounting principles shall allow the association to account for the effects of the troubled debt restructuring and to account for such association's investment in the original debt instrument (or other agreement which is subject to such restructuring) in the manner provided in such Statements.

"(b) CERTAIN LOAN LOSS RESERVES TREATED AS CAPITAL FOR CERTAIN PURPOSES.—The Board shall permit any amount which an association holds in any account as—

"(1) a general loss reserve; or

"(2) a specific loss reserve for assets classified as 'doubtful',

to be treated, at the option of the association, as capital of the association for purposes of determining regulatory capital or regulatory net worth with respect to such association.

"(c) MODIFICATION TO THE ASSET CLASSIFICATION CATEGORIES.—

"(1) MODIFICATION REQUIRED.—Not later than 60 days after the date of the enactment of the Thrift Institution Forbearance, Regulatory Reform and Congressional Oversight Act, the Board shall adopt by regulation an asset classification system for problem or potentially troublesome assets.

"(2) CLASSIFICATIONS DESCRIBED.—The system established under paragraph (1) shall contain at least the following classifications:

"(A) 'Other Assets Especially Mentioned'.

"(B) 'Substandard'.

"(C) 'Doubtful'.

"(D) 'Loss'.

"(3) NO RESERVE REQUIREMENTS FOR CERTAIN CATEGORIES.—No increase in any reserve requirement or loan loss reserve shall be required for any asset classified as 'Other Assets Especially Mentioned' or 'Substandard'.".

(b) FEDERALLY INSURED STATE CHARTERED THRIFT INSTITUTIONS.—Title IV of the National Housing Act (12 U.S.C. 1724 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 415. ACCOUNTING PRINCIPLES ESTABLISHED FOR INSURED INSTITUTIONS.

"(a) IN GENERAL.—The Corporation shall prescribe regulations which specify that the following accounting principles and procedures apply with respect to insured institutions for regulatory accounting purposes:

"(1) FEES FOR RESIDENTIAL LOANS.—

"(A) TREATED AS INCOME.—Amounts received by an insured institution from any fee imposed by the insured institution for making any loan or otherwise extending credit (the repayment of which is secured by real property consisting of any 1 to 4 family residence) may be treated as income by the insured institution for the year in which the loan or other extension of credit is made.

"(B) CORPORATION GUIDELINES REQUIRED.—Not later than 60 days after the date of the enactment of the Thrift Institution Forbearance, Regulatory Reform, and Congressional Oversight Act, the Corporation shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate guidelines which limit to a reasonable amount the fees which may be treated in the manner described in subparagraph (A).

"(2) FEES FOR COMMERCIAL LOANS.—Amounts received by an insured institution from fees commonly designated as 'points' and imposed by the insured institution for making any commercial loan shall be amortized over the life of the loan.

"(3) AUTHORIZING USE OF GAAP FOR DETERMINING WHEN TO REAPPRAISE UPON FORECLOSURE.—Generally accepted accounting principles for determining when a reappraisal of property shall be required upon any foreclosure on such property shall apply for purposes of determining when, under regulatory accounting principles, a reappraisal of property shall be required upon any foreclosure on such property by an insured institution (or any other action by the insured institution in lieu of foreclosure).

"(4) APPLICATION OF GAAP TO LOAN LOSS RESERVES AND RECOGNITION OF LOSS RULES.—Under regulatory accounting principles, any amount required—

"(A) to be transferred to any account of an insured institution as a reserve or allowance for possible loan losses; or

"(B) to be recognized as a loss by the insured institution with respect to—

"(i) any loan or other extension of credit by an insured institution; or

"(ii) any other asset of an insured institution,

shall not exceed the amount which would be required to be transferred or recognized under generally accepted accounting principles under the circumstances involved.

"(5) AUTHORIZING USE OF FASB 15 FOR TROUBLED DEBT RESTRUCTURING.—If—

"(A) an insured institution engages in troubled debt restructuring with respect to any loan by the insured institution; and

"(B) the troubled debt restructuring complies with Statement of Financial Accounting Standards Numbered 5 and Statement of Financial Accounting Standards Numbered 15 (as issued by the Financial Accounting Standards Board),

regulatory accounting principles shall allow the insured institution to account for the effects of the troubled debt restructuring and to account for such insured institution's investment in the original debt instrument (or other agreement which is subject to such restructuring) in the manner provided in such Statements.

"(b) CERTAIN LOAN LOSS RESERVES TREATED AS CAPITAL FOR CERTAIN PURPOSES.—The Corporation shall permit any amount which an insured institution holds in any account as—

"(1) a general loss reserve; or

"(2) a specific loss reserve for assets classified as 'doubtful',

to be treated, at the option of the insured institution, as capital of the insured institution for purposes of determining regulatory capital or regulatory net worth with respect to such insured institution.

"(c) MODIFICATION TO THE ASSET CLASSIFICATION CATEGORIES.—

"(1) MODIFICATION REQUIRED.—Not later than 60 days after the date of the enactment of the Thrift Institution Forbearance, Regulatory Reform, and Congressional Oversight Act, the Corporation shall adopt by regulation an asset classification system for problem or potentially troublesome assets.

"(2) CLASSIFICATIONS DESCRIBED.—The system established under paragraph (1) shall contain at least the following classifications:

"(A) 'Other Assets Especially Mentioned'.

"(B) 'Substandard'.

"(C) 'Doubtful'.

"(D) 'Loss'.

"(3) NO RESERVE REQUIREMENTS FOR CERTAIN CATEGORIES.—No increase in any reserve requirement or loan loss reserve shall be required for any asset classified as 'Other Assets Especially Mentioned' or 'Substandard'.".

SEC. 205. IMPROVEMENTS IN THE SUPERVISORY PROCESS.

(a) REPORT ON NEW GUIDELINES REQUIRED.—Before the end of the 45-day period beginning on the date of the enactment of this Act, the Federal Home Loan Bank Board shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing new guidelines with respect to the specific provisions described in subsection (b) which the Board shall promulgate at the end of such period.

(b) SPECIFIC PROVISIONS OF NEW GUIDELINES.—The new guidelines required to be prepared and promulgated under subsection (a) shall contain the following specific provisions:

(1) EXPEDITED APPROVAL OF RENEGOTIATED LOANS.—A provision establishing an expedited process for obtaining supervisory approval of, or eliminating the requirement for supervisory approval of, the terms of loans renegotiated by associations, insured institutions, or members if a supervisory agreement is in effect between such association, insured institution, or member with the principal supervisory agent of the Federal home loan bank district where such association, insured institution, or member is located.

(2) RECOGNITION OF ADDITIONAL FINANCIAL CAPABILITY OF A BORROWER.—A provision permitting examiners and other employees and agents of the Board, the Federal Savings and Loan Insurance Corporation, and the Federal home loan banks to take into account other sources of credit of a borrower (in addition to the financial assets of the borrower which are pledged to secure a loan), in classifying the assets of the association, insured institution, or member which holds such loan.

(3) NEW STANDARDS FOR REAPPRAISALS.—A provision specifying when a reappraisal of property securing any loan or other extension of credit by, or any other asset of, an association, insured institution, or member will be required.

(4) IMPROVEMENT OF R41C APPRAISAL STANDARD.—A provision modifying and improving the appraisal standards contained in the Board's guideline R41c.

(5) APPRAISAL REVIEW SYSTEM.—A provision establishing an appraisal review system in each Federal home loan bank district and the procedures and standards applicable to reviews under such system.

SEC. 206. APPEAL OF SUPERVISORY DECISIONS.

The Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) is amended by inserting after section 22A (as added by section 203 of this Act) the following new section:

"SEC. 22B. APPEAL PROCESS OF SUPERVISORY DECISIONS.

"(a) REVIEW OF FIELD DETERMINATIONS.—The Board shall establish a review and appeal procedure under which any association, insured institution, or member may obtain a prompt and impartial review by the principal supervisory agent for the Federal home loan bank district in which such association, institution, or member is located of any determination by any examiner or other employee or agent of the Board, the Federal Savings and Loan Insurance Corporation, or the Federal Home Loan Bank for such district with respect to—

"(1) the appraisal value of—

"(A) any loan held by the association, insured institution, or member; or

"(B) any property serving as collateral to secure the repayment of any loan (held by the association, institution, or member);

"(2) the classification of any loan held by the association, institution, or member; or

"(3) any requirement imposed on the association, institution, or member to establish or to add to a reserve or allowance for a possible loss on any loan held by such institution.

"(b) STANDARDS FOR REVIEW.—The review and appeal procedure established under subsection (a) shall provide that the principal supervisory agent for the appropriate Federal home loan bank district shall approve, modify, or set aside any determination which has been appealed to such supervisory agent under such procedure on the basis of the supervisory agent's review of all the facts and circumstances and the regulations applicable to such determination.

"(c) APPOINTMENT OF INDEPENDENT ARBITERS.—The review and appeal procedure established under subsection (a) shall provide for the appointment (by the principal supervisory agent for the appropriate Federal home loan bank district, at the request of the association, insured institution, or member which is appealing from a determination described in such subsection at the time the appeal is filed with such agent) of a panel of independent arbiters who shall—

"(1) review the determination which is the subject of the appeal in light of all the facts and circumstances of the case and the regulations applicable to such determination; and

"(2) report the conclusions and recommendations of the panel with respect to the determination under appeal to the principal supervisory agent for the appropriate Federal home loan bank district and the association, insured institution, or member.

"(d) REQUEST FOR BOARD REVIEW.—In any case in which the principal supervisory agent for any Federal home loan bank district rejects a recommendation of a panel of independent arbiters appointed under subsection (c), the association, insured institution, member, or person who requested the appointment of such panel may request the

Board to review the rejection by such agent of such recommendation and the Board shall conduct any review so requested.

"(e) Expenses of Appeal Borne by Association, Institution, or Member.—All expenses incurred by or on behalf of any panel of independent arbiters appointed under subsection (c) shall be paid by the association, insured institution, member, or person who requested the appointment.

"(f) Appeal and Relief Rights for Borrowers.—

"(1) Appeal rights required.—In connection with the review and appeal procedure established under subsection (a), the Board shall provide for a prompt and impartial review by the supervisory agent for any Federal home loan bank district of any complaint or request for relief by any person who—

"(A) has had difficulty meeting the terms and conditions of a loan to such person by an association, insured institution, or member and feels aggrieved by—

"(i) any action or determination of the association, insured institution, or member with respect to such loan; or

"(ii) any action or determination by any examiner or other employee or agent of the Board, the Federal Savings and Loan Insurance Corporation, or the Federal Home Loan Bank for such district with respect to such loan, including any determination which required the lender to take any action;

"(B) feels aggrieved by the failure or refusal of an association, insured institution, or member to make a loan on the same or substantially the same terms and conditions offered and agreed upon in a prior loan commitment or agreement; or

"(C) has a reasonable plan for renegotiating a loan to such person by an association, insured institution, or member and feels aggrieved by the failure or refusal of—

"(i) the association, insured institution, or member to renegotiate the terms and conditions of the loan; or

"(ii) any employee or agent of the Board or the principal supervisory agent to approve the renegotiated loan.

"(2) Request for independent arbiters.—Subject to the requirement of subsection (e), any person who files a complaint or request for relief under paragraph (1) may request the appointment of a panel of independent arbiters under subsection (c) to review the complaint or request.

"(3) Appropriate action by the principal supervisory agent.—After reviewing any complaint or request for relief under paragraph (1) (or receiving the conclusions and recommendations of the panel referred to in paragraph (2)), the principal supervisory agent shall take such action as such agent may deem necessary or appropriate with respect to such complaint or request.

"(4) Prompt notice to borrower.—After making any determination with respect to any complaint or request for relief under paragraph (1), the principal supervisory agent shall promptly notify the person who filed the complaint or request for relief of such determination and any action taken by such agent in connection with such determination.".

SEC. 207. FEASIBILITY STUDY RELATING TO ESTABLISHMENT OF ASSET HOLDING CORPORATION.

(a) Study Required.—The Federal Home Loan Bank Board shall study the feasibility of establishing an asset holding corporation to relieve thrift institutions of the burden of carrying and maintaining troubled real estate assets by providing for the acquisition of such assets by such corporation.

(b) Factors To Be Considered.—In studying the feasibility of establishing an asset holding corporation, the Federal Home Loan Bank Board shall—

(1) estimate the cost of establishing and operating such corporation for the purposes intended;

(2) consider whether sufficient capital for the establishment and operation of the corporation can be obtained from the private sector or from the Federal home loan bank system without any Government investment in the corporation;

(3) develop standards for determining the type and condition of real estate assets which would be eligible for acquisition by such corporation and estimate the total value of such real estate; and

(4) develop a proposal for allowing participating thrift institutions to obtain an equity participation in the corporation.

(c) Report Required.—The Federal Home Loan Bank Board shall prepare and transmit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, not later than 6 months after the date of the enactment of this Act, a report containing the findings and conclusions of the Board with respect to the study required under subsection (a) and any recommendation of the Board for legislation which the Board determines may be necessary or appropriate.

SEC. 208. CONGRESSIONAL OVERSIGHT.

(a) House Banking Committee Review of Panel Actions.—The Committee on Banking, Finance and Urban Affairs of the House of Representatives shall monitor and review the actions taken by each review panel established pursuant to the amendment made by section 206 of this Act.

(b) Reports to House by House Banking Committee.—

(1) In general.—The Committee on Banking, Finance and Urban Affairs of the House of Representatives shall submit detailed and thorough reports to the House of Representatives regarding—

(A) the manner in which the appeal and review procedures required by the amendment made by section 206 of this Act have been established and carried out; and

(B) the performance of the Federal Home Loan Bank Board in carrying out the requirements of this title.

(2) Frequency of reports.—The reports required under paragraph (1) shall be submitted—

(A) quarterly during the 1-year period beginning on the date of the enactment of this Act; and

(B) after the end of such period, annually and whenever the committee determines that a special report is appropriate.

(c) Other Congressional Oversight.—

(1) In general.—The Federal Home Loan Bank Board, as part of its annual appearance before the Committee on Banking, Finance and Urban Affairs of the House of Representatives, shall submit reports to the committee regarding—

(A) its plans and goals for the year;

(B) its existing manpower and talent; and

(C) its projected manpower and talent needs for the year, including the cost of such projected needs.

(2) Report to cover full Federal home loan bank system.—The reports required under paragraph (1) shall include all regulatory functions and entities for which the Federal Home Loan Bank Board is directly or indirectly responsible, including the Federal Savings and Loan Insurance Corporation, each Federal Home Loan Bank, the Federal Asset Disposition Association, the Financing Corporation, and any other entity created, owned, or controlled by the Board.

SEC. 209. REGULAR REPORTS TO CONGRESS.

(a) In General.—The Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) is amended by inserting after section 22B (as added by section 206 of this Act) the following new section:

"SEC. 22C. CONGRESSIONAL OVERSIGHT; MANDATE FOR REGULAR REPORTS TO CONGRESS.

"(a) Quarterly Reports and Budgets.—

"(1) Reports to congress required.—Before the end of the 2-week period beginning on the first day of each calendar quarter, the Board (acting as such under this Act and in the Board's capacity as the board of trustees of the Federal Savings and Loan Insurance Corporation under section 402(a) of the National Housing Act) shall transmit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a detailed written report and budget containing the information described in paragraph (2).

"(2) Contents of report and budget.—Each report and budget required under paragraph (1) shall contain the following:

"(A) A description and explanation of all planned or anticipated activities of the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, and the principal supervisory agent for each Federal home loan bank district for the calendar quarter in which such report is prepared.

"(B) A description and explanation of all activities of the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, and the principal supervisory agent for each Federal home loan bank district during the preceding calendar quarter.

"(C) An estimate of all receipts, expenses, and expenditures of the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, and the principal supervisory agent for each Federal home loan bank district for such calendar quarter, including administrative expenses.

"(D) A complete description of all receipts, expenses, and expenditures of the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, and the principal supervisory agent for each Federal home loan bank district during the preceding calendar quarter, including administrative expenses and any expense which—

"(i) was incurred in connection with an activity of the Board, Corporation, Association, or agent; and

"(ii) was paid by any other person (including any Federal Home Loan Bank) on behalf of or for the benefit of the Board, Corporation, Association, or agent.

"(E) With regard to the administration of the Federal Asset Disposition Association—

"(i) a complete description of the assets under the control of such Association at the end of the preceding calendar quarter;

"(ii) the gross amount derived by the Federal Savings and Loan Insurance Corporation from the proceeds of any sale of assets by the Association during the preceding calendar quarter;

"(iii) the average percentage return on all sales of assets by the Association during the preceding calendar quarter (as determined on the basis of the original loan amounts with respect to such assets); and

"(iv) the percentage return on each sale of assets in excess of $1,000,000 by the Association during the preceding calendar quarter (as determined on the basis of the original loan amount with respect to such assets).

"(F) The name of each accountant, attorney, conservator, consultant, or other person whose services are employed by the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, the principal supervisory agent for any Federal home loan bank district, or any other entity created, owned, or controlled by the Board during the preceding calendar quarter in connection with any function for which the Board has direct or indirect regulatory or supervisory responsibility and the total amount of compensation (including all commissions, fees, retainers, and other forms of remuneration) paid or accrued with respect to each such accountant, attorney, conservator, consultant, or other person during such calendar quarter.

"(3) ALL REGULATORY FUNCTIONS REQUIRED TO BE TAKEN INTO ACCOUNT.—All activities of, and expenses incurred by, any officer or employee of the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, the principal supervisory agent for any Federal home loan bank district, or any other entity created, owned, or controlled by the Board in carrying out any regulatory function for which the Board is, directly or indirectly, responsible shall be taken into account for purposes of any report and budget required under paragraph (1).

"(4) PARAGRAPH (2)(D)(ii) PAYMENTS INCLUDES INTERAGENCY BENEFICIAL PAYMENTS.—The payments on behalf of or for the benefit of the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, any Federal Home Loan Bank, or the principal supervisory agent for any Federal home loan bank district which are required to be reported under paragraph (2)(D)(ii) includes any amount paid by the Board, Corporation, Association, bank, or agent, as the case may be, for another such entity's benefit.

"(5) PRINCIPAL SUPERVISORY AGENT.—Any reference to any activity, receipt, expense, or expenditure of a principal supervisory agent of any Federal home loan bank district shall be construed as a reference only to activities, receipts, expenses, or expenditures of such agent in such agent's capacity as an agent of the Board.".

(b) ACCOUNTING AND FORBEARANCE REPORT.—Before the end of the 2-year period beginning on the date of the enactment of this Act, the Federal Home Loan Bank Board shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate—

(1) a report on the Board's implementation of the accounting and forbearance guidelines required to be established under this title (and the amendments made by this title); and

(2) a plan for the gradual implementation of generally accepted accounting principles for purposes of all regulatory accounting.

SEC. 210. GUIDELINES FOR EMPLOYMENT OF OUTSIDE ACCOUNTANTS, ATTORNEYS, CONSERVATORS, AND OTHER CONSULTANTS.

Before the end of the 60-day period beginning on the date of the enactment of this Act, the Federal Home Loan Bank Board shall—

(1) submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing guidelines to improve the management of and control over all accountants, attorneys, conservators, consultants, and other persons whose services are employed by the Board, the Federal Savings and Loan Insurance Corporation, the Federal Asset Disposition Association, the principal supervisory agent for any Federal home loan bank district, or any other entity created, owned, or controlled by the Board in connection with any function for which the Board has direct or indirect regulatory or supervisory responsibility; and

(2) promulgate such guidelines at the end of such 60-day period.

SEC. 211. NOTICE AND DISAPPROVAL PROCEDURE REQUIRED FOR ALL APPLICATIONS TO THE BANK BOARD.

(a) IN GENERAL.—

(1) GUIDELINES REQUIRED.—Before the end of the 60-day period beginning on the date of the enactment of this Act, the Federal Home Loan Bank Board shall—

(A) submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing guidelines described in paragraph (2), and

(B) promulgate such guidelines at the end of such 60-day period.

(2) GUIDELINES DESCRIBED.—The guidelines referred to in paragraph (1)(A) shall provide that with respect to each type of application (other than an application under section 408(g) of the National Housing Act) by any person for approval by the Federal Home Loan Bank Board or the Federal Savings and Loan Insurance Corporation, the application shall be deemed to be approved as of the end of the period prescribed under such guidelines unless the Board disapproves such application before the end of such period.

(b) APPLICATION FOR HOLDING COMPANY INDEBTEDNESS.—Section 408(g) of the National Housing Act (12 U.S.C. 1730a(g)) is amended by adding at the end thereof the following new paragraph:

"(6) Any application under this subsection shall be deemed to be approved as of the end of the 60-day period beginning on the date such application was filed, unless the Corporation issues notice of disapproval of the application before the end of such period.".

SEC. 212. GUIDELINES TO PREVENT DUMPING OF ASSETS.

Not later than 6 months after the date of the enactment of this Act, the Federal Home Loan Bank Board shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing appropriate new guidelines which—

(1) prevent the dumping of assets over which it has direct or indirect control; and

(2) the Board shall promulgate at the end of such period.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. PEPPER] is recognized to offer amendments.

AMENDMENTS OFFERED BY MR. PEPPER

Mr. PEPPER. Mr. Chairman, I offer several amendments.

The text of the amendments is as follows:

Amendments offered by Mr. PEPPER: Page 44, strike out line 13 and all that follows through line 16, and insert in lieu thereof the following:

"(II) a result of losses recognized on, the nonperforming status of, or the failure of borrowers to otherwise remain in compliance with the repayment terms of, loans, or participations in loans, made by a minority association 50 percent or more of whose loan assets are minority loans and 50 percent or more of whose originated loans are construction or permament loans for 1 to 4 family residences;

"(ii) the association's weak capital condition is not the result of imprudent operating practices such as speculative lending practices, insider abuses, and excessive operating expenses; and

Page 44, line 12, strike out "and" and insert in lieu thereof "or".

Page 45, line 17, strike out "(ii)" and insert in lieu thereof "(iii)".

Page 45, strike out line 12 and all that follows through line 18, and insert in lieu thereof the following new subparagraph:

"(G) DEFINITIONS.—For purposes of subparagraph (E)—

"(i) DESIGNATED ECONOMICALLY DEPRESSED REGION.—Their term 'designated economically depressed region' means any geographical region which the Board determines, by regulation, to be a region within which real estate values have suffered serious declines due to severe economic conditions, such as a decline in energy, agricultural, and real estate values.

"(ii) MINORITY.—The term 'minority' means any Black American, Native American, Hispanic American, or Asian Americans.

"(iii) MINORITY ASSOCIATION.—The term 'minority association' means any association of which—

"(I) more than 50 percent of the ownership or control (of such association) is held by minority individuals; and

"(II) more than 50 percent of the net profit or loss (of such association) accrues to minority individuals.

"(iv) MINORITY LOAN.—The term 'minority loan' means any obligations or other extension or advance of credit which is made to 1 or more minority individuals or to any person which is owned or controlled by 1 or more minority individuals.".

Page 46, strike out line 18 and all that follows through line 21 and insert in lieu thereof the following:

"(II) a result of losses recognized on, the nonperforming status of, or the failure of borrowers to otherwise remain in compliance with the repayment terms of, loans, or participations in loans, made by a minority insured institution 50 percent or more of whose loan assets are minority loans and 50 percent or more of whose originated loans are construction or permanent loans for 1 to 4 family residences;

"(ii) the weak capital condition is not the result of imprudent operating practices such as speculative lending practices, insider abuses, and excessive operating expenses; and

Page 46, line 17, strike out "and" and insert in lieu thereof "or".

Page 46, line 22, strike out "(ii)" and insert in lieu thereof "(iii)".

Page 47, strike out line 18 and all that follows through page 48, line 2, and insert in lieu thereof the following new subparagraph:

"(C) Definition.—For purposes of this paragraph—

"(i) Designated economically depressed region.—The term 'designated economically depressed region' means any geographical region which the Corporation determines, by regulation, to be a region within which real estate values have suffered serious declines due to severe economic conditions, such as a decline in energy, agricultural, and real estate values.

"(ii) Minority.—The term 'minority' means any Black American, Native American, Hispanic Americans, or Asian American.

"(iii) Minority insured institution.—The term 'minority insured institution' means any insured institution of which—

"(I) more than 50 percent of the ownership or control (of such insured institution) is held by minority individuals; and

"(II) more than 50 percent of the net profit or loss (of such insured institution) accrues to minority individuals.

"(iv) Minority loan.—The term 'Minority loan' means any obligation or other extension or advance of credit which is made to 1 or more minority individuals or to any person which is owned or controlled by 1 or more minority individuals.".

Page 29, strike out line 4 and all that follows through line 7, and insert in lieu thereof the following:

"(II) a result of losses recognized on, the nonperforming status of, or the failure of borrowers to otherwise remain in compliance with the repayment terms of, loans, or participions in loans, made by a minority member 50 percent or more of whose loans are minority loans and 50 percent or more of whose originated loan assets are construction or permanent loans for 1 to 4 family residences;

"(ii) the weak capital condition is not the result of imprudent operating practices such as speculative lending practices, insider abuses, and excessive operating expenses; and

Page 49, line 3, strike out "and" and insert in lieu thereof "or".

Page 49, line 8, strike out "(ii)" and insert in lieu thereof "(iii)".

Page 50, strike out line 6 and all that follows through line 13, and insert in lieu thereof the following new subparagraph:

"(C) Definitions.—For purposes of this paragraph—

"(i) Designated economically depressed region.—The term 'designated economically depressed region' means any geographical region which the Board determines, by regulation, to be a region within which real estate values have suffered serious declines due to severe economic conditions, such as a decline in energy, agricultural, and real estate values.

"(ii) Minority.—The term 'minority' means any Black American, Native American, Hispanic American, or Asian American.

"(iii) Minority member—The term 'minority member' means any member of which—

"(I) more than 50 percent of the ownership or control (of such member) is held by minority individuals; and

"(II) more than 50 percent of the net profit or loss (of such member) accrues to minority individuals.

"(iv) Minority loan.—The term 'minority loan' means any obligation or other extension or advance of credit which is made to 1 or more minority individuals or to any person which is owned or controlled by 1 or more minority individuals.".

Page 74, after line 20, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

"(4) Minority owned or operated thrift institutions.—Each report and budget required under paragraph (1) shall include a description of the efforts undertaken or planned by the Board, the Federal Savings and Loan Insurance Corporation, and the principal supervisory agent for each Federal home loan bank district to assist in the formation of new, and the performance and continued operation of existing, minority owned or operated associations, insured institutions, or members. For purposes of the preceding sentence, the term 'minority' has the meaning given to such term in section 6(i)(2)(C)(ii)."

Page 78, after line 20, insert the following new section:

SEC. 213. EXPANSION OF USE OF UNDERUTILIZED MINORITY THRIFT INSTITUTIONS.

(a) Consultation on Expanded Use.—The Secretary of the Treasury shall consult with the Federal Home Loan Bank Board and the Federal Savings and Loan Insurance Corporation on methods for increasing the use of underutilized minority thrift institutions as depositaries or financial agents of Federal agencies.

(b) Designation of Minority Thrift Institutions Involved in Capital Forbearance Programs as Underutilized Depository Institutions.—

(1) Federally chartered thrift institutions.—Section 5(d)(6) of the Home Owners' Loan Act of 1933 (as amended by section 202(a) is amended by inserting after subparagraph (G) the following new subparagraph:

"(H) Underutilized Minority Association.—If the Board approves any plan submitted under subparagraph (E) or approves a request under subparagraph (F) with respect to any minority association, such minority association shall be designated by the Board as an underutilized association for purposes of increasing the use of such association as a depository or financial agent of other Federal agencies.".

(2) Federally insured state chartered thrift institutions.—Section 407(b)(4) of the National Housing Act (as added by section 202(b) is amended by inserting after subparagraph (C) the following new subparagraph:

"(D) Underutilized minority insured institutions.—If the Corporation approves any plan submitted under subparagraph (A) or approves a request under subparagraph (B) with respect to any minority insured institution, such minority insured institution shall be designated by the Corporation as an underutilized insured institution for purposes of increasing the use of such association as a depository or financial agent by other Federal agencies.".

(3) Members of home loan banks.—Section 6(i)(2) of the Federal Home Loan Bank Act (as added by section 202(c) is amended by inserting after subparagraph (C) the following new subparagraph:

"(D) Underutilized minority member.—If the Board approves any plan submitted under subparagraph (A) or approves a request under subparagraph (B) with respect to any minority member, such minority member shall be designated by the Board as an underutilized member for purposes of increasing the use of such member as a depositary or financial agent by other Federal agencies.".

(c) Report to Congress.—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary of the Treasury, the Federal Home Loan Bank Board, and the Federal Savings and Loan Insurance Corporation shall each submit a report to the Congress on actions taken by such Secretary or agent pursuant to subsection (a) or an amendment made by subsection (b).

The CHAIRMAN. Under the rule, the amendments are considered en bloc, are considered as having been read, and are not subject to amendment or to a demand for a division of the question.

The gentleman from Florida [Mr. Pepper] will be recognized for 20 minutes and a Member opposed will be recognized for 20 minutes.

Is there a Member opposed to the Pepper amendments who wishes to control the time for 20 minutes?

If not, the gentleman from Florida [Mr. Pepper] is recognized for 20 minutes.

Mr. PEPPER. Mr. Chairman, I will be very brief, if the Members will give me their attention here for a moment.

This is known as the minority protection amendment for savings and loan associations. It defines what are minority institutions. That means institutions that are owned by minority groups which are defined in the amendment and also institutions which make loans, more than 50 percent of which are to one to four family residences. When they get to a point below 3 percent of their net worth, according to the regulations, they could be closed up. This bill gives the Federal Home Loan Bank the direction not to close them up if they do not get below 0.5 percent and if they make proper showing that they should be preserved and have a right to survive.

In other words, all this does is to try to give a new chance to minority institutions that have had trouble, without it being due to impropriety or mismanagement or wrongful dealing on their part.

Mr. Chairman, Representative Mfume and I have developed some amendments to H.R. 27 with the invaluable assistance of Chairman St Germain. I believe these amendments will have a very beneficial impact on the present and future growth of minority savings institutions and thus the growth of the communities they serve.

Specifically, the en bloc amendment I am proposing that we adopt:

First, broadens the category of institutions eligible for capital forbearance to include minority associations 50 percent or more of whose loan assets are minority loans and 50 percent or more of whose originated loans are construction or permanent loans for one to four family residences. In addition, the institutions eligible for capital forebearance under this expanded definition must meet all the other eligibility criteria established by this legislation.

Second, enlarges the scope of mandated agency reporting to include efforts by the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, and the Supervisory Agents in the formation of new, and the performance and continued operation of existing, minority owned or operated associations.

Third, expands deposits of Federal funds in minority owned or controlled savings institutions. Designates minority associates involved in capital forbearance as underutilized depository institutions The Treasury Department will develop a program to achieve this result. Mr. Mfume authored this part of the amendment.

These amendments to H.R. 27 enjoy the strong support of Chairman St Germain and are to the best of my knowledge noncontroversial.

Minority associations, in my opinion, deserve special consideration and assistance in returning to fiscal stability. These institutions generally are small and they are principally engaged in making residential loans. They are not having fiscal difficulties as a result of mismanagement or the poor use of direct investment opportunities. These institutions serve the unique and vital capital needs of their neighborhoods. They make mortgage and commercial loans which larger institutions prefer to avoid. They help blue collar individuals buy homes and open small businesses. All too often they are the only source of capital available to minorities.

Since 1982, 21 minority associations have had to close their doors and the communities they served have suffered untold harm. Given the essential role of these institutions in minority communities we can no longer afford to continue to allow them to decline in numbers. However, if we do not pass this amendment there are 19 minority associations which currently have a regulatory net worth of less than 3 percent which might be forced to close down. This amendment demonstrates the view of Congress that we recognize and applaud the public service these institutions render and that the Federal Home Loan Bank Board must take special strides to ensure their continued operation when mismanagement is not involved.

In addition to the regulatory flexibility of extending capital forbearance to these institutions, the Mfume part of this amendment would place deposits in minority savings institutions improving their balance sheet and immensely increasing their odds of surviving in these times of financial turbulance. There is absolutely no reason why the Federal Government must always keep their funds in large finacial institutions. Together with Mr. Mfume, Chairman St Germain, and the Banking Committee, I am going to keep a careful watch on the Treasury Department to ensure that it carries out the intent of this amendment.

I urge my colleagues to support this sound public policy initiative.

Mr. ST GERMAIN. Mr. Chairman, will the distinguished chairman of the Rules Committee yield to me?

Mr. PEPPER. I yield to the distinguished gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I would say that the staff of the Banking Committee and many of our members have worked with Chairman Pepper and the gentleman from Florida [Mr. Nelson] on the committee, along with the minority people, the gentleman from Maryland [Mr. Mfume] on my committee, and they agree that what we do is add minorities to the forbearance section.

Mr. Chairman, I know of no opposition. All I know of is acclamation for a job well done, and at this point I would ask for adoption of the amendment.

Mr. MFUME. Mr. Chairman, the motivating fact behind the amendment which pertains to the deposit of Federal funds into minority-owned savings institutions is the same force behind the forbearance provisions offered. The fact is that minority-owned savings institutions encounter weak capital conditions because of their disadvantaged status.

We must, therefore, not only offer forbearance to these institutions, but we must provide the opportunity for adequate participation in the American free enterprise system through stronger capital bases.

A Minority Bank Deposit Program was established in 1970 by Richard Nixon under an Executive order. The program basically provides that when a government agency requires a banking service in an area where minority-owned institutions are located, those institutions would have to be included in the agency's selection process. Millions of dollars in deposits to minority financial institutions have been made each year by Federal agencies as a result of this program.

However, since the creation of this program, there have been numerous attempts to alter and eliminate the program. For example, in 1981, the administration submitted a substantial portion of a U.S. Customs Service account maintained by two minority-owned institutions to competitive bidding. The U.S. Customs Service account was the largest of the 54 accounts that the Federal Government had placed in the Minority Bank Deposit Program. There have been other efforts under the guise of improved cash management which have continually sought to remove Government deposits from minority-owned institutions, Executive order notwithstanding.

This type of action is what has led to past and present efforts to codify the Minority Bank Deposit Program and we are fortunate to have this opportunity to secure that portion that relates to savings and loan institutions—who, among others, are so desperately in need of assistance.

This amendment will allow for expansion of the use of underutilized savings and loans through deposits of Federal funds in the nature of demand deposits or otherwise, and as despositories or financial agents of the United States. The program is consistent with effective cash management, and operates at no cost to the Federal Government.

These savings and loan associations perform a vital and unique service in their respective urban communities. Statistics show that bank branch closings disproportionately occur in lower income neighborhoods and as a result, numerous low- and moderate-income groups are deprived of access to basic financial services, employment opportunities are lost, and deprivation of home finance services and housing opportunities occur.

The time to focus attention to the problems and prospects of minority-owned financial institutions has been long overdue. I ask and I encourage my colleagues to support these amendments and reaffirm this Nation's commitment to provide the opportunity for socially and economically disadvantaged persons to fully participate in and improve the functioning of our national economy. Our communities need these savings and loan associations and we need them to be healthy.

Mr. DYMALLY. Mr. Chairman, earlier today I spoke in opposition to the amendment to grant the FSLIC $15 billion in borrowing authority because I thought it would hurt minority-owned savings and loans. Now I rise in support of a block of amendments that would help to restore to good financial health those minority institutions that now experience a low net worth.

It is my understanding that these amendments are not controversial because they do not grant minority institutions more than other institutions might be able to get in the way of help. They merely guarantee that the minority institutions will not get less help in achieving a recovery than might other institutions.

The amendments do two things. They give minority institutions time to get back on their feet by granting forbearance to institutions with a net worth of 0.5 percent or less and they provide a means by which institutions, including minority institutions, that are now underutilized for Federal deposits will get some of that Federal business. These deposits are expected to improve the capital base of recipient associations and in that way help to strengthen the overall financial status of the associations. To help the Federal Home Loan Bank Board focus a proper amount of attention on aiding minority-owned savings and loans, the amendments would require that the Board's quarterly reports to Congress supply information about efforts being made on behalf of minority-owned associations.

By granting these associations time to get their financial houses in order and by providing avenues by which the institutions might enhance their capital condition, these amendments will give troubled minority institutions a fair chance to survive. And that is all we ask: A fair chance to survive. I commend Mr. Pepper and Mr. Mfume for their leadership in bringing these amendments before us. I urge my colleagues to give minority institutions a resounding vote of confidence. I firmly believe that with a bit of assistance, the minority institutions that are now in a weak capital condition will be able to recover and to continue serving the minority communities of which they are so necessary a part.

Mr. PEPPER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Florida [Mr. Pepper].

The amendments were agreed to.

The CHAIRMAN. Are there further amendments to title II?

AMENDMENT OFFERED BY MR. PARRIS

Mr. PARRIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PARRIS: Page 55, after line 14, insert the following new subsection:

"(d) GAAP ACCOUNTING STANDARDS.—

"(1) GENERAL RULE.—The Board shall, not later than December 31, 1987, prescribe uniform accounting standards consistent with generally accepted accounting principles to be used by all associations for the purpose of determining compliance with any rule or regulation issued by the Board or the Federal Savings and Loan Insurance Corporation to the same degree such standards are used to determine compliance with the rules and regulations of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation.

"(2) ACCOUNTING FOR SUBORDINATED DEBT AND GOODWILL.—No provision of this subsection shall affect the authority of the Board or the Federal Savings and Loan Insurance Corporation to authorize associations or insured institutions to utilize subordinated debt and goodwill in meeting their reserves and other regulatory requirements.

"(3) SUSPENSION OF GENERAL RULE UNDER CERTAIN CIRCUMSTANCES.—The Board may suspend the application of any standard established pursuant to this subsection with respect to any transaction or association if—

"(A) the effect of such application would result in an association and its parent company being treated differently than a bank and its bank holding company considered on a consolidated basis; or

"(B) the transaction was consistent with generally accepted accounting standards when it was completed.

"(4) EFFECTIVE DATE.—The standards required to be established under this subsection shall become effective on December 31, 1987, with respect to each association, except an association that files a plan acceptable to the Board for achieving compliance at the earliest feasible date and in no event later than December 31, 1993.".

Page 55, line 14, strike out the closing quotation marks and the second period.

Page 60, after line 2, insert the following new subsection:

"(d) GAAP ACCOUNTING STANDARDS.—

"(1) GENERAL RULE.—The Corporation shall, not later than December 31, 1987, prescribe uniform accounting standards consistent with generally accepted accounting principles to be used by all insured instititión for the purpose of determining compliance with any rule or regulation issued by the Corporation or the Federal Home Loan Bank Board to the same degree such standards are used to determine compliance with the rules and regulations of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation.

"(2) ACCOUNTING FOR SUBORDINATED DEBT AND GOODWILL.—No provision of this subsection shall affect the authority of the Corporation or the Federal Home Loan Bank Board to authorize insured institutions or Federal association to utilize subordinated debt and goodwill in meeting their reserves and other regulatory requirements.

"(3) SUSPENSION OF GENERAL RULE UNDER CERTAIN CIRCUMSTANCES.—The Corporation may suspend the application of any standard established pursuant to this subsection with respect to any transaction or insured institution if—

"(A) the effect of such application would result in an insured institution and its parent company being treated differently than a bank and its bank holding company considered on a consolidated basis; or

"(B) the transaction was consistent with generally accepted accounting standards when it was completed.

"(4) EFFECTIVE DATE.—The standards required to be established under this subsection shall become effective on December 31, 1987, with respect to each insured institution, except an insured institution that files a plan acceptable to the Corporation for achieving compliance at the earliest feasible date and in no event later than December 31, 1993.".

Page 60, line 2, strike out the closing quotation marks and the second period.

Mr. PARRIS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PARRIS. Mr. Chairman, I yield to the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Chairman, I rise in support of the amendment which my colleague from Virginia, Mr. PARRIS, has offered today. His amendment would require the Bank Board to promulgate regulations, over a 5-year period, that would require our savings and loans to employ accounting principles which are consistent with generally accepted accounting procedures [GAAP]. This amendment will bolster depositor and investor confidence by requring S&L's to phase out the use of the regulators accounting procedures [RAP]. These accounting procedures have, unfortunately, misled the public by overstating the financial health of the savings and loan industry and encouraged mismanaged institutions to take excessive risks. By relaxing reporting rules, RAP has caused the Federal Savings Loan Insurance Corporation [FSLIC] to incur higher losses than would have been the case if the FSLIC had been using GAAP all along.

Up until the late seventies and early eighties, the Federal Home Loan Bank Board [FHLBB] required S&L's to use GAAP. But owing to the interest rate crunch, the Board permitted and even in some cases required the industry to use RAP. Now, with interest rates receding, the FSLIC should adopt GAAP to comply with its traditional regulatory requirements prior to the initiation of RAP in 1981.

The Federal Government requires all Fortune 500 companies and all other segments of the financial services industry, such as commercial banks, to use GAAP. These requirements derive from the belief that GAAP provides the best method of assessing the true financial position of a business entity. The Senate Banking Committee certainly believes that the FSLIC should adopt GAAP, having recently passed a banking bill which requires its adoption. Mr. Ed Gray, the Chairman of the FHLBB, concurs arguing that the industry can no longer survive if it continues to use its present accounting procedures. Thus, it is high time that we also require the FSLIC to use the best accounting methods available, especially at a time when we are proposing to give it billions of dollars in additional bonding authority to recapitalize its insurance fund.

But, Mr. Chairman, in my view this debate is symbolic of the much wider problem of the Federal Government systematically using shoddy accounting procedures to avoid accountability to the people. Currently, the U.S. Government requires no publication of the financing statements of its various entities, and uses the cash basis of accounting for budget authority. This presents some serious problems. According to one of the worlds most prestigious accounting firms, Arthur Andersen & Co., cash-basis accounting "hides the costs of current programs, and results in misinformation and misunderstanding."

Cash-basis accounting keeps track of all the money which an organization receives and pays out, while ignoring money which it will both earn and own in the future. It is an accounting method which was designed to serve the needs of a small business. When applied to the National Government, cash-basis accounting falls short of providing reliable information needed for sound policymaking decisions and therefore creates a clouded financial picture.

A study conducted by Arthur Andersen & Co. compared Government financial statements prepared using cash-basis accounting with statements using GAAP. Under GAAP, the more accurate of the two, the deficit for 1984, for instance, was $148.1 billion higher than under the cash basis of accounting. Arthur Andersen & Co., has furthermore shown that the National Government has been running deficits which have exceeded that reported deficits by over 100 percent and 200 percent during the last decade.

These deficits manifest a profound problem: a lack of accountability of elected officials to their constituents. Members of Congress, under the present accounting methods, are able to adopt programs which provide benefits currently without providing funding until later years. Individual citizens are therefore unable to judge whether their representatives are creating and maintaining programs in a fiscally responsible manner.

Thus, I have recently introduced legislation, H.R. 118, the Truth in Government Accounting Act of 1987, which will make the National Government fiscally responsible to the people. It requires the Government to prepare and make public, for each fiscal year, consolidated financial statements for the United States based on accrual accounting procedures. This will force the Government to stop using the cash basis of accounting and start using GAAP.

Mr. Chairman, I believe that passage of Representative PARRIS' amendment is an important first step in moving our Government in the direction of adopting GAAP for all its entities. I urge my fellow Members to support this amendment and thereby start the process of returning our country to the path of fiscal responsibility.

Mr. PARRIS. Mr. Chairman, the amendment that I offer is very similar to language that is already a part of the Senate's version of the FSLIC bill.

My amendment would have the Bank Board by the end of this year promulgate regulations that would, over a 5-year period, have S&L's use accounting principles consistent with GAAP.

I have always said that RAP is the equivalent of Government "cooking the books." Over the past several years, when thrifts got into trouble, the Bank Board invented a new accounting gimmick so that the true financial picture didn't appear to be as bad as it really was.

Let me give you an example of the distorted picture that RAP projects. RAP would have us believe that there are only 221 insolvent institutions in this country. For the members of this committee that heard the GAO testimony before this subcommittee, they were told that there are 445 GAAP insolvent institutions. As GAO told this committee:

> We firmly believe that S&L's should follow GAAP. Relaxing the accounting and external reporting rules of depository institutions results in a misleading picture of the true financial condition of the institutions and does not solve the economic problems in the industry.

To summarize, relaxing the rules, will not solve the problem. The interest rate crunch that led to the beginning of RAP is no longer relevant, thus the time has long past where we should have departed substantially from GAAP, it is now time for our thrifts to become consistent with GAAP again.

Let me also add, this amendment will go to GAAP in 5 years, but will not prevent the Bank Board from including subordinated debt as regulatory capital, or will it prevent the inclusion of goodwill as capital.

I ask for your support that I be allowed to offer this amendment so that the full House of Representatives will have the benefit of considering this very important issue.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I have discussed this amendment with the gentleman from Virginia, a member of the committee. We are in total agreement on this amendment.

As a matter of fact, it is a perfection of what is already in the bill and I wholeheartedly support the amendment.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Virginia [Mr. PARRIS].

I also want to express my support of H.R. 27, the Federal Savings and Loan Insurance Corporation Act of 1987, and the amendment that was offered by the chairman of the Banking Committee, Mr. ST GERMAIN, and the ranking minority member, Mr. WYLIE to increase the amount of the recapitalization.

Mr. Chairman, the FSLIC is in precarious trouble today; essentially, it is bankrupt. The situation we face cannot be avoided and must be addressed now. The FSLIC is woefully underfunded, and the current situation is not going to correct itself in the near future.

While current estimates may vary, approximately 20 percent of the 3,000 savings and loan associations insured by the FSLIC are regarded as weak. Currently, there are about 272 FSLIC supervisory cases with total assets of $98 billion which are projected to require assistance. The total known cost of resolving the problem cases at this time is between $14 and $17 billion. However, at the end of 1986, the FSLIC's primary reserves had fallen to about $2 billion. For each day that we delay, estimated losses of savings and loan institutions under supervision by the Federal Home Loan Bank Board will climb by $6 to $10 milllon per day.

Although the need to recapitalize the FSLIC is clear, there has been disagreement, both within the Banking Committee and the savings and loan industry on how it should be accomplished. Although the Banking Committee reported H.R. 27 with a 2-year, $5 billion recapitalization, it is insufficient to adequately address the problems in the savings and loan industry.

For that reason, I strongly supported the amendment that was offered by Chairman ST. GERMAIN, which would have provided for a 5-year, $15 billion recapitalization plan. The plan called for in that amendment was similar to the one approved by the House in the 99th Congress. It was also supported by the administration.

I am optimistic that a larger recapitalization would inspire long-term confidence not only in the FSLIC, but the entire U.S. financial system. Many in the savings and loan industry are concerned that a higher recapitalization will be an incentive for regulators to unnecessarily close thrifts that were temporarily hurt, but have a reasonable chance for recovery. Although this concern is perhaps well-founded, I believe it is unrealistic. I would point out that there are specific forebearance provisions in this bill that will give recoverable thrifts a chance to survive. The decisions of regulators will continue to be subject to review and congressional oversight.

Mr. Chairman, I urge my colleagues to reconsider the amendment of the gentleman from Rhode Island [Mr. ST GERMAIN] and in any case, at this stage to support passage of this important legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. PARRIS].

The amendment was agreed to.

Mr. HUBBARD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, because there has been some concern expressed over the scope of the appeal process provisions contained in section 206 of H.R. 27, I wish to briefly state the intent of subsection 206(d), which I authored. As my colleagues know, the appeal process created by section 206 allows savings and loans to appeal informally certain valuation determinations of field examiners to the principal supervisory agents, or "PSAs." It also provides for the appointment by the PSA of a panel of independent arbiters to give expert advice and recommendations to the PSA in the appeal process. Subsection (d) merely adds another measure of informal review in circumstances where the PSA rejects the recommendations of the panel of experts. In such an instance the thrift institution may request the Federal Home Loan Bank Board to review the dispute and settle the matter. Aside from requiring the board to undertake the review, we create no formal process that must be followed.

It is our intent to impress upon the board need for it to fulfill its role as the ultimate regulator for insured institutions. Over the last 2 years, more and more of the examination staff has been placed in the employ of the district banks. While there are advantages to that course of action, it and other recent developments raise concerns about whether the board remains sufficiently close to the examination and valuation process to maintain consistency and predictability. Whether either district bank personnel or the board's own staff are involved in rendering important valuation decisions, we believe that the board itself must participate directly where circumstances warrant.

In particular, we believe it is imperative for the board to respond to the concerns of institutions that arise out of inconsistent conclusions in valuation matters. These inconsistencies may occur between entities at the district level, as in the case of disputes specifically covered by subsection (d); they may occur between districts; they may occur between a district office and the board's own staff in Washington; or they may simply occur as different individuals value the same assets over the course of time and use different valuation methods. While the language of subsection (d) is directed at only a small fraction of such inconsistences, we expect that the board will take serious note of the underlying concern. The board should develop its own process for reviewing such inconsistent conclusions and determinations as they arise. We expect the board to assert some leadership in this regard and to involve itself in valuation matters much more substantially than it has in the past. If it does, no process more formal than that required by subsection (d) need be imposed on it by the Congress.

Mr. BARTLETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, H.R. 27, as reported from the Banking Committee, precludes the Federal Home Loan Bank Board from requiring savings institutions to recognize losses or establish loss reserves in excess of what would be required under generally accepted accounting principles.

The Bank Board's asset classification regulation and appraisal requirements were the main regulatory tools that have given rise to the excessive loss recognition. The Bank Board, however, maintains that classification of assets systems and appraisal standards are regulatory rather than accounting matters.

It is true that appraisal standards for new loans are for underwriting purposes and do not, therefore, come within the accounting realm. However, in evaluating assets currently on the books, the Bank Board is using its appraisal standards as well as the asset classification system to produce losses and write down net worth. Thus, it is incorrect to maintain that procedures that so drastically impact the income and net worth statements are not accounting matters.

Would the chairman confirm that H.R. 27 means what I think it says, that the Bank Board will not require writedowns in excess of what would be required by GAAP, no matter what tools might be used to produce those losses?

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, my colleague from Texas is correct in his interpretation of the intent of this accounting provision of the bill. The Bank Board should rededicate itself to working closely with troubled thrifts so that as many as possible can return to financial health and again be sources of home ownership financing. In the short term, this worthy goal suggests that institutions be able to select, either from RAP or GAAP, those accounting rules which are most conducive to their recovery. In that regard, no situation would require an institution to record losses in excess of what GAAP would produce.

The CHAIRMAN. Are there amendments to title II?

AMENDMENT OFFERED BY MR. LEACH OF IOWA

Mr. LEACH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEACH of Iowa: Page 78, after line 20, insert the following new section:

SEC. 213. GUIDELINES GOVERNING DIRECT INVESTMENTS BY THRIFT INSTITUTIONS.

Before the end of the 60-day period beginning on the date of the enactment of this Act, the Federal Home Loan Bank Board shall—

(1) submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing appropriate new guidelines governing investments by insured insititutions as defined in section 401 of the National Housing Act, and institutions which are eligible to make application to become insured institutions under section 403 of such Act, in equity securities, real estate, service corporations, or operating subsidiaries which—

(A) allow such investments only by institutions which meet the minimum capital requirements established for such institutions; and

(B) except in the case of an institution the deposits in which are insured by the full faith and credit of the State in which such institution is located, limit such investments by any such institution to the lesser of—

(i) an amount equal to 3 percent of assets of the institution; or

(ii) 100 percent of the capital of the institution; and

(2) promulgate such guidelines at the end of such 60-day period.

Mr. LEACH of Iowa (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LEACH of Iowa. Mr. Chairman, what this amendment, which is admittedly antiestablishment, does is simply limit direct investments for FSLIC-insured institutions to 100 percent of capital or 3 percent of assets, whichever is lower. In addition it allows the waiving of these limits in any State where the State legislature agrees to put the full faith and credit of State resources behind S&L's which breach these limits.

I stress this exception because what has happened in the S&L's with the implicit assumption that the full faith and credit of the U.S. Congress would stand behind mistakes made at the State level. This "they err, we correct" syndrome in my judgment should be curtailed.

Recognizing, however, that there is a great deal of sensitivity in this body about States rights, my amendment lifts restraints for any State whose legislature believes that their State's taxpayers are willing to ensure private-sector speculation of the nature adopted by a small percentage of high-flying S&L's.

Direct-investment proponents argue that institutions in difficulty need to profit their way out of insolvency. Those wishing to rein in direct investment practices, however, like myself, believe that what is really implied in the present direct-investment authority is a regulatory incentive for institutions to attempt to gamble their way out of their difficulties, all at taxpayer risk.

Here at this point it should be stressed that a research paper completed by the staff of the Bank Board in February of this year concluded that most of the nontraditional investment powers, including the authority to make direct investments, have proven to be neither superior in return to traditional mortgage lending, nor do they appear to offer significant diversification benefits.

Another Bank Board study completed in the fall of last year found that a grossly disproportionate percentage of thrifts with high levels of direct investment have become FSLIC problem cases, and that those institutions making disproportionate direct investments have created disproportionate liabilities for the FSLIC.

The losses to the FSLIC from these problem cases are estimated at close to $1 billion.

Studies have also shown that it has cost the FSLIC more whenever it must liquidate direct investments compared to traditional investments. The insurance corporation for instance pays 60 to 85 cents on the dollar on liquidated direct investments, in contrast with about 20 cents on the dollar for more traditional investments.

In conclusion, let me just stress that during the course of debate on this issue in the Banking Committee where a similarly crafted amendment was defeated, it was suggested that I might unfairly be singling out the savings and loan industry and the Bank Board in regard to direct investments. What about the Federal Reserve Board, the Comptroller, and the FDIC? Should we not look at these institutions?

Accordingly, let me just state that the joint regulations now in formulation between the FDIC and the Fed are far more restrictive for commercial banks than the limitations being proposed in this amendment. Currently under FDIC guidelines a commercial bank can make aggregate direct investments up to 50 percent of capital. For the Fed, the direct-investment limitation is 25 percent of consolidated capital of the bank and its holding company.

What this amendment does is partially but not totally right the balance in the area of direct investments regarding regulations, and bring the standards of the Bank Board closer in line with those of commercial bank regulatory agencies.

On the basis of competitive equity, on the basis of safety and soundness, I urge consideration of this amendment. If any institution wants to risk more than 100 percent of its capital on direct investment, it should not be allowed to do so at taxpayer risk. This Congress simply has no business playing patsy to a few high-rolling bankers who, rather than supporting homeownership, prefer to speculate on their own account with other people's money. It is depositors, it is individual homeowners, not thrift management and stockholders, who deserve protection implied in Federal deposit insurance.

Mr. HUBBARD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment before us would unduly strengthen the recently adopted regulation of direct investments in real estate undertaken by State-chartered institutions insured by the FSLIC. Variations of this proposal were defeated in both the Financial Institutions Subcommittee—by a vote of 7 to 30—and the full Banking Committee—by a vote of 12 to 36—votes of a magnitude that would normally signal that it should not be brought to the House floor. This amendment deserves to be defeated.

The outcome of this issue raises one of the most critical questions facing the troubled savings and loan industry. The savings and loan industry grew up in a stable, protected environment in which managers could count on a stable relationship between short- and long-term funds, a built-in spread to reward them for making long-term, fixed-rated mortgages.

This environment changed radically not long after Congress attempted in 1966 to guarantee "temporarily" that the savings and loan industry would have an advantage over its competitors in attracting funds from the public to finance housing. By the early 1980's the money markets had become unstable, savers were demanding and getting a market rate of return, and the growings securitization of the mortgage market was attracting new investors to housing investment and diminishing the historic role of thrift institutions.

One segment of the industry has continued through all of these changes to insist that if only Congress and the American people would make a sufficient commitment, happy days could be here again. They have advocated continuing concentration in mortgage lending even as spreads have narrowed. Despite the growing involvement of private investors in housing finance and severe losses among portfolio lenders who have failed to match their assets and liabilities, they argue that portfolio lending is a socially useful activity in which Congress has directed the industry to engage. Therefore, as long as the industry remains committed to housing, Congress has a moral obligation to pick up the losses.

The other major segment of the industry believes that the realities of the market require them to pursue new opportunities to use their mortgage expertise in areas where it is still possible to make money, such as direct investment in real estate. Granted that either philosophy can work when applied by competent management, I am not ready to join those who insist that direct investments are inherently evil. That case has not been made, and until it is made convincingly, I must oppose this amendment.

I remind my colleagues that this bad amendment was overwhelmingly defeated in the Financial Institutions Subcommittee by a vote of 7 "yes" and 30 "no". It was defeated in the full Banking Committee 36 to 12. Please vote "no" today.

Mr. Chairman, in section 306 of this legislation we have required the Federal Home Loan Bank Board to study the effects of direct investments and report back to us. We are also requiring that the Bank Board give Congress advance notice of any changes in its regulation of direct investment.

Section 306 confers no new authority on the Bank Board. Rather, it imposes reporting requirements designed to enable Congress to monitor this area, to fashion restrictions on investments in the least intrusive manner possible, and to keep a closer eye on the Bank Board itself. We are profoundly concerned by the Bank Board's recent tendency to go beyond the prohibition of specific unsafe investments to the prohibition of entire areas of investment. The Bank Board possesses no authority to override State authorities to a greater extent then Congress has chosen to do itself. The Bank Board should focus its efforts on discovering and preventing specific bad investments.

For these reasons and others I could mention, if time would allow, I again urge my colleagues to vote "no" on the Leach amendment.

□ 1800

Mr. SHAW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to clarify a point that is of great concern to me. If I understand correctly, the Federal Reserve Board has closed its public comment period on a proposed regulation which would allow banks and nonbank subsidiaries to become involved in several real estate activities, including investment, development, and even possibly brokerage.

I am concerned first of all, that the Federal Reserve Board proposed this regulation without Congress' approval. Second, I am not even sure that the banking industry should be getting involved in real estate, with the system in its current state.

The other body included a 1-year moratorium on these real estate activities, which I think is enough time for Congress to look into this issue. I would like to address a question then to the Chairman: What is your intention with regard to this moratorium?

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. SHAW. Mr. Chairman, I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, is the gentleman talking about the moratorium that is contained in the Senate bill?

Mr. SHAW. Yes, I am.

Mr. ST GERMAIN. We have not had hearings or anything on this side, so we will probably have hearings at some point in time.

I am not at this point prepared to beat the drums for anybody. We are on the Leach amendment on direct investment here, and we are not considering the Senate bill.

We are considering FSLIC recap period along with forbearance.

Mr. LOTT. Mr. Chairman, will the gentleman yield?

Mr. SHAW. Mr. Chairman, I yield to the gentleman from Mississippi.

Mr. LOTT. Mr. Chairman, as I understand the gentleman's remarks, he is saying the Federal Reserve Board has already closed public comment on its proposed regulation.

For the first time it would allow one-bank holding companies to get into the real estate business, is that correct?

Mr. SHAW. Yes, that is absolutely correct; and this was done without any action being taken by this body or the other body.

Mr. LOTT. If the gentleman will yield just for one brief comment, I think that that would be a big mistake without having an opportunity for hearings to be held and for a study to be made into really what the impact of that would be.

Mr. Chairman, I thank the gentleman for raising this comment here at this time.

Mr. SHAW. Mr. Chairman, reclaiming my time, I would like to say that I do think at this point that the Federal Reserve Board has really stepped on the jurisdiction of the committee; and I would certainly encourage the chairman, the ranking member, and the members of the committee to support the other body so that they would have an opportunity to do this study, to look carefully into it and make a determination as to the advisability of proceeding.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I want to commend the gentleman from Iowa [Mr. LEACH] for offering this amendment. It is an amendment that really needs to be considered carefully as we go down the path in terms of providing necessary extra borrowing authority to the FSLIC.

What the gentleman's amendment recognizes is that in some States they had provided extraordinary direct investment powers to the savings and loans in those States, in spite of the fact that at the national level, we end up insuring them through the FSLIC.

In other words, the State legislatures or the State regulators are giving extraordinary powers, powers to invest on the part of the S&L's not just in the homebuilding industry which we have so often heralded as being their main flagship activity as far as the S&L industry but rather investing in all sorts of exotic-type investments.

The fact of the matter is that there has been no control at the Federal Home Loan Bank Board or that the insurance agency the FSLIC has over these particular institutions.

Today, however, the Federal Home Loan Bank Board should be commended for their action regarding these direct investments and their rules and regulations. A lot of us would find deficiencies in terms of the FHLBB regulatory behavior especially their performance the last few years, but the fact is, this is one area where they have stepped in and tried to deal with the direct investment problem. Because at the root of many S&L problems historically has been the high interest rate, low yield portfolios during the 1970's and early 1980's, all of a sudden we are seeing now, with the additional powers given to the S&L's, the emergence of new problems, problems with direct investment activities which were very poorly capitalized, very poorly conceived; and the result has been a greater degree of failure on the part of those institutions who were most actively involved.

It is precisely these areas of the country where you have the speculative-type investment that have accurred where we find serious problems emerged.

To not address this issue in a bill where we are asking to extend $5 billion in authority or more in terms of special assessments is to close our eyes to something that is very profound in terms of what is causing the problems with S&L's.

I would hope that this body would take the modest approach that my colleague and my friend, the gentleman from Iowa [Mr. LEACH], offers and act on it. This is a tough amendment. The various industries do not favor it.

Mr. LEACH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. VENTO. Mr. Chairman, I will yield to the gentleman from Iowa.

Mr. LEACH of Iowa. Mr. Chairman, I would just like to make one point. I thank the gentleman for his remarks.

In relation to one of the comments of the gentleman from Kentucky, this is not precisely the same amendment that was voted in the Committee on Banking, Finance and Urban Affairs. Because of concern about the dual nature of regulation, posited in this amendment is an exception for any State that wants to ensure these S&L's. With the full faith and credit of that State government behind it, these restrictive provisions are waived, and so if California wants to allow 8-percent direct investment and have the State legislature pass a law that the California State taxpayers will be on the limb for that kind of speculation, that is well and good; but you cannot have States put the burden on the Federal Government to pay the monkey.

I would also stress that given the turndown of the $15 billion assessment, we are looking at a grossly inadequate amount of money to cover this insurance or this industry problem, and if we put on top of that the incentive for this industry to go about and speculate, my gosh, this Congress is going to be facing an awful big deficit in years to come.

Mr. BARNARD. Mr. Chairman, will the gentleman yield?

Mr. VENTO. Mr. Chairman, I yield to my friend, the gentleman from Georgia [Mr. BERNARD].

Mr. BARNARD. Mr. Chairman, I thank the gentleman for yielding.

I just wanted to remind the gentleman that section 306 of this bill was an amendment offered by the gentleman in the well, and this particular amendment which is already in this bill calls for a study of this issue, which indicates that we are not ready to vote on regulating direct investments at this time.

The gentleman in the well agreed that we needed a study. He calls for mandating a study in this bill, and I think that is the way we ought to go.

I supported it. It had the unanimous consent.

Mr. VENTO. I want to thank the gentleman for his support of the study, and other members of the committee. The fact is that the Home Loan Bank Board has already dealt with this particular issue, and I commend them for their limited action.

We ought to wait until the facts are in before we, for instance, permit this to go forward as it is now occurring.

□ 1910

My concern is that we should not act blindly in this case. We should not provide 100,000 dollars' worth of insurance carte blanche to State legislatures, regulators that are permitting all sorts of investments in areas where S&L have no control or knowledge. In other words, the States are dictating to the Congress: "We are going to take the insurance but we do not want direction from the Federal level."

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. VENTO] has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. VENTO. I think that is a major problem, Mr. Chairman. Obviously we need a lot of information in terms of this issue. The fact of the matter is I am opting for a more conservative approach here. Until we have that information, I think we ought to be careful in terms of providing authority to the States and for the regulators to go carte blanche in terms of permitting us to get into all sorts of different investment areas where they have no expertise, this is what they are actually doing, causing great damage and costing the Federal insurance dollars of the Nation. I'm concerned that we don't simply put money blindly into the FSLIC funds without any control. I think we should do what we can to try to stop this hemorrhage of funds.

This is one way to do it, with this particular amendment, until we know, as the gentlemen indicated, what we are doing and what the consequences are.

When the subcommittee held hearings on the current plight of S&L's, overwhelming testimony was presented correlating the linkage between direct investment policies and an institution's economic soundness. In his statement to the subcommittee, Chairman Edwin Gray cited a study of 37 FSLIC insured institutions with direct investments in excess of 10 percent of assets in December 1983. Of those 37 institutions, 21 have since either been closed or are insolvent, or are projected to be insolvent within a year. The Chairman added that these 21 institutions will cost FSLIC $3.5 billion to resolve. In addition, the General Accounting Office stressed the need to maintain direct investment limitations.

Opponents of this amendment will claim that we need more time to study this issue, that direct investment has worked for a few institutions, and that the Federal Home Loan Bank Board has in place adequate safeguards—which ironically many of these same opponents are trying to repeal. I would agree that we need more information. That is why I offered an amendment which is included in H.R. 27 to study the impacts of direct investment. But we shouldn't defer action which deals with existing problems and prevents further problems which are likely to develop. Direct investment problems need to be addressed.

For every story of direct investment profit, there are reports of high risk investments in sperm banks, windmill farms, and race horses, which have led to insolvency. And that means more money taken out of the fund. As Chairman Gray reported, "for failed thrift institutions, each dollar of direct investment increases the cost to FSLIC by 60 to 85 cents."

Mr. Chairman, this amendment is the common sense, cautious approach. As we consider legislation to bail out FSLIC and thrifts, Congress should not sanction those very practices which have helped to precipitate the current crisis. Let us take a conservative approach by adopting this amendment and then revisiting the issue when the study is completed. Such a step will not cripple our thrift industry. What we would do is set in place proven thresholds on direct investment and place the full responsibilities where they belong on the States and thrifts that are advocating these risky policies.

Mr. Chairman, if I wanted my saving invested in racehorses, I would buy one or go to the track. What I would not expect is that my life savings would be wagered on such an investment. It's a practice that depositors don't deserve and should not be turned on the taxpayer by this body. I urge an aye vote on the Leach amendment.

Mr. ST GERMAIN. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Texas [Mr. GONZALEZ], a member of the committee, the birthday boy. Is that 59 or 39?

Mr. GONZALEZ. Thirty-five.

Mr. Chairman, as principal author of the language in title I of the bill, concerning minority participation in public offerings to be carried out under terms of the recapitalization program, I take this opportunity to thank you for your support, and to make clear the intent of this language. You were quick to recognize my purpose, Mr. Chairman, and I commend you for your sensitivity, your leadership, and your help.

The bill and my amendment to it provides that minority owned or controlled investment banking firms shall have an opportunity to participate to a significant degree in all phases of any public offering. My intention in this is that such minority firms will participate as fully as they are capable. This means more than token participation. It means that such firms will be consulted before contracts are entered into for managing or comanaging the offer of offers. It means having a role in managing the offer or offers, and in all other phases: Underwriting, legal, participation in sales, and in any other activities arising from this recapitalization program. In short, the intention is to ensure that truly meaningful, significant minority participation is provided, and that this will extend to minority owned or controlled firms throughout the country.

My use of the meaning of the term "minority" as used in the amended bill is to be construed as it is elsewhere in the bill, which is to say firms owned or controlled by Native, black, Hispanic, or Asian Americans.

Does the chairman agree that this is an accurate description of my intent, and the intent of the committee?

Mr. ST GERMAIN. Mr. Chairman, the gentleman as a sponsor of the minority participation amendment is absolutely correct that the committee intends that participation to be far more than token participation. We used the words "to a significant degree" and in our discussion of the amendment at the time of its offering, we made it clear that minority firms should be utilized to the fullest extent of their capability.

What the gentleman had stated is really spelling out that we are including the entire underwriting process, and most assuredly the gentleman from Texas has correctly defined the term "minority," which I might note will appear elsewhere in this bill as part of the Pepper amendment.

Mr. GONZALEZ. Mr. Chairman, I thank the distinguished gentleman.

Mr. NEAL. Mr. Chairman, I move to strike the requisite number of words and would like to say a few words in opposition to the Leach amendment.

Mr. Chairman, we considered variations of this amendment in subcommittee and in the full committee, and in subcommittee they voted down a similar proposal by a vote of 30 to 7, in the full committee the vote was 36 to 12 against this kind of amendment. The reason for that, Mr. Chairman, is that among the most successful investments of a number of savings and loans are what the amendment calls direct investments. There is no evidence that I am aware of at any time in any place of direct investments being the reason for the failure of a savings and loan.

Mr. LEACH of Iowa. Mr. Chairman, would the gentleman yield to me on that point?

Mr. NEAL. I yield to the gentleman from Iowa.

Mr. LEACH of Iowa. I thank the gentleman for yielding.

Mr. Chairman, the Bank Board itself conducted two studies that indicated precisely contrary to what the gentleman has just indicated. Second, let me stress that even though it is true that some institutions have successfully made direct investments, there is a question of judgment that all of us have to make: Should we as the public back up the risk of private-sector speculators? I say let us do it up to 100 percent of their capital but not up to 101 percent, let alone up to 300 percent.

Mr. NEAL. Reclaiming my time, I think the gentleman wants to make as sure as we can that we have strong savings and loans.

Mr. LEACH of Iowa. Of course.

Mr. NEAL. The point I am trying to make is that a number of savings and loans, a number of the strongest savings and loans in the country right now are those that engage in direct investments. They are allowed under State law. And if we were to halt this practice by this amendment, we would weaken the savings and loans.

The gentleman mentioned some studies that I will have to admit I have not seen. I am aware, though, that a Mr. Scott Taylor, who was at the time in charge of liquidating failed FSLIC-insured institutions, in a letter he wrote to Mr. George F. Rutland, chief executive officer of California Federal Savings and Loan Association, in which he said in the 2 years in which he was in charge of liquidation of failed FSLIC-insured institutions, over 50 institutions were placed in receivership and 26 were so badly scarred that they were being fully liquidated, with over $3.2 billion in historical assets. He goes on to say that these companies did not fail because of misuse of broader asset and investment powers or because of direct investments in real estate. They failed because of fraud, incompetence and criminality which was not deterred or detected early enough and which has little, if anything, to do with the ability to make direct equity investments or with broader asset powers.

He goes on to say that despite strong assertions by some, "I can see no basis to claim that direct investment authority is a cause of increased failure or a risk to the FSLIC." I am just saying that the direct investment, as a matter of practice, as a matter of empirical evidence, has made a number of institutions stronger, not weaker. There is no evidence that that is the genesis of this problem. I certainly urge that we defeat this amendment.

Mr. Chairman, I rise in opposition to the pending amendment, and I would like to address a major issue in this debate; namely, whether direct investments really are riskier than traditional mortgages. I don't really know the answer to this question, but the crucial point is that neither does the Federal Home Loan Bank Board.

So far the Bank Board has failed to demonstrate that direct investments cause savings and loans to fail. What it has done is to resort to some empirical evidence of an association between direct investments and costly failure and to ignore evidence presented by Prof. George Benston of the University of Rochester, that direct investments have actually reduced the risk of failure in many cases and that even when failed institutions had direct investments in their portfolio, they usually made money on them and failed in spite of profitable direct investments.

Mr. Chairman, an example of the kind of evidence the Bank Board has chosen to ignore is a letter sent in November 1985 by Scott Taylor, who at the time was in charge of liquidating failed FSLIC-insured institutions, to George Rutland, chief executive officer of the California Federal Savings and Loan Association, who had testified in support of deregulation on behalf of the National Council of Savings Institutions.

Mr. Taylor said that during the 2 years in which he was in charge of liquidations:

Over 50 institutions were placed in receivership, and 26 were so badly scarred that they are being fully liquidated, with over $3.2 billion in historical assets.

Those companies did not fail because of misuse of broader asset and investment powers, or because of direct investments in real estate. They failed because of fraud, incompetence and criminality which was not deterred or detected early enough, and which has little if anything to do with the ability to make direct investments or with broader asset powers.

Despite strong assertions by some, I can see no basis to claim that direct investment authority is a cause of increased failure or a risk to the FSLIC.

Mr. Chairman, I submit the entire text of the Taylor letter in the RECORD, and I strongly urge my colleagues to vote against this amendment:

FEDERAL HOME LOAN BANK BOARD,
Washington, DC, November 29, 1985.

GEORGE P. RUTLAND,
Chief Executive Officer, California Federal Savings and Loan Association, Los Angeles, CA.

DEAR MR. RUTLAND: I saw your recent remarks testifying before the House Banking Subcommittee on Financial Institutions Supervision. May I express my strong individual agreement with your view (supported by Dr. George Benston's recent study and the National Council's endorsement) that deregulation simply does not cause S&L failures.

For more than two years I have been in charge of liquidating failed FSLIC-insured institutions. During that time over 50 institutions were placed in receivership, and 26 were so badly scarred that they are being fully liquidated, with over $3.2 billion in historical assets.

Those companies did not fail because of misuse of broader asset and investment powers, or because of direct investments in real estate. They failed because of fraud, imcompetence and criminality which was not deterred or detected early enough, and which has little if anything to do with the ability to make direct equity investments or with broader asset powers.

Despite strong assertions by some, I can see no basis to claim that direct investment authority is a cause of increased failure or a risk to the FSLIC. But if regulations do not examine and supervise adequately to prevent and deter wrongdoing, crime, fraud and incompetence will cause increased failures regardless of legal limits on investments. It is difficult to see the wisdom of barring the great majority of sound, well-managed savings institutions from safe and profitable business simply because regulators fail to prevent or deter others from crime.

Please accept my appreciation and support for your remarks.

Very truly yours,
SCOTT TAYLOR.

Mr. Chairman, I include the text of a letter, I, along with several other of our colleagues recently sent to the entire membership of the House. The letter goes into a bit more detail on this issue.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 29, 1987.

DEAR COLLEAGUE: We are writing in advance of floor consideration of H.R. 27, the Federal Savings and Loan Insurance Corporation (FSLIC) Recapitalization Act of 1987, because of serious concerns about an anticipated floor amendment. The amendment, probably to be offered by Congressman Jim Leach, would legislate strict limits on "direct investments," i.e., investments by thrift institutions in real estate, equity securities, and service corporations.

Those types of investments have been specifically authorized by a number of state legislatures and are used by many well-run, state-chartered thrifts to diversify their portfolios and protect against the harmful consequences of wide swings in interest rates. The amendment would etch into law investment restrictions that, by overriding state law, would seriously disrupt the dual banking system. Moreover, the restrictions imposed would be dramatically more stringent than those adopted just last month by the Federal Home Loan Bank Board.

The Bank Board's direct investment limitations—whether one agrees with them or not—are admittedly the product of extensive consideration; the Board established the limitations after months of deliberations, several research studies, volumes of written public comment, and two days of public hearings. Congress, by contrast, has conducted no hearings or studies on these complex and controversial matters. Absent a legislative record, it would be the height of arbitrary action to tamper with the Bank Board's limitations through adoption of the anticipated floor amendment.

The anticipated amendment is ill-advised for other reasons as well. The amendment would prohibit unquestionably well-capitalized thrifts, with capital exceeding three percent of assets, from using even their own capital in making direct investments. Imposing further restrictions on the ability of those institutions to engage in direct investments would be a mistake. Direct investments have provided much needed portfolio diversification and significantly higher rates of return when thrifts have needed those benefits most. Contrary to the arguments routinely advanced in support of rigorous restrictions on direct investments, no study has ever shown that they cause thrift failures.

The Financial Institutions Subcommittee of the House Banking Committee voted down, 30 to 7, a provision similar to the anticipated amendment. The full House Banking Committee then resoundingly defeated this precise amendment by a vote of 36 to 12. The Senate rejected a similar provision during floor consideration of its own version of the legislation. Both bodies were mindful of the paucity of information supporting Congressional action on this matter. We urge you to follow the lead of the House Banking Committee and the Senate and reject an invitation to legislate without careful prior investigation.

Sincerely,
John J. LaFalce, Norman D. Shumway, David Price, Floyd H. Flake, Ben Erdreich, David Dreier, Tom McMillen, Steve Neal, Carroll Hubbard, Richard Lehman, Frank Annunzio, Thomas J. Manton, Doug Barnard, Jr.

Mr. LEACH of Iowa. Mr. Chairman, will the gentleman yield a second time?

Mr. NEAL. I yield to the gentleman from Iowa.

Mr. LEACH of Iowa. I thank the gentleman for yielding to me a second time.

All I can suggest back is that there is in recent testimony presented to the Bank Board, a major study, those institutions with disproportionate direct investments got into disproportionate difficulty, and if those disproportionate difficulties had high levels of direct investment, the losses were greater for the system.

The second point I would stress is even though it is true that some of the cleverer direct investors are doing well by this, that does not mean that our Federal Government ought to be insuring the private sector speculation. I do not think we should. We should be protecting the depositors, we should be protecting those people that make direct home loans, but, by gosh, we should not be protecting individual speculators.

That is what the direct investment rule at the high levels does encourage.

Mr. NEAL. Speculators is a pejorative word, I know, and of course, that is not really what we are trying to do. We are trying to support strong institutions, hope that they will become stronger. We know as a matter of fact that a number of them have become stronger through the direct investment route.

I urge that we defeat this amendment, and I yield back the balance of my time.

Mr. BARNARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I realize the hour is getting late, and we should be moving on to vote, but this is a very serious issue.

I want to associate myself with the remarks of the gentleman from Kentucky [Mr. HUBBARD] and those of the gentleman from North Carolina [Mr.

NEAL]. I cannot emphasize enough that direct investments by thrift institutions is not an area in which Congress should legislate. It is an area in which the regulators should regulate. We are not supposed to be regulators. We are supposed to be legislators. That is where the problem is.

It is the job of the Federal home loan bank to regulate such investments and they must do their job. The Board has examined the issue at length and has developed a rule supported by a record whereas Congress has not examined the issue to any degree. When a similar amendment was offered during the subcommittee and committee markups of H.R. 27, it was resoundingly defeated both times. Members, direct investments are not the cause of the problems facing the FSLIC and thrift industry. Institutions that have failed may have some direct investment. But in no case were they proven to have caused the failure. To the contrary, they allowed well capitalized, well managed thrifts to diversify their portfolios and earn a higher rate of return which helps to ensure stability, and one thing more, profitability. Profitability with other business conditions such as volatile interest rates are fund favorable. Aside from the lack of economic rationale and legislative record, we are faced with additional problems that direct investments are expressly authorized in many States.

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If we substitute the much more restrictive provisions of the Leach amendment for the State law, we will seriously impair our system of dual banking for no known advantage in safety and soundness.

Members, I hope that my colleagues will join with me and the others, Mr. HUBBARD and Mr. NEAL, in defeating this ill-advised amendment.

Mr. Chairman, I yield to the gentleman from California [Mr. PASHAYAN].

Mr. PASHAYAN. Mr. Chairman, I thank my friend and colleague from Georgia.

I should like to offer the observation and ask if the gentleman would agree, lest there be any misunderstanding, that this amendment merely is a repetitious codification of an authority that already exists in the Board. I should like to offer my own view that the legal authority does not exist presently in the Board for it to have proposed some of the direct investment rules that it already has proposed.

I think it is exceeding its authority. I think the Congress has told the Board in many different ways over different periods of time at different forums, please let the Congress make up its mind that the Board is exceeding its authority in attempting to limit severely direct investment as it seeks to deal with its own regulations.

I wonder if the gentleman agrees with that observation.

Mr. BARNARD. Mr. Chairman, if the gentleman will yield, I cannot exactly say I agree or disagree, but I will say that in the last 12 months, the Board has itself contradicted its position. In other words, at one time, they were severely trying to rule out all direct investments, and in December, they passed a new rule which permitted direct investment for well-managed, well-kept institutions. That was a good rule.

But this is what we need to do. We need to leave that flexibility in the Home Loan Bank Board, because that is their job.

When we put it into law, we have become the regulators.

There is no flexibility and it is not for the best interests of the savings and loan industry.

Mr. PASHAYAN. Mr. Chairman, I agree with my colleague that this amendment has far too much detail and the language is of the kind that belongs more properly in regulations than in statutes.

Mr. Chairman, there are two principal objections to the amendment proposed by Mr. LEACH. First, it would run roughshod over the rights of States to govern the activities of the savings and loans they charter. Second, it would shackle the honest well-run institutions that make up the vast bulk of the thrift industry with legislative leg irons forged in response to the actions of a small number of miscreant institutions.

This country has been well served by the dual banking system. The system has enabled State-chartered institutions to serve the special needs of their local economies. It has allowed State regulators to respond to those special needs with carefully tailored regulations.

The diversity of State regulatory efforts and business approaches has enriched the entire banking system. In banking, as in many other areas, the States have often been the laboratories where important new innovations are tested. Diversity among the States is a strength of a Federal system. We cannot allow that strength to be sapped by broad statutory changes aimed at imposing indiscriminate and unthinking uniformity.

In keeping with our duty to put measures in place that will protect the Federal insurance system, Congress has already empowered the Bank Board to prohibit unsafe or unsound practices on a case-by-case basis. The vigorous use of that authority is the answer to the problems FSLIC faces, not the adoption of measures that will undermine our dual system and the beneficial innovation it promotes.

This amendment would also violate basic concepts of fairness. I know that the gentleman from Iowa is well-meaning in his attempt to rein in the fraud that has stripped thrifts of their assets and left FSLIC holding an empty bag. The problem with his amendment is that it restricts an investment activity that many honest, well-run institutions are using successfully to build their financial strength.

For many institutions, direct equity investments provide much needed portfolio diversity and higher rates of return. When carefully chosen, these investments are an important element in maintaining the financial stability necessary to the provision of economical home financing over the long term.

Unfortunately, because some people have abused their authority to make direct equity investments, the amendment would have us narrowly circumscribe the authority of every institution. That simply is not fair. While this amendment may reduce the opportunities of a few frauds and cheats, it will do so at great cost to many exemplary institutions. I urge my colleagues to determine, as the Banking Committee did by an overwhelming margin, that the approach of this amendment is not a reasonable method of curtailing the activities of miscreants and incompetents.

In addition to my concern over the amendment offered here by Mr. LEACH, I wish to clarify my view of section 306(c) of the bill. The section provides that the Bank Board must give the Banking Committees of both the House and Senate advance notice before taking any action to change its regulations on direct investments.

I wish to make it completely clear that this provision should not be taken as an indication that Congress has endorsed or even authorized the Bank Board's current regulations. In fact, those regulations go beyond the case-by-case authority that Congress has vested in the Bank Board to prohibit unsafe or unsound practices. As such, the Bank Board's current regulations are likely to be struck down by the courts. In this legislation, Congress simply seeks to ensure that it receive advance notice of any further attempts by the Bank Board to restrict direct investments in general, rather than remaining within the confines of the case-by-case authority conferred on it by Congress.

Mr. BARNARD. Mr. Chairman, I yield to the gentleman from California [Mr. LEHMAN].

Mr. LEHMAN of California. Mr. Chairman, is it true that we have language in the bill now requiring the Bank Board to study the effect of direct investments?

Mr. BARNARD. If the gentleman will yield, absolutely. It was passed unanimously by the—we all agree that this subject needs to be addressed, but it needs to be addressed after deliberation and study, and that is what is in this bill.

Mr. LEHMAN of California. Mr. Chairman, I thank the gentleman, and going one step further, I agree with his comments. I believe this amendment treats all direct investments as if they were uniformly evil. It limits the activities of sound, well-managed institutions just as if they were the same as the worst ones. It does not treat those who commit fraud any different from those who are running good, sound, well-run institutions.

Mr. BARNARD. Mr. Chairman, that is exactly right.

Mr. LEHMAN of California. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I am opposed to the amendment offered by the gentleman from Iowa. Mr. LEACH proposes to restrict drastically the investment activities of State-chartered savings and loan institutions. The proposed limitations would apply to a broad range of investments even though they have been specifically authorized by State law. The amendment would strike at the very heart of the dual banking system—a system that this Congress has consistently supported.

We have been well served over the years by relying on the States to set the boundaries of permissible investment activities of State-chartered institutions. We should not usurp their authority. The dual banking system fosters innovation and greater responsiveness to local and regional economic conditions. To be sure, FSLIC must have the authority to prohibit a specific unsafe or unsound investment on a case-by-case basis. But that narrow principle cannot justify a statute that simply sweeps aside an entire range of investment authority granted by the states.

This amendment follows the meat-axe approach to regulation. It treats all direct investments as if they were uniformly evil. It limits the activities of sound, well managed institutions just as if they were the worst of the abusers and fraudulent practitioners we've all read about. I cannot support legislation that doesn't differentiate between sound investments and excessively risky ones, and I cannot support legislation that doesn't differentiate between honest thrift managers and frauds.

The bill before us requires the Bank Board to study the effects of direct investments and report back to Congress in 18 months. We should await the results of that study. We might then have a reasonable basis for well-defined legislation aimed at specifically identified abuses. Blindly enacting broad restrictions now could be irresponsible and dangerous. I therefore urge my colleagues to follow the lead of the Banking Committee, which overwhelmingly rejected this amendment.

I have noted that the FSLIC already has the authority to prohibit unsafe investments on a case-by-case basis. I wish to join several of my colleagues who have expressed a concern that such authority should not be expanded to allow the prohibition by regulation of whole areas of State-approved investment activity.

We are requiring by this legislation that the Federal Home Loan Bank Board report to us on the effects of direct investments and on any regulatory changes affecting them. Based on those reports, we will be able to keep a vigilant eye on the Bank Board. I urge my colleagues to reject any regulation, current or future, that attempts to exceed the specific, case-by-case authority of current law.

Mr. BARNARD. Mr. Chairman, I yield to the gentleman from Virginia [Mr. PARRIS].

Mr. PARRIS. Mr. Chairman, I thank the gentleman for yielding. I want to associate myself with the remarks of the gentleman from Georgia in opposition to the amendment.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. BARNARD] has expired.

(On request of Mr. DREIER of California and by unanimous consent, Mr. BARNARD was allowed to proceed for 3 additional minutes.)

Mr. BARNARD. Mr. Chairman, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Chairman, I, too, would like to associate myself with the gentleman's remarks.

I would like to ask the gentleman just one quick question. How many sets of hearings has this Congress held on this issue?

Mr. BARNARD. Mr. Chairman, our committee in banking, the Subcommittee on Financial Institutions, has had none that I know of. If any, few. We have had exhaustive hearings on this subject in the Committee on Government Operations. A report was filed to the Congress on this particular subject, and this report, which has never been refuted, to my knowledge, states emphatically that we could find no substantive reasons that direct investments in and of themselves had ever broken any institution.

Mr. DREIER of California. If the gentleman would yield, with all due respect to your Committee on Government Operations, it seems to me that you are not able to report out legislation which would directly relate to this; is that not correct?

Mr. BARNARD. That is true.

Mr. DREIER of California. Mr. Chairman, I thank the gentleman for yielding, and I believe very much, as the gentleman from Georgia has said, that we cannot make an attempt to micromanage this issue and we should rely on the regulators to resolve it for us.

Mr. BARNARD. Mr. Chairman, I refer to the report of the Subcommittee on Commerce, Consumer, and Monetary Affairs, where it says that:

> Before engaging in rulemaking to extend the direct investment rule, the Bank Board should conduct new and comprehensive empirical studies of thrifts' operating experience with direct investments in the period following implementation of the net worth and ADC loan accounting rules.

This is what we are trying to do in this bill, call for a study.

Mr. ST GERMAIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as the gentleman from Iowa knows, in the past, I would have supported this amendment. However, in view of the regulations adopted by the Home Loan Bank Board, in view, furthermore, of the language in the bill before us requiring a very detailed study and in view of the clause in there that says that prior to changing the regs, they must report to the House and Senate committee, I think that at this point in time, we do have a good handle on what the Home Loan Bank Board is doing.

I am very satisfied with the direct investment regs that they have adopted and I am hopeful that we can wait a little while and see how they work, see how the study comes out and we can revisit it when the study comes back.

I would hope that the gentleman would join me in being patient in that area.

I yield to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH of Iowa. Mr. Chairman, I recognize the likelihood of prevailing against the chairman's opposition is slim, but my patience, and I think the country's patience is going to run out when we see savings and loan systems become stretched rather dramatically in the next several years, based upon information provided to this Congress in the last several weeks.

That is the reason for my pressing this amendment.

Mr. ST GERMAIN. Let me just say to the gentleman that if it came to the attention of this chairman and to the committee that, as a result of abuse of direct investment, I think the gentleman realizes I would be very, very amenable to immediate hearings, looking upon it as an emergency.

Mr. LEACH of Iowa. I appreciate the chairman's concerns. He is one of the more competent chairmen in this body and I respect him very much.

Mr. TAYLOR. Mr. Chairman, the issue we have before us is indeed complex. One need only listen to the well-spoken arguments by those who fall on either side of this issue to know that there is no easy answer. It will therefore take reflection on all available information to make the best choice.

But all the information is not in. In fact, embarrassingly little information is in. Where are the studies upon which we are basing our positions? What did the experts say during our hearings?

The simple facts are that we conducted no studies or hearings. We are being asked to endorse a radical solution even before we have looked at the nature of the problem or determined that a problem really exists. Our ambition to right a perceived wrong must be tempered by calm, informed analysis.

I do not mean to imply that the gentleman from Iowa's amendment is not a sincere effort to deal with a complex problem. My concern is that the problem has not received the level of consideration that it requires. To legislate the specific direct investment limits before all the information is in risks doing more harm than good.

On April 1, the Banking Committee, in rejecting a similar amendment offered by Mr. LEACH, noted that such limits are too easy on those who have been abusing direct investment privileges and too restrictive on those who have done a good job with them. The committee recognized that the Leach amendment would punish the innocent along with the guilty. That type of blunt regulation does not sit well with me, and I would oppose it for that reason alone. There is, however, something else that is troublesome. The amendment doesn't just punish the healthy and the unhealthy alike; it actually hits well capitalized institutions hardest.

Mr. LEACH claims that he would simply require thrifts to use their own money only for direct investment. But his amendment goes much further than that for well capitalized thrifts. Their use of capital would be subjected to more restrictive limitations than those applicable to sick thrifts. Mr. LEACH has called for limits that would prohibit thrifts from having direct investments in excess of 3 percent of assets or 100 percent of capital. If an institution had capital in excess of 3 percent of its assets, it could not use all of that money for direct investment. A well-capitalized thrift with capital equal to 6 percent of assets could use only half of its own money for direct investment.

I urge my colleagues to resist leaping to a flawed solution before we look at the problem. Let us examine the full report on direct investments required by this legislation and then decide whether legislation is required at all.

I wish to note that we have undertaken in this legislation to require the Bank Board to study direct investments fully and to report to us. In addition, we are requiring advance notice of any proposal to modify their regulations on direct investments. It is appropriate that we should do so.

I am especially concerned that the Bank Board has exceeded the authority we have granted to prohibit specific unsafe or unsound actions by specific institutions. I urge my colleagues to be watchful and to oppose any attempt by the Bank Board to regulate any class of investments on the basis that they are unsafe or unsound per se.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. LEACH].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. LEACH of Iowa. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 17, noes 391, answered "present" 1, not voting 24, as follows:

[Roll No. 84]

AYES—17

Clinger
Grandy
Henry
Kleczka
Leach (IA)
Miller (CA)
Morrison (CT)
Petri
Sabo
Schumer
Smith (IA)
Tauke
Vento
Visclosky
Vucanovich
Wortley
Wylie

NOES—391

Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Callahan
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Collins
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de la Garza
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Dorgan (ND)
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Eckart
Edwards (CA)
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Emerson
English
Erdreich
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Evans
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Florio
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Ford (MI)
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Johnson (CT)
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Lipinski
Livingston
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Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
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McEwen
McGrath
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McMillan (NC)
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Miller (OH)
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Morella
Morrison (WA)
Mrazek
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Murtha
Myers
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Natcher
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Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Ravenel
Ray
Regula
Rhodes
Richardson
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Rinaldo
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Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
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Saiki
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Sawyer
Saxton
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Skaggs
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Skelton
Slattery
Slaughter (NY)
Smith (FL)
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Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
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Snowe
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Solomon
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Spratt
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Sweeney
Swift
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Synar
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Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
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Valentine
Vander Jagt
Volkmer
Walgren
Walker
Watkins
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Yates
Yatron
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Bateman

NOT VOTING—24

Ackerman
Annunzio
Atkins
Boner (TN)
Boucher
Brown (CA)
Burton
Combest
Daniel
Foley
Ford (TN)
Garcia
Gephardt
Gray (PA)
Horton
Levine (CA)
McKinney
Nichols
Rangel
Roe
Slaughter (VA)
Stark
Tauzin
Udall

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The Clerk announced the following pair:

On this vote:

Mr. McKinney for, with Mr. Nichols against.

Mr. GREEN changed his vote from "aye" to "no."

Mr. SCHUMER changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. EXIT FEES.

(a) ASSESSMENTS IMPOSED.—Section 21(f) of the Federal Home Loan Bank Act (as added by section 102 of this Act) is amended—

(1) in paragraph (4) by striking out "paragraph (1) or (2)" and inserting in lieu thereof "paragraph (1), (2), or (4)";

(2) by redesignating paragraph (4) (as amended by paragraph (1)) as paragraph (5) and inserting after paragraph (3) the following new paragraph:

"(4) TERMINATION ASSESSMENTS.—

"(A) ASSESSMENT AUTHORIZED.—The Financing Corporation shall, with the approval of the Board, assess a termination assessment on any insured institution which ceases to be an insured institution.

"(B) MAXIMUM AMOUNT OF ASSESSMENT.—The amount of the assessment on any institution under subparagraph (A) shall be the amount which is equal to the sum of—

"(i) the amount which is equal to 2 times the last annual insurance premium payable by such institution under section 404(b) of the National Housing Act (including the amount of any assessment imposed under paragraph (1) of this subsection in lieu of any such premium); and

"(ii) the amount which is the product of—

"(I) the aggregate amount of all accounts of insured members of such institution (as of the date the institution ceases to be an insured institution); and

"(II) 2 times the rate (expressed as an annual rate) at which the supplemental assessment under section 404(c) of the National Housing Act was assessed against insured institutions by the Federal Savings and Loan Insurance Corporation in 1986.

"(C) REDUCTION IN ASSESSMENT ALLOWED FOR WEAKENED INSTITUTIONS.—The amount of any assessment which the Financing Corporation may otherwise impose under this paragraph on an institution (which ceases to be an insured institution) may be reduced by such amount as the Financing Corporation, with the approval of the Board, may deem appropriate when—

"(i) the institution poses a substantial risk to the assets of the Federal Savings and Loan Insurance Corporation; and

"(ii) such reduction is necessary to assist in the sale or other disposition of the institution.

"(D) TIME FOR PAYING ASSESSMENT.—

"(i) DUE WITHIN 30 DAYS.—If an assessment is imposed on an institution under subparagraph (A), the institution shall be obligated to pay such assessment before the end of the 30-day period beginning on the date on which such institution ceases to be an insured institution.

"(ii) SEMIANNUAL INSTALLMENTS WITH INTEREST.—Notwithstanding the requirement of clause (i), an institution may elect to pay the amount of any assessment imposed under subparagraph (A) in semiannual installments during the period beginning no later than the end of the 30-day period referred to in clause (i) and ending no later than the end of the 2-year period beginning on the date such assessment is imposed, together with interest accruing on the unpaid balance of such amount at a variable rate equal to the sum of—

"(I) the bond equivalent yield on 6-month United States Treasury bills; and

"(II) 100 basis points.

"(E) EXIT FEE EQUALIZATION.—If any institution described in subparagraph (F) paid any exit fee, or the equivalent thereof (as determined by the Corporation), before March 31, 1987, the Corporation shall repay to such institution an amount equal to the amount by which the amount of such fee exceeds the amount which such institution would be required to pay if the amount of such fee were determined under this paragraph as of the date of the enactment of this Act.

"(F) PROVISIONS APPLICABLE TO CERTAIN INSTITUTIONS.—Except as provided in subparagraph (E), no assessment under this paragraph or insurance premium under section 407(d) of the National Housing Act may be imposed on an insured institution which, before March 31, 1987, had—

"(i) its status as an insured institution terminated voluntarily, involuntarily, or by operation of law in connection with a conversion into, merger with, acquisition by, consolidation with, reorganization into, or combination by any means with, an institution the deposits of which are insured by the Federal Deposit Insurance Corporation;

"(ii) filed an application or notice with any State banking agency or authority, or with the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Corporation or the Federal Home Loan Bank Board pursuant to a transaction which, upon consummation thereof, will result in the termination of the institution's status as an insured institution in connection with its conversion into, merger with, acquisition by, consolidation with, reorganization into, or combination by any means with, an institution the deposits of which are insured by the Federal Deposit Insurance Corporation; or

"(iii) entered into a letter of intent or a written memorandum of understanding, pursuant to a transaction which will result in the termination of the institution's status as an insured institution in connection with its conversion into, merger with, acquisition by consolidation with, reorganization into, or combination by any means with, an institution the deposits of which are insured by the Federal Deposit Insurance Corporation.".

(b) COORDINATION WITH FINAL INSURANCE PREMIUM.—Section 407(d) of the National Housing Act (12 U.S.C. 1730(d)) is amended—

(1) by striking out "(d)" and inserting in lieu thereof "(d)(1) FINAL INSURANCE PREMIUM.—"; and

(2) by adding at the end thereof the following new paragraph:

"(2) EXCEPTION RELATING TO FINAL INSURANCE PREMIUM.—If an institution (whose status as an insured institution is terminated) pays an assessment to the Financing Corporation under section 21(f)(4) of the Federal Home Loan Bank Act with respect to such termination, the institution shall not be obligated to pay the final insurance premium described in the third sentence of paragraph (1).".

(c) SECTION 404(f) DOES NOT APPLY TO INSTITUTIONS WHICH CEASE TO BE FSLIC INSURED.—Section 404(f) of the National Housing Act (12 U.S.C. 1727(f)) is amended—

(1) by striking out "(f) If" and inserting in lieu thereof "(f)(1) PRO RATA DISTRIBUTION ON TERMINATION OF INSURED STATUS.—If"; and

(2) by adding at the end thereof the following new paragraph:

"(2) EXCEPTION.—In the case of an institution which—

"(A) ceases to be an insured institution; and

"(B) is required to pay an assessment to the Financing Corporation under section 21(f)(4) of the Federal Home Loan Bank Act with respect to the termination of such insured status,

paragraph (1), the last sentence of subsection (e), and subsection (i)(4) shall not apply with respect to such institution.".

SEC. 302. ANNUAL AUDIT OF FEDERAL ASSET DISPOSITION ASSOCIATION.

Section 9105(a) of title 31, United States Code (relating to audits) is amended by inserting at the end thereof the following new paragraph:

"(3)(A) Notwithstanding any other provision of law and under such regulations as the Comptroller General may prescribe, the Comptroller General shall audit the Federal Asset Disposition Association at least once each calendar year.

"(B) The Federal Asset Disposition Association shall—

"(i) make available to the Comptroller General for audit all records and property of, or used or managed by, the Association which may be necessary for the audit; and

"(ii) provide the Comptroller General with facilities for verifying transactions with the balances or securities held by any depositary, fiscal agent, or custodian.

"(C) For purposes of this paragraph, the term 'Federal Asset Disposition Association' means the savings and loan association established by the Federal Savings and Loan Insurance Corporation under section 406 of the National Housing Act to manage and liquidate nonperforming assets on behalf of such Corporation in accordance with such section.".

SEC. 303. PERMANENT EXTENSION OF CERTAIN TEMPORARY PROVISIONS OF LAW.

(a) IN GENERAL.—Part D of title I and section 206 of the Garn-St Germain Depository Institutions Act of 1982 are hereby repealed.

(b) PRIOR AMENDMENT NOT EFFECTIVE.—No amendment made by part D of title I or section 206 of the Garn-St Germain Depository Institutions Act of 1982, as in effect before the date of the enactment of this Act, to any other provision of law shall be deemed to have taken effect before the date of the enactment of this Act and any such provision of law shall be in effect as if no such amendment had been made before such date of enactment.

SEC. 304. EXTENSION OF FORBEARANCE PREVIOUSLY PROVIDED IN THE ACQUISITION OF TROUBLED THRIFT INSTITUTIONS.

Section 408(m)(1)(A) of the National Housing Act (12 U.S.C. 1730a(m)(1)(A)) is amended by adding at the end thereof the following new clause:

"(iv) If, in connection with a merger, consolidation, transfer, or acquisition of an insured institution under this subparagraph, forbearance measures have been included in the agreement governing the supervisory action with respect to such transaction, the period of forbearance in such agreement shall be extended for an additional 5 years upon a showing by the acquiring or resulting insured institution that any failure to meet any requirement, restriction, or limitation specified in such agreement with respect to any such forbearance measure is attributable to the assets or liabilities (of the acquired or merged insured institution) which were acquired by or assumed by the acquiring or resulting insured institution.".

SEC. 305. REAFFIRMATION OF SECURITY OF FUNDS DEPOSITED IN FEDERALLY INSURED DEPOSITORY INSTITUTIONS.

(a) FINDINGS.—The Congress finds and declares that—

(1) since the 1930's, the American people have relied upon Federal deposit insurance to ensure the safety and security of their funds in federally insured depository institutions; and

(2) the security of such funds is an essential element of the American financial system.

(b) SENSE OF CONGRESS.—In view of the findings and declarations contained in subsection (a), it is the sense of the Congress that it should reaffirm that deposits up to the statutorily prescribed amount in federally insured depository institutions are backed by the full faith and credit of the United States.

SEC. 306. STUDY AND REPORTS CONCERNING DIRECT INVESTMENTS.

(a) STUDY REQUIRED.—The Federal Home Loan Bank Board shall conduct a study of the effect of direct investment activities on insured institutions, including comparative analyses of the effect of direct investment activities on—

(1) different sized insured institutions;

(2) State chartered insured institutions;

(3) federally chartered insured institutions; and

(4) insured institutions in each of the Supervisory Examinations Rating Classifications.

(b) Report Required.—Not later than 18 months after the date of enactment of this Act, the Federal Home Loan Bank Board shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, a report containing the findings and conclusions of the Board with respect to the study required under subsection (a), including—

(1) the findings and conclusions of the Board concerning the losses to the insurance fund and the degree to which such losses were the result of direct investment activities with respect to each of the classes of institutions described in subsection (a); and

(2) a comparison of the effects of direct investment activities prior to April 16, 1987, and the effect of such activities after April 16, 1987, for each of the classes of institutions described in subsection (a) and the losses to the insurance fund as a result of such activities.

(c) Prior Reports to Congress on Changes to Direct Investment Regulations.—

(1) In general.—Not less than 90 days before final approval is given by the Federal Home Loan Bank Board to any regulation which repeals or modifies (or has the effect of repealing or modifying) any regulation limiting direct investment activities, the Board shall submit to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report describing the proposed regulation and the reasons for the proposed regulation, including the effect of such regulation on the insurance fund.

(2) Prospective application of rule.—Paragraph (1) shall not apply with respect to Board Resolution Numbered 87-215 and Board Resolution Numbered 87-215A.

(d) Direct Investment Activity Defined.—For purposes of this section, the term "direct investment activities" means activities which are limited under Board Resolution Numbered 87-215 and Board Resolution Numbered 87-215A.

AMENDMENT OFFERED BY MR. KLECZKA

Mr. KLECZKA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Kleczka: Page 78, strike out line 22 and all that follows through page 84, line 6, and insert in lieu thereof the following:

SEC. 301. EXIT FEES.

(a) Assessments Imposed.—Section 21(f) of the Federal Home Loan Bank Act (as added by section 102 of this Act) is amended—

(1) in paragraph (4) by striking out "paragraph (1) or (2)" and inserting in lieu thereof "paragraph (1), (2), or (4)";

(2) by redesignating paragraph (4) (as amended by paragraph (1)) as paragraph (5) and inserting after paragraph (3) the following new paragraph:

"(4) Termination assessments.—

"(A) Assessment imposed.—The Financing Corporation shall, with the approval of the Board, assess a termination assessment on any insured institution which ceases to be an insured institution after April 1, 1987.

"(B) Amount of assessment.—Subject to the provisions of subparagraphs (C) and (F), the amount of the assessment imposed on any institution under subparagraph (A) shall be the amount which is equal to the sum of—

"(i) the amount which is equal to 4 times the last annual insurance premium payable by such institution under section 404(b) of the National Housing Act (including the amount of any assessment imposed under paragraph (1) of this subsection in lieu of any such premium); and

"(ii) the amount which is equal to the product of—

"(I) the aggregate amount of all accounts of insured members of such institution (as of the date the institution ceases to be an insured institution); and

"(II) 4 times the rate (expressed as an annual rate) at which the supplemental assessment under section 404(c) of the National Housing Act was assessed against insured institutions by the Federal Savings and Loan Insurance Corporation in 1986.

"(C) Reduction in assessment allowed for weakened institutions.—The amount of any assessment which the Financing Corporation may otherwise impose under this paragraph on an institution (which ceases to be an insured institution) may be reduced by such amount as the Financing Corporation, with the approval of the Board, may deem appropriate when—

"(i) the institution poses a substantial risk to the assets of the Federal Savings and Loan Insurance Corporation; and

"(ii) such reduction is necessary to assist in the sale or other disposition of the institution.

"(D) Time for paying assessment.—

"(i) Due within 30 days.—If an assessment is imposed on an institution under subparagraph (A), the institution shall be obligated to pay such assessment before the end of the 30-day period beginning on the later of—

"(I) the date on which such institution ceases to be an insured institution; or

"(II) the date of the enactment of the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987.

"(ii) Semiannual installments with interest.—Notwithstanding the requirement of clause (i), an institution may elect to pay the amount of any assessment imposed under subparagraph (A) in semiannual installments during the period beginning no later than the end of the applicable 30-day period referred to in clause (i) and ending no later than the end of the 2-year period beginning on the date such assessment is imposed, together with interest accruing on the unpaid balance of such amount at a variable rate equal to the sum of—

"(I) the bond equivalent yield on 6-month United States Treasury bills; and

"(II) 100 basis points.

"(E) Exit fee equalization.—If any institution paid any exit fee, or the equivalent thereof (as determined by the Federal Savings and Loan Insurance Corporation), on or before April 1, 1987, such Corporation shall repay to such institution an amount equal to the amount by which the amount of such fee exceeds ½ the amount which such institution would be required to pay if the amount of such fee were determined under subparagraph (B) (as of the date such institution ceased to be an insured institution).

"(F) Special rule applicable to certain institutions.—The amount of the assessment under this paragraph which, but for this subparagraph, would be imposed on any of the following insured institutions shall be the amount which is equal to ½ the amount determined under subparagraph (B) with respect to such institution:

"(i) Any insured institution which had an application or notice pending on April 1, 1987, with any State banking agency or authority, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Federal Savings and Loan Insurance Corporation, or the Federal Home Loan Bank Board pursuant to a transaction which, upon consummation thereof, will result in the termination, after April 1, 1987, of the institution's status as an insured institution in connection with its conversion into, merger with, acquisition by, consolidation with, reorganization into, or combination by any means with, an institution the deposits of which are insured by the Federal Deposit Insurance Corporation.

"(ii) Any insured institution which had entered into a letter of intent or a written memorandum of understanding on or before April 1, 1987, purusant to a transaction which will result in the termination, after April 1, 1987, of the institution's status as an insured institution in connection with its conversion into, merger, with, acquisition by, consolidation with, reorganization into, or any combination by any other means with, an institution the deposits of which are insured by the Federal Deposit Insurance Corporation.

"(G) Exception for certain institutions.—Notwithstanding any other provision of this paragraph, section 407(d)(1) of the National Housing Act or any other provision of law, no assessment under this paragraph or insurance premium under section 407(d) of the National Housing Act may be imposed on any insured institution which, during May 1986, filed an application or notice with any State banking agency or authority, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, or the Federal Home Loan Bank Board pursuant to a transaction which, upon consummation thereof, will result in the termination of the institution's status as an insured institution in connection with its conversion into, merger with, or acquisition by an institution the deposits of which are insured by the Federal Deposit Insurance Corporation.".

Mr. KLECZKA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. KLECZKA. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I thank the gentleman for yielding.

Mr. Chairman, I have discussed this with parties on both sides of the issue. At this point I ask unanimous consent that debate on the Kleczka amendment be limited to 30 minutes; 15 minutes for and 15 minutes against.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin [Mr. Kleczka] will be recognized for 15 minutes, and the gentleman from Ohio [Mr. Wylie] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. Kleczka].

Mr. KLECZKA. Mr. Chairman, it should not take the entire length of time. I think the issue is important enough to talk about tonight. If in fact we do not change it today, it will never be changed. What we are talking about are the exit fees contained in the legislation.

The committee bill provides that for any S&L who gave notice that they are leaving the FSLIC fund to go over to the FDIC fund prior to March 31, you will pay no exit fee. So even though you are part of the problem because you are an S&L, you were insured totally; all your deposits were insured. You can get out of town without paying anything in regular assessments, special assessments, or you have no liability for the bonding that is coming down the pike and as adopted today, it is $5 billion for the first phase.

For those who will give intention to leave the FSLIC fund later, the bill provides a 2-year, regular assessment, a 2-year special assessment; so bascially about four-tenths of 1 percent of the assets would have to be paid to help out the FSLIC account. Then you can get out and go to FDIC.

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The problem with that, Mr. Chairman, is that we are going to have a stampede of healthy S&L's get out of the FSLIC account and go over to FDIC, where the premium is about 2½ times less, 2½ times cheaper.

We are told by the FDIC that any healthy S&L who leaves will recap their cost in about 3 years, so even though it is a penalty to leave at 2 and 2, 2 years regular and 2 years special, in 3 years they will capitalize their cost and it is a wise business decision.

The problem with that is that it is going to leave the weak S&L's in the FSLIC account to pay off not only the regular, but the special and also the bonding.

At that time, Mr. Chairman, I will guarantee that they will not be able to get out of that debt and the S&L's in this country, the weak ones remaining, will be knocking on the door of the Treasury for a bailout. There is just no doubt in my mind about it.

The amendment before us at this late hour, and I do apologize for it, I must apologize to my colleagues, I know the hour is late, dinner plans are being ruined. I flew in this morning at 11 o'clock. I have not seen my wife for 4 days. Hopefully, she is still around, so I am not doing myself a favor; but let me say, if we do not talk about this issue and address it today, forever it is behind us.

If you think once the exodus starts, this Congress is going to change the S&L exit fee, if in fact the exodus does occur, which I believe it has and will, we will never change the exit fee. We will never raise the exit fee and that FSLIC account will be weak, weak, and weaker, to the tune of a taxpayer bailout.

I ask my colleagues to seriously consider the amendment which provides for a 4-year special assessment, a 4-year regular assessment that comes out to about eight-tenths of 1 percent of total assets, clearly affordable by any stretch of the imagination, and for those who have given notice prior to April 1st they will be assessed current law, which is a 2-year regular assessment, a two year special assessment.

Mr. Chairman, I ask my colleagues to support the amendment.

Mr. WYLIE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the Kleczka amendment. I think the primary argument of those in favor of raising the exit fee was based on the assumption that the 15-to-5 funding amendment would pass and that there would be a widespread exodus from the Federal savings and loan insurance fund because of the higher amount of recapitalization.

I support the amendment as reported out of the committee. The bill as reported contains a 2-plus-2 exit fee. That means a special assessment fee of one-eighth percent, twice that amount, and a regular assessment of one-twelfth twice that amount, that adds up to four-tenths percent. For an S&L with $500 million in deposits, the exit fee would be about $2.1 million. I think that would deter an S&L which just wanted to get out for the sake of getting out.

Now, the fear is that there might be a widespread exodus if a large exit fee is not included.

The exit fee, as I suggested, on a $500 million deposit account I think would deter. A 4-4 exit fee would be $4.2 million.

I understand the arguments on both sides of this, but the Banking Committee in its wisdom and the subcommittee both reported out a 2-plus-2 exit fee.

I think I will stick with the committee on this issue, Mr. Chairman, and urge a "no" vote on the Kleczka amendment.

Mr. KLECZKA. Mr. Chairman, I yield 3 minutes to the gentleman from Delaware [Mr. Carper].

Mr. CARPER. Mr. Chairman, I hold in my hand before you a list of 1,000 savings and loan institutions in this country. There are approximately 3,000 savings and loan institutions in this country. Of those 3,000 institutions, one-third of them have sufficient net worth that they may qualify for FDIC insurance.

My worst fear is that the healthy one-third of the savings and loan institutions represented by the S&L's on these sheets of paper will simply pay the very modest exit fee that is in this bill and switch to FDIC insurance. The fee amounts to not even one-half of 1 percent of deposits.

If I were in their shoes, I would take one look at this opening, and I would run right through it.

The exit fee that is in this bill invites, literally invites, the healthy S&L's within the industry to switch to FDIC insurance. Even if only half of them accept that invitation, they will leave with FSLIC insurance the marginal performers, the weak sisters and the weak brothers, not a very promising prospect for a viable FSLIC. As a result, I suspect that we will all be back to face this issue sooner, rather than later, because of the inadequacy of the exit fee.

The gentleman from Wisconsin offered this amendment in the subcommittee. He offered this amendment in the full committee, and each time we voted on it, the margin got closer and closer as more people came to understand exactly what is at stake here.

Mr. Chairman, this amendment deserves to be supported. I am happy to rise in support of the amendment of the gentleman from Wisconsin, and I would urge its adoption.

Mr. WYLIE. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. Barnard], the author of the amendment in the committee.

Mr. BARNARD. Mr. Chairman, if I could just have your attention for one brief second, I rise in opposition to this amendment which was defeated twice, both in the subcommittee and in the full committee.

The fact that it got closer and closer is immaterial. It was defeated both times.

Mr. Chairman, this amendment is punitive. It is coercive and it would prohibit a practice which has been possible, though not common, for 50 years, and that is converting from a thrift to a commercial bank.

Now, I sympathize with my colleague, the gentleman from Wisconsin, but I must say that we need to stick with the full committee. At this late hour, please have confidence that this committee has given this measure full attention and this 2-plus-2 penalty which is in this bill is fair.

The conjecture is made that we will promote FSLIC flight, that we are just going to have them leaving the Federal Savings and Loan Insurance Company. That is not true.

The projection is made that this 2-plus-2 was going to contribute to the failure of the recapitalization plan, and that is not true.

The fact is, I would like to indicate that the Under Secretary of the Treasury, Mr. Gould, who is the author of this recapitalization plan, said on February 9, "I would stress that an exit fee is not essential to the financial integrity of our FSLIC recapitalization plan." That opinion evidently has not changed because we have not seen any new direction from that.

Let me say this. We should realize that the 4-plus-4 amendment being offered, we hear that it is less than 1 percent of deposits, but let me translate that into a different category. The penalty may be less than 1 percent of deposits, but it is 17 percent of net worth, so you are asking a savings and loan who wants to convert to sacrifice 17 percent of its net worth in order to make this change.

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And let me say this: Changing from FSLIC to FDIC is not a revolving door. As someone said, it is not a yellow path. Let me tell you what has to be done in order to change. To convert to commercial banking involves increasing your tax liability; more stringent asset structures; increased capital requirements; more limited holding company activities; decreased service corporation opportunities; sacrificing the whole favorable structuring of outstanding loans or advances from the Federal home loan banks; meeting the stiff prepayment fees on those advances if they are paid off early, which would have to happen if converting to a commercial bank; and contending with State law restrictions on commercial banks which do not affect savings and loans.

I could go on and on of these factors inhibiting people from leaving FSLIC, but the detail would be as long in each case as the one that I have selected, which I will not enumerate, and that is on the payment of taxes.

There is even less need to increase the exit fee now that the will of the Congress has been to reduce the funding to $5 billion. Now is no time to be punitive and coercive, and that is exactly what this amendment would do. If Members have noticed the literature that they have received from those supporting this bill, there has been no support for the 4-year penalty by the U.S. League, the National Council of Savings, the Treasury, or the administration.

So I urge Members to please stay with the committee, stay with the 2-plus-2 exit fee.

Mr. Chairman, I rise in opposition to the amendment by the gentleman from Wisconsin. In the end, it is punitive and coercive and would prohibit a practice which has been possible, though not common, for 50 years-converting from a thrift to a commercial bank.

I know my colleague does this in good faith. However, I must stick with the way this was worked out in the full Banking Committee, on a 27 to 20 vote, and in the Subcommittee on Financial Institutions Regulations, Supervision and Insurance. In short, the provisions have withstood two full scale attempts to do what Mr. Kleczka wants.

He believes the higher figure will prevent FSLIC flight. Well, there is really no FSLIC flight. Indeed, even if there was, the Treasury feels, on the basis of the Bank Board's own estimates, that 15 percent of the assets of the industry could leave without the recapitalization plan being sunk.

Further, the National Council of Savings Institutions, whose members represent about $450 billion in thrift assets fully supports the committee position and wrote Mr. St Germain and Mr. Wylie to that effect on May 1, 1987. The U.S. League of Savings Institutions appears from its testimony to be neutral on the issue.

Indeed, even Treasury Undersecretary Gould, in large part the author of the plan, wrote to Chairman St Germain on February 9, of this year:

"I would stress that an exit is not essential to the financial integrity of our FSLIC recapitalization plan." That opinion has apparently not changed. Indeed, I believe that in the Treasury Department's last letter of today, there was no mention of exit fees at all.

Mr. Kleczka offers an amendment which would raise that to what is called 2-plus-2 which is four times the regular premium assessment and four times the special assessment, which converts into about 0.80 percent of all insured deposits; or 17 percent of net worth.

The theory behind his amendment is that it would discourage healthy thrifts from leaving the FSLIC to escape paying the costs of the entire recapitalization plan.

I do not believe that even if we were dealing with simple numbers, that his theory has merit. I will get around to the exit fee figure arguments at the end.

However, first, we should realize that there are many incentives to stay with FSLIC and remain a savings and loan which would discourage if not prevent the kinds or results that the gentleman from Wisconsin fears. This is true, even given the burdens of FSLIC recapitalization, and even if the funding figures is set at $5 billion or $15 billion.

They include that converting to commercial banking involves:

First. Increased tax liability;

Second. More stringent asset structures;

Third. Increased capital requirements.

Fourth. More limited holding company activities;

Fifth. Decreased service corporation opportunities;

Sixth. Sacrificing the whole favorable structuring of outstanding loans or advances from the Federal home loan banks;

Seventh. Meeting the stiff prepayment fees on those advances if they are paid off early which would have to happen if converting to a commercial bank; and

Eighth. Contending with State law restrictions on commercial banks which do not affect savings and loans.

I could go into detail on each one of these factors inhibiting people from leaving FSLIC. The detail would be as long in each case as the one I have selected, due to time constraints, as an example—taxes.

When a thrift institution leaves the FSLIC by converting to a commercial bank, the Tax Code provides that the thrift's bad debt reserve must be recaptured. Recapture requires the converted thrift to report as taxable income the difference between the amount of the reserve for bad debts it had accumulated over all those years as a thrift and the amount it would have been entitled to accumulate as a commercial bank.

This is not the end, however. The Tax Reform Act of 1986 further provides that the bad debt reserve of a commercial bank with assets of over $500 million must be recaptured and reported as income over a 4-year period. This means that if a large thrift converts to a commercial bank charter, it will be required to pay tax on all of its bad debt reserve.

In the face of this tax situation, plus all the other detractions of converting, the idea there will be a massive exodus from FSLIC simply does not seem realistic.

I realize that the FHLB system makes much over the fact that several conversion applications have been put in the works. This, the system maintains, shows what will happen with a low-exit fee. However, I have examined a number of these situations. For instance, Glendale Savings and Loan has written a letter of intent to convert. However, its chairman has said that because its good will accounts were so large it would have difficulty qualifying for FDIC insurance. Further, he stated that its two-State operation—Florida and California—made it difficult to convert Glendale into a bank.

The question remains as to what benefit there is from a 2-plus-2 formula. Even though a higher figure is not needed, why not just set a high one? My reasoning is that there should be some flexibility in the system. For instance, some FDIC insured savings banks have acquired failing S&L's and are thus operating under two separate sets of regulations. These institutions should not be prohibited—and a 4-plus-4 formula, when coupled with the other negatives, I have mentioned would be a de facto prohibition—if they want, from converting their FSLIC subsidiaries to FDIC. This would be a means of improving the overall efficiency of their banking organizations. The committee 2-plus-2 formula is quite reasonable while something of a deterrent is not a flat prohibition.

Additionally, I am interested in putting some substantial limits on the FHLBB. Some of the exit fee charges have just been too much. In one Florida case, the judge said of such a charge:

> That's extortion. You can have our approval to change your method of operation if we can extort X number of dollars out of you. I think that's criminal.

Finally, I would like to note that since the special assessment of ⅛ of 1 percent on deposits is scheduled to be phased down over 5 years, at a 20 percent decline per year, by the third year, it comes cheaper to stay in FSLIC than to leave even under the 2-plus-2 formula.

For all these reasons, I plead with the House to support its committee's version and oppose the amendment. Indeed, since we have voted for the low funding level of $5 billion for 2 years, I cannot see how this amendment makes sense. No one is going to leave with a limited recapitalization burden like we have now.

Mr. KLECZKA. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I rise in support of the Kleczka amendment. You see what we have done. We have allowed the savings and loan industry to come up with a 2-year, $5 billion plan that they know is not adequate. They know. They know that they are going to have to be back next year and/or the year after that. It is not enough.

Those in the industry who are able to move now are under added pressure to do so. When they move, what happens? The strongest, the best, the biggest, the most profitable members of the S&L industry will leave the FSLIC fund. That hurts us both ways. We lose on our 2 and 5 year fees, and we weaken the industry itself.

The reason why Kleczka is important is that it puts a responsible exit fee to make sure that the industry hangs together. Without Kleczka, I will tell you what will happen. The biggest guys, the best, the most profitable, will leave the industry with the weakest, the least profitable, and we will be back sooner than next year or the year after, and the job will be much tougher.

I know these issues escape—and I say this gently—many Members who do not work in the esoteric area of the banking industry. I understand that, and I know that it is tough sometimes to come in cold and understand what is at hand. What is at hand here is that we have moved on 2 and 5, and left the window open for the biggest boys in the industry to leave the ship. If we are not careful, there will not be enough money in the industry to save the ship, and the taxpayers' money will follow.

Support Kleczka; he is right.

Mr. WYLIE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. TORRES. Mr. Chairman, will the gentleman yield for a question?

Mr. DREIER of California. I yield to the gentleman from California.

Mr. TORRES. Is it not a fact that Treasury Under Secretary George Gould, the author of the FSLIC recapitalization plan, has stated that an exit fee is not essential to the integrity of the FSLIC recapitalization plan?

Mr. DREIER of California. That is absolutely right.

Mr. TORRES. And is it not a fact an exit fee of 2-plus-2 or 42 basis points exceeds what the average of the entire thrift industry earned on its 1985 assets?

Mr. DREIER of California. Yes, that is absolutely true.

Mr. TORRES. Would not an exit fee that is too high amount to what I would cite as an analogy a "Berlin Wall" and discourage new capital from coming into the industry?

Mr. DREIER of California. Yes, that is true.

Mr. TORRES. I thank the gentleman.

Mr. DREIER of California. Mr. Chairman, the problem that we have is that everyone is talking here about what we have got to do to keep people in the savings and loan business, but we are not doing anything at all to encourage people to get into this industry, and in fact moving from the 2-plus-2 penalty, which is in fact a penalty in itself, up to 4-plus-4, all we are doing is discouraging new capital from coming into the savings and loan business, and I think that it would be a real mistake. I urge a "no" vote on this amendment.

Mr. KLECZKA. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I ask for this time to express my support for the amendment and to engage in a colloquy. I would like to clarify a point with respect to the provisions in the gentleman's amendment dealing with grandfathering. It is my understanding that a savings and loan association that terminated its insurance under section 407 of the National Housing Act as the first step in a transaction resulting in its acquisition by an FDIC-insured institution would be grandfathered by subsection (G), and would not be required to pay any fee under section 407(d) or otherwise, if it filed an application with the appropriate State banking department or federal regulator during May 1986. Is that the case under the gentleman's amendment?

Mr. KLECZKA. The gentleman's understanding is correct.

Mr. VALENTINE. Mr. Chairman, I thank the gentleman.

Mr. KLECZKA. Mr. Chairman, I yield 1 minute to the committee chairman, the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. ST GERMAIN. Mr. Chairman, with respect to the previous colloquy, the chairman has doubts about that which was enunciated, and for that reason I felt that I should put it in the RECORD immediately after the affirmation by the gentleman from Wisconsin [Mr. KLECZKA]. I shall be looking at it further between now and the time we go to conference.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, when the House Banking Committee considered this legislation, there was considerable debate about the appropriate levels of exit fees. A balance was sought which, while not precluding healthy thrifts from leaving FSLIC, did give a thrift pause before acting to leave the FSLIC. The current exit fee of 2-plus-2 is inadequate as a resonable deterrent.

With the modification of H.R. 27, the need for a more stringent exit fee is clearly needed. The gentleman from Wisconsin's amendment fills that void.

Mr. Chairman, we can speculate as to which S&L will seek to opt out of FSLIC. But, we cannot deny that there will be those who do seek to leave. If you were an operator of a thrift institution and were faced with the prospects of record number failing institutions and a Government policy that drove away new investment funds while refusing to clamp down on unwise management policies, what would you decide? Would you want to be left with the uncertainty gripping the future of the FSLIC soundness? Sound, conservative business sense will likely dictate that such financial institutions will be to withdraw from FSLIC, providing more certainty and predictability. An effective exit fee will prevent that from happening.

Without the Kleczka amendment, many healthy thrifts will withdraw and FSLIC will enter into a never-ending tailspin dragging our Government and likely the taxpayers deeper and deeper into the morass. The 4-plus-4 amendment will set up an adequate hurdle to deter a mass exodus from FSLIC. And frankly, that is what we need. To maintain FSLIC, we need a healthy base. Without this amendment, that base will be less certain and likely to erode.

I urge members to support the Kleczka amendment.

Mr. WYLIE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LEHMAN].

Mr. LEHMAN of California. Mr. Chairman, I rise in opposition to the amendment of my good friend from Wisconsin and my colleague on the Banking Committee. I know that his intention here is admirable. We all want a sound, secure insurance fund. However, I do not share his version that this bill will do anything at all to harm that.

This issue was thoroughly discussed by the full Banking Committee and a variety of exit fee schemes were debated. Ultimately the committee approved the exit fee scheme embodied in H.R. 27.

The 2-plus-2 exit fee approach is reasonable and prudent. Two years of regular assessments and 2 years of special assessments constitutes a very healthy price for any thrift wishing to exit the insurance fund and it is not a decision which will be made lightly.

As has been stated by the gentleman from Georgia [Mr. BARNARD], what we already have in the bill amounts to 8½ percent of a company's net worth. The language in the Kleczka amendment would increase that to an unreasonable 17 percent.

The 2-plus-2 exit fee scheme will not result in a mass exodus of thrifts from FSLIC. There is clear evidence that less than 13 percent of the thrift industry can meet the capital requirements of the FDIC and would even be able to leave FSLIC. Furthermore, George Gould, Undersecretary of the Treasury, has indicated that at least 15 percent of the industry's assets could leave the fund without threatening the financial integrity of the FSLIC recapitalization plan.

Finally, there are very clear structural reasons why a healthy thrift would not abandon its thrift charter for a commercial bank charter: these include higher capital requirements; increased tax liability; more limited holding company activities; and restrictions by State laws. I would point out that S&L's in California could not even take advantage of the 2-plus-2 under existing law.

Exit fees are not integral to the success of the FSLIC recapitalization plan. High exit fees will discourage potential buyers of troubled thrifts who someday may decide to convert these charters. Why should a potential thrift buyer be forced to encumber this exit fee obligation?

The concept of exit fees are to penalize well-run, high net worth thrifts in the worst way—by eliminating their option to leave the fund. We need good, sound banking regulations. If there is no option open but to remain in the fund, the FHLBB will have a captive audience to experiment with and no incentive to be reasonable.

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The CHAIRMAN. The gentleman from Wisconsin [Mr. KLECZKA] has 3 minutes remaining, and the gentleman from Ohio [Mr. WYLIE] has 4 minutes remaining. The gentleman from Ohio has the privilege of closing debate.

Mr. WYLIE. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. ERDREICH].

Mr. ERDREICH. Mr. Chairman, I thank the gentleman for yielding me this time and I rise in strong opposition to the amendment of the gentleman from Wisconsin [Mr. KLECZKA].

As was said earlier, Mr. Chairman, I think exit fees, indeed any exit fee, is a punitive fee that is being imposed in this instance by this measure as a heavy hand of Government to try to take the place of what should be a market decision as to whether any of these entities want to make a decision on their own based on market forces to change the style of the institution that they are.

I think that the 2-plus-2 went too far, in my judgment. But the bill came out of the committee at that level, Mr. Chairman, and I would urge defeat of 4-by-4. It is punitive and it will injure the system in the long term. We need to defeat the measure.

Mr. KLECZKA. Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA].

Mr. Chairman, the fact is we have to look at the variation between what the fees are for the FDIC, which is, of course, where the thrift institutions are transferring out of the FSLIC fund, and the fact is that the fees currently in the FSLIC are 2½ times as high as the fees would be in the current FDIC.

If we permit, for instance, under this legislation the type of penalty that is being discussed for exits, we are going to have many healthy institutions, I predict, that are going to take that path. The fact is, I understand that being in the insurance pool with regard to the FSLIC gives a little discomfort. There is uncertainty. There is no predictability, and a lot of these companies would like to buy their way out of this particular fund with this exit-fee payment.

The fact of the matter is, though, that those that remain will be those that can afford to buy their way out, those that have serious problems, and the end result, of course, will be that that fund is going to have to either borrow more money, increase the assessments, or ultimately come back to the Congress and ask for an infusion of funds.

Mr. Chairman, I suggest it is much more rational over this period of time we are having this stress in terms of the FSLIC fund to maintain the position and try to encourage the funds to remain and the assessments to remain being paid into the fund.

Mr. WYLIE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. SHUMWAY].

Mr. SHUMWAY. Mr. Chairman, I thank the gentleman for yielding me this time.

Let me address one part of this debate, and that is the estimates about how many thrifts may leave the system and move over to FDIC.

We had testimony in the Committee on Banking, Finance and Urban Affairs that actually not more than 15 percent of the thrift industry would even qualify to join the FDIC.

I know some of you are probably worried about what happened last March 31 of this year. There were a number of large California S&L's that announced their intentions of switching from FSLIC to FDIC.

Let me point out that this was done purely as a defensive measure, a step taken in legal prudence, because the language of H.R. 27, which had been released just a few days before, allowed the potential for the transfer from funds without any exit fee, if an institution had a letter of intent, a memorandum, and it filed with the regulators any paper evidence of the fact that they had shown intent to transfer, so in an exercise of legal prudence they did that. It really did not mean they wanted to leave the system, but they were simply complying with what they thought the law would be.

I urge rejection of the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. KLECZKA] has 1½ minutes remaining; the gentleman from Ohio [Mr. WYLIE] has the right to close debate.

Mr. WYLIE. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. PARRIS].

The CHAIRMAN. The gentleman from Ohio [Mr. WYLIE] would have 1 minute remaining after this.

Mr. PARRIS. Mr. Chairman, I thank the gentleman for yielding me this time.

I think, ladies and gentleman, we ought to consider what we have done. We have adopted a measure here today that will make it impossible, a woefully inadequate solution to the problem.

What we propose to do is to increase the exit fees, so we will exacerbate the problem of healthy banks acquiring unhealthy thrifts. I do not think we want to do that.

We want the opportunity to save the thrift industry to the maximum extent possible; and as we jack up the price of a healthy financial institution to help bail out some of our neighborhood savings and loans, we are doing it exactly in a backward fashion if we in fact increase the exit fees.

Mr. BARNARD. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I yield to the gentleman from Georgia [Mr. BARNARD].

Mr. BARNARD. Mr. Chairman, I thank the gentleman for yielding.

Let me say that it has been said this afternoon that the FSLIC is 2½ percent that of FDIC.

Mr. PARRIS. Two and a half times.

Mr. BARNARD. What that is is a special assessment, and that special assessment is phased out in this bill.

The CHAIRMAN. The gentleman from Wisconsin [Mr. KLECZKA] is recognized for 1½ minutes.

Mr. KLECZKA. Mr. Chairman, very briefly in conclusion, the gentleman from Virginia indicated that if we did not go $15 billion amendment at the beginning of the debate, there would be a race to the Treasury for a bailout, and that is exactly what is going to happen if in fact this exit fee is not sufficient enough to provide for some decent receipts for the FSLIC account.

Now, if in fact we are to believe the opponents of the amendment that in fact thrifts are not going to lose or not leave FSLIC, then why are they objecting to the higher exit fee? Because they know darn well that with a higher exit fee, some are going to be forced to stay around and pay their portion of the insurance fund.

We are told that for 50 years, FSLIC-insured S&L's were transferring over to FDIC. You bet they were.

You know what they were doing. They were paying an exit fee.

Current law provides for an exit fee. In fact, some of the most recent changes to the FDIC, the S&L's involved paid almost a 10-year exit fee, that high; and none of them ever went to court to protest that, so that is not really accurate.

If in fact we wanted to provide for a healthy FSLIC account, I think we should ask that those people in Wisconsin with healthy thrifts stay in the account.

They told me as recently as Saturday that they are getting out, be it $5 billion, $15 billion, the exit fee is forcing them out.

The **CHAIRMAN**. The gentleman from Ohio [Mr. WYLIE] is recognized for 1 minute.

Mr. **WYLIE**. Mr. Chairman, I think probably some exit fee is needed. The question is, of course, how much?

I do not think it should be so high as to prohibit legitimate withdrawals. We do not want to discourage savings and loans, on the other hand, from exiting if, as the gentleman from Viriginia indicated, they could be helped and the system itself could be helped.

As a matter of fact, some failing institutions in the State of Ohio converted to FDIC, and it helped the depository system as a whole. I think 4-plus-4 exit fee is punitive and I urge a "no" vote on it.

Mr. MANTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA] that would increase the exit fee assessed on thrifts that withdraw from the FSLIC system. This amendment would reverse the position adopted by the Banking Committee on this very important issue.

Mr. Chairman, the plight of the FSLIC is by no means a new phenomenon. There is no reason to believe that there will be a mass exodus of healthy savings and loan associations converting to FDIC-insured banks. Over the last 2 years, while the Congress has been debating the precise nature of the FSLIC recapitalization bill, less than 10 thrifts have converted to FDIC coverage. Thus, there is absolutely no reason for the Congress to depart substantially from the 50-year history which has permitted depository institutions to convert freely from FSLIC to FDIC insurance and vice versa. The so-called 2-plus-2 exit fee agreed upon by the Banking Committee was not arrived at lightly and is more than adequate compensation to the FSLIC for those relatively few thrifts eligible to convert to FDIC coverage.

Mr. Chairman, I join with the distinguished gentleman from Georgia [Mr. BARNARD] in urging our colleagues to support the committee bill on the subject of exit fees. I would also like to take this opportunity to commend the chairman of the Banking Committee, the gentleman from Rhode Island, for bringing this complex legislation to the House floor in a manner that permitted maximum participation by committee members.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA].

The amendment was rejected.

Mr. **ALEXANDER**. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to engage in a short colloquy with the chairman of the committee, and to bring to his attention an alleged impropriety that may have occurred in the State of Arkansas of the institution formerly known as the First South Corp. Savings & Loan.

The First South Savings & Loan has subsequently gone into receivership and is now managed by FSLIC.

There are two instances that I would like to bring to the attention of the Chairman. One involves accounts by couples, a man and wife, where more than two accounts had been opened.

I would like to advise the Members that this will not take but just a minute.

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It is alleged that the officers of the former First South Savings & Loan Association represented that a couple which opened more than two savings accounts would receive coverage of $200,000 for the multiple, $100,000 for each of the depositors. Subsequently it has been determined that the depositors will not receive that coverage.

The second case is in the instance of accounts opened by a rural water association. It was understood that each member of that association, whose meter deposit was contained in one of these meter accounts, would receive coverage of $100,000. Mr. Chairman, I bring these matters to the attention of the committee and I ask the chairman if he is in a position to investigate these allegations and to take appropriate action to represent the public interest which is the interest of the depositors in this instance.

Mr. **ST GERMAIN**. Mr. Chairman, will the gentleman yield?

Mr. **ALEXANDER**. I yield to the gentleman from Rhode Island.

Mr. **ST GERMAIN**. I thank the gentleman for yielding.

I would say to the gentleman we have discussed both of these situations and it is unfortunate that, if indeed in the case of the testamentary trust as well as the case of the rural water association that they were given what obviously was false information, and whether or not they were lulled into a sense of security remains to be seen. Certainly they have available to them in both instances the legal process. By the same token, I would be happy to have the committee staff, as well, look into the situation and determine if anything could be done short of legal proceedings. But I must say to the gentleman that at first blush I have my doubts. We certainly will have the committee staff look into it.

Mr. **ALEXANDER**. I thank the gentleman for his assurances. I thank the gentleman for his leadership.

Mr. **PRICE** of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the gentleman from Rhode Island [Mr. ST GERMAIN], chairman of the committee, in a colloquy.

Mr. Chairman, as sponsor of section 211(a), I want to thank the chairman for his cooperation in incorporating this section into the bill and to ask a few questions that will clarify its intent. Is it the chairman's understanding that section 211 of this act is designed to end the costly and time consuming delays associated with applications submitted to the Bank Board for approval or disapproval?

Mr. **ST GERMAIN**. Mr. Chairman, will the gentleman yield?

Mr. **PRICE** of North Carolina. I yield to the gentleman from Rhode Island.

Mr. **ST GERMAIN**. I thank the gentleman for yielding.

Mr. Chairman, that is correct.

Mr. **PRICE** of North Carolina. And it does this by requiring the Bank Board, within 60 days of enactment of this act, to promulgate time limits on its responses to each type of application presented to the Board for approval. An exception is made in the case of an application for additional debt issuance by a savings and loan holding company. For this application, section 211(b) sets a specific deadline of 60 days.

Mr. **ST GERMAIN**. Yes. The Bank Board itself has acknowledged the need for these types of deadlines. Comparable time restrictions already exist for the Federal Reserve Board with respect to bank holding company applications and for the Attorney General with respect to antitrust review of merger proposals.

Mr. **PRICE** of North Carolina. Is it also the chairman's understanding that once these time limits were promulgated, the Board would have to act within these time periods or the application in question would be deemed to be approved? However, these would be maximum, not minimum, time limits. Nothing in section 211 would preclude the Bank Board from acting on an application before the timetable deadline.

Mr. **ST GERMAIN**. Yes.

Mr. **PRICE** of North Carolina. Section 211, therefore, will strengthen the savings and loan industry because it removes an impediment to effective long-term planning and facilitates the flow of new capital into thrift institutions. It does this by eliminating the uncertainty and delay that now frequently attend decisions by the Bank Board. I thank the chairman for his time.

Mr. ST GERMAIN. Mr. Chairman, I commend the gentleman for the inclusion of this amendment.

The CHAIRMAN. Are there any further amendments to the bill? If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. Coelho] having assumed the chair, Mr. Glickman, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 27) to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation, pursuant to House Resolution 154, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. PARRIS

Mr. PARRIS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PARRIS. Mr. Speaker, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Parris moves to recommit the bill, H.R. 27, to the Committee on Banking, Finance and Urban Affairs.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PORTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 402, nays 6, answered "present" 1, not voting 24, as follows:

[Roll No. 85]

YEAS—402

Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Callahan
Campbell
Cardin
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Clay
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Florio
Foglietta
Ford (MI)
Ford (TN)
Frenzel
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Grandy
Grant
Gray (IL)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennedy
Kennelly
Kildee
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nelson
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Ravenel
Ray
Regula
Rhodes
Richardson
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Stump
Sundquist
Sweeney
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NAYS—6

Carper
Gradison
Kleczka
McCandless
Parris
Ridge

ANSWERED "PRESENT"—1

Bateman

NOT VOTING—24

Ackerman
Annunzio
Boner (TN)
Boucher
Brown (CA)
Burton
Combest
Foley
Frank
Garcia
Gephardt
Gray (PA)
Horton
Levine (CA)
McKinney
Nichols
Rangel
Roe
Shaw
Slaughter (VA)
Stangeland
Swift
Tauzin
Udall

□ 2040

Mr. CHAPPELL changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation and, for purposes of strengthening the reserves of the Corporation, to establish a forbearance program for thrift institutions and to provide additional congressional oversight of the Federal Home Loan

Bank Board and the Federal home loan bank system."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GLICKMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill just passed.

The SPEAKER pro tempore (Mr. LANCASTER). Is there objection to the request of the gentleman from Kansas?

There was no objection.

APPOINTMENT OF CONFERENCE ON H.R. 1157, FARM DISASTER ASSISTANCE ACT OF 1986

Mr. GLICKMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986, with Senate amendments thereto disagree to the Senate amendments, and request a conference with the Senate thereon.

Mr. Speaker, this has been cleared with the minority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas? The Chair hears none and, without objection, appoints the following conferees:

On all Senate amendments except Senate amendment 21: Messrs. DE LA GARZA, GLICKMAN, HUCKABY, MARLENEE, and ROBERTS; and

On Senate amendment 21: Mr. NOWAK and Mr. STANGELAND.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1115

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1115.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may proceed with his parliamentary inquiry.

Mr. SOLOMON. Mr. Speaker, I am just wondering if a rule has been filed on the portion of the defense authorization bill which is expected to be debated tomorrow. I have been here all evening, and I have not heard of any rule being filed.

The SPEAKER pro tempore. The Chair will state that it has not yet been filed. It can be filed during special orders.

Mr. SOLOMON. It can be filed during special orders?

I thank the Chair.

PROPOSED INCREASE IN MINIMUM WAGE

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BALLENGER. Mr. Speaker, as you know hearings are currently underway on legislation which proposes to increase the current minimum wage. As we continue to consider these proposals, I would like to take this opportunity to share with my colleagues, and also to have inserted into today's RECORD a statement by John Sloan, president of the National Federation of Independent Business, which represents more than half a million small business men and women.

Mr. Sloan's statement, entitled "Minimum Wage Hike Would Hurt Marginal Employees, Employers," provides clear evidence that the minimum wage concept is an idea whose time has come and gone. I urge my colleagues, Mr. Speaker, to examine Mr. Sloan's statement as they consider the various proposals to increase the minimum wage.

The statement referred to follows:

MINIMUM WAGE HIKE WOULD HURT MARGINAL EMPLOYEES, EMPLOYERS

(By John Sloan)

"The good news is, we're giving you a raise. The bad news is, you no longer have a job." That's how one Texas small-business owner describes the dilemma he and his employees will face if the minimum wage is increased.

In a recent survey of its half-million members—small-and independent business owners—the National Federation of Independent Business found 73 percent opposed increasing the minimum wage.

Sen. Edward Kennedy, D-Mass., and Rep. Augustus Hawkins, D-Calif., jointly introduced legislation in late March which would raise the minimum wage to $4.65 an hour, in three steps, by 1990 and index it to 50 percent of the average hourly wage thereafter.

Kennedy claims the current minimum wage, $4.35 an hour, "permits unscrupulous firms with significant market power to exploit their lowest paid workers." In fact, an increase in the minimum wage is likely to hurt those lowest paid workers.

The wage increase helps those who are able to keep their jobs, but even a modest 10-percent increase pushes hundreds of thousands of minimum wage earners out of the job market and into the "non-working and poorer" category.

Raising worker wages with no compensatory increase in productivity is bad business practice and it is inflationary. Mandating a higher wage scale causes prudent business owners to look for ways to reduce costs.

Prior to the last minimum wage increase in 1980, the University of Michigan surveyed employers from all sectors of the economy, employing 12 percent of all minimum wage earners. Of those surveyed: 11 percent said they canceled or postponed plans to hire new workers; 9 percent said they would reduce employee work hours; 7 percent said they would lay off workers; and, 6 percent said they would not fill vacancies.

Another argument frequently used to support the concept of a higher minimum wage is the myth that the minimum wage-earner stands as the sole breadwinner of a family, toiling eight hours a day to eke out a meager living for his wife and children. To the contrary, demographic research done in 1980 for the Minimum Wage Commission found that most minimum wage earners were single, without dependents and living in mid-to upper-income families. Only one in 10 headed a family with a poverty-level income. More than three out of four lived in households with incomes at least 50 percent above the poverty line.

Supporters of the higher wage say it would redistribute wealth more equitably. In fact, the lion's share of "new money" would flow to middle-income families, perhaps even widening the gap between upper- and lower-income people.

A minimum wage increase would be most harmful to two groups: marginal employers and marginal employees. It would contribute mightily to inflation. It would reduce productivity. As the New York Times said in an editorial on Janury 14, ". . . there is a virtual consensus among economists that the minimum wage is an idea whose time has passed." Small-business owners agree.

WOMEN IN PUBLIC SERVICE

(Mr. LUJAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. LUJAN. Mr. Speaker, it is important that we recognize accomplishment and encourage achievement among our dedicated Government workers. We have witnessed in recent years a growth in the number of women entering public service and it is a healthy and desirable trend. We should be proud of this achievement.

During the Federal Employed Women 17th National Training Conference held in Nevada of last year, Stella Guerra, the Director for Equal Employment Opportunity in the Office of the Assistant Secretary of the Air Force, delivered a dynamic address highlighting the achievements of women. She traced the history of women entering the work force, the resulting economic and social changes, highlighted the specific achievement of women who had achieved a first in their field, and discussed the future potential of women in the work force, particular in professional positions. The speech was one deserving of both attention and recognition.

I was pleased to see that others agreed with this assessment. For this speech was printed in the September 1986 issue of the authoritative Vital Speeches, which selects twice each month the other standing speeches delivered by influential individuals throughout the United States as well as the world.

However, this outstanding speech has received another recognition just recently. The respected Freedoms Foundation of Valley Forge, PA selected Stella Guerra to receive its distinguished George Washington Honor Medal in the category of public address. This is indeed an outstanding recognition for the content and the message of this powerful speech delivered by one of the most dynamic and qualified individuals presently serving in the Federal Government.

I would like at this time to enter into the CONGRESSIONAL RECORD the speech by Stella Guerra "Women in America Shooting for the Stars." I call it to the attention of my colleagues in hopes that they will read this important address.

The statement referred to follows:

WOMEN IN AMERICA SHOOTING FOR THE STARS

AS WE SEE OURSELVES SO DO WE ACT

(By Stella G. Guerra)

Let me begin by telling you what an honor it is for me to be participating in the opening session of the Federally Employed Women (FEW) 17th National Training Program. Accepting the invitation without a moment's hesitation, a year ago, reaffirms my belief that commitments is easy when it involves something that you truly love and respect.

Through my years in federal service I have come to recognize and respect FEW as a leading force in strengthening the careers of women.

FEW—I salute you for the leadership you provide to all of us in federal service. I encourage you to continue providing the direction which makes the government world of work, an environment of progress, pride and growth.

As the date approached, I began to give serious thought to what I would share with you today. Several topics came to mind—two were quickly cast aside, considering we were in Las Vegas, risk-taking and Gramm-Rudman.

Finally, I decided to talk about women—the progress we've made in the past and the strides we are making today. Most importantly, I want to share some thoughts with you—about how each one of us here today can truly hitch our wagon to a star and chart our own course for tomorrow. A course that will let us share in the fruits of this great nation's success and fuel new generations of achievers for many years to come.

First, let's take a trip back to the past and take a brief glimpse at the road we have traveled. Rocky, and at times filled with a pothole or two, our path has been similar to a new born baby. Like a new born struggling to focus with blurry vision on those admiring parents that hold her aloft for all to see, we have strived to focus on our personal objectives as well as worked to help America achieve its present day global status as the most prosperous country in the world.

Dating back to our forebears who first stepped foot on American soil, we have been a part of our nation's progress. In what some have called the toddler years of our country—the 1800's, we helped America take its first steps towards world prominence. We moved west, we worked in the fields tilling the soil, and in the factories to produce the food and goods that our country needed to prosper and grow.

Moving on—in the 1900's, during what some have affectionately referred to "the Rosie the Riveter period," working in shipyards and steel mills, we helped our nation meet labor shortages in a time of national crisis. Afterwards, many of us who had entered the workforce returned home—but not for long. By the mid-point of the 20th century, virtually no aspect of American society had been left untouched by our eager rush in the labor force.

Like a child that is anxious to learn about the world and all its opportunities, we began to stretch, to grow and expand our horizons. In a span of less than 50 years, our numbers in the labor force doubled. Our unbridled innocence and energy altered forever the way we lived and worked in this country. In the second half of the 1970's more of us were enrolled in college than ever before, and we began to move rapidly into business, industry, the federal sector, the teaching fields and other professions such as law and medicine.

The early years of America was indeed a time of challenge and a time of change. As women, we were a "spitting image" of that challenge and change. When America dreamed—we dreamed. When our nation stretched to achieve, we stretched. When America laughed, we shared in that laughter. Collectively, like that great universal symbol that stands off the shores of New York—Lady Liberty—we too stand as clear examples that in this country our dreams are achievable because we have the freedom to work toward change and to pursue our success-oriented goals. Yes, relying on inner strength, American women have made remarkable and magnificent strides.

Today, we are in time like no other period in our nation's history, under the leadership of a president who has profoundly effected the way Americans think about themselves. We are moving ahead with great vigor and a national commitment not experienced in quite some time. Today we see a spirit of accomplishment and a sense of pride seen on the national level.

With that same belief in achievement and success, we have moved with America from the so-called "smoke stacked" industries of years past to an economy where three out of four jobs are related in the service industry. In this industry, on an average, we've created one million new jobs each year for the past 20 years; of these, two million out of three have gone to women. Right now, more than 54 percent of our country's women are working and our percentage in the overall workforce has increased to 44 percent. In short, we are continuing to help America forge an environment that says—opportunities are abundant.

In this environment of prosperity we've seen many firsts:

The first female brigadier general.

The first female astronaut.

The first female sky marshal.

The first female ambassador to the United Nations.

The first female justice of the Supreme Court.

The first female director of Civil Service.

The first female U.S. Customs rep in a foreign country.

The first female to graduate at the very top of the class in a service academy—Navy '84; Air Force '86.

This list goes on and on—and this same progress can be seen in all sectors of our society.

In business there's been a sharp increase in the number of women who own their own business. The number of self-employed women from 1980-1984 alone jumped 22 percent to 2.6 million people.

Three key factors have contributed to this significant upswing.

First, we are gaining experience in positions of leadership in both corporate America and the federal sector. We are moving into middle and upper level managment at a record pace.

In the Federal and upper level management, in the past very few of us were found at the senior executive level. According to recent figures from the Office of Personnel Management, government wide, in the last ten years, women have gone from 180 to 598 in the senior executive service.

Additionally, at the GS-13 through GS-15 level, we have approximately 26,000 federally employed women involved in the decison making process.

In the Air Force, we've experienced this same upswing.

Between 1974-84 we went from 29.9 percent to 35.6 percent women in the civilian workforce.

By 1990 the number of women in blue are expected to climb to a record high of 84,000. And in the past eight years, 30,000 new positions have been opened to Air Force women in uniform. This same trend holds true in our sister services. With initiatives by the Office of Personnel Management and the Department of Defense such as their Executive Leadership Demonstration Program, we expect those numbers to climb even higher.

The second factor pushing us on and upward has been education. Across the land, numbers increased twofold in the past 21 years for those of us entering the halls of higher educatoin.

In the same period, our numbers in law, medicine, and architectural schools have gone from 5 to 32 percent. Now we account for more than half of all college enrollment, earn one third of all PhD's, and

We are awarded 50 percent of all bachelors and masters degrees.

Today more of us are going to college than ever before.

Our search for knowledge and quest for excellence has certainly opened up the doors of opportunity.

These opportunities have led us down the paths previously untraveled. As our visions were broadened, women began to move into non-traditional areas—the third major factor for our success. Federal women were on the cutting edge of this movement. As Betty Harragan pointed out in her book, Games Mother Never Taught You, "Women have the potential to stagger the imagination." Our movement into presidential cabinet level positions, into missile silos as crew commanders, aircraft mechanics and into the officer and enlisted ranks have indeed staggered the imagination. It also serves as a glistening example that in the past and in the present our hopes and dreams are interwoven into the very fiber of America. A fiber that will preserve opportunities and chart the course for a new generation of achievers.

During the next decade, almost two thirds of the female populaiton will enter the workforce and stay longer. Like the population at large in the teen years of America, we'll see our life span increase. At the start of the 20th century, we were expected to live on an average of 48 years; now its 72 years. And as remarkable as it seems, children born today are expected to live into their eighties.

As attitudes toward working careers change, so too will the structure of jobs. People like Patricia Aburdene and John Nesbitt, author of Reinventing the Corporation tell us—an increase in knowledge power will create major changes in the way we work, live and relax. It's expected that by 1990 our work week will average 32 hours and by year 2000, it will be 25 hours. Flexible work schedules will be the norm with two or three people sharing jobs.

The great impact of high technology will shape and mold the jobs of tomorrow. Advances in technology, attitudes, about work, and the increase in life spans will demand a change in the way we are educated and trained. More people will have college degrees or have had some sort of on-the-job-training.

Yet, some jobs will not require as much formal education. Recently, 60 of the fastest growing occupations in this country were singled out by the Labor Department. Few require a four-year college degree.

Job performance and pay for performance will continue to provide opportunities for our professional growth and financial gain. Various alternate personnel systems both in and outside of the federal government will be developed that specifically addresses pay for performance. In conjunction with these changes, in demographics and values, Federally Employed Women will do much to help continue to close the gap for America.

With vision and a sense of direction, we will continue to do what's right for America. We will continue to discuss and help explore ways to resolve concerns such as paternity leave and the use of sick leave to care for our families at times of illness. Like the years of "Rosie the Riveter" we'll continue to do our part to keep America strong, prosperous and upward bound.

Whether we are in the home rearing children or soaring towards the stars in outer orbit—women—and especially federally employed women will help set a standard that will be hard to surpass. We will do this by helping to answer the tough questions and by facing the critical challenges ahead. James Baldwin once said, "Not everything that is faced can be changed; but nothing can be changed until it is faced."

As we turn toward the future, we've already begun to face the challenges of tomorrow. Within the departments of agriculture, commerce, defense, housing and labor to name a few, day care programs have been established to help with the influx of two wage earner families. Additionally, the Office of Personnel Management (OPM), the Department of Defense, and other agencies are rapidly developing programs to move our best and brightest into the upper GS and senior executive ranks.

I can say with confidence that the senior leadership within the Air Force, Secretary Aldridge, and Assistant Secretary for Manpower, Tidal McCoy, certainly are concerned and committed to ensuring we continue on our positive track. From ensuring the number of women in the SES and GS ranks increase to providing appropriate joint spouse assignments where possible, the senior leadership of the Air Force is committed to helping us move onward and upward. Let's not forget other organizations such as the Department of Labor, Department of Justice or the Equal Employment Opportunity Commission (EEOC) who have not only seen the need but have spearheaded actions for implementation and compliance of equal opportunity laws. It is this type of collective action that go a long way toward keeping our nation on its track of progress and merit.

As we enter America's early adulthood we find that out hopes and dreams have been uplifted toward achievement. Yes, we are living a time of change but the future holds exciting changes, challenges and opportunities that will tax our abilities, test our skills, and require a total commmitment from you and I to keep us charging towards the stars.

We are living at a time when commitment, a spirit of achievement, and an overriding belief in oneself will help to prepare ourselves for what lies ahead. Looking back to our childhood days, perhaps you may recall a time when we really did not have many inhibitions about life, or the possibilities which existed for us. We dreamed that we could climb Mount Everest and swim across the mighty Mississippi to accomplish our goals—and we set out to do just that.

But sometimes as we travel along the road of life, perhaps we encounter those times when we lose some of that vigor, that drive and carefree spirit that encourages us on. Perhaps on occasion we lose our ability to smile and to turn dreams into reality. Along with the rest of America, now is the time to rekindle that spirit and dream. Now is the time for you and me to look at our commitment and the belief in self.

What is commitment?

It has been said that:

Commitment is what transforms a promise into reality.

It is the word that speaks boldly of our intentions and action which speaks louder than our words.

It is making the time when there is none—coming through time after time—year after year after year.

Commitment unlocks the doors of imagination, allows vision and gives us the "right stuff" to turn our dreams into reality.

Now is the time to review and perhaps change our mind set about commitment; it is also time to take a fresh look at ourselves and how we view the world around us. We need to update our strategic roadmaps and recharge our batteries as we continue on the road to success. Changes to come in the years ahead dictate that we get and remain in step with innovative and new ways of doing things. Along with the burning commitment to achieve our individual goals. We'll need an astute ability to look within ourselves and project the positive outward to help our organizations achieve their national objectives.

Back in the 60's, prominent sociologist of the day, David Reisman, wrote about inner directed and outer directed types of personalities and their approaches to setting criteria for success. Basically, he said that an outer directed person was perhaps too sensitive to the outside world and relied too heavily on external criteria for success. The inner directed person was said to be self confident and approached success by carving out their own niche in life. In this time of change, in and out of the government work world, we need to ask—what type of criteria are we setting for ourselves as we begin to carve out our own niches in business, industry and within the federal government.

To meet the challenges ahead and move along on the road of progress, we must continue to take charge of our destinies and take responsibility for our own self-development. There are so many factors important to our self-development. However, none is more important than self-esteem. Some scholars have defined self-esteem as the integrated sum of self-confidence, self-respect and self-dignity. I would like to add to that definition—"as we see ourselves so do we act." It is the conviction gained through experience that we are competent to live and be worthy of living.

For all of us self-esteem exists on a continuum; it's not a case of "either you have it or you don't." Self-esteem comes in different doses and different degrees, and its potential is limitless. Scholars also claim, "character determines action." I hasten to add—self-concept determines destiny. As federally employed women, if we continue to put faith in ourselves, and strive to develop to our fullest potential, then our boundaries will be truly limitless.

I strongly believe that inner strength and a glowing concept of self carried us through early developmental years. That positive self-concept has helped us along with America to stretch and grow. It has brought us many firsts and promises much more.

Reflecting on my own youth—I can remember a time when there was little in the way of material things. What I did have was plenty of those simple teachings, later to be appreciated as my "building blocks."

You are a child of God—equal to everyone.

No one will do for you what you must do for yourself.

You must get your education, a never ending process. It is your right and something no one can ever take away from you.

In closing, I want to share a favorite song with a message which best sums it up. A message which we should often use to remind ourselves and most importantly, pass on.

GREATEST LOVE OF ALL

"I believe the children are our future
Teach them well and let them lead the way
Show them all the beauty they possess inside
Give them a sense of pride to make it easier
Let the children's laughter remind us how we used to be.
Everybody's searching for a hero
People need someone to look up to
I never found anyone to fulfill my needs
A lonely place to be
And so I learned to depend on me.
I decided long ago, never to walk in anyone's shadow
If I fail, if I succeed
At least I'll live as I believe
No matter what they take from me
They can't take away my dignity
Because the greatest love of all
Is happening to me
I found the greatest love of all inside of me
The greatest love of all
Is easy to achieve
Learning to love yourself
It is the greatest love of all"

I leave you with a question:

What better wagon to hitch to a star than:

Your dreams.

Your vision.

Your being.

And, if we fail, if we succeed, at least we'll live as we believe no matter what they take from us, they can't take away our dignity.

□ 2050

CATASTROPHIC ILLNESS COVERAGE PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DURBIN] is recognized for 5 minutes.

Mr. DURBIN. Mr. Speaker, in the numerous town meetings I have held in my district since the beginning of the 100th Congress, one of the issues of great interest and importance to senior citizens is protection against the financial devastation of a catastrophic illness. As discussion on developing a catastrophic illness coverage plan continues in Congress, we should be listening closely to the concerns of older Americans. It is my hope that the final plan that comes before the House of Representatives will provide senior citizens with coverage of the services they are most concerned about and the peace of mind they deserve.

The time is right to enact a catastrophic illness insurance plan. Health care costs as a whole have skyrocketed, placing an even greater burden on the elderly of this country. Total spending on health care among Americans rose from 6 percent of the gross national product in 1965 to 10.7 percent of the much larger 1985 GNP. The elderly will pay as much as 18.5 percent of their income on health care by 1991, up from 12.3 percent in 1977.

In my discussions with senior citizens, it appears that they are most concerned about three types of catastrophic costs: Costs associated with the need for long-term care; out-of-pocket costs associated with both covered and uncovered health services, including the prescription drugs; and catastrophic costs associated with long-term hospitalization.

Many senior citizens invest in Medicare supplementary insurance, better known as MediGap insurance. Approximately 35 percent of the elderly do not have MediGap insurance to cover the costs not paid by Medicare. In many cases these seniors do not have the income to pay the premiums, which average $500 to $600 a year.

One of the most catastrophic expenses the elderly must pay is the cost of nursing home care, which now averages $22,000 a year. Many older Americans are under the impression that Medicare will cover long-term care costs. In a survey done by the American Association of Retired Persons [AARP] in 1986, nearly 80 percent of older persons surveyed believed that Medicare would cover their long-term care needs, which is not the case. Of the $37.3 billion spent by the elderly in 1986 out of their own pockets, $16 billion was spent for nursing home care. While Medicaid will cover long-term care, the average elderly couple will spend down their resources to qualify for benefits, within 3 to 6 months of entering a nursing home.

In addition to the elderly's fears about the hight cost of nursing home care, payments for medication represent 20 percent of the elderly's total health care costs and average $340 a person per year. Last year, while medical care costs overall rose 7.7 percent, prices for prescription drugs outpaced all other medical costs by rising 9 percent.

Many of the senior citizens from my Illinois district have taken the time to write me in Washington or have joined me at town meetings to discuss the desperate need for catastrophic illness coverage. It is imperative that during the continuing debate on this issue, we keep in mind the types of health care costs older Americans worry about most. I believe that the idea behind catastrophic protection should be to enable senior citizens to avoid financial devastation before protection begins.

PERSONAL EXPLANATION

Mr. COMBEST. Mr. Speaker, because of an injury that required a brief hospitalization, I was unable to attend the session of the House on Tuesday, May 5.

If I had been present:

On rollcall No. 80, I would have voted "yea."

On rollcall No. 81, I would have voted "nay."

On rollcall No. 82, I would have voted "present."

On rollcall No. 83, I would have voted "yea."

On rollcall No. 84, I would have voted "nay."

On rollcall No. 85, I would have voted "yea."

Had I been present, I would have voted for passage of H.R. 27, the Federal Savings and Loan Insurance Corporation Revitalization Act. The FSLIC is in trouble and the number of bank closings in the State of Texas is alarming. While I believe that this $5 billion effort only scratches the surface of the problem, Congress must take immediate action.

There are some very good provisions of H.R. 27. For instance, language is included which extends forbearance to well-managed institutions operating with impaired capital levels in designated economically depressed areas. Such forbearance is essential in Texas where the state of the energy, real estate, and agriculture industries has left many institutions struggling with troubled loans.

The GAO recently testified that the FSLIC is insolvent, with a deficit of more than $3 billion as of the end of 1986. Just this week, the figure was boosted to $6 billion. As has been demonstrated in Maryland and Ohio, the costs of a deposit insurance crisis are great.

We have a responsibility to prevent the same situation from occurring across the Nation, and my hope is that we can fulfill that responsibility without resorting to an eventual bailout of the industry—financed by American taxpayers. We must keep the interest of the depositor and taxpayer in mind as we develop policy to help an industry currently capable of helping itself.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. CHAPMAN] is recognized for 5 minutes.

[Mr. CHAPMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. COMBEST] is recognized for 5 minutes.

[Mr. COMBEST addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

INTRODUCTION OF A BILL TO AMEND AND REAUTHORIZE THE INDIAN HEALTH CARE IMPROVEMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. UDALL] is recognized for 5 minutes.

Mr. UDALL. Mr. Speaker, I am introducing today a bill to reauthorize and amend the Indian Health Care Improvement Act.

This bill is very similar to legislation in the 99th Congress, H.R. 1426, which passed both Houses. The bill failed to pass in the House on the last day of the Congress, after being returned from the Senate with amendments, because of controversy over an entirely unrelated matter.

Mr. Speaker, for 4 years, my committee has extensively considered this legislation. It has passed the House, in substantially the same form in both the 98th and 99th Congress. It is my intent to report this bill from the committee without hearing and in time to meet the Budget Act requirements.

This is badly needed legislation to improve the health conditions of the Indian people. It is long overdue and I will move to pass it in the House before the end of May.

IMPRESSIONS AND THOUGHTS OF SPEAKER WRIGHT'S RECENT TRIP TO RUSSIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. LELAND] is recognized for 60 minutes.

Mr. LELAND. Mr Speaker, during the recent Easter district work period, I had the distinct honor and privilege of traveling to Spain, the Soviet Union, and West Germany as a member of the congressional delegation led by Speaker JIM WRIGHT. I believe I speak for all my colleagues with whom I traveled when I say, it was indeed a high privilege to be a member of this congressional delegation. On every occasion during our trip, Speaker WRIGHT led our delegation in a truly statesmanlike and patriotic manner. The American people can truly be proud of the contributions made by our bipartisan delegation.

I reserved this time today so that I, and my fellow CODEL members, could share with our House colleagues our impressions and thoughts of our trip.

Our delegation led by Speaker JIM WRIGHT was the highest level delegation to meet with Soviet leaders in the past 50 years. The Speaker's leadership and the active participation of our other House leaders, including: Majority Leader TOM FOLEY, Majority Whip TONY COELHO and chairman of the Republican Policy Committee and the ranking Republican in the delegation, DICK CHENEY, made this trip truly productive and a testament to bipartisan cooperation.

During our visit to the Soviet Union, we met with many top level Kremlin officials and learned quite a bit about glasnost, the reform movement underway in the Soviet Union.

Perhaps the single most important event of our trip was our meeting with Secretary General Mikhail Gorbachev. On this occasion, Speaker JIM WRIGHT showed the full depth of his leadership, standing toe to toe with the Secretary General in expressing our hope for peace in the world. Our Speaker urged Mr. Gorbachev to do all that is humanly possible to work with the Reagan administration to conclude an arms control agreement and reach peace between our two nations and the rest of the world.

We also had the unique opportunity of meeting with Central Committee Secretary Yegor Ligachev, the No. 2 man behind Gorbachev in change of ideology, culture and society within the Soviet Union. Ligachev provided us with great insight into what is happening inside the Soviet Union today. This was the first occasion for Secretary Ligachev to meet with non-Communist westerners and I believe this, at least, signaled the new spirit of glasnost. I hope this was not a facade created for our convenience or an aberration, but a true opening of the window of opportunity to further hopes of world peace.

Tonight, I have alluded to the very important and unique meetings we held with the Soviet leaders. In addition to these, there is one other event of particular interest I would like to note. While we were in the Soviet Union, Speaker JIM WRIGHT was given a rare invitation by Government officials to address the Soviet people on the state-owned television network. The Speaker recognized this as an unique opportunity to address directly the Soviet people.

At this time, I would like to ask unanimous consent to include the entire text of Speaker WRIGHT's televised address to the Soviet people in the CONGRESSIONAL RECORD at this point in this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. WALKER. Mr. Speaker, reserving the right to object, I shall not object, but I do so to ask the gentleman a question.

The press reports coming back from your trip at one point indicated that there was a very interesting conversation during your meeting with Gorbachev with regard to having black Americans assigned two States in the United States. Could the gentleman tell us his version of that? I have seen a number of different versions of that particular conversation.

Mr. LELAND. I appreciate the gentleman's question. I think that this is an appropriate time to clarify that, as a matter of fact. I think that too much was made of what the Secretary General had said.

The Secretary General had, indeed, in his statement to us made mention of the fact that he felt that since we, the United States, and I am paraphrasing, we Americans are always pointing our fingers at the Soviet Union, that it might be noteworthy that indeed the Soviets themselves have states that are run by minorities in their country. Their states are divided by minorities and that we in our country did not have the same kind of thing.

What he was saying, for all practical purposes, was that we had better look at ourselves. Now, this is what he was saying. I was offended by not what the gentleman was trying to infer, but more about the ignorance that he was implying on the part of ethnic minorities in our country and also the reference to the fact that or rather the ignorance on the part of Mr. Gorbachev that he did not understand the goals and aspirations of ethnic minorities. He never used the word "black" by the way. Well, he did use the word "black" but he used other ethnic minorities in this portrayal in that instance.

What he was saying was that we are always pointing our fingers at him and his country rather, and yet we do not take internal note that indeed we do not have any States in our country that are run by any ethnic minorities.

Mr. WALKER. Further reserving the right to object, did any body at that point challenge the General Secretary on the point that they use that very device in order to wield power and oppress the people in places like Estonia and Byelorussia and so on? That that very device is one of the things created by the Communist Party and particularly a small segment of the country in order to oppress those people?

We surely did not allow the General Secretary to get away with suggesting that somehow he is treating ethnics in his country better than what we treat ethnics in the United States?

Mr. LELAND. I would suggest to the gentleman that indeed it was not the appropriate time at that point in our discussion for us to do that because Speaker WRIGHT, in his statement, in his very lengthy statement to the Soviets, Speaker WRIGHT had pointed out all kinds of contradictions that had been perceived by the Soviets of us and contradictions that were perceived by us of them.

He also implied very strongly that indeed people in our country know very little about the Soviet Union, and people in the United States know very little about life in the Soviet Union. Also that people in the Soviet Union know very little about people in the United States of America.

At that point, it would have been just a matter of engaging in superficial intellectualism. The gentleman had to be there to understand the context of the response. I challenged Mr. Gorbachev at the end of the meeting, when I had the opportunity to raise the issue about the goals and aspirations of ethnic minorities in the United States of America. I asked and begged that indeed I hope that I understood better what was going on in the Soviet Union in light of his statements also.

Mr. WALKER. Further reserving the right to object, I appreciate the fact that the gentleman stood up for our system and raised the question of that, but it still wonders me a little bit, to use a Pennsylvania Dutch phrase, that we were not in a position to raise the issue that here was a man literally bragging on the fact that they assign republics to ethnic minorities and he is suggesting that somehow that is a better system than ours and nobody challenged him? The fact that they use that as a captive nation. We are talking about countries where we pass resolutions regularly on this floor talking about captive nations weeks and so on, it is precisely those republics that he was pointing to that we are talking about.

Mr. LELAND. I suggest that the gentleman ought to go to the Soviet Union and make those very relevant points there.

□ 2100

We understood in our briefings that many times that point has been made and therefore we decided consciously that when those kinds of issues would be raised in settings like that, that we would just go on to talk about the positive aspects of what it is that we can do together to reduce the incredible friction between our two countries and hope to get to some opportunity to talk more about peaceful, cooperative ventures, between us and the Soviet Union.

Mr. WALKER. Well, further reserving the right to object, Mr. Speaker, I appreciate the fact that the gentleman wanted to carry on a dialog with the Soviet Union, and it is useful to do that. I would agree that is an important thing to do; however, there is a difference between peace with freedom and peace with slavery. It seems to me that to go to the Soviet Union and not reference the fact that they are enslaving peoples in that country and not raising that on as many occasions as possible, and particularly not raising it when they are using it as a bragging point, is somehow a very, very difficult thing for this gentleman to understand.

Mr. LELAND. I hope the gentleman will raise the issue as fervently with the leader of his Republican Steering and Policy Committee as the gentleman does with that gentleman from Texas. I just gave my point of view. I did not think that we ought to deal with the thing in the setting that we were in at that moment. I dealt with it in my way and the way that I had control to deal with it.

Mr. WALKER. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The Speaker's remarks will be inserted in full at this point in the Record.

Remarks of Hon. Jim Wright, Speaker, U.S. House of Representatives, on Soviet Television, April 18, 1987

My fellow citizens: You may think it strange that I address you as "fellow citizens." I am a citizen of the U.S.A., after all. And you are citizens of the U.S.S.R.

But there is a sense in which we are fellow citizens. We are citizens of the world. And the world is becoming a much smaller place. Science and technology have shrunk the planet earth. It took Christopher Columbus 56 days to cross the Atlantic Ocean. I covered the same distance last week in 6 hours.

To express this fact in the most dangerous way, my home town in Texas is only 40 minutes away by Soviet Intercontinental missiles from Vladivostok. And so, in that sense, you and I do live in the same neighborhood.

We can make it a less dangerous neighborhood. If combustible explosives were stored near our houses, yours and mine, or if ravening wolves were let loose in our children's playground—or if deadly poisons were left lying around within the reach of our infants, you and I would want to do something about it, wouldn't we?

We'd get together and insist, for the benefit of our families, that those hazards be removed and safety precautions be taken.

Well, that in a way, is what your government and our government are trying to do in our nuclear arms reduction talks which have been underway in Moscow this past week.

And that is what I am doing in Moscow. My name is Jim Wright. I am the Speaker of the U.S. House of Representatives. I am here, along with twenty lawmakers of my country, at the invitation of your Secretary General Mikhail Gorbachev. We have met with Mr. Gorbachev and other members of your government.

These Soviet leaders have answered our questions with candor and honesty, as we have tried to answer theirs.

We have been impressed by the sincerity of Mr. Gorbachev, by his desire to turn over a new leaf in the book of our relationship, and by his commitments to a better world for all of us and for our children—Soviet children and American children—innocent victims of the hositily and fear which we, their parents, unconsciously pass on to them.

Surely it is time for a new beginning in international relationships. Many centuries agok an ancient Greek named Aristophanes walked amont the ruins of the once-beautiful Greek temples destroyed in the Peloponesian Wars. Out of the anguish of his soul for the senseless loss of his fellow citizens and of the treasures of his homeland, Aristophanes uttered this prayer:

"From the murmur and subtlety of suspicion:
With which we vex one another,
Give us rest;
Make a new beginning
And mingle again the kindred of the nations
In the alchemy of love;
And with some finer essence of forebearance
Temper our minds."

We have a great deal in common, citizens of the Soviet Union and of America. Both of our countries were born in revolution. Both continue to strive—in different ways—to achieve a better life for our people. Our two great countries have never been at war against each other. We strove together to overcome the wicked Nazi tyranny in the Great Patriotic War—in which I was then a young lieutenant flying combat missions in a Liberator bomber.

On Wednesday morning my colleagues and I visited the burial places of the heroes of your country, and I laid a wreath in the early mist of an April morning at the Tomb of the Unknown Soviet Soldier. It came to my mind that 20,000,000 of Russia's finest young people—in the bloom of their youth, with futures before them—gave up their lives that this country of yours might live. Just so, classmates and beloved friends of mine perished in that war. I looked upon the faces of the handsome young Russian guards who keep watch at that sacred place, and I thought what a tragic loss if men and women of my generation should fail the generation of these younger people and their hopes for peace and a better life.

You see, I am the presiding officer of our U.S. House of Representatives. We are the ones who must levy the taxes and appropriate the money for everything our government does. We have just last week concluded our annual budget process for the American nation, and I am convinced that there is something tragically wrong in both of our countries.

This year the United States will spend almost $300 billion—that's equal to about 200 billion rubles—on machines of destruction and unproductive implements of military power. Your country will spend a similar amount on the same things. What waste that is for both of us—when human wants go unmet and legitimate needs unfulfilled in both our countries.

There are young people in our country who will not get to college because we have spent so much on weapons and have not left enough for student loans and grants.

In both of our countries, there are hospitals that will not be built—medical research that will not be undertaken—lives that will not be saved—because we each must spend so much on military power. And much of that bill—in our country at least—we are sending to our children and our grandchildren.

Every day this year 40,000 people die somewhere in the world of hunger and malnutrition. And every day the nations of the world will spend $2.5 billion—much more than enough to feed and clothe them—on weapons and wasteful means of destruction.

Just think: the cost of one submarine would build 125,000 modern flats for 125,000 families—a city the size of Tula.

Our former American President Dwight D. Eisenhower, who was Commander-in-Chief of Allied Western forces in World War II, looked back upon the waste of war and said:

"Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and not clothed. This world in arms is not spending money alone; it is spending the sweat of its laborers, the genius of its scientists, the hopes of its children."

And so my colleagues and I have journeyed to Moscow in this season which some of us regard as holy since it commemorates the life of one who taught that the noblest work of man is to feed the hungry and clothe the naked and care for the sick and the unfortunate.

We have come to seek, along with the leaders of your great country, a new beginning. We have different economic systems, but that should not prevent us working together.

From the beginning of time, people have found it easy to work together when they have a common purpose or a common enemy.

Today, the nations of the world hold 60,000 nuclear warheads with a total destructive capacity one million times greater than the bomb that destroyed Hiroshima. Between us, our two nations, we hold enough destructive power to end civilization itself.

In these circumstances, it seems to me that we do have a common enemy—and the enemy is war itself. We have a common purpose, and the common purpose is peace.

As a token of our friendship, I'd like to send you a little personal gift. It has no great material value, but I would like to send you a little remembrance as a sentimental expression of our will to work together.

Here is my address—Jim Wright, The Capitol, Washington, D.C., U.S.A.

If you will write me a little note and tell me that you saw this program, I would like to send you one of these little pins that I am wearing in my lapel. It contains small replicas of the flags of our two nations flying side by side.

If you will write a note to me at this address, I'll be glad to send you this little emblem with my personal best wishes.

I know that you of my generation love your children just as I love mine. You of both older and younger generations love your country just as I love mine.

And so I offer this wish for your children and for my children—and for their children: may they live in peace.

Mr. LELAND. Mr. Speaker, I would like to resume, if I can, as briefly and hurriedly as I can. I know the time is late.

On behalf of the American people, Speaker Wright told the Soviet citizens how much we want peace and how he believes the Soviet citizens also desire to make the world a less dangerous place for all of us. Speaker Wright's address was truly moving. I am certain that all the other members of the delegation—Democrat and Republican alike—join me in stating how proud we were of our Speaker that evening.

I would like to take a moment to share with my colleagues some of the highlights of Speaker Wright's televised address to the Soviet people.

Speaker WRIGHT addressed the Soviet viewers as "my fellow citizens" and explained that he used that term because the world is shrinking, noting that his hometown of Fort Worth is only 40 minutes away from Vladivostok in intercontinental ballistic missile.

The Speaker explained to the Soviet viewers that in a sense, they both live in the same neighborhood and suggested that together they could make it a less dangerous neighborhood. Speaker WRIGHT likened the efforts by the United States and the Soviet Union to reach an arms control agreement to ridding a neighborhood of explosives, or cleaning up deadly poisons.

Speaker WRIGHT concluded his televised address by noting that all parents, like himself, love their children. He acknowledged that people of all generations, both in the United States and the Soviet Union, love their country.

Speaker JIM WRIGHT offered a very special wish for the Soviet children and the children back in the United States—he wished that all the children may live in peace. I am certain this is a wish we all share.

With this trip, Speaker WRIGHT was able to instill a spirit of cooperation between the Congress and the Soviet leadership. He conveyed to the Soviet people that there is a strong desire on the part of the American people for peace and understanding.

I have taken the liberty of coining this initiative, the "Wright Doctrine" and I join Speaker WRIGHT and the entire Congress in searching, despite our differences, for the common ground between our two nations.

I want to assure my colleagues, and the American people, that they can be, should be, very proud of our Speaker, JIM WRIGHT—I know I am.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. LELAND. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank my friend, the gentleman from Texas [Mr. LELAND], the distinguished former chairman of the Black Caucus and one of the real leaders in the Congress.

Mr. Speaker, It could be said that some special orders are more special than others. I think this is a case in point.

Today I join the gentleman from Texas [Mr. LELAND] and others of my colleagues in relating my impressions as a participant in the highest ranking congressional delegation ever to visit the Soviet Union.

I want to thank my good friend, the gentleman from Texas [Mr. LELAND] for organizing this special order.

Human rights and social justice are no abstract phrases for our friend, the gentleman from Texas [Mr. LELAND]. They are live commitments, filled with passion and animated by principle. It was a pleasure for me to see this firsthand on our trip to the Soviet Union.

Congressman LELAND was a stalwart at our meetings and made significant proposals for the welfare of really millions of people. He has not talked about the Speaker's proposal which he really was the chief spokesperson for, but he spoke eloquently in many of our meetings with some of the highest Soviet leaders about a food program, a feeding the hungry program, to be cooperatively participated in by the Soviet Union in the United States in those countries of Africa where the Soviets have primary control over the means of distribution, and therefore a critical control of the choke points or the supply of food in Africa.

The gentleman from Texas [Mr. LELAND], as the House knows, is the chairman of our Special Committee on Hunger, one of the real problems confronting our world and a problem that should not exist. The gentleman was eloquent in his suggestion to the Soviet leaders that this would be an excellent example of how the two superpowers of the world could operate not to undermine the security of the world, not to increase tensions in the world, but to relieve a significant problem in the world, hunger.

So I am pleased to join my good friend, the gentleman from Texas [Mr. LELAND] in this special order.

I, like the gentleman, want to salute the Speaker's leadership on this delegation. With a keen eye and a steady hand, he accomplished the important goal of building bridges between the leaders of our two nations. His work in reducing tensions at this critical historical moment may well be a most significant outcome of our visit.

Building bridges was indeed a theme of our delegation; but as we reached across the Great Divide, it was not always to meet with a Gorbachev or a Ligachev.

As chairman of the Congressional Helsinki Commission, I wanted to hear from Soviet citizens committed to peace and human rights. I wanted to see what was behind all the lofty imagery of glasnost, Russian for "openness." So I shuttled between official meetings with Soviet leaders, and unofficial visits to the huddled apartments of dissidents and refusniks.

In the official meetings, as Congressman LELAND has said, we spoke of peace, arms control, reducing tensions and Soviet reforms—all with the real hope that the barriers of distrust can be lowered between our nations; but in my meetings with dissidents, the grape turned soured, Mr. Speaker, as I heard story after frustrating story of the way the Soviet Union continues to deny and manipulate human rights.

□ 2110

Mr. Speaker, as we witnessed, things obviously are changing in the Soviet Union. The planned elections and the greater press freedom are all the more impressive because nothing of that kind has existed before.

But when it comes to human rights, to basic freedoms, the Soviet Union unfortunately remains a closed society tightly controlled from the top. The fact that I had to hand officials lists of refuseniks and political prisoners, as did the Speaker, drove home to me the stark reality that prevails even today.

If not to assert control over its people, why else does the Kremlin keep Benjamin Charny from getting the cancer treatement in the West that could save his life? Why else prevent Semyon Gluzman from emigrating since 1975? Why else divide spouses and families? And why else has an individual who was in the Army of the Soviet Union from 1973 to 1974, for 11 months, only 10 months on active duty, a civil engineer, whose task in the army, as a civil engineeer, was to build a pool adjacent to an officers' club, why else would this individual 14 years later be refused the right to emigrate because he is deemed a security risk, notwithstanding the fact that his deputy commanding officer in 1982 wrote a letter and said that there was no reason for Lev Elbert to be considered a security risk?

These are questions that we in the West find so difficult to understand. It is especially difficult today because the once gray and impenetrable Kremlin of old has been transformed under Gorbachev. Urbane leaders now sit on the Politburo, and they appear no different from what we might expect in the West. Until, that is, we hear them calculating how much a particular human rights move will benefit them in the West. Glasnost, Mr. Speaker, should be expected by us to mean no less than adherence to the Helsinki process.

As difficult as it may be for us to understand Soviet human rights practices, imagine what it must be like for the victims. Over and over the human rights activists I met asked us to keep pressing the Soviets on human rights. In many ways we are their only lifeline to freedom.

As I said, Mr. Speaker, I am proud to be standing here with a gentleman who has fought for human rights and civil rights here and in every continent of the world.

Mr. Speaker, for years now our Nation has been trying to reconcile Soviet peace overtures with Soviet human rights practices. To reduce tensions in our world, we must obviously pursue arms control, and pursue it before yet another escalation of the arms race begins.

Speaker WRIGHT was very forthright on that issue. Arms control is a critical pursuit for this Nation. But as the Helsinki accords teach us, Mr. Speaker, real peace is a function of the level of trust between nations—and trust for the United States has been, is now, and will continue to be a function of human rights. A government that shows so little trust at home—even in the midst of the most dramatic reform in the 70 years since the Soviet revolution—such intransigence, such lack of action—inspires little confidence that such a government can be trusted abroad.

Mr. Speaker, I hope that the Soviet Union, Mr. Gorbachev, who certainly impressed all of us with whom he met, Mr. Ligachev, who impressed all of us, Mr. Shevardnadze, the Foreign Minister, and other of the top leaders of the Soviet Union make a determination that in fact they do want, as they talked about, better cooperation. Indeed, the word "partnership" was used on a number of occasions by those Soviet leaders. That of course will not happen overnight. But if cooperation is to ever occur, it must occur in that framework I talked about trust, and that framework must be created by greater respect from the Soviet Union for human rights.

If we want peace to work, Mr. Speaker, we must make every effort to pursue progress in human rights. That is one bit of wisdom confirmed for me, and I think for every member of the delegation, by our trip to the Soviet Union.

Again I want to congratulate the gentleman from Texas for his remarks and for his leadership on the delegation. He was one of those, as I said earlier, Mr. Speaker, who spoke out on one of the most important proposals that Speaker WRIGHT made. He spoke in the capacity not only as chairman of the Committee on Hunger, but also as a gentleman who has demonstrated a deep and abiding and sincere concern for the welfare of all our fellow citizens, as our Speaker said, of the world.

Mr. LELAND. If I might before the gentleman leaves, I know that the gentleman has to rush home, but let me say to the gentleman from Maryland that I truly appreciate the kind words that he said about me, but I might add, let me add if I can, just a reference that I made about the gentleman as I watched and observed him during that time that we were in the Soviet Union, and how fervently and how passionately he fought for those who had very little voice in the Soviet Union, if any, for their own destinies.

The gentleman showed me what the real illustration of what the Jews call the "righteous gentile." The righteous gentile, of course, was a person or persons designated during the time of World War II who were non-Jewish people who helped the Jews escape from Europe or from wherever it was that they were being oppressed, and, sure enough, being murdered by the terrible Nazi terror.

The gentleman has fit that description so well that I felt that though I have no real authority, that I should designate him as the true righteous gentile on our trip.

I remember when we left the Reichstag in West Germany, and as we left I was so struck by what I had seen looking just across the wall. And I felt the reality of what all of that oppression is today. And then I looked at the memorials to those people who had been killed trying to leave East Germany crossing into West Germany, and I looked at the one memorial that had on it the date of February 1987, and I realized then that we had just left the Soviet Union, and that is when the revelation hit me that what the gentleman from Maryland had been fighting for and had been speaking of in the Soviet Union was so relevant to all of the world, and how it was that the gentleman throughout his history and his public career has been a hero to so many people who have very little to say about their destinies, not only abroad but also here.

I would just like to say at this time while I have the time that I truly appreciate the gentleman's contribution to humanity.

Let me also say further that it is important that while we acknowledge the leadership of the Speaker of the House for what he said and did in the Soviet Union through his position as Speaker, he also facilitated an incredible opportunity for the gentleman from Maryland and this gentleman from Texas, the opportunity to put forth our programs. He put us in very high places where ordinarily we might not have had an opportunity to challenge Mr. Gorbachev, to challenge Mr. Ligachev, to challenge Mr. Shevardnadze, to do the things that we were able to do.

I think that this in part speaks to the earlier admonitions on the part of the gentleman from Pennsylvania, who suggested that we did not challenge the Soviets about their horrible treatment of their own citizens. We in fact did, not in the setting that the gentleman had wanted us to, necessarily, but I will tell you that I must commend to the highest that facility that the Speaker of the House of Representatives gave us.

□ 2120

Mr. HOYER. Mr. Speaker, I agree with the gentleman and thank him for the time.

Mr. LELAND. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. HUBBARD].

Mr. HUBBARD. Mr. Speaker, I thank the gentleman from Houston, TX, MICKEY LELAND, for taking this time for some of us who had the privilege of going to the Soviet Union last month to discuss briefly our thoughts having returned here on April 20. I also commend my colleague and friend, the gentleman from Maryland, Mr. STENY HOYER, for his remarks. It is true that both the gentleman from Texas, MICKEY LELAND, and the gentleman from Maryland, STENY HOYER, were two of those whom we can be very proud of as they exemplified the true statesmen in the Soviet Union trying to convince those people that our way of life is one that we enjoy and we wish others could share.

Yet, we were not constantly critical of their way of life. There were times as we discussed human rights and arms control and regional issues such as Afghanistan, and Nicaragua, and other issues that we were questioning their intentions and motives and criticizing their actions. But for the most part, as House Speaker JIM WRIGHT urged us to do, we were trying to build bridges while we were there so there can be more dialog between the two superpowers of the world: The United States and the Soviet Union, instead of us constantly bickering and distrusting each other.

Mr. Speaker, it was my privilege to be among 20 Members of the House of Representatives to visit the Soviet Union the week of April 12 for 6 days. We were in Kiev and Moscow from Monday, April 13, through Saturday, April 18.

Our delegation was headed by our House Speaker, JIM WRIGHT, of Fort Worth, TX. Accompanying us on the trip to the Soviet Union were several congressional spouses, including my wife Carol.

In Moscow, our delegation met with Soviet General Secretary Mikhail Gorbachev; the Communist Party's No. 2 man, Yegor Ligachev; the Soviet President, Andrei Gromyko; and Foreign Minister Eduard Shevardnadze. These Soviet officials met with us for more than 2 hours each. As a result of these meetings in Moscow, and as a result of the meetings held just before we arrived led by Secretary of State George Shultz, the members of our congressional delegation, both Democrats and Republicans, sincerely believe that we now have the best chance for an arms control agreement with the Soviet Union on a verifiable basis at any time since World War II.

The American people can be very grateful to and proud of our tremendous House Speaker, JIM WRIGHT. The highlight of our visit to the Soviet Union surely was the 20 minutes of prime television time allotted JIM WRIGHT, reaching an estimated 180 million people across the Soviet Union from 10:10 p.m. to 10:30 p.m. on Saturday, April 18.

House Speaker JIM WRIGHT's Administrative Assistant Marshall Lynam, and the Chief Counsel of our House Foreign Affairs Committee, Spencer Oliver, who were an efficient advance team for us before we arrived in the Soviet Union, can be highly complimented by the American people for what they have accomplished during the last few weeks.

JIM WRIGHT, our House Speaker, was and is articulate, personable, intelligent, yet warm and witty, as observed by the Soviets. Mikhail Gorbachev was also articulate, personable, intelligent, yet warm and witty, as we from the United States noted during our visit with him for more than 2 hours.

The two men, House Speaker JIM WRIGHT and Soviet Leader Mikhail Gorbachev, obviously enjoyed good rapport and mixed in an extremely good way. It was obvious that Mikhail Gorbachev liked and admired JIM WRIGHT.

Let us hope that the efforts of our House Speaker and those Members of Congress who had the privilege of accompanying him to the Soviet Union can be beneficial and truly historic in nature and lead us to spending less money in the Soviet Union and the United States for arms and more for programs that help the people of these two world superpowers.

My wife Carol and I are very grateful for the opportunity to have visited the Soviet Union for the first time.

One accomplishment of this visit to Russia to build important bridges for the future.

The second sentence which Mr. Gorbachev said in his meeting with 20 Members of this House of Representatives was: "Thank God we can meet here to talk about arms control."

Let us work toward more dialog between the leaders of the two world superpowers in order that the people of this world can someday—soon as possible—enjoy peace. Then the United States and the Soviet Union can spend more of its government moneys upon education, health care, transportation facilities, housing and other worthwhile programs and less moneys on the stockpiling of arms and defending geographical borders.

Mr. LELAND. Let me say, if I can, to the gentleman from Kentucky, I certainly appreciate his participation with me in this special order tonight, and say that the gentleman from Kentucky has already made great strides, and played more than just a small part in working toward that peace he alluded to.

I truly recognize the boldness of the statement from a Member of Congress from Kentucky to talk about the openness, the newness, the hopefulness of a different kind of environment in the Soviet Union.

□ 2130

In all, the Speaker of the House of Representatives tried to do, Speaker JIM WRIGHT, and we, those of us who worked in concert with him on that trip, all we did was to try to further that hopefulness about world peace and what I call the "Wright doctrine," the Jim Wright doctrine which is this, if you will: that the Speaker tried to get us, and we did I think, to put aside superficial things as we went throughout the Soviet Union to try to observe what it was all about, and as we met with those, in very historic meetings those Soviet leaders of the very highest rank, when we met with them we were very deliberate, as directed by the Speaker, our leader, and we were very precise and very clear on the point that we wanted to see the Soviets and Americans get together, to reduce down the incredible armaments that we have each of us respectively so that at some point in history our children can live together in a peaceful tranquil world without the fear of total annihilation by either of us or any of those who would try to reduce humankind because of the great buildup of these incredible weapons.

The Speaker on more than one occasion, indeed to all of the leaders with whom we met, talked about how incredible it was that we would spend $300 billion to build our arsenal because we feared the Soviets, and the Soviets, in the same spirit, would spend 200 billion rubles, which is about the same amount of money, doing the same thing, because they live in fear of us.

The Speaker tried desperately to tell the Soviet leadership that what we ought to be about is working together on those problems that we can solve together.

I yield to the gentleman.

Mr. HUBBARD. How many times, if the gentleman would say, did the gentleman hear the Russian leaders and those with whom we visited at luncheons, dinners, and receptions mention the fact that in World War II they lost more than 20 million people inside the Soviet Union with the destruction of cities? The loss of 20 million people, they mentioned that—how many times, if the gentleman can remember?

Mr. LELAND. I do not know how many times, just many, many times. The fact is we had arrived at the conclusion that maybe the Soviets are so paranoid that indeed they felt they have to do what they are doing; wrongly so, and we understood that. But the fact is that they did indeed lose more than 20 million people.

Now, that does not justify their actions or their violation of human rights or their violation of the Helsinki accords, and so forth and so on. But at the same time, when you get close to the problem, when you get within the realm of that kind of history, sometimes it is not so clear then why people would react in a very humanly way. The Speaker in response to that told Mr. Gorbachev that maybe we all ought to examine and reexamine ourselves as much as we examine and reexamine others, to try to evolve some real understanding about each other so that we can begin to work toward that peace, so that we can begin to communicate with each other.

I yield to the gentleman.

Mr. HUBBARD. I thank the gentleman for yielding.

Remembering that for my wife Carol and I, it was our first trip to the Soviet Union. We did not know what to expect, we did find people there with whom we came in contact to be hospitable, kind to us. We were surprised to know that the young people, 30 and under in the Soviet Union speak the English language. They teach the English language in schools, unlike the United States.

Mr. LELAND. And very eloquently, I might add.

Mr. HUBBARD. Indeed they do.

I first found that out when my wife and I were near Lenin's tomb and were trying to take a picture of the Kremlin. My wife walked up in front of the Russian soldiers, one of the Russian soldiers, and with body gestures and with her camera was trying to get the message across to the Russian soldier that we would like to take his picture. Stone-faced, he stood there and suddently he uttered the words "why not?" So she was pleasantly surprised that this Russian soldier spoke English and said, "Go ahead; why not?" She took the picture.

They do know what we are doing here in the United States, they keep up with us a lot more than we keep up with them. They appeared, yes, to be paranoid about the fact that they might have to undergo another war and lose more people. That is why it was significant to me at least and obviously to the gentleman from Texas [Mr. LELAND] they mentioned just dozens of times that they lost 20 million people in World War II and they do not want that to happen again.

Let us hope and pray that with that attitude and with the new leadership with whom the members of our delegation have a good rapport at this point, especially JIM WRIGHT, our House Speaker, that we can continue to build bridges and have more dialog and certainly postpone for a long time any thought of one of our leaders of the superpowers pushing the wrong button to start a nuclear holocaust.

Mr. LELAND. Let me also reiterate the point that I think is apropos to this moment. That is that our Speaker went to the Soviet Union with this delegation, he led this delegation with the specific instructions to us, overture to us, rather, that we should not do anything that would disturb the current negotiations going on between the White House and the Kremlin, that indeed it is not our constitutional responsibility to negotiate treaties or anything of the sort, but rather we can indeed demonstrate how much we want to enhance these opportunities.

That by the way, those discussions, if you will, that go on now between the Soviets and the United States or the Kremlin and the White House, we want to enhance those opportunities to further the issue of peace.

I yield to the gentleman.

Mr. HUBBARD. I would mention that Speaker WRIGHT emphasized to Mr. Gorbachev and others that we in our position as Members of Congress could not negotiate. We knew that had to be up to our President, Ronald Reagan, and our Secretary of State, George Shultz, both of whom were highly complimented for their roles by our delegation. They could not really tell which of us were Republicans or Democrats, they just knew that we were 20 Americans from the U.S. House of Representatives. We spoke and tried to act as one unit trying to build bridges for a better future between the two superpowers.

Mr. LELAND. Let me conclude by saying that just last year I had a little baby boy. He was my first and only child. He is now 15 months old on the 6th of this month, as a matter of fact, 15 months old.

I hope that what little service I have rendered to the American people by my service in this Congress of the United States facilitates the opportunity for him to grow up in a world that is peaceful. But more than that, the little children who I have seen all over Africa, suffering from the famine, the little orphans that I saw who are now fat, not necessarily happy, but at least are growing and maturing, that they too will grow up in a world of peace.

While we may differ in ideology, those ideologies will not evoke any kind of violent response or even a response to call for developing or manufacturing or hoarding arms for the purpose at some point of maybe "we are going to attack you" or "we are going to have to defend our borders" for whatever reason. We indeed beg to disagree without being disagreeable, and we understand we have a commonality of interests and that is the preservation of humankind. I think having gone to the Soviet Union led by the Speaker of the House of Representatives, JIM WRIGHT, our America is a lot safer today, and I think that in the future our world is a lot safer because of the incredible intelligence and spirited leadership of this man who we have elected Speaker of the House of Representatives, this people's House.

I thank the Speaker for allowing me, and I thank the rules of this House for giving me this opportunity to render this special order.

Mr. Speaker, I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1039, AMENDING MINERAL LANDS LEASING ACT OF 1920 RELATING TO OIL SHALE CLAIMS

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 100-81) on the resolution (H. Res. 155) providing for the consideration of the bill (H.R. 1039) to amend section 37 of the Mineral Lands Leasing Act of 1920 relating to oil shale claims, and for other purposes which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1748, DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 100-82) on the resolution (H. Res. 156) providing for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE CONSTITUTION OF THE UNITED STATES—ITS APPLICABILITY TO THE DEFICIT

The SPEAKER pro tempore (Mr. LANCASTER). Under a previous order of the House, the gentleman from Georgia [Mr. SWINDALL] is recognized for 60 minutes.

Mr. SWINDALL. Mr. Speaker, this evening I will continue a series of special orders that I am doing on the Constitution of the United States and its applicability to the numerous problems that divide our Nation.

I apologize for the fact that I have got a cold and my voice may sound a little rough, but I will try to articulate as well as I can in spite of those conditions.

Tonight's topic is going to be the deficit. When I think about the deficit, I am reminded of a friend of mine who several years ago inherited a very large and beautiful mansion in Atlanta, GA.

□ 2140

He had inherited it from his family and thought it to be really an incredible stroke of good fortune that he would have the opportunity to move in with his wife, whom he had only married several years beforehand, moving from the medium-sized house in which they have been living to this gracious mansion.

Of course, it was given to him absolutely debt-free, and after having moved in, within just a few months, he began to realize that perhaps this was not such a stroke of good fortune after all, because before long, he got his tax bill and he found that between the city and the county taxes, that that alone was far more than the payments that he had been making on his previous house, in terms of the mortgage payment.

Then he found that the upkeep in terms of the electricity and the gas and just keeping up the grounds and the paint and that type of thing was even more, again, than the tax bill, and before long, he and his wife were both working second jobs to try to keep this house up.

Then they began to meet regularly to try to find where they could cut in their personal budgets in order to accommodate these new payments that they had to make. Finally, they were strapped to the point that it occurred to them that they could not make enough money from their regular jobs and the jobs that they had taken on as secondary jobs, and even from all their budget cuts, to live within the confines of this beautiful mansion.

Finally, though both were reluctant because it was a mansion that had been in the family for many, many years, they came to the conclusion that as much as they would like to keep it, they simply could not afford to keep it.

So they put it on the market, sold it, and moved back into the home in which they had once lived. Not surprisingly, they find that they really enjoyed that far more because living in the home in which they could afford, they had money available to them to do some of the things that they really enjoyed doing.

The reason I say that that story reminds me of our own Federal deficit is that I think if we really examine our deficit crisis today, we will find that our crisis really rests more in the fact that we have created a structure in which we cannot survive than it does in the fact that we have not raised taxes enough or cut spending enough to be able to afford our structure.

The truth of the matter is that for many, many years now, we have been deluding ourselves with this idea that somehow we can afford to live in the structural budget that we have now created by either raising taxes or cutting spending here and there or a combination of both.

A study of our own budget process will quickly, I think, bring us back to reality. What has happened is that if you take, for example, just 1950, in terms of what we were spending, in terms of percentage of GNP, you will find that at the Federal level, our total outlay in terms of percentage of GNP—and the reason I use percentage of GNP is that that is a constant figure. It is something that recognizes the impact of inflation and recognizes the impact of increased costs and increased other types of increases and if you look at the percentage of GNP, you will find that in 1952, we were spending 19.8 percent of the total GNP at the Federal level.

By 1960, we were spending, in terms of the total percentage of GNP, 18.2 percent. Then, by 1981, the end of the Carter administration, we find that we were spending 22.7 percent of GNP. Today, we spend 23.8 percent. For all intents and purposes, one-quarter of every dollar generated in income in this country is spent by the Federal Government.

Illustrated slightly differently, we now consume one-quarter of the economic pie of this country.

Every dollar that is spent by the Federal Government is one less dollar available to every other government, whether it is family government, individual government, city government, county government or State government, or the private sector in general.

One other thing that I think is important in terms of just looking at historic numbers is the amount of money that we collect in taxes at the Federal level. In 1981, we were collecting at the Federal level in taxes $244 billion from individuals and $61,137,000 at the corporate level.

I mention that because if you read the papers, you will be convinced that today we are collecting less in taxes. All you hear about is the tax cuts that have occurred over the last 5 years.

Look at the 1987 revenue projections and you will find that revenues from individuals that we project will be collected will be $364 billion; corporations will be paying $104 billion. That is $43 billion more from corporations and $120 billion more from individuals.

In 1981, the total collections, in terms of revenues, were $599 billion. Next year, they will be $842 billion.

The fact of the matter is that we have a deficit today, not because we are taxed too little, but because we are spending too much. In fact, since the Reagan administration's inception in 1981, Federal revenues have increased by 41 percent, but remarkably, spending has increased by 50 percent.

I mention that because we hear so much about the budget cuts that have occurred over the last 5 years. How, then, if we have increased revenues by 41 percent is it possible that today we have a deficit that is even larger than it was in 1981 if we have been cutting expenditures?

The answer is clearly that we have not been cutting expenditures unless you define "cuts" as we in Washington define cuts. In Washington, a cut is defined as spending less money next year than you wanted to spend, but more money than you spent last year. You can go through line item after line item after line item in the budget and you will find the same thing.

We have not cut; we have, in fact, increased. Take, for example, the expenditures for primary, secondary and higher education in this country.

□ 2150

In 1981 we were spending $14.83 billion. This last year we spent $17.4 billion. Yet how many times have we heard that we have cut expenditures in education under the Reagan administration?

I know that statistics can be overwhelming in terms of trying to sort them all out, but I think one fundamental truth can be derived from statistics. We are very similar today in terms of our plight as a Nation to the family I just mentioned at the outset. We are living in a structure that we simply cannot afford to live in. We can continue to try to cut the lights down, we can continue to try to make marginal savings here and there, but the truth of the matter is that just as that family was incapable, given its resources and its ability to earn money, to live in a mansion, we in this country are incapable of continuing to live within the structure of the budget that we have created. At some point, like the family that finally chose to restructure its own debt and its own budget, we are going to have to do the same thing in this country.

Let us look at how the average family goes about the budget process. The average family sits down and asks themselves: "How much are we reasonably expecting to earn next year?"

Then based on what they reasonably expect to earn, they ask themselves, "How do we want to spend that money?"

Now, certainly they do not start by assuming that they are going to earn the same thing, for example, that some other couple next door, for example, is earning. They ask, "What are we going to earn?" They are going to ask themselves, "What is reasonable?" Not "What would we like to earn?" But "What are we actually going to earn based on what we have earned in the past?"

I think that in the budget process the average family then sits down and, in terms of how they are going to spend that income, says, "Let's start by making certain that we have shelter." Then they allocate in a reasonable amount for their shelter.

Next they say, "We certainly have to feed ourselves and our family, so let's allocate in a reasonable amount for food."

Next they have got to allocate transportation costs to get to and from work and to get to and from play and all their other activities.

Finally, after taking care of all those essentials from housing to food to transportation, they ask themselves, "With respect to what is left, what are the priorities?"

Now, if you gather together most families, you will find they are going to have a wide divergence of opinions in terms of what their priorities are. Chances are the teenagers are going to say they want a new stereo, chances are that Dad is going to say he would like a new set of golf clubs, and chances are that Mom is going to say that she would rather Dad would get a new lawn mower. You can go on down through all the various special interests within the family, but the bottom line is that at some point you recognize that you have a limited amount of money and you have to make some tough choices. You have to choose between whether you want a new color television, a new stereo, or taking a vacation. Then once those choices are made, you set forth a budget based on those choices, and then you follow it.

What happens if you do not follow your budget? Well, what will probably happen is that by the end of the year you will find that you have spent more, for example, on housing than you can afford, so there is not enough money left to buy food. Then you are probably going to go out and borrow the money because you know that you have got to continue to feed your family. But if you do that year after year after year, inevitably what is going to happen is that whoever is lending you the money is going to say, "Wait a minute. Let's be reasonable about this. I cannot continue to lend you money year after year after year when all you are doing is paying me interest and you are adding to the principal amount of your debt. Before I lend you the next sum of money, you are going to have to show me some fundamental change in the way your family is doing its budget. Otherwise I am not going to lend you the money because I am not doing you a favor or my bank a favor"—if it happens to be a bank—"by continuing to lend you money when I know you do not have the wherewithal to pay the money back."

In other words, any lender is going to say, "You've got to basically understand that you are living above your means, and if you don't stop living above your means, you are going to find yourselves in a state of bankruptcy."

Let me say this to my colleagues in Congress: Congress and the American Government are no different from the family in terms of the basic laws of economics. You cannot continue to spend more than you take in without eventually causing some basic problems.

In terms of this country, what we have done is, for every year since 1969, which was the last year that we balanced the Federal budget, we have been spending more than we take in. The question is: What were we spending back in 1969, the last year that we balanced the Federal budget?

In terms of percentage of the GNP, we were spending back in 1969 roughly 20 percent of GNP.

What were our revenues? Obviously, roughly 20 percent GNP. Today we are spending, as I mentioned, nearly 24 percent of GNP, and our revenues are 19.4 percent of GNP.

How does that compare to 1981? In 1981 we were also taking in, in revenues, about 19.4 percent of GNP. Today we have a deficit not because we are being taxed less but because we are spending more.

So fairly evidently, if we expect to balance our budget, the answer is not to raise taxes; it is to cut spending.

The next question, using the illustration of the family budget, is this: where do you go about cutting the expenditures? Well, I think a pretty smart place to start is to ask, where have the increases occurred?

One of the myths in America today is that in large part what is most responsible for the deficit is a combination of tax cuts, which we have dispelled as not tax cuts, and also a growth in the defense budget. Once again, let us not deal emotionally with this issue. Rather, let us look at what the facts are.

If we go back and look at defense expenditures in terms of percentages of GNP, we will find that in 1949 and 1950 we were spending a total of 10 percent of GNP on defense. Today we are spending in terms of percentage of GNP on defense roughly 7 percent. Let me get the exact figures.

Incidentally, the document to which I am referring is the Historical Tables of the Government of the United States compiled by the Office of Management and Budget. We find in examining that document that in 1986 we spent on defense, in terms of percentage of GNP, 6.8 percent.

Now, why, then, if we are spending almost 3 percentage points less in terms of GNP today than we were in 1950 or in 1960, does it seem as though we are spending more on defense? The answer is that by 1980 we had allowed our defense system to deteriorate to the point where we were spending only 5.3 percent of GNP.

So relative to what we were spending at the end of the Carter administration—a time when we could not even send our helicopters across the desert to rescue the hostages in Iran without half of the helicopters failing because of lack of maintenance and a lack of knowhow on the part of our servicemen to operate them—we have basically since then gradually built our defense system back up. But still, in overall dollars, it is substantially less than we were spending back in 1960 before the Vietnam war.

Another interesting point is that if we look at defense expenditures in terms of the percentage of the total budget, we will find that in 1960, before Vietnam, under the Kennedy administration, the beginning of the Kennedy administration in 1961, we were spending half of the total budget on defense. What are we spending today in terms of the total budget on defense? Less than a third. In fact, it is about 27 percent of the total budget that is spent on defense. If that is the case, then, it is fairly evident that if we are going to go through our budget reasonably and ask, "What is causing the deficit," it is not the defense budget.

Where, then, has the growth occurred? The growth has occurred in two fundamental areas. One is direct payment to individuals.

□ 2200

You will find that the direct payments to individuals back in 1960 were roughly 24 percent of the total budget. Now, they are roughly half of the total budget. So what we have actually done is we have taken what we were spending in defense in terms of the total budget in 1960 and what we were spending for direct payments to individuals in 1960, and in terms of 1987 and 1986, we have reversed them.

Today, what we were spending for defense we are now basically spending half of that, and in terms of what we were spending in terms of the total budget on payments to individuals we have doubled.

Clearly, if we really want to get serious about balancing the budget within the means that we now earn and in a responsible prioritization, we ought to look at where the growth has occurred and then seriously consider restoring the type of fiscal responsibility that would not jeopardize our Nation's security, but also address some of the problems that I have addressed in some of my past special orders. That is, recognize that when the Federal Government continues to reach out and consume more and more dollars, there is less money available for these other governments that our Founding Fathers said were better prepared to address the many, many problems that we now find the Federal Government addressing.

The more money that we take out of the family budget, the less money the family has to address the basic needs that they have. The more money that we take out of the local governments' budget, the less money they have available for libraries, for roads, for those types of infrastructure improvements that they ought to be handling.

Interestingly enough though, if you really began to look at the process when we get into this budget debate, there is very little discussion made about the Constitution and what aplication it might have in terms of helping us work our way out of this mess. If we would simply look at the Constitution as our basic, guiding light in terms of what the Federal Govenment ought to be engaged in, and what it ought not to be engaged in in terms of activities and responsibilities, we would eventually find that if we would focus only on our constitutional responsibilities, we would then have enough money in the revenues that we are already collecting to run the Government and actually roll back taxes.

One other point that I think ought to be addressed as we talk about the whole budget concept and the deficit crisis is, when you really get right down to it, the decisions that we make with respect to how the Federal Government is going to spend its money comes down to a battle between two basic budgets. The family budget on one hand and the Federal budget on the other hand.

Folks, there is no way that you can tell me that the American people do not believe in their own minds, in their own hearts that they are better capable of spending their money and solving their problems than we in Washington are. The problem is that every time we raise taxes, what we are really saying to them is we think you are incapable of solving your problems and we are better capable, or, stated differently, we think we are better capable of spending your money than you are.

One last point that I think must be mentioned in terms of this issue about the Federal budget versus the family budget is that if you look at the Constitution, we placed so much emphasis on the family because we really realize that the family is the backbone of this country. Without that basic backbone, we cannot expect the total body, the corporate body of this country, to be strong because without the backbone, the rest of the body collapses. As we have gradually plucked one bone after another bone after another bone out of that backbone, we ought not to be surprised that our Nation is beginning to weaken because in essense, its lifeblood, its infrastructure, is folding.

It is no accident that the number of divorces have now literally exceeded the number of marriages in many, many communities. I think one of the reasons for that is that is the Federal

Government continues to send a message that families really are not important. We may not say that rhetorically, but in terms of our budget message, that is exactly what we continue to say.

In closing, I would say to my colleagues in this Congress that it is fairly clear that we are not overnight going to go back using the Constitution as the guiding light in terms of our budget process. So, in my judgment, the only way that we really are going to achieve a balanced budget that gives the American family the right to spend the money they work so hard to achieve and to make the kind of decisions that families ought to be making, not the Federal Government for them, we are going to have to have a balanced budget amendment that says to this body what States, and 43 out of the 50 States have already said to their bodies, and that is "you cannot spend more than you take in." But it is not good enough to simply say, "you have got to balance your budget," because that would leave open the opportunity of raising taxes.

Incidentally, right now the big discussion up here is that we are going to raise taxes and cut spending, and through a combination of the two, balance the budget. In fact, the budget that passed this House on pretty much a partisan split; the Democrats pretty much supporting it; the Republicans pretty much opposing it, said exactly that. "We are going to raise taxes by $18 billion." Nobody will say exactly how, but mark my words, it will be out of the pocket of the American family, and we are going to cut spending $18 billion.

Our own recent history indicates that that is not what is going to happen at all. The last time we raised taxes on a similar proposal was when Congress passed TEFRA. President Reagan signed off on it because the Congress, both the House and the Senate and the leadership of the two bodies said to the President, "If you will raise taxes, we will promise you that for every dollar that you agree to raise taxes, we will cut spending three."

Now, that was in 1982. We now have the benefit of history to find out whether Congress lived up to its word. The truth is, Congress did not live up to its word. For every dollar that we raise taxes, and yes, we did raise the taxes, just as promised, rather than cutting spending $3, we raised spending roughly by $1.80.

Why do we think Congress has changed its ways? It has not. The reason that Congress will not ever cut expenditures, unless there is some type of constitutional amendment mandating that it live within its budget, is that just like the family that sits around and tries to decide whether they want a color television or a vacation or a new lawnmower or a new stereo or whatever else, if there is not someone there that is saying, "We have got to live within our means," what they will inevitably do is, they will say, "Let us just make everybody happy. Let us just go ahead and buy all of these things and that way everybody can have what they want."

This city, unfortunately, has evolved to a city that is run by special interests. If you do not believe it, watch the budget process up here. Everytime somebody talks about cutting or eliminating any type of program, you can count on the fact that whoever is representing that particular program has a lobbyist right here in Washington, DC, that will make the rounds and inevitably what the lobbyist will do is, they will call on the various Members of Congress and they will say, "We represent 'X' special interest group, and we want to tell you that somebody has proposed to either cut or eliminate this particular program. We represent the beneficiaries of that program, and if you all cut this, there are going to be a lot of folks upset with you because of all the wonderful things this program does, but more importantly, Congressman, if you vote to cut or eliminate this program, we will make absolutely certain that every person in your district that receives benefits from that program is made aware of it and I guarantee you they will vote against you."

□ 2010

Well, you take that type of argument and just multiply it by the number of programs that we have and pretty soon it does not take long to find out not only why we cannot cut programs, but why the programs continue to grow.

The problem is that we do not have anybody in Washington looking out after the general public. Nobody is even up here to pat a Congressman on the back when they vote for freezing the budget or when they vote to cut the budget. In fact, they can just about count on the fact that their mail is going to run ten to one against such a vote and then we wonder why we need a constitutional amendment to mandate it. Unless this body is forced to make the tough decisions, to prioritize between the various categories, we can count on the fact they will not.

Well, what does that mean? Well, what it means, the other area of growth, other than payments to individuals, is going to continue to grow and that is the interest load. The interest load today is about $350 million a day, roughly $140 billion a year.

The amazing thing about that is that that is at a time of relatively low interest. The Federal Government borrows at a rate of about 6 percent a year today. What would happen if we returned to the inflation, the interest rates that typified the Carter administration?

Well, what would happen is that rather than the budget being comprised of roughly $140 billion, if we were to get to the 12-percent rate that we were in back in 1979, 1980, and 1981, we would find that the interest load, which no one benefits from, would be roughly $300 billion.

The significant of that figure is that that is more than we are spending on the defense of this country today.

More importantly, if we continue to let the interest rate grow, what we are really doing is we are throwing away vital money that could be used for the types of services that individuals expect from their Government.

Most everybody understands the concept that if you get a new Master Card or American Express card or any other credit card in the mail, they will send you a monthly statement and on that monthly statement it will always have what the interest amount is and what the principal amount is.

We all know you can continue to pay interest only, if you choose, but what happens is if you pay interest only, you never ever retire the debt and pretty soon your interest payments are just basically something that you are really not getting anything in terms of benefit from, and that is where we are in this country.

The worst part about it is we continue to add to the debt. I have a lot of persons who call me up and say, "Why don't we just start raising the tax? That would reduce the deficit."

My answer is that it does not do much good to raise taxes to reduce the deficit if you have not figured out what is causing the deficit to begin with. What is causing the deficit is increased spending and if we just continue increasing spending, raising taxes to cut the deficit would be like putting gasoline on a fire in hopes of putting it out. All we do by raising taxes is make the problem worse.

The only way we are going to solve this deficit crisis is with a constitutional amendment to mandate that Congress make the tough choices and begin to look at the Constitution and recognize that there was a lot more wisdom in that document than we have apparently given the founding fathers credit for, because that document outlines a way that we can not only balance our budget, but we can also balance the responsibilities in the fashion that allows individuals and local governments to solve the problems that face them today in a meaningful way, in a way that puts people back into the process where they know their choices will be heard, and more importantly, where they know they will get the kind of results that solve the problem, rather than making it worse.

I thank the Speaker and yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Horton (at the request of Mr. Michel), for today, on account of receiving the Award for Distinguished Service from the Grand Lodge of Masons of the State of New York.

Mr. Combest (at the request of Mr. Michel), for today, on account of injury.

Mr. McKinney (at the request of Mr. Michel), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Weldon) to revise and extend their remarks and include extraneous material:)

Mr. Combest, for 5 minutes, today.

(The following Members (at the request of Mr. Richardson) to revise and extend their remarks and include extraneous material:)

Mr. Chapman, for 5 minutes, today.

Mr. Udall, for 5 minutes, today.

Mr. Durbin, for 5 minutes, today.

Mr. Ray, for 5 minutes each day, on May 6 and 7.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. McCandless, following rollcall 80 in the House today.

Mr. Shaw, after rollcall 80 in the House today.

Mr. Guarini, following rollcall 80 in the House today.

Mr. Hutto, immediately following the vote on H.R. 28 in the House today.

Mr. Mfume, during consideration of the Pepper-Mfume amendment in the Committee of the Whole today.

Mr. Dymally, during consideration of the Pepper amendment in the Committee of the Whole today.

Mr. Traxler, immediately following the vote on the St Germain amendments to H.R. 27, in the Committee of the Whole today.

Mr. Smith of Florida, immediately following the vote on H.R. 28, in the House today.

(The following Members (at the request of Mr. Weldon) and to include extraneous matter:)

Mr. Coughlin.

Mr. Tauke.

Mr. Solomon.

Mrs. Morella.

Mr. Taylor in two instances.

Mr. Dannemeyer in three instances.

Mr. Gradison.

Mr. Pursell in two instances.

Mr. Lagomarsino in three instances.

Mr. Wolf.

Mr. DioGuardi.

Mr. Conte in two instances.

Mr. Kemp in two instances.

Mr. Green.

Mr. Denny Smith.

Mr. Marlenee.

Mr. Henry.

Mrs. Smith of Nebraska.

Mr. Badham.

Mr. Smith of New Jersey.

Mr. Ritter.

Mr. Courter.

Mr. Hyde.

(The following Members (at the request of Mr. Richardson) and to include extraneous matter:)

Mr. Yatron in two instances.

Mr. Weiss.

Mr. Lipinski on two instances.

Mr. Walgren.

Mr. Wyden.

Mrs. Schroeder.

Mr. Coelho.

Mr. Ford of Michigan.

Mr. Torres in two instances.

Mr. Pease.

Mr. Akaka.

Mr. Hertel.

Mr. Waxman.

Mr. Dingell.

Mr. Lehman of California.

Mr. Rangel.

Mr. Moody.

Mr. Fauntroy.

Mr. Gray of Pennsylvania in two instances.

ADJOURNMENT

Mr. SWINDALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 6, 1987, at 11 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and an amended report of various House committees concerning the foreign currencies and U.S. dollars utilized by them during the second quarter of calendar year 1986 and the first quarter of calendar year 1987 in connection with foreign travel pursuant to Public Law 95-384 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1986

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Guatemala, Nicaragua, Costa Rica, Honduras, and El Salvador, June 1–4, 1986:											
Ray, Hon. Richard	6/1	6/2	Guatemala		$80.00						80.00
	6/2	6/2	Nicaragua								
	6/2	6/3	Costa Rica		75.00						75.00
	6/3	6/4	Honduras								
	6/4	6/4	El Salvador								
Military transportation							2,169.96				2,169.96
Spratt, Hon. John M	6/1	6/2	Guatemala		78.20						78.20
	6/2	6/2	Nicaragua								
	6/2	6/3	Costa Rica		59.41						59.41
	6/3	6/4	Honduras								
	6/4	6/4	El Salvador								
Military transportation							2,169.96				2,169.96
Bustamante, Hon. Albert G	6/1	6/2	Guatemala		80.00						80.00
	6/2	6/2	Nicaragua								
	6/2	6/3	Costa Rica		75.00						75.00
	6/3	6/4	Honduras								
	6/4	6/4	El Salvador								
Military transportation							2,648.46				2,648.46
Nelson, Mr. Warren L	6/1	6/2	Guatemala		80.00						80.00
	6/2	6/2	Nicaragua								
	6/2	6/3	Costa Rica		75.00						75.00
	6/3	6/4	Honduras								
	6/4	6/4	El Salvador								

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1986—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Military transportation							2,169.96				2,169.96
Committee total					602.61		9,158.34				9,760.95

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LES ASPIN, Chairman, Apr. 30, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Germany, France, Luxembourg, and Spain, Jan. 9–18, 1987:											
Skelton, Hon. Ike	1/9	1/12	Germany		181.54						181.54
	1/12	1/14	France		418.13						418.13
	1/14	1/16	Germany		51.03						51.03
	1/16	1/18	Spain		107.59						107.59
Military transportation							9,514.82				9,514.82
Lally, Mr. John F	1/9	1/12	Germany		203.58						203.58
	1/12	1/14	France		380.43						380.43
	1/14	1/15	Germany		42.68						42.68
	1/15	1/16	Luxembourg		110.00						110.00
	1/16	1/16	Germany								
	1/16	1/18	Spain		113.80						113.80
Military transportation	1/	1/					9,514.82				9,514.82
Cofer, Mr. Williston B. Jr	1/9	1/12	Germany		221.38						221.38
	1/12	1/14	France		364.37						364.37
	1/14	1/15	Germany		50.88						50.88
	1/15	1/16	Luxembourg		162.71						162.71
	1/16	1/16	Germany								
	1/16	1/18	Spain		113.80						113.80
Military transportation							9,514.82				9,514.82
Visit to Honduras and Nicaragua, Jan. 9–19, 1987:											
Foglietta, Hon. Thomas M	1/9	1/12	Honduras		453.00						453.00
	1/12	1/19	Nicaragua		1,071.00				493.00		1,564.00
Commercial transportation							623.00				623.00
Visit to Germany, Jan. 30–Feb. 1, 1987:											
Stratton, Hon. Samuel S	1/30	2/1	Germany		163.50						163.50
Military transportation							1,339.17				1,339.17
Dickinson, Hon. Wm. L	1/30	2/1	Germany		163.50						163.50
Military transportation							1,339.17				1,339.17
Martin, Hon. David O'B	1/30	2/1	Germany		163.50						163.50
Military transportation							1,339.17				1,339.17
Visit to United Kingdom, Italy, and Turkey:											
Skelton, Hon. Ike	2/16	2/17	United Kingdom		287.99						287.99
	2/17	2/18	Italy		206.05						206.05
	2/18	2/21	Turkey		266.75						266.75
	2/21	2/22	Italy		240.13						240.13
Commercial transportation							4,501.00				4,501.00
Barrett, Mr. Archie D	2/16	2/17	United Kingdom		287.99						287.99
	2/17	2/18	Italy		177.73						177.73
	2/18	2/22	Turkey		266.75						266.75
	2/21	2/22	Italy		240.13						240.13
Commercial transportation							4,501.00				4,501.00
Visit to Austria and Czechoslovakia, Feb. 12–17, 1987:											
Bustamante, Hon. Albert G	2/12	2/16	Austria		760.00						760.00
	2/16	2/17	Czechoslovakia		151.00						151.00
Military transportation							2,913.28				2,913.28
Staff visit to Panama and Honduras, Feb. 19–22, 1987:											
Elrod, Ms. Marilyn A	2/19	2/21	Panama		194.00						194.00
	2/21	2/22	Honduras		202.00						202.00
Commercial transportation							535.33				535.33
Military transportation							29.75				29.75
Visit to Mexico, Feb. 26–28, 1987:											
Kyl, Hon. Jon	2/26	2/28	Mexico		100.58						100.58
Military transportation							655.72				655.72
Committee total					7,917.52		46,321.05		493.00		54,731.57

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LES ASPIN, Chairman, Apr. 30, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. J. Alex McMillan	1/10	1/12	El Salvador						56.65		56.65
	1/12	1/14	Nicaragua		150.00						150.00
	1/14	1/15	Honduras		75.00						75.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987—Continued

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
	1/15	1/16	Costa Rica		75.00						75.00
Military transportation							1,594.93				1.594.93
Hon. Rod Chandler	1/11	1/13	Philippines		260.00		40.58		325.09		625.67
	1/13	1/16	Indonesia		474.00		88.00				562.13
	1/16	1/21	India		640.00						640.00
	1/21	1/21	South Korea				113.58		231.16		344.74
Military transportation							9,528.69				9,528.69
Hon. Walter Fauntroy	1/9	1/10	England		123.50						123.50
	1/10	1/15	Botswana		750.00						750.00
	1/15	1/16	Zimbabwe								
	1/16	1/18	Mozambique								
Commercial air							5,191.00				5,191.00
Mark Constantine	1/9	1/10	England		123.50						123.50
	1/10	1/15	Botswana		750.00						750.00
	1/15	1/16	Zimbabwe								
Commercial air							3,215.00				3,215.00
Robert Browne	1/9	1/10	England		123.50						123.50
	1/10	1/15	Botswana		750.00						750.00
	1/15	1/16	Zimbabwe								
Commercial air							3,215.00				3,215.00
Hon. Esteban Torres	3/6	3/8	El Salvador		375.00				22.78		397.78
	3/8	3/9	Nicaragua		306.00						306.00
Military transportation							2,901.28				2,901.28
Committee total					4,975.50		25,888.19		635.68		31,499.37

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

FERNAND J. ST GERMAIN, Chairman, Apr. 28, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. Jim Slattery	1/17	1/18	Costa Rica		82.00						401.20
Commercial transportation											
Committee total					82.00		319.20				401.20

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM H. GRAY III, Chairman, Apr. 21, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Rep. Augustus Hawkins	2/16	2/18	Canada		300.00		277.15				577.15
Rep. Matthew Martinez	2/16	2/17	Canada		300.00		277.15				577.15
Rep. James Jeffords	2/16	2/18	Canada		300.00		239.20				539.20
Carole Stringer	2/16	2/18	Canada		300.00		277.15				577.15
Eric Jensen	2/16	2/18	Canada		300.00		207.15				507.15
Bruce Packard	2/16	2/18	Canada		300.00		207.15				507.15
Hotel Reservation no-show charge (Maxine Grant)									49.83		49.83
Beth Buehlmann	2/16	2/18	Canada		300.00		277.15				577.15
Daniel Yager	2/16	2/18	Canada		300.00		277.15				577.15
Committee total					2,400.00		2,039.25		49.83		4,489.08

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

AUGUSTUS F. HAWKINS, Chairman, Apr. 24, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
John J. Rhodes, MC	2/26	2/28	Mexico		150.00		[3]				150.00
Thomas Rawles, staff	2/26	2/28	Mexico		150.00		[3]				150.00
Committee total					300.00						300.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

[3] Military aircraft.

MORRIS K. UDALL, Chairman, Apr. 15, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Savage, Hon. Gus	3/15	3/17	France		430.00						430.00
Committee total					430.00						430.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES J. HOWARD, Chairman, Apr. 28, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Michael Rodemeyer	2/22	2/27	Austria		700.00		60.95				760.95
Commercial air							3,707.00				3,707.00
Committee total					700.00		3,767.95				4,467.95

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT A. ROE, Chairman, Apr. 30, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem[1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]	Foreign currency	U.S. dollar equivalent or U.S. currency[2]
Hon. J.J. Pickle	1/10	1/12	Jamaica	2,424.24	444.00						444.00
	1/12	1/14	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
Hon. Charles Rangel	1/10	1/12	Jamaica	2,424.24	444.00						444.00
	1/12	1/14	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
Hon. Ronnie Flippo	1/10	1/12	Jamaica	2,424.24	444.00						444.00
	1/12	1/14	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
Hon. Guy Vander Jagt	1/14	1/16	Barbados	890.63	442.00						442.00
	1/16	1/19	Jamaica		721.00						721.00
	1/19	1/20	Dominican Republic	411.75	135.00						135.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							629.70				629.70
Commercial transportation							1,418.00				1,418.00
Hon. Bill Frenzel	1/11	1/13	Philippines	5,349.50	260.00						260.00
	1/13	1/16	Indonesia	774,990	474.00						474.00
	1/16	1/18	India	3,338	256.00						256.00
	1/18	1/21	Korea	423,120	492.00						492.00
Military transportation							9,528.69				9,528.69
Hon. Bill Thomas	1/10	1/12	Jamaica	2,424.24	444.00						444.00
	1/12	1/13	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
Beth Kuntz Vance	1/10	1/12	Jamaica	2,424.24	444.00						444.00
	1/12	1/14	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
Vanessa Clark	1/10	1/12	Jamaica	2,424.24	444.00						444.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	1/12	1/14	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
George Weise	1/10	1/12	Jamaica	2,424.24	444.00						444.00
	1/12	1/14	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
A.L. Singleton	1/12	1/15	Switzerland	887.40	546.00						546.00
	1/15	1/16	Switzerland	295.80	182.00						182.00
Commercial transportation							593.00				593.00
Michael Superata	1/10	1/12	Jamaica	2,424.24	444.00						444.00
	1/12	1/14	Costa Rica	15,444	264.00						264.00
	1/14	1/17	Barbados	1,224.62	607.75						607.75
	1/17	1/20	Dominican Republic	1,936.75	635.00						635.00
	1/20	1/21	Haiti	670	134.00						134.00
Military transportation							2,766.44				2,766.44
Committee total					20,320.00		34,300.91				4,620.91

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN ROSTENKOWSKI, Chairman, Apr. 24, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Dave McCurdy	1/7		Africa						[3] 25.07		
Michael J. O'Neil, staff	2/22	2/24	Central America		202.00						202.00
Military aircraft							2,353.84				2,353.84
Duane P. Andrews, staff	2/22	2/24	Central America		202.00						202.00
Military aircraft							2,353.83				2,353.83
Steven D. Nelson, staff	2/22	2/24	Central America		202.00						202.00
Military aircraft							2,353.83				2,353.83
Committee total					606.00		7,061.50		251.07		7,918.57

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Cancellation fees—Trip canceled because Embassy refused to issue visas for travel.

LOUIS STOKES, Chairman, Apr. 28, 1987.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE TO INVESTIGATE COVERT ARMS TRANSACTIONS WITH IRAN, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1987

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Pamela Naughton	3/23	3/29	Switzerland		(3)		1,043.00				1,043.00
Richard Leon	3/23	3/29	Switzerland		(3)		1,043.00				1,043.00
Allan E. Hobron	3/25	3/28	Denmark		378.00		1,169.00				1,547.00
Committee total					378.00		3,255.00				3,633.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Information incomplete and will be forthcoming as soon as received from Department of State.

LEE H. HAMILTON, Chairman, Apr. 30, 1987.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1330. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the first report on tied aid credit which contains a description of any progress achieved in negotiations to establish an international arrangement to restrict use of tied and partially untied aid credits for commercial purposes, pursuant to 12 U.S.C. 635i-3(g)(1); to the Committee on Banking, Finance and Urban Affairs.

1331. A letter from the Secretary of Education, transmitting a copy of the notice of the final funding priorities for the Projects With Industry Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1332. A letter from the Director, Office of Legislative Affairs, Agency for International Development, transmitting the Agency's report on new contracts having a total estimated cost or price in excess of $100,000 which the Agency entered into without competitive selection procedures during the period October 1,1985 to September 30, 1986, pursuant to 22 U.S.C. 2394(a); to the Committee on Foreign Affairs.

1333. A letter from the Assistant Attorney General of the United States, transmitting copies of the report of the Attorney General regarding activities initiated pursuant to the Civil Rights of Institutionalized Persons Act during fiscal year 1986, pursuant to 42 U.S.C. 1997f (Pub. L. 96-247, sec. 8); to the Committee on the Judiciary.

1334. A letter from the Independent Counsel, the Iran/Contra matter, Office of Independent Counsel, transmitting copy of the first interim report, pursuant to 28 U.S.C. 595(a); to the Committee on the Judiciary.

1335. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a copy of the 1986 annual report of the Administrative Office of the United States Courts, bound together with the reports of the proceedings of the Judicial Conference of the United States, held during 1986, pursuant to 28 U.S.C. 604(a)(4) and (h)(2); 28 U.S.C. 2412(d)(5); to the Committee on the Judiciary.

1336. A letter from the Secretary of Transportation, transmitting a report regarding heavy truck safety, pursuant to 49 U.S.C. app. 2513(a); to the Committee on Public Works and Transportation.

1337. A letter from the Chairman, Securities and exchange Commission, transmitting a draft of proposed legislation to amend the Securities Exchange Act of 1934 to ensure that all participants in the nations' securities markets are equally regulated, to promote fair competition among those providing essentially identical services, and to ensure adequate protection for all investors; jointly, to the Committees on Energy and Commerce and Banking, Finance and Urban Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 953, a bill to authorize appropriations for fiscal year 1988 for certain maritime programs of the Department of Transportation and the Federal Maritime Commission, with an amendment (Rept. 100-80). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Rules. House Resolution 155, a resolution providing for the consideration of H.R. 1039, a bill to amend section 37 of the Mineral Lands Leasing Act of 1920 relating to oil shale claims, and for other purposes (Rept. 100-81). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 156, a resolution providing for the further consideration of H.R. 1748, a bill to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes (Rept. 100-82). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 2269. A bill to increase opportunities for small businesses to participate in the program authorized under section 8(a) of the Small Business Act, to provide for certain reforms in such program, and for other purposes; to the Committee on Small Business.

By Mr. DINGELL (for himself, Mr. Waxman, Mr. Pepper, Mr. Stark, Mr. Roybal, Mr. Scheuer, Mr. Florio, Mr. Leland, Mr. Richardson, and Mr. Bruce):

H.R. 2270. A bill to amend title XIX of the Social Security Act to change the Medicaid requirements for nursing facilities—other than intermediate care facilities for the mentally retarded—based on recommendations of the Institute of Medicine of the National Academy of Sciences; to the Committee on Energy and Commerce.

By Mr. CRAIG (for himself, Mr. Robert F. Smith, Mr. Denny Smith, and Mr. Marlenee):

H.R. 2271. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit Federal agencies to use pesticides on public lands without duplicating the research or analyses of the Environmental Protection Agency under that act; to the Committee on Agriculture.

By Mr. DANNEMEYER (for himself, Mr. Michel, Mr. Lott, Mr. Cheney, Mr. Vander Jagt, Mr. Lent, Mr. Madigan, Mr. Badham, Mr. Barton of Texas, Mr. Bliley, Mr. Burton of Indiana, Mr. Callahan, Mr. Coble, Mr. Craig, Mr. Crane, Mr. Daniel, Mr. Daub, Mr. DeLay, Mr. Dornan of California, Mr. Gingrich, Mr. Hall of Texas, Mr. Hansen, Mr. Hunter, Mr. Hyde, Mr. Konnyu, Mr. Lungren, Mr. McCollum, Mr. Packard, Mr. Parris, Mr. Ravenel, Mr. Rogers, Mr. Denny Smith, Mr. Smith of New Hampshire, Mr. Solomon, Mr. Stratton, Mr. Stump, Mr. Sundquist, Mr. Swindall, Mr. Walker, Mr. Wortley, Mr. Brown of Colorado, Mr. Boehlert, Mr. Coats, and Mr. Whittaker):

H.R. 2272. A bill to amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from making certain grants to any public entity established by a State that does not by law establish certain reporting requirements with respect to acquired immune deficiency syndrome; to the Committee on Energy and Commerce.

By Mr. DANNEMEYER (for himself, Mr. Michel, Mr. Lott, Mr. Cheney, Mr. Vander Jagt, Mr. Lent, Mr. Madigan, Mr. Badham, Mr. Barton of Texas, Mr. Bliley, Mr. Burton of Indiana, Mr. Callahan, Mr. Coble, Mr. Craig, Mr. Crane, Mr. Daniel, Mr. Daub, Mr. DeLay, Mr. Dornan of California, Mr. Gingrich, Mr. Hall of Texas, Mr. Hansen, Mr. Hunter, Mr. Hyde, Mr. Konnyu, Mr. Lungren, Mr. McCollum, Mr. Packard, Mr. Parris, Mr. Ravenel, Mr. Rogers, Mr. Denny Smith, Mr. Smith of New Hampshire, Mr. Solomon, Mr. Stratton, Mr. Stump, Mr. Sundquist, Mr. Swindall, Mr. Walker and Mr. Wortley):

H.R. 2273. A bill to amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from making certain grants to any public entity established by a State that does not by law establish requirements with respect to testing certain individuals for acquired immune deficiency syndrome; to the Committee on energy and Commerce.

By Mr. VANDER JAGT:

H.R. 2274. A bill to suspend for 3 years the duty on B-naphthol; to the Committee on Ways and Means.

By Mr. FIELDS:

H.R. 2275. A bill to establish the wildlife conservation fund, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Interior and Insular Affairs.

By Mr. GEJDENSON:

H.R. 2276. A bill to provide Federal assistance for economic development, economic stablization, and job training the areas heavily dependent on defense contracts and bases or in areas that have been affected by the termination of major defense contracts or the closure of a defense base; jointly, to the Committees on Education and Labor, Banking, Finance and Urban Affairs, and Armed Services.

By Mr. GIBBONS:

H.R. 2277. A bill to provide that the antitrust exemption applicable to the business of insurance shall apply only to the business of life, health, and hospitalization insurance; to the Committee on the Judiciary.

By Mr. HENRY: (for himself, Mr. Jeffords, and Mr. Ballenger):

H.R. 2278. A bill to require the Secretary of Labor to amend the hazard communication standard prescribed under the Occuptational Safety and Health Act of 1970 to provide more effective notice to employees of workplace hazards, and for other purposes; to the Committee on Education and Labor.

By Mr. HOCHBRUECKNER (for himself, Mr. Downey of New York, and Mr. Mrazek):

H.R. 2279. A bill to amend section 1 of the Atomic Energy Act of 1954, as amended, to clarify that no nuclear plant should operate without assurance from the Federal Government's experts on emergency preparedness that the public health and safety can and will be protected; jointly, to the Committees of Interior and Insular Affairs and Energy and Commerce.

By Mr. VANDER JAGT:

H.R. 2280. A bill to suspend for 3 years the duty on C-Amines; to the Committee on Ways and Means.

By Mr. McGRATH:

H.R. 2281. A bill to suspend the duty on kitchenware on transparent, nonglazed glass ceramics; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 2282. A bill to amend the Internal Revenue Code of 1986 to authorize the Secretary of the Treasury to disclose to the Secretary of the military department concerned or the Secretary of Transportation the mailing addresses of certain members the Ready Reserve and to disclose to the Director of the Selective Service System the mailing addresses of persons required to register under the Military Selective Service Act; to the Committee on Ways and Means.

H.R. 2283. A bill to amend title 10, United States Code, to authorize transportation on military aircraft to be provided to former members of the Armed Forces who are totally disabled as the result of a service-connected disability in the same manner and to the same extent as such transportation is provided to retired members of the Armed Forces; to the Committee on Armed Services.

By Mr. PORTER:

H.R. 2284. A bill to prevent further erosion of shoreline property by reducing abnormally high water levels on the Great Lakes; jointly, to the Committees on Foreign Affairs and Public Works and Transportation.

By Mr. PORTER (for himself, Mr. Hyde, Mr. Gray of Illinois, Mrs. Collins, Mr. Russo, Mr. Weber, Mr. Frank, Mr. Gray of Pennsylvania, Mr. Fazio, Mr. Lagomarsino, Mr. Solarz, Mr. Pepper, Mr. Clinger, Mr. Roe, Mr. Dwyer of New Jersey, Mr. Mrazek, Mr. Lewis of Georgia, Mr. Espy, Mr. Bustamante, Mr. Hayes of Illinois, Mr. Frost, Mr. Davis of Illinois, Mr. Lipinski, Mr. Hawkins, Mr. Owens of New York, Mr. Evans, Mr. Kolter, Mr. Martinez, Mr. Fish, Mr. Johnson of South Dakota, Mrs. Boxer, Mr. Garcia, Mr. Crockett, Mr. Mfume, Mr. Rangel, Mr. Ackerman, Mr. Atkins, Mr. Towns, Ms. Kaptur, Mr. Buechner, and Mr. Matsui):

H.R. 2285. A bill to require the Veterans' Administration to provide for medical examinations and counseling for overseas volunteer support personnel who served in Vietnam during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SAXTON:

H.R. 2286. A bill to amend the Internal Revenue Code of 1986 to allow State legislators who live not more than 50 miles from their State capitol to deduct travel expenses on the same basis as other State legislators; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. Lagomarsino, Mr. Hutto, Mr. Daniel, Mr. Petri, Mr. Bevill, Mr. Henry, Mr. Skeen, Mr. Wortley, Mr. Erdreich, Mr. Hiler, Ms. Kaptur, Mr. Barnard, Mr. Nielson of Utah, Mr. Brown of Colorado, Mrs. Bentley, Mrs. Meyers of Kansas, Mr. Horton, Mrs. Martin of Illinois, Mr. Olin, Mr. Neal, Mr. Wolf, Mr. Daub, Mr. Stenholm, Mr. Hughes, Mr. Clinger, Mr. Badham, Mr. Flippo, and Mr. DioGuardi):

H.R. 2287. A bill to establish the Federal Accounting Practices Review Committee; to the Committee on Government Operations.

By Mr. SPENCE:

H.R. 2288. A bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction to farmers who donate agricultural products to assist victims of natural disasters; to the Committee on Ways and Means.

By Mr. VANDER JAGT:

H.R. 2289. A bill to suspend for 3 years the duty on diamino imid sp; to the Committee on Ways and Means.

By Mr. UDALL (for himself, Mr. Richardson, Mr. Campbell, Mr. Johnson of South Dakota, Mr. Lowry of Washington, Mr. Lewis of Georgia, Mr. Vento, Mr. Young of Alaska, Mr. Lagomarsino, Mr. Bereuter, and Mr. Rhodes):

H.R. 2290. A bill entitled, the "Indian Health Care Amendments of 1987"; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. WEISS (for himself, Mr. Rinaldo, Mr. Ackerman, Mr. Guarini, Mr. Owens of New York, Mr. Rangel, Mr. Scheuer, Mr. Solarz, Mr. Towns, Mr. Hughes, Mr. Rodino, and Mr. Garcia):

H.R. 2291. A bill to amend Public Law 99-190 to repeal the provision relating to the collection of tolls for motor vehicles on any bridge connecting the borough of Brooklyn, NY, and Staten Island, NY; to the Committee on Public Works and Transportation.

By Mr. WILSON:

H.R. 2292. A bill to amend the Federal Power Act to provide for the provision of wheeling services to political subdivisions of States which operate facilities generating hydroelectric energy; to the Committee on Energy and Commerce.

By Mr. DANNEMEYER:

H.J. 264. Joint resolution designating 1988 as "National Year of the Family"; to the Committee on Post Office and Civil Service.

By Mr. WALGREN:

H.J. Res. 265. Joint resolution designating November 6, 1987, as "National Chemistry Day"; to the Committee on Post Office and Civil Service.

By Mr. ACKERMAN:

H. Con. Res. 116. Concurrent resolution expressing the sense of Congress with respect to denial of the rights to travel and emigrate by the Socialist Republic of Romania, noting the effects of that denial in preventing the reunification of families such as the family of Napoleon Fodor; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

63. The SPEAKER presented a memorial of the general assembly of the State of Indiana, relative to the proposed rules of the Internal Revenue Service on lobbying by public charities; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII:

Mr. FRANK introduced a bill (H.R. 2293) for the relief of William A. Cassity, which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of the rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Mr. Atkins, Mr. Kostmayer, Mr. Edwards of California, Mr. Fish, Mr. Kastenmeier, Mr. Huckaby, Mr. McKinney, and Mr. Mineta.

H.R. 190: Mr. Boulter.

H.R. 372: Mr. Eckart, Mr. Hughes, and Mr. Rowland of Georgia.

H.R. 381: Mr. Atkins.

H.R. 382: Mr. Wilson.

H.R. 385: Mr. Leland, Mrs. Byron, and Mr. Gilman.

H.R. 388: Mr. Evans, Mr. Jontz, and Mr. Yates.

H.R. 412: Mr. Gilman.

H.R. 468: Mr. Shuster.

H.R. 512: Mr. Kolter, Mr. Gray of Illinois, Mr. Bevill, and Mr. Perkins.

H.R. 513: Mr. Perkins, Mr. Bevill, Mr. Kolter, and Mr. Gray of Illinois.

H.R. 593: Mr. Gregg, Mr. Ireland, and Mr. Gallo.

H.R. 594: Mr. Dannemeyer, Mr. Badham, Mr. Wortley, Mr. Solarz, Mr. McKinney, and Mr. Wilson.

H.R. 630: Mr. Lightfoot and Mr. Perkins.

H.R. 671: Mr. Gallo and Ms. Snowe.

H.R. 672: Mrs. Morella.

H.R. 680: Ms. Snowe.

H.R. 722: Mr. Coughlin.

H.R. 907: Mr. Hochbrueckner and Mr. McKinney.

H.R. 910: Mrs. Schroeder.

H.R. 958: Mr. Lagomarsino, Mr. Craig, and Mr. Johnson of South Dakota.

H.R. 1172: Mr. Solarz.

H.R. 1242: Mr. Stark.

H.R. 1301: Mr. Armey, Mr. Martinez, Mr. Ritter, Mr. Miller of Washington, Mr. Atkins, and Mr. Foglietta.

H.R. 1337: Mr. Sisisky.

H.R. 1407: Mr. Smith of Florida.

H.R. 1496: Mr. Edwards of Oklahoma.

H.R. 1532: Mr. Hansen, and Mr. Wilson.

H.R. 1695: Mr. Ackerman, Mr. DeFazio, Mr. Sunia, and Mr. Atkins.

H.R. 1700: Mr. Smith of Florida, Mr. Ford of Tennessee, Ms. Kaptur, Mr. Howard, Mr. St Germain, Mr. Solarz, Mr. Ackerman, Mr. Lewis of Georgia, Mr. Crockett, Mr. Edwards of California, Mr. Towns, Mr. Brown of California, Mr. Vento, Mr. Weiss, Mr. Feighan, Mr. Garcia, Mr. Conyers, Ms. Oakar, Mr. Hochbrueckner, Mr. Dwyer of New Jersey, Mr. Hertel, Mrs. Byron, and Mr. Martinez.

H.R. 1701: Mr. Eckart.

H.R. 1713: Mrs. Byron and Mr. Nielson of Utah.

H.R. 1734: Mr. Crockett.

H.R. 1742: Mr. Whittaker and Mr. Fish.

H.R. 1755: Mr. de Lugo, Mr. Leland, and Mr. Rodino.

H.R. 1770: Mr. Gilman and Mr. Kolter.

H.R. 1776: Mr. Martinez.

H.R. 1808: Mr. Bevill, Mr. Ackerman, Mr. Penny, Mr. Sikorski, Mrs. Lloyd, Mr. Fazio, Mr. Frank, Ms. Oakar, Mr. Atkins, Mr. Martinez, and Mr. Mavroules.

H.R. 1866: Mr. Solarz, Mr. Hochbrueckner, Mr. Owens of New York, Mrs. Boxer, Mr. Conyers, and Mr. Obey.

H.R. 1879: Mr. Martinez and Mr. Wise.

H.R. 1902: Mr. Fuster, Mr. Gray of Illinois, Mr. Scheuer, Mr. Lipinski, Mr. Mrazek, Mr. Smith of Iowa, Mr. Solarz, Mr. Ackerman, Mr. McKinney, Mr. Wilson, Mrs. Collins, Ms. Oakar, Mr. Ford of Michigan, Ms. Kaptur, and Mr. Martinez.

H.R. 1930: Mr. Gonzalez, Mr. Kildee, Mr. Perkins, Mr. Crockett, Mr. Biaggi, Mr. Atkins, and Mr. Martinez.

H.R. 1960: Mr. Armey, Mr. Bunning, and Mr. Rhodes.

H.R. 2059: Mr. Atkins and Mr. Madigan.

H.R. 2062: Mr. Hayes of Illinois.

H.R. 2065: Mr. Lipinski, Mr. Dannemeyer, Mr. Dymally, Mr. Blaz, Mr. Lagomarsino, Mr. Mineta, Mr. Frost, Mr. Bereuter, Mr. Towns, and Mr. Fazio.

H.R. 2083: Mr. Daniel, Mr. Lagomarsino, Mr. Weber, Mr. Dornan of California, Mr. Daub, and Mr. Armey.

H.R. 2114: Ms. Snowe, Mr. Boucher, and Mr. Wilson.

H.R. 2115: Mr. Wilson.

H.R. 2153: Mr. Jontz, Mr. Towns, and Mr. Martinez.

H.R. 2220: Mr. Howard, Mr. Leland, Mr. Atkins, and Mr. McMillen of Maryland.

H.R. 2221: Mr. Howard, Mr. Leland, Mr. Atkins, and Mr. McMillen of Maryland.

H.R. 2249: Mrs. Meyers of Kansas, Mr. Hochbrueckner, Mr. Murphy, Mr. McMillen of Maryland, Mr. Oberstar, Mr. Fauntroy, Mr. Solarz, Mr. Vander Jagt, Mr. Traficant, Mr. Garcia, Mr. Dellums, Mr. Frank, Mr. Ford of Tennessee, Mr. Evans, Mr. de la Garza, Mr. Mrazek, Mr. Schumer, Mr. Solomon, Mr. Roe, Mr. Smith of Florida, Mr. Lehman of Florida, Mr. Hoyer, Mr. Daniel, Mr. Conyers, and Mr. Applegate.

H.R. 2259: Mr. Eckart, and Mr. Dannemeyer.

H.J. Res. 52: Mr. Morrison of Washington, Mr. Jeffords, Mr. Lott, Mr. Skelton, Mr. Udall, Mrs. Saiki, Mr. Yates, Mr. Conte, Mr. Cooper, Mrs. Morella, Mr. Hunter, Mr. Porter, Mrs. Meyers of Kansas, Mr. Shaw, Mr. Schuette, Mr. McKinney, Mr. Clarke, Mr. Spratt, Mr. Saxton, Mr. Sweeney, and Mr. Bustamante.

H.J. Res. 114: Mr. Kostmayer, Mr. Rinaldo, Mr. Lewis of Florida, Mr. Florio, Mr. Bateman, Mr. Gaydos, Mrs. Collins, Mr. Foley, Mr. Roe, Mr. Howard, Mr. Hansen, Mr. Robert F. Smith, Ms. Snowe, Mr. Bennett, Mr. McCloskey, Mr. Dannemeyer, Mr. Wolf, Mr. Grant, Mrs. Johnson of Connecticut, Mr. Gallo, Mr. Rogers, Mr. Dwyer of New Jersey, Mrs. Roukema, Mr. Grandy, Mr. Frenzel, Mr. Leach of Iowa, Mr. Barnard, Mr. Konnyu, Mr. Bustamante, Mr. Lowry of Washington, Mr. Lent, Mr. Miller of Washington, Mr. Coughlin, Mr. Towns, Mr. Stratton, Mr. Richardson, and Mr. Sweeney.

H.J. Res. 140: Mr. Kildee.

H.J. Res. 144: Mr. Feighan, Mr. Brown of California, Mrs. Kennelly, Mrs. Vucanovich, Mr. Martinez, Mr. Gephardt, Mr. Wilson, Mr. Gallo, Mr. Hutto, Mr. Stokes, Mr. Morrison of Connecticut, Mr. Gejdenson, Mr. Schumer, Mr. Green, Mr. Duncan, and Mr. Schuette.

H.J. Res. 171: Mr. Price of North Carolina, Mr. Synar, Mr. Fazio, Mr. Shumway, and Mr. English.

H.J. Res. 176: Mr. Eckart, Mr. Gejdenson, Mr. St Germain, Ms. Oakar, Mr. Wolpe, and Mr. Durbin.

H.J. Res. 178: Mr. Price of North Carolina, Mr. Stangeland, Mr. Valentine, Mr. Roemer, Mr. Rowland of Georgia, Mr. English, Mr. Chappell, Mr. Robinson, Mr. Wolpe, Mr. Evans, Mr. Cardin, and Mrs. Boggs.

H.J. Res. 180: Mr. Kleczka, Mr. Coyne, Mr. Leach of Iowa, and Mr. DioGuardi.

H.J. Res. 214: Mr. Dellums, and Mr. Morrison of Connecticut.

H.J. Res. 230: Mr. McEwen, Mr. Dreier of California, Mr. Traficant, Mr. Upton, Mr. Hyde, Mr. Ackerman, Mr. Spence, Mr. McCandless, Mr. Davis of Illinois, Mr. Henry, Mr. Hansen, Mr. Dymally, Mr. Young of Florida, Mr. Sundquist, Mr. Wolf, Mr. Wolpe, Mr. Stump, Mr. Smith of Florida, Mr. Burton of Indiana, Mr. Lagomarsino, Mr. Goodling, Mr. Weber, Mr. Bilbray, Mr. Madigan, Mr. Neal, Mr. Swindall, Mr. Lewis of Florida, Mr. Porter, Mrs. Johnson of Connecticut, Mr. Inhofe, Mr. Dornan of California, Mr. Lightfoot, Mr. Bliley, Mr. McGrath, Mr. Martinez, Mr. Schuette, Mr. Darden, and Mr. Wilson.

H.J. Res. 243: Mr. Roe, Mr. Dymally, Mr. Blaz, Mr. Lagomarsino, Mr. Lipinski, Mr. Mineta, Mr. Frost, Mr. Chapman, Mr. Lancaster, Mr. de la Garza, Mr. Bevill, Mr. Bliley, Mr. Bereuter, Mr. Boulter, Mr. Towns, and Mr. Darden.

H.J. Res. 251: Mr. Fuster, Mr. Yatron, Mr. Wyden, Mr. Jones of North Carolina, Mr. Anderson, Mr. Berman, Mr. Conyers, Mr. Gray of Illinois, Mr. Gunderson, Mr. Udall, Mr. Foley, Mr. Sabo, Mr. Gray of Pennsylvania, Mr. Kildee, Mr. Lagomarsino, Mr. Akaka, Mr. Boner of Tennessee, Mr. Savage, Mr. McDade, Mr. Anthony, Mr. Huckaby, Mr. Kostmayer, Mr. Rogers, Mr. Alexander, Mr. Biaggi, Mr. Traxler, Mr. Roe, Mr. de la Garza, Mr. Boucher, Mr. Mrazek, Mr. Traficant, Mr. Fauntroy, Mr. Walgren, Mr. Bryant, Mr. Shumway, Mr. Tallon, Mr. Neal, Mr. Miller of Ohio, Mr. Ackerman, and Mr. Flippo.

H.J. Res. 255: Mr. Hutto, Mr. Owens of Utah, and Mr. Rahall.

H. Con. Res. 7: Mr. Schuette.

H. Con. Res. 21: Mrs. Boxer.

H. Con. Res. 48: Mr. Cardin, Mr. Dellums, Mr. Martinez, Mr. Jeffords, Mr. Espy, Mr. McKinney, Mr. Porter, and Mr. Eckart.

H. Con. Res. 62: Mr. Wilson.

H. Res. 143: Mr. Biaggi, Mr. Tallon, Mr. Dannemeyer, and Mr. Fish.

H. Res. 145: Mr. Conte, Mr. Scheuer, Mr. Lewis of California, Mr. Fazio, Mr. Vento, Mr. Hoyer, and Mr. Green.

H. Res. 146: Mr. Kolter, Mr. Ballenger, Mr. Smith of Florida, Mr. Fish, Mr. Clinger, Mr. McMillen of Maryland, Mrs. Bentley, Mr. Pepper, Mr. Hughes, Mr. Fazio, Mr. English, Mr. AuCoin, Mr. Lancaster, Mr. Owens of Utah, Mr. Hoyer, Mr. Badham, and Mr. Evans.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsores were deleted from public bills and resolutions as follows:

H.R. 1115: Mr. Bartlett.

EXTENSIONS OF REMARKS

COLLEGES THAT PRODUCE TOMORROW'S SCIENTISTS

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. PEASE. Mr. Speaker, I wish to call my colleagues' attention to an article which appeared in the New York Times on April 21. This article reports on a study conducted by Oberlin College entitled "Maintaining America's Scientific Productivity: The Necessity of the Liberal Arts Colleges."

Besides spotlighting the important role of liberal arts colleges, this study also cautions us that scientists don't just happen. Much has been made of America's competitiveness in the global market and the necessity for us to maintain our technological edge. But that advantage cannot be maintained, let alone enhanced, by reducing Federal support of education.

I am pleased to recognize this important study and I urge my colleagues to read the article which follows:

[From the New York Times, Apr. 21, 1987]

COLLEGES THAT PRODUCE TOMORROW'S SCIENTISTS

(By Fred M. Hechinger)

Fifty small, high-quality liberal arts colleges are producing far more than their share of the nation's scientists and mathematicians, according to a study conducted by Oberlin College.

"I always knew that these colleges were productive in that area, but the magnitude of their productivity surprised me," and Sam C. Carrier, Oberlin's provost, who was a co-author of the study. "The top 10 to 15 of these colleges are on par with such universities as Harvard and M.I.T. in producing bachelors of science."

The report, "Maintaining America's Scientific Productivity: The Necessity of the Liberal Arts Colleges," involved 50 colleges whose roster ranges alphabetically from Albion College to the College of Wooster. All are undergraduate campuses without graduate and professional schools.

The authors of the report believe the colleges attract and produce future scientists because they offer, even for freshmen, daily personal contact with senior scientists on their faculty who also regularly involve undergraduates in their own research.

But the authors warn that the colleges' crucial role in the production of tomorrow's scientists cannot be maintained without an infusion of at least $1 billion over the next 10 years. They charge that both the Federal Government and the National Science Foundation have lagged in providing adequate support.

Against a national trend of declining interest in the sciences, even at the research universities, freshmen at these liberal arts colleges have shown an increased desire to major in science. Another significant finding is that women at those colleges now constitute a majority of those who graduate with degrees in science.

On the other hand, the study said, the number of blacks on their science faculties is "shockingly low," less than 1 percent. However, the number of minority students in science programs is rising. At last count 853, or 21.3 percent of the minority freshmen at the 50 colleges, intended to major in a science, compared with 29.2 percent of all students.

The yardsticks used in the study to measure the colleges" effectiveness are the graduates' success in gaining National Science Foundation fellowships, earned doctorates, membership in prestigious science associations, including the National Academy of Sciences, and how well the graduates are represented among the 1,000 authors of scientific literature whose work is most often cited.

The study found that at these colleges the proportion of freshmen intending to major in the basic sciences was 29.2 percent, nearly double the 15 percent at leading public and private research universities. Nationally, the proportion of freshmen planning to major in science has fallen over the past 10 years, even at the research universities as a group, bachelor degrees awarded in the sciences remained practically constant at the 50 colleges.

Women represent substantial and growing proportions both of first-year students who plan to major in science and of science graduates, according to the report.

The future of women in American science is particularly important at a time when the total number of young people available for such studies and careers declines. Women and members of minority groups have long been underrepresented.

High-quality liberal arts colleges play a major part, since 15.2 percent of the women enrolled at those institutions major in the sciences, as against 11.1 percent at the 20 highest rated universities.

As for getting more minority students, Mr. Carrier says: "It's a tough nut to crack. The problem begins in the high schools, and the recent move toward higher standards is helpful. It's crucial to motivate the most talented minority youngsters to make the right career decisions."

But, he added, "The loan burden the private colleges expect students to assume to pay for their education causes many to shift from science to medicine, which is more lucrative." In addition, he said, American industry has its own affirmative action programs.

In the battle for support from the Federal Government and the National Science Foundation, Mr. Carrier said: "There is always a pull and tuck between the colleges and the research universities. But ultimately more is at stake than institutional competition between such colleges as Amherst, Bates, Grinnell, Kenyon and Wellesley on one side of the divide and such universities as Harvard, Yale, Berkeley and Michigan on the other. At the heart of the matter is the nation's need for outstanding scientists just as the supply threatens to dwindle.

David Davis-Van Atta, Oberlin's director of institutional research, who was the other co-author of the report, explains: "Enrollments in higher education from the 1960's to the mid-1070's were high in the sciences, and colleges and universities added significant numbers of science faculty during those years. The people hired then will begin retiring in the early to mid-1990's." At the same time, because of a decline in the birth rate, there will be fewer new Ph.D.s.

If those successful liberal arts colleges are to continue to play a leading role in providing future scientists, the report says, the cost will be high.

Prospects for help from the Federal Government are bleak. At present, only 15 percent of the 50 colleges' expenditures for equipment comes from Washington, as against 52 percent for the research universities. Each of the 50 colleges spends about $250,000 a year for science equipment, and 41 percent is paid for by the colleges themselves. Most of the rest comes from foundations and other private sources.

S. Frederick Starr, Oberlin's president, estimates that about $150 million will be required just to replace obsolete facilities and instruments in the next 10 years. And the 50 colleges will need about 160 new science facility members a year.

The investment, says Mr. Carrier, is substantial but attainable. The alumni will have to be made to see the case clearly. The National Science Foundation, he adds, "has underrecognized the role these colleges play. If it weren't for us, quality and quantity of future science would be endangered."

REPRESENTATIVE GEORGE BROWN, JR. SPEECH ON COMPUTERS AND EDUCATION

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. WALGREN. Mr. Speaker, I wish to bring to attention of my colleagues a speech by Representative GEORGE BROWN of California to the EDUCOM Networking and Telecommunications Task Force. The speech is entitled "Computers and Education: Revolutionizing the Free Market of Ideas." I recommend this speech for reading as it deals with two critical elements of our society:

COMPUTERS AND EDUCATION: REVOLUTIONIZING THE FREE MARKET OF IDEAS

Good afternoon. It is a pleasure to address your task force on one of my favorite subjects: the future of computers in education. Your group is drawn from the leading policy makers and administrators concerned with the design and management of computers and telecomputing at our great research universities. As I see it you bear a special responsibility because your decisions will strongly affect whether or not our students and scholars will be able to exploit the full potential of computers and information technology that is amplifying knowledge and human powers of expression in ways unequaled since the invention of the printing press or maybe even since the invention of writing and other forms of symbolic expression several thousand years ago.

A century ago the British liberal political philosopher John Stuart Mill wrote:

"The peculiar evil of silencing an expression of opinion is that it is robbing the human race; posterity as well as the existing generation; those who dissent from an opinion still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth; if wrong, they lose, what is always the greater benefit, the clearer perception and levelier impression of the truth produced by its collision with error."

This collision of truth with error takes place in what Mill called the "free market of ideas". Ever since the time of John Locke, one of the principal justifications for government has been the creation and protection of markets as well as the highways connecting them. A century later this rationale was embodied in the "commerce clause" of the US Constitution which gave to the Congress the power to "regulate commerce with Foreign Nations, and among the several states, and with the Indian tribes."

In 1977, using data gathered from the 1960's and early 70's, Marc Porat of the Department of Commerce estimated that 46% or the GNP and over 50% of all labor income was then earned by information workers. Today that figure is surely much higher. According to the National Telecommunications and Information Administration (NTIA), in 1984 three-quarters of US employment and over one-half of GNP were associated with services. Furthermore, the shift to information/service economies is global. It is starling to learn from NTIA that in 1981, for the first time, service employment predominated over both agriculture and manufacturing even in Third World countries. As we approach the twenty-first century, the wealth of nations is knowledge and the free market of ideas is the most important market we have. It is the key to economic competitiveness in all other markets.

Yet in this area, the Congress has been derelict in its duties under the commerce clause. We have no national policy and only minuscule support for the creation of a coherent national transportation system for ideas comparable to our interstate highways and railroads for the transportation of goods.

Your efforts to design and obtain support for a national high speed higher education computer network are a commendable step in the right direction. however, as you point out, most existing or proposed computer networks "have been limited by funding agency outlooks" and, in the case of individual computers, by conflicting operating systems and communications' protocols. The importance of these seemingly arcane technical standards can be illustrated graphically by IBM's failure to develop easy communication between its different lines of computers. Digital Equipment saw the problem and moved in on the fast growing mini—and mid-sized computer markets much to Big Blue's (IBM's) chagrin and profit loss.

Today's situation in computers and telecomputing is analogous to the construction of our national rail system in the 19th century. Can you imagine the chaos that would have resulted had every rail company built its railroad with a different guage track. I am reminded that Spain deliberately used a different guage track from France in order to prevent Napoleon from invading. For a century thereafter Spain was largely isolated from the maintsream of Europeans economic development. In our case one could well argue that as a result of the Congress's decision to sponsor a unified national rail system through land grants, we created the world's first continental markets and production systems that made us such a great economic power until recently. To continue our lead in the information revolution we must do no less for information technology and telecomputing.

As I view the babble of tongues that exists today, it is probably desirable to have private and non-profit institutions or individuals own these highways of knowledge, just as we did with our rail and telephone systems but unlike our motor highways. However, it is up to government to establish the standards so that the components can communicate with each other. Thus, I believe we must make a major national effort to develop and then enforce the use of compatible languages and protocols. Such a task would be one of the mandates of a unified Department of Science and Technology. Last week I reintroduced legislation to create such a department. The establishment of a Department of Science and Technology was also recommended by the President's Commission on Industrial Competitiveness (the Young commission). I hope that groups such as EDUCOM will make their views known to us in the Congress on issues such as this.

As members of Congress we do not have the technical expertise to presume to design a national telecomputing network. We need your help; we can and do listen. To be effective you, for your part, must learn to sell your programs and objectives in that forum. In conversations with my staff, Bob Gillespie of your group asked if I could suggest possible tactics and institutions that might be effective in formulating policies and soliciting support for a national telecomputing network.

Two suggestions come to mind. First, in Congress we need to hear the views of a broad consensus from members of the telecomputing community on the design, management and future evolution of the system. Perhaps consideration should be given to forming a group similar to the High Energy Physics Advisory Panel (HEPAP) which advises the Department of Energy on the design and construction of new generations of particle accelerators. Since the construction of a national telecomputing network may be a billion dollar task comparable in size to our larger physics projects, the views of such a group would assure Congress that the proposal represented a broadly accepted position on a project that will affect our use of computers for years to come. I also urge that such a group act as a consultative body to as many sponsoring agencies as possible not just to research agencies like NSF.

Second, since a high speed national network is almost a public utility, it is clearly beyond the ability of any one university or even one agency to operate to the satisfaction of the whole community of users. Perhaps the formation of an independent corporation governed by a board whose members would be the subscribing universities, colleges, school systems, and industry groups should be considered. One example of such a model that comes to mind is the University Corporation for Atmospheric Research (UCAR) which operates the National Center for Atmospheric Research and other facilities.

These are just a few suggestions that might provide models for institutions that could develop policies and build support for comprehensive telecomputing networks. No doubt there are many others and I look forward to hearing your suggestions. In the last analysis it is up to the research, education and industrial communities to come up with specific suggestions for action. We in Congress stand ready to help.

It should be noted that there are many very advanced technologies involving information collection, storage, processing and transmission over global networks that have been developed for defense and intelligence agencies. These technologies might be examined from the perspective of civilian utilization before we undertake the heavy expenditures required to build a national telecomputing network. It is a tragic waste of national resources that technologies in photo-imaging, electronic intelligence gathering, data processing and transmission are unavailable to the civilian economy. One of my goals as a member of the Intelligence Committeee is to make classified technologies more accessible to civilian users. I am currently proposing that hearings be held to determine how this might be possible.

What concerns me more, however, than these tactical considerations are the long-range strategic questions that our society will encounter as the information revolution moves us into a global economy whose primary competitive mechanism is the creation of knowledge and the management of technological innovation. I will mention a few here.

First, knowledge is inherently forward looking because it takes time to apply. Yet our current menagerie of computers and networks with their ideosyncratic languages and protocols illustrates how short-sighted unconstrained free markets can be. Parenthetically, IBM's recent introduction of its new lines of personal computers that are deliberately unclonable or incompatible with existing software is a disastrous step backward for the US computer industry even if it makes short-term sense for IMB. What we should be encouraging is mechanisms which enable innovations by different companies to complement each other. That would create far larger long-term markets for all participants.

More generally, the government, with the assistance of the private and non-profit sectors, simply must create market mechanisms, preferably not through additional regulations, that promote larger national savings invested for the long-term future. Our national savings rate is far too low to provide for the rapid introduction of new computer technologies that turn over rapidly. At the same time our economic and monetary policies affect the investment of hundreds of billions of dollars. In many instances interest rates and foreign exchange rates set to combat inflation are so high as to require high short-term profits that discourage investment in long-term fundamental innovations which create new sectors in the economy.

So, if we are to have a more coherent science and technology policy, including a long-term national information policy, we simply must forge a tight integration of economic and technology policies. The connection is virtually non-existent now.

Macroeconomic policy is well beyond the scope of groups like EDUCOM; however, you and the universities you represent could provide an important service by telling us in Congress how long it reasonably takes to introduce fundamental new technologies, for example, in computer networking. And we must get the message through the Economic and Banking Committees not just to the

Science, Space and Technology Committee which is your natural ally. With the knowledge you provide, it would be possible to set interest rates and credit policies so as to encourage profitable investment in these technologies by the private sector. Such investment would have the secondary benefit of facilitating far greater university/industry collaboration, a collaboration, which until recent years has been woefully lacking in this country.

Closer to home, back in 1979 the Science, Research and Technology Subcommittees held hearings on Information and Communications Technologies Appropriate in Education. At the time I remarked:

"The potential educational benefits of new information technology have been widely proclaimed; yet the full impact of such technologies on the educational system have not met projected expectations.

"Technology has been viewed primarily as a delivery system for education rather than a means of creating a wide range of environments in which the learner can explore new concepts, exchange ideas, and initiate intelligent interaction through multiple pathways. The opportunity to utilize communications technologies as powerful mechanisms for representing ideas should not be overlooked and could revolutionize the total educational system."

Today we see new possibilities and expectations that were almost inconceivable then. The eight years since I chaired those hearings and the six years since Bob Gillespie published his excellent report, Computers and Higher Education: The Accidental Revolution have seen an enormous decentralization of academic and instructional computing power with the widespread appearance of personal computers on campuses. Some estimates suggest that there are now over a half-million personal computers in our universities and colleges. Still there are almost ten million college and university students. These figures suggest that some students have almost unlimited access to computers while others, particularly minorities and students at smaller colleges, may only use a computer for a few hours a year. The same pattern is repeated at the elementary and secondary levels.

Very exciting experiments, for example at Drexel and at Drew Universities, have been carried out in which every student is provided with his or her own personal computer. The cost is built into the tuition and part of the expense is eligible for reimbursement from federal education funds. These experiments, some of which have been in place for three or four years, have been an almost unqualified success. Scientists and engineers are learning to write the English language! And history students can simulate changing balances of power with graphics and spreadsheet programs. Students now challenge their professors with programs that were beyond the reach of even highly trained teachers just a few years ago and their professors are rejuvenated as a result. After graduation, small law firms with access to worldwide data bases of expert testimony and precedents are turning the chips on large firms in cases like product liability lawsuits.

In short, the computer is clearly revolutionizing the structure and currency of Mill's marketplace of ideas from the classroom to the boardroom.

While it is too early to tell the long-term impacts of the Drexel experiment, the initial results suggest that we may be nearing the time when our society should consider a national policy to provide every student with his or her own personal computer along with access to a nationwide telecomputing network just as today every student is given a library card. This is a strategic question that I hope you will ponder. Most of you are from our research universities. But these great institutions are only the tip of our educational system. The fruits of your labors will only achieve general and timely application if you are part of a nationwide system that reaches to all levels of our education establishment.

In this regard, I am deeply troubled. In a recent Scientific American article the economist Lester Thurow pointed out that in the 1980's economically there has been a surge of inequality in income and wealth in our society. In large part, he says, this has not been due to inequitable tax laws which helped the rich but rather to international trade competition magnified by our declining relative productivity. A major cause is the low educational attainment of the American worker. The answer according to Thurow is very aggressive investment in new technology and education.

In a time of stagnating education budgets, some educators are grumbling because computers are appropriating larger portions of these budgets. Yet to my mind such a view is short-sighted. Undoubtedly there will be much hand-wringing about the cost of giving every student a computer. I believe the teaching profession will have to adjust creatively to the computer revolution which will reveal tremendous opportunities for new types of learning that were inconceivable when you and I were students.

More important to the survival of our democracy, it is very dangerous when too large a disparity exists between the economic and intellectual rich and the poor. Yet both Thurow's figures and the concentration of computing power in the hands of a few that I mentioned are proceeding rapidly under current policies and market choices. Now that knowledge is wealth economically as well as intellectually, this trend will lead inevitably to America as a second class economic power relative to our competitors. The consequences of that shift could by itself easily upset global economic stability with the collapse of world financial markets.

To my mind, if well thought out, almost no sum is too great for the education of our people. To survive in the information economy, we must invest heavily and strategically in the revolution now taking place in the free market of ideas. The cost will be great but not too great. As Thomas Jefferson said, almost exactly two centuries ago:

"The tax which will be paid for the purpose of education is not more than the thousandth part of what will be paid to kings, priests, and nobles who will rise up among us if we leave the people in ignorance."

POLISH CONSTITUTION DAY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. LIPINSKI. Mr. Speaker, I rise to inform my colleagues that Sunday marked the occasion on which all freedom-loving Poles commemorate the adoption of the Polish Constitution. Drafted and adopted in 1791 by patriotic Polish leaders, the document signalled a major step in the direction of peaceful and legal transfer of power in Europe.

Fashioned along the lines of our own Constitution enacted a few years earlier, the Polish Constitution contained many provisions which helped usher in a new era of more equitable power distribution—a sharply curtailed monarchy, a larger role for ministerial responsibility, a more tolerant view of different religions, and most important, the extension of civil rights and liberties to the peasantry.

Unfortunately for Poland, these freedoms were only fleeting. The powers of Central Europe at the time partitioned the country and quickly reinstituted autocratic, repressive rule. It is a sad state of affairs that since then, except for a short period between the two world wars of the present century, Poland has never been able to exercise the freedoms upon which the constitution of 1791 were founded.

The country today exists in a political atmosphere not unlike what existed in the Poland before the idea of constitutional law was promulgated. Freedom of expression, or religion, of assembly and the other rights and privileges we Americans take for granted are systematically denied. The Solidarity labor organization and the figure of Father Jerzy Popieluszko are poignant reminders of the freedom and liberty the Polish people yearn to enjoy once again. The recent demonstrations marking this day in Krakow, Lodz and Wroclaw, in which hundreds of Poles were detained, have graphically emphasized how pervasive such sentiment is. It should come as no surprise that with their long, proud tradition of Western-style democracy and their strong cultural ties to the West, the Polish people will never submit to tyranny of any kind.

I want to take this opportunity to commend and join with the gentleman from New York [Mr. KEMP] and the gentleman from Arizona [Mr. UDALL] for introducing a bill, House Joint Resolution 263, which would earmark $1 million for the Solidarity organization in fiscal year 1987. By providing financial assistance to one of the few organizations which have legitimate support in the country, we can show the people of Poland that we too support their aspirations and goals. I urge my colleagues to lend their support to this small but symbolic measure.

Mr. Speaker, we must remember Polish Constitution Day not only for the democratic forces it helped set in motion two centuries ago but for the promise it still holds for the people of Poland. As a Polish-American, I wish to extend my heartfelt greetings to the many citizens of the Fifth District of Illinois and of our country as a whole who celebrate this most important event and join with them in hoping that one day Poland will once again adhere to the ideals expressed in the May 3 constitution.

A CONGRESSIONAL SALUTE TO BEAVER MEADOWS, PA

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to the Borough of Beaver Meadows, PA, on the occasion of its 200th anniversary.

Beaver Meadows was established in 1787, making the town as old as our Nation's Constitution. Originally known as St. Anthony's Wilderness, Beaver Meadows' early growth was based on trapping, logging and trading. In keeping with its location in the heart of Pennsylvania's anthracite region, the borough's economy soon shifted toward coal mining. In its heyday, Beaver Meadows' population reached 3,000. At most recent count, the borough has 1,100 to 1,200 people and is now largely a residential area. Under the able leadership of current Mayor Carl Fazio, Beaver Meadows has maintained a friendly small-town atmosphere where ties to church, family, and friends remain strong.

While Beaver Meadows has changed considerably over the years, the entire citizenry remains intensely proud of the long and storied heritage of their area. They plan to recognize this history on June 6, 1987 with a parade to celebrate the borough's bicentennial. A full-scale celebration is planned and I am sure that the festivities will be a big success. I commend Mayor Fazio and Special Events Chairman Thomas Katchur for their fine work in organizing these events. I know that my colleagues will join me in honoring the Borough of Beaver Meadows during its bicentennial and in wishing the entire community continued success and good fortune in the years to come.

FEDERAL APPROPRIATIONS FOR ALCOHOLISM AND DRUG ABUSE PROGRAMS

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. PURSELL. Mr. Speaker, today I was extremely pleased to have the opportunity to introduce one of my constituents—Bonnie John-Murray—before the Appropriations Subcommittee on Labor, Health and Human Services, and Education.

As you know, Mr. Speaker, Members of this House have placed a high priority on programs dealing with drug abuse. We have recognized the great peril posed by the continued use of illegal drugs in our society and currently are seeking means and methods to reduce—and ultimately eliminate—the use of such substances.

Bonnie is the director of the South Central Michigan Substance Abuse Commission located in the city of Jackson, which I represent. I have found Bonnie to be a valuable resource—I greatly appreciate her opinion and input on drug and substance abuse matters.

Bonnie John-Murray, who traveled to Washington this week with her father Robert Murray, appeared before the LHHSE Subcommittee to share both her information and insight to the drug abuse problem.

Mr. Speaker, I want to take this opportunity to share with my colleagues Bonnie John-Murray's presentation and insert it at this point in the RECORD:

STATEMENT OF BONNIE JOHN-MURRAY

Mr. Chairman and Members of the Subcommittee:

My name is Bonnie John-Murray, and I am the Director of the South Central Michigan Substance Abuse Commission located in Jackson. As provided in state law, Michigan is divided into eighteen regions for purposes of determining need, service planning, licensing, program elevation, and monitoring. The Commission performs these statutory responsibilities, is prohibited from directly providing treatment and prevention services, and contracts with or relates by licensing to fifteen (15) freestanding prevention and treatment programs and three hospital-based programs.

I am not a lobbyist, I have never testified here before, in fact, this is the first time I have been to Washington, and I'm deeply honored to appear here at the request of Congressman Pursell. I am someone, however, who has worked in the field of substance absue since 1975 as a therapist, drug educator, planner and finally for the last nine years as Director of the Commission, where I administrate a budget of approximately $2.5 million and serve 435,000 people living in a four-county area. I, in some ways like you, am now a funding source, enforcer of regulations, reporting systems, forms, bureaucracies and "politics" of substance abuse. I have not forgotten, however, the years of working with school children in prevention programs, the frustration of counseling alcohol and drug dependent people and the sense of failure and loss when I would be called to the local emergency room for a client in trouble. I have been through the 70's drug culture, the methadone treatment debate, the continuous state and federal budget crunches, the battle for mandatory health insurance coverage, the flood of clients into the service system as a result of tougher drunk driving laws and the changing attitudes of the American public, which range at times from ambivalence to panic.

You wish to know the impact of the new federal funding initiatives, and I have come here to tell you. I can't speak about the whole nation, or another state, but I can tell you about Michigan, and I suspect it's an accurate picture of what's going on in other places. In order to give a clear picture, I need to give a bit of history.

Substance abuse services in Michigan is a relatively new health and human service network being formally organized in the early seventies. The system grew up in response to the demands of the white, male alcoholic. In 1980 from combined federal and state sources our statewide budget was $33 million. In 1987, we have $42 million. The 1980 resources, if adjusted for inflation only, would mean we would need some $55 million today so as not to have lost ground. State funds make up approximately forty percent (40%) of our budget, local units of government twenty percent (20%), fees from clients twenty percent (20%), and federal funding twenty percent (20%). The system is still recovering from the budget difficulties of the last several years. During that time, services were discontinued, and programs closed. Little progress has been made in prevention education as funds for treatment, which were never adequate, were significantly reduced. We've designed and implemented programs and we've turned around and torn them down. In the spring of 1986, we reduced in light of Gramm-Rudman. In the summer and fall of 1986, you debated and passed the Anti-Drug Abuse Act. We received the portion of treatment and prevention dollars allocated by population one month ago. The dollars to be allocated based on a need formula, as I understand it, will arrive some time this summer.

In my four-county area, the amount received last month to fight the "war on drugs" was $90,000. After restoring those budget areas that we drew the $30,000 Gramm-Rudman reduction from a few months earlier, and after replacing local contributions which were reduced after the loss of Federal Revenue Sharing funds, we have approximately $50,000 in resources locally that we didn't have before. As an administrator in committing dollars, one has to look at the long-haul. Even before we knew the resource increase amount, it was clear there was going to be difficulty in ensuing years as the President's budget did not make the kinds of provisions many people had hoped for and anticipated. It is quite difficult to increase staff with therapists and prevention specialists if one is not certain about our ability even in the next year of continuing them. Thus, we have done two things. One, we've added "contractual" therapists and have been able to clear for the time, individuals on waiting lists for outpatient service. Additionally, we will be able to place between 20 and 25 adults and adolescents in residential treatment through our budget year-end which is September. The impact of this increase locally has been rather negligible.

Please know that we are deeply grateful for the federal increase we received and the time and thoughtful attention this body has devoted to the issue. I would be remiss, however, if I didn't express my concern about where we are in the "fight against drug abuse".

It is clear that we have no federal plan and in the case of Michigan, no state plan that says this is the problem, and this is what we're going to do and how we're going to do it . . . today, tomorrow, and several years into the future. In the absence of this plan we vacillate and depending on our national moods and resource ability, we make a lot of decisions that have not only put us in the spot we're in today but that will have little impact on our ability to deal effectively or reduce the problem in the future.

It is clear that the significant reductions in federal funding in the early 80's was one of the factors that precipitated the epidemic we have today. The response to today's problem has been massive increases in interdiction and enforcement efforts to address the supply side and a whole lot of urine screening. Because of the profits involved in illegal drug trafficking are so awesome and beacause it generates crime, there is a clear role for low enforcement activity. However, we need to address the issues of prevention and treatment as equally important to impact "demand" for drugs.

In the absence of a well-thought out plan, well-intentioned decisions are made. The notion of spraying marijuana fields in Mexico and Columbia sounded good. However, reports coming from the State Department clearly say that more than twice as much marijuana is available today because traffickers increased their plantings to compensate. But that's not the only thing that has happened. Marijuana is fast becoming the #1 cash crop in many areas of our nation in response to the demand and in light of eradication and interdiction programs. Perhaps more importantly, those traffickers who did feel the stepped up enforcement changed to a product that was certainly not as bulky and would be many more times as lucrative in the market—cocaine. In metropolitan areas, kids who would be smoking and selling marijuana are now smoking and selling "crack" cocaine. Clearly, we don't want any child anywhere using drugs but I'd rather have them smoking dope than crack any day. The worst thing that could happen to us will be that our new enforcement/interdiction efforts will be very successful! I say this because demand is still relatively untouched and in the absence of drugs coming across our borders, they will appear within our borders. The next round will be equally, if not more dangerous than crack. The "designer drugs" of the West Coast will sweep this nation in the absence of availability of coke and marijuana from other countries.

Alcohol and drug issues are clearly a focus of the nation's attention. At a time when demand for service is unbelievable, we still have the same programs and resources of a decade ago. We reach only 15% of those needing treatment now. Remember that few people live alone. In families, children affected by untreated alcohol and drug problems will, themselves, be in need of future treatment. The local system of services is in disarray. Low salaries, inadequate benefits combined with hostile clients "in denial" of their problems contribute to staff turnover of 50% annually in some areas. For those of us who committed to this work long ago, our hopes and expectations appeared to finally becoming to fruition last summer. It is now painfully clear that while the problem did come to the attention of the American people and the Congress, we still have not done those things necessary to impact it in any meaningful way. I fear the future . . . not only because our solutions are not the right ones but because those in the field who have stayed and struggled in hope of a time when we would deal effectively with the problem are giving up to frustration, and exhaustion and leaving the field in large numbers. Perhaps the saddest part is that we know quite clearly what to do but have no support or commitment to do it. We need:

1. A federal plan and commitment and the resources necessary to support it. This plan should give equal recognition to the role of law enforcement as well as prevention, treatment, and education.

2. Legislation requiring all health insurance carriers and plans to provide outpatient and residential benefits and to discourage more costly inpatient treatments.

3. Changes in Medicaid/Medicare, which would allow for outpatient and residential benefits and which would discourage more costly inpatient treatments.

Thank you for the opportunity to appear here today.

WHO'S THE LEADER?

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. LAGOMARSINO. Mr. Speaker, I bring the following commentary from the Santa Barbara News-Press of Santa Barbara, CA, to the attention of my colleagues. This editorial wisely reminds us that it is not the Soviets who have taken the lead in arms control, but the United States. We must not forget that the same new proposals being advanced by Mr. Gorbachev are the same ones that have been continuously offered by President Reagan since 1981. I fully agree with the Santa Barbara News-Press, the credit for this recent breakthrough in arms control belongs to President Reagan, the leader continued to pursue this objective depite numerous Soviet obstacles.

WHO'S THE LEADER?

REMEMBER: SOVIETS ARE AGREEING WITH A U.S. IDEA

There's something curious about the telling of the story of the historic nuclear arms-reduction agreement that popular consensus holds is all but in the bag. The star of the impasse-breaking hour, photographed in the forefront with a dazzling proprietary smile, appears to be Mikhail Gorbachev, the Soviet leader whose *glasnost* policy is unzipping the closed Soviet society, the man who amazed the world with his zero-zero offer to remove all middle and short-range nuclear missiles from Europe. Smiling modestly in the background, Secretary of State George Shultz and, later President Reagan at his Santa Barbara ranch, seen to be bit players whose greatest contribution to the euphoric mood would be a willingness to go along with what the Soviet statesman proposed last week during talks with Shultz in Moscow.

What's curious about the projection of this image of the United States playing Follow The Soviet Leader is this: Back in the early days of Reagan's presidency, in 1981, his negotiators proposed a zero-zero option that would have eliminated all intermediate-range missiles from Europe—and the Soviets then led by Leonid Brezhnev, flatly rejected the offer.

Does anyone remember how American arms control advocates, peace demonstrators from Santa Barbara to Berlin and other critics of Reagan's "evil empire" tough-talk blasted the president's audacious negotiators for insisting five years ago that all mid-range missiles be removed from the nuclear equation?

Recall that the Soviet deployment in the late 1970s of hundreds of SS-20 missiles, tipped with three warheads and capable of reaching 3,000 miles from Russia to any European nation, dangerously tilted the balance of offensive forces. Recall that America's European allies pressed for U.S. deployment in 1983 of countervailing power—Pershing 2 and cruise missiles. Remember how the Soviets reacted to the prospect of losing their mid-range missile monopoly? They angrily stopped talking about reductions of *any* kind of weapons, stalking out of three different sets of negotiations in late 1983.

Recall the pressure from peace demonstrators, Congress, European governments—all urging a softer line toward the Soviet Union. Reagan's negotiators, though always willing to talk, held firm against pressure to yield to Soviet demands.

Today, Gorbachev is taking a great deal of the credit for an historic agreement that is nearly a mirror image of the one Reagan was blasted for envisioning. If the agreement reached on principles last week in Moscow can be safely translated into realistic procedures to protect the free nations of Europe, who rightly fear being left without a nuclear shield against the Soviet Union's vastly superior conventional war-making forces, it will be cause for true celebration.

But while we bask in the euphoric glow of this long-yearned-for breakthrough, let the world give credit where it is due. We must pin a medal for this achievement on Ronald Reagan and the hard bargainers who kept his faith at the talking table.

MEASURES NEEDED TO PROTECT THE PUBLIC HEALTH FROM THE THREAT OF ACQUIRED IMMUNE DEFICIENCY SYNDROME

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. DANNEMEYER. Mr. Speaker, I rise today to introduce two bills which, if enacted, would go a long way toward understanding and coping with the national epidemic of acquired immune deficiency syndrome [AIDS]. These measures are moderate, first steps aimed at giving public health authorities the tools to estimate the magnitude of the problem we now face and assess the proper response to control what is now an uncontrollable problem. Both represent measures which have traditionally been taken by public health authorities in the case of communicable venereal diseases, but which have not been taken in the case of AIDS.

The first measure requires that infection with the virus for AIDS be made a reportable condition. State law and CDC guidelines currently require that persons infected with AIDS be reported to public health authorities. They do not require, however, that persons who carry the virus and can transmit the virus but who do not exhibit the clinical symptoms of AIDS be reported. Medical authorities indicate that all persons infected with the virus, even though asymptomatic, may transmit the virus, and that at least 50 percent of these persons will go on to develop full-blown AIDS.

Under current law, persons with syphilis and gonorrhea are reportable to public health authorities and these persons are required to list their sexual contacts so that these identified risks may be contacted by public health authorities, tested for disease, counseled and treated. Current law therefore requires that persons with a curable, communicable, venereal disease be reported to public health authorities while persons with a noncurable, communicable, fatal venereal disease—infection with the AIDS virus—are not reportable to public health authorities and, in fact, are not accountable for their acts at all.

Traditionally, persons with communicable disease are reported to public health authorities for three primary reasons. First, these statistical data give public health authorities the ability to estimate the magnitude of public infection with the virus and determine appropriate controls. Second, identified persons can then be tested and counseled about the infectious nature of the disease so that they do not unknowingly infect others. Third, the infected can then be cured if possible. Although in the case of AIDS only two of those three policy objectives can be met, in my judgment, the necessity of utilizing this tool is not diminished. Simple arithmetic shows how important it is to identify and counsel people about the infectious nature of this disease. If each person who carries the virus—authorities estimate between 1 and 4 million persons—has one unprotected sexual contact a year which results in transmission of the virus, 1 to 4 million people will be infected in the first year and 50 percent of these, or 500,000 to 2 million people will develop AIDS within a 5-year period and the remainder will be infected for life and probably develop AIDS within an unspecified time period.

Some critics of the concept of reportability charge that mandatory or routine testing will "drive high-risk groups underground and prevent them from being tested." In my view this is an irresponsible and irrational reaction to a deadly, infectious disease and is contradicted by data. Colorado was the first State to require reporting of HIV positive individuals and the results of that mandate are illustrative of the need to extend that mandate nationwide. According to the Colorado Department of Health, Colorado tested 210 persons per 100,000 population from July 1985 to March 1986, while California, which requires anonymous testing tested only 156 persons per 100,000—25 percent less than the State which mandates reporting.

While some argue that mandatory reporting threatens their right to privacy, there is no evidence to back this claim. Frank Judson, the Director of Denver Public Health sums up the absurdity of this perspective. He states:

> It confuses an attack on the AIDS virus with an attack on civil liberties. It fails to acknowledge that it is the AIDS virus and not public health control efforts which is robbing thousands of the most fundamental civil liberty of all, the right to life.

He further states that he would:

> Challenge the American Civil Liberties to report * * * what serious civil liberties violations they have documented as a result of the State board of health's reportability rule * * * and how they weigh these hypothetical violations against the hundreds of Coloradans who have died from AIDS and the thousands who will surely die in the future.

My bill, the Confidentiality and Accountability Act of 1987, would implement the basic public health tool of reporting in an effort to increase public health knowledge about the disease and prevent its transmission to others.

The second measure which should be enacted in conjunction with mandatory reporting is testing of certain limited groups in order to meet the first public policy goal of gathering statistical data to determine the magnitude of the epidemic, and subsequently, to assess appropriate measures of control. Had public health authorities instituted the routine measure of reporting persons who are HIV positive at the outset of the epidemic in 1980, this second bill would not be necessary. However, since the public health community declined to treat AIDS like other communicable, venereal diseases, limited testing is now imperative to determine the extent of national infection.

This second bill would implement testing of Federal prisoners, and immigrants and would require States to institute testing of certain groups in order to receive Federal venereal disease funds pursuant to section 318(d) of the Public Health Service Act (42 U.S.C. 247c). The groups to be tested include persons seeking a marriage license, persons convicted of prostitution, persons convicted of IV drug use, persons between the ages of 15 and 49 who are admitted to hospitals and persons being treated for venereal disease.

There are both common sense and evidentiary reasons that I propose testing these groups. In most instances, these groups represent persons who have routine interaction with health authorities and cases in which it would be economical and efficient to perform a test for presence of the AIDS antibody. In other cases, the groups represent high-risk populations which should be tested to protect those who may unknowingly interact with these HIV positive individuals.

The first group to be tested is Federal prisoners. The need for testing in our prisons has been recognized by authorities and some prisons currently test routinely. Much has been reported about the dangers of coercive anal intercourse in prison setting and there is little doubt that exposure to AIDS would fall squarely within the bounds of "cruel and unusual" punishment. A recent article in the Washington Post serves to illustrate the severtiy of the prison problem. The chief medical officer at the District of Columbia jail told superior court judges in early April that testing of a group of District of Columbia jail inmates who used IV drugs revealed that 80 percent had been exposed to the AIDS virus. The superior court judge, Reggie Walton, summarized the need for the testing:

> You don't want to put people into an inhumane environment, and obviously if there is a problem with a number of people having AIDS in the jail, you don't want to have to put someone in that situation who does not have AIDS who conceivably could become infected by someone with it.

At present only the District of Columbia and three other States test inmates for exposure to the AIDS virus.

Testing of immigrants is called for because testing for disease has long been the policy of immigration authorities with respect to such venereal diseases as syphillis and gonorrhea and communicable diseases such as tuberculosis. In the case of AIDS, all those who test positive for exposure to the disease are capable of spreading the disease in the same manner as the above-listed venereal diseases, and in the case of those with full-blown AIDS, these victims are often capable of spreading such communicable diseases as tuberculosis and pneumonia. No country has the obligation to accept immigrants with a fatal communicable venereal disease and the United States should, as a matter of course, extend exclusion policies to victims of AIDS and those who test positive for the presence of antibodies. The Immigration and Naturalization Service [INS] is currently considering enactment of this policy.

The third group I propose testing is applicants for a marriage license. Two primary reasons exist for testing this population. First, a large number of couples seek marriage licenses each year and therefore this test would serve as a good random, statistical survey of the magnitude of infection in the United States. The Centers for Disease Control estimate that approximately 2,495,000 marriages occurred in 1982. Therefore, testing applicants for marriage licenses would result in the testing of 4,990,000 persons for exposure to be the virus. Such testing would be both economical and efficient as applicants are currently required to undergo blood testing for a number of other diseases, including syphillis and gonorrhea. Second, the potential spouse of a person who has been exposed to AIDS has the right to know about the health status of that person and to have the opportunity to consider that information in making a decision with respect to sexual relations and procreation. A recent study by the Alameda County Bureau of Communicable Disease in California of 2,000 women who applied for marriage licenses found that 0.5 percent of the women—1 in 200—tested positive. [Reported in the the L.A. Times, January 22, 1987]. This random sample indicates that exposure to the AIDS virus may be more prevalent than authorities currently estimate and indicates the necessity in having better data on the epidemic.

Persons convicted of prostitution and IV drug use represent high-risk groups which would be tested to protect potential "customers" and inmates who may have contact with these two groups as well as to gain statistical data on the prevalence of infection in these two groups. While IV drug users have been considered a high-risk group from the outset of the epidemic, the Food and Drug Administration has only recently issued guidelines singling out prostitution as a "high-risk" group. In a recent Howard University study of District of Columbia prostitutes, 13 out of 26 prostitutes tested were found to have been exposed to the AIDS virus and capable of transmitting that virus upon an exchange of body fluids. Another study performed by the Centers for Disease Control found that one out of nine prostitutes tested nationwide were found to have been exposed to the AIDS virus. [Washington Times, March 27, 1987.] In addition, a Belgian AIDS researcher in Nairobi, Kenya, revealed that almost 60 percent of prostitutes are infected. These figures attest to the necessity of testing this high-risk group. With respect to IV drug users, they have been considered a high-risk group since the outset of the epidemic when they represented 17 percent of the AIDS cases. Current data indicates that IV drug use alone accounts for 17 percent of the AIDS cases and that 8 percent of all AIDS cases are attributable to male homosexuals who use IV drugs.

The sixth group of persons to be tested under this bill is hospital admittees between the ages of 15 and 49. Routine testing of this random group over a 1-year period would result in the testing of approximately 37 to 39 million people and would provide the large base of statistical data necessary to determine the extent of this epidemic. The age group is limited to those who are considered to be sexually active and to be most likely to use intravenous drugs. In addition, by limiting testing to this age range, the theoretical cost per positive test declines from $18,000 to $150. Therefore, testing this limited group is the most economical and efficient means of determining the extent of the disease in a random population sample and in notifying a large population about the danger of continuing high-risk behavior.

The last group to be tested under this approach is persons who are currently being treated for venereal disease. It is estimated by the Centers for Disease Control that a minimum of 2 million people who are treated at clinics are diagnosed with a sexually transmitted disease or are treated for such disease annually. Therefore, this group represents both a high-risk group for AIDS and a large random sample for purposes of determining national infection.

I and 48 of my colleagues introduce this legislation with the hope that it will contribute to gaining control of this tragic epidemic by notifying people of their infectious state and encouraging them to take the appropriate steps to avoid transferring this fatal virus: Bob Michel, Trent Lott, Dick Cheney, Guy Vander Jagt, Norman Lent, Edward Madigan, Bob Badham, Joe Barton, Tom Bliley, Dan Burton, Sonny Callahan, Howard Coble, Larry Craig, Phil Crane, Dan Daniel, Hal Daub, Tom DeLay, Bob Dornan, Newt Gingrich, Ralph Hall, James Hansen, Duncan Hunter, Henry Hyde, Ernest Konnyu, Dan Lungren, Robert McCollum, Ron Packard, Stan Parris, Arthur Ravenel, Harold Rogers, Denny Smith, Robert Smith, Gerald Solomon, Samuel Stratton, Bob Stump, Don Sundquist, Pat Swindall, Bob Walker, and George Wortley.

The following members are original cosponsors on the legislation requiring reporting of HIV positive individuals. Hank Brown, Sherwood Boehlert, and Bob Whittaker.

The following groups support this legislation: Eagle Forum, Leadership Action, Concerned Women for America, Child and Family Policy Division, Association of Christian Schools International, Maryland Conservative Union, Family Research Council, Committee to Protect the Family, American Research Institute, United Families of America, Public Advocate/Young Americans for Freedom, Moral Majority, National Pro-Family Coalition, Coalitions for America, Society for the Defense of Tradition-Family-Property, Sound Policy, Save Our Schools.

INTRODUCTION OF THE CONTE 8(a) REFORM BILL: EQUAL ACCESS TO BUSINESS OPPORTUNITY ACT

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. CONTE. Mr. Speaker, I rise today to introduce the Conte 8(a) reform bill which I call the Equal Access to Business Opportunity Act. Mr. Speaker, much has been said lately about the Small Business Administration's 8(a) Program. Unfortunately, most of it has been negative. We are comforted somewhat by the fact that determining the truth of those disturbing allegations and providing due process will be the function of our very capable and impartial judicial system. But Mr. Speaker, this body has an opportunity to act now on a crime that is not well publicized but yet is infinitely more crippling, more insidious—that is the crime of lost opportunity for America's small and disadvantaged businesses.

I say it is a crime and I say that in all sincerity. What started out as a relatively obscure provision of the Small Business Act of 1953 to help assist and keep small minority defense contractors afloat has now become a device for elite and well connected certified firms to make a healthy living off of sole source Government contracts, to the exclusion and detriment of the majority of America's disadvantaged firms.

Mr. Speaker, the 8(a) program as presently constituted does not meet the needs of America's socially or economically disadvantaged firms. I firmly believe that the only way we can reform and improve this critical program is to restore the original intent—to move it from business development back to a lean and effective program of business opportunity. Mr. Speaker, through my bill I propose to do just that. Further, Mr. Speaker, I propose to do it by building on the three cornerstones of opportunity, initiative, and competition.

Mr. Speaker, my bill allows all disadvantaged firms a chance for 8(a) certification as a matter of right. To qualify, all you need be is a small business owned by a socially or economically disadvantaged person. That's it, there is no other criteria. The opportunity is made available to all who qualify and the process is immeasurably streamlined and uncomplicated. Once in the program, a firm is given the opportunity for professional training and business education only if it takes the initiative to do so. It is not required. And finally, Mr. Speaker, all firms that are certified for the 8(a) program are entitled to compete for Government contracts directly with the contracting officer of the awarding agency. The SBA is removed from the process. It will no longer broker sole source contracts with 8(a) firms.

Mr. Speaker, the Conte 8(a) reform bill contains many provisions that are highlighted in a discussion paper that I am submitting with this legislation. Suffice to say that this bill streamlines the certification process, expands disadvantaged firms business opportunities, maximizes utilization of the taxpayers, dollars through competition, minimizes the paperwork burden, requires interagency cooperation and goal setting, broadens the base of participation, creates a comprehensive data base, and ultimately, and this is important, places responsibility with the 8(a) firm for its own destiny. The Equal Access to Business Opportunity Act also enables the SBA to act as a national clearinghouse for all MBE's. Mr. Speaker, successful implementation of the Equal Access to Business Opportunity Act will expand the free enterprise system into all reaches of society and strengthen it through active participation of all the socially and economically disadvantaged—a high potential, tragically underdeveloped national asset.

Mr. Speaker, the need for 8(a) reform is now. The need to promote and support America's socially and economically disadvantaged firms is now. And Mr. Speaker, the opportunity to do both, and to do so with pride and efficiency and respect for the free enterprise system, is now available with my bill. Therefore, Mr. Speaker, I urge all my colleagues to consider this legislation and to support me in this most important endeavor. Thank you.

A bill discussion paper follows:

EQUAL ACCESS TO BUSINESS OPPORTUNITY ACT CONTE 8(a) REFORM BILL DISCUSSION PAPER

1. The Conte bill acknowledges 8(a) program deficiencies cited by the White House Conference on Small Business, the 1985 Presidential Advisory Committee on Small and Minority Business Ownership, the SBA paper entitled The 8(a) Program: Management Issues and Recommendations and the 1981 GAO study entitled The SBA 8(a) Procurement Program — A Promise Unfulfilled and proposes corrective action based upon their recommendations.

2. The purpose of the Conte bill is to introduce as many qualified disadvantaged firms as possible, as soon as possible, into the national small business mainstream by redirecting the objective of the 8(a) program from BUSINESS DEVELOPMENT to BUSINESS OPPORTUNITY.

3. The Conte bill recognizes that socially and economically disadvantaged small businesses are a highly potential, underdeveloped national asset. It also recognizes that competition is the cornerstone of the Free Enterprise System and that the Free Enterprise System is greatly strengthened when all segments of our society are provided with the opportunity to successfully compete.

4. The Conte bill renames and restructures the SBA's Office of Minority Small Business and Capital Ownership Development to the Office of Disadvantaged Small Business and Capital Ownership Development (DSB/COD) which includes a new Disadvantaged Business Opportunity Division (DBOD). This will utilize existing staff and office and will be revenue neutral.

5. The Conte bill requires the DSB/COD to train, educate, monitor, coordinate services and establish disadvantaged business participation goals. The function of the DBOD is to certify eligibility and monitor performance.

6. The Conte bill allows all disadvantaged firms a chance for 8(a) certification as a matter of right.

7. The Conte bill intends that the SBA will certify, monitor and train disadvantaged firms but not manage the 8(a) program.

8. The Conte bill requires contracting officers to perform affirmatively, using estab-

lished Federal Acquisition Regulations for the award of contracts.

9. The Conte bill preserves disadvantaged opportunity but requires competitive bidding, to the maximum extent possible, from certified 8(a) firms.

10. The Conte bill requires the SBA to provide technical assistance to certified firms through utilization of all the SBA's organizational elements and other reasonably available programs, both public and private. The intent of this assistance is to deliver comprehensive instruction on how to compete in the marketplace, not just for government contracts.

11. The Conte bill views government assistance as a temporary relationship and allows 8(a) participation for a maximum of 5 years only from the award of the first contract or 8 years from certification, with no extensions permitted.

12. The Conte bill limits the amount of paperwork necessary to participate in and stay in the 8(a) program to that which is reasonable and necessary.

13. The Conte bill ends the widespread welfare perception of the 8(a) program by abolishing business development expense funds.

14. The Conte bill requires ownership only as a participating criteria.

15. The Conte bill redefines eligibility to read "socially or economically disadvantaged".

16. The Conte bill recommends disadvantaged goals for the provision of all goods and services purchased by the Federal government, in lieu of current quota procedures.

17. The Conte bill provides for an appeal process to those firms denied certification. This process places the burden of proof on the SBA and makes such process subject to the Equal Access to Justice Act.

18. The Conte bill disallows any grandfathering for firms that have participated in a government contract more than 5 years ago.

19. The Conte bill encourages disadvantaged subcontracting.

20. The Conte bill requires the SBA to establish and maintain a comprehensive data base and current directory.

21. The Conte bill requires that the Small and Disadvantaged Business Utilization Offices of the various agencies and departments monitor and report on the performance of their contracting officers. The Offices will also set disadvantaged participation goals for their various jurisdictions.

22. The Conte bill requires the Associate Administrator for Disadvantaged Small Business and Capital Ownership Development to chair an Interagency Council on Disadvantaged Business Enterprise to promote and monitor 8(a) participation.

23. The Conte bill requires the Associate Administrator to provide training to participating procurement officers on the goals and objectives of the 8(a) program.

24. The Conte bill promotes utilization of the Certificate of Competency process in the event of a contracting officer's turndown.

25. The Conte bill increases financial penalties for misrepresentation from $50,000 to $500,000.

26. The Conte bill eases contracting officers' concerns about default by removing the SBA as prime contractor. As currently structured, the SBA is not liable for reprocurement costs as a result of a defaulting 8(a) firm. This makes the procuring agency liable for costs necessitated by default and has a chilling effect on contractual relationships.

27. The Conte bill also enables the SBA to act as a national clearinghouse for all MBE's. This will preempt the field and allow states to presume that a firm is a qualified disadvantaged business if it appears on the national list.

SPEECH BY ANGELA MISIANO

HON. DANIEL K. AKAKA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. AKAKA. Mr. Speaker, I would like to share with my colleagues a speech prepared by one of my constituents, Angela Misiano. This fine speech was the winning entry from the State of Hawaii in the Veterans of Foreign Wars [VFW] Voice of Democracy Scholarship Program.

The VFW has sponsored the Voice of Democracy Program since 1961. During the past 25 years, over 5 million students have participated in this worthwhile program and more than $3 million in awards have been presented to deserving students. This past year alone saw more than one-quarter million students participating from over 8,000 schools. I commend the VFW for conducting the Voice of Democracy Program and helping students extend their education through this scholarship program.

I am especially proud that the VFW has chosen a resident of the Second Congressional District as Hawaii's winning entry this year. I am certain you will agree that Angela Misiano's speech is an excellent representation of this year's theme, "The Challenge of American Citizenship."

Text of speech follows:

From time to time, each of us hears about foreign immigrants and refugees struggling to become citizens of the United States of America. For some it is a long arduous process requiring a literacy test, and knowledge of our American history and our National Constitution. To these fugitives who have seen darkness and oppression, the song "America the Beautiful" which we take for granted has value and meaning offering a glimmering light of hope. Those of us however who are born into this great, prosperous nation—a land of freedom, natural splendor and boundless opportunity tend to neglect our duties as citizens of the republic. We assume that each new day will once again provide a home where there is no threat of communism and ruthless dictatorship.

As American citizens, we must realize that along with given rights comes responsibility. We cannot shirk this responsibility without danger to our country. We need to work as a team towards a goal of accepting the challenge of faith and loyalty to our country and its people regardless of race, sex or creed. The challenge is not limited however, to people outside the United States but to those Americans who first established life on this soil. As proud citizens of the United States, we need to show an unconditional love supporting these principles of faith, loyalty, liberty and justice for all.

We pledge allegiance to our flag which symbolizes the fears and dreams of many yet do we abide by these words as "one nation under God" and follow through in daily action? Coast to coast, in every city and local community we can also make the difference by getting involved and remembering to vote. As United States citizens that is one right we must uphold to our voice in democracy!

To prevent a decline in our stature and beliefs we should dare to explore far regions of space and preserve our spirit of mirth and adventure. For us to truly recognize our good fortune we have to compare ourselves on a wide global scale. I appreciate the men and women who bravely fought in the past for my present comfort and in the face of danger defended our government and Presidents information to make a decision or worst of all, "It worked out the way I wanted it to anyway." Or perhaps you've heard this one, "It really didn't affect me." What you really mean to say is: "I didn't care enough to spare any of my precious time." Well, let me tell you, I care. I care so much it hurts. It hurts me to see Americans who think that learning about government organization is watching soap operas like Capitol and that being knowledgeable about politics is hating communism and talking about killing Qadafi's children.

Every day we face the challenge of being responsible for the actions of our nation. Have we met this challenge today? Have you?

Remember to think before saying "I'm American." Think about how much effort you've put into our nation lately, how much energy you've expended, how many ideas you've suggested. Have you taken it all for granted? It you have you may not want to be so quick to call yourself an American.

INQUIRER'S GEORGE WILSON LEFT HIS MARK ON PHILADELPHIA

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. COUGHLIN. Mr. Speaker, when the chief editorial writer of the Philadelphia Inquirer, Mr. George Wilson, retired last week, journalism lost one of its very best practitioners.

A member of the Inquirer's editorial board for 28 years, George Wilson's columns and editorials tackled tough public issues, but then usually went a step further and pointed out solutions, making a constructive contribution to the life of a city about which he cared deeply.

A winner of the 1976 Sigma Delta Chi National Editorial Writing Award, George Wilson started writing a regular column for the paper in 1969, the year I first entered the U.S. Congress, and I always felt assured of a sympathetic ear at the Philadelphia Inquirer as long as George Wilson was there.

Inquirer Editor Edwin Guthman wrote these words to mark the retirement of one of the best journalists I have known:

BY LAND OR SEA OR RAIL, GEORGE WILSON LEFT HIS MARK

(By Edwin Guthman)

When the Inquirer's chief editorial writer, George Wilson, retired last week there was a good deal of joking at his retirement luncheon about all the unfinished business he was leaving behind.

The politicians in Harrisburg, who he regularly prodded, have not yet come to grips with the need to reform the state tax structure to correct the imbalance between perennial state tax surpluses and perennial deficits in beleaguered county and municipal governments and school districts.

The Blue Route, one of his pet projects, has yet to be completed.

The Ports of Philadelphia, another Wilson target, haven't been placed under unified management.

SEPTA and other transit authorities in Pennsylvania continue to operate on a hand-to-mouth basis without a reliable funding base.

Construction of Philadelphia's world-class convention center hasn't started. The promised benefits of casino gambling in Atlantic City remain unfulfilled for the people, including the poor who live in substandard housing, who were supposed to be the beneficiaries of the renaissance.

Development continues to explode in the Poconos, endangering the region's delicate balance between humanity and nature.

Penn's Landing and Center City still lack adequate ramps to I-95.

The State Store system is far from being abolished.

Trucks continue to bear down on and speed by motorists on state highways.

Those were among the main causes that George Wilson pushed forward tenaciously in the editorials and columns he wrote over a 28-year span as a member of The Inquirer's Editorial Board.

He began writing a column—Viewpoint—in 1969. It appeared every Friday on the Op-ed Page and here are some headlines from his first columns:

"Suburban voters got a start on tax reform."

"Go 55 and watch the trucks whiz by."

"Where's the Spirit of '76?

"We can't build up by tearing down."

"The Poconos' story: Paradise in trouble."

"They'd rather sail from Philadelphia."

"19 ways to improve Cultural Loop bus."

Times changed. Many of the issues that he focused on didn't. But the measure of Wilson's work cannot be found there. His range was exceedingly wide and he was a constructive catalyst for progress on many fronts—in public transportation, the public schools, tourism, the city and the region's economy, city, state and county government and the environment, to list a few.

How many jobs did he have a voice in saving or creating? Plenty.

Someday the ports on the Delaware will be unified and when they are a plaque should be mounted somewhere at Penn's Landing with his name on it.

Someday the tax structure in Pennsylvania will be reformed and the people will owe a debt to Wilson for having been reform's loneliest but most persistent and sensible advocate.

The real measure of Wilson's career is that he took on tough subjects for which there are no easy answers and kept writing about them. His columns dealt with issues that often were complex. He explained them in language that was understood easily.

His style was to be forthright and constructive so, regardless of the odds, he viewed most situations with optimism, usually advising that "this problem is solvable" and then advocating how, sometimes specifically, sometimes in a general way.

He managed to take strong, clear stands without being partisan and to be moral without being self-righteous. His columns and editorials were interesting and informative partly because he has deep roots in the Delaware Valley and because they showed consistently that he did a lot of digging and checking before he sat down to write.

Reading him, we came to understand the abracadabra of a city budget, the financial pressures beleaguering SEPTA and why the port is "a cauldron of bureaucracies enjoying varying degrees of autonomy with no overall leadership."

A soft-spoken man whose genial personality masked a very tough mind, Wilson could be critical without being personal. He won the 1976 Sigma Delta Chi national editorial writing award for 87 editorials criticizing Mayor Frank Rizzo's financial policies, yet Rizzo remained his friend and valued his consistency and careful writing.

"While we didn't always agree," said ex-Gov. Dick Thornburgh, "I must confess that Mr. Wilson was superb at what he did. He knew too much and, when he didn't know, he asked the right questions. Can a public official ask for more? Probably not."

Wilson, 64, and his wife, Neva, are moving from their home in Secane to a "cabin" they're building in their beloved Poconos. He will write some books that have a Philadelphia historical background, and we hope he'll find time to write an occasional column for the Op-ed Page.

His position on the Editorial Board will be filled, but the fact is that he is irreplacable. So, when all the jokes were said and done, Wilson left his office for the last time, leaving not only "unfinished business," but an emptiness causing high anxiety among his colleagues who must now take up his causes without the benefit of his storehouse of knowledge and his vast experience.

GEJDENSON INTRODUCES ECONOMIC DIVERSIFICATION ACT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. GEJDENSON. Mr. Speaker, I am today introducing the Economic Diversification Act, which provides Federal assistance for economic development, economic stabilization and job training in areas heavily dependent on defense contracts or bases. The bill also assists areas that have been affected by the termination of major defense contracts or the closure of a defense base.

The House begins debate today on the fiscal year 1988 defense authorization bill. When passed by Congress and signed into law, the bill will provide jobs to millions of Americans in every congressional district. Unfortunately, it will also perpetuate an extremely detrimental effect of Federal defense spending: economic instability in regions that are heavily dependent upon defense dollars.

The Economic Diversification Act, which authorizes $20 million in fiscal year 1988, represents a new approach to the problem of defense-dependency. It focuses not only on converting defense plants for nondefense use, but also on diversifying the economic base before a cutback occurs.

This legislation will establish the community economic diversification-adjustment program, to bring diversification-alternative use committees to all defense-dependent areas in our Nation. These committees will be charged with preparing concrete plans for promoting a diversified economic base in the region and for using defense facilities for nondefense use. The committees will attack the problem of defense-dependency so that any major contract cutback will not wreak economic havoc on the region. If a community is not so lucky as to avoid a cutback, workers and managers can join together to form a committee to plan for the nondefense use of the defunct plant.

When preparing plans for promoting diversification, the committees established by this legislation are given a broad mandate to examine all different avenues to a local economy which is not entirely dependent on the defense budget battle. The committees will look at how current geopolitical and economic development resources can be harnessed to promote nondefense economic development. They will also examine how defense contractors and subcontractors in the region can be assisted in their efforts to diversify their business. The committees are required to provide a timetable for achieving concrete diversification results.

Diversification-alternative use committees will also draw up concrete plans for the conversion of major defense facilities in the region. These plans must be designed to make use of the skills of existing plant employees or provide for the retraining of the workers so that they can be employed at the new nondefense plant. The committees must also include an estimate of financing requirements and a financial plan for conversion.

For the past year, I have sponsored a prototype diversification-alternative use committee in my congressional district. This committee has worked overtime looking at a number of specific diversification initiatives. The result of their work will likely be a small business incubator which will promote the development of successful nondefense small business in our area. The committee has also made a concrete assessment of our region's geopolitical resources. Consequently, the committee is now drafting plans to increase graduate-level education facilities in southeastern Connecticut and low- and moderate-income housing to attract nondefense business to our area.

The activities of the committees established by my legislation will be overseen in Washington by a newly created Defense Economic Diversification-Adjustment Council. The Council will evaluate applications from labor, business, government, and nonprofit agencies in defense-dependent areas to establish the diversification-alternative use committees authorized by this legislation. They will also carry out many other activities that help communities deal with the problems created by receiving a disproportionately large share of defense dollars.

The Council will be composed of the following people: The Secretary of Labor, Secretary of Commerce, Secretary of Defense, Secretary of Education, six representatives from defense and nondefense business and six representatives from labor union organizations.

The Department of Defense, furthermore, is required by this bill to give the Council 1 year advanced notice of any pending or proposed changed in defense spending that would affect employment in the defense industry. One year notice will minimize economic dislocation in the affected regions by allowing local communities to develop job training and location services before layoffs occur.

The act also contains a new initiative to train and retrain workers in defense-dependent areas. The purpose of this provision is twofold: First, it will help attract new, nondefense business to defense-dependent regions because workers can be trained at a lower cost; second, it will provide a job retraining apparatus should defense layoffs occur.

Given the Federal budget deficit, the Federal Government must create new ways to allow the private sector to contribute financially to new and important employment initiatives. For this reason, job training funds authorized by my bill will be matched one to one by participating companies which will employ the newly retrained workers. The business share of program costs may be in the form of cash or in-kind contributions.

I believe that it is the height of irresponsibility for the Federal Government to entice communities into defense-related activities and leave them high and dry as defense needs change. The Federal Government must recognize its responsibility to help defense-dependent regions reduce their dependency on defense dollars, and convert defunct defense plants, so that one defense budget decision in Washington does not devastate the economy of a defense-dependent region. I invite my colleagues to cosponsor the Economic Diversification Act.

NEBRASKA VOICE OF DEMOCRACY WINNER

HON. VIRGINIA SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mrs. SMITH of Nebraska. Mr. Speaker, I rise today to recommend to my colleagues the following prize-winning essay in the Nebraska VFW Voice of Democracy contest.

This essay was written by Mr. Stephen Scott Mack, of Broken Bow, NE. Stephen, the son of Royce and Kae Mack, is a junior at Broken Bow High School.

Stephen's essay is titled, "The Challenge of American Citizenship." I think my colleagues will agree that the essay shows remarkable perception and maturity for a writer so young.

I send my heartiest congratulations to Stephen Mack and thank the Veterans of Foreign Wars for their sponsorship of this program.

THE CHALLENGE OF AMERICAN CITIZENSHIP

(By Stephen S. Mack)

Thirty-nine years ago, a young man stepped off a boat and onto the docks of New York harbor. This young immigrant had no family or friends in this new land, for he had left them all behind in his homeland of Poland. His clothing was ripped and torn in several places, and his pants which were several sizes too big were held up by a well worn belt cinched tightly to his empty stomach. The few coins in his pocket would last him only a couple days.

This man had few material possessions, but he brought with him something that was beyond value—something that millions of immigrants like him also brought to America with them. He had a dream. Today this same man whose clothes were so ragged owns three successful clothing stores. This same man who was so alone now has a wife and four kids to help with the family business. When asked what he owed his success to, he replied simply, "I'm an American." He went on to say that the last four letters in "American" are "I can," as in "I can succeed in business. I can choose those who serve in my government. In short, I can make my dreams come true in America." This is unlike the rest of his family who still work hard for the Polish government and who still live in poverty.

Many people around the world do not share our view of America. Let me illustrate my point with a little story. An American and a Soviet citizen were arguing about which of the two lived in a better country. The American argued, "In the United States I can march into Washington, D.C., walk right up to the Capitol and yell 'Reagan out of the White House!' and they won't do anything to me."

The Soviet replied, "Same thing in Soviet Union. I can go into Moscow, march up to Red Square, right up to the Politburo and yell 'Reagan out of the White House!' and they won't do anything to me, either."

Even though this is a humorous illustration, it makes a serious point. We shouldn't take our freedom of speech lightly. It is a challenge not to take any of our freedoms for granted, and this challenge is two-fold. First, it is the challenge of understanding freedom, and second, it is the challenge of practicing our freedoms.

Understanding our freedom is basic. Understanding that our forefathers gave their lives for a democratic government is crucial. It was a type of government that had not been successfully used since the early days of the Roman Empire. Our ancestors gave their lives so that our society could pursue the dreams that come only with true freedom.

The second part of the challenge, practicing freedom, is a small price to pay, considering the consequences if we do not practice them. Voting for the candidate of our choice, speaking what is on our minds, serving as government watchdogs—all these are obligations which must be met by people who want to keep cherished freedoms. Millions of people in other countries would love to have these privileges. In fact, on any given day, there are over three million applications from people who want to come to live in the United States permanently.

People around the world have often wondered what makes America great. The French government even sent a man to the U.S. to find out. In the book he wrote when he returned to France, Alexis DeTocqueville said, "I searched for America's greatness in her Constitution and her great lawmakers, and it was not there." He goes on to say that "It was not until I searched into the heart of its people that I discovered why America was so great. America is great," he wrote, "because America is good. And if America ever ceases to be good, America will cease to be great." This, then, is the challenge of American citizenship; to keep America good, to keep America great.

REPRESENTATIVE WALGREN INTRODUCES NATIONAL CHEMISTRY DAY RESOLUTION

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. WALGREN. Mr. Speaker, I am introducing today, for consideration by the 100th Congress, a resolution which proposes to designate November 6, 1987, as National Chemistry Day. This event represents an excellent opportunity to begin an educational program to inform our citizens of the many contributions of science and technology to our lives, and to highlight the contributions of the chemical sciences. It offers us an opportunity to recognize that knowledge has helped us to conquer many challenges and leads us to seek new ones. It is an opportunity to promote the understanding that largely through the science of chemistry we can comprehend the physical world about us and the wonders of the universe beyond.

The American people know that our scientific and technological capability has been a primary factor in making this Nation great, and the critical value of science and technology to our society is growing steadily.

Repeated surveys for the National Science Board's Science Indicators report show Americans have a high level of interest in science and technology, and great confidence in science. Yet they know little about science; for as the 1985 Science Indicators report states significantly fewer Americans feel well informed about public policy issues involving science and technology.

In 1982, science achievement scores of students aged 9, 13, and 17 were lower than scores in 1970. A 1986 study shows that approximately 80 percent of adult Americans do not possess even a rudimentary understanding that chemistry is the science of all material things. These statistics are significant because they exist at a time when science and technology are playing an increasingly important role in our daily lives.

Educational programs are needed to take advantage of the interest in science that already exists. Providing the public with a basic understanding of what chemistry is and does will add to public comprehension of all physical and life sciences, and will help incorporate sound science into our decisionmaking processes.

Recognizing this, several local sections of the American Chemical Society [ACS] planned and carried out pilot "Chemistry Day" events last fall. The ACS has gained experience from these and other public information programs, and plans to implement a "National Chemistry Day" on November 6, 1987.

National Chemistry Day, as described by Dr. George C. Pimentel, immediate past-president of the ACS, in a recent Chemical & Engineering News article, will provide a focal point for activities and programs that demonstrate the commitment of chemists and chemical engineers to building public understanding of chemistry. This event will also highlight the role of chemistry in meeting societal needs, in raising the quality of life, and in contributing to the Nation's economic strength.

In its plans for observance of National Chemistry Day, the ACS will take advantage of one of its greatest resources, its strong network of 182 local sections distributed over all 50 States, the District of Columbia, and Puerto Rico, the event will give a large number of the Society's 137,000 individual member chemists and chemical engineers an opportunity to interact with students and the general public in local communication and educational efforts.

National Chemistry Day will encourage individuals and community organizations—industries, scientific and professional societies, museums, universities, schools, civic groups—to work with one another and with local sections of the American Chemical Society to develop programs and materials to enhance public understanding and commitment to science and technology.

It is especially appropriate that the American Chemical Society initiate plans for observance of National Chemistry Day in 1987—the year in which ACS also celebrates the golden jubilee of its congressional charter, the document that officially acknowledges the ACS's commitment to the public welfare and the integral role of the chemical sciences in service to society.

I urge my colleagues to cosponsor this resolution establishing National Chemistry Day on November 6, 1987.

A FOND FAREWELL TO ST. AUGUSTINE GRADE SCHOOL

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. LIPINSKI. Mr. Speaker, I rise on this occasion to bring to the attention of my colleagues an exemplary school of my district, St. Augustine Grade School, which will be officially closing its doors on June 1, 1987, after 108 years of service to the Chicago community.

The school began as an education alternative to distant parochial schools which were difficult for the citizens of this community to get to. The school originated in 1879 with 13 children in a single classroom in the rear part of the original St. Augustine's Parish Church. This number had grown to 120 in 1884 when the Sisters of the Poor Handmaids of Jesus Christ accepted the mission of St. Augustine School. The Franciscans took charge of St. Augustine Parish in 1886 under the direction of Father Kilian Schlosesser and began to add classrooms and expand to meet the needs of the constantly growing number of students. When the work of St. Augustine's elementary grades was examined by the School Board of Chicago in 1920, it was found satisfactory and St. Augustine's Elementary was accredited by the board.

Throughout the history of the school, a Catholic education was offered to all children whether or not they could afford to pay the full cost of that education. This spirit of St. Augustine Parish and School has been evidenced over the years by the continued sacrifices and dedication of all of the parishoners and parents of children who have attended the school. Even today, Catholic education is made available at the lowest possible fee to all children and has been subsidized by the Archdiocese of Chicago since 1981.

The hope of the Franciscan Fathers, the Sisters of the Poor Handmaids of Jesus Christ, and lay faculty of St. Augustine's is that the school will live on in the many thousands of children who were educated there and the people whose lives they have touched. I am sure that my colleagues will join me in thanking and honoring St. Augustine School for their many contributions to the Chicago community and in commending the many dedicated teachers and students throughout the years who are the legacy of St. Augustine School.

SAINT CLAIR KIWANIS CLUB MAKES 50TH ANNIVERSARY

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to the Kiwanis Club of Saint Clair, PA, on the occasion of the club's 50th anniversary.

The Saint Clair Kiwanis Club was founded in 1937. The members are a special group who have given generously to the surrounding community. The motto of the Kiwanis Club is "We Build." This motto is especially appropriate for the Saint Clair chapter; its members have made invaluable contributions to the growth and development of Saint Clair. They form the foundation of the community. Several members of the Saint Clair Kiwanis Club have stood out for their exemplary work. In addition to the fine work of President Bill Bowler, former Secretary Andrew Luchi and current Secretary Jack Chaklos, two charter members of the club have played especially important roles. The dedication of charter Members Charles W. Delp, MD, and James Evans has never waned. Their many hours of service have been instrumental to the club's continued success.

To celebrate 50 years of service, the club is planning a commemorative dinner on May 30, 1987. I know that my colleagues will join me in honoring the Saint Clair Kiwanis Club on this important occasion and in wishing all of its members best wishes and the continued success in the years to come.

RESEARCH PROGRAMS AT NIH

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. PURSELL. Mr. Speaker, members of the Appropriations Subcommittee on Labor, Health and Human Services, and Education had the privilege last week to receive testimony from a panel associated with medical research at the University of Michigan.

This five-member panel praised the continuing efforts of the National Institutes of Health and presented information specifically dealing with the Medical Scientist Training Program and the Minority Access to Research Career Program.

Mr. Speaker, there is no doubt these programs are of importance to our continued good health and the general well-being of our society. As the University of Michigan's representative in this honorable body, I was proud to invite this panel to appear before our subcommittee and was duly impressed by their presentation. I think their works bear repeating and wish to take this opportunity to share their report with my colleagues.

Mr. Speaker, I insert the panel's testimony at this point in the RECORD:

STATEMENT OF GEORGE R. DEMUTH, M.D., DIRECTOR, MEDICAL SCIENTIST TRAINING PROGRAM, UNIVERSITY OF MICHIGAN, BEFORE THE SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES AND EDUCATION AND RELATED AGENCIES, APRIL 30, 1987

The Honorable Members of the House Appropriations Subcommittee on Labor, Health and Human Services, and Education and Related Agencies:

I thank you for the opportunity to address the importance of the National Instutes of Health to society and the health of the people. In particular, your attention is called to the research programs and, specifically, to the Medical Scientist Training Program and the Minority Access to Research Career Program.

Let me introduce four participants in the Michigan Medical Scientist Training Program:

Dr. James M. Wilson, born in Michigan, is a graduate of Albion College and the University of Michigan, who received the M.D. and Ph.D. degrees in 1984. His thesis work led to his finding the exact genetic abnormality in Lesch-Nyhan's disease and the related inheritance of gout. Having completed his residency at the Massachusetts General Hospital, he is presently at the Whitehead Institute of MIT in post-doctoral training. Last year he was chosen to be a Howard Hughes Scientist. His present research work is in the vanguard area of gene therapy, which has enormous therapeutic potential. He will join the Michigan Medical School faculty in 1988.

Dorothy Chu, born in Taiwan, a United States citizen, received her undergraduate degree from the University of Hawaii and is presently an MSTP fellow at Michigan. Her thesis to be completed in June is on detectable inhibiting neurotransmitters in the brains of patients with Alzheimer's Disease. It may be a key to clinical diagnostic and therapeutic applications.

Charles Neal, born in Mew Mexico, received his undergraduate degree from the University of California, Santa Cruz, where he was in the program supported by the Minority Access to Research Careers, a part of the NIH. A portion of his support at Michigan is through the same agency. He is well into his thesis work which is on endogenous opiate receptors in the brain, a field of wide interest because of its relation to pain and to drugs. He was also instrumental in forming the Latin American-Native American Medical Association on the Ann Arbor campus; he is a recognized leader.

Thomas Hornyak, born in Michigan, received his undergraduate degree from Princeton University and is now in his second year of the seven in the Michigan Medical Scientist Training Program. Though still completing the fundamental medical science course work, he has already made fond laboratory associations and is starting research related to blood coagulation.

The growth in successful biomedical research during the past decades and the ever more lengthy strides im medical accomplishments would not have occurred without the education and training of new investigators. The leadership expressed through the NIH has been a critical part in this success and should be acknowledged. The country is fortunate to have scholars dedicated to these fields. We believe training programs should not only be maintained, but be expanded.

As a part of this, the Medical Scientist Training Program, MSTP, was created because of a special need. As the biomedical sciences rapidly evolved, it became evident that there would be a shortage of people firmly grounded both in medicine and in the new scientific disciplines. Such people are needed to understand the clinical problems and to bring them to the laboratory; and then they are again needed in the application of the results to clinical medicine. Support for individuals in this arduous training in both fields, the Ph.D. and the M.D. studies, is essential because of the length of time of training (which would be followed by more training) and the necessity of a full commitment to the work. The first programs were initiated in 1964. Beginning in 1975 awards were made under PL 93-348. The MSTP has grown and occupies a unique place in biomedical science training.

The evidence strongly supports the wisdom of the judgment to encourage and support the dual degree programs. I would like to cite a few of the statistics available through the National Institutes of Health and then give several ways our experiences at the University of Michigan clearly validate this.

First, in a study by Dr. Vincent Price (NIH) of the early trainees who had completed their degree work and made career decisions and, by their progress, confirmed them, over 85% were in academic and research positions. About a sixth of these were in basic science laboratories, about a third primarily in clinical fields, and half were bridging the basic science and clinical fields. A more recent study by the NIH on the ability of the MSTP graduates to compete successfully in the peer review process for research grant awards shows them to be well ahead of their colleagues. Because this is a separate and objective judgment and becaue it relates directly to their work, this observation is especially powerful.

Our experience with the Medical Scientist Training Program at the University of Michigan is very favorable. We are able to meet a large fraction of the national MSTP applicants. The quality of the students entering these training programs and their creativity, dedication and commitment are truly impressive. They are among the very top students in the graduate education programs of the nation's universities. Their research, their theses, and their publications in scientific journals are superb. These individuals meet the rigorous demands placed upon them.

The respect with which the MSTP graduate is regarded is evident in yet another way, in the present faculty recruitment. A majority of the most sought after new faculty members at Michigan are products of these programs. They bring with them the clinical capabilities of the physician and the deep understanding of emerging research, and they have the technical competence to work in it.

Because of the length of study and the total commitment necessary, few of the students would be able to complete this doubled curriculum without full support. The typical duration to achieve the dual degrees is seven full years. The graduates then spend from two to five years in further, post-doctoral, training. Hence, this program or an equivalent, which supports them during the study toward the dual degrees, is obligatory for the great majority of students.

We urge that support for the Medical Scientist Training Program be increased. The pool of potential candidates is larger than can be currently supported; though it is a finite number. There is no evidence that the need for the graduates will be sufficiently met soon; on the contrary, increased numbers are required. And every year a number of very superior dedicated students willing to make this commitment cannot be accommodated.

The Minority Access to Research Careers, or MARC, program has a special role. MARC was established as a research training program for faculty members and students at minority institutions having health-related research activities. The objective of the now multifaceted MARC program is to increase the number of minority scientists engaged in biomedical research. One part, the MARC Honors Undergraduate Research Program, is designed to strengthen the undergraduate research training programs at minority institutions. There are 57 such programs in operation. About 80% of their graduates go on to graduate or professional schools. Another part, the MARC Predoctoral Fellowship Award, provides for the support of selected graduates of the MARC Honors Undergraduate Research Training Program in their further research training leading to the appropriate Ph.D. degrees.

We are fortunate to have currently two people from the MARC undergraduate program at the University of California at Santa Cruz in the Michigan MSTP and presently supported by MARC. There is already strong evidence that both are going to be outstanding scientists. We are convinced that without the guidance and teaching obtained in their undergraduate program and their continuing help through MARC, they would not have been able to rise toward the leading positions which appear to be their future. Your continuing support of this training is urged. It is filling a special need.

Of course, we recognize the importance of the role and the many activities of the National Institutes of Health. The training of such superb scientists as the MSTP fellows would be futile if there were not opportunities in research for them in the future. The increases in knowledge and understanding in the bio-sciences since NIH was established are a true marvel. Congress and the citizens of this country should take great pride in the accomplishments made possible through their support of biomedical research and research training.

Your attention to this is appreciated.

GORBACHEV'S ADVANTAGE

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring the following editorial from the Lompoc Record of Lompc, CA, to the attention of my colleagues. I agree with this commentary that the President has two negotiating advesaries: General Secretary Gorbachev and the House Democrats. The latter, unfortunately, are in a position to seriously undermine the credibility of our arms control negotiators, thereby benefiting the Soviets. With the defense authorization and its important arms control amendments presently before us, I urge my colleagues to consider the insightful thoughts of the Lompoc Record:

GORBACHEV'S ADVANTAGE

When President Reagan was preparing for last year's arms control summit in Iceland, he found himself bargaining with two adversaries: Mikhail Gorbachev and the U.S. House of Representatives. In August, the House passed amendments that would have titled the Reykjavik talks toward Gorbachev by forcing Reagan to make one-sided concessions. It dropped those amendments only after a personal appeal by the president for national unity.

This year the Democrat-controlled House seems even more determined to weaken Reagan's hand. Displaying a remarkable disregard for negotiating tactics, it has voted to force the president to dismantle part of the U.S. strategic arsenal even if Moscow makes no concessions in return.

One House-passed amendment would require the administration to obey the SALT II treaty negotiated by Jimmy Carter—a treaty that has never been. Seven years ago Reagan called SALT II "fatally flawed." Carter himself withdraw it from Senate consideration after Soviet troops invaded Afghanistan, which they still occupy.

Washington began to exceed the SALT II limits only last year, long after it had discovered systematic Soviet violations. Returning to compliance now would mean destroying weapons that have already been deployed.

Another amendment would ban all but the smallest tests of U.S. nuclear warheads if the Soviets agree to a similar halt—giving them the very moratorium that ranks high on the Kremlin's list of negotiating priorities, low on the Pentagon's. Such advance concessions, of course, make it harder for U.S. negotiators to win sacrifices from Moscow. The Soviets do not need to trade anything substantial if our Congress simply hands them what they want.

Republicans are threatening a filibuster to keep the Senate from accepting these House-passed amendments. If they fail, Reagan should and will use his veto. But even if they are ultimately defeated, the amendments will have enhanced Gorbachev's bargaining position.

With no opposition party and no domestic media critics, the Soviet leader already had ample advantages over Reagan. The House has now widened them.

I HAVE TOLD YOU SO

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. DANNEMEYER. Mr. Speaker, 2 years ago when Secretary of the Treasury James Baker announced the policy of deliberate dollar debasement, syndicated columnist Anthony Harrigan demurred. Now, that the dollar has lost almost one half of its value in terms of the yen and the mark and, accordingly, the cost of maintaining U.S. troops abroad almost doubled, Mr. Harrington has the dubious satisfaction of pointing a finger at his obsequious colleagues on the Baker bandwagon: "I have told you so."

The theory that a weak and falling dollar would enable the United States to regain lost export markets and close the trade gap is preposterous. To the extent that every produced good has an input of imported components, the profit margin of the American export industry is squeezed, and that of its foreign competitors is boosted by the policy of deliberate dollar depreciation. We have to export more to pay for the same amount of imports: Our terms of trade is deteriorating, while that of our competitors is improving. We are worse off, not better off.

Moreover, the policy of deliberate dollar debasement will eventually cause a panic in the bond market, and we shall be hit by much higher interest rates. Such is the high cost of the low dollar.

I insert the article of Mr. Harrigan for the benefit of my colleagues:

A DOLLAR MELTDOWN?

(By Anthony Harrigan)

WASHINGTON.—Two years ago, when Secretary of the Treasury James Baker said that the U.S. dollar should fall, this writer sharply dissented. It was my judgment then that a strong U.S. dollar is a strategic asset, necessary for the purchase of raw materials and support of American military deployments overseas.

At the time, most commentators were climbing aboard the Baker bandwagon. The conventional wisdom was that a cheaper dollar would enable the United States to regain lost export markets and close the trade gap.

It was my view in 1985 that America's trade competitors would reduce prices in order to hold market share in the vast American domestic market. Time has shown that view to be correct. Even The Wall Street Journal, which trumpeted the Baker proposal, now admits that things haven't worked out as it predicted. The dollar has fallen, and despite rosy forecasts from the Treasury and Commerce departments, the trade deficit has worsened.

It is hard to find the right word to describe what's happened to the dollar. Some reporters say that it has "plunged," but the process amounts to something near a meltdown. Even before the recent drop in the dollar, its value against the Japanese yen, the Swiss franc, and the German mark was about 45 percent.

Did this help American business on the trade front? The March 30 issue of Chemical and Engineering News quotes the Claremont Economics Institute as saying that the decline will do "absolutely nothing to help most American producers." The magazine added: "Among those it won't help are chemical producers."

The public is increasingly aware that Secretary Baker recommended a bad strategy. He is also urging strategies in other, related areas that don't offer any promise of success. In mid-April, for instance, Mr. Baker said that commercial banks must develop "a menu of alternative new money options" for lending to the Third World. He isn't the only major public figure who is urging more lending of relief to poor Third World countries. Sen. Bill Bradley (D-N.J.) and Rep. Charles Schumer (D-N.Y.) are proposing debt forgiveness for these nations.

Whether advanced by the Treasury Secretary or members of Congress, these kinds of proposals are unrealistic and, in time, will be rejected by the American people. U.S. financial institutions are in a bind. They haven't the money to lend to poor credit risks, no matter how often they are urged to do so. The U.S. government certainly hasn't any money. It's borrowing on an enormous scale. Any money it gives away in 1987 is money it has borrowed and must pay back.

"Debt forgiveness" is a nice phrase for politicians, but it means that somebody else will be denied repayment. Politicians in our time have forgotten what President Calvin Coolidge said of foreign borrowers, that "they hired the money."

The national treasury is empty. Many of the nation's biggest banks are in trouble. And the Secretary of the Treasury is giving the wrong answers to our national problems.

IN RECOGNITION OF MASSACHUSETTS STATE REPRESENTATIVE WILLIAM E. MORIARTY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. CONTE. Mr. Speaker, I rise today to pay a special tribute to a very dear friend of mine, Bill Moriarty, a man who for many years has served in the cause of others with great spirit and compassion.

Even before he graduated from high school in 1949, Bill spent 3 years fighting in World War II. He has continued to serve his country in both the U.S. Army Reserve and the National Guard Reserve, leaving the service in 1975. After graduating from school, Bill went on to a notable career, rising through the ranks to retire in 1980 as a U.S. postal executive. In that same year, Bill was elected to the State legislature as a representative of several towns in my district. He has since been an outstanding public official, working on the House Ways and Means Committee.

In addition, Bill has also distinguished himself as a member in a number of organizations. He has benefited his community through his work in the Grange, the Veterans of Foreign Wars organization, the Knights of Columbus, and the American Legion. He also belongs to the National Association of Ex-Prisoners of War, the Ware Rod and Gun Club, and the American veterans associations.

Bill Moriarty is a unique individual. His participation in charitable projects, his willingness to give of himself, and his good nature—what's a parade without Bill and his leprechaun-like smile—have demonstrated his rare character.

I am proud to serve with Bill as a representative of the people of western Massachusetts. His many years of hard work have touched the lives of thousands who are appreciative of his outstanding efforts. I salute a man dedicated to helping others who rightly deserves the recognition given to him.

WEISS INTRODUCES LEGISLATION TO REPEAL VERRAZANO ONE-WAY TOLL PROVISION

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. WEISS. Mr. Speaker, a provision was attached to the 1986 Department of Transportation appropriations bill that forces New York City to change the two-way toll on the Verrazano-Narrows Bridge to a one-way toll. Because the one-way toll is collected in a westbound direction, while all other trans-Hudson crossings in the region have one-way tolls collected in the eastbound direction, motorists and long-distance truckers can now take a free ride by rerouting through the city—clogging already congested streets and increasing pollution.

This disastrous experiment should never have occurred. In 1984, the New York State Legislature rejected an identical one-way toll proposal after a prophetic Triborough Bridge and Tunnel Authority study warned that such a change would have dire consequences for New York City. As predicted, the toll-change experiment has been a catastrophe. A recently released draft environmental impact statement confirms that the toll change has caused a substantial loss of revenue, a significant increase in traffic problems, and a hazardous deterioration of air quality in New York City.

Therefore, I am today reintroducing legislation to repeal the one-way toll provision. Thousands of commuters and residents in New York City can wait no longer for relief. The original 6-month experiment required by the statute ended in September of 1986. Continued delaying tactics make State action unlikely before September 1987—a full year after the expiration of the mandated 6-month period of experimentation.

This is not simply a local issue; although admittedly, I am concerned that my constituents are being forced to suffer the consequences of this failed experiment. There are two reasons why this issue has potential impact on all districts. First, the Verrazano Bridge is a local bridge, built and maintained with local funds. Never before in the history of this great country has Congress forced local authorities to change the way tolls are collected on a local bridge. This unprecedented Federal intervention is not only an affront to New York City's government, but also a threat to the sovereignty and integrity of every local govenrment in the United States. It is a gross violation of the basic principles of federalism.

Second, the December 31, 1987, Clean Air Act compliance deadline is looming in the very near future. It is estimated that up to 70 areas will fail to meet the December 31 deadline to attain ambient air quality standards for ozone and/or carbon monoxide. Many of my colleagues who, like myself, represent areas in which air pollution levels exceed EPA standards, understand the urgency for extending the Clean Air Act deadlines. If the deadline is not extended, areas not in compliance with EPA standards face stiff penalties; including denial of Federal highway funds and bans on construction of new industrial facilities.

New York's EPA-approved state implementation plan [SIP] commits the State to eliminate all air pollution "hot spots." According to the environmental statement, the toll change has created three new air pollution hot spots in New York City. We have already been requested to seek and support an extension of the Clean Air Act deadlines. However, by foisting the one-way toll upon New York City, the Federal Government has placed New York State in further violation of it's own SIP.

Finally, last year the House demonstrated its support for allowing the proper local authorities to determine the fate of the Verrazano toll. By a vote of 253 to 168, the House struck down an amendment intended to block return of the bridge to local control. The amendment, offered by my colleague from Staten Island, was not supported by any other Representatives from New York City or New Jersey. Unfortunately, a measure which would have returned the bridge to local control was lost during the last minute rush to pass the continuing resolution.

It is time for Congress to acknowledge and correct the mistake made when it adopted the ill-fated one-way toll provision. I urge my colleagues to join me and a bipartisan coalition of Representatives from New York and New Jersey in supporting this legislation to repeal the Verrazano Bridge one-way toll amendment.

A Bill to amend Public Law 99-190 to repeal the provision relating to the collection of tolls for motor vehicles on any bridge connecting the borough of Brooklyn, New York, and Staten Island, New York

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 324 of the Joint Resolution entitled "A Joint Resolution making further continuing appropriations for the fiscal year 1986, and for other purposes", approved December 19, 1985 (Public Law 99-190; 99 Stat. 1288), relating to the collection of tolls for motor vehicles on any bridge connecting the borough of Brooklyn, New York, and Staten Island, New York, is repealed.

TRADE BILL IS ONE COMPONENT OF BALANCED TRADE POLICY

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. SYNAR. Mr. Speaker, last week the House took a major step toward establishing a rational trade policy for this country. H.R. 3, which passed the House by a vote of 290 to 137, will require the U.S. Trade Representative [USTR] and address the unfair foreign trading practices that increase our trade deficit.

There can be no doubt that the same elements driving up our huge trade deficit are rapidly destroying numerous segments of our industrial base. In the last year alone, in my district in northeast Oklahoma, we have seen several major employers close shop due to an inability to compete with foreign imports.

Agriculture has been especially hard hit. Agriculture exports—formerly the showcase of U.S. efficiency and productivity—have fallen from $25 billion in 1981 to just $7 billion in 1985.

There are those who argue that certain industries can no longer compete in the world markets because of high salaries and inefficient management. But the fact is, the overvalued dollar, which has driven up the cost of domestic goods, the budget deficit, and the discriminatory and unfair trading practices of our trading partners together have made it impossible for many U.S. industries to compete on a level basis.

H.R. 3 takes us a long way toward solving a small portion of the problem. The bill requires the USTR to make an annual determination of "excess surplus countries"—those countries whose exports to the United States exceed their imports by 75 percent. The USTR must determine whether these "excess surplus countries" maintain unfair trading policies against U.S. imports. If so, these countries are labeled "unwarranted surplus countries."

Under the Gephardt amendment, which the House adopted, the USTR must negotiate for up to 6 months an agreement which reduces each "unwarranted surplus" country's surplus by 10 percent per year. If no agreement is reached, the President must take action to reach the 10-percent trade surplus reduction through tariffs, quotas, or other means.

I opposed the Gephardt amendment because I believe it is an inflexible approach to a complicated problem, and it replaced the more direct and workable provisions included in the Ways and Means Committee bill. Those provisions would have required retaliation based on the specific unfair trading practices of our partners. The type of retaliation would have been discretionary, but the President was required to respond in an amount equal to the commercial effect of the unfair policy on U.S. commerce.

I am hopeful that as the Senate considers their own trade bill, and meets with the House to resolve differences between the two measures, both sides will agree on a bill that recognizes the need to target our responses specifically to the unfair practices of our partners.

Mr. Speaker, having passed a significant trade bill, the temptation is great for us to wash our hands of the problem, claiming that we have "done something" to restore American industrial competitiveness. But we must keep in perspective the fact that unfair trade is a small fraction of the cause of our trade deficit.

The true culprit, as we know, is the budget deficit. Our budget imbalance forces the U.S. Treasury into the marketplace to borrow nearly $200 billion each year. This borrowing has made the United States an attractive place for foreign investments, and has driven up the value of the dollar overseas. This makes it more difficult for U.S. goods to compete with foreign goods produced with cheaper currencies. This is the true source of the vast majority of our trade deficit.

Unfair foreign trading practices are a problem, to be sure. But let's recognize the fact that the budget deficit has done far more to eliminate American jobs than has the trading policies of all of our partners combined.

PROTECTIONISM OVERTAKES COMMON SENSE

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. DENNY SMITH. Mr. Speaker, I rise in opposition to H.R. 3, the omnibus trade bill that was crafted by the Ways and Means Committee and adopted by the House on April 30. It was a serious effort to address a problem that affects all of us. In its original form, it would have streamlined our own trade regulations while sending the appropriate message to our trading partners around the world. However, the passage of the Gephardt amendment changed this bill from solid legislation to pure protectionism. It is no longer in the best interests of Oregon or this country.

I am pleased with the provisions that liberalized our export control procedures over the next 3 years. The regulations we now have on the books are onerous and in some cases do not accurately reflect the significance of particular products within the broad definitions of "national security." These regulations often handcuffed our own high-technology companies in their efforts to expand markets and allowed foreign countries and companies the opportunity to move ahead of us in certain markets.

My commitment to a strong national defense has not changed. The provisions of this bill will not mean that vital, high-technology equipment will be shipped to our enemies. We are not putting capitalism ahead of our own security. These provisions will allow us to move more freely and quickly with our allies and other countries that do not represent a direct or indirect threat to this country. It is my hope that these provisions will be retained by the joint House-Senate conference.

Over 5 billion dollars' worth of products were imported and exported through Oregon ports in 1986. Twenty percent of the jobs in my State are tied directly or indirectly to international trade. Foreign investments have been beneficial to our economy, and are vital in financing our Federal deficits and national debt. Protectionist language, such as that contained in the Gephardt amendment, will lead to retaliation against U.S. products. Oregon will be on the front lines of a trade war, and we will be the first to suffer the impact.

The solutions to our trade deficits will depend upon our ability to balance our budget deficits and to open markets, not close them. H.R. 3, as crafted within the various committees, would have sent the message of our displeasure with certain practices without tying the hands of this or future administrations. It put common sense ahead of politics, which is a rare practice in this body. We were taking steps in the right direction, but got sidetracked by special interests.

The trade argument is frequently viewed as a jobs issue. The supporters of protectionist legislation point to the numbers of jobs that have been lost due to unfair practices. They deliberately fail to point out the numbers of jobs that have been lost as a result of profligate Federal spending. They fail to mention the jobs that will be lost in the agricultural community and in our port cities as a result of retaliation. We are sacrificing the jobs of many to protect the jobs of the few in industries that aren't competitive for a variety of reasons, not just unfair practices.

We can, and will, become competitive again if we change some of our practices in this country. H.R. 3 has good provisions that will hopefully increase the educational opportunities for our children and job retraining for our workers. We have to rethink our practices from the classroom to the boardroom, and reduce our bureaucracy in both Government and business. Companies have been successful at marketing in Japan and other closed countries, so we must make the effort to learn the secret of that success.

I have said it many times before, but it is important to reiterate this point—we will not get our trade deficit under control unless we get our Federal deficit under control. We have spent 3 days arguing over the specifics of trade laws, protectionism and sending the appropriate message to our trading partners. Yet the Democrat majority of this House thinks nothing of passing a one-page, $1 trillion budget that will raise taxes and ignore the Gramm-Rudman deficit targets. That is the message that gets through to our financial markets and our trading partners.

Without recognizing that our trade difficulties will only be resolved through comprehensive actions that open markets, we will not resolve this problem. Enacting H.R. 3, with the Gephardt amendment, will be counterproductive to our efforts. It is my hope that we will clean up this bill during conference, and replace protectionism with common sense.

PARTICIPATION IN DEMONSTRATION PROVES COMMUNIST SYMPATHIES

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. SOLOMON. Mr. Speaker, it is my pleasure to place in the RECORD an editorial by a great American, William Randolph Hearst, Jr., which recently appeared on the Albany Times-Union.

With the publication of this and similar articles, no one can plead ignorance any more about the Communist support for the recent Mobilization for Justice and Peace in Central America and Africa demonstration.

Even AFL-CIO President Lane Kirkland, never accused of being President Reagan's closest ally, warned union members not to participate in such a blatant Communist media event which had no other object than to undermine U.S. foreign policy.

This event was financed by $3 million, courtesy of Libya's Muammar Qadhafi via Nicaraguan dictator Daniel Ortega, two of the world's leading America-haters. That backing has been well documented. Those who still participated, despite the evidence, could hardly proclaim more loudly their overriding loyalty to the goals of the Soviet Union.

DON'T BE LED ASTRAY

(By William Randolph Hearst, Jr.)

It is incomprehensible to me how Christian churchmen, union leaders and other presumably rational people who believe in democratic processes can be duped into participating in demonstrations orchestrated by Nicaraguan and Libyan-supported Marxist agitators dedicated to destroying democracy in Central America.

It is particularly difficult to understand why such people would allow themselves to be used as a front for a Communist-sponsored propaganda stunt when they were warned beforehand that organizers of demonstrations in Washington and elsewhere this past week included radical groups funded by Nicaragua and Libya.

The leftist organizers of the Mobilization for Justice and Peace in Central America and South Africa received, according to the Washington Times, $3 million from Nicaragua's Communist dictator Daniel Ortega. The latter had been given the money by Libya's Col. Muammar Khadafy to finance nationwide protests and demonstrations in this country against President Reagan's Central American and South African policies. Every reasonable person knows these policies are intended to protect Central America from Communist conquest and to avert an all-out racial war in South Africa that could cause terrible slaughter of blacks and lead to eventual establishment of a Soviet-oriented black dictatorship.

The day before the first demonstration was held in the nation's capital, the Washington Times and Washington Post disclosed that the Mobilization organizers included the U.S. Communist Party, the Committee in Solidarity With the People of El Salvador, a group that publicly supports leftist Salvadoran guerrillas who are trying to overthrow the elected government of Jose Napolean Duarte, and another leftist gang, NISGUA, which backs Guatemala's National Revolutionary Unity guerrillas fighting against that country's elected Christian Democratic government.

Ignoring this evidence of Communist instigation of the Mobilization movement as well as strong appeals for nonparticipation by AFL-CIO President Lane Kirkland, liberal Democrats and half a dozen Central American trade union leaders, 16 presidents of AFL-CIO affiliated unions and 12 bishops joined in demonstrations at the White House Sunday and in civil disobedience disorders Monday at the Central Intelligence Agency where 560 arrests were necessary to clear the area.

Another American union leader who warned his members not to participate was International Bricklayers Union President John Joyce. He said the Mobilization movement was aimed at creating a popular front in this country similar to the one put together by French radical Socialists and Communists in the 1930s that paved the way for appeasement of Nazi Germany.

Writing in the liberal *New Republic* magazine about the danger of "people of good will" being duped by the Mobilization movement, Morton Kondracke warned: "If the peace movement succeeds again it is likely El Salvador, Guatemala and Honduras, where people have just tasted civilian government and the right to vote, will come to resemble Vietnam and Cambodia."

How clergymen associated with the Presbyterian Church, the United Church of Christ and the National Council of Churches, along with union leaders, could be so naive about those who mastermind these so-called peace and anti-nuclear weapons demonstrations baffles me. I believe it would probably be right to take the opposite side of any demonstration held these days because they imply lack of confidence in, if not a threat to, our form of democratic government. The place to demonstrate is at the ballot box with your vote.

125TH ANNIVERSARY OF CINCO DE MAYO

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. LAGOMARSINO. Mr. Speaker, I wish to call to the attention of my colleagues the historical significance of today, May 5, for our friends and allies south of the border. Cinco De Mayo marks the anniversary of the victory of Mexican forces in 1862 against French forces trying to subjugate their nation.

May 5 and the defeat of the French at Puebla, Mexico, can be compared to October 19, 1781, and the surrender of Cornwallis at Yorktown. They were momentous occasions when the principles of freedom, justice, and equality were victorious.

Even though the French subsequently conquered Mexico holding it briefly from 1864 to 1867, Cinco De Mayo remains as the symbol of the independent spirit of the Mexican people and their unwillingness to succumb to foreign domination.

Strangely enough the events leading up to the battle at Puebla sound chillingly familiar. Financial difficulties affecting Mexico and its inability to meet payments on bonds held by France, Spain, and England led the three European nations to conduct naval manuevers against Mexico to pressure that nation to pay its debt. The Europeans had originally announced that the manuevers were not an overture to conquer Mexico but merely a show of strength to get Mexico to fulfill its financial obligations.

After the ships reached Mexico, preliminary agreements were reached and the British and Spanish ships returned home. The French, however, remained and began a military engagement under the leadership of Emperor Napoleon III in an effort to gain control of the Mexican Government.

On May 5, 1862, when Emperor Napoleon attacked Mexican forts in Puebla with 6,000 French troops, he was defeated by Mexican Gen. Ignacio Zaragoza with 2,000 Mexican soldiers.

May 5 holds significance for the people on both sides of the Mexican-United States border. Our Mexican friends, our citizens of Mexican descent and all Americans share the same values of justice, equality, and the love of liberty. We feel great pride in our respective countries, and we can share together the celebration of liberty over tyranny.

Today, I join all Americans in congratulating our neighbors to the south on the 125th anniversary of Cinco De Mayo and in pledging our continuing commitment to freedom, justice, and to cooperation and mutual respect for strengthening the ties that bind our two nations so closely together.

CHRYSI PAZZ REPRESENTS OREGON IN THE VETERANS OF FOREIGN WARS VOICE OF DEMOCRACY SCHOLARSHIP CONTEST

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. WYDEN. Mr. Speaker, it is with great pleasure that I submit for inclusion in the CONGRESSIONAL RECORD the winning script by Chrysi Pazz in the VFW's Voice of Democracy Scholarship Contest.

Each year the Veterans of Foreign Wars and its Ladies Auxiliary conduct the Voice of Democracy scriptwriting contest. Chrysi, who lives in my district, was one of the 300,000 students who participated in the contest vying for the seven national scholarships that were awarded as the top prizes. The theme for this year's contest was "The Challenge of American Citizenship."

I would like to congratulate Chrysi on her win, and to wish her much success in her future endeavors. The insight she exhibits in her script is rare in a young person—and who knows—maybe someday I will be visiting her congressional office here on Capitol Hill.

The text of her winning script follows:

For more than 200 years, America has thrived on challenge. Throughout our history, challenge has been a very important part of our heritage. It is a responsibility that goes along with citizenship in the most wonderful country on Earth, our country.

It is challenge that has made us into the great country we are today. The challenge of people of all races and creeds who have come together for generations to establish and preserve a democratic republic which today, more than ever, offers hope to it's citizens and to the entire world. A nope not only in today, but a hope in a better tomorrow and the tomorrows which will surely follow.

From the moment our forefathers landed on Plymouth Rock, Americans have faced, welcomed, and overcome challenges of every kind. In our young history, people of all kinds, from every corner of the earth, have joined together and proved that they could build a country that would be an example and an inspiration to the rest of the world.

They respected their individual differences, while they learned from each other. But their goal was the same, Freedom! This was America's challenge yesterday and today we should all feel blessed and fortunate to take up new challenges as Americans.

I understand now why being an American citizen was so important to my grandparents, why they were so proud, and what it meant to them.

I will always remember their hardships in coming to America penniless and unable to speak a word of English. Their eyes would water as they told of Ellis Island and seeing the Statue of Liberty on the horizon, welcoming them to a strange new land that promised freedom and opportunity. In their own way they succeeded and contributed, always reminding me that I too must grow and contribute to keeping America great by exercising my duties as an American citizen.

Today, we live in a nuclear world that is threatened with wars, revolutions, and hunger. It is a world that we cannot turn our backs on because it reaches out to us for help, and as citizens we must answer!

Drugs are threatening our youth and poverty our elderly. Crime continues to climb as our economy continues to sputter in the recession. The problems facing America go on and on. What can we do about this? Is there a solution? Yes there is!

We can solve every problem by working toward a common goal. It will not be easy but it can be done! First we must exercise our rights by voting in our open elections, for our representatives and on our issues.

As American citizens we must be ready to support the decisions made under the guarantee of our Constitution. It is our duty and responsibility to achieve what is guaranteed to every citizen . . . equal opportunity and the pursuit of happiness!

Working together, we can make the difference on the course and destiny of our country. We can remove drugs and crime from our streets and schools. we can end poverty and restore confidence and pride in our elderly. Nothing is impossible if we exercise our rights as Americans.

Today, our American Citizenship is again being challenged. It has been challenged before, but it has never waivered!

Now it is our turn, our test. I challenged each and every one of you today to join with me in keeping our country the beacon of light it represents to the whole world. A light that we can proudly pass on to the generations who follow.

RISKY BUSINESS—GOVERNMENT SPONSORED ENTERPRISES

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. GRADISON. Mr. Speaker, I take this opportunity to share with you and our colleagues a provocative article on a little known but significant aspect of Federal involvement—Government-sponsored enterprises. Nominally private, these institutions nevertheless represent an enormous contingent liability of the American taxpayer, and yet, they receive huge implicit subsidies and operate, by and large, with minimal or ineffective regulatory control.

In this article, Thomas Stanton provides an objective analysis of the uncompensated risk associated with Government-sponsored enterprises and points to the lack of effective and appropriate oversight and regulation.

The article, reprinted from the April 22 American Banker, follows:

FEDERALLY SPONSORED ENTERPRISES LACK OVERSIGHT

(By Thomas H. Stanton)

After years of providing a secondary market for farm loans, especially farm mortgages, the Farm Credit System stands on the brink of collapse. Billions of dollars worth of system loans are nonperforming, with the recorded amounts growing each quarter.

Last-ditch legislative efforts to shore up the system, including measures to strengthen its federal regulator, have failed to stem the rising tide of red ink.

While the difficulties of the Farm Credit System arise partly from its particular structure, they also may reflect more pervasive problems common to the system and other government-sponsored enterprises. These enterprises are federally chartered, privately owned corporations that help encourage the flow of more than half a trillion dollars of federally supported credit to favored borrowers, including farmers, students, home buyers, and thrift institutions.

Like the Farm Credit System, the other government-sponsored enterprises—the Federal National Mortgage Association, the Federal Home Loan Mortgage Corp., the Student Loan Marketing Association, and the Federal Home Loan Banks—are limited by law to dealing in a narrow range of assets. Fannie Mae and Freddie Mac, for example, provide a secondary market for home mortgages, while Sallie Mae largely is limited to dealing in student loans.

To finance these loans, government-sponsored enterprises typically borrow large amounts of money at favorable rates in the so-called agency debit market. Their perceived special relationship with the federal government, amounting to an implicit federal guarantee, enables government-sponsored enterprises to float debt close to rates at which the Treasury itself borrows.

The corporations, in turn, may pass on much of the benefit of their lower borrowing costs to their prescribed sectors of the economy. Moreover, the federal government does not charge for its implicit guarantee, and the government-sponsored enterprises have tended to be very profitable to their shareholders.

It is ironic, then, that the federal charters that allow government-sponsored enterprises to profit from funding special groups of individuals and businesses cheaply also may be the source of their financial instability. While government-sponsored enterprises may invest tens of billions of dollars in specific kinds of assets, they in turn forfeit the security of a diversified portfolio.

Without such diversity, changing economic conditions suddenly may overtake a government-sponsored enterprise. The Farm Credit System reported substantial increases in net worth and profitability until 1983, when the system's regulator first reported repayment problems with Farm Credit System loans.

By 1985, the regulator announced that the system could not stay afloat without billions of dollars of aid. The system had about two-thirds of its assets concentrated in farmland loans, making it extremely vulnerable to the sudden drop in farm incomes and land values.

Moreover, specialization in particular assets as long-term mortgages can make the consequences of unamanaged interest rate risk much more serious for a government-sponsored enterprise that for an institution dealing in a variety of assets with varying maturities.

In the late 1970s, Fannie Mae, which had been highly profitable, experienced a costly interest rate mismatch as the higher rates suddenly demanded for its shorter-term borrowings exceeded the rates it was getting on billions of dollars of long-term home mortgages.

After several difficult years, Fannie Mae has reduced its mismatch and relied increasingly upon issuing guaranteed mortgage-backed securities that use implicit federal backing but do not expose the corporation to interest rate risk.

These risk problems are compounded by the government-sponsored enterprises' perceived special relationship with the federal government which permits them to borrow large amounts of money cheaply. This implicit federal guarantee becomes a mixed blessing as investors look to the federal relationship, rather than to the balance sheet of the government-sponsored, to indicate its creditworthiness.

Over time, the market can become even more confident about the government's backing for obligations of government sponsored enterprises. As the value of outstanding government-sponsored enterprise obligations and guaranteed securities increases, the federal government faces a growing practical and moral obligation to stand behind these securities.

When the Continental Illinois National Bank and Trust Company of Chicago failed, Comptroller of the Currency C. Todd Conover told Congress that because of their size alone, the federal government could not permit the failure of the nation's money center banks. In asset size, Continental Illinois was much smaller than Fannie Mae, the Federal Home Loan Bank System, or the Farm Credit System; so are most big money center banks.

The widespread perception of government backing deprives government-sponsored enterprises of much of the market discipline that could help assure financial soundness. To prevent potential financial problems from evolving into threats to their institutional survival, such enterprises require especially careful supervision and regulation.

Yet, the regulation of these enterprises is of poor quality compared to banks and even thrifts. The U.S. Department of Housing and Urban Development, Fannie Mae's regulator, has told the General Accounting Office that it does not have the capacity or expertise to oversee Fannie Mae's financial condition.

The Federal Home Loan Bank Board is both the regulator and the board of directors of Freddie Mac. When the Bank Board is distracted, Freddie Mac loses the attention of its board of directors and its regulator at the same time.

Engrossed in its other responsibilities to the Federal Savings and Loan Insurance Corp., the Federal Home Loan Banks, and the insured thrift industry, the Bank Board has let Freddie Mac drift for over a year without a permanent chief executive officer. Until the 1985 remedial legislation, the Farm Credit System banks dominated their regulator, the Farm Credit Administration. Finally, Sallie Mae essentially has no regulator at all.

SIZE IS OVERSIGHT DILEMMA

The vast size of these federally sponsored institutions poses an additional problem for the federal government. Government-sponsored enterprises were created to serve particular sectors of the economy in need of financial support. Yet, without periodic congressional oversight, some of these enterprises may cease to serve the most significant public needs.

The Federal Home Loan Bank System offers a prime example. Originally established to provide advances of credit to thrift institutions to lower the cost of mortgage money to home buyers, the system today primarily provides inexpensive money to thrift institutions.

Unlike the strictly policed credit advances from the Federal Reserve System to member banks, these Home Loan Bank advances are not targeted to the thrifts most needing assistance; instead, they provide low-cost, longer-term funds for thrifts that are doing relatively well, and especially the very large thrifts. There is no clear public purpose served by this allocation of federally subsidized credit, currently amounting to about $110 billion.

Even if it may be too late for the Farm Credit System, there is a host of options that could set the other government-sponsored enterprises on firmer footing. For example, by centralizing regulatory supervision of these enterprises, the federal government could develop expertise necessary to regulate them and their massive commitments of funds.

A new regulator with statutory authority over all government-sponsored enterprises might be established in the Treasury Department, in addition to the small office now scheduling issuances of Treasury and government-sponsored enterprise securities.

Congress also can protect taxpayers by establishing an effective legislative framework for regulating financial soundness of the government-sponsored enterprises and for periodically reviewing their fulfillment of the most important public purposes. A number of improvements suggest themselves.

First, financial soundness must be monitored and reported. The financial disclosure requirements that have been recommended for federally insured deposit institutions and which would use market-value accounting and reporting, might be piloted with the balance sheets of government-sponsored enterprises.

The General Accounting Office also might be required periodically to investigate asset quality and interest rate risk of each of these enterprises for Congress, regulators, and investors.

Second, disclosure can help the government address the costs and benefits of government-sponsored enterprises. The government's contingent liability for risks of the activities of these enterprises might be quantified in a comprehensive annual federal credit budget.

Congress also might establish ceilings on the volume of guaranteed securities and debt obligations that each enterprise may issue under its authorizing statute; review of the ceilings would promote periodic congressional oversight as an enterprise expands within its designated market.

Finally, each government-sponsored enterprise charter act might include a long-term sunset provision, again to foster periodic discussion about the costs and benefits of the activities of the enterprise.

Unfortunately, the administration has failed to address the structural issues inherent in creation and operation of these enterprises.

Instead, the Office of Management and Budget unsuccessfully sought user fees on government-sponsored enterprise borrowings to offset their privileged borrowing status. Congress rejected that approach, which fails to promote either the financial soundness or the public purpose of these enterprises.

This year, the administration will propose removing government-sponsored enterprise borrowing status from Fannie Mae and Freddie Mac; failing that, the Office of Management and Budget wants Congress to restrict the size of home mortgages they buy.

Treasury and OMB officials periodically express unhappiness about the government's contingent liability for government-sponsored enterprise obligations and potential crowding out of commercial competitors. But they don't weigh these costs against the benefits of each enterprise, including their ability to lower the cost of home ownership, student loans, or farm credit.

The need for capable federal regulation is especially important because of the increasing temptation for the government to create new enterprises, often without attention to issues of financial soundness and regulatory oversight. Government-sponsored enterprises are particularly attractive in the present budgetary environment because they allocate their implicit subsidy to their intended borrowers without adding to the recorded federal deficit.

The administration has proposed a new enterprise called the Financing Corp. to recapitalize the Federal Savings and Loan Insurance Corp. by purchasing billions of dollars of FSLIC securities of dubious value. Unfortunately, the current legislative proposal fails to assure long-term financial viability of this enterprise. It could create an enormous financial burden for the federal government in the event of failure.

If thrift institution assessments fail to meet Treasury's optimistic predictions for funding interest payments on the Financing Corp.'s agency-status debt, creditors will turn to the corporation's assets. Under the present legislative proposals, these assets would be mostly FSLIC securities, backed by insufficient capital of a FSLIC fund depleted by payoffs to depositors of insolvent thrift institutions. As one financial analyst notes, Financing Corp. obligations promise to be the junk bonds of the government-sponsored enterprise agency credit market.

Congress is considering other new government-sponsored enterprises as well. The House last year passed legislation to create a Corporation for Small Business Investment, a government-sponsored enterprise to promote small business investment, again without regard to the credit quality of the assets it would purchase. Fortunately, the Senate declined to enact the corporation in that form and left the issue for more careful consideration this year. Congress also is considering a new enterprise to provide a secondary market for farm mortgages.

Even as the Farm Credit System winds down, it is safe to say that government-sponsored enterprises will continue their growth well beyond the half-trillion dollar mark. It is time for Treasury, the OMB, and Congress systematically to address the policy and regulatory issues raised by these enterprises so they provide their benefits to the most deserving parts of the economy without unnecessarily risking taxpayer money in the process.

REMARKS OF THE HONORABLE JOHN D. DINGELL BEFORE THE UAW NATIONAL SAFETY CONFERENCE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. FORD of Michigan. Mr. Speaker, I want to share with the House remarks that my colleague and good friend, the Honorable JOHN D. DINGELL, made today to the United Auto Workers National Safety Conference. I urge my colleagues to read Chairman DINGELL's remarks outlining some of the administration's attacks on occupational and environmental health and safety. Chairman DINGELL's address follows:

REMARKS OF THE HONORABLE JOHN D. DINGELL ON WORKPLACE HEALTH AND SAFETY, MAY 5, 1987

An increasingly important part of public health policy has been the protection of the population from the hazards of the workplace and the environment. It is one of our society's most troubling and enduring conflicts that the same industries and technologies which have delivered to us such progress and comforts, have also brought us cancers and lung problems, neurotoxins and skin diseases, and even threatened the lives of our unborn children with genetic defects.

We have responded to these problems with significant public and private investment in scientific research into causes and effects of these problems, and how to mitigate or reduce them. We have also adopted regulations to endure that workplace risks and consumer benefits are appropriately balanced.

Unfortunately, however, occupational and environmental health and safety have been under severe attack from the Reagan Administration, which has undermined the writing and enforcement of safety rules, imposed drastic cuts in the budget and staffing levels of the various responsible agencies, and compromised the independence of the Federal research agencies. Tragically, and in very real terms, this has resulted in an actual decline in what had been steadily improving American workplace conditions; in some cases, even worse, conditions actually appear to be deteriorating.

One of the classic examples of an administration going astray in carrying out its health and safety responsibilities was the National Cancer Institute-Formaldehyde Institute collaborative study on formaldehyde released early last year. As you know, my Subcommittee on Oversight and Investigations conducted an in-depth investigation of the study and received testimony from Frank Mirer at a major hearing on the issue last July.

The subcommittee's investigation revealed a number of shocking facts about the extent of industry's role in the NCI-Formaldehyde Institute study. Most of the facts were not disclosed in the manuscript published in the Journal of the National Cancer Institute.

First, three of ten plants in the NCI study were owned by employers of the industry co-authors of the study, and a fourth plant was owned by a company which employed the Formaldehyde Institute representative who first proposed the collaborative study to NCI. Notwithstanding the fact that these employers had a major financial interest in the outcome of the study, the industry co-authors had a significant role throughout the entire study, including the design of the original protocol, data analysis and interpretation, and review of the final manuscript.

Second, officials from interested Federal agencies and labor organizations were not as involved in the study as industry and did not have detailed information on the study results until late February, 1986. Yet, interested industry representatives had been briefed fully by NCI on the study results nearly five months earlier.

Third, one of the two original NCI investigators and a co-author of the study maintained limited involvement in the formaldehyde study during several months of employment negotiations with DuPont, a major formaldehyde producer, and continued her involvement in the study as a DuPont employee for nearly two years subsequent to her departure from NCI. These activities were sanctioned (and even encouraged) by NCI officials.

Fourth, at least four of ten plants included in the NCI study had been previously studied by other researchers (with results characterized as negative by industry), and three of these previously studied plants were owned by the employers of the industry co-authors. The analysis of previously studied plants raises significant questions of bias, although the NCI study went beyond previous studies of the plants. Moreover, only one NCI official, the NCI co-author, was aware of the extent of previously studied plants. None of his supervisors up the chain of command were aware of this fact until after the Subcommittee staff conducted its interviews.

Fifth, as a precondition to cooperation with NCI, the Formaldeyde Institute insisted on an unusual agreement which provided for the secrecy of the names of the plants under study. Consequently, the extent of previously studied plants was not described in the NCI manuscript submitted to and published in the Journal of the National Cancer Society.

Sixth, not one worker included in the study population ever had cumulative exposure to formaldehyde as high as that permitted under the current OSHA standard of 3 parts per million (ppm), and only about 3 to 4 percent of the study population were classified as ever holding jobs with exposures equal to or greater than 2 ppm. The remainder experienced formaldehyde exposures well below the current OSHA standard. Moreover, virtually all of the highly exposed workers came from one plant which had been previously studied.

Seventh, and lastly, an independent Advisory Panel appointed by NCI to safeguard the independence of the study met formally only once—early in the course of the study!

The Subcommittee will actively continue to monitor NIC's research on formaldehyhde and other substances, such as methylene chloride, to assure that the Institute retains its independence so that it earns—and keeps—the respect of all affected parties.

The Institute's credibility has been severely injured by the whole formaldehyde study fiasco—most recently by the NCI Journal's rejection of an article critical of that study. The article reanalyzed NCI's own data and showed a signficant increase in lung cancer among workers exposed to formaldehyde. Since peer review forms the very basis for credibility in scientific research, the rejection of any critical work raises extremely serious questions.

To add insult to injury, the White House Office of Management and Budget also has actively engaged in a concerted effort of destructive interference with our government health and safety research and regulations. Indeed, the Oversight and Investigations Subcommittee has had to devote considerable effort to overseeing the OMB's actions over the past six years.

In 1985, the Subcommittee chronicled OMB's interference with two draft proposed EPA rules designed to protect the public against the cancer risks posed by ongoing asbestos production, use and disposal. The Subcommittee's report demonstrated how OMB caused the EPA to adopt an interpretation of the Toxic Substances Control Act (TSCA), which would have tied the Agency's hands in controlling one of the most well-documented human carcinogens. It showed how OMB sought to impose a discounting of human lives approach, which would severely restrict the Federal Government's ability to protect the American public against cancer-causing chemicals.

The record is quite that OMB interferes with, holds up, and arbitrarily demands the rewriting of occupational health standards.

In the summer of 1986, OMB held up the final promulgation of EPA's assessment guidelines for carcinogenicity, mutagenicity, developmental defects, exposure assessment and chemical mixtures. These guidelines had been subject to extensive prior analysis and review by EPA scientists, the EPA's Scientific Advisory Board and other governmental and nongovernmental scientists—some 200 in all.

Despite this, fewer that a dozen practitioners of the dismal science (yes, I do mean economists) over at the OMB felt they knew better. Strangely, but not surprisingly, OMB's arguments against EPA's guidelines were virtually identical to arguments presented—in secret and outside of the regular procedures—to OMB by industry officials.

Whatever one thinks about regulating asbestos—and I happen to think we must protect the public health from its hazards—there is an even more important basic issue here, and that is fairness.

While Congress expected everyone to play by the same rules, the OMB has rewritten the rules to give itself a special advantage. In the specific case of asbestos, OMB engaged in secret communications with agency officials and outside parties, leaving other interested parties on the sidelines watching a different game. Under this approach any regulation might be blocked through the OMB's clandestine intervention at the behest of a particular industry, while at the same time OMB limits the presentation of opposing views by other industry representatives and the general public who might benefit from a proposed rule.

Such a secret process is simply not compatible with a regulatory review process purportedly designed to promote rationality in decisionmaking.

As the process was carried out in the asbestos case, and as OMB has attempted to repeat in other areas, producers and users of substitutes for asbestos products had no input into a process which directly affected them. OMB thereby subverted one of the major benefits of Federal regulation: the creation of a uniform environment in which to participate in our economy—the "level playing field" concept. When properly implemented, this approach entails full participation by all affected parties and still gives a result beneficial to all those players—industry, workers and the general public. Not all parties are in every case fully satisfied, but the underlying process is designed to enable fair treatment under the law. That, I believe, represents our system at its very best, and it has worked extremely well over many years before the current Administration's arrival.

Almost without regard to the specific subject at hand, the alternative approach of Reagan's OMB is a travesty, an egregious abuse of the basic fairness upon which our system of government depends.

Fortunately, following hearings and an extensive report by my Oversight Subcommittee, the EPA finally did publish asbestos regulations for public comment last year.

On another, related matter, OMB's role in risk assessment raises important public policy questions. Risk assessments should not be politically based, but should be founded on the best available science, and should be made by technical experts in the regulatory agencies. An office staffed primarily by economists and policy analysts has no business assessing cancer risks. Such an office should certainly not function as a backdoor conduit for industry arguments. There is also the factual question of whether OMB, which also oversee an agency's budget, can every play a strictly advisory role.

Again to harp on the structure of our system, I should point out that each time the Congress has delegated a responsibility to a Federal agency to enforce a policy, regardless of the agency involved, we have given the whole job to that agency, and not to some second or third stringers to impose their economic theories over the best judgments of the professional scientists. What you're talking about, of course, is that it is scientists at EPA or Health and Human Services or OSHA who know about epidemiology and the health effects of certain substances. Their judgments are subject to challenge through the elaborate system of protections we have built in—hearings, record-keeping, cross-examination of witnesses, adjudicatory decision-making and, finally, judicial review. That system is fair; OMB intruding from behind closed doors is not.

There are other sorry examples of inappropriate interference by OMB. A study prepared for the Subcommittee last year by scientists from the Harvard School of Public Health and the Mount Sinai School of Medicine revealed that OMB had abused its authority and impeded studies by the Centers for Disease Control designed to address important health and safety questions. The review found that OMB was seven times more likely to reject studies with an environmental or occupational health focus than to reject studies that focused on issues relating to traditional diseases. Similarly, OMB often rejected CDC studies of reproductive hazards—such as the health effects of video display terminals. The Harvard-Mt. Sinai report made it absolutely clear, as I said in my letter of transmittal to the Members of the Energy and Commerce Committee, that "OMB's office of Information and Regulatory Affairs has flaunted Congressional intent. . . . Rather than protecting the public against unnecessary government intrustion, OMB has delayed, impeded, and thwarted governmental research efforts designed to respond to public demands for answers to serious health questions." I maintained then, as I do now, that the Government has an affirmative duty under the law to respond to such public concerns—most especially when they relate to public health and safety.

Despite our concerns and the adverse publicity, OMB's Administrative of its Office of Information and Regulatory Affairs has repeatedly said that OMB will continue to interfere in the area of regulation and health-related research—even though it is clearly unfair and probably unlawful. While I had hoped that by this time the lesson of basic fairness would be understood, I have no choice but to continue to fight for the best safety and health guidelines we can develop, and to ensure that they are implemented fully.

OSHA is another sad example of what happens when devastating staff and budget cuts are imposed that render the agency incapable of even coming close to carrying out its statutory responsibilities. All too often under the current regime, OSHA has been able only to evaluate, but not to act on, workplace safety and health problems. Unfortunately, the saga of the EPA, where the Office of Management and Budget undercut the Agency's entire research and regulatory effort and devastated the Agency's budget and staff, is being repeated. The research arms of OSHA, the National Institute for Occupational Safety and Health has been similarly rendered unable to run a viable program. Indeed, adjusted for inflation, the NIOSH budget has shrunk by almost 50 percent since 1980. NIOSH officials have acknowledged that reduced budgets have made it impossible for the Institute to meet its responsibilities in a timely fashion. Without NIOSH research providing a solid basis for the development of regulations by OSHA, the clear result is a serious diminution in the protection of our workers.

The most pernicious and ironic result of this, of course, is that the economic types at OMB purport to be saving business money by not regulating, even though there is a clear and well-established link between healthy workers and industrial productivity.

As the number of chemicals and technological hazards in the workplace continues to increase, and their safe use increasingly difficult to assure, it may be time to initiate new approaches to legislation in this area. Ideally we should be in a position to anticipate emerging hazards in the workplace.

One specific measure now pending in Congress is legislation introduced by my colleague, Joe Gaydos. His "High Risk Occupational Disease Notification Act" would require the Federal Government to notify workers who have increased risk of developing diseases as a result of exposure to hazardous substances in the workplace. I support this bill and, although it is opposed by the Administration and certain industrial groups, it has an excellent chance for success. I should add, however, that notification is no substitute for regulation or for the appropriate fulfillment of their statutory mandates by both NIOSH and OSHA.

In conclusion, in a time of increasing concern about the international status of American industry, we must ensure that industrial competitiveness is restored *not* at the expense of worker safety and health, but with full attention to it.

After all, a healthy American worker is a productive and competitive American worker, and any cost incurred to assure that health is money well spent.

PORTABLE PENSION PLANS

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. TAUKE. Mr. Speaker, today I rise in support of legislation to improve pension plan coverage for the American work force. H.R. 1961, sponsored by Representative JEFFORDS, would expand our pension system and encourage ongoing retirement savings plans. This legislation is timely and deserves our attention.

Most employees who participate in employer-sponsored pension plans accrue pension credit through years of service and annual earnings. H.R. 1961 would significantly alter the manner in which pension benefits are earned. Instead of accruing retirement benefits in each separate employer-sponsored plan, H.R. 1961 would establish "portability" for pension credits. Workers would in effect apply years of service and earnings to one, continuous career pension plan. I believe that this concept should be carefully scrutinized to ascertain the potential impact portable pension plans could have on employers, employees and the economy.

It is clear that smaller employers are not encouraged to sponsor pension plans under current ERISA administrative, fiduciary and contribution requirements. Simplified employee plans [SEP's] as well as 401(k) salary reduction plans are the primary pension plan alternatives available to smaller employers. Further simplification of administrative requirements and more flexible contribution requirements on employers could potentially increase the number of pension plans. H.R. 1961 would address this objective.

An increasingly mobile work force loses future benefits because past pension accruals are nontransferrable. Pension benefits are often lost when a worker separates from a plan because the employer or employee opts for a lumb-sum, cash-out payment. Employers frequently prefer to cash-out and employee's accrued pension credit in order to avoid the administrative costs of maintaining an employee's account. Additionally, cash-outs are oftern spent on current needs and not reinvested for retirement savings. Census Bureau data confirms that 70 percent of lumb-sum payments are spent on current expenses and not saved for future retirement needs. Our efforts to improve pension coverage should primarily encourage individual retirement planning.

To this end, should the Federal Government's role in future retirement income policy increase, decrease, or remain the same? What are the possible effects on Social Security, civil service retirement, and other retirement income programs? Who will insure portable pension plan assets? What could be the potential loss in tax revenue to the Federal Government?

I am supportive of efforts to encourage individual retirement planning. Clearly, we must all become more cognizant of the necessity to plan for our own retirement. It is no longer realistic to depend on Social Security or other publicly managed retirement programs for retirement income when there are alternatives.

We are all well aware of the "graying" of America—the dramatic demographic changes that we can expect in the next century make it necessary to examine the adequacy of our retirement income policies. Portable pension plans and simplified SEP's could be the keys to reducing the elderly poverty rate and improving the quality of life for older Americans. H.R. 1961 is an insightful, timely first step toward developing a long-term retirement income policy.

AMERICAN AUTOMOBILE ASSOCIATION'S SAFETY PATROL LIFESAVING MEDAL

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. WOLF. Mr. Speaker, during this month of May, the American Automobile Association whose national headquarters is located in the 10th District of Virginia, is presenting five young people the highest award given to members of the school safety patrols throughout the United States—the AAA School Safety Patrol Lifesaving Medal.

The lifesaving medal program was initiated in 1949 by the American Automobile Association to recognize and honor selected school safety patrol members for their heroic lifesaving contribution to their communities.

Since its inception, there have been more than 280 boys and girls from 30 States and the District of Columbia who have been honored with the lifesaving medal. The school safety patrol program includes more than 500,000 children at 50,000 schools throughout the country.

An award review board composed of representatives from active national organizations in the fields of education, law enforcement, and safety selects deserving medal recipients from those candidates who have been officially nominated for consideration.

The 1987 recipients of the AAA School Safety Patrol Lifesaving Medal are as follows:

Tom E. Bulawa, 13, Sacred Heart School, Lombard, IL, pulled a 6-year-old student from the path of a train traveling 60 miles per hour. The first grader had ducked under the crossing gate and onto the railroad tracks.

Michael W. Goin, 13, Valley View Elementary, Bloomington, MN, pushed a first grader to safety seconds before a car failed to stop for a traffic light, striking and pushing a stopped car through the crosswalk.

Frank J. Kavilanz, 13, St. Raphael School, Long Island City, NY, when leaving the school cafeteria for his patrol post, noticed a student choking and unable to breathe. He performed the Heimlich maneuver and dislodged a piece of food from the student's throat.

Paul Kolar, 10, Peck Elementary, Centerline, MI, rescued a 5-year-old, who was running to the school bus stop, from the path of a speeding vehicle that ran the stop sign.

Solomon C. Polk, 11, Hampton Elementary, Detroit, MI, darted into the street, grabbed a youngster by the arm, pulling her safely to the sidewalk as a speeding car ran a stoplight, missing them by 2 feet.

EPA PROPOSES TO ALLOW INADEQUATE ASBESTOS TESTING PROCEDURE

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. FLORIO. Mr. Speaker, last week the Environmental Protection Agency [EPA] issued proposed rules to provide for the safe cleanup of asbestos in our Nation's schools. The rules, required by the Asbestos Hazard Emergency Response Act of 1986 [AHERA], establish a framework for school officials to follow in detecting and cleaning up asbestos.

While I am pleased that EPA met the statutory deadline in AHERA for proposing the rules, there are some parts of the proposal that I find disturbing because the health of schoolchildren and employees is not adequately protected. In particular, I am concerned about the reoccupancy standard following cleanup work.

Under the EPA proposal, one standard using a method known as phase contrast microscopy [PCM] can be used to judge the adequacy of most cleanup projects through October 1990. After October 1990, a stricter standard using a method known as transmission electron microscopy [TEM] must be employed. There is no reason to defer the stricter standard when the lives of schoolchildren are at stake.

Much of the abatement work required by AHERA will occur during the 1989 and 1990 summer months. As the proposed rule now stands, schoolchildren and employees will return to schools that may not be as clean as they should be.

If these rules are going to eliminate the asbestos hazard in schools once and for all, this proposal must be improved. I know teacher and employee groups and scientific experts are also concerned, and hopefully, EPA will come to the same conclusion.

An article by Elma Sabo in the Herald-Telephone (Bloomington, IN) describes many of the deficiencies of PCM and the problems associated with dependence on analysis results provided by the microscope. The article also discusses the ability of TEM to detect the smallest, often most dangerous asbestos fibers. By mandating the use of TEM immediately, EPA would be setting a tougher reoccupancy standard to protect our schoolchildren now, not at some later date after much of the cleanup work has been done.

I commend to my colleagues this excellent article about asbestos testing procedures:

[From The Bloomington (IN) Herald-Telephone, Oct. 9, 1987]

MOST-USED ASBESTOS TESTING PROCEDURE SHOWN TO BE INADEQUATE

(By Elma Sabo)

Tests of air samples taken in a room in Indiana University's Geology Building last year showed it to be safe from airborne asbestos pollution.

The university's industrial hygienists took the tests because asbestos was falling from ceiling beams exposed during renovation, which caused concern among the graduate students who used the room as their office.

But there is some question about whether the tests would have been able to find what they were looking for.

Over the past couple of years, the industrial hygienists also have collected air samples in other parts of the Geology Building suspected of containing hazardous asbestos. None of the air sample has ever indicated airborne asbestos to be a problem.

The same holds true for air samples taken in buildings with asbestos at IU's joint campus with Purdue University at Indianapolis.

These findings might allay the fears of many, but some asbestos air testing experts might not feel so sanguine about the results. All the air samples were analyzed by optical microscopes, an instrument many experts consider inadequate for asbestos testing.

Asbestos is a fibrous mineral substance. Durable, flexible and heat-resistant, it has been included in many construction products, especially fireproofing and insulation. The substance is not considered a hazard if it is intact. But friable asbestos—asbestos that is easily crushed by hand pressure—is considered dangerous because it can break into microscopic fibers that once they become airborne, can be inhaled and cause various types of cancer.

Asbestos air pollution is invisible: we can't see, taste or smell it. The fibers (which can be as tiny as a fraction of a millionth of a meter) are detected by using a pump to draw air through a filter, then examining the filter through a microscope. Based on the number of asbesto fibers discovered in the examination, the air is then declared "sale" or "unsafe" for breathing.

Glass lensed, optical microscopes are not powerful enough to provide an adequate reading of asbestos in air samples, numerous researchers have reported in recent years. Experts, such as those at the Mount Sinai School of Medicine in New York, one of the world's leading research institutes on asbestos disease, recommend that more powerfull election microscopes be used instead when analyzing asbestos air samples.

One limit of optical microscopes is that they do not differentiate between asbestos fibers and other types of fibers. (Cat hair can look the same as asbestos under them.) False readings resulting from such tests have caused removel of asbestos that's not in hazardous condition, critics charge.

Another limit of optical microscopes is their level of magnification. Optical microscopes that are used to conduct air tests according to government standards have a magnification limit of 480 times. With this limited magnification, the microscopes are unable to detect extremely tiny asbestos fibers—ones that are smaller than .5 microns in diameter. (A micron is a millionth of a meter.) And research has found that it is the smallest fibers the cause cancer.

The National Institute of Occupational Safety and Health has concluded that it's the asbestos fibers of less than .5 microns in diameter that are the most cancer-causing. Many other studies have confirmed that the submicron fibers are the most dangerous.

Without the ability to see these tinest of fibers, the optical microscope can show an area is clean when actually it is contaminated with the most harmful fibers. And fibers not counted by optical microscopes could represent more than 99 percent of the total number of fibers in a sample, reported the

Environmental Sciences Lab of the Mount Sinai School of Medicine to Congress in 1978.

Electron microscopes, on the other hand, are able to detect fibers that are in the submicron range. They also are able to differentiate between asbestos and other fibers.

While the U.S. Environmental Protection Agency has noted the superiority of electron microscopes—and has even stated in a guidance document that transmission electron microscopy is the "method of choice" for asbestos air analysis—it still allows the use of optical microscopes for asbestos air tests.

"My sense that the reason they are both (allowed) is because of the cost differential," said Ed Kline, director of the EPA's Office of Toxic Substances Control Act Assistance. "Transmission electron microscopy (TEM) is technically better, but it's a lot more expensive."

TEM is expensive (tests range from $200-$600, according to the EPA), it's not widely available, and results can take days to analyze.

Optical tests only cost about $25-$50 a sample, many labs conduct them and results can be available in a matter of hours, not days.

Morris French, a professor of pathology and director of lab safety, hazardous chemicals and asbestos at IUPUI, said he has limited interest in using electron microscopy at his campus.

"If I use the electron microscope I would use up all my budget on a few samples," he said, adding "almost all asbestos abatement would come to a screeching halt" if electron microscopy were mandated. "If you had to take a hundred samples, maybe several hundred samples, if you had to use an electron microscope to do that, there would absolutely be no asbestos program. Period. We'd spend it all on electron microscopes."

To encourage its use "would be a great disservice to industry, to abatement companies and to federal, state and local institutions that have to remove asbestos," he said.

But IU-Bloomington's industrial hygienist Richard Breeden has expressed interest in conducting TEM tests. In a November 1985 memo to J. Terry Clapacs, director of University Physical Facilities, Breeden wrote that "it is imperative that we begin a minimal TEM sampling program to include one sample in each public area with exposed asbestos and one clearance sample on each large abatement project."

"The last two asbestos conference I attended, sponsored by the National Asbestos Council and the University of Kentucky, stressed the need for the analysis of asbestos air samples using the transmission electron microscope," he wrote.

The memo listed 13 areas on the Bloomington campus which "should be sampled as soon as possible," with a total cost of about $4,000.

Included in the listing were five sites in the Geology Building, the mechanical room in Eigenmann Hall, the lobby and 10th floor of the Main Library and the lobby of the Indiana Memorial Union.

But when recently asked about the memo, Breeden said he was "not planning to do any of that that I proposed," because his department's budget for fiscal year 1986-87 did not allow him to spend money on it.

An alternative to the accurate but expensive transmission electron microscope and the inexpensive but often inaccurate optical microscope, is the scanning electron microscope (SEM). It is not as powerful as the TEM, but it is able to detect small asbestos fibers. SEM tests also are much more affordable than TEM tests. The EPA estimates they range from $50-$300—and many more labs are able to conduct SEM tests than TEM tests.

The EPA has not recommended its use, however, because there is no standard testing procedure yet developed for it.

But the agency is working with the National Bureau of Standards to develop a standard testing procedure to use with the SEM and it should be completed soon, said Robert Sommer, professional staff member to a House of Representatives subcommittee.

A bill passed Congress last week would require the EPA to make sure that K through 12 schools use either scanning or transmission electron microscopy to determine when air in areas where asbestos has been removed is clean.

The order is part of the Asbestos Hazard Emergency Response Act of 1986, legislation designed to give K through 12 schools specific guidance on how to manage asbestos. The bill awaits President Ronald Reagan's signature before becoming law.

Even those to whom the bill doesn't apply would be wise to use electron microscopy for asbestos air tests, according to some experts in the field.

Failure to use "state-of-the-art" equipment, such as electron microscopes, could bring legal trouble in the future. Architect Paul Getz, who worked as an asbestos consultant for CBS and for the U.S. Postal Service headquarters in Washington, D.C., warns against ignoring such equipment in "Testing Buildings for Asbestos Hazards," a videotape produced by SourceFinders, an asbestos information service.

"It is important to know that legally if a technique of the state of the art is known, you have the legal responsibility to use that technique, that state of the art, and not just abide by the current guidelines and regulations of your governmental authorities," Getz said in the videotape.

But those who support electron microscopy are themselves divided on when it should be used.

GENERAL FRANCIS B. SPINOLA HONORED

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. GREEN. Mr. Speaker, it has been brought to my attention recently that a fountain will be dedicated at a residential condominium in my district to honor Gen. Francis B. Spinola, the first Italian-American to serve in the U.S. Congress. Since no other memorials or monuments are dedicated to General Spinola I wanted to share with my colleagues the story of this great hero.

General Spinola was born on March 19, 1821 at Stony Brook, Long Island, NY. He studied law and was admitted to the bar in 1844 and commenced practice in Brooklyn, NY. General Spinola was elected a New York commissioner at age 22. He was serving as a Democratic State legislator from Brooklyn when the Civil War broke out.

During the Civil War he was appointed brigadier general of volunteers "for meritorious conduct in recruiting and organizing a brigade of four regiments and accompanying them to the field." He was honorably discharged from the service in August 1865, after having been twice wounded. General Spinola was elected as a Democrat to the 50th, 51st and 52d Congresses. He represented the 10th Congressional District, which currently is a part of the district I represent. He served from March 4, 1887, until his death in Washington, DC, on April 14, 1891. During a memorial service held by a joint session of the Congress, one of the general's colleagues stated that General Spinola, "loved America with an Italian devotion."

As the first Italian-American Member of Congress and one of only two Italian American's honored by a wartime appointment to general by President Lincoln, this honor is long overdue.

NATIONAL RAISIN WEEK

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. COELHO. Mr. Speaker, I am pleased to join colleagues, Congressman Rick Lehman, Congressman Chip Pashayan, and Congressman Bill Thomas in saluting the California raisin industry during National Raisin Week, May 2 and May 9.

The California raisin industry has been working to expand its markets in the United States and overseas through imaginative innovations and expanded promotional efforts. This work will be highlighted during the celebration of National Raisin Week.

The television raisin characters have danced their way to an all-time high in national recognition for the California raisin industry. This industry is the producer and processor of all U.S. raisins and one-third of the world's raisin supply. The television raisin characters will soon be appearing on an array of promotional items, such as coffee mugs, T-shirts, beach towels, children's toys and coloring books, in a merchandising and promotion program.

The California Raisin Advisory Board is also planning a "Name the Raisin" contest this fall. Fan clubs have been formed in recognition of the increasing popularity of the raisin characters, who have been the subject of numerous national magazine stories, network newscasts and entertainment shows, as well as local shows in various cities.

The success of the raisin industry is of great significance to the economic future of many thousands of U.S. residents who are involved in the production, processing, and marketing of this product. This product is purchased by millions of consumers for snacks, bakery goods, cereals, cooking, and a variety of other uses.

The California raisin industry benefits from a wide variety of efforts from various interests. The California Raisin Advisory Board [CALRAB] merits special recoginition for its aggressive advertising and research activities, which have dramatically increased raisin sales in recent years. Utilizing funds provided by participating producer and processor members, CALRAB carries on its program of advertising and promotion in the United States and in countries throughout the world, in cooperation with the U.S. Department of Agriculture, Foreign Agricultural Service. The Raisin Bargaining Association has also brought growers and packers together in a concerted effort to give them a better voice in marketing. The raisin growers and packers also deserve a great deal of credit for their efforts on behalf of this vital industry.

We also acknowledge the efforts of the Federal Raisin Administrative Committee and the Federal Raisin Advisory Board who operate under Federal marketing orders. These bodies have done a lot to accomplish an orderly marketing of raisin crops.

The Raisin Wives of California should also be congratulated for their contributions to the industry's promotional efforts through their sponsorship of the National Raisin Queen Contest, which has grown increasingly popular each year. The 1986-87 National Raisin Queen, representing the California raisin industry, made a variety of appearances in Japan, Taiwan, and Hong Kong in October 1986.

In April 1987, the Raisin Wives of California and the California Raisin Advisory Board hosted Japan's Tohato Raisin Princess, Masaki Araida, who represents Japan's second largest maker of cookies and candy. Masaki is known as the Tohato "All Raisin" Princess after the brand name of Tohato's baked goods containing raisins.

For these and many other efforts, for its effective use of the self-help tools of sales promotion and advertising in the best American tradition, the California raisin industry deserves a special salute during National Raisin Week.

HORACE GREELEY STUDENTS TOURED U.S.S.R.

HON. JOSEPH J. DioGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. DIOGUARDI. Mr. Speaker, I rise today to salute a group of students from my district who recently traveled to the Soviet Union for 2 weeks. On February 11, 22 students from Horace Greeley High School in Chappaqua, NY, their Russian teacher Mrs. Suzi Novak, and several chaperones embarked on an adventure that proved culturally broadening for all who went.

In addition to visiting historic sites such as the Kremlin, the Bolshoi Ballet, and Lenin's tomb, the students learned about the Russian people firsthand through visits to schools in both Moscow and Leningrad, department stores, and discos. The Greeley group was impressed with the courtesy and warmth of the Russians they encountered, especially the high school students they met. Students were often invited to meals in Russian homes, discussed United States-U.S.S.R. relations, and traded rock and roll cassettes with their Russian counterparts.

One of the students who traveled to the Soviet Union, Gil Renberg, recounted his experience in the school newspaper, the Greeley Tribune. I encourage my colleagues to read the excerpts from his article that I have inserted below, and to join me in commending him and his classmates for undertaking their trip behind the Iron Curtain. Furthermore, I salute their Russian teacher, Suzi Novak, and principal, Ed Hart, who provided the opportunity for such a memorable educational experience.

[From the Chappaqua (NY) Horace Greeley High School Tribune, Mar. 11, 1987]

GREELEY BEHIND THE IRON CURTAIN: A CHRONICLE OF THE RUSSIAN TRIP

(By Gil Reinberg)

Not many Americans ever get to see life in the Soviet Union, but for twenty-two Horace Greeley students it was a dream come true. On February 11, Russian teacher Suzi Novak left with seventeen of her Russian 2 students, five "anglos" (those who are unable to speak Russian), and her husband Jim, for a nine day stay in the Soviet Union. Accompanying the group was Irene Berns, who taught French and Russian at Greeley before her retirement six years ago.

The afternoon we met our guide, Misha, who would say with us until we left the Soviet Union. It is very difficult to describe Misha. We sarcastically nicknamed him "Mr. Personality." He actually did have a good personality, but he just tried to keep it hidden by remaining aloof. (The one time he let himself laugh with us was at the opera one night, when Jaik Miller started mimicking the singers, and Misha tried in vain to stifle his laughter.)

Misha led us on a tour of the Kremlin, which is the old part of the city. "Kremlin" means "fortress" in Russian. Americans think of the Kremlin as being only a building in which the Soviet government works, but it is actually a square with museums and churches as well. We did not get to enter any government buildings.

On Sunday Misha gave us a tour of the Moscow underground. Unlike New York's paint covered subways, the Soviets have a very clean group of trains. Not only that, but the different stops are decorated with expensive tiles and sculpture, and one stop even has stained glass windows. There are no homeless people on the side of the tracks. The whole appearance of the subway system is completely different from ours.

After lunch in the hotel, we were given free time in which to explore the city. It would be very difficult to recount what happened that afternoon because, once again, there were twenty-two unique experiences. It would be much easier to describe the different places most of us visited.

The main attraction was G.U.M., the biggest department store in the Soviet Union. Situated on Red Square, G.U.M., has miles of walkways, all of them surrounded by stalls selling different goods, such as food, clothing, electronic gear, tools, and everything else one would find in a department store. Even two minutes before closing time, the store is overcrowded. G.U.M. is well-decorated, and well-lighted, and would make a very enjoyable outing if there weren't so many people there.

But the real value in being loose on the town was not to go shopping, but to experience a part of Soviet life. We were alone, and had only our broken Russian to help us survive. The Russians were courteous and helpful to us. They recognize tourists immediately, and have the same knack for telling if one is American. Sometimes they can get too friendly, such as the time one Russian stopped our group and asked us where we were going just so he could give us directions, even though we already knew the directions.

We found that most Russians spoke English, and some of them were fluent. Most of the fluent ones were interested in making black market trades with us. They approach tourists and ask them to trade something: jeans, shoes, shirts, walkmen, or anything else from the west. Russian youths love to wear American clothing, so these Russians are willing to offer jewelry and art pieces worth over a hundred dollars for a pair of blue jeans.

The night the group went to the Khirov Ballet, another world-famous ballet company. I stayed in the hotel, and had an experience which I would like to tell. Earlier that day I had been approached in a store by two Russians about my age who wanted to trade. Finally I gave in, and we agreed to meet at a bus stop near the hotel at 8:00. I went there, and found the two boys, who were both named Deema, with a girl named Olga. We made the trade—the Red Army belts for my cool mirror shades, a RUN-D.M.C. tape ("This is great new American-music which hasn't reached you yet. You'll be the first on the block to own it."), a Coca-Cola head band and Coca-Cola wristbands—and then they offered to show me the city. We took a bus to a subway station, and then went to the center of town, where we found a restaurant that we could sit and talk in. Unfortunately I made no notes at the time, but I do remember some things they said. They know a lot about American sports and music, for example. They listen to Voice of America radio to get news of our culture. They also have seen "Airplane," "History of the World," "Rambo," "Rocky," and several James Bond movies.

They asked me if people in American were religious, and then proudly reported that they are all atheists. They had heard of "Amerika," and were concerned about it. I pointed out to them that they have propaganda of their own, and that, in addition, few people believe that stuff anyway. We discussed politics and other things for two hours almost, and they learned as much about Americans as I learned about Russians. Olga and I agreed to write, and the four of us parted at the hotel as friends.

Later on that night we celebrated the end of the trip, and the next morning flew to Helsinki, where we forced our guide to take us to the nearest McDonald's. The transition to a western country is harsh after being in the Soviet Union for so long. The colors and noises and the presence of advertisements seemed unreal to us, but we quickly got used to it. We flew home on Monday, and were all home by 7:30 p.m.

There is little more than can be said. For each of us, the trip was a learning experience, and we bring back many memories. We now all view Russians in a different way, although we still feel the same way about their oppressive government. Everyone who went on the trip would do it again. Although none of us will be able to take it, Mrs. Novak is planning another one in two years.

MISSISSIPPIAN PERFORMS AT CARNEGIE HALL

HON. WAYNE DOWDY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. DOWDY of Mississippi. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Mrs. Tommie H. Stewart who appeared at Carnegie Hall on April 14, 1987, in an all-star memorial concert tribute to contralto Carol Brice to benefit the Cimarron Circuit Opera Company. Mrs. Stewart is an assistant professor of speech at Jackson State University and director of the Dunbar Dramatic Guild.

To reach such heights and to stand on that historical stage with such giants as Oscar Award winner Celeste Holm, Cab Calloway, Don Shirley, and William Warfield was certainly an outstanding achievement for a native Mississippian. The response to her presentations of Margaret Walker's poem "I Want to Write" and Alice Walker's passage "We Are a People" was received with high praise.

Mrs. Stewart has already received a number of offers to perform around the country, including a contract to perform with either Eartha Kitt or Jennifer Holliday in January 1988 in San Diego, CA, for the Martin Luther King celebration. She will also perform at the Kennedy Center for the Performing Arts in June 1988.

Mrs. Stewart, the wife of Dr. Allen Stewart of Jackson, MS, is the mother of two sons and a daughter. She received her bachelor's degree from Jackson State University and her masters from the University of California. She is currently on leave of absence from Jackson State to further her studies at Florida State University in Tallahassee where she is a McKnight doctoral fellow.

She starred in the American premiere of "Uncle M" by Drzic and the world premiere of "Too Much Chain To Swim With" by Miner. Her television credits include "Nightmare," "Badham County," "Roll of Thunder," "Hear My Cry," "I Know Why the Caged Bird Sings," "Just Around the Corner," "Don't Look Back," and "Courtship."

In appearing at Carnegie Hall, Mrs. Stewart served not only as a talent from Mississippi, but also as an ambassador for the State.

Mr. Speaker, I respectfully call now on all my colleagues in the House of Representatives to join me in extending our warmest congratulations and best wishes to Mrs. Tommie Stewart and in extending our best wishes for her continued success.

NEW YORK NIGHTMARE

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. MARLENEE. Mr. Speaker, I am continually amazed how our legal system is harassing a citizen whose only crime is his effort to protect his life from criminals.

Millions of average Americans who are daily confronted with the threat of crime can personally relate to the dilemma faced by Bernhard Goetz 2 years ago when confronted by four young thugs on a New York subway.

The following article from the May 3, 1987 Billings Gazette clearly illustrates the circumstances surrounding Mr. Goetz's case:

NEW YORK NIGHTMARE

NEW YORK (AP).—The guide was Bernhard Goetz, and the tour took a packed courtroom through New York—not the glistening New York of Broadway and the Statue of Liberty, but the Godforsaken city of Goetz's nighmares.

"I should have moved out, I should have moved out," a despairing Goetz told New Hampshire police on Dec. 31, 1984.

It was too late to change addresses. Nine days before, he had shot four young men on a Manhattan subway train, and overnight he was a national phenomenon. Some called him the Subway Vigilante.

Last week, after 28 months, his trial on attempted murder charges began. And though he didn't take the stand, Goetz was the star witness in the early going in a replay of his tape-recorded New Hampshire interview.

It is a harrowing tape. The high-pitched voice of Goetz echoed through the vault-like courtroom for two hours. Goetz's voice would discuss the shootings in clinical detail, and then he would choke up. "The facts are so cold and horrible, it's disgusting," he said.

When Goetz told why he shot Troy Canty, James Ramseur, Barry Allen and Darrell Cabey, and when he told why he carried a Smith & Wesson .38 Special in a waist holster, his explanation was simple: New York.

"In New York, people do crimes all the time and they get away with them, all the time," Goetz said.

Goetz said he knew the four were about to rob him. New York is the home of his electrical consulting company, but it is a deceitful place to do business: "You learn to hide your intentions in the business world of New York."

To Goetz, New York is a place where muggers attack and injure people and escape on minor charges of "mischievous mischief." Goetz actually had been mugged in 1981.

It is a place where thugs ask his building superintendent "How you doing?" and then break his ribs, nose and hip. Years later, a simple "How you doing?" makes the super lose control of his bowels.

It is a place where the Sanitation Department sends armed guards to follow and protect garbage trucks. (Asked if there was any truth to Goetz's allegation, a department spokesman said, "Absolutely none.")

"I'm not a fighter, or something like that, but you have to think in a cold-blooded way in New York," Goetz said, no matter how "murderous and savage and monstrous" that might seem.

Six of the 12 jurors have been victims of crimes ranging from subway muggings to apartment break-ins to car thefts, but no one knows whether they sympathize with Goetz's depiction of a ghastly Gotham.

Goetz had some sympathy among the crowds that regularly lined up outside the fifth-floor court room for a chance to watch the trial. "I would have done the same thing in his place," said one New Yorker, Artie Richmond.

The case has "touched a raw nerve in the American anatomy," said prosecutor Gregory Waples in his opening statement.

The court was filled all week; as many as 65 reporters and courtroom artists from as far away as Japan attended the sessions, watching the 39-year-old Goetz's every move, noting how he was dressed (invariably in an open shirt and blue jeans), keeping track of when he laughed.

THE APACHE ATTACK HELICOPTER: A GOOD WEAPON

HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. TAYLOR. Mr. Speaker, judging from a review of the available information from hearings, other than deliberations, and, in particular, the views so eloquently expressed by our colleagues, it is the clear consensus of this body that it is essential to continue production of the Apache Attack Helicopter until the total Army is properly equipped. Seldom is an issue so pronounced and clear as this one is.

The Army says the attack helicopter is one of the three major weapons systems required to accomplish the close combat mission—the others are the tank and personnel carrier.

Since fielding of the Apache began last year, the Army has repeatedly declared it to be a success story. The Apache is a very effective tank killer and does everything that the Army expected or wanted it to do—and more.

The increasing Soviet attack helicopter threat is significant, and the Apache is a major means to counter that threat.

Apache production is running smoothly and fielding the aircraft is progressing extremely well.

Improvements and expanded capabilities such as air to air are being pursued to increase the already awesome effectiveness of this fighting aircraft.

The Army and the United States needs an attack helicopter production base in the event of mobilization.

Extended production is essential if the Army National Guard and Reserves are to be properly equipped to accomplish their mission.

Finally, the cost of the Apache is one of the best bargains in the Department of Defense. Its unit cost is still well below the estimated unit cost when Congress approved Apache production several years ago.

In closing, I applaud this body for its recognition of the merits of the Apache, and for providing for its continued production. It's good for America.

OCCUPATIONAL HAZARD COMMUNICATION ACT OF 1987

HON. PAUL B. HENRY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. HENRY. Mr. Speaker, I have introduced in the House today the Occupational Hazard Communication Act of 1987. I am very pleased that I am joined in sponsorship of this measure by my colleagues on the Health and Safety Subcommittee, Congressman JEFFORDS and Congressman BALLENGER.

The Health and Safety Subcommittee has for some time now been considering legislation known as the High Risk Occupational Disease Notification and Prevention Act, H.R. 162. That legislation is based on the concept of "risk notification." Under that legislation, a board composed primarily of health professionals would be appointed and given tremendous power and responsibility to determine which workers and former workers should be notified that they may be at risk of occupational disease, based on some previous exposure to chemicals or other hazardous substances.

I do want to indicate that some of the most apparent "technical" problems with H.R. 162 as introduced have been addressed. There remains very serious concerns, however, about the liability and insurance implications of this legislation. Although there is an attempt made in the bill to separate the notice procedure in the legislation from workers compensation and product and tort liability systems, the "wall"—to use a description given to us by one of our Nation's leading liability law experts—has many holes in it, and many unfounded claims would relatively easily jump over it. We have all heard, I am sure, from our employers about the costs of liability insurance. While we may have differing opinions about what is necessary to correct existing problems, I doubt that any of us wants to support legislation which potentially could greatly exacerbate those costs.

There also remains the fundamental question of whether a "risk notification" bill of this type could actually work, or if it would do anything to improve the health of workers and former workers. Questions of "risk," of whether a certain exposure caused a given injury, and whether such notice might actually contribute to occupational injury, are extremely difficult and debatable within the scientific community, as we heard over and over during the subcommittee hearings. Yet we would be mandating a new, nationwide system as though all of these basic questions were answered.

At the same time, there is a worker notification program already operational under OSHA, and, in an expanded way, in many States. Our legislation would build on that system. There is no question that the OSHA program has had problems (I would submit that a new "risk notification" program would have similar delays) and our legislation addresses those shortcomings. It requires that within 1 year OSHA issue amended hazard communication standards which apply to all employers. It also requires that this information be made available to former employees, that material safety data sheets include summaries written in nontechnical language, and that employers provide beginning and refresher training as needed concerning the identification and handling of hazardous materials. In addition, the legislation requires that OSHA update its list of hazardous substances and the applicable exposure limits within 1 year.

Finally, our legislation includes creation of a commission to study the entire question of the feasibility and effectiveness of a risk notification program to answer the many questions raised during our hearings. There are simply too many unanswered questions and potentialities for unfounded liability exposure to put in place such a system without further study.

MEDICAID NURSING HOME QUALITY CARE AMENDMENTS ACT OF 1987

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. DINGELL. Mr. Speaker, today my good friend and colleague from California, Mr. WAXMAN, and I are pleased to introduce the Medicaid Nursing Home Quality Care Amendments Act of 1987. Eight other Members have joined with us.

Despite extensive Government regulation for more than 10 years, the sad fact is that there is still reason for concern about the adequacy of care and the quality of life of nursing home residents around this country.

The bill we are introducing embodies the recommendations made last year by the Institute of Medicine of the National Academy of Sciences in its report, "Improving the Quality of Care in Nursing Homes." It is similar to H.R. 5450 which we introduced and considered during the 99th Congress. The revisions in this year's bill reflect the concerns and interests raised by a wide number of involved groups and individuals.

This legislation revises the requirements for participation by nursing homes in Medicaid, the process by which compliance with those requirements is monitored, and the remedies available to Federal and State agencies in the event of noncompliance. The bill does not affect policies relating to the participation of nursing homes in the Medicare Program, nor would the bill change current Medicaid policies relating to intermediate care facilities for the mentally retarded.

Under the legislation we are introducing, nursing homes must promote maintenance or enhancement of the quality of life for each and every resident. Nursing homes must also establish and maintain identical policies and practices regarding transfers, discharge, and Medicaid-covered services for all individuals—regardless of source of payment.

All nursing homes participating in Medicaid programs must meet requirements relating to provision of services, residents' rights, preadmission screening and resident review, and administration.

Mr. Speaker, the whole underlying purpose of the bill we are introducing today is to cover those areas where there are serious problems with nursing home care. We are confident these problems can be solved, and we hope our colleagues will join with us in pressing for early enactment.

In sum, Mr. Speaker, no family in America has not become concerned about the quality of life and care their aged loved ones receive in nursing homes. Through adequate regulatory safeguards, we must assure every benefit and opportunity to nursing home residents that we would ourselves wish to enjoy in our twilight years. The bill deserves—and I believe it will receive—wide support and it should move quickly through the Congress.

PERSONAL EXPLANATION

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mrs. SCHROEDER. Mr. Speaker, I was absent Thursday, April 30, 1987.

Had I been present, I would have voted as follows:

Rollcall No. 74: "Yea."
Rollcall No. 75: "No."
Rollcall No. 76: "Yea."
Rollcall No. 77: "No."
Rollcall No. 78: "No."
Rollcall No. 79: "Yea."

IN HONOR OF THE CATHOLIC UNIVERSITY OF AMERICA

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mrs. MORELLA. Mr. Speaker, 1987 is the beginning of the centennial celebration of a distinguished university in Washington, DC, the Catholic University of America. Established by the U.S. Catholic bishops in 1887 as a graduate and research center for the study of all branches of literature and science, both sacred and profane, It is the only national Catholic center of learning in this country with a Papal charter.

The cornerstone of the first university building was laid in the presence of President Grover Cleveland and Members of the Cabinet and Congress. Since then, 60 buildings have arisen on its 190-acre campus. Today the Catholic University offers undergraduate programs in seven of its nine schools. We are proud of its achievements, and its outstanding graduates, from the School of Arts and Sciences, the School of Engineering and Architecture, the Columbus, School of Law, the School of Library and Information Science, the Benjamin T. Rome School of Music, the School of Nursing, the School of Philosophy, the School of Religious Studies, and the National Catholic School of Social Service.

This great university now has a diverse student budy of 2,700 undergraduate and 3,700 graduate students who represent all 50 States and 92 foreign countries. This Nation and our world need the technical skills and humanizing spirit of these men and women. I take great pleasure in congratulating the Most Reverend James A. Hickey, Archbishop of Washington and Chancellor of the university; Joseph Cardinal Bernardin, Archbishop of Chicago and chairman of the board of trustees; the Reverend William J. Byron, president of the university and all members of this scholarly community on their first 100 years. I thank them for their many contributions to the fabric of American life over the past century and wish them well as the Catholic University of America begins its second century of academic excellence and service to our country and world.

MS. KELLY L. GEORGE—ONLY THE BEST FOR WEST VIRGINIA'S CANCER CENTER

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. RAHALL. Mr. Speaker, as a cosponsor of House Joint Resolution 54, designating the month of May 1987 as "National Cancer Institute Month," I would like to bring to the attention of the House of Representatives the efforts of an extraordinary West Virginian who has worked tirelessly in the name of cancer research.

Recently Ms. Kelly L. George served as the general chairman for a fund-raising event called Only the Best for West Virginia's Cancer Center. She performed her duties as general chairman in magnificent fashion and received the admiration of all in attendance.

It has been my pleasure for many years to call Kelly a friend and to be a witness to her devotion to her family, friends, and community. She is a professional volunteer and fundraiser with artistic ability, proficient organizational skills, and endless enthusiasm. Through her tireless efforts and sheer diligence she raised approximately $180,000 for the Mary Babb Randolph Cancer Center at the West Virginia University. Cancer is a national scourge. Cancer research programs have, however, made progress in combatting this disease. Efforts such as Kelly's have made the difference in funding these programs. Such efforts are, therefore, worthy of praise.

Kelly was honored at a luncheon on May 1, 1987, at the home of WVU President Neil Bucklew. I joined her friends via a letter of congratulations in commemorating her great success. But Kelly's efforts touch way beyond the boundaries of WVU. Her success in raising funds for the center is to the benefit of all mankind as it is a contribution in the war against cancer.

IN CELEBRATION OF THE 100th ANNIVERSARY OF THE BETHLEHEM LUTHERAN CHURCH

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. HERTEL. Mr. Speaker, I rise today to relate a story of dedicated leadership and faithful service to the community by the Bethlehem Lutheran Church in Detroit, MI.

In the beginning of 1887, Detroit, then with a population of 183,000, was blessed with three congregations of the Missouri Synod of the Lutheran church. On April 11, 1887, the fourth congregation was organized in a tiny frame schoolhouse. It was called Bethlehem—House of Bread. The Reverend K.L. Moll conducted the meeting with 25 founders in attendance.

Thirteen days later, the congregation voted to build a church and call a candidate from Concordia, St. Louis. Within 2 months, land was purchased across the street from the mission school which had been founded the year before. Candidate Ferdinand Tresselt was installed as Bethlehem's first pastor on July 31, 1887.

At this time, the congregation chose to dedicate itself to the Christian education and training of the community's children in a Christian day school. By the end of that year there were 270 members in the congregation.

By November 1888, the church school needed a second teacher. In October of 1890, several families were released from Bethlehem to organize a new congregation in Stephanus.

Over the years, the church continued to grow and expand its ministry. At first the pews had to be rented, but they were able to stop this within 5 years of the founding of the church. In 1899, Bethlehem dedicated a new two-room frame schoolhouse. In 1910, the church built an addition to accommodate its growing congregation.

The church prospered and continued to grow throughout the first half of the century. Unfortunately, in a trend taking place throughout the country, people became less active and interested in the spiritual guidance offered by the church. In 1951, the kindergarten program was terminated. In 1961, the school taught grades 1–4, while grades 5–8 were taught at another school, Gethsemane. During these times, however, the church continued to minister effectively to a congregation that loved and cared for Bethlehem Lutheran Church.

The year 1965 brought the closing of the school. This was one of the hardest decisions for the church to make. Nevertheless, the ministry has continued. Today, the congregation is led by Pastor Roger L. Bronsted. The dedicated members of the church are celebrating with a special service and dinner.

I ask my colleagues to join me in commending Bethlehem Lutheran Church for its continual love and caring service to the community for 100 years. I am sure that it will continue to be successful for a long time to come.

HUD HONORS WEST CONTRA COSTA COMMUNITY HEALTH CARE CORP.

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. MILLER of California. Mr. Speaker, the Department of Housing and Urban Development last week presented this year's awards for outstanding local partnerships in community development programs and projects. I am proud to announce that the Martin Luther King, Jr., Family Health Center in my district, as part of the West Contra Costa Community Health Care Corp., was 1 of 89 projects nationwide to receive HUD's certificate of national merit.

The West Contra Costa Community Health Care Corp. was organized in 1972 to meet the needs of the community of Richmond, CA, that had very limited access to quality health care. That program evolved into the Martin Luther King, Jr., Family Health Center, which first began serving low-income people and those without medical service 9 years ago.

Key to this success is the public-private partnership that emerged between the city of Richmond and the Health Care Corp. This relationship allowed the corporation to occupy an abandoned city-owned structure for a nominal amount on the condition that the building be turned into a community asset. When the renovation was complete by 1984, 12 examinations rooms were available in an 8,000-square-foot health center, providing care to 100 patients each day.

The health center is invaluable for families and children. It provides disease prevention, health promotion, nutrition, prenatal care, home care, dental, and pharmaceutical services. This care is crucial for an area where the infant mortality rate was 25 when the center opened, and where the rates of hypertension and dental disease among children, as well as the percentage of children without basic immunizations, were exceedingly high.

The city of Richmond and its housing development agencies were among the groups and individuals to receive awards for helping make the health center a reality. I commend their efforts and offer my congratulations. Citizens of Richmond, especially families that now have somewhere to turn for health care, are greatly indebted to their work.

NATIONAL NURSES WEEK

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. HOCHBRUECKNER. Mr. Speaker, on this, "National Nurses Week," I ask my colleagues to join me in recognizing the many contributions that nurses have made to the fields of medicine and health care, and to the betterment of our society.

In the past, when a health problem arose, the traditional response was to call for a doctor. However today, in a growing number of situations, it may make more sense to call for a nurse.

The nursing profession has changed tremendously over the last two decades. The growing number of graduate-level nursing programs, and the emergence of nurse-practitioners, and other nurse-specialists with advanced degrees, have greatly expanded the scope of services that nurses are prepared to provide.

Nurses are certified as specialists in community health, nurse-midwifery, neonatal care, intensive care, medical-surgical nursing, psychiatric and mental health, and geriatric care. Two key trends in health care are making nurses even more important in the delivery of health care: the aging of our national population, and a growing emphasis on lowering the costs of health care. As the number of older citizens increases, and as hospital stays are shortened, the need for home care is likely to increase substantially.

Nurses are helping to meet the changing health care needs of our society. With increasingly specialized health care delivery systems in use, nurses have taken on a key role in maintaining ongoing relationships with patients and their families. They are in a unique position to provide education and counseling services before admission and following discharge from the hospital. They monitor progress and respond to problems before they become serious. And they refer patients to other health care professionals as needed. Most importantly—nurses make house calls!

It has often been lamented that modern medicine is becoming too technological and losing the human touch. As a society, we tend to identify technology as the solution to all our health care problems. Unfortunately, we are too often more receptive to funding the latest item in biomedical equipment, than sponsoring a nurse or setting up a nursing scholarship fund for students entering the health care field. Undoubtedly, technology is an essential part of medicine. However, it is not the "be all and end all." Research has shown that close human contact may be as important as some of the machines that save lives. An incubator without a nurse is little more useful than an airplane without a pilot. We should all recognize the dedicated and compassionate manner in which nurses provide their vital services to those in need. We should also encourage others to follow their example and enter the very noble and rewarding field of nursing.

I hope that you will join me in thanking nurses for their invaluable contribution to the health and well-being of our society, by recognizing May 4 through 11, 1987, as "National Nurses Week."

HONORING DR. NORM EISEN, DISTINGUISHED EDUCATOR

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. TORRES. Mr. Speaker, I ask my colleagues in Congress to join me in recognizing and honoring a distinguished educator, Dr. Norm Eisen. His involvement in the community and in the field of education is admired by his students and his peers.

Dr. Eisen earned a master of science and his doctorate from the University of Southern California. He will be retiring as superintendent of the Whittier Union High School District after 9 years of outstanding service. On May 8 his friends will honor him at a retirement dinner.

In his professional capacity he has served as adjunct professor of education at the University of Southern California, an appointee to the State Superintendents' Advisory Committee, a member of the board of directors of the MESA-Long Beach [Mathematics-Engineering-Science-Achievement] Program and chairman of the State Department Committee on Vocational and Technical Education. These are just a few of the many organizations and committees he has participated in during his career.

Mr. Speaker, I am pleased to acknowledge the dedication and commitment that Dr. Eisen has provided the community. His friends, colleagues, and the students of the Whittier Union High School District will miss his leadership. I want to commend Dr. Eisen and extend my best wishes in his future endeavors.

JOE SOUZA TO BE HONORED

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. COELHO. Mr. Speaker, on May 14, Joe Souza will be honored at a dinner to benefit Ag One, the booster and scholarship organization for California State University, Fresno's School of Agriculture. Proceeds from the dinner will be used for the Joe Souza Dairy Science Scholarship, and while I will be unable to personally join in this tribute, I share the sentiment which I know will be expressed that evening.

Joe Souza is an example of what we like to refer to as a "Great American Dream" story. One of eleven children of a Portuguese immigrant, his father came to this country with 10 cents in his pocket but eventually acquired a small farm. Joe only went to school until the 10th grade, when he then joined the military during World War II. Upon his return, he married his wife, Ludrie, and went to work for a family dairy venture.

Gradually, he saved the money to acquire his own dairy business, and in 1961, was honored as the Outstanding Young Farmer for the State of California. For the last three decades, he has been a leader in agricultural and civic activities, including the Fresno County Farm Bureau, the Fresno District Fair, the California Milk Advisory Board, 4-H and FFA, Ag One, the Elks Lodge, and St. Jude's Catholic Church. He was also the building chairman for the Portuguese Hall, where his testimonial will be held.

Fresno County is a better place to live, because people like Joe Souza have made extra efforts to repay their community for the opportunities allowed them. Like his many other friends, I want to tell Joe "thank you."

TRIBUTE TO JACK AND JILL OF AMERICA, INC.

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. GRAY of Pennsylvania. Mr. Speaker, I rise today to salute the Jack and Jill of America, Inc., as they embark upon a "Black Family Day Celebration."

Jack and Jill is a nationwide Black Family organization which approaches its golden anniversary in January 1988. The goals of this organization are timely and relevant, to address and alleviate disturbing problems that plague all society in such areas as teen pregnancies, school dropouts, single parent heads of households, and drugs.

Jack and Jill, with 189 chapters and 40,000 families across the country, tries to reinforce the bonding of the black family. They create an atmosphere that allows a family to play together as well grow together.

I highly commend, and salute the organization for taking a deeper look into these very agonizing problems in our society.

BRITTLE BOOKS—THE DECAYING OF OUR HERITAGE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. BIAGGI. Mr. Speaker, I would like to call to the attention of my colleagues, one of the greatest crises that faces our libraries today—the brittle book crisis. Without immediate action by Federal, State, and local governments, and public and private entities, we may witness the decay of one of our greatest resources—our books. Almost all of the printed materials published in the last century have been printed on paper which uses a compound, which with age destroys the paper. This compound makes the paper so brittle, that when the pages of a book are turned, they can actually break. Librarians estimate that currently one quarter of the books in major libraries are useless unless they can be reproduced in some way. We must all join in combatting this problem of brittle books—part of our Nation's great heritage is at stake.

To further explain this problem, I would like to submit for my colleagues attention, a copy of an article that recently appeared in Newsday, entitled "As Our Books Crumble, Our Thoughts Perish." This article was written by Vartan Gregorian, the president of the New York Public Library. This article further explains the causes of brittle books and some steps we might take in preserving our libraries.

AS OUR BOOKS CRUMBLE, OUR THOUGHTS PERISH

(By Vartan Gregorian)

Any one of us who uses books and paper is exposed to the problem of deteriorating paper. Look at a 4-day-old newspaper or a 4-year-old paperback. They decay before our eyes. Millions books, periodicals, manuscripts and other materials have already been lost or, at this very minute, are on the verge of extinction due to the ravages of time, pollution, use, misuse and the very content of the paper itself. Almost everything published since the mid-19th Century has been printed on wood-pulp paper using an alum compound that breaks down into acids that destroy the paper. They make it so brittle that it breaks when it is bent. Books became self-destructing. Paper manufactured without acid—even though older—lasts much better. It is ironic that the production of cheap paper—which helped expand literacy—bore the seeds of its own destruction.

Our struggle for the preservation of the endangered books, journals, periodicals and papers is urgent and the problems we face are awesome. Time is of the essence—at least 40 percent of the books in major research collections in the United States will soon be too fragile to handle—and national cooperation is a necessity. For the issue is not mere preservation of millions of brittle books, but rather the preservation of mankind's heritage, and that goes beyond the doors of any single library.

We must expand our historical rescue operation to preserve the record of our nation and humanity. This demands a sound plan, effective national and international cooperation, a massive infusion of funds, and the introduction and utilization of new scientific and technological tools. One of these is to microfilm "dying" books. Another is to treat them with a liquid or a gas that neutralizes the acid and so lengths the life of the paper. The former is cheaper and permits many copies to be made. The latter preserves the book itself and does so in a form that is more convenient to use than microfilm—but only for books strong enough to survive the treatment. And librarians estimate that 25 percent of books in major libraries are beyond hope of ever being used again unless they are reproduced in some way.

Problems also arise of which books should have money spent on their preservation. Do scholars need, for example, older translations of ancient authors, or collections of documents that have been printed elsewhere?

In this domain the federal government has already shown great leadership. The National Endowment for the Humanities' Office of Preservation has been an excellent example of what a relatively small program can accomplish by supporting training, conferences, microfilming, and other preservation projects. The Library of Congress has led the nation in both its active filming program and in its research into better preservation methods. Still, in face of this national crisis, I believe the federal government has yet a greater role to play among the array of funding sources committed to solving the problem and that is in the area of preservation microfilming.

It is particularly appropriate that the federal government take on the responsibility of expanding the national capacity for preservation microfilming, for this is a process that makes books available throughout the nation. A book is filmed; a record of that fact is then entered into a national database, and a master negative, from which additional copies can be made upon request, is retained in perpetuity in a climate-controlled vault.

Thus, the knowledge in a book at The New York Public Library, in such bad condition that it could not have been loaned or even copied on conventional photocopying machines, is now accessible to the public not only in the United States, but throughout the world. This process of reproduction is therefore not just an act of preservation, it is an act of democratization of access to information and knowledge as well. We now have the opportunity to compensate for the vagaries of history and philanthropy that led the greatest book collections to be assembled in only a handful of locations.

The New York Public Library is an example of an institution where government initiatives and private philanthropy have joined to support a fine preservation program. In this country, our effort is second in size only to that of the Library of Congress. In fiscal year 1987, we will spend more than $3 million on our preservation activities, resulting in more than 260,000 items receiving some kind of preservation treatment. Our funding sources in this area are not stable, however, and we may be faced with having to preserve less in the future.

Certainly, the federal government, in particular the National Endowment for the Humanities, has been farsighted and generous in its support of this effort. However, even though we have one of the largest programs in the nation, we are still filming only 14,000 volumes each year. We also have one of the oldest programs, begun more than 50 years ago, in which time we have filmed the equivalent of 500,000 volumes—hardly a dent when one considers there are 26 million items in our collections.

However, the problem is more complicated than more funding for The New York Public Library, and no single institution can solve it on its own. There is a major national effort to film more books and create a library of preserved titles for the future. Such an effort must have sustained support over several years. The New York Public Library would, of course, be a willing participant in such an endeavor. The work that has been accomplished by library associations, the NEH and other federal agencies, the Library of Congress, and most recently, the Commission on Preservation and Access of the Council on Library Resources has brought us to where we stand prepared to address this problem. Private, local and state support is being developed.

We know what we must do and, if we act now, we can do it for less and save more. For we stand to waste the fruit of many minds, indeed of many cultures, if we hesitate in our response to this national crisis. As custodians of the heritage of humanity, we have the historic and moral obligation as well as the opportunity to rescue the record of the past for the world of the future.

FORMER CONGRESSMAN THADDEUS J. DULSKI OF BUFFALO HONORED FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE OF WESTERN NEW YORK

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. KEMP. Mr. Speaker, yesterday, a good friend and our former colleague, Thaddeus J. Dulski, was honored in Buffalo for his many years of outstanding public service to the people of western New York. In a ceremony that took place Monday morning, the Federal building in Buffalo, NY, was officially designated: "The Thaddeus J. Dulski Federal Building." Chairman Dulski's accomplishments are numerous and this honor is befitting a man who has dedicated so much of his life and talents to our western New York community. Thad will long be remembered for his distinguished career in public service, his hard work, and his many achievements. I am pleased to have had the opportunity to lend my strong support to the resolution, sponsored by my colleague and friend, Congressman Henry Nowak, naming the Federal building after Thad Dulski.

Thad served with diligence and distinction in the Congress for 16 years, and I had the pleasure of serving with him in representing the people of western New York for the last 4 of those years. From 1967 through 1974, Thad served as the chairman of the Committee on Post Office and Civil Service, as well as serving for his entire tenure as a member of the Committee on Veterans' Affairs, where he distinguished himself through his efforts in behalf of America's veterans. He gave unselfishly of himself, not only as a Congressman, but also as a member of the Buffalo Common Council, in prestigious Federal posts, as a member of our Armed Forces, and for numerous worthy civic and humanitarian causes.

Thad Dulski provided invaluable assistance to me in my early days in Congress, and was a friend and mentor. We tackled some difficult problems together and shared some satisfying successes for the people of our community and our country. Through the years, I have been honored to have his enduring friendship, continuing counsel, and available wisdom. I regret that I was unable to be with the Dulski family, and their many friends at the dedication ceremony yesterday, but my thoughts and prayers were with them.

Today, I would like to call attention to all that chairman Dulski has done for western New York and our Nation, and I am proud to call this outstanding leader and patriot a good friend.

FATHER POPIELUSZKO OF POLAND WILL BE INSPIRATION TO ALL

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. SMITH of New Jersey. Mr. Speaker, on this past Sunday, May 3, a monument honoring the life and ministry of Father Popieluszko in Poland was unveiled in the largest city in my district, Trenton, NJ.

Mr. Speaker, without question, this gentleman who has been described as "the spiritual patron of the Solidarity movement" deserves the honor of this lasting memorial. In late August 1980, Father Jerzy became identified with the hardworking men and women of the Solidarity movement in Poland when he agreed to celebrate Mass in the midst of a steel factory immediately following the granting of their unprecedented right to free trade unions.

Throughout the remainder of his life, Mr. Speaker, Father Jerzy unselfishly ministered to the spiritual needs of the workers and stood firm against the repression of the Communist regime. Although the Government tried relentlessly to silence Father Jerzy early in his priesthood—through techniques such as physical torture, intimidation, the bombing of his home, and threats on his life—this God-fearing priest never recanted his faith or his commitment to the Solidarity movement.

By the summer of 1984, 4 years after the celebration of Mass for the Warsaw steelworkers, the secret police had created schemes for the death of Father Jerzy and other priests who opposed the state. Learning of these plots, Father Jerzy never left his home alone, his apartment had to be guarded by his friends, and he had many sleepless nights. But, Father Jerzy's devotion to the workers was unswerving. While preaching nonviolence, Father Jerzy refused to be silenced because, as he explained, "If I shut up, it means they have won."

Nonetheless, his days were numbered.

The fateful day arrived on October 19, 1984. Following a sermon entitled "Overcome Evil with Good" Father Jerzy and his companion were kidnaped on the road from Bydgoszcz to Warsaw. Beaten until unconscious, Father Jerzy was thrown into the trunk of the vehicle and later brutally murdered. Had not Father Jerzy's companion escaped from the vehicle, his death would have been covered up by the secret police. The Solidarity workers and the church were able to pressure the regime for an explanation of his death.

Mr. Speaker, all of us from Trenton and in the House of Representatives know what a long and trying battle the good people of Poland have waged to keep and expand their human rights. Many of my constituents who have relatives living in Poland, unfortunately, are well aware of the violations that exist in that country. Despite the threats and the ruthless policies of a repressive Communist regime, the spirit of the Polish people will not and cannot be broken.

The Trenton, NJ, monument of Father Jerzy Popieluszko is an excellent reminder of the Polish people, their struggle for human rights, and their need for our support. Certainly the faith and life of Father Jerzy will continue to be an inspiration to each of us, and a guiding light for those who advance his cause in Poland and throughout the world.

SANTA ANA CHAPTER OF THE NATIONAL ASSISTANCE LEAGUE

HON. ROBERT E. BADHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. BADHAM. Mr. Speaker, when an organization dedicated to acting as a friend to men, women and children who are in need of spiritual, material and physical assistance performs such service for 50 years, with no government help, it deserves the greatest attention and the highest commendation.

This is the record of the Santa Ana Chapter of the National Assistance League, which will celebrate its 50 years of service to the community on May 16, 1987, an event which I would like to bring before this honorable body.

The Assistance League of Santa Ana was organized in 1935 by Mrs. James Irvine, of the Orange County pioneer family and was incorporated in 1937 under that name. Forty-two women began a community service organization that has grown over the past 50 years to more than 500 adult members and more than 60 teenage "Assisteens."

Just during the past 5 years, the organization has helped 4,106 needy school children with clothing and shoes through its "Operation School Bell." The dental center, staffed by volunteers and a dentist paid by Junior and Katharine Irvine auxiliaries, has served 1,043 children with their dental needs. Emergency Aid has touched the lives of 3,058 people with food, rent, medicine, and other necessities. The Homemaker Service has assisted 6,447 families with in-home care. In addition, Assistance League operates a child day-care center for 70 children a week.

Through its 50 years of service, the Assistance League of Santa Ana has supported thrift and gift shops, played host to special Christmas events, department store openings, fashion shows, golf tournaments, parking lot sales, horse shows and street fairs. During the past five years, the league raised $750,000 to be returned to the community.

Ladies and gentlemen of the House of Representatives, the Assistance League of Santa Ana, CA, a community which I have the honor to represent, has been one of the great institutions of our area. Without hesitation and with great pleasure, I take this opportunity to salute the organization on the occasion of its 50th anniversary and wish its members many more years of successful service to our community.

CENTENNIAL CONGRATULATIONS

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. DANNEMEYER. Mr. Speaker, 100 years ago today, Fullerton CA, a city in my district, was founded. Located on the historic El Camino Real, the highway that linked 18th century Franciscan missions, Fullerton was destined to play an important role. On Fullerton's centennial, therefore, I would like to take this opportunity to highlight some of the city's history and contributions.

Due to the efforts of George H. Fullerton, the Santa Fe Railroad was routed through Orange County, CA. Cities sprang up along the Santa Fe's itinerary, including Fullerton, which was named in his honor.

Soon after its founding, Fullerton became noted for achievements in the citrus industry. One of its residents, C.C. Chapman developed a new system of pruning that allowed Valencia orange trees to carry a greater burden. Mr. Chapman also initiated fruit packing methods which afforded greater protection for the fruit harvested, preventing bruising and molding. These innovations led to a more prosperous citrus industry in California.

Near the turn of the century, Fullerton joined other California cities in the production of oil. With the adaptation of locomotives from coal to oil, California's annual production of oil reached 24 million barrels by 1903. The evolution of the automobile industry propelled California's yearly production to 77 million barrels by 1910. This increased use of oil allowed California—and Fullerton—to flourish.

Fullerton College was founded in 1913 and 14 years later, Fullerton Airport began operations. Both attest to the vitality of the city and its potential for future growth.

Since World War II, Fullerton has experienced rapid industrial and residential growth. Firms engaged in manufacturing aerospace equipment, machines and processed foods have become integral aspects of Fullerton's economy, advancing the well-being and security of the Nation as a whole.

In 1950, 13,948 people were proud to call Fullerton home. By 1980, her population had grown to 102,246, with many more to come. Residents of Fullerton take pride in their community and believe it has a lot to offer.

With all of its blessings, I am sure Fullerton will be around for a long time, continuing to share its bounty with the Nation for another hundred years.

PERSONAL EXPLANATION

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. TORRES. Mr. Speaker, I was unavoidably absent on official business during rollcall votes Nos. 74, 75, and 79 on Thursday, April 30. Had I been present on the House floor, I would have voted "yea" on approval of the Journal of Wednesday, April 29, "no" on the Lent amendment to the trade bill, and "yea" on passage of House Resolution 152, the rule for consideration of the Defense Department authorization bill.

TRIBUTE TO DONALD P. WILSON—GRAND EXALTED RULER OF THE IBPO ELKS OF THE WORLD

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. GRAY of Pennsylvania. Mr. Speaker, I rise today to salute the great leader of the IBPO Elks of the World. Mr. Donald P. Wilson, the current grand exalted ruler of the IBPO Elks of the World in Harrisburg, PA, will be honored this week by his fellow brothers with a banquet in Harrisburg.

Mr. Wilson will be honored for many things, not the least of which will be his many years of dedication to his community and to the organization of the IBPO Elks of the World. The husband of Karen L. Wilson, past grand daughter ruler, and father of 7 children and 10 grandchildren, Donald Wilson is a life member of the Holy Trinity Baptist Church in Salisbury, MD. His many years of service to the community, city, and the Nation is deserving of our recognition.

BIAGGI SUPPORTS CLEARINGHOUSE AS MEANS OF ADDRESSING NEGATIVE STEREOTYPING

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. BIAGGI. Mr. Speaker, I would like to call to the attention of my colleagues an article which recently appeared in Black Issues in Higher Education, entitled "Three-Nation Conference Reveals That TV Stereotyping Stirs Distrust of Foreigners." The results of this first major study in foreign stereotyping found that television "plays a major role in forming images held about foreigners."

This is not news. I have long held the position that negative ethnic and minority stereotyping by the television and radio broadcasters determine our Nation's views on these ethnic and minority groups. That is why I have introduced legislation, H.R. 1234, the Ethnic and Minority Affairs Broadcasting Clearinghouse Act to create within the Federal Communications Commission a clearinghouse to handle complaints on negative ethnic and minority stereotyping. Currently these complaints are simply logged as 1 of 13 other categories of broadcasting complaints. In the words of Dr. Gary Gumpert, chairman of the Queens College Communications Department and a member of the research team compiling this study, the purpose of this study was to "Find out how detrimental effects of TV broadcasting, leading to negative stereotyping, might be altered so as to enable the medium to contribute to the promotion of mutual understanding among nations. Stereotypes are a kind of fall-out of both television entertainment and news programming, the cumulative effects of which can be highly damaging to international relations."

I am also concerned about the effects of ethnic and minority stereotyping upon members of the many ethnic and minority groups that make up the United States. One of the purposes of the Ethnic and Minority Affairs Clearinghouse would be to carry out an educational program to encourage and demonstrate the importance of a positive portrayal of variouis ethnic and minority groups. I urge my colleagues to read this article and to support my legislation, H.R. 1234.

Three-Nation Conference Reveals That TV Stereotyping Stirs Distrust of Foreigners

Japanese, French, and American communications researchers who, since January 1985 have been measuring the power of television to embed negative stereotypes of foreigners in a nation's consciousness, will make their findings public at Queens College in New York on April 3.

For more than two years, the research teams in each of the three countries have hunted out and videotaped examples on their nations' television broadcasts of stereotyped portrayals of foreigners. Their purpose was first to test the reactions of domestic viewers, and then the reactions of the foreigners being stereotyped. "How authentically does this scene from our own TV portray Americans, Japanese, or French as you think they are?" would be followed by "How much do you think your countrymen are like the images of Japanese, Franch or American citizens being shown on TV viewers in other countries?"

Dr. Gary Gumpert, chairman of Queens' communications department, was on the U.S. research team. According to him, from preliminary work done in this major study of "the international image gap," the investigators found that in all three countries, "TV, particularly TV news, plays a major role in forming images held about foreigners."

The early phases of the study also uncovered the fact that Japanese share with Americans images of the French as "elegant and affected." But the stereotype of the "arrogant Frenchman who hates Americans" was found to be peculiar to Americans. Japanese and French participants both saw Americans in terms of dynamism, bigness and openness, while only the French saw Americans as "fat, eccentric and materialistic."

The long-range purpose of the TV stereotypes study, Gumpert said, "is to find out how detrimental effects of TV broadcasting, leading to negative stereotyping, might be altered so as to enable the medium to contribute to the promotion of mutual understanding among nations. Stereotypes are a kind of 'fall-out' of both television entertainment and news programming, the cumulative effects of which can be highly damaging to international relations."

Researchers found that a number of stereotypes of a third country were held in common by TV viewers in the other two countries. The Japanese team reported that many of the entertainment programs they had recorded were from the U.S., including such shows as "Kojak," "Starsky and Hutch," "Dallas" and "Dynasty," so the content was heavy on violence. Non-fiction programming taped to show how Americans were treated on Japanese TV had usually been made in the U.S. by overseas Japanese television crews. These covered more varied American regions and backgrounds than the action dramas from American TV producers. (The Japanese also noted that it is difficult for their viewers to distinguish Americans from Europeans on TV.)

The U.S. was prominent in 45 percent of all Japanese news referring to foreign countries. These Japanese video samples covered 272 foreign characters, predominantly Americans. When Japanese viewers were shown the taped Japanese TV programs, they reported a great deal of uncertainty about how representative the characters shown are of Americans as they really are.

In contrast to the wide amount of information Japanese television gives about Americans, the images of France were found to be particularly restrictive and stereotyped; most scenes taking place in Paris and involving encounters between "beautiful people." Rarely did Japanese TV show French family life, schooling, or life outside of Paris.

The American team reported that the great interest of Japanese TV in Americans was not reciprocated by American television. Relatively few U.S. programs were found that focused on contemporary Japan. While Americans considered the Japanese portrayed in McDonald's commercial, animations, and TV news as "quite Japanese," to the Japanese themselves these images seemed prejudiced and contemptuous with the emphasis on such banal stereotypes as kimonos, eyeglasses, protruding teeth and self-effacing grins. The question arose, "Among American TV producers, does there still remain some hidden sense of discrimination against Japan (or Asia as a whole)?"

The French team noted that their three national television channels often showed indepth documentaries of contemporary Japanese life. "Compared with the treatment given to France on Japanese TV," the Japanese team observed, "the way in which Japan is treated on French TV seems to be more conscientious." The Japanese team expressed concern, however, over French television scenes indicating "an abnormal Japanese interest in sex." Such examples, they commented, "are indeed facts but there are exaggerations."

The French response was to defend the programs as depicting "the ingenious harmony of Japan's traditional culture with the modern Japan, and although it in part portrays the 'social strains,' on the whole it will have the 'plus image' effect." When French viewers were shown the controversial Japanese materials, they gave it a high mark as "very Japanese." The Japanese team commented that this seems to show "that this program did help implant a fairly biased image of Japan in the minds of the French people."

The researchers have agreed to continue to seek out correlations between images of foreigners formed by television and the experience of knowing foreigners or having lived in a foreign country.

After the final report is issued in April, the three teams will produce a video program to document the kind of stereotyped images that each country gets of the others through their domestic TV outlets.

TOM SESTAK, AN ALL-PRO DEFENSIVE LINEMAN OF THE BUFFALO BILLS

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. KEMP. Mr. Speaker, western New York has lost a great friend and a real champion, Tom Sestak. I had the pleasure and good fortune of playing football with Tom in Buffalo for the Bills. He was our co-captain and All Pro defensive end.

Tom forever endeared himself to football fans in Buffalo with his outstanding abilities and his gritty determination. His death was a shock to his family and many friends. The Bills were to have announced within the next few weeks that Ses' name would be added to the Bills' "Wall of Fame." Of course, this is no surprise to those who knew Tom or watched him play. Tom was an integral part of the Bills' championship teams in 1964 and 1965.

The leadership and spirit Tom brought to the game of football helped make the Bills American Football League champions. He led by example, his competitive nature fueled by his commitment to excellence. Tom was not satisfied to be just good at his chosen profession—he strived to be the very best. Although he was well known for his accomplishments on the field, Tom was also a man of integrity, generosity, and candor.

I am pleased, today, to call attention to all that Tom Sestak meant to football and our community. Westen New York will miss him, but Tom has left us much to remember him by. I encourage my colleagues in Congress to read the following articles from the Buffalo News which pay tribute to the life and accomplishments of this good friend. Joanne and I extend our deepest sympathy and prayers to Tom's wife Patty, and the Sestak family.

We will miss Tom, but know that his example of courage, determination, and leadership will always live with us, his dear family, and our community and country.

[From the Buffalo News, Apr. 4, 1987]

Bills Star Sestak Dies at Age 51

(By Larry Felser)

Tom Sestak, one of the greatest of the Buffalo Bills, died of an apparent heart attack late Friday afternoon in Columbus Hospital.

Sestak, 51, had admitted himself to the hospital earlier in the day.

The Bills were to have announced next month that Sestak's name would be added to the "Wall of Fame" in Rich Stadium at a National Football League game next season.

He received 28 of a possible 29 votes three years ago when the Bills' Silver Anniversary team was selected. In 1970 he was a unanimous selection for the all-time American Football League team.

It was 25 years ago that Sestak emerged from a taxi in front of the Bills' summer training headquarters, the Roycroft Inn in East Aurora, and strode up the steps of the front porch, dwarfing his fellow rookies.

"Who is this horse?" someone asked the late Harvey Johnson, the team's chief talent scout.

"I don't know," admitted Johnson. "I recognize his face, so I know I drafted him, but I don't remember drafting anyone that huge."

It was Sestak, who had grown from the 235-pound tight end whom Johnson had seen at McNeese State in Louisiana, to a 6-5, 272-pounder.

Lou Saban, then the Bills' head coach, converted Sestak to defensive tackle at the beginning of practice the next day. Saban pitted him against another young star, guard Billy Shaw, in practice each day and together they acquired technique and polish that were equaled by few in professional football during the '60s.

Eventually, Saban constructed a defensive line Sestak, ends Ron McDole and Tom Day and tackle Jim Dunaway that was a force behind Buffalo's two consecutive AFL championships in 1964 and 1965.

In 1965, the Bills, led by Sestak and his linemates, allowed only four touchdowns by rushing during a 14-game season, a pro record at the time. In the championship game, they shut out favored San Diego, 23-0.

Sestak faced some of the best offensive linemen of the modern professional era and almost always came out the victor in one-on-one duels. Among his formidable adversaries were Walter Sweeney of the Chargers and Ed Budde of the Kansas City Chiefs.

After a Bills' victory over Kansas City, the Chiefs' all-pro center, E.J. Holub, engaged Shaw in some post-game conversation.

"Two weeks ago," said Holub, "Sestak made a weenie outta Sweeney; today, he made putty outta Budde."

Sestak never played in the National Football League after the merger with the AFL. Serious knee injuries caused his retirement after the 1968 season.

A native of Gonzales, Tex., Sestak made his home in the Buffalo area after his football days, joining his former teammate, Paul Maguire, in the restaurant business. He was employed by Erie County at the time of his death. He lived in South Wales.

SESTAK REUNITES SPECIAL GROUP

There was a time when being a Buffalo Bill meant that you were a champion.

Seven of those Bills were among the men who carried Tom Sestak's casket out of Immaculate Conception Roman Catholic Church in East Aurora Tuesday morning.

Gene Sykes had come up from Louisiana and Joe O'Donnell from Michigan. Booker Edgerson stood with them and so did Ed Rutkowski and Paul Maguire.

Tom Day and Ron McDole, who played alongside Ses in the best defensive line in the 27-year-history of the franchise, helped bear the body of their old comrade to the hearse.

There have been other good Bills teams, and memorable Buffalo teams in other sports.

But none of them was like this bunch. It goes beyond the championship rings and the scrapbooks. These Bills were special; special both as a team and as individuals.

The church was filled with other old teammates—Harry Jacobs from the linebacking unit that played together so long; Al Bemiller and Stew Barber from the offensive line; Ernie Warlick, Wray Carlton, Charlie Ferguson, Wayne Patrick.

None was more special than Sestak, the big, quiet guy who symbolized what McDole calls "an almost unique closeness in that team."

That is why it was such staggering news to hear that Ses had died, at the age of 51, in the arms of his wife, Patty, after suffering a heart attack as he drove the family car down Church Street in downtown Buffalo late Friday afternoon.

"I remember how Tom and Billy Shaw used to go against each other, one on one, in practice every day," said Lou Saban, their old coach, as he congregated with his old players outside the church.

"Shaw used to put on his helmet, look at Ses and say, 'I want a piece of you today, Tommy.'

"Ses would buckle his helmet, look at Shaw and say, 'I'm ready, Billy.' "

They fought a small war every day and he and Shaw still remained friends. Part of that was due to Sestak's temperament.

The public vision of him was that of a huge warrior, throwing aside blockers, bowling over a pulling guard and dropping the ball carrier for a loss. The word "awesome" is among the most abused and overused on sports pages today. Sestak, the player, was genuinely awesome.

In real life he was a puppy dog; a shy, approachable puppy dog of a man.

The night the Bills won the American Football League championship in 1964, I brought Chet Simmons to the team's celebration. Simmons, later the USFL's first commissioner, was then the head of NBS Sports.

Now, when a football team wins a championship, the victory party is held in the ballroom of a posh hotel or in a prestigious private club. This party was in the basement of a house in South Buffalo. Once taxes were deducted, the Bills' championship checks were worth less than $2,000.

After I introduced Simmons to Sestak, Tom looked at him menacingly and asked, "How come your salesmen didn't sell more commercials for this game? They tell me that's why our checks are so small."

After letting Simmons stammer out an explanation, Sestak laughed, slapped him on the back and told him, "Forget it. Make sure you have a good time."

Those were innocent days when most of the players negotiated their own contracts and paid dues to a docile union. In today's market, a player of Sestak's caliber might command $600,000 to $750,000 a season.

One of the quarterbacks he menaced was Lenny Dawson, who will be inducted into the Pro Football Hall of Fame next August. Sestak helped propel Buffalo on its first championship campaign when he reached up with his big hand, intercepted a Dawson screen pass and ran it into the end zone for a touchdown in the opening game of the 1964 season in War Memorial Stadium.

The Bills won that game, 34-17, and went on to win eight more in succession.

Sestak, himself, has been nominated for the Hall of Fame, but he has little chance of making it because a serious knee injury forced his retirement before the Bills began play in the NFL in 1970.

McDole, his linemate, was traded to Washington in 1971, and went on to make the Redskins' all-time team. There is little doubt Sestak, too, would have flourished if he had stayed healthy.

Sestak seldom practiced during his last two seasons, 1967 and '68. He was allowed to rest the knee during the week, then attempt to play in the games. The after-effects of the knee injury were so debilitating that he seldom had a pain-free day for the rest of his life.

Less than a month before his death, the Bills decided to honor him by placing his name on their Hall of Fame. It was something that should have been done years ago.

Bill Polian, the Bills new general manager, began the push to add to the team's sparse honor role after Buffalo won a game in Kansas City last season. Polian was struck by the large number of Chief names on the walls of Arrowhead Stadium.

That led to Polian forming a committee, which recommended Sestak for enshrinement.

The irony is that, of the 16 names on the walls at Arrowhead, more than half of them are of offensive players who were manhandled through the years by big Ses.

PROTECTING OUR PENSIONS

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. RITTER. Mr. Speaker, I include the following:

PROTECTING OUR PENSIONS

(Statement of Don Ritter, before the Select Committee on Aging, Subcommittee on Retirement Income and Employment on Protection of Retiree Benefits Legislation, May 1, 1987, Dundalk, MD)

Good morning and thank you Madam Chairman, it is indeed my pleasure to be here in Dundalk, Maryland, to participate in this most important forum. We come together today May 1, 1987, before the Select Committee on Aging's Subcommittee on Retirement Income & Employment, to analyze the problems associated with "pension dumping" and the shortcomings of current laws which allow this to happen. It is encouraging to see such a large number of representatives from retiree organizations, unions, industry and government here today to give us their views. I am especially delighted to see the many retiree's and concerned citizens who have traveled from the Lehigh Valley to offer their support in examining our current pension laws. I look forward to hearing from these groups this morning as we work to address the problems associated with this area.

INTRODUCTION

We are here today because since 1980, LTV Steel, Wheeling-Pittsburgh, Kaiser Steel, McLouth, Phoenix, and just recently Sharon Steel among others, have utilized the bankruptcy laws to terminate their retirement benefits. LTV Corporation tried to terminate health benefits for 78,000 retirees including retirees already in the hospital when they filed for reorganization last July. Having Bethlehem Steel Corporation headquartered in my District, this kind of situation vitally concerns me.

We are here today because in the Lehigh Valley there are roughly 35,000 retirees and dependents who rely on pension checks, medical benefits, and group life insurance as a basic necessities of life and piece of mind.

Ladies and Gentlemen we are here today to protect the retirement benefits of those who have worked to earn them. We are here to discuss action that will prevent broken promises.

Again, I must say how pleased I am to see four busloads of people from the Lehigh Valley. It is concern like this that will inevitably lead to a solution to this most urgent problem of pensions not being secure.

As Secretary of Labor William E. Brock III has stated, "What is happening is that firms are declaring bankruptcy, unloading their pension liabilities on the government, and then operating under Chapter 11 reorganization." Business Week reports, "The nation's private pension system is in turmoil. Some companies are taking large surpluses in their retirement funds for their own use, angering workers who say the money is not their employers' to spend. Other major plans are desperately underfunded and threaten to bankrupt the government's fragile pension insurance system. In both cases, confused employees fear that pension promises will not be kept. The nation's nest egg depends on voluntary private pensions. A loss of confidence in the entire system would be devastating. We must act soon to reassure workers and pensioners that their retirement benefits will be there when they expect them."

BACKGROUND

As private pension plans have become a major and increasingly important source of retirement income for American workers, laws have been passed to protect these plans. The Employment Retirement Income Security Act of 1974 (ERISA), which regulates private pension and welfare benefit plans, was designed to prevent companies from borrowing assets from their pension plans. In doing this ERISA sets minimum funding standards, regulates the investment of plan assets, and limits employer access to such assets. In addition, ERISA established the Pension Benefit Guaranty Corporation (PBGC) to guarantee certain benefits under defined benefit pension plans. And more recently in 1986, Congress enacted two major pieces of legislation which affected employee benefits in bankruptcy cases. The Single-Employer Pension Plan Amendments Act revised the manner in which underfunded pension plans may be terminated, increasing the employer's liability on termination, and made it virtually impossible to eliminate that liability outside of bankruptcy. The Omnibus Budget Reconciliation Act, in response to the attempted termination of retiree health benefits by LTV Corporation, requires the continuation of retiree health benefits until May 15, 1987 (the House just passed HR 1301 to extend this to Sep. 15, 1987), at employer cost, with an unlimited right for the retirees to purchase continued coverage at group rates thereafter. While these actions are to be commended weaknesses remain that enable employers to act in ways that may reduce their ability to keep benefit promises they have made.

THE PROBLEM

My colleagues and this audience knows, the domestic steel industry, its employees, and their families, have gone through a wrenching six years, faced with wage cuts, job losses, the cutoff of pension and health insurance benefits, an absence of re-training opportunities, drops in the value of their homes, and reduced opportunities for their children. Every steelworker in every steel mill in this country has accepted sacrifices in recognition of the problems facing the steel industry. In my District there are retired steelworkers who worked a lifetime in hot, dirty, and dangerous jobs only to realize that their long-awaited retirement benefits could be discontinued or seriously reduced.

The Labor Department, in a 1984 study, concluded that workers in terminated plans lose about 45 percent of benefits they otherwise could anticipate. In the steel industry, the wave of plant shutdowns has qualified workers under age 62 for early pensions. Every one of these individuals would have preferred to work for a full income, but was forced to do with a pension well before their eligibility for Social Security.

With this problem in mind, the early pensions in the steel industry pay a pension "supplement." These are payments, usually of $400 per month, added to the person's monthly pension to take the place of Social Security until age 62. The PBGC does not guarantee the $400 supplements with terminations. Early retirees are thus faced with loss of $4,800 in their annual income. It is important to emphasize that the steel companies agreed to pay the full benefit if there were a plant shutdown.

POSSIBLE SOLUTIONS

Last year, Congress reacted to the health and life insurance benefits crisis created by LTV Steel by passing a stop-gap measure to require companies that were in Chapter XI to continue paying medical and insurance benefits to retired employees through May 15, 1987. On April 10 S. 903 which extends the May 15 deadline to Sept. 15, 1987. I am pleased to report that the House passed this bill yesterday afternoon and now goes to the President to become law.

Although we in Congress have taken action to extend this deadline, the problem must be looked at comprehensively. Retirees cannot afford to suffer interruptions or delays in their benefits. We must, therefore, search for a lasting solution to these problems. I have committed myself to achieving more equality and security for retirees by co-sponsoring House Bill 1186, "The Retiree Benefits Security Act of 1987", which is the House companion legislation of S. 548. While this legislation addresses termination of health and life insurance benefits, it does nothing with regard to pension benefits. It is my hope that at todays hearing we will examine possible solutions to this aspect of the problem.

This country is faced with a population whose median age is rising steadily. Congress must address the rights of retirees now, so that equitable treatment is afforded now and into the future. To delay addressing the problem will saddle our children with the cost of dealing with the resulting social and economic upheaval. Individuals with integrity keep promises they make. It is our duty as a society to act in a similar fashion to enforce the promises made to our retirees and workers. These are the people who have helped build this great nation and ought to be able to count on dignity and security in their old age. I personally believe pension dumping is an abuse of the federal pension guaranty system. We should remember that system was set up to protect employees whose companies with underfunded pension plan went out of business. It was never intended to be a pension dumping ground for business wanting to reduce expenses.

I commend the gentlelady from Maryland, Mrs Bentley, for calling this hearing. I am delighted to join with you and our distinguished colleague, Mr. Cardin, and look forward to today's testimony. I also want to thank the witnesses for their testimony and those who have made time in their schedules to attend this hearing—including, I might add, 4 busloads of people from the Lehigh Valley, of Pennsylvania, (home of the cities of Bethlehem, Allentown, Easton and headquarters of Bethlehem Steel) whom I am most privileged to represent in the U.S. Congress.

THE APRIL 25 DEMONSTRATION IN WASHINGTON

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. HYDE. Mr. Speaker, on April 25, Washington was the scene of a protest demonstration. The primary purpose of this demonstration, called the Mobilization for Justice and Peace, was to protest U.S. policy in Central America.

I call my colleagues attention to an informative article by well-known political commentor Morton Kondracke, published in the May 4, 1987, issue of the New Republic. The article provides interesting and insightful comment on the main groups organizing the "Mobilization." One such organization in particular, the Committee in Solidarity with the People of El Salvador [CISPES], is worthy of our attention. According to its own newspaper, CISPES works "in solidarity" with the Leninist coalition which is seeking to overthrow the President of El Salvador, Jośe Napoléon Duarte. The April 25 organizing committee also includes similar groups supporting the Leninist Sandinistas of Nicaragua and the guerrillas of Guatemala. Strange organizers for a demonstration ostensibly for "Peace and Justice."

I am sure that many participants in the April 25 "Mobilization" were unaware of the basic objectives of some of these organizing groups. Many well-intentioned people will march mainly because they oppose our policy in Central America, as they understand it. But Morton Kondracke's article quotes AFL-CIO president Lane Kirkland as pointing out:

> It is possible to criticize the Reagan administration's policies toward Nicaragua without embracing the Sandinista regime. It is possible to criticize the administration's policies toward El Salvador without supporting the guerrilla movement.

The AFL-CIO urged member unions not to participate in a rally organized by groups ignoring Sandinista repression of labor unions in Nicaragua.

Mr. Speaker, I believe all of my colleagues concerned with our policy in Central America will find Mr. Kondracke's article of great interest. With that is mind, I am inserting the full text of the New Republic article in the RECORD.

The article follows:

[From the New Republic, May 4, 1987]

STEALING A MARCH

(By Morton Kondracke)

On April 1 the president of the International Union of Bricklayers, John T. Joyce, sent a letter to his local unions that was remarkable in its vehemence. Joyce, who is generally regarded on domestic policy as a liberal and is close to both Senator Edward M. Kennedy and Massachusetts Governor Michael Dukakis, attacked the planned April 25 Mobilization for Peace and Justice to be held in Washington and San Francisco, saying that "today, as in years gone by, there is a re-emergence of radical left-wing groups dedicated to putting unions, as well as religious organizations, to those groups' purposes. Anyone who knows or remembers the popular fronts put together by the communists in the 1930s will know precisely how the April Mobilization works and what it is all about." Instead of the Communist Party maneuvering well-meaning people around the issues of fascism and racism, Joyce charged, "now . . . the organizers come from the Committee in Solidarity with the People of El Salvador (CISPES) and its allies, and the agenda is that of the Sandinistas and of various Central American Marxist-Leninist revolutionaries."

This letter, and an accompanying 16-page analysis of the April 25 Mobilization's background by an aide to Joyce, Joel Freedman, are part of an intense effort by the AFL-CIO hierarchy to discredit the Mobilization and limit labor participation. The American Institute for Free Labor Development (AIFLD), the AFL-CIO's organizing arm in Latin America, has produced several sets of documents designed to demonstrate that the Mobe has been deceptive about the organization and purposes.

On March 23 AFL-CIO president Lane Kirkland sent a letter to all subordinate state and local federations urging that they withhold support from the Mobilization. He charged that rally organizers were demanding a cutoff of U.S. aid to El Salvador, Honduras, and Guatemala, and said: "It is possible to criticize the Reagan administration's policies toward Nicaragua without embracing the Sandinista regime. It is possible to criticize the administration's policies toward El Salvador without supporting the guerrilla movement. That is the AFL-CIO's position; it is not the position of a number of the organizations that constitute the steering committee for the April 25 rallies, some of which openly support the Marxist-Leninist guerrillas in El Salvador and the Sandinista government of Nicaragua."

The AFL-CIO is exercised because the presidents of 17 AFL-CIO member unions have signed on as public sponsors of the Mobilization and some local bodies are helping to organize and transport the 100,000 people expected in Washington for a march and rally on the Capitol steps and the similar number expected at a demonstration in San Francisco. Included among the sponsors are the presidents of three million-member unions—the United Auto Workers, the American Federation of State and County and Municipal Employees, and the United Food and Commercial Workers—plus heads of the big Communications Workers of America, Service Employees International Union, and International Association of Machinists.

The other and even larger category of public sponsorship for the event is the churches. The presiding officer of practically every major Protestant denomination has signed on, plus the general secretary of the National Council of Churches, 12 Roman Catholic bishops, and the president of the Union of American Hebrew Congregations, the reform branch of American Judaism.

Key speakers at the Washington rally will include the Rev. Jesse Jackson; Bishop Thomas Gumbleton of Detroit; the actor Ed Asner; President Kenneth Blaylock of the American Federation of Government Employees; Eleanor Smeal, the president of the National Organization for Women; and spokesmen from Central America. Specific demands listed in the official call for the Mobilization are as general as the public sponsorship is broad: "support peace and freedom in Central America and Southern Africa, stop the U.S. war in Central America, stop U.S. government and corporate support for apartheid, stop U.S. aid to the contras, and stop U.S. aid to UNITA." Beneath this idealistic liberal front, is there a "radical, left-wing" reality out to aid "Marxist-Leninist revolutionaries" in Central America?

According to the top organizer of the Mobilization, David Reed, Joyce and the AFL-CIO have it all wrong in charging that Mobilization is controlled by CISPES, favors the Sandinistas in Nicaragua and Communist victories elsewhere in Central America, and is calling for a full cutoff of aid to El Salvador, Guatemala, and Honduras. He said that the Mobilization is dominated by religious and labor groups, favors reconciliation and negotiations in Central America, has specifically kept Sandinista and Communist speakers off the program, and, except for the contras, is not taking a position on aid requests to Central America.

Reed, executive director of the 60-member Coalition for a New Foreign Policy, said that the Mobilization was hatched last September out of a decision by his executive committee—including representatives from the United Methodist Church, SANE, Church Women United, and the United Church of Christ—that Congress's approval of aid to the Nicaraguan contras required an escalation of pressure by peace groups, including civil disobedience. Reed said he met with various church representatives first, then contacted David Dyson, a Presbyterian minister who is head of the union label department of the Amalgamated Clothing Workers and director of the National Labor Committee for Democracy and Human Rights in El Salvador, a coordinating group of international affairs staff members from 25 unions that opposes Reagan administration policy in Central America.

After meetings last October, the Mobilization proceeded on two levels: creating a broad-based church-and-labor public front, and creating a less public organization of peace-and-justice movement activists to manage the Mobilization's programs and themes. On December 12 a mailing went out on National Council of Churches stationery, signed by four church leaders and two union officials, advising potential sponsors that the Mobilization call would be signed "only by national religious and labor leaders."

At the same time, a 32-organization steering committee was put together with five categories of membership. Reed points out that church, labor, and "faith-based" groups make up three-fifths of the steering committee, and "solidarity" and "peace-and-justice" groups make up only two-fifths. "I specifically said that the church and labor groups were willing to take the lead only if the solidarity groups were junior partners."

It is one solidarity group, CISPES, that has attracted most of the AFL-CIO's fire. CISPES's newspaper states openly that it works "in solidarity with the FMLN-FDR, the legitimate representative of the Salvadoran people." The FMLN is a self-proclaimed Marxist-Leninist coalition whose indiscriminate use of land mines is causing more civilian casualties than government bombing raids, according to Salvadoran human rights officials quoted by the New York Times. CISPES has created a network of 150 local coalitions designed to raise funds for the FMLN (especially in the form of relief supplies for areas under rebel control), and to put grassroots pressure on members of Congress to oppose military and civilian aid to the government of Salvadoran president Jose Napoleon Duarte. Also on the Mobilization steering committee are sister organizations to CISPES, the Nicaragua Network and NISGUA, which support the Sandinistas and Marxist rebels in Guatemala.

CISPES may constitute just one of 32 groups on the steering committee, but its director, Angela Sanbrano, is one of five members of the Mobilization program committee, which also contain Leslie Cagan, the principal nuts-and-bolts organizer of the Mobilization and a key organizer of past Mobilizations such as the 1982 event in New York City, which attracted one million people; Jack O'Dell, a close adviser of Jesse Jackson; and David Dyson.

The program committee originally invited a Sandinista government official to speak at the Mobilization—Dr. Myrna Cunningham, governor of Zelaya Norte province—but the invitation was withdrawn, Reed said, when officials of the Communications Workers and the Service Employees threatened to withdraw their support and money. For the same reason Reed says he quashed a proposal to invite a representative from UNTS, a Salvadoran labor group reportedly dominated by the FMLN. Instead, speakers will include a Nicaraguan religious representative and a spokesman from COMADRES, a Salvadoran group of mothers of disappeared persons. Nora Astorga, the Nicaraguan U.N. ambassador, did speak at a Mobilization preliminary event in Los Angeles.

After the AFL-CIO charged that the Mobilization wants to cut off all aid to El Salvador, Guatemala, and Honduras, a group of seven top religious leaders wrote to Kirkland in protest. "The appeal we have issued to the American people makes no reference whatsoever to supporting a cutoff of all aid. We appeal to our government to stop U.S. military involvement in Central America and Southern Africa."

So in a sense the AFL-CIO has overstated the left-wing radical character of the Mobilization. Yet in another sense, the reality is even more ominous than the union perceives. It is not that many well-meaning liberals are being duped by a few leftists, but rather that a vast, committed network of church, labor, peace-and-justice, student, and women's groups has grown up that opposes U.S. policy in Central America—not just aid to the contras, but also efforts to aid the elected governments of Presidents Duarte in Salvador and Vinicio Cerezo in Guatemala. The movement ends up rooting for the success of the Sandinistas and other Marxist liberation groups around the world.

Although the Mobilization is formally unspecific about aid cutoffs and support for the Sandinistas, many of its constituent groups are campaigning for those ends. For example, Reed's Coalition for a New Foreign Policy, which includes most church and peace activists, is trying to halt Economic Support Funds for the fledgling Central American democracies. This is straight budget relief that keeps their economies afloat. Reed calls it "dirty economic aid."

Most church and peace groups do not go as far as CISPES and openly identify with the FMLN, but they are actively opposing Duarte. "He represents the landowning class and the export economy," said Reed. "To uphold Durate as an embodiment of democratic ideals is a distortion of history. He's killed tens of thousands of people to keep himself in power. He's in a direct confrontation with his own people. Without U.S. support, Durate would collapse." Reed acknowledges that this might lead to a right-wing coup, but says "The United States can get them to negotiate a settlement" with the FDR, the rebel political front, which he says is not Communist. Why shouldn't there be similar negotiations between the contras and the Sandinistas in Nicaragua? "That's not a civil war, friend. The contras have no support but us."

The peace-and-justice agenda is that the Sandinistas should stay in power and that Durate should be forced to negotiate. And there is an army of groups and individuals behind it. An estimated 40,000 Americans have visited Nicaragua alone since 1979 to learn about the "progress" that's been made. Hundreds of thousands of people have been persuaded that what the Reagan administration—and the AFL-CIO—deems to be democracy-building in fact is immoral interventionism, and they are even willing (as Mobilization literature urges) to send food, money, and medicine to the Sandinistas and their allies in the region. Sadly, the administration and the AFL-CIO so far have failed to convince similarly well-meaning people to pray, work, and pay for the advancement of democracy. On April 27 some of the Mobilization people will add civil disobedience to the mix, in a demonstration at CIA headquarters.

Reed says, "Our clear intent is to touch the nerve of Vietnam and say that what happened with Vietnam could occur again—the increased protest and social unrest at home." If the peace movement succeeds again, it's likely that El Salvador, Guatemala, and Honduras, where people have just tasted civilian government and the right to vote, will come to resemble Vietnam and Cambodia.

CENTENNIAL CELEBRATION OF THE MILWAUKEE COUNTY LABOR COUNCIL

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. MOODY. Mr. Speaker, today I would like to acknowledge the 100th anniversary of the founding of the Milwaukee Federated Trades Council.

Organized in February 1887, the Milwaukee Federated Trade Council obtained its charter membership in the American Federation of Labor in August of that year. In 1958, the Milwaukee Federated Trade Council joined with the Milwaukee County Industrial Union Council to form the Milwaukee County Labor Council, AFL-CIO.

Throughout its illustrious history, the council has had a profound impact on the Milwaukee labor movement. Due to the creative and unrelenting efforts of its officers and members, the council brought thousands of Milwaukee workers into trade union organizations, enabling Milwaukee to become one of the most productive manufacturing centers in the world. In the legislative arena, the council skillfully contributed to some of the most important labor legislation ever crafted in the State of Wisconsin, including: workers compensation; unemployment compensation; and collective-bargaining rights.

The Milwaukee County Labor Council has excelled in protecting the rights of workers and also in the passionate fight for economic justice. Through the good times and the bad times, the council has never abandoned Milwaukee's workers. It is this exceptional tradition that deserves our recognition.

In closing Mr. Speaker, I ask you and our colleagues in the House to join me in honoring the Milwaukee County Labor Council, AFL-CIO on its centennial celebration and to offer our sincere gratitude for a "job well done" and best wishes for 100 more productive years.

RUSSIANS CANNOT SHARE WESTERNERS' ENTHUSIASM FOR GLASNOST

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. COURTER. Mr. Speaker, an American chess grand master named Lev Alburt is an emigre from the Soviet Union whose understanding of Communist politics is acute. Mr. Alburt is also a very articulate man in English, his adopted tongue. I am certain that my colleagues in Congress would benefit greatly from considering his analysis of the latest variation on Soviet propaganda, glasnost. Glasnost, as the author shows, is openness only in a very twisted sense. The column from the New York City Tribune of April 16, 1987, follows:

[From the New York City Tribune, Apr. 16, 1987]

GORBACHEV'S "GLASNOST"—TO LIBERALS THE ESSENCE OF HOPE; BUT IN RUSSIA?

(By Lev Alburt)

"Gorbachev Candid About Opposition"—ran a frontpage headline in The New York Times on February 26, 1987. Candid Mikhail Gorbachev has inherited a country that is stagnant after the 18-year-long reign of Leonid Brezhnev. General Secretary Brezhnev was lenient toward ineptitude and corruption amid his subordinates. In other words, he lived and let others live. Gorbachev knows that his Soviet Union cannot afford another 18 years of such Brezhnevost. Instead, he offers glasnost, or openness—an attractive slogan for a series of measures aimed at reforming Soviet society while preserving, however, its communist character. Some entrenched Brezhnevists resist these changes, but the new Soviet leader is determined to modernize his country and to improve the living standards of his people. Or, at least, that's how it is perceived in the West.

Even conservative stalwart Jeane Kirkpatrick, who met with Gorbachev in January, confirmed: "Gorbachev really means it." Yet skeptical Muscovites compare glasnost with Gorbachev's official portrait in which an unattractive birthmark on his forehead has been carefully airbrushed.

Should we really expect Gorbachev to mean what he says? In the Soviet Union, hypocrisy is a way of life. One can only rise there if he lacks integrity in the sense of commitment to any abstract ideals or morality. But many naive souls believe Mikhail Gorbachev, much as they believed Joseph Stalin half a century ago; Uncle Joe, another self-style liberal reformer, also faced opposition from anonymous hawks in the Politburo as U.S. Ambassador to Moscow Joseph Davies informed President Roosevelt.

The unvarnished truth about the Soviet system and about the Soviet economy in particular is that slavery doesn't work. As was well known already in ancient times, slaves are usually not productive; they are lazy and do only as little as possible while stealing as much as they can from their masters. This has been the situation of the Soviet workforce for the last 70 years.

The Soviet Empire is Gorbachev's personal property. As would any owner, he wants his property to increase in value. That's why Gorbachev needs glasnost—not so that people can freely express their view but in order to encourage them to inform on each other. In short, make lazy rascals work harder and steal less.

Simultaneously, he tightens the screws on emigration so that fewer and fewer of his subjects can leave the Soviet Union. But the right not to be treated as someone's property, the right to emigrate—this right, taken for granted by citizens of virtually all noncommunist countries, is precisely what the Soviet people need the most. Because only a country a man can leave is a country in which a man can live.

In the West, Gorbachev, his reforms and glasnost are taken much more seriously than in the Soviet Union. I think that already the words "reform" and "glasnost" are, deceptive. "Reform" implies that the changes that are undeniably occurring in the Soviet Union mean a better life for the Soviet people and a better chance for genuine peace between the two superpowers. The reality, however, is quite different. A stronger and more efficient Soviet Union means a higher degree of oppression and exploitation for its subjects and a graver threat to the United States and to freedom everywhere. The good news is that Gorbachev cannot make his system work. For that he needs our help.

Romanov's Russian-English dictionary defines glasnost as "publicity" rather than "openness." Indeed, the export version of glasnost is a massive and well-rehearsed public-relations campaign aimed at us. Gorbachev wants American technology and the credit to get it. More concretely, he wants Most Favored Nation status for the Soviet Union. This status, once given, is unlikely to be taken away. The immediate aim of the entire P.R. campaign is to create an atmosphere in which the Soviet Union is not perceived as a threat. But of course it is.

Whether Gorbachev wants to stengthen the regime he has inherited or to dismantle it, American policy should be basically the same. In either event, to provide the illegitimate Soviet rulers with the means to maintain their oppressive regime is both self-destructive and immoral. Instead, we should support all captive people in their struggle against the communist oppressors. The Soviet Union will undertake meaningful reforms—which one day may become irreversible—only if denied outside help and if pressured from within. To achieve such epochal changes should be the main objective of our Grand Strategy. For the United States will

never be fully secure until the Russian people are are long last free.

PERSONAL EXPLANATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. RANGEL. Mr. Speaker, please let the RECORD show that on rollcall vote No. 80 I would have voted "yea." As chairman of the House Select Committee on Narcotics Abuse and Control, official business precluded my participation in this vote. I was attending a meeting at the White House to participate in the signing of the Executive order designating Lois Harrington as Executive Director of the White House Conference on Drug Abuse.

H.R. 2270, MEDICAID NURSING HOME QUALITY AMENDMENTS OF 1987

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. WAXMAN. Mr. Speaker, Mr. DINGELL and I are pleased to introduce today H.R. 2270, the Medicaid Nursing Home Quality Care Amendments of 1987. We are joined in sponsoring this bill by Mr. ROYBAL, chairman of the Select Committee on Aging; Mr. PEPPER, chairman of that Committee's Health and Long-term Care Subcommittee; Mr. STARK, chairman of the Subcommittee on Health of the Committee on Ways and Means; and five of our colleagues of the Committee on Energy and Commerce. The purpose of this legislation is to improve the quality of care and the quality of life for the 1.5 million elderly and disabled Americans now residing in nursing homes.

In his introductory statement elsewhere in today's RECORD, Mr. DINGELL has provided a detailed summary of the legislation. Rather than repeating this information, I simply want to note several important points.

First, H.R. 2270 represents a significant revision of the nursing home reform legislation, H.R. 5450, that we introduced in the 99th Congress. However, the bill continues to reflect many of the major findings and recommendations of the Institute of Medicine's [IOM's] 2-year study, "Improving the Quality of Care in Nursing Homes" (1986). This independent study was undertaken at the request of the administration with the support of the Congress, and has been widely viewed as the most thorough, comprehensive, and up-to-date analysis of this issue. The findings from this report were presented to the Subcommittees on Health and Environment and Oversight and Investigation at a joint hearing held March 25, 1986. Witnesses representing each of the interested parties—including resident advocates, industry officials, and State regulatory personnel—spoke in support of the IOM report.

Second, the reforms contained in this bill are limited to the Medicaid Program—which pays for over 40 percent of all nursing home care—and do not apply to nursing homes which participate only in the Medicare Program. Medicare part A—which includes coverage for skilled nursing facility services—is not within the jurisdiction of the Committee on Energy and Commerce. Parallel Medicare legislation is expected to be introduced in the near future.

Finally, the legislation is concerned only with nursing homes that primarily serve the elderly and the physically disabled. It does not change current law with respect to the other category of facilities participating in Medicaid—intermediate care facilities for the mentally retarded [ICF's/MR]. While I recognize that Medicaid patients face substantial quality problems in some ICF's/MR, the Institute of Medicine study did not contain findings or recommendations in this area, and the Coalition for Citizens with Developmental Disabilities has specifically requested that this bill not address the requirements for participation by ICF's/MR.

This bill will clearly cost the Federal Government some money, and I have requested an estimate from the Congressional Budget Office. Improving the quality of care means, among other things, upgrading staffing requirements at most of the 15,000 or so nursing homes participating in Medicaid. This will require additional Federal and State resources. The Budget Committee has recognized this fact in adopting a budget resolution for fiscal year 1988 that includes an allowance for improving the quality of care for Medicaid residents in nursing homes. Last month the House affirmed the Budget Committee's recommendation in passing House Concurrent Resolution 95.

Mr. Speaker, the IOM, after reviewing the available evidence, concluded that "poor-quality homes outnumber the very good homes." I do not believe we can allow this situation to continue. The time has come to face up to the problem of poor quality nursing homes.

The growth of the Nation's elderly population will result in signficant increases in the demand for long-term care services—especially for nursing home care—for the foreseeable future. According to the National Center for Health Statistics, at current utilization patterns, the number of elderly Americans residing in nursing homes will increase by 58 percent from 1978 and 2003, even if mortality rates do not decline. We simply must put an effective regulatory system in place before the problem of poor quality nursing home care overwhelms the Nation and its frail elderly.

I urge Members to support this legislation and look forward to working with them to secure its enactment.

TRIBUTE TO DR. VINCENT REED

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 5, 1987

Mr. FAUNTROY. Mr. Speaker, I am delighted for the signal and treasured opportunity to rise in the hallowed precincts of this historic Chamber to salute one of the great citizens of our Nation's Capital, Dr. Vincent Reed, as his sterling, transcendent, and enduring contributions to our city and Nation are celebrated by the Shaw Community Food Committee.

Certainly, America is indebted to the Hand of Providence for the gift to every generation of those unique and talented individuals whose industry, vision, and unbending commitment to the promotion of the good, have contributed in fashioning a world of purpose, place, and destiny. Dr. Vincent Reed is one such man.

As a distinguished educator, he confronted the great challenges of urban education with an excellence and precision that took him from classroom to the head of the D.C. School System as Superintendent of Schools. I am certain that many Members of this House remember with glad fondness, Vincent Reed's model administration at a very crucial time in our city's history.

Not content to just serve his city professionally, Dr. Reed, after retirement from the school system, has championed the cause of the youth, senior citizens, and the disadvantaged as a businessman and civic leader. Regardless of the need, whether it be at a small community activity or a major philanthropic endeavor, Vincent Reed has been available and willing to share.

Finally, Mr. Speaker, in a time where it appears that the balance compassion is weighted down by indifference and apathy, I am delighted to salute such an outstanding educator, civic activist, and leader of business as Dr. Vincent Reed, whose life and endeavors have done much to restore compassion to its proper place, and whose life has given flesh and sinew to the testimony of one man who putting duty above complacency once declared:

> * * * The woods are lovely dark and deep, but I have promises to keep and miles to go before I sleep—yes miles to go before I sleep!

Our city and Nation salutes you Dr. Reed for demonstrating the power of love, excellence, and life lived for others.

HOUSE OF REPRESENTATIVES—*Wednesday, May 6, 1987*

The House met at 11 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we view our world and its difficulties and as we reflect on the responsibilities we have chosen, our hearts are weighed down by the strains and anxieties of the difficulties of easing the hurts of the world and curing the evils. Thus we pray, O loving God, that You will strengthen and give wisdom to those to whom great responsibility has been given. Remind us each day, O God, of the way of truth, of righteousness, of justice and of peace, and give every person who seeks these good goals the gifts of commitment and enthusiasm. In Your name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MEDIA IGNORES PRESIDENT'S SPEECH ON PRESERVING DEMOCRACY IN CENTRAL AMERICA

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, critics of the Reagan administration policy in Central America claim President Reagan places too much emphasis on a military victory in the region and not enough on negotiations. Last Sunday in New York, the President gave a stirring speech on U.S. security interests in the Western Hemisphere and of his commitment to preserving democracy in Central America. He emphasized the need for diplomacy and economic assistance to help achieve peace in the region. Unfortunately, little media attention was given to his remarks and his critics probably remain unenlightened about President Reagan's objectives in Central America. I am inserting into the RECORD today the full text of the President's remarks. I urge my colleagues to read them and consider carefully the importance of strengthening the fragile democracies of El Salvador, Honduras, Guatemala, and Costa Rica and the need for the people of Nicaragua to select their own leaders in free, fair, contested, and regularly scheduled elections.

C-17 CARGO PLANE IS NEEDED

(Mr. ROWLAND of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND of Georgia. Mr. Speaker, for many years now, the Lockheed-Georgia Corp. has been building massive military cargo planes such as the C-5A and C-5B for our military airlift command.

The company and its many thousands of employees have done a magnificent job.

It is certainly no reflection on them, or on the aircraft they built, that our airlift capability is fast becoming obsolete. Technology has simply passed those planes by, and it is essential that we move ahead if we expect to maintain a strong conventional military force.

The DOD authorization bill calls for funding a new military cargo plane designed by McDonnell Douglas, the C-17. According to all the branches of the service who will use the newly designed plane, the C-17 can be built and operated less expensively, can take off and land on shorter runways, it is faster and presents less exposure time to the enemy, and due to its increased mobility can get more material into a combat zone more quickly, than any aircraft we presently have.

By already investing more than $1.2 billion in the C-17, Congress has already agreed that this is an investment we need to make.

McDonnell Douglas plans to build a plant in Macon, GA, and my district therefore has an economic stake in the C-17. Some of my colleagues in Georgia who oppose funding for the C-17 are from districts with an economic interest in the C-5. But the paramount issue here is what is best for the country's military security. And that is why I believe the C-17 should prevail.

NO DOUBLE TAXATION

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, I have introduced a bill to eliminate double taxation on the shipping industry. The legislation, H.R. 2202, is a bill to amend the Internal Revenue Code of 1986 so that under the revenue provisions of the harbor maintenance fee a shipper shall not be forced to pay a user fee tax twice on the same cargo. Last year, Congress passed the water resources authorization bill which established a long overdue cost sharing formula between the Federal Government and State and local beneficiaries to fund harbor development.

In this agreed-upon formula by Congress and the White House, harbor development could proceed after waiting some 16 years for funding. Enactment of the omnibus water bill, H.R. 6, was a major accomplishment by this Congress in meeting the demands to maintain and develop our Nation's water infrastructure. Because of our actions we will eventually be in a much better position to compete with our trading partners.

H.R. 6 left open the manner in which a cargo user fee would be collected for determination by the U.S. Customs Service. However, H.R. 6 did specify that no single shipper would be subject to the same user fee twice or more on the same cargo.

Interim regulations have been issued by Customs that violate this provision of H.R. 6. The temporary regulations provide that cargo between U.S. ports is subject to a cargo fee at each unloading. My bill is designed to clarify the IRS Code of 1986 and state that the harbor maintenance tax shall apply only once to cargo entering the United States in a continuous transportation by a single shipper. This will prevent the same shipper from being subject to the same fee on the same cargo more than once.

I wish to make it clear that I am in no way advocating freeing the shipper from paying his fair share to help develop the harbor. It is only fitting that every user of the harbor pay his share, but not more than is required or justified.

I urge my colleagues to cosponsor H.R. 2202 and put an end to double taxation on the shipping industry.

FAMILY LEAVE: ANOTHER BEDROCK FAMILY ISSUE

(Mrs. ROUKEMA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, with Mother's Day just a few short days away, I would like to turn your attention to another bedrock family issue facing Congress: That of establishing a realistic family leave policy.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface **indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.**

Startling changes are profoundly affecting family life. Women are entering and reentering the work force with greater frequency than ever before. Today, over 50 million women work outside the home, comprising over 44 percent of our national work force. The vast majority of all mothers hold down jobs outside the home, and increasingly, they are mothers with young children.

Why? Simply put, it now takes two wage earners to sustain the same standard of living that one income could provide just two decades ago. These families are not getting rich. They are getting by.

Others are working because of divorce or widowhood.

As a result, employment security for both breadwinners is now more crucial than ever.

The time has come to develop a family and medical leave policy that would guarantee that employees who must take leaves of absence because of child birth, or serious illness among family members will not be fired and will have job security. It's a bedrock family issue—one which Congress should address.

LEGISLATION TO IMPROVE WHEAT AND FEED GRAIN PROGRAMS

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, I am today introducing House Resolution 2294, which is patterned after those provisions in the 1985 farm bill, when it came to this floor, known as the Bedell provisions, and which had been reported favorably by the Committee on Agriculture.

The bill provides for a referendum for voluntary participation in a set-aside and loan program for wheat and feed grains. These provisions will increase prices for our grain farmers in time of financial stress and low prices.

I wish to emphasize that it calls for a vote of the farmers to decide if they wish to continue on the road of the present program of all-out production with lower prices, or wish to go down a new road of higher prices for their commodities with lower production.

I am also today cosponsoring the Gephardt-Harkin mandatory control bill. I believe it is the responsibility of the Congress to provide alternatives to the present programs for wheat and feed grains, because the present programs are not working.

These are two alternatives which I believe should be considered.

COSPONSOR H.R. 2285, THE VIETNAM VOLUNTEER RELIEF ACT OF 1987

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, during the Vietnam war thousands of USO and Red Cross volunteers served side by side with our Armed Forces. These volunteers were not drafted. They served out of patriotism and heartfelt duty as American citizens. And while they may have escaped the spotlight, they did not escape the gunfire and exposure to agent orange.

I ask my colleagues to join a bipartisan group of 40 original cosponsors in cosponsoring H.R. 2285, a bill to aid Vietnam volunteers who are suffering from exposure to agent orange. These volunteers cared for the wounded in Red Cross hospitals, boosted morale through counseling and entertained war-weary soldiers.

The bill instructs the Veterans' Administration to determine the extent of injuries volunteers may have sustained as a result of agent orange exposure and to offer them medical examinations and stress-related counseling.

We have long recognized our obligation to veterans who fought for our country. Now it is time to recognize those who stood by their side as volunteers. Until now, their courage and patriotism have been ignored. This bill will provide help and bestow upon them the recognition they deserve for their service to our country when we needed them the most.

IN MEMORY OF THE HONORABLE ANTONIO B. WON PAT

(Mr. AKAKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AKAKA. Mr. Speaker, I rise today in the memory of our former colleague, the Honorable Antonio B. Won Pat of Guam, who served with distinction in this body from 1973 to 1985. I was shocked and saddened by his sudden and unexpected death on May 1.

I remember Tony as a warm friend and associate, always championing the special needs of his constituents, but yet always helpful and mindful of the needs of his colleagues on the Hill. He was a "highly effective," concurring here with the memoriam in the Washington Post, an extremely able representative who fought with tenacity for his district, and it is a tribute to his ability and integrity that he was recognized by his peers who elected him chairman of the Subcommittee on Insular Affairs of the Interior and Insular Affairs Committee, the first representative from an island community to be so recognized and honored. In this capacity he served us all well, not only his district, but the Pacific Ocean region as well, and in this way, our country.

Tony was a leader in our Pacific island communities. In this role, he led congressional factfinding committees to the vast reaches of the Pacific to expose Members to our unique needs, as well as our needs of national significance. He led such congressional delegations, not only to call attention to the issues, but to get action; and he did.

I shall miss Tony as I know we all shall. My heart goes out to his widow Ana, and the other members of his family, in this time of their sorrow. May their grief be lessened to some degree in the knowledge that there are many others who share their burden. May God be with them in this time of their need.

□ 1120

CONGRESSIONAL VOLUNTARY DRUG TESTING ACT OF 1987 AND NATIONAL SECURITY DRUG TESTING ACT OF 1987

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, today I am introducing two pieces of legislation regarding drug testing. The Congressional Voluntary Drug Testing Act of 1987," which is identical to House Resolution 394 from the 99th Congress, provides for a voluntary drug testing program for Members of this body and their employees. Furthermore, it would make voluntary drug testing a reimbursable expense under the House rules.

The second piece of legislation, the National Security Drug Testing Act of 1987 provides for a drug testing program for Federal workers who have access to classified information. Last session, the House incorporated this bill, H.R. 4636, as an amendment to the intelligence authorization and NASA authorization bills. Unfortunately, these amendments were dropped in conference.

Drug use in America has reached such enormous proportions that traditional approaches to curbing this epidemic have been unsuccessful. Increased law enforcement, stronger criminal penalties and greater property seizures have done little to reduce the supply of illegal drugs in our streets, schools, suburbs—and the workplace.

No matter how much we spend trying to fight smuggling, we will not make a dent in narcotics abuse in the United States until we do something to reduce demand. Drug testing can help achieve that end. I urge my colleagues to join me on the battlefield in the war on drugs.

DEPARTMENT OF DEFENSE AUTHORIZATION BILL

(Mr. **VISCLOSKY** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **VISCLOSKY.** Mr. Speaker, I would like to commend Chairman Aspin for bringing to the floor a Defense authorization bill that meets the security needs of our country and allies and at the same time is in compliance with the spending targets set by the recently House-passed budget resolution.

By adopting that resolution we made a promise to meet certain goals and work to reduce the spiraling national debt that has led to greater trade deficits, higher interest rates, slower economic growth and the continued daily erosion of our standard of living. We can start now by adopting a defense measure that is well thought out and a first step in developing a long-term stable plan.

It is essential that we have a more responsible approach to defense spending. Unfortunately, if we look at our recent past, we see that it has been "herky-jerky," "feast or famine," and "surge or starve." From fiscal year 1980 to 1985, military spending soared upward at an annual average rate of real growth of about 8 percent. However, the trend was halted in fiscal year 1986 when Defense appropriations dropped by over 4 percent and again last year when they fell by another 2.5 percent.

Is this any way to achieve or maintain a coherent strategy? What kind of signals do we send to the American people and to our allies? How can we achieve a balanced budget if we continually ignore the goals and targets that we set?

If we are serious about controlling Federal spending, and I believe that we are, we will have to closely examine all programs, remove waste and inefficiencies, and ultimately make some very hard decisions. Some may argue that defense spending is special. I agree, but is it more special than educating our children? More special that caring for our senior citizens?

We must have a strong national defense. It is essential for the protection of our citizenry as well as our allies. However, I believe that we have received questionable results from the more than $1 trillion spent on defense since fiscal 1980. The many instances of contractor fraud and flawed weapons systems demonstrate the inefficient manner in which the Department of Defense has absorbed such massive increases in funding.

We cannot and will not shirk our responsiblity to maintain global stability. Our habit to overspend then cut back due to economic and fiscal realities must be broken. By adopting the Aspin substitute we have taken another step in establishing a reasoned approach to defense spending.

SHAME ON YOU, JAPAN—SHAME ON YOU, JAPAN

(Mr. **RAVENEL** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **RAVENEL.** Mr. Speaker, the Japanese Government has announced its intention to perpetrate what will amount to a fraud on an international scale—the victims of this deception are the most magnificent creatures on Earth, the great whales—last year almost 6,000 of these majestic, intelligent animals were cruelly harpooned and then hacked apart—now, only months after the friends of the whales around the world rejoiced that a moratorium on the slaughter had taken effect, Japan has announced that they will kill 875 more whales this winter for what they call "scientific purposes." This so-called science is a sham, a crude deception to continue the commercial production of whale meat for Japan—the Japanese will use the same cruel harpoons, factory ships, killer boats and helicopters they have always used—and they will sell the bodies of their victims to cover the costs—shame on you, Japan—shame on you, Japan.

OBSTETRIC CARE INFORMATION ACT

(Mr. **BIAGGI** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **BIAGGI.** Mr. Speaker, as we approach the annual celebration of Mother's Day, let us reflect for a moment on the health and safety of our Nation's expectant mothers.

During the past few decades, the number and variety of obstetric care drugs and procedures has increased greatly. However, the FDA has approved as "safe" a mere handful of them. Studies on the necessity of these drugs and risks to the mothers and their children are few and far between.

I have, therefore, authored legislation, the Obstetric Care Information Act, which grants women of childbearing age the right of access to information about obstetric care and potentially harmful side effects of obstetric drugs and procedures.

I urge my colleagues, as we celebrate Mother's Day, to support this legislation designed to protect our mothers-to-be, and to join me as a cosponsor of H.R. 461.

REPEAL OF THE SO-CALLED SHORT-SHORT RULE OF THE INTERNAL REVENUE CODE

(Mrs. **KENNELLY** asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. **KENNELLY.** Mr. Speaker, I am joining my colleagues from Alabama and New York in introducing legislation to repeal the so-called short-short rule of the Internal Revenue Code. This provision restricts the ability of mutual fund managers to best serve the interest of their shareholders in a way that no longer makes sense.

This provision currently states that a mutual fund will be denied conduit tax treatment under subchapter M of the code if 30 percent or more of its gross income is derived from the sale or other disposition of stock or securities held for less than 3 months. This provision was added to the code in the Revenue Act of 1936.

The investment practices and techniques which may have been prudent in 1936 are no longer adequate or appropriate for the modern financial world. Recent changes in the financial markets have seen the development of many new financial products. The short-short rule hinders the use of these new financial products by a mutual fund. It thereby denies to largely middle-income shareholders the opportunity to take advantage of the same investment techniques currently available to the wealthy who can invest directly.

The Treasury Department has expressed its support for repeal of the short-short rule, and this should have no revenue implications. I hope my colleagues will support passage of this bill.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 678

Mr. **TOWNS.** Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 678.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

□ 1130

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1748, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

Mr. **DERRICK.** Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 156 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 156

Resolved, That during the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, the amendment in the nature of a substitute made in order as original text for the purpose of amendment by House Resolution 152 shall be considered as having been read for further amendment under the five-minute rule, and no further amendments to the bill or the said amendment in the nature of a substitute, as modified, shall be in order except the amendments designated in the report accompanying this resolution or subsequent resolutions reported from the Committee on Rules and adopted by the House, and said amendments shall be considered only in the order and in the manner specified, and shall be considered as having been read when offered. Debate on each of said amendments shall not exceed the time designated in said reports, to be equally divided between the proponent and an opponent.

When the Committee of the Whole resumes its sitting on the legislative day of Wednesday, May 6, 1987, it shall be in order to consider the amendment by, and if offered by, Representative Dickinson of Alabama, or his designee, and said amendment shall not be subject to amendment or to a demand for a division of the question in the Committee of the Whole or in the House. Following disposition of said amendment, it shall then be in order to debate the subject matter of the SALT II Treaty for a period not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. At the conclusion of such debate, it shall be in order to consider an amendment by, and if offered by, Representative Dicks of Washington or his designee, which amendment shall not be subject to amendment. It shall then be in order to consider the amendment offered by Representative Broomfield of Michigan, or his designee, which amendment shall not be subject to amendment or to a demand for a division of the question. If both of the foregoing two amendments are adopted, only the latter amendment shall be considered as finally adopted and reported back to the House. Following disposition of said amendments, it shall be in order to debate the subject matter of the ABM Missile Treaty for not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Armed Services. It shall then be in order to consider the amendment by, and if offered by, Representative Hunter of California or Robinson of Arkansas, or their designee, which shall not be subject to amendment. It shall then be in order to consider the amendment by, and if offered by, Representative Weldon of Pennsylvania, or his designee, all points of order against said amendment for failure to comply with the provisions of clause 7, rule XVI are hereby waived, and said amendment shall not be subject to amendment. Following the disposition of said amendment, it shall then be in order to consider the amendment by, and if offered by, Representative Martin of Illinois, or her designee, and said amendment shall not be subject to amendment or to a demand for a division of the question. If said amendment is not adopted in the Committee of the Whole, it shall then be in order to consider the amendment by, and if offered by, Representative McCurdy, or his designee, and said amendment shall not be subject to amendment or to a demand for a division of the question. Following the disposition of said amendment, the Committee of the Whole shall rise without motion and no further amendment to the bill shall be in order except as subsequently determined by the House.

The SPEAKER pro tempore. (Mr. GRAY of Illinois). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. LATTA], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 156 is a rule providing for the further consideration of H.R. 1748, the National Defense Authorization Act for Fiscal Year 1988-89. As I noted when the House considered House Resolution 152 last Thursday, the procedure we are using to govern consideration of H.R. 1748 is a bit unusual. In order to begin general debate on H.R. 1748 this past Monday, and to allow consideration of the Aspin amendment in the nature of a substitute yesterday, it was necessary for the Rules Committee to report a rule for H.R. 1748 last week. However, since Members needed time to draft amendments to the bill and to the Aspin substitute, and the Rules Committee needed time to consider an appropriate process for the consideration of a very large number of amendments; it was decided to report a rule at that time which provided only for general debate on the bill and for consideration of the Aspin substitute, and to report out a second rule this week which would govern consideration of further amendments to bill. The Rules Committee met yesterday, heard testimony from approximately 50 Members, and began the process of deciding how to structure a reasonable rule when there are more than 200 amendments that Members wish to offer. In this endeavor the Rules Committee worked very closely with the chairman and ranking minority member of the Armed Services Committee, in order to ensure that the rule would provide for a fair and orderly consideration of the important issues in H.R. 1748. By last night, the basic structure and most of the details of the rule had been worked out, but a few questions were unresolved. Rather than push ahead with a rule that might threaten the bipartisan cooperation that has marked this process so far, or delay the start of the amendment process for another day, the Rules Committee decided to report this rule, which provides only for debate of several important issues and the consideration of seven amendments that will be considered today. The committee is confident that the remaining issues about consideration of further amendments will be worked out and that a further rule will be reported today that will govern the rest of the consideration of H.R. 1748.

Mr. Speaker, this rule provides that the Aspin amendment in the nature of a substitute to H.R. 1748, which was adopted by the Committee of the Whole yesterday and made in order as original text by House Resolution 152, shall be considered as having been read. The rule provides that no amendments will be in order except amendments designated in the report accompanying this rule or subsequent rules. Those amendments shall be considered as having been read, shall be considered only in the order and manner specified, and shall be debated for the time specified, with time equally divided between the proponent and an opponent.

The rule provides that when the Committee of the Whole resumes its sitting today, it shall be in order to consider an amendment by Mr. DICKINSON of Alabama or his designee, with debate limited to 1 hour. This amendment would increase the authorization level in the Aspin substitute by $13.4 billion to $302 billion. This amendment shall not be subject to amendment or to a demand for a division of the question.

The rule provides that, following disposition of the Dickinson amendment, it is in order to debate the issue of the SALT II Treaty for 1 hour, with the time divided between the chairman and ranking minority member of the Armed Services Committee. At the conclusion of that debate it is in order to consider an amendment by Mr. DICKS of Washington, or his designee. That amendment is not subject to amendment and is debatable for 20 minutes. The Dicks amendment limits maintenance of deployed U.S. strategic forces to sublimits contained in the SALT II Treaty unless the President certifies that the Soviets have exceeded the sublimits. After disposition of the Dicks amendment it is in order to consider an amendment by Mr. BROOMFIELD of Michigan, or his designee. The Broomfield amendment includes the text of the Dicks amendment, but it also provides that nothing in the act is to be construed as confining the United States to the terms of a Soviet-United States treaty if the Soviets have violated the treaty. The Broomfield amendment is not subject to amendment or a demand for a division of the question and is debatable for 20 minutes. In what is commonly known as a king-of-the-hill provision, the rule provides that if both of these amendments are adopted, only the last one adopted is reported back to the House.

After the disposition of these amendments, it is in order to debate the issue of the Antiballistic Missile Treaty for 1 hour, with the time divided between the chairman and ranking minority member of the Armed Services Committee. Following that debate, an amendment by Mr. HUNTER of California or Mr. ROBINSON of Arkansas, or their designee, is in order. The Hunter-Robinson amendment would strike section 224, which provides for limitations on the development, testing, and deployment of ABM components or systems. That amendment is not subject to amendment and is debatable for 20 minutes. It is then in order to consider an amendment by Mr. WELDON of Pennsylvania, or his designee, which shall not be subject to amendment and is debatable for 20 minutes. The Weldon amendment states that it is the sense of the Congress that the Soviets' Krasnoyarsk radar is a violation of the ABM Treaty. The rule waives clause 7, rule XVI, which prohibits nongermane amendments, against the Weldon amendment.

Following the disposition of the Weldon amendment, it is in order to consider an amendment by Mrs. MARTIN of Illinois, or her designee, to delete the authorization for two new carriers. That amendment is not subject to amendment or a demand for a division of the question, and is debatable for 60 minutes. If that amendment is not adopted, it is in order to consider an amendment by Mr. MCCURDY of Oklahoma, or his designee, to delete the authorization for one of the two new carriers provided for in the Aspin substitute. That amendment is not subject to amendment or a division of the question, and is debatable for 20 minutes.

Finally, Mr. Speaker, the rule provides that following disposition of these amendments the Committee of the Whole will rise without motion, and no further amendments to H.R. 1748 will be in order until the House adopts a subsequent rule.

Mr. Speaker, as I said earlier, this procedure is a little bit unusual. It is also a bit complicated. But I want to stress that, while the issues involved in this bill are very controversial, the process of considering these issues has been arrived at in an impressively bipartisan and cooperative manner, and I believe it will allow the House to consider these controversial issues in a fair and reasonable manner.

□ 1140

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the rule-a-day season, and tomorrow we will have another rule on this bill. Hopefully that will terminate the rules procedure on this particular bill.

Let me say that the gentleman from South Carolina [Mr. DERRICK] has adequately described what is in the rule, but let me just say that there are some things I approve of in the rule and some things I do not. However, I was quite unhappy when the majority on the Rules Committee did not grant the gentleman from California [Mr. HUNTER] the opportunity to offer an amendment dealing with a CoCom violation that certainly compromises our superior technology in submarine warfare. In his testimony before the Rules Committee, he pointed out that a Japanese company in violation of CoCom's understanding, had sold very sophisticated machinery to the Soviet Union to quiet their submarines, and unless some action is taken in the future, we are going to see a continuation of these violations. Yet the majority on the Rules Committee did not see fit to permit the gentleman from California to offer this amendment on the floor of the House. That was, in my opinion, a very grievous error.

Also I think it was in error that some of these other amendments were made in order: for example, the Dicks amendment that will provide in so many words that we will abide by a SALT II limitation agreement that was never passed by the United States Senate, nor has it been followed by the Soviet Union. Yet we would not in that committee grant the right to the gentleman from California [Mr. HUNTER] to offer his amendment on the submarine quieting technology.

This rule has been agreed to by the ranking member and the chairman of the committee as the way to proceed today, even though I have tremendous misgivings about it. I believe something should be done to correct the matter that the gentleman from California [Mr. HUNTER] attempted to correct.

Mr. Speaker, last week the House adopted the first rule on the defense authorization bill. That first rule provided for general debate and a vote on the Aspin substitute.

Today the House is considering the second rule on the defense authorization. It will establish the procedures to be followed in considering amendments on today only.

Probably tomorrow the House will consider a third rule which will govern the remainder of the amending process.

Mr. Speaker, this second rule was reported from the Rules Committee with the understanding that it is supported by both the chairman and the ranking Republican member of the Armed Services Committee. On that basis, I support it.

First it provides for consideration of an amendment by the gentleman from Alabama [Mr. DICKINSON] to restore some of the cuts made by the Aspin substitute yesterday. Following will be amendments dealing with the specified subject areas. The first subject area is SALT II. The second is ABM and the third is nuclear carriers.

Mr. Speaker, under the SALT II subject area there will be 1 hour of general debate followed by an amendment by the gentleman from Washington [Mr. DICKS]. Then there will be an amendment on SALT II offered by the gentleman from Michigan [Mr. BROOMFIELD].

Under the ABM subject area, there will be 1 hour of general debate followed by motion to strike by the gentleman from California [Mr. HUNTER] or the gentleman from Arkansas [Mr. ROBINSON]. There will also be a sense of the Congress amendment by the gentleman from Pennsylvania [Mr. WELDON].

Finally, under the nuclear carrier subject area, there will be an amendment by the gentlelady from Illinois [Mrs. MARTIN] and, if that is not adopted, a second amendment by the gentleman from Oklahoma [Mr. MCCURDY].

Mr. Speaker, I support this rule so that the House may proceed to further consideration of the defense authorization bill.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman from Ohio for yielding time to me.

Mr. Speaker, this has been described by the gentleman who is handling the rule on the floor as an unusual rule, and indeed it is, and it is an unusual process we are going through here. I think it is an unusual process fraught with a lot of danger to democracy as it should be practiced here on the floor of the House of Representatives.

This is yet another in a series of restrictive rules we have had on this floor the likes of which we have not seen in the decade or more that I have served in this body.

When I came to this Congress in the 95th Congress, if you go back and examine the records, you will find out that with regard to about 80 to 85 percent of the bills we debated in this Congress, we did so under open rules. Thus far in this Congress we have had one bill that the House has deigned to have out here under an open rule. We have had only one open rule that we could consider on the House floor this year.

It seems to me that we are moving toward a process here that is very, very bad for this House to take on. The reason why is because we now find out that under that rules process, even members of the committee who have important amendments can be frozen out of their ability to offer those amendments on this floor. As the gentleman from Ohio [Mr. LATTA] has just pointed out, the gentleman from California [Mr. HUNTER] had an issue with regard to CoCom that relates to a Japanese industry that has sold sophisticated technology to the Soviets allowing them to quiet their submarines, quiet their submarines in a way that is going to be very devastating to the defense of this country. Yet the Rules Committee has decided that a member of the Armed Services Committee should not be allowed to bring that out on this floor. In other words, they have restricted the rights of a few Members who have the most knowledge of what goes on in defense on this floor. Not only that, but the rights of other Members who do not serve on the committee are unduly restricted by this kind of process.

Mr. BADHAM. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. BADHAM. Mr. Speaker, I thank the gentleman for yielding.

For as long as the gentleman has been in the Congress, I have been a member of the Armed Services Committee. I just want to vent a little of my frustration in response to the frustration the gentleman has expressed.

When the gentleman in the well the other day opposed the original rule on the bill because it waived the Budget Act, sure, it waived the Budget Act because it is not a budget act for fiscal year 1988. It had to waive it or we could not even get the defense bill on the floor.

The defense of this country is a constitutional responsibility. The problem with the rules situation is not with the Rules Committee; it is not with the Armed Services Committee; it is with the 380 experts on defense who are Members of this body and who are not here now. It is the responsibility of those who are defense experts, who never come to a hearing, who never offer testimony and yet want to offer amendments on the DOD authorization bill that have to do with foreign policy, foreign trade, domestic policy, and everything under the Sun they can think of.

Mr. WALKER. Mr. Speaker, if I may be allowed to reclaim some of my limited time, let me say that the gentleman is absolutely right, but most of those were made in order by the Rules Committee, so we have not found ourselves with a better process with regard to the liberal agenda that is coming on this floor to try to undermine the defense of this country. The Rules Committee makes those things in order and allows them to come out here and be debated anyhow.

It is the Members who are trying to do something against Communist expansion in the world who are ruled out of order under this process, and there is no open rule where they can stand up and offer their amendments on the floor. So we now have a process that freezes out some Members and says to other Members that they are going to have their rights protected under the rule.

Mr. BADHAM. Mr. Speaker, will the gentleman yield again for just a second?

Mr. WALKER. Yes, I yield briefly to the gentleman from California.

Mr. BADHAM. Mr. Speaker, if we did have the unfortunate aspect here that we did have an open rule on this floor, we would never have a defense bill and this country would not have a defense because of the dilatory tactics, not of the Rules Committee but of the membership of this body.

Mr. WALKER. Mr. Speaker, let me say to the gentleman that I am sure he feels very strongly about the bills that come out of his committee. The fact is, though, the bills that come out of all committees here are coming out under restrictive rules; it is not just Armed Services Committee bills. Virtually every bill that has been brought to the floor this year, except for one, came out here under a closed rule. That is denying the Members of this body the rights they should have under the Constitution to debate fully the bills that are brought to this floor.

The Rules Committee has become a device whereby a handful of Members sit in a room and make a determination about what the Members will consider and what they will not consider. I think that is a bad process, and I think it will undermine the ability of this House to speak on issues in the future just as it is undermining the ability of Members to speak on issues now.

□ 1150

I think the selection of amendments is a very conscious thing. It is meant to protect some philosophies on this floor while denying other philosophies their full right. That is not, in my mind, the way that we ought to proceed.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Missouri.

Mr. EMERSON. I thank the gentleman.

Do I understand that the gentleman from California has been denied the right to offer his amendment as it relates to Japanese sale of equipment to the Soviet Union that has the effect of silencing Soviet submarines?

Mr. WALKER. That is exactly my contention.

Mr. EMERSON. Does the gentleman suggest that perhaps this is a part of the ongoing effort to write arms control policy in supplemental bills and trade bills and Defense authorization bills?

Mr. WALKER. I do not think there is any doubt about that. As I say, there are a few people who seem to get their amendments out here. We had the Dicks amendment out here on the supplemental appropriation made in order by the Rules Committee. Once again, we come back on the defense bill, made in order by the Rules Committee. But when the gentleman from California wants to do something to protect our forces against the silencing of Soviet submarines, well, of course now, we cannot grant a rule like that. That would be just too much for the House to have to do.

We give the Dicks amendment 20 minutes. We are going to have 10 minutes on each side to debate whether or not we ought to comply with the SALT treaty that the Soviets are in total violation of. But we cannot give the House the right to consider the Hunter amendment.

Mr. DERRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, that was a rather interesting argument we just heard on the floor for an open rule. I point out to the gentleman, if we had brought an open rule on the floor, the very amendment tht he wants to be in order would not be in order because it is not germane. The only nongermane amendment that we made in order was by Mr. WELDON, a Republican. All of the rest of them were germane that were made in order.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. I thank the gentleman for yielding me this time.

Mr. Speaker, I can certainly understand the frustration of some of the Members in dealing with this rule. As has been pointed out, it really is not the fault of the Armed Services Committee on which I serve. It is not the fault of the Rules Committee.

As has been pointed out before, by the very nature of the defense authorization bill, it is susceptible to most any amendment that anyone wants to offer to it, if you can craft your language adequately, because most anything can be made germane.

We have seen, in the past 4 years, 75 amendments to 140 amendments to 250 amendments, and this year over 400 amendments were filed. Many of them were duplications of others, but we still had over approximately 250 amendments on different subjects that were filed to be offered to this bill when it came to the floor.

The Rules Committee, in this instance at least, is the traffic cop trying to direct and control the flow of amendments and legislation as it comes to the floor. Quite frankly, the chairman of the Armed Services Committee and I were rather frustrated as to how to deal with this monumental and growing problem.

I joined with the chairman of the full committee last year and again this year in asking for a two-tiered or a truncated rule that would require anybody who wants to file an amendment to file it with the Rules Committee in advance to give us some idea of how many amendments there would be and what subject matters they will be dealing with, so that we can group them together and see how many are duplicative and how many are serious and how many might be frivolous.

The chairman and I worked closely together with the Rules Committee, and we came out with the best we could under the circumstances.

Looking to the future, I do not know what the answer is, although we have discussed it. Perhaps next year the Rules Committee will consider allowing only amendments on the floor of those bills that have been offered to the Armed Services Committee bill in committee. This is a committee process and if a Member does not care enough about the subject matter to come to the committee to offer an amendment, and to let the subcommittees who have jurisdiction give some thought to it, then perhaps should not be allowed to raise the issue on the floor. Perhaps the Rules Committee could make exceptions to allow things that have come up that could not have been anticipated.

I do not know whether this is the way or not, but when you have 400 amendments filed to a bill, and we must get on with the business of the Congress, and we cannot soak up the entire summer dealing with one bill from one committee; we have got to come up with some reasonable, rational rule.

Perhaps what I have just suggested is not the best way, but we have got to come to grips with it.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman.

Mr. Speaker, I guess my concern is, I would say to the gentleman, is that the route that the gentleman just described is exactly the direction that the majority is seeking to go. The more they can confirm the committee process around here, the more they dilute the ability of the minority to have any effect on legislation.

If in fact what you do is you confirm the committee process, you confirm a process where, No. 1, they stack the committees against us; the Rules Committee, where this will be taken is stacked more than 2 to 1 against the minority. You also confirm a process where they use proxy voting in order to pass amendments so that Members do not even have to show up. So, insofar as we confirm that process, we are in fact helping them undermine the ability of the minority to even have a day in court.

It seems to me that that is exactly where they are moving. The more they can institute around here rules that freeze in committee decisions, the better off they are. Then the proxy votes, the ghost votes, count as real votes in the process.

Mr. DICKINSON. I do not differ much with what the gentleman has said. You have touched on some very serious problems with which we must deal. All I can say in response to that is: Do you have a better idea? Do you want to stay here until Labor Day working on one bill, the Defense bill? That is about what we would be faced with if there were not some confining, some parameters to the rule to what may be offered.

We have seen on the floor, when there were no requirements as to the printing or the filing of amendments, where we come on the floor and have 100 amendments pending and we would deal with 15 or 20 during the day, and at the end of the day there would be 130 amendments up there. They breed like rabbits. So you have got to do something.

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 303, nays 108, not voting 22, as follows:

[Roll No. 86]

YEAS—303

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
Badham
Barnard
Bateman
Bates
Beilenson
Bennett
Bereuter
Berman
Bevill
Biaggi
Bilbray
Boehlert
Boland
Boner (TN)
Bonior (MI)
Borski
Bosco
Boucher
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Bruce
Bryant
Buechner
Bustamante
Callahan
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clay
Clinger
Coats
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Courter
Coyne
Crockett
Daniel
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
English
Erdreich
Espy
Evans
Fawell
Fazio
Fish
Flippo
Florio
Foglietta
Ford (MI)
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Holloway
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Ireland
Jeffords
Jenkins
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Lowry (WA)
Lujan
Luken, Thomas
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McGrath
McHugh
McMillen (MD)
Mfume
Miller (CA)
Miller (OH)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Robinson
Rodino
Roe
Roemer
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Sawyer
Saxton
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Sharp
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Sweeney
Swift
Synar
Tallon
Tauzin
Taylor
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vander Jagt
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron

NAYS—108

Archer
Armey
Baker
Ballenger
Bartlett
Barton
Bentley
Bilirakis
Bliley
Brown (CO)
Bunning
Burton
Byron
Chandler
Cheney
Coble
Coleman (MO)
Coughlin
Craig
Crane
Dannemeyer
Daub
Davis (IL)
DeLay
DeWine
Dornan (CA)
Dreier
Emerson
Fields
Gallegly
Gekas
Gingrich
Gregg
Gunderson
Hastert
Hefley
Henry
Hiler
Hopkins
Hunter
Hyde
Inhofe
Jacobs
Johnson (CT)
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Leach (IA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCandless
McCollum
McEwen
McMillan (NC)
Meyers
Michel
Miller (WA)
Moorhead
Morrison (WA)
Myers
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Porter
Ritter
Roberts
Rogers
Roth
Saiki
Schaefer
Sensenbrenner
Shaw
Shumway
Slaughter (VA)
Smith (NE)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Stangeland
Stump
Sundquist
Swindall
Tauke
Thomas (CA)
Upton
Vucanovich
Walker
Weber
Whittaker
Wolf
Young (AK)
Young (FL)

NOT VOTING—22

Annunzio
AuCoin
Boggs
Bonker
Combest
Fascell
Feighan
Flake
Foley
Ford (TN)
Frank
Frenzel
Gephardt
Herger
Kleczka
Lott
McDade
McKinney
Mica
Mrazek
Savage
Valentine

□ 1210

Mr. ARCHER and Mr. BARTLETT changed their votes from "yea" to "nay."

Mr. CROCKETT changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1082

Mr. CROCKETT. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of H.R. 1082.

The SPEAKER pro tempore (Mr. GAY of Illinois). Is there objection to the request of the gentleman from Michigan?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER pro tempore. Pursuant to House Resolution 156 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 1748.

□ 1220

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, May 5, 1987, the amendment in the nature of a substitute, as modified, made in order pursuant to House Resolution 152, had been adopted and is considered as an original text for the purpose of further amendment.

Pursuant to House Resolution 156, said text is considered as having been read for amendment. No further amendments to the bill or to the amendment in the nature of a substitute, as modified, are in order except the amendments designated in House Report 100-82, or as subsequently determined by the House. Said amendments shall be considered and debated only in the order and in the manner specified and shall be considered as having been read when offered.

It is now in order for the gentleman from Alabama [Mr. DICKINSON] or his designee, to offer an amendment contained in House Report 100-82, which is not subject to amendment or to a demand for a division of the question.

□ 1220

AMENDMENT OFFERED BY MR. DICKINSON

Mr. DICKINSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DICKINSON: Page 2, after line 8, add the following new section:

SEC. 3. TOTAL AUTHORIZATION FOR NATIONAL DEFENSE FUNCTIONS FOR FISCAL YEAR 1988.

The sum of $13,400,000,000 is hereby authorized to be appropriated for fiscal year 1988 for national defense functions of the Department of Defense and related agencies. Such sum is in addition to the amounts otherwise authorized to be appropriated by this or any other Act for national defense functions of the Department of Defense and related agencies and, together with such authorizations, provides a total authorization for national defense functions of the Government for fiscal year 1988 of $302,000,000,000 constituting zero growth (adjusted for inflation) in the amount provided for such functions for fiscal year 1987.

The CHAIRMAN. Under the rule, the gentleman from Alabama [Mr. DICKINSON] will be recognized for 30 minutes and a Member opposed will be recognized for 30 minutes.

Does the gentleman from Wisconsin [Mr. ASPIN] oppose the amendment?

Mr. ASPIN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin [Mr. ASPIN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. I thank the Chairman.

Mr. Chairman, I have an amendment which I offer at the present time to increase defense spending to a level that freezes last year's spending level, so that we can have a zero real growth compared to last year's spending level. My amendment is for $302 billion, which is last year's spending level, plus inflation of approximately 3 percent.

Mr. Chairman, I think there is a perception on the part of many people, perhaps the majority of people in the country, that the big bucks of all Federal spending are in defense, and if we are going to balance the budget, if we are to overcome the deficit, the place to take it is out of defense. I want you to know—and I would hope that the American people would get this message because it is very true—nothing could be further from the fact. As a matter of fact, when Mr. Kennedy was President of the United States we were spending some 46 percent of the total national budget on defense and some 26 percent on social programs. Today that is completely turned around. We are spending less than 30 percent on defense and well over 45 percent on social programs.

Based on figures that were given to me today by the Comptroller of the Department of Defense, the President's budget, as he submitted it to the Congress, asks for expenditures for defense amounting to 27.3 percent of the total Federal budget in budget authority. My amendment, which would carry it back up to last year's spending level, asks for 26 percent of the Federal budget to go for defense, 26 percent.

We have a strange attitude here in the House that has been manifested in the budget process. The Committee on the Budget has felt constrained to balance the budget, to reduce spending, by taking 50 percent out of defense and 50 percent out of nondefense spending. This is certainly a disproportionate cut for defense, because it is the repsonsibility of the Congress to provide for the common defense of this country. We are not meeting our responsibilities if we do not provide an adequate defense, and I submit to you, Mr. Chairman, that 26 percent is not spending too much for the defense of this country, when it will safeguard all the rights and privileges and freedoms that we cherish. We want to make sure that we continue to protect these freedoms, whether it be education, whether it be the right to assemble to speak our minds, to build public buildings, Medicare, Medicaid, all these things. The first prerequisite for these freedoms is an adequate defense. So what we are asking for, is to restore the spending level to last year's spending level and freeze it at that point, $302 billion.

It is interesting that the Senate, according to today's newspaper, has already done what my amendment proposes. Senator NUNN supported $303 billion in spending for the Senate; yet, yesterday—by an amendment offered by the chairman of our committee—we reduced our defense spending by almost $25 billion from the President's request.

There is another important aspect of this vote that I would like to emphasize. We had a healthy vote yesterday to roll back spending to the budget level of $288 billion. Yet, Mr. Chairman, we have a long list of amendments to add programs that will be offered by Members if they are filed, and I presume that they will be offered. These proposed adds include such items as a $74 million add-on for a Sidewinder missile; adding money back for homeporting in Everett, WA; $18 million for forklift trucks; $11 million for military construction at the Military Academy; $3 million for Eglin Air Force Base; $30 million for Special Operations Forces; $7.5 million for Lake Charles; and on and on.

But the point is that most of the people who are going to ask for add-ons are the same people that voted yesterday to cut defense spending to the bone, to $288 billion. Well, you cannot have it both ways. Either you are going to cut it back and not ask for add-ons or if you want some flexibility, if you want some ability to add what is not already in there, then you have got to raise the ceiling, and that is simply what I am doing here. I am not asking that specific items be added, simply that we peg the spending level at last year's spending level, zero growth, which is the same as the Senate has just done, to give us some flexibility to add those things that we think are very vital to the defense of this country.

As I point out, defense has a very small fraction of the total Federal budget. Most people think that half of all Federal spending goes into defense. If we approve my amendment and get back to last year's spending level, it will still be at 26 percent of all Federal spending. Social programs run well above the 40-percent level.

Also, today, following this amendment we will have 1 hour of general debate on SALT II. This is a very important amendment and I hope that Members will stay, listen to it, and participate in it.

Following that also we will have debate on the ABM Treaty. Again, this is a policy issue that concerns our overall policy and properly should not be a part of the defense bill, but it is.

Following that, there will be an amendment to delete two nuclear carriers. The point that is so important to make here, though, is that if you want to add something, if you want to increase some spending in your district for an airfield, for a steamplant, for weapons or for whatever, you have got to get above the ceiling that was set yesterday.

I am simply offering an opportunity to the Members here to get on record in support of defense, get on record as spending a reasonable amount of money—26.4 percent of the total Federal budget. This is not excessive, in the opinion of the majority of the members on the committee who have heard witnesses and who have sat through hours and hours of witnesses and testimony.

What we are asking for is a reasonable figure to insure the strength of this country, to defend itself against all enemies. I think it is reasonable. I think the majority will support it if they understand it.

Mr. Chairman, I reserve the balance of my time.

Mr. ASPIN. Mr. Chairman, let me, if I may, engage in a colloquy with the gentleman from Alabama so that we would know a little bit about his amendment.

We did, of course, have the debate yesterday and vote yesterday on the issue of how much we ought to spend for defense—and we had a bill that was reported out of the Committee on Armed Services which was a little under $306 billion which I take it to be the sentiment of the Committee on Armed Services as to what we really ought to spend on defense.

□ 1230

But it ran up against the realities of the budget resolution, which allows us something a little less than $289 billion for defense. So we had a vote yesterday on the issue of whether we ought to follow our heart or whether we ought to follow our minds; whether we follow what we really want to do or whether we follow what the Committee on the Budget—we all voted for that budget resolution—or the budget resolution passed—whether we are going to vote for a number that is consistent with the budget resolution.

I am not sure in what way his issue is different from the issue on which we voted on yesterday except the gentleman's amendment has a little bit different dollar figure, but it runs up against the same problem that we had yesterday, which is, in essence, that our budget resolution that the Congress adopted just a couple weeks ago does not allow this amount of money for defense.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, as was said yesterday and as the chairman agreed, we are not bound in an authorizing bill to conform to the budget amendment. It was desirable on the part of the chairman that we do this, but we are not legally bound. The Committee on Appropriations is, but we voted what we thought was necessary for defense.

Yesterday, we had an exercise here and the chairman succeeded in slashing back almost $25 billion out of the total defense request, some $17 billion out of what our committee said was necessary. I have a chart here that was prepared by the Comptroller of the Department of Defense that shows that we have had negative spending going through most of the seventies. That is below the line in red.

We have had a very few years of positive spending, but this year will be the third year that we will have negative spending.

The chairman said yesterday, and I agree, that we can afford 1 year of negative spending; we can afford 2 years, perhaps. Can we afford 3 years or 4 years? At some point, it has to stop because we are playing catchup now, having started under the Reagan administration with relatively large spending figures.

We are going into the third year of negative spending. We are just about caught up on our spares and parts, but we are really cutting into the bone and muscle.

We know now what the other body has done. They do not feel constrained to go through this same—I do not say "charade," but the same exercise that we do here.

What this committee should do is simply authorize the spending up to this level. If you do not want to put it in line-item accounts, fine, but at least let us get on record as saying we believe in this, we need it.

Mr. ASPIN. Mr. Chairman, reclaiming my time——

Mr. DICKINSON. I thought it was my time. Are we going to use your time?

Mr. ASPIN. Mr. Chairman, whose time are we using here in this colloquy?

The **CHAIRMAN** pro tempore (Mr. RUSSO). The time of the gentleman from Wisconsin [Mr. ASPIN] is the time that we are using.

Mr. ASPIN. Mr. Chairman, let me, then, just ask the gentleman, the problem is that I understand the arguments that the gentleman is making, and I would like to tell the gentleman in the well that the gentleman from Wisconsin is not unsympathetic with the arguments that the gentleman is making.

Mr. DICKINSON. But you are uncooperative.

Mr. ASPIN. The gentleman from Wisconsin believes that the House of Representatives, having passed a budget resolution that says only $289 billion for defense, that we ought to therefore vote for a defense bill which is consistent with the budget resolution. That is all I am saying.

The arguments that the gentleman is making about the fact that we do not have to follow with the authorization bill; that is true, but that was true of the vote we had yesterday. In other words, I do not think that the vote we have today is any different than the vote we had yesterday, which was, do we vote for what we would like to spend on defense or do we vote the number on defense which is consistent with the budget resolution and all the other efforts to bring down the deficit?

That is the problem.

Mr. DICKINSON. If the gentleman will yield further on that point, you and I both know, to moral certainty, that the 288 figure we voted yesterday is not going to be the final figure. They are going to negotiate.

It is going to increase.

Mr. ASPIN. I agree. I think that the evidence of what is happening over in the other body, which is that, apparently, in their budget resolution, they raised defense yesterday, according to this morning's newspapers I read. They have raised their number. I would expect that the Senate Committee on Armed Services will produce a budget over there which is consistent with their budget resolution. It looks like that is going to be higher than our budget resolution and, therefore, higher than our number. So I would tell the gentleman in the well, it looks like we are going to have the opportunity to go up a little bit in conference.

I think that is fine. I am glad we are going to have the opportunity to go up a little bit in conference, but I think it would be totally inappropriate for this House, having voted just a couple of weeks ago for a budget resolution that says no more than $289 billion in defense to then pass a defense authorization bill which is anything but consistent with that budget resolution.

Mr. DICKINSON. As we both agree, we are not bound by it; we know it is not going to be the final figure, and why we would abrogate our responsibility and say we will just let the other body do it and we will just drag our feet—and I think there is one other thing that the gentleman would agree to that I said earlier, these people—and we have a line of them, they are queued up with all the little amendments in their hands coming in wanting to add to this bill. Well, there are not any adds to this bill unless you can find some offsets, and they are not offering offsets.

So everybody comes in with a pet rock; they want to build a runway; they want to build a steam plant; they want to add this weapon system built in their districts. There are not any adds if you cannot find the money, so they vote to cut to the bone and then they want to come back and say, "This is different because it is made in my district."

That is sort of the height of hypocrisy. If you are going to support the spending and allow us to spend what we need, at least do not cut the legs off from under us.

Mr. ASPIN. I agree.

Mr. Chairman, I yield to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, does the gentleman not believe that the members on his very distinguished committee are more knowledgeable, in terms of what is needed in defense in this crucial year of 1987, than the members of the Committee on the Budget? They are not experts, and yet, we are allowing them to mark the level of the protection in defense that we are actually going to be allowed to spend.

Mr. ASPIN. I agree, but I would point out that the gentleman from New York voted for the budget resolution when it was on the floor, which mandated $238 billion for defense.

Now, when the gentleman voted for the budget resolution, we are now stuck with it. If the gentleman did not like that number, why did he vote for the budget resolution?

Mr. STRATTON. There was an indication on the floor when the Committee on the Budget was around, when their bill was on the floor, that a deal had been made with the Committee on Appropriations to come up with some particular higher figure with the other body in conference.

Mr. ASPIN. In conference. I still think that is true and, of course, if they come up with a higher figure in conference, we will come up with a higher figure in our conference and we will report out, I would say to the Congress and to all the Members here present, that it is my expectation that the number that we bring back from conference will be consistent with what the Committee on the Budget brings back from conference and says we should spend on defense.

If the Committee on the Budget in conference raises the number, we are perfectly justified in our conference to raise the numbers.

Mr. STRATTON. Does the gentleman not agree that it is very likely that the conference agreement with the Committee on Appropriations will take place before our conference authorization is completed?

Mr. ASPIN. Not this year; that is one of the things why we are up here so early and hope to get our bill passed here early, if we can ever get our bill passed, looking at the schedule. I would hope that we get our bill passed in the next week or so and then we would be ready to go to conference and hope they have a conference nice and early this year.

Mrs. JOHNSON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I would just like to put on the record, and I think it is important in terms of the preceding discussion, that the Committee on the Budget never did debate the bottom line of the defense budget except in the context of the bottom line of the budget resolution as a whole.

□ 1240

So in fact you are in a position to make a much more substantive and responsible judgment as to what we need to spend to defend our interests than was the Budget Committee. Had the Budget Committee chosen a different process, then our figure would have more standing in this debate. But I think it is significant that both in your own committee process and in the Senate, a higher figure was agreed as being essential to protect our national interests and to insure the defense of the Nation.

I certainly am going to support this amendment because your committee has done the responsible work, and as a member of the Budget Committee, I regret to say that we did not debate the issue of the defense number in the context of the needs of our Nation's defense structure or our long-term defense interests in the international community.

I feel completely comfortable in supporting the amendment offered by the gentleman from Alabama [Mr. DICKINSON] and I would be very disappointed if out of the conference came a figure that reflects the House Budget Committee's resolution figure because we did not consider the needs of the defense of the Nation in that resolution. And it is, consequently, meaningless.

Mr. ASPIN. Mr. Chairman, the problem is that this kind of a debate should have been had when the budget resolution was on the floor, not when the defense authorization bill is on the floor. The time to make these points and argue how much we need for defense is at the point when we are considering the budget resolution, not at this time.

Let me point out to the gentlewoman from Connecticut that if the first bill that comes to the floor after the budget resolution is defense and you blow by the number in the budget resolution for defense, hold on to your hats for what is going to happen with every other bill that comes up. How are we going to argue to all the other committees in the Congress that they have to stay within the budget resolution when they have great needs? Not only our committee has a long list of unmet needs because we are short of funds, but every committee in the Congress is going to have a long list of needs that they cannot fund because of the number contained in the budget resolution.

Let me ask the gentlewoman from Connecticut, how are we going to keep within the budget resolution, which was just adopted 2 weeks ago, if the first bill we bring up is defense and we go by the defense number by about $13 billion, as the gentleman from Alabama is suggesting? That means the end of this year's budget, and I am sure the gentlewoman from Connecticut would not want all committees to come forward and be spending what they think they should and advocating what they think they should spend. If that happened, we would have a deficit twice what we have now.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I appreciate the gentleman's comment, and it has significance. However, what we are doing here today is evidence of how totally bankrupt is our budget process, how totally it is failing the Nation. We do not, as we stand here and debate this legislation, have a budget resolution; we have a House-passed resolution and we will eventually have a Senate-passed resolution and ultimately a compressed budget resolution to guide our work at this time. We do not have an agreed-to resolution that we know we need to comply with. In fact, we know that the resolution we are going to have is going to be higher than the House-passed resolution. Consequently, the responsible action is to take that into consideration; pass it with the Armed Services Committee's knowledge of our defense requirements as you have acknowledged them, and move forward.

Mr. ASPIN. Mr. Chairman, let me point out to the gentlewoman how we have usually done this process. What happens is that we get a budget resolution passed in the House, but we do not have a conference on the budget by the time we bring the defense bill to the floor, so we make the House defense bill consistent with the House position on the budget resolution.

The Senate does the same. The Senate will pass a budget resolution, and then the defense bill will go to the floor, and then the defense number over in the Senate will be consistent with their budget resolution. Then both of the Houses meet in conference, and the number comes out somewhere in between. So we try to figure out where the budget resolution is going to come out in conference, and we come out in roughly the same place in conference, or somewhere in between.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I appreciate the comments of the gentleman from Wisconsin, and that is in truth how it has happened, but that does not address the issue today, and it is not the way it ought to happen or the way that serves the interests of the Nation. I recall the comment of the gentleman from Alabama [Mr. DICKINSON] earlier in this debate that when we do it that way and we allow the add-backs to take place in conference, more often than not the add-backs that take place reflect parochial interests and not national interests.

One of the reasons that I am not following the voting pattern that I have followed in the past, that of voting for the lowest resolution and going into conference and compromising, is because I am dissatisfied with the conference committee's compromises, because the add-backs do not reflect national interests but parochial interests. I am going to vote for what I know reflects most closely the gentleman's thinking and the thinking of the Armed Services Committee and I believe that best serves my constituents and our Nation.

Mr. ASPIN. Mr. Chairman, let me explain to gentlewoman that I have some sympathy with the problem that we are making add-backs, but we are not talking about some figure that is enormous in a $300 billion budget. We will move this one probably in conference from about $289 billion to maybe $295 billion. We will add maybe $6 billion. That is not a major change from the budget we are going to pass. You can vote on this year's budget, knowing that you have covered the great majority of the budget.

Let me also point out that if the gentlewoman thinks it would help by getting a budget resolution earlier in the process, she could not have a stronger supporter of that concept than the gentleman from Wisconsin. The gentlewoman is on the Budget Committee, and I hope she will use all of her efforts to get the whole process out here, and then we would not have this problem.

Mr. RAY. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. Mr. Chairman, will the gentleman yield? Or would the gentleman prefer that I use some of my time now?

Mr. ASPIN. Let me yield to the gentleman from Georgia first, and then the gentleman can take some time.

Mr. RAY. Mr. Chairman, I have just a short colloquy.

If the Dickinson amendment should prevail and we would increase the budget to about $302 billion or $303 billion, does that not open the door for cuts across the board?

Mr. ASPIN. Absolutely.

Mr. RAY. This body has not always voted strongly prodefense, and it would appear to me that the strategy is to come in at the budget figure and to control the budget as we have crafted it. As the gentleman from New York [Mr. STRATTON] has said, we are the experts supposedly, and we know what we are doing. We have put into this budget the appropriate military construction that we can afford, the appropriate procurement, and so forth, and if we change this figure now, we are opening the door for a slashing that we have no control over; is that correct?

Mr. ASPIN. Mr. Chairman, I think the gentleman from Georgia is absolutely correct.

We have not talked about this before, I would point out to the gentleman from Georgia and also to the gentlewoman from Connecticut. The problem with this amendment is that it adds budget authority, but it does not say where. So if the gentlewoman from Connecticut is concerned about parochial interests being put into the defense budget, what more parochial interests can we have than opening this up? Let us say we have $13 billion more in budget authority, but we do not know where it comes. That is just going to invite a whole bunch of amendments from Members lining up at the door wanting to decide how we can spend that $13 billion. We will find ways to spend it, and let me say that if the gentleman from Connecticut is worrying about parochial interests, wait and see what kind of parochial interests come forward to soak up that $13 billion that the gentleman wants to put in.

The CHAIRMAN pro tempore (Mr. RUSSO). The Chair would advise the gentleman from Wisconsin [Mr. ASPIN] that the gentleman from Wisconsin has used 18 minutes of his 30 minutes. The gentleman from Alabama [Mr. DICKINSON] has used 8 minutes of his 30 minutes.

Mr. ASPIN. Mr. Chairman, I would like to continue to yield to the gentleman from Georgia [Mr. RAY] and then I will let the gentleman from Alabama use some of his time.

Mr. RAY. Mr. Chairman, I would like to proceed for just 1 additional minute, and I thank the gentleman from Wisconsin for yielding.

What the gentleman is saying is that we invite ourselves to have particles of every program slashed, particles of military construction that are in place right now, particles of the *Sea Wolf* submarine knocked out, and particles of the carrier forces knocked out, so we are safer and we are more in control, since our staff has crafted this very fragile situation, which we have a chance of increasing once we get into conference but which we have a chance of decimating if the Dickinson amendment passes.

Mr. ASPIN. Mr. Chairman, I believe the gentleman from Georgia is absolutely correct.

If we go to this number, we are just going to get amendments at the end of the bill to take percentage reductions, and it is the worst kind of way to cut that I can think of, as the gentleman from Georgia has pointed out.

Mr. RAY. Finally, Mr. Chairman, I would like to say that I am strongly prodefense, as I know all my colleagues are over here, and we are all looking for a chance to win and not to lose in the process.

Mr. ASPIN. Mr. Chairman, I thank the gentleman from Georgia, and I reserve the balance of my time.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

I would just like to respond briefly before yielding to the gentleman from California. It has been pointed out that if we do not do this and meet the budget figure, then something dire is going to happen. I really do not know how many committees meet the budget figure now. I know that the Armed Services Committee is always under a lightning rod, while other committees overspend and go over the budget figure with impunity, and nobody seems too uptight about that.

There is nothing that would prohibit anybody from offering an across-the-board amendment even now, however much we cut it or increase it. As long as we do it responsibly and we add back those things that are justified, with Members on the floor by a majority voting and saying, yes, we want those add-backs, I do not see any rationale for saying that after having gone through all this process of adding back, then we are going to take a sweeping across-the-board cut.

I do not believe that is going to happen, and I am willing to take my chances with it.

I want to have the attention of the committee chairman now because I know he agrees with me on this. This is the worst possible way of doing business, in that we cut below what we know is going to be the final figure, and then when that figure is raised subsequently by the Budget Committee or in conference with the Senate, then there are add-backs.

□ 1250

Well, how will they add it back? They add it back in conference. That is when the House Members and the Senate Members in conference, they all reach in their back pockets and pull out their pet rocks and they start adding back for parochial interests and not national interests.

Would the gentleman like to quarrel with that statement?

Mr. ASPIN. Mr. Chairman, if the gentleman will yield, no, I think there is some truth to that fact; that point that the gentleman is making. I would count on the gentleman to stand firm with me that the only add-back we will put in is for the national interest.

Mr. DICKINSON. We will try, but if we are going to do it, let us do it by action on the floor and not a few people getting in a smoke-filled room up there in the dome of the Capitol when we go to conference and cutting deals and saying, "Well, I need this in my district and you need that so you support me and I will support you."

That is the worst way to do it and we have seen it happen before and I want to avoid it if possible. If the floor itself will add these amendments then we cut this out.

Mr. ASPIN. If the gentleman will yield, the gentleman from Alabama knows that the floor is not going to add anything other than pet rocks. If the gentleman puts in an amendment that says we have got another $13 billion out there in budget authority, guys, but your amendment does not say what we are spending that extra $13 billion on.

That says to everybody in this place, "Hey, there is $13 billion out there; go over there and come in with every request that you want." We are opening the door for 13 billion dollars' worth of pet rocks if we pass your amendment.

Mr. DICKINSON. No, because we know what some of these things are that they are going to be adding and we know that some of these things are good. The gentleman has a proposed amendment adding back some very essential things in our conventional weaponry that are needed, but we have got to have room to add them because we have been denied when we cut to that low ceiling.

Mr. ASPIN. I think I can have some amendments later in the process.

Mr. DICKINSON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. I thank the gentleman for yielding me this time.

I commend the gentleman, the ranking minority member, the vice chairman of the full Committee on Armed Services, for bringing this amendment up at this time. He is giving this body a chance to do what we started out to do: Provide for the defense of this country. Yesterday, we adopted the draconian Aspin amendment which puts defense down to the figure that our budget committee, not "the" Budget, our budget committee, would recommend to cut the defense of this country below real need.

Mr. DICKINSON today is giving us an opportunity to go back now to that realistic figure where we can take the high ground. Go back, if you will, raise the expenditures for defense authorization to a freeze. Now that freeze, Mr. Chairman, is several billions of dollars lower than the budget 3 years ago, 2 years ago, and the current year. Substantially lower.

I would just like to point out those kinds of things that will happen if we do not accept the Dickinson amendment to authorize up to a freeze, which is below what we have spent in the past 3 years.

First of all, you will notice the dark areas on the bottom of the graph. The biggest one, Mr. Chairman, is personnel costs. That is active and retired military personnel; 60 percent of the defense dollar goes to that. That is not going to go down unless and until we cut troop strength. Let me remind you, where are we going to cut? Take troops out of Europe? Are we going to take troops out of Korea? No. Are we going to take troops out of other parts of the world that we have the obligation to defend by our own responsibilities? No.

Is research and development going to be reduced? Probably not because we will not be able to provide for a high-tech future for our military which is the only thing today that keeps us in the lead. Where will we take it out of? Operation and maintenance? Will we take it out of military construction that houses our troops? Probably not.

So if we were to go ahead on the projections, the top line as opposed to the bottom line, in this graph, it demonstrates that the top line shows the projections if we keep on just doing what we are doing. But we have not, even for the past 3 years, been able to do that.

Absent the Dickinson amendment, let me show you what happens next. Personnel costs stay the same; R&D stays the same; operation and maintenance stays the same. What gets cut? Procurement if we are going to levelize our dollars. Today's projection shows that we are some $40 billion below what normal projections showed just 3 or 4 years ago. Forty billions of dollars below that.

When we come to this point: the three curved lines below the top line, one that shows procurement about a level basis is a 3-percent real growth. We are not going to have that. A 2-percent was proposed by the Senate. A 1-percent was proposed by this House in the original bill.

The Dickinson, holding in a freeze, will cut procurement dollars to zero in just a few years. No new procurement. Procurement dollars go to zero without cutting troop strength.

Mr. Chairman, the simple fact remains that we are going to provide as the Constitution requires for the authorization to provide for the common defense of this country. I think it is essential to this House to take the responsibility that we have been given and demonstrate that we can take the high ground by defending our country. By doing it even at zero growth until that day comes, and it will surely come soon, where we start cutting troop strength. I would ask anyone here to tell me where troop strength will be cut.

Mr. RAY. Mr. Chairman, I reserve the balance of my time.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. MARTIN].

Mr. MARTIN of New York. I thank the gentleman for yielding me this time.

Mr. Chairman, I wanted to thank the ranking member for this chart that he has provided and also for the copy that he has provided as a handout to all of us. I have superimposed somewhat of a sine curve here on the gentleman's display. I would suggest that no matter what business you are running anywhere in the world, this makes any kind of rational planning impossible. It is particularly onerous this year as we are talking about another deep cut.

I want to point out one practical matter relating to all of this. It seems to me that we are putting this House at a severe disadvantage if we do not vote for the Dickinson substitute. Unless we pass Dickinson, what we are doing is putting the House appropriations process in a straitjacket by giving them the opportunity to only mark the Aspin figure knowing full well that the other body is going to mark to the higher and more realistic figure both in their authorization and appropriations committees. What we are doing is sending our Members into the conference with one hand tied behind their backs. Rather than being a bicameral legislature, for the most part we are going to have to march to the tune of the other body and I think that is very unfortunate.

I support the Dickinson amendment and ask us to freeze at last last year's level.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. KYL].

Mr. KYL. I thank the gentleman for yielding me this time.

Mr. Chairman, I regret that the chairman of the Armed Services Committee is not on the floor at the moment because I would like to address my remarks to the points that he was trying to make a little bit earlier.

I also regret that he was not here for the general debate on Monday, because I took some pleasure in quoting extensively from remarks which he had made which he himself acknowledged demonstrated that an attempt to reach the budget resolution figure of $188 billion was irresponsible, and that it could only be achieved with the use of smoke and mirrors. I am now using his language; not mine.

He acknowledged that fact. As a result, one of the things that he had to do that the Dickinson amendment would not do is to, for example, take the last 10 days of spending in the fiscal year and simply not pay those bills; 4.7 billion dollars' worth, thereby making a savings of $4.7 billion that is not a savings at all. That is the only way that you can achieve this figure. So that is point No. 1. It is not responsible, and the chairman himself has acknowledged that.

Second, there has been a great deal of attention paid to complying with the budget resolution. Is it a document worth complying with? If it were, then it would make some sense to try to comply.

But, as the gentlewoman from Connecticut earlier pointed out, there is nothing in the budget resolution that backs up the defense figure.

□ 1300

Where is the backup for a good defense figure? It occurred in the Armed Services Subcommittee and ultimately in the Armed Services Committee itself. After all the debate—and we agreed on some things and disagreed on some things—there was a pretty responsible figure developed of almost $306 billion; $305.7 billion. This was not a bad figure—$6 billion below what the administration had requested, but a responsible number.

The amendment of the gentleman from Alabama [Mr. DICKINSON] would cut that down another $3 billion, but at least it has some backup to it.

What we are asked to do to conform to the budget resolution is purely artificial, purely arbitrary, and in the chairman's own words, irresponsible.

As a freshman Member who has to go back home and explain this process to his constituents, I cannot do it. I do not understand the process whereby we are asked to meet the defense needs of this country through an arbitrary, artificial, and irresponsible process. What ought to be paramount in our minds—to meet the defense needs of our country or to leave it to the other body or do some negotiating in the conference? This takes away the authority of the Members of this body. It takes away our ability to try to acheive a number that we can back up because it is what is needed for the defense of the country.

Mr. Chairman, I urge my colleagues to try to give some thought to this process, to come up with a reasonable number. That number is embodied in the amendment of the gentleman from Alabama [Mr. DICKINSON]. It cannot be called unreasonable to have a zero percent growth over last year, after 2 years of negative growth. It cannot be called unreasonable.

Mr. Chairman, I would urge my colleagues to support the amendment of the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the very distinguished gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Chairman, I thank the gentleman for yielding this time.

Mr. Chairman, I just want to take a moment to follow up on something that the gentleman from New York said. It kind of deals with the fact that we are missing reality. The reality is that we are not going to really be at $288 or $289 billion. The reality is that we are miles away from what the Senate figure is probably going to be. The reality is that the appropriation process, the amendment process, the conference process, all those things are going to bring the numbers up to $302 billion.

We have a decision to make in the Armed Services Committee and even in this House. We can sit back and let all those things occur and get up to the number that we really know is going to be the defense figure, or we can get involved now.

I think and I know from all the hearings and the testimony and all the debate that took place in all the subcommittees, there were a lot of tough choices made. We made an early decision that we were going to demonstrate to the rest of the House, we were going to demonstrate to the American people, that we felt the threat was x amount of dollars, and the gentleman from California [Mr. DELLUMS] has made reference to this in the past few days and probably will in the next few days.

We met that challenge. We came up with those numbers and then we decided, well, if the Budget Committee dreamed up a number, and I have yet to hear anybody tell me or anybody in this House where the $289 figure came from. It seems to be a magic number pulled out. I know there were no discussions, no hearings on any testimony within the Budget Committee to justify that number, but it was a number that someone brought up and we arbitrarily stand back and say, well, that is a number that the Budget Committee brought up, therefore we must follow it.

We know that reality is in the not too distant future that the Senate is going to be around $302 billion. We know that all the other processes that are going to take place are going to bring us up to $302 billion. So why do we not do just that? Why do we not have some control? Why do we not have the continued input that we have had over the past several months?

I think it is the responsibility that we need to follow up on. I think we are fooling ourselves if we believe it is not going to happen.

So, Mr. Chairman, I would implore all of us to support a very modest, a very reasonable figure, $302 billion, as the gentleman from Alabama [Mr. DICKINSON] proposes. I think we can all justify those numbers. I think we can justify the process and I think we can justify the action we are going to take.

The Aspin substitute as it stands is phony. We know that those numbers are not real. It was brought out yesterday that some $4.7 billion are merely going to be delayed until the following year, so we are fooling ourselves. We are fooling the American people and I do not think we are taking on our responsibilities.

Mr. RAY. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I appreciate my distinguished colleague from Georgia yielding a few minutes to me and to give me the opportunity to speak very reluctantly against this amendment that has been offered by my good friend, the ranking minority member from Alabama.

I want to say at the outset that I support the general proposition that the gentleman is trying to make here. I completely understand the reasons for making this amendment; however, unfortunately, we do not have the money and the Committee on the Budget has already set the actual figure at $288 billion; so I think, Mr. Chairman, it would not be prudent and it would not be wise for us to exceed the limitations under which we are already set.

I think we certainly ought to have 3 percent real growth every year. We debated this issue to a certain extent yesterday and it seems like we are revisiting this issue over and over again. I think we have already decided this issue and I think we need to get down to the main part of the bill.

Mr. Chairman, I grew up in a little small town, named Sparta, GA. We had a small football team. We had a lot more spirit than most; however, we always ended up getting beat. We were small, but we were feisty. Our favorite cheer was, "We're from Sparta, couldn't be prouder. It you can't hear us, we'll yell a little louder."

Well, it seems like we are found in this situation here today as we go from this amendment again. It seems like the people making the amendment are saying that we from the Armed Services Committee "couldn't be prouder, if you can't hear us, we'll yell a little louder."

Well, the problem is this. It is time to put our pride aside, though, and it is time to realize that we do have constraints. We do have a budget crunch in this country.

I would love to be able to vote for the $312 billion, not $302 billion, as this amendment proposes; but the truth is that we have got to have fiscal conservancy and responsibility at every stage of the budget process.

I wish we had the luxury of voting for $312 billion, not just $302 billion; but we have got to play it by the rules and we have got to have a realistic figure here.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The time of the gentleman from Georgia has expired.

Mr. RAY. Mr. Chairman, I yield 1 additional minute to the gentleman.

Mr. DARDEN. Mr. Chairman, I would like to say in conclusion that I want to again remind my colleagues, if the Armed Services Committee is to remain a viable committee and if we are to set the defense policy for this Congress, we need to make these tough, hard, real decisions, rather than walking away, authorizing all these programs and giving the Appropriations Committee the authority to decide what programs they will veto and what they will not.

I sincerely feel, Mr. Chairman, if we do authorize a higher figure than the Budget Committee, what we are doing is giving our brothers over in the Appropriations Committee veto power over those programs that they do not want and we in effect will not be setting the defense policy in the Armed Services Committee. It will be set in the Appropriations Committee.

So for that reason I very reluctantly, but very strongly oppose the amendment of my distinguished colleague from Alabama.

Mr. DICKINSON. Mr. Chairman, I want to say that I appreciate the remarks of the gentleman from Georgia who just spoke. He has his feet planted firmly on both sides of the issue. I thank the gentleman.

Mr. Chairman, I yield 3 minutes to the gentlemen from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, on January 6 we all stood in this Chamber and we pledged to protect and defend the Constitution of the United States. That Constitution reads, "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense"—now, I do not pretend to be an expert in defense matters. I look to the chairman of the Armed Services Committee and I look to the ranking member, the very able gentleman from Wisconsin and the gentleman from Alabama.

When I see the statements from those gentlemen saying that we need as a minimum $305 billion in budget authority for defense, and the Dickinson amendment which is $3 billion less than that $305 billion minimum, which is $10 billion less than the President's request for fiscal year 1988, whch is $18 billion less than what his request was for fiscal year 1987 and which is $40 billion less than his request for 1988 in his 1987 budget, I have to think twice about that Constitution and what we are all sent here to protect and defend.

□ 1310

You know the defense numbers as illustrated in this chart show in essence a 6-percent reduction in real growth the last 2 years. If the Dickinson amendment is not enacted, we will see a 4.8-percent reduction in fiscal year 1988, and I do not find that to be in line with our constitutional duty.

You know, it is pretty interesting. We hear this argument on $289 and how it is in the budget resolution, a budget resolution that has yet to come back as part of the conference agreement. It will be mighty interesting to see how many Members of this body decide to walk the plank and also vote in favor of every other function with regard to what came out in the budget resolution as passed by the House.

I urge my colleagues to support the Dickinson amendment. It is fiscally sound and it certainly provides for the common defense of our country.

Mr. RAY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DELLUMS], the distinguished chairman of the Subcommittee on Military Installations and Facilities.

Mr. DELLUMS. I thank the gentleman for yielding time to me.

Mr. Chairman, I would simply like to make a few observations, as I have tried to listen with rapt attention to the debate that has gone forward.

First of all, we come together against a backdrop of several realities. First, there is a budget deficit in this country, so there is the politics of the deficit reductions that we must address. I might say to some of my colleagues who are freshmen Members of Congress that they were not here when my colleagues decided in their moment of courage and gallant behavior to attempt to address the politics of the deficit by embracing a law that is now referred to as Gramm-Rudman.

I did not support Gramm-Rudman, on the grounds that I believed that it was a mindless approach to budgeting, it lacked accountability, it lacked integrity, and it lacked compassion. Nevertheless, my colleagues decided that they wanted to hide behind a formula to address the problems of the deficit so that everyone could go home and in effect say, "It wasn't my fault; Gramm-Rudman did it."

Now, if indeed the Congressional Budget Office's projections are correct, and the budget deficit for this year will be $171 billion, and Gramm-Rudman requires us to reduce the deficit to $108 billion, understand what that means. It means that we are going to have to cut somewhere in the neighborhood of $64 to $74 billion. But no one in this body or the other body truly wants to address that reality.

If we seriously came to grips with that, we would not be talking about reducing the overall authority by $23.3 billion in the Department of Defense authorization, we would be reducing it by $32.5 billion, because I do not see any rush to judgment to raise taxes in this country, and remember, if you do not raise taxes, you do not deal with Social Security, you pay the interest on the national debt, and you freeze the military budget, the rest of the cuts have to come out of 17 percent of the remaining budget, because you have just taken 83 percent of the budget off of the table.

So the reality is that there is a deficit.

Now, how do we deal with that in the confines of the budget process? All of us come together across the various committees to determine how we are going to prioritize the programs that we must go forward with, given the realities of the politics of deficit reduction. So the Budget Committee did that. Right or wrong, that is what we do. It seems to me that the most important activity that we engage in each year is to establish the budget priorities.

I serve on the Armed Services Committee and I continue to sing the same song. We are not debating policy in the Armed Services Committee. We know that. We are not doing it. We are talking about weapons systems and how many bullets and how many bombs and how many tanks and what ships get deployed in what place. But we do not talk about policy, Mr. Chairman. I have always said, "Let's spend what's necessary on defense, but let's have an honest and open debate on what is indeed necessary."

What the politics of the deficit reduction require us to do, what budget constraints require us to do, is what I have been asking us to do all the time, develop a military budget based upon coherent, cogent, intelligent, rational, compassionate, and peace-oriented policies. But we have not done that.

Finally, as I said on yesterday, there is nothing intrinsic, there is no intrinsic value in a dollar figure. You cannot convince this gentleman that a $315 billion budget makes you more secure than a $310 billion or $305 or $302. I would even assert further that the $289 Aspin substitute, while the dollar figure may be lower than the gentleman's request of $302, really in effect embraces the very same policies. There is no difference in the military budget. You are simply spending a few dollars less. It is still based on warmaking capability with nuclear weapons. It is still based on the absurdity of the cold war mentality, which is an absurdity in the context of 1987. It still speaks to a protracted land war in Europe, which we all know that we cannot fight and will not fight.

So, Mr. Chairman, whatever the dollar figures are, we spend too much time debating dollar figures against the military budget. We ought to start talking about the military policies of this country and the foreign policies—what are the real threats; what is our role in the world—and come to a dollar figure within the confines of Gramm-Rudman that we have to deal with and we can have a budget. But back and forth on dollar figures makes no sense. It insults our intellect, it insults where we ought to go. We ought to be debating policy.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Chair states that the gentleman from Alabama [Mr. DICKINSON] has 3 minutes remaining, the gentleman from Georgia [Mr. RAY] has 2 minutes remaining, and the gentleman from Georgia is entitled to close debate.

Mr. DICKINSON. Mr. Chairman, I yield the balance of my time to that very articulate, erudite gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, this debate is the most important debate in my estimation that Congress makes each year, because this is the debate over the most important duty that we have, and that is to defend our country. It is the most important social duty that we have. It is the most important social service that we can render to our people.

Let me say that in trying to analyze what kind of expenditures we need and what kind of programs we need, it is necessary to analyze what our adversaries are doing, and very simply I want to give you a couple of important statistics. Since 1972 the Soviet Union has built and emplaced and aimed at us, at our communities and our people, over 758 SS-17, SS-18, and SS-19 missiles. We have built and emplaced and aimed at them zero missiles, and I am talking about big missiles, ICBM's. So it is 758 to nothing.

Since 1972 the Soviet Union has built 38 strategic ballistic-missile submarines; we have built and fielded 8. So the score is 38 to 8 in those areas.

I cannot give you all the areas because it would take up too much time, but, very briefly, they have outstripped us in many, many important areas. So our steering committee, that was chartered by the chairman of the Armed Services Committee, the gentleman from Wisconsin [Mr. ASPIN], decided to meet with a charter that we would build the defense bill from the ground up. We would not just take Mr. Reagan's bill. We would elicit testimony from experts on sealift, on airlift, on the critical situation in Iran, in the Middle East, in Europe, and we would put together numbers and programs that would secure this country.

When we finished that, our steering committee met again, and our conclusion was—and this was a conclusion of the chairman, also—that the President's bill that called for a 5-percent real increase that was $312 billion was what we needed. For the first time there was consensus almost unanimity, that we needed to spend what Ronald Reagan asked for, $312 billion.

After that the Budget Committee came in with a very arbitrary figure of $288 billion, not based on testimony, not based on what it took to defend America. Mr. DICKINSON's amendment is roughly a freeze. It is a freeze with a 3-percent addition.

I would implore Members in this most critical debate to go with what it takes, with the minimal amount of money that it takes to defend America, and that is the Dickinson amendment, the $302 billion. This is the most important vote that we are going to make this year.

□ 1320

Mr. RAY. Mr. Chairman, in closing I align myself with the remarks of the gentleman from Georgia [Mr. DARDEN], a member of the committee, and with the gentleman from California [Mr. DELLUMS], the chairman of the subcommittee, inasmuch as we all want to provide for defense.

What is driving 435 is the fact that we have now reached a point in our history where we are a debtor nation, and we have a problem with money. For instance, those red lines on the bottom of that chart over there can be reversed to some degree if this body will get busy and sunset some of the 435 reports that this body and the other body has required of the DOD to report back on.

If this body will get busy and eliminate some of those 30,000 procurement regulations, Mr. Chairman, we can add more not millions, but billions, to their wealth.

The interest on our national debt is $15 billion per month. Sixty percent of our military budget, 60 percent, goes to NATO; and I would urge that we have no alternative except to defeat the Dickinson amendment.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Alabama [Mr. DICKINSON].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DICKINSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 241, not voting 18, as follows:

[Roll No. 87]

AYES—174

Archer
Armey
Badham
Baker
Ballenger
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Buechner
Bunning
Burton
Byron
Callahan
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coughlin
Courter
Craig
Crane
Daniel
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Fields
Flippo
Gallegly
Gallo
Gekas
Gibbons
Gilman
Gingrich
Goodling
Gradison
Grandy
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hefley
Herger
Hiler
Holloway
Hopkins
Houghton
Hunter
Hutto
Hyde
Inhofe
Ireland
Johnson (CT)
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Leath (TX)
Lent
Lewis (CA)

Lewis (FL)
Lightfoot
Lipinski
Livingston
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McCollum
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Montgomery
Moorhead
Morella
Morrison (WA)
Murtha
Myers
Nelson
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Price (IL)
Quillen
Ravenel
Regula
Rhodes
Rinaldo
Roberts
Robinson
Rogers
Roukema
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stratton
Stump
Sundquist
Sweeney
Swindall
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOES—241

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bates
Beilenson
Berman
Biaggi
Bilbray
Boggs
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Brown (CO)
Bruce
Bryant
Bustamante
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
Darden
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Espy
Evans
Fawell
Fazio
Feighan
Foglietta
Foley
Ford (MI)
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hochbrueckner
Howard
Hoyer
Hubbard
Huckaby
Hughes
Jacobs
Jeffords
Jenkins
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Mineta
Moakley
Mollohan
Moody
Morrison (CT)
Mrazek
Murphy
Nagle
Natcher
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (NC)
Pursell
Rahall
Rangel
Ray
Richardson
Ridge
Ritter
Rodino
Roe
Roemer
Rose
Rostenkowski
Roth
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith, Denny (OR)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tauke
Tauzin
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—18

Annunzio
Boland
Combest
Dannemeyer
Fascell
Fish
Flake
Florio
Ford (TN)
Frank
Gephardt
Horton
McDade
McKinney
Stark
Udall
Valentine
Vento

□ 1330

The Clerk announced the following pairs:

On this vote:

Mr. Fish for, with Mr. McKinney against.

Mr. Combest for, with Mr. Vento against.

Mr. OBERSTAR and Mr. MICA changed their votes from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DANNEMEYER. Mr. Chairman, I was in my office today meeting with some constituents, and for that reason I was unable to be on the floor when the vote was taken on rollcall No. 87 on the Dickinson amendment.

Had I been on the floor, I would have voted "aye" in favor of that amendment.

PERSONAL EXPLANATION

Mr. FISH. Mr. Chairman, I was unable to be on the floor today for rollcall vote No. 87 on the Dickinson amendment to freeze defense budget authority at the fiscal year 1987 level. Had I been here, I would have voted in favor of this amendment.

The CHAIRMAN pro tempore (Mr. RUSSO). Pursuant to House Resolution 156 it is now in order to debate the SALT II treaty for 1 hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the amendment offered by Representative DICKS, or his designee, contained in Report 100-82, which is not subject to amendment.

It shall then be in order to consider the amendment offered by Representative BROOMFIELD, or his designee, contained in Report 100-82, which is not subject to amendment or to a demand for a division of the question.

If both amendments are adopted, only the latter amendment shall be considered as finally adopted and reported back to the House.

Under the rule the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 30 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

□ 1340

Mr. ASPIN. Mr. Chairman, I yield 6 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, the opponents of this amendment will once again argue that we should not be ratifying the fatally flawed SALT II agreement. Hearing this argument over and over again makes me understand how the President feels when he says, "There they go again."

I have said it before and let me say it again, this is not an amendment to ratify the SALT II agreement, but it is a major question for the future of arms control. What we are debating is whether we should restore a policy that has been followed for 5½ years by President Reagan and this administration, that we should, as a matter of interim restraint, continue to abide by the terms and the subceilings in the SALT II agreement as long as the Soviets do likewise.

The President said it quite well himself in the New York Times Magazine of October 6, 1985, when asked why he had changed his mind after having characterized SALT II as fatally flawed. He said, "I learned that the Soviet Union had the capability to increase weaponry much faster than the treaty permitted, and we didn't."

What he said there is very important, and is still relevant today. The Soviet Union has more hot production lines for offensive weapons than the United States does. Just on one weapons system alone, the SS-18, the most powerful part of their strategic force, they could add 4 warheads to that missile today, increasing by 1,300 the number of warheads deployed, and if you take 2 on 1 targeting, that would threaten about 600 launchers of the United States, a very major destabilizing act.

All we are saying today is why walk away from the Reagan policy of the first 5½ years of his Presidency? We should, in my judgment, continue to abide by the three subceilings; and they are: 820 MIRV'd ICBM's, 1,200 MIRV'd ICBM's and SLBM's, and 1,320, when you add in cruise-missile-carrying bombers, and the limitation on MIRV's.

In my view, the President has a very good chance to get an agreement in Geneva on intermediate nuclear weapons. I do not believe, however, that the President is going to get an agreement on reducing by 50 percent the number of strategic offensive weapons that are deployed because of his insistence on going forward with the strategic defense initiative.

Now, if that is true, then I think it is incumbent upon the Congress to restrain the offensive arms race and to make certain that we continue to abide by the ABM agreement, so that the next administration, so that the next President will inherit a structure of arms control that has been negotiated by the last four Presidents.

Now, under the SALT II agreement, the Soviet Union has been forced to dismantle or destroy over 1,300 strategic weapons launchers. So I want to point that out because there is an impression that this does not work both ways. I want to make it very clear that under my amendment, we are only bound by three sublimits, as long as the Soviets are. If the Soviets violate the MIRV limit on ICBM's or SLBM's or cruise-missile-carrying bombers, then the President of the United States is freed from having to comply with this agreement.

You are going to hear about violations. I want to make it very, very clear that the gentleman from Washington is as concerned about violations as is anyone else. But under the agreements that we have entered into, we have made a commitment to resolve those violations at the Standing Consultative Commission. The Nixon administration, the Ford administration, and the Carter administration were all very successful in resolving these disputes. This administration, frankly, has not vigorously pursued these violations at the Standing Consultative Commission, and I think for political reasons, because they want to point out violations as a reason to justify abandoning SALT II and for reinterpreting the ABM agreement.

Even then, even if we could not resolve with the Standing Consultative Commission these important violations, there are intelligent proportional responses that we can take to the two important violations that have been raised regarding the SALT II agreement, both of which have been disputed by many, many people.

If my colleagues are concerned about the encryption of telemetry, then we, the United States, can encrypt the telemetry off of our test missiles so that—and that is an intelligent response to what is alleged to be a Soviet violation.

Second, if you are concerned about them having deployed a second new type, we have a second new type, Midgetman, which is authorized in this bill, which is an intelligent, rational response to the alleged deployment of the SS-25, which is a violation.

Either we can resolve these disputes at the SCC, the Standing Consultative Commission, or we can make intelligent responses, but to tear up this agreement, to tear up the Reagan policy of interim restraint which he followed for 5½ years simply does not make sense because the Soviet Union can add more offensive capability than we can.

People will say, why would they do that? There is a very good reason: as a counter to the SDI Program.

Mr. LAGOMARSINO. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Chairman, arms control negotiations should be between the United States and the Soviet Union—not between the President and the Congress. Recent attempts by some of my colleagues for selective adherence to the unratified and expired SALT II agreement reveal how current legislation is being used for United States-Soviet negotiations.

This is hardly the time for the Congress to send the Soviet Union selective signals on SALT II. Such signals only tell the Soviet Union that it can pick and choose the provisions of SALT II which it wants to honor. Such an arrangement codifies Soviet violations by providing a line-item veto over SALT II.

Congressional pressure for selective compliance with SALT II especially undercuts the United States response to Soviet violations. Such efforts prevent the United States from making necessary responses to Soviet noncompliance. Most importantly, such congressional actions compromise the ability of our negotiators in Geneva. A new round of Geneva negotiations has just begun—and we want the Soviets to negotiate seriously. Although much work remains, progress is being made. We expect more advances in the new Geneva round. As a result, the Congress should not undercut the nuclear arms reduction process at the very time when negotiations are reaching more sensitive and productive stages. I therefore urge my colleagues to reject a damaging arms control agenda to this bill, including the SALT amendment offered by the gentleman from Washington—and support our negotiating team in Geneva.

☐ 1350

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Illinois, a member of the Foreign Affairs Committee.

Mr. HYDE. Mr. Chairman, I thank my friend, the gentleman from Michigan, for yielding.

Mr. Chairman, the unfortunate thing about the position of the gentleman from Washington [Mr. DICKS], who purports to be enamored of the SALT Treaty and wonders why President Reagan has suddenly lost his enthusiasm for it, is that the gentleman only enshrines part of the SALT Treaty, that part that has to do with numerical sublimits. I think a great deal of the whole treaty. I like the part that says you do not encrypt telemetry; I like the part that says you do not breach the limits on a brand-new weapons system. Those are the parts of the treaty, if we can call it a treaty, that have been massively violated by the Soviet Union.

Now, is it important that the Soviet Union live up to its obligations under this agreement? Yes, it is. Well, how do we enforce their compliance? Not by tying our hands at the negotiating table.

Why do we stand behind our negotiators who are playing in a deadly game of poker and take away half of their cards? Why not let them get something for this obligation that we do not break out of numerical sublimits?

Something for nothing is the great dream of all time. That is what you are doing. You are giving them something and you are getting nothing. They have massively violated the treaty, and what is our response? More restrictions on us. That does not make sense.

I am not asking Members to give up a political position. I know it is useful to attack our President, especially at this time of assumed vulnerability, but when you get to national security, the best politics, Henry Jackson said, is no politics. Let us not tie the hands of our negotiators. Let us get something for forcing us to live up to a part of a treaty that has been massively violated by the Soviet Union.

The Standing Consultative Commission is a farce. If that could solve these problems, we would be in Fat City, but it is a farce.

The gentleman from Ohio will tell us that the Standing Consultative Commission is how they get our technology.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Ohio.

Mr. KASICH. I thank the gentleman for yielding.

Mr. Chairman, I just want to ask the gentleman this: The gentleman from Washington said that we ought to have proportional response, that if they encrypt, we ought to encrypt. Does the gentleman think that the gentleman would respond that if they violate, for example, Krasnoyarsk on ABM, we ought to break out of the ABM Treaty?

Mr. HYDE. Well, they have a new weapons system, so our friend over there is the staunchest supporter not of the MX, but let us go beyond that. Let us have the double Midgetman. I think that would be great.

The two defense intellectuals who are guiding our national security for the next decade ought to not be so trusting of the Soviet Union. You remember Yalta. You remember Helsinki. I ask you to remember SALT II.

Mr. Chairman, I thank the gentleman for yielding.

The CHAIRMAN pro tempore (Mr. Gray of Illinois). The Chair recognizes the gentleman from Wisconsin [Mr. Aspin].

Mr. ASPIN. Mr. Chairman, the gentleman from Illinois has been sitting over in the Iran-Contra hearings where he could not speak at all, and it is all coming out over here. We are glad to see the gentleman from Illinois.

Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, may I just respond to what my friend, the gentleman from Illinois, has said, who I assume is returning to the Iran-Contragate hearings.

On the question of neutrality, what we are saying under this amendment is that we, the United States, will abide by these three subceilings and MIRV limitations on offensive weapons only as long as the Soviets abide.

So I want to make certain that people understand that we are getting something as well. We are getting a commitment to a policy to keep those offensive weapons under some limitation, both in terms of launchers and warheads per launcher.

I happen to think that is a very valuable agreement, and that we should not be the ones that break it. The Soviets have a reason to break out, and that is to overwhelm any SDI system that we would deploy. Offensive warheads and MIRV launchers is the easiest countermeasure to SDI.

So mutual restraint makes sense. They have more ability to break out than we do. That is why President Reagan for 5½ years, as a matter of policy, kept this position. I think he was right then, and I think Congress should insist on this policy now.

Mr. LAGOMARSINO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the Dicks amendment to be offered that would require U.S. adherence to the SALT II sublimits by prohibiting funds for strategic offensive systems exceeding the numerical sublimits. This attempt to legislate arms control is based on faulty assumptions and is not in the best interests of our Nation.

It is important to remember that the SALT II Treaty was never ratified and would have now expired.

It is clear beyond a doubt that the Soviets have violated SALT II and other arms control agreements and are continuing to do so. Examining SALT II alone, there are at least four clear major violations. The Soviets are: producing the SS-25 ICBM, exceeding the strategic nuclear delivery vehicle limit, encrypting telemetry, and concealing the association between a missile and its launcher. Any one of these violations could be grounds for cancellation of the agreement. In 1979, President Carter stated that a violation of any important part of the agreement, as each of these noted violations are "* * * would be a basis on which to reject the treaty in its entirety." SALT II is much more than arbitrary "sublimits." Soviet compliance with the sublimits is not the same as compliance with the whole treaty. The SALT II treaty includes many other important provisions which cannot be ignored. While many Members of Congress have chosen to narrowly focus on this one part of the treaty, they have blindly ignored the other, more important parts. When presenting the SALT II agreements to the Senate, the Carter administration emphasized the importance of these other parts, like the prohibition on encrypting telemetry. As President Carter told us before a joint session of Congress, "A violation of the encryption provisions would be just as serious as a violation of the limits on strategic weapons themselves." According to Under Secretary of Defense Fred Ikle, who has been very involved with this issue since the early 1970's, the provisions concerning encryption of telemetry are much more important to the United States and it took a lot of very difficult negotiating to get the Soviets to reach the final, resulting agreement on this issue. By ignoring the Soviet violations in this field and unilaterally observing less important sublimits, we have given the Soviets exactly what they wanted but could not obtain during the SALT II negotiations.

This amendment calling for one-sided arms control through selective compliance with SALT II undercuts the United States response to Soviet violations and compromises the ability of United States negotiators in Geneva to gain effective verification provisions in new agreements.

This amendment cannot meaningfully restrain Soviet forces nor can it bring the Soviets back into compliance with its past commitments. It can hurt our own and our allies' national security and future arms control agreements. First, it keeps us from continuing the strategic modernization we need to maintain a credible defense against the growing, unchecked Soviet threat. In planning our forces, we have to look at the real threat this country and its allies face. It makes no sense whatsoever to base our national security on a flawed treaty that was never ratified, that has expired, and that the Soviets knowingly and willingly violate anyway. Second, this amendment can send exactly the wrong signal to the Soviet leadership, who are now engaged in serious discussions with us about not the limitation but the reduction of nuclear weapons in Europe. If we are unwilling to maintain deterrence or take appropriate actions in response to Soviet noncompliance, our credibility at the arms negotiation table will be endangered and our ability to secure fair, equal agreements will be seriously lessened. The passage of this legislation will not help our current arms control efforts, it will hinder them—it will signal to the Soviets that Congress is not behind the American negotiators. Furthermore, by ignoring Soviet noncompliance, we signal to them that not only can they violate arms control commitments with impunity, but they can pick and choose which provisions of bilateral agreements they wish to honor. Such an arrangement would effectively give the Soviet Union a line-item veto over our arms control agreements.

The big buildup some people are predicting without SALT has been going on under SALT and continues. The Soviets right now, under SALT, have a huge buildup scheduled. Unilateral American adherence to sublimits will not affect the Soviets plans, it will only hurt our national security. SALT II has codified a vast increase in Soviet strategic forces allowing them to almost double its inventory of strategic ballistic-missile warheads and could further increase these numbers substantially under SALT. This amendment, though, would force the United States to destroy some of the weapons we have already deployed. Thus, we lose credibility and capability.

While the Soviets have been disregarding SALT II, the President has "gone that extra mile." We retired two older Poseidon submarines so that a new Trident vessel would not exceed any of the SALT II limits. Before deploying the 131st missile armed B-52, the United States gave the Soviet Union ample opportunity to make a jesture showing their commitment to the SALT agreement. Instead, the Soviets made no policy changes and continue to improve their arsenal at our expense. The Soviets must be shown that we are serious about our defense and keeping arms control agreements mutually beneficial.

This fundamental flaw of SALT II, coupled with Soviet violations, clearly indicates the need for a different approach. To get the Soviets to bargain seriously toward reductions, we need to keep our flexibility. That means we need to keep our program for rebuilding our defenses on track—including the other 50 Peacekeeper missiles. Our modernization program is not only essential to keeping the peace, but it's the strongest incentive the Soviets have to agree with us on real reductions that can be verified and that the Soviet Union will comply with.

The President's policy is to continue to exercise restraint in meeting strategic needs and anticipates no appreciable numerical growth in U.S. strategic forces. Assuming no significant change in threat, the United States will not deploy more nuclear delivery systems or strategic ballistic missile warheads than the Soviet Union. Our policy continues to be one of restraint and pursuit of arms reduction. Soviet actions to exercise restraint and take other constructive steps will be taken into account when the next modernization milestone is reached.

Today's focus should be on current efforts looking for real, verifiable reductions in nuclear arms, not on SALT II, a relic of the past which only allowed controlled building, not reductions. With the Dicks amendment, Democrats are again focusing on the past and trying to hold onto ineffective, flawed, and obsolete policies. I am more concerned with obtaining a real, mutually beneficial, working arms control agreement than blindly supporting an ineffective piece of signed paper. We can't tie one hand behind our back at this critical moment. Unequal, one-sided restraint is not real arms control. We need to support current efforts moving toward genuine mutual restraint and real reductions.

Mr. DICKS' amendment is seriously flawed because it views the SALT II treaty only as a series of sublimits. We all know SALT II is more than that. If we are serious about realistic, mutually beneficial arms control agreements, then I urge my colleagues to reject the Dicks amendment.

□ 1400

Mr. ASPIN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. GREEN].

Mr. GREEN. I thank the gentleman for yielding me this time.

Mr. Chairman, at the outset let me make it clear why we are proposing this amendment. It is not because of glasnost; it is not because it is "Be Kind to Gorbachev Week." We propose it for one reason and one reason only: because it is to the benefit of the United States.

The facts are very clear. The Soviets have destroyed more weapons than we have because of the SALT II numerical limitations. The Soviets, absent those limitations, can deploy more warheads faster than we can. So it has been in our interest to have the SALT II numerical limits; it continues to be in our interest to have the SALT II numerical limits, and that is why this amendment should be supported.

Let me deal with the question of violations. Plainly, there has been a very strong case made that the Soviets have committed a series of violations basically surrounding their decision to proceed both with the SS-X-24 and the SS-X-25. To that end, they have encrypted telemetry so that it could be harder to prove that the SS-X-25 was a new missile, and that the other problems that have been mentioned with it do exist. That is a cause for serious concern.

I should point out that since the spring of 1983 it has been the official policy of this administration, by its acceptance of the Scowcroft Commission Report, to proceed down exactly the same path of violating SALT II by deploying not one, but two, new missile systems. Some of us who opposed the Scowcroft Commission report and the MX pointed that out at the time, but it is very clear that the administration accepted that report and it is rather obvious that the Congress, by proceeding with the MX, also did so.

Thus it has been very clear that there has been a de facto agreement between the United States and the Soviet Union to proceed with the development of not one but two new missiles.

In conclusion, let me make one further point. If one feels that the Soviet Union has taken actions under SALT II which are violations of SALT II, such as the encryption of data and other points alluded to, it makes no sense, no sense whatever, to punish the Soviet Union by a step which hurts us more than it hurts them. That is absolute folly.

If we want to prove to the Soviet Union that cheating on these agreements does not work, do not do something which leaves them better off and us worse off. Do something which leaves them worse off and us better off.

Plunging through the SALT II limits, the numerical limits, does not do that. It is just the reverse; it hurts us and it helps them.

Mr. LAGOMARSINO. Mr. Chairman, I yield 3½ minutes to the gentleman from New Jersey [Mr. COURTER].

Mr. COURTER. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in total and complete opposition to this amendment. It has been said on the floor that if this amendment is not passed, the Soviet Union can increase the number of ballistic missile warheads, strategic warheads that they have. That is not so; they can anyway. The point is that the Soviet Union probably has now about 10,000 to 11,000 strategic warheads by complying with whatever strict interpretation of the SALT II treaty. They could lift that about 60 percent. They can go to about 15,000 or 17,000. So they can increase if they want to the number of offensive strategic weapons they have irrespective of the point of passing this amendment. It makes no difference whatsoever.

Second, if we pass this amendment, there is going to be a clear signal to the rest of the world, and that is the fact that Soviet cheating, Soviet violations of arms control agreements does not make any difference to the American people; does not make any difference to the Members of this body. Cheating does not count.

The point here is the fact that the Soviet side, unfortunately, has violated SALT II in two very significant ways. No. 1, by building a second heavy missile, the SS-25, and also, and more importantly, and more ominously, by hiding their tests so we cannot monitor them. That is called the encryption of telemetry. If we then say that we are going to comply with an agreement, one section of this agreement, when we acknowledge the fact that the Soviet Union has violated other parts of the agreement, the signal to the American people is that cheating is not important.

If arms control agreements are important to this body, as they should be, if we really believe in arms control agreements, then we have to believe that Soviet violations of those agreements are important as well.

The signal is if we are going to impose restraints on ourselves with respect to some arms control agreement that they violate, the signal throughout this land is going to be that arms control agreements themselves are not important to this body and that would be a mistake.

I might also say the following. If I have a contract, and that is basically what an international arms control agreement is; it is a legal contract between one country and another, and I know that there are various provisions of that contract, let us say, 1 through 10, and the other side, the other party to that contract violates 2 or 3 provisions, and then somebody, a judge, the gentleman from Washington, Judge NORM DICKS comes by and says, "I am going to make you comply to the other provisions of this agreement," all the while the other person on the other side of the negotiating table had violated provisions 2 and 3, I would get pretty upset.

That is the selective use of violations, imposing upon us a requirement that is not imposed on the other side.

The most dangerous part of the Dicks amendment is the fact that it will set a precedent. What it means is the fact that if the Soviet Union does not want to comply with respect to one part of the agreement they can do so. They can select what part of international agreements they will violate knowing that we are going to be forced by congressional actions to comply with the balance of that agreement.

We cannot move into future arms control agreements, granting to the Soviet Union no penalties whatsoever in selecting what parts of those agreements they are going to live with and what parts they feel free to not comply with.

Mr. RAY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado [Mrs. Schroeder].

Mrs. SCHROEDER. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of the Dicks amendment, and I would like to answer some of the misinformation that has been coming out during this debate.

We have just had a lecture on contract law. Let me point out some of the things where it does not fit here. No. 1, we did not ratify SALT II, so to say that the whole thing gets pulled in here, we look a little silly because the Senate did not ratify it.

No. 2, the point that the gentleman from Washington has made over and over and over again, we are talking about holding up the portion of SALT II that deals with the limits on both sides on warheads. It is to our benefit to agree to that.

Now, it is not saying that we are making them do it; they do not have to do it. If they do not want to do it and they break out of it, then we are out of it too.

□ 1410

It is saying as long as they comply, we will comply, that we will not break it first, because it is in our best interests and this administration thought it was in our best interests for many years.

Let me tell you another reason why this is in our best interests. We just finished a huge trade debate in this House, and in that trade debate people kept forgetting what the issue is. The superpower we are competing with, the Soviet Union, does not compete with us when it comes to economic issues. They do not care about a consumer economy. We do.

We are trying to have guns and butter. They are not. They will have guns first, no matter what.

If a little butter happens to be left, terrific; but basically guns first; so we are trying to compete in the trade arena against a superpower that is operating on a different playing field than we are, that they will fund the guns no matter what happens. We are trying to have a balance.

For our SDI to work, we had better have a limited number of warheads coming at us.

The fact that the gentleman from Washington points out that they have many more hot production lines than we do, then it is even more important to have them under some kind of numerical limits.

If they back away from the numerical limits, then we back away from the numerical limits, but it makes all the sense in the world to pass this amendment.

Mr. LAGOMARSINO. Mr. Chairman, I yield 3½ minutes to the gentleman from California [Mr. Dornan].

Mr. DORNAN of California. Mr. Chairman, when U.S. Intelligence was still in its infancy, President Herbert Hoover's Secretary of State, Henry L. Stimson, started questioning the right of people to watch other countries and said, "Gentlemen don't read other gentlemen's mail." But gentlemen do read other people's mail. It is this basic understanding that forms the basis for arms control verification.

Now, we have an agreement with the Soviet Union that was not ratified, as the gentlewoman just said. But it was supposed to be a gentleman's agreement that we would not hide what one another was doing in the field of these super-dangerous weapons. We were not going to jam, encode, encipher, camouflage, mask or obfuscate data or otherwise hinder "national technical means" of verification. The United States has not. The Soviets have on a regular basis.

What the gentleman from New Jersey just said is that if you ignore cheating, you reward cheating.

Real Growth in Defense Budget Authorization

Fiscal year	*Percentage*
1971	−9.9
1972	−3.1
1973	−4.8
1974	−3.5
1975	−3.5
1976	4.2
1977	5.0
1978	−1.6
1979	−.2
1980	2.3
1981	12.5
1982	11.6
1983	8.0
1984	4.9
1985	7.5
1986	−4.2
1987	−2.5
1988	−4.6

Now, this chart that was used in the debate between the vice chairman and our distinguished chairman tells the story of America's defenses and how the Soviet Union has an impact on us.

The worst part of this chart tells within the Nixon years and this 10 percent decline in our defenses can be described by one word, as the gentleman from Minnesota, Mr. Vin Weber said, and that is "détente." That came from trusting the Soviets.

The Nixon years are the disaster years for our defense budget. Actually, Carter does not do too badly here in his 4 years, less than a 2 percent drop in 1978, less than one-fifth of a percent in 1979. Then comes the Soviet invasion of Afghanistan and his budget for 1980 increases 2.3 percent.

We will never know what Carter's fourth defense budget was, because President Reagan's great victory buried Carter's increase in the supplemental defense budget; but that increase was demanded because of the trust we placed in détente.

Now, we cannot reward lying.

I notice a lot of young people are visiting us——

Now, when we talk about encrypting telemetry, most Americans, not just young people, really would like that translated. We do talk sometimes around here in Sanskrit. What encrypting telemetry violation means is lying. It means you cannot trust the Soviets. You cannot trust the gentleman's agreement. It means that we show them everything we are doing and they continue to lie.

Now, I remember a debate, 5 years ago. It was a debate like the ones that involved a lot of Americans because it was between two people who do not have the expertise we are supposed to have. It was between Paul Newman and Charlton Heston, only Charlton Heston did his homework on this very aspect of cheating on the SALT II Treaty. He went to the White House and said, "Tell me how many open violations I can speak of."

The Library of Congress was able to provide an answer by collecting the information provided in the words of both Democrats and Republicans in the House and in the Senate, including much material from the Senator from Georgia [Mr. Nunn] and they gave Mr. Heston 51 Soviet violations. Remember this was more than 5 years ago.

Mr. Heston placed them into his debating partner's lap and asked, "What about these, Mr. Newman?"

Mr. Newman said, "Who gave you this, Mickey Mouse?"

Mr. Heston replied, "No, Senator Nunn."

Well, after some decrypting of Hart telemetry, by the Miami Herald today, it looks like Mr. Nunn is rethinking his position as a Presidential candidate. We have spoken of 10 years of Soviet lying on arms control. We cannot reward this cheating by passing a well-meaning, but ill-conceived Dicks amendment. I urge its defeat.

Mr. RAY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. Moody].

Mr. MOODY. Mr. Chairman, let me make three points.

First, we are not attempting here to "legislate arms control." What we are attempting to do is return to the stated policies of the Reagan administration for the first 6 years of that administration. The President said that it was in our interest, our own interest, to follow these sublimits, because the Soviet Union has the capacity to increase nuclear missile weaponry faster than we do the so-called hot production line problem.

Second, let me address the claim made here that the Dicks amendment is "one-sided" arms control. I think the gentleman from California [Mr. LAGOMARSINO] made this claim. In fact it is somewhat one-sided because it binds the Soviets to a tighter extent than it binds us, for the very reason they have the capacity referred to above, the capacity to go up faster than we do. Tight SALT II limits are more binding on the Soviets than it is on us, so reimposing these mutual limits by legislation is one sided in our favor.

Third, we need to consider the issue of compliance. First, let's acknowledge that action to destroy and deactivate existing weaponry has been greater on the Soviet side than our own, primarily because they had more. Mr. Speaker, I would like to put into the RECORD this sheet that will show the number and chronology of Soviet nuclear weapons deactivations they have taken to keep under SALT II limits:

SOVIET DEACTIVATIONS

To remain within the SALT I and SALT II limits, by June 1986 the Soviet Union had dismantled, withdrawn or converted the following systems:

Between 1973 and 1980 the Soviets removed 288 SS-9 ICM's as SS-18 ICBM's were deployed.

Between 1974 and 1986 the Soviets withdrew 582 SS-11 ICBM's as newer SS-17, SS-19 and SS-25 ICBM's were deployed.[1]

Between 1972 and 1985 the Soviet Union dismantled or converted 14 Yankee-class submarines and 7 Hotel-class SSBN's as new Delta and Typhoon-class submarines were added.

Between 1975 and 1978 the Soviets dismantled 209 SS-7 and SS-8 ICBM launchers to allow for permitted increases in SLBMs.

Between 1977 and 1985 the Soviets removed 224 SS-N-6 and 21 SS-N-5 SLBM's as SS-N-18 and SS-N-20 SLBM's were introduced.

Total Soviet Deactivations (1972-86): 1,079 ICBM's, 245 SLBM's, equaling a total of 1,324 launchers, 21 nuclear missile-carrying submarines.

In addition to these numbers of past Soviet deactivations, if SALT II is kept in effect until 1990, SALT II would require the Soviet Union to remove older ICBM's, SLBM's and heavy bombers as new ones are deployed. It is estimated that this would result in the deactivation of approximately 500 to 600 Soviet SNDV's.

The source of this information is from a report dated February 12, 1987, entitled, Compliance and the Future of Arms Control produced by the Center for International Security and Arms Control, Stanford University.

Within the compliance question there is the question of violations. Yes, there are violations to worry about. And, no, we should not let them go by with impunity. Specifically, the question of encryption of missile tests, and the development of the Soviet SS-25 must be dealt with. But they should be dealt with in terms of proportionate responses, not by throwing out the whole SALT II Treaty where we have far more to lose than we have to gain. We can respond proportionately by moving to a mobile missile, such as the Midgetman. And we could react on the encryption side issue specifically, perhaps by talking more seriously and strenuously the deliberations before the standing Consultative Committee, the SCC, which is designed to resolve such disputes. There are often actions on encryption we can and should take. We should not do nothing. But why trash a treaty that helps our country as much or more than their country?

Mr. Chairman, I hope we will restore mutually binding SALT II limits and pass the Dicks amendments.

Mr. LAGOMARSINO. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, what we are doing here is destroying the integrity of the arms control process. We put together an agreement with the Soviet Union, whether or not it has been ratified, it was still an agreement that was to be considered as a whole and not as a series of provisions or amendments that were supposed to stand alone. The people who put it together intended it to be considered as a whole and they considered and made plain many times that violations, such as the encryption of telemetry, essentially the hiding of what they were doing by the Soviet Union, would be considered to be a very grave violation of the total treaty.

I want to quote a couple people. President Jimmy Carter:

> It is the SALT II agreement itself which forbides concealment measures, many of them for the first time, forbids interference with our monitoring and forbids the encryption or the encoding of crucial missile test information. A violation of this part of the agreement which we would quickly detect, and we have detected it many times, would be just as serious as a violation of the limits of strategic weapons themselves.

Secretary of State Cyrus Vance:

> We have both in the negotiating record and in the treaty language established a clear basis for raising with the Soviets any instance of deliberate denial of telemetry, including all encryption which impedes our verification. Should our concerns not be met, we should consider it grounds for appropriate unilateral U.S. action which could include withdrawal from the treaty.

David Jones, Chairman of the Joint Chiefs of Staff:

> Any Soviet attempt to deny or impede our ability to monitor SALT related parameters would be regarded by us as a most grave violation of the treaty.

The point is the Soviets are doing precisely what our national leaders warned against and the reaction of this Congress is to reward the Soviets by following their violations by our affirmations of the treaty. They violate the treaty, and we all agree on that, we all agree that encryption of telemetry, the hiding of this telemetry is a violation, they violate the treaty and the Congress reaffirms the treaty, reaffirms our commitment to it.

They violate the treaty again with the SS-25 and this Congress reaffirms our commitment to the treaty.

So now we are reduced because they are violating this treaty and ABM, to picking out individual pieces here and there and making statements, unilateral statements of support for individual pieces of treaty that our national leaders told us and told the Soviets should be considered as inviolate and should be considered as a whole.

☐ 1420

I think that it is a tremendous disservice to the negotiating process and also to our leaders who would try to negotiate treaties in the future, because the Soviet Union is reading a clear message from the United States Congress. That message is: "We don't have to put together treaties that we are going to abide by in the whole. We can nibble at the edges, can violate substative portions, and Congress—the U.S. Congress—will force this President to unilaterally go along with certain provisions of those treaties."

Let us vote down the Dicks amendment.

Mr. RAY. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I would just like to point out to my colleague from California and others who have raised the issue of violations that first of all, you have the Standing Consultative Commission, where you should vigorously pursue the question of telemetry. In fact, the United States has raised the telemetry issue with the Soviets. The Soviets say, "Tell us what signals you don't want us to encrypt." We have refused to tell them, because it would give away the way we protect the telemetry on these missiles. That is why we have not resolved that one, but it has not been vigorously pursued by the Reagan administration.

Second, on the question of the SS-25, I must point out again that there is a more rational way to proceed than tearing up the sublimits, and that is to build Midgetman, which is a direct proportional response to the violation. There are other ways to deal with violations than tearing up the fabric of the agreement.

But this administration has chosen to undercut arms control, and that is what we are not going to let them do by voting for the Dicks amendment.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

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[1] Since SALT I prohibits the construction of new fixed ICBM launchers, new silo-launched land-based missiles must be deployed in existing launchers and the older missiles removed from the operational forces according to established dismantlement procedures.

Mr. DICKS. I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Chairman, I just want to say that I think that it is another show of bad faith that the Soviets use encryption of telemetry to try to get us to give away national technology secrets, and telling them how we can find out about this encryption——

Mr. DICKS. There is an intelligent way to respond, either at the SCC——

Mr. HUNTER. That is bad faith.

Mr. DICKS. Or to encrypt telemetry on our own missiles.

Mr. LAGOMARSINO. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, at this point in the debate, it may be instructive to listen to the words of Zbigniew Brzezinski, a man we all know who served as National Security Advisor to the administration that concluded the negotiations on the SALT II Treaty. Dr. Brzezinski's recently published book, game plan: "How to Conduct the United States/Soviet Contest" contains some very penetrating observations on Soviet attitudes toward arms control, attitudes that Dr. Brzezinski was able to observe first hand.

Within the context of his discussion of arms control generally, and the SALT process specifically, Dr. Brzezinski states:

> An attempt to isolate arms control from the political context is both dangerous and counterproductive. It encourages the Soviets to pursue assertive policies even while negotiating arms control—quite understandably, the Soviets do favor separating arms control from geopolitics.

Now listen to these words, the conclusion that Dr. Brzezinski draws from his experiences in dealing with the Soviets:

> Arms control has thereby become a political weapon for the Soviets in their effort to achieve the one-sided disarmament of their opponent, rather than a means of enhancing mutual security. The history of both the SALT I and SALT II negotiations is painfully instructive * * * the Soviet focus has been less on the shaping of genuine and reciprocal security and more on stopping the introduction of new U.S. strategic systems.

Chilling words—from a man who knows of what he speaks. But words that are no more chilling than those of Senator Henry Jackson, who said in the summer of 1979, only days after the SALT II Treaty was signed, that the central question posed by SALT II was whether or not the United States could protect its own security and meet its obligations as the leader of the free world while dealing from a position of strategic inferiority.

Scoop Jackson went on to assert that signing the SALT II Treaty was tantamount to an act of appeasement. Mr. Chairman, SALT II may have been sealed with a kiss in Vienna, but don't ask the people of Afghanistan about it, the people who found their country overrun by the Soviets 6 months later.

Mr. Chairman, the issue in this debate is a choice between returning to the 1970's, when the United States, unsure of its power, and confused about its purpose, went hat-in-hand to the Soviets seeking an arms control agreement—any agreement, no matter how illusory, just so long as it looked good; or we can choose to live in the 1980's, when the United States is dealing from a position of strength, confident in its purposes, and looking toward an agreement that actually reduces the numer of weapons systems and warheads, not an agreement that merely puts limits on the increases in all of these categories.

The SALT II Treaty is flawed, failed, unratified, and expired. Its relevane to the world of 1987 is something on a par with confederate bank notes and czarist bonds. Let's quit trying to breathe life into a dead horse and get on with the business of using our strength and our technological leadership to reach an arms control agreement worthy of the name—and worthy of this country, whose desire to live in a world of peace has motivated our foreign policy for 200 years.

Mr. RAY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. COELHO], the distinguished majority whip.

Mr. COELHO. Mr. Chairman, I rise in support of the amendment, and I want to congratulate the gentleman from Washington [Mr. DICKS] and the other Members from both sides of the aisle who've provided such strong leadership on this issue the past several years.

I wholeheartedly endorse the efforts to force compliance with SALT II. It's in our best interest as a nation and as leader of the free world.

There are several reasons to support this amendment:

First the SALT limits have clearly restrained the growth in Soviet forces. To date, they've been forced to destroy over 1,300 delivery vehicles in order to maintain compliance.

Moreover, the Soviets are better equipped than we are to take immediate advantage of noncompliance. They could produce and deploy more easily and at a faster pace if the arms race were unrestrained.

But perhaps most important, our NATO allies strongly disapprove of our recent action exceeding the treaty limits.

Our credibility in international circles is low enough these days—the last thing we need is more condemnation from our allies.

We all know that a key element of the Soviet strategy is to divide Western Europe and the United States.

And frankly, we've been losing the propaganda war by a long shot. The Western world must respond with one voice, a united voice, and that means compliance with SALT II.

I know the opponents of the amendment argue that the Soviets can't be trusted, that they've violated SALT II and every other agreement they've signed.

That's true.

But this amendment leaves us free to respond to those violations. We deal only with the numerical sublimits of the treaty.

I don't trust the Russians either, but there's no evidence that they've violated the sublimits. That's all we're dealing with in this legislation.

There are other reasons to vote "aye" today.

This House can and should be proud of its record on arms control. We've had nothing but a positive impact on United States-Soviet relations.

The administration is once again crying wolf: Don't tie our hands, they say, the President needs flexibility.

Of course he needs flexibility, and this amendment gives it to him. It does nothing to limit his options at Geneva.

Suggestions to the contrary are merely propaganda from those in this country who don't support arms control under any circumstances.

For 7 years, this House has sought to put pressure on an administration that took office in strong opposition to reaching an agreement with the Soviets.

We've kept that pressure on. And today, a trillion dollars later, Ronald Reagan stands ready to reach a historical agreement.

We welcome the President's change of heart. We take comfort in the knowledge that our bipartisan efforts have improved the climate for arms control.

And, of course, there's no doubt that the American people support SALT II and a Reagan-Gorbachev agreement. And they want one now.

I believe President Reagan is in a better position today than any of his would-be successors will be tomorrow to sign a treaty that the Congress will support and that our friends and enemies around the world will respect.

But time is short. It won't be easy to iron out the details of a treaty, make plans for a summit and then proceed with Senate ratification before the President leaves office next year.

So we need to act now, and now is not the time for the House to waiver. Our actions the past 7 years have helped lead us to this historic opportunity.

This is a reasonable amendment. It leaves us in a position to respond to known Soviet violations, and it also leaves us free to develop the Midgetman.

There's only one alternative to this amendment, Mr. Chairman, and that's the arms race. We can't afford that in any respect today.

So I urge my colleagues to support the amendment and in so doing the bipartisan consensus for arms control with the Soviet Union.

Mr. LAGOMARSINO. Mr. Chairman, I yield 3½ minutes to the gentleman from Ohio [Mr. KASICH], a member of the committee.

Mr. KASICH. Mr. Chairman, it is almost mind-boggling that this House would be considering this kind of an amendment as our negotiators are on the verge of being able to negotiate the first reduction in the total number of nuclear weapons in our lifetimes.

Let me tell you, there are a lot of Members on both sides of the aisle concerned as to how we are going to make sure that the Soviets do not cheat on an intermediate-missile agreement, and so what we are going to do today is to send a message to our negotiators and the world that we are going to selectively go along with things that the Soviets comply with, and in those areas that they do not comply with the treaty, we will have a proportional response.

□ 1430

Let me tell my colleagues we just heard the previous speaker talk about NATO. Talk to the Germans, talk to the French, talk to the British, and tell them that we will have proportional response if the Soviets would violate certain sections of the intermediate missile agreement and they would tell you that something has gone wrong over here in the United States. That is no way to respond.

Let us talk about proportional response for a second. When the gentleman says proportional response, he wants to build the Midgetman. I can go along with that. I want to have a proportional response to Soviet violations.

On the other hand, you do not want to have proportional response, because what you are going to do in the next amendment is to say we ought to have a strict interpretation of the ABM agreement. We know the Soviets are cheating by building the Krasnoyarsk radar. We know that they have violated the ABM Treaty.

I will give you a proportional response. Let us break out of the ABM Treaty. Let us have a broad interpretation of the ABM Treaty. That argument is going to come back to haunt you when we debate this next amendment.

This proportional response is absurd and you all know it.

Let us talk about the SALT II agreement for a second. The Soviets had 5,000 strategic warheads in 1979 when we signed this agreement. Do my colleagues know how many warheads the Soviets have now? They went from 5,000 warheads when we signed it to 9,000 warheads today, and most of them are destabilizing, hard-target kill warheads.

This side talks about hot production lines. Under the SALT II agreement, the Soviets are projected to go anywhere from 12,000 to 14,000 warheads by the 1990's.

If that is your idea of restraint, then I have got to give you a different definition. My idea of restraint is no increase or deep and significant cuts. Under the SALT II agreement, we have done nothing but sanction a Soviet buildup with hard-target, destabilizing capability warheads from 5,000 in 1979 to 14,000 in the 1990's, and then you have the gall to make the argument that they have hot production lines and they are in a better position to produce.

We cripple ourselves with the defense budget that does not even provide for any growth whatsoever. We have got 3 years in a row of defense cuts; and then you say we are crippled because the Soviets are in a position to produce.

I want to ask you, who is doing the crippling around here? Who are the ones putting us in a position of not being able to produce the kinds of things we need?

We are on the verge of a historic agreement to eliminate an entire class of weapons from the face of the Earth, and let me tell you the most critical feature of that agreement is going to be the ability to verify Soviet compliance.

What we are going to do today in this amendment is to say to the Soviets, we want you to go along, but only go along to certain degrees.

If you violate the agreement, we will proportionally respond. We could spend all day debating what proportional response means.

Let us support our negotiators, support our President and eliminate an entire class of weapons so that we can all have confidence that the agreement is going to be lived by and verified.

Mr. RAY. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma, [Mr. MCCURDY].

Mr. MCCURDY. Mr. Chairman, I am somewhat nonplussed and amazed by the comments of the gentleman from Ohio, my good friend and colleague.

The gentleman makes great political debate, defines a good political issue, and I am certain that this will be used in the future.

Unfortunately, it ignores a very substantial point which needs to be brought up time and time again; and that is the issue of military significance.

What is the military significance of the SALT II Treaty, even though it is a nonratified treaty?

The military significance is that they are the ones who have been bumping up to the ceilings. The Soviets are the ones who have to reduce each year, that have to take down the submarines, that have to take down launchers, over 1,300 launchers since SALT II was negotiated.

These numerical sublimits work in our benefit. The United States has not reached those ceilings. We are just now at that point with the deployment of a handful of ALCM's, air-launched cruise missiles.

Have we finally gotten to the point where we are bumping up to the ceiling? We are the ones who benefited by these sublimits, and in a time of tight budget constraint, it does not make sense to this Member that we should be involved in a warhead count, a strategic race, when in fact we should be dedicating those scarce resources to conventional items, to readiness issues, sustainability issues, which the gentleman from Ohio supports, but this issue is not addressed.

There is a forum. There are venues to address these violations, and there have been violations; but that is in the SSC.

We can debate this here and address those, and proportional response is not ridiculous. It makes sense, because this is a nonratified treaty, one that we have been agreeing to, complying with, and this administration has complied with; but now because of the magical, the mystical leap of faith on SDI, all of a sudden, all bets are off, and we are going to violate these treaties.

They talk a lot about the violation of the ABM Treaty. There is a response there. Let us renegotiate it.

I support renegotiation of the ABM. I do not see why we have to be the one to violate the agreement, so basically, again, it makes sense for great political debate. It narrows the issue. It talks about violations as something that our constituents can certainly understand.

When it comes down to the basis of a strong national defense posture, in dealing with a defense budget where there are fiscal constraints, I believe it is in the best interests of the United States to adhere to numerical sublimits, and I urge the passage of the Dicks amendment.

The CHAIRMAN pro tempore (Mr. RUSSO). The Chair will announce that the gentleman from California [Mr. LAGOMARSINO] has 3½ minutes remaining; the gentleman from Georgia [Mr. RAY] has 8 minutes remaining.

Mr. LAGOMARSINO. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I appreciate the gentleman's point. He misses one point.

The Soviets under the SALT II agreement, that is supposedly restraining them, are going to be able to go today from 9,000 strategic warheads to somewhere between 12,000 and 14,000 warheads.

That is a 5,000-warhead growth over the period of the next 5 or 6 years. They were at 5,000 warheads when the treaty was signed. They have grown to 9,000 warheads, and they are going to go to 12,000 to 14,000 warheads.

That is such an incredible hard-target-kill warhead growth. SALT II is not restraining in the least.

Mr. RAY. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Downey].

Mr. DOWNEY of New York. Mr. Chairman, I thank the gentleman for yielding me this time.

The point the gentleman from Oklahoma [Mr. McCurdy] was going to make is that they have in fact grown their arsenal, and they could grow it even more if there were no SALT II limits; and in fact, the SALT II limits have bitten the Soviets a lot more than they have us.

We are not here doing SALT II as a favor. We do not do it as a favor for the Soviets. They do not do it as a favor for us.

Both nations act in their own interest. Back in 1979, and for the first 5½ years of the Reagan administration, it was in the United States' interest to observe the SALT II limits. It still is.

With respect to the violations which we hear about from the other side, there is an appropriate and proper place to deal with that. That is in the Standing Consultative Committee which has not been used; and under the Broomfield amendment which is to come up, the Standing Consultative Committee, the only place where ambiguities between the parties can be resolved, would be rendered a complete nullity, by legislative fiat.

If you are making the argument that we should not intrude on Presidential responsibility by doing this, you have a big, big way to go in justifying what the Broomfield amendment does, because it eliminates even Presidential flexibility.

The SALT II agreement is in the United States' security interest. That is what we are responsible here to do. Worry about what is in our interest. I do not want to see additional warheads on the SS-18.

□ 1440

I do not want to see the Soviet production line speeded up any more than they already are. The SALT II agreement does that.

We hear also from our friends on the other side of the aisle "ask the allies what they think." Well, if any of you have spoken to them you would know that the French, that the British, that the Germans all strongly support SALT II as the framework for arms control. Do away with that framework and you have nothing. This administration is interested in the accretion of nuclear weapons. They may or may not be interested in arms control. The jury is still out on that point.

But they have come forward and said, "Let's scrap SALT II and let's ignore ABM," that this somehow is in U.S. security interests. That is nonsense.

Arms control, certain defense spending on conventional forces, improvements in command and control makes sense for the United States. The mindless absolving of agreements and the building of things like SDI is inimical to U.S. security interests.

I congratulate the gentleman from Washington for offering this amendment, and I hope that our colleagues support it.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. DOWNEY of New York. I would be glad to yield to my colleague from Washington [Mr. Dicks].

Mr. DICKS. I thank the gentleman for yielding.

The gentleman is absolutely correct. Since you have heard some quotations, let me give you a couple: Margaret Thatcher, Prime Minister of Great Britain, June 3, 1986:

> We regard it as important that the SALT II agreement should continue to be observed, and observed by both sides.

A similar statement was made by Hans-Dietrich Genscher, West German Foreign Minister.

So to suggest that the allies do not support this is absurd.

Mr. RAY. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Dicks amendment and against the Broomfield substitute. I want my colleagues to know that this is the vote in which we face reality or we do not face it at all. In light of the administration's deliberate violation of the SALT treaty, the terms of the SALT treaty, the Broomfield amendment is not about ratification, it is about whether SALT II and the policy therein will live or whether it will die, period. The only way SALT II will live is if we, here in the Congress, force the administration to live with it.

For 10 years we have listened to the opponents of arms control tell us what a bad treaty SALT II is, how bad it was supposed to be. But now we see staring us in the face what will happen to America if SALT II goes down the drain and it is not a very pretty picture.

Make no mistake about it, this treaty was carefully drawn and negotiated to clamp down and clamp down harder on Soviet weapons than on United States weapons.

You kill this treaty and the provisions thereof, and you shift the balance away from the United States and in favor of the Soviet Union.

What the United States will gain if SALT II dies, is very little. And whatever it is, it will be very, very slowly. We will gain a handful of cruise missiles on B-52's. But what the Soviets will gain, right off the bat is 1,232 additional SS-18 warheads, and they will get them within a year or two.

Does anyone here know what an SS-18 is and what the capability of their warheads is? Let me tell you what they are. Today the SS-18 is the Soviet Union's only prompt hard target killer. It is the only one they have. They have 3,080 of these warheads.

That is all SALT II allows them to have.

Now, I think we would all like to have fewer of them over there on their side.

But the Broomfield amendment does not do that. It erases that limit, it erases it altogether. So instead of 10 warheads per SS-18 missile, the Broomfield amendment would let the Soviets go to 14 because it is capable of doing that in the very near term, 20 with the existing technology and 24 if they can equal MX technology.

This amendment, the Broomfield amendment, should really be called the Soviet hard-target-kill-buildup amendment. It creates a real missile gap, at least a warhead gap favoring the Soviet Union, not the United States of America. I think since no responsible Member of Congress should want to set the scales tipped in that manner. We ought to defeat the Broomfield amendment and support the amendment of my friend from Washington State, Mr. Dicks.

Mr. LAGOMARSINO. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. Gingrich].

Mr. GINGRICH. I thank the chairman.

Mr. Chairman, this is a fascinating but I think very sad process, and I think anybody who gets to read the debate on this 3 weeks of defense bill, which is not a fate I am sure I would want to assign anyone to, but anyone who does will learn that this bill teaches us more about the world view of the Democratic caucus than about the reality of the Soviet empire and the threat that that empire poses to American survival.

Somebody earlier commented on strong leadership. I think there is strong leadership here in appeasement and in unilateral disarmament. But I find it fascinating and I think I am going to go straight at the whole process of the structure of this debate: if the Soviets want to put 14 warheads on their SS-18, they can do it tonight. Those of you who can get up and say, "oh, national verification will work," look, the Soviets invaded Afghanistan and we did not know it until they were there; they invaded Czechoslovakia and we did not know it until they were there. They taught the Egyptians who came across the Suez Canal, and the Israelis, who are peculiarly sensitive to these things, did not know it until the attack was already under way.

Now, anybody in this room who thinks that by some magic piece of paper the Soviet dictatorship is going to suddenly decide voluntarily to stay at a level so it would not hurt our good friends on the Democratic left's feelings has lost their mind.

The Soviet empire will do what the Soviet empire thinks will help the Soviet empire.

Gorbachev rose under Joseph Stalin, Shevardnadze was the chief of police in Georgia killing people. These people are systematic vicious thugs. They do what they want to.

They are in Afghanistan killing people today. What do we do in response? We take a treaty so weak, so impotent, so sick that Jimmy Carter could not get it approved by a Democratic Senate. And we stand up here and we say, "Oh, we are going to stop the Soviets." And our good friends on the left who have never been anxious to stop anybody from doing anything say, "Oh, we must keep to this treaty or it will die." This treaty does not live. This treaty has never lived. This treaty was never ratified, it is not a constitutional document under our system. We were duped in this treaty. But my good friend from Washington State offers it, I am certain, in the sense that it will help America be strong. How? How does it help America be strong? It tells America, "Cut up your own submarines, unilaterally stay under an artificial limit, dismantle your own weapons systems, and the Russians, who are allowed under this unratified treaty unusual advantages, we hope will only keep the unusual advantages." And I remind you these were advantages sufficiently bad that even under Jimmy Carter at a point of peculiar appeasement of the Soviet system the United States Senate would not ratify it because Democrats like "Scoop" Jackson said this treaty threatens America.

So what do we have as today's spectacle? Beginning a 3-week debate on defense, the leftwing of the Democratic Party unilaterally cripples America, unilaterally weakens America, unilaterally appeases the Soviets.

The CHAIRMAN pro tempore (Mr. Russo). The gentleman from Georgia [Mr. Ray] has 2 minutes remaining.

Mr. RAY. Mr. Chairman, how much remains on the other side?

The CHAIRMAN pro tempore. All time has expired.

Mr. RAY. Mr. Chairman, I yield the remaining time, 2 minutes, to the gentleman from Massachusetts [Mr. Markey] for closing arguments.

Mr. MARKEY. I thank the gentleman.

Mr. Chairman, opponents of the Dicks amendment would have us believe that they are concerned about the Soviet breakout, continued adherence to the limit on bomber and missile levels because of their deep and abiding concern for SALT II, that somehow or other that the nefarious machinations of the evil empire have destroyed their faith in the SALT II process. But these are the very same people who opposed SALT II in 1979, they are the very same people who opposed the President in 1981 saying that he would voluntarily comply with SALT II as long as the Soviet Union would also comply. And now because of a very small number of relatively minor violations by the Soviet Union, they want to completely opt out of the SALT II process, which is like trying to destroy the village in order to save it. When in fact the crocodile tears which are being shed by our minority friends are nothing more than a disguise for the smiles which they have in private for the total destruction of a process which they opposed from the very beginning because they are in fact, by proposing this amendment, tying the hands of our President's negotiators at the Standing Consultative Commission so they could work out some type of proportional response by the United States to these minor violations so that we can continue to have a verification of the bombers, of accounting mechanisms, of the missiles and the rest of the devices which we have in place to monitor the SALT II process. So let us not have any more of these crocodile tears. Let the gentleman stand up and be honest. You oppose SALT II and you always have. You believe in an arms race. You oppose arms control. That is what this debate is all about.

The Dicks amendment very sensibly puts into place and codifies the Nixon-Ford-Carter-Reagan adherence to SALT I and SALT II processes which have in fact agreement on both sides.

Let us stand by the Dicks amendment.

□ 1450

The CHAIRMAN pro tempore (Mr. Russo). All time has expired.

AMENDMENT OFFERED BY MR. DICKS

Mr. DICKS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Dicks: At the end of page 117 (at the end of title VIII of division A), add the following new section:

SEC. . LIMITATIONS ON DEPLOYMENT OF STRATEGIC NUCLEAR WEAPONS CONSISTENT WITH EXISTING ARMS LIMITATIONS AGREEMENTS.

(a) Notwithstanding any other provision of law, after the end of the 60 day period beginning on the date of enactment of this Act, funds may not be obligated or expended for the deployment or maintenance of—

(1) launchers for more than 820 intercontinental ballistic missiles carrying multiple independently targetable reentry vehicles (MIRVs);

(2) launchers for an aggregate of more than 1,200 intercontinental ballistic missiles carrying MIRVs and submarine launched ballistic missiles carrying MIRVs;

(3) an aggregate of more than 1,320 launchers described in paragraph (2) and heavy bombers equipped for air launched cruise missiles capable of a range in excess of six hundred kilometers;

(4) a number of MIRVs on an individual ballistic missile in excess of the limitations included in the SALT II agreement, its agreed statements and common understandings;

unless the President certifies to the Congress that the Soviet Union, after the date of enactment of this act, has exceeded the limitations specified in any of the limitations specified in paragraphs (1) through (4). Such certification shall be accompanied by a report, in both classified and unclassified versions, providing information upon which the President bases his certification.

(b) For purposes of this section—

(1) launchers of intercontinental ballistic missiles and submarine launched ballistic missiles equipped with multiple independently targetable reentry vehicles are launchers of the types developed and tested for launching intercontinental ballistic missiles and submarine launched ballistic missiles equipped with multiple independently targetable reentry vehicles; and

(2) air launched cruise missiles are unmanned, self-propelled, guided, weapon delivery vehicles which sustain flight through the use of aerodynamic lift over most of their flight path and which are flight tested from or deployed on aircraft.

(c) Within 30 days of enactment of this Act, the President shall notify Congress of his plans for carrying out the provisions of subsection (a).

The CHAIRMAN pro tempore. Pursuant to House Resolution 156, the gentleman from Washington [Mr. Dicks] will be recognized for 10 minutes and a Member opposed will be recognized for 10 minutes.

Is the gentleman from California [Mr. Lagomarsino] opposed to the Dicks amendment?

Mr. LAGOMARSINO. Mr. Chairman, yes, I am opposed to it.

The CHAIRMAN. -The Chair recognizes the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, I want to make it very clear to my colleagues so that everyone understands, here is the parliamentary situation that we are facing. I know that many of you are in your offices with other important meetings, but I want to point this out.

The first amendment up today, after 10 minutes of debate on each side, will be my amendment, which would retain the centerpiece of the SALT II agreement, the limitation on offensive weapons. After that, in the king-of-the-hill fashion that has been adopted on this particular rule, the Broomfield substitute will be presented. The key here is that, if you are for interim restraint, for maintaining these important subceilings in the SALT II agreement, you have to vote for the Dicks amendment and then you have to vote down the Broomfield substitute.

I want to say that my friend from New York has said it very, very cogently. The Broomfield substitute itself is one of the most dangerous amendments that I have seen. What it would do, in a sense, would be to codify a principle that we can avoid an international agreement that we have entered into after negotiations simply because of any minor or technical violations. That would be a serious change in international law and I doubt that it would be a constitutional approach.

We very carefully created in SALT I the Standing Consultative Commission to deal with the problem of violations and in the Broomfield amendment, there is no mention of the Standing Consultative Commission. In a sense this means that what it does is try to negate this important process, whereby the United States and the Soviet Union can resolve differences on treaties. It is important. We should be there right now vigorously pursuing the Soviets on the Krasnoyarsk radar, on the encryption of telemetry, on the second new type because that is where we are supposed to deal with those important issues.

I want to read from my amendment to make certain that everyone understands that this is an amendment that has mutuality to it. After talking about the 3 subceilings on MIRV'd ICBM's, MIRV'd SLBM's, and the cruise missile-carrying bombers, and that the MIRV limits on ballistic missile warheads are to be incorporated, it states that these limits will be in place unless, and I want to read this so that everybody understands this, "unless the President certifies to the Congress that the Soviet Union, after the date of enactment of this act, has exceeded the limitations specified in any of the limitations specified in paragraphs (1) through (4). Such certification shall be accompanied by both a classified and unclassified report."

I want to make it crystal clear that we are not asking the President of the United States to unilaterally abide by these limits. What we are saying is that as a matter of policy, this Congress supports what Ronald Reagan did for the first 5½ years of his administration, that we will go the extra mile, as the President said, we will exercise restraint in the deployment of these systems.

I think it is the right policy for our country. I think that by doing this, we are going to improve the atmosphere to get the deep reductions.

I am an observer to those arms control talks in Geneva. I want to see our negotiators succeed, but if they do not because of the differences on the question of offensive weapons and the President's SDI Program, then at least we can carry forward to the next administration the offensive limits that were inherited by the SALT II agreement by this administration.

I hope the House will also enact the restrictive interpretation on the ABM agreement. Then we still will have a structure for arms control. What we are really debating here today is whether we are going to allow a wide open offensive arms race.

I am hard pressed to believe that the gentleman from Michigan [Mr. BROOMFIELD] really wants to do away with these restraints and allow a wide open offensive arms race. That is the effect of his amendment.

What we are talking about is restraint on both sides.

I am convinced, based on my talks with the Soviets, that they are prepared to continue to abide by these ceilings. I think it is in our interests to abide I want to underline what my friend, the gentleman from Oklahoma [Mr. MCCURDY] said, they can add more offense more quickly than we can, both in terms of launchers and warheads.

It is not us doing anybody else a favor. We are doing ourselves a favor by trying to keep these ceilings on.

I supported the MX missile. I supported the Scowcroft recommendations. I believe very strongly that these agreements should be as honorably kept as possible. I hear about the concern about violations. But isn't this the same Soviet Union that we are talking about dealing with on long-range INF? Isn't it the same Soviet Union that the President is prepared to sign a new agreement with? Are these not the very same people we are talking about that we were dealing with on SALT II? I think there is a little hypocrisy on the other side of the aisle, quite frankly, from those people who seem to forget violations when it is an agreement that Ronald Reagan wants to negotiate. Is this the same country that President Reagan sat down in Reykjavik with and said, "I am prepared to give up all my ICBM's, all my SLBMs, and if Mr. Gorbachev will just come to America, I will give up all my strategic bombers, as well"?

This is what he said, Now, is this the evil empire that we cannot deal with, that, for some reason, we cannot both maintain these limits? I would suggest to the people over on the other side of the aisle that they ought to be a little more consistent.

I urge the House to do what it has done on four different occasions and vote for the Dicks amendment and vote down the Broomfield substitute.

The CHAIRMAN pro tempore. The gentleman from Washington [Mr. DICKS] has consumed 6 minutes.

Mr. LAGOMARSINO. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Chairman, I spent most of the afternoon listening carefully to the arguments that have been made so far, and quite frankly, much of the debate has turned into kind of a partisan political rhetorical debate. There is so much disinformation that has been spread throughout the Chamber that it is almost difficult to address each and every issue.

I have been intrigued by some of the grandiose statements that have been made and I have made some notes and I think we should respond to them.

The grandest statement is that under SALT II, the Soviet Union has dismantled their systems. The truth of the matter is that they have dismantled their systems because they have come out with newer, better, improved systems, in most cases with more warheads.

I have listened carefully and we are led to believe that this is a comprehensive amendment. We are approaching all of the qualitative numbers and the quantitative numbers and what we are really going to find with this amendment is that it is selective. It is not qualitative; it is not comprehensive. It only picks some areas where there are going to be restrictions.

Proponents of the amendment will argue that we must, in the best interests of the United States, stick with SALT II, because if we do not, the Soviet Union is going to build thousands and tens of thousands of warheads over the years, that by 1990, they are going to go up to some 21,000 warheads. What we fail to point out is that under SALT II, under these constraints as they exist, the Soviet Union can add up to 7,000 new warheads.

The obvious question I would have is why are they not doing it now? Why is nobody screaming about that at this point? I think, as we cool down the debate, as we get past some of the rhetoric and some of the political partisan comments made by both sides of the aisle, I think we need to concentrate on what we really want to accomplish.

I do not think anyone wants to tie the hands of our negotiators. I think we all believe—and I do not think it is

Republican or Democratic, that we want a continued arms race.

Mr. Chairman, I rise to oppose—in the strongest possible terms—the amendment being offered here by the gentleman from Washington [Mr. DICKS].

Quite frankly, I find it ludicrous that the Congress would mandate that we continue to adhere to all of the terms of an unratified and expired SALT II agreement, when at the same time the Soviet Union has repeatedly violated many of its most important provisions.

Some argue that the Soviet violations are to be ignored because they supposedly continue to adhere to the numerical sublimits on warheads. Such an argument infers that other parts of SALT II are less important.

Well, I'm not so sure about that. In fact, President Carter—who submitted the treaty to the Senate for ratification in 1980 but then pulled it after the Soviets invaded Afghanistan—clearly stated that we would be justified in abrogating SALT II in the event that any violation occurred.

Have there been Soviet violations of SALT II?

Well, Mr. Chairman, I took the opportunity to fully read the debate last year on this same amendment and I couldn't help but be struck by a comment which was offered by a distinguished member of the Foreign Affairs Committee from the other side of the aisle.

Mr. SOLARZ said, and I quote:

> I do not think anybody seriously argues that the Soviet Union has apparently violated some of the provisions of the SALT II Treaty. I think virtually all of us would agree that to the extent the Soviets have violated the Treaty we cannot afford to be indifferent to those violations.

I certainly would concur with the gentleman from New York on this point. He then continued:

> If arms control means anything, it means reciprocal obligations which are adhered to by both sides.

Let's look at some facts. The Soviet Union has deployed over 70 SS-25 mobile missiles clearly in violation of the treaty's provisions on small ICBM's. They repeatedly have encrypted missile telemetry so we cannot verify compliance and they very likely have exceeded SALT II's limits on strategic nuclear delivery vehicles.

Most glaring—and I would ask any Member to dispute this—is the Soviet violation of provisions relating to "early warning radars" through the continued construction of the phased-array radar at Krasnoyarsk.

President Reagan, time and time again, has indeed "gone the extra mile" in trying to bring the Soviet Union back into compliance. They have flatly refused to do so.

As such, I believe the President was wholly justified in stating last May that since they repeatedly cheat on SALT II, we will no longer feel bound to develop our national security policy around a treaty which isn't worth the paper it is written on.

It seems that the Members on the other side of the aisle feel that the more Congress restricts the President's ability to respond to Soviet cheating, the more likely that they will start following this agreement.

Where is the logic in this?

If Congress passes this amendment, its practical effect is to give something scot free to the Soviet side at the Geneva negotiations.

Rather than bind us to this failed treaty when the Soviets are picking and choosing what parts of SALT they want to follow, I would suggest that a better approach is contained within the substitute which will be offered by the gentleman from Michigan [Mr. BROOMFIELD]. That substitute will simply state that we will comply with SALT II once the Soviet Union comes into compliance.

This is not the time for armchair diplomacy by the Congress. Let's give the President the flexibility he needs to negotiate and let's do so by defeating the Dicks amendment and adopting the Broomfield substitute.

Mr. LAGOMARSINO. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. DONALD E. LUKENS].

Mr. DONALD E. LUKENS. Mr. Chairman, I rise in opposition to the Dicks amendment and would favor an amendment to require that the Soviet Union also comply with SALT II if the United States is required to.

The SALT II Treaty was not ratified because it was not in the national security interest of the United States because the treaty:

Allows a doubling of Soviet nuclear warheads;

Does not provide adequately for verification; and,

Gives the Soviets a monopoly on large missiles.

But furthermore and to the point of today's debate, we should not legislate compliance with SALT II while the Soviets violate it. The U.S.S.R. cynically disregarded the treaty when they:

Modernized their intercontinental ballistic missiles in absolute violation of the treaty;

When they coded their radio signals preventing the United States from verifying Soviet compliance; without verification any treaty is a farce.

The Soviets violated the treaty when they deployed SS-16 missiles forbidden under the treaty and then deliberately concealed the missile silos.

It is simply not in our national interest to overlook all of this evidence of Soviet bad faith when it comes to this treaty.

To ignore all of these problems and to continue to abide by this agreement would endanger all later agreements. No arms control agreement would be safe as long as the Soviets know that they can violate it with impunity.

Ignoring Soviet violations will encourage more violations.

America and the U.S.S.R. have signed 21 arms control agreements since 1945—12 negotiated by Republicans and 9 by Democrats—yet both countries still have enough missiles to destroy the world. Ronald Reagan is the first President to propose reductions in nuclear weapons—not just limits.

For real and lasting arms control we must negotiate mutually verifiable, enforceable and meaningful treaties. Negotiators are attempting to agree on such a treaty now and when they do I will strongly support it.

□ 1500

The CHAIRMAN pro tempore (Mr. RUSSO). The Chair will state that it is the Chair's intention under this amendment to allow the gentleman from Washington [Mr. DICKS] to close debate. The gentleman from Washington [Mr. DICKS] has 4 minutes remaining and the gentleman from California [Mr. LAGOMARSINO] has 6 minutes remaining.

Mr. LAGOMARSINO. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, I rise in opposition to the Dicks amendment.

It seems to me that this amendment follows the line of many of our friends in recent days, and that is to place great faith in agreements with the Soviet Union, which I think is very much misplaced. This amendment follows suit. It says that we should follow the SALT II limits. But the fundamental question is: What about the existing Soviet violations? Do they count? Why are we not forcing compliance with those provisions?

We know that the Soviets have deployed a new missile in violation of the SALT Treaty, and that is the SS-25. We know that there are between 70 and 80 of those missiles deployed now. We know that they have encoded telemetry in their testing in violation of the treaty. We are advised now that there is close to 100-percent encryption on the SS-25.

Why do we not require compliance with the provisions of the treaty that are of interest to us? More fundamentally, why do we place faith in an agreement that is already being violated?

My colleague said that perhaps we are all being a bit hypocritical here because we are now looking forward to a new INF agreement, and would that not assume we are placing faith in compliance by the Soviets with an agreement?

I submit, first of all, that a new treaty that we might ratify, unlike the SALT Treaty, which has never been ratified, should contain some new type of enforcement mechanism. One that has been suggested would be a form of liquidated damages which would automatically result if we find that the Soviets are violating it, so we would not have to worry about the public political debate about whether we should respond; it becomes an automatic response.

Perhaps another answer is that my colleague is right, that this is hypocritical and, recognizing the fact that they have violated the SALT Treaty, which was never ratified, we simply should not trust them to ratify a treaty relating to the reduction of arms in Europe.

The primary point is that we have to recognize the fact that the Soviets have violated the SALT II Treaty, and because of that we should not be submitting to another amendment such as this.

Mr. LAGOMARSINO. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I appreciate the gentleman's yielding time to me.

Mr. Chairman, let me just make a couple of points. First of all, my colleague made the point that the Soviets have engaged in minor violations of the treaty. The SS-25 probably has hard target kill capability. Does everybody understand what that means? Hard target kill capability means the Soviets can take out our most hardened targets in this country.

The SS-25 is a clear violation of the SALT II Treaty. The only reason we cannot fully determine whether the SS-25 has hard target kill is because the Russians are engaging in encryption of the telemetry of the SS-25.

So they are violating the agreement on two scores. No. 1, they are deploying the SS-25, and No. 2, they are not allowing us to read the signals from the SS-25 so we can determine the missile's capability.

I also remind my colleague that the SS-25 is not considered under the SALT II agreement because it is only a single warhead, and they make the argument that the SS-25 is a replacement for the SS-13, which the whole rest of the world knows is nothing but a bunch of bunk.

So I think it is important that we make the point that the telemetry encryption and the SS-25 are not minor violations. That is such a distortion of reality that it brings into question our knowledge of defense systems when we stand on the floor and debate these topics.

The bottom line is that we are on the verge of an agreement to eliminate a whole class of weapons, and whether people want to agree to it or not, this would be the first time in our lifetimes that an entire class of weapons could be eliminated. Let us not let the Soviets fudge on this agreement. Our European allies want to make sure that we get a decent agreement, and let us not make them be afraid of the fact that we are going to agree to something that we will in piecemeal fashion let the Soviets violate.

This is the wrong signal for that, and it is the wrong time. We ought to support the INF negotiations. I know that my colleagues on this side of the aisle do support them. Let us support them 100 percent, and let us not in any way, shape, or form try to undermine the people who are making very substantial progress.

The CHAIRMAN pro tempore. The gentleman from California [Mr. LAGOMARSINO] has 2 minutes remaining and the gentleman from Washington [Mr. DICKS] has 4 minutes remaining.

Mr. LAGOMARSINO. Mr. Chairman, I yield myself my remaining 2 minutes.

Mr. Chairman, I would like to make just two points in closing on this side.

It has been said several times by several of the speakers on the other side that the violations by the Soviets were in fact—they did not use these words exactly—were insignificant, and that they did not matter and were not central to the treaty.

Several of the Members on this side quoted Jimmy Carter about that. I would like to do it again. Perhaps the Members were not listening.

Jimmy Carter said:

> Violation of any important part of the agreement would be a basis on which to reject the treaty in its entirety.

He also said before a joint session of Congress:

> A violation of the encryption provisions would be just as serious as a violation of the limits on the strategic weapons themselves.

Further, in a speech before the Publishers Convention, he said:

> Any such concealment (of telemetry or other verification measures) activity would itself be detectable, and a violation of this part of the agreement would be so serious as to give us ground to cancel the agreement itself.

It was also argued on the other side of the aisle here that passing this amendment would somehow be helpful to our negotiators. I have talked to our negotiators, and I never heard them say they wanted this language in a bill. To the contrary, every time I have talked with them, every time I have heard them speak, they were strongly opposed to adding this kind of language to any kind of legislation pending before this Congress. And they have said many times—and many of them have said it—that it would hurt them, not help them.

So, Mr. Chairman, I urge my colleagues to vote down the Dicks amendment.

Mr. Chairman, I oppose the amendment offered by the gentleman from Washington. This amendment bars the use of funds to deploy nuclear weapons exceeding the numerical sublimits set by the unratified, expired SALT II Treaty.

The gentleman's provision completely ignores Soviet noncompliance with the overall provisions of Salt II. In fact, his provision is magnificent in its selectivity. It concentrates only on numerical sublimits and ignores everything else in the treaty as insignificant.

The amendment concentrates on the one area, numerical sublimits where the Soviets apparently—at least at this point—have continued to comply. The provision ignores other parts of the SALT II Treaty. In short, the gentleman from Washington is selectivity rewriting the SALT II Treaty and then attempting to ratify it legislatively.

By preventing the use of funds to deploy weapons exceeding the sublimitations, the provision would not only unilaterally keep us from continuing certain strategic modernization but also prevents the United States from taking appropriate action to respond proportionately to Soviet noncompliance with SALT II. This amendment legislates away United States to respond to Soviet violations and I urge my colleagues to oppose it.

And more importantly, it tells the Soviets they need not be concerned about violations—or verification. A great way to backup our negotiators when they are involved in very tough and extremely critical negotiations on verification on LRINF weapons.

Our negotiators are opposed to—not in support—of the Dicks amendment.

Mr. DICKS. Mr. Chairman, I yield my remaining 4 minutes to my colleague, the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY of New York. Mr. Chairman, I hope that the Members have been paying attention to the debate. On the one hand we hear that the Russians cannot possibly be trusted, that the whole history of the "evil empire" is such that they are thugs, brigands, and thieves, that Joseph Stalin is still alive and well in the Soviet Union. On the other hand we are told, "Oh, oh, wait a minute here. Don't pull the rug out from under our negotiators because we are about to conclude a deal with these thugs, brigands, and thieves that will be the deal of a lifetime."

We cannot have it both ways. We either do not want to do business with them because we distrust them and believe that agreements are not verifiable, or we recognize the imperative that we have to, and that we must get on with the business of dealing with arms negotiations.

Second, let me deal with the counterhistorical points that continually get made here, that somehow we are pulling the rug out from under our negotiators. Let me suggest that they have been dancing on hard wood for a long time, and there is no rug to be pulled out from underneath them. The fact is that in the last 3 years the Congress of the United States has consistently held the defense budget below that which the Department of Defense would like. It has consistently here in the House of Representatives, and in the Senate, made point after point about how the Congress feels strongly about the need to see some sort of arms control, and it has gone so far as to try to limit, both in SALT and in testing, administration prerogatives.

□ 1510

What has the Soviet Union done? It has come forward with one concession after another. The Soviet Union appears interested in arms control, notwithstanding what we do here. Believe it or not, they have the capacity to understand the difference between what the House does, and what the Senate does, and what the administration does.

A number of us were over in the Soviet Union and made that point to them: "You still have to deal with the administration because they are the ones who negotiate agreements. We are the voices of the American people in prodding this administration, but ultimately, you have to deal with the administration if you want an agreement."

The Soviets pay attention to things that we do, for sure. But to suggest somehow that what we are saying on SALT, and what we will say on testing and ABM, is going to short-circuit an agreement, just does not deal with reality. It is a wonderful debating point, and I hope you make it over and over and over again, but it is completely and totally irrelevant.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. DOWNEY of New York. I yield to the gentleman from Washington.

Mr. DICKS. I thank the gentleman.

Mr. Chairman, we have heard quotations cited on the other side of this issue. A couple of people who I happen to respect, have commented on the opposite view. One is Gen. David C. Jones, the former Chairman of the Joint Chiefs, he says, "there is not even a marginal military reason for exceeding the SALT limits." Then, Gen. Brent Scowcroft, "Yes, I think we should comply with SALT II. There are restraints in the treaty on the Soviets, which, however modest, are better than having no constraints at all."

That is what we are talking about here today. We are talking about an effort to maintain some modicum of restraint. This idea that we are going to trust the Soviets not to build up their offensive capability is totally absurd. Because, at the same time that we are in this debate, we are also talking about potentially deploying a strategic defense initiative. I have serious reservations about that. But if we do, the easiest thing to do to overcome it is to add more offense. So not only are we tearing up an agreement that is in our security interests, but the Soviets have a very definite reason why they should take advantage.

They can say, "No, we did not want to do this. We did not want to break these terms. But the Reagan administration broke out, and we have no choice but to respond."

Mr. DOWNEY of New York. I would point out that the gentleman has made an excellent point. But, more importantly, the fundamental premise on which arms control is based, that somehow restraint makes sense for both sides, is in SALT II. But beyond that, all of the counting rules, all of the procedures that allow for arms control to go forward are a result of very carefully crafted, on-going negotiations.

Please support the Dicks amendment.

Mr. FASCELL. Mr. Chairman, I urge my colleagues to support the Dicks amendment calling for mutual United States and Soviet adherence to the sublimits of the SALT II Treaty. Support for this amendment would simply be reaffirmation of similar action the Congress has taken in the past on this issue.

I further urge my colleagues to oppose the Broomfield substitute which has the effect of undermining the SALT II Treaty, thereby allowing the Soviets to enlarge their nuclear arsenal in ways the treaty now prevents them from doing.

In other words, if the Broomfield amendment is passed, the Soviets could:

More than double the size of their current nuclear arsenal from over 9,000 to 20,000 nuclear weapons; and

Make United States verification more difficult and impede United States intelligence of Soviet nuclear activities.

This past August, as an amendment to the fiscal year 1987 Defense authorization bill, the House of Representatives passed, by a vote of 225-186, language cutting off funds for the deployment of launchers in excess of the numerical sublimits contained in the SALT II Treaty for as long as the Soviet Union remains within those sublimits.

These numerical limits are important because they are the major sublimits of the treaty—which sets ceilings on the number of MIRV'd launchers on ICBM's, SLBM's and heavy bombers carrying cruise missiles that each superpower can have. In testimony before the Foreign Affairs Committee, we were assured by administration witnesses that these limits had never been violated by the Soviet Union. Why then should these constraints on Soviet weapons development be abandoned? It seems to me that we should constrain Soviet weapons development, not encourage it.

In supporting this amendment to the fiscal year 1987 Defense authorization bill, the Congress expressed its opposition to United States abandonment of the SALT arms control regime with nothing to replace it and we demonstrated our support for maintaining the existing restraints on United States and Soviet forces found in the SALT agreements. These restraints are just as important today.

Another important factor that everyone is rightfully concerned about is verification of our arms control agreements. If we abandon the SALT regime altogether, United States verification would be more difficult and United States uncertainty and anxiety over enhanced Soviet nuclear warfighting capabilities would increase. SALT II requires the Soviets to give advance notification of tests and to avoid various concealment activities with which the Soviets are in compliance. Without these restraints, the threat of a surprise Soviet attack would become more possible and United States knowledge of overall Soviet deployments would be reduced.

While, final action in this issue as reflected in the fiscal year 1987 continuing resolution, did not call for funding cuts, it did contain strong policy language urging the President to continue observing the SALT II Treaty sublimits for as long as the Soviet Union does likewise.

The President, however, unwisely chose to ignore the wisdom of our allies and the wisdom of a bipartisan majority in Congress when he exceeded the limits of the SALT II Treaty by deploying the 131st heavy bomber carrying cruise missiles last year. This action calls into question the credibility of the administration's commitment to a comprehensive arms control policy. It also allows the Soviet Union the opportunity to exploit United States noncompliance with the treaty.

Some may say that in the 5 months since the United States has been out of compliance with the SALT II Treaty, the Soviets have not exceeded the sublimits and have not engaged in a massive arms buildup. In my view, this does not mean that we should trust the Soviets forever to stay in compliance with the sublimits. The point is that now the Soviets are free to add to their nuclear arsenal where before they were constrained. The purpose of our action today is to put these restraints back on the Soviets.

If nothing else, United States and Soviet adherence to the SALT sublimits would demonstrate, as an interim measure, a good faith effort toward further reductions in the strategic arsenals of both superpowers. In my judgment, maintaining a good faith commitment to a comprehensive arms control policy by the superpowers is of primary importance.

Support for the Dicks amendment would reaffirm the congressional view that some constraints on the Soviet arsenal are better than no constraints on the Soviet arsenal.

I therefore urge my colleagues to support the Dicks amendment calling for mutual United States and Soviet adherence to the SALT II sublimits.

I also urge my colleagues to oppose the Broomfield substitute which would result in abandonment of the only regime in place today that imposes constraints on the Soviet strategic arsenal.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Washington [Mr. DICKS].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 245, noes 181, not voting 7, as follows:

[Roll No. 88]

AYES—245

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Bates
Beilenson
Bennett
Berman
Bevill
Biaggi
Bilbray
Boehlert

Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
Davis (MI)
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hefner
Henry
Hertel
Hochbrueckner
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Mineta
Moakley
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Nagle
Natcher
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Pease
Penny
Pepper
Perkins
Price (IL)
Price (NC)
Pursell
Rahall
Rangel
Ray
Richardson
Ridge
Robinson
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tauke
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOES—181

Archer
Armey
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Chandler
Cheney
Coats
Coble
Coleman (MO)
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
Fields
Gallegly
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Herger
Hiler
Holloway
Hopkins
Houghton
Hunter
Hutto
Hyde
Inhofe
Ireland
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCandless
McCollum
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nelson
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Patterson
Petri
Pickett
Pickle
Porter
Quillen
Ravenel
Regula
Rhodes
Rinaldo
Ritter
Roberts
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOT VOTING—7

Annunzio
Combest
de la Garza
Ford (TN)
McDade
McKinney
Valentine

□ 1530

The Clerk announced the following pair:

On this vote:

Mr. McKinney for, with Mr. Combest against.

Mr. PRICE of Illinois changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. RUSSO). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BROOMFIELD: At the end of page 117 (at the end of title VIII of division A), add the following two new sections:

SEC. . LIMITATIONS ON DEPLOYMENT OF STRATEGIC NUCLEAR WEAPONS CONSISTENT WITH EXISTING ARMS LIMITATIONS AGREEMENTS.

(a) Notwithstanding any other provision of law, after the end of the 60 day period beginning on the date of enactment of this Act, funds may not be obligated or expended for the deployment or maintenance of—

(1) launchers for more than 820 intercontinental ballistic missiles carrying multiple independently targetable reentry vehicles (MIRVs);

(2) launchers for an aggregate of more than 1,200 intercontinental ballistic missiles carrying MIRVs and submarines launched ballistic missiles carrying MIRVs;

(3) an aggregate of more than 1,320 launchers described in paragraph (2) and heavy bombers equipped for air launched cruise missiles capable of a range in excess of six hundred kilometers; or

(4) a number of MIRVs on an individual ballistic missile in excess of the limitations included in the SALT II agreement, its agreed statements and common understandings;

unless the President certifies to the Congress that the Soviet Union, after the date of enactment of this act, has exceeded the limitations specified in any of the limitations specified in paragraphs (1) through (4). Such certification shall be accompanied by a report, in both classified and unclassified versions, providing information upon which the President bases his certification.

(b) For purposes of this section—

(1) launchers of intercontinental ballistic missiles and submarine launched ballistic missiles equipped with multiple independently targetable reentry vehicles are launchers of the types developed and tested for launching intercontinental ballistic missiles and submarine launched ballistic missiles equipped with multiple independently targetable reentry vehicles; and

(2) air launched cruise missiles are unmanned, self-propelled, guided, weapon delivery vehicles which sustain flight through the use of aerodynamic lift over most of their flight path and which are flight tested from or deployed on aircraft.

(c) Within 30 days of enactment of this Act, the President shall notify Congress of his plans for carrying out the provisions of subsection (a).

SEC. . SOVIET SALT II COMPLIANCE CONDITION ON U.S. COMPLIANCE.

No provision of this Act relating to United States compliance with the provisions or limitations contained in the document commonly referred to as the SALT II Treaty shall take effect until the Union of Soviet Socialist Republics is in compliance with the provisions or limitations of such document.

The CHAIRMAN pro tempore. Pursuant to House Resolution 156, the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 10 minutes and a Member opposed will be recognized for 10 minutes.

Mr. DICKS. Mr. Chairman, I am opposed to the amendment.

The CHAIRMAN pro tempore. The gentleman from Washington [Mr. DICKS] will be recognized for 10 minutes.

It is the Chair's intention to allow the gentleman from Michigan [Mr. BROOMFIELD] to close debate.

Mr. BROOMFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, arms control negotiations should be between the United States and the Soviet Union—not between the President and the Congress. Recent attempts by some of my colleagues for selective adherence of the unratified and expired SALT II agreement reveal how current legislation is being used for United States-Soviet negotiations.

This is hardly the time for the Congress to send the Soviet Union selective signals on SALT II. Such signals only tell the Soviet Union that it can pick and choose the provisions of SALT II which it wants to honor. Such an arrangement codifies Soviet violations by providing a line-item veto over SALT II.

Congressional pressure for selective compliance with SALT II especially undercuts our negotiators in Geneva.

As for my amendment—it is simple and to the point. We should not be asked to selectively support the sublimits of the SALT II agreement if it is convenient for the Soviet Union. We must do more. We must ask the Soviet Union to obey the entire SALT II agreement.

The United States has repeatedly asked the Soviet Union to end such SALT II violations as the deployment of the New SS-25 and the continued encryption of missile telemetry. The Soviet Union has failed to respond constructively and those violations continue today.

My amendment attempts to address this problem in a very simple and honest way. It says that any adherence to the limitations of SALT II which are imposed by the provisions of this authorization shall not take effect until the Soviet Union is in full compliance with all of the SALT II agreement. As a result, my amendment takes into account all provisions of the SALT II agreement—not simply numerical provisions.

By supporting the Broomfield amendment, we will have an opportunity to reverse Soviet arms control violations, counter the Soviets' military buildup, and if necessary force the Soviets to continue to seriously negotiate in good faith in Geneva. For these important reasons, I urge my colleagues to support the amendment.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. GREEN], in opposition to the Broomfield amendment.

Mr. GREEN. I thank the gentleman for yielding time to me.

Mr. Chairman, I think that it is important that all of us understand that the practical effect of the Broomfield amendment is simply to undo the vote that we have just taken.

It is highly probable, and certainly Mr. BROOMFIELD would assert it is proven, that the Soviet Union has violated SALT II by proceeding with two new missiles, the SS-X-24 and the SS-X-25. That is reasonably plain, I think.

It is also true, of course, that the United States since 1983 has decided to make exactly the same violation. We decided to proceed with the MX and with the Midgetman.

So we are in a situation where there is a Soviet violation and there is a United States-intended violation, one that we announced that we were going to commit 4 years ago.

Under those circumstances the effect of the Broomfield amendment is simply to say that SALT II numerical limitations are dead, because there are those two balanced violations. We are not, I trust, about to turn back on the policy that we adopted in 1983. The MX is already built, and I hope that we are going to proceed with the Midgetman, and the Soviets have certainly moved ahead with the SS-X-24 and the SS-X-25.

Thus, if we vote for this amendment, however superficially pleasing it may seem, the real effect of what we are doing is to say that the vote that we just took on behalf of the SALT II numerical limitations is vitiated.

□ 1540

I suggest that makes no sense whatever. If my colleagues want to punish the Soviets for a violation, as indicated in my previous remarks during general debate, I suggest not punishing them in a way which hurts us worse than it hurts them. We have been the beneficiary of these numerical limitations. They have had to destroy more weapons than we have to comply with them. If they are wiped away, the Soviets can put more missiles in place, more warheads in place a lot faster than we can.

So this kind of response makes no sense whatsoever. Let us pick some response that helps us and hurts the Soviets instead of picking a response that hurts us and helps the Soviets.

Mr. BROOMFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, I rise in strong support of the Broomfield amendment.

Mr. Chairman, let me point out some major misconceptions regarding the SALT II Treaty.

Many proponents of the amendment to hold the United States to SALT II limits claim that the administration is not doing enough to enact real arms control. What has SALT II done for arms control? Well, for starters, Soviet strategic weapons have quadrupled in 15 years; Soviet ballistic missiles have nearly doubled in the same amount of time, and, in direct violation of the treaty, at least two new types of ICBM's have been introduced.

In addition, proponents claim that it is in the best interests of the United States to remain in the numerical limits of this treaty. Why? Whether or not this treaty exists, the Soviets are free to add 7,000 new warheads to their arsenal in the next 3 years alone. If the usual Soviet treaty compliance record can be expected, the Soviets could maintain, almost within treaty bounds, over 20,000 nuclear warheads. Obviously, the law of decreasing marginal utility would dictate that the Soviets don't need this many warheads—they already, with the SS-18 alone, have all strategic targets in the United States covered with at least two warheads.

What has the United States done during this time? While the U.S.S.R. has expanded its launchers, missiles, missile throw weight and warhead numbers under SALT II, the United States has consistently decreased its launchers, and we now have the smallest number of launchers that we have had in 20 years. In addition, the overall number of nuclear weapons maintained by the United States has dropped 20 percent since the late 1970's.

I remain hopeful that arms control can work. But, by mandating compliance with an outdated and unrealistic treaty, we jeopardize both our strategic position and throw a huge obstacle in front of any delicate arms negotiations by showing the Soviets that they are free to violate treaty limitations with no proportional response by the United States. Thus, supporting any amendment to hold the United States to SALT II limits would weaken the United States significantly and would be a grave mistake.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. LAGOMARSINO], a member of the Committee on Foreign Affairs.

Mr. LAGOMARSINO. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan.

For the past several years, the President has provided detailed reports on Soviet violations to arms control agreements. We have constantly raised the compliance problems with the Soviets at the Standing Consultative Commission as well as in direct meetings between the President and with General Secretary Gorbachev. You can't go much higher than that.

As a result, we cannot afford to selectively ratify SALT II sublimits—where the Soviets may presently be complying—without taking into account all SALT provisions—some of which the Soviets are clearly violating.

The amendment before us attempts to address this concern by providing that nothing in this act concerning selective adherence to SALT II limitations shall take effect until the Soviets are in compliance with all provisions of the SALT II agreement. SALT II is a comprehensive, integrated package with interlocking components. Numerical and qualitative provisions—and violations—cannot be separated. In short, the Soviets signed the SALT II agreement and this amendment does nothing more than call upon them to live up to their commitment to all of the provisions of that agreement, provisions that Jimmy Carter called essential.

For these important reasons, I urge my colleagues to support the amendment.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. Fascell], the distinguished chairman of the Committee on Foreign Affairs.

Mr. FASCELL. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to the amendment.

Mr. Chairman, I have a high regard for the gentleman from Michigan who is the proponent of the amendment; nevertheless, I have to oppose it, because it is clear that what the purpose of the amendment is, is to undo the amendment we just agreed to. There is no point that I can see of value in going up the hill and down the hill, and so I would urge my colleagues to vote against this amendment and sustain the vote we just agreed to.

Aside from that, it is just not a good policy, it seems to me, since we have no treaty which has been amply referred to on both sides. What we are talking about is a guideline, and whether or not there are violations, and that is disputed.

I will say that there are violations, from my point of view, and whether or not they can satisfactorily be resolved in the Special Consultative Commission, or whether or not they can be satisfactorily resolved in the ongoing negotiations that are taking place in Geneva right now remains to be seen.

There is nothing wrong with saying that in the meantime, let us see if we cannot adopt a policy, if the Soviets are willing to do it, the sublimits of this agreement.

Right now we are negotiating, but at least we have something in the interim until such time as we get an agreement. That is the purpose of the amendment which the overwhelming majority just sustained. There is no point now in coming along and undoing it with this amendment.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Mrs. Johnson].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding to me at this time. I rise in support of the Broomfield amendment.

I voted for the Dicks amendment, am going to vote for the Broomfield amendment, and hope my colleagues will join me in so doing.

I consider this amendment an absolutely responsible refinement of the Dicks amendment for this reason: It makes clear that both numbers and trust are important.

President Carter said clearly and repeatedly when he advocated SALT II that it barred encryption, and if people did not abide by that bar, we would be able to determine that easily and unequivocally, take it to the Standing Consultative Commission, and if we did not get a fair response, abrogate the agreement. President Carter clearly said encryption alone would be such a significant violation of SALT II that it would justify abrogating the agreement.

We must pay attention to the encryption that has been going on at this time, because encryption erodes trust. Right now, when we are moving forward rapidly in arms negotiations, if there is one message we need to send to our Soviet partners at the bargaining table, it is that we must be able to trust that there will be compliance when compliance is negotiated, and there will not be violations of positions in treaties that are specifically barred. Both numbers and rudimentary compliance are critical for a peacful world.

I urge adoption to the Broomfield amendment.

Mr. DICKS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would just like to point out to the gentlewoman from Connecticut that I wish you could have it both ways on this particular amendment, but you cannot.

The problem with the Broomfield amendment is that any violation, however trivial, would free the administration from the commitments that are made under the Dicks amendment and under the SALT II agreement.

That is why we have the Standing Consultative Commission. This is a dangerous amendment as a principle of law, because in our negotiations with the Soviets, we have created the SCC. They are supposed to resolve those things. What you are now saying is that Congress is going to undercut the ability of the Standing Consultative Commission and the administration to resolve these disputes. That is a serious mistake in judgment, and one of the reasons why Members of our side should vote against the Broomfield amendment in support of Dicks.

The CHAIRMAN pro tempore (Mr. Russo). The gentleman from Michigan [Mr. Broomfield] has 5 minutes remaining and the gentlemam from Washington [Mr. Dicks] has 3 minutes remaining.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. Hyde].

Mr. HYDE. Ladies and gentlemen, the history of SALT II was that in 1979, President Carter withdrew it from the Senate for further consideration as a response, dare I say proportional response, to the Soviets invading Afghanistan.

If it was not fit to be followed then, why is it any better 8 years later after the Soviets are still fighting a bloody, brutal war in Afghanistan?

Our response to their continued fighting of that war is to lie down and play dead. It does not make sense.

Maybe what has happened since 1979 when President Carter took it away from the Senate has made things better.

I suggest when they shot down KAL 007 that should be on the debit side, not the credit side of the Soviet Union.

I also suggested when they murdered Major Nicholson and physically barred him from getting medical attention, that should be on the debit side, not the credit side of the Soviet Union.

I ask my colleagues, Who benefits by supporting the Dicks amendment. Certainly not our negotiators, who have one less chip to work with, one less thing to bargain for. You have taken that away.

The only benefit goes to the Soviet Union. When we exceed the numerical sublimits, that could be our proportional, and I suggest less than proportional, response to the Soviets violating far more important parts of SALT II, such as new weapons systems, such as encrypting telemetry.

We let them get away with literally murder, and our response is to tie our hands? That is dumb. That just does not make sense.

I do not know why you are doing it, except it is a bash Reagan; and if that makes you feel good, I guess go with it, but it does not help America, and it does not help our national security.

Mr. DICKS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me explain the situation that we now face.

The committee has voted to adopt my amendment on interim restraint which was the policy of the Reagan administration for 5½ years, and a policy that was in our national security interests.

□ 1550

If we now vote for the Broomfield amendment, we will negate the substance of the Dicks amendment. I would urge my colleagues to reject the Broomfield amendment because it would deal with the minor violations as an excuse for doing away with the limits in the SALT II agreement. That is a mistake. Under the policy set out in SALT I, the ABM agreement, in SALT II, we created the Standing Consultative Commission to resolve these disputes. So this amendment is in my judgment political in nature, it would negate the previous vote in the name of compliance.

You simply cannot not have it both ways. You have to be either for interim restraint, be for the policy that Reagan followed for 5½ years, or you are for tearing up the last limit on offensive weapons. I would say to my friends on the other side of the aisle that if they want an unrelenting arms race, if they want the Soviets to be able to add four warheads to all 308 of their SS-18's, if they want to let the Soviets, with their hot production lines, build more offensive capability, then vote for the Broomfield amendment.

We do not have a similar capacity to respond. President Reagan said it best of all, he said, "When I became President I found out that they could add more than we could in the short term." And that is why we are saying to you, if you want to keep a lid on the offensive arms race, vote down the Broomfield amendment and vote for the Dicks amendment.

Mr. DOWNEY of New York. Mr. Chairman, will the gentleman yield to me?

Mr. DICKS. I yield to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY of New York. I thank the gentleman for yielding.

I think the gentleman has made a very interesting point. What we do here, none of us—probably all of us are guilty of it; on the one hand we say, "I voted for the Dicks amendment because I am for arms control but then again I distrust the Russians and I wanted to prove to my conservative friends that I am just as hard line as they are and I voted for Broomfield."

Well, Broomfield negates Dicks. You cannot be for arms control, interested in the process of arms control and support Broomfield. So to those of you who want to have it both ways by voting one way and then voting the other, you would have it only one way. You cannot step on the "gas" of arms control by voting for Dicks and then put the "brakes" on by voting for Broomfield and being anyway consistent around this place. Your actions here in the process will speak very clearly about your interest in the process of arms control by voting for Broomfield.

Mr. STRATTON. Mr. Chairman, will the gentleman yield to me?

Mr. DICKS. Yes, I yield to the gentleman from New York.

Mr. STRATTON. I thank the gentleman for yielding.

The consultative agreement connection has never been used, never been used in its history.

The CHAIRMAN pro tempore (Mr. RUSSO). The gentleman from Michigan [Mr. BROOMFIELD] has 3 minutes remaining to close the debate.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. I thank the gentleman for yielding.

For those who feel as though they want to vote to at least say that there is something positive about this overall framework, this is the opportunity to do it and do it within the confines of voting for something that says the Soviets ought to stop cheating. Ronald Reagan told them on two separate occasions, directly to Gorbachev, "If you stop cheating, we will live within the framework." That is what the Broomfield amendment says. "If you stop cheating, we will start living within the framework." It is not a great framework because we go from 5,000 warheads to 14,000 warheads. It is not arms control, it is sanctioned arms buildup. But if you want to vote for this framework, and I intend to vote for the framework, but only on the condition that they stop their cheating. I think that makes the most sense. We can turn this vote around on the Dicks amendment, we can say we support some framework here, we can vote for it, we cannot pull out the rugs from under on negotiators and INF and we can send a clear message about cheating and we can still have a vote to support some framework of this sanctioned arms buildup.

I urge support of the Broomfield amendment.

Mr. BROOMFIELD. Mr. Chairman, to wrap up this debate, I yield the balance of the time to the gentleman from Louisiana [Mr. ROEMER].

The CHAIRMAN pro tempore. The gentleman from Louisiana [Mr. ROEMER] is recognized for 2 minutes.

Mr. ROEMER. I thank the chairman.

Mr. Chairman, it has been said in the last few minutes by those of our colleagues who supported the amendment and provision just passed in the House, the Dicks provision, that the Broomfield initiative would negate Dicks. Not true. Dicks said, "We adhere unless they violate." Broomfield says, "We adhere if they adhere."

The truth is every Member with whom I have spoken wants peace. The truth is every Member with whom I have spoken says we are making progress toward same.

Why? The President of the United States and this administration, with some "baby help" from this Congress has strengthened America's hand in the negotiating table and it comes down to this: Will we make progress through strength or by unilaterally saying, "We will tie our hands"? In this kind of negotiation, America must be for peace and maintain its strength, otherwise the Soviet Union would not be meeting with us day after day after day.

It seems that some Members of the House believe the Soviets before they believe our President. I do not think the Congress ought to be on the record that way.

Broomfield does not negate Dicks; it makes the dream for peace come a lot closer.

Support Mr. BROOMFIELD.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. BROOMFIELD].

The question was taken, and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BROOMFIELD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 231, not voting 13, as follows:

[Roll No. 89]

AYES—189

Archer
Armey
Badham
Baker
Ballenger
Barnard
Bartlett
Bateman
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Chandler
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coughlin
Courter
Crane
Dannemeyer
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
English
Erdreich
Fawell
Fields
Flippo
Frenzel
Gallegly
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Grandy
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hefley
Henry
Herger
Hiler
Holloway
Hopkins
Houghton
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
Jenkins
Johnson (CT)
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCandless
McCollum
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Montgomery
Moorhead
Morrison (WA)
Myers
Nelson
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Pickle
Porter
Pursell
Quillen
Ravenel
Regula
Rhodes
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Skelton
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauzin
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOES—231

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Bates
Beilenson
Bennett
Berman
Biaggi
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Daniel
Darden
DeFazio
Dellums

Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Frank
Frost
Garcia
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Horton
Howard
Hoyer
Hubbard
Hughes
Jacobs
Jeffords
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Mineta
Moakley
Mollohan
Moody
Morella
Morrison (CT)
Mrazek
Murtha
Nagle
Natcher
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Price (IL)
Price (NC)
Rahall
Rangel
Ray
Richardson
Ridge
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sikorski
Sisisky
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tauke
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—13

Annunzio
Barton
Combest
Craig
Crockett
de la Garza
Ford (TN)
Gaydos
Jones (NC)
McKinney
Murphy
Sharp
Valentine

□ 1610

The Clerk announced the following pairs:

On this vote:

Mr. McKinney for, with Mr. Ford of Tennessee against.

Mr. Barton for, with Mr. Jones of North Carolina against.

Mr. SOLARZ changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. (Mr. Gray of Illinois). Pursuant to House Resolution 156, it is now in order to debate the ABM Missile Treaty for 1 hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the amendment offered by Representative Hunter or Robinson, or their designee, contained in Report 100-82, which is not subject to amendment. It shall then be in order to consider the amendment offered by Representative Weldon, or his designee, contained in Report 100-82, which is not subject to amendment.

Under the rule, the gentleman from Wisconsin [Mr. Aspin] will be recognized for 30 minutes and the gentleman from Alabama [Mr. Dickinson] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. Aspin] or, in his stead, the gentleman from South Carolina [Mr. Spratt].

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we now turn to section 224 of the bill. This language was put in the bill by a vote of the committee, and it was also reinserted in the bill in the so-called Aspin amendment.

Mr. Chairman, I would like to explain briefly to the House basically what the committee has done in adopting this language as it applies to the ABM treaty.

Mr. Chairman, I support the committee's language, and would like to explain to the House basically and briefly what the committee has done.

Essentially, what the committee has done is to require the President to follow the interpretation of the ABM Treaty that every President has followed since President Nixon signed it in 1972.

By putting these provisions in the bill, we are not putting new restrictions on the President. The ABM Treaty, having been ratified by the Senate, is the law of the land, and the President is bound to uphold it by his oath of office.

The ABM Treaty was signed on May 26, 1972, and ratified on August 3, 1972, by a vote of 88 to 2. Until October 6, 1985, both the United States and the Soviet Union understood the treaty to have a settled meaning. Since that meaning was commonly accepted for over 13 years, it is called understandably the "traditional interpretation."

What is the traditional interpretation? Quite simply, the traditional interpretation permits research and some development of ABM or strategic defense systems, but it prohibits field testing and engineering development of all but fixed land-based systems—unless, of course, there is an amendment to the treaty. In other words, the ABM Treaty is read to mean that neither party will develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based.

□ 1620

Dr. John S. Foster, who was director of the Research, Development, Testing and Engineering Department in the Department of Defense at the time the treaty was negotiated and ratified, and who was our chief scientist in the Department of Defense and the third-ranking official in the Department of Defense, intimately familiar with the ABM treaty and familiar with the oversight and development of our own Safeguard System and in touch with the treaty negotiations, provided this explanation of the treaty when it was being ratified—and I quote Dr. Foster's own statement:

> Article V prohibits the development and testing of ABM systems or components that are sea-based, air based, or mobile land-based. Constraints imposed by the phrase "development and testing" would be applicable only to that portion of the "advanced development stage" following laboratory testing, i.e., that stage which is verifiable by national means. Therefore, a prohibition on development—the Russian word is "creation"—would begin only at the stage where laboratory testing ended on ABM components, on either a prototype or bread-board model.

This was the meaning given to the ABM Treaty by Dr. John S. Foster, and it is the meaning virtually all of our principal negotiators give to the treaty: Gerard Smith, the chief negotiator; Lt. Gen. Royal Allison, the senior military adviser, John Rhinelander, the legal adviser, and Harold Brown, who was also one of the delegates and a member of the negotiating team.

It is also the meaning we ask the executive branch to follow by the provisions of this bill.

Until October 1985, everyone agreed that this was the meaning of the ABM Treaty. Even this administration, in its Annual Impact Statements on Arms Control, interpreted the treaty in this manner.

For example, prior to October of 1985, the SDIO, the Strategic Defense Office, issued a report in which it indicated that it was bound by these restrictions in the ABM Treaty, and Judge Sofir, who has subsequently developed a broader interpretation or a different interpretation of the treaty, admits that the SDIO, the SDI Office itself, and I quote from him, "Expressly embraced the restrictive interpretation of the treaty."

In October 1985, the administration announced that it had found another meaning in the treaty. Under its "reinterpretation," the treaty does not ban development and testing of mobile/space ABM systems if they are based on "physical principles" other than those incorporated in the ABM systems current in 1972, when the treaty was made.

Gerard Smith, our chief negotiator, has said that interpreting the ABM Treaty in this new manner, to allow development of ABM systems based on "new physical principles," is like interpreting the Volstead Act to allow the sale of liquor. General Allison, the senior military advisor to the ABM negotiators, has said: "Nowhere did I understand that we retained the right to development and full-scale testing of new systems."

What the Armed Services Committee is saying in this bill is simple and fundamental. We are saying, "Mr. President, this is a treaty we are construing. It is not an installment sales contract or the trust indenture to a subordinated debenture. This is not the occasion for a lawyer's contrived or clever interpretation. This is a treaty made by the United States, and treaties solemnly made ought to be solemnly kept."

What the Armed Services Committee is saying is as simple and fundamental as that. If the President believes that we should alter or abandon the ABM Treaty, the language of our bill does not foreclose that course of action. It simply says that the President should use the way out provided by Article XV of the treaty.

These provisions are as simple and fundamental as saying that the President should uphold this treaty, the law of our land, in accordance with the meaning given to it by our delegates when it was negotiated, by our officials when it was ratified, and by the conduct and statements of both parties for the past 13 years.

I urge the Members to vote against the motion to strike, and for these fundamental principles as contained in the bill.

Mr. HUNTER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this issue is not as complicated as some people may think it is. It can be complicated; a number of the articles and the provisions of the ABM agreement are complicated. But what we are dealing with here is a fairly simply principle. It is a new principle of the Democratic Party and it is called, peacemeal enforcement of agreements.

I have laid out a lot of placards here in front of the audience, not so that they will be on television; I do not think that the cameras can see all of them. The people in the Chamber can see them. The point is that the ABM Treaty is made up of many, many provisions. It has, I believe, 17 articles and 7 agreed statements. It has got article 1 through 17, and it has got 7 agreed statements.

Those together, in total, constitute the ABM Treaty. The gentleman who is against my particular amendment that will be forthcoming has stated that there is no problem with the interpretation of the treaty and that the language that Mr. ASPIN put in the committee bill represents the treaty. It does not represent the treaty. The only thing that was put in the committee bill was one, small piece of the treaty which is article 5. One of these placards. Of the 17 provisions, it is one-seventeenth of the articles. It happens to be the one that the Soviet Union relies on when they say, "We want a narrow interpretation of the ABM Treaty."

The point I want to make to you is very simple. Mr. WELDON is going to come up in a little while and he will have an amendment that will allow this House to finally express what it has wanted to say for years and that is that the Soviet Union has violated the ABM Treaty in substance. He is going to come up and do that.

The point that I want to make is that this is not cut-and-dried. This little, small piece of the ABM Treaty that has been offered by Mr. SPRATT and by Mr. ASPIN is only a small piece of the treaty. It is the piece that the Russians rely on when they push for a narrow interpretation. Because if you read article 5, it says that the:

> United States shall not develop, test or deploy an ABM system which is sea-based, air-based, space-based or mobile land-based.

On its face, that sounds pretty clear. On the other hand, you get down to agreed statement D that was put in there for a reason, and it says, and I quote:

> The parties agree that in the event ABM systems based on other physical principles and including components capable of substituting for ABM interceptor missiles, launchers or radars are created in the future. Specific limitations on such systems and their components would be the subject of discussion.

Now, that puts a little ambiguity in this treaty. Is it a narrow treaty? Are they saying that you absolutely cannot build lasers or that you can or you are only restricted if you build missiles, if you build radars?

This treaty was put together in 1972. The leading architect, in my estimation, aside from Gerard Smith, the ABM Treaty, one of our major negotiators that Republicans and Democrats alike rely on is Paul Nitze. Paul Nitze says, "No, we do not have a narrow interpretation of this treaty." He said, "This is a broad interpretation because the Soviet Union, in 1972, would not agree to a narrow interpretation of the treaty."

☐ 1630

Paul Nitze, the American Ambassador, says, "I tried to get them to agree to a narrow interpretation. I asked them to do it. They kept dodging me."

Let me give you his direct quotes:

> The Soviets repeatedly opposed having the treaty cover devices other than these components.

He is referring to the traditional radars, missiles, and so forth. In other words, they did not want to have something limiting lasers.

> They pointed out—

This is the Russians—

> that it was impossible to know what the components of a system based on a technology not then employed would look like, how they could be defined and how they should be regulated.

They said that if you haven't built it, how can you regulate it? How can you ban it?

Mr. Nitze concluded:

> I remain convinced that, though the U.S. negotiators, including me, attempted to achieve a ban on the development and testing of space-based and other mobile devices capable of substituting for ABM components, we failed to do so with the degree of certainty that is necessary for important international agreements. All we achieved, in a form the Soviets would consider binding on themselves, was a ban on deployment, not on the creation of such systems and components.

In other words, Mr. Nitze is saying:

> I went out and tried to get a narrow interpretation in 1972 and the Soviet Union evaded me. They would not give us this interpretation.

In fact, when we tried to put it right here in our article IV where it would have explicitly said any future systems are also banned, the Soviets demanded that that be deleted.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The time of the gentleman from California has expired.

Mr. HUNTER. Mr. Chairman, I yield myself 3 additional minutes.

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I am happy to yield to my friend, the gentleman from New York.

Mr. KEMP. Mr. Chairman, I want to thank my friend, the gentleman from California, for making this point. I hope our colleagues on both sides of the aisle are listening as intently as those who are here, because the point the gentleman from California is making is extremely important. Not only has the Soviet Union now tried to change the terms of the debate in the original interpretation of the ABM, they are themselves interpreting it with every ambiguity and every opportunity for themselves to go far beyond what it is they are requiring of the United States of America; so it seems to me this is not only a key debate, it is a key amendment.

Mr. Chairman, I am a strong supporter of the amendment of the gentleman from California. I believe with all my heart that this amendment is an important amendment, an important statement by our colleagues in the Congress as to not only what we are saying about the ABM vis-a-vis the Soviet Union, but about what we want this administration to do.

The President himself is looking right now at what type of interpretation he is going to identify with.

I would suggest that those Members who believe in strategic defense, who believe in the research and the development of strategic defense, as I do and the gentleman from California believe in deployment, have to vote in favor of the gentleman's amendment to give us the opportunity to put into place the type of strategic defense for the future of this country that not only is an important one for our own selves, our own people and our own deterrent, but one that would match that which the Soviet Union has spent over $150 billion in the last 20 years developing.

So this is a key debate. This is a key amendment. I just hope our colleagues who are not here on the floor are spending some time in their offices watching this debate and giving attention to the gentleman's outstanding leadership on this very important issue.

I thank the gentleman.

Mr. **HUNTER**. Mr. Chairman, I thank the gentleman from New York for his articulate speaking in support of this amendment.

Let me just make an offer to the other side. If we want to reaffirm support of the ABM Treaty, let us do it, let us take the entire ABM Treaty, like I have got laid out here, with 17 articles and 7 agreed statements, and let us put it in the armed services bill and let us reaffirm it.

Let us say that we cannot spend any money in violation of this and lay down all the provisions, not just one-seventeenth of the treaty, that is article V. We will be happy to do that.

So I want to make it clear, I do not see any offers forthcoming from the other side, I want to make it clear to the full House that we are not talking about reaffirming the ABM Treaty. We are talking about reaffirming the one portion that the Soviet Union is relying on in trying to drive Ronald Reagan into a narrow interpretation of the treaty. They are the ones who rejected the narrow interpretation.

Ambassador Nitze lays it out and we should not now hand it over to them, now that it is not to their advantage.

The **CHAIRMAN** pro tempore. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The **SPEAKER** pro tempore (Mr. MOAKLEY) assumed the chair.

The **SPEAKER** pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mrs. Emery, one of his secretaries.

The **SPEAKER** pro tempore. The Committee will resume its sitting.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The Committee resumed its sitting.

Mr. **HUNTER**. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. WELDON].

Mr. **WELDON**. Mr. Chairman, I will be directing my comments primarily to one specific violation of the ABM Treaty. I will be extending my comments to an amendment that will be offered later today where we will in fact go on record as a body for the first time with a recorded vote as to whether or not Krasnoyarsk is in fact a direct violation of the ABM Treaty, and that is exactly what my amendment does. It is very simple, very straight-forward. It says, are we as a body going to recognize Krasnoyarsk as a violation of the ABM Treaty?

Over the past several years many officials, administration officials and arms control experts claimed that the Soviets have violated the ABM Treaty on several occasions. We are still debating whether all these claims qualify as true Soviet ABM violations; but there is almost universal agreement that the large phased-array radar at Krasnoyarsk is an out and out violation of the ABM Treaty.

Mr. Chairman, article I of the ABM Treaty states that both the United States and the Soviet Union agree not to deploy ABM systems for the defense of the territory of their countries, and that they will not provide a base for such a defense. However, each country is allowed ABM radars at agreed test ranges. Early warning radars must be deployed along the periphery of national borders and oriented outward. This allows for early warning of an attack, but prevents battle management capabilities.

The Krasnoyarsk radar site is located 750 kilometers in the interior of the Soviet Union—clearly not on Russian territory borders. Furthermore, Krasnoyarsk radars are oriented inwards toward a border 4,000 miles away.

The Soviets claim that the Krasnoyarsk radar is used for space tracking and, therefore, does not violate the ABM Treaty. But its angling and siting are not optimally suited for space tracking. Furthermore, a space tracking radar can readily be converted for early warning and battle management use. In my mind, it is clear that Krasnoyarsk is intended to be part of a Soviet ABM network. Most everyone agrees with this assessment.

Consider these views from the administration:

President Reagan stated in the 1987 report on Soviet noncompliance with arms control agreements that the Soviet Union has failed to comply with six past arms agreements and that the construction of a missile detection and tracking radar near Krasnoyarsk is a clear violation of the ABM Treaty.

Assistant Secretary of Defense Richard Perle, as recently as this morning, again reaffirmed his position that the Soviets have clearly violated the ABM agreement through the installation at Krasnoyarsk.

Ken Adelman, Director of the Arms Control and Disarmament Agency said:

> Despite all the focus on SDI's effect on the ABM Treaty, the threats to the treaty lie elsewhere. They lie, first and foremost, in the Soviets' clear violation of the treaty by the location and orientation of a new, large radar at Krasnoyarsk in Siberia.

Secretary of Defense Weinberger has likewise made the same statement, it is in fact a violation, as has Secretary of State George Shultz.

What does the press say?

The Wall Street Journal says the Krasnoyarsk radar sites form a Soviet ABM capability that goes far beyond the treaty restrictions limiting such defenses to either a capital city or a missile field, and that "with construction of an ABM radar at Krasnoyarsk, even die-hard apologists concede the Soviets are in violation."

The Washington Post says:

> Most of those who previously hesitated to call it a violation of the 1972 antiballistic missile treaty have stopped hesitating. It has become very hard to deny that the Soviets set out shortly after the treaty was signed on a course specifically blocked by the treaty, that they stonewalled through years of American efforts to induce them to admit it or correct it and persist on that course to this day.

The New York Times editorializes that "If the Krasnoyarsk radar can space-track, the legal function for which the Russians say it is designed, it can also do early warning and maybe missile defense."

It is clear violation.

Mr. Chairman, I include all these articles and editorials in the RECORD, as follows:

[From the Wall Street Journal, Jan. 25, 1984]

HOW NOW ON CHEATING?

President Reagan Monday sent a 50-page secret document to Congress detailing what the administration called "an expanding pattern of Soviet violations or possible violations of arms control agreements." Press coverage was muted, as the administration apparently hoped it would be. The New York Times used quote marks in such a way as to imply doubts about the validity of what it called a "fact sheet" describing the report for public benefit. The principal implication the president himself had drawn was that "better treaty drafting" and more workable verification procedures would be needed in future arms negotiations.

In short, few people in or out of government are ready yet to face the true implication of Soviet cheating: It is extremely dangerous to U.S. and Free World security to negotiate and abide by arms agreements that the Soviets do not intend to keep. The message this American vacillation sends to Moscow's generals and politburo chieftains is that they can cheat at no cost. The Americans, they will believe, have been immobilized by the politics of arms control—the hope and belief that arms control treaties do in fact limit the construction and deployment of arms.

In combination with other ABM violations not cited, such as radar testing and surface-to-air missile deployments nearby. With the Soviets building screens against our bombers and submarines, plus extensive civil defenses, the effectiveness of our deterrent force becomes increasingly suspect. To the extent that the Soviets gain an edge, their threatening propaganda messages to the West become more credible, as we learned last summer when they stimulated a significant unilateral disarmament groundswell in the U.S. and Europe.

Other Soviet violations include development of an illegal second nuclear missile, the SS-X-25 or PL-5, a drastic addition to the firepower of the old SS-13. Some 14 nuclear tests above the limits of the 1963 test-ban treaty have given the Soviets high confidence in the power of their arsenal. Finally, the report charges that the Soviets have been encrypting missile tests above allowable levels. This prevents our fully monitoring Soviet capabilities and, of course, treaty violations.

Last week, a group led by former Carter negotiator Paul Warnke met to chastise Mr. Reagan for "insufficient" evidence of violations that lack "stategic significance" anyway. The administration shouldn't be raising questions that might prevent us from entering into further agreements, they concluded. Aside from the tortured logic of that argument, it's hard to know what you don't know; if the Soviets have been encoding their tests, who can say what they're building? Former CIA analyst David Sullivan estimates that Moscow has stockpiled more than 4,000 delivery vehicles, compared with 2,250 allowed under SALT and 1,850 in the U.S. arsenal.

Meanwhile, the U.S. is required to significantly weaken its own forces. Since Ronald Reagan took office, America has dismantled or has made plans to dismantle 26% to 33% of its existing megatonnage, mostly to conform to SALT II. As Mr. Reagan noted in a recent speech, the U.S. nuclear arsenal is at a 25-year low.

Back when these treaties were being negotiated, a phalanx of U.S. leaders—Henry Kissinger, Melvin Laird, Gerard Smith, James Schlesinger, Harold Brown, Zbigniew Brezinski—went before Congress to promise that if a situation like today's ever developed, we would cancel out. In 1972, Mr. Kissinger and Mr. Laird told Sen. Henry Jackson that substitution of heavy missiles for the SS-11 would be considered a clear-cut violation. Yet when the Soviets deployed the SS-19, four times the throw-weight of the SS-11, no abrogation followed.

Even Jimmy Carter was clear about the consequences of cheating. He told Congress in 1979 that Soviet violation of just one key clause, the encryption provisions would undercut the whole treaty. His defense secretary, Harold Brown, outlined a sensible U.S. policy before Congress: "The issue will not be whether we could prove a case to a jury. We do not need proof beyond a reasonable doubt, nor even evidence we can discuss in detail," he said. "If a problem were not resolved . . . I would not hesitate to recommend . . . abrogation."

No doubt some advisers have been telling the president how clever it would be to accuse the Soviets of cheating but do nothing, playing to doves and hawks alike. That strategy may be worse than ignoring violations altogether. The Kremlin now knows that even if it's caught and accused, the Westerners will issue a pardon.

By failing to take actions that follow logically from the evidence, Mr. Reagan casts doubt on the evidence itself. By his response so far to Soviet cheating, Mr. Reagan is telling the public not to take him seriously.

[From the Wall Street Journal, Apr. 13, 1984]

AN ARMS-CONTROL CRAVING

(BY CARNES LORD)

Four years ago, there was every reason to believe that the 1980s would be marked by a new realism in the American approach to arms control. The failure of arms control to constrain the Soviet military buildup of the 1970s had become generally apparent; the Soviet invasion of Afghanistan shattered whatever hopes continued to be harbored for detente and stopped in its tracks the second strategic arms limitation agreement (SALT II). The election of Ronald Reagan brought to power an administration that was deeply concerned about the deterioration in the U.S.-Soviet military balance and was disposed to lay at least some of the blame for this on the exaggerated expectations generated by the advocates of arms control and on the political dynamics of the "arms-control process." This skepticism about the virtues of arms control seemed to be in harmony with the mood of the American public and Congress. To the incautious observer, it very much looked as if the Reagan administration had a clear mandate to take the problem of arms control and fix it.

Instead, of course, the past four years have witnessed a surge of anti-nuclear feeling in the country at large. And among the intellectual and policy elite there has been a renewal of enthusiasm for arms control that seems remarkably untempered by the experience of the recent past. As the 1984 presidential election approaches, the Democratic hopefuls have vied with one another in support for new arms-control initiatives of varying degrees of irresponsibility. More surprisingly, the president has come under steady pressure from Republicans in Congress and from elements of his own administration to demonstrate ever new flexibility, including unilateral concessions, in arms-control talks with the Soviet Union. This is in spite of the demonstrative Soviet walkouts from negotiations on nuclear weapons, and in spite of the mounting evidence of Soviet violations of existing agreements.

VERIFICATION AND COMPLIANCE

Nothing is more revealing of the dubious impulses animating the unilateralist arms-control revival than the failure of its champions to come to grips with the problem of verification and compliance. For many years, arms-control enthusiasts have paid lip service to the need for effective verification of agreements, but have failed to devote serious attention to the operational and political difficulties (as opposed to the technical limitations) that face any verification effort. On the contrary, the efficacy of existing verification methods and aproaches has been consistently overstated, while compliance problems have been played down.

Above all, the evidence that has accumulated over the past decade or so of Soviet violations, near-violations, exploitation of loopholes and negotiating deception has been treated in cavalier and exculpatory fashion, when it has not been simply ignored. As if the purpose and context of agreements were wholly irrelevant to the issue, the U.S. government has been asked to concern itself only with violations in a strictly legal sense. Moreover, it has been expected to employ standards of legality which, though proper in a criminal prosecution under domestic law, are wholly inappropriate to a situation where (Russian) witnessses cannot be forced to appear, evidence is incomplete (or deliberately withheld), sources cannot always be revealed because of intelligence sensitivities, and the law itself lacks an authoritative neutral interpreter. Ambiguities in factual evidence or in the language of agreements have been taken by many as sufficient reason for disregarding possible violations. Not only have Soviet explanations been credited that were palpably false; arms-control advocates have actually constructed briefs for hypothetical Soviet positions of greater ingenuity than anything the Soviets themselves were able to come up with. And even where a legal violation is recognized as certain or highly probable, its significance tends to be dismissed. In all cases (but most notably in the area of Soviet anti-ballistic missile activity), evidence for violations has been dealt with in piecemeal and isolated fashion, with little attempt to see it in the broad context of Soviet compliance behavior generally or of Soviet strategic intentions.

This complex of attitudes is currently facing its most severe test. A report submitted by President Reagan to Congress on Jan. 23 lays out the results of an intensive study of the evidence for Soviet noncompliance with arms-control agreements in seven areas. In one of these areas—chemical and biological warfare—the U.S. has for some time formally accused the Soviets of violating the relevant agreements. Despite strenuous and continuing efforts to discredit these charges, they have been confirmed by refugees and by independent analyses carried out in a number of European countries. Of the other issues, the most significant concerns the Anti-Ballistic Missile Treaty of 1972. The construction of a phased-array ballistic missile early warning (BMEW) radar by the Soviets near Krasnoyarsk in southern Siberia—in contravention of the treaty requirement that such radars can only be deployed at locations on the national periphery and oriented outward—opens an entirely new chapter in the history of Soviet compliance behavior. If Soviet activities in the chemical and biological area may be said to be the first unambiguous treaty violations of major military significance, the Krasnoyarsk radar is the first unambiguous treaty violation whose military significance bears importantly and directly on the U.S.-Soviet strategic nuclear balance.

The intent of the relevant provision of the ABM Treaty was to prevent either party from creating the base for a territorial ABM system by building a network of BMEW radars that could be used not only to warn of a missile attack but also to aid in the tracking and interception of incoming nuclear warheads. While there is room for disagreement as to the extent to which this and similar radars already in operation on the Soviet periphery were specifically designed to perform an ABM "battle management" function, they have an inherent capability to perform that function. And the characteristics of the new radar as well as its location near a number of ICBM deployment areas suggest that its primary purpose is indeed ballistic missile defense.

A recent report by the Federation of American Scientists contained a claim that the Krasnoyarsk radar is primarily for space tracking rather than early warning or missile defense and is thus allowed under the treaty. That is simply false. While the president's report stops short of simply calling the radar a violation (it uses the phrase "almost certainly"—for reasons that have not been explained).

In assessing the significance of the Krasnoyarsk radar, it is necessary to consider both how it fits into the overall picture of Soviet ABM-related activities and what it reveals about Soviet intentions. What is worrisome is not the Soviet BMEW radar net by itself, but its potential when linked with other air defense and ABM radars and interceptor missiles. For years, the Soviets have taken advantage of ambiguities in the ABM Treaty to develop and test air-defense systems against ballistic missile targets, and they have developed small ABM radars that probably could be rapidly deployed throughout Soviet territory. Should the Soviets choose to free themselves from the treaty's constraints, they would now have in place the long lead-time elements that would permit rapid expansion to an effective nationwide ABM system. As for Soviet intentions, the very fact that they seem to have been prepared to face the consequences of a deliberate and massive violation of the ABM Treaty must raise ominous questions about their next moves.

BANKRUPT APPROACHES

What is to be done? While no one will deny that it is difficult to devise effective strategies for response to violations, it is also clear that current approaches have proved to be bankrupt and are no longer an effective deterrent to further violations. To continue to pretend that all compliance issues can be resolved simply through patient discussion with the Soviets in confidential channels such as the Standing Consultative Commission is perfectly idle. This view assumes that all compliance issues rest on misunderstanding and that both parties are dealing in good faith, whereas nothing could be further from the truth.

What are needed are real penalties—withdrawal from agreements or suspension of particular provisions, and political and military countermeasures. The U.S. has never exacted such penalties for any Soviet action in any arms-control area. Unless and until we do, the Soviets will grow more brazen yet in their disregard for treaty obligations, and the U.S. will approach ever more closely that condition—familiar from the annals of Western disarmament efforts in the 1930s—where generous forbearance and blind hope give way to impotence and appeasement.

[From the Washington Post, Feb. 5, 1985]

The Krasnoyarsk Radar

A year's further discussion of whether the Soviet Union is respecting its arms control obligations has produced more of a consensus than most people had thought possible. The release of President Reagan's latest congressionally mandated report on "Soviet noncompliance with arms control agreements" makes this clear.

The main thing that has happened since the last report is that public attention has focused on one alleged violation—the Krasnoyarsk radar. Most of those who previously hesitated to call it a violation of the 1972 Antiballistic Missile Treaty (ABM) have stopped hesitating. It has become very hard to deny that the Soviets set out shortly after the treaty was signed on a course specifically blocked by the treaty that they stonewalled through years of American efforts to induce them to admit it or correct it and persist on that course to this day. Fewer people remain to say that it really doesn't matter all that much and that, in any event, it's wrong to talk about it in public.

Some Americans feared—others hoped—that official efforts to nail the Kremlin on this violation would unravel the whole arms control process. This has not happened: President Reagan and the Russians are headed back to full-scale negotiations at Geneva. But there have been other major consequences. The American standards for verification of new agreements have been toughened. And major impetus has been given to the idea of an American defense against ballistic missiles—this is the idea embodied in the president's Strategic Defense Initiative. Unlike the Soviet radar at Krasnoyarsk, this program, in its current, research phase, is entirely consistent with the ABM Treaty.

A few Soviets have hinted that, if Moscow felt it could avoid public embarrassment, it might find a way to halt construction on the radar or otherwise signal that it understood American sensitivities. But of course Moscow had years to do just that, and so far has chosen not to, even though it was being discreetly pressed on the matter by Americans of very different political persuasions.

Is there not someone in the Kremlin with the wit to recognize the immense Soviet interest in quietly unfolding a few tarpaulins at the Siberian construction site? What a pity that its political radar is so inferior to that huge electronic radar being built at Krasnoyarsk.

[From the New York Times, Jan. 28, 1987]

Radar Trap, and Opportunity

The United States is building missile warning radars at Thule in Greenland, a Danish territory, and Fylingdales in Britain. Soviet officials and some Americans assert these violate the Antiballistic Missile Treaty. The issues is being debated this week in Denmark, too. American critics suggest halting construction if the Russians will stop building an almost certainly illegal missile-sensing radar at Krasnoyarsk in Siberia. The proposal is both a trap and an opportunity.

A straight trade is the wrong idea. The American radars do not appear to violate the treaty. But the recent Soviet acknowledgment of a problem at Krasnoyarsk needs to be expired, not spurned.

Built inland, the Krasnoyarsk radar affronts the ABM Treaty, which permits such radars only on the edge of a nation's territory. The device is a large phased array radar, in which the beam is moved electronically instead of by a steerable dish. These powerful instruments can serve several uses, like space tracking, early warning of missile attack and direction of interceptors against missiles aimed at targets within their beam.

That's why the framers of the ABM Treaty specified that all early warning radars should be on a country's borders facing outward, physically precluding them from serving in an antimissile missile role. If the Krasnoyarsk radar can space track, the legal function for which the Russians say it is designed, it can also do early warning and maybe missile defense. By any reasonable reading of the treaty, the radar is in the wrong place.

Only after the United States complained did the Soviet Union object to the new Thule and Fylingdales radars. It suggested work on all three radars should cease. But the seeming symmetry of the clever suggestion vanishes on inspection. The ABM Treaty permitted the early warning radars then existing at Thule and Fylingdales. As a general rule, it permits modernization. Following a decision of President Carter's, the Administration is replacing the old steerable dish radars at the two-sites with large phased array radars. This will, true, vastly increase the radars' coverage and capacity to define targets. Still, the radars are at sites covered by the treaty, with the same early warning function as before.

Critics now argue that the new radars are impermissible. Replacing a steerable dish with a phased array radar, they say, is like building a nuclear power plant in place of a wood stove and calling it modernization. More specifically, a section of the ABM Treaty, called Agreed Statement F, prohibits phased array radars as large as those planned for Thule and Fylingdales. But modernization is generally permitted, regardless of technology, and one of the exceptions to Agreed Statement F accepts early warning radars at both sites.

Given the Administration's folly in repudiating the second strategic arms treaty, its critics are right to fear it may seize on the Krasnoyarsk radar to undermine the ABM Treaty, too. But contriving to equate the Thule and Fylingdales upgrades with Krasnoyarsk is not the answer.

The Administration's lofty dismissal of the Soviet offer is not the right response either. With creative diplomacy, Krasnoyarsk could be the lever for clearing up other doubtful Soviet activities as well as questions about Thule and Fylingdales. Fixing these issues in existing arms treaties would be the best preparation for any new agreement.

Then there is the opinion of other experts: the Stanford University's Center for International Security and Arms Control said that although the administration reports 18 treaty violations, only 1 violation actually exists—Soviet construction of a large radar near Krasnoyarsk.

Such vigorous defenders of ABM as former Secretary of Defense Robert McNamara say the Krasnoyarsk radar is a clear-cut violation of the ABM Treaty.

The center for defense information said in a 1987 report that—

> The United States has reason to be concerned over some Soviet SALT related activities and should pursue them with the Soviet Union to a satisfactory solution. The new Soviet radar under construction near Krasnoyarsk * * * is among several issues that warrants serious investigation and discussion with the Soviets.

Even the National Campaign to Save the ABM Treaty, in their most recent summary booklet for new freshmen Members, concedes that "the location of the new Soviet LPAR under construction at Krasnoyarsk is a likely violation of the ABM Treaty."

What does Congress say?

Mr. Chairman, I can recall a letter that was signed by 23 of my colleagues from this body on March 20, 1985, that was directed to General Secretary Gorbachev, and in that letter the Members of this body stated that they were concerned with Krasnoyarsk.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. WELDON. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, does the gentleman have the letter that was signed by Members of this body expressing to Mr. Gorbachev an outrage over the construction of the Krasnoyarsk radar before it was completed?

Mr. WELDON. Not only the outrage over the construction—and I am going to submit this document for the RECORD—but more importantly, and I quote the last sentence of the letter, "But the Krasnoyarsk radar construction question must be satisfactorily resolved if we are to maintain the existing treaty on antiballistic missiles or make progress on other important arms control issues."

Signed by the distinguished chairman of our committee and by 23 colleagues of this body.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 1985.

Hon. MIKHAIL GORBACHEV,
General Secretary of the Central Committee, of the Communist Party of the Soviet Union, The Kremlin, Moscow, U.S.S.R.

DEAR MR. GENERAL SECRETARY: Let us take this opportunity to convey to you and the people of the Soviet Union our condolences upon the death of Chairman Konstantin Chernenko.

Certainly one of Chairman Chernenko's most important decisions was to resume talks on strategic weapons with the United States. In a like fashion, we applaud your commitment to persevere with these talks. As you assume the mantle of leadership, we wish to renew to you our desire for peaceful and prosperous relations between our two nations.

Now that the United States and the Union of Soviet Socialist Republics have resumed negotiations in Geneva, we wish to share our concerns with you about an issue that goes to the heart of the arms control process, and the continued viability of the 1972 ABM Treaty.

We write as Members of Congress who are deeply committed to the arms control process in general and to the ABM Treaty in particular. We believe that the latter was a significant achievement and that its preservation is in the interest of both our countries. We also believe that adherence to existing treaties is a necessity in order for future agreements to be possible.

Experts in the field who have served in both Republican and Democratic administrations have come to the deeply disturbing conclusion that the radar system currently being constructed at Krasnoyarsk, once it becomes operational, will violate provisions of the 1972 ABM Treaty limiting the location of early warning radars to the periphery of either country.

If this problem is not resolved in a satisfactory manner, it will have serious consequences for the future of the arms control process. Not only will additional arms control efforts to strengthen the ABM Treaty, regarding space-based or other systems, become much more difficult, but continued substantive and political support for the ABM Treaty itself in the Congress and among the American people will be eroded.

We would add our hope that other outstanding compliance issues can also be resolved, including particularly the level of Soviet encryption for missile testing. The best avenue for this resolution would be through the Standing Consultative Commission. But the Krasnoyarsk radar construction question must be satisfactorily resolved if we are to maintain the existing Treaty on Anti-Ballistic Missiles or make progress on other important arms control issues.

Sincerely,

Les Aspin, Norman D. Dicks, Robert Garcia, Nicholas Mavroules, Robert G. Torricelli, Stephen J. Solarz, Howard L. Berman, Thomas M. Foglietta, John P. Murtha, Howard Wolpe.

Harry M. Reid, Mervin M. Dymally, Gary L. Ackerman, Berkley Bedell, Dante B. Fascell, Dave McCurdy, Joseph P. Addabbo, Barney Frank, Ted Weiss, Michael D. Barnes, Sam Gejdenson, Edward F. Feighan, Don Bonker.

Mr. HUNTER. Mr. Chairman, will the gentleman yield further?

Mr. WELDON. I yield to the gentleman from California.

Mr HUNTER. Mr. Chairman, I ask the gentleman at some point to let Members on the other side respond as to whether or not those fixes at Krasnoyarsk that they requested were made, because now they are trying to affirm one-seventeenth or one part of the ABM Treaty, and I just wondered if Mr. Gorbachev fixed the problem so that they could proceed and affirm this treaty in the House of Representatives.

Mr. WELDON. I do not know whether a response was ever received to this letter. I asked the Foreign Affairs Committee, and was told that they had no such record of a response from General Secretary Gorbachev.

What I say, Mr. Chairman, in regard to my amendment and to this whole debate over the ABM Treaty and specifically the Krasnoyarsk installation is that, Mr. Chairman, we have to recognize that the Soviets have abused the treaty, they have in fact violated the basic terms of the treaty; the Krasnoyarsk installation is a clear-cut violation of the agreement that we have attempted to live up to.

Krasnoyarsk is done, but it is not dust in the wind. It is significant to our current debates on ABM because it illustrates how the Soviets approach their agreements with us. Specifically, the Soviets signed ABM in 1972 but were building Krasnoyarsk afterwards. It is time for the House to recognize Krasnoyarsk for what it is—a clear violation.

Mr. Chairman, we are all working for real arms reductions, but we must have the best security interests of this country at heart. Before we lock ourselves into an agreement, we must consider the full story and also past Soviet violations, and I ask Members for their vote on my amendment today that recognizes what many have said, that Krasnoyarsk is a clear violation of the ABM. Thank you.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. MCCURDY], a member of the committee.

Mr. McCURDY. Mr. Chairman, I rise in opposition to the Hunter amendment.

Mr. Chairman, I support the language in the defense authorization bill as passed by the Committee on Armed Services and stated and restated by my distinguished colleague, the gentleman from South Carolina [Mr. SPRATT], which retains the original interpretation of the ABM Treaty.

The ABM Treaty is the linchpin of the arms control process in this country.

The administration's objective in adopting the broad interpretation is in effect to destroy the ABM Treaty without specifically stating that fact. Why cannot these opponents of the treaty be honest about it? Rather than take the legitimate path and have the President give notice that we will no longer adhere to the treaty in 6 months, as provided for in article 15; or sit down with the Soviets in the Standing Consultative Commission and renegotiate those parts of the treaty it does not like, as provided for by article 13, the Reagan administration instead takes a path fraught with constitutional and international treaty uncertainties and dangers.

The Reagan administration supported the strict original interpretation until the President's star wars speech of March 1983. Then they reversed themselves and have advanced weak and fallacious arguments against the original definition.

As the distinguished Senator, SAM NUNN, so eloquently demonstrated in three speeches in March of this year, the Senate in 1972 clearly understood it was ratifying the strict interpretation of the treaty. I agree with his conclusion that the Reagan administration has failed to produce a clear compelling rationale to renounce that interpretation.

Our hearings on SDI in the Armed Services Committee also showed there is no technological justification for a near-term deployment of an SDI in any case.

The ABM Treaty cannot be reinterpreted based on the negotiating record as the administration now argues. If that were the case, the negotiating record of each and every treaty that came before Congress would have to become part of the ratification process. Let's end these amateurish, inept, and dangerous efforts to undermine the bedrock of arms control.

Mr. Chairman, I urge the defeat of the Hunter amendment to strike.

Mr. HUNTER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, our first concern here is this House must be to defend our Nation and the free world against its enemies. Some of our colleagues have said that we should immediately move to deploy a limited strategic defense. I can respect, understand, and perhaps support their proposals.

At the very least, however, we must not pass anything in this House that tells the American people that they will be provided a defense that is only second best.

But, if we pass this bill, Mr. Chairman, with section 224 intact, that is exactly what you will be telling the American people.

Yesterday, this House voted to cut funding for strategic defense research almost in half. Now, section 224 says that this limited research in turn will never be used to defend our country because this House, using a restrictive interpretation of a treaty, has tied a ball and chain to the strategic defense program.

If we vote to keep section 224, we will be telling the American people that we are not willing to match the efforts of the Soviet Union in this field—that we are willing to sit and wait for that day when the Soviet Union surprises the world with the announcement of a working strategic defense, and the free world then experiences a threat the likes of which it has not seen since the days of World War II.

It's a fact! The Soviet Union is actively conducting strategic defense research. It has done so since the 1960's. It is also conducting operations that violate the heart of the ABM treaty. You know it and I know it. In 1972, at the very time they were preparing to sign the ABM treaty, Soviet Defense Minister Grechko assured his party comrades that the treaty would place no limits whatever on their research and experiments in strategic defense. And they are doing that research and those experiments, Mr. Chairman, right now! I have here with me an article from the Los Angeles Times of April 2. I invite you to come over and take a look at it.

It points out the fact that an experiment the Soviets intend to carry out, using lasers and particle beans to test the characteristics of the Moon's surface, is equally useful for research in strategic defense, and when you look at it in terms of strategic defense, it violates the "narrow" interpretation of the ABM Treaty—the very interpretation we would place on our scientists by passing section 224!

The proponents of section 224 may tell you that there is an escape clause, that the President can certify to the Congress that Soviet actions are jeopardizing the interests of the United States. The kicker is that he has to notify the Soviets first about their specific actions. I wonder how much it would jeopardize our means of gathering intelligence in the Soviet Union when we have to share the fruits of our labors with the very people we are trying to keep tabs on? I also wonder if, given the congressional reaction to Soviet SALT II violations, would the Congress do anything in response? But above all, the question is, Why should the President have to certify what we already know—that the Soviet Union has and is conducting strategic defense research and that it has clearly violated the ABM Treaty? Mr. Chairman, section 224 has "blinders" on.

It looks at one thing only—our view of the ABM Treaty. It totally ignores three equally important things—what we really negotiated with the U.S.S.R., how the Soviets interpret the treaty, and what the Soviets are doing while I am remining a signatory to the treaty.

I have here a copy of a letter to the President that I circulated among the Members several weeks ago, with the signature of the respected dean of the New York delegation, who is a Member of the majority and of the Armed Services Committee. Ninety Democratic and Republican Members have signed this letter, saying that they will not allow the Soviets to forge ahead in strategic defense while chaining America to "narrow" interpretation.

Mr. Chairman, let us not condemn the American people to this inferior position that will without doubt down and come back to haunt us. Democrats and Republicans alike should join in voting to strike this misguided and dangerous provision.

The article follows:

[From the Los Angeles Times, Apr. 2, 1987]

SOVIET BEAM DEVICES TO AIM AT MARS MOON

(By Robert C. Toth)

WASHINGTON.—Soviet scientists intend to use two exotic beam devices, a laser and a particle beam accelerator, to knock pieces off the surface of one of Mars' moons in an experiment to determine the surface's characteristics, Paul H. Nitze, chief U.S. arms control adviser, said Wednesday.

The Soviet experiment also could demonstrate progress toward developing a space-based anti-missile system similar to President Reagan's Strategic Defense Initiative, Nitze said. The Soviet Union insists that it has no SDI program of its own and is not using its Mars experiment as a weapons test, but it does not deny that it is conducting research on beam devices.

The Defense Department, in its 1987 edition of "Soviet Military Power," maintains that the Soviets have a test range with "several lasers for air defense and two lasers probably capable of damaging some components of satellites in orbit." It asserts that the Soviets have been "exploring the feasibility of using particle beams for a space-based weapon system" since the late 1960s.

The consensus of experts is that while the Soviets may lead in particle beams and perhaps laser work, they lag badly in the computers, sensors, trackers and other ancillary equipment vital to producing an effective space-based beam weapon system.

MAY VIOLATE TREATY

Nitze indicated that the Soviet Mars experiment could be judged to violate the Anti-Ballistic Missile Treaty. Under its narrow interpretation, the treaty bans tests in space of weapons or weapon components that are based on beam or other non-conventional technology.

That interpretation could also ban testing in space of SDI, or "Star Wars," as it is known. By contrast, the Reagan Administration favors a broader interpretation, under which SDI tests in space would be permitted.

Nitze, who disclosed the planned Soviet Mars experiment during a speech at the Johns Hopkins University School of International Studies, said that the Soviet scientists who told Americans of their planned space probe provided no timetable.

In his speech, Nitze sought to justify the Administration's broad interpretation of the ABM treaty. He, virtually alone among top negotiators of the 1972 treaty, supports the Administration's view, although he acknowledged that he accepted the narrow interpretation until two years ago.

Nitze argued that the record of ABM treaty negotiations shows that the United States attempted repeatedly to persuade the Soviets to accept what is now called the narrow interpretation, which would ban tests of mobile weapons based on physical principles not then established. But the Soviets refused, Nitze said, on the grounds that it was "impossible" to ban the unknown.

WHAT CONGRESS WAS TOLD

Nitze admitted, on the other hand, that treaty interpretations must be based on more than negotiating records. Also important are the record of what the Administration of that time told Congress during the ratification process and the record of subsequent practice by both sides. The Administration is currently examining these two bodies of evidence, he said.

Sen. Sam Nunn (D-Ga.), chairman of the Senate Armed Services Committee and a highly influential defense expert in Congress, has examined all three sets of records. He concluded two weeks ago, in a series of well-publicized speeches, that despite some ambiguities, all three support the narrow interpretation.

Nitze, in his speech, said: "Soviet scientists tell us they are planning a space probe which will have on board both a laser of some power and a particle beam device. They propose to test these devices against one of the moons of Mars, called Phobos," with the aim of knocking pieces off the surface for analysis.

Presumably the particle beam device, which accelerates subatomic particles to great speeds, would blast the surface rock or dust of Phobos, creating a small cloud that the laser beam would irradiate. Atoms and molecules of the cloud would be energized by the laser and emit light waves characteristic of their composition.

"It would be difficult to prove that the power, brightness and tracking and aiming characteristics of these devices" were not sufficient to constitute components of a weapon system and therefore violate the ABM treaty as narrowly interpreted, Nitze said.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. SKELTON], a member of the committee.

Mr. SKELTON. Mr. Chairman, I rise in support of the language that is contained in the Department of Defense bill as reported by the Committee on Armed Services.

In so doing, I wish to quote in part from a statement by former Secretaries of Defense on the ABM Treaty, a statement dated March 9 of this year.

□ 1650

It reads, as I say, in part: "* * * we believe that the United States and the Soviet Union should continue to adhere to the traditional interpretation of article V of the treaty as it was presented to the Senate for advice and consent and as it has been observed by both sides since the treaty was signed in 1972." It is signed, Mr. Chairman, by Harold Brown, Melvin Laird, Elliot Richardson, Clark Clifford, Robert McNamara, and James Schlesinger.

Mr. Chairman, I think we can see that these gentlemen, who have been in very important positions during their public service, can speak well on the interpretation of this treaty. For those who may want to examine the ABM more closely, I recommend that they read the March 11, 12, and 13 issues of our CONGRESSIONAL RECORD.

Broadly speaking, Mr. Chairman, the ABM Treaty marked a very hard-won United States-Soviet agreement which I believe is still of value. I say this as one who believes in the promise of the strategic defense initiative. I say this as one who has supported the strategic defense initiative from its inception. I also say this as one who understands that the long sweep of history, both offense and defense, has traded position of predominance from time to time. During World War I, defense had the advantage. With the advent of the nuclear age, it is the offense which has gained the upper hand. I do not believe it is unreasonable that the defense as envisioned by the SDI, that is strategic defense initiative, will once again regain a position of predominance, and yet it is my belief that holding to the so-called narrow interpretation of this ABM Treaty still serves a useful purpose.

I believe this to be so as a result of the statements by the Secretaries of Defense, as I have already stated, and by the exhaustive research that has been done on my behalf by my staff, and by the explanations as set forth in the CONGRESSIONAL RECORD in comments from the other body. I believe for us as a nation to stick with the treaty as it was sold to the other body during the treaty ratification process, that is the way it was, and that is the way it ought to stay.

Mr. HUNTER. Mr. Chairman, I yield 4½ minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I thank the gentleman for yielding me this time.

To quote a famous President, "Here we go again." I have been visiting with the gentleman from South Carolina on this issue since we first started debating this on the Committee on Armed Services, and what I think is important for the membership to understand, and the chairman of the committee has to agree with this point, there is in fact a legitimate debate over what interpretation is proper in regards to ABM.

First let me say I think most people that are going to vote on this thing have never read the Sofir analysis, the Nunn analysis or the ABM Treaty, and yet we are going to vote in this House on whether we are going to have a broad or strict interpretation of an agreement that most people never read.

That seems kind of silly to be voting on those kinds of things again while we are in the middle of sensitive negotiations, and in the middle of analysis by the administration itself.

But if you look at the Nunn arguments and the arguments of John Foster, and look at the arguments of Mr. Nitze, Nitze said we went to the table, and we told the Russians we would like to ban everything.

The Russians said at that point in time, we do not want to ban everything. Nitze was there; he was involved in the negotiating.

He said, let us ban all these high-technology things we really do not understand yet, and the Russians said no. Now, that is his position. John S. Foster, the former Secretary of State, said something else. I am not sure what is correct at this point, but there are a few things I am sure of.

First of all, the administration is involved in an analysis at the present time of whether we should have a broad or a strict interpretation. My argument would be, let them conclude this analysis, we will all in the Congress be forwarded that analysis; we will understand what their position is on that analysis, and then we can make a judgment. It is premature to make that judgment at this point when frankly most people in the House have not clearly and carefully read the treaty and the various arguments affecting that interpretation.

Let me tell you another thing. In my judgment if we do adopt a narrow interpretation of the ABM Treaty at this point, we are almost shutting down the SDI Program, and the reason I say that is if you adopt a strict interpretation of the ABM Treaty, you are not able to develop or test. You can research, but you cannot develop and test sea-based, mobile land-based, or air-based systems. You cannot even begin to develop or test exotic systems. What is an exotic system? A system that did not exist in 1972 which would include ground-based lasers, space-based lasers, particle beams, any of these technologies that the physicists have been studying lately which they say we are not able to deploy at this point. We have a long way to go. We could not even begin to develop or test that kind of technology.

If we are not able to even develop or test those kinds of technologies, then we are stuck in 1972 technology that gives us limited capability, very limited capability for our system.

I do not think we want to shut the SDI down. We keep funding by the billions of dollars in an effort to do comprehensive testing; and if we are going to move forward on this restrictive clause before the administration even speaks, what we are really saying is, we want to deal with 1972 technology, severely limit the research, some of which holds promise but some we want to have even more advanced technology.

Krasnoyarsk. We just got done with an hour and a half debate of what we should do in terms of proportionate response and this side said if they violate the missile, we ought to have a missile; if they violate encryption, we ought to encrypt.

They are violating ABM with Krasnoyarsk, and I would say maybe a proper response is to break out of the ABM Treaty. But I am not going to advance that. I am only going to advance one thing.

Let me give my colleagues a proportionate response to the Soviet violation of the ABM on Krasnoyarsk. Do my colleagues know what that proportionate response is? That proportionate response would be have nothing in the law that predetermines what kind of an interpretation we ought to have on the ABM agreement. I think the gentleman from South Carolina can see that as a resonable argument.

In regards to this violation of Krasnoyarsk, and for the Democrats who supported this resolution, who are searching for a proportionate response, let us take the language out. That is a darn good proportionate response at this point. To prejudge this issue before we have read the agreement, before the administration comes in with their side of this thing in a closely debated and contested argument, my goodness, now is not the time to adopt this kind of language.

I hope we are going to adopt the language of the gentleman from Pennsylvania [Mr. WELDON] and I further hope we are going to adopt the language of the gentleman from California [Mr. HUNTER] leaving this as a neutral interpretation at this point.

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I thank the gentleman for yielding me this time.

I would like to take a moment here to respond to my good friend from Ohio who quoted a fairly famous President by quoting one more famous President who also said, "The buck stops here."

Today, the buck is right here, and it is time to stop and think about what we are going to do and support the Committee on Armed Services' language upholding the traditional interpretation of the Antiballistic Missile Treaty.

It has been said that if we support the narrow interpretation, that we will kill or slow down SDI. Mr. Chairman, that is not correct.

Testimony before the Committee on Armed Services has come out to the effect that we are in no position at the present time to even consider deployment. We need to spend more time in the laboratory. We need to do more research.

I support SDI. I think SDI ought to go forward, but you can have it both ways in this instance, Mr. Chairman. You can have the narrow or traditional interpretation of the ABM Treaty, and at the same time, you can go forward with SDI research.

Quite simply, Mr. Chairman, the committee language prevents the Department of Defense from spending funds to develop, test or deploy any ABM system or component which is sea based, air based, space based or mobile land based.

This language comes directly from article V of the ABM Treaty.

I am proud to say that yesterday the Senate Committee on Armed Services adopted similar language by a vote 12 to 8, upon the recommendation of the very distinguished chairman, Senator SAM NUNN of Georgia.

□ 1700

This language does not tie the President's hands. He can remove this limitation if he certifies to the Congress that he has notified the Soviet Union that extraordinary events, extraordinary events related to the limitation have jeopardized the supreme national interests of the United States. This is the same provision that he currently has at his disposal to withdraw from the ABM Treaty.

Now regarding the ratification debate, there is no doubt that the ABM Treaty, as presented to the Congress and approved, prevented the development and testing of exotic space-based ABM systems.

Let me point out, Mr. Chairman, what Gerard Smith, chief ABM Treaty negotiator, responding to the 1985 SDI report, says about the so-called broad interpretation. He said and I quote, "When I read the administration's report, I feel like I was reading a work of expert tax lawyers, of people trying to evade the law rather than comply with it." Indeed the administration is adamantly disputed by nearly all principal negotiators, U.S. negotiators of the treaty including the chief negotiator, Gerard Smith, and the entire team.

Mr. Chairman, even the President's own 1983 Commission on Strategic Forces, the Scowcroft Commission, called the ABM Treaty "one of the most successful arms control agreements," and pointed out "the criticality of the ABM Treaty for further arms control agreements."

Mr. Chairman, it is the solemn duty of the President to uphold the law of the land and a treaty that has been ratified by the Senate is indeed the law of the land. What we are doing today is simply restating the law as it is and telling the President to comply with the law.

I urge my colleagues to uphold what I consider to be not the narrow but the traditional interpretation of the ABM Treaty. It is in our supreme national interest to do so. Let us not try, my colleagues, to rewrite 15 years of history.

I had the privilege of questioning Richard Perle when he appeared before our Defense Policy Panel and even Richard Perle was unable to satisfactorily explain to our group why this sudden shift of interpretation of the treaty.

So let us not rewrite history, let us stand by our traditional interpretation and go along and support the committee language.

Mr. Chairman, I yield back the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. COURTER].

Mr. COURTER. Mr. Chairman, I thank the gentleman for yielding.

Two minutes is not a long period of time.

I would like to just mention to my colleagues on both sides of the aisle that the ABM Treaty does not guarantee our safety. It in fact guarantees our vulnerability of a ballistic missile whether it be launched by design or by mistake.

I would also argue that probably every single individual, every single Member of the Congress that debates this particular amendment to keep our hands tied to even a narrow and restrictive interpretation of the ABM Treaty will at the same time say that the Russian deployment, construction of the Krasnoyarsk radar is a violation of this very treaty that this amendment requires that he comply with in a very strict fashion.

I would ask those individuals that believe that, number one, the amendment is good and that this radar that the Soviets are now deploying is a violation, under what interpretation, narrow or strict, under what interpretation of the ABM Treaty do the Soviets deploy the Krasnoyarsk radar?

The obvious answer is under neither strict, nor broad nor liberal nor modest, whatever it is. It is a clear violation. We are here in the Halls of Congress saying that irrespective of their violation we are going to comply with the very strict and legal interpretation of the treaty whose purpose is to keep us vulnerable.

In 1972 the United States entered two important agreements, SALT I and the ABM Treaty. Those 2 agreements were entered into in 1972 at the time the Soviet Union had 2,400 reentry vehicles that could hit the United States. We entered into the ABM Treaty and SALT I at that particular time because we wanted to create the climate knowing that our retaliatory forces were vulnerable. We wanted to create the climate for further reductions in Soviet offensive weapon capability.

What has happened since 1972? The Soviet Union has gone from 2,400 strategic warheads aimed at the cities of the United States to 11,000.

I would ask the question: If our retaliatory forces were vulnerable in 1972, what are they today when the Soviets have 8,000 more warheads that are indeed larger and that are indeed significantly more accurate?

The ABM Treaty is keeping us vulnerable. It is a nefarious amendment. It is a dangerous one, and I urge my colleagues to reject it.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, this amendment is really a test of the credibility of the United States of America because in 1972, America signed the ABM Treaty. Its meaning is clear and unambiguous.

Here is what article V of the treaty says, and I quote, "Each party undertakes not to develop, test or deploy ABM systems or components which are sea based, air based, space based, or mobile land based."

The treaty says you cannot test a space-based ABM. Nowhere does it say otherwise. And now we have the administration who has hired a lawyer, a man with no exprience in any kind of arms control whatsoever, and he has misconstrued the treaty—he was paid apparently to do so. And that is precisely what he did. And he did so in a manner in which we would never tolerate on the part of the Soviet Union.

What does that kind of exercise, that kind of behavior on our part do to the credibility of the United States around the world if we decide that it is within our rights to reinterpret a treaty any time someone at some future time decides that treaty is inconvenient to them? Who will believe the United States again if we undertake such an endeavor?

Who would honor anyting we might say in such a treaty in the future? Who would even want to negotiate with the United States if that is our practice?

More than that, if we allow the administration's reinterpretation of this treaty to go ahead, what comes next? Will they do it wholesale, a wholesale review of everything we have entered into? And whenever they find something that in their mind is inconvenient to them, notwithstanding the fact that previous administrations have negotiated those treaties and signed them and ratified them, will they then reinterpret those treaties? And if they do, what does that say to the Soviet Union?

You know what it says. It says they would be perfectly permitted to do the same thing any time that it suits their fancy.

Any time the Soviet Union would then want to reinterpret some treaty they have ventured into with us they could do so. Think of that. The atmospheric test ban, if they want to test in the upper atmosphere, if we say we can reinterpret to suit our will, they can do the same. Suddenly we could find Soviet tests in the atmosphere. What about the seabed treaty which prohibits nuclear weapons from being installed in the seabeds, the oceans of this world? The Soviets might hire a lawyer to reinterpret the treaty and permit them to deploy weapons in that way. If you follow this preposterous line far enough, you can actually permit, on a legal basis, the Soviet Union to reinterpret the treaty that gave the United States the territory of Alaska. It is absolutely preposterous.

Mr. HUNTER. Mr. Chairman, I yield 30 seconds to the gentleman from South Carolina [Mr. Ravenel].

Mr. RAVENEL. Mr. Chairman, this House did not negotiate this treaty, nor did we ratify it. Those are not our constitutional prerogatives.

So are we not being arrogantly and perhaps comically presumptious in trying to interpret it after it has been in effect for 15 years?

The CHAIRMAN pro tempore. (Mr. Gray of Illinois). The gentleman from South Carolina [Mr. Spratt] has more time remaining, 10 minutes, and the gentleman from California [Mr. Hunter] has 5 minutes remaining.

□ 1710

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Downey].

Mr. DOWNEY of New York. Mr. Chairman, with all due respect to my colleagues who agree with the Hunter amendment, that this is not a discussion or debate about national security or about arms control. This is a debate about ideology run amok.

The gentleman from South Carolina has laid out carefully, and, I believe, thoroughly, all of the people who were involved in negotiation of this agreement, principal negotiator Mr. Smith, General Allison, the Presidents who followed the traditional interpretation of the agreement, the preponderance of scientific community that has looked at and examined this record and these issues, and have come to the conclusion, certainly not a startling one, that the ABM Treaty is in U.S. security interests; that the narrow interpretation is the traditional interpretation and is the one that we should follow.

Putting aside all of those questions is the fervent belief by some, and I certainly believe it to be true of our President, that agreements with the Soviets on their face are inimicable to national security interests of the United States.

His whole history indicates that. He has told us that the SALT II agreement is no good. He has told us that the ABM Treaty should be scrapped by having this outrageous board interpretation that is counterhistorical; counterlegal as U.S. policy. The President of the United States believes that our security is enhanced one way and one way only. That is by the accretion of more weapons and by the scrapping of arms control agreements.

He has the opportunity, I hope, to prove me wrong and all we naysayers with the INF agreement and a deep cut in first strike strategic forces. I wish him well. I support him in INF, but I am skeptical. I believe the people who want to scrap the ABM Treaty see U.S. security tied to the next generation of weapons. Even here, their argument falls down.

There is no way in the next 10 years that we could possibly deploy a star wars system that would make any sense or that would be by any stretch of the imagination cost effective. Yet what do our colleagues on the other side want to do? They want to scrap a treaty that for 15 years has prevented a defensive race on nuclear weapons; begin not only a defensive race, but allow the offensive race to continue. It is insane.

The Hunter amendment has nothing to do with military security. It is the desire by some to see their ideology, the ideology that more weapons is more security, engrafted into law.

Reject it. Reject it because it makes no sense legally and reject it because it makes absolutely no sense militarily.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. Hyde].

Mr. HYDE. Mr. Chairman, I agree with my friend from New York that ideology certainly has run amok here, but it is a question of whose ideology? I would say the ideology of the left, when it comes to facing the Soviet Union and understanding what the struggle is all about, drives out common sense.

A test of our credibility? The Soviet Union has taken the ABM Treaty and put it through a shredder. How in the world can you argue for a narrow interpretation that binds us after they have massively, outrageously, blatantly, indefensively violated it, the heart and soul of the treaty, by building a huge phased-ray radar and then you turn and say, "No, you may not proceed with a legitimate interpretation that is agreed to by Paul Nitze, by Henry Kissinger and many others," boggles the mind.

We do not want to scrap the treaty; we want the benefit of a reasonable interpretation of the treaty. They have scrapped the treaty by violating it massively, building the phaser ray radar.

What is your response to—

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Massachusetts. I have only got 2 minutes, but for you, I yield.

Mr. FRANK. Mr. Chairman, I thank the gentleman for yielding.

If the gentleman believes that they have massively scrapped the treaty, why are you not for also scrapping it? Why do you want to adhere to any interpretation of a treaty which you say they have massively scrapped?

Mr. HYDE. The gentleman has it just so, it is insane for us to live by the——

Mr. FRANK. So the gentleman wants to scrap the whole thing.

I thank the gentleman.

Mr. HYDE. It is insane to live by a treaty which hampers us from developing the strategic defense initiative when they have already torn it up and thrown it to the winds. They do not believe in mutual assured destruction. We believe in mutual assured survival.

Study their strategic defense initiatives, study their massive civil defense programs, which are in operation now, and ask me if SALT I, SALT II, ABM make any sense at all.

I do not think so. That is my view, sir, and I think it is insane to argue for a narrow interpretation of a treaty that they have thrown to the winds.

The CHAIRMAN pro tempore (Mr. Gray of Illinois). The gentleman from California [Mr. Hunter] has 3 minutes remaining and the gentleman from South Carolina [Mr. SPRATT] has 7 minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, I rise in opposition to the amendment to eliminate language which reaffirms our support of the provisions of the Anti-Ballistic Missile Treaty.

Others who will speak today will address the legality of the procedures the administration is employing to avoid compliance with the treaty. I would like to speak to the advisability of taking such action, even through the legally sanctioned avenue of abrogation.

Those who would undermine this—the most successful, stabilizing, arms control agreement of the nuclear era—do so at the peril of endangering and impoverishing those future generations of Americans lucky enough to survive the consequences.

Underlying the effort to abandon the ABM Treaty are two assumptions:

First is the assumption that there exists out there technology which can protect us from enough of the missiles that the Soviets have aimed at us to make it worth our while to survive them;

Second is the assumption that the money we would spend on such an initiative would yield a system which would protect us more effectively than any other strategy we could pursue to guarantee our safety and survival.

Both assumptions are unsubstantiated by any evidence the administration has offered to date.

General Abrahamson himself has stated that "a perfect astrodome defense is not a realistic thing." Indepth studies, based on interviews with SDI laboratory scientists indicate no technological breakthroughs which would change this status quo. Leading scientists around the country, and specifically at the Lawrence Livermore Laboratory, have attested to the ability of the Soviet Union to build enough weapons to overwhelm even the most rigorous defensive system we could conceivably assemble. It is incumbent upon those who would do away with the ABM Treaty at this juncture, to explain to the Nation not what they hope SDI can accomplish, but what they can demonstrate that it can accomplish.

Regarding the costs of the system: It has been conservatively estimated in a study by the Johns Hopkins Foreign Policy Institute that the cost of SDI's development, procurement and operation over 10 years would be $770 billion. The authors of the study acknowledge that their assumptions are highly optimistic. Former Secretary of Defense James Schlesinger has stated that building and maintaining such a system could eventually cost $1 trillion. This is not including the additional estimated $160 billion we would need to spend to upgrade NATO's nonnuclear weapons if the Soviet Union were also to build a defensive system which threatened the credibility of our nuclear weapons. Can the authors of this amendment explain why it would not be safer and cheaper for this administration to get down to the business of arms control, and the strengthening of our proven conventional capabilities?

We are being asked to back into a strategy of the highest significance to our survival as a nation, without the most rudimentary rationale for why this course of action might work. The amendment and the administration policy are irresponsible and I urge that the amendment be defeated.

□ 1720

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, an hour ago we voted to restrict the United States to limits under SALT II without at the same time requiring the Soviets to comply with all the provisions of that same treaty.

This is clearly a double standard. We tie our hands, but we do not demand that they comply, even in the face of irrefutable evidence that they are currently in violation. We either find excuses for their noncompliance or we try to ignore it.

Now we turn our attention to another treaty, the ABM Treaty. Again we have a choice: either self-impose a narrow, limiting interpretation or retain the flexibility of the broader interpretation. One ties both hands behind our back; the other only ties one hand behind our back.

Ironically, as my colleague, the gentleman from California [Mr. HUNTER] has pointed out, the Soviets themselves adhered to the position that the broader interpretation was correct at the time the treaty was negotiated. This was Paul Nitze's point. So there is a very strong argument that the broad interpretation is correct, and there is every reason to believe that the Soviets will not feel constrained to abide by the narrow interpretation.

So why do we do this? Why do we debate this issue? This is not a court of law, so there is no need for the House to debate the issue for the sake of resolving it. We are not the President or the Senate, so we need not resolve this issue constitutionally. Nor are we the President's arms negotiators, though we most certainly will affect their flexibility if we adopt the narrow interpretation.

I can think of only one reason to go through this exercise. If you wanted to kill SDI without having the courage to come out publicly against SDI, this would be the way to do it.

That is what I think is happening here. Since a narrow interpretation precludes the testing of SDI, this is a perfect way to stop it.

The Soviets clearly violate ABM with their Krasnoyarsk radar. That is not a narrow interpretation; it is all the way outside the limitations of the treaty.

Why, then, bind ourselves to an interpretation that will preclude us from proceeding with a strategic defense system that the Soviets are obviously moving forward with? It is foolish and irresponsible. It is also disingenuous.

If you do not want to move forward with SDI, do not fund it. Come out into the open and admit it, but do not hide behind legal legerdemain, a narrow legal interpretation. This is an anti-SDI proposal.

Mr. Chairman, I support the gentleman from California [Mr. HUNTER] in his efforts to prevent this body from arbitrarily and unnecessarily binding our hands with this narrow treaty interpretation.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman from South Carolina [Mr. SPRATT] has 4½ minutes remaining and is entitled to close the debate on behalf of the committee.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Chairman, I thank the gentleman for yielding this time to me, and let me just say that the gentleman has been doing an excellent job in talking about rationality here.

The gentleman from Illinois [Mr. HYDE], not surprisingly, was his usual intellectually honest self. He is not really for the broad interpretation versus a strict interpretation. He does not like the ABM Treaty, and he does not like SALT I and SALT II. The previous speaker on the Republican side was also very critical of Richard Nixon's work in giving us SALT I and ABM.

What we are talking about here are not narrow and technical issues. The suggestion that somehow it is unseemly for the elected House of Representatives to discuss a national security issue is one of the more bizarre I have heard this week, although I do not doubt that the record will be broken later in the week.

The point is this: We are talking about whether or not it is in the interest of the United States on a mutual basis to try to restrain the arms race. Members on the other side in language I have not really heard for a long time—maybe I have read about it, impugning people's commitment to America being strong, et cetera—have been suggesting that there is somehow something weakening about this.

In fact, as the gentleman from New York [Mr. DOWNEY] pointed out earlier, the real target of some of the Members over there is George Shultz, and it is the fact that the Reagan administration, emulating the Nixon administration, is trying to get arms control agreements, and many of the gentlemen over there have said they do not really believe in them.

What we are saying is that we have some arms control agreements which are far from perfect but which we believe have been historically better than their absence. We also believe that, if the President is able to get some agreements in the future, as we hope he will, it is important to show some kind of willingness to stick to the agreements we reach.

What we have is Members who do not like the agreements we have reached, and the gentleman from Illinois was quite honest and said it. He said that we are not really here trying to get a broad interpretation versus a narrow interpretation. They want to abolish the ABM Treaty de facto, and that is what they are trying to do. Many of them do not want to see any further agreements.

We are here trying to defend the proposition that agreements are necessary. Again I hope we will not be told that we are preventing the President from being about to reach an agreement. The fact is that virtually nothing was happening in this administration on arms control until the House began to adopt some of these amendments. We have been goading them successfully, and I hope we will continue to do so.

The CHAIRMAN pro tempore. The Chair wishes to state that the gentleman from California [Mr. HUNTER] has 1 minute remaining.

Mr. HUNTER. Mr. Chairman, I yield myself my remaining time, and let me just take this last minute to respond briefly to some of the statements my colleagues on the other side of the aisle have made about the Nitze interpretation which I laid out at the beginning of the debate. It has been called outrageous, it has been called preposterous, it has been called insane, it has been called bizarre.

I think that most Members of the House regard Mr. Nitze very highly. Most American Presidents he has worked for regard him very highly. My point is that you do not have to absolutely buy Paul Nitze's argument that he tried to get the Soviets to go to a narrow interpretation and they refused. All you have to do is buy the argument that if you are going to reaffirm a treaty, you do not take one-seventeenth of it, one article by itself, which is the article the Soviets rely on for their narrow interpretation, and reaffirm that.

I would be happy to put the entire ABM Treaty in the Armed Services Committee bill. I do not think the committee chairman wants to do that because that inserts the ambiguity that Mr. Nitze talked about.

In fact, this is a debate about whether or not we are going to proceed in an orderly manner and whether or not we are going to lay a total treaty, the totality of the treaty, before this full Congress to confirm or to reject. We are not doing that. We deal only with article five.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, it is hard for me to believe what the gentleman from Illinois, [Mr. HYDE] or Ronald Reagan would do if the Soviet Union attempted after 17 years to reinterpret an arms control agreement to their advantage. They would not like that one bit.

Let me point out how bad this provision is. Mr. Shultz has said that as a matter of policy the United States will abide by the narrow interpretation even though the broad interpretation is correct. Under that scenario the Soviets have a legal right to go to the broad interpretation while we continue to abide by the narrow interpretation.

I do not think that is in our security interest.

Let me ask the Members this: If we were really serious about trying to find the truth, why would we not have taken this issue to the standing consultative commission and said to the Soviet Union, "Let us agree on what the interpretation shall be," because if you agree on an interpretation, then both sides are playing under the same framework as it relates to the ABM agreement.

I ask the Members to stay with the narrow interpretation and support the committee.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Chair wishes to state to all Members of the House that it is perfectly permissible under the rules of the House to refer to actions of the other body, but that rule XIV expressly prohibits any Member expressing opinions of Members of the other body.

The gentleman from South Carolina [Mr. SPRATT] has 30 seconds remaining to close debate.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. WALKER. So we just had a speech, Mr. Chairman, in which that was done. Will portions of that speech then be stricken from the RECORD?

The CHAIRMAN pro tempore. The Chair would ask the Member to revise and extend his remarks in that regard. The Chair is sure that the Member did not realize he was in violation of the rule.

Mr. DICKS. Mr. Chairman, I would be delighted to revise and extend my remarks in an appropriate fashion to comply with rule XIV.

The CHAIRMAN pro tempore. The gentleman from South Carolina [Mr. SPRATT], is recognized for 30 seconds.

Mr. SPRATT. Mr. Chairman, two statements have been made on the other side to which I would like to respond quickly.

First, it has been alleged that the purpose of this amendment is to shut down SDI. To the contrary, I will be voting for substantial funding for SDI. This is to keep SDI within a research phase. There are many phases of SDI that need laboratory research and limited development. It keeps it within those bounds, the proper bounds of the treaty.

Second, it has been alleged that this amendment would excuse Soviet violations. To the contrary, we say here clearly that the President of the United States still has available to him the options provided by article XV of the treaty and, for that matter, by article XIV to seek amendments to the treaty if he would like a broad interpretation. We are not foreclosing those alternatives or those avenues to the President. We are not excusing Soviet violations. If they occur, they should be taken up with the Standing Consultative Commission. If they cannot be resolved, then the President should take appropriate action under the treaty.

□ 1730

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). All time for general debate has expired.

For what purpose does the gentleman from California [Mr. HUNTER] rise?

AMENDMENT OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUNTER: Strike out section 224 (page 44, lines 1 through 19).

The CHAIRMAN pro tempore. Pursuant to House Resolution 156, the gentleman from California [Mr. HUNTER] will be recognized for 10 minutes and the gentleman from South Carolina [Mr. SPRATT] will be recognized for 10 minutes.

The Chair recognizes the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, I have explained this amendment early on. I want to explain also that Mr. WELDON is going to follow my amendment with an amendment that will allow this House to affirm what Members individually have said many times and that is that the Soviet Union has in fact violated the ABM Treaty.

Let me very briefly describe this amendment. What did the House Armed Services Committee do? Did the House Armed Services Committee put the ABM Treaty in its bill and ask us and ask the House to affirm the treaty or to say that we will not spend any moneys in building systems that violate the treaty? No, they did not do that.

In fact, I would be happy to have the chairman put the full treaty in the bill and allow everybody to vote for that. I think that is something we could accept. What he did was he put one-seventeenth of the treaty in the bill. He put article 5 of the 17 articles in the bill, and he only quotes article 5.

The reason that that is a procedure that this House should not abide by is because according to Paul Nitze, one of our arms negotiators, article 5 standing alone, standing by itself, gives a very narrow interpretation to the treaty. If you put it in the context of the other articles, including agreed statement D, where the Soviets said, essentially, "If future technology as arrived at is created by either side, then we will discuss it later on," then you have a broad interpretation.

Once more, I want to quote Mr. Nitze very briefly. Mr. Nitze said:

> I tried to get the Soviet Union to go along with a narrow interpretation in 1972 and they would not buy it. They were the guys that kept pulling back. Because of that, we never had a definitive, narrow interpretation.

These are his words, and I quote: "The Soviets repeatedly opposed having the Treaty cover devices other than these components." Meaning the standard radars and missiles. They pointed out that it was impossible to know that the components of the system based on a technology not then employed would look like. How they could be defined and how they should be regulated.

He concluded, "I remain convinced," and this is our negotiator. This is not some politician, this is not a lawyer. This is a guy who was negotiating with the Soviets, trying to get them to narrow the treaty. He said:

> I remain convinced that though the U.S. negotiators, including me, attempted to achieve a ban on the development and testing of space-based and other mobile devices capable of substituting for ABM components, we failed to do so with the degree of certainty that is necessary for important international agreements.
>
> All we achieved in a form the Soviets would consider binding on themselves was a ban on deployment, not on the creation of such systems and components.

The point is, Mr. Nitze tried to get a narrow interpretation in 1972. The Soviets would not buy it. Today, the chairman's language says by only putting article 5 in the armed services bill that we are going to handcuff ourselves to a narrow interpretation of the ABM Treaty that the Soviets now urge and in relying on article 5.

So this is not a reaffirmation of the ABM Treaty. Let us make that clear. The ABM Treaty is not in this bill. Only one-seventeenth of it is in the bill. It is the one-seventeenth, it is the one chapter of the one article that the Soviets rely on in now pressing for a narrow interpretation.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. Ray].

Mr. RAY. I thank the gentleman for yielding to me at this time.

Mr. Chairman, there is an awful lot of serious and sincere debate on both sides of the aisle here and I think that we need to try to clear up some of the misunderstanding that is existing.

I would like, with the gentleman's permission, to engage in a short colloquy with him on three or four questions here.

Many of our colleagues have reservations about the narrow and broad interpretations of the ABM Treaty. I would ask the gentleman: Is there indisputable evidence, Mr. Spratt, in all of your research, that points to the traditional or narrow interpretation as being the correct one?

I yield to the gentleman for his response.

Mr. SPRATT. In all candor, the agreement, the treaty itself is not free from ambiguity; neither is the ratification record or the negotiating record, apparently. But the preponderance of the evidence, the vast weight of the evidence supports the interpretation of this treaty that the parties have followed for the last 15 years. That is the proper interpretation according to Ambassador Gerard Smith who is our chief negotiator; according to John Rhinelander, who is our chief legal advisor and who was a draftsman of the treaty; according to Secretary of Defense Melvin Laird, who was the Secretary of Defense at that time; according to Dr. John Foster who is the Director of Research, Development, Testing and Engineering in the Department of Defense at that time, and according to Lt. Gen. Royall Allison who was the senior military adviser to the negotiators at that time.

That is a pretty weighty body of support for the interpretation of the agreement that we are seeking to assert in the bill.

Mr. RAY. If that is the case, if the broad interpretation is approved for use by the President, would this not weaken and make meaningless the process of treaty-making by the Senate?

Mr. SPRATT. It would certainly undo the ratification process because the interpretation, the meaning of the ABM Treaty that we are expressing in this bill in section 224, is the very meaning that the administration brought to the other body when they sought to ratify it.

Mr. RAY. Would there be any danger or possibility should the broader version prevail that our already nervous allies in Western Europe might consider us an unreliable treaty partner?

Mr. SPRATT. It would involve our renouncing a treaty by clever reinterpretation of the treaty. Instead of using the exit-way, the avenue out of the treaty provided in article 15, abrogating the treaty and asserting the supreme interest of the United States or reasons for abrogation. Instead, we would be taking a clever reinterpretation of the treaty and escaping its compliance with it by that means.

Surely, that would shake the confidence of our allies and of those with whom we seek to negotiate treaties with in the future.

Mr. RAY. The gentleman has already touched on this, but would the broad interpretation speed up the deployment of SDI?

Mr. SPRATT. The broad interpretation could possibly speed up the deployment of SDI, but we do not seek to slow down or speed it up. We do not seek to constrain it. What I would like to see is a properly conducted, prudently carried out policy. We are seeking to see that the money is properly invested in those technologies that have a payoff in the long term.

Mr. RAY. As a Senate staff person in 1972, I remember that the Nixon administration witnesses clearly defended the narrow or traditional version as the correct version. Is that correct?

Mr. SPRATT. That is correct.

Mr. RAY. Finally, I have read Sam Nunn's exhaustive review of the treaty negotiating record, the Senate ratification process, and the practice by the United States and the Soviet Union in dealing with the treaty since 1972, and his views make sense to me.

In conclusion, Mr. Chairman, I would just like to say as a staff person in the Senate for several years, I came to admire Scoop Jackson. I know that he was an architect of this treaty, and we have to remember that his trusted advisor was none other than the very smart Mr. Pearl.

The CHAIRMAN pro tempore. The Chair will state to all Members that they cannot express opinions of sitting Members of the other body.

Members may only refer to sponsorship of legislation or Senate or Senate committee actions which are a matter of public record. The Chair hopes that we can keep that in mind.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. Walker].

Mr. WALKER. I thank the gentleman for yielding me this time.

Mr. Chairman, as I understand the gentleman's amendment, what the gentleman is doing is striking language that is presently in the bill. Let me ask the gentleman a couple of questions about the language that I have read in the bill.

Is there anything in the language in the bill which is at odds with the American negotiating position on SDI? I yield to the gentleman for his response.

Mr. HUNTER. I would say the gentleman is correct; yes.

Mr. WALKER. Is there anything in the bill which is at odds with the Soviet negotiating position on SDI?

Mr. HUNTER. No; this conforms with the Soviet narrow interpretation.

Mr. WALKER. So, in other words, the language that is in the bill in fact ratifies the Soviet negotiating position on SDI and is against the American negotiating position on SDI, and unless what we do is adopt the gentleman's amendment, that will be in the position that this House will be in the position of taking; is that correct?

□ 1740

Mr. HUNTER. The House will then be on record as having the position of the other body in this matter.

Mr. WALKER. I would suggest that we do not want to go on record as advocating the Soviet negotiating position.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I previously referred to the position of the Secretary of Defense at the time this treaty was negotiated and at the time it was ratified. I would like to quote specifically what the Secretary of Defense had to say because it bears upon the interpretation of the treaty that we have asserted in the bill. This is Secretary Mel Laird. My colleague from Georgia said he had the honor of working in the Senate with him, I had the honor of working in the Department of Defense at the time Mr. Laird was Secretary of Defense. I have great admiration for him.

I would like to read his interpretation. Secretary Laird said:

> With reference to development of a boost-phase intercept capability or lasers, there is no specific provision in the ABM Treaty which prohibits development of such systems. There is, however, a prohibition on the development, testing, or deployment of ABM systems which are space-based, as well as sea-based, air-based, or mobile land-based. The U.S. side understands this prohibition not to apply to basic and advanced research and exploratory development of technology which could be associated with such systems, or their components. There are no restrictions on the development of lasers for fixed, land-based ABM systems. The sides have agreed, however, that deployment of such systems which would be capable of substituting for current ABM components, that is, ABM launchers, ABM interceptor missiles, and ABM radars, shall be subject to discussion in accordance with Article XIII (Standing Consultative Commission) and agreement in accordance with Article XIV (amendments to the treaty).

That was Secretary Laird speaking. That is the simple interpretation that we are asserting here and in this bill.

> I went to the Soviet Union in 1972 and negotiated with them. I tried to get the narrow interpretation of the bill and the Soviets would not let me have it. The Soviets maintained the broad interpretation.

He has told us that we never received an agreement from them on the broad interpretation and that is evident in several other areas of the bill besides article V.

Now, why did the chairman of the Armed Services Committee only put one-seventeenth of the ABM agreement in this bill? The reason he only put in one-seventeenth and the reason the gentleman from South Carolina [Mr. Spratt] did not want to put in the whole ABM agreement, the reason the chairman did not want to put it in, is because that would introduce the ambiguities that Paul Nitze talked about. Paul Nitze was right. The bill is ambigious. We could have very easily and very clearly prohibited future technology.

Mr. Chairman, we are being asked to confirm a narrow interpretation of the ABM agreement that the Soviet Union themselves rejected in 1972.

I want to tell you about the vote sequence here. The gentleman from Pennsylvania [Mr. Weldon] is going to offer, after I offer this amendment, an amendment that will ask the Congress to fish or cut bait. Congress will be asked to state that the Soviet Union has violated by building Krasnoyarsk radar the ABM Treaty.

I would suggest that all Members affirm this vote by voting for the Hunter-Robinson-Broomfield amendment to delete this misdirected section before the vote on the amendment of the gentleman from Pennsylvania [Mr. Weldon] to state that in fact the Soviets are violating the ABM Treaty.

Mr. Chairman, I yield the balance of my time to the gentleman from Arkansas [Mr. Robinson].

The CHAIRMAN pro tempore (Mr. Gray of Illinois). The gentleman from Arkansas [Mr. Robinson] is recognized for 2¼ minutes.

Mr. ROBINSON. Mr. Chairman, I think it is time today that we put this debate in perspective. I want all of you to know that I voted for the Dicks amendment. I think we ought to adhere to SALT II because it deals with offensive weapons; however, we are not talking about offensive weapons with the ABM Treaty. We are talking about defensive weapons, our ability to defend this great country.

To put this in perspective today, I would like to read from the March 24, 1987, Communist Pravda paper, and I think you will get a good idea where I am coming from. The Soviets state: "We will never permit the realization of SDI's principal idea."

Furthermore they say, "Just who, in fact, is authorizing Washington to position space 'pillboxes' for oblique fire on Soviet territory? Who gave the militarists"—that is us, my colleagues in Congress—"the right to do this?"

I say, screw the Russians. The simple bottom line is if you adhere to the narrow interpretation of the ABM Treaty, you cannot test or deploy post-1972 SDI technologies.

If you do not vote for the Hunter-Robinson amendment, you are in effect killing SDI.

You can walk through the townhouse with the SALT II lady and you will not be accused of infidelity; but, Mr. Chairman, do not walk through that townhouse with the narrow interpretation of ABM because defense minded U.S. taxpayers are going to question your fidelity.

Vote yes on the Hunter-Robinson amendment and you will not be voting inconsistent with your vote on the Dicks amendment.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, we have heard a lot of people quoted today, but one person, a Member of the other body who opposed this treaty, this SALT II Treaty, was Senator Buckley, he said:

> The harshest critic of the treaty clearly made the connection between the article V restrictions and future systems both before the Senate Foreign Relations Committee and on the Senate floor.

In his floor statement of August 3, 1972, Senator Buckley argued——

The CHAIRMAN pro tempore (Mr. Gray of Illinois). The Chair would announce that the gentleman cannot refer to opinions of sitting Members of the other body. References to former Members are permitted.

Mr. DICKS. Mr. Chairman, he is a former Member.

The CHAIRMAN pro tempore. The gentleman may proceed.

□ 1750

Mr. DICKS. Mr. Chairman, he said, "The agreement goes so far"—now, listen to this, this is a person who voted against it:

Mr. HUNTER. Mr. Chairman, I yield myself 2½ minutes.

Mr. DONALD E. LUKENS. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I am happy to yield to the gentleman from Ohio.

Mr. DONALD E. LUKENS. Mr. Chairman, I hate to go over plowed ground, as we say back home, but I would like to ask the gentleman the same question. I am not sure I understood correctly.

Did the gentleman mean to say that there are positions in this bill negoitated without the gentleman's amendment that would conform with the Communist Russian Party negotiations bargaining position at the negotiating table today?

Mr. HUNTER. That is affirmative. The Soviet position today is the narrow interpretation. The American interpretation is a broad interpretation.

Mr. DONALD E. LUKENS. Mr. Chairman, if the gentleman will yield further, if we do not adopt the gentleman's amendment today, we are basically taking the Soviet Communist position at the negotiating table for them with this bill.

Mr. HUNTER. We have lined up with their position, the narrow interpretation, that is affirmative.

Mr. DONALD E. LUKENS. Mr. Chairman, as hard as it is to believe, I thank the gentleman at least for clearing this up.

Mr. HUNTER. Mr. Chairman, let me simply say this. I would be happy today in this bill to affirm that we cannot spend money in violation of the ABM Treaty, if we had the ABM Treaty in the bill, but we do not have the ABM Treaty in the bill. We have one-seventeenth of the ABM Treaty in the bill. We have article V and it is the article that the Soviet Union is relying on in pushing for a narrow interpretation.

One of our most respected negotiators, Mr. Nitze, and I want to say this again because it is so important, has told us as Members of Congress:

> The agreement goes so far as to prohibit the development, test, or deployment of sea-, air-, or space-based ballistic-missile defense systems. This clause in article 5 of the ABM treaty would have the effect, for example, of prohibiting the development and testing of a laser-type system based in space which would at least in principle provide an extremely reliable and effective system of defense against ballistic missiles.

Senator Buckley understood what this agreement meant. Senator Jackson asked questions of Mr. Foster, and Mr. Foster said that Senator Jackson's view was correct, that we could not develop the so-called exotics. There could not be testing and development. Yes, you could have a fixed-based laser system, but not the exotics.

I think that it is outrageous to think that we are going to let Judge Sofaer, who has now admitted that he was relying on faulty analysis from junior lawyers to overturn the record of advice and consent that was given on this treaty, the entire Senate record, and the entire understanding of people like Johnny Foster, Mel Laird, and others. These are not people who are soft on defense, these are people who consider and understand that when you sign one of these agreements, it becomes the law between the two parties, and that we are a Nation of laws, not a Nation of people who can go out and undermine and turn over a 15-year interpretation.

The Committee on Armed Services of the House of Representatives has done a courageous thing. I think that it is going to also be something that is done in the other body. It is time to stop this administration's effort not only to tear up the SALT II agreement, but also to gut and weaken the ABM agreement. This is the most important vote that we will take on arms control during this session of the U.S. Congress.

Mr. HUNTER. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I just want to say that this is not a vote on the ABM Treaty, it is a vote on one-seventeenth of the ABM Treaty, article 5, which the Soviet Union relies on in pressing for narrow interpretation. It would be most misdirected for this House of Representatives to hand them that unilateral concession with no quid pro quo on their part and in direct contravention to what one of our most respected arms control experts, Mr. Nitze, has stated is the case.

He tried to get the narrow interpretation; the Soviets rejected it in 1972. We should not give it to them today.

Mr. SPRATT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as I said at the outset of this debate, what we are talking about is very, very simple, very simple and fundamental. We are saying to the President of the United States quite simply, "Adhere to the interpretation and meaning of the ABM Treaty which every President before you has followed and accepted since President Nixon signed the treaty in 1972." We are saying, "Follow the meaning of the treaty as it was enunciated by the man who chiefly negotiated it, Mr. Smith, Gerard Smith, as corroborated by the legal adviser, Mr. Rhinelander, who drafted it, as corroborated by the senior military adviser who was intimately involved in every iota of that agreement, General Allison." That is all in the world that we are saying.

We are not trying to make new law, because we are only trying to declare what has been the meaning of this law, this law of the land for the last 15 years as accepted by all Presidents up until this one and up until October 1985.

We are not trying to impose restrictions upon the President. We are simply calling upon him to do what he has a duty to do, and that is to carry out and execute the laws of the land.

The Senate Armed Services Committee yesterday adopted essentially the same language to be put in the defense authorization bill by a vote of 12 to 8. It has been alleged and said on the floor here that this will bind us, that this takes a very narrow provision of the ABM Treaty and imposes it by law. In truth this treaty applies already by law. It is already the law of the land. We took simply the operative provision of the treaty and put it into the bill as section 224.

If the President sees fit to get out of the treaty, we recognize within section 224 the legal means of exit provided in article 15, the right to abrogate the treaty on 6 months' notice. If he seeks or wishes to broaden the treaty, then the possibility is there that he can seek to broaden it through negotiations with the Soviets, exercising the right to amend the treaty under article 14.

I submit that this is a reasonable imposition, and I urge all Members to vote against the amendment, to leave the bill as it is, as it was reported by the House Armed Services Committee.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The question is on the amendment offered by the gentleman from California [Mr. HUNTER].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 159, noes 262, not voting 12, as follows:

[Roll No. 90]

AYES—159

Archer
Armey
Badham
Ballenger
Bartlett
Barton
Bateman
Bentley
Bevill
Bilbray
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Cheney
Clinger
Coats
Coble
Coleman (MO)
Courter
Craig
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Fields
Flippo
Gallegly
Gallo
Gekas
Gingrich
Gregg
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hefley
Herger
Hiler
Holloway
Hopkins
Hunter
Hutto
Hyde
Inhofe
Ireland
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McCollum
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nielson
Oxley
Packard
Parris
Pashayan
Pursell
Quillen
Regula
Rhodes
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Rowland (CT)
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Skeen

Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauzin
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOES—262

Ackerman
Akaka
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Baker
Barnard
Bates
Beilenson
Bennett
Bereuter
Berman
Biaggi
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Cooper
Coughlin
Coyne
Crockett
Darden
DeFazio
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hochbrueckner
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mazzoli
McCloskey
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Miller (WA)
Mineta
Moakley
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Rahall
Rangel
Ravenel
Ray
Richardson
Ridge
Rodino
Roe
Rose
Rostenkowski
Roukema
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tauke
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—12

Alexander
Annunzio
Combest
Conyers
de la Garza
Ford (TN)
Jones (NC)
Mavroules
McCurdy
McDade
McKinney
Valentine

□ 1810

Mr. PRICE of Illinois and Mr. FISH changed their votes from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment, as designee for the gentleman from Pennsylvania [Mr. WELDON].

The CHAIRMAN pro tempore (Mr. RUSSO). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUNTER: At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. SENSE OF CONGRESS ON THE KRASNOYARSK RADAR.

(a) FINDINGS.—The Congress finds the following:

(1) The 1972 Anti-Ballistic Missile Treaty prohibits each party from developing ballistic missile early warning radars except at locations along the periphery of its national territory and oriented outward.

(2) The 1972 Anti-Ballistic Missile Treaty prohibits each party from deploying an ABM system to defend its national territory and from providing a base for any such nationwide defense.

(3) Large phased-array radars were recognized during negotiation of the Anti-Ballistic Missile Treaty as the critical long lead-time element of a nationwide defense against ballistic missiles.

(4) In 1983 the United States discovered the construction, in the interior of the Soviet Union near the town of Krasnoyarsk, of a large phased-array radar that has subsequently been judged to be for ballistic missile early warning and tracking.

(5) The Krasnoyarsk radar is more than 700 kilometers from the Soviet-Mongolian border and is not directed outward but instead faces the northeast Soviet border more than 4,500 kilometers away.

(6) The Krasnoyarsk radar is identical to other Soviet ballistic missile early warning radars and is ideally situated to fill the gap that would otherwise exist in a nationwide Soviet ballistic missile early warning radar network.

(7) The President has certified that the Krasnoyarsk radar is an unequivocal violation of the Anti-Ballistic Missile Treaty.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Soviet Union is in violation of its legal obligation under the 1972 Anti-Ballistic Missile Treaty.

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COELHO] having assumed the chair, Mr. RUSSO, the Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1748 NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 100-83) on the resolution (H. Res. 157) providing for the consideration of a resolution reported by the Committee on Rules providing for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RECOMMENDATIONS ON ENERGY AND NATIONAL SECURITY CONCERNS RELATED TO OIL IMPORT LEVELS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 100-75)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read, and, without objection, referred to the Committee on Energy and Commerce, the Committee on Ways and Means, and the Committee on Interior and Insular Affairs, and ordered to be printed:

To the Congress of the United States:

Pursuant to Section 3102 of the Consolidated Omnibus Budget Reconciliation Act of 1986 (Public Law 99-509; 100 Stat. 1889), I am transmitting my views and recommendations on the energy and national security concerns related to oil import levels. These views and recommendations take into consideration the findings in "Energy Security: A Report to the President of the United States." That report was prepared under the direction of Secretary of Energy John S. Herrington at my request and in satisfaction of requirements of Public Law 99-509.

My Administration has done a great deal to build the Nation's foundation for long-term energy security and to strengthen the domestic oil industry. Price and allocation controls on oil have been eliminated; the Strategic Petroleum Reserve (SPR) has been increased nearly fivefold to more than 500 million barrels and, with our encouragement, our allies have built up their stockpiles by about 350 million barrels; several important energy tax incentives were retained in the Tax Reform Act and full-cost accounting provisions for independent producers were preserved; and I have recently forwarded to the Congress a $2.5 billion clean coal initiative. Because of these actions, the United States is now capable of withstanding a supply interruption comparable to the 1973 and 1979 interruptions without experiencing the same economic distress.

More remains to be done. Secretary Herrington's recent report on energy security points out three major concerns: (1) our increasing dependence on imported oil; (2) the sudden decline in oil prices in 1986, which has harmed significant segments of the U.S. petroleum industry; and, (3) the serious implications for national security raised by both of these events. The Department of Energy study concludes that by the mid-1990s we may be importing more than half our oil. Capital expenditures for oil exploration and development have dropped significantly, as has employment and U.S. oil production. Coupled with this production decline is increased consumer demand for oil, which together have resulted in a rise of one million barrels per day in oil imports. In recent months, while market prices have rebounded to some extent, the industry remains under pressure and the outlook is uncertain.

We must take steps to better protect ourselves from potential oil supply interruptions and increase our energy and national security. My goals in this area are to:

—maintain a strong domestic oil industry;

—increase our domestic stockpiles, which we can draw down in the event of a supply interruption;

—expand the availability of domestic oil and gas resources;

—continue conservation and progress toward diversification of our energy resources; and

—promote among our allies the importance of increasing their stockpiles.

I have already proposed a number of significant steps on which the Congress has failed to act. If these policies had been in place, our domestic oil industry would not be so seriously impaired today. I again urge the Congress to act quickly in adopting my proposals to improve our energy security and strengthen the domestic oil industry, including:

—repeal of the Windfall Profit Tax;

—comprehensive natural gas reform, including wellhead price decontrol, mandatory contract carriage and demand restraint repeal;

—approval of the Department of the Interior's five-year offshore oil and gas leasing plan;

—permitting environmentally sound energy exploration and development of the Arctic National Wildlife Refuge; and

—ensuring the future viability of nuclear power through nuclear licensing reform, reauthorization of the Price-Anderson Act, and progress in development of a nuclear waste repository.

Secretary Herrington and I will continue to push hard for higher levels of oil stockpiles among our allies, particularly at the Ministerial Meeting of the International Energy Agency and the Venice Economic Summit. The Vice President is also leading the Task Force on Regulatory Relief to look at unneeded regulatory barriers to greater energy security, including evaluating regulatory changes to facilitate the use of alternative fuels for the transportation sector.

In addition, today, I am urging the Congress to consider several steps that will lead to more exploration and development, reduce early well-abandonment, and stimulate additional drilling activity. I am suggesting the Congress consider two tax changes of a relatively technical nature: increasing the net income limitation on the percentage depletion allowance from 50 percent to 100 percent per property; and repealing the transfer rule to permit use of percentage depletion for proven properties that have changed ownership. These changes will be a significant value but avoid reopening basic issues considered in tax reform. To continue our efforts to build a stockpile protecting us against supply interruptions, I am prepared to support an SPR fill rate of 100,000 barrels per day, which will achieve by 1993 my goal of an SPR of 750 million barrels, provided that budget offsets are made available to cover the higher costs of this fill rate. I also am reducing the minimum bid requirement for Federal offshore leases from $150 per acre to $25 per acre, which will encourage exploration and development by reducing the upfront costs.

I believe all these measures are important steps toward ensuring that our Nation has a strong domestic oil and gas industry and substantial protection against oil supply interruptions. They would, taken together, increase production and make a significant contribution to our national security interests.

I am also instructing the Secretary of Energy to provide, through the Domestic and Economic Policy Councils, periodic assessments of our energy security risks. It may be necessary to consider a variety of options for encouraging exploration and production if our U.S. industry continues to be diminished and national security risks increase. I will consider further actions as warranted.

RONALD REAGAN.

THE WHITE HOUSE, *May 6, 1987.*

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON EDUCATION AND LABOR

The SPEAKER pro tempore laid before the House the following communication from the Honorable AUGUSTUS F. HAWKINS, chairman of the Committee on Education and Labor:

COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, April 29, 1987.

Hon. JIM WRIGHT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule L(50) of the Rules of the House of Representatives, that a member of my Committee staff has been served with a hearing subpoena issued by the United States Merit Systems Protection Board.

After consultation with the General Counsel to the Clerk, I will make the determination required by the Rule.

Sincerely,

AUGUSTUS F. HAWKINS,
Chairman.

A TRIBUTE TO NURSES IN HONOR OF NATIONAL NURSES DAY—MAY 6

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, today I would like to pay tribute to all those in the nursing profession for their vital contribution to mankind in providing health care services to people of all ages.

□ 1820

Nursing is an essential profession which parallels the role of physicians in contemporary society. It is safe to say that without nurses, the infrastructure of modern medical care would collapse.

Among qualities cited of the contemporary nurse, like reliable judgment, technical expertise, compassion, and a good sense of humor, we must now add courage; courage in the face of continually new strains of diseases. The uncertainty of diseases such as AIDS pose great threats to all those in the medical profession, especially the nurses who not only must deal with the physical aspects of the disease, but who also face its emotional dimensions as well.

Mr. Speaker, on this National Nurses Day, I pay tribute to a most noble and endearing profession and I urge all to do likewise.

PERSONAL EXPLANATION

Mr. FISH. Mr. Speaker, I was unable to be on the floor for rollcall vote No. 80 on H.R. 28, the Expedited Funds Availability Act of 1987. I was at the White House for the ceremony on creation of the White House Drug-Free America Conference. Had I been able to be here I would have voted in favor of the bill.

Mr. Speaker, I ask unanimous consent that these remarks appear in the RECORD immediately following rollcall vote No. 80.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL EXPLANATION

Mr. COMBEST. Mr. Speaker, because of an injury that required a brief hospitalization, I was unable to attend the session of the House on Wednesday, May 6.

If I had been present:

On rollcall No. 86, I would have voted "nay."

On rollcall No. 87, I would have voted "yea."

On rollcall No. 88, I would have voted "nay."

On rollcall No. 89, I would have voted "yea."

On rollcall No. 90, I would have voted "yea."

IN SUPPORT OF THE C-17

(Mr. RAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAY. Mr. Speaker, I plan to deliver a special order this week on an amendment which is being offered to the DOD bill to delete the funding for the C-17.

This amendment is being offered by my colleague from Georgia, Congressman DARDEN, and I sympathize with his reasons for doing so. Unfortunately, I must oppose him.

In my later comments, I plan to address the issues being raised by opponents of the C-17, and explain how each of these issues—cost, performance, and technology—are in fact being overlooked by the opponents of the C-17.

The House Armed Services Committee strongly supported the C-17 and continues to do so in this year's budget. In fact, we have authorized $1,264 billion since 1982 for the C-17, and the project has been under design for over 10 years. Funding in the fiscal year 1988 budget will build two planes.

Opponents of the C-17 are advocating that we ignore this past investment and continue with C-5B 1960's technology.

The committee has supported the C-17 because it moves us into the future technologically. Our current airlifters are illequipped, are aging, and the C-17 has current and future technology.

Our airlift fleet including the C-141, C-130, C-135, and C-5B will be used into the 20th century, but we must begin to focus on the future now.

I look forward to the opportunity to address this issue in the House so that those who have not been involved over the past 7 years in this debate will know the facts that led the committee, the Air Force, and the Army to push for the C-17 as the airlifter of the future.

□ 1110

VIETNAM REMEMBERED

(Mr. DANIEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DANIEL. Mr. Speaker, first I want to associate myself with the remarks just made by the gentleman from Georgia [Mr. RAY] and the gentleman from Georgia [Mr. ROWLAND]. We made an agreement some years ago, and I hope that agreement will be carried out.

Mr. Speaker, a week ago today, one of our colleagues, Representative IKE SKELTON, spoke to a group at Fort Monroe, VA. While Congressman SKELTON's subject was the Army's future, his theme was its recent past.

Perhaps coincidentally, Congressman SKELTON spoke on the 12th anniversary of the date the last Americans left Vietnam, thus formally ending one of the most difficult eras in American history. It is an era we continue to examine and ponder, and in his statement the Congressman adds some very necessary balance to the debate which continues.

Most Americans have forgotten—if in fact they ever knew—that American troops who saw action in Vietnam never lost a battle. This was despite the fact that the average age of those who served was 19 years.

Congressman SKELTON, with brevity and eloquence, touches the essence of the Vietnam veteran's problem when he says:

> Nations make war; soldiers merely fight them. Yet many, a loud minority, made the mistake of blaming an unpopular war on those who answered their country's call, rather than on the politicians who made the decision to fight that war. Those who fought in Vietnam, or served in the military at that time, were held responsible for events over which they had little control.

Things are better now for the veterans of that era, and we should all take satisfaction from that. But I respectfully request that Congressman SKELTON's remarks be printed in the RECORD, so that those who were in this body in that time—and those who were not—may reflect on their own role in the conflict and the reconciliation.

VIETNAM REMEMBERED

INTRODUCTION

I have looked forward for a number of months to visiting Ft. Monroe, and I am so glad to have finally made it here this evening. The theme for your program today is "Army Futures". In the letter I received from General Vuono in early March I was expected to talk on "the Army's efforts to look beyond near-term requirements and examine materiel acquisition programs and strategies for the far term." After reading and re-reading that phrase, I decided that I couldn't give a speech on that topic because I didn't understand what it meant. However, in line with your theme "Army Futures", and realizing that the past is prologue, I decided to speak of the recent tragic past that haunts the American military mission. I do so because as we look to the future, as many of you have done today, it is vitally important not to lose sight of the past. It is the past, after all, that provides the foundation of the present and gives shape to the future.

It is said that gratitude is the greatest of all virtues. And so it is. The human species thrives on being appreciated. People in public service often find their efforts go unnoticed or unappreciated. History tells us this is especially true of the profession of arms. For many years now, there has hovered over our nation, to a greater or lesser extent, the absence of full appreciation for the men and women who wear our uniform and the important national service that they perform. The root cause of this can be found thousands of miles from here, in a country known as Vietnam.

Twelve years ago today, April 29th 1975, the last Americans left Vietnam. Many still remember the television coverage of the tragic scene showing the last American helicopter lifting off from the roof of our Embassy in Saigon. Thus in discussing "Army Futures" I think it important that we talk of the past—the past that has affected attitudes within our country, and in particular, toward our military. This is Vietnam Remembered.

VIETNAM

Twenty-two years ago, in March 1965, the first U.S. ground troops splashed ashore three miles from Da Nang, Vietnam. America committed its prestige, its resources, and its sons to a struggle for freedom in Southeast Asia that was ultimately lost. The strange fact about that lost war was that the Americans who saw action in Vietnam never lost a battle—from the Ia Drang Valley in 1965, to the Tet Offensive in 1968, to the Eastern Offensive of 1972.

In the countless military engagements throughout the period of active U.S. involvement in Indochina, Viet Cong and North Vietnamese units that saw action against American combat forces—Army and Marine—came out second best. There were no Bataans or Kasserine Passes in Vietnam as had occurred in World War II; no stunning defeats as had taken place in Korea when 300,000 Chinese attacked American forces approaching the Yalu River in November 1950. American forces that went off to battle in Vietnam were well-equipped, well-trained, and well-motivated.

However, the men who went off to battle in Vietnam left an America undergoing dramatic changes. An intellectual civil war of sorts was taking place in the country during that period, a war of values and ideas. The civil rights movement, the war against poverty, the growth of an underground drug culture, the women's movement, the emergence of the generation gap—these were just some of the developments taking place in American society.

They led to a questioning about the role of America in the world, about the values that we as a nation should stand for and promote. In some ways, those issues have still not been resolved, partly because of our inability as a nation to assimilate the divisive experience that became known as the Vietnam War.

UNRECOGNIZED SACRIFICES

Most Americans don't fully realize the sacrifices made by the generation that went off to fight in Vietnam. The distinctions between Vietnam and World War II are eye-opening:

Marines suffered more casualties in Vietnam than in World War II—105,000 to 90,000;

The average Vietnam-era veteran served 34 months; the average World War II veteran served 30 months;

Three-quarters of those who died in Vietnam were volunteers; and

The average age of those who served in Vietnam was 19; in World War II it was 26.

The nature of the war was different too. The average Vietnam War infantryman was plucked from civilian life and after six months of training he was on his way to Vietnam. There he found himself in an alien and hostile environment. He was required to pursue an elusive enemy, in a guerrilla war where there were no "lines", and where it was difficult to tell friend from foe. Attack could come at any time—day or night. Vietnam was an individual war, fought primarily at the platoon and company level. There were great responsibilities placed on platoon and squad leaders, young men just in their late teens or early 20's, with less than two years of military experience.

The Second World War was different. As an example, take the 29th Infantry division. It was activated in February 1941, and shipped overseas to Great Britain in October 1942. There it remained training and preparing for the invasion of France, in which it participated on June 6, 1944. Less than a full year later, May of 1945, the War in Europe was over. The fighting for the 29th and the other American units was brutal, but their training paid off. Even before they set foot on the beaches of Normandy, the men of the 29th were seasoned soldiers. They were well prepared for the large scale combat in Europe, where forces operated in division-sized units and larger. The conventional warfare tactics of the Nazi forces did not take them by surprise. Moreover, they had a clear understanding of why they were in Europe and why they were fighting.

THE SOOTHING PASSAGE OF TIME

In Shakespeare's Antony and Cleopatra there is a scene with which many Vietnam veterans can easily identify. A messenger has come to tell Cleopatra of some unfortunate news, that her beloved Mark Antony has married another. Upon hearing the bad news, she strikes the unfortunate messenger. She strikes the poor fellow again and again, venting her anger, hurt, and frustration in this distressing manner.

In much the same way, Vietnam veterans suffered unjustly from a war that eventually became unpopular. Nations make war; soldiers merely fight them. Yet many, a loud minority, made the mistake of blaming an unpopular war on those who answered their country's call, rather than on the politicians who made the decision to fight that war. Those who fought in Vietnam, or served in the military at that time, were held responsible for events over which they had little control.

In the years since the end of the war, many Americans who once treated Vietnam veterans with indifference and even contempt have come to realize that such treatment was wrong. Those who served and fought in the most divisive conflict since the Civil War deserve honor and respect. The dignity and importance of military service, especially for those who fought in Vietnam, has finally been recognized. Parades for Vietnam veterans that have taken place in Washington, Chicago, New York and other cities and towns throughout the country are proof of this recognition. The passage of time has allowed us to see the past more clearly.

BEARING WITNESS

Since the Iliad of Homer men have sought to recall the experiences of war, the better to remember for themselves and the better to teach their young. Two American classics that the importance of bearing witness include Stephen Crane's "The Red Badge of Courage" and Norman Mailer's "The Naked and the Dead." The Vietnam war has also produced it's share of fine writing. Authors who have put their personal experiences to paper include now Secretary of the Navy, James Webb. It is a literature as rich and diverse as that produced by any other war.

At first, however, there wasn't much of a market for the still painful story of Vietnam. It seemed that the American public simply wanted to forget the whole matter. By the late 1970's articles, historical works, memoirs, and novels started coming out, in a steady volume that has continued to this day. The personal accounts—describing the comraderie, exhiliration, danger, confusion, and the thousand other experiences encountered by men in battle—have forced us to take another look.

THE VIETNAM MEMORIAL

There is now a memorial in Washington to commemorate the bravery and sacrifice of those who served their country in Vietnam. It took some time to build. The political passions aroused at home during the course of the war did not die down with the fall of Saigon in April 1975.

As the war itself was controversial, so too was the idea of a memorial. As in many other matters, it was those who fought in Vietnam who took the initiative to build a memorial. It lists the names of the 58,132 who served in the American uniform and gave their lives in that tragic cause.

The building of the memorial was a turning point in the attitudes of the veterans toward themselves and in the attitude of the American public toward them. It is interesting to note that despite the unpopularity of the war 91% of Vietnam veterans were "glad they had served their country."

NOT IN VAIN

Despite our considerable efforts, Indochina fell to communist aggression—Cambodia, Vietnam, and Laos. A number of prominent opponents of the U.S. role in Vietnam, including a number in Congress, took the position that a communist victory was preferable to the continuation of the war. They discounted the fears expressed by many that a bloodbath would take place. Unfortunately, they were wrong.

In Vietnam, hundreds of thousands were sent off to "re-education" camps, the euphemism used by the North Vietnamese conquerors for slave labor camps, after the fall of Saigon in April 1975. Since then, 1,000,000 Vietnamese have fled the country by various means, mostly by sea. In Cambodia, the consequences of a communist victory were disastrous. Several million died at the hands of the Khymer Rouge Government of Pol Pot. Those who have seen the film, "The Killing Fields," now understand this. Twelve years after the fall of Saigon, Indochina has still not found peace. Those who fought in Vietnam can take but small comfort from the grim results of our effort in Indochina. They tried to prevent the holocaust from taking place.

And yet there is a hopeful side to the story. I believe a credible argument can be made that the period of our involvement in Vietnam bought time for the other countries of Southeast Asia. If some of the dominoes fell, not all of them did. Thailand, Malaysia, Singapore, and Indonesia had time to develop and strengthen themselves politically and economically. As members of the Association of Southeast Asian Nations [ASEAN] their average economic rate of growth in the decade after 1975 was twice the global average. Today, East Asia has replaced Western Europe as America's leading overseas trading partner. No one could have predicted such a development in 1965. The sacrifice of those who served in Vietnam was not in vain.

CONCLUDING THOUGHTS

War, by its very nature, has often been controversial, even within the country of one of the warring sides. World War I and World War II began with intense national patriotic ferver and ended with national gratitude toward the heroic American soldier who distinguished himself on the countless battlefields of those two wars. This national respect has proved more the exception than the rule.

For centuries, the British demonstrated a repeated lack of respect for their soldiers returning home from various wars. Often, the public back on the British Isles knew little of the battles, and in many instances, cared neither about them nor the men who fought in them.

British Poet Laureate Rudyard Kipling—who happens to be one of my favorite poets—as a young man spent a great deal of time in India writing about soldiers and soldiering. One of his most memorable works, penned about that familiar British soldier, known more commonly as "The Redcoat" or "Tommy", gives us a vivid, and sobering picture of public attitude toward the soldier of his day. The poem is entitled simply "Tommy":

TOMMY

I went into a public-'ouse to get a pint o' beer,
The publican 'e up an' sez, "We serve no red-coats here."
The girls be'ind the bar they laughed and giggled fit to die,
I outs into the street again an' to myself sez I:
  O it's Tommy this, an' Tommy that, an' "Tommy, go away";
  But it's "Thank you, Mister Atkins," when the band begins to play—
  The band begins to play, my boys, the band begins to play,

O it's "Thank you, Mister Atkins," when the band begins to play.
I went into a theatre as sober as could be,
They gave a drunk civilian room, but 'adn't none for me;
They sent me to the gallery or round the music-'alls,
But when it comes to fightin', Lord! they'll shove me in the stalls!
For it's Tommy this, an' Tommy that, an' "Tommy, wait outside";
But it's "Special train for Atkins" when the trooper's on the tide—
The troopship's on the tide, my boys, the troopship's on the tide,
O it's "Special train for Atkins" when the trooper's on the tide.
Yes, makin' mock o' uniforms that guard you while you sleep
Is cheaper than them uniforms, an' they're starvation cheap;
An' hustlin' drunken soldiers when they're goin' large a bit
Is five times better business than paradin' in full kit.
Then it's Tommy this, an' Tommy that, an' "Tommy, 'ow's yer soul?"
But it's "Thin red line of 'eroes" when the drums begin to roll—
The drums begin to roll, my boys, the drums begin to roll,
O it's "Thin red line of 'eroes" when the drums begin to roll.
You talk o' better food for us, an' schools, an' fires, an' all:
We'll wait for extry rations if you treat us rational.
Don't mess about the cook-room slops, but prove it to our face
The Widow's Uniform is not the soldier-man's disgrace.
For it's Tommy this, an' Tommy that, an' "Chuck him out, the brute!"
But it's "Saviour of 'is country" when the guns begin to shoot;
An' it's Tommy this, an' Tommy that, an' anything you please;
An' Tommy ain't a bloomin' fool—you bet that Tommy sees!

Today, the American public's attitude toward its men and women in uniform is subject to the fluctuations of fashion, much as in Kipling's time. Yesterday, you were unpopular, today things are better. Events over the past few years have revealed a sincere effort on the part of the American people to make up for the lack of appreciation for those who served during the Vietnam War.

History tells us that the soldier, following the dictates of his profession, often finds himself misunderstood and unappreciated at home. As soldiers soon learn, they must do their best as the military arm of a country and let neither praise nor disdain take them from their course of doing their duty as professionals. Remember this! It is the stoic code of warriors that has been passed down through the ages.

I wish you well as you look to the future of the U.S. Army. Thank you and God bless you.

AIR SAFETY ENHANCEMENT ACT OF 1987

(Mr. BADHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BADHAM. Mr. Speaker, every day, we hear news of another near catastrophe involving small aircraft and commercial jetliners. With the enormous increase in near misses and midair collisions that have claimed hundreds of lives, we need to act now to prevent the possibility of these tragic air disasters in the future.

Daily reports indicate such accidents are a consequence of the fact that commercial aircraft continue to share the skies with aircraft whose altitude is unknown. To demonstrate that point, I would like to share with you two incidents that occurred at Orange County's John Wayne Airport which were related to me by the president of AirCal Airlines.

On December 14, 1986, an AirCal BAe 146 was on approach to the John Wayne Airport. The aircraft was at 3,000 feet above sea level. The air traffic controller alerted the AirCal crew about an aircraft at an unknown altitude. As the BAe 146 was being turned for approach, the crew suddenly saw a single-engine Cessna on a collision course. The pilot effected an abrupt dive and tightened to avoid impact. The two aircraft were only about 100 feet apart.

On January 11, 1987, a Boeing 737 was flying from Chicago to Orange County. As the aircraft was on approach, a controller identified a general aviation aircraft by giving its altitude and position. The pilot had no problem with that target, but just as he turned to final approach, he encountered a third, unidentified aircraft at the same altitude. Fortunately, the pilot was able to avoid the third vehicle and landed safely.

These incidents clearly indicate the need to address and correct this problem immediately. The FAA has taken steps to enhance safety around our Nation's high density airports, but more must be done. Earlier this year, Secretary Dole pushed up by 4 years the deadline requiring small planes to have altitude-reporting equipment within restricted airspace at 14 major airports. The requirement is already in effect at the Nation's nine largest airports. The device, a mode C transponder, sends out an electronic signal that appears on the air traffic controller's radar, indicating the plane's altitude.

I commend the FAA for these actions. Unfortunately, the proposal falls far short of protecting some of the most heavily trafficked airways in the United States—namely the southern California basin. From San Diego to the northern reaches of the Los Angeles basin, there are seven major commercial airfields with a very active general aviation fleet throughout.

Today, I am introducing a bill to require the installation of altitude encoding transponders on all civil aircraft operating in these unprotected areas surrounding Los Angeles and San Diego. It would also direct the FAA to designate other areas with sufficient air traffic congestion and private aircraft activity where this requirement should be applied. The intent of the bill is to speed up the process that the FAA has already begun and fill these important geographical gaps.

Realizing the financial burden for the general aviator in meeting this requirement, my bill also includes a provision calling for a special public/private partnership. To provide an incentive to the general aviator and mitigate the costs for the required transponder, I have contacted several aviation insurance companies around the country suggesting that they provide a discount on the aviation premium to policyholders who comply with the requirement.

I'd like to urge my colleagues to join me in cosponsoring this bill to improve our air traffic environment and to ensure the safety of the thousands of people who travel to southern California every year and those that live in this heavily congested area.

At this point, I would like the text of the bill printed in the RECORD.

H.R. 2296

A bill to amend the Federal Aviation Act of 1958 to require the installation and operation of altitude-encoding transponders in all aircraft flown in the Los Angeles and San Diego Basin areas of California, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Los Angeles and San Diego Basins Air Safety Enhancement Act of 1987".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the increasing rate of airspace incidents in the Los Angeles and San Diego Basin areas of California must be stopped;

(2) the Los Angeles and San Diego Basin Areas are two of the most heavily trafficked airspaces in the world;

(3) the task of airspace management in the Los Angeles and San Diego Basin areas is impeded by the volume of air traffic and variety of aircraft in terms of performance, mission, and pilot capabilities;

(4) there are other areas of the United States in which airspace management is impeded by the volume of air traffic and variety of aircraft;

(5) the jobs of individual air traffic controllers and of pilots operating in the Los Angeles and San Diego Basin areas and in other areas are made more difficult by the high number of aircraft flown in such areas without altitude-encoding transponders; and

(6) the implementation of minimum standards mandating the installation of altitude-encoding transponders on all aircraft operating in the Los Angeles and San Diego Basin areas and in other areas would enhance safety in the crowded airspace of such areas.

SEC. 3. ALTITUDE-ENCODING TRANSPONDERS.

(a) REQUIREMENT FOR INSTALLATION.—Section 307 of the Federal Aviation Act of 1958

(49 U.S.C. App. 1348) is amended by adding at the end the following new subsection:

"ALTITUDE-ENCODING TRANSPONDERS

"(g)(1) REGULATIONS.—Not later than 30 days after the date of the enactment of this subsection, the Administrator shall prescribe a regulation under this section which requires that an altitude-encoding transponder be installed and operated one each civil aircraft operating in the Los Angeles and San Diego Basin areas of California and such other areas as the Administrator designates as having sufficient density and variety of air traffic to justify applicability of such regulation to civil aircraft operating in such areas.

"(2) BOUNDARIES.—

"(A) LOS ANGELES AND SAN DIEGO BASIN AREAS.—The geographical boundaries for the Los Angeles and San Diego Basin areas of California shall be the geographical boundaries for Los Angeles, California, and San Diego, California, described on pages 648 and 709 of part II of volume 46 of the Federal Register (January 2, 1981). The altitude boundaries for such Basin areas shall extend upward from ground level.

"(b) OTHER AREAS.—The Administrator shall establish geographical and altitude boundaries for any areas designated by the Administrator under paragraph (1).

"(3) APPLICABILITY DATE.—The regulations prescribed under paragraph (1) shall apply to civil aircraft beginning on such date as the Administrator determines appropriate, taking into account the availability of altitude-encoding transponders, but not later than the 365th day following the date of the enactment of this subsection.".

(b) CONFORMING AMENDMENT.—That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading

"Sec. 307. Airspace control facilities." is amended by adding at the end the following:

"(g) Altitude-encoding transponders.".

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that the transponder equipment manufacturers, insurance companies, aircraft manufacturers, local governments, and Federal and State agencies should seek non-Federal initiatives (such as lowering the cost of equipment installation costs, reduction of aviation insurance premiums, and the grading of local taxes) to facilitate and enhance the installation and operation of altitude-encoding transponders on civil aircraft operating in the Los Angeles and San Diego Basin areas of California and other areas designated by the Administrator of the Federal Aviation Agency under section 307(g) of the Federal Aviation Act of 1958.

MODIFICATION OF IRS CODE ON TAXATION OF MUTUAL FUNDS

(Mr. FLIPPO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLIPPO. Mr. Speaker, I am pleased to have the opportunity today to introduce H.R. 2295, legislation which would modify one of the rules in subchapter M of the Internal Revenue Code. Subchapter M governs the taxation of mutual funds technically known as regulated investment companies or RIC's.

The Federal income tax provision applicable to mutual funds were first enacted in 1936. Although certain amendments to subchapter M were adopted as part of the 1986 Tax Reform Act, the basic structure and principles of these provisions have remained generally unchanged. These tax provisions have worked reasonably well over the years. However, a changing marketplace and the emergence of new investment vehicles requires a future update of one of the tax rules governing the mutual fund industry to allow the industry to better serve the mutual fund shareholder.

The legislation we'll be introducing today would repeal section 851(b)(3) of the Internal Revenue Code, an archaic, unduly restrictive provision of the law which inhibits the ability of mutual fund managers to perform in a manner which best serves the fund's shareholders. This legislation will permit the mutual fund manager to respond more fully and directly to the changing financial marketplace. It will make available to mutual fund investors, typically middle-income Americans, some of the same opportunities available to the generally more wealthy direct investor, such as the opportunity to have portfolio diversification and access to the investment community.

While providing a significant benefit to mutual fund investors, this bill is revenue neutral. Moreover, the Treasury Department last year stated its support for the proposed repeal of section 851(b)(3).

The tax treatment of mutual funds is based on the conduit theory. Generally, the fund flows through to its shareholders the income and gain derived from the securities held in the fund's portfolio. The distributed income and gain is taxed at the shareholder level rather than at the fund level, provided that the fund meets certain tests for qualification under subchapter M of the code. Failure to satisfy the stringent requirements of subchapter M will cause a mutual fund to be subject to the full corporate tax imposed under subchapter C of the code.

Although the provisions of subchapter M have not required significant change since their adoption in 1936, a number of developments in recent years have made the so-called "short-short" rule of code section 851(b)(3) outmoded and unresponsive to the modern financial climate. This bill would repeal section 851(b)(3), the provision of the code which states that a mutual fund will not be eligible for conduit tax treatment if 30 percent or more of its gross income is derived from gain on the sale of stock or securities held for less than 3 months. Although the 1986 Tax Reform Act included a provision which would permit the netting of offsetting gains and losses in certain designated hedge transactions. For purposes of computing gain under section 851(b)(3), the relief provided by this amendment was inadequate and unnecessarily burdensome to administer. The provisions of section 851(b)(3) continue to restrict a mutual fund manager's ability to respond to modern financial conditions.

For example Mr. Speaker, we have recently seen the introduction of such new investment products as exchange-traded stock options, options and futures on debt instruments, and options and futures on foreign currencies. The creation of these new products has, at least in part, been a response to the volatility of interest rates, currency exchange rates, and the stock market. These products, which have become an integral part of all professional investment management, are particularly useful in hedging against the risks of fluctuations in interest rates, stock values, and currency exchange rates. Mutual funds, which are regulated by the Securities and Exchange Commission, should not be unduly restricted in the use of these modern investment products by outmoded provisions of the Internal Revenue Code. Even as recently revised, code section 851(b)(3) hinders the use of these products by mutual funds and thus hampers a mutual fund's ability to protect its shareholders' investments in a constantly changing financial environment.

Section 851(b)(3) was enacted at a time when products such as index options and futures, financial futures and other new investment products did not exist and, indeed, were not even contemplated. However, in today's environment, the rule thwarts a mutual fund manager's fiduciary responsibility to act in the shareholders' best interests.

First, the rule prohibits a mutual fund from taking advantage of these new investment products even though they are used extensively by other investors. Second, it imposes an unwarranted restriction on the fund's ability to react and benefit from rapid changes in the market, that is, periods of volatile interest rates or when the value of securities increase abruptly, thereby precipitating an artificial investment decision that may not be in the best interest of the mutual fund shareholder.

The following is an actual example of the adverse effects of this rule on mutual fund shareholders. In 1981 a mutual fund took an extra long bond position because of the anticipated fall in interest rates. Interest rates did fall, but more rapidly and more substantially than the fund anticipated. In the face of a rapid interest rate reduction, the fund would have benefited by closing out these positions within 2 months and by adopting a more defensive position. However, the fund was unable to close out the positions after only 2 months because it would have realized an impermissible gain under the 30-percent rule. For this and similar reasons and because it is in the best interest of the shareholders, section 851(b)(3) should be repealed.

As I mentioned previously the subchapter M provision of the code this bill would repeal, was enacted with the Revenue Act of 1936. This provision was added along with the rest of subchapter M by the conference committee on the 1936 revenue measure. This amendment to the 1936 laws was not the subject of public hearings, prior to enactment or extensively discussed or even explained during floor debate on the measure in either body. The legislative history of this law provides few clues to the derivation or purposes of the subchapter M provisions.

Legal scholars and historians speculate that the subchapter M provisions were a reasonable response to the excesses of the unregulated marketplace of the 1920's and early 1930's that permitted investment companies to flaunt the public trust and secretly manipulate the prices of individual stocks through excessive trading and self-dealing.

The excesses of the 1920's and early 1930's spurred Congress to enact a number of reform measures between 1933 and 1940. Over this brief 8-year period, Congress worked continuously to reform the investment industry. This reform movement produced the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisor Act of 1940.

The reform movement enacted a broad regulatory framework that carefully delineates, monitors, and controls every aspect of the activities of the mutual industry. The regulatory framework is so thorough that by the mid-1970's the Chairman of the Securities and Exchange Committee could tell the chairman of the Senate Committee on Banking, Housing, and Urban Affairs that "no issuer of securities is subject to more detailed regulation than mutual funds."

The regulatory framework enacted by Congress has proven to be sound public policy. The mutual fund industry has grown and prospered. The investing public has great confidence in the industry. Over 20 million Americans now own shares in more than 2,000 mutual funds holding $800 billion in total assets.

The bill we are introducing today would not disturb this valuable regulatory framework. It would be foolish to do so. The purpose of this bill is to repeal an outmoded provision of tax law enacted in 1936 that no longer serves a purpose. The Treasury Department expressed its support for the repeal of the "short-short" rule last year. In a letter to me dated February 5, 1986, Assistant Secretary Mentz stated that:

> * * * while section 851(b)(3) does not serve a pressing tax policy goal, it does impose substantial costs on RIC's and their shareholders, both by requiring investment decisions to be made on noneconomic grounds and by forcing RIC's to monitor their compliance with the rule.

The subchapter M provision—the so-called "short-short" rule—does not prohibit mutual funds from participating in futures and options trading. It simply restricts earnings from such short-term investments to 30 percent of total earnings. The mutual funds have the authority to conduct futures and options trading. Hundreds of mutual funds do so in order to hedge against downside risk, to quickly adjust equity exposure, and to gain added return through arbitrage. These activities are a necessary component of any sound portfolio management policy in today's marketplace and in the best interest of the mutual fund shareholders.

Mutual fund activities in the futures and options markets are regulated by Federal securities, commodities, and tax laws, State securities laws, and rules of the applicable exchange. The Commodity Futures Trading Commission and the Securities and Exchange Commission requirements limit severely the amount a mutual fund's assets can be committed to these investments. In addition, most States regulate mutual funds, whose shares are being offered in those States, and a number of these States impose restrictions on these activities that are more stringent than the SEC and CFTC requirements.

By repealing section 851(b)(3) this legislation will modernize the Tax Code so that mutual funds would be able to better serve the millions of middle-income investors whose primary involvement in the securities markets of this country is through mutual funds. Mutual funds would be permitted to take prudent advantage of the opportunities presented by new financial products and to react immediately and responsibly to changes in what is often a volatile market.

I urge my colleagues to support this bill and, by doing so assist the millions of middle-income shareholders in mutual funds.

Mr. McGRATH. Mr. Speaker, I join my colleagues from Alabama and Connecticut in introducing H.R. 2295, a bill to repeal the so-called short-short rule of section 851(b)(3) of the Internal Revenue Code. This bill will eliminate an outmoded, obsolete provision of the code which currently restricts the ability of mutual fund managers to protect their shareholders' investments in a constantly changing financial environment.

In recent years, subsequent to the 1936 adoption of the short-short rule, we have seen the introduction of a variety of new investment products, such as financial future contracts and stock index options, and investment techniques using these products. Professional investment managers have found these products and techniques to be particularly useful in hedging against the risk of fluctuation in interest rates, stock values and currency exchange rates. The unduly restrictive limitation of code section 851(b)(3) severely inhibits the ability of mutual fund managers to take advantage of these new investment opportunities. Thus, unlike the typically more wealthy direct investor, mutual fund shareholders are denied the benefits that may be derived from using these new products and techniques. For this reason, the outmoded, obsolete prohibition of section 851(b)(3) should be lifted to allow mutual fund managers to act prudently on behalf of the more than 20 million mutual fund shareholders.

By permitting the mutual fund industry to provide greater investment services to millions of middle-income investors, this bill will contribute to a healthy and growing economy. The importance of mutual funds' contribution to our economy is quite apparent. Mutual fund assets provide a significant pool of investment dollars available for capital information and development. In addition, mutual funds provide an increasingly popular vehicle through which the middle-class investor may obtain access to the Nation's securities markets.

To better serve its shareholder base, it is essential that mutual funds, which are regulated by the Securities and Exchange Commission be freed from the obsolete restrictions of 1936-style investment theories. Mutual fund managers must be permitted to best serve their shareholders through the use of modern financial products.

The Treasury Department has stated its support for the proposed repeal of section 851(b)(3) on two different occasions. Moreover, I believe that this legislation will be revenue neutral. I urge its prompt consideration and passage, and I hope my colleagues will join me in this effort.

THEY ARE NOT SURPLUSES

(Mr. ARCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ARCHER. Mr. Speaker, in the past few weeks I have noted that several of our colleagues have spoken favorably on behalf of legislation to fix the so-called notch or disparity in Social Security benefits for certain beneficiaries. That, of course, is their right. But, I do object to their use of the term "surpluses" to discribe the growing trust funds. Those revenues are not, I repeat not, surpluses. They are the reserves needed in the short range to protect all current beneficiaries in the event of an economic downturn, and in the long range to

fund retirement benefits for future retirees.

For the record I am submitting a recent article which Robert M. Ball[1] and Robert J. Myers sent to me. The credentials of these gentlemen are impeccable, and their views represent a bipartisan consensus that "the highest priority should be to preserve the sound financing of the Social Security system." I urge that all of my colleagues, who advocate spending billions of trust fund reserves to fix the notch, give this article careful consideration.

"NOTCH-BABIES" AND "BONANZA-BABIES" A $300 BILLION MISUNDERSTANDING

By Robert M. Ball and Robert J. Myers[2]

I. INTRODUCTION

In the past few years, a well-cultivated anxiety has afflicated certain groups of older people depending on Social Security. They are the people persumably injured by the "notch" problem and have come to be known as "notch-babies." They feel aggrieved because some Social Security beneficiaries slightly older are sometimes receiving higher benefits even though their earning histories under Social Security are similar. Those in the onder group are the "bonanza-babies," without whom there would be no "notch." The "notch-babies" are getting what Congress intended. It is the "bonanza-babies" getting "too much" that has caused the problem.

We don't hear from the "bonanza-babies" because they are getting the higher benefits. Yet the way the law treats them is the real problem. What the "notch-babies" want is the same unplanned-for high benefits that the "bonanza-babies" are getting. This would cost the Social Security trust funds $300 billon over the next 15 years—$80 billion through 1990 alone.

II. WHAT IS THE "NOTCH" AND WHO ARE THE "BONANZA-BABIES?"

The term "notch" is applied to situations where people in similar circumstances get significantly different benefits because they fall on one side or another of some arbitrary dividing line—in this case, the year of attaining age 62. The "notch" was created by the fact that, under the 1977 amendments, people who reached age 62 shortly before 1979 have their benefits computed under the provisons of the prior law (and when they continue to work after 62, recomputed under the prior law), while those who were born later are subject to the new law.

Under the old system, benefits were based on a career average of actual earnings; under the new system, benefits are based on a career average brought up to date to reflect the general earnings level prevailing at the time the retiring worker reaches age 60 (wage indexing). Earnings from age 60 on are included under the new method at the amount actually earned. Several other changes were made by the 1977 amendments to carry out the intention of providing a stable "replacement rate" into the future (i.e. the same ratio of benefits to recent earnings as for those now retiring).

Benefit amounts differ very little for people who reached age 62 and retired in 1978 (subject to the old method) and those who reached age 62 and retired in 1979 (subject to the new method). For those who continue to work, however, the old method gives a much more generous return on earnings at age 62 and beyond. The higher return occurs for two reasons:

(1) In determining average earnings on which benefits are based, earnings after the initial benefit computation point (age 62) can be substituted for earlier years of lower earnings. Under the old law, this procedure frequently increased average wages substantially—and thus also benefits. Since under the new system, wages before age 60 are indexed, later earnings are seldom much higher and do not result in significant changes in the average. The same thing occurs when persons retire at age 62 or older and then return to work and later obtain benefit recomputations.

(2) Indexing brings past earnings up to date and thus increases the average on which benefits are based. Consequently if the same formula had been applied to average indexed monthly earnings (the new law) as applied to average monthly earnings based on actual earnings (the old law), the switch to indexing would have resulted in a large and costly increase in benefits. To prevent this result, the new benefit formula multiplies the average indexed earnings by smaller percentages than the old formula, which applied to averages of the amounts actually earned. Thus since earnings at age 62 and beyond under both the old and new method are included as actually earned, the old method gave a substantially larger return on such earnings.

For example, the new benefit formula was 90 percent up to an average of indexed earnings of $180 per month for persons becoming age 62 in 1979. The old formula resulted in a payment of 117 percent of a $180 average of actual earnings. For a $1,085 indexed average wage, the new formula was 90 percent of the first $180, plus 32 percent of the next $905. Under the old one, the result was 117 percent of the first $180 of actual earnings, plus 44 percent of the next $905. For a $1,908 average wage (the maximum taxable wage in 1979), the percentage for the last $823 was 15 percent under the new formula and 22 percent under the old one.

As an example of the effect of these factors on benefits computed under the old law, consider the worker who had earned average wages throughout his or her career and retired in 1981 at 65. That worker got nearly a 55 percent replacement rate as compared to a replacement rate of about 45 percent (before taking into account the reduction for early retirement) for a worker born in the same year with similar earnings who retired at age 62 in 1978. Under the new computation method, workers with average earnings who retire in the future will get a stable replacement rate of about 42 percent, regardless of whether they retire at age 62 or later.

III. SHOULD ANYTHING BE DONE?

In retrospect, it is clear—particularly in the light of the behavior of wages and prices in the period immediately following the 1977 amendments—that it was a mistake not to limit the increases in benefits resulting from earnings after age 62 for those whose benefits were computed under the old law. However, Congress has traditionally been reluctant to change provisions affecting people who have already reached retirement age. Moreover, the Social Security Administration foresaw administrative problems in some of the proposals for change. Whatever the reason, it would only compound the mistake to give others the same unplanned-for windfalls received by those who reached age 62 before 1979 and continued to work.

No appreciable "notch" exists for the approximately 40 percent of beneficiaries reaching age 62 just before and just after the change in the law and who retired at 62. And the group born during 1917-21, regardless of their age at retirement, are in no way disadvantaged as compared with those who were born later. The benefits of those born in 1917-21 are computed in the same way as benefits for all persons born subsequently will be computed. In fact, some of those born in 1917-21 have additional protection from a transitional provision that was part of the 1977 amendments and is not available to those born later. And, of course, no one eligible for benefits at the time of the 1977 amendments had their benefits reduced. There really are no "notch-babies," but there are "bonanza-babies." When the latter group dies out, the "notch" will disappear.

In the meantime, protests have been pouring in by the thousands—first, as a result of a "Dear Abby" letter from a disgruntled beneficiary and Abby's reply, which was based on an apparent misunderstanding of the situation. More recently, members of the National Committee to Save Social Security and Medicare (those on James Roosevelt's mailing list) have been encouraged to write Congress. They have done so in great numbers.

There is no good way to respond to these protests. The "notch-babies" are getting the benefit amounts intended by the Congress, amounts which represent replacement rates no lower than those promised to all future beneficiaries. These benefits are at the level which can be financed by the tax provisions in present law. To remove this "notch" by raising benefits is prohibitively expensive, and the current Social Security financing plan does not provide extra money for this or any other major new expenditure. On the other hand, to reduce benefits for the "bonanza-babies" would take benefits away from some who have been receiving them for years and would cause additional protest—this time by those who have come to count on what they are receiving and who would feel aggrieved by a reduction.

Fairness could be improved for a small proportion of those complaining—those working past age 65. The law could be changed so that earnings after 1986 would not be used to increase benefits computed under the old method. In addition, the benefit increases as a result of earnings at and after age 65 (and until age 70) could be made larger for those whose benefits are computed under the new method. At present, benefits for them are increased at the rate of 3 percent a year for each month between ages 65 and 70 during which benefits are withheld because of continuing work.

Under the present law, the 3 percent factor is scheduled to rise gradually starting for those attaining age 65 in 1990, until it reaches 8 percent in 2009. (The 8 percent is approximately the actuarial equivalent of postponing the receipt of benefits instead of taking them at 65.) The full 8 percent could be granted for all earnings after, say, 1986 (or at least the schedule of increases could be greatly speeded up).

Except for the limited action described, there is nothing reasonable that can be

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[2] Chief Actuary of the Social Security Administration, 1947-70; Deputy Commissioner of Social Security, 1981-82; Executive Director of the President's National Commission on Social Security Reform, 1982-83.

done about the protests of the "notchbabies." The major organizations representing older people agree. The highest priority should be to preserve the sound financing of the Social Security System.

THE C-17: THE ANSWER TO OUR AIRLIFT REQUIREMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. RAY] is recognized for 5 minutes.

Mr. RAY. Mr. Speaker, an amendment has been offered by my colleague from Georgia, Congressman BUDDY DARDEN, to delete funding in the Department of Defense authorization bill for the C-17 airlifter.

The members of the Georgia delegation are usually united in what is best for our country and for our State, however I must oppose Congressman DARDEN'S amendment.

The C-17 is an answer DOD and the House Armed Services Committee have actively sought since 1979, when the congressionally mandated mobility study looked at the airlift needs of our country during times of war. Our airlift capability requirement, at minimum, was determined to be 66 million ton-miles per day.

The Air Force was charged with creating an airlift fleet, within the fiscal constraints mandated by Congress, which would give us this airlift capability.

Short term, the only solution which could be implemented quickly to bring us up from the dangerously low levels we had reached was to procure additional C-5A's and C-5B's, and C-130's. However, this was a short-term solution intended to provide us some coverage until a long-term answer could be found.

The long-term answer to our problems is the C-17. It is cost effective, has the performance capability we need, and will bring us up to date technologically.

COST EFFECTIVENESS

First, Mr. Speaker, I want to stress that the Air Force has chosen the most cost-effective airlift option in choosing the C-17. Some of the opponents of the C-17 erroneously state that it would be cheaper to procure C-5B's and C-130's to do this job than it would be to procure C-17's.

In fact, this is not true.

More importantly, because the cost is an important factor in this question, Congress had GAO investigate the cost findings of the Air Force and GAO determined that the C-17 was in fact the most cost-effective option.

Those who use cost as an argument are not giving all the facts. They compare the C-17, an aircraft now in R&D, to the C-5B, an aircraft already in procurement. There are two fallacies to their argument:

First, they are comparing apples to oranges. The real comparison must be life-cycle costs—what we will spend throughout the lifetimes of these systems. One of the reasons we have the budget problems we now do is that Congress too often looks only at a program's impact on this year and doesn't consider what it will mean next year and farther down the road.

In fact, the C-17 option will cost this country $16 billion less than other options.

Second, opponents are touting the C-5B as the alternative to the C-17. The C-5B alone is not an option to meet our airlift needs—it cannot perform as the C-17 does. It takes both the C-5B and the C-130 to perform the mission of the C-17, and we would be hampering the ability of the Air Force to perform their mission if only the C-5B were bought to perform airlift.

The C-17 is an example of a program designed to hold down costs, now and in the future.

We will receive warranties and guarantees with the C-17 that we don't now have with our other airlifters. Reliability and maintainability are being built into the system and if it doesn't perform as expected, then McDonnell Douglas will fix it at no cost to the taxpayer. With the recent problems we've had with aircraft, warranties like this are important and will help control the costs associated with a new system.

We'll also save on manpower costs associated with the C-17. Only three crew members will be needed to operate this system—versus seven for the C-5 and five for the C-130. Not only will this free up personnel, it will also reduce the number of people exposed when airlifters must carry items into forward combat areas.

All total, we will use 15,000 people less to carry out our airlift option once we procure the C-17.

PERFORMANCE CAPABILITY

In order to understand the tremendous performance advantages of the C-17, it's important to outline the current problems the Air Force faces because of the limitations of their current fleet.

Right now, the C-5 is the primary airlifter to carry outsized cargo. But because of its tremendous size, the C-5 is limited in the places it can land. For example, in West Germany, where we are concentrating many of our NATO resources, there are only two U.S. air facilities where the C-5 can land—Ramstein and Rhein-Main. The Soviet threat would close these two air facilities first.

This means that when we are moving cargo into Germany, it must be flown by C-5 into one of these two points, offloaded, then reloaded on C-130's, which can land on the smaller airfields near our troops. We are precluded from using the C-5B otherwise.

The C-17, however, can carry the same outsize cargo as the C-5 but it isn't limited to just two airfields. With its proven powered-lift technology and ground maneuverability, the C-17 will be able to routinely operate into small airfields. This ability will give our airlift force access to 6,399 additional airfields worldwide—89 of these are in West Germany alone.

In combat situations, getting weapons and equipment to the front quickly can be the difference in victory and defeat. The C-17 fills the gaps in our current airlift force and will give us the ability to carry large payloads into small airstrips throughout the world.

PROVEN TECHNOLOGY

Some opponents of the plane refer to the improved technology of the C-17 as a "problem" with the plane. If we never moved forward in technology, we would still be flying the old C-47 workhorse, we would settle on the F-15 and F-16 instead of developing the advanced tactical fighter, our Navy would still be buying the Poseiden submarine instead of the Seawolf which Admiral McKee wants $213 million for.

The technology of the C-17 is today's—all of it has been proven on other aircraft and is not in development.

However, it will modernize our capability because our current airlifters—the C-5B, the C-130, and the C-141B—operate with 1960's technology at best.

So, Mr. Speaker, those who decry the improved technology of this system are in fact arguing against one of the greatest assets of this country—our ability to maintain a technological superiority over the rest of the world.

In closing, I want to make the point that it is imperative that we move toward meaningful reform in defense management oversight and procurement. Such reform should preclude legislation enacted at the last minute.

DOD has a commitment to continuously modernize its military infrastructure.

Total replacement costs of all U.S. weapons, equipment, and facilities is approximately $3 trillion. An establishment this size needs stable leadership, dependable funding, and serious penalties when the system breaks down, and less micromanaging by the Congress.

We have a situation here where an important program, designed specifically to meet a serious shortfall in our current capability, can be thrown off track by congressional micromanaging and interference. We must remember we are legislators, not regulators.

Mr. Speaker, the elimination and waste of the C-17 cannot be tolerated. I plan to use my energies to prevent the elimination of the funds.

I urge my colleagues to defeat the Darden amendment when it is considered.

Mr. DANIEL. Mr. Speaker, I would like to associate myself with the remarks made by Mr. RAY and Mr. ROWLAND.

One of our military imperatives is affordable intertheater airlift. Since the massive debate on the floor of the House on this issue in the spring of 1982, we have made a major commitment to a replacement airlifter, the C-17. We have committed almost $1½ billion of $3.9 billion toward its development cost.

The reason for replacing the C-5B with the C-17 is very simple. It meets our requirements and is cost effective. The projections are that operational cost savings will be great enough to justify the acquisition cost.

Further, the tonnage capable of being delivered on runways by the smaller C-17 is an advantage over parking the C-5B off the runway. And third, the studies show that the new aircraft, although the size of a C-141, can function where only C-130's can today.

The Air Force tells us that this new aircraft can deliver 170 tons of cargo directly to the supported Army commander in the field, with no intermediate shipping.

Mr. Speaker, this airplane can operate down "in the mud" with the troops like a C-130; there is an operational benefit to delivering this tonnage to the troops directly. We should proceed with the C-17.

Because there is one certainty not subject to any further studies, or claims, or uncertainty. And that is, Mr. Speaker, that we must proceed to acquire the necessary intertheater airlift.

UNILATERAL DISARMAMENT AND LEFTWING POLITICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 5 minutes.

Mr. GINGRICH. Mr. Speaker, I want to talk briefly this afternoon about unilateral disarmament and appeasement and leftwing politics.

It has been fascinating to watch in Great Britain and in Germany the rise of groups who passionately believe that only by appeasing the Soviet Union and only by unilaterally weakening their own country can they avoid danger and to see, for example, in the SPD, the leftwing party in Germany and the Labor Party in Britain, elements who sincerely believe that their country's future can only be secured by appeasing the Soviet empire.

In both countries, as voters have come to realize just how weak and how disarmed and how incapable of protecting themselves their nation would be and as voters look at the Soviet empire in Afghanistan and at the Soviet State and at the Soviet police state, voters have rejected that sort of leftwing unilateral disarmament.

In Britain, they are referred to as the "looney left," and the looney left has steadily lost ground.

In the United States, we have a similar pattern, a pattern that is the second wave of isolationism, disarmament and appeasement in the 20th century, and it is one that should worry every American citizen.

The wave exists and is very clear. Let me give you some examples. An amendment by Mr. DICKINSON today, which would have increased the defense budget, 91 percent of the Democrats voted against; 89 percent of the Republicans voted in favor. An isolated vote.

An amendment by Mr. DICKS, which would have unilaterally bound by law the United States on SALT II; 89 percent of the Democrats voted in favor of binding the United States; 88 percent of the Republicans voted against binding the United States.

An amendment by Mr. BROOMFIELD that would have broadened the ability of the United States to protect itself under the SALT II, broaden the terms under which the President could waive the requirements, 89 percent of the Democrats voted against broadening American choice; 93 percent of the Republicans voted in favor of broadening America's choice.

Finally, an amendment by Mr. HUNTER, which would have allowed the United States more discretion on the Antiballistic Missile Treaty, 92 percent of the Democrats voted against; 80 percent of the Republicans voted in favor.

Why is there this wide split? Let me suggest that there is a very deep tradition of unilateral disarmament, isolationism in the leftwing of American thought.

In the 1930's, the same style of isolationist unilateral disarmament thought that the way to avoid war with Adolf Hitler was to cripple America. In the 1930's, this very same House Chamber, well-meaning, decent, but misguided people, put into law handcuff-after-handcuff, straitjacket-after-straitjacket, and then they discovered in 1939 and in 1940 and 1941 that they had not handcuffed the dictator; they handcuffed the free society.

They did not straitjacket the tyranny; they straitjacketed the United States. They did not weaken Nazi Germany; they weakened America.

What are we seeing today? Today I would suggest to you that in four consecutive votes, the base in the Democractic Party, 91 percent, 89 percent, 89 percent, 93 percent voted to weaken America, to unilaterally make it harder for America to survive, to weaken freedom and to adopt a position which has to make the Soviet Union happier.

This evening, Ronald Reagan looks at these votes and feels that he is a little weaker; Gorbachev looks at these four votes and feels that he is a little stronger.

I think this is an issue we have to learn to talk about clearly. Let me say this: In Germany, when people were not clear and explicit and did not define what was happening, the SPD looked very strong. Then, as its unilateral disarmament and appeasement policies were explained, they grew very weak.

In Britain, when people were indecisive and indirect in their descriptions of what was going on, the Labor Party looked like the governing alternative. Then, as analysts became very clear and very blunt about how looney the left was, it ceased to have the ability to govern.

"PLATOON"—A VETERAN'S RESPONSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I yield to the gentleman from Georgia [Mr. GINGRICH] for additional time.

UNILATERAL DISARMAMENT AND LEFTWING POLITICS

Mr. GINGRICH. Mr. Speaker, it is my intention to take a 5-minute special order after each day of voting on the defense bill and to outline by party the votes that day that were for defense and for a stronger America and the votes that day that were for unilateral disarmament, a weaker America and appeasement of the Soviet Union.

It is my hope after all the votes in this 3 weeks of apparently several hundred amendments, that we will be able to then issue a report that shows, for example, which Members never voted, ever, for a stronger America, which Members never voted to offend the Soviet Union, which Members never voted to strengthen freedom.

I think that as Members look toward next year, it will give people in this country, and it will give analysts in this country a clear sense of which party has some worry about the Soviet empire and which party, frankly, worries more about the White House than about Gorbachev, which party is concerned about defending freedom and which party can never find any grounds to help America's friends but can always find grounds to make sure that America's enemies do not feel uncomfortable.

I thank the gentleman for yielding.

Mr. BURTON of Indiana. Mr. Speaker, I appreciate the remarks of the gentleman who preceded me. Since I have been in the Congress of the United States, Mr. Speaker, I have been frustrated time and again by the very weak-kneed policies of the left in this body and it is always a pleasure for me to listen to the gentleman from Georgia when he extolls the virtues of a strong defense and peace through strength.

One of the issues that we have faced in the past was the Vietnam issue and there has been a lot of movies and speeches made in the past 10, 12 years about Vietnam and these have been somewhat anti-American, some of them. Half of them have been pro-East, but they certainly have not been in favor of what our troops were trying to do in Vietnam.

I read an article in the Indianapolis Star on April 19th by a fellow who spent some time in Vietnam. He was a veteran, a decorated veteran, and in that article, I think he cited very clearly the views of many veterans who fought in that war and how it had an impact on their lives and how he responded, and he felt others would like to respond, to those who criticized what they were trying to do in that particular war.

I would like to read this article into the RECORD tonight, Mr. Speaker because I think it is so important. It is a response, I think, to the movie "Platoon," which came out recently, which caused a lot of heartache among many of those who served in Vietnam.

The article goes like this:

[From the Indianapolis Star, Apr. 19, 1987]

"Platoon"—A Veteran's Response

(By James Davis)

The small man who came up to me was about my age and he was wearing horn-rimmed glasses. Without so much as a hello, this man whom I had never met started firing questions at me about Vietnam. The questions were patronizing and the questioner was self-righteous. It was obvious that he wanted to badger and not listen. He had no intentions of trying to understand, but hoped only to hear something that would reinforce his own philosophty.

I remember thinking to myself that if this guy really wanted to learn about Vietnam, he'd had the opportunity to find out first hand, but he chose never to exercise that opportunity. To him, Vietnam was both political and theoretical. To me, just back from overseas, Vietnam was neither. So I simply stated, "Yes, I went," and, "Yes, I had returned. That was the whole story except for the details." Not being in the mood to debate, and back then, somewhat defensive, I avoided his questions.

That was 17 years ago, but the questions asked by that man have been asked repeatedly over the years. They are always similar—variations of the same six questions:

What was it like in Vietnam?
Were atrocities committed there?
Did you kill anyone in Vietnam?
Did Americans kill other Americans?
What was it like in combat?
What kind of people were our soldiers in Vietnam?

All of us who went were asked these questions after we returned. Back then, we never attempted to explain what it meant to be in a combat zone, 10,000 miles away from our families and friends, trying to stay alive. People then didn't care, nor did they have the capacity to understand. So we never bothered to answer the questions, and eventually the questions faded.

People now are again asking those same questions, but with the parade of intervening years and with the change of the times, the tone of the questions is different and the demeanor of the questioners is much less self-righteous. With the release of the recent movie "Platoon," the questions now come every day.

For what it's worth, maybe it's time to answer these questions—to fill in the details. Maybe today, people want to understand—even though I still am convinced they can't. But now, the questions appear to be honest, and honest questions deserve honest answers.

"What was it like in Vietnam?" It was hard. To be in the Army is always hard, but to be caught up in the middle of a war in the jungles of the central highlands made it unbelievably difficult. It was hot and hard and horrifying and miserable.

"Platoon" is exceptionally realistic. For me, the way it depicts life in the "bush" is the ultimate flashback. In some respects, that's how it really was—the uniforms, the language, the horror and the humor. There was so much I had forgotten: The broiling Sun, the suffocating humidity, the sting of the fire ants and the relentess nuisance of the mosquitoes and the leeches.

Combat patrols meant unbearable weariness, unquenchable thirst, fatigues dripping wet with perspiration, clinging to the body, and arms and legs burning with cuts and scratches. It meant mud and marshes, dirt and dust and machetes and monsoons. It was total exhaustion after 18 hours of "busting brush" and mental fatigue from being constantly on edge all day long and most of the night. It meant forever being tangled in "wait a minute" vines, immobilized in elephant grass and surrounded by the muffled voices of young soldiers in the heat, muttering under their breath.

It was the odor of burning charcoal coming from the villages, and the fragrance of the rain after the monsoons, both of which were filtered through nostrils caked inside with red dust kicked up by the choppers. It was the sight of rotting vegetation as we scanned the trails for booby traps and trip wires. It was being miserable in body and spirit.

More significantly, it meant coming to recognize how resilient we humans really are, because we learned to live with these things every day—and we accepted them.

Of all the sensations, however, the most unforgettable was the ever-present knot in the pit of the stomach, accompanied by constant tightness in the abdomen. It was a feeling almost impossible to describe. It started in the stomach worked its way through the avenues of the body to the brain and then back to the stomach again. It was an uncomfortable, chronic, nausea-inducing condition that was there everyday and never completely left. It was fear, pure and simple. It was the body's physical reaction to danger nearby. Whenever we were in the field it clawed at our midsections, and, I am sure, contributed to the problem of dysentery.

Fewer than 15 percent of the soldiers in Vietnam spent much time in the "bush". Thankfully, those of us who did were not there all of the time. But when we were, we endured. And after it was over and we had returned home, because of what we had been through, we knew that life would never be quite so hard again.

"What about the atrocities?" Is the next recurring question. "Were the atrocities committed in Vietnam? I often wonder where the people who ask this question were during the war. Anyone who thinks there weren't atrocities committed in Vietnam has no idea what our war was all about.

There were atrocities committed every day, but they were committed by the Viet Cong and the North Vietnamese. Teachers, Government officials and land owners were routinely assassinated on a daily basis. Hamlet chiefs were executed publicly and entire villages were left with only women and children after all of the men had been pressed into service or ritually slaughtered. Movie theaters and restaurants were bombed, women were raped and disfigured and captured Americans and South Vietnamese were tortured in the most brutal of ways.

The enemies we fought were terrorists, and terrorism was a major weapon in their arsenal. Collectively, we were horrified by these things, but back home the people barely noticed. How offended our population is now about todays' terrorisim and the activities of a loose band of religious fanatics. Where was the indignation then? Far worse then any Shiite Moslem or Islamic Jihad, our enemies then were much less principled, and there were more of them.

Even in the Middle East, modern-day terrorists believe in God, submit to an organized religion and have some regard for human llfe. In Vietnam, the enemey's absence of religion allowed him to commit, in the name of his cause, the most unspeakable kinds of barbarisms. A hundred-thousand ghosts testify to the existence of atrocities in Vietnam, but their testimony does not indict the memory of the American soldiers who served there.

"Did you kill anyone in Vietnam?" Is the next of the predictable questions. To the combat soldier, this is the most naive of all. Like World War II and Korea, Vietnam was a war—it was not a game of lazer tag. Killing is the most brutal, yet the most basic, aspect to war and no one knows that better then the soldier.

Of course we killed. They were killing us, so we killed them. That fact should never have to be discussed—it should simply be understood. So forgive us for not talking about killing, for these experiences are impossible to relate to other people. We had, out of necessity, broken an ancient taboo—the taboo against killing another human being. Even though it is a taboo that has been broken in every war since the beginning of time, it is still something we choose not to confess.

Even in Vietnam, we never talked about killing. We invented our own language for it. In polite society, how can we talk about "wasting the enemy"? How can we discuss "greasing the dinks"?

In Vietnam, an unconventional soldier from Omaha, with his intelligence team, was clandestinely inserted into the jungle, miles from any American firebase. His mission was to kill or capture some North Vietnamese soldiers and to retrieve their documents for intelligence purposes. He knew that, if he were captured, he would not be killed—at least, not at first. Where he was, if captured, he would face torture and mutilation. The North Vietnamese had no compunction against these kinds of atrocities. This was how they waged war.

The Americans set up their ambush along a trail upon which the NVA felt safe. As the small column of NVA streamed past, no thought was given to capturing these enemy soldiers. The fire from the Americans cut in half the five oriental bodies that only moments before had been carrying AK-47's. Instantaneously, the Americans scooped up the documents and vanished deep into the jungle. Incidents like this in Vietnam were commonplace. In World War II and Korea, they were more commonplace—by a thousand fold.

How, though, could this Vietnam veteran ever tell his wife about this incident? How could he ever look into the face of that beautiful, gentle and delicate creature and try to explain to her what he had done without making her think her husband was less than human—part animal and part man?

To civilians, all killing is evil. Perhaps it is. But we never thought what we did was evil. Neither did the North Vietnamese. Both sides understood. We needed that information. Our lives and the lives of our buddies and even the lives of innocent Vietnamese civilians depended on that information. The rules of war are so different. How can someone who has never played the game for real ever understand the complexity of those rules? Because we knew that no one could ever understand, when we returned home, we remained silent.

"Did Americans kill other Americans?" Is the next question we must field. I have never understood how we, as a cerebral nation, have let Hollywood and some segments of the media seize the exception and pass it off as the rule. What is it about these two institutions, in their lust for the box office and for the headline, that requires them to distort and defame the memory of honest young men who served in Vietnam?

How do we permit them, at the expense of our national integrity, to take fiction and graphically portray it as fact?

Few soldiers, that I know, are aware of a single instance where an American soldier ever intentionally killed an officer or another enlisted man in combat. Those things just did not happen. Our lives were too precious. Occasionally, one soldier would shoot or stab another in a fight over money, over a woman, or over some other trivial thing, just as happens everywhere. This invariably happened, not in combat, but in Saigon or at a large base camp, and the perpetrator was always tried for his offenses.

Sadly, Americans did kill other Americans in Vietnam. Our own artillery, air support, rockets or napalm took American lives but it was accidental. To those who have seen it firsthand, war is a great many things, but the one thing it is not, is orderly. Artillery and rocket fire are never precise, and mortar rounds and automatic weapons fire are always indiscriminate. Everyone who has ever been in a firefight knows that soldiers are killed and wounded by friendly fire in every war.

This consequence of combat is one of the uglier aspects of war, but as long as men engage other men in mortal combat, these things are going to happen. Every combat soldier will admit to witnessing negligence, but there are few soldiers who have ever witnessed fratricide.

"Combat—what was it like?" We used to say that "War is hell,—but contact is a son-of-a-bitch." Even that bit of Vietnam grafitti is an understatement. Every soldier will tell you there is nothing glamorous about it. Wars are lessons in excessive suffering and extreme pain; in overwhelming boredom and absolute fear; and, inevitably, in unspeakable cruelty and death.

In Vietnam, we learned firsthand the realities of war. As our first contacts erupted and rockets and mortar rounds burst around us, we learned together about terror and absolute helplessness. We struggled to stay alive as best we could. We had been trained for war, but our training did not make the bullets go away or the nausea inside us disappear. It only kept us from running, as we would have done months before.

Nonetheless, for all its horror and all its ugliness and all its waste of human life, war continues, unexplainably, to capture our senses and our feelings. Like it or not, combat is the most intense moment in a man's life. It's hard to explain, but once in a firefight, our fears were usually erased by the actions of that instant. For a short period of time, our entire bodies became alive. We heard better, we saw better, we thought better and we felt better than we ever had felt before. Our bodies and our actions became controlled by instinct and by the reflexes of survival. As the adrenalin rushed through our bodies, fear was replaced by an overwhelming desire to live.

The Japanese have a saying: "You only live twice—once when you are born and once when you have looked into the face of death." And war, after all, is as much about living as it is about dying.

War changes a man and combat makes him different. It can be no other way. For combat develops in a person such a different way of living, and of looking at life and of living with death. After witnessing our first casualties, we knew we would never be the same again. When we saw the wounded and the dead, and the blood and the litters, and we heard men crying out in pain, we knew we were now combat soldiers.

We had become members of a God awful fraternity. It was a fraternity whose dues were too high. It is a fraternity that should never be allowed to exist. But we knew it was a fraternity that would never be disbanded in our lifetimes—except in the mind of dreamers.

"What were our soldiers like?" This final question is perhaps the one that bothers us veterans the most—not because of either the question itself or the answer, but because of the attitude of some of the people who ask it.

Those attitudes go back 20 years. Among some of the college students who successfully avoided the war and among some of the press who reported it, but did not have to fight it, there was an elitism, and arrogance and a snobbishness that flew in the face of our national democratic ideals. Many of my generation considered themselves better than the soldiers who had gone to Vietnam. They considered themselves "too good" to have to go. They were superior, and accordingly, somehow exempt.

To the people who avoided military service or successfully escaped the draft, it was important that our soldiers be made to appear both different and somewhat less valuable than they. After all, if we were all created equal, then those who did not go would suffer by comparison. They had a vested interest, born out of self-protection, to foster the difference between "we" and "they."

So in an effort to protect the egos and the images of those who refused to go, it became a face-saving device to create a derogatory stereotype of the American soldiers. Our soldiers began to be portrayed as poor and undereducated and not quite as good as the others back home. To have the image of an Army composed of ghetto blacks, hillbillies and high school dropouts made it much more socially acceptable not to become a part of the Army.

Granted, disadvantaged whites, as well as blacks, served in our Vietnam Army—as did the hillbillies and the farm boys and the high school dropouts; but so they did in World War II and Korea as well. Such has always been the case in our modern armies.

But the idea of an uneducated, illiterate, socially unacceptable army was only a notion and not a reality. The statistics themselves were no help, so they were never mentioned. Overall, the percentage of high school graduates in Vietnam was much higher than it was in World War II, and the number of college graduates or soldiers with some college was enormously more than it had been during World War II. In fact, at various times, large segments of our Army were composed of college graduates who lost their deferments following graduation and, as a matter of course, became soldiers.

In Vietnam, I served with lawyers, engineers, business majors, accountants and steelworkers. While the combat arms admittedly may not have represented a true picture of youth of the day, the Army as a whole most certainly did.

Like it or not, our soldiers were just ordinary, everyday American guys from all walks of life and relatively representative of our American youth of the time. Our Army would have been more representative if so many at home had not avoided military service.

The reason that so many attempted to get out of military service had more to do, I believe, with who we were and how we had been raised than it had to do with the nature of the Vietnam War. There was a difference between our generation and the generation who served in World War II. Our draft age young men were baby boomers. We were the sons of the G.I. generation.

Theirs was a rugged, disciplined, unspoiled generation that came of age during the depression and learned the necessity of sacrifice and the meaning of doing without. To them, responsibility and hard work was a part of life and education, and the good life was a luxury. Because of the times, they became, overnight, a responsible generation that grew up in a hurry.

Our generation was the generation that had no time for responsibility and had refused to group up. We were pampered, spoiled and overindulged by those who did not go. The reason for this had far more to do with convenience than it did with morality.

To go into the military means accepting responsibility. It means, in any era, the necessity of sacrificing comfort. To go into combat may mean the necessity of making the ultimate sacrifice.

To many baby boomers, spoiled and made soft, it was somehow unseemly and completely unnecessary to give up our comforts and it seemed sacrilegious to think that we could be asked to lay our lives on the line. The "Me Generation" became a reality in the 1960's.

We were the "Pepsi Generation," very much into freedom and not yet into responsibility. Spoiled as we were, we hated inconvenience and we believed that responsibilities were still for our parents. To go into the Army was to hurry responsibility, and to go to war was the ultimate inconvenience. That kind of responsibility was for adults and we were still children. The generation that refused to take out the garbage became the generation that refused to go off to war.

Among our generation, distinctions can now be drawn between those who went to Vietnam and those who didn't. In my mind, the difference was not so much one of class or education. The difference is that one group refused to hurry their adulthood and the other allowed the evolutionary process to take place.

As demeaning and dehumanizing as the process had been, the Army, in very little time, had taken pampered little boys and turned them into self-sufficient and responsible young men. We may have been "baby boomers" when we started, but by the time we finished, we had been turned into soldiers.

Because of Vietnam we recognized that we were stronger, both mentally and physically, than we ever had been before. We knew that we were leaner and tougher now, both inside and out. Deep inside ourselves, we discovered a confidence that our generation had never known before. We discovered a pride in each other that we never had known could exist. We discovered, like our fathers before us, that we were no longer children and, strangely, our pride in that achievement and in each other continued to evolve. This new feeling was difficult for us to understand, but we felt, so strongly, a combination of sympathy and devotion and loyalty and enthusiasms for those around us. We had lost our selfishness, and it would be this new feeling that would keep us going when all else failed.

We were no longer boys and we had lost our innocence. While still youthful in appearance, we had grown old in youth as we traveled almost instantaneously from adolescence to adulthood at places called Dak

To and Khe Sanh, V.C. Valley and the Ia Drang; Ta Ninh and the Parrot's Beak.

Today, Vietnam is an experience none of us will ever be able to recapture, and yet it is an experience no one can ever take away. We learned things about ourselves that no classroom could ever teach. We learned, in combat, that the measure of a man is not governed by his status in life, his educational achievements or his opinion of himself. The measure of a man in the eye of his fellow soldiers is governed by a simple equation: When it comes down to the fundamental situation involving life and death, will those around him be able to trust their lives to him?

Recently, another man came up to me with questions on his mind. A letter from his family doctor, years before, had kept him out of the Army. He, too, wanted to know what our soldiers were like. He wanted some admission from me that would acknowledge that he, and others like him, enjoyed some higher moral exemption from Vietnam service. I was polite to the man, but I could not offer him the peace of mind that he was now seeking.

He wanted to talk about our soldiers, but how could I tell him in a few short words what they were really like? What would he ever know of young soldiers under fire, crawling on their bellies to save their wounded buddies, or of veteran soldiers taking time out from sleep or relaxation to patiently teach the mechanics of survival to soldiers recently arrived in the country? What would he know about the joy of sitting on top of sandbags with a group of guys whose hysterical humor made the possibility of dying of laughter a wartime risk, or about the searing, razor-sharp internal pain of losing a cherished friend in combat?

He wanted to draw comparisons, but they were comparisons he could never understand. How could he ever compare himself to such men? I thought of Goodwin who lost an eye; or Feit, who will limp for the rest of his life; of Wilder, who is survived by a wife and two sets of twins, and of Llewellynn, who twice saved my life.

How could he appreciate that, for me, serving with these men was a privilege I never deserved, and that from their example, I learned so much about life and even more about living? These men are special to me and a little piece of each of them will always be inside me.

We went to war and we shared it together—the same sights and sounds, the same feelings and fears, and the same tastes and smells. We shared love and respect, loyalty and trust, and we shared unspoken promises always to look after each other.

No matter who we were, or where we were from, we learned to accept each other and count on each other for life itself. It was a relationship that transcended race, nationality or education. While serving together, for the first time in our lives, we discovered a commitment beyond ourselves. It was the ultimate discovery for those of my generation.

Our code of conduct was never to think about our buddies first, because they were thinking about us. Our first commandment has been to perish if we must, but to save our buddies first. In Vietnam, we discovered the cement that binds men together.

That simple, precious memory of belonging, and of pride in each other, is now a part of who and what we are. We are all special because of that experience, and because of that experience, we will forever be joined at the soul.

□ 1850

Mr. Speaker, I wish that everybody who criticizes those who served in Vietnam who does not understand the war could be privy to this man's views and could listen to him speak. It made a tremendous impression on me, and I hope that it did on all who were listening.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Combest (at the request of Mr. Michel), for today, on account of injury.

Mr. Mavroules (at the request of Mr. Foley), after 5:30 on Wednesday through 3:30 p.m. on Thursday, May 7, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. Bentley), to revise and extend their remarks and include extraneous material:)

Mr. Gingrich, for 5 minutes, today.

(The following Members (at the request of Mr. Russo), to revise and extend their remarks and include extraneous material;)

Mr. Rowland of Georgia, for 30 minutes, today.

(The following Members (at the request of Mr. Burton of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. Rowland of Georgia, for 30 minutes, on May 7.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. Bentley) and to include extraneous matter:)

Mr. Lagomarsino.
Mr. Dannemeyer.
Mr. Gingrich.
Mr. Bartlett.
Mr. Gallo.
Mr. Barton of Texas.
Mr. Young of Alaska.
Mr. Saxton.
Mr. Kemp in two instances.
Mrs. Bentley.
Mr. Crane.
Mr. Rowland of Connecticut.
Mrs. Meyers of Kansas.
Mr. Ritter.
Mr. Nielson of Utah.
Mrs. Roukema.
Mr. McKinney.
Mr. Lent.
Mr. Madigan.
Mr. Armey.

(The following Members (at the request of Mr. Russo) and to include extraneous matter:)

Mr. Atkins.
Mr. Lipinski.
Mr. Yatron.
Mr. Grant.
Mr. Beilenson.
Mr. Garcia in four instances.
Mr. Traficant.
Mr. Florio.
Mr. Gaydos.
Mrs. Byron.
Mr. Hamilton in two instances.
Mr. Tallon.
Mr. Wolpe in two instances.
Mr. Rodino.
Mr. Frank.
Mr. Dixon.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 55. Joint resolution designating the week of May 10, 1987, through May 16, 1987, as "National Osteoporosis Prevention Week of 1987."

ADJOURNMENT

Mr. BURTON of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.) the House adjourned until tomorrow, Thursday, May 7, 1987, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1338. A letter from the Secretary of Education transmitting a copy of "Final Regualtions for Assistance for School Construction in Areas Affected by Federal Activities," pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1339. A letter from the Secretary of Labor transmitting a draft of proposed legislation entitled the "Older American Community Service Employment Program Act Amendments of 1987;" to the Committee on Education and Labor.

1340. A letter from the Director, Office of Personnel Management, transmitting a report of the agency's activities under the Freedom of Information Act during calendar year 1986, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1341. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1342. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1343. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1344. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1345. A letter from the Assistant Attorney General, Office of Legislative and Intergovernmental Affairs, Department of Justice, transmitting a draft of proposed legislation to implement the International Convention on the Prevention and Punishment of the Crime of Genocide; to the Committee on the Judiciary.

1346. A letter from the Assistant Secretary, Legislative and Intergovernmental Affairs, Department of State, transmitting notice of the Department's support of the legislative proposal to be submitted by the Department of Justice implementing the International Convention on the Prevention and Punishment of the Crime of Genocide and urging its favorable consideration; to the Committee on the Judiciary.

1347. A letter from the Secretary of Transportation transmitting a copy of the "Urban Mass Transportation Administration Quarterly Report" for the first quarter of fiscal year 1987, pursuant to 49 U.S.C. app. 1603(h)(1); to the Committee on Public Works and Transportation.

1348. A letter from the Assistant Secretary of the Army (Civil Works) transmitting a report from the Chief of Engineers, Department of the Army, on Cape Girardeau-Jackson Metropolitan Area, MO, together with other pertinent reports; to the Committee on Public Works and Transportation.

1349. A letter from the Administrator, General Services Administration, transmitting a copy of a lease prospectus to consolidate the headquarters of the National Oceanic and Atmospheric Administration, Department of Commerce, and relocate the National Science Foundation, at the Silver Spring Metro Center, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

1350. A letter from the Comptroller General, General Accounting Office, transmitting a copy of their report "Foreign Aid: Impact on Overseas Private Investment Corporation Activities on U.S. Employment," pursuant to Public Law 99-204, section 14(b); jointly, to the Committees on Government Operations, Foreign Affairs, and Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PEPPER: Committee on Rules. House Resolution 157, a resolution providing for the consideration of a resolution reported by the Committee on Rules providing for the further consideration of H.R. 1748, a bill to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes (Rept. 100-83). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VOLKMER:

H.R. 2294. A bill to amend the Agricultural Act of 1949 to provide for producer-approved wheat and feed grain programs; to the Committee on Agriculture.

By Mr. FLIPPO (for himself, Mrs. Kennelly, and Mr. McGrath):

H.R. 2295. A bill to repeal the 3-month holding period requirement applicable to regulated investment companies; to the Committee on Ways and Means.

By Mr. BADHAM (for himself, Mr. Lowery of California, and Mr. Porter):

H.R. 2296. A bill to amend the Federal Aviation Act of 1958 to require the installation and operation of altitude-encoding transponders in all aircraft flown in the Los Angeles and San Diego Basin areas of California, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. COBLE:

H.R. 2297. A bill to extend the existing suspension of duty on m-Toluic acid; to the Committee on Ways and Means.

By Mr. EMERSON:

H.R. 2298. A bill to require implementation of a marketing loan program for agricultural commodities if negotiations fail to produce an international agreement on agricultural trade; jointly, to the Committees on Ways and Means and Agriculture.

By Mr. FOLEY:

H.R. 2299. A bill to require the exchange of properties in the area of Clarkston, WA, between the United States and the Port of Whitman County, WA; to the Committee on Public Works and Transportation.

By Mr. GRADISON (for himself and Mr. Stark):

H.R. 2300. A bill to amend the Internal Revenue Code of 1986 to require the health benefits plans offered by employers to have catastrophic coverage; to the Committee on Ways and Means.

By Mr. KEMP (for himself and Mr. Nowak):

H.R. 2301. A bill to designate the Veterans' Administration Medical Center in Buffalo, NY, as the "Major Robert J. DiTommaso Veterans' Administration Medical Center"; to the Committee on Veterans' Affairs.

By Mr. LENT (for himself, Mr. Davis of Michigan, Mr. Jones of North Carolina, Mrs. Bentley, Mr. Fields, Mr. Biaggi, Mr. Saxton, Mr. Miller of Washington, Mr. Bateman, Mr. Manton, Mr. Kolter, Mr. Young of Alaska, Mr. Foglietta, Mr. Lowry of Washington, Mr. Sweeney, Mrs. Boxer, Mr. Hochbrueckner, Mr. DioGuardi, and Mr. Pickett):

H.R. 2302. A bill to clarify the Merchant Marine Act, 1936, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Armed Services.

By Mr. MADIGAN (by request):

H.R. 2303. A bill to revise agricultural price support and related programs, to increase the borrowing authority of the Commodity Credit Corporation, to revise certain agricultural export programs, to revise authorizations for certain farm credit programs, to amend the Federal Crop Insurance Program, to institute or increase fees for services provided by the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. PETRI:

H.R. 2304. A bill to amend the Internal Revenue Code of 1986 to permit tax-exempt organizations to establish section 401(k) plans; to the Committee on Ways and Means.

By Mr. RICHARDSON (for himself, Mr. Williams, Mr. Florio, Mr. Fields, Mr. Hall of Texas, Mr. Leland, Mr. Yatron, Mr. Eckart, Mr. DioGuardi, Mr. Tallon, Mr. Derrick, Mr. Spence, and Mr. Dorgan of North Dakota):

H.R. 2305. A bill to establish a United States Boxing Corporation, and for other purposes; jointly, to the Committees on Energy and Commerce and Education and Labor.

By Mr. SHAW:

H.R. 2306. A bill to provide for controlled substances testing programs for personnel of the United States having access to classified information, and for other purposes; jointly, to the Committees on Armed Services, Post Office and Civil Service, and House Administration.

By Mr. TRAFICANT:

H.R. 2307. A bill to prevent home foreclosures by authorizing the Secretary of Housing and Urban Development to encourage the availability and use of homeownership counseling provided by nonprofit homeownership counseling organizations; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BORSKI (for himself, Mr. Annunzio, Mr. Applegate, Mrs. Bentley, Mr. Berman, Mr. Biaggi, Mr. Boland, Mr. Boner of Tennessee, Mrs. Boxer, Mr. Carper, Mr. Coelho, Mr. Darden, Mr. Daub, Mr. de la Garza, Mr. de Lugo, Mr. Dingell, Mr. DioGuardi, Mr. Dwyer of New Jersey, Mr. Edwards of Oklahoma, Mr. Fazio, Mr. Florio, Mr. Gilman, Mr. Gunderson, Mr. Henry, Mr. Hertel, Mr. Howard, Mr. Kanjorski, Mr. Kleczka, Mr. Kostmayer, Mr. Lagomarsino, Mr. Levin of Michigan, Mr. Lipinski, Mr. McHugh, Mr. Manton, Mr. Martinez, Mrs. Meyers of Kansas, Mr. Murphy, Mr. Nowak, Mr. Porter, Mr. Rinaldo, Mr. Roe, Mr. Sabo, Mr. Scheuer, Mr. Schumer, Mr. Sikorski, Mr. Smith of Florida, Mr. Traficant, Mr. Traxler, Mr. Vander Jagt, and Mr. Wortley):

H.J. Res. 266. Joint resolution to designate October 1987 as "Polish American Heritage Month; to the Committee on Post Office and Civil Service.

By Mr. COELHO:

H.J. Res. 267. Joint resolution designating May 1987 as "National Play-It-Safe Month"; to the Committee on Post Office and Civil Service.

By Mr. HERTEL (for himself, Mr. Ackerman, Mr. Anderson, Mr. Annunzio, Mr. Atkins, Mr. Bennett, Mr. Biaggi, Mr. Boner of Tennessee, Mr. Borski, Mr. Boucher, Mrs.

BOXER, Mr. BRYANT, Mr. CHAPMAN, Mr. CONTE, Mr. COURTER, Mr. CROCKETT, Mr. DAVIS of Michigan, Mr. DEFAZIO, Mr. DE LA GARZA, Mr. DONNELLY, Mr. DYMALLY, Mr. EARLY, Mr. EVANS, Mr. FAZIO, Mr. GRAY of Illinois, Mr. GUNDERSON, Mr. HALL of Texas, Mr. HAMMERSCHMIDT, Mr. HATCHER, Mr. HEFNER, Mr. HENRY, Mr. HOWARD, Mr. JONES of North Carolina, Mr. KOLTER, Mr. KOSTMAYER, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LEHMAN of California, Mr. LEVIN of Michigan, Mr. LEWIS of California, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. MARTIN of New York, Mr. MOAKLEY, Mr. MRAZEK, Mr. MURPHY, Mr. NEAL, Ms. OAKAR, Mr. OBERSTAR, Mr. PANETTA, Mr. PEPPER, Mr. PERKINS, Mr. RICHARDSON, Mr. RINALDO, Mr. ROE, Mr. SABO, Mr. SCHEUER, Mr. SCHUETTE, Mr. SHAW, Mr. SISISKY, Mr. SMITH of Florida, Mr. SMITH of Iowa, Mr. SUNIA, Mr. TAUKE, Mr. TAUZIN, Mr. TOWNS, Mr. TRAXLER, Mr. UDALL, Mr. WOLF, and Mr. YATES):

H.J. Res. 268. Joint resolution designating the week beginning on the third Sunday of September in 1987 and 1988 as "National Adult Day Care Center Week"; to the Committee on Post Office and Civil Service.

By Mr. RANGEL:

H.J. Res. 269. Joint resolution designating Sunday, May 10, 1987, as a Special Day of recognition to the Mothers of the Harlem Community; to the Committee on Post Office and Civil Service.

By Mr. SOLARZ:

H. Con. Res. 117. Concurrent resolution expressing the sense of the Congress that if the Soviet Union agrees to mutual, verifiable, significant, and stabilizing reductions in offensive nuclear weapons, the United States should agree to accept mutual, verifiable, and significant restrictions on the testing and development of strategic defensive systems; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Res. 157. Resolution providing for the consideration of a resolution reported by the Committee on Rules providing for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes; House Calendar No. 22. Report No. 100-83.

By Mr. SHAW (for himself, Mr. BADHAM, Mr. BLILEY, Mr. DANNEMEYER, Mr. DORNAN of California, Mr. GILMAN, Mr. GINGRICH, Mr. GOODLING, Mr. LAGOMARSINO and Mr. LEWIS of California):

H. Res. 158. Resolution providing for a voluntary controlled substances testing program for Members, officers, and employees of the House; to the Committee on House Administration.

By Mr. YATRON:

H. Res. 159. Resolution to express the sense of the House of Representatives that the Administrator of Veterans' Affairs should rescind certain regulations relating to payment of expenses for travel to Veterans' Administration facilities; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 80: Mr. GEKAS, Mr. ATKINS, and Mr. SKELTON..

H.R. 276: Mr. LEWIS of Georgia.

H.R. 306: Mr. HUNTER.

H.R. 457: Mr. FOGLIETTA.

H.R. 543: Mr. LELAND.

H.R. 585: Mr. STAGGERS, Mr. ST GERMAIN, Mr. WYLIE, Mr. TRAXLER, Mr. DEFAZIO, Mr. JACOBS, Mr. MOODY, Mr. DOWNEY of New York, Mr. VENTO, Mr. MORRISON of Connecticut, and Ms. SLAUGHTER of New York.

H.R. 586: Mr. SAWYER, Mr. SMITH of Florida, Mr. DELLUMS, Mr. CONYERS, Mr. KASTENMEIER, Mr. BEVILL, Mr. KLECZKA, Mr. DWYER of New Jersey, Mr. VENTO, Mr. DEFAZIO, Ms. KAPTUR, Mr. ECKART, Mr. SMITH of Iowa, Mr. MFUME, Mr. CROCKETT, Mr. MURPHY, Mr. KANJORSKI, Mr. TOWNS, Mr. LANCASTER, Mrs. BENTLEY, Mr. HOWARD, Mr. BUSTAMANTE, Mr. KILDEE, and Mr. Evans.

H.R. 612: Mr. SENSENBRENNER, Mr. DEFAZIO, Mr. BEVILL, Mr. MCHUGH, Mr. DARDEN, Mrs. MORELLA, Ms. SLAUGHTER of New York, and Mr. CHAPMAN.

H.R. 709: Mr. COYNE.

H.R. 776: Mr. FORD of Tennessee, Mr. MORRISON of Connecticut, Mr. MOODY, and Mr. MCMILLEN of Maryland.

H.R. 943: Mr. KOLTER.

H.R. 1007: Mr. COYNE, Mr. YATRON, Mrs. BOXER, Mr. PENNY, Mr. ANDERSON, Mr. HOWARD, Mr. PANETTA, Mr. LELAND, Mr. LANTOS, Mr. ACKERMAN, Mr. TAUKE, Mr. BIAGGI, Mr. YATES, Mr. GAYDOS, Mr. WELDON, Mr. GORDON, Mr. HALL of Ohio, Mr. RINALDO, Mr. DWYER of New Jersey, Mr. MCDADE, Mr. SMITH of Florida, Mr. DICKS, Mrs. VUCANOVICH, Mr. BORSKI, Mr. WOLF, Mr. BROWN of California, Mr. DAVIS of Michigan, Mr. COURTER, Mr. HANSEN, Mr. WALGREN, Mr. TRAXLER, Mr. ERDREICH, Mr. MURTHA, Mr. HUGHES, Mr. KANJORSKI, Mr. DOWDY of Mississippi, and Mr. WISE.

H.R. 1018: Mr. WOLPE.

H.R. 1040: Mr. MCEWEN.

H.R. 1046: Mr. MCMILLEN of Maryland.

H.R. 1049: Mr. LEVINE of California.

H.R. 1073: Ms. SLAUGHTER of New York and Mr. DURBIN.

H.R. 1082: Mr. AKAKA, Mrs. BOGGS, and Mr. KASICH.

H.R. 1101: Mr. BILBRAY, Mrs. BOXER, and Mr. SMITH of Florida.

H.R. 1115: Mr. PETRI and Mr. PURSELL.

H.R. 1142: Mr. LAGOMARSINO.

H.R. 1148: Mr. KOLTER.

H.R. 1198: Mr. OWENS of New York, Mr. KANJORSKI, Mr. APPLEGATE, and Mr. MARTINEZ.

H.R. 1200: Mr. OWENS of New York and Mr. PENNY.

H.R. 1228: Mr. SMITH of New Jersey, Mr. LIGHTFOOT, Mr. HAMMERSCHMIDT, Mr. SYNAR, Mrs. JOHNSON of Connecticut, Mrs. LLOYD, Mr. DYSON, Mr. PANETTA, Mr. PORTER, Mr. BALLENGER, Mr. CLINGER, Mr. THOMAS of Georgia, Mr. STUDDS, Mr. MCEWEN, Mr. BEREUTER, Mr. HALL of Texas, and Mr. MCGRATH.

H.R. 1231: Mr. DEFAZIO, Mr. DERRICK, Mr. EDWARDS of Oklahoma, Mr. HARRIS, Mr. HUGHES, Mr. KANJORSKI, Mr. KILDEE, Mr. KOLTER, Mr. LEVIN of Michigan, Mr. RIDGE, Mr. SCHUMER, Mr. STARK, Mr. SUNIA, and Mr. WEBER.

H.R. 1234: Mr. HAYES of Illinois.

H.R. 1259: Mr. LIPINSKI, Mr. GONZALEZ, Mr. DOWDY of Mississippi, Mr. STOKES, Mr. LEWIS of California, Mr. TAYLOR, Mr. MILLER of Ohio, Mr. MORRISON of Connecticut, Mr. TAUKE, Mr. BLAZ, Mr. WYLIE, Mr. EDWARDS of Oklahoma, and Mrs. BYRON.

H.R. 1425: Mr. VOLKMER.

H.R. 1467: Mr. BILBRAY, Mr. JONTZ, and Mr. BARNARD.

H.R. 1470: Mr. GIBBONS, Mr. GREEN, Mr. BUSTAMANTE, Mr. GORDON, Ms. KAPTUR, Mr. APPLEGATE, Mr. BROWN of California, and Mr. GRAY of Illinois.

H.R. 1506: Mr. OWENS of New York.

H.R. 1546: Mr. ATKINS and Mrs. BENTLEY.

H.R. 1558: Mrs. VUCANOVICH, Mr. HANSEN, and Mr. EDWARDS of Oklahoma.

H.R. 1617: Mr. JONTZ.

H.R. 1694: Mr. TORRICELLI, Mr. DWYER of New Jersey, Mr. MARTINEZ, Mrs. BOXER, Mr. ECKART, Mr. WOLPE, Mr. BRENNAN, and Mr. JONTZ.

H.R. 1711: Mr. WOLPE and Mr. ST GERMAIN.

H.R. 1721: Mr. SHUSTER and Mr. GEKAS.

H.R. 1764: Mr. PACKARD, Mr. BATES, and Mr. MCKINNEY.

H.R. 1802: Mr. BONIOR of Michigan, Mr. DORGAN of North Dakota, Mr. HAYES of Illinois, Ms. SLAUGHTER of New York, Mr. WALGREN, Mr. OWENS of New York, and Mr. HOYER.

H.R. 1811: Mr. BILIRAKIS, Mr. WHITTEN, Mr. SAXTON, Mr. LANCASTER, and Mr. JONTZ.

H.R. 1885: Mr. MARTINEZ, Mr. CAMPBELL, Mr. ERDREICH, Mr. BARNARD, Mrs. PATTERSON, Mr. JONES of North Carolina, and Mr. MORRISON of Washington.

H.R. 1959: Mr. ENGLISH and Mr. STALLINGS.

H.R. 1971: Mr. LAGOMARSINO, Mrs. MARTIN of Illinois, and Mr. SCHUETTE.

H.R. 2021: Mr. LOWRY of Washington, Mr. ACKERMAN, Mr. SOLARZ, Mr. FAZIO, Mrs. BOXER, Mr. MARTINEZ, Mr. BERMAN, Mr. STUDDS, and Mr. MCKINNEY.

H.R. 2038: Mr. SOLARZ.

H.R. 2045: Mr. BRUCE, Mr. KOLTER, Mr. MCCURDY, Mr. DENNY SMITH, Mr. HANSEN, Mr. BURTON of Indiana, Mr. DARDEN, Mr. RIDGE, Mr. SHARP, Mr. KANJORSKI, Mr. ROBINSON, Mr. YATRON, Mr. ROWLAND of Georgia, and Mr. RAY.

H.R. 2062: Mr. BRUCE, Mr. RICHARDSON, and Mr. DURBIN.

H.R. 2148: Mr. MRAZEK and Mr. LEACH of Iowa.

H.R. 2200: Mr. RICHARDSON.

H.R. 2260: Mr. DANNEMEYER, Mr. WORTLEY, Mr. MARTINEZ, Mr. SMITH of Florida, Mr. HOLLOWAY, and Mrs. BENTLEY.

H.J. Res. 90: Mr. PETRI, Mr. DYMALLY, and Mrs. KENNELLY.

H.J. Res. 145: Mr. PASHAYAN, Mr. OLIN, Mr. ROSE, Mr. RICHARDSON, Mr. APPLEGATE, Mr. RUSSO, and Mr. HAYES of Lousiana.

H.J. Res. 197: Mr. EDWARDS of Oklahoma and Mr. CRAIG.

H.J. Res. 204: Mr. CHAPMAN, Mr. WILSON, Mr. SAWYER Mr. OWENS of Utah, Mr. KASTENMEIER, Mr. DORGAN of North Dakota, Mr. EMERSON, Mr. MCCOLLUM, Mr. LANCASTER, Mr. JENKINS, and Mr. BALLENGER.

H.J. Res. 230: Mr. DENNY SMITH.

H.J. Res. 245: Mr. DE LA GARZA, Mr. SUNIA, Mr. LANCASTER, Mr. BONIOR of Michigan, Mr. VENTO, Mr. WILSON, Mr. MINETA, Mr. HOCHBRUECKNER, Ms. SNOWE, Mr. HORTON, Mr. LEVIN of Michigan, Mrs. MEYERS of Kansas, Ms. OAKER, Mr. FEIGHAN, Mr. WAXMAN, Mr. DAVIS of Illinois, Mr. DARDEN, Mr. BENNETT, Mr. HENRY, Mr. ACKERMAN, Mr. HAYES of Louisiana, Mr. ENGLISH, Mr. TAUKE, Mr. SCHAEFER, Mr. KASTENMEIER, Mr. HUTTO, Mr. FISH, Mr. ROE, Mr. VOLKMER, Mr. HATCHER, Mr. HASTERT, Mr. LEWIS of Florida, Mr. ESPY, Mr. MCGRATH, Mr.

Dwyer of New Jersey, Mr. DeFazio, Mr. Gray of Illinois, Mr. Lagomarsino, Mr. Thomas of Georgia, Mr. Brown of Colorado, Mr. Ireland, Mr. Smith of Florida, Mr. Wortley, Mr. Schuette, Mr. Lipinski, Mr. Bryant, Mr. Owens of New York, Mr. Kostmayer, Mr. Daub, Mr. Mrazek, Mr. Wolf, Mr. Flippo, Mr. Hefner, Mr. Frenzel, Mr. Conyers, Mr. Bliley, Mr. Boner of Tennessee, Mr. Daniel, Mr. Fuster, Mr. Lehman of Florida, Mr. Roth, Mr. Walgren, Mr. Evans, Mr. Green, Mr. Dowdy of Mississippi, Mr. Young of Alaska, Mr. Wyden, Mr. Sabo, Mr. Valentine and Mr. Buechner.

H. Con. Res. 18: Mr. Bilbray.

H. Con. Res. 51: Mr. Neal, Mr. Wolpe, Mrs. Bentley and Mr. Schulze.

H. Con. Res. 97: Mr. Edwards of Oklahoma and Mr. McCollum.

H. Res. 110: Mr. Price of Illinois.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 678: Mr. Towns.

H.R. 1082: Mr. Crockett.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitioners and papers were laid on the Clerk's desk and referred as follows:

37. The Speaker presented a petition of the Texas Guaranteed Student Loan Corp., Austin, TX, relative to the Higher Education Amendments of 1986 (Pub. L. 498) which was referred to the Committee on Education and Labor.

SENATE—*Wednesday, May 6, 1987*

(Legislative day of Tuesday, April 21, 1987)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable KENT CONRAD, a Senator from the State of North Dakota.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

Father in Heaven, we thank You for struggle, difficult though it may be. When frustration and discouragement invade our lives, help us to remember our Nation was born out of struggle. Our forebears struggled against political and religious tyranny and sought freedom in a new land. They struggled at awful cost against the tyranny for the right to have their own nation. They struggled to bring to birth a republic where human rights were sacred and government existed to secure those rights. They struggled with conscience and conviction within themselves as well as among themselves to produce a political system where freedom and justice were paramount. And we are the benefactors of that legacy.

Thank You, gracious Father, for a political system in which the best for the most emerges out of struggle. Remind us again, Lord, as exercise to physical fitness—so struggle to democracy. "No pain—no gain." Give to the Senators in their leadership today divine reassurance that as they struggle honorably within their own hearts and with each other their struggle is never in vain. We pray in the name of Him Whose struggle for righteousness cost Him His life. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. STENNIS].

The assistant, legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 6, 1987.

To THE SENATE: Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KENT CONRAD, a Senator from the State of North Dakota, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

Mr. CONRAD thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. BYRD. Mr. President, a vote will occur today at noon on the budget that has been constructed by the Democrats under the leadership of Mr. CHILES, the chairman of the Senate Budget Committee. Following the disposition of that amendment, Mr. DOMENICI will be recognized to call up an amendment. There will be 9 hours of remaining time on the overall budget. Upon the disposition of the Chiles amendment, the 9 hours will be equally divided, and at some point today that 9 hours will run its course or will be yielded back. There will be votes throughout the afternoon and into the early evening. We conceivably could be a little later than the early evening, but we also conceivably could not be so late as the early evening if Senators decide to yield back time. But there will be some rollcall votes. The leadership intends to complete action on this budget today, no question about that, and then on tomorrow I hope we can proceed to take up the supplemental appropriations bill. It will qualify under the rules to be taken up tomorrow.

IRAN-CONTRA SELECT COMMITTEE BEGINS PUBLIC HEARINGS

Mr. BYRD. Mr. President, the joint Senate-House hearings to investigate the Iran-Contra affair opened yesterday under the capable direction of the distinguished chairman, the Senator from Hawaii [Mr. INOUYE] and the equally able vice chairman, the Senator from New Hampshire [Mr. RUDMAN] and their House counterparts.

These open hearings represent the first day of public exploration of the central facts and theories of the complex and mysterious sequence of events spanning the world, over a period of several years, and on which the investigating committee has been working for about 4 months—since the select committee was enacted by Senate Resolution 23 on January 6, 1987, the first day of the 100th Congress.

In their opening statements, Mr. INOUYE and the other members of the committee framed the range of questions and areas of inquiry which are being pursued in this important investigation. There have been those who have emphasized the need to put this affair behind us. We all want to heal the national wounds which have been opened by the scandal which has evolved and widened. But, Mr. President, it is elementary that we all fully understand what it is we are putting behind us, and learn the lessons of what went wrong, how the fabric of checks and balances of the American democratic system broke down, and why it went wrong in the hope that the truth shall free us of a repetition of such a breakdown in the future.

Our democratic system, in order to retain its vibrancy, resiliency, strength, and wisdom, must periodically validate its principles through self-examination. Such a self-examination, which is occurring through the vehicle of this committee's inquiry, is now underway in the best traditions of this body. I hope it will also strengthen the oversight function of the Senate.

Important work has already been done by the Intelligence Committee under the able leadership of the Senator from Oklahoma [Mr. BOREN]. The work of the Intelligence Committee and the report of its preliminary investigation have already been of vital assistance to the new select committee. And in referring to Mr. BOREN, I should also refer to Mr. COHEN as well. We have had very, very good teamwork and cooperation between the leader and the ranking Republican member of that committee. It is going to help the select committee as it goes forward with its investigation. As I said many times, the work done by the Intelligence Committee last fall, when it was under the Republican leadership, would be helpful to the select committee as it began its work in the new year. And I am sure that work will substantially shorten the time necessary for the new committee to complete its task in a thorough and professional manner.

The leadership of this new committee, Senators INOUYE and RUDMAN, are to be highly complimented for the bipartisan way they have so far approached their work, and for the imaginative arrangements they have made for joint hearings and investigative

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

work with the companion House committee. This is a unique development in the history of congressional investigations.

The opening statements of the members of the committee, from both sides of the aisle, who are devoting long hours to this enterprise, highlight their motivation to restore the integrity and credibility of America's system to its natural greatness and openness, based on the rule of law and grounded in trust.

So, Mr. President, a two-track system is in place in the Senate. The Senate's work on the budget and the other major legislative matters facing us over the next few months will go on, as they are now, uninterrupted while at the same time the intensive work of the select committee will continue until it is finished, and I hope very much the truth is finally known about the entire affair.

Mr. President, I ask unanimous consent that the opening statements of Senators Inouye, Boren, Heflin, Mitchell, Sarbanes, Nunn, Rudman, McClure, Trible, Cohen, and Hatch be printed in the Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Opening Statement of the Honorable Daniel K. Inouye

Two hundred years ago the framers of our Constitution provided for a more perfect Union by establishing a strong national government built on a system of checks and balances. The Founding Fathers did not believe that effective government and checks and balances were inconsistent. On the contrary, it was their premise that no branch had such a monopoly on truth that it should be free to act with total independence.

The unique genius of the American system was that by dividing power it promoted sound policy based on reasoned and open discourse, and mutual trust between the branches.

These hearings will examine what happens when the trust which is the lubricant of our system is breached by high officials in the government.

The story is not a pretty one. As it unfolds in these proceedings, the American people will have every right to ask: How could this have happened here? And as we answer that question, the American people will have every right to demand that it never happens again.

Indeed, it never should have happened at all. The constitutionally mandated relationship between the executive and legislative branches of this Nation has stood the test of time. It has survived the shock of civil war, outlasted the mightiest monarchs and dictatorships, and seen us successfully through the turbulence of world wars. There is no reason this same carefully calibrated system could not have guided us through the difficult choices we face in Central America and Iran.

The formulation of American foreign policy has always been a matter of discourse between the President and Congress. Without detracting from their own primary responsibility, Presidents have understood that Congress has an indispensable role in foreign policy. We must ratify the treaties, confirm the major foreign policy officials, authorize and appropriate the funds, and exercise the oversight. Bipartisanship in the execution of foreign policy requires prior consultation in the development of foreign policy.

In short, it is a working partnership. The President may be the senior partner in foreign policy, but he is not the sole proprietor.

Indeed, this fact was seemingly recognized by this administration without reservation. In 1984, the administration pledged its complete cooperation with Congress. It entered into an unambiguous agreement with the Senate Intelligence Committee promising advance notification of anticipated covert activities. As recently as the summer of 1986, the Director of Central Intelligence reaffirmed this agreement and lauded the successful partnership that had developed between the executive and the Intelligence Committee.

But at the very moment these promises of cooperation, notification, and partnership were being made and reaffirmed—the secret chain of events which would explode in the Iran/Contra affair was well in motion.

The story is one, not of covert activity alone, but, of covert foreign policy. Not secret diplomacy, which Congress has always accepted, but secret policymaking, which the Constitution has always rejected. It is a tale of working outside the system and of utilizing irregular channels and private parties—accountable to no one—on matters of national security, while ignoring the Congress and even the traditional agencies of executive foreign policymaking.

The story is both sad and sordid. It is filled with inconsistencies and often unexplainable conduct. None of the participants emerges unblemished. People of great character and ability, holding positions of trust and authority in our Government, were drawn into a web of deception and despair.

Congress, too, is not immune from scrutiny in these hearings. We cannot avoid asking whether appropriations bills which change from year to year—and sometimes within the same year—were an effective way of controlling foreign policy. Nor can we avoid asking whether we were vigilant enough in carrying out our oversight function.

Let it be clear, however, that our concern in this inquiry is not with the merits of any particular policy, but with flawed policymaking processes. Our hearings are neither pro-Contra nor anti-Contra; neither proadministration nor antiadministration. We are not prosecutors. And this is not an adversarial proceeding. We meet here as American citizens united in a common effort to find the facts lest we repeat the mistakes. Our purpose is self-examination, not recrimination.

To this end, we will deal with questions of the greatest sensitivity to our national security—questions we address precisely because we in Congress do recognize the paramount importance of foreign policy. And so we will consider in these hearings the following questions:

1. Were the statutory restrictions on U.S. aid to the Contras violated?
2. Was Congress misled?
3. Were the executive branch's own internal checks and balances bypassed in policy decisions on Nicaragua and Iran?
4. Was there a public foreign policy, and simultaneously, was there a very different, covert foreign policy?
5. Was American foreign policy privatized? And
6. Were decisions on the most significant matters of national security driven or influenced by private profit motives?

We do not deal here with simple disagreements over the direction of U.S. foreign policy, or with the creative tensions between the branches of Government. Those are normal and healthy, and they do not end in shredding of documents. Only a contempt for law leads to altered documents and perjured statements.

By eliciting and examining the entire story, we believe our Nation will emerge stronger, for we also believe that sunlight is the best disinfectant. Our country is not divided or dispirited. These hearings do not represent our democracy's weakness, but its strength.

This strength and unity of purpose are reflected in the decision of our two committees to conduct these hearings jointly. This was an historic decision, insuring that the public interest would prevail over any parochial interests, and that the full story would be presented to the public expeditiously and fairly. This outcome would not have been possible without the cooperation and statesmanship of my colleagues on the House committee, and their distinguished leaders, Congressmen Lee Hamilton and Richard Cheney.

Another historic feature of this inquiry is the bipartisan spirit that has guided our efforts. Our Senate committee has a unified staff whose members report to the committee as a whole, not to Democrats or to Republicans. The Senate select committee has been blessed with a staff of extraordinary talent, and dedication to match. When the history of this period is written, I am certain its footnotes will amply recognize the indispensable contributions of the staff which was ably guided by the Chief Counsel Arthur Liman. The usual superlatives cannot describe this man's contribution to this committee.

My senior Republican colleague on this panel, Warren Rudman, is the committee's vice chairman and my equal partner in this inquiry. He and I have worked closely together, consulting on every issue, reaching joint decisions on every question, driving always toward the same objective. I applaud his leadership; I value his wisdom and counsel.

So, too, do I acknowledge the great contributions of every member of our committee. Each Senator has spent many hours preparing for these hearings, reviewing mountains of evidence, poring over the transcripts and documents on busy weekdays, weeknights, and weekends. Not one has raised a political issue, in private or in public. Not one has sought to turn this matter to partisan or personal advantage. All of our committee votes—on even the most sensitive and potentially divisive questions—have been unanimous.

This bipartisan spirit has been matched on the other side of Pennsylvania Avenue. The White House has been cooperative. Executive privilege has not been asserted. And even the President's personal diaries have been shared with us. The executive departments have likewise responded to our requests. None of this is to say that we and the executive agencies have agreed on every matter. We have had our disagreements. But they have been minor, and always in good faith. And it has worked.

It is truly sad that such interbranch cooperation and trust could not have been the rule before. If it had, we would not be here today.

Indeed, we must ask why the bipartisanship that has marked this examination of our foreign policymaking process could not be extended to the making of our foreign policy in the future. Some of us believe that it can. All of us hope that it will. But first, we must clear the air, and let the facts of this unfortunate and sad affair emerge.

To this end, I call these hearings to order.

OPENING STATEMENT BY U.S. SENATOR DAVID L. BOREN

Yesterday, as I was walking through the Tulsa Airport on my way back to Washington from Oklahoma, a man stopped me to ask, "Senator, what possible good could come out of those hearings that are about to start?"

I think I understood why he asked that question. Perhaps he was thinking about the pain, disappointment, and devisiveness that hearings like these often leave in their wake.

Perhaps he was thinking about the time and attention which will be given to these hearings, and the possibility that we could be diverted from dealing with the serious economic problems and other challenges we face as a nation.

The man in the airport may have been worried that this committee might give in to the temptation to conduct a political circus instead of seeking the truth in a fair and impartial way.

Good will result from these hearings only if all of us are determined to stay on the right course. It will be good for the country if we can demonstrate that members of Congress are capable of substituting statesmanship for politics as usual. We must demonstrate by our actions that there are no Democrats or Republicans on this committee—only Americans.

Good can come from this process if we complete our work with the understanding that we must rebuild the concept of a bipartisan foreign policy based upon mutual trust between Congress and the President.

Another positive result of this inquiry will be the strengthening of the oversight process. Since January, I have had the responsibility of chairing the Senate Intelligence Committee. That Committee has already moved in a constructive way to improve the oversight process. With the Executive Branch, we are now developing an independent audit capability for the committee in regard to covert action programs, and we have put in place new procedures regarding the form and content of covert action notifications. The Intelligence Committee will conduct a full set of hearings on the oversight process when this committee finishes its work.

Above all, the investigation we begin today will make a lasting contribution to this nation if we finish it with a deeper understanding of our constitutional system and a stronger determination to protect and preserve it.

It is my sincere hope that every school student and, indeed, every citizen who watches these hearings will come away with a greater understanding of our constitution in its bicentennial year.

These hearings should be a learning process for all of us so that we can avoid making the same tragic mistakes in the future.

Under the Constitution, we as Americans make policy decisions by passing laws through Congress. The president, under Article 2 of our Constitution is charged with the duty to "take care that the laws be faithfully executed." No one—presidents, members of Congress, or any other official of our government—is given the right under our constitution to try to get around the law.

That is what we mean when we say that we are a government of laws rather than of men. We may sincerely believe that Congress is wrong in passing a certain law, but not even good intentions can justify any of us in substituting our own judgement for the process set out in the Constitution.

When any part of government is allowed to systematically ignore or evade a law simply because it does not like it, our Constitution, and the protection which it affords to all Americans, is eroded and endangered.

These hearings will be of lasting benefit if, as a result of them, all of us across this country renew our commitment to vigilantly defend the rule of law against all attempts to undermine it.

OPENING STATEMENT OF SENATOR HOWELL HEFLIN

The burden we undertake today is a heavy one. The process historic. The outcome both important and uncertain. The duty is not one from which we can shrink. It is one, however, which we can most definitely mishandle. Senator Sam Ervin stated:

"The congressional investigation can be an instrument of freedom. Or it can be freedom's scourge * * *. It can debase our principles * * *. And afford a platform for demagogues and the rankest partisans.

Hopefully, the work of these committees will be attuned to the highest precepts that should guide congressional inquiries.

We are here today to begin a process of investigation; of affirmation; and of restoration.

INVESTIGATION

A legislative investigation in a democracy can be a salutary event. Done properly, it can have a cleansing effect. If there is corruption or malfeasance, it can open it up, expose it, cleanse it. And, importantly, begin the slow process of healing.

In carrying out this function, I believe it is appropriate to have a comprehensive three-pronged approach: Seek the truth, find the truth, report the truth.

In 1922 Senator Robert Lafollete urged his colleagues to launch a comprehensive investigation into alleged abuses of authority. "No matter whom it hits or hurts," he said,, "let us have the facts. The American people will be satisfied with nothing less."

As the truth is found and told, we may well conclude sadly, that in the course of pursuing democratic principles in foreign lands, we may have subverted them at home.

AFFIRMATION

Second, these hearings are about affirmation. Yes, they're about rogue elephants, persian rug merchants, loose cannons, soldiers of fortune, privateers, profiteers, believers, hostages, Contras. But they're about separation of powers, national security, fifth amendment rights, allegations of misconduct. Charges of cover-up, the right to know, and, importantly, they're about the rule of law. Passion for the rule of law. Yes, these hearings are about the elevation of respect for the rule of law and constitutional principles above ideology and power.

These hearings are about Iran and Contras, but they are also about affirming some fundamental American values—honesty. Openness, truth, credibility, and the sacred covenant of trust a President makes with the American people when he asks for, and receives, their vote, and when he vows to see that the laws of the land are faithfully executed.

We are here, then, to affirm two fundamental truths upon which our Republic was founded:

That a nation of laws does not permit officials of the Government to act above the law.

And that a nation of laws does not permit official acts outside the law.

RESTORATION

Third, we are involved in a process of restoration. This healing procedure may be painful and take time, but hopefully, at the end we will be proud:

Of restoring unity and credibility between the stated policy and the actual policy;

Of restoring order to a disorderly process of decision making;

Of restoring trust by our allies in our word as a nation;

And, most importantly, of restoring trust by our people in their Government.

CONCLUSION

Mr. Chairman, there will be those who say our motives are political. I am convinced that the vast majority of this panel is looking out for American interests first, rather than party advantages. To the critics, I would simply say this: I would take no joy in seeing any administration crippled. I take no joy in seeing our entire Nation being embarrassed in the court of world opinion—as, in recent weeks, we have been. As, in coming weeks, we further will be.

Let the process of investigating publicly go forward. Let the process of affirming begin, and let us undertake the restoration process of national cleansing and healing.

OPENING STATEMENT OF SENATOR GEORGE J. MITCHELL

These hearings will address important questions for our democracy—the need for high government officials to respect and obey the law; the need for open and vigorous debate of public policy; the need for vigilant Congressional oversight of the way the law is implemented.

In the weeks ahead we will hear of individual and institutional error and wrongdoing, of criminal activity and obstruction of justice. We will be frequently appalled, occasionally amused. Through it all, we should not lose sight of the broader issues. A democratic nation, dependent on the rule of law and respect for that law, cannot long remain democratic if its government officials are not accountable to that law.

And, when the government abandons open and competitive debate, and resorts for inadequate reason to secret decision-making by a few, the likelihood for error increases.

The Iran-Contra affair is a classic example of that. The law requires the President to notify the Congress, in advance, of covert operations, or, if notice cannot be given in advance, then in a timely fashion. There is little doubt that if the President had notified Congressional leaders of his intention to sell arms to Iran and to exchange arms for hostages, they would have warned the President not to do it.

That was not done. As a result, a secret policy was pursued that was contrary to our public policy, contrary to what we were telling our allies to do, and contrary to our national interest. In no respect can these actions be deemed to have been wise. In every respect they were serious mistakes for the President and for the country.

James Madison observed that "If men were angels, no government would be necessary. . . In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place, oblige it to control itself."

In these few words, Madison captured a central difficulty of government by and for the people. The difficulty was addressed, in part, by the separation of powers, the system of checks and balances prescribed by and embodied in our Constitution.

As we begin public hearings, we focus the attention of the nation on these critical issues. And we, as an investigating Committee of the Congress, together with the Independent Counsel and the criminal justice system, will hopefully demonstrate the ability of our government to control itself, to adjust to the abuse of power.

Serious wounds have been inflicted. The reputation of our nation has been damaged. The confidence of the American people in its government has been weakened. Our foreign policies in Central America and the Middle East have been thrown into question and compromised.

The Tower Commission report indicted a mismanaged White House, casual delegation of important power, and the abdication of responsibility by some of our highest officials. It answered many questions. But many other questions remain.

What happened to the money? The reports of the Senate Intelligence Committee and the Tower Commission both contain references to millions of dollars raised at home and abroad by government officials and private citizens. But neither the Commission nor the Committee had the time or the resources to document the money trail. We will do so.

Who knew about and who authorized the use of these funds for military assistance to the contras in Nicaragua? Was the President, as he states, unaware of the diversion of funds from the arms sales to Iran and of other money and material assistance to the contras, in violation of the law?

I believe the President is entitled to the benefit of the doubt unless and until there is evidence to the contrary. We will find out if there is any such evidence. And if the President did not know, on whose authority and at whose request could so many elements of our government be mobilized to carry out these unwise and unlawful activities?

It is not clear how or why a judgment was reached that actions beyond the legal authority of the CIA and all other intelligence agencies could be lawfully carried out by the National Security Council. Were the legal issues surrounding questionable activities by members of the National Security Council ever answered? Were they even raised?

These and other questions will be answered in these hearings. We have a solemn responsibility to present all the facts, to bring the full truth to the American people as thoroughly, as fairly, and as promptly as possible. Under the bi-partisan leadership of the Chairmen and Vice-Chairmen of this Committee, with the assistance of a dedicated staff, we have made a good start. The large and complex investigation has been managed well. It is now time to begin the process of laying the facts before the American people. If, when we finish these hearings, they know the truth, we will have been successful.

Opening Statement of the Honorable Paul S. Sarbanes

Mr. Chairman, as the Select Committees begin public hearings on secret military assistance to Iran and the Nicaraguan opposition, it is the responsibility of this inquiry to develop as complete and accurate a narrative of the facts as can be established. This will better enable the Congress and the American people to make an informed judgement on the events and to reach conclusions about what must be done.

Important work has already been done by other committees of the Congress and by the Tower Commission, and I want to acknowledge their significant contributions.

In the course of reconstructing fully and accurately the chain of events, there are a number of basic questions that need to be asked:

1. How was policy made?
2. How were policies carried out?
3. Who was making policy and carrying it out?

We need to understand the process—or lack thereof—by which policy was made and implemented. Apparently what occurred was not only a breakdown—or put more accurately, a deliberate breaking down—of the checks and balances between the Executive and Legislative Branches of our government, but also of the checks and balances within the Executive Branch itself. Established procedures were circumvented, internal controls were ignored, a private unaccountable network to raise funds and to supply arms was established to carry out major segments of American foreign policy. Furthermore, the policy actually being pursued secretly was sharply at odds with the policy publicly stated to the world and to our people.

These questions as to how decisions were made and implemented and by whom are central to our inquiry because they go to the fundamental issue of how our system of free self-government is meant to function. The complex system of checks and balances set out in the Constitution was designed expressly to place a restraint on power and to result in better decisions for our people. Especially in this Bicentennial year of the Constitution, it is critical to remember that no substantive end, no particular policy, however zealously desired, can justify undermining the principles which are at the heart of our democracy.

Opening Statement of Senator Sam Nunn

Mr. Chairman, I will take only a minute or two because you and the other members have spoken eloquently about the importance of the task that we begin today. But I would like to add a word on my own perspective.

Ours is a solemn and very serious task. It has profound constitutional significance, and requires that we proceed with great care. It also requires an absolute bipartisan approach. I commend the leadership in both Houses and the chairmen and vice chairmen for the wisdom and leadership they have shown as we begin our duties. I would also like to commend them for their extraordinary hard work. The Senate committee staff, so ably led by Arthur Liman, Mark Belnick and Paul Barbardoro, have done a truly outstanding job. The staff was assembled very quickly, but just as quickly established themselves as one of the best I have ever seen on Capitol Hill. The same can be said for John Nields and the House staff.

Let me now turn to be the substance of our task. We must always remember that ours is a government of laws, not men.

The central issue is whether this administration upheld the law or flaunted it. In addressing that issue we must ask tough questions. As I see it, those fall into three groups:

Questions about the administration's regard for the rule of law;

Questions about the administration's competence in the conduct of foreign policy; and

Questions about the President's responsibility for these events.

If the President and other senior officials have not been scrupulous in their adherence to the law, then they will have failed to carry out their duty to faithfully execute the laws. If there was illegal activity going on in his White House, did the President encourage or participate in it? If he did not, is it not still his responsibility to ensure that his administration follows the law? Even, if the President doesn't like the law, he cannot arrogate to himself the power to act contrary to it.

Mr. Chairman this is not a pleasant task, but it is terribly important. The questions we will be asking go to the heart of our constitutional system. The answers we get—and what we as a nation do about them—will tell us a great deal about ourselves. The American people and the world will be watching. We must not fail our duty.

Opening Statement of Senator Warren Rudman

Today the House and Senate Select Committees begin public hearings on the Iran arms initiative and the diversion of arms sale profits to the Nicaraguan opposition. This is the second phase of the committees' work, the first phase being the actual investigation which began in January and is continuing at this very moment.

We begin these hearings as the nation approaches the bicentennial of the Constitution, so it is appropriate to note that the investigative power of Congress is inherent in its constitutionally assigned role as the legislative branch of government. The innate power of a legislative body to investigate comes from English common law dating back to at least the sixteenth century. Committees of the House of Commons had the power to summon witnesses, examine documents, and punish for contempt, just as the two Iran Committees do today. The American colonial legislatures, the Continental Congress, and the early state legislatures relied on these precedents.

Woodrow Wilson, as a college student, wrote that "the informing function of Congress should be preferred even to its legislative function." As a Senator, Harry Truman stated that "the power of investigation is one of the most important powers of the Congress. The manner in which that power is exercised will largely determine the position and prestige of the Congress in the future."

Most of the major, historical congressional investigations have been concerned with allegations against and actions by officials in the executive branch. Other examples include Watergate, the McCarthy hearings, and Teapot Dome.

That is as it should be. The ability of Congress to discover the facts and expose improper conduct in the executive branch is one of the key "checks" in the brilliant system of checks and balances devised by the Founding Fathers of our country.

I will take this moment to thank and commend Senator Inouye, the Chairman of the Senate Committee. Senator Inouye has set a standard that future special committees and their chairman will find difficult to match. From the beginning, he has run the Committee effectively and in a bipartisan fashion, which is proven by the fact that every vote taken by the Committee has been decided unanimously. He put together a nonpartisan, professional staff which, under the direction of Arthur Liman, has performed brilliantly. They have worked brutal hours over the several months piecing this complex story together—most are still working on it today.

I would also like to express my appreciation to Representative Hamilton and Representative Cheney, the Chairman and Ranking Member of the House Committee. Their willingness, along with that of Senator Inouye, to cooperate on this sensitive matter has produced a result nobody thought possible four and one-half months ago, one that serves our nation well and brings credit on Congress as an institution.

Merging the House and Senate investigations has ensured that the American people will get the full story sooner. By combining the hearings of the House and Senate Committees, we have ensured that the full story is told to the American people in a coherent manner. By working together, the two Committees have avoided an unhealthy competition and ensured a nonpartisan and professional search for the truth. The willingness of separate House and Senate committees to merge their separate identities and work as one is, to the best of my knowledge, an historic first and especially noteworthy given the high profile and sensitive nature of the subject.

By the time these hearings are concluded, the American people will learn the answers to the five final questions: who, what, when, why, and how.

Of course, we will examine the role of the President and various executive branch officials. What actions did the President specifically approve of? What exactly did federal officials do, on whose authority were such actions taken, and were any laws violated?

We will also, however, examine how the various aspects of the affair developed. Did various people consciously set out to violate the law? Were they well-intentioned policies and motives which went astray? Was the problem attributable in any way to unclear or vague federal laws on the issue?

Finally, we must look at how the foreign policy process worked. Is the existing process flawed, or was it simply ignored? What are the ramifications when foreign policy is privatized in a way that leaves it susceptible to the control of profiteers rather than policy makers?

The story that will be told is a sad one. There will be evidence of illegal behavior and contempt for our democratic form of government. There will be stories of greed and incompetence. There are many victims including the American people who have a right to expect better from their government. While the investigation is still underway, we already have sufficient evidence to establish that this is an inexcusable fiasco of the first order.

It is important, however, to keep things in perspective. These hearings, while laying out an unfortunate affair, also serve as a reminder of the fundamental strength of the American system of government. This investigation and these hearings demonstrate the self-corrective nature of our democratic government. They prove, once again, the brilliance of Winston Churchill when he stated that "democracy is the worst system devised by the wit of man, except for all the others."

STATEMENT OF SENATOR JAMES MCCLURE

What we are about to embark upon today is not a trial. It is a formal inquiry into the policy decisions that led the United States to sell arms to Iran. It is also an inquiry into how certain funds involved in those transactions may have been diverted to aid the Nicaraguan resistance.

It may seem somewhat confusing that we start out by pursuing the second line of inquiry—the question of diverted funds to the Nicaraguan resistance. It is clear to me that these policies had distinct and separate beginnings, and subsequently were merged for a variety of reasons. Once all of the evidence is presented, I am confident there will be a logical explanation of how this came about.

I want to touch on one particular subject that my colleagues on this panel have heard me discuss more times than perhaps they would like to hear. That is the question of what has been referred to in the public discussion of our investigation as "limited use immunity."

That phrase, or some variation of it, has been a convenient shorthand that's been used by the media and others to describe our efforts to secure important testimony. Unfortunately, it has led many to believe that because of this "limited use immunity," the Independent Counsel will be prevented from pursuing any potential prosecution, if in fact there are grounds for that action. This is not the case.

What the committees have done is something quite different. We have asked the court to compel witnesses to testify before us, in order that we might be able to obtain the information needed to fulfill our duty. In granting those requests, what the court has done is ensured that the testimony of those witnesses cannot be used against them in a subsequent prosecution. It does not prevent the Independent Counsel from pursuing any of his activities or obtaining other evidence that may ultimately lead to prosecution.

I would hasten to note that in no way do I mean to suggest that prosecution may be warranted. That is something for the Independent Counsel to decide, not this Committee. This may seem like a trivial point to some, but I believe it is an important distinction that needs to be made and understood at the outset of these hearings.

Certainly this is an important undertaking that we begin today. But I would state my own belief that there are many other issues that are of greater importance to the people of this country, and certainly to the people in my state of Idaho. Getting control of federal spending, our trade problems, the farm economy, our relations with the Soviet Union—these and a whole host of other issues are more important to the people than this investigation. I say that not to belittle these hearings, but to put them in what I think is an appropriate perspective.

I believe the American people are getting impatient with this matter. We began our work formally as a committee in January. It is now the first week of May. We have been deliberate, cautious and cooperative in our work, some would say to the point of unnecessarily delaying our investigation. So I am glad that we are now underway with our public hearings.

I hope that in the weeks ahead, we will be able to conduct this investigation in a thorough and expeditious manner. Thoroughly, so we may provide as best we can a full report to the American people. And expeditiously, so that we can return our efforts to the pressing problems that we in Congress must face.

OPENING STATEMENT OF SENATOR PAUL TRIBLE

In my opening statement, I want to answer the question that has been posed to each of us a hundred times, "Why are we holding these hearings?"

Mr. Chairman, these hearings involve far more than people and arms and policy and the law. More profoundly, this is an act of keeping faith. For faith in our institutions, by those who are elected to govern and those who are governed lies at the foundation of our republic.

Those who consent to government must be certain that the power of government will be used justly and our policies will reflect common agreement.

This faith has sustained us for more than two hundred years and is the reason why our nation serves as a model for all those who aspire to freedom.

Should we fall from this faith, it is essential that we right our course. For our citizens must know that our institutions serve constitutional purposes and the common good.

Restoring this faith, or in the words of James Madison, "obliging government to control itself," is a task for the greatest delicacy. Our hearings have immense consequences for public opinion, for the proper role of Congress in overseeing the executive and for the conduct of foreign policy.

Yet despite its delicacy, this inquiry is indelibly American. Our procedure is a constitutionally sanctioned and traditionally recognized method for our people to remedy defects of government. In fact in no other nation would a government inquiry into foreign policy be so open for citizens to see and to judge, in so doing to reaffirm our principles and our faith.

This is America, not at its basest, but at its best.

A troubling theme in these events is the apparent belief that the executive branch alone knows best, that Congress and the American people cannot be trusted in foreign affairs and that where the cause is "righteous" the law cannot be allowed to stand in the way.

This idea challenges the very theory of our democracy. We cannot advance freedom in the world by ignoring the rule of law at home and that's what brings us together today.

Mr. Chairman, I want to applaud your leadership and that of Senator RUDMAN and your counterparts in the House of Representatives. You more than anyone else are responsible for the bipartisan spirit that has marked our deliberations thus far. I trust that we will continue to act not as Republicans or Democrats but as Americans first. We must pursue the truth wherever it leads us, fully and fairly and with dispatch, and then stand aside and let the nation proceed with its other pressing business.

Statement of Senator William S. Cohen

Many journalists have asked recently: "Why have these hearings? Will there be any new dramatic revelations? Is this just another case of Congress trying to tie up Gulliver with trivialities? Won't the American people be bored?"

The answer is that our purpose is not to entertain, but to inform. Not to electrify the electorate, but to educate our citizens about the importance of our institutions, about the reverence we must have for the rule of law, about the consequences of amputating the checks and balances in our system that guard against aribitrary or illegal action.

Walter Lippmann reminded us that, "The great virtue of democracy—in fact its supreme virtue—is that it supplies a method for dragging realities into the light, of summoning our rulers to declare themselves and to submit to judgment."

Government in America is based upon the consent of the governed. Consent is meaningless unless it is informed consent. There are times when a President must act covertly to promote our security and to protect our lives. But when major policy is constructed behind closed doors by a few men and carried out by either patriots or profiteers in the shadowy world of covert action, then the American people may belatedly discover that an unwise course of action has been undertaken without their knowledge, without their consent, and against every intuitive sense of propriety. Moreover, when major policies are not openly debated and formulated, when financing for an undisclosed program comes from private pockets or foreign treasuries, there are promises—expressed or implied—that are made in our name. At some point, at some time, a *quid* will be called for the *quo*.

Why should private individuals or foreign countries support the Contras? What is the price of their good will? What measure of compensation will be exacted? Will the cost be affordable or consistent with our ideals or our interests?

The story that has unfolded is disheartening in several respects. First, by allowing arms to be included in the effort to obtain American hostages, we engaged in an act of folly and hypocrisy. America's back was placed on the cruel rack of extortionists. Everyone knows an extortionist's price is never paid. It will always be another load of weapons for another group of victims. Moreover, by openly advocating a policy of not dealing with terrorists and their sponsors, and then covertly practicing another, we undermined our ability to lead the free world in building an effective and unified policy to defeat international terrorism.

With respect to the Contra aid program, it will become clear that so much time was spent on secrecy, so much effort wasted on evasion, so much money was misdirected—or remains missing—there was little chance left for competence in providing effective military assistance to the Contras.

It was not only the American taxpayers who were deceived by fraudulent charitable organizations and Congress that was actively misled about the sources of the Contra funding, but the Contras themselves who were filled with false hopes and empty promises.

I should point out that a portion of Congress' house is constructed of glass. While a majority of Congress' members wanted to be on record in opposition to the Contras, they were unwilling to accept responsibility for terminating all assistance. As a result, the Administration aggressively searched through the shifting restrictive funding conditions set by Congress and exploited every ambiguity in the law to carry on its policy of military and paramilitary support.

These hearings will help determine whether the Administration's moral zeal obscured its collective judgment and whether the perceived nobility of its purpose led some individuals into the zone of lawlessness.

The laws we pass may not always be wise. But unless they are faithfully followed, we inch closer to despotism or anarchy where the freedom and safety of our citizens is equally at risk.

If public officials are free to ignore the law, to stultify it, to twist or disfigure its meaning in the name of superior motive or righteousness of cause, then we invite our undoing.

It is conceivable during this year of celebration of our Constitution that the American people will be bored with the information, that the ratings of the networks will slip, that the demand for daytime drama will force the klieg lights in this room to be dimmed. Tedium may try the patience of the people we represent.

I don't believe that will happen. But even if it should, we have the obligation to continue to present a full disclosure of the evidence so that the governed can be assured that they will get precisely the kind of government they choose and deserve.

Opening Statement of Senator Orrin G. Hatch

I am proud to participate in these historic hearings. With all Americans, I look forward to finally getting to the bottom of the crucial facts involved in the decision of our government to sell arms to Iran.

Over the past several months, ever since this story broke, I have watched as the events surrounding the Iranian arms sales have been discussed, debated, and reported in the media in great detail. Scarcely a day has passed in the last six months without a major story's appearing in the Washington Post and many other major publications on every conceivable aspect of this story.

I think, frankly, we have overdone it. We have become obsessed with this affair. This isn't to say the questions aren't important. Of course they are and I hope we will answer them here. But whereas a measure of public self-flagellation may be constructive, we seem to have turned it into an art form.

We must of course examine our mistakes and learn from them. But as much as a certain small segment of our country seems to want to keep this controversy alive, I have a strong belief the average American doesn't feel that way at all. In my frequent travels back home to Utah, for example, I get the real feeling that the vast majority of Americans out there are sick and tired of hearing about this affair. They would like to see us put a merciful end to the public inquiry and get on with the business at hand.

In my mind, there are two key questions for us to try to answer: What did the President know? And where did the money go? I hope we can ascertain the answers as soon as possible. I have every confidence that under the able chairmanship of Chairmen Inouye, Hamiltion, Rudman, and Cheney, we will be able to do so.

In the process of answering those key questions, I anticipate that we will reveal a rather intriguing story, a story that will illustrate some of the serious pitfalls that flow from a system where crucial foreign policy decisions and operations are entrusted to lower level officials and private individuals acting under a shroud of secrecy and a cloud of quasi-authority. In the end it appears that overzealousness and mismanagement made their appearance. Greed and corruption—in the case of some of the Iranian middlemen, did as well. Consequently, a desperate situation became even worse.

I hope after we have heard all of the facts, we will examine them carefully and take whatever corrective action is necessary. If we need to pass new legislation to make sure these mistakes aren't repeated, then we should pass it as soon as possible. We need to take constructive action while looking ahead, not destructive action while looking back.

I compliment the chairmen and the vice chairmen of these Select Committees. They have done an outstanding job of putting together these hearings, and they have developed a spirit of cooperation between the two committees that is admirable and, in my experience, unexcelled in Washington. They have outlined an ambitious program to effectively communicate to the American people what actually happened.

I thank the Chair for the opportunity to make these few opening remarks.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the Republican leader is recognized.

WILLIAM CASEY—1913-87

Mr. DOLE. Mr. President, I am saddened by the news that a true American patriot—William J. Casey—passed away early this morning. He was a man who dedicated his life to his country, in war and peace.

Throughout his long and distinguished career Bill never ducked a tough assignment: When his country called, he always answered.

During the Second World War, he became one of our key figures in the high stakes intelligence battle with the Nazis. As the Chief of Secret Intelligence of the Office of Strategic Services' [OSS], Bill Casey's keen judgment paid off again and again. His super intelligence-gathering operation helped put the forces of freedom one step ahead of the enemy; and thanks to his brilliance, many allied lives were saved.

After the war, Bill helped the United States catch-up on the cold war intelligence front. He served in the State Department, was appointed to the General Committee on Arms Control by President Nixon, and, at the request of President Ford, uncovered the full extent of the Soviet's military might.

As Director of the Central Intelligence Agency, Bill Casey took on another tough assignment. Despite the anti-intelligence backlash of Watergate, he restored America's intelligence capabilities and kept us from being left in the dust by the Soviet Union and its KGB. I shudder to think where this country would be right now without the indispensible work of Bill Casey.

Mr. President, as the hearings on the so-called Iran Contra affair continue this week, we all agree that the truth should prevail; and that all the details and facts should come out. But let's also keep in mind that we can't rush to judgment.

Mr. President, let's remember William Casey today for what he was—a true patriot.

BICENTENNIAL MINUTE

MAY 6, 1935: SENATOR CUTTING KILLED IN PLANE CRASH

Mr. DOLE. Mr. President, on May 6, 1935, 52 years ago today, New Mexico Republican Bronson Cutting earned the tragic distinction of becoming the first sitting Senator to die in an airplane crash. Cutting had been appointed to the Senate in 1928 to fill the vacancy caused by the death of Andrieus Jones. He won election in his own right later that year and in 1934.

Senator Cutting was born in New York in 1888 into a distinguished old-line family. Suffering from tuberculosis, he was forced to drop out of Harvard University after 2 years. Cutting's doctors ordered him west for recovery. Settling in New Mexico, he became one of that new State's commercial, cultural, and political leaders via the newspapers he published. During World War I, he volunteered for military intelligence work in London. Upon his return, he became active in the newly founded American Legion, whose members became his most ardent supporters.

For many years, members of New Mexico's political establishment smiled at Cutting's scholarly reserve, cultured manners, and progressive views. But, in recognition of his large following among voters of Mexican descent, and members of the American Legion, the Governor late in 1927 appointed him to the vacant Senate seat. In the Senate, Cutting identified himself with the most progressive Senators, and became a vigorous critic of President Hoover's administration.

Cutting's reelection campaign in 1934, won by only 1,261 votes, had been a bitter hard-won fight against Democrat Dennis Chavez. Chavez contested the election, alleging that illegal votes had been counted in Cutting's favor. Cutting, who had already been sworn in, flew home to New Mexico to direct an investigation into the charges. It was on his return trip to Washington, armed with documents he believed exonerated him, that Cutting lost his life when his plane went down near Atlanta, MO. Ironically, Dennis Chavez was appointed to Cutting's vacant seat, and served for nearly 30 years.

Mr. President, I yield the remainder of my time, if I have any, to the Senator from Nevada.

ONLY ARMS CONTROL CAN SAVE AMERICAN FREEDOM

Mr. PROXMIRE. Mr. President, by now every reasonably informed person on Earth must recognize that a superpower nuclear war would probably destroy civilization and might eliminate human beings from the face of the Earth. A nuclear war would be a total, unmitigated disaster. There would be no winners, only losers. No informed and sane person challenges this grim prospect. We only differ on how to prevent such a disasterous superpower war.

Some contend that the only realistic way we can expect our children and grandchildren to live out their lives is to adopt policies that will eliminate nuclear weapons root-and-branch totally. Both superpower leaders, Secretary Gorbachev and President Reagan have called this their objective. Both are wrong. Some have contended that the safest route to peace is to forget arms control and rely on a powerful and constantly improving nuclear arsenal to deter superpower war. They are wrong.

A third major group tells us deterrence will lead to an arms race and war. They call on us to reject the military route and rely on arms control for our solution. They, too, are wrong.

What then is the road to peace? The road to peace is first to recognize that we need the deterrence of our nuclear arsenal. We need it now. We need a strong nuclear arsenal. I will be specific. We need a nuclear arsenal large enough and effective enough and survivable enough to assure any potential attacker that any nuclear attack on this country would bring prompt and absolutely devastating retaliation. We will need that kind of nuclear arsenal for years—almost certainly for many years to come.

Is that enough? No, indeed. As Jeremy Stone, the director of the Federation of American Scientists, has written, as long as the nuclear arms race continues:

> The contest remains a festering sore waiting for a potential eruption or unanticipated event to turn it into a real war.

Arms control is an absolutely vital part of a strategy that has the best chance to prevent nuclear war. But it is not enough. We must buttress arms control with a strong, survivable, credible nuclear deterrent.

In 1958, Samuel Huntington, the widely respected political scientist from Harvard University, wrote what many call a seminal analysis of 12 arms races between world military powers that took place in the 100 years between 1840 and 1941. Huntington's research found that the first five arms races either "petered out" or ended in arms control. But of the last seven arms races, two ended in arms control and five ended in war, including all of the last four arms races.

There is some comfort in this analysis. Huntington concluded that a qualitative or technological arms race is less likely to end in war than a quantitative or "weapons buildup" arms race. The current United States-Soviet arms race embraces both quantitative and qualitative characteristics. But the nuclear element of the arms race seems to have moved lately into a more qualitative or technological framework.

Second, while previous arms races—particularly in this century—took place in an atmosphere of widespread understanding of the terrific devastation caused by war, we now live in a nuclear era where war will certainly be so universally destructive that both adversaries would lose. The loss would be so terrible that neither nation would survive as an organized society. What does it mean that America would not survive as an organized society? It means our democratic institutions, our great constitution would perish in the wholesale terror and death of a nuclear holocaust. So this would not be a war waged to preserve American freedom. American freedom would die in any conceivable outcome of a superpower nuclear war. The only way to preserve American freedom is to prevent a nuclear war. Here is why arms control is essential—to enable the superpowers to agree to work together—make both nuclear arsenals as stable as possible and as survivable as possible. Arms control can end the hair trigger weapons and the large vulnerable use-it-or-lose-it missiles. Arms control can also provide for the meticulous and thorough verification of compliance by both sides. Arms control can establish constant and instantaneous communications between the leaders of both superpowers. Finally, arms control brings an immediate material reward to both sides. It eases the colossal economic burden imposed on both superpowers by an unlimited arms race.

Once again, I repeat—the big dividend for arms control is that it will preserve American freedom. Now, for the first time in American history, we cannot go to war to save our freedom. We can only negotiate arms control agreements to do that.

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. BINGAMAN). Under the previous order, there will now be a period for the transaction of routine morning business of not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for 5 minutes each.

The Republican leader's additional time will be added to the time allotted to the Senator from Nevada.

The Senator from Nevada [Mr. REID] is recognized.

(The remarks of Mr. REID relating to the introduction of legislation are printed later in today's RECORD under Introduced Bills and Joint Resolutions.)

The PRESIDING OFFICER. The senior Senator from Nevada is recognized for a period not to exceed 10 minutes.

Mr. HECHT. Thank you very much, Mr. President.

WILLIAM J. CASEY

Mr. HECHT. Mr. President, I wish to share in the remarks of the distinguished Senator from Kansas on William Casey, and wish to publicly express my sympathy to his family.

(Further remarks of Mr. HECHT pertaining to the introduction of a bill are printed under Introduced Bills and Joint Resolutions.)

PRESIDENT CHIANG CHING-KUO OF THE REPUBLIC OF CHINA ON TAIWAN

Mr. KASTEN. Mr. President, I rise today in honor of President Chiang Ching-Kuo of the Republic of China on Taiwan. The Chinese people on Taiwan will be celebrating Mr. Chiang's third anniversary of his second term in office on May 20, 1987.

Mr. Chiang was born on March 18, 1910, in Fenghua, Chekiang Province. The eldest son of the late President Chiang Kai-Shek, he was sent to Moscow to study military science and engineering at Sun Yat-Sen University. Because of his strong anti-communist views, he was not allowed to return to China until 1937. During the Sino-Japanese war, Mr. Chiang was administrative commissioner for southern Kiangsi Province. After China's victory over Japan in 1945, he first worked in Manchuria and later in Shanghai. After 1949, Mr. Chiang served in a number of important posts, most notably as chairman of the Vocational Assistance Commission for Retired Servicemen, vice premier and chairman of the Council for International Economic Cooperation and Development (1969-72) and as premier (1972-78).

During the worldwide recession of 1973-74, Premier Chiang launched the 10 major construction projects which provided jobs and economic growth. After President Carter recognized mainland China, Mr. Chiang calmly led his country in overcoming the diplomatic adversities, in sustaining economic growth and in increasing military preparedness.

In 1978 Mr. Chiang was elected President of the Republic of China. He has presided over a period of unprecedented growth. Today the Chinese on Taiwan enjoy one of the best standards of living in the world.

In addition to achieving economic successes for his nation, Mr. Chiang late last year proposed the lifting of martial law and other measures toward greater political liberalization. Today the new opposition party—the Democratic Progressive Party—is alive and well and has elected its own members to the legislative Yuan.

I myself was privileged to have been received by President Chiang during my recent visit to Tapei. The President was in excellent health and eloquently expressed his views on Taiwan's relationship with the United States.

There is no question in my mind that the Chinese people are fortunate to have Mr. Chiang as their leader. Prof. Nathan Mao of Shippensburg University in Pennsylvania, an eminent authority on Taiwan, sums it well: "Mr. Chiang is one of the foremost leaders in the world today. He not only leads his country to economic prosperity and wealth, he also guides his people along the path of moral strength. An ardent anti-communist, Mr. Chiang is totally devoted to freedom and democracy while preserving the very best of Chinese culture and civilization."

On the eve of President Chiang's third anniversary in office, I wish to assure President Chiang that the Sino-United States relationship is strong, under the leadership of Taiwan's top envoy, Dr. Fredrick Chien, and I also wish to join Republic of China's many friends in the United States Senate in wishing President Chiang and the great Chinese people the best of luck and good fortune in the years ahead.

CONGRESSIONAL BUDGET RESOLUTION—1988

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will now resume consideration of the pending business, Senate Concurrent Resolution 49, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 49) setting forth the congressional budget for the United States Government for fiscal years 1988, 1989, 1990 and 1991.

The Senate resumed consideration of the concurrent resolution.

Pending:

(1) Byrd motion to recommit the resolution to the Committee on the Budget, with instructions to report back forthwith, with language in the nature of a substitute.

(2) Chiles Amendment No. 174 (to the motion to recommit), with language in the nature of a substitute, as amended.

(3) Chiles modified Amendment No. 179 (to Amendment No. 174), of a perfecting nature.

AMENDMENT NO. 179

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS addressed the Chair.

Mr. CHILES. Mr. President, I yield such time off the bill as the Senator from South Carolina may desire.

Mr. HOLLINGS. I thank the distinguished chairman. I rise at this particular point, Mr. President, to thank the distinguished chairman of our Budget Committee, Senator CHILES, for his diligence and persistence over the past several weeks in working and working and working to fashion the very best budget proposal possible. As the distinguished Senator from Florida knows, I offered alternative proposals in several areas. And, of course, I proposed a schedule of revenues, for which we received seven votes in the Budget Committee.

For too long now in this Chamber we have been buying the votes of the current generation by mortgaging the resources of the next generation. Our deficits of $200 billion per year will have to be paid for by our children and our children's children. And, of course, we have taken our own economy to the brink, to the precipice.

I applaud the Senator from Florida for charting a course whereby in the conference, and then through negotiation with the White House, we can enact a revenue package that can begin to address this problem. Certainly, we must hope so. For if we do not address it this year, then we will find ourselves this time next year in the midst of election-year politicking, so we will not address it then. The next opportunity, then, would not come until a new President takes office in early 1989. And even if the new President is disposed to take decisive action, it will be 1990 at best before those measures have an impact on the economy. By that time the deficits and national debt will have reached catastrophic proportions. Investors around the world will have long since abandoned us to our self-inflicted whirlwind of skyrocketing interest rates and runaway inflation. It will be too late. So, truly, the time for addressing the deficits is either now or never.

Accordingly, I earlier put forth my proposal knowing full well it could not receive a majority vote at this time. Moreover, I have chosen not to continue pushing my proposal in light of the well-advised adjustments incorporated into the Chiles amendment currently before us.

At a time when the ranks of poor children are expanding dramatically, we offer Chapter 1 services to less than half of the pupils who are eligible to receive them—4.8 million students, or 40 percent. What we are saying, in effect, is that 60 percent of our needy students are destined to go on welfare. We are denying them the tools and training necessary to break free of the cycle of poverty and welfare.

Mr. President, welfare is here to stay. There is precious little we can do about welfare recipients from my generation, people in the 1950's and 1960's. We do not have time or money, frankly, to try to discipline and restore them as productive members of society. The challenge is with the new generation of the poor and needy. The challenge is to give them strong bodies and strong minds in the early years so they can escape the welfare cycle and become good, contributing citizens. It is the ultimate false economy to deny them that chance.

EDUCATION FOR THE HANDICAPPED

Education for the handicapped would receive an increase of $400 million over the current fiscal year, allowing the Federal share of excess costs to be increased.

The distinguished Senator from Florida, of course, is the chairman of the Appropriations Subcommittee on Education and has been a leader in this field for many, many years. He has denied himself, as this Senator from South Carolina has denied himself, because all of us who have fashioned this budget compromise know that much, much more should be done for education. But in a spirit of accommodation, in order to produce a realistic budget that would win majority support today, we have all accepted sacrifices, and we have come up now with the Chiles amendment which I heartily endorse and commend to my colleagues.

Mr. President, because of the strong interest many of us have in the treatment of education programs in the budget resolution, let me take a few minutes to comment on the changes in this area addressed in the chairman's amendment. First, I believe it is fair to say that many of us were prepared to seek additional funding for these valuable elementary and secondary and higher education programs. Joining with me, Mr. President, to propose an amendment that would enable us to serve the same number of young people that are currently being served by Federal education programs while providing a $1.7 billion real increase to targeted, high-priority programs serving our neediest students, were Senators Danforth, Bradley, Burdick, Chafee, Cochran, D'Amato, Dodd, Exon, Ford, Gore, Hatfield, Harkin, Inouye, Kennedy, Moynihan, Pell, Pressler, Sanford, Shelby, Simon, Stafford, Stennis, and Weicker. The critical importance of our amendment, Mr. President, is reflected in the broad bipartisan support it enlisted—support that transcends party, region, and ideology.

We are pleased, therefore, Mr. President, to note that the funding for education programs is significantly increased by the chairman's proposal. We do not find it necessary to offer the amendment we had contemplated. The chairman's amendment contains the amount of $36 billion in budget authority and $32.9 billion in outlays for total spending for function 500—education, training, employment, and social services. This represents the full amount we sought with our amendment. Specifically, Mr. President, this functional total provides $1.7 billion in budget authority and $0.3 billion in outlays above the CBO baseline for education programs. This will allow current services for all education programs and targeted increases above current services for high-priority programs and important initiatives. At this point, I include in the Record, a table of alternative budget plans and plan comparisons for function 500:

FUNCTION 500: EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES

[In billions of dollars]

	1987	1988	1989	1990	1991
ALTERNATIVE PLANS					
CBO baseline:					
Budget authority	33.0	34.3	36.1	37.4	38.9
Outlays	30.3	32.6	34.7	36.4	37.9
Revised budget:					
Budget authority	33.0	36.0	36.4	37.7	39.2
Outlays	30.3	32.9	35.9	36.9	38.2
President's budget:					
Budget authority	29.9	29.1	28.3	27.8	27.6
Outlays	29.9	28.5	28.8	27.9	27.8
Sequester budget:					
Budget authority	NA	28.0	29.8	20.9	32.1
Outlays	NA	30.3	29.4	30.1	31.3
PLAN COMPARISONS					
Revised budget versus baseline:					
Budget authority		+1.7	+.3	+.3	+.3
Outlays		+.3	+1.2	+.5	+.3
Revised budget versus President:					
Budget authority	+3.1	+6.9	+8.1	+9.9	+11.6
Outlays	+.4	+4.4	+7.1	+9.0	+10.4
Revised budget versus sequester					
Budget authority	NA	+8.0	+6.6	+6.8	+7.1
Outlays	NA	+2.6	+6.5	+6.8	+6.9

Mr. HOLLINGS. Mr. President, permit me to review the major elements of our spending plan.

CHAPTER 1 PROGRAMS

First, it increases funding for chapter 1 compensatory education programs by $700 million over the fiscal year 1987 appropriated level. This increase will allow an additional 700,000 educationally at-risk young people an opportunity to receive remedial reading and math instruction. Nonetheless, even with this modest increase in funding, we will be able to offer chapter 1 services to fewer than half the children who are eligible to receive them—4.8 million students or 40 percent.

Total excess cost of educating a handicapped child would be 40 percent; in actuality, we are now sharing only 10 percent of that cost. The chairman's change will close the gap marginally by increasing the Federal share to 12 percent—the highest level since fiscal year 1980. In addition, some 27,000 more preschool children would be able to receive special education; we would fulfill our commitment to expanding early intervention programs.

DROP-OUT PREVENTION

Our agreement also encompasses funding for a modest, yet-to-be-authorized drop-out prevention bill for high school students. This will assist in the search for solutions to this chronic, socially, and economically wasteful problem.

HIGHER EDUCATION

At the higher education level, we provide an increase of $800 million above fiscal year 1987 for the Pell Grant Program to allow an increase in the maximum award for our lowest income students. Currently, 77 percent of Pell grant dollars are distributed to students with family incomes of $15,000 or less. This increase will restore Pell grant eligibility to approximately 400,000 students with family incomes between $22,000 and $25,000.

The change also seeks $228 million in additional campus-based funding for the SEOG and College Work Study Programs. These programs provide important financial assistance to needy students in the form of grants and part-time employment. Participation in these programs has declined since 1980 because of reductions in funding. Yet, these programs enable financial aid administrators to tailor aid packages and work opportunities that are appropriate to needy students. Research indicates that both of these programs contribute to student retention; in contrast, reliance on loans is a negative incentive factor for students from low-income families. Unfortunately, for the past 6 years, many students who should have been served by these campus programs have been forced to assume larger loans due to the lack of campus-based funding or job opportunities. The modest increase proposed by this amendment will help redresss the growing imbalance between loans and other types of student aid.

TRIO PROGRAM

Finally, the compromise provides a $34-billion increase for the TRIO program, which will help to fund approximately 170 new projects. TRIO has been very successful in identifying and assisting disadvantaged and first-generation college students in enrolling in post-secondary education. Unfortunately, the lack of current funding means that only 1 out of every 10 students who potentially could be assisted by the TRIO program is being served.

Mr. President, let me reiterate that this compromise is a prudent investment in the future. It is an investment in our Nation's human capital, in our infrastructure of skills and competencies. As such, it is vital to our future ability to compete in world markets. We must recognize that unless we are first in education, we cannot expect to be first in defense, health care, science and technology, basic research, and international trade. Failure to provide a sustained real economic investment is proven education programs will place our Nation at risk.

Indeed, it was that very phrase, "a nation at risk," which served as the title of the landmark 1983 report of the National Commission on Excellence in Education. I would remind my colleagues of that report's grim summation:

> If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war.

In subsequent years—since 1983—it has been something of a fad to sing hosannas to education and give lip service to strengthening our educational system. Unfortunately, at the Federal level, support for education has been more rhetorical than real. It has been mostly flash and very little cash. This neglect of education has sunk to new depths in the administration's proposed budget for fiscal year 1988, which would slash education programs by $5.5 billion.

This comes on the heels of a steady erosion of Federal education spending during the Reagan years—as measured in constant dollars. Adjusted for inflation, Federal funding for education has declined by some 13 percent since fiscal year 1980. Education has dropped from 2.3 percent of the Federal budget in fiscal year 1980 to only 1.7 percent in fiscal year 1987. Clearly, we must blunt and reverse this assault on our educational infrastructure.

Mr. President, as a result of our abdication of responsibility at the Federal level, the eduation-funding burden on States and localities has been stretched to the breaking point. States and localities now account for fully 92 percent of the total spent on education.

It is high time for a renewed demonstration of the Federal Government's commitment to education. This is a matter of good faith vis-a-vis our partners in State and local government. It is a matter of fundamental national interest—a demonstration of our willingness to do what it takes to remain competitive and to keep pace with the educational investment of other nations. Finally—insofar as this compromise agreement would boost education programs for the handicapped and the economically disadvantaged—it is a demonstration of our commitment to mobilizing the skills and abilities of our entire population for the great economic competition that confronts us.

Mr. President, we are indebted to Chairman CHILES for his understanding and willingness to make this important change for function 500 in the compromise agreement he has submitted for Senate approval.

Mr. President, I thank the Senator from Florida and reiterate my gratitude to my distinguished colleague, the Senator from New Jersey, Senator BRADLEY, on this side of the aisle, and to my cosponsor originally, Senator DANFORTH, who has been working on this along with Senator STAFFORD, the former chairman of our education authorizing committee, who has been a leader on this score for many, many years.

Mr. CHILES. Mr. President, I want to thank the distinguished Senator from South Carolina.

We all know the very great leadership he has rendered on the need to come to grips with this issue in the budget. He has been on the Budget Committee since its inception and helped design the process that brought the Budget Committee into being to start with. He has served as chairman of the Budget Committee and certainly has done yeoman work in continuing to furnish leadership in that regard. He has certainly been a champion for education.

The Senator has been a party to every increase and every effort to provide adequate funding for education. He has fought to stave off devastating cuts that have been proposed for education, over the period of the 1980's. I am delighted to have his support.

He persisted and has been most eloquent in his arguments on behalf of responsible education funding. I think we have come up with a meaningful package for education.

The deficits mean we need restraint, but we must not forget that this budget is also a plan for the future. Education is the future of this country. We cannot back off from that. That is why in the plan as it originally came out of the committee, while we cut in many areas, we had an increase of about $1.5 billion for education. That figure is now up to approximately $2 billion.

The Senator from South Carolina has been the leader in the fight for more funding.

Mr. President, I also congratulate Senator BRADLEY for his support. With the Senator from South Carolina, he has been in the forefront of all those fights for increased funding for education. We have many Members on both sides of the aisle who have participated. Senator DANFORTH and Senator STAFFORD have also helped. I hope now they will earnestly join to help us pass this plan, which is so necessary and on which they have been so helpful.

Mr. President, at this time I yield to the distinguished Senator from Mississippi such time as he may wish from the concurrent resolution.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, today I also wish to discuss our national commitment to education—the training and preparation of our young people who will bear the responsibility of carrying this Nation forward into the next century and beyond.

There are a lot of other matters that will demand our time and attention this year, but I submit that no issue is more important. If we are to meet our responsibility as elected representatives of the people, we must look ahead to the needs of the future and take positive steps to give our youth the best possible opportunity to compete in a rapidly changing world.

I am actually alarmed by the recommendation contained in the administration's fiscal year 1988 budget that the Federal commitment to education be significantly reduced at a time when all signs point to the need for better trained, better educated Americans. This is no time to be pulling back on the potential for development we are offering our young people.

The administration's request for education reflects a 28-percent reduction from last year's funding. Even more dramatic, however, is the realization that this figure, when adjusted for inflation, falls nearly $1 million short of reaching the 1980 spending level for education. It's obvious that to accept this proposal would be to move in the wrong direction.

Nearly every newspaper or news magazine I pick up contains something on the so-called competitiveness issue. In fact, I have heard a lot of good discussion on that matter here on this floor and from the administration. Everyone agrees that we are in a difficult situation, having lost at least some of the competitive edge which has meant so much to our economic standing throughout most of our history as a nation. Development beyond our own borders has made world competition much more formidable. We know we must respond quickly and positively if we are to retain our position as world leader.

How can we fail to see the importance of education? How do we think we ever reached this position as the most economically powerful Nation in the world?

Mr. President, I find it worthwhile in this year in which we celebrate 200 years under our Constitution to go back and examine some of the principles instilled by our early leaders that made our country what it is today. One of the clear differences which separated America from other nations was our commitment to provide educational opportunities to all of our people, regardless of their economic standing.

From the very beginning, America worked to develop a system of public education that would provide our young people an opportunity to develop their minds to full capacity. We have had remarkable success in establishing such a system. We have achieved a high quality of education in many of our schools and universities. Education has not been restricted to those who could afford to pay or those who were in some way set aside for special treatment. We have worked to educate all bright and capable minds of youngsters who are willing to work hard for the opportunity.

I believe our commitment to education has been a major factor in our economic success. The technological advantages we have achieved in this country would not have been possible without our education system which provided young Americans with the necessary training to expand the horizons. We developed into a nation of producers and innovators.

Now we find that our competitors in the world marketplace are placing greater emphasis on education. Japan is a good example. Certainly there are parts of the Japanese education system we would not want to copy, but no one can deny that Japan outpaces us in many areas like the percentage of students who complete high school. Other countries have increased their emphasis on education, and the results are evident in the stiff competition we are now facing worldwide.

Clearly, this is no time to turn back on our commitment to education in the United States. Surely we can see the great need to train and equip our young people to meet the challenges of world competition which are sure to intensify in the years ahead.

Yet are we demonstrating a real willingness to meet our own challenge in providing the best educational opportunities possible to our young people?

A lot of people have expressed alarm, and many involved in education throughout the country area developing and implementing programs designed to improve the quality of education at every level. Some progress has been made, particularly in school districts where the community has gotten involved and made a deeper commitment through financial support.

But much remains to be done, and cutting the Federal budget for education is a step backward. I fear that the proposed budget cuts would not only threaten the quality of education in our schools and universities, but would also take away the potential for some of our young people to go to college and develop their minds to full capacity. That would be a terrible waste which would have a negative impact beyond the individuals who would be denied the opportunity. It would also severely harm our ability as a nation to compete in the world.

The time to train the mind is when it is young. We will miss opportunities forever if we fail to get our young people in school and give them the best challenge possible during their youthful years. They need encouragement to train their minds and develop skills, or they will miss the chance at a fully productive life.

It is for this reason that I joined some of my colleagues recently in proposing an amendment to the budget resolution which would provide a real increase in education funding of $1.7 billion, still billions of dollars short of what it was in 1980. I am pleased that the budget resolution we are considering today includes that amendment, almost in its entirety. We will not be offering our amendment, and I plan to support this recommendation. These funds will allow us to provide additional support for high priority programs which serve our neediest students at all education levels.

I do not advocate waste in education or in any part of the budget. I believe we should hold everyone associated with administering education programs to a high level of accountability. But we must not lose sight of the important role education has played in our development as a nation, and the essential nature of quality education in our efforts to remain competitive in the world market. These funds are necessary to maintain those efforts.

I know we are looking for every reasonable way to reduce the deficit. I am fully involved in that effort and have been for years now. But we must be sure that we do not neglect our opportunity to invest in young minds—an investment that is sure to pay dividends. We must consider every portion of the budget, including defense, and make the tough decisions that will allow us to keep our historical commitment to our youth.

Now nobody can rightly accuse me of neglecting the military. I was chairman of the Armed Services Committee for 11 years and I have always advocated a strong national defense as the greatest deterrent to attack. But we must approach these matters with reason. Our military might is of little benefit if we allow our Nation to weaken internally by neglecting the educational needs of our people.

Mr. CHILES. Mr. President, I thank the distinguished chairman of the Appropriations Committee and the President pro tempore of the Senate, the Senator from Mississippi, for his statement. I am delighted to have his support. He certainly has been a champion for defense. He has certainly been a champion for education.

He has long been a voice for fiscal sanity and for trying to live within our means. That is something that is part of his heritage coming from that great State of Mississippi. It is something that he brought to the Senate with him and has espoused since he has been here.

I heard him talk about that when I came here as a freshman Senator, and his urgings in that regard have been constant and they have certainly been persuasive.

I consider him to have been my mentor in that regard and any efforts I have made have been under his tutelage and with his schooling.

I am so proud and happy to have his fine complimentary statement. I thank him so much for that.

Mr. BRADLEY. Mr. President, I am pleased to join my colleague from South Carolina [Mr. HOLLINGS] in commending the chairman of the Budget Committee for supporting the need to increase funding for critical education programs. I am deeply troubled by our budget deficits of unprecedented magnitude. Those deficits must be addressed. At the same time, the consequences of an education deficit would also be devastating.

Mr. President, I would particularly like to commend the dedication and perseverance shown by my distinguished colleague from South Carolina, Mr. HOLLINGS, with whom I have worked for many years to bring the education issue to the forefront of the Senate. As a result of amendments Senator HOLLINGS and I have offered over the past several years, we have managed to restore roughly $2 billion to the education budget. The budget before us adds an additional $2 billion—we must provide sizable increases or we will be falling far behind our commitment to education funding. After adjusting for inflation the administration's proposal for 1988 represents a 35-percent decrease in support for education since 1980. This is not acceptable. This amendment reverses this trend by providing over 5 percent in real growth above and beyond inflation for these activities.

Mr. President, the administration's proposal cuts funding for elementary and secondary school programs by 14 percent in nominal dollars from last year's appropriations—even more if you factor in inflation. How can we continue to whittle away at these programs? Over the past several years a national consensus has emerged for higher standards and greater expectations of our youth and their teachers? How can we speak of a commitment to excellence in education and support these proposals? Quite simply, we can't. Federal dollars cannot guarantee excellence, but they are necessary components of the support our schools and our youth require in their pursuit of excellence. Reductions in Government assistance hurt our capacity to adequately educate our youth and will only serve to exacerbate the fiscal burden we have shifted to the States in recent years.

Furthermore, Mr. President, we are being asked by this administration to dramatically reduce our commitment to higher education. The President is proposing a 46-percent cut in student aid funding from last year's level. We all know that Federal aid to higher education is as good as any investment we can make to keep our leadership position in the world. The administration proposal would place significant barriers between hundreds of thousands of students and higher education and would cut deeply into the financial aid packages of a large percentage of students currently receiving aid, particularly low- and moderate-income students.

In my State of New Jersey, the proposed changes in the student financial assistance programs would result in a reduction of $18 million in Pell grant awards, and would affect about 20,000 Pell grant recipients. The cost to New Jersey of the administration's proposed elimination of college work-study and supplemental educational opportunity grants would be at least $23 million.

Enough is enough. We cannot afford to cut back these valuable programs.

Mr. President, Thomas Jefferson fully appreciated the centrality of education to the future of our country and the democratic process itself. "If a nation expects to be ignorant and free," said Jefferson, "it expects what never was and what never will be." We would do well to continue to heed Jefferson's warning, which remains no less apt than it was 200 years ago. I believe the 100th Congress should demonstrate its commitment to the future of our education system by increasing aid for those programs currently in place and by creating new programs to address the needs of our students and our schools. We need to do more than simply reject the proposals offered by the administration plan. We need to increase funding for these vital programs. I am pleased to indicate that the budget we are considering today does just that. I urge all of my colleagues to join us in that effort.

Mr. DOMENICI. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMENICI. How much time does the Senator from New Mexico have on the amendment?

The PRESIDING OFFICER. The Senator has 31 minutes remaining.

Mr. DOMENICI. Mr. President, I am going to yield 10 minutes to the distinguished junior Senator from California.

From what I know at this point from my fellow Senators on this side, Senator ARMSTRONG, the senior Senator from Colorado, wants 5 minutes. I know of no other requests at this point for time on our side. If there are any other Senators who want a few minutes to address the issue, I hope they will contact the Senator from New Mexico.

I yield 10 minutes to Senator WILSON from California.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from California is recognized.

Mr. WILSON. Thank you, Mr. President.

I thank the distinguished manager, the senior Senator from New Mexico.

Mr. President, I rise in strong opposition to the Chiles amendment now pending before the Senate and to the initial Budget Committee proposal to which the amendment is offered. With or without the Chiles amendment, which increases spending for both defense and nondefense domestic programs, the budget plan we are debating now for fiscal year 1988 does not even hint of responsible fiscal policy. This budget's true implications are hidden behind a veil of smoke and mirrors, the same budget gimmicks at which the majority party scoffed before they were faced with the difficult responsibility of leading the Senate.

Let us look at what the Chiles amendment includes:

First, the Chiles plan raises taxes in an unspecified way by $18.5 billion in fiscal year 1988 and by $137 billion over 4 years.

Second, the initial Chiles plan cuts real defense spending by $7 billion now and we are being offered a revision which would offer to replace that cut only by blackmailing the President into signing a future spending bill.

Third, the Chiles plan blatantly discriminates against the Western States by trampling on a State's right to collect a fair share of the receipts garnered through mineral exploration and timber growth.

Fourth, the Chiles plan barely pays lip service to reducing our Nation's enormous budget deficit—it thumbs its nose at the Gramm-Rudman-Hollings deficit targets established last year by the Congress to lower our annual budget deficits.

Fifth, most important, this budget proposal fails to fulfill the single requirement that any successful budget must fulfill—this proposal does not make choices between increasing funding for programs which are successful and decreasing funding for those which are not. Instead, the budget simply raises taxes to pay for all programs, regardless of their value.

Mr. President, passage of this plan would be a travesty of immense proportions. Just a year after Congress worked long and hard to devise a plan to reduce the budget in a workable fashion, in a responsible fashions, supporters of this plan have deliberately circumvented the rules that a bipartisan group of Senators, Republicans and Democrats, liberals and conservatives, worked so hard to put into place.

The Gramm-Rudman balanced budget law requires the Federal Government to run a deficit of no more than $108 billion for fiscal year 1988. Indeed, some argue that this budget fulfills our Gramm-Rudman mandate. Yet, the chairman of the Budget Committee has stated on the floor of the Senate that this budget does not meet that target when accurate economic projections are figured into the budget equation.

Mr. President, this budget proposal is a fiction. It is a sham. And it is a lie to the American people.

We have not balanced the budget, not even with the tax increases that are envisioned in this proposal.

By passing this budget, the Senate is saying that we cannot control spending. It is by implication and announcement that we surrender, that that task is simply too difficulty.

By passing this budget, the Senate is saying that we cannot control spending.

By passing this budget, the Senate is saying that we are unwilling to live by our own fiscal guidelines to get our Nation's economic house in order.

And, by passing this budget, the Senate is saying that we will raise Americans' taxes to continue our uncontrollable profligate way.

Mr. President, I cannot accept this method of doing business. There are ways to reduce Federal spending without resorting to tricks and gimmicks. Just restoring fiscal sanity to our country's farm programs would be a great start:

First, spending for farm programs grew from $4 billion in 1981 to $25.8 billion in 1986, the first year of the 1985 Farm Program. Mr. President, that represents in those 5 years a growth of 545 percent, a 545-percent increase.

Now to give you some measure by which to compare, even though this administration was engaged in a steadfast effort to rebuild those defenses that were neglected all throughout the seventies to the point where our military leaders were discussing the hollow army of the late seventies, even though we were making that concerted effort, defense spending grew by only 74 percent while farm spending grew 545 percent. I might say it failed in the process to achieve its objectives of decent farm income because we are ignoring the marketplace, encouraging farmers to produce for a market that did not exist, and in the bargain, producing surpluses that we cannot give away and that we continue to tax the American taxpayer just to store, not exactly a salubrious success.

Mr. President, the agricultural spending in which we are presently engaged could be reduced by numerous options including reduced advanced deficiency payments. A 10-percent cut in payment rate for each commodity would cut 1988 outlays by almost $1.3 billion. I emphasize outlays.

In addition, there are more fair and responsible ways to gain revenues than by forcing the individual States, most of which are in the Western United States, to surrender some of their rightful income accrued under current law by seeing a Federal grab for these revenues. Under the original Chiles plan, California would lose $41.4 million in revenues from minerals reclamation and timber receipts during 1988 alone. During the next 4 years, California would surrender over $170 million in such income, and the same holds true proportionately for the other Western States. The new Chiles amendment purports to halve this loss, to cut it in half, while increasing funding for programs whose funding formulas are blatantly biased toward non-Western States. Never has a budget proposal been so blatantly biased against a single region of the country.

Just as important as finding new and fair ways to reduce Federal spending, Mr. President, we must in fact increase Federal governmental commitment to health care, to such obvious mena as the dread disease called AIDS. Yes, we must find ways to combat AIDS, to improve our national health care delivery system, and to allocate our Nation's resources to programs with long-term societal benefits such as education, of which the senior Senator from Mississippi has been so eloquent, and upon law enforcement.

Just as important as finding new and fair ways to reduce Federal spending, Mr. President, we must, in fact, increase the Federal Government's commitment to combating AIDS, to improve our national health care delivery system, and to allocate our Nation's resources to programs with long-term societal benefits such as education and law enforcement.

But making these types of choices is just what a budget is all about—setting priorities, deciding which things are important and which less imported. I applaud the amendment's new and improved attempt to expand Federal spending in these desirable areas. However, the budget does not specify from where the new infusion of funds to increase funding for these worthy programs will emanate. So, the American taxpayer does not know that.

Instead of simply raising taxes to fight AIDS, why not shift funds from agriculture, from these blotted farm programs which are not working, and shift them instead to health care where additional funding is necessary. Raising taxes to pay for more Government services alleviates the burden of setting priorities, just what this budget process is all about—but we need to set priorities more now than ever given our need to reduce the budget deficit.

Ever since 1984, eloquent Democratic spokesmen have lectured both parties——

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. WILSON. Mr. President, I ask unanimous consent for an additional 4 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Mr. President, I regret to inform my good friend that I will have to cut that to 2 minutes but I will yield 2 additional minutes.

Mr. WILSON. I thank the Senator.

The PRESIDING OFFICER. The Senator has been granted 2 additional minutes.

Without objection, it is so ordered.

Mr. DOMENICI. I thank the Chair.

Mr. WILSON. I have heard any number of eloquent Democratic spokesmen lecturing the world, the minority party as to the absolute requirement that we reduce the deficit.

Well, let us reduce it, not simply by raising taxes and continuing spending. Choosing to raise taxes instead of cutting spending in other areas is a cop-out of the highest degree—those who support this plan have abdicated their responsibilities to the American taxpayer who pays for Government programs.

Unfortunately, Mr. President, this budget battle is a fight over symptoms of a much larger problem here in the Senate. This is the first year since I became a Member of this great body that the Budget Committee has passed a proposal on straight party-line grounds. Previous bipartisan efforts have led to producing better budgets. That process worked. This one does not. I fear that this Congress may prove to be the most contentious and partisan of my tenure.

I fear this Congress may prove to be the most contentious in the history of this body. I hope that I am wrong.

In sum, this budget proposal before us today fails in several major ways. It does not satisfy the Gramm-Rudman deficit reduction plan passed by the Congress just months ago. It raises the taxes of the American people without justification. And it protects bloated programs, such as the farm spending program, at the expense of national security and even national health. It is a blueprint for an inadequate priority setting process, Mr. President. I hope the Senate rejects this half-hearted and feeble attempt to concoct a workable budget plan.

I yield the floor.

The PRESIDING OFFICER. The Senator from California yields the floor.

Mr. CHILES. Mr. President, I yield 5 minutes to the distinguished Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Florida has yielded 5 minutes to the Senator from Connecticut.

The Senator from Connecticut is recognized.

Mr. WEICKER. Mr. President, I rise today to support the budget amendment currently pending before the Senate.

When the Budget Committee's resolution was initially proposed, I did not believe it provided enough dollars to maintain Congress' commitment to the health and education programs that are so vital to the American people and that have proven to be one of the true strengths of this country.

I also did not believe the original budget resolution would provide for the national campaign of AIDS research and public education that we need if we are to limit and ultimately stop the spread of AIDS, a disease that, to date, has claimed the lives of more than 19,000 Americans. Senators KENNEDY, INOUYE, HEINZ, and I were prepared to offer a budget amendment to increase the amount of fiscal year 1988 Federal dollars budgeted for health to a level that would support a national AIDS effort while maintaining our commitment to other areas of health research, service-delivery programs and health professions training. While the budget resolution before us today does not include all of the dollars this Senator believes should be allocated to America's health programs, I do believe the additional $400 million the chairman of the Senate Budget Committee included in function 550 for health spending in fiscal year 1988 is a significant improvement over the original proposal and deserves the support of my colleagues in the Senate.

Mr. President, the time has come for Congress to clearly affirm the health of the American people, and for that matter people all over the world, as a top priority in this country. And there is no more unerring measure of a country's priorities than its budget. While this budget may not be perfect, it takes yet another step, a very positive step, toward increasing the level of spending this country should be supporting for its health programs.

Support for basic biomedical research in this country has resulted in unprecedented scientific breakthroughs and advances. Scientists have recently begun to identify the cause of Alzheimer's disease and are currently experimenting with a new drug treatment for the disease. Scientists have also discovered a gene that they believe may well trigger a form of mental depression. And it was precisely our commitment to basic research that resulted in the ability of scientists to identify, isolate, and clone the AIDS virus in just a few short years.

The AIDS epidemic is the greatest health crisis this Nation and the world has ever faced. According to most estimates, between 30 and 50 percent of the 1.5 million infected Americans will develop the full-blown disease within 5 years. Unless a vaccine or cure is found, millions of Americans will die in an epidemic that will reach truly catastrophic proportions.

A health crisis of this magnitude demands a national response backed by the dollars necessary to support the research and public education efforts needed to effectively address and respond to a disease that threatens the lives of so many Americans. We should not compound the tragedy of AIDS by failing to make the investment in research and prevention today that could eliminate millions of unnecessary deaths and billions in unnecessary costs tomorrow. This budget resolution brings us that much closer to the National Academy of Sciences recommendation of spending $2 billion—$1 billion for research, $1 billion for education—by 1990.

Mr. President, there is yet another health issue to which we should be addressing ourselves—the issue of providing adequate health care for older Americans. We know that by the year 2020 there will be twice as many people over the age of 65 in this country. By the year 2000 there will be twice as many over the age of 85. What are we doing to prepare for the special needs of the elderly in our society? Very little. In the face of "predictable" statistics, we must make certain that enough health professionals receive proper training to care for those who are sick and need highly specialized medical treatment. While the budget resolution before us will allow Congress to maintain our commitment to training health professionals in geriatrics, we should also consider increasing this commitment in the future.

The historian Will Durant has said, "The health of nations is more important than the wealth of nations." He was saying no more than what is said a hundred times a day in personal conversations. "If you've got your health, you've got everything." We must continue to emphasize as national policy what we live by day to day. That is why I am pleased this budget resolution contains 400 million additional health dollars—a critical step I have advocated in ensuring our strength as a nation.

Mr. President, I also did not believe the original budget resolution included enough funding to guarantee access to quality education to those least able to provide it on their own or for which other than federal programs in these areas are woefully inadequate. Senator HOLLINGS and I had planned to offer an amendment to increase funding for such important programs as education for the handicapped, vocational rehabilitation, Pell grants for the neediest students, and chapter I compensatory education for the disadvantaged, but the additional $900 million included in function 500 for education spending in fiscal year 1988 indicates a commitment to these programs.

Virtually every member of this body supports Federal education efforts in principle. While the budget is not the only measure of one's interest or commitment to education, it certainly is the most tangible and concrete. Saying one supports education and the programs and populations traditionally served by the Federal Government is one thing. Working to find the resources to stabilize and enhance our commitment to guarantee such important services is quite another.

This additional funding translates into a modest outlay increase, but it gives the Congress the opportunity to allocate additional resources to educate the handicapped, for example. Funding spent on education of the handicapped, from the earliest moments of life onward—to training for employment—represents a cost-effective investment for the Federal Government. And our commitment in this area has, despite our best efforts over the last several years, not been adequate to meet the needs of those Americans who deserve our special care. With regard to educating the handicapped, the Federal Government has fallen far short of its original promise to pay 40 percent of their educational costs—in fiscal year 1987 we are paying only 9.2 percent. When it comes to the rehabilitation necessary to assist disabled individuals gain employment, only 1 in 20 eligible clients is able to receive services because of limited funds. A failure to invest in these programs today would be a classic case of "penny-wise, pound-foolish" because the long-term costs to society far outweigh any shortsighted short-term savings that may be proposed.

Despite what the administration would have us believe, the Federal Government's role in education remains quite limited. For elementary and secondary education, the Federal share of all education dollars is less than 6½ percent. The figures are only slightly more for Federal contributions to student assistance and higher education.

Mr. President, this budget amendment is absolutely essential to our national education needs. Without it, our hands would be tied; programs and the populations they serve would suffer. And we would have only ourselves to blame.

Mr. President, the budget amendment currently pending before the Senate is clearly a better document than that which was originally presented by the distinguished Senator from Florida [Mr. CHILES] and it certainly is far better than any budget that has been presented either by the President of the United States or indeed any of my colleagues.

It is better because it is far more disposed to the business of life than any other budget, far more disposed toward the business of education, of science, of health, of those matters that have been on the back burner for too long.

It is easy to come before this body and exclaim about what is needed in the case of an emergency such as AIDS. That is something which finally has caught the imagination of the American people, as we are confronted with an imminent tragedy of mammoth proportions. Extrapolate the figures that now exist and, believe me, more Americans will die of AIDS than died in World War II. The moneys that are necessary now are in the area of further research and most immediately in the area of education.

I am proud to say that it, has been the Senate of the United States and the House of Representatives, that have led in this matter. While philosophical and budgetary RIFTS preoccupy the executive branch, the Congress of the United States he said, "Whatever is needed will be provided."

The most immediate task before us is AIDS education, and by education I mean the most basic education for everyone in this country, regardless of age. It is simply a matter of survival. And one had better leave their finest sensibilities at home on this issue. We better get the facts on the table, all the facts, right away and to everybody. AIDS education money should be provided up front while the scientific developments in both chemotherapy and vaccine continue to develop.

Moneys have been added by the distinguished Senator from Massachusetts, Senator KENNEDY; the distinguished Senator from Hawaii, Senator INOUYE; the distinguished Senator from Pennsylvania, Senator HEINZ; and myself in the health function—moneys that go to the National Institutes of Health for basic research in cancer, heart disease, diabetes, aging, and a myriad of problems in addition to AIDS, the moneys have been added for the business of life. And there is yet another business that needs attending to and that is the statistics which are coming over the hill regarding our aging population. By the year 2000 our over-85 population will double. By the year 2020 our over-65 population will double and nothing is being done about it.

But in this budget presented by the distinguished Senator from Florida, there is additional money to encourage our medical schools around the country to prepare for this onslaught of aging so that we do not scramble at the last minute and have to pay billions of dollars later and, I might add, be totally unprepared in terms of trained health professionals. This training must be done now. You cannot all of a sudden train the people we need overnight. There are funds for these programs in this budget. There are additional funds for material and child health care in this budget. Mr. President, this budget provides funding for the business of life.

Sooner or later this Nation is going to understand that our domestic strength, and, indeed, that which we can impart for the whole world, is to deliver a quality of life in terms of science and health and education. This stands as the greatest testimony to democracy. This is what has been shortchanged in budgets over the past several years, Democratic and Republican; it makes no difference.

Yes, this is a bipartisan budget. I dare say, more on the other side of the aisle will vote for it than on this side. But I want to make it clear, even if no one else—I think there might be others—at least this Republican is going to join in a resetting of our priorities. That is what is involved here.

And for those of my colleagues who think the election was not about anything 2 years ago, I would suggest it had something to do with our priorities.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. WEICKER. I ask for 1 more minute and then I will be finished.

Mr. CHILES. I yield 1 more minute.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 1 more minute.

Mr. WEICKER. Here is a chance to establish, Republicans and Democrats alike, what is important. And I think the budget, as presented by the distinguished Senator from Florida, does just that.

I share with him the responsibility of the business of life in the Appropriation Committee. He is confronted with these personal cases day in and day out, as am I. And it is a pleasure to know that we not only look at those faces suffering from various ills and wants, not only look at them, and encourage them, but we come out here and appropriate the money or budget the money to deal with their needs.

My distinguished friend, the Senator from South Carolina, Senator HOLLINGS has responded to the need for opportunity with his additions to this budget for education programs. There is no point in talking about the opportunities for our young people if the opportunities are not there, if they are not paid for, and if they are not provided for.

The PRESIDING OFFICER. The Senator's additional minute has expired.

Mr. WEICKER. I gladly rise to support the Senator from Florida. I will vote for his amendment. I will do so, I might add, gladly, in the sense that I think it is a watershed, a watershed as far as the Senate is concerned insofar as the resetting of national priorities.

Mr. CHILES. I thank the distinguished Senator from Connecticut for his statement, for the work he has done in this area, and his concern for human life. He certainly has been the leading advocate in this Chamber for that. I thank him very much for his statement.

I yield 5 minutes to the distinguished Senator from Illinois.

The PRESIDING OFFICER. The Senator has yielded 5 minutes to the Senator from Illinois. The Senator is recognized.

Mr. SIMON. Mr. President, and my colleagues, first, I want to join the distinguished Senator from Connecticut in commending Senator CHILES for this budget that he has fashioned. Fundamentally, it is a good budget. This process that we are involved in involves compromise, and there is no document that involves more compromise than a budget.

Having said that, let me add, I do have some concerns. One is that we are still tolerating a deficit level that is imprudent. Imprudent is much too mild a word. It is just not what we ought to be doing, and my colleagues know it. I recognize you have to get the votes to do more and this is about all we can get done.

But, in the Budget Committee I supported the motion of the Senator from South Carolina, Senator HOLLINGS, to reduce the deficit more. I had a motion to reduce the deficit more. Both amendments were defeated. And there was a bipartisan vote of support, but a more overwhelming bipartisan vote to defeat them.

The deficit is just getting horrendous. And if I can use one small illustration. I called someone in the Treasury Department here a while back and said, "Just out of curiosity, because I have been reading the figures of how much of our deficit is now being purchased by Japan, Saudi Arabia, and other countries, just out of curiosity, what percentage and how much of our deficit is now held by Japan and Saudi Arabia?" And I was told over the telephone, "I'm sorry, we can't give you that information over the telephone. That is now classified information."

Very interesting. Some people in Japan know the answer, some people in Saudi Arabia know the answer, but the American people do not know the answer.

They have since come over with their big piles of books and they have given me the figures. I made an immediate assumption that it had to be a substantial amount, otherwise it would not be classified. Obviously, I cannot give you the figures here today, but I can tell you I was shown no information that made my mediate assumption an invalid assumption.

With that deficit we are getting on thin ice. It is very interesting. Why did the stock market pick up yesterday? Why did we have an increase in the interest rates in prime rate last week? Because we were afraid Japan might not buy the bonds this week. That is why it happened. We are getting on thin ice and we ought to face up to the deficit.

Second, within the budget there are some very positive things. One is the area of education that the Senator from Connecticut mentioned. I agree with him. This is moving ahead. We have to make a much higher priority out of education in this country if we are really going to be competitive.

Two areas that concern me a great deal, however, and it is not with great enthusiasm that I come aboard. As my colleague from Florida knows, I have been one of the last ones over here to agree to vote for this amendment. One is frankly the defense number is higher than it needs to be. And I think privately a lot of my colleagues would agree even though they may not publicly be in the position to do so. The second thing is the whole Medicare area. I really do not believe we ought to be fooling ourselves about what is coming down the road in this Medicare area.

The Senator from Connecticut, Senator WEICKER, just talked about—and I am quoting—the "onslaught of aging." Very interesting statistics: When Social Security was passed the average American lived to be 58 years old. We now live to be an average of 74½. No one conceived of that when Social Security was passed. But by the end of this century one-fourth of those over the age of 65 will be over the age of 85. We are going to have an explosion of need of long-term care.

When we look at the demographic figures, when we look at the plight of rural and urban hospitals alike, when we listen to our medical community privately confess that the quality and access to health care have suffered as a result of our using Medicare to address our budget concerns, we must question what we are doing in suggesting a $3 billion cut in Medicare. And when we hear from our constituents that they are increasingly being denied benefits, that they are being discharged earlier, how do we justify this budget figure? It is my sense that we are reaching the point where we simply cannot serve more people with fewer dollars without sacrificing quality and access.

We are only fooling ourselves if we try to argue that a $3 billion cut in Medicare will not effect beneficiaries. The distinguished chairman of the Budget Committee has long been sensitive to the needs of the aging and to health care in this country. I understand and appreciate the strong statement he is making in this proposal. I respect his leadership and the diligent work of his staff in putting together a budget resolution that is doable. And I am hopeful that these Medicare figures will be substantially lowered in conference.

But as we consider this resolution and as we anticipate a conference, I must say that my support of this budget is not a vote of support for a $3 billion cut in Medicare. We are playing a dangerous game with health care in this country. Hospitals, rural and urban alike, are struggling to keep their doors open. Sicker and quicker is the name of the game for beneficiaries. Substantial cuts in Medicare have been enacted over the years, and here we are proposing additional cuts. Cuts in labor, staffing, salaries, inventories, and lengths of stay have already been made by hospitals.

I am supportive of cost containment. I am supportive of balancing this budget. And Medicare can contribute to that—but not at a $3 billion level. I cannot believe that it is necessary to force the deterioration of health care, to promote the closing of hospitals or to deny access to medical services in order to get these deficits down.

I have worked toward offering a floor amendment that would reduce the originally proposed $3.3 billion cut by $1 billion. I thank the chairman and my colleagues for supporting in this amendment a reduction of $300 million. It is a good start. I want us to do better.

And finally, the cuts in transportation and community development funding are too severe. The Nation's cities and towns just lost general revenue sharing and much of their flexibility with tax-exempt bonds. To now impose cuts in CDBG and UDAG adds injury to insult. Similarly, our transportation programs have already borne their fair share of spending reductions. They should not be asked to shoulder this load.

At a minimum, I look to the conference to keep these programs at a freeze level. CDBG and UDAG serve both low- and moderate-income citizens and aid in job development; along with transportation, these programs should be reinforced rather than cut back.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SIMON. I thank my colleague and I thank the Chair.

The PRESIDING OFFICER. The Senator from Illinois has yielded the floor. Who yields time?

Mr. CHILES. I yield 2 minutes to the Senator from Wisconsin.

Mr. PROXMIRE. If I could have 1 more minute, I would appreciate that very much.

Mr. DOMENICI. Mr. President, I yield 1 minute of my time to the Senator, and then I have to allocate mine carefully. I do not have much left.

The PRESIDING OFFICER. The Senator has been yielded 2 minutes by the Senator from Florida, and 1 minute by the Senator from New Mexico. The Senator from Wisconsin has 3 minutes.

Mr. PROXMIRE. Mr. President, I am going to vote for this budget amendment, but with a sense of foreboding. We should be reducing the deficit much more, but this proposal is the best that has any chance of passing the Senate now.

What are the good points about this amendment? First, it reduces spending below levels proposed by President Reagan—below what the President proposes. We should be doing even more, but this amendment is a start. Second, the reductions are spread more evenly—defense and domestic programs both suffer a little. Third, had a number of amendments which were in the wings been offered, spending would have been higher than proposed in this amendment. These amendments would have been supported by both Republicans and Democrats. Fourth, it puts increases for defense spending on a pay-as-you-go basis. This approach should be applied to domestic spending as well, and I hope we have started down that road.

Mr. President, why are deficits so high now? Here is why. Our wants have outrun our willingness to pay for them. In this amendment we begin to stop this business as usual approach by tying defense spending increases to a tax increase to pay for it. I congratulate the chairman for this innovation and hope it is applied throughout the budget.

Having praised this amendment, let me point out that it is the beginning not the end, the beginning of efforts to reduce the deficit. We will soon have to pass an increase in the debt limit. That requirement will spark a fight to restore the across-the-board-cuts provision of the Emergency Deficit Control Act. Now that we have had the experience of passing two budgets without this discipline, we clearly need that kind of enforcement mechanism. Last year, we passed a budget resolution which projected a deficit of $154 billion for fiscal year 1987. That deficit will actually be around $200 billion. This budget projects a fiscal year 1988 deficit of $135 billion, a more realistic estimate is $170 billion. It is that figure that we will have to deal with in September, if we restore the sequester provision. And that is why I say that our efforts to control spending are only beginning.

The economy may force our hand. We are blessed with a marvelously resilient and vital economy. But the accumulation of debt has undermined the foundations of our prosperity. Every day the Nation's media report more signals that we are treading on thin ice: climbing inflation, rising interest rates, slower growth, deeper trade deficits, weak currency. We do not have much time left, if any, to reverse these trends.

This budget takes a first step toward such a reversal. But even a hesitant first step is better than standing still and pointing the finger of blame at one another. We will have an opportunity to do more later. I will support those efforts. This budget will give us a little more time, when time is of the essence. And for that reason, I will support it.

Mr. President, I thank my good friend and I yield the floor.

Mr. THURMOND. Mr. President, I rise in opposition to the revised Chiles budget plan. Since I opposed Chairman CHILES version of the budget before these recent modifications, and since this version represents one of the largest tax increases in the history of our Government, it is only logical for me to vote against this budget amendment.

Both Government spending and tax collections are increased by nearly $9 billion for fiscal year 1988 over the last Democratic budget proposal. The consensus recently reached by the Senators across the aisle is to add nearly $40 billion in tax collections over 4 years to the first Chiles budget plan. The total of unspecified revenues which this bill calls for in fiscal year 1988 is over $18 billion. In other words, today we are voting for an $18 billion tax increase for next year.

I certainly agree that if we must raise taxes, it should be for the defense of our Nation. However, this budget, in an attempt to satisfy advocates of increased domestic spending, provides for tax increases to pay for the $45 billion in additional domestic spending which this budget provides.

Americans have had enough. They said so clearly in 1984. We must reduce Government spending to reduce the deficit. Increasing taxes is not what Americans have given us a mandate to do.

I strongly urge my colleagues to vote against this budget proposal.

Mr. KASTEN. Mr. President, the ranking member of the committee has pointed out several problems with the chairman's budget: The defense number fails to meet America's national security needs. The cuts in international affairs will decimate assistance to all of our friends and allies abroad. There is little hope that the chairman's plan would yield the proposed domestic savings; only one-third of those reductions are to be reconciled.

However, I would like to focus on the issue of tax increases and the economy. By the reading the committee report, one might be led to believe that the sole cause of the Federal budget deficit was the 1981 tax cuts. This simply is not the truth. The combination of severe recession, disinflation and higher Federal spending is the real cause of the deficit.

To put the 1981 tax cut in perspective, taxes as a percentage of GNP were 20.1 percent, the highest level in post World War II history, and rising. ERTA helped return the tax burden to its historical level and caused a dramatic improvement in our economy.

Government receipts as a percentage of GNP over the past 20 years have averaged 18.6 percent, and outlays 21.4 percent. Today revenues stand at 19.1 percent and outlays at 23.7 percent. Therefore, while revenues are above their historic average, spending has increased more dramatically.

The committee budget would raise the tax burden on the American people to 20.2 percent of GNP by 1991. This share would represent the largest tax bite since the peak World War II years of 1944 and 1945. Such a large tax burden was justified during World War II—but is it now? I think not.

Budget deficits must be reduced. But I believe that tax increases are a shortsighted and counterproductive solution. Tax increases don't attack the true impact of Federal activity on the economy—that is, the overall level of Government spending.

Taxation directly and powerfully reduces resources available to private individuals to purchase goods, to invest and to save. Conversely, spending reduction releases resources that can be more efficiently in the private sector by American workers, consumers, investors, farmers, and small businessmen. Increased taxation crowds out private activity just as borrowing does. However, I believe that taxes damage private activity more directly, quickly and effectively than borrowing.

Some of my colleagues have argued that a $100-billion tax increase won't hurt a $4-trillion economy. I strongly disagree with this notion. The dollar amount of revenue that a tax raises masks the real and multiplied impact that tax increases have on economic growth.

Although the budget resolution does not specify where the revenues would be raised, I submit that all taxes—excise taxes, tax rate increases, tax base broadeners—reduce economic activity. There is little argument in the economics profession that taxes have a negative economic impact. When you tax something—you get less of it.

For example, raising the capital gains tax from 28 to 50 percent would have a relatively small revenue impact—but a disasterous economic impact as investors refrain from realizing capital gains and the funds for risk-investment are dramatically reduced.

A $5 oil import tax would raise only $30.2 billion over 4 years. However, according to a recent study by the Congressional Research Service an oil import tax would reduce real GNP growth, raise civilian unemployment and increase inflation.

I am particularly concerned about the movement to use the new tax reform law to raise revenues. Leading Members of the other body have proposed forgoing the personal tax rate cut from 38.5 to 28 percent in 1988. The Senator from South Carolina proposes a retention of the top corporate tax rate at 40 percent.

I believe that the Senate must send a clear message to the American people that tax reform will not be used as a vehicle to raise taxes. While the committee report recommends that personal tax rates should not be raised—it makes no recommendations for corporate tax rates.

Both the scheduled reductions in individual and corporate tax rates are essential to reducing the cost of capital and improving the international competitiveness of U.S. industries. Personal rate cuts reduce the cost of capital by increasing the after-tax return on interest and dividend income. Corporate tax rate cuts reduce the cost of capital by improving corporate cash flow and reducing the "double taxation" on investment income.

The steep tax rate cuts in personal rates to 28 percent and in corporate rates to 34 percent is the only reason that tax reform will increase economic growth. I urge my colleagues to support the Sense of the Senate resolution offered by the distinguished minority leader which would prevent Congress from using tax reform as a disguised effort to raise taxes.

Mr. President, I believe that it is equally important to avoid further broadening of the tax base to reduce the deficit. Broadening the tax base without reducing tax rates would impair the economy. The tax reform act's base broadening provisions—if taken in isolation—would reduce investment and economic growth. These include the repeal of the investment tax credit, elimination of the capital gains exclusion, limitations on IRA contributions, and the reduction in depreciation allowances.

The Tax Equity and Fiscal Responsibility Act of 1982 was basically a base broadening tax increase. TEFRA was the largest tax increase in history. It is a prime example of the futility of tax increases to reduce the deficit. The additional revenues are used to increase spending.

It is clear that we are now talking about a budget that misses the Gramm-Rudman deficit target of $108. If we are going to miss the target—why raise taxes? I recognize the difficulty of hitting $108 without some revenue-type changes. To hit $108, I would have incorporated the $13 billion in savings from the President's asset sales and credit reforms instead of raising taxes. But now, we're working to hit $133 billion. Clearly, we don't need tax increases to hit this higher target.

Mr. President, in closing, I would point out that the American economy will generate $300 billion in new revenue over the next 4 years according to CBO, assuming current law. I think that $300 billion is more than enough revenue to fund the critical functions of Government. I would also like to point out that our economy is expanding at a health rate. First quarter GNP growth has a robust 4.3 percent. Unemployment has dipped to 6.6 percent; 12 million new jobs have been created since 1982. The outlook for this year and next is promising. I think all of my colleagues agree that economic growth is essential if we are to make any progress on the budget deficit. Tax increases don't increase economic growth.

Finally, I would like to point out that all taxes are ultimately paid by people—not corporations, not transactions, not things—but people. The chairman's $100 billion tax increase translates into $1,000 per taxpayer. This is unacceptable. Instead of tightening the Federal budget, the resolution calls for tightening the family budget. I hope that we can work to reduce this tax burden on the American people and find savings to hit the $133 target.

Mr. CONRAD. Mr. President, the process of developing a budget that can command a majority vote in the Senate has been extraordinarily difficult. The plan put forward by the distinguished chairman of the Budget Committee, Mr. CHILES, offers substantial compromises, some of which I welcome. I intend to support it, to move the process forward to the next stage. I have deep reservations, however, about certain aspects of this measure, and believe that the balance and equity of the package as a whole can be significantly improved by the House-Senate conference committee.

It is inexcusable to me that so far there has been no cooperation from the administration. Nor have they offered a realistic contribution to the staggering problem of reducing the deficit. The administration's budget requests did not provide a credible starting point for our deliberations on the budget. The President claimed to have met the Gramm-Rudman-Hollings deficit reduction target of $108 billion for fiscal year 1988 but, in fact, he was the first to back away from that commitment. According to the objective estimates of the Congressional Budget Office, the deficit in the President's budget is $134 billion. I have argued that the Congress should have responded by sending this budget right back to the President—and should have required him either to submit a budget that met the target or to admit that he could not reach it.

Besides trying to shift the blame to the Congress for failing to meet the deficit target, the administration has steadfastly refused congressional overtures to compromise. The administration insists on a budget that continues an enormous military buildup and includes huge, unachievable cuts in domestic programs—many of which the Congress has repeatedly rejected. And while the President denounces taxes—despite having proposed a budget that included $18 billion of additional revenues, there has never been a recognition on his part that somebody will have to pay the bill.

I believe the bill for pursuing a misguided set of economic policies has come due. For the past 6 years the country has paid: first, with a brutal and prolonged recession—the worst since the 1930's. Then, throughout the recovery, we've experienced extremely high real interest rates and unfavorable exchange rates, which have devastated agriculture and a wide range of American industries. Trade deficits on the order of $170 billion a year are rapidly draining our economic vitality. Now we face the possibility of further deterioration—and the disturbing implications of the recent rises in interest rates, unless we act forcefully and credibly to reduce the budget deficit.

In my view, the fiscal 1988 budget must demonstrate that the deficit is firmly headed on a steadily downward path. The prospects for sustained growth—and for the international competitiveness of our industries—would improve dramatically with a different mix of economic policies. Major—and genuine—reductions in the budget deficit must be matched by monetary policies geared to reducing interest rates and achieving more reasonable exchange rates. These developments, I'm convinced, would brighten the general economic outlook and strengthen sectors like agriculture that are now in deep distress.

Besides my concern about the deficit level assumed in this version of the budget resolution, I am very troubled by some of its priorities. In particular, I am opposed to the inclusion of an additional $7 billion for defense in 1988, resulting in nearly $30 billion more between 1988-91. This country has spent $2 trillion on defense since 1980; except for interest payments on the debt, the defense component of the budget has grown more rapidly than any other. Under the budget resolution reported by the committee, military spending would have increased by another $1 trillion over the next 4 years. If we hold out any hope at all for a meaningful agreement on arms control, how can this level truly be insufficient?

In a deficit reduction plan that strives for balance, defense should contribute substantial savings. But in this resolution, defense accounts for no savings in 1988 and $56 billion—or about 18 percent of the total deficit reduction—over the next 4 years. Tactically, I am sympathetic to the idea of holding a share of the defense budget in a reserve fund, to become available only if the President approves revenues to pay for it. But I find the level of military spending represented by this budget to be completely unacceptable, and hope that the conference committee will settle on a figure much closer to what was recommended by the House.

I'm convinced that our Nation's security would be maintained—indeed strengthened—with a military budget that forces the Department of Defense to prioritize. It should not be assumed that there will always be enough money to continue every weapons system or research program, regardless of whether or not the activity is feasible and cost-effective. As a nation, we will be stronger—and safer—if defense resources are not squandered. We should concentrate them in areas which genuinely improve military preparedness—not on exotic technologies that we cannot afford to develop, let alone procure.

I further believe that we must require our allies in Japan and Western Europe to begin paying a larger share of their own defense costs. We are currently spending over $100 billion a year to provide the defense umbrella for them. That may have been reasonable after World War II. But today, when we are running budget and trade deficits in the range of $170 billion a year—much of that trade deficit with Japan and Western Europe—I believe it's time to announce that the free ride is over.

In key areas of the domestic budget, the new plan improves upon the proposals reported by the Budget Committee. This version assumes $1.4 billion of savings from farm programs in fiscal 1988, which definitely moves in the right direction; the resolution reported by the committee required $1.6 billion of savings and the chairman's original package sought $2 billion.

I fully understand the concerns about the rising level of farm outlays. But it will take time to develop more effective programs that can achieve real and permanent savings. With the farm economy currently on the edge of collapse, family farmers simply cannot absorb additional losses of income and remain operational.

I was chiefly troubled by the amount of savings required from farm programs in 1988. Because the 1987 crop year is already underway, much fiscal 1988 spending on farm payments is already determined. According to the Senate resolution, the portion of the agriculture budget not yet committed would have to be cut by 20 percent to achieve the savings sought in fiscal 1988. From the conference, I would hope to see an outcome closer to the House level of $1 billion in savings on agriculture programs in the first year.

The revised package also wisely modifies provisions affecting the Power Marketing Administrations [PMA's]. Customers could have faced abrupt increases in electricity rates and tremendous uncertainty about future costs if the terms of PMA loan repayments had changed as originally proposed by the budget resolution. The combination of straightline amortization and market interest rates pegged to 1 year Treasury securities would have increased wholesale electricity rates from 14 to 54 percent, depending on the region involved.

The new plan also drops proposals for grazing fees, meat and poultry inspection fees, and reduced cost-sharing to local areas receiving mineral and timber payments from the Federal government. I support these changes, and believe they are properly intended to alleviate the potentially adverse effects on rural areas.

I further welcome decisions to provide additional funding for education and health programs. Investments in programs like chapter 1, which serve economically and educationally-disadvantaged children, are extremely worthwhile. Ultimately, helping students at an early stage in school can spare society from having to deal with costly problems later on. And I favor the inclusion of an additional $250 million for research on AIDS, an increase urged by the Institute of Medicine, to move more expeditiously toward a vaccine and a cure for this deadly disease.

As many of my colleagues know, I have argued strenuously for a much more aggressive effort to collect tax revenues owed to the Federal Government. I am very encouraged that this budget measure explicitly recognizes the value of such activities. It proposes to devote an additional $475 million to the Internal Revenue Service, to permit the start of a Federal "Fair Share" enforcement program. I'm certain that if properly implemented, this program can produce at least the $1.8 billion of additional revenues assumed by the budget resolution—if not much more.

From my own experience as North Dakota's tax commissioner, the adoption of a Fair Share Program generated $14 for every dollar invested in enforcement. Other States report similar successes. And the IRS estimates that, on the average, each additional dollar spent on enforcement will yield $9 of Federal tax revenues.

I am developing legislation that would set forth the specific components of a Federal Fair Share Program, including increased personnel in examinations, collections, appeals, criminal enforcement, processing of returns, and taxpayer service. Additional resources should also be devoted to a thorough modernization of IRS computer systems and improvements in the use of document-matching. The fiscal 1988 funding level anticipated by the budget resolution would enable the beginning of such a comprehensive initiative. And $25 million of the budget proposal is intended to support a nationwide public information campaign, to ensure that taxpayers know that enforcement activity is increasing.

With the passage of landmark tax reform legislation that should make the system more equitable, it's the perfect time to strengthen compliance and assure that everyone pays a fair share. The Federal tax gap, which is the difference between what taxpayers owe and what they voluntarily pay, is believed to be in the neighborhood of $100 billion. In my view, an effective enforcement program could substantially reduce this gap.

The deficit confronts us with a major challenge, and some very tough choices. We won't solve the problem with a business-as-usual approach to budgeting. I believe some fundamentally different approaches, particularly in the areas of defense and tax compliance, could be extremely beneficial—and go a long way toward reducing the deficit. As we look beyond this state, toward legislating the savings required by the budget resolution, I would urge my colleagues to seriously examine these ideas.

I thank the Chair, and yield the floor.

BUDGETS AREN'T BETTER THE SECOND TIME AROUND

Mr. DOLE. Mr. President, some things in life are indeed better the second time around. But after taking a good look at "Chiles 2," it's pretty clear budgets aren't among them.

While this "second try" does redress some of the inequities in funding for the West, it fails to solve any of the other major, substantive problems contained in the original.

And worse yet, this budget compounds the shortcomings by mandating a staggering $137 billion in revenue increase over the next 4 years—that's approximately $100 billion more than the President's budget request. In the coming year, Congress would have to find close to $30 billion in revenues, this would mean one of the highest first year tax increases in history, and it would come at a time when the economy's future is uncertain.

For example, under Republican leadership, the fiscal 1985 Senate-passed budget resolution called for $10.7 billion in fiscal 1985 revenue increases with a total of $45.9 billion over 3 years, and the fiscal 1986 resolution called for $1.1 billion in revenue increases, with a paltry 3-year, $7.1 billion in new taxes

Perhaps more important, if Congress were faced with the prospect of raising $140 billion in taxes over the next 4 years, tax reform—as enacted into law last year—might well have the life expectancy of a fly. It would very likely mean that some people around here would be willing to break the pledge we made to the American people: to take away deductions, but lower the rates. Well, I am not going to stand around here and let that happen.

DEFENSE NUMBER STILL INADEQUATE

The rationale for this tax increase is twofold: First, it allows for more money for defense; and second, it provides more money for domestic programs.

But the hard truth is that the of the additional money generated by even more taxes, defense would get only enough to cover inflation—and that is for the first year only. After that, national security funding would decline year after year.

Chairman Chiles came to the floor with a defense budget that no defense-minded Democrat could support. After calling for zero real growth in his own markup sessions, he proceeded to the Senate floor with a plan that called for nearly 5 percent negative real growth in defense outlays. Now we see a hastly conceived Democratic substitute that once again claims that it represents zero real growth.

Who are we kidding. As we meet here today, United States arms control negotiators are sitting down with their Soviet counterparts in Geneva. Would that be happening if, over the past 6 years, we had followed the kind of national security strategy that would be dictated by the "Chiles 2" budget? I don't think so.

The U.S. Government has committed itself to procuring certain weapons systems, to maintaining a certain manpower level, to keeping commitments to our allies abroad. In the final analysis, even with the marginal increase for defense provided by Chiles 2, we simply would not be able to meet these commitments. Procurement accounts would have to be reduced significantly, some weapons programs terminated, forces would have to be reduced, and there would be less flying and steaming hours to keep our forces in combat-ready condition.

I don't think there's anyone in the Senate who wants to see this country placed in that kind of jeopardy. We've been told time and time again over the last few months that the only way to solve the deficit problem was to first, cut defense; second, add taxes; or third, change the Gramm-Rudman targets. This simply is not true. Our Nation's legitimate security needs should not be held hostage for the sake of massive increases in nondefense spending.

Finally, Mr. President, the Chiles 2 budget fails to take a good hard look at the savings that could be made in domestic programs—in fact, it goes in the opposite direction putting back money for an array of programs.

But we've got to come to terms with life as it is. This Nation has an accumulated Federal debt of $2.3 trillion. We simply can't ignore that fact. And turning back to the days when the only answer to our deficit problem was to raise taxes won't solve the problem. In fact, it could create a whole new set.

Any Senator who votes for the Chiles 2 budget should know that what he is doing is looking backward, to the bad old days. And he opens himself—legitimately—to that phrase, tax and tax, spend and spend. It will be heard, and aptly so over and over again.

So, Mr. President, I urge my colleagues to vote against the Chiles 2 budget, and give Republicans the opportunity to supply some budget solutions that meet this Nation's needs and face this Nation's economic realities.

Mr. GRASSLEY. Mr. President, I have been convinced for a long time that the driving force behind our inability to control the deficit is the unrealistic levels of the defense request, year after year.

And not necessarily because the defense budget is so high in and of itself. But because the more we spend on defense, the more we end up spending for everything else.

The bottom line keeps getting higher and higher.

We have a perfect case in point before us right now. When this budget came out of the committee, it had a reasonable defense number.

And because the defense number was reasonable—and stringent—the chairman had the moral authority for being equally frugal with the rest of the budget.

But then somehow business as usual took hold.

We started negotiating for more spending across the board.

We added back billions for defense, and so we had to increase domestic spending, when what we should have done was be scrupulous with both.

The chairman was very persuasive, and made cogent arguments in committee for why the defense number should be $289 billion.

Not only is the new and much higher level of $301 billion imprudent for the defense budget itself, but look what it has done to the rest of the budget!

By cutting a deal on defense, it created a rising tide that raised all spending.

There is really no change between this budget, and what we did the last 6 years.

The only real difference is that over the last 6 years, we paid for more spending with asset sales, which we never ended up selling.

And now this year, because we have outlawed asset sales—and rightfully so, in my view—we raise taxes instead, which is not right, in my view.

I think both are wrong, Mr. President.

If we are going to shrink the deficit, we have to start with spending.

And if we start with spending, we have to be fair.

I do not believe it is fair for the farmers in my State of Iowa to have their income cut by 5 percent, and then watch not only the defense budget go up when it isn't justified, but to have to pay higher taxes, to boot.

That is a triple whammy, as far as I am concerned, and I certainly cannot support it.

FUNDING FOR LABOR SUBCOMMITTEE BILL ON DISADVANTAGED YOUTH

Mr. METZENBAUM. I would like to address the distinguished chairman of the Senate Budget Committee regarding funding for a special initiative on jobs for disadvantaged youth.

As the chairman knows, unemployment among minority youth is at a scandalously high level.

The Labor Subcommittee of the Labor and Human Resources Committee is currently working on legislation to address this critical problem.

As I understand the situation, the budget resolution can accommodate this initiative which is so important to the welfare of thousands of youth disadvantaged men and women in this country.

Mr. CHILES. The Senator from Ohio is aware that I share his deep concern on this issue. Unemployment among young people in this country is indeed a scandal and that is why the budget plan which we have produced promotes investments in economic power—the ability to deliver a rising standard of living for all Americans on a sustainable basis.

I want the Senator from Ohio to know that there would be no budget point of order on his legislation based on budget resolution levels, if it is an authorization subject to appropriation.

Second, there are different funding levels for function 500 in the House and Senate budgets. The distinguished chairman of the Labor Subcommittee has my assurances that in conference and in the Senate Appropriations Committee I will do all I can to ensure funding for this crucial national priority.

Mr. BINGAMAN. Mr. President, I rise today to support this budget substitute. It not only strikes a proper balance in spending for the Western States of our Nation, but also provides a realistic level of defense spending and recognizes certain other spending priorities that are important to the Nation's economic health and prosperity.

The budget that is before us, as amended, is, in my opinion, the best budget we could develop at this time. It is more realistic and effective than the President's budget and it is clearly the best alternative presented to the Senate and the Nation at this time. It corrects major problems and it addresses important needs that we as a nation now face.

DEFICIT REDUCTION

This revised budget plan balances the budget by 1991. It reduces the deficit by $37 billion in 1988. It lowers total national debt by $106 billion more than the President's budget over 4 years. And, it meets the targets called for in the Gramm-Rudman-Hollings Act.

ECONOMIC OPPORTUNITY

Perhaps most importantly this budget, while it attacks the structural deficit and limits overall spending to less than the President's budget, it still promotes investments in our economy by providing needed funding to self-help programs that will result in raising the standard of living of all Americans. Specifically it provides investments in education and training, providing more graduate engineering fellowships, dislocated worker programs, dropout prevention, and vocational education. Education programs would be increased by $2.2 billion, including an increase for Head Start. Job programs would climb $700 million. This amendment establishes a commitment to improved science and technology, including manufacturing technology, simulators and training, general science research, the space station and the superconducting super collider. Space and science programs would increase by $1.3 billion. This amendment provides incentives to expand trade, through small business trade centers and improved monitoring of unfair trade practices. This amendment also provides for the health care of the Nation. It provides increases of $400 million in assistance to the homeless, $150 million for child care, $200 million for Medicaid, $150 million for the WIC Program, and $900 billion for AIDS research. At the same time this amendment also provides investments to reform welfare programs, by reducing longrun welfare dependency and programs to improve job skills for dislocated disadvantaged workers.

DEFENSE

The level of defense spending is set at $302 billion providing for zero real growth—the same level as in the Defense Authorization Act reported by the Armed Services Committee just yesterday, and the same figure called for in the House reauthorization bill.

WESTERN AMENDMENT

This budget substitute also strikes a fair balance in important programs relied on by the West.

We in the West have a colorful history, shaped by the very land itself. The mountains, grasslands, rivers, and deserts have given rise to economic, political, and cultural development that have shaped the Western character.

There is a longstanding recognition by the Congress that the Western States are unique in that they contain most of our public lands and minerals. I don't believe the Budget Committee intentionally intended inequitably to reduce important Western programs. Unfortunately, this was the result of its action. I appreciate Chairman CHILES' willingness to cooperate with me and my colleagues from the West in correcting this inequity. I wish the administration was as quick to recognize the concerns of the Western States.

Our amendment would reduce by 60 percent over 4 years the major cuts that the committee proposed for Western related programs. For fiscal years 1988-91, the committee recommended cuts of $2.699 billion. The amendment reduces that figure to $1.13 billion. It contains no specific policy assumptions and leaves such action appropriately to the authorizing committee. There are a variety of ways to realize the additional savings we need without jeopardizing programs so important to the Western States. These include user fees on the strategic petroleum reserve, cost recovery for the Energy Regulatory and Energy Information Administrations, cuts in the Tongass Timber Management Program, increased offshore oil and gas receipts, and selective cuts in other programs.

Two of the most critical programs to the West in terms of budget impact are State share of Federal receipts from mineral, timber, and public lands receipts, and the Power Marketing Administrations [PMA's]. Unfortunately the Reagan administration proposes to sharply reduce the States' share of receipts and sell off the PMA's. This proposed action by the administration mirrors a complete disregard for the interest of the Western States and is foolhardy public policy. Our amendment would correct this situation. Even the Republican-led Senate in years past has recommended cuts or "savings" in the energy and natural resources area that are far greater than what we recommended today.

STATE-SHARED RECEIPTS

State-shared receipts are one of the most important sources of revenue in the Western States and represent a long-held understanding between the Federal Government and the region.

State and local government shares of Federal mining, timber, grazing, recreation, and other public land resource-related receipts were designed to compensate public land States for continued Federal ownership of land and mineral resources, and the diminished tax base and limits to development created by such ownership.

State-shared receipt programs were basic to the congressional compromise which led to Federal retention of vast parcels of Federal land and mineral interests in the Western States. State-shared receipts are an important revenue source for impact assistance, roads and highways, sewer and water, education, and other public facilities and programs needed to support the industries and workers engaged in development activities of Federal lands.

Western States spend large amounts of their own money for planning, accommodation and regulation of Federal land and mineral resource development and management.

The proper management of public lands and minerals, and the consideration and protection of national interests in the development of those resources, require reasonable Federal administrative and operating funds similar to other Federal property or resource management programs. Congressional authorities for State and local shares of Federal receipts have historically and consistently been interpreted to mean gross receipts and not net receipts—receipts less administration costs.

The economy of New Mexico is very dependent upon these receipts. Oil and gas represents the overwhelming share of the State's revenues. New Mexico, therefore, is justifiably concerned with the decline of the oil and gas industry and the potential reduction of mineral receipts. Just this past fiscal year, receipts from oil and gas leasing on Federal lands fell from $187 to $113 million. And the State predicts a further reduction for fiscal year 1987 to $70 million. To take administration costs from the State share would further diminish those receipts by more than 20 percent. New Mexico cannot afford such losses. It is not the time for the Government to break its longstanding commitment to these Western States. This is a policy we just cannot accept. I am pleased that the chairman has understood the importance of this program to States such as mine and has acted accordingly.

POWER MARKETING ADMINISTRATIONS

The Power Marketing Administrations [PMA's] have historically supplied electric power to consumers throughout the country. At issue is the repayment policy of the PMA's. The current policy has been in force for decades. It produces electric rates that are as low as possible while ensuring full and timely repayment of the Federal investment in these projects, plus interest. Rates are set to recover all construction, operation, and maintenance costs for Federal hydroelectric facilities. Power customers also repay a portion of the costs of irrigation associated with these multipurpose projects.

Like a home mortgage, current payments by the PMA's to the Treasury are made annually and remain relatively constant, with the proportion of interest and principal in each payment period varying. Some flexibility in year-to-year payments is allowed under the current system to account for varying hydrologic conditions, such as drought, that are beyond human control. Nevertheless, the entire Federal investment must be repaid within 50 years. There is no possibility for permanent deferral of this absolute obligation. Today, all five PMA's are on or ahead of schedule in meeting their repayment obligations.

New Mexico citizens benefit greatly from the two PMA projects that supply power to the State—the Colorado River Storage project and the Rio Grande project. If we do not adopt this amendment today, which preserves the flexibility of the PMA's to repay this existing debt as reasonable interest rates, the consumers of New Mexico will face a 40-percent increase in rates from the Rio Grande project and a 20-percent increase from the Colorado River Storage project.

Other Western programs under this amendment include grazing fees, recreation user fees, onshore oil and gas leasing, and funding for the Bureau of Reclamation. Each of these programs is important to Western States and deserves your support.

Mr. President this amendment as it addresses the needs of the Western States and the domestic and national security needs of the Nation is a workable blueprint for the Congress at this time. It effectively attacks deficit reduction and it provides for our security and growth where we need it. It is also preferable to the President's budget. I urge my colleagues to support it.

Mr. HOLLINGS. Mr. President, as I have indicated, I will vote for the revised budget plan offered by Senator Chiles because I believe it is a very responsible proposal—under the most difficult of circumstances—that will provide real reduction in the deficit. While the plan provides for over $20 billion in new revenues—and I sincerely praise my colleague from Florida for this—I believe that the revenue level is the only shortcoming in it. However, we all know that the President's refusal to act responsibly when it comes to revenues and to deficit reduction—leaves the chairman with few realistic alternatives. The plan is a fair one and reflects a consensus on what is needed to get the job done.

We need to reduce the deficit with credible spending cuts and credible levels of revenue. I would like to see us reach a lower deficit. But that takes more revenues and the votes are not there to do that. If the President acted responsibly, more could be done. Instead, he has acted with disdain toward the budget process. He is still compaigning as if he had nothing to do with the deficit. It's all the Congress' fault in his view. I say: It's time he put the country first instead of politics.

I view this compromise budget as the Hollings plan without a higher revenue number. Last week, I voted against the original budget plan offered by the chairman because I believed some of its priorities were misplaced. These problems have been corrected. First, the defense and the education budgets have been significantly increased; second, cuts in Federal workers pay and benefits have been significantly eased; third, new taxes have been increased from $11.3 billion to $20.3 billion; and fourth, proposed cuts in programs such as CDBG, UDAG, and Agriculture have been lessened.

The budget plan I offered in committee—and which is the only one to receive bipartisan support—laid the groundwork for this compromise. I believe that eventually the Congress will sign on fully with my proposals in much the same way that my budget freeze proposal has become basic to all budget plans. Let me take some time to explain my budget plan—and I ask unanimous consent that a table describing the plan be included in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

HOLLINGS BUDGET PROPOSAL—4-YEAR PLAN

[In billions of dollars]

	1988	1989	1990	1991	Cum. 1988–92
CBO baseline deficit	170.7	164.3	136.7	109.5	
Spending changes (outlays):					
1. Defense	+3.0	+2.5	+1.1	+.5	+7.1
2. Nondefense initiatives	+.4	+2.2	+3.4	+3.9	+9.9
3. Nondefense	−15.6	−17.3	−19.6	−19.8	−72.3
4. Medicare rebasing	−3.3	−3.8	−4.9	−6.0	−18.0
5. Catastrophic health—$1,000 deductible		+3.7	+5.9	+6.7	+16.3
6. Asset sales/REA refinancing	−11.4	−3.2	−2.1	−1.7	−18.4
7. Interest	−2.1	−7.2	−14.4	−21.7	−45.4
Total reductions	−29.0	−23.1	−30.6	−38.1	−120.8
Revenues:					
1. President's proposals	5.0	7.1	7.7	8.0	27.8
2. Other revenues	28.7	26.6	21.1	21.9	98.3
a. Extend telephone tax	1.3	2.3	2.5	2.7	8.7

HOLLINGS BUDGET PROPOSAL—4-YEAR PLAN—Continued

[In billions of dollars]

	1988	1989	1990	1991	Cum. 1988–92
b. Oil import fee ($10 barrel)	14.8	9.5	8.7	9.9	42.9
c. Restrict expense (deductions)	1.3	2.4	2.8	3.2	9.8
d. Retain top corporate rate at 40 percent—1988	8.2	5.5			13.7
e. Increase percent contract completion cost method	1.7	2.0	1.4	.6	5.7
f. Other base broadening/excise	1.4	4.9	5.7	5.5	17.5
Total revenue change	33.7	33.7	28.8	29.9	126.1
VAT tax proposal:					
1. 10-percent VAT tax, lower base		82.0	119.5	123.1	324.6
2. Eliminate Medicare tax—Reduce from 1.45 percent to 0.45 percent in fiscal year 1989; zero in fiscal year 1990		+28.9	+56.1	+66.8	+151.8
Total VAT tax proposal		53.1	63.4	56.3	172.8
Total deficit change	−62.7	−109.9	−122.8	−124.3	419.7
Remaining deficit/surplus	−108.0	−54.4	−13.9	+14.8	

Note.—Details may not add to totals due to rounding.

Mr. **HOLLINGS**. First, for national defense, the plan provides for budget increases each year equal to the rate of inflation. It is essential that manpower and readiness requirements and Reserve/National Guard improvements as well as most of the strategic and conventional force improvements be funded as recommended by the President. Any funding level less than the rate of inflation would seriously imperil all of these efforts. For 1988, the plan provides for $302.7 billion in budget authority—an increase over 1987 of $13.1 billion—and $293.5 billion in outlays—an increase of $14 billion over 1987. These totals require a $9.1 billion cut in budget authority and $4.8 billion cut in outlays from the President's budget request.

Second, the plan emphasizes the critical needs of education, science, and technology, as well as the needs of the less fortunate in our society. In fiscal year 1988, it includes increases in budget authority of more than $2 billion above the CBO baseline—more than $6.5 billion above the President's request—for these activities. Over the 1988 to 1991 period, these initiatives total $13 billion in budget authority above the CBO baseline. In addition to funding all education programs at the current services level, the plan provides an extra $900 million to the CBO baseline in budget authority for elementary and secondary programs—primarily for chapter 1—and an extra $800 million to the CBO baseline in budget authority for higher education—primarily in Pell grants and college work study funds. In addition, it provides full inflation protection for all means-tested programs.

Third, the plan assumes rebasing of the Medicare Program—recalculating Medicare's prospective payment rates using more recent data. This will save $3.3 billion in fiscal year 1988 and $18 billion over the fiscal year 1988-91 period.

Fourth, the plan provides for savings of $15.6 billion in fiscal year 1988 in other domestic programs and a total of $72.3 billion over the 1988-91 period. These reductions are based principally on a budget freeze in many of the functions with deeper cuts in several functions based upon program priorities. These include reductions in such areas as: foreign aid and the Exim bank, energy R&D, forest service roads, farm price support initiatives, transit operating assistance programs, the Pension Benefit Guaranty Corporation, legislative branch operations, and Government travel.

Fifth, the plan assumes most of the loan asset sales recommended by the President—$4.1 billion—along with refinancing of $7.3 billion in REA loans.

The revenues assumed—for illustrative purposes—in the budget plan can be divided into two segments. The first deals with excise and base broadening taxes and changes to the 1986 Tax Act. These provide for $33.7 billion in revenues in 1988 and $126.1 billion over the 1988-91 period. The second deals with a value added tax [VAT] that is incorporated in the plan that would be effective January 1, 1989. The VAT, along with offsets created by the plan's proposal to eliminate the Medicare tax of 1.45 percent and to fund a new catastrophic health program, will provide for total revenues of $53.1 billion in fiscal year 1988 and $172.8 billion over the 1989-91 period.

The revenues assumed in the plan are as follows:

First, $5 billion as proposed by President Reagan in fiscal year 1988 and $27.9 billion from fiscal year 1988 through fiscal year 1991.

Second, an oil import fee of $10 per barrel—producing $14.8 billion in revenues in fiscal year 1988 and $42.9 billion from fiscal year 1988 through fiscal year 1991.

Third, extension of the telephone tax—providing $1.3 billion in revenues in fiscal year 1988 and $8.7 billion from fiscal year 1988 through fiscal year 1991.

Fourth, a reduction of business expense deductions from the current 80 percent to 50 percent—producing $1.3 billion in fiscal year 1988 and $9.8 billion in fiscal year 1988 through fiscal year 1991.

Fifth, retention of the top corporate rate at 40 percent in 1988—saving $8.2 billion in 1988 and $5.5 billion in fiscal year 1989 for a savings of $13.7 billion over the 2 years.

Sixth, an increase in the percentage of the contract completion cost method—savings $1.7 billion in fiscal year 1988 and $5.7 billion from fiscal year 1988 through fiscal year 1991.

Seventh, other revenues of $1.4 billion in fiscal year 1988 and $17.5 billion over fiscal year 1988-91 that could be derived from excise taxes such as fuel taxes or extension of Social Security taxes to all public employees.

Regarding the VAT, we should ignore the inevitable hue and cry to the effect that this is a regressive tax—that it will do irreparable harm to our economy. Nonsense. Essentially, all of our European allies and many Asian nations have a VAT. So crippled are their economies that they are competing us into the ground.

The VAT proposed in the plan would exempt food, health care, and housing. This will largely mitigate the impact of the VAT on low-income individuals as well as those on a fixed income. It would also have the salutary side effect of breaking the runaway consumption spending that is fueling our trade deficits. The VAT proposal in the plan includes a requirement that the Medicare portion of the Social Security tax—the 1.45 percent that is paid for the hospital portion of Medicare—be eliminated in two phases: First, reduce the 1.45 percent to 0.45 percent in 1989; and second, completely eliminate it in 1990. This phase-out would cover the employee's payment as well as the employer's payment of the tax.

Additionally, the plan proposes that the revenues from the VAT be used to pay for a national catastrophic health plan. The President has proposed such a plan, and many in Congress have embraced the concept. The plan proposes to set an average deductible of $1,000—scaled according to income as worked out by the Finance Committee.

In 1989, the first year of the tax, revenues will be $82 billion. The offsets for the Medicare tax would be about $28.9 billion. Thus, the total impact of the VAT would be $53.1 billion. Through 1991, the overall gain in revenues resulting from the VAT proposal would be $172.8 billion.

It should be made clear: The VAT is not a tax to finance new programs. All VAT revenues should be earmarked strictly for reduction of the deficit and, eventually retirement of the debt. I ask unanimous consent that a table illustrating VAT taxes in other countries be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

VAT tax in other countries [1]

	Percent
Austria	18.0
Belgium	19.0

	Percent
Denmark	22.0
France	18.6
Ireland	23.0
Italy	18.0
Luxembourg	12.0
Netherlands	19.0
Norway	11.0
Sweden	19.0
United Kingdom	15.0
West Germany	14.0

[1] These are standard rates for most goods. Lower rates may be on food, farm stuffs and medical items; higher rates on luxuries.

NOTE.—Japan does not have a VAT now but is planning for a 5% tax in 1988.

Source: IMF 1985 data.

Mr. HOLLINGS. Mr. President, one criticism voiced in the Budget Committee against the Hollings plan was that the economy could not take the jolt of a large-scale deficit reduction plan without drastically slowing down or ending economic growth. However, some past budget resolutions have provided for significantly larger or similar deficit reduction efforts. A comparison of the Hollings plan with the fiscal year 1983 resolution reported by the Republican majority is noteworthy. The 3-year budget plan envisioned in the fiscal year 1983 budget resolution called for $415.9 billion in deficit reduction—including $75.9 billion in fiscal year 1983. This plan included $95 billion in new revenues. In comparison, the Hollings plan proposes $295.4 billion in deficit reduction for its first 3 years—about 70 percent of that envisioned in the fiscal year 1983 resolution. And, the Hollings plan has $62.7 billion in first year reductions compared to the proposed 1983 level of $75.9 billion. I ask unanimous consent that a table listing these figures be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DEFICIT REDUCTION PROPOSALS

[In billions of dollars]

	1983	1984	1985	Cum.
FISCAL YEAR 1983 RESOLUTION AS REPORTED				
CBO baseline deficit	182.0	216.0	232.5	
Deficit reduction:				
Revenues	20.0	35.0	40.0	95.0
User fees	−2.0	−2.0	−2.0	−6.0
Spending savings	−53.9	−110.0	−151.0	−314.9
Total reduction	−75.9	−147.0	−193.0	−415.0
Remaining deficit	106.1	69.0	39.5	
Actual deficit	207.8	185.3	212.3	
GNP projection	3,397.5	3,778.5	4,162.9	

	Fiscal year—			Cum.
	1988	1989	1990	
HOLLINGS FISCAL YEAR 1988 PROPOSAL				
CBO baseline deficit	1070.7	164.3	136.7	
Deficit reduction:				
Revenues	33.7	86.8	92.2	212.7
Spending and other	−29.0	−23.1	−30.6	−82.7
Total reduction	−62.7	−109.9	−122.8	−295.4
Remaining deficit	108.0	54.4	13.9	
GNP projection	4,779.0	5,124,0	5,503.0	
PERCENT REDUCTION OF GNP				
Fiscal year 1983 resolution	2.2	3.9	4.6	3.7
Hollings 1988	1.3	2.1	2.2	1.9

Note.—Details may not add to totals due to rounding.

Further, the reductions in the Hollings plan are 1.3 percent of GNP in fiscal year 1988 and 1.9 percent of GNP over the 3-year period. The reductions in the proposed fiscal year 1983 budget resolution are essentially double that of the Hollings plan—2.2 percent in 1983 and 3.7 percent over the 3-year period.

Mr. President, I believe the compromise plan deserves the support of the full Senate. It is a real budget and the proposed deficit of $133.6 billion is based on real numbers. If the President can cast aside his partisanship and get in the game and talk real revenues—we can have a balanced budget by 1991. We need to start paying our bills and stop burdening future generations with our excesses.

Mr. HUMPHREY. Mr. President, the Chiles budget resolution proposes to spend $500 million on a Clean Air Initiative. The program's purpose is to subsidize the introduction of clean coal technologies, in an effort to address the problems posed by acid rain.

Before the Senate agrees to this plan, we need to look at what we will be buying. Will the proposed program live up to its "Clean Air" billing? Or will we be simply raining more red ink of the taxpayers?

There is no doubt acid rain is killing our fish and wildlife, polluting our lakes and streams and contributing toward forest dieback in the mountains of New England and other parts of North America. An effort to control the ravages of acid rain control requires reduction of SO_2 and NO_x emissions. We have the control technology necessary to significantly reduce these emissions. We must act now to deploy these technologies and begin to resolve the serious problem of acid rain.

Recently, President Reagan and Canadian Prime Minister Mulroney agreed to meet the goals outlined in the United States-Canadian joint report of special envoys on acid rain. This report calls for a $5 billion program to deploy coal-cleaning technologies to reduce acidic precipitation.

Although I am pleased that the President endorsed the envoys' report, it is important to note that a clean coal program does little to mitigate the immediate effects of acid rain.

The fact is, the Government is already funding an expensive Clean Coal Technology Program with little to no effect on acid rain. The 99th Congress appropriated $400 million out of $750 million set-aside for the Department of Energy's Clean Coal Technology Program. Unfortunately, according to the Environmental Protection Agency, only two out of the nine projects selected under the program would result in immediate reductions in the levels of acidic precipitation in the Northeast and Canada.

It simply does not make sense to pour good money after bad and continue funding DOE clean coal technology demonstration projects. It is disingenuous to do so in the name of acid rain control.

Mr. President, a Clean Coal Technology Program which does not reduce acid rain precursors is not worth pursuing. A Clean Coal Program which is not combined with significant requirements to reduce SO_2 and NO_x emissions is not an acid rain control program.

I urge my colleagues to combine clean coal funding with responsible legislation to control the emissions which cause acid rain. Our environment cannot afford an effort to sink millions into another ineffective long-term solution.

Mr. CHILES. Mr. President, our original budget plan assumed $54 million in savings reconciled to the Commerce Committee as the result of reductions in funding for the National Oceanic and Atmospheric Administration [NOAA]. The revised budget reduces these reconciliation savings by $10 million to $44 million to permit continuation of the Saltonstall-Kennedy Fisheries Development Grants Program.

This grant program has benefited the seafood industry and the U.S. consumer in a number of significant ways by funding important research and development activities across the country. The revised budget contemplates continued funding for Saltonstall-Kennedy grants in 1988.

COMMUNITY DEVELOPMENT

Mr. SASSER. Mr. Chairman, I would just like to make a few comments for the RECORD on the budgetary assumptions relating to the Community Development Block Grant Program and the Urban Development Action Grant Program contained in the function 450 portion of this budget.

As you know, I was prepared to offer an amendment to this budget package which would have restored funding for these two programs at the fiscal year 1987 appropriated levels. As originally contemplated, the CDBG Program was slated for a 30-percent reduction below the 1987 funding level, and UDAG was slated for a 10 percent cut below the 1987 level.

These programs have already contributed more than their fair share towards deficit reduction. In 1981, the CDBG program funding level stood at $4 billion. Today it stands at $3 billion, a real cut of 25 percent not accounting for inflation. If the budget committee-reported resolution were not changed, funding for this program would drop to $2.2 billion.

Similarly, funding for the UDAG Program stood at $440 million in 1981. Under the budget committee-reported resolution, funding for this program would have dropped to about $200 million next year.

These cuts would come on top of policy decisions which have reduced Federal grants to State and local governments by nearly 40 percent over the past 6 years, and they would come on the heels of the loss of general revenue sharing just last year.

Mr. Chairman, I appreciate the efforts you have taken to pare these projected cuts in community development back. As it currently stands, the CDBG Program would be cut 10 percent below the 1987 level, and UDAG would be cut 5 percent below the 1987 level.

The Chairman assures me that he is aware that the House has no cut in these programs and that further modifications are possible in conference. Is that a correct understanding?

Mr. CHILES. The Senator is correct. We know there is a difference, and I have never seen a budget conference where we do not change our Senate-passed numbers. The senior Senator from Tennessee has been a stalwart fighter for a responsible approach to deficit reduction, and he has never let me forget for a minute the importance of Federal aid to State and local governments, particularly for community development.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Mr. MURKOWSKI. I say to the chairman that during the past few weeks Senator SASSER and I have been working on a floor amendment to restore funding of the Community Development Block Grant [CDBG] Program in the fiscal year 1988 Senate Budget Resolution.

This was necessary due to the Senate Budget Committee's proposed 25-percent cut in fiscal year 1980 CDBG budget authority from $3 billion to $2.25 billion.

To cut CDBG funding would be penny wise and a pound foolish. It would jeopardize the growing strength of successful community grassroots efforts to combat poverty; put a chill on private sector support for low income community development; and make it more difficult for cities, counties, and towns to provide decent housing, suitable living environments, and economic opportunities for its citizens.

For example, the city of Anchorage, AK, in my home State, utilizes 100 percent of its CDBG funds to help the low income, elderly, and the handicapped. It has a citizen's advisory task force that goes through a rigorous public participation process to identify Anchorage's needs. In fiscal year 1987 $1.9 million in CDBG funds will be used by the city to pay for 22 individual projects in the city to provide such things as job skill training for the disabled, meals for the homeless, rehabilitation of low-income housing, business counseling, affordable day care facilities, and so forth.

It is my understanding that an agreement has been reached to restore 15 percent of the 25 percent cut for CDBG funds.

Mr. Chairman, I want to thank you for your help and cooperation in this matter.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FISCAL YEAR 1988 BUDGET REQUEST

Mr. HARKIN. Mr. President, I strongly believe that the Community Development Block Grant Program should receive no reduction in funding.

This program is an excellent one, which serves a variety of important national interests. In my State of Iowa, 99 percent of the $21.7 million spent in 1986 in the small cities program went toward benefiting low- and moderate-income persons in 111 projects. Sixty percent of the Iowa funds were used for public works projects, garnering susbstantial leveraging of local funds. Twelve percent of the projects were for community development. And, these projects were leveraged with an amazing $39.5 million in private and local funds.

I have found that the program has been well used in Iowa's larger cities as well. For example, in Des Moines, the program is used for urban homesteading, rodent control, providing additional funding for meals on wheels for the elderly, promoting adequate housing for the handicapped, youth programs and a host of other worthwhile efforts.

The Community Development Block Grant Program has received far more than its share of reductions since this administration has come into office. Moreover, just last year, cities and counties lost their revenue sharing funds.

In Iowa, many cities are losing a significant portion of their tax base because of a decline in valuations and a substantial amount of taxes owed are not being paid because people are out of work.

The fact is, the loss of Federal assistance to local communities has been very damaging and they cannot take another reduction.

While I have a variety of concerns about the revised Chiles budget plan, I am very pleased that the amount of CBDG funds has been increased from 75 percent of last year's level to 90 percent of that level. But, I strongly urge that whatever figure finally passes in the Senate, that the conferees do everything that they can to work toward a final budget which contains no less than 100 percent of last year's budget amount for the CDBG Program.

BUREAU OF RECLAMATION BUDGET

Mr. DECONCINI. In the revised budget package it is my understanding that the committee has assumed an additional $50 million over fiscal year 1987 levels in budget authority for the Bureau of Reclamation in fiscal year 1988. I wonder if the Senator could clarify for the RECORD the committee's intent with regard to the Bureau of Reclamation budget in the revised CHILES' budget.

Mr. CHILES. The revised budget provides an additional $50 million in budget authority for the Bureau of Reclamation, which brings the Bureau of Reclamation's budget close to the level in the President's budget request for the programs about which you expressed concern.

Mr. DECONCINI. Adequate funding for Bureau of Reclamation activities is crucial to Western interests, this Senator, and others throughout the West, and I want to thank the able chairman for responding to the concerns raised by Members throughout the West. The funding level in the revised budget will allow the Department of the Interior to comply with commitments made to water users in the West.

Mr. BINGAMAN. Mr. President, much has been said about the relationship of our budget deficit to our trade deficit. The popular wisdom is that if the deficit is only cleared away, the budget balanced, and the national debt wiped out, our economy would continue to expand smoothly. Unfortunately, it is not that simple. I wish it was. Decreasing the budget deficit is important and we, as a body, committed ourselves to that action when we passed Gramm-Rudman-Hollings. Yet, reducing the budget deficit is not the sole answer to our trade deficit.

The relationship between the budget deficit and the trade deficit is not clear. In a recent article in the Wall Street Journal, Peter Bernstein challenges the new economic orthodoxy that our trade deficit is a direct result of our budget deficit. Rather, he states:

> One could make a plausible case that the trade deficit, by depressing the real economy and by pressing down on the price level, is in fact the cause of the budget deficit.

I ask that Mr. Bernstein's article be printed as part of the RECORD.

Mr. President, we can stand here for hours and argue the effect of the Federal budget deficit on our trade deficit. This does not mean that cutting the deficit is not important. The result of these huge Reagan deficits is that we have mortgaged our children's economic gain for our own immediate advantage.

However, cuts in the Federal budget for purposes of reducing the budget deficit should not be viewed as the major weapon against our trade deficit. This is especially true when it comes to cuts in those programs designed to improve our long-term economic competitiveness—such as education, science, worker retraining, and export promotion. These cuts, made in the name of reducing our trade deficit, would be counterproductive. To attempt a short-term budget reduction by cutting programs such as basic education, aid to higher education, research and development funding, export promotion, and worker adjustment assistance will only result in a long-term decline in our competitiveness and a corresponding decline in our standard of living. We would be guilty of eating our seed corn and would thereby be guilty of condemning future generations to a poorer world.

I urge my colleagues to take the broader view of our trade and competitiveness problems and resist cuts in these important programs. Let us not take actions in the name of future generation that will actually leave those future generations worse off.

The article follows:

[From the Wall Street Journal, Apr. 17, 1987]

A CASE OF MISTAKEN IDENTITY

(By Peter L. Bernstein)

Some economists have latched onto a mathematical certainty—an "identify," if you will—that leads them to recommend policies with very uncertain results. The equation is as follows: The smaller the domestic savings rate relative to the investment rate, or the larger the budget deficit, the worse the trade balance is going to be and the more the U.S. must borrow from foreigners—all other things being equal.

That qualifier at the end is critical. Overlook it and you proceed naturally to the notion that the solution to the trade deficit is to cut the budget deficit, so that total domestic savings more closely match domestic capital formation. Another solution is to consume less, thereby raising the private savings rate. In fact, if we take this statistical identity at face value, there are no other acceptable solutions to America's predicament.

BUSINESS SAVING

Before getting to the heart of the economists' misperception, some observations are in order about the equation's parts:

The private savings rate has been historically high, not low, in the economic expansion since 1982, thanks to an impressive volume of saving in the business sector. With business savings more than a full percentage point above its postwar average, total private saving has averaged 17.3% of the gross national product vs. a postwar average of 16.7%.

Furthermore, if consumers are on a spending spree, it is surely an odd-looking one. Draw a trendline through the logarithm of real personal consumption expenditures since the end of World War II. You will find the current level of real spending below that trendline, not above it. In fact, consumption has average nearly 4% below that trendline since 1981.

Remember that personal saving is a residual. It is what is left over from income after consumption. If the savings rate is low, that could be as much because income is low as because consumption is high. Not only has the growth in real income been slow since 1981, but the tax burden has been rising in recent years, cutting into take-home pay. Taxes, including Social Security taxes, took 12.2% of personal incomes in 1986, up from 11.7% in 1984—and the highest percentage for any year other than the period 1980-82, when bracket creep was at its most intense.

Finally, let us take a critical look at the facts determining America's hugh trade deficit. Once again, I suggest that you draw a trendline through the logarithms of real exports and real imports over the past 30 or 35 years. Over the long run, U.S. imports have grown on a steeper trend that U.S. exports have grown. Nevertheless, the picture that emerges is surprising. U.S. imports—including oil—were right on that trendline in 1986, the year of America's biggest import surplus. Exports, however, were clearly below their trendline.

Is the glass half full or half empty? I would deduce from those patterns that the major cause of the U.S. trade deficit is lack of demand abroad rather than an excess of demand at home.

If you want further proof of that statement, a disaggregation of U.S. export figures is worth the effort. U.S. exports to the industrial world, and especially Japan, are higher than they were in the peak export years of 1980-81. Just about the entire decrease over the past five years is in U.S. exports to the lesser developed countries and to OPEC members. Thus, the export problem primarily has to do with the financial problems of those countries, not with the U.S. budget deficit. Yet the conventional view I noted at the outset persists.

The conventional view is not only sloppy about the facts, but sloppy in interpreting the same fact at different times.

We were told that the dollar rose because the budget deficit was so big. Now we are told that the dollar can go into freefall because the budget deficit is so big.

We were told the budget deficit made interest rates go up and thus made the dollar go up. If we could cut the budget, interest rates would fall and the dollar would fall. Now we are told a weaker dollar is making interest rates rise.

Furthermore, the whole structure of the conventional view, which relates the budget deficit directly and intimately to the current-account deficit, takes three or four years of unique experience and builds an entire theory on them. Have we forgotten all our tests of statistical significance, which require more than just a few observations before inferring generalized causal relationships?

A careful look at history demonstrates that, unlike the budget deficit, the current-account deficit does not correlate with the business cycle. Therefore, the two deficits do not characteristically correlate with each other. Indeed, there is no clear-cut, strong, or universal pattern of movements between budget deficits and real exchange rates in the U.S. or in any of its major trading partners.

One final point that relates to the saving data: They are all ex post facto. We see what happened, not what was intended. As John Maynard Keynes taught us a long time ago, the measured savings rate is not at all the same thing as the propensity to save. All sorts of surprises get in the way of making the two come out to be the same number. One person's spending is the other person's income. My decision to save or spend is going to affect the size of your income and your ability to save, but you have no foreknowledge of what my decision is going to be.

This means the gloomy conclusions about the U.S. household propensity to save are based on flawed data. The problem could be—and I suspect actually is—one of unexpectedly low income growth, rather than too much consumption.

The most profound error in the conventional view is not the messy fit with the facts and not with the inconsistencies in the application of the facts. The real difficulty is in the theory.

The problem goes back to that statistical identity: The trade deficit is equal to the nation's gross domestic investment minus its domestic private savings plus the budget deficit (or minus the budget surplus). Like all statistical identities, this statement tells us nothing about cause and effect.

For example, we have the trade deficit on the left-hand side of the equation. This implies that the trade deficit is caused by the elements on the right-hand side. Nevertheless, one could make a plausible case that the trade deficit, by depressing the real economy and by pressing down on the price level, is in fact the cause of the budget deficit. This is precisely the opposite of the conventional argument.

More important, the identity is limited to its specific elements. It is silent on the subject of forces other than savings and investment. What about momentary policy? Monetary policy has an influence on every one of these elements; co-movements among them may be the result of an exogenous factor like monetary policy, rather than the consequence of one of them, like the budget deficit, causing the trade deficit.

Most important, the identity is static. It describes a moment in time. It tells us nothing—absolutely nothing—about change. If you hold time constant, then clearly the simple arithmetic of the thing tells you that you can cut the trade deficit by reducing the budget deficit.

In the real world, these things do not stand still for us. Cutting the budget deficit affects domestic savings and investment. History suggests that higher taxes or spending cuts reduce take-home pay somewhere and tend to reduce domestic savings, so your net gain is nil.

If cutting the budget deficit does not reduce domestic savings, then it is likely to reduce domestic spending. If you reduce domestic spending, the odds are that investment spending—which you want to increase—will fall along with consumption. Of course, if you reduce domestic spending you will probably reduce imports, which is some help, but what will happen to our exports if we buy less from our trading partners abroad?

WONDERFUL SOLUTION

Admittedly, the lower interest rates that would result from all of this would be some help. On the other hand, we have no evidence to assure us that the lower interest rates would do the full job of offsetting the demand losses stemming from the cuts in government spending or increases in government tax rates. Rather, the available evidence indicates that easier monetary policies in this environment have all the impact of pushing on a string.

One wonderful solution to the loss in domestic demand from cutting the deficit is to increase U.S. exports. Let foreign demand replace domestic demand. This is the game America's trading partners have been playing to a fare-thee-well. They follow policies of fiscal recititude, cloaked in unctuous virtue, along with relatively restrictive monetary policies. The production they do not sell at home goes happily to the U.S., where Americans have been willing to buy more than they produce.

Should Americans therefore learn to emulate these wise policies of the Japanese and the West Germans? I am all for it. The only hitch is that the Japanese and the Germans don't want to play. Everybody cannot be a net exporter. Mercantilism, as Adam Smith taught us 211 years ago, is a zero-sum game at best, a game of beggar-thy-neighbor at worst. In a world of Calvinists, everybody is a beggar.

CDBG AND UDAG

Mr. RIEGLE. Mr. President, I would like to engage in a colloquy with the distinguished chairman of the Budget Committee. I had intended to offer an amendment to restore the community development block grant [CDBG] and urban development action grant [UDAG] programs to their fiscal 1987 appropriated levels. Initially, the budget resolution reported out by the Budget Committee assumed a 25-percent cut in CDBG and a 10-percent cut in UDAG. As part of the revised proposal under consideration today, however, the chairman has agreed to reduce those assumed cuts to 10 percent for the CDBG and 5 percent for UDAG. I am grateful to the chairman for his action in this area. While I believe that there should be no cuts in these programs, I am willing to withhold my amendment. However, I would to make a few points about the importance of the programs to urban communities.

Both of these programs have proven their effectiveness in encouraging community and economic development. Since 1978, 2,800 UDAG projects have created or maintained 550,000 permanent new jobs; 55 percent of those jobs go to individuals with low and moderate incomes. CDBG helps communities respond to local economic needs and provide urgently needed services including child care, and food and shelter for the homeless.

Both of these programs have taken more than their share of cuts. Since 1980, UDAG has been cut by $450 million—that's 66 percent—and CDBG has been cut by 20 percent. In addition, communities are still reeling from the loss of general revenue sharing and from reductions in other programs which help them respond to critical local problems. Further cuts in CDBG and UDAG will severely cripple the ability of communities to strengthen their local economies. For this reason I do not believe there should be any cuts in either of these programs.

Mr. CHILES. I would like to thank the Senator from Michigan for his comments. He has been a strong and key player in the process of developing a budget which achieves real deficit reduction. I have appreciated his efforts both in public and in caucus, to bring a sound and responsible budget to the floor. He has been very helpful in working out differences not only with regard to CDBG and UDAG, but also with Medicare, education, and other important programs.

With regard to CDBG and UDAG, I would like to say to the Senator that, in the best of all possible worlds, we would not have to cut these programs. However, we currently face a Federal deficit which threatens the strength of our national economy. We have set a goal of adopting a budget resolution which makes real reductions in the deficit and achieves a balanced budget by 1991 in order to reduce that threat. We gave priority to programs that will help our economic strength now and in the future. The original committee budget proposal provided a generous increase in aid to State and local governments of $10.6 billion. In the spirit of compromise, we have revised the proposal to reduce the cuts to the CDBG and UDAG programs.

Mr. RIEGLE. I appreciate the efforts of the distinguished chairman to meet my concerns and the concerns of my colleagues with regard to CDBG and UDAG. As I have indicated, however, I do not feel that we can afford any further cuts in either of these programs from their current appropriated levels.

Mr. CHILES. As I have indicated, a number of Senators including my colleague from Michigan have worked actively for these programs and we have responded to their concerns by partially restoring funding for CDBG and UDAG. I am aware that we have a difference with the House, and I have never seen a budget conference where we did not adjust our numbers. I am confident we will be able to work out an agreement in conference which will respond to the Senator's concerns.

Mr. HEINZ. I wish to associate myself with the remarks of my colleague, the senior Senator from Tennessee, regarding funding for the Community Development Block Grant Program and the Urban Development Action Grant Program in the budget resolution. Both he and I serve on the Banking Committee which authorizes these programs, and I applaud him for his leadership on the Budget Committee with regard to these programs.

As a member of the authorizing committee, I can honestly say that no programs have contributed nearly as great a share to deficit reduction as our Federal housing and community development programs. On the average, they have been cut by two-thirds since 1981. The elimination of general revenue sharing last year compounds an already tight fiscal situation facing our Nation's local governments. The Congress does not show fiscal courage by slashing the budgets of other governments. It just shifts the deficit burden to localities who are already burdened with providing many new services formerly financed by the Federal Government.

Just last month, this body passed a housing bill that authorized a 2-year freeze of CDBG and UDAG by a bipartisan vote of 71 to 27. During action on the housing bill, we rejected an amendment to eliminate UDAG by an even more decisive vote of 75 to 23. I believe the Senate rejected proposals to cut these programs during action on the housing bill because my colleagues recognize the hardship that budget cuts we've already made have created for local governments.

In addition, CDBG and UDAG have distinguished themselves as effective Federal programs. CDBG funds have been used to buy firetrucks, rehabilitate homes for the poor and elderly, supply soup kitchens, provide job placement services for the hard-to-employ, and weatherize homes in the winter. The UDAG program has been effective in leveraging many times the value of its grants in private sector investment and creating jobs in our Nation's most economically distressed cities.

Further cuts in these programs, as are proposed in this resolution, would be unwise and unfair to millions of people in our Nation's towns and cities who rely on essential services provided by CDBG and UDAG.

I appreciate the chairman's willingness to pare these cuts in his revised package.

CLEAN COAL TECHNOLOGY PROGRAM

Mr. FORD. Mr. President, I want to compliment the distinguished majority leader, Mr. BYRD, the distinguished chairman of the Budget Committee, Mr. CHILES, and the distinguished chairman of the Energy Committee, Mr. JOHNSTON, for the leadership they have provided in assuring that a funding allocation is available in the budget resolution so that the Clean Coal Technology Deployment Program might be initiated this coming fiscal year.

In late 1984, the Department of Energy solicited project proposals and statements of interest for private sector participation in clean coal technology demonstration projects. The chairman of the Energy Committee and I had proposed an amendment to the fiscal year 1985 Interior appropriations bill which was ultimately made a part of the continuing resolution requiring DOE to seek these demonstration project proposals. Through the effects of the then Energy Committee chairman, Mr. MCCLURE, and the majority leader, we also obtained authorization for the establishment of a $750 million clean coal technology reserve.

The Energy Department's request for projects resulted in the submission of 159 specific clean coal projects, proposing the demonstration of a dozen technologies to burn more cleanly. The private sector also indicated a willingness to provide significant cost sharing, oftentimes exceeding 50 percent of project costs. DOE selected nine of those proposals and they are now underway; 65 percent of the cost of these demonstration projects will be borne by the private sector and 35 percent by the Federal Government. Just last year, DOE was also directed to solicit additional proposals to retrofit or repower clean coal technologies to existing powerplants; industry responded with 139 proposals. The interest and commitment of industry are these, to develop and deploy these new, promising technologies.

With continuing concern expressed over both acid rain and the need to further control emissions from coal-burning powerplants; with more than a half of our electricity generation derived from the combustion of coal—and that percentage is projected to increase; with a staggering foreign trade deficit contributed to in substantial measure by the billions of dollars in oil and petroleum product imports paid each year; and with unemployment still plaguing the coal-producing regions of this country, I believe there is every reason to support the development of clean coal technologies that will allow the use of coal in an environmentally acceptable manner, to encourage the use of all ranks and quality of our most abundant domestic energy resource.

President Reagan has indicated as recently as mid-March of this year that he strongly supports clean coal technology development. He is calling for a 5-year, $2.5 billion program to develop new clean coal technologies. I am a cosponsor of S. 879, introduced by the majority leader, which endeavors to achieve similar results as those advocated by the President. The budget resolution makes allowances so that the Senate Energy Committee and the Senate Appropriations Committee can give full and thorough consideration to these proposals.

Mr. President, we heard yesterday about concerns others have regarding the need for this program. Several of my colleagues spoke of delays; some asserted, in part, that this program may not be an appropriate use of scarce dollars and should not delay enactment of legislation to impose an acid rain control program. The budget resolution is not the place to debate the merits of either clean coal or acid rain. Suffice it to say at this time that stricter air emission controls resulting in reliance upon current technologies will be far more expensive and ultimately less reliable in sustaining emission reductions than can be assured through the widespread use of clean coal technologies.

In February of this year, the Department of Energy published a concise report on the Nation's commitment to clean coal technology development and to the accomplishments already made in controlling emissions from coal use. I commend the report to the Senate and ask unanimous consent that figure 11 of the report be included in the RECORD at the conclusion of my remarks. This chart which appears on page 28 of the report, compares new clean coal technologies to other current methods for emissions control.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FORD. Mr. President, finally, during hearings last month on the Clean Coal Program before the Senate Energy and Natural Resources Subcommittee on Energy Research and Development which I chair, we were informed about the many benefits of these technologies and about the need for a deployment program like that supported by the President and by those of us who have cosponsored S. 879. Legislative hearings will be conducted in the Energy Committee in 2 weeks so that we might carefully examine the merits of the clean coal technology deployment proposals.

The utility industry has projected that, by the turn of the century, the United States may require in excess of 100,000 megawatts of additional electrical capacity above that in existence, under construction or planned. Indeed, there are some in the industry who project capacity shortages as early as the mid-1990's. Whatever the actual capacity requirements, it is clear that coal will supply a large portion of increased demand. If we are to have new clean coal technologies available in the 1990's when new capacity might be required, then demonstrations and deployment must take place soon.

Our window of opportunity is narrow and the time to determine the commercial viability of these technologies is now. Representatives of the Electric Power Research Institute have testified before the Energy Committee that use of new technologies now under development could reduce the cost of additional capacity by more than 50 percent relative to current experience. This is important to American ratepayers and important for our competitive position in the world.

As important, these technologies can provide us with yet another set of options by which to use coal more cleanly. It is worth noting, and reemphasizing, that many of these clean coal technologies can obtain greater emission reductions than current generation technologies and, importantly for the Nation and, particularly, for the Western United States, many can control nitrogen oxide emissions as well as sulfur dioxide, the former of growing concern in the deterioration of our ozone layer.

I would urge that we move forward toward eventual widespread use of clean coal technologies. It makes good energy sense, good environmental sense, good consumer sense, to proceed rapidly with the Clean Coal Program.

EXHIBIT 1

[Figure 11]

OPTIONS FOR FURTHER REDUCTION OF SO_2 AND NO_x

Install SO_2 Scrubbers:

Advantage: Proven method to significantly control SO_2; allows existing coal to be used.

Disadvantages: Very expensive; reduces plant efficiency; produces large quantities of difficult-to-handle sludge.

Switch to Low Sulfur Coal:

Advantage: Proven method to significantly control SO_2.

Disadvantages: Would displace many miners of high-sulfur coals; High cost—would result in boiler deratings, premium on low-sulfur coals, would require upgrading of particulate controls.

Conventional Coal Cleaning:

Advantages: Allows existing coals be used; improves boiler performance.

Disadvantage: Can remove only 10-30 percent of the sulfur from most coals.

Innovative Clean Coal Technologies:

Advantages: Much more cost effective in control of SO_2; may control NO_x as well; some could be used to reduce emissions, increase plant output, extend plant life—all in one; produce usable or easily disposable waste.

Disadvantage: Full slate of technologies not yet commercially available.

CDBG FUNDS

Mr. METZENBAUM. Mr. President, the Community Development Block Grant Program is the single most important urban assistance program still on the books.

CDBG funds are targeted specifically to people and communities who lack the resources to help themselves.

Cities are required by law to spend 51 percent of their CDBG funds to help low- and moderate-income people. Most cities spend a greater percentage. These expenditures truly help people.

The city of Cleveland, for example, has spent $103 million over the past 12 years on construction and rehabilitation of recreation centers, parks, playgrounds, and senior citizen centers.

The city spent $82 million to fix up and weatherize homes for low- and moderate-income families.

Nearly $57 million was spent on essential human services—safety, health, nutrition, shelters, elderly and youth services, day care, education and tutoring, job training and placement.

Millions more were spent to revitalize commercial districts through the use of below-market revolving loan pools.

The city of Dayton, OH, which expects to receive $6.5 million in CDBG funds this year recently conducted an interesting analysis. The city calculated that in order to make up the loss of its $6.5 million CDBG allocation through local income tax receipts, it would have to create 16,500 new jobs!

That is a lot of jobs.

Supporters of CDBG cuts say that cities should do more to help themselves during this era of Federal budget deficits. Well, Dayton's 2¼ percent municipal income tax is no small bite out of the average working person's paycheck—particularly after paying State and Federal taxes.

Dayton, too, uses CDBG money to help people.

Over the years, Dayton has used block grant money to install 4,675 smoke alarms in low-income households. The city has renovated over 1,100 housing units.

The city supports its Fair Housing Program, a drug treatment center, and a sickle cell service program with CDBG funds.

Clearly, no other Federal program is so flexible and so responsive to local initiatives and priorities.

Mr. President, in a similar vein, I support the Urban Development Action Grant Program because UDAG has helped to move forward many urban redevelopment projects in some of our most distressed cities. By law, UDAG-assisted projects have to generate private investment three times larger than the Federal grant. Most projects leverage a far higher proportion of private dollars.

Since 1979, Dayton's $12.6 million of UDAG's leveraged $83.5 million—a 6-to-1 ratio—and created almost 1,000 jobs.

The program makes sense. It is targeted to distressed cities, and its purpose is to stimulate private sector investment.

And it has been proven. It works.

Our cities are in big trouble. Structural job loss and the corresponding shrinking of population is absolutely devastating. People who decide to stay, and stick it out until better times, face declining services, high crime, crumbling infrastructure, and ineffective schools.

But, that is not all.

They also face an administration at the Federal level that is insensitive and uninterested in their problems.

Too often, when we talk about urban development action grants and community development block grants, we think of cities and big concrete development projects.

What we are really talking about is helping people who need help—people who have the least going for them.

I am pleased that we were able to prevail on the committee to reject deep cuts in the Community Development Block Grant and Urban Development Action Grant Programs.

I am confident that we will prevail on the conference committee to raise funding for both programs to the level provided during the current fiscal year.

Mr. KENNEDY. Mr. President, I am pleased to join Senator CHILES and other Senators in supporting this revision to the original Senate budget.

This budget represents a significant improvement. It does not make all the changes I and others might have wished; it does not put as many resources into key domestic needs as I would have preferred. But it is a responsible budget; it is an improved budget and it is vastly superior to any budget reported out of the Senate in the last 6 years.

I am especially gratified that this budget incorporates essential provisions of an amendment that I, along with Senator WEICKER, Senator HEINZ, and Senator INOUYE, had intended to propose until this modification was developed.

The revised budget dramatically improves our ability to deal with two of the most important issues facing the 100th Congress. No public health crisis has ever threatened the lives of as many millions of our fellow citizens as the AIDS epidemic. No inadequacy of public policy threatens the security of our senior citizens as much as our national failure to protect them against the high cost of essential health care.

AIDS

AIDS is increasingly on the minds of all of us. Every day we see in the press front page stories with new revelations about the dangers that this menace poses to our country. A recent Gallup poll showed that AIDS was the No. 1 health issue of concern to Americans, preceding even cancer and high medical costs. The news has not been encouraging.

To date, 33,000 Americans have died from AIDS and between 1 million and 2 million Americans are infected. Though it was originally projected that 20 to 50 percent of them would become ill, it now seems likely that a much higher percentage will succumb to the disease. Credible scientists believe that 100 percent of the infected will eventually die.

Cases have been reported in every State in the country, and 31 States have reported more than 100 cases. Seventeen cities have reported more than 300 cases. Since there are about 50 individuals infected with the virus for every case of disease reported, the numbers in every city and State will increase sharply in the years to come.

The potential for explosive growth in this disease is even more ominous. Today, between 1 and 2 million Americans are infected with this disease. By 1990, if current trends continue, the number will rise to 5 million.

Infection with this lethal virus is not just reserved for individuals who are promiscuous. The AIDS virus can be passed from person to person in a single sexual encounter. And, it can be passed from a pregnant mother to her child, in the womb or at birth. In many urban centers, teenagers who might be tempted to experiment with intravenous drugs face a better than 50 percent chance of becoming infected with the AIDS virus the first time they share or reuse a needle.

The AIDS death toll is doubling every 14 months. By 1991, AIDS will annually be claiming more American lives than the entire Vietnam war. And in that year alone, it is projected to cost this society $64 billion.

The worldwide picture is even more ominous. It is estimated that between 5 and 10 million people are currently infected. Within 5 years that number may be 50 to 100 million. Steven Jay Gould, writing recently in the New York Times magazine, has put AIDS in the category of nuclear war as a threat to our planet. He pointed out that the growth curve for the number of AIDS cases is exponential, which means that the numbers double—and keep on doubling.

Clearly, this epidemic requires a dramatic and consistent response. There is no time to waste or equivocate. AIDS is spreading like wildfire, and ideology won't stop it.

This revised budget adds $400 million to the original proposal for AIDS research, prevention, and treatment. In my judgment, these are the bare minimum resources that are needed, and I hope that we will emerge from our conference with the House with a higher figure.

It is time for Congress to launch the full-scale attack that is required to halt AIDS. I believe that it is within the power of our scientific and medical researchers to find the answers we need: effective treatments and a vaccine. But they cannot do so unless we give them the resources to do the job.

It is within our power to prevent countless more Americans from becoming infected with the AIDS virus. There is no excuse for not beginning a nationwide education and prevention effort immediately. It must reach every corner of this Nation—including the places where the virus has not begun to make its inroads.

If we are to prevent the continuing spread of AIDS, we must invest immediately in education—give States, cities, youth, and community organizations, and education professionals the resources to develop AIDS prevention programs. If we are to have any chance of heading off multibillion dollar AIDS health care costs, we must accelerate the development of treatments to prevent millions of infected individuals from coming down with full-blown AIDS. Similarly, if we are to ensure that those now infected with the AIDS virus do not pass the infection to others, we must create a responsible program of counseling and testing that does not treat the victims of the illness as villains.

I urge the Senate to provide adequate resources to deal with AIDS—and this revised budget resolution is an important start. It is the only possible way to meet our health priorities and prevent the AIDS epidemic from becoming the AIDS catastrophe.

If we fail to act now, our failure will be measured in countless lost lives, untold suffering, and hundreds of billions of dollars in future spending.

CATASTROPHIC ILLNESS PROTECTION FOR SENIOR CITIZENS

The second change proposed in our amendment and incorporated in this revised budget is designed to ensure that senior citizens are more effectively protected against the high cost of essential health care.

The inadequacy of Medicare may not be as dramatic a problem as AIDS. It is not as frequently the subject of weekly news reports or televison shows. But it destroys the lives of millions of senior citizens as surely as the AIDS virus kills those who develop the disease.

When I came to the Senate in 1962, Congress was in the final stages of the long and successful battle to insure the elderly against the intolerable burden of serious illness. President Kennedy was proud of his role as the first President to propose Medicare. And Medicare did make a vast difference in the security and health of our senior citizens.

But because of gaps in Medicare coverage, senior citizens are far to often at risk for the loss of a lifetime of savings and a secure and dignified retirement when serious illness strikes.

Secretary of Health and Human Services Otis Bowen has proposed an important and innovative plan to deal with some of the gaps in Medicare. But it does not go far enough. The challenge facing Congress is to improve upon the Bowen plan and seize this unparalleled opportunity—the best since Medicare was enacted in 1965—to provide real protection for the elderly against catastrophic illness.

Let me review the changes that need to be made in the Bowen plan if our senior citizens are to have the protection they need and deserve.

A high proportion of senior citizens suffer catastrophic health expenses every year, even when long-term care expenditures are excluded from the calculation. Almost a quarter of all the elderly—6.8 million people—spend more than 15 percent of their income on health care. More than 2 million must spend over 25 percent of their income on health care.

A $2,000 limit in expenses, as proposed in the Bowen plan, is too high to solve this problem. The vast majority of the elderly who experience catastrophic expenses spend less than $2,000 a year out of pocket. These are the low-income elderly, for whom an expenditure of $1,000 or $1,500 is catastrophic in terms of their already low living standard. Overall, about 85 per cent—5.7 million—of the elderly who experience catastrophic expense spend less than $2,000.

It is the low-income senior citizens who are the most vulnerable to catastrophic expenses, yet who are helped the least by the Bowen plan. More than a third of the elderly with incomes less than $10,000 suffer catastrophic costs in a year, compared to less than 6 percent of those with higher incomes.

And the problem of catastrophic costs goes beyond the services currently covered by Medicare. If we are to provide catastrophic protection to senior citizens, we need to expand the services that Medicare covers—not simply place a limit on out-of-pocket costs. Almost half—46 percent—of out-of-pocket costs for senior citizens experiencing catastrophic expenses is for non-Medicare services. And this does not even include long-term care. The largest single category of expense for non-Medicare services is outpatient drugs.

Financial devastation is equally likely to occur when a senior citizen enters a nursing home. Sixty-three percent of single elderly citizens will spend down to the current level where Medicaid is available after just 13 weeks in a nursing home; 83 percent will reach that level after a year.

For married elderly citizens, more than a third will reach the Medicare level in 13 weeks; more than half will reach that level after a year.

Spending down to this level means, under current Medicaid rules, that the noninstitutionalized spouse loses all possibility for a comfortable retirement. Even if the spouse tries to care for a disabled husband or wife at home, the cost of care will pauperize 16 percent of families in just 13 weeks and almost 50 percent of families in a year.

If we are to give senior citizens the protection they deserve against catastrophic costs, we must make special provision for the low-income elderly, for whom a $2,000 cap is too high. We must address the services that Medicare does not cover, especially outpatient drugs. And we must make a start toward protecting senior citizens against the devastating costs of long-term care.

The original budget resolution would have placed an artificial cap on the total cost of a catastrophic plan—even if the plan were deficit neutral. The revised resolution, I am pleased to say, eliminates this cap and allows an adequate catastrophic plan to be passed—as long as it does not add to the deficit.

With the exception of nuclear arms control, no priorities we face are more urgent than the AIDS epidemic and the need of our senior citizens for protection against catastrophic illness. A budget resolution is a statement of priorities, and this revised budget resolution makes clear that these needs have the priority they deserve. I urge its adoption.

COMMUNITY DEVELOPMENT PROGRAMS

Mr. DODD. Mr. President, I would like to join my colleagues in making a few comments on the budgetary assumptions relating to the Community Development Block Grant Program and the Urban Development Action Grant Program contained in function 450 of this Federal budget.

Under the original plan reported out of the Budget Committee, a 25-percent reduction in funding for the CDBG Program and a 10-percent reduction in funding for the UDAG Program were assumed. Therefore, I was prepared to offer an amendment which would have restored funding for these vital programs at the fiscal year 1987 appropriated levels.

I appreciate the efforts of the chairman of the Budget Committee, Senator CHILES, to accommodate my concerns. The revised Chiles budget plan assumes a 10-percent cut below the 1987 level for the CDBG Program and a 5-percent cut below the 1987 level for the UDAG Program.

No one on either side of the aisle, Democrat or Republican alike, denies the difficult reality of our time—that arduous and painful budgetary decisions constrain every area of policy debate. However, community and regional development programs already have contributed more than their fair share toward deficit reduction. In the past 2 years, Federal assistance to the Nation's cities and towns has been cut by some 66 percent.

Both the UDAG and CDBG Programs have proven their effectiveness in encouraging community and economic development. The CDBG Program provides assistance for locally determined physical, economic, and community development activities targeted to low- and moderate-income families and distressed neighborhoods. Local leaders are provided flexibility to target the funds for priority activities. In my home State of Connecticut and across the Nation, CDBG is helping to provide day care services, meals, and transportation for the elderly, housing rehabilitation for low-income families and shelters for the homeless, recreational programs for children, and many other worthwhile activities.

The UDAG Program provides the financial incentives necessary to encourage private businesses to undertake major commercial, industrial, and neighborhood projects in economically distressed communities. UDAG has promoted public-private partnerships and shown their effectiveness in fostering revitalization activities. it has helped to ease the financial risk of development in inner cities and distressed communities and improved their attractiveness for investment. Each UDAG dollar is credited with leveraging more than six times as many private dollars.

With urban poverty on the rise and with key Federal programs for cities cut by nearly two-thirds since 1979, the UDAG and DCBG Programs are more important to cities and towns than ever before. Struggling to cope with the impact of massive cuts in all key Federal programs serving urban populations, cities and towns simply do not have the fiscal capacity to make up for lost CDBG and UDAG funds from local sources.

It is my understanding that under the House budget resolution, CDBG's and UDAG's would be frozen at 1987 levels. I hope that the Senate conferees will recede to the House position during the conference on the budget resolution and restore funding for these essential programs.

Mr. SANFORD. Mr. President, we have heard a great deal in recent days about the inadequacy of the budgeted level for defense. The distinguished ranking member has lectured us that if we had adopted the committee recommendation on defense we would return to the days when defense was a smaller share of the GNP. Obviously, some on our side of the aisle have taken heed of these criticisms because the revised Chairman's mark has significantly increased the total funding going to defense.

Now, I supported the Chairman's revised plan. There are many aspects of the plan I consider outstanding. However, I believe there are many of us in this body who believe that the defense total in the revised plan is too high.

First, over the past 10 years, we have spent over $2 trillion for defense. More than $500 billion has gone to additional real growth. Our inability and the administration's unwillingness to pay for these increases has contributed to the mess we find ourselves in today.

Next, we have tended to err on the high side, as we should, on questions of funding for defense. However, we learned this week that the Defense Inspector General has notified scores of defense contractors that they are under investigation for overcharging. Still, we have ignored these warnings and chosen to grant this significant increase.

This is not to say that defense contractors should continue to bear the brunt of additional criticism. What this indicates is that we have a great deal to do before we can look again at substantial increases for defense.

Perhaps if we put our fiscal house in order, establish relationships of trust and confidence between the Congress, Pentagon, and the defense industry, we can then begin to look at real increases again. Until that time, we should be extremely cautious about providing increases which might encourage continued inefficiencies and mismanagement.

Finally, Mr. President, we must redirect the debate. As I indicated earlier, the distinguished Senator from New Mexico has made his primary argument that the original committee recommendation would allow the defense total to fall as a share of the GNP. With all due respect, I don't understand what percent of the GNP has to do with an adequate defense.

The clear implication of this argument is that if we returned to the good old days of the 1950's and 1960's, we would have a better defense. As an illustration of this, we could take 1953, when at the end of the Korean War, we found ourselves spending 13.4 percent of the GNP for defense. Today, if we were to determine the strength of our defense and the value of our domestic programs by their comparative share of the GNP in the 1950's, we would wind up with a defense budget of over $650 billion with marginal funding for Social Security and Medicare.

Those who make this argument have no real interest in doubling the defense budget, knowing full well the draconian reductions in the domestic safety net such an increase would require. Instead they distort the debate with a glib rhetorical device which is in no way tied to a reasonable or adequate level of spending for defense. As we are reminded time after time, the defense funding level should be based on a rational estimate of the threats our Nation faces, combined with our own estimate as to what the Nation can afford. Clearly, it is more than simplistic to suggest that we peg increases or decreases in defense on the basis of some particular share of the GNP.

If our country went into recession and the GNP began to shrink, would the threat diminish? Likewise, if we experienced great growth in the GNP, would the threat necessarily expand? No. I sincerely hope we can move away from these very clever but terribly hollow arguments to ideas of substance and merit.

Mr. President, the expeditious manner in which the Chairman and the committee have managed this bill will permit a good bit of time this year to reach bipartisan accord on the budget in general and defense funding in particular. I look forward to the day in the near future when we reach accord with our friends across the aisle and we begin to resolve these problems which threaten the economic well being of our Republic.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, a parliamentary inquiry: Pursuant to the unanimous-consent agreement how much time does the Senator from New Mexico have, and how much time does the Senator from Florida have?

The PRESIDING OFFICER. The Senator from Florida has no time. The Senator from New Mexico controls the remaining time from now until noon.

Mr. DOMENICI. I yield 5 minutes to the distinguished Senator from Texas, Senator GRAMM.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, we have before us an amendment that tries to do several things. First of all, it says we are going to add more money to domestic spending, $2.1 billion. We are going to give that money no matter what happens in terms of raising taxes. Then it sets up sort of a contingency which says if you raise taxes $7 billion more we are going to give $7 billion to defense.

There is just one major point I want to make about this amendment; that is, I want people to understand what a tremendous deviation from what the American people think is going on in Washington with our concern about the deficit and spending that this amendment represents. Let me give you some figures that I do not think most people have stopped to think about.

First of all, if this amendment is adopted, we will have a budget before us that will call for 137 billion dollars' worth of new revenues over the next 4 years. Who knows what 137 billion dollars' worth is? I do not even know what 1 billion dollars' worth is. But let me give you another number. There are 100 million taxpayers. Those are the folks that are pulling the wagon. They are not being represented here in this budget today. But they are the guys that are paying the bill. It is all the people that are riding in the wagon whose voices are so shrill that they are drowning out the voices of the working men and women of America who are not being heard on the floor of the Senate today. This bill contemplates new taxes of $1,370 for every taxpayer in America. Is that the direction the American people want us to move in? I think not.

We are hearing all of this argument we have to raise taxes to lower the deficit. We hear it over and over again. As I have said on several occasions, that is interesting because what that really says is if, in fact, we need to raise taxes instead of control spending, it says we have looked at the Federal budget, we have looked at the budget of the working families of America, and we have concluded they have more fat in their budgets than we have in the Federal budget. I reject that. But even that is a fraud. We are not raising taxes to lower the deficit. If this amendment is adopted we will have raised taxes by $27 billion, and we will have raised domestic spending by $45 billion. We are never going to get home that way.

How can you say you are raising taxes to balance the budget when you raise spending almost twice as much on domestic programs as you are raising taxes? This budget flies in the face of everything America believes is going on in Washington, DC. The plain truth, Mr. President, is that we are not making a legitimate effort to deal with the deficit problem. We are not making a legitimate effort to control spending. We have adopted a water bill that is a budget buster, a highway bill that is a budget buster, a housing bill that is a budget buster, a homeless bill that is a budget buster, and are about to adopt a budget resolution that is a budget buster. And I understand we have a supplemental coming to the floor that is going to raise the deficit by $3 billion.

What is happening here is an ongoing effort to spend this Nation into a tax increase. It is a deeper and deeper reach into the taxpayer's pocket. It will produce rising interest rates and rising inflation rates, and could very well put us to where we were in 1981 when we started.

I think it is very interesting, Mr. President, that as much as many of us believe that defense is underfunded, we know the President is not going to sign this tax bill and that the defense number will never be realized as a result. But it is important that while defense will not get the money unless the President raises taxes, that nondefense gets the money, a $27 billion increase in nondefense spending excluding interest on the debt, and excluding Social Security. That is not the way home. That is the road to higher deficits, higher interest rates, higher trade deficits, and higher inflation. And I urge my colleagues to vote down this amendment.

Mr. DOMENICI. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado, Senator ARMSTRONG.

The PRESIDING OFFICER. The Senator has yielded 5 minutes to the Senator from Colorado.

The Senator from Colorado is recognized.

Mr. ARMSTRONG. Mr. President, I thank the Senator from New Mexico for yielding to me.

In fact, at some point I would like to speak at length but at this moment all I really want to say is that I am so frustrated that I am just beside myself. I guess I got over the idea a while back that we were going to do anything that I would agree with, and I have been around the Senate long enough to know that in the rough and tumble of the legislative process somebody gets a bill they like and somebody does not. But up until very recently I entertained the hope that we would somehow maintain some contact with reality. And I think we have absolutely lost touch with what is going on. It is as if we had stepped through the looking glass. In fact, does the Senator from New Mexico remember a character in one of those great Lewis Carroll stories who asks, "Which way shall I go?" And in response a question is put to this character who says, "Where do you want to go?" If you do not know where you are going, it does not matter how you get there. Where this takes us is deeper into deficit, and deeper into taxes. It purports to do something about defense, but does it in a way that makes a mockery of the legitimate concerns which a lot of us feel about defending this Nation.

I started to say, Mr. President, that this is a joke, but it is not a joke. It is a tragedy. So I am going to vote against it. I just hope that there will be enough Senators who will see it in that kind of perspective and we will turn it down. Having done that, we can then get serious about something that would meet the legitimate interests of defending the country and meeting some kind of a balanced budget target down the line.

I thank the Senator for yielding.

Mr. DOMENICI. Mr. President, first I thank my friend from Colorado for not using the entire 5 minutes. I yield myself 8 minutes at this point.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DOMENICI. Mr. President, for about 2½ months since the President sent his budget up, some have been asking where is the President and wondering whether he will participate. Let me suggest to the U.S. Senate that if anyone thinks the President is going to lose this budget battle when the Democratic majority passes this budget, they are literally out of their minds.

The President of the United States is never going to agree with this budget, and I submit to you if it is a political battle between him and someone else, we have handed him a victory on a silver platter and he should win it.

Can you imagine this budget in the name of fiscal responsibility, at a time when you hear everyone saying we ought to cut the budget, we ought to restrain the deficit? Basically and essentially, let me tell you how we do it here.

For all intents and purposes, when you take away all the little nuances of budgeting, we save nothing. We have cut nothing. But we have raised taxes our 4 years $137 billion.

And there are still Senators who are taking to the floor talking about the enormous fiscal restraint in this budget.

Mr. President, I wish I had a chance to respond to some of the insinuations that we are somehow going to improve our quality of life if we adopt this budget, improve the education of the American people if we approve this budget.

Mr. President, in those areas the only thing we do is add $2 billion or $3 billion to the original budget that came down here and, in essence, it is free money for the appropriators to spend wherever they want. Anybody who votes for this budget thinking there is a new literacy program on the horizon and we are funding it does not understand budgeting.

We have added it here with no assurance that it will be spent for education.

As a matter of fact, last year we added $1.9 billion on the floor to education and it got spent for health. I am not complaining, but I am just suggesting it is not so.

If we think $2 or $3 billion added in that manner is going to somehow enhance the education of our people, I just cannot believe that we are looking at reality out there in the hinterland of America. When educational funds at the national level were somewhat restrained—not cut—the scores of high school students in the United States went up. I do not know if it is relevant, but if we are talking about what happened out there, that is what happened.

Now, Mr. President, let me talk a little bit about defense and let me talk a little bit again about the taxes that are in this budget.

First of all, Mr. President, it is absolutely amazing that we are suggesting that we are going to hold this President hostage, we are going to hold him hostage in this budget, to an adequate defense by saying, "You sign a tax reconciliation bill that will contain about 90 percent of $137 billion, somwhere around $120 billion, in taxes over four years." We understand that this President of ours is really easy on these things, especially when they make sense.

Can you believe that President Ronald Reagan would accept that, as much as he is concerned about the defense of our Nation, understanding that even the $7 billion that they add here is inadequate, does not even meet what the Democratic-controlled committee reported out yesterday, which is off by a huge amount, as much as $10 billion in budget authority? But listen to the hostage situation that we are going to put the President into.

"You cannot get $7 billion in defense increases unless you sign a tax bill of $120 billion over the next 4 years," and we do not even commit to give him a defense and to provide our people with a defense at that level for 2 years or 3 years. One year.

What a swap.

"We are going to give you $7 billion in defense if you sign a tax bill for $120 billion—$7 billion."

Beyond that it is wish and hope and right back to the same battle on defense.

Mr. President, there is an argument. If we insist on putting in $120 billion in revenues, the second highest tax increase in history, in the first year—$20 billion will be the highest tax increase in history, and I believe that to be a true statement—if you want to hold the deficit hostage to taxes, then you ought to put all the increases in this budget in some kind of a reserve and say we are not going to spend any of them. We are going to freeze at the 1987 level and we are not going to have increases anyplace unless we pass these taxes.

Now, if you want to hold somebody hostage, you are holding programs hostage, you are holding defense hostage, because you really want to decrease the deficit.

No. As a matter of fact, by coincidence, the amount of increase in defense over last year is almost exactly the same amount as the increase in domestic spending over last year, if you take out the entitlements. Take out Social Security, Medicare, and agriculture. The increases in domestic are almost exactly the same as defense.

But somehow, what we are saying is, "Mr. President, and you who want to defend our country, you need $7 billion for an absolute minimum, rock bottom. Maybe not even adequate. You are not going to get that unless you sign a $120 billion tax bill."

Frankly, Mr. President, this budget is going to pass. Frankly, Mr. President, it is never going to get enforced. Frankly, Mr. President, it will never be the policy of this country.

There is no way that the Congress of the United States is going to buy this pig in a poke. I just cannot believe it.

I could go through the details, but in essence, what we are asking the U.S. Senate to do under the guise of cutting a budget is to basically increase domestic spending, not entitlements by about $13 billion, increase defense about $13 billion, but even on that one we are saying. "You do not get $7 billion of that unless you sign a tax bill."

We are saying those two things are going to be increased this year and we really are doing a great job in reducing the deficit.

Somehow, off of some imaginary baseline, some concoction of what it otherwise would be if somehow or other we decided everything would be increased, we have reduced the budget deficit.

Mr. President, there is no way on the path that we are headed that are going to adopt a policy that is going to be implemented when we finish the budget resolution late this evening. There is no doubt in my mind that we are going to adopt something. I was hopeful that we would be moving in a direction that perhaps could get enforced, perhaps could get implemented, perhaps could cry out to the President to come along.

But I guarantee you, Mr. President, this is 1 year at a time on defense, 4 years at a whack on taxes, and sort of saying, "We think you better go along, you people who are worried about defense, and, White House, you better perk your ears up, because if you want to defend the country, you need to sign this tax bill."

I repeat, $7 billion for $120 billion is no bargain, as I see it, when the national defense cries out for the money.

The PRESIDING OFFICER. The Senator has used his 8 minutes.

Mr. DOMENICI. Mr. President, I yield myself the remaining time that I have.

The PRESIDING OFFICER. The Senator is recognized for the remaining time.

Mr. DOMENICI. Mr. President, I believe the numbers I have stated are correct. I have reduced them in a prepared statement to more detail. I believe if the Senate has an opportunity to look at them, they will conclude that this is a tax-raising measure, not a budget based upon any kind of fiscal restraint; that somehow or another somebody conceived the idea that because we are in an economic crisis we just ought to put $3 or $4 billion more into the education function and in the health function and then take to the floor and speak as if we knew what that was going to be spent for and we knew how much it was going to help the shortcomings that we have in our educational system or our competitiveness.

I repeat, last year we put $1.9 billion in new money into education and it showed up someplace else. There is not even a new program in education around that somebody has taken to the floor saying we are paying for it.

It is $28 billion in new revenues in the first year, hostage on an inadequate defense even at that, and it just seems to me that we are bound and determined to pass it. I do not think there is any doubt but that we will.

From our standpoint, let me suggest that I do not believe we ought to support it. I have heard my good friend from Connecticut on our side of the aisle praise it.

I believe it eliminates any chance of getting an adequate defense. We have to go to conference. They are much lower than this, even with the $7 billion held hostage. It is inadequate.

To tell the American people that we have a frugal budget and, therefore, "we must tax you," is not a true system. It is absolutely false. That is not what we have before us.

Mr. President, I understood that the distinguished leaders wanted the time remaining for themselves.

Mr. CHILES. I do not see either one on the floor, but I think their request was that we have 10 additional minutes per side.

Mr. DOMENICI. Shall we go with a unanimous consent request for 10 additional minutes on each side?

Mr. CHILES. Yes.

The PRESIDING OFFICER (Mr. ADAMS). I understand time had been set until 12 o'clock and there is now a unanimous consent request for 10 additional mintues to each side, requiring a total of 20 minutes to be equally divided, 10 minutes to the Senator from New Mexico and 10 minutes to the Senator from Florida. Is that the unanimous-consent request that is being made?

Mr. BYRD. In other words, that is 20 minutes equally divided.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered. Who yields time?

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I yield myself 3 minutes of that 10.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 3 minutes.

Mr. DOMENICI. Mr. President, I might make the point another way. There is $27 billion in new revenue in the first year—$27 billion. There is also a contention that we have saved $36 billion off a baseline. Yes, indeed, there are some savings in this budget. They will not hold up when we are finished, but there are some savings in Medicare, some savings in agriculture that I do not believe will hold up. That is about as good an example as I can give of an alleged $36 billion in reductions off a hypothetical growth line—that is, not cuts from last year. That is off a growth line that assumes everything goes up with inflation; $36 billion in savings. We are taxing the American people to the extent of $27 billion of it. That is another way to look at it, another way to put the proposition of whether this is a budget for our times, a budget for our day, for our problems or not for our problems.

Mr. President, I have heard it described recently as the newest clothes hanger, that we are going to put all kinds of summer, winter, fall, and then even invent some new seasonal clothes to put on that hanger because we want to solve the problem of competitiveness.

But what I have heard unequivocally from those who wonder about that is that we ought to cut this deficit. I have had concern from everyone that that literally means reduce the level of expenditure that we can expect over the years. We are not doing that here. To the extent that we say we are, it is an absolute hoax—an outyear freeze in domestic programs for 4 years after we finish this year's program of increases. And the savings are counted in here as part of this marvelous reduction over 4 years in expenditures.

If the Government Affairs Committee tries to get its $15 billion in reconciled savings in pay we will have to come back and increase pay later, and there goes over 34 percent of the savings in this budget. These are decisions on Federal employees that we ought to be making 1 year at a time, because it is going to happen that way anyway.

So the more I look at it, the more I have concluded that it does not do a lot of good to point out these fallacies now; the die is cast. We think we have a budget here that helps us with education, helps us with competitiveness. We think we have a budget that takes care of defense, when as a matter of fact about the only thing the budget really does is reduce Medicare some, agriculture some, neither of which will really happen, and then imposes a 4-year tax reconciliation as I have described it.

The PRESIDING OFFICER. The Senator has utilized 3 minutes.

Who yields time?

Mr. DOMENICI. I yield 5 minutes to the distinguished Republican leader.

The PRESIDING OFFICER. The Republican leader is recognized for 5 minutes. The Senator from Kansas.

Mr. DOLE. Mr. President, first, I want to congratulate all the people who put this budget together. I do not like it, but I know you have to do it. It is like making sausage, it is something you'd rather not watch. But in this case, I understand that when Democrats regained the majority, they also regained the responsibility for the budget. And we have been there and we won the close ones by one vote, thanks to Senator EXON being hospitalized that morning. And I know budgets are hard to put together even when you just raise taxes, and that is about all this budget does.

I feel it is 1980 or 1979 all over again; somehow I have been absent for 6 or 7 years and I came back and here we are again adding more spending and raising more taxes, the very thing the American people rejected in 1980 and rejected again in 1984. But here we go again. And the distinguished Senator from New Mexico just articulated it very well.

I know it is very difficult. I know the pressures are on, and I know on the other side there are those who just cannot resist spending more money. They talk good, they talk about the deficit, but when push comes to shove, they say let us spend a little more this year and then we will take care of the spending next year or the next year or the next year. And as the distinguished ranking Republican member, Senator DOMENICI, just pointed out, that will probably never happen. But I would guess this second approach may be a bit better, from the standpoint of people who live in the West, than the first approach—at least it is good enough to get enough votes for the second approach. And again I do not fault that, because I know sooner or later we have to have a budget.

With all the shortcomings in this budget, the one I focus on would be the same one that the Senator from New Mexico focused on, that is $137 billion in revenue increases over the next 4 years, and that is $100 billion more than the President asked for in his budget.

I guess we will have a chance to vote on the President's budget later. I understand it is sort of the alpha and the omega; we vote on this one and then the President's.

Now, there is a lot of concern about the deficit around the country. I have traveled around a lot. I am not certain quite why, but I have traveled a lot. And I found a lot of people concerned about the deficit. But I have not had many people raise their hand in Iowa, New Hampshire, Georgia, Florida, or any other State saying: "Please raise my taxes if you should be nominated and elected to some other office." Not a single soul that I know of is urging $137 billion in new taxes over the next 4 years. But if this budget passes—and I assume if the Finance Committee then is reconciled—we are going to have $137 billion in new taxes.

As the distinguished Senator from New Mexico pointed out, you have to do all that to get a $7 billion increase in defense. So that is the President's choice.

In my view, we are short on defense in this budget. It may not be the view of everyone in this Chamber, but that is my view. So perhaps more importantly, if Congress were faced with the prospect of raising $140 billion in taxes over the next 4 years, I am not certain how we are going to do it. We just had tax reform in 1986. We took a lot of things away from the American taxpayer: the investment tax credit, the sales tax deductions, charitable deductions except in some cases, a lot of other credits, a lot of other deductions, but we told the American taxpayer, "This is for your benefit because we are going to lower the rates."

Now, maybe there is something I have missed on how you raise $140 billion or $37 billion in 4 years, but I am not certain just how that is going to happen. I hope to offer an amendment later on today, which would say in effect that we are not going to raise the tax rates on individuals or corporations. We will see if that passes. Because if that does not pass, then we are serving notice on the American taxpayer that we did not really mean it last year when we passed tax reform; that it was only temporary; that we are going to go back now and maybe raise the rates or defer the reductions in an effort to achieve what I consider to be a topheavy spending proposal before us today.

We are going to vote here in a few moments. I want to reserve the last couple of minutes for the distinguished Senator from New Mexico. However, this is nothing but a tax increase, and all those who ran last year on not increasing taxes are going to have an opportunity to stand up today and vote against this budget.

I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I was looking for the majority leader. He will be here in a minute.

I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. CHILES. Mr. President, I listened to the distinguished minority leader. I heard him say he feels he was absent during the period from 1979 until the present. I have never heard the time the Republicans were in control characterized quite that way. It has a nice ring to it, and I kind of enjoy it. If he does not mind, I might try to use that at the appropriate time. But I want to tell him what happended during that reign of absence.

Maybe that time of truancy is characterized by another letter we have received from Mr. James A. Baker III, who is the Secretary of the Treasury. He is talking about increasing the debt ceiling, something in which the Senator from Texas has some interest. He said, "In short, we request that Congress, prior to May 15, increase the current debt ceiling from $2 trillion to $2.8 trillion"—$2.8 trillion—" an amount sufficient to make sure that we get through May of 1989."

Now, when this administration came in, that debt was $1 trillion. This would carry us through the end of the administration and we would have an increase of $1.8 trillion.

What is this debate about? This debate is about whether we are going to borrow more money or start living a little bit within our means. We are going to hold the President "hostage" to some taxes? How do you hold a President of the United States hostage? I guess the same way you hold a gorilla hostage, just about any way he wants to be held. That is how we would hold him "hostage." Hold the President of the United States hostage? Really.

Mr. President, what we are saying is, please let us realize we cannot just continue this borrowing. My good friend from Texas said 100 million people are hauling the load to pay the taxes. What we are really talking about is 230 million people we are indebting every day until we all end up as indentured servants. That is where we are headed. We are becoming indentured. We are going to work for the Japanese. We are going to work for the Germans. We are going to work for the French. We are going to work for someone else because we are borrowing money and we have done it now to the tune of $1.8 trillion. It took us 200 years to borrow the first trillion dollars for this country, but during the period of the eighties, we have managed to borrow the second $1.8 trillion.

That is what happened during the absence. That is what happened during the minority leader's absence. But now here come the old Democrats, and we are supposed to be the tax and spenders?

My goodness, I believe that this is what Franklin Roosevelt, Harry Truman, and those great "spending" Democrats talked about. This country is great, this country can make its way, this country can create a greater economic pie for everyone and that everyone can share it, but we are going to do it by paying for what we do as we go along. We are going to say before you walk out of this Chamber and start a new program, you have to arrange to pay for it. That is how the people have a chance for even break in Government, not by borrowing money. We are talking about ending the reign of absence doing something to start creating fiscal sanity in the country.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. How much time do we have remaining?

The PRESIDING OFFICER. The Senator from Florida has 5 minutes and 10 seconds remaining. The Senator from New Mexico has 47 seconds remaining.

Mr. DOMENICI. Mr. President, I yield myself the 47 seconds that I have. Forty-seven, did you say?

The PRESIDING OFFICER. Yes, remaining time.

Does the Senator wish to use the remaining time?

Mr. DOMENICI. Yes, I do.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, with reference to holding the President hostage, that is not my suggestion. It is the suggestion of this budget resolution. If ever there was a situation that cries out for that description it is this budget resolution.

It acts as if defending our country adequately is the sole prerogative of the President because it says, Mr. President, if and when you sign this tax bill, we will graciously permit the appropriators to add $7 billion to defense but if you do not it is not there.

I do not know if that is holding the President hostage or not. I just described what it says, what it is.

Now, Mr. President, from this Senator's standpoint, I am absolutely honest and frank with my friends on the other side. You have heard me say we are going to get where we have to be without some revenues. But I suggest you are not going to get revenues until you really restrain the budget and this is not restraint on any side, on any programs, except Medicare, agriculture, and one other, and that is not going to happen by the time we are finished. That is essentially the problem. You make up for it with $120 billion in taxes.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

The Senator from Florida.

Mr. CHILES. I yield 30 seconds to the Senator from Nebraska.

Mr. EXON. I thank my friend from Florida and the Chair.

NEW DEMOCRATIC BUDGET A "CAN-DO" BUDGET

Mr. President, I congratulate the chairman of the Senate Budget Committee for his tireless efforts to produce a prudent and fair budget. The chairman has shown that the majority are a "can-do" party. He has demonstrated that faced with a challenge the members of the majority party can lead and govern. The negotiations over the last several days yielded an excellent blueprint for the future. I expect the new budget to gain strong support. I am hopeful that the Members on the other side of the aisle will finally put partisan considerations aside and examine the Chiles budget and vote for its adoption.

This is a good budget which by and large meets the Nation's defense, education, and agricultural needs. Unlike the President's budget, it is a sound fiscal plan which will balance the budget by 1991 as required by the Gramm-Rudman law.

The Chiles budget amendment lowers the national debt $100 billion more than the President's budget and yields a deficit in each year lower than the President's plan.

I am most pleased that the chairman of the Senate Budget Committee modified his recommendations for defense and agriculture. I fought hard for these changes and I appreciate the modifications which the Senator from Florida made in his amendment.

The new Democratic budget reduces domestic spending in a significant but fair manner, acknowledges our delicate agricultural economic conditions; maintains an economic development program at an improved level; stresses education and training and provides for the national defense.

The pay for defense provision of the Chiles amendment is an important and ingenious step toward fiscal discipline. Over the last 6 years, the President and his Republican majority have embraced the important goal of improving our defense capabilities. I have generally supported this move. Unfortunately, our defense build up was paid for with dollars borrowed from our children and grandchildren.

The pay for defense provision recognizes the importance of our national defense. It tells the American people and our adversaries around the world that national defense is so important to the United States that our Nation is willing to pay for it.

That is not holding defense hostage as some have suggested. It is simply fiscal discipline. It is paying your bills.

I am pleased to endorse the Chiles proposal and encourage all my colleagues concerned with fiscal discipline to support this budget.

I also want to add that I have listened with great interest to the remarks on the other side here today. They are getting a lesson in how to conduct government.

I will simply conclude my remarks, Mr. President, by saying after listening to the remarks by those on the other side I would say that it is obviously in their opinion more exciting to throw hand grenades than to make government work responsibly.

Mr. President, I yield the floor.

Mr. CHILES. Mr. President, I note that the reconciliation bill is going to have $109 billion in domestic reconciled entitlement cuts, let us not get these figures out of context.

As I yield to the distinguished majority leader, let me tell him how much I appreciate all his efforts in this regard. He has been a great leader, and I appreciate that very much. I yield him such time as he might need.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Florida, and I congratulate him on the work he has done in putting together a good budget.

I have heard a great deal today about how the President is being held hostage. We cannot get the President to cooperate. We cannot get the President to help us on the budget. He will not get off the sidelines. He thinks this is a spectator sport. He is a no show.

Why does the President not help?

Then we also heard a lot about the taxes in this budget. The President has revenues in his budget. He has increased revenues. He has increased taxes, increased excise taxes on coal, taxes on black lung payments.

Has anybody told the President he has taxes in his budget?

Mr. President, the chairman spoke of the $2 trillion deficit. I can remember that when President Reagan came into office in 1981 he pointed, on television, to a stack of thousand-dollar bills on a chart and he said that the stack of thousand-dollar bills representing the public debt would reach into the stratosphere 67 miles. That same stack of thousand-dollar bills today would reach into the stratosphere 150 miles, because under this administration that public debt has more than doubled in 6 years from $999.8 billion to well over $2 trillion today.

How much is a trillion dollars? It does not mean much to read it or look at the figures. When you stop to consider the fact that at $1 per second, it would take 32,000 years to count a trillion dollars, then we have a better conception of the national debt of over $2 trillion. That is what we are trying to deal with in this budget.

It is a good budget. If you want to balance the budget by 1991, this budget does it. The President's budget does not do it. He says he wants to do it, but he does not do it.

If you want to provide for a strong national defense, this budget does it. And if you want to cut spending, this budget does it. If you want to protect essential domestic programs like education, this budget does that, too.

So I welcome our friends from the other side of the aisle to join with us, sit down and reason together and help us in supporting this budget.

The interest on the national debt was $134 billion in fiscal year 1987, $140 billion in fiscal year 1988. That is 37 cents out of every income-tax dollar that you pay. If we could have a little help from our good friends on the other side of the aisle and the President of the United States, we could deal with this monstrous national debt, these triple-digit deficits—$128 billion in 1983, $208 billion in 1983, $185 billion in 1984, $212 billion in 1985, $221 billion in 1986. We need some help on this because this is going to be a terrible legacy that this President leaves to the next President, be he Republican or Democrat.

The Chiles budget is a good budget. I hope our colleagues on both sides of the aisle will join in supporting it.

I close by congratulating the chairman of the Budget Committee and all Senators who have worked with him who have been willing to cooperate in putting together the kind of package that deals with these monstrous problems in a reasonable way. I hope that the American people will feel that when this budget has been adopted their confidence has not been in vain. The Democratic Party in this Senate has shown that it can govern, has shown it can make the difficult choices and put together a budget if we cannot get any help on the other side, and I think the vote will indicate that.

Mr. CHILES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Under the prior order of the Senate the vote occurs on the Chiles amendment.

The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DOLE. I announce that the Senator from Wyoming [Mr. SIMPSON] is necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "nay".

The PRESIDING OFFICER. Are there any others Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—57

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chafee
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stafford
Stennis
Weicker
Wirth

NAYS—42

Armstrong
Bond
Boschwitz
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Rudman
Specter
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Wilson

NOT VOTING—1

Simpson

So the amendment (No. 179), as modified, was agreed to.

Mr. CHILES. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHILES. Mr. President, I yield such time as he may require on the resolution to the majority leader.

Mr. BYRD. Mr. President, the Senate vote on the budget is a victory for a commonsense approach for truth in budgeting. It is a positive vote, a vote for moving America forward—a vote for responsibility, integrity, good government, and a balanced budget. The Congress is taking another step in giving the American people a commonsense budget. This is a Congress that works. It is a Congress that is on the job.

The budget amendment that we have just adopted is realistic, down to earth, and a budget that any American can understand. The needs of the people are taken care of, our Nation's national security will continue to be strengthened.

Mr. DOLE. May we have order?

The PRESIDING OFFICER. The Senate will be in order. The majority leader will suspend until there is order. The galleries will be in order so that the statement of the majority leader and other Senators may be heard.

The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair and the distinguished Republican leader.

And Mr. President, the budget deficit is not dodged. There is no attempt here to use the next generation's credit card to pay today's bills. The vote was long overdue.

The amendment should give confidence to our Nation's financial markets, confidence to our trading partners, and confidence to the American people that this Congress is addressing the budget deficit in a responsible manner.

I wish again to thank the chairman of the Budget Committee and all Senators who voted in support of the Chiles amendment.

I thank the distinguished Republican leader.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. DOLE. Mr. President, as I understand the agreement, the distinguished Senator from New Mexico is to be recognized for an amendment at this time. Would there be any objection if I offered an amendment instead?

Mr. BYRD. No objection.

AMENDMENT NO. 180

(Purpose: To express the sense of the Senate that income tax rates should not be raised or delayed)

Mr. DOLE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Is it the understanding of the Chair that the amendment is being offered by the

Republican leader for the Senator from New Mexico?

Mr. DOLE. It is being offered on my own behalf.

Mr. STENNIS. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOLE. May I yield briefly to the Senator from New Mexico?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, as the unanimous consent was entered into yesterday it was indicated that I would offer an amendment. In my conversations with the other side and with our distinguished Republican leader, I indicated that that might be my amendment or the amendment of another Republican. The distinguished leader has an amendment that I personally think fits nicely into the last vote. For that reason, I concede to him my amendment and I am delighted to yield and let him offer it on his own behalf. He was waiting his turn. I think this is a very good amendment, considering the last vote. It is his amendment. I laud him for it and I will vote for it.

The PRESIDING OFFICER. The Chair understands that the Senator from Kansas is to be recognized to present his amendment.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. Dole] proposes an amendment numbered 180.

At the end of the amendment add the following:

SEC. . SENSE OF SENATE ON INCOME TAX RATES.

(a) Findings. —The Senate finds—

(1) the Tax Reform Act of 1986 was enacted only after nearly two years of Congresssional study and deliberation.

(2) the most fundamental principle of tax reform has been the reduction or elimination of special tax benefits in order to reduce tax rates for all taxpayers, and

(3) taxpayers have a right to expect Congress to hold to its promise to reduce tax rates in return for elimination of special tax benefits, rather than to use tax reform as a disguised effort to raise taxes.

(b) Sense of the Senate. It is the Sense of the Senate that the assumptions underlying the revenue levels of this budget resolution will not be achieved by either raising or delaying the individual CR Corporate income tax rates provided in the Tax Reform Act of 1986.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BYRD. Mr. President, will the distinguished Republican leader yield?

Mr. DOLE. I yield.

Mr. BYRD. I wonder if we can agree on a time for a vote. Some Senators have left the Chamber after the last vote and I think it might take some time to get them back again.

Mr. DOLE. I would be willing to enter into an agreement of 10 minutes on a side on this amendment and vote whenever that would be, maybe at 1:20.

Mr. BYRD. Very well.

Mr. President, I make that request.

The PRESIDING OFFICER. Is there objection? Hearing no objection, it is so ordered. By unanimous consent the vote will occur on the amendment at 1:20.

Mr. DOLE. And the time to be equally divided?

Mr. BYRD. Yes.

The PRESIDING OFFICER. If there is no objection, it is so ordered.

Mr. DOLE. Mr. President, I think reading the amendment sort of makes the statement for me. In 1986 we passed the Tax Reform Act. I think now we need to indicate again we meant what we said.

I know the distinguished Senator from Wisconsin, Senator Kasten, wishes to be heard on this amendment. I will just take 2 or 3 minutes and if Senators on either side wish to be heard, I will be happy to yield.

Mr. SYMMS. If the Senator will yield, from listening to a reading of the amendment, am I correct that what it says is that we have to allow the 1986 Tax Reform Act to go into effect?

Mr. DOLE. That is correct.

Mr. SYMMS. What does that do for the proposal now pending that has the votes obviously to pass by the majority party to raise taxes $137 billion? Where does that come from?

Mr. DOLE. It cannot come from tax rates. We are not going to go back 1 year and lower the rates or start the process of lowering the rates, take away less from the taxpayers and come back the next year, in 1987, and indicate we are going to raise rates, delay rates, defer rates. I am not certain where they will find the revenue.

Mr. SYMMS. The amendment of the distinguished leader from Kansas will say that the corporate rates or individual rates may not be raised or we will not delay the lowering of those rates?

Mr. DOLE. That is correct.

Mr. SYMMS. So it is to put the Congress and those who voted for the recent amendment on notice that they will have to have some kind of a new tax?

Mr. DOLE. If the amendment passes. It is only a sense of the Senate amendment; I am not suggesting you could not vote for this amendment even though you may have voted for the budget resolution. There may be other ways to achieve that revenue figure, say an import fee or something of that kind. I am not advocating anything. What I am advocating is that we leave the rates alone.

Mr. SYMMS. I thank the Senator very much.

Mr. DOLE. I would just say that the issue on tax reform was not easily resolved in this body. We spent a lot of time, many months on the tax bill. Many people thought tax reform had died. It did almost die, several times. But thanks to the leadership of the then chairman, Senator Packwood, and others on both sides, including many who are on the floor right now, the tax reform bill was revised. Then we were finally able to complete it. A lot of people deserve a lot of credit. It was a bipartisan effort.

The thing we do not want now is to dismantle what took so long for us to put together. The Senate agreed to the conference report by a lopsided vote of 74 to 23 on September 27, and the President signed it into law less than a month later.

Now there is some talk in the House that we ought to go back and look at the rate structure. Maybe there might be a change in the Senate because we have added a number of new Members.

I would just say, and I am not listing any cosponsors, this is not intended to be a Republican amendment. It is an amendment that I think should at least catch the attention of Senators who voted for the tax reform bill. I am certain the last vote may catch the attention of the taxpayers. This amendment would at least give the taxpayers some comfort in knowing that we are not going to go back and try to jiggle with the rates, delay the rates, or raise the rates.

On that basis we do not think we want to relitigate the Tax Reform Act now.

I would suggest that those who suggest the rates should be frozen at the 1987 levels, for example, forgot the efforts that went into making certain that the Tax Reform Act would be fair to everyone. Certainly, rate reductions benefit some individuals with high incomes. However, much of the base broadening that allowed the rates to be lowered, affected high-income taxpayers. This meant not only ending tax shelters. It also included items like repealing the lower rates for long-term capital gains. Through changes of this nature, the Tax Reform Act assures that the average tax cut for high-income individuals will be lower than the average cut for lower and middle income taxpayers.

For example, the average tax cut for an individual with an income between $100,000 and $200,000, will be 2.2 percent in 1988. This compares with an average cut of 22.3 percent for individuals with incomes between $10,000 and $20,000; and an average cut of 9.8 percent for individuals with incomes between $20,000 and $30,000.

Tax reform means tax fairness to this Senator, and I believe to most everyone. The tax Reform Act was not perfect legislation, but it was certainly fair legislation. Rate reduction is an essential part of that fairness. I would hope that we could demonstrate with an overwhelming vote, notwithstanding the last vote, that we do not intend to go back and rewrite the Tax Reform Act, or go back on the pledge we made to the American taxpayers less than 6 months ago, maybe 7 months ago.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I know several Senators may wish to speak on this. Would the Republican leader be agreeable to our taking time off the resolution and charging it to our side on a quorum call and let the time for the vote slip by just that much beyond the hour that was previously ordered?

Mr. DOLE. Fine.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. LEVIN. Will the majority leader yield for a question. I think he has a pending unanimous-consent request to modify the prior order.

Mr. BYRD. Yes.

Mr. LEVIN. I would like about 10 minutes, if I could, off the resolution. I do not know if that would complicate plans for the timing of a vote or not.

Mr. BYRD. Mr. President, the time that was set for the vote was 1:20, was it?

The PRESIDING OFFICER. That is correct.

Mr. BYRD. Mr. President, I ask unanimous consent that the vote occur at 1:30, and that the additional 10 minutes be equally divided on both sides.

The PRESIDING OFFICER. Is there objection? Hearing no objection, it is so ordered.

Mr. BYRD. Mr. President, I wonder if the distinguished Republican leader would allow me to consponsor the amendment.

Mr. DOLE. I will be happy to. I ask unanimous consent that the distinguished majority leader be made a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I yield 5 minutes to the Senator from Texas.

Mr. BENTSEN. I thank the majority leader.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. BENTSEN. I say to the distinguished minority leader, I would like to be a cosponsor of his amendment, too.

Mr. DOLE. I would be happy to add the distinguished chairman of the Finance Committee as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, I am going to vote for this amendment, and I certainly agree with my good friend from Kansas we ought to strive to resolve our budgetary problems without having an income tax rate increase. We have just finished reforming the income tax. We closed down numerous tax loopholes and dramatically reduced the rates.

This year, assuming we have to raise revenues, we ought to try to do that by increasing compliance with our tax laws, by seeing if there are some loopholes that we can close, by looking at some user fees, and by looking at excise taxes. As long as those kinds of measures are available we should not seriously look at raising income tax rates. We told the American people we would cut their income tax rates in the tax reform bill. For most of us, tax reform was a painful process. We went through the entire Tax Code, trying to determine where we could cut back on what we had thought of as desirable tax incentives. Some of those incentives were ideas that we had worked for in the past, such as savings incentives. Having gone through that process, we ought to do our best this year not to reopen the bill by seeking to raise the tax rates.

I do want to affirm, however, that the Finance Committee has the responsibility to exercise its independent judgment as it looks at how to raise revenues, assuming that we are called upon to do so. I do not anticipate that the committee will consider increases in the tax rates. Yet, at some point we may run out of attractive loopholes to close or compliance measures to impose. There is a limitation on how far we can go through compliance measures. We may also run out of attractive excise taxes to impose.

When we reach that point, we will have a very unpleasant balance to strike. It is going to require some very hard choices. But until we sit down and work through those options, no one can say for sure how reasonable people are going to come out. The Finance Committee certainly cannot abdicate its responsibility to consider all of those available options and make its choices based on its judgment, at that time, as to what would be the fairest and what would be the best.

In short, Mr. President, I view this resolution as expressing the Senate's priorities: Increases in tax rates will be on the bottom of our list of revenue raisers. With that, I support the resolution. I do think it expresses the sense of this body. I do think it is a goal and an objective that we can work toward. I, for one, am certainly not going to be leading any charge to increase tax rates after having gone through that long and arduous process bringing about a tax reform bill.

Mr. President, I yield back the remainder of the time to the majority leader.

The PRESIDING OFFICER (Mr. WIRTH). Who yields time?

Mr. DOMENICI. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Mexico.

Mr. DOMENICI. Mr. President, it was interesting to see the distinguished chairman of the Finance Committee come to the floor and support this sense-of-the-Congress resolution. It is interesting to see the distinguished majority leader ask to be a cosponsor because, frankly, Mr. President, I just do not think this position is really credible, to vote for the budget resolution 10 minutes ago and then to do this. The Senator from New Mexico is going to have no trouble for the Dole resolution because I did not vote for that budget.

Let me harken back to the first tax increase of 1983, the so-called TEFRA tax bill. One way to look at the TEFRA bill is that in the first year it raised taxes $15.7 billion. Now, you can look at it another way and the increase is $17.9 billion, but you can use either measure. Let me just talk about $15.7 billion. We have just voted for a budget resolution that raises a minimum of $20 billion in new taxes in the first year. That is just as apt to be $27 billion as $20 billion, because as a matter of fact, that budget resolution assumes we are going to refinance REA and somehow or another it is all going to work right and we are going to get $7 billion worth of revenue credit for it. That is where the $27 billion on the revenue side will come from. The House does not do it that way, so we will have that out in conference. But does anyone remember the difficulty in passing TEFRA in 1983, with the recession over, the economy really coming back strong? Those of us who saw the deficit said, "You have to increase taxes." We even went to the White House when that reconciliation bill was evolving and said, "You have to sign it, Mr. President."

Now, Mr. President and Members of the Senate, we did not have any sense of the Senate resolution around saying what you could and could not tax to raise that TEFRA revenue. Everything was fair game. All the loopholes that were in the old tax bill before the dramatic reform were there. And we almost could not get it done. TEFRA was the largest tax increase ever. This one comes right behind it. It is even larger than TEFRA in the first year. It does not have such a steep incline in the 4-year mandate of reconciliation. It comes down over 4 years slightly less than TEFRA.

I submit that there is at least a logical inconsistency between voting for a budget resolution that raises revenues, on the one hand, and then voting for an amendment that restricts the use of those revenues. There probably is a lot more to it than that; it probably is a nice coverup, but in any event there is at least a logical inference that these two proposals are inconsistent.

As the chairman of the Finance Committee spoke, I was just thinking in my mind he has the trade bill to do, he has the Medicare reforms for catastrophic health insurance, he has some competitiveness bills that people want to spend money on science and the like that have to do with competition.

I frankly want to say to him I really wish him well. I really think he has an almost impossible job. First we vote in a budget resolution with $137 billion in new income, $120 billion of it mandated over 4 years. Then we come to the floor and say well, we just told you American people here are your new rates, here is your tax reform; American corporations, we have just gotten rid of many of your deductions and other things, and you have a new rate, and we are really not going to touch you and we want to make sure you undertand that, we just want to make sure you really understand.

On the other hand, there is no meat on the skeleton, just the skeleton running down here saying we are going to raise $120 billion in new taxes. We are very proud and pleased that we have a budget resolution, with all the rhetoric that goes with it on how it is going to be pay as you go, how it will reduce the deficit and all those wonderful things.

Let me repeat my position. Frankly, if we were really reducing deficits, if we were serious about slowing growth in the expenditure side, I am not of the opinion that we can solve the budget problem with spending restraint alone. I do not want anyone to think that the Senator from New Mexico thinks we could ratchet down the expenditure side alone and solve this problem.

But, Mr. President, I do believe it is absolutely impossible to get political support to let the budget grow and at the same time say we are fixing the deficit almost entirely with new taxes. The best I can figure it, that is about what we are going to do. Then, of course, we want to assure the American people we are going to raise revenues but, on the other hand, we are not going to raise your taxes.

So it just struck me, seeing the Finance Committee chairman here, I wanted to make my statement and wish him well in trying to achieve $120 billion in new taxes after this resolution passes with bipartisan support, bipartisan cosponsorship, a resolution that says that we want new taxes but we do not want anyone to think we are going to tax you.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, how much time do we have on this side?

The PRESIDING OFFICER. Eleven and a half minutes.

Mr. BYRD. I yield 5 minutes to the distinguished Senator from Michigan.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. LEVIN. Mr. President, last year in enacting the Tax Reform Act of 1986, the President and the Congress missed an opportunity to make the Tax Code more equitable and, at the same time, to do something about reducing the deficit because of the insistence that the tax reform bill be revenue neutral. One of the givens during the debate was that none of the revenue raised from closing tax loopholes and imposing an effective minimum tax could be used to reduce the deficit. All of it had to be used for some uneven tax cuts—for those lucky enough to get a tax cut, even though polls showed that two-thirds of the people favored using revenues for deficit reduction.

One of the reasons why I voted against that tax reform bill was that it made no sense to go through the enormous exercise of tax reform, which had substantial implications for our economy, and totally rule out doing anything at the same time to deal with the number one economic problem facing our country, the huge Federal deficit.

I argued that passage of that legislation would make deficit reduction more difficult and less fair. Now, we find ourselves with budget options which do not meet the Gramm-Rudman target of $108 billion for fiscal year 1988 through any credible method of accounting and which variously rely on regressive user fees, shortsighted loan asset sales, or undermined tax increases, with the hint that these could include increases in excise taxes of one form or another. No longer having the option of closing many egregious tax loopholes as a means of raising revenue for deficit reduction this year, since we closed them last year, many people seem now to be focusing on regressive tax increases at the same time that they are dreading severe cuts in defense and some domestic programs.

But my goal here today is not to talk about the missed opportunities of last year. Certainly, I don't have to convince the chairman of the Budget Committee, who also voted against the conference report on the tax reform bill. My goal in speaking in opposition to the amendment is to warn about the danger this amendment presents for missed opportunities this year: missed opportunities for deficit reduction and for tax relief.

Our options for raising revenues are restricted enough without restricting them even further. We should not reduce our flexibility on how to reduce the deficit, and reduce our options for improving tax equity.

For example, if the President and the Congress treat the tax rates in the Tax Reform Act of 1986 as written in stone, the following proposal, which I have introduced earlier this year as the Tax Reform Act of 1987, could not be considered. My proposal would:

Reduce the deficit by about $23 billion over the next 4 years, according to information from the Joint Committee on Taxation;

Partially restore the two wage earner deduction—by allowing a deduction of 5 percent of the lesser earning spouse's income up to $10,000, for a maximum deduction of $500; and

Restore income averaging for farmers.

It would do this by reducing the maximum rate on ordinary income in 1988 from the 1987 level of 38.5 percent to 35 percent, instead of to 28 percent. This would apply to married couples with taxable incomes over $149,250, heads of households with taxable incomes over $123,790 and single individuals with taxable incomes over $89,560.

This approach would also keep the maximum capital gains rate at 28 percent, unlike the maximum capital gains rate under the tax reform law which can, for some income groups, be as high as 33 percent. In other words, it would restore the capital gains differential—a real incentive to capital formation.

This proposal would cut taxes for about 25 million middle-income taxpayers while increasing taxes on approximately 3 million of the wealthiest taxpayers. It would allow farmers who survive the bad years, when they may have had little or no taxable income, not to be socked with high taxes as a reward if and when they once again become profitable. It would make the promises of last year's tax reform bill more likely to be realized by two-earner couples, many of whom will find that for them last year's tax reform bill will actually mean a tax increase. It would restore a capital gains differential, which venture capitalists argue is particularly important for attracting capital to new firms on the cutting edge of technology. And, it would raise a significant amount of revenue.

All of this—the deficit reduction, the tax cuts, the greater tax equity, the incentives for capital formation—would be possible as a result of the proposal I have outlined. And, this proposal would not be possible if the amendment's inflexibility is inflicted upon us.

Now, I know that supporters of the amendment argue that we cannot modify the tax rate reduction schedule without breaking the commitment those voting for last year's tax reform bill allegedly made to the American people. I do not believe that is really connected with the sentiments in the heartland of America? Is it a commitment that the American people want rigidly adhered to regardless of the other options? Is it even a commitment which the majority of American people would have made in the first place? I doubt it. For instance, many people who voted for the Mitchell amendment last year, which would have established a maximum 35 percent tax bracket also voted for final passage of the tax reform bill.

In June of last year, the Roper Organization released a poll in which the question was asked, "All things considered, do you think it is a good idea for Congress to lower the top tax rate for people with the highest income group—from 50 percent—to 35 percent or not a good idea?" The response was that 67 percent of the people thought reducing the maximum tax rate on the highest income group to 35 percent was a bad idea; 21 percent thought it was a good idea and the remainder didn't know. Now, in part this data is a little awkward for me to cite, since I have myself just outlined a package with a 35-percent maximum rate. But, if a substantial majority of the public opposed lowering the maximum rate on the highest income group to 35 percent, do we seriously think that there would have been more support for lowering it to 28 percent? In light of this response, do we seriously think that out among the public, there is support for rigidly reducing to 28 percent the rate for the wealthiest taxpayers, especially if adjusting that maximum tax rate would allow us to give a better tax break to many middle-income taxpayers and more deficit reduction for all of us.

I have talked with a lot of people in my State of Michigan since the tax bill was enacted last year. I see no groundswell of support for the proposition that taxpayers making $40,000 a year should pay the same marginal tax rate as taxpayers making $400,000. But I have found a lot of people who want to reduce the budget deficit in an equitable and serious way. And I have found a lot of middle income people who fear that once the euphoria of tax reform has passed, they will find themselves paying higher taxes and not lower taxes.

Supporters of the Kasten amendment also argue that anyone who opposes the amendment simply wants to increase taxes. Well, I have just outlined a tax package which modifies the maximum tax rate and cuts taxes for seven times as many taxpayers as it increases them on. So, those who argue that we must pass the Kasten amendment in order to protect the tax relief given to the American people by last year's tax reform bill, should make clear that it is possible that the Kasten amendment itself could be protecting the substantial tax cuts which would go to among the wealthiest taxpayers under the tax reform law at the expense of not providing tax equity for many more middle-income taxpayers.

Passage of this amendment would send the signal that we again want to miss an opportunity for greater tax equity, and for deficit reduction. I don't think that the American people, if they were to vote right now, would throw away this opportunity—and I don't think we should do it in their name.

Mr. President I ask unanimous consent that a letter from the chief of staff of the Joint Committee on Taxation be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JOINT COMMITTEE ON TAXATION,
Washington, DC, April 29, 1987.

Hon. CARL LEVIN,
U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: This is in response to your letter of March 6, 1987, requesting a revenue estimate for a proposal relating to individual tax rates. This proposal would allow for a 35-percent maximum rate on non-capital gains income, a modified version of the previous-law two-wage earner deduction, and income averaging for farmers.

We have estimated that this package of amendments would increase budget receipts by the following:

Fiscal year:	*Billions*
1988	$3.0
1989	5.1
1990	6.5
1991	8.3
1992	10.5

Sincerely,

DAVID H. BROCKWAY.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LEVIN. I thank the Chair and I thank the majority leader.

Mr. BAUCUS. Mr. President, I certainly agree with the purpose of this resolution that we should not go back on the bargain that we made with the American people by raising the rates in the Tax Reform Act of 1986.

However, in raising the revenues required under this budget plan, we need to look at all of the options that we have, particularly stiffer enforcement of the tax laws already on the books.

As a member of the Finance Committee, I am certainly aware of the difficulties we will soon face in raising the revenues needed to fulfill the promises of the budget plan. It won't be easy.

We should be particularly sensitive to raising rates for the average American taxpayer. And we also need to make sure that America's competitive position in the world economy is not further eroded by future tax policy.

In the end, though, what we will need to develop is a fair, balanced and responsible package of revenues to present to the Senate.

If we can do that without touching the rates in last year's bill, I am all for it. If we cannot, we will be facing some very tough decisions in the months ahead. But, I think that we need to be realistic and not rule out any of the options that we may need to consider.

Nonetheless, I think that this resolution is an accurate statement of the sense of the Senate, shared by most of us who supported and fought for the historic tax bill last year. For that reason, I have decided to support this resolution.

Mr. ADAMS. Mr. President, I will vote for this amendment but I want to clarify, for my colleagues and my constituents, the meaning that I attach to the amendment.

In my mind, this amendment says that modifying the tax rates adopted last year is not something we want to do—it is not our first choice. But, as the chairman of the Finance Committee indicated, this "sense of the Senate" language does not preclude such modifications if, as we move through the process, we discover that altering tax rates is the only or the best way to raise the revenues we need.

In short, Mr. President, I do not view this amendment as precluding changes in tax rates; I see it as a statement of our preferences rather than a statement of binding policy.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I suggest the absence of a quorum, and I ask that the time be equally charged on the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KASTEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. DOMENICI. I yield 2 minutes to the distinguished Senator from Wisconsin.

Mr. KASTEN. Mr. President, I rise in support of the minority leader's amendment to protect tax rates. While we must avoid all tax increases, I am particularly concerned about the movement to use the new tax reform law to raise revenues. Leading Members of the other body have proposed forgoing the personal tax rate cut from 38.5 to 28 percent in 1988. The Senator from South Carolina proposes a retention of the top corporate tax rate at 40 percent.

I believe that the Senate must send a clear message to the American people that tax reform will not be used as a vehicle to raise taxes. While the chairman's budget plan recommends that personal tax rates should not be raised, it makes no recommendations for corporate tax rates.

Both the scheduled reductions in personal and corporate tax rates are essential to reducing the cost of capital, improving the international competitiveness of U.S. industries, and increasing economic growth.

Personal rate cuts reduce the cost of capital by increasing the after-tax return on interest and dividend income. Corporate tax rate cuts reduce the cost of capital by improving corporate cash-flow and reducing the double taxation on investment income.

The steep tax rate cuts in personal rates to 28 percent and in corporate rates to 34 percent are the only reason that tax reform will increase economic growth. Moreover, the rate cuts were the cornerstone of the Tax Reform Act. Raising those tax rates would represent a breach of promise with the American people.

Mr. President, I believe that it is equally important to avoid further broadening of the tax base to reduce the deficit. Broadening the tax base without reducing tax rates would impair the economy. The Tax Reform Act's base broadening provisions—if taken in isolation—would reduce investment and economic growth. These include the repeal of the investment tax credit, elimination of the capital gains exclusion, limitations on IRA and 401(k) contributions and the reduction in depreciation allowances.

The Tax Equity and Fiscal Responsibility Act of 1982 was basically a base broadening tax increase. TEFRA was the largest tax increase in history. It is a prime example of the futility of tax increases to reduce the deficit. The additional revenues were used to increase spending.

Mr. President, in conclusion, I think all of my colleagues can agree that economic growth is essential if we are to make any progress on the budget deficit. Raising tax rates impair the economy by reducing incentives to work, save and invest. This would make the task of cutting the deficit almost impossible.

We must send a clear signal to the American people that the Congress will protect tax reform and allow the new Tax Code to better America's future economic well-being. I urge my colleagues to support the minority leader's amendment.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Who yields time?

Mr. DOMENICI. I yield myself 30 seconds.

Mr. President, on our side, we have not been attempting to compile even a semiofficial list of amendments. Since we are being asked, quite appropriately, by the distinguished majority leader how many amendments we have, so that we can get some idea about timing, I ask Senators on our side who contemplate offering amendments to let us know. They are not obligated to do so, but, for accommodation purposes, we would like to hear from them so that we can give the majority leader and the minority leader some idea of where we are.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. I yield myself 1 minute.

Mr. President, I thank the distinguished Senator from New Mexico, the ranking member of the Budget Committee, who is attempting to find out from his side whether or not there are other amendments and, if so, how many, and who would be the authors thereof. If we can get that information, we can have a good idea of what time we can close the shop today.

Mr. President, I take 30 seconds off the time for myself, and then I will yield to Mr. MITCHELL.

I have no objection to this amendment and have joined in cosponsoring it. I believe that the working men and women of this country do not need to pay higher income taxes.

For the very high-income Americans, those individuals with incomes over $100,000 or a couple over $200,000, those who have benefited from the tax policies of the past 6 years, there may be additional changes needed to insure equity with working Americans.

Therefore, while I will vote for this amendment, I want to echo the words of the distinguished chairman of the Finance Committee, Mr. BENTSEN, in his statement, to indicate that I do not want to foreclose the possibility for further needed reform in the event we have to go in that direction.

I yield to the distinguished Senator from Maine. How much time does the Senator wish?

Mr. MITCHELL. I would like to speak for several minutes on this.

The PRESIDING OFFICER. The majority leader has 2½ minutes remaining.

Mr. BYRD. I yield the 2½ minutes to the Senator.

Mr. MITCHELL. Mr. President, I ask unanimous consent that I be allowed to speak for 5 minutes on the subject.

Mr. DOMENICI. Mr. President, reserving the right to object, I think we have a unanimous-consent agreement on the time we would vote.

Mr. BYRD. Would it be agreeable to the Senator that the Senator from Maine could have the time he wants and the Senator from New Mexico would have an equal amount of additional time? That will not push us much beyond 1:30.

Mr. DOMENICI. Does the distinguished Senator want 5 minutes?

Mr. MITCHELL. Yes.

Mr. DOMENICI. I have no objection to his having 5 minutes, if the time we have at this moment is added and allowed at that point, if we need it.

Mr. BYRD. I make that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine.

Mr. MITCHELL. Mr. President, I oppose this amendment, and I urge my colleagues to oppose it.

What has happened in this country in the last 7 years is that we have pursued a two-track policy on taxes. We have reduced the income tax, which is based on ability to pay, and we have increased every other Federal tax, all of which are unrelated to ability to pay. The result has been a dramatic increase in the tax burden for wage earning, working, middle- and low-income Americans, who today pay more in Federal taxes overall than they did in 1981.

This says that any tax increase—and everybody here knows that there is going to be a tax increase—will be in some form other than an income tax, which means excise taxes.

Last year we passed the tax bill, and everybody in the Senate went around the country telling people how they cut their taxes.

A $10 billion increase in excise taxes this year will wipe out the tax cut of last year for all those, on average, making below $10,000 and all those whose incomes are between $50,000 and $100,000. Those between $10,000 and $40,000 will lose most of their tax cut of last year. The only group that will be better off overall will be the 2 percent of American families whose incomes exceed $100,000.

I realize this type of resolution has a lot of appeal. I expect it to be overwhelmingly approved by the Senate. We all want to be able to go to our constituents and tell them that we are absolutely opposed to higher tax rates.

I am opposed to higher income tax rates on middle and lower income Americans also. As a result of the tax policies of this administration, the tax burdens on middle and lower income Americans have increased in this decade while the tax burdens on higher income Americans have declined. There should be no more tax rate increases on working families.

But that is not what this resolution is about. We should not run from the truth in this debate. Congress will raise taxes this year. The President has proposed tax increases. The House has voted for tax increases in its budget. The Senate will soon approve a budget which includes tax increases.

The only remaining question is who will bear the burden of those tax increases. Will we enact further regressive taxes that take more from those who are least able to pay or will we use our new reformed, progressive income tax to raise revenue in the fairest most efficient way?

The proponents of this amendment would like to make the income tax system off limits. They prefer the use of more regressive excise taxes to meet our deficit reduction goals.

The debate so far this year has been limited. Citing some vague promise Congress supposedly made to the American people last year, the proponents of this amendment insist we will be breaking faith with the American people if we alter the income tax rates. That argument is without merit. It is designed to protect a narrow segment of the population with the greatest incomes.

We should be clear just who this type of resolution is designed to protect. It isn't designed to protect working class Americans and middle-class families who have received the least tax relief over the last few years. The amendment is certainly not designed to protect the 6 million low-income taxpayers we took off the tax rolls last year as part of tax reform.

Instead, this amendment is designed to protect a very small segment of the tax paying population—those with the highest incomes. They have received the most tax relief from tax policy changes since 1981 and they will benefit the most from this resolution.

Last year we created a tax system with a perverse structure that has marginal tax rated acutally declining as income increases. In other words, the more income you earn, the smaller the marginal tax on your income. This results from provisions in the tax bill which impose a 5-percent surtax as a means of phasing out the benefits of the lower tax rate and the personal exemption. For married couples filing joint income, it means they will have a marginal tax rate of 33 percent on their taxable income above $72,000. It is not until family taxable income goes over about $200,000 that the tax rate is actually 28 percent.

That is a tax policy that cannot be defended on any grounds. We can correct it by instituting a real third rate as a substitute for the phantom rates now in the law. It will make the tax system simpler and more fair and raise revenue to boot.

The alternative is further regressive excise tax increases which we have relied on too often in the last few years. The result of these regressive excise tax increases, combined with further reductions in the income tax and higher payroll taxes, is a less fair Federal revenue system.

We were all quite proud of ourselves last year when we enacted a tax reform bill that would take 6 million Americans off the tax rolls. Almost every speech in support of tax reform mentioned this fact. However, we should all realize that the average tax benefit for moderate- and low-income Americans was modest and will be taken back through regressive excise taxes.

The 1986 tax reform bill gave taxpayers with under $10,000 of income an average tax reduction of $39. Taxpayers with incomes between $10,000 and $20,000 received an average tax reduction of $200. This contrasts with the almost $3,400 average tax cut for taxpayers with annual incomes over $200,000.

At my request, the Congressional Budget Office produced a study detailing just how regressive excise tax increases are. That study indicates that even modest increases in excise taxes will take back more than all of the tax relief going to low-income families with less than $10,000 of annual income. Most of the tax relief going to the $10,000 to $20,000 income category will be taken back. In 1 year of mistaken tax policy decisions, the 6 million Americans removed from the tax rolls last year will be placed in a worse position than they were in prior to tax reform.

If we rely on excise taxes to raise the entire amount of revenue proposed in this budget resolution, families with less than $10,000 of income will on average lose more than twice the tax reduction they received under tax reform. Families with incomes between $10,000 and $20,000 will lose more than three quarters of the tax benefits they received under tax reform. When scheduled payroll tax hikes in 1988 are taken into account, these families will be in a worse tax position than they were in prior to tax reform.

The same is true for almost every income group below $100,000. In constrast, taxpayers with annual incomes above $200,000 would lose less than one-tenth of the tax reductions they received under tax reform.

The point I want to make is that we will be confronted with a simple choice in the weeks ahead as we consider legislation to raise Federal revenues. That choice will be between creating a fairer tax system which does not eliminate one of the most fundamental objectives of tax reform, or continuing along the path of the last few years toward a less progressive revenue system.

We should not let this misleading resolution deter us from the proper path.

Mr. MITCHELL. I thank the distinguished majority leader and the distinguished ranking floor manager.

The PRESIDING OFFICER. There are 2½ minutes remaining to the Senator from New Mexico.

Mr. BYRD. Mr. President, I ask that the Chair maintain order in the galleries.

The PRESIDING OFFICER. The Chair would remind the galleries that the guests are here as guests of the Senate and no response is appropriate from the galleries. If there is further response, the Chair will be forced to order the Sergeant at Arms to clear the galleries.

The Senator from New Mexico.

Mr. DOMENICI. I suggest the absence of a quorum while I find out if there is anybody else desiring to speak. If there is not, I will yield back the balance of my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The names of Mr. KASTEN and Mr. QUAYLE were added as cosponsors.)

Mr. DOMENICI. Mr. President, I yield back any time that I might have on this side as a result of the unanimous-consent agreement.

Mr. BYRD. Mr. President, if I have any time remaining, I do the same.

The PRESIDING OFFICER. All time has expired. Under the previous order, the vote now occurs on the Dole amendment. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced, yeas 90, nays 10, as follows:

[Rollcall Vote No. 88 Leg.]

YEAS—90

Adams
Armstrong
Baucus
Bentsen
Biden
Bingaman
Bond
Boren
Boschwitz
Bradley
Breaux
Burdick
Byrd
Chafee
Chiles
Cochran
Cohen
Cranston
D'Amato
Daschle
DeConcini
Dixon
Dole
Domenici
Durenberger
Evans
Exon
Ford
Fowler
Garn
Graham
Gramm
Grassley
Harkin
Hatch
Hatfield
Hecht
Heflin
Heinz
Helms
Humphrey
Inouye
Johnston
Karnes
Kassebaum
Kasten
Kennedy
Kerry
Lautenberg
Leahy
Lugar
Matsunaga
McCain
McClure
McConnell
Melcher
Metzenbaum
Mikulski
Moynihan
Murkowski
Nickles
Nunn
Packwood
Pell
Pressler
Proxmire
Pryor
Quayle
Reid
Riegle
Rockefeller
Roth
Rudman
Sarbanes
Sasser
Shelby
Simon
Simpson
Specter
Stafford
Stennis
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson
Wirth

NAYS—10

Bumpers
Conrad
Danforth
Dodd
Glenn
Gore
Hollings
Levin
Mitchell
Sanford

So the amendment (No. 180) was agreed to.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. Who yields time to the Senator from Arkansas?

Mr. BUMPERS. Will the distinguished chairman of the Senate Budget Committee yield me 1 minute?

The PRESIDING OFFICER. The Senator from Arkansas has requested the chairman of the Budget Committee to yield 1 minute to him.

Mr. CHILES. I yield 2 minutes to the distinguished Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BYRD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. BUMPERS. Yes.

Mr. BYRD. I thank the distinguished Senator. Mr. President, I ask that no time be charged to him but charged to me off the resolution.

AUTHORITY FOR CERTAIN COMMITTEES TO MEET

Mr. BYRD. Mr. President, I have some requests for committees to meet this afternoon. Some are meeting for hearings, some are meeting for markup, and I do not see why we cannot get consent for committees to at least meet for hearings. Witnesses have been called into town. As I understand, there are Members on the other side who also are interested in having the hearings. I can understand if there are some objections to a markup here and there, but I hope we would not have objections to hearings at least. So I have four requests for hearings, Mr. President. Let me read them.

I ask unanimous consent that the Subcommittee on Foreign Commerce and Tourism of the Committee on Commerce—I am not putting the request; I am reading it, though—be authorized to meet during the session of the Senate at 2 o'clock today to hold hearings on proposed legislation to authorize funds for fiscal year 1988 for the U.S. Travel and Tourism Administration. That is my own colleague from West Virginia, I think, who wants to hold that one. And then here is a request that the Committee on the Judiciary be able to meet to hold a hearing on competitiveness and antitrust issues. I will not read these at the moment that requested markups, but I will just lay them all out. There is a request that the Subcommittee on Oversight of Government Management of the Committee on Government Affairs hold a hearing on the need for the operation of a strategic defense initiative institute. Here is a request that the Subcommittee on Nuclear Regulations, Committee on Environment and Public Works be authorized to hold a hearing on Nuclear Regulatory Commission authorization issues.

Now, those are requests for hearings. The request for markup are the Labor and Human Resources—well, it wishes to conduct an executive session. I do not know what that is about but it could be a markup. It might not be. The Finance Committee wants to mark up the Omnibus Trade Act, which we all are interested in seeing go forward. And then the Committee on Banking wants to mark up trade legislation entitled "The U.S. Trade Enhancement Act of 1987." The Committee on Foreign Relations wants to mark up the Foreign Relations Authorization Act.

Mr. President, I have not put the request at the moment, but I hope that the distinguished Republican leader can help us to get the authorizations for most of these, if not all of them.

Mr. DOLE. If the majority leader will yield, I am going to take it upon myself to do it at this point since we have out-of-town people here.

Mr. BYRD. Mr. President, I understand that clearance can be given on one of these hearings at the moment. I ask unanimous consent that the Subcommittee on Nuclear Regulation, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on May 6, beginning at 1 p.m. to hold a hearing on Nuclear Regulatory Commission issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, there are other hearings. Witnesses are waiting. I would hope that we would not object to committees meeting for the purpose of conducting hearings. Notices were given in advance. Witnesses are in town. If there is a justifiable reason for objecting to these committees meeting today to conduct their hearings, I would like to hear what it is.

Mr. President, I will wait until 2:30 and hopefully we can work out authorizations at least for these committees to meet and conduct their hearings by then. I will not put them now, but I will put them later.

The distinguished chairman now of the Foreign Relations Committee wishes to have a markup on what bill?

Mr. PELL. State Department authorization.

Mr. BYRD. State Department authorization bill. That request has not been cleared on the other side, either, as yet.

Mr. DOLE. Mr. President, if the majority leader will yield.

Mr. BYRD. Yes.

Mr. DOLE. I think we can accommodate many of those requests. I need to check with one additional Senator.

Mr. BYRD. Very well.

Mr. DOLE. I am now advised we can approve those where there are hearings but let me take one more look at any executive sessions or markups. Anything where it is a hearing only, I can now give the Senator clearance.

Mr. BYRD. Mr. President, I thank the distinguished Republican leader. I have three remaining committee requests for hearings.

Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, and the Strategic Forces and Nuclear Deterrence Subcommittee, Committee on Armed Services, be authorized to meet during the session of the Senate on Wednesday, May 6, 1987, at 2 p.m. to hold a hearing on need for and operation of a strategic defense initiative institute.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Foreign Commerce and Tourism, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on May 6, 1987, at 2 p.m. to hold hearings on proposed legislation authorizing funds for fiscal year 1988 for the U.S. Travel and Tourism Administration [USTTA].

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 6, 1987 at 10 a.m. to hold a hearing on competitiveness and antitrust issues.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. BYRD. Mr. President, I thank the Republican leader and I thank the Senator from Arkansas for yielding.

CONGRESSIONAL BUDGET RESOLUTION—1988

The PRESIDING OFFICER. The Chair recognizes the Senator from Arkansas for 2 minutes.

Mr. BUMPERS. Mr. President, what we all know in the Senate but what our constituents out there do not know is that the vote we just cast does not mean anything. It is sense of the Senate resolution. Everybody can vote aye, send out a press release to his people and say, "I just voted not to let that bunch of taxers and spenders up there raise your taxes." Yet we are getting ready to vote in a moment on a budget that requires $18 billion in new taxes. We start this process off by saying we have to raise $18 billion in taxes but you cannot do it this way. You cannot even decide to lower the rate somewhere between 38 percent, which it is this year, and 28 percent, which it is going to be next year.

Now, everybody here will vote differently at some point later this year and they will have the nice fuzzy feeling of having voted for something they can tell their constituents they voted for in order to protect them from additional taxes.

Mr. President, I remember sitting right here in this seat and standing right here on this floor in 1981 when it was a lot more serious and we were voting to cut taxes by $750 billion and following that with a trillion and a half dollars for defense and there were 11 Senators, 11 stood on the floor of the Senate including yours truly saying, "You do this and you are going to create deficits big enough to choke a mule." We did it and we created deficits big enough to choke a mule. Eleven Senators voted no, 10 Senators just now voted no. I am happy to be among that 10 as I was among that 11.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. BUMPERS. May I have an additional minute?

Mr. CHILES. Yes.

Mr. BUMPERS. Mr. President, if the Congress should happen to follow the lead of the Senate, what you are saying is you have to raise $18 billion and here is the way you get it. You can get it with a value added tax, you can get it with a $10 oil import fee—not all of it. These are just options—or you can get it with a 10-cent gasoline tax.

Now, I ask you, Mr. President, who pays the $18 billion if you eliminate the options provided to the U.S. Congress in the sense of the Senate resolution we just passed? I will tell you who is going to pay. It is going to be the working poor and it is going to be the middle class people of America. How is American industry going to compete with the Japanese, paying $18 a barrel for oil and we pay $28 a barrel. How are the people in the State of Arkansas who have to drive long distances to work, to work for $4, $5, $6 an hour, going to make it when you raise gasoline prices 10 cents a gallon? And we say that is fine but you cannot take it from the people in this country who are most able to pay for the $18 billion.

The PRESIDING OFFICER. The Senator's additional minute has expired.

Mr. BUMPERS. Mr. President, I will just take 15 more seconds to say that this does not really mean anything. The only reason I am saying this is that for whoever may be watching or listening, I want them to know that what we just did does not mean a thing.

I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHILES. Mr. President, I yield 2 minutes to the distinguished Senator from Massachusetts off the bill.

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

THE DEATH OF WILLIAM CASEY

Mr. KENNEDY. Mr. President, I did not know Bill Casey well, but I am saddened by his death. For all his faults, he was an American original. His brilliant war record and leadership ability marked him for high responsibility in my brother's postwar generation. He had a distinguished career in my father's mold at the SEC, and an uncommon dedication to public service and his President—even if he always seemed to keep one step ahead of the posse in Congress.

CONGRESSIONAL BUDGET RESOLUTION—1988

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I understand Senator GRASSLEY is prepared to offer an amendment and that the distinguished manager of the bill understands that.

Mr. CHILES. Yes.

Mr. DOMENICI. Even though it is not an actual rotation, it is all right with him.

The PRESIDING OFFICER. The Senator is recognized.

AMENDMENT NO. 181

Mr. GRASSLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself, and Senators MCCAIN, BURDICK, EXON, CONRAD, HEINZ, DOLE, DOMENICI, DURENBERGER, PRESSLER, and BAUCUS, proposes an amendment numbered 181.

At the appropriate place insert the following:

SEC. . It is the sense of the Congress that, in enacting any legislation that amends the Medicare Program to reconcile its expenditures with those required under a congressional concurrent resolution on the Federal budget for fiscal year 1988 and subsequent years, there should be taken into account the special needs of rural hospitals which are not currently taken into account under the Medicare hospital prospective payment system.

Mr. GRASSLEY. Mr. President, Members of the Senate, the amendment read in its entirety speaks for itself. It makes very clear the purpose of the amendment. We express the sense of this body that when the Finance Committee goes to reconciliation, and they are going to modify the Medicare program and the reimbursement to hospitals, they look at and account for the special problems of rural hospitals. We know that since the adoption of the prospective payment system in 1983, we have found it necessary on the floor of this body to make changes in that program because when we adopted prospective payment, we did not realize the differences between the practices and the costs for rural hospitals, and this body and this Congress as a whole has responded quite well to the adjustments in formulas that needed to be made to account for those special problems of rural hospitals and the disparity that resulted between rural and urban reimbursement under a prospective payment system has now been lessened to some extent. There still is more to be done but now we are considering further changes in hospital reimbursement.

I do not want this body and my colleagues to make the same mistakes that we did in 1983. At the time we made them I guess we could not really say they were mistakes because in full faith we went into it not knowing of the problems that would be brought out, committed as we were at that time to a review of any problems that might show up. We so reviewed and we consequently made those changes. But now we are aware of the fact that with this whole effort toward rebasing, unless there is special consideration given by the Congress in reconciliation to a lower profit or no profit at all in the rural hospitals as a whole, then when you rebase obviously you are going to create a situation in which that difference is worsened. So I ask in this amendment that we make those changes that need to be made.

I do not want to minimize the good that the initiatives already made by this body have done for rural hospitals. Nevertheless, Mr. President, we are not out of the woods as far as rural hospitals are concerned.

In February of 1987 we had a report to the Congress by the Prospective Payment Assessment Commission that found the most striking differences in the first-year prospective payment system margins was between urban and rural hospitals. According to this very studied report, the urban margin was a full 7 percentage points higher than the rural margin. Over one-fourth of small rural hospitals incurred losses under the prospective payment system while few urban hospitals had losses. The smallest rural hospitals—and I would delineate those as being hospitals with fewer than 50 beds—had particularly low margins. Ten percent of those hospitals had margins of minus—now, get this—minus 18.4 percent or less. The Commission said—and I would like to quote from its February report—"Financial difficulties of rural hospitals deserve continued attention, especially rural hospitals, which had the highest proportion of prospective payment system losses of any hospital group."

Now, that quote is from the study Commission, experts looking into it. That is not a line by a politician from a rural area of the United States pleading a pork-barrel approach to saving rural health care for our constituents. I see the continuing problem in my own State of Iowa, Mr. President.

In Iowa, 76 percent of our 129 hospitals have fewer than 100 beds. Fully 50 percent of all Iowa's hospitals have fewer than 50 beds. These are, by clear definition, rural hospitals.

These small hospitals have a higher percentage of older people as well, and of course these people are almost totally Medicare beneficiaries; and they have a higher percentage among their admissions than do larger hospitals—about 42 percent, compared to 32 percent.

Almost 50 percent of all inpatient days for hospitals were accounted for by patients over 65 years of age, compared to about 35 percent for larger hospitals.

So, not only do rural hospitals have fewer beds, but also, they treat a higher percentage of their patients who are elderly and have more problems, more costly care, resulting in a higher part of the budget coming from the public programs.

So, any change that we make in formula to save taxpayers' dollars obviously is going to make a more detrimental impact on those hospitals, and it is necessary for us to take that into consideration so that we do not repeat the mistakes of 1983.

The most recent financial data from Iowa for 1986 show that the operating margins, based on patient revenue, are a minus 5.14 percent—I emphasize, a minus 5.14 percent—for small hospitals. Essentially, then, these hospitals are losing money on their patient care operations; and they are going to lose more, if additional reductions are made in the Medicare program without providing some consideration for their special character.

The resolution I am offering simply indicates that it is the sense of the Congress that in enacting any legislation that amends the Medicare program to reconcile expenditures with the budget resolution, the special needs of rural hospitals should be taken into account.

This resolution, as my colleagues know, is not binding, and I do not think we ought to force our judgment upon the Finance Committee. I was a member of that committee for 6 years, and we did not appreciate Congress binding us, but we responded when we could, and I want to leave it that way, because I have faith in my colleagues in that body.

So it is not specific with respect to how the needs of rural hospitals will be taken into account. It does not preempt any legislation already introduced or which is being prepared to address this problem—which Senator Durenberger and others on the Finance Committee design to deal with this matter.

Mr. President, I think we have outlined the needs for this, and I have every reason to believe that this is well received on both sides of the aisle.

Before I yield the floor, I want to read the list of cosponsors of this amendment.

We have, besides myself, as sponsors of this, Senators McCain, Burdick, Exon, Conrad, Heinz, Dole, Domenici, Durenberger, Pressler, and Baucus.

PROTECTING ACCESS TO RURAL HEALTH CARE

Mr. WIRTH. Mr. President, I want to indicate my strong support for the sense-of-the-Senate resolution offered earlier today by the distinguished Senator from Iowa [Mr. Grassley] regarding the financial plight of rural hospitals. Stung 3 years ago by an inequitable Medicare payment system that favored urban facilities, these crucial health care facilities are literally "going for broke" in this year's budget process.

As a means of deficit reduction, the Senate has ratified a budget resolution that will trim $3 billion out of medicare—a move that could drain the financial reserves of large urban hospitals and sentence to certain bankruptcy many of the Nation's smaller, rural hospitals.

Since its implementation more than 6 years ago, the Medicare prospective payment system has been extraordinarily successful in holding down the health care cost spiral that threatened to engulf us. Federal expenditures have fallen below projections by $4 billion in 1984 and $3.4 billion in 1985, and are estimated to be $7.7 billion below projections for 1986. In all, nearly $38 billion has been saved since 1980 and, the Medicare trust fund, once considered to be in imminent jeopardy, has been returned to a healthier state of fiscal fitness.

But, the cost of this cost-containment has been substantial in both institutional and human terms. We, in Congress, have been continuously warned about the steady deterioration of health care services available to Medicare beneficiaries. In response, we have moved to pass legislation that affords a greater degree of security for our senior citizens, but, at the same time, carries a greater financial risk that must ultimately be borne by the health care provider.

In my own State of Colorado, we have increasing reports of hospitals—particularly those in rural areas—closing down completely or converting their beds from acute to long-term care. As a result, Colorado's rural seniors have less, if any, access to hospital care in their own communities.

While a multitude of factors have contributed to the plight of our rural health care facilities, none has been more pronounced than the serious inequity that was built into the prospective payment reimbursement formula for rural hospitals when it was first implemented.

At that time, the Health Care Financing Administration determined that rural hospitals operating costs were significantly lower than those of urban hospitals. As a result, reimbursement rates for rural hospital were set at rates that are now 30 to 40 percent lower than what Medicare pays an urban hospital for the same illness.

This loss has been compounded by the fact that in many rural hospitals, over half of all patients are Medicare beneficiaries, as compared to about one-third for urban hospitals. As a consequence, rural hospitals are likely to have far fewer private paying patients to help absorb any losses attributable to their Medicare caseload.

As a result, in just the last year in Colorado, four hospitals have shut down or converted their acute care beds to long-term care. In a recent survey of rural health facilities by the Colorado Hospital Association, six additional hospitals indicated that unless their circumstances dramatically improved they would be out of business by 1987. Those institutions represent nearly a quarter of the rural hospitals in Colorado.

Accordingly, I was pleased to join in supporting the amendment of the Senator from Iowa to urge the Senate Finance Committee to give careful scrutiny to any significant change in the way that Medicare pays hospitals. It is imperative that we ensure that any such proposal will not have a negative effect on the provision of hospital services in the traditionally medically underserved communities of rural America.

RURAL HOSPITALS

Mr. BAUCUS. I am pleased to cosponsor the amendment offered by the Senator from Iowa to express the sense of the Senate that Medicare payments should be fair to rural hospitals.

I strongly agree that the unique concerns of rural hospitals should not be overlooked in making decisions on Medicare payment amounts.

I am pleased that last year Congress took a number of positive steps to recognize the importance of rural hospitals in meeting the health care needs of millions of Americans who live in small communities across the Nation.

These changes will help to increase the margin of financial safety of hundreds of small hospitals that serve rural Americans. More importantly, last year's rural health reforms made it clear that Congress wants to make sure that rural citizens continue to have access to quality health care services.

I was proud to have been a member of the conference committee that negotiated the package of rural health provisions last year. And I was particularly pleased that among the provisions approved by Congress were some of the reforms that I had proposed in the Rural Health Care Improvement Act of 1986. We made a good start last year and I hope that we can build on that success again this year.

Recently, a bipartisan group of over 40 Senators from every region of the country came together to join the rural health caucus. I am very encouraged by this strong demonstration of interest in meeting the health care needs of rural Americans.

I look forward to working with other Senators on the rural health caucus as well as my colleagues on the Finance Committee to help restore fairness in the Medicare program to rural communities.

And I applaud the efforts of the Senator from Iowa to see that the concerns that many of us share on this important issue are expressed in the budget resolution that we are about to adopt.

Mr. CHILES. Mr. President, I think the Senator raises a question that all of us are concerned about. It was a result that none of us wanted and none of us expected.

I think by the sense-of-the-Senate provision he is putting us on notice as we go into further cost containment that we need to look for undue hardships and disparities between the rural hospitals and our urban hospitals and I think we would be willing to take the amendment.

Mr. DOMENICI. Mr. President, I yield myself time off the resolution just in the event the Senator wants more time on his amendment.

Mr. President, I am a cosponsor of the amendment and I think it is an excellent amendment. Obviously, because it is a sense of the Congress it has no budgetary impact and is neutral. It does not change the budget numbers.

Clearly there is no question that there is a tendency to get carried away on hospital cost containment because there are so many disparities among the profits being realized in various hospital systems. But there is no question that rural hospitals that stand on their own and are not being subsidized one way or the other are in very serious financial straits as compared with whatever we say about hospitals making money.

The distinguished senior Senator from Iowa is merely saying you are going to do some reform on cost containment, but it is the sense of the Congress that you should take into consideration the fact that most of the rural hospitals are in serious financial trouble already and should not be treated in a package as if they were exactly the same as hospitals that are making money.

Mr. GRASSLEY. Mr. President, if the Senator will yield, I agree with the statement of the Senator from New Mexico.

He states it very accurately.

Mr. DOMENICI. Mr. President, I have some statistics about failures in the past and some details about rural hospitals.

Many rural hospitals are in serious financial stress because of the depressed rural economy, reduced inpatient revenues, impact of Medicare's prospective payment system [PPS], et cetera.

While other hospitals are reporting profits of 12 to 15 percent under Medicare, gross revenues have been on average a negative 12.5 percent for rurals since 1972.

Of the 58 hospitals that closed in 1986, 64 percent were rural.

Rural hospitals are facing tough competitive challenges from urban hospitals, multihospital systems, and HMOS.

Many rural hospitals have outdated physical plant and equipment, an inadequate supply or mix of health professionals, and an actual or perceived poor quality of care image.

Rural hospitals have experienced a decline in demand for inpatient services and increased costs.

The Grassley amendment has no budgetary or deficit impact.

I support the amendment, and therefore yield back any time that I might have.

Does the distinguished Senator from Iowa yield back any time he may have?

Mr. GRASSLEY. I yield back my time.

The PRESIDING OFFICER. If there is no other comment, the question is on agreeing to the amendment of the Senator from Iowa.

The amendment (No. 181) was agreed to.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SYMMS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I understand that the distinguished manager on the majority side has no objection to us proceeding with Senator SYMMS offering an amendment. Since I believe that is all right on their side, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

AMENDMENT NO. 182

(Purpose: To reduce funding for multilateral organizations and to retain current funding and program treatment for certain energy and natural resources programs, and for other purposes)

Mr. SYMMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Idaho (Mr. SYMMS) for himself, Mr. HECHT, and Mr. PRESSLER, proposes an amendment numbered 182.

Mr. SYMMS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordeed.

The amendment is as follows:

On page 6, decrease the amount on line 41 by $483,000,000.

On page 6, decrease the amount on line 43 by $450,000,000.

On page 7, decrease the amount on line 3 by $603,000,000.

On page 7, decrease the amount on line 5 by $902,000,000.

On page 7, decrease the amount on line 17 by $604,000,000.

On page 7, decrease the amount on line 19 by $888,000,000.

On page 7, decrease the amount on line 31 by $631,000,000.

On page 7, decrease the amount on line 33 by $898,000,000.

On page 9, increase the amount on line 6 by $138,000,000.

On page 9, increase the amount on line 8 by $438,000,000.

On page 9, increase the amount on line 18 by $128,000,000.

On page 9, increase the amount on line 20 by $413,000,000.

On page 9, increase the amount on line 30 by $147,000,000.

On page 9, increase the amount on line 32 by $414,000,000.

On page 9, increase the amount on line 44 by $8,000,000.

On page 9, increase the amount on line 46 by $8,000,000.

On page 10, increase the amount on line 4 by $11,000,000.

On page 10, increase the amount on line 6 by $11,000,000.

On page 10, increase the amount on line 16 by $11,000,000.

On page 10, increase the amount on line 18 by $11,000,000.

On page 10, increase the amount on line 28 by $11,000,000.

On page 10, increase the amount on line 30 by $11,000,000.

On page 16, increase the amount on line 1 by $201,000,000.

On page 16, increase the amount on line 3 by $201,000,000.

On page 16, increase the amount on line 14 by $204,000,000.

On page 16, increase the amount on line 16 by $204,000,000.

On page 16, increase the amount on line 27 by $206,000,000.

On page 16, increase the amount on line 29 by $206,000,000.

On page 16, increase the amount on line 40 by $206,000,000.

On page 16, increase the amount on line 42 by $206,000,000.

On page 22, increase the amount on line 47 by $274,000,000.

On page 22, increase the amount on line 49 by $241,000,000.

On page 23, increase the amount on line 7 by $250,000,000.

On page 23, increase the amount on line 9 by $249,000,000.

On page 23, increase the amount on line 19 by $259,000,000.

On page 23, increase the amount on line 21 by $258,000,000.

On page 23, increase the amount on line 31 by $267,000,000.

On page 23, increase the amount on line 33 by $267,000,000.

Mr. SYMMS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SYMMS. What is the time situation?

The PRESIDING OFFICER. The Senator has 30 minutes under his control. The manager of the concurrent resolution has 30 minutes under his control.

Mr. SYMMS. I thank the distinguished Presiding Officer.

Mr. President, the purpose of this amendment addresses an area of the concurrent resolution that is very near and dear to westerners, to commodity producers one and all in the country, people that produce new wealth in this country.

The concurrent resolution has users fees and other debt repayment which are really nothing more than taxes, and I still say that a tax is a tax no matter what you call it, and I do not support these new taxes aimed at grazing fees, at cow marketing associations, timber receipt changes in the formula, user fees on meat inspection that is required by the Federal Government. So I just think that what we are trying to do in this amendment is restore current law on those four areas and we will pay for it because the amendment is required to be revenue neutral by reducing the allocation and the spending in the multinational banks.

So the purpose of this amendment is to cut the funding of the multilateral lending institutions that send U.S. taxpayer dollars to Third World and socialist countries to finance the building of agricultural, manufacturing and mining projects that turn around and compete in the world market with U.S. farmers and manufacturing interests.

First, let me quickly summarize what some of these things do.

I compliment the distinguished chairman of the committee for making some important changes in his amendment, although they did not go as far as I would like to have them go, but they have made some important changes in the areas of grazing fees on the western lands or specifically by zeroing out the payments to local governments for mineral fees and timber fees, and I just want to make it clear that I recognize that some changes will be made, but it did not go as far as I think it should go.

The summary page says:

Farm Programs: No meat and poultry inspection fees are assumed

Energy and Natural Resources Reconciliation: Specific policy assumptions contained in the Committee-reported resolution are eliminated. This additional flexibility will allow the Energy and Natural Resources Committee to eliminate or reduce savings in the Power Marketing Administrations, receipt sharing programs and grazing fee schedules.

So I compliment the chairman for these changes in the proposal he has put before the Senate over what passed the Budget Committee originally. The elimination of all words requiring these new taxes is an important step in the direction of equity for my State and for all the rural and Western States.

However, I wish the chairman had also changed the numbers in the budget proposal. As long as the numbers are still there, the Agriculture Committee and the Energy and Natural Resources Committee will have little choice but to go in the direction of new taxes in those areas.

Therefore, this Senator's amendment proposes to eliminate the amounts in function 270 for fiscal years 1989 through 1991, which are identified in the summary document only as "Energy and Natural Resources Reconciliation." It has to be obvious to everyone that this is the same amount as we saw in the previous version targeted on the power marketing administrations.

Since the Budget Committee's provision has no fiscal year 1988 impact, the amendment is concerned with the reconciliation instructions for the outyears.

Congress must make clear that no authorizing legislation nor administrative rule regarding accelerated debt repayment, nor interest rate increases, will be considered.

The Pacific Northwest in particular would suffer the loss of thousands of jobs if electrical power rates were to be increased to pay for this budget proposal.

The overall loss of jobs and income in the States affected could exceed the fiscal benefits of the accelerated debt repayment. In that case, we would actually lose money if the proposal were adopted.

This Senator's amendment proposes to eliminate the amounts in function 300, which are identified in the summary document only as "Energy and Natural Resources Reconciliation." It has to be obvious to everyone that this is the same amount as we saw in the previous version targeted on grazing fees.

Now, grazing fees are an issue that are not understood too well by many Members of the Congress who come from States that are 100 percent privately owned. But if you happen to come from a State like my State where 64 percent of the land in the State is owned by the Federal Government and grazing fees have been accommodated into the economy and are reflected in the value of the private land—and this is something that is a point that is very little understood by many people—if you raise the grazing fees normally on the Federal lands that adjoins small tracts of private land, what you are doing is devaluing the amout of value that is in the farmer's private land where he has borrowed money based on what the grazing fees are. They are already built in to the economy. When they go into a bank for a mortgage or an operating loan, the consideration of what the grazing fees are on the public land that adjoins their private land is part of the overall economy.

So if you raise those grazing fees which are already paid for, you are lowering the value of the private land which adjoins it.

I think the grazing fees have been set at the current levels for many years and they reflect that land value. It would be a tremendous devastation to the cattle industry to go in and tamper with that very fine balance that has been worked out in the economy.

If you devastate the Western beef production interest, it will cause greater imports of beef. It will hurt our international trade balance, further depressing an industry that Congress has already kicked in the groin often enough.

For example, last year, with the Whole-Herd Buyout Program, it did a great deal of damage to the cow-calf operators and beef producers all across this country to have to absorb that dislocation in the market.

This amendment proposes to eliminate the amounts in function 550 which are identified as "user fees." The summary document calls it user fees, but everyone knows what the implication is. The implication is that we are going to have that amount of money which will be targeted to meat and poultry inspection fees, the charge for inspection fees on meat and poultry, where it is mandated by the Federal Government that they have this.

These are new taxes, not users fees. The Congress mandates the inspection of meat and poultry for public health purposes. These fees are nothing more than a gimmick to pay for a Public Health Program.

And this amendment proposes to eliminate the amounts in function 300, which are identified in the summary document only as "Energy and Natural Resources Reconciliation." It has to be obvious to everyone that this is the same amount as we saw in the previous version targeted on the shared receipts for our local governments.

The proposal to change the shared receipts formula is tantamount to the Federal Government unilaterally deciding to refuse to pay its local "taxes" on the resources under Federal control in the West.

Most of the land in the Western States is under the control of the Federal Government. There is no way the elected governments of those States and localities could exercise the normal governmental function of raising taxes to pay for schools and roads if it were not for these shared receipts from the economic activity on Federal lands.

It is ironic that the majority in the Senate today is made up of Senators who were elected by the voters of some of these very States that will be sent into a condition of economic collapse in local government if this proposal to change the shared receipts formula is adopted.

Now, having said all that about the reasons why this budget resolution should retain present law in all of the functions I have discussed above, let me say why this Senator argues we should cut the funding for the multilateral lending institutions.

It just so happens that the money that we lend out in multilateral lending institutions, like the World Bank, the International Monetary Fund, and other development banks, Latin American and Asian development and African development, and so forth, lend money to develop economic operations that oftentimes are aimed directly in competition with the people in this budget that are being asked to pay higher prices for their means of production domestically in the United States, the cattle producer, the timber producer, the mineral producer, the power users that are manufacturing new wealth in the Western States.

Recent multilateral lending has been too inclined to promote "quick fixes," generating hard currency exports and requiring import restrictions in developing countries.

Only yesterday, Mr. President, in my office, I visited with a man from Idaho and the purpose of his visit was to talk about the problems they are having selling dried beans in Mexico. It used to be a big market for us. But the International Monetary Fund and the World Bank have imposed austerity programs on Mexico, telling them that they can do longer buy dried beans from Idaho because they have to grow their own. Therefore, they do not want them spending their currency buying a product that we have had a long market of selling.

So what it amounts to is that the Idaho farmers or miners are paying taxes to support competitive operations south of the border to be used to compete directly against them and then they are being cut off from those markets.

The multilateral banks also tend to discourage small-scale private enterprises. Instead, they commonly lend to governments, which invest for political rather than economic gains and promote bigger government, more bureaucracies, more socialism, if you will, as opposed to freedom in economic activity.

World Bank lending, as well as most foreign aid and private lending, is too often linked to the myopic "austerity" programs, which I just mentioned, of the International Monetary Fund [IMF]—programs that have repeatedly failed to produce anything but hyperinflation, protectionism, depression, and revolution.

Taking a short-term, country-by-country perspective, the IMF adopts the banker's approach of creating a quick export surplus in each country to earn dollars to service debts. Typical conditions on IMF loans are devaluation of currency, and elimination of trade and budget deficits. Countries hostage to these IMF conditions find tariffs irresistible, since tariffs create the illusion of reducing both budget and trade deficits. Unfortunately, the whole world cannot run trade surpluses with itself; all countries cannot devalue their currencies against each other; and higher tax rates and consumer prices are self-defeating in distressed economies.

Furthermore, the repeated devaluations, such as Brazil is considering right now in response to its debt crisis, will undoubtedly result in capital flight and rampant inflation. Lacking indexed tax systems, many of the developing countries soon find themselves with tax rates of 60 to 80 percent at incomes of $2,000 or less per year. Such punitive taxation drives any remaining production underground and results in still more capital flight. More foreign loans are then used to replace the lost domestic capital, and the interest payments on those loans turns trade surpluses into current account deficits.

The end result is rapid collapse of any but the most basic industries—primary agriculture, minerals, and some textiles. These products must be dumped for whatever the protectionist world market will bear in order to acquire dollars or yen to service debts. With little to trade, depressed developing countries have no choice but to slash imports. U.S. exports to the 21 most debt-burdened developing countries dropped by 31.3 percent between 1980 and 1984.

Without sermonizing on the need for the Federal Government to show fiscal constraint, it seems obvious to me that tax dollars leaving the Treasury at a rate of over a billion per year ought to be more carefully scrutinized.

For example, a couple of years ago, the World Bank made a loan to Communist Hungary to lend $80 million for the development of producing, processing, and exporting red meat. That will be used to compete against American beef producers. And it seems to me like those are the kinds of things that we in the Congress should cut off so we can have equity. It is a matter of fair trade policy.

It concerns me that U.S. tax dollars are allocated to banks which have so little responsibility to the people of the United States. The World Bank and IMF could devastate the American economy and yet remain completely unanswerable to the American public.

We only get to vote in those banks the percentage of how much money we lend them. It is approximately one-third. So two-thirds of the money that is put up will override the one country that objects with the one-third, and in order to pay for this, what we are assuming is that the FAIR bill, which is cosponsored by many of my colleagues, which passed the Senate on three separate occasions in the 99th Congress and was roadblocked in the House in the agricultive bill on numerous occasions—on the farm bill as well as on two other occasions where it was dropped off in conference.

But the FAIR bill, foreign agriculture investment reform, simply says that we will cut off funding of the international banks where they lend money which is used in direct competition against U.S. production of agriculture, minerals and other manufacturing goods and where those items end up being dumped on the world markets at costs below production costs in order to gain hard currency to make payments back to those banks where they have overlent what those people could afford to pay for.

For American industries to survive, they must be able to compete in world markets. If multilateral lending policies are defeating this purpose, corrective action must be taken—even at the expense of international institutions. The Federal Government, after all, is obligated first to the needs of the American public.

Perhaps a policy that devastates American industries could be justified if it provided some great humanitarian relief to some other part of the world. That, of course, is arguable. However, policies that benefit neither the United States nor developing countries seriously violate the principles of good government, and the trust of the people. Therefore I think this amendment is one that will improve this budget resolution. I think it is well focused to promote the economic health of the United States, and particularly those members of our Nation who have not fully participated so far in the economic recovery as most of the States have enjoyed in this experience in this country.

I urge my colleagues to support the amendment.

I thank the distinguished Senator from New Mexico for the time off the resolution. I yield the floor at this point.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. I yield off the resolution unless the Senator wants to yield off the amendment.

Mr. SYMMS. I am happy to yield to the Senator from Oregon.

Mr. HATFIELD. Mr. President, I thank the Senator from Washington State, and the Senator from Florida.

Mr. President, I would like to propose a question or two on this issue to the manager or whoever wishes to respond. First of all, let me commend the Senator from Florida, Mr. CHILES. Except for the anti-Western part of this resolution I would be very happy to support it. I think he has addressed two very fundamental points amongst many that sooner or later we are going to have to address on this floor and in this Congress. That is, we are going to have to deal with the revenue side of the problem of the deficit.

I commend the Senator for forcing that issue through the portion dealing with the levels for defense spending that makes the increase of $7 billion or so contingent upon additional revenues. That to me is a very worthy part of the bill.

I have expressed to the Senator from Florida in the past, and also to my good friend from Washington State, my deep concern about the perception that I have of this bill of being anti-West in the sense that they are raising revenues on the basis of programs in the West.

I see the substitute Chiles or the revised Chiles has cut that about in half from the original Chiles resolution.

Mr. President, I would like to ask the Senator from Washington State, if he is standing on his feet and ready to respond. I note, Senator, that the figure is to reduce the Western programs by $170 million in fiscal year 1988, $320 million by fiscal year 1989, another $320 million in fiscal year 1990, another $320 million in fiscal year 1991 for a total of over $1.03 billion in this particular cycle of the budget resolution as portrayed on this particular page.

Mr. President, I would like to ask the Senator from Washington State if that is a correct use of figures that I have just quoted from the budget resolution.

Mr. ADAMS. I thank the Senator from Oregon, my good friend, who has pointed out the problem that we have been dealing with with regard to the West. The original Chiles resolution has been amended, and the reduction that occurs—in other words, the savings out of the various programs at $120 million in the first year. And we have removed all language that refers to public marketing administration. So that the amendment that is pending now or any discussion about it would simply be placing money in the energy function in 270. It does not affect the reconciliation portion of all. The reconciliation portion does not allocate between grazing fees or timber receipts or the other items.

It is true there is a reduction in that the total amount that would be received from these resources has been increased by a small amount. It is not a grand total that the Senator is mentioning. It is smaller than that amount. But we have moved in the Chiles resolution that was amended by working with all of the Western Senators in trying to talk with all of their offices to remove any instructions that were harmful, and to make the savings that are occurring here not Western, but are a part of the total national picture. We recognize the difficulties of this budget resolution. There were some savings in this area, but they are not of a magnitude that was originally in the resolution, and we believe is acceptable and is one in which we can and will live.

Mr. HATFIELD. Would the Senator yield again?

Mr. ADAMS. I am happy to yield.

Mr. HATFIELD. Is the Senator saying there is not an accumulation of $1.03 billion in this 4-year period?

Mr. ADAMS. What is the figure the Senator mentioned?

Mr. HATFIELD. I have a page here called reconciliation and revised Chiles Democratic budget by Senate committee, savings in millions of dollars. It has fiscal year 1988, energy and natural resources. In fiscal year 1988 it says $170, in fiscal year 1989 it says $320, in 1990 it says $320, in 1991 it says $320. Those figures add up to $1.03 billion from my arithmetic.

Mr. ADAMS. The Senator is correct on those figures. I now have them. Yes.

Mr. HATFIELD. The second question, as a member of the Energy Water Authorization Committee and also being familiar with the Energy and Water Subcommittee on Appropriations, let me ask the Senator what accounts are going to be used to achieve the $170 or the $103 billion of the 4-year period? What accounts?

Let me list them: grazing fees, mineral resources, timber receipts, PMA's. What other accounts?

Where does the Senator from Washington State think this money will come from?

Mr. ADAMS. I will let the chairman of the full committee comment on it, too.

We have left the total of the reconciliation amounts in a total tax package and a total functional package. We have not attempted to designate within as subtitles—I assume the Senator is referring to the function 300 reconciliation or the function 300 and the function 270 portions of the budget.

Mr. CHILES. Mr. President, I wonder if I can join in this colloquy with my good friend from Oregon. I think his totals are right—about $103 billion. As you know, because there were some legitimate concerns raised about taking out any kind of language indicating this should come off the user fees or off grazing or off of any of these areas, there is no language there. So we are talking about $170 million in the first year, going to a function that has $4.8 billion. The House is talking about a user fee to provide the money for the strategic petroleum reserve. That is an area that will be before the conference.

I think if the Senator is legitimately concerned that the $4.8 billion function could not stand a cut of $170 million, or that had to come to roost on something that he was concerned with, I think that might be a real possibility.

I think in the amendment by the Senator from Idaho, he is putting money back into some functions. But as the Senator from Oregon well knows, it would be up to the Appropriation Committee to see whether it will add some money to our budget, or add some money overall to the functions.

To say that any of that money will be spent other than in those functions or in the crosswalk, or how Appropriations decides they will spend it, your committee, as the Senator knows, can even put it into other functions, if they want to. It is just adding money.

I do not think you can add back to something where there is no language taking away.

I think what the Senator really should be thinking about is does he have a concern that he cannot make up $174 million out of $8 billion. He will have a lot to say in how that happens as it goes along. I really think what we are talking about is a scale of less than 50 percent of the savings, taking away all the language. We are saying the energy function ought to share some of the savings we are trying to make out of this bill, as every other function should.

Mr. HATFIELD. Mr. President, let me conclude by pointing out a couple of historical items. We know the genesis of this figure. The genesis of this figure came from some very specific proposals that were lobbed against the West. This is not a parochial system, but it is pretty realistic. I remember when the President of the United States, Mr. Carter, lobbed his salvo against the West and the water problem hit us. That was similar to this kind of resolution.

Now we are trying to play that down. I appreciate we have done two things. We have cut the figure in half almost on what we were going to lob out west to the Western States, and we have deleted the specifics. But let me remind the Senator as one who has led the battle on cost sharing, on user fees, and various other sundry things that have picked up a local sharing and local cost bearing in those programs in the West, we are not asking for a free meal. As one who has participated reluctantly in seeing these programs in this $4 billion-plus budget reduced in the last 6-year period by 33 percent, let us look at the baseline. Let us look at the fact that PMA's are still in this as a target. Let us look at the fact that grazing fees are still in this as a potential target. Let us look at the fact that the timber receipts are still in this as a potential target.

It is easy for me to say that $1 billion I can pick up from uranium enrichment; $1 billion I can pick up from clean coal. But look at the politics of all of this. Any way you dress it up it is still a lob against the West because it will be out of those accounts that the pressure will be borne to provide the $1 billion.

Let me tell you why. When I came to the Senate there was not a single person on the old Interior Committee on our side, or on Senator MELCHER's side, who was not from a Western State. Now what are we? A 1-vote margin.

So the policymaking activities that related to the West are no longer in that State-secure position, such as Mr. Jackson as the chairman and Tom Kuchel as the ranking member. Every member, Democrat and Republican alike, were from western land States.

All I am saying is that we are setting up a vulnerability in this resolution on public western land State programs that have already suffered a tremendous reduction.

Mr. ADAMS. Will the Senator from Florida yield some time?

Mr. CHILES. I am happy to yield.

The PRESIDING OFFICER. The Chair will clarify the time allotted. The Senator from Idaho has 30 seconds remaining. The Senator from Florida, the manager of the bill, has 30 minutes remaining, plus time on the resolution. Who yields time?

Mr. SYMMS. Mr. President, I yield myself the 30 seconds I have remaining.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CHILES. I yield 5 minutes of my time to the Senator.

Mr. SYMMS. The Senator from Oregon made the best defense of the Symms amendment whether he intended to or not, the best that could have been made. What he stated was that even though the distinguished chairman of the committee has tried to give a little help to the Western States, the language is still in there which is the potential for a conference to be devastating to the West. I would urge my colleagues who will look at this that the Symms amendment now pending before the Senate restores current law. It assumes the restoration of current law in meat inspection, grazing fees, power marketing associations, timber, and mineral receipts.

I discussed this with my Governor in Idaho this Monday and on last Friday. He is very interested that this type of an amendment is restored because the Governor said to me, "Steve, we simply cannot stand the risk of having those receipts taken away from us on stumpage sales, mineral receipts, raising grazing fees. Our State is in too fragile an economy to take that risk."

What we are doing here, if I can sum it up, is the current amendment pending before the Senate restores current law in those areas and is revenue neutral insofar as it is paid for out of the multinational lending institutions. I think the Senator from Oregon made an excellent point in his debate about what the risks still are by having the current language in the bill. My amendment corrects that. I hope all Senators are very conscious of that.

The multinational lending institutions, it just happens, where they lend money and things that they are produced through the lending by the international banks, come right in direct competition with American miners, with American farmers, with American loggers, because we are lending money to develop those areas in third world countries and then you have a struggle between the American farmer and the New York banker who wants to get his loans paid back. So the World Bank or the IMF or the International Development Banks go in and propose austerity programs in those countries and take them away as potential customers for our producers.

I think this amendment makes a great deal of sense, and I urge my colleagues to support it.

I thank the distinguished Senator for yielding me 5 minutes.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield such time as the Senator from Washington may require.

The PRESIDING OFFICER. The Senator from Washington.

Mr. ADAMS. Mr. President, I rise to express my support for the new revised Senate Budget Committee proposal introduced by Senator CHILES. It is a proposal that meets the needs of my State and our Nation.

Let me begin by thanking the Senator from Florida for his leadership and cooperation throughout this very tough deliberative process. As a former budget chair I understand the pressures that come with his job. But from the very beginning—when I expressed my concerns about his original mark through our more recent discussions and negotiations—the Senator from Florida has exhibited patience and understanding. He has listened to my concerns, he has helped solve the problems his original plan would have created for my State and region. I would like to say to him and to this body that I appreciate his help and assistance in developing a package that is fair, equitable, and realistic.

Mr. President, the theme of the original Chiles budget proposal was investments in economic power; this revised proposal will allow us to make that theme a reality. The issues that I and other Senators raised were fundamental questions reflecting the need to enhance this country's economic competitiveness and strengthen our social and economic commitment for a fair and just society.

Mr. President, I would also like to echo remarks already made by the Senator from Florida, and that is that we have succeeded in accomplishing all these objectives without adversely affecting the deficit. As has already been stated, this revised budget meets the Gramm-Rudman-Hollings targets this year as well as balancing the budget by 1991. The 1988 deficit is reduced $37 billion.

In fact, total spending is less than the President's in all years when things like asset sales and spending delays are taken out.

Turning to the President's budget, I can only say that if we were to adopt his assumptions the Western United States, as well as other regions, might as well roll up and die. In the President's budget energy outlays are cut over $1 billion in 1988 and $11 billion over 4 years. Environment and natural resource program outlays are cut by more than $1 billion in 1988 and by $8 billion over 4 years. Other budget areas that affect the West, as well as other regions, are treated just as badly. Community development outlays are cut by more than $700 million in 1988 and by $6.1 billion over 4 years. Education outlays are cut by over $3 billion in 1988 and $24 billion over 4 years. Generally, domestic outlay reductions total $26.2 billion in 1988, only $4.1 billion less than domestic reductions under a sequester order which everyone agrees would be a disaster.

Mr. President, what we have accomplished is beneficial for not only the Western States, but for the country as a whole. Let me take a few minutes to explain why this is so.

First, in the area of the power marketing authorities, we are maintaining a repayment system that ensures a strong and competitive regional economy. Indirectly, this will benefit the entire Nation. Heavy industry, agriculture, small business, and consequently many, many workers rely on the energy produced by these five regional entities.

For instance, in my own region heavy industry like aluminum plants, employ over 10,000 workers in cities like Wenatchee, Goldendale, Tacoma, and Longview, WA. Indirectly, another 30,000 workers rely on the economic activity of these plants. This industry is internationally competitive because of energy generated by BPA. Electricity costs represent about one-third the total cost of producing aluminum. It is the most important cost factor in determining whether a U.S. plant can produce aluminum that is cost competitive with metal produced abroad. Aluminum is a commodity freely traded in world markets and competition is keen. This revised budget which maintains the current repayment system, will allow us to continue to meet that competition.

Additionally, Pacific Northwest irrigated agriculture, which competes with products from around the world in many markets, is critically dependent on the energy it takes to pump water throughout the irrigation systems. This revised budget protects the continued vitality of irrigated agriculture.

In fact, Mr. President, the sale and distribution of Federal power reaches deep into the Nation's economy. In the 34 States where Federal power is sold, a total of some 268,000 manufacturing, wholesale, retail, and service companies are served by the 1,100 public power systems or rural electric cooperatives which rely on Federal power for all or a portion of their power supply. These companies employ more than 3 million people and contribute nearly $327 billion to the national economy. In addition, there are more than 1,300,000 farms served by consumer-owned utilities which buy Federal power. These farms produce commodities valued at $72 billion.

The administration's proposal would have us divest these important and valuable assets for private ownership. Further, he would implement changes in the debt repayment system that would cripple the competitive edge of these economies. The committee substitute budget does not do this. No presumptions of this sort have been articulated within this proposal. PMA-generated power has assisted our country and its workers to develop, build, and meet the regional economic needs of our society. PMA-generated power will continue to play a critical role in the ever changing and expanding international marketplace of the world.

Let me turn next, Mr. President, to the issue of shared timber, mineral, and other Federal receipts. Currently, rural, timber, and mineral oriented communities throughout the country are planning their economic futures through enhanced educational systems, workable infrastructure developments, proposed economic diversification plans and increased citizen participation. These hardworking people are more than cognizant of the changes that are occurring around them each day, and consequently they are seek new and innovative ways to meet the inevitable demands of a competitive economic society.

To implement these objectives, residents of many of these communities rely on a revenue source that originates from resources found within their own borders. They have partnered with the Federal Government to share receipts coming from the production of timber, minerals, and other pertinent activities. In many instances, communities have no choice but to rely on these funds as their major source of revenue.

Mr. President, let me provide this body with an example of how one small community must deal with this situation. In my own State of Washington, there is a county that probably has within its borders, two of the most famous natural wonders of the world. Those two well-known sites are the Mount St. Helens National Volcanic Monument and the Columbia River Gorge Scenic Area. This county, Skamania County, one of the most beautiful spots on this Earth, covers approximately 1 million acres. Eighty-six percent of this area is federally owned and includes the Gifford Pinchot National Forest, five U.S. Fish and Wildlife fish hatcheries, the Wind River Tree Nursery, the Mount Adams Wilderness, as well as Mount St. Helens, and the Columbia Gorge. Seven percent of the land is State owned or managed. Accordingly, only 8 percent of Skamania County is taxed at full value.

Not surprisingly, Skamania County's economy is presently timber based, including harvesting, milling, and manufacturing. The city, county, school, State and Federal governments employ a substantial number of county residents. Since 1979, Federal timber receipts have provided the major source of revenue. Those receipts have averaged $2.85 million annually or about 37 percent of the county total revenue.

Obviously, it does not take much to figure out that if there is any change in the shared timber receipt formula decreasing the share to the community, like the one proposed by the President's budget, severe economic and social hardships would result. Current obligations could not be met and dramatic reductions in public services would take place. More importantly, this would be even more disappointing to places like Skamania County which is now working diligently toward diversifying its economic base. With world famous scenic atttractions on its doorstep this community has been developing a means and structure to create a tourism-based component to their economy.

Mr. President, the revised committee budget retains the formula that permits Skamania County and other similar communities around the country to continue to build and develop their economic infrastructure to meet the competitive demands of the future.

In conclusion, Mr. President, this revised budget is a plan to promote economic power in the West and in other regions of the country. It provides hope to our workers, farmers, and industry that we will meet the economic challenge in an international marketplace with a strong heart and realistic strategy. We will not rely on false tactics like asset sales which weakens our economic future. Rather, we will continue to maintain and support Federal/local partnerships that enhance and promote a strong and dynamic national economy.

One final note, Mr. President. I believe that this budget does more than protect the interests of my region. I believe it protects our national interests. It establishes some reasonable priorities with an emphasis on meeting human needs and advancing our economic interests. Some have expressed concern about the size of the defense budget—but that concern can be met by the President of the United States. He has not participated in the budget process and we hope that my making additional defense spending contingent on his involvement, then we might attract his attention and spark his interest. That is not the most desirable way to legislate, but given this President it may be the only way we can legislate.

Again, I thank and congratulate the chairman and I look forward to adopting this budget and then making it work for my State and our country.

I want to state to the Senator from Oregon, my very good friend, that there has been, over a period of the last 6 years, a great shift and a great deterioration in the strength in the abilities of the Western part of the United States in many ways on many of these subjects.

The original President's budget, with which we are trying to deal, the Senator will remember, recommended not only changes to straight line depreciation in the Power Market Administration, but they have continually recommended the sale of these, which would have meant enormously increased rates. A number, including myself, would not have voted for the original Chiles proposal. What has come out has been the matter of intense negotiations with my good friend, the Senator from Florida, working to assist us in meeting this problem. We have tried to do that precisely as the Senator from Oregon has mentioned, which is to not limit it to the one function but limit it to the overall problem.

One of the other things for which I am grateful to the Senator from Florida was that we have finally managed to stop the enormous increase in defense without increasing the taxes. What we have done in the reconciliation area in these functions was to not assign it to specific items.

I say to my good friend from Oregon that I guess you might say we are in the process of trying to stop a locomotive that has been running down the track. I think we have stopped this. Now we are going to try to improve it as it goes along.

This was our effort. This has been done. Neither the Senator from Oregon nor the Senator from Washington has been a part of creating the changes that have occurred in the structure of the Senate, but we have tried very hard in this resolution.

I thank the chairman of the committee for meeting our basic concerns and shifting it out of the function and out of the specific reconciliation so that it can be worked into a total budget.

Having been a former Budget Committee chairman—and I know that the distinguished Senator from Oregon has also served in that capacity—it is very difficult to reconcile the total package.

So what our friends have here—and I think they have been successful—is to place this in a position where we no longer have any kind of anti-Western bias. But we cannot remove the fact that this started from an OMB and Presidential position that we were fighting off, and we have continued to fight off, and we have gotten this far, and for that I am grateful to the Senator from Florida. That is why I voted for this proposal and will support this proposal.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. HATFIELD. Let me clarify something that I think should be clarified.

When we are talking about the pick of this amount from the energy-water package, we have been using the figure $4 billion plus. I say to the Senator that upon review of that, it is not a $4 billion field from which to pick. It is $1.4 billion, because it must come from the direct spending areas, and that is where the Western programs are.

You have not shielded them. You have merely reduced the impact and the potential impact, but you have not protected the West in this particular wording of this resolution.

I know the good efforts, I know the difficulties, and I appreciate the improvement from the original. All I am saying is that we are not talking about dollars. We are talking about something far more fundamental. We are talking about schedules of repayment. We are talking about forest receipt formulas. We are talking about grazing fees. We are talking about things that are set into law that have to be amended into generic legislation. It is not just a little reduction here and there. We are going to be forced to deal with those accounts in changing the basic structure of those accounts, and that is the vulnerability.

Mr. ADAMS. I say to the Senator that that is what we dealt with in changing the original Chiles proposal.

I discussed this with the Senator from New Mexico when this all started earlier this week—that we were dealing with a Presidential budget proposal that was incredibly harmful, and we have tried to correct that. I was hopeful that it could have been corrected and would never have come up again. But the Senator from Oregon and I know that it is probably going to come up again next year in the budget. This is a continuing struggle which we will all be part of. I think we have made the improvements we can for this year.

I understand very well the direct accounts coming in. I also understand the problems that will be involved with raising the taxes in this total budget that we will have before us. What we tried to do—and what I am hopeful we will join in doing in the months ahead—is to see to it that we do not have both administrative action and action in the form of vetos and others that prevent us from carrying out what is at least a protective proposal compared to all the proposals we have before us.

Mr. HATFIELD. I thank the Senator, and I commend him for his good efforts.

All I am talking about is the bottom line. The Senator has sincerely made a great and monumental effort to resolve the issue. All I am saying is that it is like Solomon: You are proposing to cut the baby in half. That is about all it is going to accomplish, even though the effort is very dedicated and has shown improvement over the original.

I still say that we are vulnerable, as we have been vulnerable each time we have considered changing the schedules and those things that would devastate the West.

Mr. CHILES. Mr. President, I say to the Senator from Oregon that I have listened to this and I pick up the differences compared to the President's budget.

Somehow, I did not hear any anti-Western bias in the President's budget. I have not heard anybody scream that it is a gun pointed at the West.

In the energy function, for 1988, we are $2.3 billion more and in the VA, $1.5 billion more in outlays. The other function affecting the Western programs would be in function 300, natural resources and environment. In 1988, we are $1.9 billion more in VA and $1 billion more in outlays.

We have a straight line. The President's budget has receipts sharing, straight line amortization of the PMA debt. It has a reduction in the forest roads constructions.

Yet, somehow, the Chiles proposal is a dagger aimed at Western hearts. But I did not hear that argument. I have not heard it from the Senator from Idaho. I have not heard it from the Senator from New Mexico. I have not heard it from the Senator from Oregon. But I just hear about this terrible plight the Senator from Florida has caused.

Mr. HATFIELD. I made similar remarks about the President's budget; because when they were going to sell off the PMA's, it would have gone over my dead body at that point, so far as the Republicans are concerned. I care less whether it is a Republican or a Democrat who proposes this kind of decimation of the West.

Mr. CHILES. I look back and see that from 1980 through 1987, receipt sharing is up 16 percent; Forest Service is up 13 percent; power marketing is up 136 percent; Bureau of Reclamation is up 14 percent.

There are some programs which we consider central Florida programs that have fared a lot worse than that over that period of time.

Mr. HATFIELD. That would elicit the old argument as to how much of Florida is owned by the Federal Government and how much of Oregon is owned by the Federal Government.

We are talking about Federal ownership. We are talking about Federal sovereignty. We are talking about Federal receipts that are bering brought into the Treasury of the U.S. Government by Federal ownership of the West. We can get into that argument. That started about 1860, I believe.

Mr. DOMENICI. Mr. President, I assume that the time has expired on the amendment, and I do not desire to spend a lot of time, but I yield myself 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DOMENICI. Mr. President, I think the distinguished former chairman of the Appropriations Committee, Senator HATFIELD, is absolutely right.

First of all, this recociliation instruction is compoletely different and separate from increases provided in various functions in the assumed appropriated accounts.

Three functions—270, 300, and 850—find themselves with a reconciliation instruction to the Energy Committee for some portion of this $170 million, $320 million, $320 million, $320 million over 4 years.

If the increases in the accounts available for appropriations which my good friend the Senator from Florida just mentioned in rebuttal were the issue, we could solve this problem very simply. We could take the reconciliation instruction out and reduce the functions by an equal amount, and I assume that the budget would be the same, but I assume that he would object. The reason he would object is that the appropriated amount is going up dramatically. But there is a separate instruction to the Energy Committee that they find savings in direct spending.

As a matter of fact, if you look at function 850, there is $100 million of it, and there are only three or four things you can get it out of. One of them happens to be timber.

If my good friend, the new Senator from Washington, the junior Senator, thinks we have eliminated the opportunity on the part of the conference, and ultimately a committee, to mandate a new formula on timber, he is mistaken.

I join the Senator from Oregon in saying that, sure, we have accomplished a lot in cutting the instruction in half, but $100 million of it is found in a function. If you go through it, it is a payment to Washington, DC, and three or four others, and that is where they say save the money, and the big ticket item there is timber receipts. The committee of jurisdiction is the Committee on Energy and Natural Resources. They are instructed to save $170 million, not by way of appropriated accounts. This reconciliation instruction is telling them that they must reduce expenditures by that amount.

I repeat: If it were just reducing the overall functions 270, 300, and 850, why do not offer an amendment on behalf of the West and say let us take the reconciliation instruction out and just reduce these overall functions by 170, 320, 320. $170 million, $320 million, $320 million, and $320 million, respectively in fiscal year 1988 through fiscal year 1991.

And then you will have a situation where the appropriators will have less money to spend but you will have saved off the Chiles' budgets 170, 320, 320, and 320. I assume that would be resisted. If my friend from Florida would not resist that, we would offer that amendment. That would make everything nice and neutral. There would be no instruction to the Energy Committee coming from three functions of Government, all three of which have a Western-receipt program in it, either timber, grazing, power marketing, mineral receipts or one of those. In fact, a test of whether it has any relationship would be to just offer an amendment to reduce those functions by that amount and strike the reconciliation instruction. Then we would see whether this is merely a reduction in the appropriation of availability or whether it really is looking to some kind of receipt change in particular; such as minerals, grazing, timber, or power marketing.

I assure the Senator, my good friend from Washington, if this was the case he will not be surprised and I will not be surprised when he came out of conference. But if this is not the case we will likely see power marketing addressed again in reconciliation conference. The Chiles' reconciliation instruction for the Energy Committee will mandate that some portion of the mineral and timber receipts, are directed and mandated to be reduced. That is clearly what is contemplated. To get rid of the small, detailed, language is meaningless. The Energy Committee still has the authority to do this and I submit by the time they look at the other alternatives, they are going to go to these. That is what is going to happen.

Mr. CHILES. Will the Senator yield?

Mr. SYMMS. Will the Senator yield?

Mr. DOMENICI. I compliment the Senator for his amendment. I am going to support it.

Mr. CHILES. Will the Senator yield?

Mr. SYMMS. Will the Senator yield?

Mr. DOMENICI. But I wish we could find the resources to fund it someplace else. I do not like taking it out of the function 150 but I am concerned enough that I will support him even on that account.

Mr. SYMMS. I thank the Senator.

Mr. DOMENICI. I yield to the Senator from Florida.

Mr. CHILES. I just wonder why the Senator is so sure that this year it is going to have to come out of those particular functions when in last year's budget, which we broadly agreed on, we had a billion and a half dollars we reconciled to that area and nothing happened in those functions. Now that it is $170 million, lighting is going to strike, but it did not strike with a billion and a half.

Mr. DOMENICI. I would have to go back and see what happened but if we had a billion and a half of instruction to Energy and Natural Resources, they either did not do thier job or we did some other numbers that I am unaware of. We surely did not address it in the way it is contemplated here.

Mr. CHILES. I think it is all of the above.

Mr. DOMENICI. It could be all of the above.

Mr. CHILES. How much time does the Senator from Florida have on the amendment?

The PRESIDING OFFICER. The Senator from Florida has 19 minutes on the amendment.

Mr. CHILES. I yield such time of that period of time as the Senator from Montana may require.

The PRESIDING OFFICER. The Senator from Montana [Mr. MELCHER] is recognized.

Mr. MELCHER. Mr. President, I thank the chairman for yielding me time. I want to trace some of the discussion we have had over the past hour.

The Senator from Oregon, my distinguished friend, Senator HATFIELD, spoke of the declining influence of Western Senators on the Senate Energy and Natural Resources Committee. We used to call it the Senate Interior Committee.

Mr. President, I will correct my statement. He did not say declining influence. He said it declined in ratio. The decline in ratio is true, but I do not think the decline in influence has been noted.

The Senator from New Mexico, the Senator from Oregon, the Senator from Washington, and the Senator from Montana, myself, think we have some influence.

The Senator from Oregon also said he noted some anti-Western feeling in the Carter administration. I did, too. I noted some anti-Western feeling in that administration. But it did not get anywhere. We held it together and will continue to hold it together, although if you look at President Reagan's budget for last year or this year you note an increasing anti-Western influence.

The President last year said "Sell Bonneville." That is what President Reagan said: "Sell Bonneville."

Well, we resisted. It was preposterous. We did not sell Bonneville.

This year the President says in his budget on power marketing, "Get different rates, get more money out of the West, get more money out of Bonneville and out of all the other power marketing authorities, put it in the Treasury."

That is what President Reagan says. We are going to resist. Why? Because it does not make any sense. It would put the aluminum industry and other industries in these areas in a sharp decline. It does not make any sense so we are going to resist.

Now, it is going to be resisted on both sides of the aisle. That is apparent. It was also apparent that the President's budget was dead as a dodo, whenever it got up here, in regard to the assumptions that are being addressed this afternoon in the amendment of the Senator from Idaho, dead as a dodo.

We took the first step in this budget resolution presented by the chairman in taking out the assumptions. There are no assumptions. There is no language which says change the schedules and the collections in the power marketing authorities as there is in President Reagan's budget. It is not there. It is not going to happen, so the money was also reduced. There is nothing in the budget resolution by Senator CHILES, on which we are working now, that says take timber receipts and change them, upset all the receipts that go to the schools and counties in timber country, because it was not going to happen. The money was changed.

As to the grazing fees, there is not much money involved in its entirety there, but that is not going to be changed either.

Then we get down to meat and poultry inspection. That is not specifically Western. That is for everybody.

The President says in his budget change the law, change the law and have the meat packer or the poultry processor pay fees equivalent to what it costs for meat and poultry inspection. That has to be a change in the law.

I do not believe that is going to happen. I think they have a bill. I think the administration sent a bill up, and I do not even know that anyone has introduced it, to accomplish that, to change that. If it were introduced, it would come to the Senate Agriculture Committee and I suppose it would be even deader than the President's budget because these directions that the President invokes in his budget are contrary to prudent government. They are contrary to common sense. They are contrary to what the Senate would want to do.

We did not want to sell Bonneville last year. We do not want to change the schedules on the power marketing authorities on their repayment for very good reason.

We are winning now, those of us from the West. We are winning. I hope we can keep winning.

We do not need this amendment because we have it locked in in the resolution in front of us.

I want to return just for a moment to why meat and poultry inspection fees should not be collected. It has been often suggested by those who think about it just a little bit and do not really give their attention to why we have meat and poultry inspection. We have that inspection because it is a public health measure. We decided some three generations ago that the American public should be protected from meat or poultry. First of all, it was for meat three generations ago. It is only about a generation ago that we applied the same requirements to poultry. But we decided in Congress on behalf of the American public that we wanted to protect consumers on what their meat or poultry is, whether it carried disease that is transmissible to humans or whether it was wholesome. We decided on rigid inspection.

We do not want to go to a system where we depend upon the people who are being inspected to pay the fees. That is not generally what you do in public health measures. It is a responsibility of the Federal Government to make sure that they are inspected properly. Therefore, the Federal Government pays it.

If we had it changed to where the meat and poultry plants would actually pay fees for that inspection, there would not be a savings to anybody because what we take out of this pocket on paying out for the inspection we would have to put back in the other pocket of the consumers.

You cannot have it both ways. It has to be paid for. It is done properly now on the basis of what is good standard for public health measures. So, therefore, it should stay exactly as it is.

So I really do not find favor with the amendment offered by my good friend from Idaho. If he were working on the President's budget, we would certainly have to do something exactly like he is trying to do in his amendment.

But the Chiles proposal that we are now working on has removed all of those assumptions, all of those directions, and says we have to come up with some savings, allows the individual committees the opportunity to provide those savings that they think are proper.

Specifically on the Senate Agriculture Committee I do not believe we think it appropriate to make a savings on meat and poultry inspection by charging fees to the plants. We will make the savings some other place.

On the Senate Energy and Natural Resources Committee the savings that are going to be directed by this budget resolution as is will make it other places other than in power marketing changing the schedules and upping the interest rates. It will make it other places other than taking out the funding for the schools and the counties out of timer receipts, take it from other places and on grazing fees.

Mr. SYMMS. Mr. President, will the Senator yield?

Mr. MELCHER. Yes, I am delighted to yield to my friend from Idaho.

Mr. SYMMS. I thank my good friend from Montana for yielding. I hear what he is saying about getting it to the Ag Committee and to the Interior Committee and the Energy Committee, areas where the Senator is active on those committees and he will have a hand in it.

I know he and I generally have shared the same view on these issues. But the Symms amendment which is now pending is an amendment which will preclude the necessity for having this issue debated, and I want to make it very clear to my colleague I would hope that he would support it and not reject it, because this is the kind of amendment that the people in the buildings and in the plains of Montana are very interested in.

That is why the American Cattlemen's Association is supporting this amendment today on the floor. The American Association of Meat Processors support this. The American Meat Institute supports it. Many of the Western land user associations are sending in wires right now to Capitol offices of colleagues urging support of this amendment, because we are going to remove the necessity of this being a debatable issue in the conference by keeping current law.

I hope my friend on this side of the aisle will reconsider and vote for this. I cannot think of a better place to pay for it than out of the multinational banks. We would only pay for it where we lend money to them where it has been proven they use that money to develop projects that are being dumped in the world market. It does not completely obliterate the multinational banks but reduces some of their activity.

I hope my colleague from Montana will support this. I was in eastern Montana in his old congressional district, and I talked to his friends, the cowboys and ranchers. They will say, both Republicans or Democrats, you vote for this amendment. It makes common sense.

I thank the Senator.

Mr. MELCHER. I thank my friend from Idaho for his remarks. I can assure him and assure my friends in the cattle country and in the timber country that we will not change these items in the Senate Energy and Natural Resources Committee. We will find other savings. We have to come up with a certain amount of savings. We will not in the Senate Agriculture Committee pass legislation that will pass the fees on to the plants for meat and poultry inspection. The savings will come from other places.

What we are really doing here in the budget resolution is outlining in broad strokes how much savings are going to be.

I really have no particular comments to make at this time regarding where the Senator from Idaho, Senator SYMMS, my friend, would get the money. He would get it out of multinational banks.

Mr. CHILES. Mr. President, will the Senator yield on that point?

Mr. MELCHER. I am delighted to yield.

Mr. CHILES. I wonder if the Senator from Idaho understands that when you take money out of function 150 you do not necessarily take it out of multinational banks. That is going to be up to the people that have the province over function 150 and that money might come out of Afghan freedom fighters. It may come out of Contra aid. It may come out of aid to our allies in the Mideast, Israel or Egypt. We may be cutting that money off.

Mr. SYMMS. Mr. President, will the distinguished chairman yield for a point on that?

Mr. CHILES. Heaven forbid. It may even come out of Radio Marti. I certainly do not want to see that happen.

Mr. MELCHER. I yield to the Senator from Idaho for a comment.

Mr. SYMMS. I say to my friend, the distinguished chairman, not once, not twice, but three times, the U.S. Senate passed the Symms FATR bill in the 99th Congress. I believe the votes are still here to pass it again.

So I agree that we cannot specify the function 150 but we are making the assumption that we will repass the fair bill and then those dollars will come out of the multinational lending institutions.

I agree that if the Senate or if others want to talk about Radio Marti or something else, it might be possible. But I think it is highly unlikely. I think it is very probable that the Senate will again address this issue and we will go after some of this excessive spending. And I have to say as a Republican that I find it very offensive that a Republican administration keeps asking to dump more money into the international lending institutions. That is why I am trying to address it here.

Mr. CHILES. I wonder if the Senator could tell me how much money we would get if we terminated the multinational banks. He is talking about $500 million. There "ain't" enough money there.

Mr. MELCHER. I want to make two points in conclusion, Mr. President. The first point is that I do not want people who read this RECORD or watch on television as we debate these issues to ever get confused that somehow we have forgotten all about the Constitution and it is null and void on where we spend money, how we spend money, and how it is actually done. We have not changed the Constitution. Whatever is going to be spent or whatever is going to be collected is going to be done by law. And that is the spending is going to be done by appropriations, and that is in fees or in tax revenues or whatever that brings money into the Treasury is going to continue to be done by law. It is not going to be changed or altered simply by passing something that is so fuzzy of what is function 150 that is going to cough up half a billion in Senator SYMMS, amendment and then be spread out over these four or five other functions.

This is a broad stroke outline of overall what is supposed to be saved this year in order to conform with Gramm-Rudman.

The second point I want to assure everybody is that the Western Senators, whether they are Republican or Democratic, are not only alive and healthy and vigorous, they are still strong. We are not going to be run over.

When I say that the committees that have jurisdiction over the items that we have been talking about, whether it deals with timber or grazing or power marketing, I mean we are going to look at where those savings must be made in order to keep this Government going down some sort of track in deficit reductions that is the obligation of that particular committee and we are not going to jeopardize the West. That is No. 1.

And then meat and poultry inspections, well, that affects everybody clear across this country. It has no particular dimension that is greater in the West. I can tell you, out in cattle country, we understand why we have meat inspections and we are going to keep it as it is. We are not going to change that law and go to the silly system the President has recommended.

As a matter of fact, I am delighted to hear from the Senator from Idaho, the Senator from New Mexico, the Senator from Oregon, all on that side, that they feel strongly about these things and they want to make sure that the President's recommendations are not followed in regard to these points.

I commend the Senator from Florida for reaching a fairly good figure of savings that is necessary overall and a fairly good figure on allowing the committees themselves to determine where they make the savings in individual items.

Mr. President, I yield back any time that I might have.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. CHILES. Mr. President, I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida [Mr. CHILES] to table the amendment of the Senator from Idaho [Mr. SYMMS]. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

And so the result was announced, yeas 60, nays 39, as follows

[Rollcall Vote No. 89 Leg.]

YEAS—60

Adams
Baucus
Bentsen
Biden
Boren
Bradley
Breaux
Bumpers
Byrd
Chafee
Chiles
Cohen
Cranston
Danforth
Daschle
Dixon
Dodd
Evans
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heinz
Hollings
Inouye
Johnston
Kasten
Kennedy
Kerry
Lautenberg
Leahy
Levin
Lugar
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Quayle
Reid
Riegle
Rockefeller
Rudman
Sanford
Sarbanes
Sasser
Simon
Specter
Stafford
Stennis
Weicker
Wirth

NAYS—39

Armstrong
Bingaman
Bond
Boschwitz
Burdick
Cochran
Conrad
D'Amato
DeConcini
Dole
Domenici
Durenberger
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heflin
Helms
Humphrey
Karnes
Kassebaum
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Roth
Shelby
Simpson
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Wilson

NOT VOTING—1

Pressler

So the motion to lay on the table amendment No. 182 was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote.

Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I wonder if we could get a time agreement. I see the Republican leader here and both managers. Although there is 1 hour under the rule on the amendment, I wonder if we could tie that down so that Senators would know about when we would have a vote, if we could.

Mr. DOMENICI. I say to the Republican leader, as I understand it, the Senator is going to offer the President's budget.

Mr. CHILES. That is correct.

Mr. DOMENICI. And it is with reference to that amendment that the majority leader has asked his question?

Mr. BYRD. Yes.

Mr. DOLE. Ten minutes on a side?

Mr. CHILES. Fifteen minutes on a side.

Mr. BYRD. Good. Fifteen minutes on a side on the President's budget. I make that request.

The PRESIDING OFFICER. Is there objection to the request of the majority leader? Hearing none, it is so ordered.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. I might ask—I note that the distinguished Republican leader is leaving the floor.

Mr. CHILES. Did he want some time?

Mr. DOMENICI. Mr. President, might I just discuss where we are with reference to amendments for a moment. Obviously, the longer we are on the floor, the more proposals we have. But it is my understanding that the Senator from New Mexico would be at liberty to offer an amendment immediately following the disposition of the pending amendment. I would intend to offer an overall alternative, an alternative plan, and then the Senator from New Mexico has two procedural amendments. I do not wish to lock those into any agreement now, but I would want to offer those shortly after the disposition of my amendment that will follow the President's budget, if we can try to work that out.

Mr. CHILES. Does the Senator know how much time he would like? Would he be willing to enter into a time agreement on his amendment, on his overall substitute?

Mr. DOMENICI. I can say to my friend I do not want to do that now but you can be assured it will be substantially less than the amendment would carry under the budget law.

Mr. CHILES. Fine.

Mr. DOMENICI. Perhaps as much as half the time or less.

Mr. CHILES. I say to my friend, I do not know of any other amendments on our side once the President's budget is presented. I hope there will not be any. I do not know of any now. But we will see.

Mr. DOMENICI. I say to the distinguished chairman, I know of six that have been called to my attention other than the ones I have described that are my own. Some have not talked to me in an hour or hour and a half, so perhaps there has been a change of mind, but it looks like anywhere from five to six additional amendments. None of them sought very much time as they talked with me. They were talking of 10 minutes or 15. So I assume we will get through rather quickly.

AMENDMENT NO. 183

(Purpose: to propose a perfecting amendment incorporating the President's budget submission as reestimated by the Congressional Budget Office, except for purposes of complying with Gramm-Rudman-Hollings)

Mr. CHILES. All right. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The **PRESIDING OFFICER.** The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. CHILES] proposes an amendment numbered 183.

Mr. CHILES. Mr. President, I ask unanimous consent further reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendment is as follows:

Strike all after the words "the Congress" on line 1 of page 1 and insert in lieu thereof the following: hereby determines and declares that the concurrent resolution on the budget for fiscal year 1988 is established and the appropriate budgetary levels for fiscal years 1989, 1990, and 1991 are set forth.

MAXIMUM DEFICIT AMOUNTS

SEC. 2. (a) The levels and amounts set forth in this subsection are set forth for purposes of determining, in accordance with section 301(i) of the Congressional Budget and Impoundment Control Act of 1974, as added by the Balanced Budget and Emergency Deficit Control Act of 1985, whether the maximum deficit amount for a fiscal year has been exceeded; are determined on the basis of the economic and technical assumptions upon which the budget submitted by the President for fiscal year 1988 pursuant to section 1105 of title 31, United States Code, is based; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $916,600,000,000.
Fiscal year 1989: $976,200,000,000.
Fiscal year 1990: $1,048,300,000,000.
Fiscal year 1991: $1,123,200,000,000.

(2) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,024,300,000,000.
Fiscal year 1989: $1,069,000,000,000.
Fiscal year 1990: $1,107,800,000,000.
Fiscal year 1991: $1,144,400,000,000.

(3) The amounts of the deficits are as follows:

Fiscal year 1988: $107,800,000,000.
Fiscal year 1989: $92,800,000,000.
Fiscal year 1990: $59,500,000,000.
Fiscal year 1991: $21,300,000,000.

(b) The levels and amounts set forth in this subsection are set forth for informational purposes only; are not set forth for purposes of any determination to be made under titles III or IV of the Congressional Budget and Impoundment Control Act of 1974; are determined on the basis of the economic assumptions reported to the Congress by the Congressional Budget Office; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $905,400,000,000.
Fiscal year 1989: $969,100,000,000.
Fiscal year 1990: $1,058,800,000,000.
Fiscal year 1991: $1,146,900,000,000.

(2) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,039,700,000,000.
Fiscal year 1989: $1,086,800,000,000.
Fiscal year 1990: $1,137,300,000,000.
Fiscal year 1991: $1,183,100,000,000.

(3) The amounts of the deficits are as follows:

Fiscal year 1988: $134,300,000,000.
Fiscal year 1989: $117,700,000,000.
Fiscal year 1990: $78,500,000,000.
Fiscal year 1991: $36,200,000,000

RECOMMENDED LEVELS AND AMOUNTS

SEC. 3. (a) The levels and amounts set forth in subsections (b) and (c) of this section and section 4 are set forth pursuant to subsections (a) and (b) of section 301 of the Congressional Budget and Impoundment Control Act of 1974; are set forth for purposes of any determination to be made under title III or IV of such Act (other than a determination under section 301(i) or 311(a) of such Act with respect to whether the maximum deficit amount for a fiscal year has been exceeded); and are based upon the economic and technical assumptions reported by the Congressional Budget Office.

(b) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $664,500,000,000.
Fiscal year 1989: $707,000,000,000.
Fiscal year 1990: $771,200,000,000.
Fiscal year 1991: $835,300,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 1988: $4,600,000,000.
Fiscal year 1989: $6,600,000,000.
Fiscal year 1990: $7,100,000,000.
Fiscal year 1991: $7,300,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1988: $59,800,000,000.
Fiscal year 1989: $64,000,000,000.
Fiscal year 1990: $69,100,000,000.
Fiscal year 1991: $74,400,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1988: $912,200,000,000.
Fiscal year 1989: $963,300,000,000.
Fiscal year 1990: $1,007,300,000,000.
Fiscal year 1991: $1,053,300,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $835,000,000,000.
Fiscal year 1989: $871,400,000,000.
Fiscal year 1990: $909,300,000,000.
Fiscal year 1991: $941,700,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1988: $170,500,000,000.
Fiscal year 1989: $164,400,000,000.
Fiscal year 1990: $138,100,000,000.
Fiscal year 1991: $106,400,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1988: $2,590,700,000,000.
Fiscal year 1989: $2,827,000,000,000.
Fiscal year 1990: $3,037,500,000,000.
Fiscal year 1991: $3,218,900,000,000.

and the amounts by which the statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1988: $236,300,000,000.
Fiscal year 1989: $236,300,000,000.
Fiscal year 1990: $210,500,000,000.
Fiscal year 1991: $181,400,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990, are as follows:

Fiscal year 1988:

(A) New direct loan obligations, $31,000,000,000.

(B) New primary loan guarantee commitments, $118,400,000,000.

(C) New secondary loan guarantee commitments, $100,200,000,000.

Fiscal year 1989:

(A) New direct loan obligations, $27,700,000,000.

(B) New primary loan guarantee commitments, $112,900,000,000.

(C) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1990:

(A) New direct loan obligations, $25,500,000,000.

(B) New primary loan guarantee commitments, $117,800,000,000.

(C) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1991:

(A) New direct loan obligations, $24,200,000,000.

(B) New primary loan guarantee commitments, $123,000,000,000.

(C) New secondary loan guarantee commitments, $100,000,000,000.

(c) The Congress hereby determines and declares that the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1988 through 1991 for each major functional category are:

(1) National Defense (050):

Fiscal year 1988:

(A) New budget authority, $311,800,000,000.

(B) Outlays, $298,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $332,000,000,000.

(B) Outlays, $312,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, 353,000,000,000.

(B) Outlays, $331,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, 374,400,000,000.

(B) Outlays, $349,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(2) International Affairs (150):

Fiscal year 1988:

(A) New budget authority, $19,500,000,000.

(B) Outlays, $16,600,000,000.

(C) New direct loan obligations, $7,500,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $200,000,000.

Fiscal year 1989:

(A) New budget authority, $20,300,000,000.

(B) Outlays, $17,000,000,000.

(C) New direct loan obligations, $7,600,000,000.

(D) New primary loan guarantee commitments, $9,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $20,700,000,000.

(B) Outlays, $17,300,000,000.

(C) New direct loan obligations, $7,700,000,000.

(D) New primary loan guarantee commitments, $9,800,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $20,300,000,000.

(B) Outlays, $16,300,000,000.

(C) New direct loan obligations, $7,800,000,000.

(D) New primary loan guarantee commitments, $10,200,000,000.

(E) New secondary loan guarantee commitments, $0.

(3) General Science, Space, and Technology (250):

Fiscal year 1988:

(A) New budget authority, $11,500,000,000.

(B) Outlays, $11,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $12,900,000,000.

(B) Outlays, $12,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $13,500,000,000.

(B) Outlays, $13,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $14,100,000,000.

(B) Outlays, $14,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(4) Energy (270):

Fiscal year 1988:

(A) New budget authority, $2,500,000,000.

(B) Outlays, $3,300,000,000.

(C) New direct loan obligations, $600,000,000.

(D) New primary loan guarantee commitments, $1,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $3,600,000,000.

(B) Outlays, $2,600,000,000.

(C) New direct loan obligations, $500,000,000.

(D) New primary loan guarantee commitments, $1,300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $3,800,000,000.

(B) Outlays, $2,700,000,000.

(C) New direct loan obligations, $300,000,000.

(D) New primary loan guarantee commitments, $1,600,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $4,200,000,000.

(B) Outlays, $2,600,000,000.

(C) New direct loan obligations, $300,000,000.

(D) New primary loan guarantee commitments, $1,600,000,000.

(E) New secondary loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):

Fiscal year 1988:

(A) New budget authority, $14,100,000,000.

(B) Outlays, $14,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $15,100,000,000.

(B) Outlays, $15,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $15,100,000,000.

(B) Outlays, $15,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $14,400,000,000.

(B) Outlays, $15,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(6) Agriculture (350):

Fiscal year 1988:

(A) New budget authority, $25,700,000,000.

(B) Outlays, $24,900,000,000.

(C) New direct loan obligations, $17,200,000,000.

(D) New primary loan guarantee commitments, $6,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $27,000,000,000.

(B) Outlays, $23,300,000,000.

(C) New direct loan obligations, $14,400,000,000.

(D) New primary loan guarantee commitments, $7,500,000,000.

(E) New secondary loan guarantee commitments, $0

Fiscal year 1990:

(A) New budget authority, $22,500,000,000.

(B) Outlays, $19,300,000,000.

(C) New direct loan obligations, $12,500,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0

Fiscal year 1991:

(A) New budget authority, $17,700,000,000.

(B) Outlays, $15,200,000,000.

(C) New direct loan obligations, $11,100,000,000.

(D) New primary loan guarantee commitments, $7,700,000,000.

(E) New secondary loan guarantee commitments, $0

(7) Commerce and Housing Credit (370):

Fiscal year 1988:

(A) New budget authority, $11,700,000,000.

(B) Outlays, $4,300,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $66,900,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1989:

(A) New budget authority, $10,000,000,000.

(B) Outlays, $1,400,000,000.

(C) New direct loan obligations, $1,600,000,000.

(D) New primary loan guarantee commitments, $60,700,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1990:

(A) New budget authority, $12,100,000,000.

(B) Outlays, $2,700,000,000.

(C) New direct loan obligations, $1,500,000,000.

(D) New primary loan guarantee commitments, $62,700,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1991:

(A) New budget authority, $9,700,000,000.

(B) Outlays, $200,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $65,300,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

(8) Transportation (400):

Fiscal year 1988:

(A) New budget authority, $24,900,000,000.

(B) Outlays, $27,000,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $24,800,000,000.

(B) Outlays, $26,400,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $24,900,000,000.

(B) Outlays, $26,100,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $25,800,000,000.

(B) Outlays, $26,100,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(9) Community and Regional Development (450):

Fiscal year 1988:

(A) New budget authority, $5,600,000,000.

(B) Outlays, $5,200,000,000.

(C) New direct loan obligations, $500,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,600,000,000.

(B) Outlays, $4,500,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,700,000,000.

(B) Outlays, $4,400,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,800,000,000.

(B) Outlays, $4,600,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 1988:

(A) New budget authority, $29,100,000,000.

(B) Outlays, $28,500,000,000.

(C) New direct loan obligations, $2,000,000,000.

(D) New primary loan guarantee commitments, $7,300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $28,300,000,000.

(B) Outlays, $28,700,000,000.

(C) New direct loan obligations, $2,000,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $27,800,000,000.

(B) Outlays, $28,000,000,000.

(C) New direct loan obligations, $1,900,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $27,600,000,000.

(B) Outlays, $27,800,000,000.

(C) New direct loan obligations, $1,800,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0.

(11) Health (550):

Fiscal year 1988:

(A) New budget authority, $43,500,000,000.

(B) Outlays, $40,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $44,300,000,000.

(B) Outlays, $42,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $45,700,000,000.

(B) Outlays, $44,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $47,400,000,000.

(B) Outlays, $46,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

(12) Medicare (570):

Fiscal year 1988:

(A) New budget authority, $93,900,000,000.

(B) Outlays, $78,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $103,900,000,000.

(B) Outlays, $86,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $114,300,000,000.

(B) Outlays, $94,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $124,900,000,000.

(B) Outlays, $103,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(13) Income Security (600):

Fiscal year 1988:

(A) New budget authority, $162,100,000,000.

(B) Outlays, $127,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $170,200,000,000.

(B) Outlays, $133,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $176,700,000,000.

(B) Outlays, $138,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $194,000,000,000.

(B) Outlays, $156,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(14) Social Security (650):

Fiscal year 1988:

(A) New budget authority, $4,700,000,000.

(B) Outlays, $4,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,300,000,000.

(B) Outlays, $5,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loans guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loans guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loans guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(15) Veterans Benefits and Services (700):

Fiscal year 1988:

(A) New budget authority, $27,600,000,000.

(B) Outlays, $26,700,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $28,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $28,200,000,000.

(B) Outlays, $27,100,000,000.

(C) New direct loan obligations, $1,000,000,000.

(D) New primary loans guarantee commitments, $26,300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $28,300,000,000.

(B) Outlays, $27,400,000,000.

(C) New direct loan obligations, $1,000,000,000.

(D) New primary loan guarantee commitments, $28,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $28,600,000,000.

(B) Outlays, $28,000,000,000.

(C) New direct loan obligations, $900,000,000.

(D) New primary loans guarantee commitments, $30,500,000,000.

(E) New secondary loan guarantee commitments, $0.

(16) Administration of Justice (750):

Fiscal year 1988:

(A) New budget authority, $9,000,000,000.

(B) Outlays, $9,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loans guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $9,100,000,000.

(B) Outlays, $9,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $9,100,000,000.

(B) Outlays, $9,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $9,300,000,000.

(B) Outlays, $9,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(17) General Government (800):

Fiscal year 1988:

(A) New budget authority, $7,800,000,000.

(B) Outlays, $7,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $8,100,000,000.

(B) Outlays, $8,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $8,200,000,000.

(B) Outlay, $8,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $8,200,000,000.

(B) Outlay, $8,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(18) General Purpose Fiscal Assistance (850):

Fiscal year 1988:

(A) New budget authority, $1,500,000,000.

(B) Outlay, $1,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $1,600,000,000.

(B) Outlay, $1,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $1,600,000,000.

(B) Outlays, $1,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $1,600,000,000.

(B) Outlays, $1,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(19) Net Interest (900):

Fiscal year 1988:

(A) New budget authority, $145,200,000,000.

(B) Outlays, $145,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $151,800,000,000.

(B) Outlays, $151,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $157,000,000,000.

(B) Outlays, $157,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $160,200,000,000.

(B) Outlays, $160,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(20) Allowances (920):

Fiscal year 1988:

(A) New budget authority, -$1,300,000,000.

(B) Outlays, -$1,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $500,000,000.

(B) Outlays, $700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $3,000,000,000.

(B) Outlays, $3,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, −$5,400,000,000.

(B) Outlays, $5,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(21) Undistributed Offsetting Receipts (950):

Fiscal year 1988:

(A) New budget authority, −$38,200,000,000.

(B) Outlays, −$38,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, −$39,300,000,000.

(B) Outlays, −$39,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, −$41,100,000,000.

(B) Outlays, −$41,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitment, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, −$45,700,000,000.

(B) Outlays, −$45,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitment, $0.

(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 4. (a) Not later than May 14, 1987, the committees named in subsections (b) through (u) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $0 in contributions, $6,375,000,000 in budget authority and $6,298,000 in outlays in fiscal year 1988, $0 in contributions, $4,869,000,000 in budget authority and $4,867,000,000 in outlays in fiscal year 1989, $0 in contributions, $6,150,000,000 in budget authority and $6,149,000,000 in outlays in fiscal year 1990, and $0 in contributions, $7,364,000,000 in budget authority and $7,365,000,000 in outlays in fiscal year 1991.

(c) The Senate Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $2,213,000,000 in budget authority and $2,213,000,000 in outlays in fiscal year 1988, $738,000,000 in budget authority and $738,000,000 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(d) The Senate Committee on Banking, Housing, and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $32,000,000 in budget authority and $182,000,000 in outlays in fiscal year 1988, $40,000,000 in budget authority and $40,000,000 in outlays in fiscal year 1989, $49,000,000 in budget authority and $49,000,000 in outlays in fiscal year 1990, and $55,000,000 in budget authority and $55,000,000 in outlays in fiscal year 1991.

(e) The Senate Committee on Commerce, Science, and Transportation shall report (1) changes in laws within its jurisdiction which provides spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1972, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $982,000,000 in budget authority and $982,000,000 in outlays in fiscal year 1988, $518,000,000 in budget authority and $518,000,000 in outlays in fiscal year 1989, $547,000,000 in budget authority and $547,000,000 in outlays in fiscal year 1990, and $553,000,000 in budget authority and $553,000,000 in outlays in fiscal year 1991.

(f) The Senate Committee on Energy and Natural Resources shall report (1) changes in laws within its jurisdiction which provides spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1972, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $337,000,000 in budget, authority and $303,000,000 in outlays in fiscal year 1988, $1,918,000,000 in budget authority and $2,076,000,000 in outlays in fiscal year 1989, $2,656,000,000 in budget authority and $2,815,000,000 in outlays in fiscal year 1990, and $5,487,000,000 in budget authority and $5,646,000,000 in outlays in fiscal year 1991.

(g) The Senate Committee on Environment and Public Works shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $51,000,000 in budget authority and $51,000,000 in outlays in fiscal year 1988, $63,000,000 in budget authority and $63,000,000 in outlays in fiscal year 1989, $66,000,000 in budget authority and $66,000,000 in outlays in fiscal year 1990, and $68,000,000 in budget authority and $68,000,000 in outlays in fiscal year 1991.

(h)(1) The Senate Committee on Finance shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $7,198,000,000 in outlays in fiscal year 1988, $0 in budget authority and $9,676,000,000 in outlays in fiscal year 1989, $0 in budget authority and $14,419,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $19,080,000,000 in outlays in fiscal year 1991.

(2) The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $5,000,000,000 in fiscal year 1988; $7,100,000,000 in fiscal year 1989; $7,700,000,000 in fiscal year 1990; and $8,000,000,000 in fiscal year 1991.

(i) The Senate Committee on Governmental Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $2,631,000,000 in outlays in fiscal year 1988, $0 in budget authority and $5,003,000,000 in outlays in fiscal year 1989, $0 in budget authority and $7,386,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $10,362,000,000 in outlays in fiscal year 1991.

(j) The Senate Committee on Labor and Human Resources shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $115,000,000 in budget authority and $108,000,000 in outlays in fiscal year 1988, $139,000,000 in budget authority and $137,000,000 in outlays in fiscal year 1989, $176,000,000 in budget authority and $171,000,000 in outlays in fiscal year 1990, and $221,000,000 in budget authority and $213,000,000 in outlays in fiscal year 1991.

(k) The Senate Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $38,000,000 in budget authority and $449,000,000 in outlays in fiscal year 1988, $92,000,000 in budget authority and $403,000,000 in outlays in fiscal year 1989, $169,000,000 in budget authority and $451,000,000 in outlays in fiscal year 1990, and $243,000,000 in budget authority and $517,000,000 in outlays in fiscal year 1991.

HOUSE COMMITTEES

(l) The House Committee on Agriculture shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $0 in contributions, $5,480,000,000 in budget authority and $5,486,000,000 in outlays in fiscal year 1988, $0 in contributions, $3,881,000,000 in budget authority and $3,890,000,000 in outlays in fiscal year 1989, $0 in contributions, $5.075,000,000 in budget authority and $5,084,000,000 in outlays in fiscal year 1990, and $0 in contributions, $6,216,000,000 in budget authority and $6,234,000,000 in outlays in fiscal year 1991.

(m) The House Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provides spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $2,213,000,000 in budget authority and $2,213,000,000 in outlays in fiscal year 1988, $738,000,000 in budget authority and $738,000,000 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(n) The House Committee on Banking, Finance and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $32,000,000 in budget authority and $182,000,000 in outlays in fiscal year 1988, $40,000,000 in budget authority and $40,000,000 in outlays in fiscal year 1989, $49,000,000 in budget authority and $49,000,000 in outlays in fiscal year 1990, and $55,000,000 in budget authority and $55,000,000 in outlays in fiscal year 1991.

(o) The House Committee on Education and Labor shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $1,010,000,000 in budget authority and $1,433,000,000 in outlays in fiscal year 1988, $1,127,000,000 in budget authority and $1,687,000,000 in outlays in fiscal year 1989, $1,251,000,000 in budget authority and $1,761,000,000 in outlays, in fiscal year 1990, and $1,369,000,000 in budget authority and $1,892,000,000 in outlays in fiscal year 1991.

(p) The House Committee on Energy and Commerce shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $667,000,000 in budget authority and $7,075,000,000 in outlays in fiscal year 1988, $87,000,000 in budget authority and $9,073,000,000 in outlays in fiscal year 1989, $118,000,000 in budget authority and $14,101,000,000 in outlays in fiscal year 1990, and $125,000,000 in budget authority and $18,980,000,000 in outlays in fiscal year 1991.

(q) The House Committee on Government Operations shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $176,000,000 in outlays in fiscal year 1988, $0 in budget authority and $180,000,000 in outlays in fiscal year 1989, $0 in budget authority and $183,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $185,000,000 in outlays in fiscal year 1991.

(r) The House Committee on Interior and Insular Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $117,000,000 in budget authority and $83,000,000 in outlays in fiscal year 1988, $134,000,000 in budget authority and $292,000,000 in outlays in fiscal year 1989, $134,000,000 in budget authority and $293,000,000 in outlays in fiscal year 1990, and $135,000,000 in budget authority and $294,000,000 in outlays in fiscal year 1991.

(s) The House Committee on Post Office and Civil Service shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $2,348,000,000 in outlays in fiscal year 1988, $0 in budget authority and $4,680,000,000 in outlays in fiscal year 1989, $0 in budget authority and $7,041,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $10,008,000,000 in outlays in fiscal year 1991.

(t) The House Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $38,000,000 in budget authority and $449,000,000 in outlays in fiscal year 1988, $92,000,000 in budget authority and $403,000,000 in outlays in fiscal year 1989, $169,000,000 in budget authority and $451,000,000 in outlays in fiscal year 1990, and $243,000,000 in budget authority and $517,000,000 in outlays in fiscal year 1991.

(u)(1) The House Committee on Ways and Means shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $5,571,000,000 in outlays in fiscal year 1988, $0 in budget authority and $6,411,000,000 in outlays in fiscal year 1989, $0 in budget authority and $9,874,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $13,107,000,000 in outlays in fiscal year 1991.

(2) The House Committee on Ways and Means shall report changes in the laws within its jurisdiction sufficient to increase revenues as follows: $5,000,000,000 in fiscal year 1988, $7,100,000,000 in fiscal year 1989, $7,700,000,000 in fiscal year 1990, and $8,000,000,000 in fiscal year 1991.

Mr. CHILES. Mr. President, this is the President's budget we now present. It would reduce the deficit to $134.3 billion in 1988, using the CBO figures. That is approximately the number the Chiles budget now has. It would miss the Gramm-Rudman-Hollings target by about $26.3 billion. It misses the goal every year and misses a balanced budget in 1991 by $36.2 billion.

As you recall, it has some asset sales and spending delays. They account for about $16 billion of the 1988 savings and $34 billion over the 4 years. These are one-shot savings and therefore they do nothing to attack the structural deficit.

The President's budget includes about $18 billion in new revenues in the first year and $70 billion over the 4 years. Revenues represent approximately one-half of the 1988 savings in the President's plan.

The President's budget would increase defense spending by $7.8 billion in 1988 and $48.6 billion over the 4 years. The domestic outlay reductions total $26.2 billion in 1988, only $4.1 billion less than the domestic reductions under a 1988 sequester.

In Medicare, outlay cuts would total $5 billion in 1988 and $35 billion over 4 years. In the Medicaid area, outlays would be cut by $1 billion in 1988 and $14 billion over 4 years. Farm program cuts are $5 billion in 1988 and $24 billion over 4 years. Education outlays are cut by $3 billion in 1988, $24 billion over the 4 years. Mr. President, that amounts to about a 30-percent cut in education.

(Ms. MIKULSKI assumed the chair.)

Mr. CHILES. Nutrition programs are cut by $1 billion in 1988 in budget authority and $5 billion over 4 years. The Federal Employee Pay Health and Retirement benefits are cut by $2 billion in 1988 and $17 billion over 4 years. Energy outlays are cut by $1 billion in 1988, $11 billion over 4 years. Environmental and Natural Resources Program outlays are cut by more than $1 billion in 1988, $8 billion over 4 years. Transportation programs are cut by $4.8 billion in 1988, and $23.9 billion over 4 years. That is in budget authority. And the housing assistance programs are cut by $4 billion in 1988 budget authority and $32.2 billion over 4 years.

Community development outlays are cut by more than $700 million in 1988 and $6.1 billion over 4 years.

Madam President, these are just some of the cuts and features of the President's budget.

Mr. BYRD. Madam President, the budget submitted by the President is unrealistic.

When the task of developing the 1988 budget resolution was begun a number of weeks ago, it became readily apparent that we had only four choices: We could cut domestic spending; we could reduce the increases in defense spending; we could increase revenues; or, as most of us realized would be necessary, we could do some combination of the three and put together a realistic budget package.

Senate Democrats have now successfully put together a budget, which, while not perfect, will achieve meaningful deficit reduction in each of the next four years, meeting the Gramm-Rudman target of a balanced budget in 1991.

The continuing record Federal budget deficits and the soaring public debt combine to present this country with a threat to its security that is every bit as dangerous as a foreign enemy.

Let's look at the dismal facts. During the 192 years, and 39 administrations, from our country's beginning until 1981, the national debt had mounted to $998.8 billion. In the 6 short years from 1982 to 1987, however, the national debt more than doubled—to $2.1 trillion.

The flawed economic program of this administration has produced unprecedented deficits—a $128 billion deficit in 1982, followed by a $208 billion deficit in 1983, a $185 billion deficit in 1984, a $212 billion deficit in 1985, and a record shattering $221 billion deficit in 1986.

As a result of these mounting deficits, simply paying interest on the national debt now consumes the equivalent of 37 cents out of every individual income tax dollar paid—$140 billion in fiscal year 1988.

This constant and increasing drain on our resources has undermined our fundamental economic strength and has made us dangerously reliant on foreign funds to finance our growth.

The budget deficits must be reduced and eventually eliminated, not only for the sake of fiscal responsibility but for our national security as well.

The American public knows this; They said as much at the polls last November. They expect their President and their Representatives in the Congress to put aside partisan politics and do something about the critical problems we are facing.

Unfortunately, Mr. President, that has not been the case. The reality is that throughout the budget process this year, the President has not joined in the efforts to develop a responsible budget package.

The budget which the President submitted to the Congress in January and which we will vote on shortly is a calamity for America. The President's budget dodges the really tough decisions that have to be made to achieve real deficit reduction. It uses phony economic projections; it relies on bargain basement sales of our national assets, and still does not allow us to reach the deficit-reduction levels required by the Gramm-Rudman law in 1991.

The House rejected the President's budget out-of-hand, 394 to 27, and produced its own budget.

Similarly, after hours of effort, the Democrats on the Senate Budget Committee, with little or no cooperation from the administration, developed and sent to the Senate a budget resolution which served as a good starting point for the full Senate to consider.

From that, we have now developed the measure on which we voted earlier today, which is a far better budget than the President's budget.

Let's discuss first the subject of revenue increases. The President's own budget included $18.1 billion in revenue increases, including $6 billion in new or increased taxes. Among those increased revenues and new taxes were added fees on FHA and VA home loans; higher national park entrance fees; new fees for processing guaranteed student loans; a new international ticket tax on travelers exiting or entering the country; extending Medicare taxes to more payroll checks; charging fuel taxes to many now-exempt transit companies; and increased excise taxes on coal.

Included also in the President's tax package are changes in the Black Lung Program. One of those proposals would cap the maximum benefit a family could receive under the Black Lung Benefits Program. Such a cap could cost some families as much as $169 per month in lost income. The President's budget also proposed changes in the cost-of-living adjustment for Black Lung beneficiaries. On top of these changes, the President's budget further penalized those who are afflicted with Black Lung by taxing their benefits. These proposals were harsh and unrealistic, and the Senate budget does not assume any of those changes in the Black Lung Program.

In fact, the President achieves over half—about 53 percent—of the fiscal year 1988 deficit reduction in his budget through revenue increases. This is the same President who has said that he would veto any measure coming to him that included taxes.

The budget adopted earlier today includes $18.3 billion in increased revenues, which represents about 40 percent of the deficit reduction package over the next 4 years. These revenues are not specified and will be determined through later legislation. Even more importantly, unlike the President's budget, the Democratic budget established a budget reduction account into which all new revenues will be paid to reduce the national debt. The revenues in this account will not be available for additional spending.

I am particularly pleased that the new budget package, adopted earlier, increases funds for defense in an amount sufficient to protect the vital interests of this Nation. And, it rejects the credit card approach of the past 6 years to our defense buildup by providing revenues to explicitly pay for increased defense spending. The Nation's national security is important enough that we must pay for the defense we need. This budget does that. I believe that the American people will applaud our efforts to pay for a strong defense.

The budget which we have developed is a responsible package. It freezes spending in many domestic programs and contains reductions in others. Yet, it provides for increased spending in high priority areas such as education, research, job training, and health. It also is a far better and fairer budget than was put forth by the President—far better for the country and far better for my own State of West Virginia.

For education, the President's budget would cut student financial assistance programs by 45 percent, terminate Federal support for vocational education, and cut education for the handicapped by $253 million and rehabilitation services and handicapped research by $83 million. The West Virginia Board of Regents estimated that under the President's budget, 20,936 students in my State would have been left without financial assistance to attend college. Under the Chiles budget, funding for education programs has been increased by $2.2 billion for fiscal year 1988.

The President's budget assumes $980 million in funding for job training programs by consolidating many of the existing programs, such as Summer Youth Employment, and Job Training and Education Programs for dislocated workers. West Virginia's labor force is well acquainted with the impact of imports on jobs and the need to retrain. West Virginians are willing and eager to go back to work and to seek the education they need to equip them with the skills necessary to enter a new job market. However, all of the good intentions in the world will not have results unless we at the Federal level, are willing to make a commitment. The Democratic budget provides an increase of $700 million for job training programs—programs that will put people back to work.

In highway programs, the administration's budget calls for a reduction of $713 million in highway programs. The budget adopted earlier today provides $2.1 billion more in budget authority for highway programs.

For mass transit, the administration's budget calls for a 57-percent reduction. With the enactment of bus deregulation legislation, bus service in West Virginia became almost nonexistent. Local communities in West Virginia, with the assistance of mass transit funding, have stepped into the breach and formed public bus systems. Without mass transit funding, communities in rural States like West Virginia would not be able to operate those buses. Let me point out, that five communities in West Virginia have passed excess property tax levies to help pay for that bus service. There are 13 transit companies in West Virginia that would no longer be in existence without mass transit funding. I might add that funding for mass transit comes from a penny gas tax that is paid into a trust fund. The Chiles amendment preserves funding assumed in last year's resolution for mass transit.

With regard to Amtrak, the administration's budget proposes that we sell Amtrak. The sale of Amtrak would severely impact on passenger service, not only in West Virginia, but in other States as well. The Federal Government established Amtrak because the private sector was abandoning rail passenger service. In 1986, Amtrak carried over 20.3 million passengers on its long-haul trains. Commuter passengers accounted for an annual ridership of over 47 million. Although the Senate budget reduces operating assistance to Amtrak by 10 percent, Federal ownership of Amtrak is retained.

For community and regional development, the President's budget reduces funding for the community development block grant by $400 million, and terminates the Urban Development Action Grant Program, the Economic Development Administration, and the Appalachian Regional Commission. West Virginia has suffered greatly under this administration's economic policies. Unemployment in my State remains high. Imports have closed steel, glass, footwear, and other industries. Exports of coal have fallen, closing coal mines. If West Virginia is to ever recover, Federal programs such as the aforementioned are vital. These programs give the needed boost in Federal dollars to local communities to develop their infrastructure to attract new industry. Under the Senate budget, funding is retained for all of these programs.

The administration's budget also would terminate all Farmers Home Administration rural development loan and grant programs, including rural water and sewer loans and grants. Many small rural communities throughout this country do not have a safe, clean water, or sewer system. Were funding for these rural development programs to be terminated, we would be relegating these communities to second-class standards. The Senate budget recognizes the difficulties of these small, rural communities and assumes funding for rural development programs at fiscal year 1987 levels.

The President's budget also terminates funding for all activities of the Soil Conservation Service and the Agricultural Stabilization and Conservation Service, with the exception of those activities related to the 1985 farm bill, and would have reduced funding for the Cooperative Extension Service by 25 percent. These programs are probably the most effective means we have for getting information and technical assistance to rural America. In West Virginia, these programs were invaluable in dealing with the disastrous situation in my State that occurred in the November 1985 flood when 29 of the 55 counties were declared disaster areas. The budget we are considering today would restore funding to those programs.

In fossil energy research, the President's budget cuts $132 million. This is extremely shortsighted. Coal is our most abundant supply of energy. We are heavily dependent on expensive, imported oil. The situation in the Middle East is explosive, at best. A disruption in the supply of oil could cripple this country. The time to deal with an energy crisis is now—before it occurs—not in a crisis situation. The Senate budget recognizes this situation, and assumes a $26 million increase in funding in energy conservation research.

In short, Mr. President, the budget which Senate Democrats have crafted was negotiated in good faith, is responsible in putting us on a path which will meet the 1991 Gramm-Rudman target, and contains responsible priorities which will neither impact unfairly on a particular area of the country nor shortchange this country's investments in the future.

The President's budget does not meet our national priorities. I hope the Senate will overwhelmingly reject it.

Mr. DOMENICI. Madam President, obviously the President's budget is not going to pass. Obviously, the budget that we voted on about an hour and 15 minutes ago is going to pass. So while I understand the desire on the part of the other side to put the President's budget up, clearly it is not being submitted to the Senate for any reason other than to turn it down. Maybe there is some notion that perhaps it will add some embarrassment to someone or perhaps embarrass the President. As a matter of fact, Madam President, we never adopt Presidential budgets. I have been here a number of years. I was chairman for 6 years. I do not remember a Presidential budget that was adopted. So it is nothing new. We will go through this exercise and presumably it means something. I do not think it really means very much. But I would like to add just a couple of observations.

When the President's budget first hit the streets and wound its way up to the Hill, it was instantly attacked as being a budget that we should not consider.

As a matter of fact, the principal thrust was that it did not really meet the Gramm-Rudman-Hollings targets. You will recall that as soon as the Congressional Budget Office had some preliminary estimates, the idea was just beaconed out there to Americans, "the President praises Gramm-Rudman-Hollings; the President's budget, instead of $108 billion in deficits, is really $134 billion." That was the principal objection.

As a matter of fact, interestingly enough, that objection has been abandoned because the budget that we are going to approve does not hit the $108 billion. It is $134 billion. As a matter of fact, the President's budget is used in terms of how much we can reduce the budget. That is what we are following. We are saying that is how much you could do so we are going to do that much.

So it was relevant. It had a bearing on the debate and as a matter of fact, in order to get to $108 billion, we had to use his economic assumptions and deem away the $134 billion and deem $108 billion which his budget had in it.

So obviously it has served a useful purpose. The Budget Act implies that Senators will produce a budget, the House will produce a budget, and then they will go to conference and Congress produces the budget.

The Budget Act never has implied that the President is a part of that process. He is not, and he is not going to be part of this one; and obviously the budget that he sent up will have very little impact other than the very important one that I just described.

We are using his deficit reduction as the maximum amount we can do. But we are doing it much differently, as a matter of fact, with a tremendous disparity in terms of revenues. Nonetheless, we assume he had a pretty good idea of how much we should reduce the deficit, because we are following his format.

I am not going to vote for the President's budget. Nobody should be surprised. I told them that in the committee. Whenever anyone listened to me, I said it should not become the policy of the land, for a number of reasons. Education is rather dramatically cut, because the President makes certain assumptions that cannot happen. Vocational education is done away with, and I think that is wrong. I do not think we should do that.

Frankly, there were some good ideas in it. There were some major increases in science and space. Where we found it to our liking, we adopted it. There are major increases in science and space in almost everyone's budget, much like the President's. The President scaled down some of our funding in transit programs and Amtrak. I think we should have done that. He increased funding for law enforcement. We are going to do as much as he and perhaps more. He terminated some small programs. We should have discussed and thoroughly ironed out some of those. We did not. We have not cut a single one.

Nonetheless, there is no question that the President's budget with reference to rural electric terminations, Medicare savings, and increased cost to Western States, which are prohibited in the President's budget, should not become the policy of this country.

I happened to agree with the President's budget on defense, but I do not think it is in the cards this year. Nonetheless, I believe that he sent a realistic budget to us and one that was lauded at the time by many who had opposed his previous defense proposals.

So, Madam President, I do not think we are going to take a lot of time on our side from the consent agreement. We are not going to take a lot of time on the other side. But, for some reason, we are going to vote on the President's budget, which many weeks ago everyone decided would not be the policy of this country.

That leaves us a variety of reasons to vote "No" today. And most of members, for one of those reasons, or another, are going to vote "No". But I do not think it means very much. As a matter of fact, in a couple of areas the comparisons are dramatic, and in that respect serves some useful purpose.

As I indicated, we are going to use the same level of reductions because we said if that is all he could do, that is all we ought to do. Then we turn around, and where he has a very small amount of taxes, almost negligible, the budget we are going to pass today will have 130 billion dollars' worth—all based on some notion that we ought to sort of follow his lead. Since he wanted to get to $134 billion, we ought to get there, and that is good economic policy, and it is about all we could do. What a departure from how it all started!

As I look at it, it is almost ironic that we use his bottom line number and talk about that being good policy, throw it out the window, and later in the day we are going to adopt one that is using his economics for part of it, where it serves our purpose, and another set where it does not; but, overall, saying, "You were right in terms of where the deficit ought to be this year."

So I think it has served a useful purpose, and we ought to get on with some substantive issues.

Madam President, unless there is someone else on this side who wishes to speak, I yield back the remainder of the time I have.

Mr. JOHNSTON. Madam President, will the Senator yield?

Mr. CHILES. I yield 3 minutes to the distinguished Senator from Louisiana.

Mr. JOHNSTON. Madam President, based on what the Senator from New Mexico has said, one would think that the President's budget is an annual rite of spring and is always rejected by Congress; that it is a continuing chapter, no different from the way it always is.

This budget is different, and fundamentally different, in a number of ways from those almost always submitted by other Presidents.

First, this budget is not a serious budget. It is a sham budget. It is $27 billion off from what the bipartisan CBO said. It is full of tricks. It is full accounting gimmicks. It is not a serious attempt to submit a budget. It is a sham. It is not a serious accounting.

Instead of being the first step in a process of trying to reach an accommodation on a very serious, fundamental problem of the Congress of the United States, facing the Nation as a whole, this budget is a first step in a political terrorist attack, where the President sneaks in, puts in a bunch of numbers which are not real numbers, and retreats to the Rose Garden or the White House and does not play the game. Rather, he simply wants to sit over there and lob political hand grenades at us, by saying that Congress is a spendthrift and is at fault, when we all know that this defict, this doubling of the national debt, is a Reagan deficit; it is a Reagan increase in doubling of the national debt.

If the President wants to play in this game, if he wants to be a participant, if he wants to submit a serious budget, then, sure, we will discuss how to improve our budget. It can be improved. It is not perfect, of course, but it is serious.

The Senator from Florida has singlehandedly put this together with his good staff. He has had no help from the other side of the aisle, and I understand that, and I do not fault my dear friends on the other side of the aisle. What can they do when the President says, "No, I'm going to object to whatever comes up"?

It is a good budget; it makes sense. I hope we can recognize that the most fundamental facing the country is the size of this deficit and the size of this national debt, and recognize that the country has to solve it.

As I said the other day in answer to the President, this is not a shoot-out at the OK Corral, where the President should be trying to pin the tail on the donkey, on the guys on the other side of town. What we should do is say: "Mr. President, take your finger off the trigger, and let us talk this over." As Lyndon Johnston use to say, let us try to reason together. Let us try to determine what the national priorities are, instead of sending us a phony budget and saying it is all our fault.

Mr. CHILES. Madam President, I yield 4 minutes to the Senator from New York.

Mr. MOYNIHAN. Madam President, in the Senate caucus room today, we began the second day of hearings on an enormous conspiracy in the area of foreign policy under this administration, a sad and sordid story, to quote the respected chairman, Senator INOUYE.

Here on the Senate floor, we are dealing with a conspiracy at least as great and circumstances that will be far more prolonged—the conspiracy to create a deficit that would destroy the domestic programs of the Federal Government. It was begun in late 1980, put in place in the first months of 1981, and has been with us ever since.

I would like to quote a few passages from a postscript to the memoirs of Mr. David Stockman, then Director of the Budget, under Mr. Reagan. He said:

> With the benefit of hindsight, [historians] will know the immense damage to the nation's balance sheet and living standard that resulted from these eight years of fiscal profligacy. By then, the secret of the Reagan era's fabulous free lunch will be beyond dispute. The records will show that within the span of a few short years the United States flung itself into massive hock with the rest of the world. And it occurred so swiftly that it was hardly even debated or remarked upon until it was too late.

This is it. A creditor nation, for the first time since 1914, becomes a debtor nation.

All had begun, says Mr. Stockman, with a "giant mishap of domestic economic governance in early 1981 * * *" Even so—

> While the ultimate financial box score of the Reagan era is clear, historians are nevertheless destined to wrestle with a huge riddle. Why was this fiscal and financial mutation allowed to build and fester for seven years after it was evident that a stunning but correctable economic policy error had been made in the first six months of 1981?

There were Mr. Stockman's own errors, although it was also misplanned.

"In the final analysis," he writes, "only one conclusion is possible. The American economy and Government have literally been taken hostage by the awesome stubbornness of the Nation's 40th President. That is how the history books will eventually explain the debt-spending spree of the 1980's."

No one on that side of the aisle has dared face the reality of what has happened. Few have comprehended it. It will take a generation of historians to find out what happened to us.

I would say it was more than a mishap, Madam President. I would say it was a failure of politics, yes, but equally a failure of ethical standards in high public office.

The men of this administration knew they were destroying the fiscal stability of the Federal Government. They did it as a conspiracy. They did it as a deliberate design and then having found what they did, they could do nothing and they would never admit it. They have gone on acting as if someone else did it. History will despise them. I am sorry to use such terms, Madam President. I do not think I said anything more strongly than Mr. David Stockman has done in his recent work.

Thank you, Madam President.

Mr. CHILES. I yield 3 minutes to the distinguished Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. I thank the chairman of the committee, and I thank the Chair.

It is necessary that we vote on the President's budget to attempt to get the story out so that the people of this nation can understand what has happened to them with the fiscal mismanagement by this administration for the last 7 going on 8 years. They do not understand it.

As I look into the press gallery, I see four members of the press here covering this story. It is not going to get out, but we have to keep trying.

I simply want to point out the Senator from New York with the chart that has just been displayed here has pointed out very clearly that the fiscal policies of this nation are causing ruin not just by raising the national debt from under $1 trillion to nearly $3 trillion, that is what Ronald Reagan will do, despite the fact that most of the people of the United States of America believe that he is the most fiscally conservative and best fiscal manager in the history of the Presidency.

That to me is the disgrace, the lack of understanding of what is going on.

We should vote against the President's budget for lots of reasons that have been stated by those who have discussed it before me.

For those people out in my State, they should understand that I am going to vote against it because this budget would reduce the agriculture budget by $5 billion in 1988 and $24 billion over 4 years at a time we have a depression. It would reduce the education budget by $3 billion in fiscal 1988 and $24 billion over 4 years. Even with all of that the President's budget does not balance the budget as does the Chiles budget over a 5-year period.

The President's budget would add more than $100 billion to the national debt if we accepted it here today, $100 billion more than the Chiles budget.

If anything tells the story of fiscal responsibility, I think that does.

Finally, I would simply say that those who think we have a sound conservative fiscal manager at 1600 Pennsylvania Avenue right now should further understand that the President's budget that we are about to vote on misses each and every year the deficit targets set in Gramm-Rudman, misses them each and every year while in 5 years we would meet that target under the Chiles budget.

I hope that there will be few if any votes for the President's budget, but more important, Madam President, I hope that this action will begin to send the message around the United States that we do not have a conservative fiscal manager as President of the United States today and have not had since 1980.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida has 15 seconds left.

Mr. CHILES. I yield 15 seconds to the distinguished majority leader.

Mr. BYRD. Madam President, I can hardly get my breath in 15 seconds. I ask unanimous consent that I may take 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Madam President, the President of the United States is entitled to have a vote on his budget. I say let us take a look at it. We have studied it and we ought to reject it. It is a calamity for America.

It would not balance the budget by 1991 as the Gramm-Rudman legislation would require. It reduces important domestic programs such as education when we are talking about the need for restoring our country to a competitive position in the world. It is a little like Daniloff's swap. There was a swap that was a nonswap, and the summit is not a summit. And this is a budget that has revenues in it but they are not revenues.

So with all of that, Madam President, I urge Senators to vote down this budget. I would not want the President to feel that he had sent a budget up to the Congress and the Congress had not considered it.

I say let us consider it. Let us put it where it ought to be in the file of rejections. It is a calamity for America. I hope the Senate will reject it overwhelmingly.

The PRESIDING OFFICER. Who yields time on the amendment?

Mr. CHILES. I yield back any time I have remaining, Madam President, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Does the Senator from New Mexico yield back his time?

Mr. DOMENICI. I thought I had, but in the event I did not, I do.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from Florida. On this question the yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 18, nays 81, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—18

Armstrong
Bond
Dole
Garn
Gramm
Helms
Humphrey
Lugar
McCain
McClure
Nickles
Quayle
Rudman
Stevens
Symms
Thurmond
Trible
Warner

NAYS—81

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Boschwitz
Bradley
Breaux
Bumpers
Burdick
Byrd
Chafee
Chiles
Cochran
Cohen
Conrad
Cranston
D'Amato
Danforth
Daschle
DeConcini
Dixon
Dodd
Domenici
Durenberger
Evans
Exon
Ford
Fowler
Glenn
Gore
Graham
Grassley
Harkin
Hatch
Hatfield
Hecht
Heflin
Heinz
Hollings
Inouye
Johnston
Karnes
Kassebaum
Kasten
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
McConnell
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Murkowski
Nunn
Packwood
Pell
Proxmire
Pryor
Reid
Riegle

Rockefeller
Roth
Sanford
Sarbanes
Sasser
Shelby
Simon
Simpson
Specter
Stafford
Stennis
Wallop
Weicker
Wilson
Wirth

NOT VOTING—1

Pressler

So the amendment (No. 183) was rejected.

Mr. CHILES. Madam President, I move to reconsider the vote by which the amendment was rejected.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Will the Senator from New Mexico withhold? Will other Senators clear the aisle so we may hear the Senator from New Mexico?

The Senator from New Mexico.

Mr. DOMENICI. Madam President, may we have order?

The PRESIDING OFFICER. The Senator from New Mexico is correct. May we please have order in the Senate?

The Senator from New Mexico may proceed.

Will Senators please clear the aisle? It is difficult to see who is seeking recognition with so many Senators standing.

AMENDMENT NO. 185

(Purpose: To propose a perfecting amendment to the amendment to the instructions proposed by the motion to recommit)

Mr. DOMENICI. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico (Mr. Domenici) proposes an amendment numbered 185.

Mr. DOMENICI. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment appears later in today's Record under Amendments Submitted.)

Mr. CHILES. Will the Senator yield?

Mr. DOMENICI. I am pleased to yield.

Mr. CHILES. I wonder if the distinguished Senator from New Mexico will consider entering into a time agreement on this amendment so Senators may know approximately when we will vote. I believe the Senator has indicated he does not think he will take a long time.

Mr. DOMENICI. I am prepared to enter into an agreement that reduces my time to one-half hour on this amendment. I do not think I will necessarily use that. I do want to get on with the business. But I cannot go below that at this point, I say to my friend.

Mr. CHILES. I would say to my friend if he would pose a unanimous-consent request for one-half hour on each side, we can hope that we will yield a little of that back. In any event, we would be voting by 6 o'clock, and we may be voting before then.

Mr. DOMENICI. I believe we are each entitled to one-half hour under the current situation.

The PRESIDING OFFICER (Mr. Reid). The Senator from New Mexico is correct.

Mr. DOMENICI. I will proceed on the basis that I do not intend to yield myself any time off the bill and do not intend to use more than the 30 minutes allowed, unless something occurs I am not currently aware of.

Might I proceed by first yielding myself 15 minutes and then by perhaps coming back to the proposal after the distinguished Senator from Florida has discussed his approach to it.

First of all, let me say to my friends in the Senate on both sides of the aisle, about 1½ hours or maybe 1 hour and 45 minutes ago when I addressed what I will call the Democratic amendment, the budget we are currently debating, I made a couple of statements with reference to concerns I had about where we were going this year.

Frankly, I was pretty forthright and perhaps some of my friends in the Senate, maybe my good friend the chairman of the Budget Committee, might have thought I overstated the case, but I do not think I did.

Frankly, Mr. President, I do believe that before this year is out it is absolutely imperative that we try to work something out with the President of the United States. We are on the eve of passing a budget resolution and I know the die is cast. It is going to be the budget resolution we voted on about 1½ hours ago, the Chiles substitute. I said that I did not believe that it was a workable budget for this year, for 1988, and 1989, and that I did not think it would get enforced, I did not think it would get implemented.

Mr. President, I hope my friend from Florida does not take that in any way to minimize my great respect for him, my admiration for the job he did, and for the difficulties he has in producing a budget resolution. Essentially those of us on this side of the aisle, such as the Senator from New Mexico, clearly are hopeful that at some point we can work with the President with reference to the next couple of years, the years remaining in his term.

But I said that I really could not believe that we are going to implement a budget with a defense number as low as that in the budget that we have approved. I did not believe we are going to pass a tax bill as large as the one contemplated in the 4-year reconciliation mandate of that budget resolution.

I believe that, and I say to the Senate that I just do not think that 4-year reconciliation on taxes, with a 1-year $7 billion added on for defense as the carrot, is going to fly. Either we will not get it implemented because we will indeed not have the courage to do it when the President says he will veto it. Or he will actually veto the taxes and we will end up with a totally unimplemented budget.

Mr. President, about 7 or 8 weeks ago I suggested that we ought to start doing things a little bit differently around here; that this 1-year budget, 1-year appropriations, was literally creating a situation where we spend all our time on budget and appropriations. Second, that there was very little credibility in the process because we do not have enough built-in enforceability. I suggested that we really ought to start thinking about 2-year appropriations and 2-year budgets.

I have introduced legislation, as many other Senators have, to accomplish that change. But what I believe is going to happen before we complete our work this year is that, with or without procedural changes that give us 2 years on reconciliation and 2 years on appropriations, the only chance we have of putting together a meaningful deficit reduction package is to attempt to deal with the President of the United States, work with him, on a 2-year defense appropriations. I honestly believe that the clue to a successful arrangement with the President is a defense number that he and many of us feel we can live with, the assurance that it will be appropriated, and then the further assurance that we do not go up for 1 year and back down the next year.

So what I have tried to do in this budget resolution which I offer, with no hope of it passing, is to offer a format for possible success before we finish the budget-appropriations cycle.

Let me try to indicate up front a few of the things that are different about this budget resolution.

No. 1, the reconciliation of revenues is for 2 years, not 4. And while we are on revenues, the Domenici amendment asks for $10 billion in new revenues in 1988 instead of $20 billion, and in the second year it asks for $23 billion.

So we would be reconciling $9.8 billion in the first year and $235 billion in the second. This is $4.8 billion and $16 billion above the tax increases that the President has proposed in fiscal year 1988 and fiscal year 1989 respectively.

This amendment contemplates that I would offer a follow-up procedural amendment which would say to the

Congress, "On defense we will experiment with a 2-year appropriations, with the idea that eventually we would appropriate everything on a 2-year cycle."

In order to get defense where I believe it ought to be, I do not hold any of the defense expenditure increase hostage to taxes. I say spend what you are supposed to spend on defense and no more, and spend on domestic what you have agreed to here. My defense number is 1 percent real growth in each of the years 1988 and 1989.

Those who are aware of the numbers will find that my amendment provides $304.3 billion in budget authority and $291.7 billion in outlays for 1988. That compares with $289.6 billion in budget authority and $283 billion in outlays in the basic plan, and $301 billion in budget authority and $290 billion in outlays in the event we got a supplemental tax bill. Under the Democratic plan, the additional $7 billion for defense outlays is available only if we get an additional tax bill as prescribed.

As I indicated yesterday, the Armed Services Committee has before it a bill that has $303.3 billion in budget authority and about $294.3 billion in outlays. This amendment would still require that the armed services bill be cut back slightly but not nearly as much as the Chiles top line for defense.

I have my budget numbers now before the Senate. Anyone who wants to check their veracity using the same tests for budgeting as the budget that is before us, you will find that it, too, reaches balance by 1991. I do not believe that we ought to pass 4 years of taxes and then hope that we will get the cuts in the 2 last years of this 4-year cycle. I say let us reconcile taxes for 2 years only, and yet my hope list for the following 2 years produces balanced budget just as does the amendment pending before us.

Instead of $20 billion in taxes in the first year as in the Democratic plan, my budget prescribes $10 billion. I have no miracles. This is the way I did it. The budget resolution we are living under today contemplated that we sell the Naval Petroleum Reserve. We all voted on that. We said do it. The proposition is now it is before us and we do not now want to do it. It has been taken out of the Democratic plan. I put it back where it has always been and reconciled it. So we pick up some savings in the first year.

In addition, I do exactly the same thing as the chairman does on REA. I suggest that since we are going to do that, we ought to go ahead and take that $7 billion-plus but instead of putting it on the revenue side, I treat it as it has always been treated, as an offset in expenditures. Obviously, it allows me to spend some additional funds. But this is just the same as the Democratic resolution which puts it on the revenue side. The Democratic plan still takes credit for it against expenditures that he would make, thus reducing his deficit.

The amendment would raise defense, as I indicated, $29.3 billion in budget authority and $16.8 billion in outlays relative to the base defense level in the Democratic budget over the 2 years from 1988 to 1989. More important, this amendment would raise defense $3.5 billion in budget authority and $2.8 billion in outlays above that top line in the Democratic budget which is what I am calling the defense number if indeed we get the taxes and release defense spending from the entanglement, or from the reserve that is created.

This amendment would cut back the Medicare savings in the Democratic plan from $3 billion to $2.3 billion in the first year. Incidentally, this is very close to what the House has done and very close to what I predict will come out of conference, not the $3 billion in Medicare savings in the first year. It will be reduced.

The budget that I am amending still demands in my opinion far too large a sacrifice from the direct spending programs that are predominantly Western. We have talked about that here for a week, perhaps five different times. Frankly, I have put back by removing the reconciliation instruction with reference to those programs of the West. The Democratic budget left $170 million in and then $320 million in each of the outyears. I eliminate these cuts to retain current policy and also eliminate reconciliation to the Energy Committee.

In keeping with the increase in defense spending, it also seems equitable to me to cut back on some of the savings that are required in programs for our senior citizens. I just indicated I have done that in Medicare by about $700 million in the first year.

Anybody who wants to look at it will be able to ascertain that I get to exactly the same deficit as the distinguished Senator from Florida in 1988 and in 1991. I increase defense, as I have indicated.

I have reduced increases in three or four of the functions that include domestic programs. In no case have I cut significantly off the CBO baseline—in no case. All functions increase. They just do not increase as much as the final budget of the chairman which he put before the Senate.

As I indicated, we will sell the naval petroleum reserves. We expected that. And in a very simplistic sense, we provided for that in the budget resolution. When it came time to do it we backed away. I think we ought to do it and get it done now.

Likewise, in foreign military sales, the administration is in the process of permitting prepayment. They are going to do that. There is no question about it. I submit that we might as well provide for the refinancing which is going to occur. While it will not have 4-year effect, it substantially reduces the deficit in the first year. And I remind my friends that with $5 billion in reconciled taxes in the first year and $16 billion in the second above the President, if you want to look at the 4 years, I get to the balanced budget just like the Democratic plan which is before us.

So the notion that those savings in the first year from REA, the naval petroleum reserve, and foreign military sales are not reliable, which I have heard around here—they are only one-year events—frankly, when you couple them with all the other things I have done in this budget, they permit us to have a two-year reconciliation on taxes that is substantially less than that which is offered here. And if anybody believes that the 1990 and 1991 Domenici numbers are any less credible than those that are here, I will tell you the only thing less credible about it is that we are not as sure of increased taxes in those two years as they are, because we do not mandate them in advance. Two years is enough in terms of revenues, especially when we really are not cutting programs in an enforceable way beyond the first year for most programs. It is sort of like saying, "We are going to get the taxes in advance and we are going to order them right now, but then when it comes to 1990 and 1991, we just might get the savings that go with them."

I reach exactly the same budget deficits as the Democratic plan in 1988 and 1989. I am able to put more back into defense than their top line, which contemplates a tax bill and holds $7 billion in defense hostage to it. I do not do that. In my amendment, defense is higher, domestic spending is slightly lower than the Democratic budget, and you have only 2 years of reconciled taxes revenues with just $5 billion over the President in the first year, and $16 billion more in the second year. And you get the same results.

Mr. NICKLES. Mr. President, will the Senator yield for a question?

Mr. DOMENICI. I yield.

Mr. NICKLES. I want to make sure I understand the Senator's proposal. His proposal would be 2 years' worth of taxes being reconciled; and under the proposal by the chairman of the Budget Committee, Senator Chiles, we have reconciled 4 years' worth of taxes.

Mr. DOMENICI. That is correct.

Mr. NICKLES. The total amount of tax increase under the proposal of Senator Chiles is how much over the 4 years?

Mr. DOMENICI. The reconciled amount is $120 billion. The total tax amount is $137 billion. Only $120 billion is reconciled. The others are arrived at in ways other than the reconciliation.

Mr. NICKLES. Where the Senator from New Mexico gets 5 for 1988 and 16 for 1989, how does that compare to the Chiles proposal?

Mr. DOMENICI. The first year, using the same comparisons, the Chiles budget has $20 billion in taxes compared to my $10 billion—$5 billion which is the President's and $5 billion which is new.

Mr. NICKLES. So the Chiles proposal in 1988 has twice as much so far as new taxes are concerned?

Mr. DOMENICI. Yes, and the President had $5 billion to start with.

Mr. NICKLES. That is correct.

Mr. DOMENICI. In the second year, even with reconciliation, I do not have those asset sales to rely on. Even there, the second year is $10 billion less in taxes than the pending Chiles proposal—even in the second year of the reconciliation. So I take credit for various savings in the domestic area but I need a little additional revenue in the second year. Even so, it is $10 billion less in revenue than the Democratic plan. Defense is increased, as I described it.

Mr. NICKLES. There is a big difference on defense, I believe.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMENICI. I yield 5 additional minutes.

Mr. NICKLES. As I understand, the Senator now has comparable figures to the Chiles proposal on defense, except he does not have it contingent on a very large tax increase being passed and signed by the President. Is that correct?

Mr. DOMENICI. I have comparable figures; but I believe that even though it might not sound like a lot, it is $2.8 billion in budget authority higher and $1.1 billion in outlays higher in fiscal year 1988. When you add that amount to the Democratic plan, I think you have a budget on defense that both Houses can live with and something very close to what we are going to end up doing. Of course, we may want some enormous gimmicks—like delay in the pay raise—as we did last year and took billions of dollars of credit for them.

The newest gimmick somebody is thinking of is that we will not pay any bills in the defense area for the last 10 or 15 days of the fiscal year. We will pay them next year. My suggestion rather than these gimmicks is to adopt my defense number—that is about where we will come out progammatically. We can pay for it and have the same deficit trend line as the one pending.

Mr. NICKLES. In the proposal of the Senator from New Mexico, he has less money proposed, or at least less increases proposed, in several categories. He has some increases, for example, in education or in Medicare or Medicaid and some of the social functions, but they are real increases, except for the chairman's proposal.

Mr. DOMENICI. The Senator is correct. In education, we go up over last year's level in outlays $2.1 billion and $1 billion in budget authority increase. In the field of health, the appropriated health account, we go up $2.7 billion in budget authority, $2.8 billion in outlays. In veterans benefits, my amendment would still be an increase of $600 billion in budget authority and $800 billion in outlays. In transportation, we go up $1.9 billion in outlays over current law and $100 million in budget authority—all increases, not decreases. They are just not as big increases in those functions as the budget pending before us.

I indicated before than when we take out all the user fees and everything else, there are no reductions in discretionary programs in the budget that is before us, the one I am trying to amend. As a matter of fact, defense and domestic spending go up at about the same. There are no cuts as has been suggested around here. Both go up, and both go up about the same amount, $13.4 billion or $14 billion. Yet, we need all those taxes for that major fiscal event called the budget which was supposed to be a reduction of expenses.

I do not have to cut a lot to get my numbers. I do not do that because I do not think the Senate wants to dramatically reduce spending I do not favor dramatic reductions in the social programs. They all go up. It is just that they go up less.

I say to the Senator from Oklahoma that I clearly intended, as a full package, to experiment with the 2-year appropriation cycle on defense because, as I said in my opening remarks, sooner or later we will have to get some certainty built into the defense number. And the appropriations level should be specified for 2 years, if we ever expect the President to work with us on any revenue number. This is in my amendment.

I would have offered a procedural amendment, if this would have been our budget. This amendment would have said to the Senate: "Let's do 2-year appropriations on defense, and let's make that simultaneous with the year that we do 2-year reconciliation on taxes, for $5 billion and $16 billion in taxes, respectively, for 2 years, over and above the President's numbers."

I still might offer that procedural amendment later in the day.

I also think the time has come to show some credibility on the defense number when we vote it in. I think the Senator is aware that it does not matter what defense number we vote in. The appropriators can take defense money and spend it on domestic programs.

The time has come to fix that problem. Before we make any kind of proposal that the President is interested in, we have to give him some assurance that we will not have defense going up and down during the last 2 years of his term. Instead, we ask for new taxes and do not even have the credibility of a reliable defense budget to build on.

I will do this procedural amendment later.

I did not put it on this budget because I just want to vote on the substance now. I will offer three or four changes in the package that completes this idea of a 2-year cycle with some enforceability and reliability.

Mr. NICKLES. I thank the Senator for answering my questions.

I also want to compliment him on his proposal. There has been some complaint by the other side that the minority leader and many of us on this side of the aisle were not coming up with some constructive proposals. He has one.

I also want to encourage him as far as the need for reform and the Senator from New Mexico has been leading the effort. We need significant real reform in the budget process. I think the budgets we have been looking at leave a lot to be desired because we have not shown the fiscal constraint that we desperately need.

I compliment the Senator from New Mexico.

Mr. DOMENICI. I thank my friend from Oklahoma and compliment him for his first year on the Budget Committee, and I can honestly say he was a real contributor and thank him for for his effort.

I also advise the Senator that he had the idea in committee that we ought to have a user-type fee on oil imports to pay for some or all of SPRO. We have borrowed that idea in this resolution.

I cannot mandate it. But it is contemplated that we would raise about the equivalent of 58 cents a barrel of oil and we would use this oil import fee to pay fully for SPRO.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. I yield the floor at this time.

The PRESIDING OFFICER. Who yields time?

The Senator from Florida is recognized.

Mr. CHILES. Mr. President, at this late hour on the budget clock, we have finally had a visit from our friends on the Republican side of the aisle. It is late but we open the door and invite you in. Most of the others have already been in and signed the guest book. But we are delighted to have you here and have your names at last.

Mr. President, I am a little surprised at the package our friends have brought.

Last week we were told that they could not participate because of what they referred to as the dual economics. I felt like that day I had never taken more hits. I even took on George Washington, I think, before the day was out and his support of the Constitution. Now, I find what we have is an amendment, I understand of the Chiles amendment, but the very idea that we would have a budget presented that uses the dual economics, the same provision is just a great surprise to me.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. CHILES. I am happy to yield.

Mr. DOMENICI. I would say to my friend from Florida on that score, talking about welcoming me to the party this late, I will talk about that a little later.

As far as the dual economics I assure the Senator if he were to make a point of order against my budget I would not appeal the ruling of the Chair. It does not reach $108 billion. There is no doubt about it.

Mr. CHILES. I am glad to hear my friend say that because I think we both realize that it is impossible to really come up with any reasonable plan and try to reach $108 billion in cuts. So we are both sort of saying that.

I think that there are some comparisons we are seeking under the dual economics. We find that as one. In 1988, this plan would reduce the deficit approximately the same as the Chiles amendment to $132.6 billion compared to $133.6 billion using CBO estimates. Using OMB, the Domenici deficit would be $106.8 billion and the Chiles deficit $107.8 billion.

In all other years, deficits in the Domenici plan would be slightly higher. Over 4 years, deficits in the Domenici plan would be $3 billion higher than the Chiles budget.

Revenues would be lower than the Chiles budget in all years—about $10 billion in 1988. The Domenici budget has $10 billion less in outlays in 1988. What is the source of lower outlays in the Domenici plan?

More than $4 billion, about 40 percent of outlay reductions, come from asset sales that provide one-time-only outlay savings that do nothing to reduce the structural deficit. In particular, the Domenici plan includes the sale of the Naval Petroleum Reserve, $2.3 billion, which is not included in the Chiles budget. The Domenici plan also includes another $2 billion in prepayment of existing loans in function 150.

About $1 billion, or 9 percent of outlay reductions, comes from an "early retirement" proposal. This proposal raises Federal retirement costs. It achieves its savings through a haphazard and random cut in the Federal work force and through large unspecified cuts in appropriations.

The remainder of outlay reductions appear to come from cuts in domestic programs or from dropping some of the domestic increases included in the Chiles budget.

SPENDING PRIORITIES

Defense spending, it is interesting to note, would be $1.1 billion higher than the Chiles budget with the defense add. The Domenici defense increase would be financed by asset sales and domestic cuts. Total defense budget authority in the Domenici plan, however, would be $4 billion less than total defense BA in the Chiles budget over the next 4 years. The Domenici plan freezes defense BA from 1989 through 1991 while the Chiles plan increases BA each year from 1988–91.

And I think that Members who are concerned about defense really ought to look at this and recognize that over the 4 years if you compare the plans together the Domenici plan is going to spend less for defense and it is going to have a freeze in defense in the last 2 years, an absolute freeze. So when we start arguing about defense and who is doing the most and whether taxes should be used or not, I think you just really have to look at that comparison and to see that overall we are not talking about a plan that is not going to provide as much money for defense over the 4 years, actually calling for a freeze in defense over the last 2 years.

Senator DOMENICI has repeatedly argued that the ratio of defense outlays to defense BA in the original and revised Chiles program was unacceptable. He claimed that high priority defense programs would take an unfair share of cuts. However, the ratio in the Domenici plan—.88—is more severe than the Chiles budget—.75—requiring larger cuts in fast spendout programs such as military personnel and operations and maintenance.

The Domenici plan assumes about $1 billion per year more in foreign aid than the Chiles Democratic budget.

The domestic spending priorities of the Domenici plan and the Chiles budget are very different.

The Domenici plan includes $3.8 billion in less domestic spending. While making similar domestic cuts as the Chiles budget, the Domenici plan does not add funds to high-priority domestic programs such as education and health care.

In function 500—education, training, employment and social services—the Domenici plan is $2 billion lower in budget authority and $500 million lower in outlays in 1988 than the Chiles budget. This would be $300 million in BA and $250 million in outlays below the CBO baseline. The Domenici plan would instruct the Senate's Labor and Human Resources Committee to reconcile $350 million in cuts to programs in function 500. The Chiles Democratic budget contains no reconciliation instructions for function 500.

The Domenici plan cuts Medicare $6.5 over 4 years more than the Chiles Democratic budget. Over 4 years, the Domenici plan cuts Medicare $23.3 billion below baseline.

The Domenici plan cuts other health programs over 4 years by $7 billion in BA and $7.5 billion in outlays more than the Chiles budget. In 1988, health cuts are $1.6 billion in BA and $1.3 billion in outlays below the Chiles budget.

The Domenici plan cuts Veterans programs $3.1 billion in BA and $2.8 billion in outlays more than the Chiles budget over 4 years. Veterans outlay cuts would be $1.5 billion more than the President over 4 years. In 1988, the Domenici plan cuts Veterans BA by $500 million and outlays by $400 million below the Chiles budget.

The Domenici plan would not provide sufficient funds in function 250 to pursue a robust space station program or the superconducting collider.

ENFORCEMENT

The Domenici plan includes 2 years in reconciliation instructions. The Chiles plan provides 4-year reconciliation instructions which should provide for more savings and better budgetary management.

The Domenici plan would add $3 billion in BA and $1 billion in defense growth or a 1-percent growth, but it calls for roughly a 2-percent pay raise versus the Armed Services bill as reported out of the committee which has a 4-percent pay raise. And I think Members ought to know that Senator NUNN has now said that that could be accommodated in the Chiles budget, which would allow for a 4-percent pay raise. And we see overall that that Domenici budget is going to be $6 billion less than the Democratic plan for defense by 1991.

We have talked about the space and science cuts and a number of these other cuts that we have.

I am glad to see that on the positive side, the Domenici plan does reject the President's unrealistic stand on new taxes. The Domenici plan raises revenue about $4.8 billion above the President's in 1988 and, as he has pointed out, he has taken the REA savings and put those on the spending side and so is able to reduce his revenues less by doing that.

His revenues are increased by $44.4 billion over the next 4 years. So both plans have rejected the President's stand that we do not need new taxes.

Mr. President, whether you go through the health or veterans or Federal pay, any of these areas, we see where some of those cuts differ.

In environment, we see the Superfund is cut; soil conservation; there is an ocean license fee; an agriculture cut of $0.2 deeper than the Chiles plan; commerce and housing, 10 percent cut in rural housing; transportation is $2.5 billion below the Democratic plan; Amtrak is cut 25 percent; Coast Guard user fees are increased; transit is cut 50 percent; NASA R&D is cut 25 percent; community development cuts are $0.5 billion.

It claims to restore the CDBG, but it cuts considerably more than the Democratic plan from all of the other programs. Education and training is $2 billion below the Chiles plan; it terminates impact aid, part B; rejects welfare reform and freezes, basically, education. Health is cut $1.6 billion. It adds the meat and poultry user fees and it cuts the Federal employees health. Veterans medical care is cut by $0.5 billion; Justice is cut $200 million in law enforcement; Federal pay, it takes $1.3 billion in savings by rejecting the Roth early out. The Congressional Budget Office tells us there is no savings from that. It cuts $150 million to be added for the WIC feeding program.

Mr. President, I am glad to see this budget presented. I think it is something that we can compare. In the brief time that I have had to compare, I believe that the budget that is now before the Senate stands better in equity. It certainly is better for defense overall. I think it is better for what it does to reduce the deficit. I think it is a package that is more realistic and I hope that the Domenici substitute would be rejected.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, might I ask how much time remains?

The PRESIDING OFFICER. Two minutes.

Mr. CHILES. How much time does the Senator from Florida have?

The PRESIDING OFFICER. Sixteen minutes.

Mr. DOMENICI. I am going to try to not go beyond my 2 minutes off the bill.

Mr. CHILES. I am probably going to yield mine back.

Mr. DOMENICI. I want to say to the Senate, with reference to the years 1990 and 1991, the Senator from New Mexico has just about concluded after 14 years on the Budget Committee, 6 years where I was privileged to chair it, that so long as we have the processes the way we have them, we really ought to be serious about a 2-year budget and appropriations cycle at one time. We ought to change the processes in order to appropriate the major accounts of Government for at least 2 years at a time.

So what I have really concentrated on in my amendment—and I make no bones about it—is the years 1988 and 1989. Frankly, I am not clairvoyant enough to do anything other than tell the Senate how I think it is all going to turn out. I am prepared to say that, as far as 1990 and 1991 goes, I think anyone's budget—the Chiles budget, the Domenici budget, the House budget in spades—are hardly worth the effort to reduce them to a document in terms of whether you are really going to end up with numbers out there that relate to the defense number that you are going to appropriate or $100 million here or $400 million there, or we are going to bring this into balance by an assumed freeze. Frankly, they are hardly worth the paper they are written on.

But, I can guarantee you that if the Senate were to adopt a 2-year approach——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. Will the Senator yield 2 minutes to me?

Mr. CHILES. Yes.

The PRESIDING OFFICER. The Senator from Florida yields 2 minutes.

Mr. DOMENICI. I guarantee the Senate if we had a 2-year process we could continue the defense buildup at a reasonable rate and we can get by with $5 billion in new revenues in the first year above the President, as I indicated, and $16 billion in the second that I have discussed with the Senate. And no domestic functions would suffer any cuts relative to 1987 levels.

When my friend from Florida says there is a reduction, I know he does not mean that I have cut. Everything has gone up on the budget that is before us. And I have just said when you are in this kind of dilemma with the deficit, you cannot increase these programs as much as he proposes. So some of those accounts I have reduced from a growth of 5 or 6 or 9 percent to 2 or 3 percent. And I could go through them item by item.

I also suggest that the appropriators on those accounts are the ones that are going to end up deciding which grow a lot and which do not grow at all. And it is just the sum total of the budget authority and outlays are in the discretionary programs that count.

I am pretty confident we can have some new initiatives in the area of homelessness and catastrophic health and the like that fit well within the budget that I have submitted.

Let me say to my friend, the chairman, that he has indicated that the guest book was open and I am late in signing it. Let me suggest, with the exception of two, three, or four changes in this, actually the Senator from New Mexico has had this basic idea for a week. Frankly, it was my assumption—and I believe I am right—that when your first budget, the first Democratic budget passed by 50 to 49, that clearly you had decided that you had to produce a budget that could pass and you proceeded to put the one together that I am amending.

I think that is the case. And I had to wait until that event occurred before I could offer anything like this. That is why I did wait. Will the Senator yield me 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I truly believe that we are going to have a very, very bad year on deficit reduction unless we are able to get the House and the Senate to join together, and then get the President to join us in some way.

What I really tried to do today is to give to some who ask me my notion of how that might come about. This amendment has some basic essentials that I think will have to be there in a final compromise. And I think there will have to be some 2-year commitments.

I do not believe there can be a 4-year reconciliation on taxes unless you have some real long-term commitments on defense. There will have to be some budget reform, and basically I have indicated what I thought they were, and will offer some of them later in the evening so we can all have a look at least what I think will happen before the year is out.

Mr. SIMPSON. Mr. President, I rise in strong support of the amendment offered by my good friend, the senior Senator from New Mexico, PETE DOMENICI. I believe that this amendment would correct many of the flaws in the Chiles budget by targeting a more realistic level of defense spending, by limiting tax increases, and by focusing on the issue of budget reform and 2-year appropriation cycles. More importantly to my State of Wyoming, I believe this amendment would correct some of the unbalanced and patently unfair provisions in the Chiles budget, provisions that specifically target the Western States. I certainly do not claim that it was the conscious intent of the Senator from Florida to specifically target the West, but that is indeed the practical effect.

This budget points out many of the unique aspects of Western States, that apparently many in the East still do not seem to understand. Much of this uniqueness centers around the issue of public lands. In Wyoming, the Federal Government owns almost half of the land surface in the State. This unique Federal-State arrangement prevents the State from taxing the land or any of the products removed from Federal land, since States are prevented from taxing the Federal Government. I dare say very few in the East fully recognize the implications of having half of the land in a State being excluded from the State revenue base.

State and local government shares of Federal mineral, timber, grazing, recreation, and other public land resource related receipts were designed to compensate public land States for the continued Federal ownership of land and mineral resources, as well as the corresponding reduction in the tax base and the inability to develop those lands because of this unique relationship.

The current State "shared receipt" programs were fundamental to the congressional compromise which enabled the Federal Government to retain the significant Federal and mineral interests in the Western States. It is important to point out that the collections taken by the Federal Government for mineral royalties, timber, grazing, recreation, and other public land resources are just that—collections made and then a portion of which are then returned to the States. Such receipts are not an appropriation of funds and they should not be treated as such. Western States rely on these returned receipts for the impact assistance, roads and highways, sewer and water, education, and other public facilities and programs needed to support industries and citizens engaged in management, development, and earning a livelihood from activities on Federal lands.

The anti-Western provisions included in the Chiles resolution would fundamentally alter this longstanding relationship between the Federal Government and public land States by sharply cutting back these receipts and by changing the process by which these receipts are returned to the States. Despite the changes made in the so-called Chiles revision, the Chiles budget would cut mineral receipt payments to the States at a time when the mineral industry is at its lowest and where unemployment in the industry is skyrocketing. The Forest Service would take a hit which is expected to slash the budget for Forest Service roads. Such short-sighted action is expected to reduce timber receipts in the out-years.

The list goes on. At a time when the agricultural community is on the ropes throughout the Nation, the Chiles budget would specifically hit those in the West by increasing Federal grazing fees. The proposed increase in recreation user fees, although not limited to the West, would primarily affect those in the Western States. The Bureau of Reclamation, which has already taken significant cuts over the past several years, would be cut again. Another area that would predominantly affect the West is the recommended changes in the repayment terms for the Power Marketing Authorities. Not only would the recommended changes break a longstanding commitment by the Federal Government, the changes would also serve to increase power rates throughout the West from between 14 and 54 percent, depending upon the Power Marketing Authority.

The changes made in the Chiles revision modify the disparity between the cuts in Western programs and other programs only marginally. That simply is not fair. We in the Western States have been willing to take our lumps and do our part to contribute to deficit reduction over the past several years and we will continue to do that. But we damn sure will not stand by while Western programs are disassembled and decimated.

Mr. DOMENICI. I am prepared to yield back my time, and whenever the Senator from Florida is ready to vote, we will vote.

Mr. CHILES. I yield back the remainder of my time.

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from New Mexico, Senator DOMENICI. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The vote was announced—yeas 29, nays 70, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—29

Armstrong
Bond
Boschwitz
Cochran
Cohen
Danforth
Dole
Domenici
Evans
Garn
Gramm
Hatch
Hecht
Humphrey
Kassebaum
Lugar
McCain
McClure
Nickles
Packwood
Quayle
Rudman
Simpson
Stevens
Symms
Thurmond
Trible
Wallop
Warner

NAYS—70

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chafee
Chiles
Conrad
Cranston
D'Amato
Daschle
DeConcini
Dixon
Dodd
Durenberger
Exon
Ford
Fowler
Glenn
Gore
Graham
Grassley
Harkin
Hatfield
Heflin
Heinz
Helms
Hollings
Inouye
Johnston
Karnes
Kasten
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
McConnell
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Murkowski
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Roth
Sanford
Sarbanes
Sasser
Shelby
Simon
Specter
Stafford
Stennis
Weicker
Wilson
Wirth

NOT VOTING—1

Pressler

So the amendment (No. 185) was rejected.

Mr. BYRD. Mr. President, how much time remains on the budget?

The PRESIDING OFFICER. Five hours and 29 minutes.

Mr. BYRD. Five hours and a half. May I attempt at this point to find out how many more rollcalls we might anticipate, how many more amendments, about what time we will complete work on the budget today. It is the intention to stay here until we complete work on the budget today because the 5 hours and 29 minutes will run its course at some point, and I do not believe there is anyone here who is inclined to run that full limit, if I correctly interpret what I hear being said by the managers of the measure.

I wonder if we could ascertain now what amendments remain.

Mr. CHILES. I know of no amendments on this side.

Mr. DOMENICI. Mr. President, might I say to the distinguished majority leader, I think we have just agreed a while ago informally that Senator ROTH on a procedural amendment would go next. We have the following Senators who have told me they have amendments: Senator D'AMATO, Senator CHAFEE, Senator MURKOWSKI, and Senator STEVENS. Senator WEICKER, maybe. And I will check with him. And then Senator EVANS has an amendment, and that is all I am aware of at this point. Senator WILSON, maybe.

Mr. BYRD. That is seven amendments.

Mr. DOMENICI. That is seven.

Mr. BYRD. Seven amendments. If there are rollcalls on each and they run about as they have been running, an average of about 20 minutes, that is 140 minutes just on rollcall votes. I wonder if we can agree on shortening the time so that Senators will have some idea what hour we are going to be out. It is obvious that we are going to be in, the way I read it, at least until 9 or 9:30 tonight, or 10. I would hope we could cut down on the number of amendments if possible. I yield to the distinguished Republican leader.

Mr. DOLE. I wonder if we might agree to have 30 minutes on each amendment, 15 minutes on a side.

Mr. STEVENS. Fine.

Mr. ROTH. That is fine.

Mr. DOMENICI. I do not know if all the Senators who indicated they had amendments are present on the floor.

Mr. DOLE. We have most of them. We can get it on the ones who are here.

Mr. BYRD. Would the leader on the other side, the two managers, and other Senators be willing to reduce the overall time from something like 5 hours and 25 minutes now, I suppose down, say, to 2 hours, remembering that rollcall votes are not charged against the time—to reduce the overall time to 2 hours or less?

Mr. DOMENICI. Let me say to the distinguished majority leader, I have been instructed that a Senator on our side would object to that and so I would have to indicate I could not agree to that. But I think all the Senators who indicated they had or might have amendments are on the floor, so I would have no objection to unanimous consent that there be no more than 15 minutes on each side for any amendments for the remainder of this bill, if the distinguished Republican leader has no objection.

Mr. BYRD. Very well.

Mr. President, I ask unanimous consent that the time on any remaining amendment be limited to 30 minutes, to be equally divided in accordance with the usual form, provided that all points of order under the Budget Act remain in force.

The PRESIDING OFFICER (Mr. BREAUX). Without objection, it is so ordered.

Mr. BYRD. That will help somewhat, Mr. President.

Mr. CHAFEE. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD. I thank the Chair.

Mr. President, we have 7 minutes remaining and there are 30 minutes on any amendment, and if it is all used, that would be 210 minutes. If there are seven rollcall votes, I wonder if we could limit those rollcall votes to 15 minutes, which would save 35 minutes at least. Could we do that?

Mr. CHILES. We could limit them to 10 minutes.

Mr. STEVENS. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD. I am happy to yield.

Mr. STEVENS. Mr. President, I say to the majority leader that we have only had the Chiles amendment before us since 12:30. I just discovered, for example, that it has $100 million for campaign financing in it. My staff and I are still discovering things in the Chiles amendment.

I think you all have seen it; you had a caucus on it. We have not had that time.

So I am sorry to say to my good friend that I want some time to look at this measure. I do not know yet what it has done to my State or to the West in general.

Mr. BYRD. I am not quarreling with the Senator. I am glad to stay here as long as the Senator is. I am trying to ascertain what the outlook is.

The Rules Committee, as I understand it, wrote to the Budget Committee about the $100 million long before this Chiles' No. 2.

Mr. CHILES. That was in Chiles' No. 1.

Mr. BYRD. That was in Chiles' No. 1, yes.

Mr. DOMENICI. We did not think you were serious. [Laughter.]

Mr. BYRD. We are deadly serious—at least I am.

The PRESIDING OFFICER. Is there a unanimous-consent request pending?

Mr. DOMENICI. Mr. President, I think the 15 minutes on each side for any amendment, for the remainder of the resolution, has been agreed to.

Mr. BYRD. That is a standing order of the Senate which was entered into at the beginning of the new Congress.

Mr. CHILES. He is talking about 15 minutes per side on amendments.

Mr. DOLE. We have agreed to that.

Mr. BYRD. I thank all Senators.

AMENDMENT NO. 186

(Purpose: To express the sense of the Congress that biennial budget process should be enacted into law this year)

Mr. ROTH. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH], for himself, Mr. DOMENICI, and Mr. QUAYLE, proposes an amendment numbered 186.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

BIENNIAL BUDGET PROCESS

SEC. . (a) The Congress finds that the present annual budget process—

(1) fosters uncertainty in financial markets and creates budgetary uncertainty for recipients of Federal funds, thereby inhibiting the efficient operation of those programs;

(2) results in redundant congressional action on spending measures and budget issues;

(3) encourages the use of budgetary gimmicks, such as moving spending from one fiscal year to another, in order to achieve the appearance of deficit reduction;

(4) focuses attention on detailed annual funding levels and congressional micro-management and away from developing long-term national priorities; and

(5) allows insufficient time for Congress to consider national needs as a basis for sound and efficient policy approaches, thereby fostering piecemeal solutions that contribute to unrestrained growth of the Federal budget.

(b) It is the sense of the Congress that—

(1) a biennial budget and appropriation process would—

(A) provide greater stability and certainty for financial markets, government agencies, and other recipients of Federal funds;

(B) focus congressional attention on national fiscal policy and the development of national policy priorities;

(C) create an orderly, predictable process for consideration of spending decisions responsive to policy priorities and improve congressional control over the Federal budget;

(D) streamline the congressional budget process and therefore promote better accountability to the public; and

(E) improve the operations and effectiveness of the Congress by providing additional time for congressional oversight, program evaluation, and consideration of authorizing legislation; and

(2) the Congress should enact this year a biennial and appropriation process.

Mr. ROTH. Mr. President, I rise today to offer an amendment calling for a sense of the Congress resolution that we act quickly to pass a biennial budget and appropriation process. As we consider the budget resolution, let us take a few moments to ponder the budget process as a whole. This week, we are working on the budget resolution, soon it will be the annual supplemental spending bill, and shortly after that will be the debt limit.

President Reagan was absolutely right when he said in his State of the Union Message, "the budget process is a sorry spectacle. The missing of deadlines and the nightmare of monstrous continuing resolutions packing hundreds of billions of dollars of spending into one bill must be stopped." I could not agree with the President more!

The present annual budget process is a mess. It fosters uncertainty in the financial markets, creates budgetary uncertainty for benficiaries of Federal funds, results in redundant congressional action on budget matters, encourages the use of budgetary gimmicks, and focuses attention away from developing long-term national priorities. Most important it confuses the public.

Mr. President, a 2-year process would help solve all these problems. A biennial process would provide greater stability and certainty for financial markets and recipients of Federal funds. A 2-year budget would enable Congress to focus on National fiscal policy and the development of national objectives. It would create more orderly, predictable process—one that would improve the operations and effectiveness of the Congress.

In the 20 years since I entered Congress, I have never encountered a more tangled, cluttered, and confused budget situation than the one we confronted in the 99th Congress—with authorizations, appropriations, budget resolutions, reconciliation, continuing resolutions, Gramm-Rudman, and supplemental—to name just a few. The process has become completely unwieldy. It is no wonder that the Congress repeatedly missed its deadlines, failing to complete a budget until 3 weeks after the fiscal year had begun. Already his year, the Congress has missed the deadline for passing a budget resolution.

I am not advancing the notion that the budget process reform will cure our deficit dilemma, but I am suggesting that this is an important first step in gaining control over Federal spending policies. Equally important, a 2-year process is needed if the Congress hopes to better manage the amount of time and effort spent on the budget process.

To the American people, Congress appears hamstrung by its own procedures and unable to cope with the most urgent fiscal problem of the Nation. It is clear that there is growing momentum for a 2-year budget process. Alice Rivlin, former director of the Congressional Budget Office and now director of the Economic Studies Program at the Brookings Institution, strongly advocates that Congress move to a 2-year budget cycle. OMB Director James Miller has mentioned the idea a number of times, and the President's budget incorporated a 2-year plan for the Defense Department.

Mr. President, this amendment is also sponsored by Senator DOMENICI and Senator QUAYLE, and I ask that the record so indicate.

There is no question that the Budget Act of 1974 was a major improvement over what had been a haphazard and virtually uncontrollable process. But in the last several years, the process has resulted in constantly missed deadlines and the need to reinvent the wheel every time a budget resolution, authorization measure, appropriations bill, or continuing resolution comes along. Putting the budget process on a 2-year timetable will enable the Congress to give a more careful look to the priorities incorporated in the budget, as well as giving the Congress more time to devote to other important issues.

Many political scientists have been critical of the Congress in the sense that not enough time is spent by either the Senate and the House on oversight responsibilities, on authorization and reauthorization matters, on reviewing the effectiveness of programs that have been long in effect, and on foreign affairs matters.

Mr. President, by providing for a 2-year budget process instead of 1 year, we ensure that 1 of these years can be devoted to the matters just referred to.

I believe a biennial budget is essential if we are to prevent the budget process from collapsing under its own weight. The alternative would be more budgetary cliffhangers like the past several years—and that is an alternative that the American people simply will not accept.

For that reason I would hope and urge that the Senate adopt my sense-of-the-Congress resolution which would merely require the Congress act this year on such a proposal.

How it would be specifically effectuated is not dealt with in this resolution. All we are seeking is a commitment by the Senate that the time has come to move to a 2-year resolution.

I yield the floor.

The PRESIDING OFFICER. The time of the Senator has expired.

Who seeks recognition?

Does the majority leader seek recognition on this amendment?

Mr. FORD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There is still time remaining. Does the Democratic leader seek recognition?

Mr. BYRD. Yes. Does any Senator wish to speak?

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair will recognize the Senator from Florida.

Mr. CHILES. Mr. President, the amendment that we have before us and we want to ask to find out exactly from the parliamentarian now that the appropriations have been included to seek whether it is germane or not.

But I might say to the Senate that we have the Committee on Governmental Affairs looking into this right now. The Budget Committee is also looking into this right now and certainly the Rules Committee has talked about it before.

I do not think adding this in this bill adds anything to the impetus of the work that is being done.

Also, we really need to study and even the President has talked about whether there can be some kind of experiment toward 2-year appropriations. We are talking about can we look at defense and see where we can start off there. What in a 2-year budget cycle can we do, and the Senator from Florida thinks there probably can be some things that we can do.

Yet, when you really think about it, the Balanced Budget Act is to try to enforce the discipline and also we are trying to get the ability to react to what is going on in the world around us, in the markets, in the economy. If you lock yourself in where you cannot make some changes and your economy suddenly changes on you, you have locked yourself into some kind of 2-year cycle that would not be wise. That would not be wise at all to do that.

So for those reasons it is not likely we need anything to cause our committees to start to begin to study this. We are doing that already. Senator GLENN's committee of Governmental Affairs and the Budget Committee are.

So I think to try to put this on the budget resolution now at this stage and we have had other Members who have been interested in this, have been involved, already are interested in it, I just do not think that it makes too much sense, and for those reasons I would hope that we would not adopt this at this time.

I think that is something that we know is being studied and I see that it adds nothing to the provisions to take it at this time.

Mr. FORD. Mr. President, will the Senator yield me time?

Mr. CHILES. I am happy to yield 4 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. FORD. Mr. President, I thank the distinguished floor manager of the concurrent resolution.

Eight long years, Mr. President, I have been working on this particular item. There are some in this Chamber who have been adamantly opposed to a 2-year budget. They are now coming around. It has become a hot item, and they think a 2-year budget is probably the right way to go.

We are beginning to get the remnants of this world. Even Stockman now says that the 2-year budget is good. I am not sure that is a good endorsement but, nevertheless, Miller of OMB and the President alluded to it. On the defense now we are looking at 2-year budgets. The cities and counties and States are going to it. If you give them a 2-year timeframe in which to make a judgment, to make good judgments, they are not going to be pushed to make a judgment and do it quickly.

I think you get more cents out of a dollar if you have a 2-year budget. But this is just a hollow gesture. This sense-of-the-Senate resolution does not mean anything.

I have been trying to get a hearing in the Governmental Affairs Committee for years and have been turned down.

Now, we find that the Governmental Affairs Committee is willing under the Democratic leadership to hold hearings.

I would hope, Mr. President, if we are so interested in a 2-year budget cycle that we go ahead and do what is necessary, that we go ahead and appoint a select committee. We appointed one and everybody was upset about it and it was vitiated.

Now we have an opportunity to set up a select committee to go on and develop a 2-year budget procedure, present it to the Senate and let us make a judgment.

If the 2-year budget is the hottest item around here, and I hope that it is, it does improve the ability of the Senate and the Congress to make a judgment about dollars that are being spent rather than being pushed day and night not knowing what is in these volumes that are here before us.

So I would hope, Mr. President, that if this resolution is voted down, and I suspect that is probably the right thing to do, it would not jeopardize the position of some of us who have been trying to put it together and can work it out at a later date.

I think this particular vehicle is the wrong vehicle to have it on.

I was wondering if the parliamentarian had ever given a ruling to the manager of the bill as to germaneness.

Mr. CHILES. It is germane.

Mr. FORD. It is germane. OK. Fine. We will have to take it from there.

Under the circumstances, I think this is a hollow gesture. If you want to do something about the 2-year budget, let us withdraw this and create a select committee. Let us pass that tonight and let us go on with developing a 2-year budget.

The PRESIDING OFFICER. The time of the Senator has expired.

The yeas and nays have been ordered. Does the Senator from New Mexico seek recognition?

Mr. DOMENICI. Has the time of the distinguished Senator from Delaware been used up?

The PRESIDING OFFICER. The minority side has used 8 minutes and has 7 minutes remaining.

Mr. DOMENICI. I yield myself 3 minutes.

Mr. President, frankly, the time for a 2-year budget and a 2-year appropriation process has come. The distinguished Senator from Kentucky is right. There has been a lot of reluctance in the past. No doubt about it, the momentum is there and everybody is beginning to take a real serious look at it.

What I do not understand is, for all of those who want that, why would we not adopt this sense-of-the-Senate language? It just adds a little impetus to all of those who want to get it done. It would be the first real opportunity that we would have a count in the Senate, not on any rigid plan, but just a concept: Do you want to do things in 2-year cycles around here, not bound to committee jurisdictions? Nobody is worried about select committees. Nobody has put any flesh on that skeleton. It is just a sense of the institution, a pretty good way to start a difficult change. Let everybody take a look and say, "Well, all this Senator who is proposing it is saying is it is the sense of the Congress that we start doing things so that we can appropriate a budget for 2 years and we are through for a Congress. And the next year, we do other things." That is all it is.

For those who want 2 years, they ought to vote "Aye." For those who do not want 2 years, they ought to vote "No." There is plenty of time to decide with any precision on how you would do it or who would do it.

I commend the Senator. Frankly, if it is a matter of who got here first, you can take my name off. I assume the distinguished Senator from Delaware would say if the distinguished Senator from Kentucky wants to be the prime sponsor, let him be. The only thing we are trying to do is to ask the Senate: "Do you really want to continue 1 year at a time or do you want to express yourself on a 2-year budget and appropriations cycle?" That is as I understand the proposal; is that about right?

Mr. ROTH. The Senator from New Mexico is absolutely correct.

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from Delaware still has 5 minutes remaining.

Mr. ROTH. Mr. President, just let me reemphasize what Senator DOMENICI has already said. What we seek to do is to put the Senate on record to the appropriate committees or, as far as I am concerned, by any other procedure that we want, to move ahead with the concept for a 2-year budget.

I want to give special credit to the distinugished Senator from Kentucky, because he indeed was one of the first to come out for a 2-year budget. I think it was roughly the same time that I did.

What I am anxious to see done, in a bipartisan manner, is that we move ahead with an idea whose time had indeed come.

Let me say that we have had 19 Senators sponsoring various types of 2-year bills. I have noted that the President is supportive of the idea. I have noted diverse experts in such matters as Alice Rivlin, the former Director of CBO; Charles Schultze, of Brookings Institute; and John Rhodes, former ranking member of the House Budget Committee have all come out in favor of a 2-year budget plan.

What I am concerned about is that, in the years past, we have been unable to secure action. All I am trying to do is to put us on record that we want something done.

As the distinguished Senator from New Mexico said, I would be happy to have the distinguished Senator from Kentucky's name put first on the resolution or however he wants it. The main thing that I think is important is to bring some order out of chaos. Everybody says they are in support of a reorganization but, unfortunately, it has been very difficult to get any action.

I am just hopeful that the Senate will adopt this resolution as one step in that direction.

The PRESIDING OFFICER. Who seeks recognition?

Mr. CHILES. Is the Senator ready to yield back his time?

Mr. ROTH. I am happy to yield back the balance of my time.

Mr. FORD. Would the distinguished Senator give me just a few minutes?

Mr. CHILES. Yes.

The PRESIDING OFFICER. Does the Senator from Delaware yield back his time?

Mr. ROTH. No, I do not.

Mr. FORD. Mr. President, I appreciate all the gestures here tonight about allowing me to be a cosponsor. I do not think I would have any trouble being a cosponsor of this resolution.

But the point I want to make is that my distinguished friend from Delaware talks about the President alluding to being favorable, Alice Rivlin being in favor, Miller of CBO being in favor. We have lots of people in favor of a 2-year budget.

The distinguished Senator from New Mexico said that this is the time—the time has arrived. So why do we vote this hollow gesture? It does not really mean anything. It is just a sense of the Senate. It has no force of law.

Why do we not go ahead with a select committee? Why do we not develop something that will give us a 2-year budget? Let us move forward with it rather than trying to tack this sense-of-the-Senate resolution on our budget that we are going in conference with the House on. And it may not stay on.

So, Mr. President, I hope that those who vote for this resolution will not say, "That is my support of the 2-year budget," and quit. If you vote for this resolution, then I want to see some action. I want to see you get out there and work for a 2-year budget after it is over with.

But, what I am afraid of, Mr. President, is that this will be the gesture, this will be the vote, and that will be the last of what we see of it outside a few hearings.

I thank the Chair and I thank the Senator from Florida.

Mr. CHILES. Mr. President, I am ready to yield back my time.

Mr. ROTH. I am ready to yield back my time.

Mr. CHILES. I yield back all my time and I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the motion of the Senator from Florida [Mr. CHILES] to table the amendment of the Senator from Delaware [Mr. ROTH].

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] and the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—53

Adams
Baucus
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Hatfield
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
McClure
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Simon
Specter
Stennis
Weicker
Wirth

NAYS—45

Armstrong
Bentsen
Biden
Bond
Boschwitz
Chafee
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hecht
Heflin
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McConnell
Murkowski
Nickles
Nunn
Packwood
Quayle
Roth
Rudman
Shelby
Simpson
Stafford
Stevens
Symms
Thurmond
Trible
Warner
Wilson

NOT VOTING—2

Pressler
Wallop

So the motion to lay on the table amendment No. 186 was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. CHILES. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. BYRD. Mr. President, I wonder if we can get a listing of the amendments that are still out and hopefully agree to limit the amendments to that list.

Mr. DOMENICI. Let me say to the distinguished majority leader, it was my understanding that the Senator from New York, Senator D'AMATO, was going to go next; that Senator MURKOWSKI was going to offer an amendment that would eliminate the need for the Stevens amendment.

Is that correct? Does Senator STEVENS still desire to offer an amendment?

Mr. MURKOWSKI. I defer to the senior Senator from Alaska.

Mr. DOMENICI. All I have left are the D'Amato, Murkowski, Chafee, Evans, and a possible Grassley amendment. Maybe we can find out whether Senator GRASSLEY desires to offer an amendment. And Senator WILSON. We can ask him also.

I think I better check with those while Senator D'AMATO presents his amendment. Perhaps when he is finished we can try for a unanimous-consent agreement.

Mr. MURKOWSKI. Mr. President, I would suggest that Senator Stevens' amendment be included in the list until we check with him.

Mr. BYRD. Could we list just those amendments, including the Stevens amendment?

Mr. DOMENICI. Let me say to the majority leader, I think we can wrap this up in that manner, but let me make one last check. If we can proceed with the D'Amato amendment, I will immediately after that attempt to make a unanimous-consent request with the majority leader.

Mr. BYRD. All right. I thank the Senator.

AMENDMENT NO. 188

(Purpose: To add funds for the Coast Guard)

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. D'AMATO. Mr. President, I send an amendment to the desk on behalf of myself, Senator WILSON, Senator GRASSLEY, and Senator MURKOWSKI and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from New York (Mr. D'AMATO), for himself and others, proposes an amendment numbered 188.

Mr. D'AMATO. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3, decrease the amount on line 36 by $28,000,000.

On page 5, decrease the amount on line 30 by $90,000,000.

On page 5, decrease the amount on line 32 by $52,000,000.

On page 12, increase the amount on line 50 by $62,000,000.

On page 12, increase the amount on line 52 by $52,000,000.

Mr. D'AMATO. Mr. President, the Budget Committee's proposal introduced yesterday provides the Coast Guard with some $90 million less than it needs. That $90 million happens to be an awfully important $90 million because, Mr. President, it is the difference between this body's keeping and not keeping its promises that we are going to wage a meaningful war against international drug traffickers. It is the amount that was allocated from the Defense Department last year on a so-called one-time basis. I refer to the debate, the very spirited debate, that took place. I ask unanimous consent that pages 19496 through 19499 from the CONGRESSIONAL RECORD of August 6, 1986, be reprinted in their entirety at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. D'AMATO. Of course, Mr. President, it was during that time that the then-chairman of the Armed Services Committee and the ranking member of the committee said to this Senator:

> I want to reemphasize the point that in the future we are going to have to look to the Department of Transportation to fund this adequately and make the budget requests.

And so I do not come forward to offer an amendment willy-nilly, because I have full confidence in the chairman of the Budget Committee and his commitment to fight the drug epidemic. He has been a great champion of the Coast Guard. But I come forward to offer this amendment in face and in light of the pronouncements that we have heard from the defense people who have said: "Don't look to us to cross-walk this money over."

Now, let me tell you what the Budget Committee proposal does, Mr. President.

In section 3241 of the famous Anti-Drug Abuse Act, of which as the days go on, the lack of commitment demonstrated by the administration and the Congress of the United States makes a sham, we promised to increase the personnel strength level of the Coast Guard, and we promised to increase the use of Coast Guard ships, planes, helicopters, and other equipment.

The Senate Budget Committee proposal simply does not provide those funds to keep those promises. The Budget Committee's proposal provides only $1.87 billion of the $1.96 billion in budget authority the Coast Guard needs.

I ask unanimous consent that a Coast Guard analysis of the impact of these cuts be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ANALYSIS OF THE IMPACT OF $90 M FY88 COAST GUARD OPERATING EXPENSES REDUCTION

The Coast Guard prepared implementation plans for a FY82 budget reduction and again to accommodate the FY86 Gramm-Rudman-Hollings reduction. Based on these previous plans, the following projects the impact of a $90 M reduction in Coast Guard operating expenses if directed in FY88.

Lay-up Older and Maintenance Intensive Cutters: Several Buoy Tenders; All the Surface Effect Ships; Several High Endurance Cutters; and Several Medium Endurance Cutters—$20,000,000.

Close Operating Shore Facilities: Numerous Search and Rescue Stations; Numerous Marine Safety Offices and Detachments; Several Air Stations; and Several Groups or Section Offices—$10,000,000.

Cancel All New Starts in FY 1988 Budget: Do not increase HH-65A (helicopter) flight hours; Do not operate Air Facility Newport, Oregon; Do not operate medium endurance cutter THETIS; Do not operate medium endurance cutter FORWARD; Do not operate medium endurance cutter LEGARE; No additional personnel for post-FRAM high endurance cutters; Cancel Phase III of the rescue swimmer program; Do not purchase diving recompression chambers; Do not purchase boat crew survival equipment; Do not improve automatic data processing security; Delete FY 1988 Cost of Living Increase; Do not improve Port Security/Anti-Terrorism capabilities; Cancel Underground Storage Tank clean-up program; Do not improve training of Auxiliary volunteers; and Do not improve cutter training—$60,000,000.

Total—$90,000,000.

Mr. D'AMATO. Mr. President, my amendment fills that $90 million gap. It transfers $90 million from the defense function to the transportation function.

Mr. President, the Coast Guard tells me the following. Admiral Yost, in testifying before our Transportation Appropriations Subcommittee, said that unless we provide this additional $90 million it will be forced to cut back most dramatically on its drug law enforcement efforts.

Let us look at the kinds of budget cutbacks the Coast Guard will be forced to make. It will have to eliminate all new starts in the fiscal year 1988 budget. It will eliminate, for example, three 270-foot cutters. Now, each of these cutters has a complement of 121 personnel. So here we have 363 personnel on three cutters outfitted particularly to make drug interdictions, to make our war a meaningful one, to stop the drugs before they come to our shores, and that is put aside.

The new drug interdiction program based at Newport, OR, that involves two HH-65A helicopters that we have had to battle for, work for, lobby to get, will be terminated.

Mr. President, 3,000 flight hours for 60 helicopters, or 50 flight hours for each of those helicopters, will be done away with if we do not provide these funds; 3,000 hours of surveillance by the helicopters particularly brought into those regions that are prone to drug trafficking will be put aside. We will have to cut drug patrols to save fuel. We will have to lay up older cutters.

Mr. President, unless we provide this $90 million, what we are saying is that what we do before November has very little relevance to what we are going to be doing after election time.

Last year, we provided the Coast Guard the additional funds they needed from defense appropriations, and unfortunately it is not clear that defense appropriations will provide that sum this year. I venture to say the same arguments that were used by the people on the Armed Services Committee and the Defense Appropriations Subcommittee when we attempted to do that will be made on the floor. We will be facing a record where the now-chairman of the Armed Services Committee gave us the admonition last August 6 that this was a onetime authorization and appropriation for defense, that we could not look to them again. That is why I am most concerned that we restore these funds.

Unless we guarantee these funds, the Coast Guard is simply not going to have the resources it needs to offer a credible defense against drug smugglers. Unless we correct this problem now, we will be going through the exact same budgetary mess all over again next year.

In offering this amendment, I ask my colleagues these questions: Are we going to provide all of the funds needed to operate the Coast Guard ships, planes, and helicopters in the drug war? Will we provide all the funds needed to carry out the mission we have set for the Coast Guard? And, third, are we really committed to a real war dedicating our resources to this battle, or is it rhetoric? What happened to the commitment we made, and that was so much in evidence last November before the elections, that was evidenced in the Anti-Drug Abuse Act that we passed, this document?

What are the people in our law enforcement agencies to think when they see us play these kinds of games, the men and women out in the field? How can they plan next year's activities? I wonder what they really think about the politicians in Washington who say they are committed to this and yet in terms of our actions I think can be viewed as rather cynical in terms of our commitment.

This is not the time for business as usual, for making the promises and not fulfilling them with action. The question is, are we good on our word? The question is, does this budget, understanding the limitations, recognize priorities? Is it a proper reflection of our attitude toward the drug problem which is so grievous, which we talk about?

Now, my amendment allocates the funds from defense. I am a strong supporter of an adequate defense. I do not know of many cases in which I voted against defense budget requests coming from the administration. But I want to tell you: We are talking about a $300 billion or thereabouts defense budget, if we cannot find $90 million from that amount to fund the war against drugs, we ought to be ashamed of ourselves. I tell you, if it means a couple less dollars in that Midgetman battle that we are having, if it means a few less dollars in some of our other programs, then so be it.

If it means that that $100 million has to be shared across the board, so be it. Unless we support the restoration of these funds, Mr. President, I submit the people have a right to look at us in a rather cynical way.

I hope the chairman of the committee can see his way clear to accepting this amendment, because I know of his commitment to the battle against drugs and his commitment to see a strong and balanced deterrent, both within our borders and on the high seas.

I understand the pressures that come from those who say there is not enough in defense, but I rise to offer this amendment because it is the same people who challenged us last year who will be at the wall again and say, "No, you can't crosswalk these dollars over." That is why we offer this amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. Rockefeller). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

EXHIBIT 1

AMENDMENT NO. 2565

(Purpose: To make various amendments regarding authorizations of appropriations for activities of the Coast Guard)

Mr. Stevens. Mr. President, I send an amendment to the desk, and I am happy to yield to the distinguished chairman if he has anything.

Mr. Goldwater. No.

The Presiding Officer. There are currently two amendments pending.

Mr. Stevens. Mr. President, I move to lay aside temporarily the two pending amendments in order that I may offer this amendment.

The Presiding Officer. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. Stevens] for himself, Mr. D'Amato, Mr. Dodd, and Mr. Byrd proposes an amendment numbered 2565.

Mr. Stevens. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The Presiding Officer. Without objection, it is so ordered.

The amendment is as follows:

On page 229, insert the following after line 14:

SEC. 1221. COAST GUARD

(a) Of the amounts authorized to be appropriated for the Department of Defense in fiscal year 1987:

(1) $200,000,000 shall be for the acquisition and maintenance of United States Coast Guard investories related to the national defense; and

(2) $100,000,000 in operating funds for the performance of defense readiness responsibilities of the United States Coast Guard. Funds made available pursuant to the authorizations specified in this section shall be attributed to functional category 050 (Na-

tional Defense) of the Budget of the Government of the United States.

(3) Of these amounts authorized, $15,000,000 shall be available for transfer to the Secretary of Transportation and shall be available only for the program described in paragraph (b).

(b) Enhanced Drug-Interdiction Assistance.

(1) Assignment of coast guard personnel on naval vessels.—Chapter 18 of title 10, United States Code, is amended by adding after section 378 the following new section:

"Sec. 379. Assignment of personnel to naval vessels for drug enforcement purposes

"(a) The Secretary of Defense and the Secretary of Transportation may provide that there be assigned on board surface naval vessels at sea in a drug-interdiction area members of the Coast Guard who are trained in law enforcement and have power to arrest, search, and seize property and persons suspected of violations of law.

"(b) Members of the Coast Guard assigned to duty on board naval vessels under this section shall perform such law enforcement functions (including drug-interdiction functions—

"(1) as may be agreed upon by the Secretary of Defense and the Secretary of Transportation; and

"(2) as are otherwise within the jurisdiction of the Coast Guard.

"(c) No fewer than 500 active duty personnel of the Coast Guard shall be asssigned each fiscal year to duty as provided in subsection (a).

"(d) As used in this section, the term 'drug-interdiction area' means an area outside the land area of the United States in which the Secretary of Defense (in consultation with the Attorney General) determines that activities involving smuggling of drugs into the United States are ongoing."

(c) Conforming Amendment.—The table of sections at the beginning of such chapter is amended by inserting immediately below the item relating to section 378 the following new item: "378. Assignment of personnel to naval vessels for drug enforcement purposes."

Mr. Stevens. Mr. President, this is the amendment that I discussed briefly with the Senator from Arizona earlier and the distinguished manager of the bill has explained his situation.

I am offering this in order to have an authority for additional funding for the Coast Guard to cover those aspects of the Coast Guard that are defense related that they can no longer support out of their current budget because of the additional duties they have been given.

The Coast Guard has the administration of the Atlantic and Pacific Maritime Defense Zone. I believe that is a defense activity.

They have high seas drug enforcement duties under the act of 1980. They have under the act to prevent pollution from ships on sea in 1980, a substantial increase in activity. The Natural Gas Pipeline Safety Act of 1978, the Port and Tanker Safety Act of 1978 gave additional duties.

Those two acts gave additional duties to the Coast Guard and, of course, the Magnuson Act, the Fishery Conservation Act of 1976, gave them duties.

The difficulty is, as I said to other Members on the floor, the Coast Guard currently is neither fish nor fowl. In peace time, they are a civilian agency with military men and women, military personnel.

They are people in the Coast Guard. When the Department of Defense requests a pay increase—and in this bill there is a 4-percent pay increase—when the defense personnel pay is increased, the Coast Guard personnel have a pay increase and justifiably so, because in war time, they are automatically defense people.

But the civilian side of the budget has not been increased to meet that.

Every year now for 4 years we have dealt with this problem on a basis of authorization in the appropriations bill and it has led to a great deal of disagreement, an unfortunate coalition between the two committees of the Senate that deal with the defense activities, namely the defense authorization bill, with a committee which is the parent committee. Ours is a subcommittee on defense of the Appropriations Committee.

We want to have the authority of this bill to allocate such funds as we may be able to find without increasing the budget because if you read this amendment it says from the amounts already authorized to be appropriated to the Department of Defense in fiscal year 1987. It means we have to find money within this bill that is not going to be made available because of various circumstances that might develop to the activities outlined in this bill. We want to use those moneys for the Coast Guard.

This amendment would authorize up to $200 million for acquisition and maintenance of U.S. Coast Guard inventories related to national defense and $100 million in operating funds that are the readiness funds for the Coast Guard.

The Coast Guard has an $11 billion capital inventory. It takes between $450 and $600 million a year just to maintain that inventory in usable condition. They also have $4½ billion in shoreside assets. They have a maintenance cost now of over $100 million a year. We have each year authorized them to acquire new equipment, whether it be helicopters or C-130's or new patrol ships. Those are primarily related to drug enforcement.

As they have come in they have had to have increased money. It is time now to do what the Senator from Arizona says and I hope that the Senator from Georgia and I can cooperate in this next year and frame a new piece of legislation to do just what Senator Goldwater has requested. That is a new authorization for the Coast Guard which directs both the Department of Defense and the Department of Transportation to adequately request the funds to fund the activities performed for each department by the Coast Guard. If that happened we would not be on the floor here today but we are, and I appreciate very much the exchange I have had with my good friend and again I honor him for the way he has handled this bill.

Mr. Goldwater. Mr. President, since the Senator from Alaska and I had a colloquy this morning, I have visited with the Secretary of Defense and he has agreed that he and I will get together and discuss this general problem of putting the Coast Guard someplace. Right now, it technically comes under the Department of Transportation. That is wrong.

I would like to see the Coast Guard become a recognized member of the uniformed forces.

Mr. President, the Senator knows I have mixed emotions about this amendment. On the one hand, I have always supported the Coast Guard. On the other hand, I think everyone ought to be advised that we are about to reduce the defense budget request by nearly $30 billion.

At the same time, we are proposing to fund the Coast Guard an additional $300 million when they should be funded by the Department of Transportation.

We are funding a special operations force, unrequested funding for the Coast Guard and reserve forces, a drug enforcement capability, all of which are noble and normally supportable efforts.

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However, funding was not requested by the administration. I do not think my colleagues were listening yesterday when Senator Nunn and I explained how many programs will be terminated if we must adhere to the outlay ceilings in the budget resolution. There is no doubt the Coast Guard is underfunded. But does it make sense to reduce active military and civilian personnel, reduce operations and maintenance and terminate programs in the defense budget, and then fund an admittedly good cause but one that should be included in the budget of the Department of Transportation?

I will reluctantly agree to this amendment, but I would like some assurance that this will be funded in the Department of Transportation budget next year.

Mr. Nunn. Mr. President, I, too, will support the amendment of the Senator from Alaska and the Senator from New York. I, too, have the same concerns expressed by Chairman Goldwater. We outlined yesterday to the President of the United States, and I made a very lengthy speech here early in the morning on the floor of the Senate, about the very serious situation we have with the defense budget, not just this year, but particularly in the next 3 or 4 years.

Starting next year, the squeeze is going to be beyond what most people even imagined. I do not believe this has soaked through to the people in the Navy and the Department of Defense—they are going to have to take budget cuts if their budget is held to zero growth, and as we are looking down the budget line, it looks like all the defense budgets are going to be held to that unless something changes. The Navy is going to have to take cuts, if their budget is held to zero growth, of $112 billion less than what they are planning right now. I do not think the Navy understands that.

That is not an argument against the amendment of the Senator from Alaska, but it is an argument for the latter point made by Chairman GOLDWATER. The defense budget has been looked upon as a place where you can get help for many other agencies. I do not think that is going to be the case any more in the environment we are in. We are going to have the defense budget under a greater squeeze than any other part of the overall budget, in my view.

I hope that the message will go through to the Department of Transportation and the Secretary of Transportation that next year we need this request for Coast Guard funding.

I am very much for adequate Coast Guard funding. It was my amendment that we have called the posse comitatus amendment that allows the military to give assistance to drug interdiction efforts. I know the Senator from New York has pushed on this, the Congressman from Florida, Congressman BENNETT, and the Senator from Florida, Senator CHILES, they have all been very hard pushers for this overall concept of utilizing the military in an effective way for drug interdiction.

The way that we have arrived at what I think is a sensible program, which is now doing a considerable amount of good, is, instead of giving the military the power to arrest, which causes all sorts of potential problems, we decided to put the Coast Guard personnel on Navy ships. Now, that is a very expensive proposition for the Coast Guard. They have a small budget. The Navy has a large budget.

But I want to reemphasize the point that in the future we are going to have to look to the Department of Transportation to fund this adequately and make the budget requests, because the Navy budget is going to be under more squeeze, in my opinion, in the coming years, than the Coast Guard budget.

So I agree with the amendment. I know the Senator from Alaska and the Senator from New York have worked on it and worked on this overall program. It is a very important part of our drug interdiction efforts. There are other duties the Coast Guard also performs, as well. They really are part of the military in wartime.

Not many people recognize this, but I have been told—and I believe this is historically correct—if you take the percentage of casualties in World War II of each of the military services—the Army, Navy, Air Force, and the Marine Corps—and add the Coast Guard in, the Coast Guard had the highest percentage of casualties of any branch of the service in World War II. Of course, there was not really an air force during that period, but they had the highest percentage of casualties because they were performing the most hazardous duties. They were landing those boats where they were going back and forth under fire and they took a tremendous number of casualties.

So they are trained well. They are a great branch in peacetime as well as in wartime. I think they are doing noble work in drug interdiction.

But we must warn our colleagues that this Navy funding of this program, I think, has to be a temporary not a permanent kind of proposition.

Mr. BYRD. Mr. President, during consideration of the fiscal year 1986 Department of Defense appropriation bill, I was the principal coauthor of a letter to the distinguished chairman of the Defense Appropriations Subcommittee, Mr. STEVENS, dated September 18, 1985, and signed by 36 Senators, including the distinguished junior Senator from New York [Mr. D'AMATO] urging that funds be added to the Defense appropriation bill for Coast Guard military equipment, including several C-130 aircraft.

Subsequently, the committee, in response to this request and with the strong support of the subcommittee chairman, Mr. STEVENS, added $375 million to the fiscal year 1986 Navy appropriation for Coast Guard equipment, including funds for several C-130 aircraft, parts of which will be assembled in the Lockheed-Clarksburg plant in West Virginia.

Again, with the strong support of Senator STEVENS, the conferees adopted the Senate amendment and the provision was enacted into law on December 19, 1985 as part of the fiscal year 1986 continuing resolution.

The amendment now being proposed by Senators STEVENS, D'AMATO, and myself follows up on the above-mentioned effort during fiscal year 1986 and would authorize an additional $300 million for fiscal year 1987 for acquisition and maintenance of U.S. Coast Guard inventories as well as operating funds related to the increased national defense readiness of the U.S. Coast Guard.

The amendment would also facilitate the law enforcement functions of the Coast Guard, especially with respect to drug interdiction.

Mr. President, I urge the adoption of the amendment.

Mr. D'AMATO. Mr. President, I would like to commend Senator STEVENS for his outstanding leadership in making these dollars available during this very difficult time and also thank the chairman of the committee, Senator GOLDWATER, and Senator NUNN.

I think we move in a very positive step and positive direction. I have heard Senator NUNN's admonitions about the future, but certainly I would like the Senator from Georgia for his support in the law enforcement efforts in terms of interdiction, particularly as it relates to the drug area.

I believe, in time, the actions that the Senate undertook last year and we make today by way of this legislation will have some very meaningful results in drug interdiction efforts and really begin to put the muscle in what heretofore has been rhetoric in fighting for that.

So I am pleased to see the committee move in this direction.

Mr. NUNN. Mr. President, will the Senator from New York yield for a brief comment?

Mr. D'AMATO. Certainly.

(Mr. HECHT assumed the chair.)

Mr. NUNN. Mr. President, may I say that the Senator from New York has been a real leader in this area. Senator CHILES from Florida and the Senator from New York and the Senator from Alaska have really taken a great deal of initiative that has resulted in much improved drug enforcement efforts.

I would say also that the mayor of New York. Mayor Koch, has been outspoken in this area and has been a real leader. I met with both the mayor and the Senator from New York on at least one occasion; I believe two occasions. I would like to take the opportunity to commend Mayor Koch for his concern and for his outspoken support for a vigorous drug enforcement program.

Mr. D'AMATO. Mr. President, I know the Mayor will appreciate that, as he has been very active in this effort in moving us toward this historic occasion.

I think Senator WILSON would like to speak on this.

Mr. WILSON. Mr. President, in the interest of time, I will simply say that I think that the Senator from Alaska is to be congratulated on this initiative. If there are no other Senators desiring to speak, I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2565) was agreed to.

Mr. GOLDWATER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. D'AMATO. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. CHILES. Mr. President, I rise reluctantly to oppose the amendment of my good friend from New York, not because I am against the Coast Guard, because I think my record shows that I am not. I suspect that there is no one in this Chamber who has tried to increase more money for the Coast Guard than the Senator from Florida. On at least two occasions, in the Defense appropriations crosswalk money, we have taken money from the defense function and raised the Coast Guard account in many instances.

I think the Senate should know that this amendment is simply an accounting change. It does not provide or assure the Coast Guard any other funds.

We are talking about transferring $90 million out of the 050 defense function to the transportation function. In the transportation function, that money could be spent for mass transit, for highways, for all kinds of things, as opposed to being spent for the Coast Guard.

If you look at what we tried to do in the function for transportation, we are $2.5 billion more than we were last year, and we are talking about $90 million, so that the Coast Guard can carry out its mission—$90 million out of a $29 billion transportation function.

The Senator from Florida sits on that subcommittee. The Senator from New Jersey [Mr. LAUTENBERG] is the chairman of that subcommittee, and he is an advocate of the Coast Guard, and he is always trying to provide money there.

I can tell you that $90 million is not going to make or break anything. But to accomplish this accounting change, the amendment takes $28 million more in budget authority and outlays out of the Defense Department, more than is needed to fund the change, to the Coast Guard operations account.

More than that, it changes the overall domestic-defense spending balance which forms the basis of the revised budget resolution.

This is an area on which we have had a lot of people working. A lot of people have had their input, who are supporting this budget, and have said what they think we need in this area. There is no assurance that it goes to the Coast Guard; no assurance that we are not going to find this $90 million. If we find it, we are going to find it in the Appropriations Committee. We will have an opportunity in that committee to see whether we will move some money around.

As the Senator from New York knows, when we sit down to make those crosswalks in the Appropriations Committee we decide, in effect, how the accounts will be set and what they will be.

So it is fine to come in here and say you have to have this and ask what the Coast Guard will think. It will not be settled by this amendment. It will be settled by a lot of votes we take.

I think most of us have had an opportunity to show what we think about the Coast Guard. I think the Senator from Florida has.

I hope the Senator would not ask for the yeas and nays and would not push this amendment, because it is no guarantee of added funding for the Coast Guard. It just changes the balance of the ratio between defense and domestic spending. The Senator has not been a proponent of our budget, but we have tried to set a ratio there, and we think that ratio is important.

Mr. D'AMATO. Mr. President, I bring this amendment to the floor and present it at this time simply because I recall the battles we had to go through in terms of getting the $15 million necessary for the Coast Guard to have the law enforcement detachments on Navy ships. That look 2 years; and even after 2 years, we had one heck of a time and battle to get those moneys guaranteed.

I am wondering if the distinguished chairman of the Budget Committee could respond to three questions, to see if we could establish here a method by which these funds are made available. That is my purpose.

First, could the chairman give us a commitment that the $90 million of the amount provided in the defense function under the Budget Committee's budget resolution will be crosswalked to the Transportation Appropriations Subcommittee to provide (a) the $15 million the Coast Guard needs for its law enforcement detachment on the Navy ships and (b) the $75 million it needs to meet its military readiness obligations?

Mr. CHILES. I think the Senator from New York knows that the Senator from Florida cannot make that commitment. I am just one member of the Appropriations Committee. Our total is a total number, and the Appropriations Committee can set those crosswalks. The Senator from New York sits on that committee and has the same vote the Senator from Florida has, and that is not vote each.

Mr. D'AMATO. If I get the commitment from the Senator, who is the chairman of the Budget Committee, that this is really an understanding and he would work for this, that carries a lot of weight, not only on this floor, with most of the chairs empty, but with all our colleagues, Democrat and Republican. That would be sufficient.

The Senator could say: "Yes, we will see to it that the Coast Guard gets that $1.96 billion. We will crosswalk that money to the Transportation Subcommittee." That would be fine, and I would sit down. I would take it that the Senator is committed to that kind of action, and that would be sufficient for this Senator.

Mr. CHILES. I say to the Senator from New York that I do not believe I have to tell him that I will do my best in the Appropriations Committee to try and see that the Coast Guard has adequate resources.

I hope the record I have over the years I have been here will stand for that and that I should not have to make a specific promise to keep my word. If I have to do that, to show that I am for the Coast Guard, then somehow I have failed in what I have tried to do around here.

Mr. D'AMATO. The Senator has not failed. I said initially that the Senator had a record second to none in terms of his stewardship as it related to the Transportation Subcommittee last year, particularly with reference to the Coast Guard.

But let me refer the Senator again to pages 19496 through 19499 on August 6 of last year when we ran late into the evening and where we had some extensive remarks that were placed in the RECORD by the chairman of the Armed Services Committee and the then ranking member of the Armed Services Committee. And what Senator Goldwater said was, "I would like some assurances that this would be funded in the Department of Transportation's budget next year."

That is why I am concerned. Here we are next year, and here we are going to have to look for that crosswalk.

There was another Senator who is here today and we made a commitment to him, in essence, and that is the chairman today of the Armed Services Committee and he said "I want to reemphasize the point that in the future we are going to have to look to the Department of Transportation to fund this adequately and make the budget requests."

That is why I raise this issue, and it would seem to me that what we should do then is have an up-or-down vote to see whether or not we are going to have the $90 million.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. D'AMATO. My attempt was to avoid, if we possibly could, the problem that I see in the future, and that is the problem of where the $90 million will come from. Do we crosswalk it from the Defense Department in lieu of what would seem to me to be very serious concerns put forth by our colleagues, Republicans and Democrats, who said last year in a bipartisan way: Yes, we will make the $90 million available this year. But look, you have to fund this function next year from Transportation.

If there is a way to work this out, I want to work it out.

When Admiral Yost says to me he feels the mission would be impossible——

Mr. CHILES. I am trying to say to my friend the transportation function is up. There is money there well above the President's money and that, I think, are funds we can handle.

We made those transfers in the past and we may have occasion to try to make those in the future. I do not think this is an amendment we should move here. It does not assure anything is going to happen. It does not assure this money will be spent or available for the Coast Guard. It does change the ratio we have tried to put in.

I think everything I have done speaks for the fact that I have tried to help the Coast Guard in every way I can.

I hate to see us come to a vote on the amendment. But there is no way I can give the Senator an assurance that I can make the Appropriations Committee do something. I am not going to do that. I am going to give my best efforts as I always try to give on this, but I cannot guarantee something. I do not have the authority to do that.

Mr. D'AMATO. I did not attempt to do anything other than to enlist a kind of good-faith effort that I know that the Senator, when he gives his commitment, would undertake. I understand he is not in a position to do that. I also attempted to avoid what I would think would be a counterproductive situation later on if the Coast Guard does not receive the funds. Admiral Yost obviously was concerned to the point of testifying before the Transportation Subcommittee on Appropriations that there was some $90 million less than what was necessary to carry out these minimum functions.

If the chairman is indicating to me that the Budget Committee, both in his role as chairman and as a member of the Appropriations Committee and the Subcommittee on Transportation, that we would seek to seek full funding for the Coast Guard, that he would work for that, then I have no need to go further, and this has been a situation that had been pointed out. It is not a question the Senator has to guarantee the results. I understand that, but if he is committed to that full funding at last year's level, that is sufficient for this Senator.

Mr. CHILES. The Senator has my assurance I am committed to my best efforts to see we try to get the funding at last year's level.

Mr. D'AMATO. That is sufficient.

If I might appropriately ask for the yeas and nays to be rescinded with my colleague from Florida working for that full funding I am sure that we will be successful.

I thank the chairman.

Mr. CHILES. Does the Senator make a unanimous consent to request the yeas and nays be rescinded?

Mr. D'AMATO. Yes, I make the unanimous-consent request that the yeas and nays be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHILES. Does the Senator withdraw the amendment?

Mr. D'AMATO. I withdraw my amendment.

Mr. CHILES. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is withdrawn.

The Senator from New Mexico.

Mr. DOMENICI. The distinguished majority leader asked me prior to debate on the amendment of the distinguished junior Senator from New York, Senator D'AMATO, whether we were prepared to enter into a unanimous-consent agreement with reference to the remaining amendments, that is how many amendments there are and who the principal sponsors are.

I might say to him that we are prepared now to propose such, to indicate to the majority leader the names of the amendments, subject obviously to the Budget Act in terms of their germaneness so that we might propound a unanimous-consent agreement, but we have four amendments. Senator MURKOWSKI and Senator STEVENS have joined together. That is one. Senator CHAFEE has one. That is two. Senator EVANS has one. That is three. Senator GRASSLEY is four. The distinguished Senator from Connecticut, Senator WEICKER, wants to offer an amendment, speak for 5 minutes, and withdraw the amendment.

I want to offer one amendment, speak for 5 minutes, and withdraw it.

Basically in terms of debate and possible vote, there are four, and I have stated them.

If the majority leader would propound a unanimous-consent agreement with reference to them, I think we are prepared to agree.

Mr. BYRD. Very well. I thank the distinguished Senator from New Mexico.

Mr. President, with the concurrence of the distinguished manager of the resolution, Mr. CHILES, I ask unanimous consent that the amendments listed by the distinguished Senator from New Mexico, the ranking manager of the resolution, be the list of amendments, that there be no other amendments to be offered to the resolution, provided that the Budget Act points of order shall remain in force.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. I wonder if we could perhaps stack at least a couple of amendments so that Senators might be able to get a little bite to eat if they like. This would not delay action.

Mr. CHILES. It certainly suits this Senator.

Mr. BYRD. We have time on the amendments, about 30 minutes to be equally divided.

Mr. DOMENICI. I am prepared to ask on our side if the distinguished junior Senator from Alaska would have any objection to a request whereby we would debate his amendment and when the time was yielded back, we could proceed to the Chafee amendment. We would not vote on Senator MURKOWSKI's amendment until the debate had been completed on both and then we would vote first on the Murkowski amendment and then on the Chafee amendment.

Mr. MURKOWSKI. And the further pending amendments would be handled in what manner?

Mr. DOMENICI. There are only two. Those votes would not be stacked. The distinguished majority leader is looking for 30 to 40 minutes for Senators to be assured there would be no votes so that yours would come first and then Senator CHAFEE's.

Mr. MURKOWSKI. I would have no objection to that.

Mr. CHILES. I would ask unanimous consent to have my name added to the list for an amendment, if I might need one.

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. That would be, by unanimous consent, changing the previous list that we agreed to by adding the Chiles amendment, if necessary, subject to the same Budget Act points of order.

Mr. CHILES. Yes.

Mr. DOMENICI. With that, Mr. President, if the majority leader would propound a unanimous-consent request regarding the Murkowski-Stevens amendment and Senator CHAFEE's amendment, that they be voted on back to back after debate had been completed and time yielded back on the two, we would have no objection.

Mr. BYRD. Mr. President, I wonder if we could just have an understanding that we would try to do that without locking that into place. Conceivably, there could be some problem. If we could just have an understanding that we would try to do that so that Senators would have, say, an hour.

Mr. DOMENICI. That is fine with the Senator from New Mexico. I was attempting to accomplish what you had requested, but the latter is acceptable to me.

Mr. BYRD. I thank the Senator.

Mr. MURKOWSKI. Mr. President, I wonder if the Senator would allow a substitution so that Senator CHAFEE could go ahead with his amendment to be followed by my amendment?

Mr. DOMENICI. I have no objection.

I yield to the distinguished Senator from Rhode Island who will offer his amendment at this time.

Mr. BYRD. Mr. President, will the distinguished Senator from Rhode Island yield to me?

Mr. CHAFEE. Yes.

UNANIMOUS-CONSENT AGREEMENT—S. 12

Mr. BYRD. Mr. President, the distinguished Republican leader and I have just been discussing this request. I think he is prepared to have it put.

I ask unanimous consent that when the Senate considers S. 12, Calendar Order No. 106, the new GI bill, it be under the following time limitation:

That no amendment be in order, except for the committee-reported substitute; that there be a time limitation as follows:

One hour on the bill, to be equally divided between the chairman and ranking member, Senator CRANSTON and Senator MURKOWSKI; 30 minutes for Senator GLENN and 30 minutes for Senator ARMSTRONG; that following the expiration or yielding back of time and the adoption of the committee substitute, the bill be read a third time and laid aside; that the Senate then immediately proceed without further debate or motion, to the consideration of H.R. 1085, Calendar Order No. 39, the House companion bill, and that the only amendment in order thereto be the text of S. 12, as amended, to be substituted for the House language; provided that, upon adoption of the substitute, the Senate then immediately proceed to final passage of the bill and S. 12 then be indefinitely postponed; and that no motions to recommit the bill with instructions be in order in relation to either bill.

Mr. President, provided further that no budget points of order be waived.

Mr. DOLE. Mr. President, reserving the right to object, and I shall not object, I understand, just for the record, it would be the intent of the majority leader to bring this bill up next Tuesday.

Mr. BYRD. Yes. If the Senate can complete its action on the supplemental appropriation bill tomorrow, it is conceivable that we will only be in on Friday for statements, introduction of bills, and so on, and we would not have any rollcall votes on Monday, if we came in. Then, on Tuesday, this would be the matter before the Senate if we can finish the supplemental tomorrow.

Mr. CHAFEE. Mr. President, I wonder if I could reserve the right to object for one moment.

Mr. BYRD. Yes.

Mr. CHAFEE. I thank the Senator.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The text of the unanimous-consent agreement reads as follows:

Ordered, That when the Senate proceeds to the consideration of S. 12, a bill to amend title 38, United States Code, to remove the expiration date for eligibility for the educational assistance programs for veterans of the All-Volunteer Force, and for other purposes, no amendments be in order, except for the committee reported substitute and that there be 2 hours on the bill, with 1 hour to be equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Veterans' Affairs, and with 30 minutes each for the Senator from Ohio (Mr. Glenn) and the Senator from Colorado (Mr. Armstrong).

Ordered further, That following the expiration or yielding back of time and the adoption of the committee substitute, the bill be read a third time and then laid aside.

Ordered further, That the Senate then immediately proceed to the consideration of H.R. 1085, the House companion, with the only amendment in order thereto to be the text of S. 12, as amended, if amended, to be substituted for the House language.

Ordered further, That upon the adoption of the substitute, the Senate then immediately proceed to final passage of the bill, and that S. 12 be indefinitely postponed.

Ordered further, That no motions to recommit the bill with instructions be in order in relation to either bill.

Ordered further, That no Budget Act points of order be waived. (May 6, 1987)

Mr. BYRD. Mr. President, I thank the Republican leader and I thank the Senator from Rhode Island for not objecting, and also thank the Senator again for his courtesy.

CONGRESSIONAL BUDGET RESOLUTION—1988

The Senate resumed consideration of the concurrent resolution.

AMENDMENT NO. 189

(Purpose: To restore funding for the Medicare and Medicaid Programs)

Mr. CHAFEE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Rhode Island (Mr. CHAFEE), for himself, Mr. DURENBERGER, and Mr. HEINZ, proposes an amendment numbered 189 to the Chiles amendment numbered 174.

Mr. CHAFEE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment read as follows:

On page 1, increase the amount on line 24 by $2,000,000,000.

On page 1, increase the amount on line 25 by $1,100,000,000.

On page 1, increase the amount on line 26 by $1,200,000,000.

On page 1, increase the amount on line 27 by $1,300,000,000.

On page 1, increase the amount on line 32 by $2,000,000,000.

On page 1, increase the amount on line 33 by $1,100,000,000.

On page 1, increase the amount on line 34 by $1,200,000,000.

On page 2, increase the amount on line 1 by $1,300,000,000.

On page 2, increase the amount on line 23 by $2,000,000,000.

On page 2, increase the amount on line 24 by $1,100,000,000.

On page 2, increase the amount on line 25 by $1,200,000,000.

On page 2, increase the amount on line 26 by $1,300,000,000.

On page 2, increase the amount on line 31 by $2,000,000,000.

On page 2, increase the amount on line 32 by $1,100,000,000.

On page 2, increase the amount on line 33 by $1,200,000,000.

On page 2, increase the amount on line 34 by $1,300,000,000.

On page 3, increase the amount on line 11 by $2,000,000,000.

On page 3, increase the amount on line 12 by $1,100,000,000.

On page 3, increase the amount on line 13 by $1,200,000,000.

On page 3, increase the amount on line 14 by $1,300,000,000.

On page 3, increase the amount on line 19 by $2,000,000,000.

On page 3, increase the amount on line 20 by $1,100,000,000.

On page 3, increase the amount on line 21 by $1,200,000,000.

On page 3, increase the amount on line 22 by $1,300,000,000.

On page 3, increase the amount on line 36 by $955,000,000.

On page 3, increase the amount on line 37 by $1,010,000,000.

On page 3, increase the amount on line 38 by $1,105,000,000.

On page 3, increase the amount on line 39 by $1,200,000,000.

On page 3, increase the amount on line 44 by $2,000,000,000.

On page 3, increase the amount on line 45 by $1,100,000,000.

On page 3, increase the amount on line 46 by $1,200,000,000.

On page 3, increase the amount on line 47 by $1,300,000,000.

On page 16, increase the amount on line 1 by $1,000,000,000.

On page 16, increase the amount on line 3 by $1,000,000,000.

On page 16, increase the amount on line 14 by $1,100,000,000.

On page 16, increase the amount on line 16 by $1,100,000,000.

On page 16, increase the amount on line 27 by $1,200,000,000.

On page 16, increase the amount on line 29 by $1,200,000,000.

On page 16, increase the amount on line 40 by $1,300,000,000.

On page 16, increase the amount on line 42 by $1,300,000,000.

On page 17, decrease the amount on line 3 by $45,000,000.

On page 17, increase the amount on line 5 by $1,000,000,000.

On page 17, decrease the amount on line 15 by $90,000,000.

On page 17, decrease the amount on line 27 by $95,000,000.

On page 17, decrease the amount on line 39 by $100,000,000.

On page 28, decrease the second amount on line 43 by $1,000,000,000.

On page 28, increase the first amount on line 51 by $2,000,000,000.

On page 28, increase the second amount on line 51 by $1,100,000,000.

On page 28, increase the amount on line 52 by $1,200,000,000.

On page 29, increase the amount on line 1 by $1,300,000,000.

On page 32, decrease the second amount on line 40 by $1,000,000,000.

On page 32, increase the amount on line 48 by $2,000,000,000.

On page 32, increase the first amount on line 49 by $1,100,000,000.

On page 32, increase the second amount on line 49 by $1,200,000,000.

On page 32, increase the amount on line 50 by $1,300,000,000.

Mr. CHAFEE. Mr. President, today I am offering an amendment to the budget resolution to restore $1 billion to the Medicare Program and to add $1 billion to the Medicaid Program. The budget resolution, as amended by the Chiles substitute, calls for $3 billion in savings from the Medicare Program in fiscal year 1988. My amendment would restore $1 billion—resulting in total Medicare savings of $2 billion for fiscal year 1988. The budget resolution also assumes only a $200 million spending increase in the Medicaid Program for fiscal year 1988. My amendment proposes to add an additional $1 billion to this program in fiscal year 1988—resulting in a total of $1.2 additional available for the Medicaid Program next year. This increase will have impact on outlays for future years of $1.1 billion in fiscal year 1989, $1.2 billion in fiscal year 1990 and $1.3 billion in fiscal year 1991.

I am offering this amendment to give us the chance to look at health care differently. Like education, good health care is an investment in our most critical national resource: people. It is time that we gave health care the same high priority in the budget that we give it in our rhetoric.

Over the past 5 years the Medicare Program has borne the brunt of Congress' efforts to reduce the Federal deficit. In just 5 years' time, this program has contributed $30 billion toward savings to reduce the deficit. Each year, the Finance Committee, which has jurisdiction over this program, has restricted the funds for reimbursement of hospitals, physicians, and other health care providers. However, at the same time concern about the quality of care provided by these individuals and institutions has increased.

We can only do so much so fast without sacrificing the quality of care provided and Medicare beneficiaries' access to that care. The budget resolution's assumption that the $3 billion in Medicare cuts will not affect beneficiaries is highly questionable. If we continue to decrease Medicare reimbursement, quality and access will be adversely affected. These cuts will have an impact on Medicare beneficiaries.

Mr. President, it is much like the farmer who each day gave his horse one less straw of hay, and the horse went along very nicely. The only trouble is when he finally got the horse down to three straws, unfortunately the horse died. That is what is going to happen if we continue to make these cuts in Medicare.

Further, if we are truly to attempt to deal with the shortfalls of Medicare benefits by improving home health care, covering prescription drugs and mental health benefits, and providing for catastrophic health care benefits such as long-term care and prescription drugs, we must be willing to put the resources into the program to pay for filling the gaps.

My amendment restores $1 billion to Medicare in fiscal year 1988. This will give us time to take a look at the results of our actions over the past 5 years and will give us the chance to explore future changes in the program. It may also give us some room to provide the elderly with some true catastrophic health care assistance.

My amendment will also add $1 billion to the Medicaid Program to address at least some of the unmet health care needs of the low-income elderly, the disabled and individuals under the age of 65.

What are we talking about? The number of individuals below the age of 65 without any form of health insurance in our Nation during any time of the year is 37 million people; 37 million people out of about 230 million people in our country are without any health insurance. I am just talking about those below 65.

What about the young people? Between 1980 and 1985 the number of uninsured children grew by 14 percent. In the 35 years between 1950 and 1985, U.S. infant mortality ranking fell from sixth place among 20 other industrial nations to last in infant mortality. Infant mortality and low-birth rate among babies are two of the most distressing problems facing our country. Eleven babies die in our country of every thousand infants born.

More than one-third of the young people without any health care insurance live in families with incomes below the poverty level. Another one-third live in families with incomes between 100 and 200 percent of the poverty level. There are other individuals who even though they can afford to buy the insurance cannot get it. Why? Because they have what is known as a preexisting condition. They have something, some sickness, previously they have had or some illness that the private insurance will not give them coverage for.

There are individuals with chronic illnesses who exhaust their private health care insurance and have nowhere to go but into poverty to qualify for Medicaid benefits.

We can think of those families with chronically ill children that fall into that category. For those with developmental disabilities such as the mentally retarded or individuals who have cerebral palsy, the Medicaid Program is falling far short of providing services designed to help them obtain independence and dignity.

They are being forced to live away from their families in institutions because they do not have home health care. I have introduced legislation, or will very shortly, and have introduced it in the past year, the community and family living amendments, to make these changes so that through the Medicaid Program those with developmental disabilities can remain at home instead of being sent off to institutions.

For the low-income elderly who cannot afford to supplement their Medicare insurance with private health care insurance known as Medigap, the Medicaid Program in many States is not responding. Listen to these statistics: Probably one-half of all nursing home payments—that is the payments in nursing homes—are out-of-pocket expenditures from the elderly. And almost one-half of the rest are paid by the Medicaid Program. Approximately one-half of all Medicaid recipients were not initially poor when they went into nursing homes. But they have spent their way down. In other words, they spent their assets in order to cover the long-term care. Now they are on Medicaid.

What are we looking for? We are looking for improvements in the Medicaid Program.

Catastrophic health care for children as well as the elderly;

Better and more widespread home and community-based services for the elderly, but also for the disabled—such as my legislation to reform the Medicaid Program, the community and family living amendments;

Alleviating spousal impoverishment;

Expanding Medicaid coverage for poor and near-poor children as well as infants—one piece of my MedAmerica proposal;

Improving the quality of care in nursing homes and home health care agencies;

Helping the low-income elderly with prescription drugs and other out-of-pocket health care expenses;

Providing access to health care to individuals who are unable to purchase insurance from the private sector health care insurance companies.

What are we trying to do with the Medicare Program? To help rural hospitals, to ensure that hospitals receive enough of an increase in their DRG rates to meet expenses, to improve the quality of services received in hospitals and by physicians and other health care providers, avoid including radiologists, pathologists, in the DRG payment system, and more and better widespread health care for the elderly through the Medicare Program.

It is time, Mr. President, that the Senate made a decision. Are we going to allocate the necessary resources to provide appropriate high-quality health care services or are we going to continue to pay lip service to the concept and avoid making the commitment?

My amendment would give us the opportunity to make some substantial strides forward in both Medicaid coverage and improved Medicare for our citizens.

I hope my colleagues will join in this effort.

Mr. President, I send to the desk a copy of those agencies that are supportive of this with a letter from the Consortium for Citizens with Developmental Disabilities and ask unanimous consent that they be included in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 29, 1987.

Hon. JOHN CHAFEE,
U.S. Senate, Washington, DC. 20510

DEAR SENATOR CHAFEE: The Consortium for Citizens with Developmental Disabilities (CCDD) is the major national coalition of organizations representing the 36 million Americans with mental and physical disabilities. The development of the FY 1988 Federal Budget is of great interest to this segment of our citizenry since many people with disabilities receive and are dependent on benefits and services financed by the Federal Government.

The CCDD is strongly supportive of three amendments expected to be offered on the Senate floor this week during consideration of Senate Concurrent Resolution 48.

One amendment, which will be sponsored by Senators Hollings and Danforth and has broad bi-partisan support, would provide expanded funding to several programs authorized by the Education of the Handicapped Act, particularly the newly enacted Early Intervention Program designed to serve infants and toddlers with disabilities from birth. The amendment would also help hundreds of thousands of disadvantaged students receive remedial instruction.

The second amendment, sponsored by Senators Kennedy, Weicker, Inouye and Heinz would provide the funding necessary to maintain the current service level in biomedical research and to expand AIDS-related research. This amendment would also enable limited expansion of Medicaid to certain individuals who are disabled or elderly. This initiative is tied directly to enactment of a catastrophic health plan.

The third amendment, which is to be offered by Senator Chafee, would provide the funding necessary to expand access to health care in this country through the medicaid system and address several issues associated with long-term care for people with developmental disabilities. People with disabilities and their families are often faced with huge catastrophic health care bills and must be relieved of these incredible financial burdens.

The CCDD again strongly encourages you to support these amendments during consideration on the Budget Resolution. Passage of these amendments would provide Congress greater leverage to address these problems of critical importance to Americans with disabilities or serious health conditions. Services to many citizens with disabilities hang in the balance.

Sincerely,

American Association of University Affiliated Programs, American Speech-Language-Hearing Association, Association for the Education of Rehabilitation Facility Personnel, Association for Retarded Citizens, Child Welfare League of America, Conference of Educational Administrators Serving the Deaf, Convention of American Instructors of the Deaf, Council for Exceptional Children, Council of Organizational Representatives, Epilepsy Foundation of America, Mental Health Law Project, National Alliance for the Mentally Ill, National Association of Developmental Disabilities Councils, National Association of Private Residential Facilities for the Mentally Retarded, National Association of Protection and Advocacy Systems, National Association of Rehabilitation Professionals in the Private Sector, National Council on Rehabilitation Education, National Head Injury Foundation, National Mental Health Association, National Rehabilitation Association, United Cerebral Palsy Association, Inc.

Mr. CHAFEE. Mr. President, Senator DURENBERGER is a consponsor of this amendment as is Senator HEINZ.

How much time do I have left, Mr. President?

The PRESIDING OFFICER. The Senator has 6½ minutes remaining.

Mr. CHAFEE. I yield 3 minutes to the Senator from Pennsylvania.

Mr. HEINZ addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. HEINZ. Mr. President, I rise in support of the Chafee amendment and I rise as well to voice concern about the Senate's commitment to quality health care that is reflected in the budget resolution that is before us. I think it is a sad fact that program cuts have to be a part of the majority budget. I do not think most of us want to see that. Although, like I am sure most people in this Chamber, I am dedicated to freeing the American people from the crippling weight of the very difficult and unwieldy deficit, I want to caution my colleagues from taking actions which are ultimately "penny wise and pound foolish" when it comes to the most pressing health care problems facing this Nation.

We can start by carefully examining our treatment of the Medicare Program. Senator CHAFEE's program, of course, deals with both Medicare and Medicaid. It is true that in the two decades since the creation of Medicare, we have witnessed some great strides in the financial and physical well-being of the elderly in this country. But the miracles of Medicare and the securities of our social programs were not pulled out of the magician's hat. They were built with the hard-earned dollars of the American taxpayer and the wisdom of Congress in investing those dollars in programs that benefit us all.

To take pride in our successes is justified, but not as an excuse to fall back in our efforts.

So we should not nickel-and-dime our achievements to death. I am particularly concerned about the effect of the $3 billion or so cut for Medicare on rural hospitals. While it is true that many providers have made hefty profits under Medicare's DRG system, a number of smaller rural hospitals are simply unable to make ends meet with their current reimbursement rates.

I am pleased to be joining with others in an amendment to take into account the special needs of rural hospitals in making changes to the Medicare Program for 1988. This amendment will make it possible to adopt the so-called Grassley amendment when we get around to it in the enabling legislation.

Mr. President, what the Chafee amendment does is it adds to Medicare $1 billion. I would argue that this can be paid for in significant part by reducing the tremendous amount of waste that exists in the Medicare Program.

Two efficiencies that have already been enacted are the pacemaker registry and second surgical opinion programs. Both would save lives and enhance quality of care. Neither have been fully implemented yet. The Federal Government also loses millions of dollars each year because it fails to collect on the warranties from failed pacemakers. Later this month I intend to introduce legislation that would require manufacturers to ante up on warranties, a step we should take without delay, and one which will restore millions to the Medicare Program.

Mr. President, there are many other ways this body can reaffirm its commitment to health care in this budget. Catastrophic health care coverage for America's aged is a case in point. The original Chiles budget recognized the importance of the President's proposal to protect seniors against the enormous expense of acute illnesses and allowed $2.4 billion for fiscal year 1988 for this purpose. Out of concern that this would have tied the hands of the Finance Committee, I joined with Senator KENNEDY and others in proposing an amendment to lift this cap. I commend Senator CHILES for incorporating this change into his package.

This change will allow us to go beyond the President's proposal, which falls short of justifying its cost in three significant ways. First, the President's plan requires that all Medicare beneficiaries spend at least $2,000 out of their own pockets before coverage kicks in, a potential hardship for millions living on limited, fixed incomes. Second, it covers only catastrophic hospital costs. Yet $8 out of every $10 spent each year on catastrophic health expenses are spent outside the hospital, on nursing home or home health expenses. Finally, by ignoring the costs of a long-term chronic illness, the President's proposal resembles a hospital gown. It does a pretty good job of covering in front, but leaves us exposed where we are most vulnerable.

There is considerable support in this body and in the House to improve on the President's basic plan. Any improvement, though, will require some increase in expenditures and offsetting revenues. The agreement we have reached to lift the cap will allow the Finance Committee to develop a more comprehensive catastrophic health plan—which I understand Senator Bentsen has already done—with the caveat that we raise the revenues necessary to pay for it. There is no fancy gimickry here; no conjuring or juggling, no smoke and mirrors. We wanted some flexibility—and we wanted it without adding to the deficit. I applaud Senator Chiles for his willingness to accommodate this change.

We must also be careful not to fall short in protecting the lowest income aged from health care costs. We need to correct a long-standing glitch in the Medicaid Program which leaves at least 1 million of the poorest aged from gaining access to needed health care. In the Commonwealth of Pennsylvania, "poverty" is defined as an income of $430 or less per month. But to qualify for Medicaid, an individual must have a monthly income that does not exceed $368—substantially below the poverty line. In other States the disparity between Medicaid eligibility and poverty is even worse. I have been informed by my colleagues that by agreeing to lift the cap on catastrophic, the chairman of the Budget Committee has allowed us to make this important correction in Medicaid. The Chafee amendment would allow us to improve Medicaid benefits for the poor by $1 billion is fiscal year 1988.

In a similar manner, the catastrophic package should allow us to address a problem with Medicaid that forces the spouse of an elderly nursing home resident into abject poverty. We must recognize that the plight of these spouses is already difficult enough without Government squeezing the last dime out of them to pay for the care of their loved one. By allowing the spouse living in the community to keep a little more income we not only improve the quality of life, but prove that cost consciousness and public consciousness are not mutually exclusive terms.

Another area of great concern to me is the epidemic of AIDS. This great body must recognize the severity of the AIDS problem and move in an important way toward solving it. I want to commend Senator Chiles for allowing an increase in the budget authority for AIDS research and education by $400 million. By this action, the budget resolution approaches the halfway point in funding recommended by the recent Institute of Medicine study, which argues for a substantial Federal commitment toward a $2 billion annual expenditure by 1991. In addition this money for AIDS research, we should also rededicate ourselves to support other research projects at the National Institutes of Health—for critical research on such crippling diseases as Alzheimer's—and for the Maternal and Child Health Program, which received a new authorization last year of $75 million.

The big question for many Senators is: how to pay for these improvements? One option would be to increase the tax on the single largest cause of catastrophic health expenses—cigarettes. A recent study estimates the health-related costs of cigarette smoking to have been at least $53.7 billion in 1984, with about $13 billion of the total for persons 65 and over. Adding a dime to the cigarette tax would bring in approximately $2 billion per year, more than enough to pay for a substantial improvement in the catastrophic proposal and the Medicaid expansions.

To sum up, I urge my colleagues to pass a budget resolution responsive to the real health needs facing this Nation. By increasing our commitment to the elderly poor and those suffering from AIDS we take a significant step toward a healthier future.

Mr. CHAFEE. Mr. President, I reserve the balance of my time.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. How much time is remaining on the amendment?

The PRESIDING OFFICER. The Senator has 15 minutes in opposition. The Senator from Rhode Island has remaining 3 minutes.

Mr. CHILES. Mr. President, I have heard a lot of discussion so far about how much was going to be added to Medicare and how much was going to be added to Medicaid from both speakers, but I have heard very little about how the money gets added. As I look at the bottom line, I see we are talking about adding revenue to pay for it. We are talking about $2 billion in 1988, $1.1 billion in 1989, $1.2 billion in 1990, and $1.3 billion in 1991. That is $5.6 billion more in taxes.

It is interesting to see that this amendment comes from the other side of the aisle. My distinguished friend from Pennsylvania has argued persuasively for this but has been voting against all of the proposals we have had. Those proposals, of course, would have tried to reduce the Medicare savings certainly well below what the President's budget was, well below what a sequester would be, and well below what could be done without putting anything on the beneficiaries.

It is interesting to note that the resolution we have before us now, contains the sense-of-the-Senate language that all these savings would have to be made without touching providers. It is interesting to see that the distinguished chairman of the Finance Committee has said he feels those savings can be made without coming off the beneficiaries.

We know we have already reduced the savings originally reported out by the committee by $1.2 billion over 4 years, and we have added back $300 million in each year.

We do not deny these savings are tough, but they can be achieved without increasing beneficiary premiums or copayments and deductibles. There are certainly several options available to achieve these savings through continued restraint on inflation in payments to providers.

I say to my friend from Pennsylvania, if he says these savings can be made without reducing waste, I am for that and the Finance Committee can do that without having this marked, which adds reconciled taxes that will have to be added on, $2 billion in the first year.

It is interesting because what we hear from the Republican side of the aisle, is that there are too many taxes, that we cannot carry it because of these taxes.

Mr. HEINZ. If the Senator would yield, I will welcome the opportunity to debate Senator Chafee's amendment with him but it is Senator Chafee's amendment. I appreciate his references to me. I am perfectly willing to debate Senator Chafee's amendment, but I think we ought to give the Senator who has offered the amendment that opportunity, too.

Mr. CHILES. I must say to my good friend from Pennsylvania that he makes a more attractive target for me because he has voted "no" on all of these things and the Senator from Rhode Island has at least cast a vote for the Chiles proposition. So he does not quite lend himself to all the points that I might be able to draw upon.

We are talking about resolution before is the catastrophic initiative, the resolution having been amended to take out the so-called ceilings or caps on catastrophic insurance. No amendment to increase funding for catastrophic insurance for low-income elderly is necessary. All of that room is there now in the resolution as it sits before us. We do not have to do that.

Under the resolution as it now stands, the Finance Committee can put whatever it wants to into the catastrophic package and as long as the total bill is deficit neutral it would be within the budget resolution already. The Finance Committee can pay for additional Medicaid benefits in any way they see fit.

The Senator from Pennsylvania has suggested that we can do that by shaving some cost and being more efficient. I think that is true. Senator CHAFEE is a member of the Finance Committee and he could be working in that regard.

So what we have here is a tax and spend amendment. The only real effect it will have is that the reconciliation instructions to the Finance Committee for taxes would have to be increased. It would make no difference what happens in Medicaid or Medicare, or in any catastrophic insurance proposal.

The other thing I would point out to the body is the House has savings about $1 billion less than the Senate has. We are going to conference with the House. We will have to adjust some of those differences. We know we will lose additional parts of our savings when we do that.

It seems to me that with what we are now spending for Medicare, we can say that the Finance Committee ought to make some savings in those programs. We know they are ready to change a part of the way reimbursement is made to hospitals. We know that there will be some further change in how reimbursement is made to doctors.

There was a proposal to base hospital physicians under DRG's. They resisted that, but they said, "We are ready to take some savings, but we think it should be done under some different propositions rather than the way it is set."

I think that would make sense, to be able to do it in a different way.

Knowing those things, there is no reason we should come here tonight and attempt to amend this package by adding this amount of revenues to it, and I hope we will resist the effort.

The PRESIDING OFFICER. Who yields time?

Mr. CHAFEE. Mr. President, how much time do the opponents have left?

The PRESIDING OFFICER. The opponents have 7½ minutes remaining.

Mr. DURENBERGER. Mr. President, as ranking member of the Health Subcommittee of the Senate Finance Committee, I want to share my concern for the treatment of the Medicaid and Medicare functions of this budget. I am pleased to join my friend and colleague from Rhode Island in bringing attention to this important issue.

In 1981, the members of the Finance Committee were faced with a desparate situation, namely the imminent bankruptcy of the Medicare trust fund. Well, we went to work on doing something most people thought was impossible: create a better health program which cost less. In terms of both access and quality, I believe great strides have been made which make Americans healthier and point us toward a health future which is even fairer, more compassionate and more efficient. And in the process, we saved the American taxpayer $40 billion. We have carefully maintained a delicate balance between the quality of care for Medicare beneficiaries and keeping faith with those who pay the bills. There is a limit, however, to what can be done.

Looking first at the administration budget, $5 billion was cut from Medicare. The Senator from Florida has returned $2 billion of that. At first glance that does not look like a serious cut, especially for the group that found $40 billion. Well, the Senator from Rhode Island and I are here to say that any further cut in this function jeopardizes a Federal program which is vital to the lives of millions of Americans.

The first argument made is that these cuts deal only with providers and not beneficiaries. That is like saying you do not affect the people in the car by taking off one of the tires. The health care industry cannot absorb cuts forever without affecting the care of elderly and disabled Americans.

The second argument is that near "baseline" funding is sufficient. This ignores the growing needs in these programs which we must address this year. We have a rapidly aging population. We are embarking on a historic catastrophic insurance program. We have 37 million Americans who are uninsured and unprotected against even the most routine medical need.

But the most glaring oversight of the Budget Committee's recommendation is the way it ignores the critical plight of this Nation's rural hospitals. The Senate has already agreed to the Grassley amendment which highlighted this serious need, and the same arguments are germane to this debate.

I ask unanimous consent that the final report of the Task Force on Small/Rural Hospitals of the Minnesota Hospital Association, and two other important studies on this question, appear at this point in the RECORD, and I will summarize their contents for my colleagues.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TASK FORCE ON SMALL RURAL HOSPITALS

I. INTRODUCTION

Statement of Problem

Many of Minnesota's small, rural hospitals face severe financial difficulties that may result in more hospital closures in the not-too-distant future. The major reasons commonly cited for the overall decline in small, rural hospitals' financial health are the new reimbursement policies of Medicare and other payers and the corresponding movement toward less expensive outpatient services. These two profound changes, affecting how to deliver and pay for health care, have resulted in significant reductions in inpatient hospital utilization, both in terms of the number of admissions and in the length-of-stay. For Minnesota's rural hospitals with less than 50 beds, the average occupancy rate has plummeted to 34 percent and the average length of stay has shrunk to five days.[1]

Medicare represents more than 50 percent of hospital revenues for most small, rural hospitals and so these hospitals are particularly affected by the payment differential under Medicare's Prospective Pricing System (PPS). Medicare's practice of paying rural hospitals less than urban hospitals for the same procedure simply because of a hospital's geographic location plays a major part in contributing to the financial stress of rural hospitals. Hospitals located just outside of one of Medicare's Metropolitan Statistical Area (MSA) boundaries receive significantly less payment from Medicare although their costs are similar to those of the close-by urban hospitals. This kind of payment disparity under Medicare, coupled with the growing discounts demanded by Medical Assistance/General Assistance Medical Care (MA/GAMC) and private payers, seriously undermines the ability of rural hospitals to compete in the marketplace and threatens their continued existence.

A secondary cause of the plight of small, rural hospitals is the greater reliance on outpatient health care services. For the most part, rural hospitals, like their urban counterparts, have adapted to this change by diversifying into such areas as home health care, hospice care, and other health care services. However, even the most sophisticated outpatient diversification effort by rural hospitals cannot offset the severe revenue losses that have resulted from the dramatic decreases in inpatient volume.

The combination of these two forces—new reimbursement policies and the decline in inpatient utilization—has so strained the financial underpinnings of many rural hospitals in Minnesota that talk of hospital closures is not uncommon.

It is no longer unheard of for small, rural hospital administrators and their community's leaders to discuss the potential impact on the community if the hospital closed, in terms of jobs lost and the public's access to health care. These same conversations, however, usually include a discussion of how to improve the finances of the hospital so that it can remain open and continue to meet the community's health care needs. Solutions to the financial crisis faced by small, rural hospitals typically involve public policy questions that need to be addressed by Congress and the State Legislature.

Charge of MHA's Task Force on Small, Rural Hospitals

To affect change in Congress and the Minnesota Legislature, the Minnesota Hospital

Association (MHA) established a Task Force on Small, Rural Hospitals in 1986. The Task Force was asked to identify the key elements contributing to the plight of small, rural hospitals in Minnesota and, based on these findings, make recommendations to the MHA Board of Trustees for further legislative and/or regulatory action.

The Task Force, consisting of nine hospital administrators and one urban hospital administrator, convened in the fall of 1986 and agreed to the following charge:

To collect and analyze data regarding the inequities of PPS, hospital occupancy trends, and hospital profit margins;

To collect and analyze data demonstrating the widening gap between MA/GAMC payment levels and actual hospital costs and to gather information on catastrophic revenue losses from outliner cases;

To identify public/private incentives to promote collaborative efforts among rural providers;

To explore alternative funding proposals, such as tax subsidies for certain rural hospitals, to ensure access to rural health care;

To review and comment on the Interim Report from the American Hospital Association's (AHA) Special Committee on Small, Rural Hospitals;

To seek involvement of other Midwestern state hospital associations to more effectively lobby Congress on rural hospital issues; and

To review reports on rural health care from the Minnesota Medical Association (MMA) and the Minnesota Coalition on Health Care (MCHC) and to coordinate a three-way state lobbying effort on rural health issues.

The Task Force members researched and analyzed these issues over a series of four meetings. Their key findings and recommendations are presented in this report.

Overview of Federal Rural Health Initiatives

Small, rural hospitals across the country face a challenging health care environment. Recent changes such as Medicare's Prospective Pricing System and the general shift from inpatient to outpatient care have resulted in declining occupancy rates and shortened lengths of stay. Small, rural hospitals without the financial resources to respond to these changes have been left especially vulnerable. The potential for more hospital closures is on the rise, ultimately affecting access to quality health care.

In the past few years, Congress has attempted to ease somewhat the financial dilemma of small, rural hospitals by making some modifications to PPS. For example, in 1985 Congress revised the area wage index adjustment to recognize part-time employees, a change that provided greater equity for rural hospitals. That same year Congress also passed a disproportionate share adjustment that applies to both rural and urban hospitals treating high numbers of the low-income population. In 1986, Congress enacted several more changes to PPS, including:

Restandardization of Medicare Diagnostic Related Groupings (DRGs) on a discharge basis rather than on the current hospital-weighted basis. This change is estimated to increase rural standardized amounts by 3.1 percent and decrease urban amounts by 0.5 percent;

Extension of current regional referral center status until 1990;

Establishment of distinct urban and rural outlier pools to ensure outlier payments to rural hospitals;

Retention of periodic interim payments for rural hospitals with fewer than 100 beds; and

Exemption of sole community providers from FY 87 capital payment reductions.[2]

Congress last year also authorized a demonstration project to test the reimbursement effects of using the urban payment rate combined with the rural wage index on a rural hospital in Fergus Falls, MN. This project, strongly supported by Senator Durenberger, will compare the difference between prior reimbursement rates, i.e., the Medicare rural payment rate and urban reimbursement rates for all DRGs.

The fundamental problem, however, which Congress has not yet addressed, is the Medicare urban/rural rate differential.

The inequity of the rate distinction must be considered within the broader context of the inadequacy of Medicare payments to all hospitals. In order to meet the deficit reduction targets under the Gramm/Rudman/Hollings budget balancing law, Congress has approved annual PPS increases that are substantially below the annual increases in hospital costs. Consequently, all hospitals have been forced to live with the inadequate payment system of Medicare.

Medicare payments to rural hospitals are further reduced by the imposition of a rate differential based upon geographic location. This rate distinction, put in place when the PPS began, was justified on the grounds that the "costs of doing business" for urban hospitals was approximately 20 percent higher than for rural hospitals.[3] Implementation of this dual pricing structure has meant that rural hospitals receive considerably less payment per patient than their urban counterparts even though their costs differential has been substantially reduced. It is hoped that the 100th Congress will conduct a full-scale examination of Medicare's use of a hospital's geographic location to determine rate of payment.

Changes to Medicare's area wage index are also crucial to the survival of many small, rural hospitals. Currently, all Medicare-defined rural hospitals receive a rural wage index even though some may be located close to an Metropolitan Statistical Area (MSA) and pay wages comparable to those paid by their neighboring hospitals located within the MSA. Statistical analyses of wage differences demonstrate the inadequacy of MSAs to define labor markets. The use of boundaries to establish payment was examined by the Prospective Payment Assessment Commisson (PROPAC) in 1986. Its assessment was forwarded to Congress and the U.S. Department of Health and Human Services (HHS). PROPAC contends that the current adjustment for area wage differences does not adequately account for the existence of separate labor markets within urban and rural areas. In rural areas, the current adjustment does not recognize the wage variations between different rural areas within each state and between states. As one alternative to MSAs, PROPAC suggests the use of concentric rings to define labor market areas. Within urban areas separate wage indices could be computed for the urban core of each MSA and the surrounding "ring." In rural areas, separate wage indices could be computed for the urbanized rural counties and the non-urbanized rural areas of the state, PROPAC suggests.[4]

Overview of State Constraints and Initiatives on Rural Health

Like Congress, the state of Minnesota has implemented several measures over the past few years to control state spending for Medical Assistance (MA) and General Asssitance Medical Care (GAMC). These measures disproportionately affect struggling small, rural hospitals with low-patient volume, MA expenditures for hospital inpatient care have been capped at 5 percent since 1985 and GAMC ratable reductions were imposed at a level as high as 35 percent in 1981 and only phased down to 10 percent in 1986. With a potential state budget shortfall of $800 million for 1987, state expenditures for MA/GAMC may be further scaled back.

Small, rural hospitals find it increasingly difficult to cover the financial losses resulting from deep MA/GAMC discounts, which averaged 33 percent of hospital charges in 1985. When faced with MA/GAMC outlier cases, small rural hospitals go even further in the red because of their inability to spread the financial risk among many patients.

MHA, the Council of Hospital Corporations (CHC) and the state are involved in a study of MA/GAMC reimbursement for hospitals inpatient care (Rule 54) which may offer some insight to the impact of current MA/GAMC payment rates on rural hospitals. The Rule 54 study, which will make recommendations for changes in such areas as case-mix, outliers, rural hospitals, and specialty facilities, will be completed in April, 1987.

Rural hospitals are not only experiencing the affect of "discounting" among public and private payers, but also an increase in the demand for free care. MHA, CHC, and the Minnesota Department of Health (MDH), recently surveyed hospitals in Minnesota to measure the amount of charity care that is provided. Survey results indicate that small, rural hospitals in the economically hard-hit southwestern and northeastern parts of the state are seeing an increase in demand for charity care.[5] This increased demand simply weakens even further the financial underpinnings of rural hospitals.

Rural hospitals could be helped by the adoption of the 1986 Minnesota Department of Health's paper, "An Assessment of the Financial Access Problem." To avoid future financial access problem, the MDH presents a three-part plan (Health Span) which includes establishing a subsidized insurance program, expanding Medicaid and preserving the charity care system.[6] Theoretically, if more Minnesotans had health insurance or were eligible for Medicaid, hospitals' charity care would be drastically reduced and there would be a corresponding increase in hospital revenues. Rural hospitals would benefit from such a plan.

The severe rural economic crisis in Minnesota has catapulated the interest of public policymakers and interest groups into the area of rural health care. The Minnesota Coalition on Health Care, a nonprofit organization involved in issues relating to the costs and quality of health care, established a Rural Health Task Force in 1985 to examine rural health trends and issues. Data was collected from statewide town hall meetings and surveys of farmers and small businesses. The Task Force noted that although very few hospitals in rural Minnesota have closed, many are on the verge of closing. According to the Task Force recommendations, one way to improve the financial state of rural hospitals is to eliminate the urban/rural payment disparity under Medicare. The Task Force also recommended that MHA and the Minnesota Department of Health examine the impact of hospital closures on access to emergency care, maternity care and care for the elderly.[7]

The Minnesota Medical Association (MMA) recently completed a survey of its rural physicians and found that the weakening condition of the rural economy is beginning to affect access to health care. Several of the MMA's recommendations deal with the Medicare urban/rural reimbursement disparities and the bleak financial condition of many small, rural hospitals. Specifically, the MMA recommends:

The pursuit of legal, administrative and political strategies to end the Medicare reimbursement inequities;

The initiation of a lobbying campaign to create a one-time federal/state buyout of selected small hospitals for debt resolution if an agreement can be reached to convert the facilities to other needed services such as nursing home care;

Begin the development of a public education campaign by MMA promoting local hospitals with a "use it or lose it" message; and

The development of a consulting service by MMA and MHA for small hospitals to educate them about networking, sharing services, and other cooperative efforts.[8]

These federal and state initiatives, demonstrate that the problems facing small, rural hospitals are at least getting some attention from lawmakers and public policy experts, but much more is needed.

II. THE FINANCIAL CONDITION OF SMALL, RURAL HOSPITALS IN MINNESOTA

Financial Stress Among Minnesota's Rural Hospitals

The Minnesota Hospital Association has established a financial data base for Minnesota hospitals covering the years 1978-1985. MHA collected audited financial data on 153 of the 168 non-federal hospitals operating in Minnesota in 1985. This data was analyzed to assess the financial health of the state's hospitals and to identify both the number and characteristics of hospitals that are experiencing financial problems.[9]

Both "operating income" and "net income" were used as key indicators of a hospital's financial health. Operating income, which does not include such items as interest and investment income, measures how well an organization is doing in its primary business (in the case of hospitals, the delivery of health care).

The inability to generate surpluses from an organization's primary business does not reflect well on its financial viability. In 1985, a total of 60 Minnesota hospitals suffered operating losses. Unfortunately, this is not a one-time occurrence; 64 hospitals have experienced operating losses in four or more years during the periods 1978-1985. As illustrated in Graph 1, the smaller bed size groups, which are primarily rural hospitals, have significantly lower operating profit margins than their larger counterparts. Overall, hospitals in the 0-49 bed size group barely break even while facilities in the 50-99 bed size group actually experienced a negative operating profit margin in 1985.

(Graph 1 not reproducible for the Record.)

The second measure used, "overall profit margin" takes into consideration revenue from all sources. As Graph 2 illustrates, margins here are much better than operating profit margins, but again, smaller hospitals, which are nearly all rural, lag far behind their larger, urban counterparts.

(Graph 2 not reproducible for the Record.)

Consistent and/or acute net losses signal a serious deterioration in a hospital's financial health. A review of the MHA financial data base revealed the following: 112 hospitals experienced a net income loss in at least one of the years between 1978-1985; 80 hospitals had losses in at least two years; 56 had losses in at least three years; 36 had losses in at least four years; 24 had losses in at least five years; 10 had losses in at least six years; and 4 had losses in at least seven years. Table 1 displays net losses by year and bed size.

Table 1 reveals that net losses in Minnesota hospitals are common and that smaller hospitals are much more likely to suffer losses than their larger counterparts. Nearly one-third of Minnesota hospitals with less than 50 beds suffer net income losses each year. All of the hospitals included in the data base are nonprofit and may develop their budget with the objective of breaking even. However, to remain viable, nonprofits must accumulate a surplus over time. Consistent and/or acute losses threaten their very existence.

Criteria for identifying those hospitals threatened by financial problems needed to be developed. Two criteria, operating losses and net income losses, were both considered to signal deterioration in a hospital's financial health; however, net income losses present a far more serious threat to its short term viability. For this analysis, the more stringent net income measure was selected to screen for financially threatened hospitals.

Two categories were defined to describe these facilities. The first category, "financially troubled," is defined as hospitals experiencing four or more losses during the last eight years. These are hospitals that have been unable to achieve consistent net income, but have had enough profitable years during the eight year period to cover most, if not all, of their losses. The second category, "financiallay distressed," is defined as those hospitals experiencing four or more losses during the last eight years and having a cumulative loss over the eight year period that is greater than 10 percent of 1985 equity. This definition not only recognizes consistent losses, but also the severity of the losses.[10]

A total of 36 hospitals meet the criteria to be identified as "financially troubled." Of these, two had closed prior to 1985. It should be noted that:

Twenty-nine of the remaining 34 hospitals are located in communities with a population of less than 6,000 and an average population of under 2,500.

Twenty-seven of the 34 hospitals had less than 50 beds.

Sixteen of the surviving 34 hospitals from the "financially troubled" list met the more stringent criteria established for "financially distressed" hospitals. Common characteristics of this group included:

Thirteen had less than 50 beds, with an average bed size of 42.

Fourteen of the sixteen hospitals are located in communities of under 6,000.

Twelve of the 16 hospitals are classified as "rural" for purposes of Medicare reimbursement while the other four receive urban rate payments.[11]

To compound these troubling findings, it appears that the hospital financial environment is continuing to deteriorate. By analyzing the most recent six years of data and screening for facilities that have experienced three or more years of losses, the list of financially troubled hospitals expands to 38. While 31 of the 34 remaining hospitals that appeared on the previous financially troubled list also appear on this list, the fact that a greater number of hospitals experienced losses in at least half of their most recent fiscal years is of concern. In addition, an examination of the most recent data available (fiscal years 1984 and 1985) which includes hospital experience with Medicare's Prospective Payment System, show that 25 hospitals had net income losses in BOTH years.

Payment Issue—Inequity (50%)

The Small, Rural Task Force identified as a central issue Medicare reimbursement and the inequities associated with "urban" and "rural" designation. Counties are used as the geographic boundaries to determine whether a hospital is classified as "urban" or "rural." As a result, some hospitals that are substantial distances from urban centers but in the same county are classified as "urban" while others that are close to urban centers, but are located in an adjacent county, are classified as "rural."

The Medicare standarized payment amounts are based on urban and rural designations. Currently the "urban" standardized rates are nearly 30 percent greater than the "rural" rates. This puts rural facilities at a severe disadvantage—in particular if the hospital is located close to urban competitors.

The use of a wage index further exacerbates the inequities of Medicare payments for many rural hospitals. A wage index for an urban county is developed based on the wages paid by all hospitals in a Metropolitan Statistical Area (MSA). MSA designation also follows county borders; consequently all hospitals in a county that has an MSA use the urban wage index established for that MSA in their Medicare reimbursement computations.

Wages in hospitals that are not designated as "urban" are pooled and a statewide rural wage index is computed for use in their reimbursement formula. All urban wage indices in Minnesota are substantially higher than the Minnesota rural wage index. When the higher urban labor-related standardized amount is multiplied by the higher urban wage indices, the urban reimbursement can be nearly 50 percent greater than rural reimbursement for the same DRG. Table 2 illustrates the Medicare payment methodology and the magnitude of the payment differential between urban and rural hospitals.

Medicare based its reimbursement system on costs that prevailed in 1981 when rural hospitals had costs that were approximately 20 percent lower than urban hospitals. However, the rapid changes that have occurred since the PPS was developed have had particularly traumatic effects on small, rural facilities. Small hospitals have less room to maneuver within their budgets. Fixed costs are generally a greater proportion of a small hospital's costs and are not subject to management cost reduction measures in the short run. Consequently, smaller Minnesota hospitals, struggling with a disproportionate reduction in admissions, have seen their per case costs escalating at a faster rate than the urbans, squeezing an overall profit margin that averaged less than three percent in 1985 (see Graph 2). AHA data reveal that between 1981 and 1984, average Medicare per case costs increased by 37 percent nationally in rural hospitals and by 20 percent in urban hospitals. This closed the gap to an estimated cost differential between urban and rural hospitals of just 10 percent by 1984.[12]

While it is useful to use profit margins as defined by Medicare for comparison purposes, one must keep in mind that Medicare has established its own system for determining hospital "profits" which deviates substantially from generally accepted accounting practices. For example, Medicare does not recognize some expenses, such as bad debt and patient telephone service, allows only portions of expenses such as malpractice insurance and puts limits on the amounts of other expenses that can be charged to Medicare. This results in a substantial understatement of the actual expenses a hospital incurs and produces an artificially high "Medicare profit margin." However, for purposes of comparison, the relationship between Medicare-defined cost per case and Medicare payment per case is useful in examining payment equity.

Preliminary first year PPS results indicate that the financial performance of rural hospitals was substantially below that of urban hospitals. Estimated first year Medicare-defined profit margins averaged just 4.6 percent for rural hospitals while the margin for urban hospitals averaged 12.5 percent.[13]

The AHA, using 1984 Minnesota Medicare cost report information and rolling it forward to 1987 using HCFA inflation adjustments, has generated Table 3 which shows that the per case dollar margin for hospitals in Minnesota's various urban-designated areas is from two to over four times the dollar margin of the rurals. While one would expect the dollar margin for urbans to be greater due to their higher base, an examination of the percent margin confirms that all urbans receive a greater percent margin as well.

Data compiled by MHA suggests that this disparity between urban and rural hospitals may be even greater. As illustrated in Graph 3, admissions have dropped more than 20 percent in rural hospitals since 1983. It is unlikely that Minnesota's smallest hospitals could have implemented cost reductions that would have offset such dramatic declines in admissions. Therefore, costs have been spread over fewer patients, resulting in a higher cost per case.

Substituting actual Medicare discharges during the 12-month period September 1985 through August 1986 in AHA's cost per case model produced the following table:

Table 4 illustrates the dramatic impact falling admissions can have on cost per admission. Clearly, rural hospitals have borne the brunt of the reductions and would therefore suffer the greatest percentage increase in cost per case. Rolling 1984 costs forward while substituting actual Medicare admissions results in lower profit margins for all groups except the Minneapolis/St. Paul MSA. However, rural hospitals actually experience a negative profit margin under this scenario.

That data presented in the tables above lend support to the contention of rural providers that the current Medicare system is not equitable.

Impact of Skilled Nursing Facilities on Area Wage Index

Rural wage rates for hospitals in Minnesota are further skewed by inclusion of Skilled Nursing Facilities (SNF) salaries in the computation of the rural wage index. Because more than 50 percent of Minnesota's rural hospitals operate attached nursing homes or SNFs, the importance of this variable must not be underestimated. Administrators of rural hospitals with attached nursing homes contend that the mix of employees differs between hospitals and homes. Using the total facility wages and hours to compute the rural wage index distorts the average salaries in the hospital alone and lowers the rural wage index.

A recent survey of rural hospitals in Minnesota indicates that there is a 5.18 percent difference between the wages reported in aggregate (includes nursing home salaries) and in hospital wages alone (Table 5).

The impact of the 5.18 percent differential on the Minnesota rural wage index is unknown. However, the data supports the theory that there is a different staff mix in hospitals and in nursing homes.

Decline in the Number of Patients

One of the main factors precipitating the rapid financial deterioration of rural hospitals is the decline in patients. From the onset of PPS, the numbers of admissions and total patient days have dropped radically. Graphs 3 and 4 show the magnitude of the problem. Admissions of the smallest hospital declined 22 percent (1983-84 to 1984-85). The remaining showed the following:

Admissions change from 1983-84 to 1984-85

Hospital Size:
Under 50 beds, 22 percent decline.
50-99 beds, 21.5 percent decline.
100-199 beds 15.6 percent decline.
200 plus beds, 9.3 percent decline.

(Graphs 3 and 4 not reproducible for the RECORD.)

Nationally, the decline in admissions was much less and generally more gradual than in Minnesota. There are many reasons why Minnesota should exhibit these differences, but the net result is the impact on Minnesota's small, rural hospitals. Their ability to adapt to the new environment under PPS was eclipsed by the decline in patients.

Relationship Between Revenue and Expense

Rural hospitals response to PPS was, as noted above, limited by their size. Graph 5 displays the percent change for both expense and revenue. The relationship is expressed in adjusted admissions so that total hospital revenue and expense can be used, e.g., both inpatient and outpatient. Over the period displayed in Graph 5 the relationship between expense and revenue for the smallest hospitals show a marked change—not only down but, large variations within each bed class.

(Graph 5 not reproducible for the RECORD.)

The 1981/82 period exhibits a relatively normal expense/revenue relationship. However, starting in 1983, the changes in the expense revenue relationship for small hospitals are both significant and stressful. Several points can be made from Graph 5.

(1) The cost increases for hospitals in the Under 50 beds and 50-99 bed categories significantly outpaced their revenue increases. In 1983-84 the Under 50 bed group experienced an actual revenue decline of 4 percent while their costs increased 8 percent.

(2) Only in 1983-84 did the larger hospitals show cost increases greater than revenue increases. At the same time, the swing between cost and revenue for smaller hospitals was between 10 and 12 percent.

From the data, several significant conclusions can be drawn: Hospitals with less than 100 beds had less flexibility to respond to the admissions drop; small hospitals' cost increased at a higher rate than larger hospitals'; and smaller hospitals' increases in revenues did not match the increases in the larger, generally urban hospitals. The net result is financial hardship for smaller hospitals.

Medicaid Discounts

The gap between the state's MA/GAMC reimbursement levels and actual hospital charges widens each year. When coupled with the inequities in Medicare, the growing MA/GAMC payment shortfalls create a severe financial burden, particularly for small rural hospitals because they receive a greater percentage of their revenue from federal and state programs than do urban hospitals.

Like Medicare, Minnesota's MA/GAMC program reimburses hospitals prospectively based on the average of their hospital-specific per admission costs in the base year 1981. Since the program began in 1981, the Legislature has capped inpatient rate increases for MA/GAMC at a level significantly below the inflation rate. GAMC ratable reductions have also been imposed on hospital inpatient service, which means that an additional 10 percent in 1987 (reductions have been as high as 35 percent) will be discounted from the already too low GAMC reimbursement levels. The discounts that result from the ratio of hospital charges to MA/GAMC payments run as high as 30-60 percent, much higher than those of other third-party payers.

Analysis of the Health Information Resources of Minnesota data displayed from 1981 to 1986, identifies the changing payment patterns of Medicare, Medicaid and other payers (Graph 6). (The 1985 information is partly estimated; 1986 figures are projected.) From the data we can draw three conclusions:

(1) The "discount"—the difference between charges and payment—has grown significantly over the last years of Medicaid.

(2) The total discount in the 1985-86 period escalated more than 30 percent. In other words, hospitals received from Medicaid an average of 70 cents for every dollar charged.

(3) The discounts of other payers have remained stable or declined.

As rural hospitals struggle to survive, the Medicaid Program continues to extract services at a much greater discount than other payers. Some hospitals are able to transfer the cost of treating MA patients to other payers. However, hospitals with significant numbers of Medicare and Medicaid patients are unable to do so and must either reduce this overall cost of doing business or suffer losses.

(Graph 6 not reproducible for the RECORD.)

On average, Medicaid is seven percent of hospitals' total business. However, in parts of the state where the economy is poor, the Medicaid case load is increasing rapidly. This means even more losses for the hospitals.

Small, rural hospitals are apt to have wide swings in their case-mix because of their low inpatient volume. (Case-mix refers to the intensity of the types of services provided.) Changes in a hospital's case-mix over the years can have a significant impact on MA/GAMC reimbursement. Under MA/GAMC, a per admission rate is calculated for each hospital based on the average of the type of cases treated in the base year 1981. For many small, rural hospitals, this rate was based on a small number of MA/GAMC admissions which may not accurately reflect a hospital's current case-mix. If a hospital, in subsequent years, has a higher case-mix index, the hospital would potentially face a serious financial shortfall since reimbursement was based in a lower case-mix index. Payment rates to hospitals with high MA/GAMC patient volumes are more likely to reflect the hospital's actual case-mix over time. However, hospitals, in general, are finding increases in their case-mix. Patients are entering the hospital sicker because of programs like the MA/GAMC hospital admission certification program which often delays hospitalization.

MA/GAMC outliers represent even further shortfalls for small, rural hospitals. (Outlier cases (day/cost) fall significantly outside the norm and are catastrophic in nature.) A rural hospital may experience $15,000 in costs with an outlier case but receive only $1,000 from MA/GAMC. Since many rural hospitals have such a low inpatient volume, these losses are nearly impossible to offset by any gains from other payers. Although there is an appeals process at the Department of Human Services for such cases, the appeals process can take as long as one year.

Small, rural hospitals feel an obligation to their communities to remain in the MA/GAMC program. Nevertheless, at times, some feel they have reached the point where the financial loss stemming from an empty bed is less than one occupied by a MA/GAMC patient. If current MA/GAMC reimbursement trends continue, some rural hospitals may be forced to stop accepting MA/GAMC patients.

Many of these MA/GAMC problems experienced by rural hospitals will be examined by the Rule 54 study referenced earlier.

III. RESPONSE BY MHA'S TASK FORCE ON SMALL, RURAL HOSPITALS TO AHA'S INTERIM REPORT ON RURAL HOSPITALS

Since the advent of PPS, the AHA has been concerned about the equity of payment to small, rural hospitals. To focus even greater attention on the payment inequities, AHA in 1985 established a Special Committee on Small, Rural Hospitals to assess the financial impact of PPS on rural hospitals and to develop recommendations on how to avoid adverse effects. Over the past year, AHA's Special Committee on Rural Hospitals has studied the impact of Medicare PPS on the financial performance of rural hospitals. The principal issue addressed by the Committee was the inequity created by the dual urban/rural pricing structure. The Special Committee's October 1986 Interim Report describes the difference between urban and rural prices, reviews the evidence on inequitable treatment of rural hospitals, discusses the fundamental issue of whether a dual urban/rural pricing structure is inherently inequitable, and examines the implications of continuing or eliminating the rate distinction.

The Special Committee found no justification for the current dual urban/rural pricing structure for several reasons:

1. Urban/rural differences in the local "cost of doing business" should already be reflected in the Medicare price schedule since that is adjusted for labor and medical education costs. A further adjustment for non-labor resource prices would be more appropriate than maintaining the urban/rural rate distinction.

2. The location of a hospital is at best a crude indicator of the nature of the services it provides and the types of patients it treats. Instead, DRGs should be further refined to reflect differences in product mix.

The report specifically notes that hospitals located near urban areas are at a competitive disadvantage because they receive considerably less revenues than the urban hospitals despite comparable costs. The report also suggests that rural hospitals that offer specialized services not commonly offered by other rural hospitals may be forced to drop these services because of inadequate revenues from the rural rates.

In its recommendations, the Special Committee calls for the elimination of the dual urban/rural pricing structure in favor of price setting methods which better compensate for the limitations of DRGs and which better reflect the case-mix of the individual hospital. Differences in payments should be based on hospital characteristics more directly related to each hospital's unique case-mix and the prices it must pay for both labor and non-labor resources, the Special Committee recommends.[14]

The MHA Task Force reviewed AHA's Interim Report and presented written comments at AHA's December 1986 Regional Advisory Board meeting. These comments were based on MHA's economic analysis of the financial condition of small, rural hospitals in Minnesota (described in Section II), including the impact of the Medicare urban/rural rate differential and the area wage index. In general, the MHA Task Force supports the Special Committee's recommendations with the following comments:

1. MHA supports modification of the current Medicare rate-setting structure in favor of price setting methods which better compensate for the limitations of DRGs and better reflect the case-mix of individual hospitals. MHA opposes continued use of geographic location to distinguish differences in payment rates.

2. MHA opposes continued use of the arbitrary MSA designation to reflect labor market areas and suggests the exploration of other alternative labor market disignations now being examined by PROPAC.

3. MHA supports examination of non-labor resource price adjustments to reflect differences, for example, in equipment repair and delivery of supplies to rural hospitals far from urban areas.

4. MHA suggests that AHA examine the impact of nursing home salaries and wages on the rural wage rate calculations.

5. MHA supports AHA's recommendations regarding sole community providers but suggests that the county distinction not be used in favor of some other method to define labor market area.[15]

In addition to the Special Committee. AHA also has established a Working Party on DRG-Based Prospective Pricing to evaluate the adequacy and equity of Medicare payments. The Working Party developed a set of Medicare PPS equity principles to use as a guide to follow as future adjustments to the program are considered. AHA will use the recommendations of both these working groups in its future lobbying effort to influence Congress and the Reagan Administration regarding inequitable Medicare payment policies. In February 1987, the AHA Board and House of Delegates approved a set of Medicare PPS equity principles based on recommendations from both the Special Committee on Small, Rural Hospitals and the Working Party in DRG-based Prospective Pricing. These principles, designed to guide in the development of equity adjustments, include:

1. *Rate structure.*—Payment under the Medicare prospective pricing system should be based on a hospital's case-mix and the local cost of doing business. The dual urban/rural pricing structure should be eliminated in favor of other price setting methods which better compensate for the limitations of DRGs and better reflect the case-mix of the individual hospital. While necessary refinements are being developed, the difference between urban and rural rates should be restandardized to reflect the current difference in average costs between urban and rural hospitals.

2. *Cost of Doing Business Adjustment.*—The area wage index should be replaced with a cost of doing business index that more accurately reflects variations in both labor and non-labor costs. To better reflect labor costs, labor market boundaries should be established that minimize the number of hospitals whose wage levels differ substantially from the average in their labor market, and minimize the disparities in wage adjustments for hospitals located in adjacent urban and non-urban counties. To reflect differences in non-labor costs, an index should be created that reflect the non-labor cost-per-case incurred by hospitals in local market areas. One of the specific problems identified is the inability of the current wage index to accurately reflect wages paid by rural hospitals competing with urban hosptials for labor resources.

3. *Price Adjustments.*—Continue adjustments for indirect medical education and disproportionate share providers.

4. *Sole Community Providers.*—Redefine sole community provider to better identify those hospitals whose closure would adversely affect access to care in rural communities. Among other changes, these hospitals should be paid a percentage of the difference between costs and PPS payments in instances where costs exceed PPS revenues. The percentage of the loss that would be reimbursed should be a fraction of total volume.[16]

Like Minnesota, other Midwestern state hospital associations have created task forces to study the problems facing small, rural hospitals. The information generated from these efforts typically has been used to lobby state legislatures and Congress for better payments for rural hospitals and, in some cases, for financial relief in order to ensure access to health care in rural communities.

The Iowa Hospital Association and the University of Iowa, have embarked on an ambitious program to create the National Institute for Rural Health Policy which will conduct research on rural health issues. Several Midwestern states have already made a financial commitment to support Iowa's effort.

Missouri Appeal to HCFA's PRRB

Rural hospitals in Minnesota are not alone in their experience under the dual urban/rural pricing structure. In Missouri, for example, rural hospitals saw a glaring discrepancy between Medicare payments to rural hospitals in Jefferson City (rural status) and to hospitals in the Columbia MSA only 35 miles away. Both groups of hospitals used the same labor pool and vendors. On behalf of 22 rural hospitals, the Missouri Hospital Association filed an appeal with the Health Care Financing Administration's Provider Reimbursement Review Board (PRRB), challenging the arbitrary and capricious manner in which the urban/rural distinction has been implemented.

Specifically, the Missouri Hospital Association appeal argues that if the law requires different treatment for urban and rural hospitals, that treatment must be done in a fair and equitable manner.

IV. PUBLIC/PRIVATE INCENTIVES TO PROMOTE COLLABORATIVE EFFORTS AMONG RURAL PROVIDERS

Changes to the Medicare and MA/GAMC reimbursement systems, essential though they are, are not enough to assure the long-term viability of small, rural hospitals. Like their urban counterparts, small, rural hospitals must position themselves to compete in a changing health care environment. This may mean the single free-standing hospital of today will become a part of a multi-heath care organization which includes hospitals, clinics, nursing homes and home health agencies. Task Force members examined the need for public and private incentives to promote such collaborative efforts among rural providers.

More than 50 percent of the rural hospitals in Minnesota already are affiliated in some way with larger institutions. The benefits of these affiliations are many. For example, the rural hospital can take advantage of the purchasing power of the larger institution through group purchasing agreements for hospital products and supplies. Similarly, rural and urban hospitals can develop strong patient network systems, which work to the advantage of both. Rural hospitals can also take advantage of the fiscal and marketing capabilities available through an affiliation with a larger institution.

The number of hospital affiliations is on the rise, but there still are few collaborative efforts between rural hospitals and physician clinics. Economies of scale could be achieved in laboratory and pharmacy services, purchasing, and maintenance services if there were collaborative efforts between rural hospitals and rural physicians. However, rural physicians are reluctant to do so because hospital are far more regulated than physicians. Physicians do not want to add to their already cumbersome burden of government red tape, even for the sake of avoiding duplication of service or lower overhead. MHA's Task Force members believe the survival of rural hospitals and clinics depends upon their ability to collaborate. The stress that public policies should ensure that the incentives are in place, or the disincentives removed, to promote such collaboration.

Senator David Durenberger will introduce legislation in the 100th Congress that will help rural hospital change their service mix to match changing community needs. Durenberger's bill, the Rural Health Service Transition Incentive Act of 1987, would help rural hospital become, for example, health centers offering a mix of ambulatory services, an emergency center, hospice care, respite care, or other services needed by the community. The bill would remove CoN regulatory barriers and provide flexible funds to implement change.[13]

More Equitable Transfer Policies

The transfer of patients is one area where there should be mutual interest in collaboration among rural and urban hospitals, yet current Medicare reimbursement policies prevent this from happening. Typically, patients are transferred when second opinions are advised, or tertiary care is warranted. The tertiary centers, usually located in urban areas, depend on patient referrals from the rural hospitals. The rural hospitals often provide the pre-and post-operative hospital care at a less expensive rate and are closer to the patient's home. Unfortunately, Medicare reimburses the tertiary care center the full amount of the DRG, despite the fact that in many cases the rural hospital has perfomed the expensive pre-operative procedures as well as provided a three to five day convalescent care stay following inpatient hospitalization in the tertiary care center.

St. Mary's Hospital in Duluth, Minnesota, a tertiary care center, has suggested to HCFA several alternatives to the current inequitable reimbursement system for transferring patients. St. Mary's solution is twofold:

1. In cases where the rural hospital provides a one to two day hospital stay for preoperative procedures, followed by a patient transfer to tertiary center, the full DRG amount should be distributed based on each hospital's allocation of resources.

2. In cases where the patient is referred back to his or her community hospital for three to five days of convalescent care following inpatient stay in a tertiary center, the tertiary hospital should be allowed to contract with the rural hospital for convalescent days and bill HCFA accordingly.

According to St. Mary's, both solutions are budget neutral and the DRG amount is simply redistributed in a more equitable fashion. The advantage to tertiary centers is the firming up of referral patterns, while rural hospitals are paid for keeping patients in their less-expensive home environment before and after tertiary care. At this time, St. Mary's is not optimistic about its efforts to persuade HCFA to change its transfer policies.

Patients are also transferred from small, rural hospitals to urban hospitals when second opinions are advised. After the second opinion, patients might not be referred back to their rural hospital for treatment but instead are treated in the urban hospital. Again, this contributes to the severe reductions in inpatient volume experienced by rural hospitals.

Incentives to Promote Consolidation, Mergers

Affiliations with larger institutions may help many small, rural hospitals. Some rural hospitals might be better served by merging and consolidating services with other rural hospitals. The MHA Task Force examined the potential incentives to promote rural hospital mergers and consolidation by looking at the Minnesota educational system.

School districts in Minnesota are encouraged to consolidate, enter into pairing agreements and joint power agreements to promote greater effectiveness and efficiency in the delivery of education. Any activity by school districts in this area is under the direct supervision of the state which renders them exempt from the antitrust statutes. Some of these ideas were incorporated into Minnesota's Public Hospital Law, enacted in 1984. This law allows public hospitals to join in any sort of a system, or otherwise cooperate as other corporations are free to do to acquire needed resources and to become more efficient. These concepts, however, do not apply to private, non-profit hospitals because "collaboration for purposes of allocating services" violates the antitrust laws. Service allocation reflects the division of markets along product lines, which is illegal under the antitrust laws.

In the past, the state enacted legislation allowing various communities to band together to establish hospital districts because none of the communities could afford a hospital on its own. There are 18 hospitals designated as "district hospitals." Establishing hospital districts, however, for the purpose of allocating services, is quite the reverse of the original intent, and would also have antitrust implications.

V. RECOMMENDATIONS/ACTIONS OF THE MHA TASK FORCE ON SMALL, RURAL HOSPITALS

Based on the findings of the MHA Task Force on Small, Rural Hospitals, MHA should support the following policy recommendations:

Recommendations.—(1) The Medicare rate-setting structure should be modified to better compensate for the limitations of DRGs and to better reflect the current case-mix of individual hospitals.

Action.—MHA should commence a federal lobbying initiative to inform Minnesota's Congressional delegation of the inequities suffered by small, rural hospitals under the Medicare urban/rural rate differential. The Minnesota delegation should be persuaded through letters, phone calls, and personal meetings with rural hospital administrators that the differential should be modified to more accurately take into account labor and non-labor resources and each hospital's case-mix. The Minnesota delegation should be urged to initiate and pursue whatever legislative and/or regulatory changes might be necessary to ensure adequacy and equity of payment under the Medicare program.

MHA should continue to monitor the Missouri Hospital Association appeal to HCFA and offer whatever legal support might be necessary as the appeals process unfolds. If appropriate, MHA should file its own appeal to HCFA or enter into a lawsuit against HHS over the Medicare urban/rural differential.

MHA should share its comments on AHA's Interim Report on Small, Rural Hospitals with AHA and the other state associations in Region 6. MHA should investigate the level of interest by other Midwest states in making a concerted effort to influence Congress and HCFA to modify the Medicare rate-setting structure.

Recommendation.—(2) The MSA designation should no longer be used to define labor market areas. Alternative definitions as proposed by PROPAC should be examined. For example, the creation of separate indices for the urban core and surrounding ring plus the urbanized rural counties and the non-urbanized rural areas of the state warrants serious consideration.

(3) The C&NC salaries and wages of rural hospitals with attached nursing homes should be excluded from the calculation of their rural wage rate.

Action.—MHA should inform the Minnesota Congressional delegation of the negative impact that the use of MSAs as the definition of labor market area has on rural hospitals. Members should also be informed of the adverse effect on the Minnesota rural wage rate of including C&NC salaries and wages. Alternative proposals should be presented to the delegation for discussion.

Recommendation.—(4) The payment gap between MA/GAMC reimbursement levels and hospital charges should be narrowed by increasing MA/GAMC payments to at least the payment levels of other third party payers.

(5) Catastrophic losses incurred by rural hospitals for MA/GAMC and Medicare outlier cases should be eliminated.

Action.—MHA should pursue state legislative or regulatory remedies to address the problem of severe MA/GAMC reimbursement shortfalls, payment delays, and the sunsetting of GAMC ratable reductions.

MHA should examine the results of the Rule 54 study, particularly as they relate to small, rural hospitals.

MHA should educate legislators and other public policy-makers regarding the financial impact on rural hospitals of day and cost outlier cases under the MA/GAMC and Medicare programs. To alleviate the problem, MHA should present alternative proposals, such as the creation of a separate grouping for rural hospitals or using a per diem reimbursement for rural hospitals with low patient volume.

Recommendation.—(6) Medicare PPS policies should be flexible enough to allow more equitable payment systems for the transfer of patients.

(7) Rural hospitals should be encouraged to establish relationships with multi-hospital organizations and regional referral centers, and, when appropriate, be able to consolidate services with other rural hospitals and clinics without the threat of antitrust violations.

(8) Selected rural hospitals facing closure should be provided the financial means to retire their debt.

Action.—MHA should support federal regulatory changes to allow more payment flexibility under Medicare for the transfer of patients.

MHA should investigate the need for state legislative action that would exempt small, rural hospitals from antitrust implications so that collaborative activities can be undertaken. MHA also should investigate what financial arrangements might be possible to provide small, rural hospitals with some bonding authority and to allow others on the verge of closure to retire their debt.

Recommendation.—(9) The public should be made aware of the severe financial plight of small, rural hospitals and the community impact of hospital closures, both in terms of access to care and in economic loss.

Action.—MHA should continue to work closely with the Minnesota Medical Association, the Minnesota Coalition on Health Care, and the Minnesota Department of Health to pursue strategies that will ensure access to health care in rural areas.

MHA and MMA should coordinate their respective association rural health care activities.

MHA should aggressively launch a public information campaign describing the financial plight of small, rural hospitals and the need for rural communities to use their local hospitals. This campaign should demonstrate the economic impact of rural hospitals in their communities.

MHA should provide legal assistance to hospitals on the verge of closing.

TABLE 1.—NUMBER OF HOSPITALS WITH NET INCOME LOSS BY BEDSIZE BY YEAR

Bed size	1978 No. NI loss	Tot hosp	1979 No. NI loss	Tot hosp	1980 No. NI loss	Tot hosp	1981 No. NI loss	Tot hosp
0–49	37	91	30	92	24	94	29	95
50–99	14	23	6	23	4	25	2	24
100–199	4	28	2	27	4	25	5	24
200–299	0	5	0	5	0	5	0	5
300–399	0	3	0	3	1	2	0	2
400–499	0	4	0	4	0	4	0	5
500+	1	10	0	10	0	12	2	10
Total	56	164	38	164	33	167	38	165

Bed size	1982 No. NI loss	Tot hosp	1983 No. NI loss	Tot hosp	1984 No. NI loss	Tot hosp	1985 No. NI loss	Tot hosp
10–49	23	91	30	91	31	91	28	88
50–99	3	24	4	23	6	23	11	23
100–199	5	22	5	22	1	20	2	20
200–299	2	7	1	7	1	7	0	6
300–399	0	3	1	3	0	2	0	2
400–499	0	4	1	5	1	6	0	6
500+	1	9	0	9	0	8	0	8
Total	34	160	42	160	40	157	41	153

TABLE 2.—MEDICARE PAYMENT METHODOLOGY

	MPLS urban	MN rural	Duluth urban
Hospital specific portion:			
1a. Hospital specific rate (1)	1,500	1,500	1,500
1b. Hospital specific case-mix index (2)	1.00	1.00	1.00
1c. Case-Mix Adjusted Target Amount (line 1a/line 1b)	1,500	1,500	1,500
Federal portion:			
2. Labor portion of the regional rate (3)	2,135.28	1,804.23	2,135.28
3. Area wage index (4)	1.1679	.8719	.9852
4. Wage adjusted labor portion (line 2 × line 3)	2,493.79	1,573.11	2,103.68
5. Non-labor portion of the regional rate (3)	781.23	527.18	781.23
6. Adjusted regional rate (line 4 × line 5)	3,275.02	2,100.29	2,884.91
7. Labor portion of the national rate (3)	2,158.76	1,889.58	2,158.76
8. Area wage index (4)	1.1679	.8719	.9852
9. Wage adjusted labor portion (line 7 × line 8)	2,521.22	1,647.52	2,126.81
10. Nonlabor portion of the national rate (3)	811.55	560.33	811.55
11. Adjusted national rate (line 9 + line 10)	3,332.77	2,207.85	2,938.36
Consolidated price base:			
12. Hospital specific rate (from line 1c)	1,500	1,500	1,500
13. Hospital rate blend factor (5)	.25	.25	.25
14. Hospital specific component (line 12 × line 13)	375	375	375
15. Regional rate (from line 6)	3,275.02	2,100.29	2,884.91
16. Regional rate blend factor (5)	.3750	.3750	.3750
17. Regional component (line 15 × line 16)	1,228.13	787.61	1,081.84
18. National rate (from line 11)	3332.77	2207.85	2,938.36
19. National rate blend factor (5)	.3750	.3750	.3750
20. National component (line 18 × line 19)	1,249.79	827.95	1,101.89
21. Consolidated price base (lines 14 + 17 + 20)	2,852.92	1,990.55	2,558.73

(1) Provided by Intermediary
(2) Federal Register, Vol. 51, No. 170, Sept. 3, 1986, Table 3c, 31531
(3) Federal Register, Vol. 51, No. 226, Nov. 24, 1986, Table 1, p. 42232
(4) Federal Register, Vol. 51, No. 170, Sept. 3, 1986, Table 4a, p. 31555
(5) Assume Hospital Fiscal Year of Oct. 1, 3rd year of transportation period.

TABLE 3

MSA	Number of hosptials	Weighted ratio urban/rural		Weighted urban/rural			
		CST/CS	PMT/CS	$CST/CS	$PMT/CS	$MRGN	Percent
Duluth	9	1.53	1.61	3,146	3,991	845	27
Fargo Moorhead	1	1.42	1.64	2,928	4,071	1,143	39
MPLS/St. Paul	26	1.91	1.94	3,929	4,826	897	23
Rochester	3	1.46	1.94	3,007	4,818	1,811	60
St. Cloud	4	1.15	1.51	2,354	3,762	1,408	60
Rural	110			2,055	2,484	429	21

TABLE 4

MSA	Number of hosptials	Weighted ratio urban/rural		Weighted urban/rural			
		CST/CS	PMT/CS	$CST/CS	$PMT/CS	$MRGN	Percent
Duluth	9	1,37	1.61	3,606	3,991	385	11
Fargo Moorhead	1	1.90	1.64	5,007	4,071	(936)	(19)
MPLS/St. Paul	26	1.47	1.94	3,886	4,826	940	24
Rochester	3	1.26	1.94	3,329	4,818	1,489	45
St. Cloud	4	1.17	1.51	3,085	3,762	677	22
Rural	110			2,639	2,484	(157)	(6)

TABLE 5.—MINNESOTA RURAL HOSPITALS

District	Hospital salary	Total salary including nursing homes	Difference [1]
A	8.19	7.58	108.01
B	9.47	8.69	108.98
C	8.25	8.05	102.52
D	8.56	8.10	105.62
E	8.25	7.55	109.16
F	8.59	8.44	101.78
Statewide	8.52	8.10	105.18
BED SIZE			
0 to 49	7.74	7.14	108.46
50 to 99	8.96	8.55	104.88
100+	8.81	8.69	101.36

[1] The difference is equal to the percent increase from the total salary, e.g., the statewide hospital salary of 8.52 is 5.18 percent above 8.10 percent total salary.

FOOTNOTES

[1] *1986 Hospital Statistics,* American Hospital Association, Chicago.

[2] *Omnibus Budget Reconciliation Act of 1986,* PL 99-509, Congress of the United States, Washington, DC.

[3] *1986 Interim Report on Rural Hospitals,* AHA's Special Committee on Small, Rural Hospitals, Chicago.

[4] *Report & Recommendations to the Secretary,* U.S. Health & Human Services, April 1986, Prospective Payment Assessment Commission.

[5] *1986 Charity Care Survey,* Preliminary Results, Minnesota Hospital Association, Council of Community Hospitals, Minnesota Department of Health.

[6] *An assessment of the Financial Access Problem,* 1986, Minnesota Department of Health.

[7] *Health Care in Rural Minnesota: Have We Reached a Crisis?* 1987, Minnesota Coalition on Health.

[8] *Special Report, Averting a Crisis in Rural Health Care,* 1987, Minnesota Medical Association.

[9] *1986 Hospital Ratio,* Health Care Finance Division, Minnesota Hospital Association.

[10] *How Healthy are Minnesota Hospitals? A Financial Check-up,* 1987, David Lee, Minnesota Hospital Association.

[11] *Ibid.*

[12] *1986 Interim Report on Rural Hospitals,* American Hospital Association.

[13] *Ibid.*

[14] *Ibid.*

[15] *Comments on AHA's Interim Report on Rural Hospitals,* Minnesota Hospital Association, Task Force on Small Rural Hospitals, 1986.

[16] *Medicare Prospective Pricing Equity Principles,* American Hospital Association, 1987.

RURAL HEALTH INITIATIVE: REPORT OF THE TASK FORCE ON RURAL HEALTH

II. EXECUTIVE SUMMARY

Rural America is undergoing an economic crisis of staggering proportions. Minnesota, one of the richest agricultural areas of our country, is among the regions hardest hit. Farm income is at depression level, commodity prices are low and being forced lower, and the value of farmland has dropped 50 percent since 1981. In the first half of 1985 alone, land values dropped 26 percent—the largest annual rate of decrease in the 75 years that farmland prices have been measured. (Note 1)

Between January of 1981 and 1985, Minnesota farmers lost $18.5 billion. Five thousand farms ceased operating between June, 1984 and 1985, the largest single-year loss of family farms in the country, and 30,000 state farmers (about one-third of commercial operators) have debt-to-asset ratios that are 70 percent or greater. (Note 2) According to the Congressional Research Service, the likelihood that these farms will continue in operation for more than one, two or three years is extremely doubtful.

A recent study of the Rural Enterprise Institute reports that "the rural depression in Minnesota is yielding mounting secondary pressures: hunger, family violence, drop in church and civil activities, retail business failure and insurance cancellations." The degree of distress resulting from this depression, the study says, "now may be only one-third to one-half what it is going to be." (Note 3)

Among the secondary pressures of the farm crisis are its effects on quality and availability of health care in rural Minnesota. On October 1984, at the urging of U.S. Senator Dave Durenberger and many others, the Minnesota Coalition on Health began to examine these issues.

The Coalition is a nonprofit organization involved in a wide range of issues relating to the cost and quality of health care. To study the problem, it brought together representatives from the Minnesota Department of Agriculture, farm groups, state hospitals and medical associations and concerned others to explore the possibility of developing a rural health initiative.

After a preliminary look at concerns such as the changing rural economy, the potential for hospital closures, and the growing number of uninsured farmers, the study group agreed that the Minnesota Coalition on Health could play a crucial role in furthering dialogue on rural health issues and developing an agenda of issues to be addressed in the next few years. It recommended that efforts should focus on two groups: farmers and small businesses.

In response, the Coalition's Board of Directors, in March 1985, initiated the Rural Health Initiative. A Rural Health Task Force was appointed, with representatives from organizations having a major interest in the project (see Appendix A for a list of Task Force members).

The Task Force undertook a three-phase study:

1. Examination of existing health-related data from rural areas to identify rural health trends and current issues.

2. A series of statewide town hall meetings to gain anecdotal information from rural residents, employers and health care providers.

3. A survey of 3,000 farmers and 3,000 small businesses in rural Minnesota to gather further data on health system use and assess opinions on health care issues.

For purposes of the study, rural was defined as any area outside the seven-county Twin Cities metropolitan area. In the survey of Minnesota small businesses, this definition was slightly modified to exclude downtown Rochester and Duluth zip codes.

Twenty-five agencies and organizations contributed rural health data to the Task Force. More than 500 farmers, employers, health care providers, insurers and others participated in the town hall meetings in Little Falls, Grand Rapids, Fergus Falls, St. Charles, Thief River Falls and Worthington, sharing information and concerns on a wide variety of health care issues. Six hundred fifty farmers and 400 small employers responded to the survey.

Drawing on information from all these sources, the Rural Health Task Force has identified key issues affecting the future of health care in rural Minnesota and recommended action that should be taken by health care providers, insurers and consumers to ensure that, regardless of the current rural economic crisis, Minnesotans outside the metropolitan area have access to high-quality and affordable health care in the future. This report presents the findings and recommendations of the Rural Health Task Force. The findings and recommendations will be presented in the following chapters: Health System Change, Access to Health Services, Cost of Health Care, and Adequacy of Insurance Coverage.

Health system change: Its effect on rural health care

While the effect of the farm crisis has brought health issues to the forefront, a number of other factors are also affecting health care in rural Minnesota. Over the last decade, skyrocketing health care costs have precipitated significant public policy changes affecting delivery of services.

Efforts to control health costs through both regulatory and marketplace changes have led to tremendous upheaval in the health care system, affecting public programs such as Medicare and Medicaid. Regulating reimbursement through DRGs and other mechanisms has encouraged cost-cutting through reduced hospitalization (shorter stays in the hospital, greater use of outpatient services). With market reform has come increased competition for patients and greater emphasis on "managing" health care.

Rural health care must be assessed in light of both the farm crisis and health system changes affecting delivery of services. Task Force members, though diverse in interests and background, shared a number of assumptions about the current health care system. These assumptions, which served to focus the project emphasis, are:

1. The health care system in Minnesota is changing rapidly.
2. This change dramatically alters payment for services, and thus, the incentives which were the underpinnings of the "old" system.
3. The rural marketplace represents a new frontier for Twin Cities metropolitan area providers.
4. Competition in health care exists now and will intensify in the future.
5. There are both strengths and weaknesses in the current rural health system.
6. Within Minnesota, there are regional differences in rural health system capacity and capabilities.

The findings

Overall, the task force felt that the health system changes that are occurring both in the state and nationwide are having a major impact on rural health care providers. New liaisons are being formed, some "excess" is being squeezed out of the system and the health care system of the future will definitely look different.

There is concern about how these changes will affect access to quality health care in rural Minnesota. Some providers feel increasing pressure to conform to new directions, whether or not they are appropriate for their settings. There is also concern about how public policy is determined which sets these changes in motion. The Town Hall meeting attendees expressed opinions regarding health policies which have their root cause in "urban" problems (overcapacity, provider glut, etc.).

Many rural providers are unable or unwilling to cope with this rapid system change. Many rural consumers feel confused by the ever-expanding choices in health plans which now confront them.

Generally, there seems to be a feeling of powerlessness on behalf of many providers and consumers. Some feel the system is changing without respect to local needs or capabilities and that the rural health system in the future may not adequately meet the needs of its constituency.

A. Public Policy

Recommendation 1

The Health Care Finance Administration (HCFA) should develop a payment system that is equitable for all hospitals.

Recommendation 2

Rural providers must be particularly cautious of developing or promoting policies that encourage inappropriate and early discharges from hospitals.

Recommendation 3

Rural hospitals should work with local physicians, consumers and employers to determine their strengths and weaknesses. They should aggressively market strong services and facilities to their "customers," and develop methods to "capture" their area clients.

Recommendation 4

University of Minnesota Extension Service and the Department of Health should develop and promote educational materials for consumers regarding changes in health care delivery and payment system, to help them more fully understand what is included in existing insurance packages and how the health care system is changing.

Recommendation 5

Professional membership associations such as Minnesota Hospital Association, Minnesota Nurses Association and Minnesota Medical Association should help rural providers understand the changes that are occurring in the health care system by:

Offering management and organizational training and expertise to physicians, nurses, hospital and clinic administrators.

Offering educational information to trustees to help them respond to health system changes.

Serving as a clearinghouse for information related to rural health.

Advocating for rural health concerns.

Access to health services

The Rural Health Task Force had a number of concerns about the availability of Health care in rural Minnesota and consumers' access to a variety of health and social services.

Among those concerns:

What kinds of services are available in rural Minnesota, and do these services differ from those available in urban areas of the state?

With more stress-related health problems resulting from the farm crisis, availability of mental health services is of particular concern. What is the demand for mental health services? Is there a stigma attached to using them? Is access to these services adequate?

Other key concerns included:

Do rural Minnesotans, especially children, have access to preventive services?

What resources exist to provide aftercare (such as home-delivered services) following acute hospitalizations?

What choices of providers are available to rural consumers, and how far do consumers have to travel to receive the health services they want?

What is the cost of health care? Another important factor affecting access to care, this is discussed separately in the next chapter of this report.

The findings

The project findings indicate that access to primary physician care, hospital and clinic facilities, emergency care, dental care and preventive health services was good to excellent in most of rural Minnesota. In most areas, health planning and market forces have worked together to ensure the availability of these services to most rural Minnesotans.

There is concern, however, about the inadequacy of some services such as mental health and chemical dependency counseling and inpatient treatment, outpatient alternatives for hospital care and in some areas, shortages of nursing home beds for the frail elderly.

There was also much concern about the abundance of services which go unused because rural persons fear discovery of their need by neighbors, or worse, the loss of their independence by having to accept help from welfare agencies.

In general, the Task Force felt that if a person can pay for it, and if a nearby clinic or hospital provides the service, and if the local physician has the necessary skills and equipment to perform the appropriate procedure and if the rural person is not too proud or independent to seek the service, a person living in rural Minnesota will be able to get the health care they need in 1986.

B. Access

Recommendation 1

Statewide associations of providers who provide nonacute care services such as mental health, home health care and services for seniors should offer technical assistance to their members to help them develop outreach programs. Assistance should also be geared towards the development of a regional needs assessment to help determine a mix of cost effective services appropriate for each region of the state.

Recommendation 2

The Minnesota Hospital Association and the Minnesota Department of Health should examine the impact of community hospital closures on consumers' access to emergency care, maternity care and care for the elderly.

Recommendation 3

The Minnesota Legislature should request funds from the Health Care Finance Administration to develop a demonstration project which would combine Medicare and Medicaid monies into a single program and block grant these dollars to a regional government agency or multi-county organization of providers who will "go at risk" for the eligible population. These providers must agree to provide a complete array of Medicare and Medicaid services within a pre-determined region of the state for their enrollees.

Recommendation 4

Where Health Maintenance Organizations (HMO's) and other insurance plans who utilize cost containment mechanisms have penetrated rural markets, their impact on quality should be closely monitored and studied by the Minnesota Department of Health.

Recommendation 5

Information and referral services that encompass a broad array of services, including health care, should be developed in several areas of the state. Such a service could be used by all citizens, regardless of financial situation, on a sliding-fee basis. Such a service should be located apart from traditional welfare sites, but provide information and registration for welfare services.

Cost of health care—The concerns

The cost of health care is a major issue among rural Minnesotans, and has been for some time. As the farm crisis worsens, there is growing concern that health costs are becoming prohibitive.

What are farm families paying for health care?

Is the cost of health care inhibiting use of services?

What health organizations are surviving and making a profit?

Through the town meetings and surveys, the Task Force sought to learn more about these and other cost-related factors. Findings are summarized below. Additional findings specific to health insurance are addressed in the following chapter.

Farm income: An overview

Twenty-nine percent of farm survey respondents reported net income under $5,000 in 1985: 20% had incomes between $5,000 and $10,000; 18% had incomes between $10,000 and $20,000; and 8.7% reported incomes greater than $30,000. The survey asked, "What was your family's total annual net income from all sources in 1985 before taxes? (Disposable income remaining for your family after deducting all farming expenses, payment of interest on debt, and depreciation.)"

The findings

The cost of health care for rural Minnesotans is becoming a major concern. Testimony heard in the Town Hall meetings and survey findings conclude that while income from farming is dropping, the percentage of income spent on health care is growing and now accounts for ⅙ to ⅛ of total outlays. This would be alarming for a family with incomes in the $20,000–$30,000 range. But the average income of those surveyed was $10,000–$15,000, indicating that the cost of health care has become an enormous burden for many.

However, rural Minnesotans are coping, many are arranging for higher deductibles, forgoing routine exams or procedures or seeking less expensive alternatives to traditional care. But many are not. Eleven percent are currently uncovered for health care and another 19 percent are "just hanging on!"

The good news seems to be that persons living in rural Minnesota are not being denied services because of inability to pay. However, Task Force members expressed concern that many people are just not seeking necessary care or services because they fear denial or they fear discovery by neighbors and friends who are staff.

C. Cost

Recommendation 1

The Minnesota Legislature should reassess their eligibility criteria for medical assistance programs and make alterations necessary to ensure the people who are "asset rich" but have a real need for medical assistance can be served, perhaps by paying on sliding fee basis for a minimum package of services.

Recommendation 2

Private agencies and health care providers should assess how they can serve the underinsured and borderline poverty groups in their own communities. Creative programs might include:

Free or low-cost preventive services such as screening exams, immunizations, dental check-ups;

Offering health services to families in exchange for volunteer time of one of more family members;

Creative financing mechanism such as extending a credit line for preventive health care with low monthly payments and no financing charges.

Recommendation 3

The Minnesota Department of Health and Department of Commerce should evaluate benefits covered in rural areas to determine if current coverage includes preventive services.

Recommendation 4

Rural health providers should assess availability of free or low cost preventive services in their community. If such services are not available, the provider groups should develop a way to provide those services.

Adequacy of insurance coverage—The amount

Concern about the affordability of health insurance was one of the key issues leading to the Rural Health Initiative. Is health insurance affordable among financially distressed farmers?

For example, there have been reports that farmers are dropping health insurance because of high premiums, deductibles and copayments. A previous study gave some indication of how many farmers have health insurance and the type of coverage they have; however, data from that study do not reflect changes that may have resulted from the farm crisis. Similarly, we have not known why some farmers are uninsured or what impact that has on delivery of needed services.

Through the town meetings and surveys, the Task Force sought answers to these and other insurance-related questions.

The findings

Insurance Coverage for health care in the state appears to be deteriorating at a slow but steady rate. Eleven percent currently are uncovered for health care, an additional approximately 2% say they will drop their coverage in the next year. Combine these figures with the percentage who don't know how much longer they can afford coverage (19%) and you arrive at more than 30% who may be uncovered for health care in the very near future. This figure should alarm providers and policy makers alike.

Consumers also appear to be confused by health coverage and find it difficult to shop for. Keeping in mind that most rural consumers purchase their health care in isolation, this too should cause providers and policy makers to take note of a disturbing trend and develop strategies to encourage consumer education regarding health insurance.

D. Insurance

Recommendation 1

The Minnesota Coalition on Health should cooperate with the Department of Health and other interested organizations to further study the issue of uncovered care, focusing on determining:

What is an acceptable ratio of uninsured in a population?

What is underinsurance and how many are affected by it?

What is government's role in meeting the needs of uninsured and underinsured persons?

Should the minimum level of benefits which are covered by all insurance HMOs be reexamined in light of the changes since their inception in 1976?

Recommendation 2

The Minnesota Legislature should study health care coverage to identify vehicles that could be made available to all citizens to make health care affordable such as the Minnesota Department of Health's Healthspan proposal, group coverage options, health care subsidies or reinstituting funding for catastrophic Health E Program as examples.

Recommendation 3

The Minnesota Legislature should encourage broader coverage for health care by enabling self-employed persons (i.e. farmers and other small business owners) to deduct health insurance premiums from state taxes.

Recommendation 4

The Minnesota Coalition on Health, the Department of Health, the Department of Commerce and the Minnesota Extension Service, University of Minnesota should work together to meet consumers' needs for education regarding options for care and health insurance and work with the statewide network of Community Health Service Agencies and the County Extension offices to implement the educational program.

AVERTING A CRISIS IN RURAL HEALTH CARE: A SUMMARY REPORT BY THE MMA TASK FORCE ON RURAL HEALTH

A pending crisis threatens access to health care throughout rural Minnesota. All levels of government, third-party payers, health care providers, and rural residents must join forces to avert this crisis in rural health care.

These conclusions were reached by the Minnesota Medical Association's Task Force on Rural Health, which was created in August 1986 to determine the extent and severity of health care delivery problems in rural Minnesota.

Following an indepth study of the issue and a survey of MMA rural physician members, the task force determined that many of the problems are not unique to the rural population and that in many areas, access remains quite good. However, the economic situation in rural Minnesota has created an environment ripe for a major crisis, particularly in the northeastern region of the state. Already in rural Minnesota, a crisis exists in access to certain mental health services, and a substantial number of patients are delaying needed medical treatment, neglecting preventive care, and lacking basic health insurance all trends that could result in a sharp decline in the health of rural citizens.

Following is a summary of the rural physician survey results and the task force recommendations for easing or alleviating some of the problems facing rural Minnesota.

SURVEY RESULTS

The MMA surveyed its rural physician members this fall regarding their perceptions of rural health care delivery (Appendix). A 23% response rate was achieved from a total of 1677 physician.

Access.—Seventeen percent of the physicians surveyed believe there is a crisis in access to health care. Perhaps even more significant, 31% of these physicians have observed a decline in the use of preventive care such as well-baby care, and 37% noted a growing number of patients are delaying needed medical treatment.

Ninety percent of the respondents described emergency care, obstetrical services, and primary care as readily available, but more than half identified mental health services a less than readily available. Access to home health care and long term care was judged as only fair but overall was rated higher than access to mental health services (Figure 1).

(Figure 1 not reproducible in the Record.)

When asked to anticipate changes that would take place in rural health care over the next three years, 22% of physicians predicted a decrease in the use of preventive care and 42% anticipated little change. Sixty-two percent said they expect no change in access to specialized care. Twenty-four percent expect improvement, and only 12% fear a worsening. Forty-one percent expect that more patients will delay needed treatment in the future, 48% predict little change, and just 8% anticipate improvement.

Of their personal situation, 8% of surveyed physicians said that it is not at all likely that they will continue practicing in their area beyond the next year or two; 13% indicated that it is just somewhat likely and 73% that it is very likely that they will continue practicing in their area.

About 5% of those surveyed said they believe their hospital is in danger of closing and 6% report their hospital is facing merger, which could dramatically affect access to edical services in those local areas. Fourteen percent indicated that their hospital may need local tax support to survive.

Payment.—The number of uncollectible bills absorbed by health care providers is increasing, the number of patients covered by Medical Assistance and GAMC is also higher now than in the past, and physicians expect both to continue to climb over the next three years.

The current Medicare payment differentials between urban and rural areas drew strong criticism from the surveyed physicians; 76% indicated that public policy in this area is misdirected. This was the highest negative rating among all public policies tested. A close second was the Diagnostic Related Group (DRG) reimbursement system, for which 65% expressed disapproval (Figure 2.)

(Figure 2 not reproducible in the Record.)

Payment mechanisms such as Medical Assistance and Medicare were tested to see whether they were viewed as helping to make things better or if they were part of the problem. Medicare received the most negative rating, with 74% responding that the program was part of the problem. Medical Assistance and GAMC were second with a 63% negative rating. Insurance companies and BCBSM were given a negative rating by 40%. Sixty percent saw them as either making things better or some of both (Figure 3).

(Figure 3 not reproducible in the Record.)

Sixty-eight percent of responding physicians stated they have seen an increase in the percentage of Medical Assistance patients they have treated over the last three years—25% describing it as a large increase. This change was most dramatic in the Northeast region of the state, where 73% noted an increase in the use of Medical Assistance, and 40% described it as a large increase.

Actual caseload data supplied by the physicians also document a sharp rise in MA patients. Three years ago, 26% of physicians carried an MA patient caseload of 15% or more. Today, 52% of physicians see that many MA patients, and 71% said they expect to see even more in the future.

The financial impact of the changing rural economy is strongly reflected by the fact that nearly three-fourths of physicians reported an increase in their percentage of uncollectible bills, which understandably surfaced as an issue of great concern. Today, 30% of physicians report uncollectible bills of 15% or greater in their practices. Almost half anticipate uncollectible bills of 15% or more three years from now, and 75% predict the situation will continue to worsen.

Finances & Competitions.—A majority (64%) of the physicians indicated that they have not changed their referral patterns because of competition. Another 24% reported that they are referring more patients to other specialists, and 8% reported that they are providing more care themselves. Forty-three percent have experienced an income decline, and a majority expect further declines.

Of the 81% of responding physicians now practicing in a group setting, 52% are part of multispecialty groups and 29% concentrate on one specialty. Nineteen percent remain solo practitioners. These practice patterns appear fairly stable, with 87% reporting that they have not changed their style of practice during the past three years. Of the 13% whose practices have changed, 5% have moved from group practice to solo practice and 8% have moved from a solo to a group arrangement.

Some of the those working in group practices reported that they are moving toward affiliation with larger clinics. Twelve percent have already merged with larger clinics, 1% report having been bought out, and 4% have a working association with a larger clinic. Twenty-two percent indicated that they have considered affiliation, while 58% said they have not considered setting up any such arrangement. A strong divergence from this pattern emerged in the Northwest and West Central regions, where 43% reported that their clinics have already merged with larger clinics, and 17% said they have not considered affiliation.

HMOs are a growing reality in rural Minnesota, and are viewed with concern. When asked to judge their contribution to the health care delivery system, 59% of physicians said they see HMOs as part of the problem, while 10% believe they are helping to make things better. Thirty-one percent responded that some of both is the case.

Notably, 71% of the respondents plan additional physician recruitment, except in the northeastern portion of the state, where just 50% plan to recruit new physicians. Alternatively, 17% reported having laid off employees during the last three years. Twelve percent of respondents said they had laid off clerical and administrative staff, and 11% cited layoffs of nurses and physician assistants. Six percent described layoffs of lab or other clinical employees, and 2% said they'd laid off medical staff.

Rural Economics: The impact of rural economic problems was most evident in the respondents' projections for 1989. The majority said they expect their Medical Assistance and uncollectible billings caseload to increase, for more patients to lack insurance coverage, and for their own income to drop. These negative expectations were not totally consistent with the respondents' reported plans for expansion. One explanation may be that competition is motivating the expansion. Another explanation may be that physicians expect the rural economic woes to ease further in the future than 1989.

The rural economic situation is also clearly reflected in the answers to the question, "Over the past three years have you seen an increase in the number of patients lacking basic health insurance?" Of the physicians surveyed, 46% responded yes, 39% answered no, and 15% were uncertain. Significant regional differences were seen in the answers to this question, with over 60% answering yes in the Northeast, Northwest, and West Central regions.

Twenty-eight percent of physicians reported an increase in the number of patients requiring mental health services, which may or may not be related to changes in the rural economy. While 69% reported no change in the health of their patients, 19% described an overall worsening, and 12% noted improvement. Looking to the future, 26% said they expect a greater demand for mental health services, and 25% expressed concern about an overall decline in their patients' health.

The greater concern for the future is, once again, the issue of health insurance. Sixty-one percent anticipate a growing number of patients lacking basic health insurance. Nearly three-fourths of physicians in northeastern Minnesota fear this situation will worsen.

Preadmission certification requirements, state and federal reimbursement policies, and increasing liability premiums were also cited as serious concerns of the rural physician.

(Figure 5 not reproducible in the Record.)

RECOMMENDATIONS

Without a lot of cooperation by a lot of people very soon, the health care delivery system in rural Minnesota will begin to decline, primarily because of access problems. The Minnesota Medical Association Task Force on Rural Health submits the following recommendations in hopes of drawing those people together in an effort to avert a crisis in rural health care.

1. The MMA should work to alert federal, state, and county government, other third-party payers, health care providers, and rural residents to the potential crisis in rural health care and cooperate with all parties involved to prevent such a crisis.

2. A statewide coordinating office (and phone number) should be set up by state government to assist in making mental health referrals and identifying areas that do not have adequate mental health services, especially in crisis intervention. A system should include home health care services and could be modeled after the metropolitan area's "First Call for Help."

3. The MMA, in cooperation with primary care medical specialty societies, should develop crisis intervention continuing medical education courses in mental health for primary care physicians.

4. The MMA should work with the state government to establish a list of psychiatrists who are willing to offer phone consultation regarding mental health patients.

5. The MMA's Emergency Medical Service Committee, in cooperation with other relevant parties such as the Emergency Medical Services System, should develop guidelines for local and regional emergency services systems. This could be done in cooperation with a broader state-initiated study to determine where specific access problems exist in rural communities.

6. Minnesota must maintain support for ambulance services so that most state residents are within a reasonable distance of a Basic Life Support vehicle. This must be done after a statewide emergency services plan has been re-developed, based on the current economic environment. The MMA should cooperate in this effort through its Emergency Medical Services Committee.

7. The Minnesota Hospital Association, the Minnesota Medical Association, and the Minnesota Department of Health should jointly conduct a study of small, rural hospitals of 50 beds or less to define specific problems and the basic viability of these institutions.

8. The MMA should ask the legislature to explore the possibility of creating a one-time federal/state buyout of selected small hospitals for debt resolution if an agreement can be reached to convert the facilities to other needed services such as nursing home beds, emergency medical services, or outpatient services. The MMA also should join the Minnesota Hospital Association in a study of the negative effects of duplication of services and ways to increase cooperation among smaller hospitals.

9. The state legislature should investigate a higher level of mental health coverage from third-party payers. The MMA should work to inform legislators that, in some cases the minimum level of required mental health coverage may be inadequate. However, additional regulation may be a further drag on the economy and should be approached cautiously.

The Minnesota Department of Health, in cooperation with the MMA and other interested parties, should create a commission to study the sometimes conflicting roles of public health and private sector medical services. Duplication and competition should be eliminated or at least minimized. The commission should make recommendations on cooperative efforts and set guidelines that specifically address the needs of a rural rather than urban community.

11. The MMA should pursue legal, administrative, and political strategies like the following to end Medicare reimbursement inequities:

MMA members should pay a voluntary special assessment to be used to attack this problem;

State and federal office holders and policy-makers should be alerted to the extreme frustration rural physicians feel over their patients' Medicare reimbursement disparities;

The MMA should consider a public information campaign to further publicize this problem;

The MMA should further develop its ties to the active senior organizations (Minnesota Senior Federation and American Association of Retired Persons) and ask for their assistance in this effort;

12. The MMA should monitor the current national debate on medical reimbursement, particularly that concerned with a relative value scale for physicians (i.e., cognitive vs. procedural).

13. The MMA's Medical Practice and Planning Council should be asked to participate in the development of guidelines for identifying persons unable to pay for basic health care who don't qualify for government assistance; rural physicians can then continue to voluntarily provide free care on a case-by-case basis. The MMA should also support a concept similar to the American Medical Association's proposal for providing care to the uninsured.

14. The MMA should support and provide input into legislative efforts to require standards for home health care providers and assist the state in establishing a statewide referral system for the growing number of public and private home care services.

15. The MMA should encourage the legislature to establish a more simplified system for qualifying for government support programs and to reduce paper work. A toll-free number should be established for first-time applicants and to allow applicants to quickly check on eligibility in a "non-threatening" way.

16. The state should begin studying ways to relieve the economic difficulties facing physicians who practice in areas lacking adequate health care services, especially obstetrics. This could take the form of further tort reform, establishment of a risk pool for obstetrical malpractice judgments over a certain amount, or even a direct incentive to physicians who practice in these areas and provide obstetrical care.

17. The state legislature should investigate the possibility of developing something like a sliding scale fee reimbursement model based on numbers of Medical Assistance patients treated by a physician. This wouild encourage some practitioners, who treat as many as 30% Medical Assistance patients, to remain in practice in their area.

18. The MMA should work with its members to assure that physicians insist that they serve a primary role in efforts to measure quality of care through data collection and analysis of patient outcomes.

19. The role of the Minnesota Medical Services Corporation of the MMA should be publicized as a valuable resource for assisting in practice management. Because of the many challenges now confronting both rural and urban physicians, they must learn to run efficient practices and learn how to cope with changes in the medical profession. Seminars should be developed on rural medical practice arrangements, networking, satelliting, capitalization of practice, mergers, buyouts, contracts, and training. Practice seminars should also be developed to educate physicians about practicing medicine with very little (or no) hospital practice.

20. The MMA and the Minnesota Hospital Association should develop a consultative service for small hospitals to educate them about networking, sharing services, and other cooperative efforts.

21. Continuing medical education courses should be offered to rural physicians on emergency recognition, stabilization and transfer, and long-term care.

22. The MMA should support the extension of peer review and quality enhancement efforts to the outpatient setting.

23. The MMA should focus a major part of its public education efforts on helping patients understand.

The positive and negative aspects of competition and the intricately related health care delivery structure.

Insurance purchasing and how to be smart buyers of health care policies.

That local health care institutions need local support and patronage.

How to identify good quality medical care and understand that it can be found in a smaller or rural setting.

24. The MMA should work with other organizations to encourage the state legislature and local communities to continue working for new industry in farming areas and encourage physician members to assist in this effort at the local level.

25. The MMA should ask the governor to find ways to improve data collection and regional economic analysis to determine areas of the state suffering the greatest distress. Collective efforts should then be focused on those areas.

Other initiatives described in these recommendations are aimed at all of rural Minnesota or, when appropriate, the entire state.

MMA TASK FORCE ON RURAL HEALTH

James F. Knapp, M.D., Chairperson (Detroit Lakes); Roy Good, M.D., (Faribault); Jack Greene, M.D. (Chisholm); Kevin Kirby, M.D. (Thief River Falls); Andrew J.K. Smith, M.D. (Minneapolis); Peter Smyth, M.D. (Glencoe); Roy Yawn, M.D. (Worthington).

MMA STAFF

Steve Dombrosk and Liz Quam.

TASK FORCE ON RURAL HEALTH READERSHIP RESPONSE SURVEY

As part of its investigation into the condition of health care in rural Minnesota, the Minnesota Medical Association Task Force on Rural Health requests your opinions and responses to the material contained in its report. Please join in the policy development process as we enter the new legislative session by filling out the questionnaire below and mailing it to the Task Force on Rural Health at the Minnesota Medical Association, 2221 University Avenue SE, Minneapolis, MN 55414. Please respond no later than February 15, 1987.

THE STATE OF RURAL HEALTH CARE

1. The Task Force evaluation of the situtaion in rural Minnesota is: Excessively optimistic, Generally accurate, or Excessively pessimistic.

2. The future of health care in rural Minnesota is: Brightening—the worst times are past, Stable—present conditions will endure for some time, or Worrisome—the situation will decline.

THE TWO MINNESOTAS—CONTRASTS AND COMMON GROUND

3. Compared to urban Minnesota, the problems faced by rural physicians are: Very different in most ways, More similar to the metropolitan than different, or Different in some ways but with some common problems.

4. Current differentials in reimbursement between urban and rural areas are: A fair reflection of the differing costs or An unjustified imposition on rural health providers.

POLICIES FOR CHANGE

5. In setting its priorities for the 1987 state legislature the MMA should place the rural health agenda: At the top—the leading edge issue for the year, As a high priority but not to the exclusion of other concerns, or As a low priority—not in the major thrust of MMA efforts.

6. When selecting which portions of the rural agenda to emphasize the MMA should:

Stress those problems shared by urban and rural areas together, Emphasize the unique difficulties facing rural Minnesota, or Balance the two types of problems.

SPECIFIC TASK FORCE FINDINGS AND RECOMMENDATIONS

7. Please note below the one Task Force recommendation that you would emphasize most.

INFORMATION ABOUT YOURSELF

I am a physician; allied health professional; administrator; other; I live in urban; rural; Minnesota.

APPENDIX

Question 4a. Do you practice in a group arrangement or as a solo practitioner?

If group: How many physicians are in your local group: Less than 5—30; 5 to 15—34; over 15—37.

Question 4b. If you work in a group practice, has your clinic considered affiliating with a larger clinic, above and beyond signing a contract with an HMO?

If Affiliated: How many physicians are in your combined groups: 1-20—26; 21-60—26; 61-120—24; Over 120—24.

Question 8a. Compared to three years ago, has your practice or clinic seen a change in the percentage of write offs?

If yes: Please estimate the percentages of write-offs below.

Percent	As of 3 years ago	Currently	Expected 3 years from now
1-4	29	10	10
5	30	10	6
6-9	15	26	11
10	16	14	18
11-14	1	10	7
15	3	10	12
Over 15	7	20	36

Question **8b. Compared to three years ago, have you seen a change in the percentage of your caseload using Medical Assistance (MA)?**

If yes: Please estimate the percentages of MA cases below.

Percent	As of 3 years ago	Currently	Expected 3 years from now
1-4	11	4	4
5	18	7	8
6-9	16	12	9
10	21	16	8
11-14	8	8	12
15	12	15	14
Over 15	14	37	45

Question 10b. If your local hospital were to close, how many miles is it to the next nearest hospital? 1 to 10—13; 11 to 15—17; 16 to 20—20; 21 to 30—31; Over 30—20.

Question 11. Compared to 3 years ago, have you seen a change in the size of your net pre-tax income from medical practice?

If yes: Please write the percentage change below:

Declining Income: Greater than minus 10%—17; minus 6 to minus 10%—14; minus 1 to minus 5%—11.

Stable Income: No change—21.

Increasing Income: 1% to 5%—12; 6% to 10%—14; Greater than 10%—11.

Question 3a. How many total years have you been in practice?

1-5 years—15; 6-10—18; 11-15—19; 16-25—19; Over 25 years—29.

Question 3b. How many years have you been in practice in your area?

1-5 years—22; 6-10—22; 11-15—17; 16-25—17; Over 25 years—22.

Question 3c. How many years do you expect to remain in practice in your area?

Less than 4 years—16; 4-5—12; 6-10—21; 11-20—35; Over 20 years—17.

Question 9. In which county do you base your practice?

Health Planning Regions: Northwest—7; Northeast—17; Central—10; West Central—8; Southwest—16; Southeast—20; South Central—14.

Mr. DURENBERGER. Rural hospitals have been subject to a number of adverse trends which have put them in serious jeopardy.

First, rural America is in a depression. Commodity and raw material prices are down, land values are down and that means the tax base of rural communities have been undermined. Demographic changes are taking place, which mean rural residents tend to be older and poorer than previously. As a result, small rural hospitals serve a disproportionately poor and elderly population, to an increasing degree. Many are more than 50 percent dependent on Medicaid/Medicare payment for their revenues. You can see the impact even a small change in reimbursements would have.

Second, there is an increasing reliance on outpatient services which has exacerbated the downward trend in hospital use caused by demographic forces. Average length of stay and occupancy rates have eroded significantly in just the last 3 years.

Third, we have now identified that the PPS discriminates against rural hospitals in the manner in which it differentiates between urban and rural areas. I have a bill which I will introduce shortly with a bipartisan group of supporters to make this very necessary adjustment.

Fourth, health needs are changing in rural America. Mental health services, hospice care, respite care and other specialized services are sorely needed. I have introduced legislation to create a grant program to give these small hospitals the minimal seed money they need to make changes in their service mix.

Mr. President, we have much to do on the Finance Committee to address this vital quality of life issue for rural America. There is strong support on the committee, on both sides of the aisle, for this effort. The resolution before us would mean deeper cuts elsewhere as we search for ways to provide these necessary funds.

Economies are achievable and we will find them. But those who return to this well year after year have to understand that from here on out, each bucket of savings has very real human consequences for our rural, elderly, disabled, and economically disadvantaged citizens.

As far as this budget resolution is concerned, the handwriting appears to be on the wall. But as this process continues in conference with the House, and in reconciliation in the Finance Committee, I will be looking for ways to moderate the impact of the cuts proposed by the chairman's amendment, so that we continue the orderly process of building a compassionate and efficient national health policy.

I hope my colleagues will support this amendment and I congratulate my friend from Rhode Island for introducing it.

I yield the floor.

Mr. CHAFEE. Mr. President, we have discussed this on our side. I just want to move on to an area that the distinguished chairman of the Budget Committee did not address as fully as he addressed the Medicare side. That is the Medicaid. I feel just as strongly about Medicare, but Medicaid also deserves our attention. It is in Medicaid that so many of the programs are required if we are going to move ahead and help those who are not elderly but are below the poverty level, the poor. This is an area where we can make so much progress both for reducing low-birth-weight babies, providing greater prenatal care for mothers, moving into new areas such as uncoupling the current attachment between Medicaid and the other subsistence programs like AFDC or SSI.

It is an area where we can do so much to help those who are currently, as I mentioned previously, required to be in institutions because that is what Medicaid will pay for as opposed to the improved care at home so that those who wish to be at home and are able to be at home can be at home. That is permitted in some States under the waiver but it is not national. I hope we can achieve that.

Finally, Mr. President, I just think that the Senate talks about these programs, and I suppose every Senator in this Chamber, every Member of the Senate, has spoken about the need to move ahead. But we cannot do it unless we are willing to do it. This is the vehicle to do it with. It says we are going to provide the money for it. I just hope that my colleagues will approve this amendment.

The **PRESIDING OFFICER.** Who yields time?

Mr. CHILES. Mr. President, in the budget resolution before us now we have added $200 million for Medicaid. Our assumption is based on providing coverage for low-income pregnant women and for children. We have certainly tried to recognize these needs brought up by the Senator from Rhode Island. The House has some $600 million additional money in these functions and we will go to conference with the House. We are talking about the Finance Committee, where these issues will be settled. It has jurisdiction over about $500 billion, and we are talking about trying to get savings of approximately $2 billion out of $500 billion. The House has $1 billion.

Goodness knows if we cannot make some savings within that—the Senator from Pennsylvania said he thought all this money ought to be able to be found in savings, and I agree.

Mr. HEINZ. Mr. President, on a point of personal privilege, the Senator has taken my name a number of times and I have to tell the Senator that I only had 3 minutes to give what would have been about a 15-minute statement. I did not have a chance to finish the sentence to which the Senator is referring.

Mr. CHILES. Did I not hear him correctly?

Mr. HEINZ. He heard about two-thirds of a sentence and then the Chair announced that my time had expired. So, yes, I pointed out in what I said there were a number of inefficiencies in the Medicare Program. That will be clear in the remarks that I did not have time to deliver. But I do say in the rest of the text that they will not pay for what the Senator from Rhode Island and I want to do. And I apologize that time constraints misled the Senator from Florida. It was not my intent to do so.

Mr. CHAFEE. The time constraint is now, so if we could proceed.

Mr. CHILES. I yield.

Mr. CHAFEE. Does the Senator from Florida yield back the remainder of his time?

Mr. CHILES. My understanding is that we may have a Senator who wants to speak and I was trying to ascertain that.

I suggest the absence of a quorum and ask the time to come out of my side.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHILES. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time has expired.

Mr. CHILES. I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. CHAFEE. Mr. President, has all time expired on my side?

The PRESIDING OFFICER. All time has expired on both sides. The question now is on the motion to table.

Mr. DOMENICI. Mr. President, I think we had the kind of a gentleman's understanding that we would try to stack the votes, and I wonder if the distinguished chairman has any objection.

Mr. CHILES. I have no objection to that. I just wanted to get in my motion to table.

The PRESIDING OFFICER. If the amendment is set aside, it will take unanimous consent.

Mr. DOMENICI. I ask unanimous consent that we temporarily set aside the Chafee amendment and the pending vote and that the Senator from Alaska [Mr. MURKOWSKI] be permitted to proceed with his amendment, and after he has completed his amendment and discussion thereon we return to the Chafee amendment for disposition.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Alaska is recognized.

Mr. MURKOWSKI I thank the Chair.

Mr. DOMENICI. Mr. President, I want to yield 15 minutes off the bill to the distinguished senior Senator from Alaska on the Murkowski amendment.

Mr. CHILES. Mr. President, reserving the right to object, is that going to mean 30 minutes?

Mr. STEVENS. Put the two amendments together. It does not take unanimous consent. The Senator can yield me 15 minutes off the resolution. We have 2 hours coming.

Mr. DOMENICI. Mr. President, I think the distinguished senior Senator from Alaska makes a good point. He joined in an amendment and was not here when we set 15 minutes on a side. He would like some time, and I have time on the resolution. I do not want to violate the 15-minute per amendment unanimous-consent agreement; but when Senator MURKOWSKI is finished, I would hope that the Senator from Florida would work out something with us.

The PRESIDING OFFICER. It is the judgment of the Chair that the Murkowski amendment is before the Senate. The distinguished Senator from New Mexico does have time on the resolution which he can yield to the Senator from Alaska.

The Senator from Alaska [Mr. MURKOWSKI] is recognized.

AMENDMENT NO. 190

(Purpose: To transfer $100,000,000 to function 700, Veterans Benefits and Services, from function 800, General Government)

Mr. MURKOWSKI. Mr. President, I send an amendment to the desk for myself and Senators STEVENS, SIMPSON, D'AMATO, KASSEBAUM, WILSON, QUAYLE, MCCAIN, BOSCHWITZ, TRIBLE, DOMENICI, and NICKLES and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI], for himself and others, proposes an amendment numbered 190.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 19, increase the amount on line 49 by $50,000,000.

On page 19, increase the amount on line 51 by $100,000,000.

On page 21, decrease the amount on line 49 by $50,000,000.

On page 21, decrease the amount on line 51 by $100,000,000.

Mr. MURKOWSKI. Mr. President, my amendment would restore to the Veterans' Administration, $50 million in budget authority and $100 million in outlays in fiscal year 1988. This is a very small amount of the recommended funding level which the members of the Veterans' Affairs Committee unanimously recommended to the Budget Committee, but which is not included in the budget resolution before the Senate.

I have attempted to keep my amendment as narrow as possible and have not included most of the additional funding included in the Senate Veterans' Affairs Committee's unanimous views and estimates to the Budget Committee. Rather, Mr. President, this amendment is premised on the need for funding for only three initiatives for veterans which I, as ranking member of the Veterans' Affairs Committee, consider to be the most essential.

Mr. President, I would like to take a moment to explain to my colleagues why I believe that these three programs are so important and vital to our Nation's veterans.

First, legislation to compensate veterans exposed to radiation: Mr. President, this issue goes back over 40 years. We have seen our veterans exposed to radiation in the Second World War: the Pacific tests, Bikini Atoll, the Nevada nuclear tests, the occupation at Hiroshima and Nagasaki.

Mr. President, 40 years is too long. Congress should act now to provide the mechanism for compensating veterans exposed to radiation. Veterans exposed to radiation should be able to count on the Congress to consider their case in a timely manner. Forty years is hardly a timely manner. Veterans exposed to radiation should be able to count on Congress to consider their case, and up to now, as much as 42 years later, Congress has not resolved their case.

The question has been the lack of scientific knowledge, and we will never perfect scientific knowledge. We have not done it in 40 years. Veterans in this country are sick. Veterans are dying due to diseases associated with radiation exposure during that time period. Unfortunately, the current system has compensated very few of our veterans. The Congress must not fail to act, on the basis of a technically, such as insufficient funds for compensation in the budget resolution.

Mr. President, if adopted, my amendment would add $17 million for compensation for these veterans and their survivors to fund legislation which will be considered by the Veterans' Affairs Committee.

Mr. President, the second area is the matter of AIDS treatment in our VA hospitals.

I am extremely concerned about the AIDS epidemic and the cost to the VA of treating its veteran victims. The VA treats about 7 percent of the AIDS population in this country, in VA hospitals. Most people are not aware of the role the Veterans' Administration hospitals are playing in this area.

As ranking minority member of the Committee on Veterans' Affairs, I have become increasingly aware of this problem as it pertains to the Veterans' Administration and to those veterans afflicted with the deadly disease. It costs in the neighborhood of $800 per day to treat one AIDS victim, and yet the VA hospitals are being allocated only $45 a day. I ask, Mr. President, what justice that is. It is quite a disparity, to say the least. As a result, other veterans are being turned away of their treatment is delayed.

Almost 200 veterans, one-third of all the patients, at a VA hospital and outpatient clinic in New York City suffer from AIDS. Members of my staff have visited that facility and they tell me there is a lack of money and thus a lack of staffing to care for such a large AIDS population. This problem is equally serious in other VA facilities throughout the Nation especially in California.

The Veterans' Affairs Committee's views and estimates relative to the fiscal year 1988 VA budget recommended additional funding of $47.5 million for AIDS treatment during that fiscal year.

Mr. President, I am concerned that the VA is treating this large number of AIDS patients and that funding, as recommended by the Senate Budget Committee, will not be adequate to address this crisis. I strongly believe that this additional funding is vital. I am confident that my colleagues will recognize the importance of adequate funding for the treatment of veterans who suffer from AIDS.

The funds which I am proposing, along with my colleagues, the original sponsors, to add for the Veterans' Administration will be used for this most important program.

Third and last, Mr. President, funding in this amendment would be provided for legislation which would address a skilled VA nursing shortage. In order to provide the quality health care to our Nation's veterans through the VA's 172 medical centers, the VA must have the ability to attract and retain the skilled registered nurses.

Mr. President, one cannot read the newspaper or watch the evening news without hearing stories of the nursing shortage in this country. In order to be competitive with the private sector, the VA must have the appropriate tools to act quickly to address a critical nursing shortage in the VA medical system.

In certain geographic regions, VA medical center directors are forced to close wards because of this shortage.

Mr. President, things are that bad.

Because I consider this a most important problem, I introduced S. 713, a bill to provide the VA with the authority to pay a bonus to a registered nurse who agrees to work full time for a minimum of 3 years in a clinical specialty or geographic region where the VA is experiencing recruitment or retention difficulties.

Funds will be needed in fiscal year 1988 to address this most serious problem in the VA health care system.

My amendment, Mr. President, proposes to provide additional funding for the Veterans' Administration and this funding could be used to address the significant nursing shortage within the VA.

Mr. President, the VA budget has declined by 6 percent in real terms between 1981 and 1986 and under the revised Chiles amendment, funding for veterans will decrease by $1 billion and an additional 3.7 percent during the same period.

Mr. President, I know of the commitment of the distinguished chairman of the Budget Committee to our Nation's veterans; however, I must remind him that this proposed decrease comes at a time of enormous demands on the VA due, in part, to an aging veteran population in need of increased medical and long-term health care.

By 1990, Mr. President, one of four veterans, 7.2 million, will be 65 years of age or older.

Mr. President, we simply cannot meet that commitment with the funds allocated to the Veterans' Administration under this proposed budget resolution. Veterans only ask to be treated equitably with other programs, and I submit this is certainly not the case of the proposal that we have from the Budget Committee.

I think we recognized, Mr. President, that we can never properly repay our debt to our Nation's veterans.

Mr. President, I am quite confident the people of this Nation are supportive of our country's unfulfilled obligation to these veterans' and these people, if given the opportunity, would be supportive of utilizing the $100 million which is identified in the budget document for the public financing of the elections of Senators of these United States at the taxpayers' expense, for a much more worthy purpose. That more worthly purpose, Mr. President, is for the benefit of our Nation's veterans.

I would like to add more funding back to the veterans' benefits and services function. However, I have attempted to limit the proposed restoration of funding to that which is truly necessary.

The amounts and initiatives which are assumed by my amendment reflect conservative and fiscally responsible choices for the enhancement of certain important programs and initiatives in order to ensure that the benefits and services which are crucial to our Nation's veterans are provided.

I would hope that the chairman of the Budget Committee, who is not on the floor now, would accept my amendment in support of our Nation's veterans.

At this point I yield to my distinguished colleague, the senior Senator from the State of Alaska, who will address the offsetting savings from function 800, general government which, presently includes public funding for elections.

I thank the Chair.

The PRESIDING OFFICER. The senior Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I note that the distinguished occupant of the chair is very well informed about this subject I want to discuss, which is the budget assumptions of the Chiles substitute for S. 2, which is the campaign financing reform bill on the elections cycle of 1988.

Our committee, the Rules Committee, has reported this bill out and it recommends a system of public financing for Senate campaigns. This afternoon, when I examined this resolution that it before us now, the Chiles substitute, I found that there was $100 million in it for the election cycle of 1988 for public financing.

Knowing as I do the provisions of the bill which the distinguished senior Senator from Kentucky has reported as chairman of the Rules Committee, I know that money could not be used for the 1988 election cycle even if the bill is passed.

I want to urge the Senate to listen to this because this is not an attack on public financing. That day will come as the chairman knows. I shall address the subject of public financing for Senate campaigns in the future.

But the provisions of the campaign financing bill are that even if passed this year, the bill would not become effective for an election occurring less than a year after the date the bill is signed. In order to qualify under the act, a candidate for the Senate would have to solicit campaign contributions which the bill envisions would be solicited the year before the election. It envisions a 2-year process as is the case in an election cycle for the Senate and it is just not possible for S. 2, even if it is enacted this year, which I doubt seriously it will be, for that act to bring about an impact on the budget of $100 million in the fiscal year 1988.

When my distinguished colleague and friend from Alaska indicated that he had this amendment dealing with veterans' benefits and services, I indicated to him that I knew that this money that is in the budget, the $100 million in outlays, was not needed. He had another source he was going to suggest for the money. I urged him to take the money from this section of this budget resolution because, Mr. President, there is just no reason for the veterans' benefits to be reduced in order to have a budget that reflects public financing of Senate campaigns, when it cannot realistically be required for the 1988 election cycle even if the provisions of S. 2 are passed.

I hope the Senate will listen to this one. I know that there are plans to table almost any amendment that is offered here now. But I share with Senator MURKOWSKI's committee the desire to deal with some of these problems of the veterans, and particularly I want to reinforce what he has said about the problem of AIDS. We now have not only that problem showing up in those who are in the service now and we have added, incidentally, to the 1987 budget and the 1986 budget some $72 billion to deal with problems of AIDS in the existing military active duty population, but Senator MURKOWSKI and his committee and other members of the Veterans' Committee have identified this increasing need of the Veterans' Administration for funds to deal with AIDS in our veteran population that seeks medical attention.

I know of no more pressing problem in the country than the problem of AIDS. It is a plague and it affects all of us but to have people who are entitled to Veterans' Administration medical services be denied those services under the concept that we do not have the money when there is this surplus money in this budget resolution I think would be wrong.

I hope that the Senate will listen to our plea, that we shift the $100 million——

The PRESIDING OFFICER. If the distinguished Senator will yield to me, the 15 minutes to the junior Senator from Alaska has now expired. Does the distinguished Senator from New Mexico wish to yield 15 minutes now to the senior Senator from Alaska?

Mr. DOMENICI. I yield 10 minutes to the distinguished Senator.

The PRESIDING OFFICER. The Senator from Alaska has 10 minutes.

Mr. STEVENS. Mr. President, that time I hope can be yielded in part to my friend from Alaska because I used a portion of the time he originally had outlined for his portion of this amendment.

But let me finish by saying this: We will address the question of public financing for Senate elections at length, I think, this year. That in and of itself is a difficult problem. But I do not understand, and I hope that the chairman of the Budget Committee will explain to this Senator, why there is a reservation of $100 million in such a tight budget cycle for a bill that has not become law, and that even if it became law, has an effective date that does not provide for any financing for elections occurring less than a year after its passage. Under those circumstances, that money is surplusage, in my opinion, in this budget resolution, and I believe that Senator MURKOWSKI has properly identified the source to offset these veterans' benefits and services, the function 800 provisions in this budget resolution.

I urge the Senate to support this amendment for not only the reason that Senator MURKOWSKI has outlined but for the reasons I have outlined. This money in this portion of the bill is not needed.

I reserve the remainder of the time that has been allocated to us and I ask that Senator MURKOWSKI be permitted to utilize it.

The PRESIDING OFFICER. The junior Senator from Alaska.

Mr. MURKOWSKI. I thank my colleague, the senior Senator from Alaska, for yielding.

Mr. President, I strongly endorse the arguments of my colleague from Alaska. Public financing of congressional campaigns is not appropriate. I think it is particularly inappropriate that this budget diverts revenue for public financing of senatorial campaigns even before the Senate has voted on the issue. I know that Senator STEVENS and many others are working to provide alternatives to public financing of our elections.

Let there be no mistake about it, Mr. President, as this vote takes place, the public is going to read the outcome as an issue of whether the Senators are voting specifically for public financing of our elections, or voting for the veterans of this country. And the veterans of this country are going to watch this vote very carefully.

So let us debate public financing thoroughly in the Senate before we go on record to divert money. We have clearly got the cart before the horse in this budget. Let me put even more bluntly, my colleagues, the choice that my amendment offers, and the choice is a simple one: Do we want to restore funding for extremely important veterans programs, or do we want to give ourselves a break, a break at the taxpayers' expense, to have the taxpayers fund our own elections? I do not believe that there is a choice in this matter at all.

Mr. President, I would ask that the remaining time that has been allocated to the senior Senator be identified by the Chair.

The PRESIDING OFFICER. There are 6 minutes remaining

Mr. MURKOWSKI. I ask that I may reserve that time. I would conclude, Mr. President, by indicating the importance and significance of just how the public is going to react to the action that we are contemplating taking tonight, whether indeed we are going to look to the U.S. taxpayer to fund our elections at public expense, or we are going to fund worthwhile and needy programs that I have identified for our Nation's veterans?

Mr. President, I ask for the adoption of my amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield myself 5 minutes. I think the Senator from Illinois, Senator SIMON, has some questions he wanted to ask me on the Chafee amendment which we set aside. I will be happy to try to respond to the Senator.

The PRESIDING OFFICER. All time for the Chafee amendment has expired.

Mr. DOMENICI. Mr. President, I wonder if the distinguished Senator, since he has 6 minutes, would permit me to use 30 seconds to address that issue before we get onto another subject.

Mr. CHILES. I am glad to do that.

Mr. MURKOWSKI. I would yield to the ranking member, the Senator from New Mexico.

Mr. DOMENICI. I want to ask the distinguished Senator if he would put me on as an original cosponsor of his amendment. I think the argument has been very well made that in that general Government function there is at least $100 million that, under any reasonable set of assumptions, is not needed. And if it is not needed, I do not know why we ought not provide it in the function for the Veterans' Administration. Obviously, there is a need. It has been tightened by the Chiles amendment. And if there is $100 million in that function 700, I can see no better place for it go. I compliment you for the amendment.

Mr. MURKOWSKI. If I may respond to the Senator without losing my right to the floor.

The PRESIDING OFFICER. The time is running on the Senator.

Mr. MURKOWSKI. I thank the Chair.

I would be happy to put the Senator from New Mexico on the amendment and I should announce to the Chair the withdrawal of the junior Senator from West Virginia [Mr. ROCKEFEL-

LER], at the request of the chairman of the Budget Committee.

The PRESIDING OFFICER. Without objection, the junior Senator from West Virginia [Mr. ROCKEFELLER] is withdrawn and the senior Senator from New Mexico [Mr. DOMENICI] is added as a cosponsor of this amendment.

Mr. LAUTENBERG. Mr. President, the resolution before us adds $323 million in veterans program spending over the level provided in the resolution reported by the Budget Committee. I sought the addition of that spending. I proposed an amendment to add $360 million. I worked with the chairman of the Budget Committee and the chairman of the Veterans Affairs Committee to see that the amendment be largely incorporated in the revised plan before us. As a result, we will be able to do a better job of addressing the needs of veterans in the areas of health care, job training, and disability payments for veterans suffering from radiation-induced cancer.

The amendment before us would have us choose between funding for campaign finance reform, and more funding for veterans. More funding is needed, Mr. President, but we need not make the choice presented. I am hopeful that we will secure even more funding for veterans in conference. And, as a member of the Appropriations Subcommittee that funds veterans programs, I will fight to ensure that, within the allocation provided to the subcommittee, we find the resources to meet our debt to those who have served their country.

I appreciate the needs of our veterans. That is why I proposed an amendment to add funds in this area—an amendment that has been largely incorporated in the plan before us. For these reasons, I will vote to table the amendment.

Mr. BYRD. Mr. President, Mr. STEVENS, I understand, said that it was inappropriate to put money in the budget before S. 2 is passed. That is, in fact, the purpose of the budget process—to define priorities first, in the budget, then to act in accordance with the budget.

Mr. STEVENS said, I am told, S. 2 is written so it will not take effect until 1990, so why include money for fiscal year 1988. In fact, if it is enacted in its current form before November of this year, it could take effect for the 1988 Senatorial elections.

Mr. MURKOWSKI said this is a choice between making taxpayers pay for Senate election costs and providing necessary help to veterans. The chairman of the Veterans Committee, Mr. CRANSTON, has highlighted the fallacy of this claim. This is, in fact, a transparent attempt to scuttle campaign finance reform before it ever comes to debate on the Senate floor.

Mr. President, this year is the year to stop the money chase in senatorial campaigns. This is the year to remove the public's perception of inordinate special interest influence in our Government. This year is the year to stop the incredible upward spiral of campaign costs, where some campaigns in some States cost over $20 million, and the cost is soaring ever higher in each election.

This year is the year to clean up our campaign finance system.

In response to the argument that it is essential to give the veterans more money, the President's budget cut $300 million from veterans programs. The Domenici budget cut $400 million from veterans programs. The sequester program would cut $1.5 billion. The Chiles budget is the best of all of these alternatives, it adds $100 million for veterans programs.

The PRESIDING OFFICER. The Senator from Florida.

Mr. CHILES. Now, Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator may proceed.

Mr. CHILES. I yield to the Senator from Illinois.

Mr. SIMON. I thank my colleague for yielding.

If I could just comment first, very briefly, first on the comments of both of my distinguished colleagues from Alaska. I do not think anyone in this body would want to move back to the old days, before we had the voluntary checkoff on the Presidential election. It was a major step forward for this country and I hope we take that major step forward in the Senate races, also, but that is not the question that I thank my colleague from Florida for yielding on.

AMENDMENT NO. 189

As my colleague from Florida knows, I and Senator MITCHELL of Maine and some others have been very much concerned, as I know the senior Senator from Florida is, about the whole Medicare-Medicaid field. And in response to those concerns, while I was asking for $1 billion additional, and I realize $1 billion is tough to get, the Senator from Florida has added $300 million in and I appreciate that.

If I may ask my colleague from Florida, what are the prospects?

Mr. CHILES. I want to say to my good friend from Illinois, he did get a billion dollars. He got $1.2 billion over 4 years, because that is $300 million a year. So he did get a billion dollars.

(Mr. LEAHY assumed the chair.)

Mr. SIMON. I suppose if we added more years on I could claim even more than that. But if you are looking at 1 year, we got only $300 million. And I have to be realistic about the next year, which is what is really important in this budget resolution.

My concern is, frankly, I do not think the numbers we have in here on Medicare are at all realistic. I think we are going to hurt a lot of rural hospitals. I think we are going to hurt the senior citizens ultimately.

If I may ask my colleague, what kind of numbers would you guess we are going to emerge with in conference with the House? I know it is difficult to anticipate precisely what will happen, but is there a reasonable chance, if we reject the amendment of our colleague from Rhode Island, that we will end up with figures that are more realistic in this Medicare-Medicaid field?

Mr. CHILES. I would say to my good friend from Illinois, the House is $1.5 billion lower than we are in their savings. This has always been a function that they have shown great persistence about protecting. I know there is no way our figure will survive and we will have to compromise with them.

I want to say further to my good friend from Illinois that when this question came up, it was a concern as to whether our numbers were too high. It was a matter raised by the Senator from Illinois, raised by the distinguished Senator from Maine, Mr. MITCHELL, raised by a number of other Senators on our side. We asked the chairman of the Finance Committee. He said, "I don't want to speak to that until I get a chance to review this with my staff because I was holding out."

The savings we were talking about were not going to come against beneficiaries. We have a sense-of-the-Senate provision in this resolution that they should not.

The chairman of the Finance Committee has said he is going to see that they do not. And after that conference with his staff, he came back and he said, "The numbers will be a little tight. We think that we could make the savings you talked about."

Now that was before we reduced those savings about another $300 million, which was at the insistence of the Senator from Illinois or in his request because he was posing amendments he had at the time. We also have the fact that when we go to the House, we will have to compromise this figure with the House.

We are talking about a function here that is over $70 billion. The Senator from Illinois knows there is an overall process to change the way the hospital compensation is now provided. Certainly within that, I think that we have to look to protect rural hospitals. The Senator from Florida has those same hospitals. We want to see that we do that, but we think there are ample savings that could be made and none would come off the beneficiaries. It should not be at the expense of the rural hospitals.

The PRESIDING OFFICER. The 5 minutes of the Senator from Florida has expired.

Mr. CHILES. I yield myself 1 additional minute.

Mr. SIMON. If I could ask my colleague to yield to one additional question. I realize you cannot say what is going to happen in conference, but in fact we are talking about a billion dollars and if it is cut in half that means $750 million additional or in fact we would come close to the billion dollars additional that I originally requested.

Mr. CHILES. I think it would have to turn out very, very close to that.

Mr. SIMON. I thank my colleague from Florida.

Mr. CHILES. I reserve the balance of my time.

I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

AMENDMENT NO. 190

Mr. BOREN. Mr. President, I thank my colleague from Florida. I want to address the pending amendment, the amendment which would cut function 800 by another $100 million. Let me say that while this has been referred to as an amendment to kill campaign finance reform and to take the money out of the budget resolution that is potentially available, if we are able to enact campaign reform, that in fact it would just have the effect of reducing function 800 which has already been reduced substantially.

In fact, the budget now before us has reduced function 800 $200 million in budget authority and $600 million in budget authority below the President's recommendation.

Function 800, of course, includes the legislative branch, the Internal Revenue Service, the General Services Administration, and other expenditures as well.

So I think our colleagues should be very, very careful in understanding that if they vote for this particular amendment, they are voting for unspecified cuts in function 800 that could impact a lot of other areas of government as well.

Let me address the question of campaign finance reform for just a minute. This Senator I think has one of the strongest voting records of any Member of this body in terms of supporting the veterans and veterans' programs. The issue here is not veterans. Time and time again I have voted to improve programs for veterans. This Senator would vote for almost any amendment that would cut funds in other areas. If this were an amendment to cut foreign aid in order to give more to the veterans who have served this country, this Senator would be voting for it.

What we are dealing with here is a cleverly disguised attempt to try to tie our hands in advance and make it impossible for us to vote for campaign finance reform.

What is the issue? The issue is simply this: Under the Supreme Court decision we have been told by the Court that the only way we can limit total campaign expenditures in this country is to devise some kind of voluntary system which allows for checkoff funds as we use in the Presidential system to be used as an encouragement to candidates to voluntarily accept spending limitations. The courts have said we simply cannot impose arbitrarily a mandatory limit on campaign spending. We can only limit spending by having candidates voluntarily accept it.

Of course, as we have found as a practical matter the only way to get voluntary acceptance of campaign spending limits is to use that voluntary acceptance as a precondition to the obtaining of funds from a campaign checkoff system. That is what has been done in the Presidential system. It has worked well in terms of reducing the amount of spending and getting special interest funding out of Presidential campaigns.

Do we want to stand by and tie our hands in advance and say that once again this Congress will not deal with the pressing issue of campaign finance reform? Do we want to put the lie to the vote of some 69 Members of this body last year? Seventy were on record, and one was unable to get here because of a delayed train schedule. Do we want to put the lie to the fact that they have gone on record, our colleagues, in saying we want to do something about campaign finance reform by finding a clever way through the back door under the false guise of saying we are providing additional help to the veterans to kill any opportunity for campaign finance reform?

I hope that my colleagues will ask themselves this question: How long are we going to wait to deal with this problem? Twelve years ago it cost less than a half a million dollars on the average to run a successful race in the U.S. Senate in this country. This past election cycle on the average, not in large States where the sums went as high as $15 million, $20 million, and $25 million in the combined campaigns, but on the average it costs $3 million.

I was speaking to a group of high school students the other day. In 12 years they will be old enough, these high school seniors, to run for the U.S. Senate.

If campaign costs increase at exactly the same rate with no acceleration, exactly the same rate for the next 12 years that they have been increasing for the last 12 years, it will take $15 million on the average for those young high school seniors to run for the U.S. Senate in an average sized State in this country.

How long are we going to wait until we address this disgraceful situation? Do you think the veterans of this country are well served by having a system in which the highest public offices in this land are put on the auction block? Do you think it improves the ability of this body to deal with the needs of those who are disadvantaged in this country to make the outcome of elections dependent upon the raising and spending of money instead of attempts to go back to the grass roots to do it?

I would submit that this is an amendment flying under false colors. Let us not tie our hands in advance from looking at solutions for dealing with this pressing problem.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Who yields time?

Mr. CRANSTON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. CRANSTON. Mr. President, as chairman of the Veterans' Affairs Committee, I feel an especial obligation to ensure that the Veterans' Administration's funding level is adequate to carry out the programs and provide the benefits which veterans have earned in service to our Nation, and to which Congress has mandated they are entitled.

Since the budget resolution originally reported by the Budget Committee did not provide that level of funding, I joined with my friend, the Senator from New Jersey [Mr. LAUTENBERG], who, as a member of the Budget Committee, has shown a strong commitment in his support of veterans' programs, the ranking minority member of the Veterans' Affairs Committee, the Senator from Alaska [Mr. MURKOWSKI], and fellow Veterans' Affairs Committee members, Senators MATSUNAGA, DECONCINI, ROCKEFELLER, and GRAHAM, in proposing an amendment to increase the VA's funding. That amendment, which was deficit neutral—based on an offset obtained by raising the maximum level of civil monetary penalties and criminal fines—sought increased funding for three key areas which were inadequately funded in the budget resolution: VA health care programs, the Veterans' Job Training Act, the disability payments for radiation-exposed veterans.

However, Senator LAUTENBERG and I, along with the other cosponsors of the proposed amendment, have worked with the chairman of the Budget Committee, Senator CHILES, toward the goal of a responsible budget which addresses the critical need to reduce the budget deficit, while protecting our national defense and safeguarding domestic programs, and providing fairly for veterans. Our efforts have resulted in an increase in the budget resolution now on the floor in funding for veterans' programs of approximately $50 million in outlays and approximately $85 million in budget authority for fiscal year 1988. This increase will go a long way to fund the targeted areas of need which I have mentioned, and will do so in the form of a responsible, deficit-conscious budget.

In this context, I turn to the amendment proposed by the Senators from Alaska [Mr. MURKOWSKI and Mr. STEVENS].

In another scenario, I could certainly support—indeed would be proposing—the addition of $100 million in budget authority and outlays for veterans' purposes. But that scenario is not the one before us.

Rather, we have put together a balanced and fair budget resolution that has the support of at least 57 Senators. There were and still are many competing needs for funding that did not receive the favorable consideration that the Lautenberg-Cranston-Murkowski- Matsunaga- DeConcini- Rockefeller-Graham amendment did.

With regard to the specific needs pointed out by the distinguished Senator from Alaska, I concur that those are important needs for the VA and for our veterans. But, in the entitlement area, I believe we will have enough funding cross-walked to our committee to enable us to report and pass the radiation exposure benefits legislation that both of us have proposed. As to the other funding needs cited by the Senator—for AIDS treatment, which is certainly very important, and for recruitment and retention of VA health-care personnel—I will be seeking fiscal year 1988 appropriations for those programs—together with my friend from Alaska, I am sure. My belief is that there will be adequate crosswalk allocations in discretionary spending to the HUD-Independent Agencies Appropriations Subcommittee.

This will be particularly significant if the Senate conferees decide to move very close in conference to the House-passed budget resolution figure for function 700 outlays, which is quite a few million above the level in the pending revised Chiles budget.

The chairman of the Budget Committee, Mr. CHILES and I and our staffs have discussed this outlay situation, and I am confident that he will do what is right for veterans, as he always has and as he has done already, most specifically, in his revised budget. I know he did the best he could in agreeing to the added function 700 funds in his spending revised budget, and I know he will do even better given the latitude of a conference situation. He knows what our needs are and I feel confident that he and the other Budget Committee members will make sure that we honor fully our commitments to the Nation's veterans.

I wonder if the distinguished chairman would care to comment on the conference situation as he envisages it.

Mr. CHILES. I can certainly assure my friend from California that we will do the best we can for veterans. It is my understanding that the House budget resolution is very close to ours in the veterans' function. If there is a way to take care of the concern of the Senator from Alaska, the Senator from California and all the other Members, and that is a small sum if we have room in there, I will assure my friend from California we will try to do that.

The PRESIDING OFFICER. All of the time of the Senator has expired.

Mr. CHILES. I would say to my good friend from New Mexico, I have not yielded time off of the bill because we had this combination. I think at this stage I will offer time. I know the majority leader is on his way to the Chamber and he is going to speak.

I will yield 1 minute on the bill to the Senator from California.

Mr. CRANSTON. Let me say simply that, in regard to viewing this amendment without regard to its effect on other Government programs or agencies, additional funding can always be put to good use at the VA. But if we evaluate the needs of competing interests fairly, we must examine where the additional funding is coming from—not just where it is going.

The money would be drawn from campaign financing and I am in the strongest opposition to that part of the amendment. I believe that providing for public financing of congressional elections is one of our most pressing national needs. That needed reform will benefit veterans as well as all Americans. I regret very much that providing for veterans has been drawn into the political cauldron on campaign financing tonight. Veterans know where I stand on veterans' issues, on veterans' needs. They will understand my opposition to this amendment and they will understand and accept the stand of all Senators who oppose this amendment.

To illustrate that this amendment is not really a test of funding for veterans programs, I wonder why a number of the cosponsors voted for the DOMENICI substitute budget which would have frozen VA medical care expenditures at a level almost $400 million below the level which would be provided under the Chiles revised budget.

Mr. CHILES. I yield 1 minute from my time on the bill to the distinguished Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 minute.

Mr. MITCHELL. Mr. President, I merely want to make the point that of the four budgets that the Senate has considered in this process, the one that is now pending, the revised Chiles budget, has the highest level of spending for veterans, the highest level of four budgets that have been considered here.

The Senate should be aware that the CBO baseline budget for veterans was $27.9 billion. The President's budget proposed to cut that by $300 million, to $27.6 billion. The budget of the Senator from New Mexico, the alternative budget, proposed to cut it $400 million, to $27.5 billion.

The first Chiles budget would have increased it slightly, by about $12 million. The second Chiles budget increases it now by an additional $88 million, to a $28 billion figure.

So the real choice before the Senate in terms of realistic funding for veterans is the Chiles budget.

May I have an additional 1 minute?

Mr. CHILES. I yield 1 additional minute.

Mr. MITCHELL. The real choice on veterans' affairs is that this budget which the Senator from Florida has how presented in revised fashion provides the highest level of spending for veterans' programs of any one of the four budgets that have been presented to the Senate. If someone wants to support veterans' programs, they should support the Chiles budget because the alternative to that will be some separate alternative package which will undoubtedly ultimately provide for a lesser level of funding for veterans, Medicare, education, and other domestic programs.

The worst thing that could happen from the standpoint of those of us who support veterans' programs is to see the Chiles budget defeated because in the reconstructing of a budget package the almost certain result will be a lower level of spending for this and other programs, as witness the fact that every other budget presented here prior to this moment calls for a lower level of spending on veterans' affairs than does the Chiles modified budget.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I think the issue before us tonight is, where are our priorities? We have heard expressed from our colleagues on the other side of the aisle, particularly I note the Senator from Oklahoma, who I have the highest esteem for, talk about tying our hands in advance.

Mr. President, I do not think we are kidding anyone. This body is going to have an extended period of time to debate the merits of public financing.

The benefits we are talking about here are for the veterans of this country: Those who are being treated for

AIDS, those who have been exposed to radiation, and those who require nursing care.

So when we talk about a false guise, Mr. President, I suggest we look specifically at what is before us. Where are our priorities? The suggestion has been made that our priorities lie in our own self-interest, Mr. President, of allowing the public, the taxpayers, to finance our elections. We have an opportunity before us, Mr. President, and the opportunity is now.

I certainly endorse the commitment of the senior Senator from California, the chairman of the Veterans' Affairs Committee. He has stood fast for veterans' benefits without question. But we have an issue raised by the budget document, that suggests there is $100 million in a specific function, function 800, the public funding of elections.

We have before us right now, an opportunity to address the needs of veterans. When we talk about supporting 1988 funding levels, I think we have to look specifically at just where we are in relationship to the Chiles amendment, because the level of funding in the Chiles amendment is still less than the unanimously recommended levels by the Senate Veterans' Affairs Committee for budget authority and outlays for fiscal year 1988. Our committee recommended budget authority of $28.2 billion for fiscal year 1988, yet the Chiles amendment would provide less budget authority, $28 billion. Thus, that is $200 million less budget authority than what our committee recommended.

There would also be less outlays in the Chiles amendment. The Chiles amendment provides $27.4 billion in outlays for fiscal year 1988, although the Veterans' Affairs Committee recommended $27.6 billion in outlays for fiscal year 1988. That is $200 million less outlays than what our committee recommended.

So make no mistake about it, Mr. President. In fact, the Veterans' Affairs Committee indeed recommended a higher amount for veterans than is in the Chiles budget.

So as we reflect on where we are, I think we have to recognize that we are doing the best we can for our veterans with what we have. But we have an opportunity to do something now. When I say, Mr. President, that we have waited 40 years to take care of the radiation problem, and we have an opportunity to do it now, then why not do it now? When I say that we have an AIDS problem which everybody is aware of, and we have a specific source of funding designated for our own self-benefit at the taxpayers' expense, why not address the AIDS problem now, by giving them proper care, and providing them with more and better nursing care?

We have an opportunity to do it now.

I can use the same argument about campaign financing. We can appropriate funds at a later date. But here, Mr. President, we have an opportunity to specifically identify a funding category.

Again, I would refer to the question of where are the priorities of the U.S. Senate tonight as we address the merits of these important issues and our obligations, which we can never satisfactorily pay back to those who gave the ultimate sacrifice in defending our country? We are talking about whether or not we look out for our own self-interests, and whether the taxpayers of this country should fund our election process.

Mr. President, I would suggest that we really examine this issue indepth and recognize how the public, how the media, is going to look at this vote. They are going to look at it as the Senate's saying, "OK is it in our own best interests to decide on the issue and the merits of public funding" when, indeed, we have an opportunity to recognize a greater need for veterans that has not been met.

You tell me where the priorities of the Senate are. I think we would all agree that we have an obligation and it is far past due. I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired. The question now recurs on the Chiles motion to table the—

Mr. CHILES. Mr. President, we are going to ask unanimous consent that we set that aside.

Mr. DOMENICI. All time has expired. We were ready to vote when the Senator walked on the floor, and I assume the Senator wanted to table.

The PRESIDING OFFICER. Is the Senator from Florida seeking to propound a unanimous-consent request?

Mr. CHILES. I ask unanimous consent we set aside the previous vote and, if all time has expired, I move to table the Murkowski amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there an objection to the unanimous-consent request? There is no objection. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I yield time off the resolution. We have been stacking votes and we have been successful in doing it one at a time. We now have two votes, the Chafee amendment and the Murkowski amendment, that we have stacked by agreement when the debate had finished, and so I ask unanimous-consent that we set aside the Murkowski amendment at this time and proceed to the Evans amendment; that when the Evans amendment is disposed of, and only then, we will return to the original order, which would call for votes on the two previous amendments in the order that they had been presented to the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from New Mexico? The Chair hears none——

Mr. EVANS. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Washington reserves the right to object.

Mr. EVANS. And I will not object. Would the effect of that be that the vote on my amendment would occur before the votes on the other two amendments or after the votes on the other two amendments?

Mr. DOMENICI. Previously our request had been in the order they had been presented to the Senate, which would mean the Senator would be in the third position as I understand it.

Mr. EVANS. That is fine. I just wanted to know which it was.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears no objection. Without objection, it is so ordered.

AMENDMENT NO. 191

Mr. EVANS. Mr. President, I send an amendment to the desk on behalf of myself and Senators DOMENICI, HATFIELD, MCCLURE, PACKWOOD, SYMMS, MCCAIN, GARN, SIMPSON, and STEVENS and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. EVANS], for himself and others, proposes an amendment numbered 191.

Mr. EVANS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. LAUTENBERG). Without objection, it is so ordered.

The amendment is as follows:

On page 1, decrease the amount on line 32 by $2,100,000,000.

On page 1, increase the amount on line 33 by $500,000,000.

On page 1, increase the amount on line 34 by $400,000,000.

On page 2, increase the amount on line 1 by $400,000,000.

On page 2, decrease the amount on line 5 by $2,100,000,000.

On page 2, increase the amount on line 6 by $500,000,000.

On page 2, increase the amount on line 7 by $400,000,000.

On page 2, increase the amount on line 8 by $400,000,000.

On page 2, decrease the amount on line 31 by $2,100,000,000.

On page 2, increase the amount on line 32 by $500,000,000.

On page 2, increase the amount on line 33 by $400,000,000.

On page 2, increase the amount on line 34 by $400,000,000.

On page 2, decrease the amount on line 38 by $2,100,000,000.

On page 2, increase the amount on line 39 by $500,000,000.

On page 2, increase the amount on line 40 by $400,000,000.

On page 2, increase the amount on line 41 by $400,000,000.

On page 3, increase the amount on line 36 by $400,000,000.

On page 3, increase the amount on line 37 by $500,000,000.

On page 3, increase the amount on line 38 by $400,000,000.

On page 3, increase the amount on line 39 by $400,000,000.

On page 3, decrease the amount on line 44 by $2,100,000,000.

On page 3, increase the amount on line 45 by $500,000,000.

On page 3, increase the amount on line 46 by $400,000,000.

On page 3, increase the amount on line 47 by $400,000,000.

On page 4, decrease the amount on line 1 by $2,100,000,000.

On page 4, increase the amount on line 2 by $500,000,000.

On page 4, increase the amount on line 3 by $400,000,000.

On page 4, increase the amount on line 4 by $400,000,000.

On page 4, decrease the amount on line 9 by $2,100,000,000.

On page 4, decrease the amount on line 10 by $1,600,000,000.

On page 4, decrease the amount on line 11 by $1,200,000,000.

On page 4, decrease the amount on line 12 by $800,000,000.

On page 4, decrease the amount on line 17 by $2,100,000,000.

On page 4, increase the amount on line 18 by $500,000,000.

On page 4, increase the amount on line 19 by $400,000,000.

On page 4, increase the amount on line 20 by $400,000,000.

On page 6, decrease the amount on line 43 by $2,500,000,000.

On page 9, increase the amount on line 6 by $100,000,000.

On page 9, increase the amount on line 8 by $100,000,000.

On page 9, increase the amount on line 18 by $100,000,000.

On page 9, increase the amount on line 20 by $100,000,000.

On page 9, increase the amount on line 30 by $100,000,000.

On page 9, increase the amount on line 32 by $100,000,000.

On page 9, increase the amount on line 44 by $100,000,000.

On page 9, increase the amount on line 46 by $100,000,000.

On page 10, increase the amount on line 4 by $100,000,000.

On page 10, increase the amount on line 6 by $100,000,000.

On page 10, increase the amount on line 16 by $100,000,000.

On page 10, increase the amount on line 18 by $100,000,000.

On page 10, increase the amount on line 28 by $100,000,000.

On page 10, increase the amount on line 30 by $100,000,000.

On page 22, increase the amount on line 47 by $100,000,000.

On page 22, increase the amount on line 49 by $100,000,000.

On page 23, increase the amount on line 7 by $200,000,000.

On page 23, increase the amount on line 9 by $200,000,000.

On page 23, increase the amount on line 19 by $100,000,000.

On page 23, increase the amount on line 21 by $100,000,000.

On page 23, increase the amount on line 31 by $100,000,000.

On page 23, increase the amount on line 33 by $100,000,000.

On page 23, increase the amount on line 45 by $200,000,000.

On page 23, increase the amount on line 47 by $200,000,000.

On page 24, increase the amount on line 5 by $100,000,000.

On page 24, increase the amount on line 7 by $100,000,000.

On page 24, increase the amount on line 17 by $100,000,000.

On page 24, increase the amount on line 19 by $100,000,000.

On page 24, increase the amount on line 29 by $100,000,000.

On page 24, increase the amount on line 31 by $100,000,000.

On page 27, decrease the first amount on line 6 by $100,000,000.

On page 27, decrease the second amount on line 6 by $100,000,000.

On page 27, decrease the second amount on line 7 by $102,000,000.

On page 27, decrease the amount on line 8 by $102,000,000.

On page 27, decrease the second amount on line 9 by $103,000,000.

On page 27, decrease the first amount on line 10 by $103,000,000.

On page 27, decrease the first amount on line 11 by $103,000,000.

On page 27, decrease the second amount on line 11 by $103,000,000.

On page 28, decrease the amount on line 13 by $122,000,000.

On page 28, decrease the first amount on line 14 by $122,000,000.

On page 28, decrease the second amount on line 14 by $271,000,000.

On page 28, decrease the amount on line 15 by $271,000,000.

On page 28, decrease the first amount on line 16 by $270,000,000.

On page 28, decrease the second amount on line 16 by $270,000,000.

On page 28, decrease the amount on line 17 by $269,000,000.

On page 28, decrease the amount on line 18 by $269,000,000.

On page 30, decrease the amount on line 13 by $100,000,000.

On page 30, decrease the first amount on line 14 by $100,000,000.

On page 30, decrease the first amount on line 15 by $102,000,000.

On page 30, decrease the second amount on line 15 by $102,000,000.

On page 30, decrease the second amount on line 16 by $103,000,000.

On page 30, decrease the amount on line 17 by $103,000,000.

On page 30, decrease the second amount on line 18 by $103,000,000.

On page 30, decrease the amount on line 19 by $103,000,000.

On page 31, decrease the amount on line 48 by $122,000,000.

On page 31, decrease the first amount on line 49 by $122,000,000.

On page 31, decrease the second amount on line 49 by $271,000,000.

On page 31, decrease the amount on line 50 by $271,000,000.

On page 31, decrease the first amount on line 51 by $270,000,000.

On page 31, decrease the second amount on line 51 by $270,000,000.

On page 31, decrease the amount on line 52 by $269,000,000.

On page 32, decrease the amount on line 1 by $269,000,000.

Mr. EVANS. Mr. President, this amendment in some respects has some similarity with the amendment offered earlier this evening by Senator SYMMS but it has many very important differences. Let me begin with the revenues which we seek to use to offset the expenditures I propose to make. The net effect of this amendment would lower the deficit for fiscal year 1988 by $2.1 billion. Let me repeat that. The net effect of this amendment after the expenditures I would suggest will lower the deficit in the Chiles budget by $2.1 billion in 1988 and even over a 4-year period would lower the deficit by over $800 million.

The proposal would in essence allow the prepayment of Eximbank loans and FMS loans which are now outstanding. It is my understanding that the administration wishes to do this. They are in preliminary negotiations with countries on this proposal. It will have the effect of bringing in an extra $2.5 billion during fiscal year 1988. And of that $2.5 billion in fiscal year 1988, we are asking that a small share go to changing one element of the budget which in my view, perhaps inadvertently, has acted in a way most detrimental to the economy, the future and the potential not only of the Pacific Northwest but of most of the West and, in fact, many other States of the Nation in areas covered by power marketing authorities. There are 32 of those States.

Mr. President, the proposals which are still in the budget, as amended, before us are a prescription for economic disaster for the Pacific Northwest. I cannot understand how any Senator from the West, and particularly from the Pacific Northwest, could vote against this amendment and in doing so stand still for the kind of economic problems the budget would bring to us.

Public power is an important force not only in the West but in many parts of this Nation. Power marketing authorities which cover 32 States are being asked under this budget to change their methods of payment to the Federal Government. We are even going along with what I believe is an ill-advised proposal of the administration to seek to actually sell off these public power entities. And in the Pacific Northwest, in addition to that, they are proposing changes in the repayment programs, repayment back to the Federal Government of debts owed for the building of these electric power facilities. It would be very much like a person having a 30-year fixed-rate mortgage and halfway through that mortgage the bank saying, "We're sorry; interest rates have gone up and although you have a fixed long-term mortgage, we are unilaterally going to change that mortgage."

That is precisely what is being suggested here. The net effect of that in the Northwest, if fully carried out, would be to increase wholesale power rates by more than 30 percent. That is why I call it a prescription for economic disaster for this part of the country.

We are still struggling as an area of the country, struggling to recover from the recession of the late 1970's and the early 1980's. Unemployment in our State is still 9 percent. It is approximately the same in Oregon and Idaho. The effect on the economy would be disastrous, since 20 percent of our total power is used by aluminum companies, all now working on the margin. Power rates are high enough so that they are barely competitive with other companies not only throughout this country but more particularly their foreign competitors. I cannot think of anything we could do to make ourselves less competitive internationally than to lay this kind of a power increase on one of the most fundamental industries of our country.

The same applies to the other industries of this part of the Nation which depend so much on electric power as a big percentage of their economy and their businesses. The pulp and paper industry, those who depend on deep well irrigation, all would be facing extraordinary economic problems.

Mr. President, this amendment does not even seek to eliminate all of the changes which were proposed in the budget that affect the West primarily but not exclusively. We would still retain the increased revenue which would come from additional fees from those who use recreation facilities. We would still allow for the additional revenue that would come from competitive leasing of some of our mineral facilities.

What I cannot do, in good conscience, is stand still for the kind of extra burden which this budget places on one section of the Nation and does so without reason, and I believe did so inadvertently. I cannot think of a time, both in the time I have served in the Senate and the time I have watched the Senate, when this body, deliberately and knowingly, put an extraordinary economic burden on one part of the Nation when it was unnecessary.

Mr. President, I suggest that this amendment is balanced. It reduces the deficit by more than $2 billion, which will have a good effect on what we are attempting to do. It will remove an unusual burden on one area of the country and, in fact, on the entire West. It helps relieve unusual financial pressures on friendly developing countries.

Mr. President, I urge support of this amendment.

Mr. DOMENICI. Mr. President, how much time does the Senator have remaining on his amendment?

The PRESIDING OFFICER. Eight minutes remain.

Mr. DOMENICI. Mr. President, will the Senator yield 3 minutes to the Senator from New Mexico?

Mr. EVANS. I am pleased to yield 3 minutes.

Mr. DOMENICI. Mr. President, this amendment really should not be a Republican amendment. I regret that it probably will be treated as such, and perhaps the vote will thus fall in a partisan manner. If ever there was an amendment that cried out for bipartisan support, it is this one.

What we have done in the reconciliation instruction in this budget is to mandate the Energy Committee so save $170 million in direct spending items in the first year and $320 million in each of the following years.

Mr. President, we can talk all we want about the great variety of things that can be done by the Energy Committee from this big authorization portfolio. We can talk about what we did last year when we reconciled $1.5 billion. We did not get it done because it was reconciling a court judgment, money pending in a court, to be distributed, and we said that should come back to the Government. So that was reconciliation instruction. But here, on the floor last year, the chairman of the Energy Committee asked the question: "If, as a matter of law, we cannot get that money, what happens to the instruction?"

The dialog continued, saying that is where it should come from; and if in this instance, we cannot get it, we will just call the reconciliation instruction complied with, even though it will not be.

However, on this one, I submit that there is no place to get the money. If you analyze the various functions that are being reconciled, there is no place to get the money other than from mineral receipts, timber receipts, power marketing, and grazing fees. There may be a couple more like that; but one or the other of those, in whole or in part, will be dramatically changed by way of the formula that currently exists.

I submit that one of three things will happen: In conference, it will dawn on some others in the other party, a Western Senator or a Western Congressman, that this really is going to happen, and we will not do it; and I submit that that is no way to do business. Or we will produce a reconciliation instruction, and when we report it back, we will find that we can do this and so we are hoping it will never happen. Or the true intent will be accomplished, and one of those four programs that affect the West or, the power marketing administrations, which also serve the Southern States, will be dramatically and significantly affected.

I do not know how else you can do it. The sum total of those items will be reduced one way or the other between 24 percent and 30 percent, the sum total.

There may be a preference to protect timber when we finish, and it might not get any cuts. If that is the case grazing fees will be doubled or mineral receipts will be cut in half or power marketing will be hit 20 percent or 25 percent with this amount of money.

The Senator from Washington has an easy answer. He has taken two things, one of which is going to happen anyway, and in the budget as you account for it during the year you are going to get credit for it and that is in the foreign affairs function, where we have military loan contracts, they are going to be prepared.

The Senator has added loans to be refinanced without any prepayment penalty and more than offsets the cost of reducing the Energy Committee's reconciliation instruction.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMENICI. Mr. President, will the Senator yield 1 additional minute?

Mr. EVANS. I am pleased to yield 1 additional minute.

Mr. DOMENICI. When the Senator says that in the first year, his amendment reduces the budget deficit substantially more than the pending budget before us, he is absolutely right. So there would be an argument, but that is all in 1 year. What about 4 years? Well, it seems to me that over 4 years, you cannot do much more in terms of being neutral than to say it saves so much more in the first year and than over the 4 years, the savings exceed the cost of getting rid of this reconciliation instruction. That is what the Senator has said. It is a truism, no matter how you slice it, unless you really want to leave the reconciliation instruction for Power Marketing Administrations and the other items I have discussed.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. DOMENICI. I thank the Senator for yielding time.

The PRESIDING OFFICER. Who yields time?

Mr. EVANS. Mr. President, how much time remains on my side?

The PRESIDING OFFICER. Three minutes remain.

Mr. EVANS. I yield 2 minutes to the Senator from Arizona.

Mr. McCAIN. Mr. President, I support the amendment of my colleague from Washington.

I think it is important that we recognize that the resolution as it stands, even as amended, does great damage to Western States.

I understand that all parts of the country must share in a sacrifice we must make in order to balance the budget. But there is no doubt that a close reading of this resolution reveals a definite bias that will harm the economies of Western States.

These are States, as my colleague from Washington just pointed out, that have been adversely affected by severe declines in a broad number of industries, including timber, mining, agriculture, and energy. These industries, a very important source of the economy, are being targeted and are being severely damaged, I think, unless the amendment of my colleague to accepted.

It is difficult for me to understand how anyone representing the West in this body could object to my colleague's amendment.

So far as the power marketing administrations are concerned, they are being attacked from two directions here. One would require equal annual payments of principal regardless of the hydrologic conditions, such as the 1986 drought which affected significant portions of the country. The other direction in which the power marketing administrations are being attacked is the provision restricting interest on the PMA debt to 1-year Treasury notes. This could go as high as 15 percent.

The possibilities of cuts in the Bureau of Reclamation can be very damaging to the entire Southwest. Our Southwestern States need the completion of a number of projects which have already been slowed by the budget cuts of prior years.

I think everyone in this Chamber knows what else is on the list of Western targets. My colleague from New Mexico pointed out grazing fees, mineral leasing fees, recreation user fees, and cuts in Forest Service programs. It was my impression that all parts——

The PRESIDING OFFICER. The Senator's 2 minutes have been used.

Mr. McCAIN. I cosponsored the amendment of my good friend from Washington that not only includes the recreation balance but saves us $2 billion.

I appreciate the indulgence of the Chair.

The PRESIDING OFFICER. The Senator from Florida has 15 minutes on the amendment.

Who yields time?

Mr. BYRD. Mr. President, I suggest the absence of a quorum with time to be charged against time on this side on the amendment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 192

(Purpose: To increase funding for the Peace Corps)

Mr. WEICKER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Connecticut (Mr. WEICKER) proposes an amendment numbered 192 to the Chiles amendment numbered 174.

Mr. WEICKER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 1, increase the amount on line 33 by $55,000,000.

On page 1, increase the amount on line 34 by $120,000,000.

On page 2, increase the amount on line 1 by $130,000,000.

On page 2, increase the amount on line 6 by $55,000,000.

On page 2, increase the amount on line 7 by $120,000,000.

On page 2, increase the amount on line 8 by $130,000,000.

On page 2, increase the amount on line 32 by $55,000,000.

On page 2, increase the amount on line 33 by $120,000,000.

On page 2, increase the amount on line 34 by $130,000,000.

On page 2, increase the amount on line 39 by $55,000,000.

On page 2, increase the amount on line 40 by $120,000,000.

On page 2, increase the amount on line 41 by $130,000,000.

On page 3, decrease the amount on line 36 by $82,000,000.

On page 3, increase the amount on line 37 by $137,000,000.

On page 3, increase the amount on line 38 by $137,000,000.

On page 3, increase the amount on line 39 by $137,000,000.

On page 3, increase the amount on line 45 by $55,000,000.

On page 3, increase the amount on line 46 by $120,000,000.

On page 3, increase the amount on line 47 by $130,000,000.

On page 4, increase the amount on line 2 by $55,000,000.

On page 4, increase the amount on line 3 by $120,000,000.

On page 4, increase the amount on line 4 by $130,000,000.

On page 4, increase the amount on line 10 by $55,000,000.

On page 4, increase the amount on line 11 by $175,000,000.

On page 4, increase the amount on line 12 by $305,000,000.

On page 4, increase the amount on line 18 by $55,000,000.

On page 4, increase the amount on line 19 by $120,000,000.

On page 4, increase the amount on line 20 by $130,000,000.

On page 5, decrease the amount on line 30 by $219,000,000.

On page 5, decrease the amount on line 32 by $112,000,000.

On page 5, decrease the amount on line 44 by $78,000,000.

On page 6, decrease the amount on line 4 by $14,000,000.

On page 6, decrease the amount on line 16 by $5,000,000.

On page 6, decrease the amount on line 26 by $219,000,000.

On page 6, decrease the amount on line 27 by $112,000,000.

On page 6, decrease the amount on line 29 by $78,000,000.

On page 6, decrease the second amount on line 30 by $14,000,000.

On page 6, decrease the amount on line 32 by $5,000,000.

On page 6, increase the amount on line 41 by $137,000,000.

On page 6, increase the amount on line 43 by $112,000,000.

On page 7, increase the amount on line 3 by $137,000,000.

On page 7, increase the amount on line 5 by $133,000,000.

On page 7, increase the amount on line 17 by $137,000,000.

On page 7, increase the amount on line 19 by $134,000,000.

On page 7, increase the amount on line 31 by $137,000,000.

On page 7, increase the amount on line 33 by $135,000,000.

Mr. WEICKER. Mr. President, this amendment would double the fiscal year 1987 authorized level for the Peace Corps.

Now, a few yards from here in the Russell Senate Office Building, we have hearings going on relative to the Iran-Contra scandal.

During the past several months, the President of the United States has insisted that the Contra policy which his administration has pursued is a proper one insofar as keeping communism out of our hemisphere.

Along with stating his policy has been the intimation put forth more than once by the administration that failure to support the administration in that policy in effect would permit the entry of communism throughout the hemisphere. In other words, either you are for the Reagan Contra policy or you are for nothing.

Well, of course, that is not an accurate reflection as to how many of us believe. Many of us believe now as we have for years that Americans should be activists in that part of the world: doing what we do best, whether in terms of medicine, education, agriculture, all those matters of human endeavor in which our country exists.

I guess it was all brought home the other day when that fine young American from, I believe, the State of Washington was killed in Nicaragua while working on a hydroelectric project.

Mr. DOMENICI. Oregon.

Mr. WEICKER. I stand corrected by my good friend from New Mexico.

From Oregon.

The battle that we are engaged in not just in Nicaragua but throughout the hemisphere is a battle that involves two different political systems—one totalitarian, one free, and what those systems can generate insofar as meeting the problems of the region.

This war is going to be fought on an entirely different battlefield and it is not the one articulated by the President of the United States and his Contra policy.

It seems to me that rather than point the finger at the administration our time is better spent in articulating an alternative policy in our hemisphere as a response to the incursion of communism.

This amendment does not set up any new agency or bureaucracy. It uses the mechanism that is in place, that of the Peace Corps, and says that we are better spending our money in the implementation of a Peace Corps policy as a response to the conditions not to communism but to the conditions that permit the entry of communism.

Doubling the authorization means that we call for an additional $137 million, ironically a figure slightly higher to be that requested by the President for the Contras in fiscal year 1988.

Now, Mr. President, I do not intend to pursue the amendment today. I am going to withdraw it. But I am warning everybody this is the opening shot of having us all confront alternative policies: a policy of paid mercenaries called the Contra policy, or a policy of paying Americans to face up to the threat of communism in the shape that it takes in our generation to confront malnutrition, to confront disease, to confront ignorance, to confront all those matters which are a textbook case as to where communism comes on the scene.

An arms policy in Central America means a bottomless pit of money or people.

Delivering the quality of life to some degree that comes close to that which we enjoy is your best defense. The Peace Corps has been decimated over the past several years. The time has come to give it its proper role in the defense of freedom.

When the foreign assistance authorization bill comes on the floor this proposal will be before my colleagues. So, I do not intend to take further of your time this evening, but I fully intend to take as much time as is necessary when the authorization bill reaches the floor. My hope is that if indeed the President insists on sticking to a policy that has disgraced this Nation and achieved nothing insofar as Central America is concerned, it might be replaced by one of enlightenment enacted by the Senate of the United States.

Mr. President, I ask unanimous consent that I be permitted to withdraw the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is withdrawn.

Mr. WEICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 191

Mr. CHILES. Mr. President, I want to spend a minute talking about the Evans amendment. There are some prepayment proposals in there of how he is going to pay for these amendments. And I want the body to understand what these proposals mean. The administration wants to let countries who can afford to do so prepay loan principals in essence to liquidate their debt and to take a lower interest rate.

Mr. President, thus far, the administration has elected to resist proposals to allow REA to refinance, to allow other debtors that are our U.S. citizens to refinance, but they are proposing in the foreign military savings to allow countries like Korea, who enjoys a tremendously favorable balance of trade with us, to refinance their debt, make tremendous savings off of that, moneys that in effect we were not attempting to give away, we were attempting to provide for the security. No country is enjoying more prosperity today than Korea, and there are others on that list.

But now this proposal would say we are going to get some savings in that—they are no more real than the REA savings, and we know those are not real—by allowing this refinancing. But because of the quirk of accounting that says they are, now we are going to take this money and refinance it.

I think we ought to stop the administration from being able to have these refinancing plans and they certainly should not be able to use them. We are going to lose money when this refinancing goes in. We are going to lose some billions of dollars by allowing countries to prepay those foreign military sales. And that does not make sense.

Now, the other thing that is a puzzle to the Senator from Florida is the sponsor is worried that within the function, the Energy Committee, we will not be able to make savings of $170 million without hitting some of these Western programs, and yet within that we see a tremendous sum of money. Yet if that is so true and we are worried by these functions, we find the Domenici amendment was going to reconcile $1.8 billion in fiscal year 1988 and $1.849 billion in outlays in fiscal year 1989.

Now we are talking about a mere $170 million and the Senator from Washington I believe was a supporter of the Domenici amendment. That is $1.8 billion.

How in the world can we get into a situation where under Domenici we are going to reconcile $1.8 billion, and I guess that was not going to devastate the West, and we were going to sell the naval petroleum reserve. How much would that bring in? And maybe that is part of the way these savings could come. But how in the world we could talk about that—oh, it is the SPRO fill fee.

Mr. DOMENICI. That is what I told the Senate.

Mr. CHILES. Well, it is the SPRO fill fee. What is wrong with the SPRO fill fee for $170 million if that is all we are talking about here. But yet now we are saying we are going to agree to these giveaways in the foreign military sales. We are going to give this windfall to the Koreans and these countries that well can afford to pay.

We are not going to allow our farmers to be able to prepay. We are going to resist that. Yet we are going to turn around and say we are making some big savings for the West.

I think the idea if very clear. As the Senator from New Mexico has said, there is so much money in that energy function and that certainly savings of $170 million can be realized in so many different ways, whether it is SPRO fill fee, whether it is the sale, all of these things. So I certainly hope that we will not take this amendment.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. How much time does the Senator from Washington have?

The PRESIDING OFFICER. The Senator from Florida has 6 minutes remaining. The Senator from Washington has 30 seconds remaining.

Mr. CHILES. I am ready to yield back my time.

Mr. EVANS. Mr. President, let me take the 30 seconds very briefly to say that of those energy functions, there are a number: DOE advances and cooperative work for $145 million; the Compact of Free Association, a treaty, for $134 million; territory, for $70 million.

Much of what the Senator from Florida talks about is not available. It means the remaining limited amount of money which is under the Energy Committee's jurisdiction would have to be cut drastically and radically.

The PRESIDING OFFICER. The Senator's 30 seconds have expired.

Mr. DOMENICI. Mr. President, I yield myself 1 minute off of the resolution.

Mr. President, I know my good friend, the chairman, does not like, and perhaps many of us would not like, the prepayment of loans prescription that is currently being undertaken for four countries by the administration. But, Mr. President, the point of it is that it is all done. I mean, there is no prohibition against it. And when the year ends, that prepayment and refinancing is going to happen and will be credited to this budget in the amount that the distinguished Senator from Washington is suggesting.

And so he is suggesting that rather than direct the reconciliation instructions as contained in the Chiles budget, that you take credit for what is going to happen and then get rid of the reconciliation. And the net effect over 4 years is not to lose money but to save money. In order to reach the $170 million in fiscal year 1988 savings, it will be absolutely mandatory to hit four or five items that have been described many times, including the power marketing administrations, which has to be changed in my opinion to reach that instruction.

The PRESIDING OFFICER (Mr. CONRAD). The Senator from Florida.

Mr. CHILES. Mr. President, it is interesting to see how the administration is trying to go about this. I will say to my good friend from New Mexico, no country has availed themselves of this. It is not a "done" deal at this time. The GAO has not ruled on the legality of it, as well.

Contracts that we are talking about with these countries, the ones that they signed, expressly denied these countries the right to prepay their loans. How is the administration going to get around this? They are telling the countries: default in your loan, and when you default in your loan then we are going to call the loans due under the default, and then we can negotiate to allow you to repay them. This is the administration talking about doing this. They have written a contract with these countries. The contract says you cannot prepay the loan. But our Government is encouraging them to default so they can call the loans due. If that is not the craziest thing you have ever heard of.

I yield 3 minutes to the distinguished Senator from Montana.

Mr. MELCHER. I thank the chairman for yielding, Mr. President. We earlier had this debate on a very similar amendment, different proposal for offsets, but the same proposals or the same conjecture on what the Senate Energy and Natural Resoruces Committee might have to do to save some money to fall within the broad parameters of this budget. Also it touches on meat and poultry inspection.

We also discussed that earlier in a very similar amendment which would be handled by the Senate Agriculture Committee.

The Senator from Washington who offers this amendment, Senator EVANS, I am proud to say, is also on the Senate Energy and Natural Resources Committee. The Senator from New Mexico, Senator DOMENICI, I am pleased and proud to say is also on the Senate Energy and Natural Resources Committee.

As one of the westerners, along with these two fine Senators, I am proud to say that we are not going to do what is suggested would be done by adopting this Chiles resolution. The assumptions that were made in an earlier Chiles proposal are not before us now. They are gone. And the Senate Energy Committee is not going to be antiwestern, and hang something onto the power marketing authorities nor are we going to disrupt what the law says we must do on timber receipts, or on mineral royalty receipts in payments to the States. We are not going to do that in that committee. I am pleased we are not.

The amendment itself, if it were necessary, I would vote for in order to protect the West. But since the assumptions are no longer there, and are no longer binding in the Chiles resolution that we would have to face these kinds of drastic steps against the West, I am not going to get into the argument about whether or not it is wise to change the system of collecting on foreign military sales and on the Exim debt in some arrangement that is brand new to us.

I think it should be pointed out that all of the things that were feared that would happen to the West are items that were in the President's budget which made it highly objectionable to all of us. An item or some assumptions that were in the first Chiles budget proposal, while not as bad as what the President had recommended, were still bad and still objectionable to all of us from the Western States. But now that has been corrected.

On meat and poultry inspection, I might also say that the Senate Agriculture Committee is not about——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHILES. I yield 2 minutes.

Mr. MELCHER. I thank the chairman.

The Senate Agriculture Committee is not about to change the law in meat and poultry inspection, and that assumption is not in the Chiles amendment either.

The long and the short of it all is this: The objections that we have both to the President's budget and to the first Chiles resolution have been removed. The assumptions are no longer there. The President's budget is dead. The Chiles second budget is the one now before us, and it does not contain the assumptions that were objectionable to Senators from the West dealing with power marketing authority, dealing with the grazing fees, dealing with the reclamation cuts, dealing with the splitting up of mineral or timber shared receipt payments to the States.

So I do not think the amendment which is virtually a repeat of what we had earlier today should be adopted. It simply is unnecessary.

The PRESIDING OFFICER. The Senator from Florida has 1 minute remaining.

Mr. CHILES. Mr. President, I am prepared to yield that time back. I do yield it back.

I move to table the amendment of Senator EVANS, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, the distinguished majority leader is on the floor. We have taken his suggestion about 1½ hours ago and did not have one unanimous consent, but one at a time, setting the amendments aside, and trying to stack them.

With his concurrence, I move the pending amendment be set aside, and we proceed to the last amendment that we are aware of that will require a vote, the Grassley amendment, and that when we commence voting, we vote in the order that the amendments were presented and disposed of by the Senate.

The PRESIDING OFFICER. The question is on the motion.

The motion was agreed to.

Mr. BYRD. Mr. President, I wonder if we could agree also that after the first rollcall vote that the remaining back-to-back votes be limited to 10 minutes each. There are no committees meeting. The Senators will be here. It will just be vote after vote. I make that unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Reserving the right to object, I am eventually not going to object, but why do we not let everybody hear that. We have a little time on this amendment. That will get the word out. I will ask our leader but I think we will be ready to agree very shortly to that.

Mr. BYRD. Mr. President, I withdraw my request.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 193

(Purpose: To propose a perfecting amendment to decrease defense spending and decrease revenues)

Mr. GRASSLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] proposes an amendment numbered 193 to the Chiles amendment No. 174.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 6, decrease the amount on line 26 by $6,000,000,000.

On page 6, decrease the amount on line 27 by $2,000,000,000.

On page 6, decrease the amount on line 29 by $2,000,000,000.

On page 6, decrease the second amount on line 30 by $2,000,000,000.

On page 29, decrease the first amount on line 6 by $2,000,000,000.

On page 29, decrease the second amount on line 6 by $2,000,000,000.

On page 29, decrease the first amount on line 7 by $2,000,000,000.

On page 33, decrease the first amount on line 3 by $2,000,000,000.

On page 33, decrease the second amount on line 3 by $2,000,000,000.

On page 33, decrease the amount on line 4 by $2,000,000,000.

Mr. GRASSLEY. Mr. President, and Members of this body, before the adoption of the substitute by the distinguished chairman of the committee, Senator CHILES, as things were evolving, we would have probably under another procedure had an amendment offered by somebody who thinks we ought to spend more on defense to increase the numbers in the resolution that came out of the Budget Committee. But since this grand compromise has been put together, that means basically we are going to go through this debate on this important budget resolution without the proper consideration of whether the numbers suggested here or in the Senate Budget Committee resolution are the appropriate figures.

It seems to me when we are spending one-third of our budget or 30 percent of our budget on defense, we cannot be casual about whether we are spending $289 billion, $295 billion or $301 billion.

My amendment reduces expenditures for each of the next 3 fiscal years by $2 billion a year, and that would reduce budget authorization in this resolution from the $301.5 billion in the compromise down to $295.5 billion. This does not just deal with reducing defense expenditures. But this amendment of mine also reduces the revenue side of this compromise by a corresponding $2 billion a year for fiscal years 1988, 1989, and 1990.

In other words, Mr. President, this amendment would limit the increase in defense spending to halfway between the original committee number and the numbers amended here on the floor. It would reduce the revenues in the contingency fund for defense by $2 billion in each of the next 3 years.

I suppose I am a little surprised that just 2 years from this week in 1985, we were considering on the floor of this body a dramatic increase in the defense numbers beyond that recommended by the Budget Committee. Except for 1985, this body has gone along with the recommendations of the Budget Committee.

In 1985, we came out with a higher number, and on a vote of 51 to 48 on this floor, this body agreed to taking the real growth out of the budget resolution for defense, savings the taxpayers $17 billion, and loosened up money to save a lot of domestic programs that the President either cut or eliminated.

In that 51 votes, there were 39 Democrats, as I recall, and 12 Republicans. It was a fairly historic vote at that particular time because there had been real growth in the previous years of this administration for the budget defense. We decided enough was enough, and we decided it a clear-cut enough manner that both in the 1986 debate in the Budget Committee and in the 1987 debate in the Budget Committee we adopted resolutions that did not have real growth in the defense budget.

I have to ask, what has happened in the last 2 years that has so concerned a majority of the Members on the other side? I have always had to talk to a minority, the Members in this side of the aisle, about the necessity for reducing defense budgets because we have always had more Republicans for increasing defense. But on the other side of the aisle there has always been a vast majority for reducing.

It seems somehow, without any debate, without any indication from anybody that the Defense Department is spending our money more wisely than before, that we are getting more for the defense dollar, that there is a greater need. But I would suggest there has been no demonstration of that on any of those points.

I do not know whether it is because people do not want to be accused of being soft on defense, or what the reason might be. But what has happened in this body in the last 2 years since we cut $17 billion out of the budget resolution on a very narrow 51-to-48 vote that has changed the reasoning in the terms of expenditure for defense. The only thing I know is that the majority has changed from the Republicans to the Democrats. But I would think that should have strengthened the position that somehow we were going to have a more fair division between defense and the domestic programs than what the President would suggest.

I would also suggest that there has not been demonstrated that we are getting more for that defense dollar than we have had before. If there is one way to send a clear signal from this branch of Government to the other branch of Government it is to hit them where it hurts the most. And the best way to do that, Mr. President, is to send a signal that you do not like the way they are spending their money.

But more important, whether it is at the level that I suggest or the level suggested in this compromise, I want to say that we are appropriating money faster than the best of the big spenders across the river in the Pentagon can spend it. You ought to think in terms of a certain amount of money being needed and justified. But beyond that, can it be spent? And if it can be spent, can it be spent wisely?

Based upon actual data so far this year, DOD's budget will end up with $16 billion in authority that will not be able to obligate before the end of the year. To demonstrate this to my colleagues on the floor, and I hope those back in their office will observe this when they come to their desks on the floor of the Senate, I have passed out a chart that demonstrates that we are appropriating money way beyond the ability not only to not spend it wisely but to spend it at all.

Last year's analysis showed the same size number, and the result was that last year we rescinded $5.3 billion.

The point I am making, Mr. President, is that we do not need to raise this defense number to $301 billion. I think the real question is not whether or not you are going to be pushed for being too soft on defense, but the real question is, how strong are we going to be on making sure that our defense dollars are being spent effectively?

It is not the size of the defense budget that is important; it is what we are getting for it that ought to be important. I, for one, do not believe that we should be raising taxes to pay for defense dollars that will only end up in the mattress across the river. That has happened year after year after year. We have seen, even beyond the estimates of the Department of Defense officials themselves, the category of unobligated, unspent funds growing more than what even the Defense Department thinks they would have.

How do you justify to your constituents back home, even those who say we ought to spend more on defense, giving more money to the Defense Department than they can spend? Why should they have the right to take that money that we give them that they cannot spend and put it away in a fund that grows even beyond their expectations?

I urge my colleagues to support a more prudent defense number, and I think that this number that I suggest brings back a little more balance to this package.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Nebraska.

Mr. EXON. Mr. President, do I understand correctly that this amendment has been offered with a half hour of time, 15 minutes to each side?

The PRESIDING OFFICER. The Senator is correct.

Mr. EXON. I yield myself 5 minutes.

Mr. GRASSLEY. If the Senator will yield, will the Chair tell me how much time I have remaining?

The PRESIDING OFFICER. The Senator consumed 11 minutes 8 seconds.

Mr. EXON. Mr. President, first I want to thank my good friend next door in Iowa for the outstanding job he has done since we have been here together. We came at the same time, and he has been a very dedicated and realistic for the most part budgeteer. I think the record will show that we have voted together far, far more times than we have voted in opposition.

I would say that certainly, at least as far as the Budget Committee of the U.S. Senate is concerned, and maybe the U.S. Senate in toto, there has been no one, in the opinion of this Senator, who has done more to call to the attention of the U.S. Senate and to the people of the United States the waste and abuse, if not fraud, that goes on in the Pentgon. I thank him for that.

We have not agreed, from time to time, on the level of defense spending.

I listened very carefully to his arguments as to why we should accept his amendment.

At the appropriate time we will move to table the amendment offered by the Senator from Iowa, for several very good reasons. First, I would have to say that as a member of the Armed Services Committee, I am not satisfied as an individual with even the figure adopted in the final Chiles package which basically is no increase in defense over last year, or baseline, or to put it another way all this is is matching the spending for defense last year and adding the cost of inflation. So I think that given the continuing threat and further expansionism from the Soviet Union, given the fact that we are beginning, evidently, to make some progress in working toward some kind of a beginning—and I emphasize beginning—in possible reduction in the arms race, I think this is not a time when I would like to see us go below no real increase in the defense budget.

Now, having said that, given what we are likely to be facing in the House of Representatives and the budget numbers they have come up with, I feel it is going to be extremely difficult, even if we accept the reasonable number in the Chiles budget, to maintain our defense spending even at a no growth increase or, to put it another way, a freeze at last year's level.

My friend from Iowa asks the question, why is it that we seem to have changed in these matters, and on two or three occasions he used the term "the grand compromise." Well, the Senator from Iowa has been part and parcel of putting together other grand compromises in the past. I can remember one or two of them. He knows you do not always get what you want. There were those who were a part of that grand compromise who wanted a higher defense number than the one the Senator is suggesting we cut and therefore have us to go into conference with the other body with even a lower number than we now have. I think there is majority opinion on this side of the aisle and on that side of the aisle that we go below a freeze in defense spending for the next fiscal year potentially at our own peril.

Now, I do not mean to imply that whatever defense number we come up with is one that will have no waste in it.

The PRESIDING OFFICER (Mr. DIXON). I regret to tell the Senator that he has used his 5 minutes.

Mr. EXON. I yield myself what other time I might need within the restraints of the agreement.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. I would simply tell my friend from Iowa that I do not believe we should make any further cuts now, given the threat from the Soviets, given the chance that we are making some progress, hopefully, beginning to cut down the maddening arms race, but I grant there is some waste in this budget, as there is waste in every other budget that will be affected by this budget resolution when the authorization and the appropriations process finally works out.

Believe it or not, there is waste even in the budget that we will approve to run this body. I know that is hard to believe. No one is going to understand how I could possibly get up and say in good conscience that there is going to be waste in the U.S. Senate, but there is. There may well be, as the Senator from Iowa has explained, more waste in the defense budget than any other. I think we have made some strides in cutting that down. Primarily, if I had to give one Member credit for that, I would give that credit to the Senator from Iowa because the Senator from Iowa indeed has been on them.

As far as the chart is concerned with regard to the amount of money expended in the last month or so of a budget cycle, I would suggest that if you look at the expenditures of the U.S. Senate in the last 2 weeks of a budget cycle, or the Veterans' Administration, or any of the other budgets with which we deal, you would find that that figure is true. It was true in State government, I say to my good friend from Iowa. When I was involved in the State government in Nebraska, charts like this were brought to my attention, and the more I looked at them, the more frustrated I became because I, too, came to the same conclusion as the Senator from Iowa, that that is all unnecessary funding, and we cut that down.

I say to the Senator that if he would cut the defense budget not $6 billion in budget authority for the next fiscal year, but if you would cut it $60 billion, at the end of that next year you would see a graph not unlike this one.

Why is that? Well, I think it is a very simple explanation. I think more than showing waste and abuse, that upward chart in the last 2 weeks indicates there has been careful, considerate budgeting all the way through and some sacrifices may have been made in some very critical parts in defense and the rest of the budgets so that they did not go over.

So I think my main point is that you will see generally in Government an increase in spending if—if—you have had conservative budgeting all through the year. If you do not have that, then you might see a situation which we have from time to time where an agency that has not carefully budgeted as others comes in for you know what—a supplement appropriations.

So I would hope that the amendment offered by the Senator from Iowa is not agreed to. I reserve the remainder of my time.

I am prepared to yield back my time if the Senator from Iowa is prepared to yield back the remainder of his time.

Mr. GRASSLEY. I am not going to use all my time.

Mr. President, I appreciate the comments of my distinguished friend from Nebraska. I know that he sits on the Armed Services Committee and works hard and does understand very much the Armed Services needs of this country.

Mr. President, the distinguished Senator from Nebraska did refer to my chart, and very accurately so. But remember that this chart just states a pattern of obligations. But I also want to refer to this table that we passed around because this contains the real message. This is from the Defense Department's own figures. For fiscal year 1987 they said they planned to have

$50.7 billion in that category of unobligated, unused balances. It actually will end at $67.2 billion. Now, that is a mismatch of $16.5 billion. That is a heck of a lot of money for us to be giving the Defense Department. That is above and beyond what they say they plan to spend.

The Senator should consider that. We are talking about taking just a small portion of that.

So, with that message, if the Senator from Nebraska wants to yield back his time, I will yield back mine.

The PRESIDING OFFICER. Who yields time?

Mr. EXON. Mr. President, I yield 2 minutes to the Senator from North Dakota.

Mr. CONRAD. Mr. President, I rise in support of the Grassley amendment, and I do so because I am personally convinced that we are on the wrong course as a country. I am convinced, looking at this budget, which does increase spending in the defense sector—in fact, it increases the outlays by $10 billion over last year, increases budget authority by $17 billion—that we are spending tens of billions of dollars a year to provide the defense umbrella for Western Europe and Japan. That may have made sense after World War II. I doubt very much that that can be sustained or explained or supported, when we are running budget deficits of $200 billion a year, or close to that; trade deficits of almost $200 billion a year; and the beat goes on. It does not make sense.

I think that if we continue on this course, we will find that we are a second-rate economic power.

So I support the Grassley amendment. I think it is time to say it is time for our allies to start paying their fair share of their own defense costs.

Mr. EXON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Nebraska has 4 minutes and 10 seconds.

Mr. EXON. Mr. President, I think we can yield back the remainder of the time in a moment.

I simply point out that the President of the United States, in his budget, had requested $312 billion for next fiscal year. The grand compromise that has been referred to reduces that to $301 billion, and the Grassley amendment down further, to $295 billion.

I think it would be fair to say that if you cut more to the bone, as suggested by the Grassley amendment, what we are saying is that there is about $10 billion to $12 billion recommended by the President of the United States in his budget over what we cut from that to our figure, and therefore the President of the United States is for $12 billion to $13 billion in fraud, waste, and abuse in the defense budget, and I do not believe that to be the case.

Mr. DOMENICI. Mr. President, will the Senator yield me 1 minute?

Mr. EXON. I am glad to yield 1 minute to the Senator.

Mr. DOMENICI. Mr. President, I, too, have the greatest respect for the proponent of this amendment, the distinguished Senator from Iowa. I compliment him on his work. But I am delighted to hear that the distinguished manager of the resolution on the other side will move to table the amendment.

I do not think there is enough defense in the Chiles budget. I do not think there is enough defense in the first year in the top level. Frankly, I believe that none of the three is adequate for this year, and I believe we will have a very difficult time without substantially reducing the men and women in uniform, operations and maintenance, and major weapons systems in any of those totals.

I am delighted to support the motion to table, despite my great respect for the distinguished Senator from Iowa.

Mr. EXON. Mr. President, I yield back the remainder of my time.

Mr. GRASSLEY. I yield back the remainder of my time.

Mr. EXON. Mr. President, I move to table the amendment offered by the Senator from Iowa, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, I believe—and if I am not correct, the managers may correct me—that all the amendments that were listed are stacked for votes and have had debate thereon.

There is one amendment I want to speak on briefly, and I would like to do that now, if I may. I will not need more than 3 minutes. It is the Stevens-Murkowski amendment. I was not in the Chamber when that amendment was called up. I ask unanimous consent that I may use 3 minutes off the resolution before we begin voting.

(The remarks of Mr. BYRD relating to amendment No. 190 are printed during the consideration of the amendment.)

Mr. DOMENICI. Mr. President, reserving the right to object—and I certainly will not—I first want to report to the majority leader on the idea that I thought was an excellent one, to reduce the votes to 10 minutes. I cannot agree to that because there is an objection by one Senator on my side. Perhaps after we have taken a vote, we can try again.

I do have an amendment that I will want to send to the desk after the Senator from West Virginia has finished, and just outline what it would do procedurally.

I will withdraw it, as I indicated about 1½ hours ago. I think there are no other amendments, and the majority leader has accurately stated the current situation.

Mr. BYRD. The Senator may proceed.

Mr. DOMENICI. Mr. President, the distinguished majority leader has indicated that he would use the 3 minutes he asked for off the resolution, at a later time.

I will send an amendment to the desk in a moment. I will not ask for its immediate consideration, but I will send it to the desk. I yield myself 3 minutes to discuss the amendment.

Mr. President, I remain convinced that, before we complete work on the budget this year and on the appropriations as a process, and if we are going to get the President to join us, we will have to have some kind of 2-year process that assures a defense level of spending for at least 2 years.

I indicated a few other items as I presented my thoughts on a basic 2-year proposal. But I also think we are going to have to seriously consider—be it in reconciliation or some other vehicle—some reforms that will make the budget reliable and make the expectations that you commit to achievable, or at least more so—that is, enforceability.

If I were putting together a budget and wanted to get the President's assistance on it and get broad support, I would think that we would have to do four or five things.

No. 1, I think we have to stop the process of voting in a budget resolution a level of defense spending and a level for all the other domestic programs and then make them fungible. Whereas, you vote the defense number in but you can spend it on domestic programs.

I think that, in some way, we will have to create a cap so that domestic cannot be spent on defense and defense on domestic, and do that procedurally. There must be some liability factor when negotiations are entered into between the House and the Senate and the executive branch as they follow their way through into the appropriations process.

On reconciliation bills: We had an excellent amendment—we now call it the Byrd amendment—that the Senate follows, to try to minimize extraneous material in a reconciliation instruction. Nonetheless, it has been difficult to enforce, but it is a good rule.

I think that in order to gather broad-based support and the support of the President, you will have to further modify this provision to assure one other thing. If you mandate savings over a number of years, you should not permit expenditures to increase in any of those outyears as a result of changes in a reconciliation bill. We have done that. We have a reconciliation that saves $2 billion in the first year but when you wake up the next year, that very reconciliation has added expenditures in the outyears. I think we have to do something in that area.

We have to sooner or later correct the inequities in the rescission process of this country. Sooner or later we have to create a little bit of balance on the executive side. At this point, both rescissions and deferrals are basically ineffective tools and I remember vividly when we passed the budget resolution we thought we were getting a budget process and reform in rescission and reform in deferral law.

It seems like those are gone and we have a budget resolution and appropriations in their normal way, but effectively because of the Supreme Court and other things we have no real rescission or deferral law. We do not have to have line-item veto—that will never pass. But some kind of opportunity on the part of the executive to have rescissions taken more seriously is going to have to be voted in.

With reference to outlay ceilings, we are in the very, very anomalous situation now that the Senate is bound by outlays with respect to our appropriations subcommittees and the House is not. Obviously this is not going to work very much longer. We are going to have to have equity of procedural treatment with reference to outlays. I think that the House will be hard pressed to concur but sooner or later we are going to have to do that. Either we give up our outlay limitation or we impose it on them. Otherwise we have a real mismatch when it comes to what they can pass and what we must object to based upon our rules governing the same budget process. Sooner or later that must be fixed.

It seems to me that biannual budgets and biannual appropriations are here whether we do it across the board or as experiment. I firmly believe we are going to have to attempt to experiment this year with at least a 2-year appropriation process. In this way, we will have to commit ourselves to allocating 1 year out of the 2 is for budgeting and appropriations, and the other for authorizing. I think we are going to have to get that started in some way this year.

Obviously, the credit aspects of the budget are clearly in shambles. My good friend, the chairman, is concerned about that. I am concerned about it. Obviously, it is so ridiculous that you can take REA financing and refinance them. While it costs a lot of money over 20 years, it is a big savings in 1 year.

The budget that will pass treats these savings as new revenues. I would have treated them as reductions in outlays. But obviously we have to do something about that kind of infringement on logic and common sense. I think perhaps the credit reform proposal that many of us cosponsored that the executive branch is asking us to consider ought to be given some serious consideration as part of budget reform as we attempt to work something out this year.

That is what the amendment that I send to the desk does. I send it to the desk at this point even though I will withdraw it shortly. The explanation that I have just given will show up in the RECORD following that amendment. I ask unanimous consent that that be the order that it is reflected in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Now with that, my amendment would set us down the road of making those changes. I will not offer that tonight for a vote, but I put it in the record and discuss it with the Senate because I think many of the ideas are relevant to improving our process. More important they are probably absolutely necessary if we are going to try to yet work out something before the year is out either on reconciliation or on the appropriations bill or yet in this budget resolution in conference with the White House.

I yield the floor.

Mr. BYRD. Mr. President, I hope that Senators will stay around the floor now. There are no committee meetings. So we can have five votes in rapid succession and be out for the evening.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, it will be my intention to take up the supplemental appropriations bill on tomorrow, and I hope that if Senators will stay on the floor during these five votes, the clerks can call the roll and all Senators can vote quickly when their names are called and the Senate will be voting perhaps 10 minutes on each rollcall or even less if Senators will stay on the floor.

I thank the Chair.

Mr. DOMENICI. Mr. President, I just want to take 1 minute off the resolution to congratulate the distinguished chairman of the Budget Committee and manager of the resolution.

Mr. President, in a few moments after the four preliminary votes, I am certain the Senate is going to adopt the so-called Chiles budget that has been put together by the distinguished chairman of the Budget Committee, and this is his first year as chairman. I know what he has gone through, and I know that he is tired, but I also know that in about an hour he will be very happy and exhilarated because the Senate will have passed a budget resolution and clearly that is a milestone each year and something very difficult to achieve.

I do not want to detract from the achievement by the statements that I have made during the day in opposition to it. Obviously I remain opposed. This is our process. I do not want to detract from it being a major achievement for him in his first year as chairman because indeed it is.

This process is cumbersome. It is erratic. It is all kinds of things that legislators are not normally used to doing. It is esoteric in some sense. It is very substantive in others, just extremely difficult. It is a budget and it is not a budget. It is some things people think it is and it is not some things people think it is.

So it is very, very difficult to put it together and get a majority vote. He will have done that and my hat is off to him.

I worked with him for many years. I compliment him tonight in advance of the victory, and I do hope before the year is out we will see a budget process alive and well and implemented. While I hope that budget is not implemented, nonetheless, clearly the will of the Senate will be worked and he will have accomplished his first significant achievement as chairman, in fact a major achievement, and I want to be the first to congratulate and compliment him.

I yield the floor.

Mr. GRASSLEY. Mr. President, I would also like to compliment the distinguished chairman of the Budget Committee on his achievement. I don't agree with this budget, but as I mentioned to him early on in committee, he has to figure out a way to get a majority of us to swallow a very large pill. And that he has, Mr. President, and I commend him for that.

Mr. ARMSTRONG. Mr. President, I want to join with the Senator from New Mexico in extending my congratulations to the Senator from Florida. But I would not be true to what I deeply believe if I did not offer, in closing, the observation that we are going to live to regret this day. This is not a good budget. This is not a budget that serves well either the country or the Senate, in my opinion. This is not a budget which is faithful to the mandate which was given to the Budget Committee. This is not a budget which will cut the deficit. This is a budget which will be hard on defense and which, if enacted, will raise taxes, which starts up a whole bunch of new programs which, in the final analysis, is not good for our country.

While we have fulfilled the process, we have not fulfilled the mandate we have been elected to do.

Mr. President, I have observed the proceedings of the Senate over the past week on the budget resolution with great frustration and profound disappointment because once again the Senate will squander an opportunity to solve the most urgent domestic problem facing our Nation; namely, persistent massive Federal budget deficits. The proposed modified budget resolution will not solve the problem. At best, it avoids dealing with it, and more likely, it will make deficits worse. In several respects, the new plan is an outright travesty.

First, the Budget Committee reported a resolution which declared that OMB economics were something close to immoral and only CBO economics would, to quote the committee report, "give a realistic and sound basis for constructing the budget." Fair enough.

But at the beginning of floor deliberations, the Senate went full circle and said, in effect, "never mind realism—give us the $26 billion quick fix in OMB's assumptions." Virtually by fiat, that $26 billion gift was plugged into the budget resolution without any basis under normal CBO scoring procedures. The $108 billion deficit level it produced has absolutely no basis in fact. Indeed, all evidence suggests that even if the pending resolution were scored under OMB economics, it would fall at least $3 billion short of the deficit target. This maneuver will go down in history as infamously as David Stockman's magic asterisk of 1981 which balanced the budget in 2 years through unspecified savings. You would think everyone had learned a lesson from that.

The rationale for all this is that the Senate is entitled to be as phony as OMB in order to avoid the requirements of the Gramm-Rudman-Hollings law. That is a senseless proposition. This resolution openly flouts that law and, indeed implicitly repeals it in the backhanded way it sought to avoid its strictures.

Next, the budget plan originally reported slashed the President's defense request by $14 billion in outlays in fiscal year 1988 and $130 billion by 1991. Many Senators, myself included, expressed concerns that defense was once again bearing the major brunt of spending cuts and that the capability or our Armed Forces would be seriously undermined by the proposed reductions.

Now, the Senate has before it a modified budget plan with slightly higher defense levels which is supposed to be a response to those concerns. Well, today I'm here to tell my colleagues that the response of this modified plan on defense is a joke. Indeed, it openly mocks those concerns for our national security. I am somewhat amazed that Senators on either side of the aisle who are especially interested in defense matters could even agree to such a sham.

On the surface, the new plan purports to offer the President the following proposition: If you want $28 billion more for defense over the next 4 years, you must first agree to sign a tax increase of $126 billion for those 4 years. For each $1 in more defense spending the President gets in this plan, he must agree to $4.50 in higher taxes. But, friends, that isn't even the half of it.

The incredible fact is that before this alleged "pay for defense" scheme kicks in, the pending resolution still assumes a $130 billion cut from the President's request and $84 billion from the CBO real freeze baseline over 4 years. It is only after these proposed cuts are made that the resolution proposes add-backs of $7 billion in each of the next 4 years—so long as the President signs a tax increase. The following table spells out what I mean:

DEFENSE/TAXES COMPARISON

	Fiscal year—				Total
	1988	1989	1990	1991	
Reagan defense outlays	$298	$312	$330	$349	1,290
CBO defense baseline	291	303	317	332	1,243
Proposed reduction	−7	−15	−25	−36	−84
Pay-for-defense increase	+7	+7	+7	+7	+28
Proposed defense level	291	295	299	303	1,188
Cut from CBO baseline		−8	−18	−29	−56
Cut from President	−7	−17	−31	−47	−102
Senate tax increases	+18	+31	+31	+40	+126
Reagan tax increases	+5	+7	+8	+8	+28
Domestic increases	+4	+8	+10	+12	+34

So here is the deal offered to the President: Congress will cut your defense request by $100 billion by 1991 unless you sign a tax increase of $126 billion. If you do sign such a tax increase, Congress will only cut your defense request by $74 billion.

That may be someone's idea of symetry, or of raising taxes for defense spending. I find it to be the most patently ridiculous formulation imaginable. I regret to say it but this proposed scheme reflects a lack of good faith to the concerns about defense expressed by Senators on both sides, and indeed, mocks those concerns.

Finally, let's be clear on what else is built into the plan: Just about every spending increase initiative that is floating around the Halls of Congress. Just review the document. I count 22 new spending initiatives totaling $34 billion by 1991. What you will not find in this plan is much resembling budget savings. The plan proposes so-called discretionary freezes in just about every function. By my rough count, a total of about $36 billion in savings is assumed in this plan from such discretionary freezes by 1991.

The reality of such a freeze is that not one single nickle is cut from one solitary Federal program. These savings are completely illusory because the baseline assumes proposed inflation increases and the savings from a freeze are simply a fancy way of saying we're going to spend the exact same amount as last year. The programs won't get the increases assumed in the baseline. But they won't get cut back either. That is what this budget calls a savings.

In the final analysis, the plan proposes a tax increase of anywhere from $98 to $126 billion, defense cuts of $74 billion below the President's request, and no spending cuts to speak of. It offers no solution to the deficit problem facing America, and indeed will make it worse.

Mr. President, I find most regrettable what has taken place this past week. There has occurred an off-the-floor bidding war, which comes quite close to promising votes in exchange for more money in the budget for someone's pet programs. In order to craft a budget plan which only pretends to reduce the deficit, a bidding war to spend billions more is undertaken. That's a rather sorry state of affairs.

Perhaps those of us opposed to this proposal can take some comfort in this: This budget resolution will prove to be an irrelevancy because there is no way the President will sign a $126 billion tax increase in the same year that Congress has voted itself a raise, overrode two vetos of budget-busting bills, and is contemplating billions more in new domestic programs while again gutting the President's defense request.

I have heard it said the President has got to participate in this budget process. Can anyone be serious about that? The President submitted a thickly detailed budget proposal last January. Right about now he must be leaning back in the Oval Office with a bemused grin on his face as Congress asks "Come participate, Mr. President, in the wasting of your defense budget, the imposition of billions more in taxes on working Americans, and the addition of billions in domestic spending." Maybe when Congress gets serious, the President will take it seriously.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. Mr. President, I yield 2 minutes to the Senator from Arizona off the bill.

Mr. DECONCINI. Mr. President, I rise in strong support of the revised Chiles budget resolution and urge my colleagues on both sides of the aisle to adopt it.

Mr. President, before I discuss the specific merits of the Chiles budget package, I want to pay tribute to the chairman of the Budget Committee—the author of the budget compromise that is pending before the Senate.

Mr. President, great leaders in this toughest-of-all political towns, led by example, by hard work, and by the ability to achieve a consensus through compromise and negotiation. The distinguished senior Senator from Florida, Senator CHILES, has demonstrated all of these traits and much more during the past several months, and particularly in the last several days as he has tackled this difficult and lonely budget task with tremendous skill. Frankly, Mr. President, if this same degree of leadership had been demonstrated by the White House and my colleagues on the other side of the aisle, we probably would have wrapped up a budget resolution before the April recess. With virtually no participation by the Republican side of the Senate and absolutely no help from downtown, Senator CHILES has put together a budget package that is fair, balanced, and which, if implemented, would lead us to a balanced budget by 1991—the same balanced budget target envisioned under Gramm-Rudman-Hollings. The Senate and the Nation owe the Senator from Florida a deep debt of gratitude for crafting a responsible fiscal blueprint for achieving a balanced budget.

Mr. President, Let me quickly say that the Chiles compromise budget plan is not perfect, nor does it address all of the concerns of this Senator. It is no secret that I was one of only four Members of my own party who voted against the original Budget Committee resolution last week. However, the distinguished chairman of the Budget Committee has worked tirelessly over the past 5 days to fine-tune his initial budget plan to address the concerns of many of us who had different perspectives on what should be included in a final budget package for fiscal year 1988 and the outyears. And unlike last year and previous years, where Democrats were excluded from budget negotiations, Senator CHILES reached out early and often to solicit the input and support of Republican Senators to help craft a final budget package. They refused. This makes it all the more remarkable that we now have a chance to pass a budget that is a vast improvement over the President's budget for fiscal year 1988, dramatically better than the so-called sequester budget resolution, and substantially more favorable than any of the other budget packages that have been proposed for consideration by the Senate.

Let me attempt to outline for the Senate why the Chiles compromise budget plan warrants our support and why it is superior to both the original committee proposal and the other budgets that have been suggested to the Senate.

First, Mr. President, the Chiles compromise budget plan takes a responsible, pragmatic approach to financing our national defense program for fiscal year 1988, by increasing new defense spending authority by $12.5 billion over the initial Budget Committee plan and by providing $7 billion in additional defense outlays through a pay-as-you-go plan. Frankly, the original Budget Committee resolution cut defense spending too deeply in this Senator's mind, while the President's defense budget puts the lion's share of our spending eggs into one basket at the expense of other programs of national importance and priority. The Chiles compromise plan hits a middle ground on national defense that will maintain a strong defense without adding more fuel to the runaway deficit engine that was launched by President Reagan when he took office nearly 6½ years ago. The Chiles defense plan is a recognition of the fact that we can no longer afford to fill out loan applications every time we need to increase national defense spending. As we did with our highways, we must pay our national defense bills as they come due, and not saddle our children with decades of debt service payments that provide no additional national security. The pay-as-you-go approach of the Chiles compromise budget is a painful, yet responsible approach to putting our national defense priorities on an actuarially sound footing, and I support it.

Second, Mr. President, one of this Senator's major concerns over the initial Budget Committee plan was its apparent bias against Western States and specifically its reconciliation instructions that called for major substantive and funding changes in western programs like grazing fees, shared receipts, power marketing, and others. I concurred with the distinguished ranking member of the Budget Committee, Senator DOMENICI of New Mexico, that the initial Budget Committee plan was unfairly hostile to the West.

However, in a spirit of compromise and cooperation, the committee chairman, his outstanding staff, and other Western Senators were able to modify the original Budget Committee package which vastly improved the treatment of programs vital to Members of Western States.

The chairman and his staff worked diligently with Western Senators to insure that there would be no assumptions made in the budget resolution that would have an adverse impact on crucial Western programs. The cutbacks in critical energy and natural resources programs were rolled back by one-half from the original Budget Committee plan. Reconciled reductions targeted for the Energy Committee would not be left to the discretion of those committees and not predetermined or targeted against the West. Energy and natural resources programs are the lifeblood of the Western States and Senator CHILES has put them back on an equal footing with programs that affect the East and other regions of the country. While I, like most politicians, would like to have had my whole piece of pie, the chairman made every effort to accommodate the major concerns raised by Western Members. I did, however, support the amendment offered by Senator SYMMS which would have had the effect of instructing the Energy and Natural Resources Committee not to make any cuts in the Western programs under its jurisdiction. However, that amendment failed.

Mr. President, while many Senators, including the senior Senator from Arizona, voiced serious concerns about the original committee budget resolution regarding the West, I would like to point out to the Senate that the budget proposed by the President contains many proposals which would have an even greater adverse impact on the West. For example, the President has recommended increases for entrance fees to our national parks of up to $10 per car. The Chiles compromise assumes increases only to those levels agreed to in the fiscal year 1987 continuing resolution to a maximum entrance fee level of $5 per car. The President also recommended that shared receipts with the States from public lands be reduced by 50 percent. The Chiles compromise contains no such assumption. The President proposes the straight line amortization of loans from the power marketing administrations [PMA's] and even the sale of certain PMA's. The Chiles compromise contains no such assumptions.

Once again, I want to state for the record that the committee chairman has been exceptionally responsive to Western concerns in this amendment. He did what he could within the constraints of the budget. Savings certainly have to be made in every function of the budget. The committees of jurisdiction, like the Energy and Natural Resources Committee, know best where those savings should occur. This budget resolution protects the committee's jurisdiction on calling those shots.

Mr. President, the able chairman of the Budget Committee has made a number of other revisions to the initial Budget Committee resolution, that will go a long way toward restructuring our budget priorities in favor of those programs that are the real underpinnings of this country:

The chairman has scaled back cuts in the Community Development Block Grant Program from 25 percent to 10 percent. This program provides approximately $28 million annually to my State of Arizona and is a crucial element in Arizona's overall community and regional development strategy.

The chairman has added $870 million in budget authority and $140 million in outlays to bolster education programs, including an increase of $200 million for Head Start. These adjustments will bring the total net education program increase under the Chiles plan to $2.2 billion in fiscal year 1988. By comparison, the President has proposed a 30-percent cut in education programs, including reductions that would knock 1.2 million disadvantaged children out of educational opportunity assistance programs.

The chairman has restored $85 million for our Nation's veterans' programs—programs that include medical services and benefits that are fundamental to meeting our obligations to those who have served their country and made the supreme sacrifice for their Nation. I had originally intended to sponsor an amendment with Senator CRANSTON and Senator MURKOWSKI, chairman and ranking member, respectively, of the Senate Veterans' Affairs Committee, that would have added this amount to the initial Budget Committee resolution. But the Senator from Florida has acknowledged the importance of these veterans' programs by incorporating this additional funding into his compromise budget plan. For that, I am truly grateful and our Nation's veterans are grateful.

Mr. President, the chairman has a long and distinguished reputation for being one of the Nation's leaders in our war against drugs and his compromise budget plan does nothing to diminish that reputation. While the President has essentially launched a full-scale retreat from the omnibus drug legislation we passed in October of last year, Senator CHILES has recognized that we cannot abandon the momentum of our antidrug abuse effort.

The President has proposed eliminating the State and Local Drug Law Enforcement Assistance Program. Senator CHILES' plan would restore those cuts. The President has proposed cutting the drug education initiatives in the drug bill in half. Senator CHILES' plan would restore those cuts. And the President's budget eliminates drug treatment programs authorized under the Anti-Drug Abuse Act of 1986, while Chairman CHILES would restore funding for this critical element of our war on drugs.

The Chairman has also added $400 million over the President's budget for additional law enforcement and civil rights activities, including an increase of $150 million over baseline levels for the U.S. Customs Service—our frontline air interdiction agency in the war on the narcotics smuggler. This additional funding will also allow for a major customs commercial operations initiative, which will include a southwest border facilities improvement initiative that Senator DOMENICI and I hope to pursue in the Subcommittee on Treasury, Postal Service, and General Government, which I chair. Senator CHILES has long been a staunch supporter of the Customs Service and his revised budget plan reflects this unequivocally.

Mr. President, the chairman has taken a bold and important step to improve the status of programs that directly affect our Federal work force. He has taken the disproportionate burden of reconciliation off the backs of Federal workers by reducing the reconciliation savings aimed at Federal employee benefits by 50 percent. He has provided for additional cost-of-living adjustments for Federal employees' benefit programs. And he has rejected proposed reductions in civil service and postal worker retiree benefit plans. The chairman is properly recognizing that the time has come to stop the administration's bashing of Federal workers and reverse, in part, some of the damage that has been inflicted on the Federal work force by the President since he took office.

The Chairman's compromise budget plan also restores $150 million over current levels for the WIC Program. The President's budget proposes a $28 million cut below current levels for this critical supplemental feeding program for women, infants, and children.

And, finally, Mr. President, I am delighted to see that the chairman of the Budget Committee has sharply cut back the President's request for foreign aid by $1.3 billion in fiscal year 1988 and $14.8 billion over 5 years. At a time when we are asking all segments of our domestic economy to make sacrifices, we cannot afford to sustain the large foreign aid increases requested by this administration. I applaud the Senator from Florida for taking this firm position in his revised budget plan and saying it with numbers that back it up.

Mr. President, I would not wish to conclude my statement without expressing strong reservations about the revenue estimates that are contained in the Chiles compromise plan. As I said in my earlier remarks, this is not a perfect document and one of the imperfections is the call for increased revenues beginning next year. The Chiles compromise plan calls for $11.3 billion in unspecified revenue increases and another $7 billion to pay for the defense increase contained in the Chiles pay-as-you-go plan discussed earlier. Nevertheless, the Chiles plan does not undo the Tax Reform Act of 1986 that we passed only a few short months ago and it does not specify the revenue sources that must be tapped to meet the revenue side of the deficit reduction equation. However, it does specify that all new revenues will go into a deficit reduction trust fund to reduce the national debt and not be available for additional spending, except for the $7 billion outlay increase for national defense that is fenced until the President of the United States approves the budget reconciliation bill. These are good safeguards and good restrictions that have made the revenue side of the Chiles compromise plan much easier for this Senator to swallow.

Mr. President, there are a number of areas where we could find additional revenues without raising taxes and without putting significant new burdens on industry or the consumer. Here are just a few that, when added together, could achieve a large portion of the revenue increase targets established in the Chiles compromise plan:

+$5 billion [+$15 billion over three years] by adopting DeConcini-Grace caucus debt collection legislation. This would require agencies with large overdue loans on the books to go after this debt that amounts to over $24 billion. The non-tax legislation would penalize agencies that do not meet their targets and reward those agencies that exceed their debt collection targets.

+$2.9 billion in fiscal year 1988 and $15.1 billion over four years by increasing the cigarette tax to 32 cents a pack.

$1.0 billion in fiscal year 1988 by passing administration-backed legislation to limit the time deadline for cashing Government checks to the limits currently imposed on business and personal checks. This would be a one-time savings resulting from uncashed checks reverting to the Treasury.

These rather modest proposals added together would provide $8.9 billion in additional new revenues for reducing the deficit or paying for our national defense buildup, and do so without raising Federal income taxes or tinkering with current income tax laws on the books. There are other revenue raising options that are available to us which would not affect the Tax Reform Act of 1986 nor any other tax bill passed over the past decade. Let me quickly say that I may not necessarily support each and every one of these proposals on a straight up and down vote. But we should consider these and other options as we put the meat on the bones of the Chiles compromise budget plan.

Finally, Mr. President, the Chiles compromise plan helps to correct some of the economic damage that has been imposed on our fiscal house by the President since he took office. First, it begins to reverse the devastating damage that the Tax Act of 1981 has done to overall Federal revenues over the past 6 years. According to the Congressional Budget Office, the Economic Recovery Tax Act of 1981 [ERTA], has reduced Federal revenues by nearly $1.3 trillion since 1981. In fact, the revenue loss to the Treasury in fiscal year 1988 will be $258.7 billion—$30 billion more than the 1986 budget deficit. I admit that I voted with 66 of my Senate colleagues to pass ERTA, but had we known of the huge revenue drain on the economy that ERTA would impose, many of us would probably have voted the other way.

Second, the budget deficit under this administration and during Republican control of the Senate has grown like topsy—from approximately $60 billion when President Reagan took office, to $221 billion in 1986. The Republican budget resolutions of the past 6 years have failed to chart a course of fiscal restraint and deficit reduction. And the Republicans have crafted those budget resolutions, for the most part, without soliciting the input of the Democrats in the Senate.

Now the Senator from Florida has come under blistering criticism from my colleagues on the other side of the aisle for crafting a budget resolution that establishes a painful, tedious, yet responsible path to a balanced budget. Yet the same Republicans were asked to participate in manufacturing this budget and refused. Therefore, the Chiles compromise budget plan will apparently have to go it alone in undoing the deficit damage brought on by the failed budgets of the past 6 years.

Finally, I have examined the other budget plans of Senator Hollings, Senator Conrad, and various drafts of plans prepared by my colleagues on the other side of the aisle. I have reviewed the dear colleague letter of March 10 from my distinguished colleague from Texas, Senator Gramm, regarding an outlay freeze as one way to meet the Gramm-Rudman-Hollings deficit targets for fiscal year 1988 and beyond. My good friend, Senator Evans of Washington, however, properly noted on the Senate floor yesterday that this is an unworkable proposal that would hamstring certain Government requirements that must grow under current law. He goes on to show that when all the mandatory bills are paid, we would only have about $5 billion available for true deficit reduction under an outlay freeze.

In short, Mr. President, there are flaws in every plan. There is no free lunch. There is no easy way to reduce the deficit. There is no magic way to wave a shepherd's staff and part our great sea of red ink. The Chiles compromise budget plan recognizes that, and sets up a framework for dealing with this painful matter of bringing our fiscal house into order. His plan is the only one I see that has a prospect for achieving that goal and I support his efforts.

I am delighted that my colleagues have approved the Chiles amendment and I urge approval of the final budget resolution, as amended.

Mr. President, again I wish to pay my congratulations to the Senator from Florida, the chairman of the committee. He has taken on a task that is one of the most difficult tasks that I have ever witnessed. He had to do it almost solo. I join with the distinguished Senator from New Mexico in praising him for achieving this.

I was one of the few Democratic Senators who did not support the first Chiles budget because I felt it did not go where this country needs to go in many areas, some of the parochial relating to the Western part of the United States, and also in the area of defense and a few other significant areas that are dear to this Senator.

I wish to thank the Senator from Florida and his staff for their cooperation and also the majority leader.

I take exception to the Senators who may have said and that I have heard say that this is not a good budget. Nobody has an ideal budget. But it is obvious, by the will of this body, that the President's budget was offered and only 18 Senators, I believe, could cast a vote in favor of President Reagan's budget. That is a message that it is not leading this country toward either reduction in the deficit or the defense buildup or anything else that this country is dedicated to move to.

This budget, as I have said, does not do everything for everybody, but it does bring our defense to a zero growth, which allows for inflation, which permits the national security of this country to be maintained. It cuts foreign aid, both from the President's mark and also from the mark of the distinguished Senator from New Mexico who offered an amendment here. It reduces foreign assistance, which I happen to think is one of the positive things in this budget.

Foreign assistance, foreign aid, the so-called giveaway programs, have gone up 90 percent in the last 6 years. I do not know about everyone else here, but I am sick and tired of it. Now it is called national security and it is OK that we can throw this money around the world because it is national security, because we have an administration that wants to do it. The national security, then called foreign aid, foreign giveaway, under the Carter administration, rose about 17 percent in the 4 years of that administration. So this is a budget in the right direction. It also does some very important things to the West. It restores some of the problems that I felt were very inappropriate as it relates to the Western part of the United States.

The President's budget would have raised some fees that were unrealistic and should be reduced. They are changed by the Chiles budget.

It also does something in the area of drug enforcement.

The budget of the chairman of the committee before us has restored the State and local grant money that was wiped out by the first budget and also by the President's budget. It restores education with respect to drugs. It restores rehabilitation for drug users and it improves and permits the air interdiction of Customs, DEA, and other law enforcement agencies to continue in the vein that is very necessary.

Mr. President, it is not easy for us to stand here and say that this budget handles all the problems in this country. It does not, nor should it. But the budget is a guideline, is a skeleton, is a roadmap of where we are supposed to go. This does that. And this Senator has voted against a number of budgets because they have not done that.

You look at the President's budget, you look at any budget that has been proposed here, and they are talking about new revenues. This budget is very carefully crafted. We passed an amendment here that indicates we will not meddle with the tax reform bill that was passed last year and change those rates. I think that has got to be a very positive step.

Mr. CHILES. Mr. President, I think we are ready to vote. I just want to thank my good friend from New Mexico for his kind remarks, and the remarks of other Senators.

VOTE ON AMENDMENT NO. 189

The PRESIDING OFFICER (Mr. Boren). The question now recurs on the Chiles motion to table the Chafee amendment numbered 189. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. Gore] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. Pressler] is necessarily absent.

The PRESIDING OFFICER (Mr. Reid). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 29, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—69

Adams
Armstrong
Baucus
Bentsen
Biden
Bingaman
Bond
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Conrad
Cranston
Danforth
Daschle
DeConcini
Dixon
Dodd
Evans
Exon
Ford
Fowler
Garn
Glenn
Graham
Gramm
Hecht
Helms
Hollings
Humphrey
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Lugar
Matsunaga
McCain
McConnell
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nickles
Nunn
Proxmire
Pryor
Quayle
Reid
Riegle
Rockefeller
Roth
Rudman
Sanford
Sarbanes
Sasser
Simon
Stennis
Thurmond
Trible
Wallop
Warner
Wirth

NAYS—29

Boschwitz
Chafee
Cochran
Cohen
D'Amato
Dole
Domenici
Durenberger
Grassley
Harkin
Hatch
Hatfield
Heflin
Heinz
Karnes
Kassebaum
Kasten
McClure
Murkowski
Packwood
Pell
Shelby
Simpson
Specter
Stafford
Stevens
Symms
Weicker
Wilson

NOT VOTING—2

Gore
Pressler

So the motion to lay on the table amendment No. 189 was agreed to.

Mr. CHILES. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 190

The PRESIDING OFFICER (Mr. REID). The question now recurs on the Chiles motion to table the Murkowski amendment No. 190. The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—50

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Graham
Harkin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Rockefeller
Sanford
Sarbanes
Sasser
Simon
Stennis
Wirth

NAYS—48

Armstrong
Bond
Boschwitz
Chafee
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heflin
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Quayle
Riegle
Roth
Rudman
Shelby
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

NOT VOTING—2

Gore
Pressler

So the motion to lay on the table amendment No. 190 was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. METZENBAUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 191

The PRESIDING OFFICER. The question now occurs on the Chiles motion to table the Evans amendment, No. 191. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—57

Adams
Bentsen
Biden
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chafee
Chiles
Cohen
Conrad
Cranston
Daschle
Dixon
Dodd
Durenberger
Exon
Ford
Fowler
Glenn
Graham
Harkin
Heinz
Hollings
Humphrey
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Rudman
Sanford
Sarbanes
Sasser
Shelby
Simon
Specter
Stennis
Weicker
Wirth

NAYS—41

Armstrong
Baucus
Bingaman
Bond
Boschwitz
Cochran
D'Amato
Danforth
DeConcini
Dole
Domenici
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heflin
Helms
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Quayle
Roth
Simpson
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Wilson

NOT VOTING—2

Gore
Pressler

So the motion to table the amendment (No. 191) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 193

The PRESIDING OFFICER. The question now recurs on the Chiles motion to table the Grassley amendment No. 193.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 82, nays 16, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—82

Adams
Armstrong
Baucus
Bentsen
Biden
Bingaman
Bond
Boren
Boschwitz
Bradley
Breaux
Bumpers
Byrd
Chiles
Cochran
Cohen
Cranston
D'Amato
Danforth
Daschle
DeConcini
Dixon
Dodd
Dole
Domenici
Durenberger
Evans
Exon
Ford
Fowler
Garn
Glenn
Graham
Gramm
Hatch
Hecht
Heflin
Heinz
Helms
Hollings
Humphrey
Inouye
Johnston
Karnes
Kassebaum
Kasten
Kennedy
Kerry
Lautenberg
Levin
Lugar
Matsunaga
McCain
McClure
Mikulski
Mitchell
Moynihan
Murkowski
Nickles
Nunn
Packwood
Pryor
Quayle
Reid
Rockefeller
Rudman
Sanford
Sarbanes
Sasser
Shelby
Simpson
Specter
Stafford
Stennis
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Wilson
Wirth

NAYS—16

Burdick
Chafee
Conrad
Grassley
Harkin
Hatfield
Leahy
McConnell
Melcher
Metzenbaum
Pell
Proxmire
Riegle
Roth
Simon
Weicker

NOT VOTING—2

Gore
Pressler

So the motion to lay on the table amendment No. 193 was agreed to.

The PRESIDING OFFICER. The Senate will come to order.

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, I would like to commend Senator CHILES and the leadership for their efforts to fashion a worthy budget resolution.

There are several provisions of particular importance that deserve comment.

EDUCATION

The budget resolution provides for increases in spending for vital education programs.

I was a cosponsor of the Hollings-Danforth amendment that would have increased funds provided for education in the committee-reported resolution, and am heartened that the amendment was included in the Chiles substitute—so-called Chiles II. The budget resolution ensures current services—fiscal year 1987 appropriations plus 4.9 percent—for all education programs.

Increases will go to those students who need them the most: I speak here of the students who participate in Chapter 1, Dropout Prevention, Handicapped, College Work-Study, and Pell Grant Programs.

These programs play a crucial role in the education of our children across the country, but especially those in New York State. The $500 million for the Chapter 1 Program for educationally disadvantaged youth included in the Chiles substitute will provide approximately $50 million to young people in New York. On the first day of the 100th Congress, I introduced a concurrent resolution calling for an increase in funding for this program. I am pleased to see that Congress is heeding that call.

The Chiles substitute also includes $100 million for dropout prevention programs—another urgent educational need. Both Senator PELL and I have introduced measures in Congress to effectively deal with the dropout problem; I am hopeful that the decision to make such funds available bodes well for our legislation.

In conjunction with these funds, the budget resolution includes $300 million for programs for the handicapped. All too often these children are the first to drop out of school due to the lack of available services.

The budget resolution also assumes an increase in the authorization for the Pell Grant Program of $600 million, bringing New York students an estimated $66 million in Pell Grant funds in fiscal year 1988 alone.

The College Work-Study Program is as important for many New York students. Despite repeated efforts by the administration to eliminate this program, this budget resolution maintains the program, increasing funding by $105 million, to $698 million. This program is crucial to college-based financial aid programs across the country; New York State alone depends on almost 10 percent of this money to enable its students to attend college.

Increasing the quality of education in the Nation is of vital concern. This budget resolution will help.

WELFARE REFORM

Section 10 of the budget resolution "fences" $750 million in budget authority for fiscal year 1988, $150 million for child care and $600 million for job training, with corresponding outlays of $110 and $300 million, respectively. The budget resolution allows for modest increases in these amounts for future fiscal years.

The resolution gets us on the right track. "Welfare reform," however, is a complicated thing, involving child care and job training, as noted in the budget resolution, but includes other important components too: The administration of the Child Support Enforcement Program, the adequacy of benefits for children, medical coverage for low-income working families, demonstration projects and waivers that permit State and local governments to experiment with new methods for aiding low-income families, to name a few.

The name of section 10 leaves open to question whether the reserved funds would be available for those components of a welfare reform bill that go beyond providing child care and job training.

In addition, the very complexity of "welfare reform" implies that a number of related initiatives will be considered by a number of committees. It is likely that the Finance Committee, the Labor and Human Resources Committee, and others will report to this body bills that affect job training, child care, and medical assistance for low-income families and individuals.

These potential difficulties notwithstanding, I congratulate the chairman and the members of the Budget Committee for having reserved some funds for a welfare initiative in the fiscal year 1988 budget resolution.

For our part, the Subcommittee on Social Security and Family Policy will strive to report out a lean, responsible welfare bill that emphasizes parental child support and work-training, without losing sight of the needs of poor children.

AIDS

Chiles II added an additional $400 million in budget authority and $228 million in outlays for fiscal year 1988 for AIDS, biomedical research and catastrophic health insurance under Medicare to the amounts already contained in the committee reported resolution.

These funds will touch all parts of our population. Our society must now come to grips with a devastating illness that is spreading every day—AIDS. It is imperative that we provide sufficient funding for AIDS prevention and research; it is not just a disease for high risk individuals; day by day, it is spreading to all sectors of our population and all areas of our Nation.

To combat AIDS, on the first day of the 100th Congress, I introduced S. 24. In brief, my bill waives the 24-month waiting period for Medicare coverage for AIDS patients receiving Social Security disability benefits—most AIDS patients die within that 24-month period—authorizes $75 million for information dissemination on AIDS prevention, authorizes $20 million for anonymous testing sites, and directs the Secretary of Health and Human Services to conduct a survey of infants with AIDS who are abandoned in hospitals.

Currently, we know nothing of the mechanisms by which AIDS is triggered. At this point, AIDS researchers have estimated that there is a 50-percent chance that once infected, an individual will develop full-blown AIDS. The impact of this disease is enormous—AIDS patents are dying at the peak of their productive years, or worse, in the case of children, they are dying before they ever reach their productive years. The additional funding provided by this amendment will enable NIH to carry on vital research in this field, to help those who have AIDS, adult and child, as well as prevent its further spread.

CATASTROPHIC HEALTH INSURANCE

We must also care for our elderly, who are becoming impoverished due to the high costs of catastrophic illness. We must offer them the opportunity to purchase insurance against such calamity through the Medicare program. These people have worked all their lives to contribute to the well being of modern America—it is time to repay that contribution.

Chiles II removes the cap on total budget authority and outlays imposed on Secretary Bowen's catastrophic insurance proposal. I cosponsored that measures when it was introduced in the Senate on February 26, 1987.

In cosponsoring that proposal, I noted that there was a great need to expand long-term care coverage to prescription drugs and other vital health-care needs of the elderly. Yesterday, I joined Senator BENTSEN in introducing S. 1127, a more comprehensive proposal which expands catastrophic health-care coverage into these areas. This budget resolution will give Congress the flexibility to develop these proposals and arrive at a plan which benefits all elderly Americans.

The health of our Nation is not something we must leave to chance; disease and affliction do not go away when programs which serve to combat them are cut back. They simply grow and cause more human suffering—suffering that can be avoided if we choose to take the necessary measures to do so. This budget resolution marks the first step in that process.

Mr. GLENN. Mr. President, I rise today to express my support for the Chiles proposal despite certain reservations. I do so because I believe we must all compromise if we are to produce a budget and avoid the disastrous alternative of sequestration.

Mr. President, I would prefer a budget that authorizes additional spending for our national security. As a member of the Senate Armed Services Committee, I have supported larger defense expenditures because I believe they are necessary to meet national security needs. The Chiles proposal does, however, maintain defense expenditures at current levels.

I am also concerned about the cuts this budget makes in important domestic programs. I do not support the 10-percent cut in the Community Development Block Grant Program or the 5-percent cut in urban development action grants. The elimination of general revenue sharing has already diminished our commitment to the historical Federal-State and local relationship, and these further cuts add insult to injury.

I also do not support the burden this budget places on Federal workers. Our Federal employees have been asked to sacrifice many times in recent years. Accordingly, I urge the chairman of the Budget Committee to keep Federal workers in mind when this budget goes to conference.

Despite these reservations, I intend to vote for this budget. I do so, in part, out of necessity. In the absence of Presidential leadership and in the absence of cooperation from our Republican colleagues in this body, we Democrats are left to begin cleaning up the terrible economic mess that this administration's fiscal policies have created.

And make no mistake about it. Despite the President's rhetoric to the contrary, our staggering national debt does not belong to Jimmy Carter or to Richard Nixon or to Lyndon Johnson or even to Franklin Delano Roosevelt. It is the legacy of Ronald Reagan. In 1980, Reagan himself summarized his supply side theory when he said:

> We [would] use the increased revenue the federal government would get from this [tax] decrease to rebuild our defense capabilities.

Think about what that says: lower taxes will generate increased revenue. None of the former Presidents Mr. Reagan is fond of criticizing ever believed in such a fanciful theory. And as we now know, the largest tax cut in history combined with the largest defense build-up in history produced what all but supply-side economists predicted: the largest budget deficits in our history.

The administration still has not learned its lesson. It still thinks it can solve the deficit problem through domestic spending cuts. It still is mistaken. Spending on valuable domestic programs has been cut to the bare bone, and the American people, both through public opinion polls and through their elected representatives, have shown that they oppose further cuts in domestic programs.

The President uses the argument that we can balance the budget through domestic spending cuts as a smokescreen to avoid choosing between his top priorities: low taxes and high defense spending. But it is a choice he must make—and make soon. The debt our grandchildren will bear is increasing by a half a billion dollars every day. Quite literally, the President is mortgaging our Nation's future.

In the meantime, this body has an immediate responsibility to produce a budget. And because the Republicans have indicated that they will vote in block against virtually any budget plan, we Democrats must all compromise if we are to get 51 votes.

I believe that the Chiles budget represents the best product given the limited options available. It would balance the budget by 1991 with minimal resort to gimmicks and without curtailing vital services. It provides for an adequate national defense. And it leaves most domestic programs essentially intact.

While the budget cuts many programs more than I would like, I am willing to compromise to avoid the automatic sequestration process—a process which would be disastrous both to our national security and to our domestic well-being.

Any budget that increases revenue and reduces expenditures inflicts pain. And by refusing to discuss a budget compromise, President Reagan and Senate Republicans are trying to saddle Democrats with responsibility for reducing the huge deficits that Reaganomics created. But in the absence of Republican cooperation, we Democrats have no choice—we must pass a budget in order to provide our Nation with the economic leadership it so desperately needs.

Using this budget as a starting point, I again urge the President and congressional Republicans to work with us in devising a reasonable long-term approach to the Federal budget. It is high time that we develop a bipartisan solution to what is quite clearly everybody's problem.

Mr. **SPECTER**. Mr. President, I join my colleagues in support of the Clean Coal Technology Program, and I support the Budget Committee actions to provide for an expanded Clean Coal Deployment Program.

Commercialization of clean-coal technologies is critical to securing America's energy future and to preserving and enhancing the integrity of our environment. Coal is America's most abundant fossil energy resource and Pennsylvania is one of America's great coal States. The commercialization of clean coal technologies will make it possible for America to use more of this immense domestic energy resource, to reduce our dependency on imported energy supplies, and therefore to achieve the energy security and independence that will elude us so long as we must rely on foreign resources.

There are two fundamental reasons why America needs to demonstrate and commercialize new coal utilization technologies as soon as possible. First, the Nation will need more electrical generation capacity in the 1990's to meet projected new demand and to replace aging facilities. To ensure that these new clean coal technologies will provide commercial alternatives, we must start demonstrating these technologies in utility and industrial applications today. Second, we must develop cost-effective technological methods to produce energy with minimal harm to our environment. There is agreement that emerging clean coal technologies will be more efficient and cost-effective than current systems for the reduction of emissions from the use of coal. If we act in time to establish an effective Clean-Coal Technology Program, we will protect our environment without imposing additional regulations that mandate reductions.

Industry has initiated clean-coal demonstration projects, but it needs help to accelerate development, deployment, and commercialization of these emerging technologies. Pennsylvania and the Nation have a large stake in this program. I support full funding for demonstration and deployment of clean coal technologies.

Mr. **INOUYE**. Mr. President, I am gravely concerned about the foreign policy and national security implications of the budget resolution now under consideration. All too often, it seems to me, we narrow our focus to the figures and the statistics of the budget resolution while losing sight of the vital international security interests of the Nation.

When the Congress established the budget process under which we now operate, the Congress sought to cast the Federal budget in terms of meeting identified national priorities. The budget was divided into functions which corresponded to these national priorities. One of them was function 150: International Affairs.

In establishing these functions, the Congress sought to give recognition to national needs—not the needs of a program, or an activity—not the needs of one Senator, or one State—but to national needs. We broke the budget down into what we wanted to accomplish and we decided how much we needed to allocate to accomplish those objectives. True, we were concerned in those years with balancing the budget, and we did fairly well. We certainly did not experience deficits of the magnitude we have experienced in recent years.

Something has gone terribly awry. Now, with our focus on the numbers, our enchantment with statistics, we find that we no longer meet our national needs and we have huge deficits. Why? I would suggest that that is because, when we lost sight of the objective of having a budget—meeting national needs—we lost the ability to measure our own actions.

Mr. President, I believe we will not have effective budgeting in the Congress until we reestablish the priority of meeting national needs. We must attend to the consequences of our actions. Our budget decisions have real world implications

Two months ago, as chairman of the Subcommittee on Foreign Operations, I prepared the portion of the "Views and Estimates of the Appropriations Committee" addressing the foreign operations of our Government. These views and estimates were submitted to Budget Committee for their consideration.

In that document I warned that the already constrained foreign operations budget could not be maintained at the 1987 level nor reduced further, without serious adverse consequences to our vital national interests.

Today our eyes focus only on the budget deficit. That is to be expected. This is the budget resolution, and the deficits that this resolution attempts to address are all too high. But next week, or next month, our eyes will look in a new direction.

Mr. President, it is my unalterable conviction, that the levels for the foreign operations assumed in this resolution are not sufficient to meet the vital security needs of our Nation. That is what we will see.

Each year when the foreign aid budget comes to the second floor, speeches are made which ask "Why are we spending so much on foreign aid?" My colleagues, we spend these amounts because the Congress of the United States has recognized a need to spend these sums. We appropriate these amounts because the Congress of the United States believes that our vital national security needs—and our humanitarian convictions—must be met.

Now, last year we spent $13.4 billion on foreign aid. This year, the budget resolution assumes that $12.4 billion will be available to fund the same activities.

Let me briefly summarize for my colleagues what we funded last year so that we can understand the meaning of the reduction that is proposed for this year.

In 1987 we supported, with economic and military aid, our friends and allies in Egypt, Israel, Greece, and Turkey. Who will say that these friends and allies are not vital to our national security interests?

In 1987, we provided funds so that the President and the Congress could pursue the highest priority objectives of United States foreign policy in Central America, Pakistan, and the Philippines.

Last year we funded the Peace Corps, because it too serves our national objectives.

And, we paid the operating expenses, salaries, and retirement costs of those whom we have asked to implement our programs. As an aside, let me say, I often wonder at how we sympathize with Americans abroad who are taken hostage, but criticize those who serve their country in difficult and dangerous places.

Mr. President, last year we did not turn our backs on refugees, or close our eyes to the threat of illicit narcotics trafficking, or cut off funding for UNICEF. We funded all of these needs.

Last year, we also funded the Export Import Bank of the United States. In the face of the severest trade crisis that this Nation has ever faced, is there any doubt we will also fund the Eximbank this year?

Of course there are some who will say, let us just take all of the cuts out of the Multilateral Development Banks. Last year we cut the President's request for international financial institutions by a third.

Mr. President, when all of the needs that I have described were funded last year, there was $2.4 billion left to fund all of the other foreign policy priorities.

Mr. President, if we again meet the needs that I have just been describing, and if we were to cut the multilateral development banks in half, there will only be $1 billion left to fund all of the priorities that the Congress has established.

This means that "everything else" will have to be cut 61 percent.

Now what is "everything else?"

"Everything else" is the whole continent of Africa—where so many of my colleagues want to spend more than they did last year.

Funding in Africa will be cut by 61 percent.

"Everything else"—is Bangladesh, the world's poorest country.

"Everything else" is poverty—ridden Haiti which is struggling to establish a democracy for the first time in 50 years.

"Everything else" are our moderate Arab allies in the Middle East. Countries that are critical to the peace process in that region.

"Everything else"—that must be cut 61 percent—is disaster assistance, and antiterrorism—and, yes, even our contribution to the international peacekeeping forces that are the only barriers to renewed conflict in the most critical areas of the world.

These must all be cut 61 percent.

Mr. President, these are the consequences of our actions. I do not expect that many will recognize them now. I do not expect that the resolution will provide more for our national needs and objectives under the International Affairs budget function. Too often, we learn our lessons after the fact. So be it. I hope that my colleagues on the Budget Committee will attempt to improve things in conference with the House.

OPPOSING CUTS IN THE CDBG AND UDAG PROGRAMS

Mr. CRANSTON. Mr. President, I am pleased to hear the statement given by the distinguished Budget Committee chairman with respect to the Community Development Block Grant and Urban Development Action Grant Programs.

A weakness in the budget package now before us is that it assumes unacceptable cuts in the CD Block Grant and UDAG Programs—two vital programs that already have received more than their fair share of cuts over the past 6 years. Since 1980, CDBG has been cut by $750 million and UDAG has been cut by $450 million. In terms of 1987 dollars, that is a 42.9 percent cut of $2.2 billion for CDBG and a 76.2 percent cut of $720 million for UDAG.

This budget package proposes further cuts of 10 percent in CDBG and 5 percent in UDAG. I appreciate the fact that this is an improvement over an earlier version, which proposed even deeper cuts. But I believe that no further cuts in these programs are justified.

Just 4 weeks ago the Senate approved the Housing and Community Development Act of 1987, with an overwhelming vote of 71 to 27. That bill would provide a 2-year freeze in CDBG and UDAG. I believe that level falls below what is needed to meet the full need. But, unfortunately, the present budgetary crisis does not permit us to meet the full need.

A freeze level is not all I would like. But it is a level that the Congress can and should maintain.

CDBG grants are used very effectively by States and local governments to strengthen community infrastructure, improve neighborhoods, and expand economic opportunities, principally for persons of low- and moderate-income.

In 1986, a total of 694 metropolitan cities and 116 urban counties received CDBG assistance.

In just one city in California, Los Angeles, over 5,000 families are able to live in renovated housing this year because of the block grant.

Over 2,000 people will learn a skill or have new jobs this year in Los Angeles because of the block grant.

Tens of thousands of children, teenagers, elderly citizens and others are able to use the neighborhood centers, libraries, park buildings, day care centers, senior citizen and handicapped centers that have been built or renovated with block grant funds.

Additionally, thousands of people receive emergency food, shelter, job training, drug education and drug abuse counseling because of the block grant.

UDAG is another important program. It is the only remaining form of Federal assistance designed to strengthen partnerships of private industry and local government in the Nation's economically most distressed cities.

UDAG uses the smallest amount of Federal money that is needed to trigger a much larger private investment in the public interest. In 1986, UDAG leveraged over $6 of private investment for every dollar of Federal investment.

UDAG concentrates on cities that have insufficient resources. In the past, two-thirds of all UDAG funds have gone to the one-third most distressed cities—cities that have been unable to build their own economies and produce good, long-term jobs.

The $225 million authorization level in S. 825 for UDAG would produce the following benefits for distressed cities that receive grants.

Based on actual experience in 1986, it would produce: 27,000 new permanent jobs; 15,400 jobs for lower-income persons; 19,500 jobs for minorities; 25,000 construction jobs; $1.8 billion in private investment; $37 million in local tax revenue; 140 new projects; and 4,400 housing units.

Targeting projects that benefit distressed communities is clearly in the national interest.

Mr. President, CDBG and UDAG have been used by our cities to provide jobs, opportunities, and hope for the less fortunate in our society. We must continue these programs at the current levels to ensure their effectiveness.

I feel sure that, when the House and Senate conferees consider all the positive facts relating to these vital programs, they will find a way to avoid any cuts from this year's funding levels.

I urge them to do so.

Mr. MOYNIHAN. Mr. President, today we are going to pass a budget resolution that funds two programs, the Community Development Block Grant [CDBG] Program and the Urban Development Action Grant [UDAG] Program, that are of special importance to New York State. The President proposed to eliminate UDAG and severely reduce CDBG in his fiscal year 1988 budget.

I regret that both of these programs received cuts in funding in this budget resolution, and I join my colleagues in urging the conferees to accept the assumptions contained in the House budget resolution for these programs. I thank Senators CHILES and RIEGLE for their leadership in this regard, and applaud the efforts of Senators SASSER and LAUTENBERG, as well.

I've never doubted the benefits of the CDBG Program, but it's significance was never so profoundly demonstrated to me as during a recent trip I made through central and western New York. During meetings with mayors and other municipal officials, they all, without fail, inquired bout the fate of CDBG and UDAG.

They would ask for my help in securing a small cities CDBG for their community. I would give them the short answer. Yes, I can help the city of Olean, or the city of Dunkirk, with their CDBG proposal. Yes, it's possible. But, first we have to see that the President's budget which slashes the Community Development Block Grant Program is not adopted. And similarly, when asked if I would help the city of Elmira receive a UDAG for the rehabilitation of the Gorton Coy Building. Again, I would respond, yes, I can help. But, only if the President's budget to abolish UDAG is not adopted.

Well, we did reject the President's budget. But the budget we adopt today does not freeze the funding levels for CDBG and UDAG, as I would have liked. However, this budget does provide enough funds for the CDBG and UDAG Programs to continue to rehabilitate homes in Olean, and to make improvements to the infrastructure in Herkimer County, and to revitalize commercial areas of New York City, and to renovate the Coy Building in Elmira.

The House budget resolution provides sufficient funds to cover last year's appropriations for CDBG and UDAG. That should be our goal. I join my colleagues in urging the distinguished chairman to work toward it.

Mr. McCONNELL. Mr. President, as I observed the predebate preparation and position-taking on this budget resolution, it occurred to me that—political parties notwithstanding—there are two distinct approaches to environmental policymaking in the U.S. Senate.

One seizes on forceful solution and then creates a problem to fit.

And the other—the other does not.

The other follows Thomas Jefferson's good advice and attempts to make the patch commensurate with the hole.

Let's measure the hole and the whole of acid rain before we design the patch that opponents to clean coal technology seem to be demanding.

Are sulfur emissions from coal-fired electric powerplants causing a growing acid rain problem?

First, sulfur emissions are falling.

The EPA says they have fallen 28.4 percent from 1973 through 1985. This is a virtual overlay with Europe's fabled 30 percent club, which has yet to achieve anything as significant. It is divisible many times by what Canada has achieved, and, therefore, many times greater.

Nevertheless, both Europe and Canada are held up to the United States—whole industries have invested $225 billion in capital to get clean air since 1970—as examples of enlightened policy which we must follow.

As for America's coal-fired utilities, the Department of Energy reports they alone have spent $60 billion since 1975 just to capture sulfur dioxide, and $17 billion of it went into flue gas scrubbing.

Just for reference, these figures are more than the gross national product of some countries, and they do represent significant investment.

At last count, electric utilities had 142 scrubbers in place and 49 more on order. There are more scrubbers in operation in the United States than in Canada—where there are none—and all the rest of the world combined.

Yet the opponents to clean coal technology say we have not done enough, and that the Government of Canada is rightfully offended that we are not doing more; and nevermind that Canada has only promised to cut its sulfur dioxide emissions while doing nothing or next to nothing.

Incidentally, in this period of nearly 30 percent reduction in SO_2 emissions, utility coal use rose by 78 percent as coal displaced oil and freed the Nation from dependence.

In the northeastern quadrant of the United States, where complaints about SO_2 and acid rain have been the strongest, the Department of Energy reports a 19-percent decrease in emissions and a 23-percent increase in coal consumption.

How can declining quantities of a substance produce a growing problem if it is the principal agent whose control will solve the problem?

The answer here is that scientific research—which has been ridiculed as a stalling tactic—is changing the definition of the problem.

Although Canada's political leaders still blame United States emissions for their problems, Canada's bilateral scientific representatives recently acknowledged there has been a significant reduction in the emissions that have caused our disagreement.

Science also is calling into question the cause of damage to lakes, streams, woodlands, and crops.

Meantime, the National Coal Association has proved that from 1980 through 1986, SO_2 emissions from coal-fired plants fell an additional 5 percent. These reductions are projected to continue through the 1980's.

In short, Mr. President, the Clean Air Act is working. And if reduction of emissions alone is the goal, no further controls are needed.

But with clean coal technology developed and deployed, we get a much more efficient, much less expensive increment of power and much cleaner air as a bonus.

Here are the environmental advances the Department of Energy expects in retrofit technology: From coal slurry, up to 90 percent reduction in SO_2; from advanced coal cleaning, up to 90 percent reduction; from in-duct sorbent injection, up to 70 percent; from gas reburning, up to 20 percent; from the slagging combustor, up to 90 percent; from the limestone injection multistage burner, up to 60 percent;

and from advance flue gas cleanup, more than 90 percent.

In the technologies suitable for plant repowering and incremental construction the Department has estimated the following gains: From integrated gasification combined cycle, up to 99 percent SO_2 removal; from pressurized fluidized bed combustion, up to 95 percent; from atmospheric fluidized bed combustion, up to 90 percent.

Our program to develop and deploy these technologies puts the United States in the advance guard of world development, and in the wake of Chernobyl other industrialized nations are eager to take up the coal alternative.

I understand that at the recent United States-European Coal Conference in Rome, Italy's Director General for Energy Sources singled out United States coal technology as being of high interest in this country's reevaluation of its energy plan.

It would be an irony of the highest order if the opponents of clean coal technology forced it out of our market while those with whom we trade and compete industrially put it to its highest use.

The problem of making the hole commensurate with your patch of preference—rather than making the patch match the hole—is that you risk ruining the whole fabric of your economy.

In clean coal technology, we have a patch that matches the hole in need of repair.

PBGC

Mr. RIEGLE. Mr. President, I would like to engage in a colloquy with the chairman of the Budget Committee on the provision in function 600 dealing with the Pension Benefit Guaranty Corporation [PBGC]. This provision assumes $911 million in additional funding for the PBGC in fiscal year 1988. The Budget Committee report indicates that this is based on the assumption that Congress will adopt a proposal similar to the administration's variable-rate premium proposal.

Mr. President, like many of my colleagues, I am concerned about the financial condition of the PBGC. The recent termination of several plans with large unfunded pension liabilities, including the LTV and Wheeling Pittsburgh Steel pension plans, has doubled the PBGC's debt. It is important for Congress to take steps to bolster the financial condition of the PBGC, which has played such an important role in guaranteeing the pension benefits of thousands of workers and retirees. However, I am troubled by several aspects of the Budget Committee's proposal.

First, the administration's variable-rate premium proposal was only unveiled at the beginning of April. The Senate has not yet had an opportunity to hold hearings on this proposal. I understand that this proposal has generated considerable controversy among employers, labor unions, and other interested parties in the private pension community. It seems to me that it is important for the Senate to take the time to fully evaluate and consider all of the ramifications of the administration's variable-rate premium proposal, and not to rush ahead blindly with a major restructuring of the way the PBGC is financed simply because of the pressures associated with meeting the Gramm-Rudman deficit reduction targets.

I would therefore like to ask the chairman of the Budget Committee to clarify that, although the Budget Committee proposal does contemplate that additional savings will be provided to the PBGC, this does not mean that the Senate would be compelled to adopt the administration's variable-rate premium proposal. In particular, it is my understanding that the committees with jurisdiction over this issue would not be foreclosed from reporting other alternatives for shoring up the PBGC's finances.

Mr. CHILES. This is correct. The budget proposal only requires that additional savings of $911 million be generated for fiscal year 1988. The committees with jurisdiction over this issue would have discretion over how to reach this figure. Although the concept of a variable-rate premium as proposed by the administration represents one alternative, the committees would not be forcelosed from pursuing other alternatives. In the Senate, in fact, this savings would be reconciled to the Finance Committee which has wide discretion in how it distributes savings among the many programs under its jurisdiction. As a result, it could choose to find other means to achieve these savings rather than requiring a variable-rate premium.

Mr. HEINZ. Continuing on this same issue, I believe that the $911 million target is unrealistic. The administration's own variable-rate premium proposal could only raise $550 million in fiscal year 1988. I understand that the Budget Committee arrived, in part, at its higher figure by assuming that the PBGC's present debt could be amortized over 15 years rather than 30 years.

I would like to point out that this change could have very significant implications. For example, while the committee plan does not require an increase in the flat-rate premium, shortening the amortization period for retiring the PBGC's debt would mean, additional savings are needed. If the authorizing committee chooses to achieve some or all of the savings through a flat-rate premium rather than through a variable-rate premium, all plan sponsors, including small businesses and employers with well-funded plans, could have to pay a higher premium than the current level of $8.50 per participant per year.

In addition there are problems with the administration's variable-rate proposal. For example, the amount by which a plan is underfunded does not necessarily indicate the risk it poses for the PBGC, yet the premium level would be determined by precisely this level. Moreover, I am concerned that the implementation of a variable-rate premium could impose undue financial burdens on some companies that are already facing serious economic difficulties.

In short, I believe that any of the methods to achieve the $911 million in savings could cause serious difficulty. This is a very complex area, which will require considerable analysis and debate before we arrive at the proper solution. Is it correct to say that the authorizing committee would have the flexibility to achieve these savings for the PBGC in the manner they deem most appropriate?

Mr. CHILES. The Senator is correct. The authorizing committees always have the flexibility and prerogative to achieve reconciled savings in the manner which they find to be appropriate. I thank the Senators for their comments.

Mr. RIEGLE. I thank the distinguished chairman of the Budget Committee for his consideration.

Mr. GLENN. I would like to enter into a colloquy with the distinguished chairman of the Budget Committee, the Senator from Florida.

Mr. CHILES. I would be pleased to enter into a colloquy with the distinguished chairman of the Committee on Governmental Affairs, the Senator from Ohio.

Mr. GLENN. It is my understanding that the modifications to the committee-reported budget resolution reduce from $1.9 billion to $1.2 billion the level of savings assigned to the Committee on Governmental Affairs which I chair.

Mr. CHILES. The Senator is correct.

Mr. GLENN. Could the Senator from Florida specify the Budget Committee's assumptions regarding how this level of savings could be achieved?

Mr. CHILES. With adoption of the proposed modifications, reducing the Governmental Affairs Committee's assigned savings to $1.2 billion—the assumptions are as follows:

Approximately $500 million in savings in the area of Federal travel expenses and from a proposal to reform the Federal supply service. The original committee-reported budget resolution assumed these same savings.

Approximately $700 million in savings in the area of Federal employee benefits. The original committee-reported budget resolution assumed approximately $1.4 billion in the area of employee benefits. Therefore, the revised Chiles Democratic budget reflects one-half of those original savings.

Mr. GLENN. The original committee-reported budget resolution assumed savings in the area of Federal employee benefits from linking the lump-sum retirement option with a modification in the recently enacted repeal of the "3-year recovery rule" for civil servants; from providing pay raises of 2 percent rather 3 percent next year; and from an increase in the waiting period for within-grade pay increases for the Federal work force.

I would like to ask the chairman of the Budget Committee whether the Governmental Affairs Committee would still be required to make these benefit cuts under the revised Chiles Democratic budget.

Mr. CHILES. No.

Mr. GLENN. Could the Senator from Florida specify how a $700 million level of savings in the area of Federal employee benefits could be achieved by the Governmental Affairs Committee?

Mr. CHILES. The committee could elect to link the lump sum retirement option with a modification in the 3-year rule—if the Finance Committee agrees—and meet its savings assignment under the budget resolution. Under this scenario the committee could decide to provide 3 percent pay raises next year and maintain current law with respect to within-grade pay increases. Alternatively, the committee could elect that no savings be made through changes in the retirement system and that savings could be made through limiting Federal pay increases. Of course, the committee could elect savings from a combination of these areas or could achieve savings from another policy area within its jurisdiction.

Mr. GLENN. I thank the Senator for his remarks. I would like to add some clarifying remarks myself. I believe that the only other significant policy area within the jurisdiction of the Governmental Affairs Committee is the Postal Service. While the Governmental Affairs Committee has broad jurisdictional oversight; the committee's spending accounts are quite limited under the budget process.

I appreciate the responsiveness of the Senator from Florida to requests from myself, the distinguished Senator from Arkansas, Mr. Pryor—who chairs the Federal Services, Post Office, and Civil Service Subcommittee—and other Members to reduce the level of budget cuts targeted to Federal employees. I know that the chairman of the Budget Committee recognizes how many sacrifices Federal workers and retirees have made during the past several years for Federal deficit reduction.

However, I regret to say that in my view the revised budget plan still asks more from Federal workers than is fair or equitable—given past deficit reduction plans. Therefore, I would like to urge the chairman of the Budget Committee to show flexibility in the conference with the House on this particular matter.

Mr. CHILES. I cannot make any specific commitments regarding conference at this time. However, I have never seen a budget conference in which some of the numbers did not change from the budget resolutions passed in either Chamber. Moreover, I would like to note that the committee-reported budget rejects the President's proposed cuts in COLA's for civil service retirees and proposed increases in premiums for Federal employee and retiree health benefits. The modifications to the budget voted on today in no way alter the assumptions that these proposals of the President's are rejected. Furthermore, it is my intention to produce a budget package in conference that is equitable to Federal workers and to other parties, and that at the same time, meets our need to reduce the deficit.

Mr. GLENN. I thank the Senator from Florida.

VETERANS' PROGRAMS

Mr. CRANSTON. Mr. President, as chairman of the Committee on Veterans' Affairs, I am very pleased to be able to support the budget resolution which is before us now, which provides a budget that carries out the goal of deficit reduction while safeguarding essential domestic programs and maintaining our defense spending at an appropriately strong level. I am particularly pleased that the Senate, through this budget resolution, can keep the promises we have made to this Nation's veterans, to whom we owe so great a debt, through funding of those benefits which Congress has established for them. I applaud the chairman of the Budget Committee, the Senator from Florida [Mr. Chiles], for his herculean and farsighted efforts which have resulted in a budget resolution which balances many competing national and regional concerns in a manner which I believe is in the best interests of our Nation.

The budget resolution as reported by the Budget Committee contained inadequate levels of funding for veterans' programs. Therefore, I joined with my friend, the Senator from New Jersey [Mr. Lautenberg], who, as a member of the Budget Committee, has shown an unyielding commitment in his support of veterans' programs, with the ranking minority member of the Veterans' Affairs Committee, the Senator from Alaska [Mr. Murkowski], and with my fellow Veterans' Affairs Committee members, the Senators from Hawaii [Mr. Matsunaga], Arizona [Mr. DeConcini], West Virginia [Mr. Rockefeller], and Florida [Mr. Graham], in announcing our intention to propose an amendment—which was deficit neutral by virtue of an offset based on raising the maximum levels of civil monetary penalties and criminal fines—to the budget resolution in order to restore to the Veterans' Administration critically needed funding which the Veterans' Affairs Committee had recommended in our February 2 report of our budget views and estimates to the Budget Committee.

However, along with Senator Lautenberg and other cosponsors of the proposed amendment, I have worked with Senator Chiles to achieve a budget which undertakes deficit-reduction efforts in a manner that is fair to our Nation's veterans and consistent with our obligations to those who have served and made such great sacrifices to keep our Nation free and strong. Our efforts have resulted in increasing the function 700, Veterans' Benefits and Services, levels in the resolution for fiscal year 1988 by $0.1 billion in both budget authority and outlays to $28.0 billion in budget authority and $27.4 billion in outlays.

In unrounded numbers, the levels for veterans' programs provided in the pending version of the resolution are $356 million in budget authority and $641 in outlays above the President's budget request as reestimated by the Congressional Budget Office. These levels are $88 million in budget authority and $49 million in outlays for fiscal year 1988—and more than $300 million in budget authority and $200 million in outlays over the 4 fiscal years 1988 through 1991—above the resolution as reported by the Budget Committee.

In preparing our budget recommendations, we on the Veterans' Affairs Committee gave great weight to the urgent need to control Federal spending in order to reduce the towering Federal deficits. The committee arrived at its unanimous recommendations after a thorough review of veterans' programs and extensive efforts to identify areas in which savings and economies could be achieved consistent with Congress' continuing commitment to meet its obligations to the Nation's veterans and their survivors, and particularly to service-connected disabled veterans, recognizing that the costs of benefits and services for veterans is truly a part of the cost of the wars they fought to protect and preserve our way of life.

Although the Budget Committee-reported resolution fell short of the Veterans' Affairs Committee's recommendations, I am pleased to report that the increases in the budget resolution now before us will be available to help meet the funding needs in three key areas where the impact of the proposed budget cuts could have been greatest—VA health care programs, the Veterans' Job Training Act

[VJTA] Program, and disability benefits for veterans exposed to ionizing radiation through the detonation of a nuclear device.

First, in the area of VA health-care programs, the CBO baseline levels—which the Budget Committee basically mirrored in its initial resolution—do not provide for the funding necessary for the 1,981 full-time-employee equivalents [FTEE's] needed for the activation of new medical care facilities currently under construction and scheduled to come on line in fiscal year 1988.

The budget resolution as initially reported also failed to provide badly needed funding to overcome difficulties the VA is experiencing in the recruitment and retention of medical-care personnel in scarce specialties. In the face of national shortages in such health-care professions as nursing, physical therapy, and pharmacology, the VA has not been able to keep up with pay and benefits in the private sector. Not surprisingly, it has had a very difficult time hiring and retaining these health-care professionals, who are essential if the VA is to provide the quality medical care which our veterans deserve.

Thus, to help enable the VA to attract and retain the health-care personnel needed to give our veterans the high-quality medical care they deserve, the Veterans' Affairs Committee's budget recommendations included funding for the VA's use of existing authorities the meet recruitment and retention needs in scarce specialties and for new initiatives in this area. In this regard, Senator MURKOWSKI has introduced S. 713, to provide for the payment of bonuses for the recruitment and retention of registered nurses by the VA, and I will soon be introducing legislation to otherwise enhance the VA's ability to be a competitive employer of nurses and other health professionals. Veterans' Affairs Committee hearings on these measures are scheduled for May 21.

The initial budget resolution also failed to meet other VA health-care needs, including the expansion of alternatives to institutional care for veterans, the treatment of AIDS patients, the continuation of drug and alcohol treatment programs as well as halfway-house and other community-based care for chronically mentally ill homeless veterans, an increase in VA domiciliary care for homeless veterans, an increase in the VA's per diem payments to State homes for extended care for eligible veterans, research in AIDS and other VA high priority areas, and the construction of nursing home projects on the VA's priority list. Many of these areas, including the VA's needs in the treatment of patients with AIDS, will be covered in our May 21 hearing as well.

This year, the Senate has twice passed—in S. 477, the "Homeless Veterans' Assistance Act of 1987", and in title IX of H.R. 558, the "Urgent Relief for the Homeless Act"—provisions to make the VJTA Program more accessible to homeless veterans and otherwise to increase VA care and services for homeless veterans and to authorize fiscal year 1987 appropriations needed to sustain the VJTA Program in the current fiscal year. In addition, I have introduced legislation, amendment No. 160 to S. 999, to authorize VJTA appropriations of $60 million in each of fiscal years 1988 and 1989. Veterans' Affairs Committee hearings were held on this legislation April 30 and it is scheduled for markup on May 14.

The third major area which was jeopardized by the initial budget resolution was disability benefits for veterans exposed to ionizing radiation during their participation in atmospheric nuclear weapons tests or the American occupation of Hiroshima or Nagasaki. Many of these veterans have had to wait over 40 years while Congress and the scientists tried to find clear answers regarding the long-term health effects of low-level ionizing radiation exposure and the precise correlation between specific levels of radiation exposure and the increased risk of developing particular kinds of cancer. Indeed, since 1978, over 99 percent of all claims for VA benefits filed by radiation-exposed veterans or their survivors have been denied, despite the fact that many of these veterans suffer from radiogenic cancers.

Radiation-exposed veterans face two key obstacles in applying for VA benefits: First, the impossibility of determining, with respect to a given veteran, whether his disability was caused by radiation exposure rather than by something else, and, second, the likely underestimates by the Defense Nuclear Agency of radiation exposure levels, on which the VA relies in adjudicating such claims.

I believe that these veterans have waited long enough, especially given the unlikelihood of any scientific breakthroughs in this area in the foreseeable future. They deserve more equitable consideration than they have received thus far from the existing VA compensation program.

Accordingly, I have legislation introduced, S. 1002, the proposed "Veterans' Radiation Exposure Disability Benefits Act of 1987," which provides a fair, compassionate and scientifically appropriate approach to the concerns which radiation-exposed veterans have been waiting resolution of for over 40 years. Senator MURKOWSKI also has introduced legislation, S. 453, in this area. Hearings on these measures are scheduled for June 10.

Mr. President, I am aware that the amounts by which the revised Chiles budget would increase the levels for function 700 are not necessarily, in and of themselves, sufficient to meet fully the needs I have described. However, I am confident that ultimately we will be in a position to address these needs in fair measure.

Thus, I note that in the entitlement area, I believe we will have enough funding cross-walked to our committee to enable us to report and pass the radiation exposure benefits legislation that I have noted. As to other funding needs—for VA health-care and VJTA funding—I will be seeking fiscal year 1988 appropriations for those purposes, and my belief is that there will be adequate crosswalk allocations in discretionary spending to the HUD-Independent Agencies Appropriations Subcommittee to enable that subcommittee to address these needs.

This will be particularly so if the Senate conferees decide to move very close in conference to the House-passed budget resolution figure for function 700 outlays, which is higher than the level in the pending revised Chiles budget.

As I noted earlier this evening, the chairman of the Budget Committee and I and our staffs have discussed this outlay situation, and I am confident that, in conference, he will do what is right for veterans, as he always has and as he has already done, most specifically, in his revised budget. I know he did the best he could in agreeing to the added function 700 funds in his pending revised budget, and I know he will do even better given the latitude of a conference situation. He knows what our needs are, and I was greatly reassured by his expression of his commitment to do what he could to meet veterans' needs in that context.

For all of these reasons, Mr. President, I am pleased, as an advocate in this body for veterans' programs, to commend the revised Chiles budget to my colleagues for their approval.

Mr. LAUTENBERG. Mr. President, I commend Senator CHILES, the distinguished chairman of the Senate Budget Committee for incorporating the essence of an amendment I had proposed to offer to the committee's reported budget resolution, to increase funding for veterans' programs in his revised budget plan. These increases reflect a sensitivity to the needs of veterans, despite a tight fiscal climate, and address the concerns I have expressed about the funding for veterans' programs in the budget.

Because of my concern that funding for veterans' needs was not adequate in the Senate budget resolution reported from the Senate Budget Committee, I had planned to offer an amendment to the Senate budget resolution to add $360 million over the next 4 years to function 700 for veterans' health care, for veterans' job training, and for disability payments for veterans exposed to radiation. I want to thank Senator CRANSTON in particular for his outstanding help in framing this amendment to meet the critical needs of the veterans' population. I am grateful for the benefit of his knowledge and assistance in this matter.

Senator CRANSTON, the distinguished chairman of the Senate Veterans' Committee, Senator MURKOWSKI, the ranking minority member of the committee, and Senators DECONCINI, MATSUNAGA, GRAHAM, and ROCKEFELLER, all members of the Senate Veterans Committee, joined as original cosponsors of this amendment to provide for $90 million to be divided equally among these programs for fiscal year 1988, fiscal year 1989, fiscal year 1990, and fiscal year 1991. The cost of the amendment was to be offset by increasing the levels of various civil monetary penalties and fines to account for inflation.

The revised Chiles plan adds $88 million in budget authority for function 700 for fiscal year 1988, $75 million for fiscal year 1989, $78 million for fiscal year 1990, and $82 million in fiscal year 1991, for a total of $323 million for veterans programs. These funds will go a long way toward addressing critical veterans needs in the areas of health care, job training, and disability payments for veterans suffering from radiation induced cancer.

In the area of VA health care programs, this funding will help meet the need for 1,981 full-time-employee equivalents [FTEE] for the activation of new medical facilities currently under construction and scheduled to come on line in fiscal year 1988. The President's budget would have imposed an overall cut of 5,661 FTEE in staffing for existing VA facilities. It will also help the VA overcome difficulties it is experiencing in the recruitment and retention of medical care personnel in scarce specialties. This money will help the VA attract and retain quality health care personnel to give our veterans the high quality, experienced medical care they deserve.

This money will also be spent to meet health care needs that would not have been able to be addressed with the funding levels in the original Senate Budget Resolution reported from the Senate Budget Committee. These include the expansion of alternatives to institutional care for veterans, the treatment of AIDS patients, and the continuation of veterans' drug and alcohol treatment programs.

Other health care needs that can be addressed with the increased funding include the need for halfway-houses and other community-based care for chronically mentally ill homeless veterans, and increase in VA domiciliary care for homeless veterans, and increase in the VA's per diem payments to State homes for extended care for eligible veterans, research in AIDS and other VA high priority areas, and the construction of nursing home and other projects on the VA's priority list.

We must not fail to provide for VA health care facilities and staffing at a time when veterans' needs for VA care are growing as a result of the aging of the veteran population. As these veterans age, they require progressively more health care. They will not only seek medical care more frequently, they will require longer stays in the hospital, putting a strain on existing facilities. The aging of this population also brings different health care needs, requiring experienced staff with the most up-to-date knowledge, and the need for new settings in which to meet medical needs.

We must assure that when our veterans do seek care, the facilities and the staff are there to give it to them. We must also assure that that care is the highest quality, most accessible care we can provide.

Second, the additional money in the Chiles Budget plan will help to continue the Veterans' Job Training Act [VJTA] program for long-term unemployed Vietnam-era and Korean-conflict veterans, which has been in existence since 1983. This program has proven to be an effective way to train veterans to reenter the work force with new or upgraded skills. Without help from Congress in fiscal year 1988, 20,000 veterans who may want job training assistance will lose this opportunity to get off the unemployment rolls. We owe it to our veterans to give them the help they need to help themselves.

The third major area of need which this increased funding will address is the need to provide disability benefits to veterans exposed to radiation during their participation in atmospheric nuclear weapons tests or the occupation of Hiroshima or Nagasaki. Although many of these veterans suffer from radiogenic cancers, the VA compensation system has denied over 99 percent of claims for benefits made by radiation-exposed veterans since 1978.

These veterans deserve more equitable and compassionate consideration than they have received under the existing VA compensation program and by reason of the radiation dose estimates from the Defense Nuclear Agency on which VA claims decisions are based.

I commend Senator CHILES for his leadership on the issue of veterans funding, and urge my colleagues to support the plan. I am pleased that an additional $323 million will be added to the Senate budget resolution.

A FAIR BUDGET

Mr. KERRY. Mr. President, today we give final consideration in the Senate to what is always, and of necessity, a document representing a great many compromises. As a result the budget resolution rarely represents the ideal allocation of Federal resources for any individual Senator, but an acceptable allocation for a majority of Senators. Mr. President, this budget resolution is no exception to that rule. So despite my reservations about what I consider to be too high a spending level for the military budget, and too low a level for some of my domestic priorities, I believe that this—the Chiles—budget resolution does represent a reasonable consensus among the Democratic majority of the Senate and therefore, I will vote in favor of it.

While this budget is not perfect, Mr. President, it is a refreshing change. It begins to make the right choices on national priorities. After years of absorbing substantial reductions, this budget reflects the public's opinion that the time for cuts in crucial domestic programs is over. Important domestic programs are level funded or, in some areas even increased.

This budget also makes another crucial statement. It says that we are serious about the business of reducing budget deficits and taking responsibility for defining this Nation's security as more than military spending.

Mr. President, compared to the budget priorities proposed by the President, this is a tremendous improvement and much more closely reflects my values and priorities and those of the citizens of Massachusetts.

Instead of submitting a responsible budget with priorities reflecting the needs of the country the President submitted a budget which ignored our future, and using even his own unrealistic optimistic economic assumptions failed to balance the budget by 1991. And as Democrats sought to frame a more realistic, alternative Senate Republicans failed to participate in the process.

Within these constraints, the Democratic leadership forged ahead to shape a budget which provided for a reasonable combination of revenue increases and net expenditure reductions. It is a budget without smoke and mirrors. It is a budget that eliminates red ink under either set of economic assumptions by 1991.

The difference in priorities are illustrated by the following examples:

While the President's budget would, compared to baseline, reduce outlays for education by $4 billion in fiscal year 1988 and by $29 billion over the 4 years, fiscal years 1988 to 1991, the Senate budget will increase outlays by $300 million in fiscal year 1988 and by over $2 billion during fiscal years 1988 to 1991.

While the President's budget would, compared to the baseline reduce outlays for health services and research by $1 billion in fiscal year 1988 and by $22 billion over 4 years, the Senate budget will increase outlays by about $400 million in fiscal year 1988 and decrease them by less than $2 billion over the 4 years.

While both budgets would, compared to baseline, increase outlays for critical programs in science and technology by $500 million, the Senate budget would over 4 years increase outlays by $8.3 billion compared to $5.5 billion in the President's budget.

In addition, the budget resolution, for the first time, explicitly ties increases in military spending to increases in taxes. It requires the President to recognize that if increased spending for defense is in the national interest, then increased taxes to pay for defense are also in the national interest. This budget reflects America's opinion that if we need more money for defense, we need to pay for it now, rather than charge it to the future.

Mr. President, today, the Senate Democrats, after making some difficult choices, voted for a fair and reasonable budget. We could have avoided some of these difficult choices if we had an administration committed to a full employment economy. In a full employment economy we would have reached the Gramm-Rudman-Hollings targets under both OMB and CBO economic assumptions without increasing taxes or reducing expenditures. Instead, we have an administration which, unable to get the unemployment rate below 6.5 percent, would have reduced funds for education by over $4 billion. Yet funds for education provide training and skills to future workers who would find it easier to obtain gainful full time employment rather than linger on the unemployment lines.

I support the increase in funding for education which provides $2 billion of additional budget authority in fiscal year 1988 so that programs such as the Pell grants, vocational education, child care and education for the handicapped can be maintained at current levels or expanded.

I support increased funding for health research including prevention of AIDS.

I support continued funding of programs to prevent drug abuse.

I have reservations about some aspects of the budget and I hope that actions in the conference will mitigate my concerns.

I hope the required revenues, to the greatest extent possible, will come from greater tax compliance.

I hope, and I understand, that the conference committee will restore full funding to CDBG and UDAG—two vital programs for our cities particularly since revenue sharing has been eliminated.

I hope that the conference committee will carefully evaluate competing arguments about what is needed in defense and what level funding means. I have great reservations about the size of the defense budget. In particular, I am not convinced that the $7 billion restored to the defense budget was necessary even when explicitly funded with a tax increase. But outlays have been restored to the CBO baseline only in fiscal year 1988. Proposed outlays and budget authority in the Senate budget remain below the CBO baseline in fiscal years 1988 to 1991. This suggests that we will be taking a careful look at the defense build-up in future years before voting to increase defense spending above current levels.

In conclusion, Mr. President this budget represents a reasonable approach to reconciling the priorities of Senators representing diverse views. In the few areas where I believe there are some shortcomings, I hope the conference committee will perfect this budget resolution.

MAINTAINING THE FEDERAL PARTNERSHIP WITH OUR CITIES

Mr. LAUTENBERG. Mr. President, I would like to address one aspect of this budget plan—funding for the Community Development Block Grant Program.

Mr. President, we are a nation of interdependent localities. The health of our cities is a national concern. No State or nation will long prosper if its cities fall into disrepair and decay.

The Community Development Block Grant Program is one of the basic building blocks of the Federal-local partnership that has served to bring many of our Nation's cities back to life. CDBG funds have built public facilities, rehabilitated houses, and installed sewer lines. CDBG funds have supported day care centers for our children and senior centers for our elderly.

My State of New Jersey is a good example of what cooperation between Federal and local officials, between the public and the private sectors, can do. Judicious use of Federal urban assistance funds has taken the boards off the windows of northern New Jersey's cities. CDBG funds have provided the low- and moderate-income residents of many of New Jersey's cities with decent housing, accessible public facilities and necessary public services.

Mr. President, when the chairman of the Budget Committee presented his budget plan, it contained a 30-percent cut in the CDBG Program. I objected to this cut, pointing out that our urban programs have already been deeply cut in the effort to reduce an unacceptable budget deficit. The plan voted on by the Budget Committee contained a 25-percent cut in the CDBG Program. I voted for that package in order to bring a budget to the floor so the Senate could consider it. At the time, I stated my continuing objections to the CDBG cut and my intention to offer an amendment on the Senate floor if necessary to reinstate those funds.

Since the Budget Committee took action, I have spoken several times to my good friend, the chairman of the Budget Committee, about this matter. I am pleased to note that the budget before us today contains not a 30-percent cut, not a 25-percent cut, but a 10-percent reduction in CDBG funds. While I would have preferred to see the funding held at fiscal year 1987 levels, I appreciate the chairman's efforts in this regard. It is my hope that further reductions in the cut can be made in conference.

Mr. President, I have fought many times on the Senate floor for our urban programs in general and CDBG in particular. Last year, we successfully overturned the deferrral of CDBG funds proposed in the President's budget. We stopped the proposed rescission of CDAG funds and the program's termination.

Mr. President, I want to thank the chairman of the Budget Committee for his consideration in this matter. I will continue to fight for our cities, to ensure that the Federal-local partnership continues.

MURKOWSKI-STEVENS AMENDMENT NO. 190

Mr. LEVIN. Mr. President, I voted to table the Murkowski-Stevens amendment, not because I do not recognize the value of additional spending on veterans health care programs, but because the way in which the amendment is founded would take money away from another urgent need of this country, campaign finance reform. As it is formulated, the Murkowski-Stevens amendment would undercut from the start efforts to pass campaign finance reform this year, including public financing. All of us stand to benefit from reforming our electoral process, and we would not be performing any service to this Nation's veterans if we threw up a roadblock to its passage as part of this budget resolution.

GRASSLEY AMENDMENT NO. 193

Mr. President, I voted to table the Grassley amendment even though I personally believe that we can get along with a somewhat smaller defense figure than is provided for in the Chiles budget. But the fact of the matter is that the Chairman of the Budget Committee had to produce a budget without the participation of our Republican colleagues. This required him to formulate a package which would attract virtually unanimous Democratic support in order for there to be any budget at all, and that formulation called for a defense spending level of zero real growth.

Looking at my own priorities and the votes we have cast this evening, I could accept a somewhat lower defense figure and with more attention given to the needs of our Nation's veterans, poor and elderly than is provided for by the Chiles package. But everyone in the Nation, including members of these groups, would be best served by moving the budget process along and getting on with the business of reducing the budget deficit in an equitable and responsible manner. Once the Senate acts, the next step is the conference with the House where it is quite possible that concerns underlying several of the amendments offered tonight could be given additional attention.

ROTH AMENDMENT NO. 186

Mr. President, I generally support moving to a 2-year budget cycle. I think it is necessary if the Congress is to adequately perform both its oversight and legislative functions. In fact, only yesterday as a member of the Armed Services Committee, I voted to report out a 2-year budget for the Department of Defense.

However, it is just because the move to a 2-year budget cycle is such an important step in reforming the congressional process that I do not believe that we should consider this issue as almost an afterthought on the budget resolution. It deserves more considered debate and a fuller record on the Senate floor than the Roth amendment has received within the time constraints of the budget resolution. It is for this reason that I will vote to table the Roth amendment.

CHAFEE AMENDMENT NO. 89

Mr. President, it is very difficult to vote to table an amendment which would provide additional funding for Medicare and Medicaid. In many instances, the people who benefit from these programs are among those most in need in our society. But I must balance the value of these programs against the fact that this amendment is paid for through an additional $2 billion in revenues against the reality that this budget resolution is already at the frontier of what can realistically be raised in revenues. We, thus, risk through this amendment raising false hopes among this Nation's poor and elderly. The best approach for protecting their health needs would be to pass this budget resolution now and move on to the conference with the House. At that time, we can look at the revenue numbers that a House-Senate compromise would call for and evaluate again the resources that can be directed toward this Nation's health needs.

A BUDGET TO BUILD AMERICA'S STRENGTH

Mr. LAUTENBERG. Mr. President, I rise to support the budget resolution for fiscal year 1988 that is before us. The budget resolution includes a number of revisions in the plan that I supported in the Budget Committee. Many of these revisions are welcome. As a whole, the resolution sets us on a deficit cutting course that our nation needs.

While the Nation's economic recovery has entered its 5th year, the string will soon run out if we do not continue to build on the steps we took last year to reduce the deficit.

The deficit is sapping our strength. The country's appetite for debt has forced us to borrow from foreigners—the same ones we compete with for trade in world markets. It is no coincidence that as our budget deficit has grown, so has our trade deficit. We have lost jobs. Factories have closed. And wages have dropped.

We need to make some changes and we need to make them quickly. The deficit topped $220 billion last year. Since 1980, we've added over $1 trillion to the national debt.

In a family's budget, the fastest growing expense may be basics like food or clothing for growing kids, or it could be for future needs, like tuition for the college-bound.

But for America, the fastest growing expense is not investment in our country's future. It is interest. Interest on borrowing. Interest on what we spent yesterday.

America has been on a binge. It is time for the cold shower, after the bad night out. America has to wake up and it has to shape up.

Our future depends on it. Most of all, our children's future demands it.

The budget before us will help shape up America. It is a plan to trim the fat and rebuild the muscle. A plan that balances the budget in 4 short years, but does it by setting the priorities for a competitive America. They are, I might add, priorities that differ from the President's.

The Budget Committee's plan cuts domestic spending over $12.4 billion and adds $3.8 billion in new initiatives, for a net saving of over $8 billion. Over 4 years, total net domestic spending saving would top $66 billion. The budget would spare defense of cuts below inflation in fiscal year 1988, but only if the President agrees to sign the legislation necessary, to avoid financing the Pentagon with more borrowing and larger deficits.

The budget would reduce the deficit by $37 billion this year, producing a deficit of $133.6 billion according to the Congressional Budget Office's economic assumptions, and a deficit of $107.8 billion according to the President's assumptions.

Mr. President, our kids face an uncertain future. They need to have the best in education. And our budget would try to make sure they do. It boosts budget authority for education, training, employment and social services by $1.7 billion. We would also boost funding for science and research. America's economic force has been its brainpower. And we must continue to enrich that asset.

The budget would preserve the Federal Government's partnerships with local governments. The reported resolution would have cut Community Development Block Grant by 25 percent. That cut, I am pleased to say, is reduced to 10 percent. I am hopeful that in conference, funding will be restored in full.

The budget would reject the President's proposed cuts in veterans' programs. I had intended to offer an amendment provide $360 million more in assistance and services to our veterans. I am pleased that the revised resolution before us adds $323 million.

The budget before us will provide funding to protect our environment. It rejects the President's proposal to slow down Superfund, so soon after we reauthorized it. It will fund efforts to fight the war against drugs. It will enable reform of our welfare system.

Yes, we want a strong defense. And we will have one. But, Pentagon spending's gone up 50 percent since 1980, faster than discretionary domestic spending. Too much of that has spilled out the top, or leaked out the sides of the Pentagon in wasteful procurement. The Pentagon has lived on a credit card, and the American public has gotten the bill. Pentagon spending has increased the deficit, because the administration has refused to pay for the spending it has sought. I believe that restraint in spending for the Pentagon can be achieved while maintaining a strong defense. I would have preferred even more restraint than is in this budget. However, at least we have taken back the Pentagon's credit card.

Mr. President, I must say that I remain disappointed, however, with the level of funding set aside for transportation programs. This is a matter that I have pressed throughout this process.

We reject the President's proposed sale of Amtrak. We reject his proposed cuts in mass transit. The level we have before us is $500 million above the level set by the House. That is the good news.

The bad news is that it is still $400 million below the baseline. And we need to do more than just hold the line if we are to upgrade our aviation system, enhance Coast Guard efforts to stop drugs, and maintain investment in our rails and roads and mass transit systems.

Our economy rides on our transport system. That is the foundation of our economy. I am afraid that unless changes are made, we will have trouble meeting the Nation's transportation needs, within the assumptions built into this resolution.

The budget plan adds revenue—like the President's! The President asked for $18 billion in revenue, some from new taxes, some from so-called user fees and some from one-time sales of Government assets.

Like an athlete in training whose diet needs more not less than in the off-seasons, America is in training for some tough fights. And it needs the extra nourishment, some revenues, to build its muscle. The budget requires the Finance Committee to report out $18 billion in new taxes.

The budget before us makes real and permanent cuts in the deficit. It recognizes some of our Nation's priorities, to educate our children, to enhance our technological base, to take care of the needy, to clean up the environment. And it takes us further down the road toward meeting the Nation's top economic priority: the reduction of budget deficits that have sapped too much of America's economic strength.

The Senator from Florida [Mr. CHILES] has demonstrated leadership in putting this budget together. He faced a difficult task. He deserves our respect.

I urge adoption of the resolution.

Mr. TRIBLE. Mr. President, I will vote against the amended Chiles budget.

There are many reasons to do so: inadequate funding of defense, as huge $137 billion tax increase over 4 years, this minimal effort to restrain domestic spending, and its failure to meet our legal responsibility under the Gramm-Rudman law to reach the deficit target of $108 billion in 1988.

These reasons have been well stated by my colleague from New Mexico, Senator DOMENICI and others.

To these reasons, I would add another. The Democratic budget will have an effect on Federal workers and retirees. Not only will these Americans suffer higher taxes, but they will be forced to absorb over $19 billion in budget cuts over the next 4 years.

The Democratic budget unfairly places a large burden of deficit reduction on the Federal civilian workers and retirees: $1.8 billion in savings in 1988; and $19.1 billion in savings over the 4 years 1988-91.

That's $15.1 billion in reconciled savings and $4.3 billion in unreconciled or assumed savings throughout the budget.

Most of the reconciled savings in the Democratic budget come from Federal civilian worker and retiree cuts. On average, 34 percent of reconciled savings are Federal worker and retiree cuts. By 1991, 44 percent of the cuts come from just this one segment of the budget.

The Governmental Affairs Committee, with jurisdiction over Federal worker programs, is asked to achieve a disproportionate share of the cuts in the Democratic budget. The committee has 34 percent of the reconciled cuts in this budget, but has jurisdiction over just 3 percent of Federal spending. By contrast, the Finance Committee has 42 percent of the savings, and jurisdiction over 53 percent of spending.

If the committee seeks cuts in areas other than pay—the assumption in the Democratic budget—all of the Federal benefit cuts must come from a small handful of programs: Federal retirement, health benefits, and postal service. The $710 million reconciled savings in fiscal year 1988 is the same amount that would be achieved by eliminating the lump sum option for new retirees. The Democratic budget has now changed the name of the lump sum cut twice, but still retains the cuts.

The cruelest irony is that the Democratic budget would cut more from Federal worker and retiree programs than even the President would cut. The President proposed cuts of $7.5 billion that would affect Federal benefits. The Democratic budget would extract $15.1 billion from Federal benefits over the same 4-year period—twice as much as the President!

For these reasons, I believe the Democratic budget unfairly places the burden of deficit reduction upon the active and retired Federal community and I will vote "No."

Mr. DURENBERGER. Mr. President, I rise in opposition to the resolution before us. As to both means and ends, I believe it is a repudiation of the progress we have made in the last 6 years toward budgetary discipline and accountability. The whole of this resolution is much worse than the sum of its parts. With it's heavy reliance on a $136 billion tax increase, a $55 billion defense cut and numerous illusory savings in discretionary programs, this resolution is woefully inadequate. It is a return to the tax and spend policies of the past, policies which the taxpayers of this country have consistently and emphatically rejected.

For the sake of perspective, I believe the U.S. Senate mustered two acts of budgetary responsibility during the 99th Congress. The first was the budget resolution we passed on May 10, 1985, in which 49 of—and the Vice President who broke the tie—developed a plan to bring the deficit down to zero by 1990. We phased out programs, delayed COLA's and increased revenue to provide a policy for eliminating the deficit in 5 years. The President and the Speaker of the House, unfortunately walked away from the Senate Republican plan and it got no further. But it is a model of what a tough, responsible budget looks like. The second was the passage of Gramm-Rudman-Hollings, by a bipartisan majority of 75 to 24 on October 9, 1985.

With the leadership of the Budget Committee and the full Senate in full agreement, the Senate established a binding—and self-enforcing, if necessary—schedule to eliminate the deficit by 1991. It was not a policy, but a binding process. And for an all to brief period, we altered the way Congress did the budget. Say what you will about prerogatives and procedures, but last year we had the slowest rate of growth in Federal spending since World War II, and at a time when most of the leadership party was up for reelection.

The resolution before us represents a major step backward as a matter of both process and policy. The 75 votes that were there to establish the Gramm-Rudman-Hollings bill—1985 have dwindled to only 46 in 1987. We saw that last Thursday night when the Democrats' majority in effect repealed it on a procedural vote. The precedent of the Chiles amendment, and the Chair's subsequent ruling thereon, clearly means that anytime the Senate wants to duck the hard choices needed to keep on the track for a balanced budget in the next 5 years, they have a gaping hole to climb through. Regardless of subsequent action on the budget contained in this resolution, that vote spelled the end of Gramm-Rudman-Hollings.

Mr. President, I have stated many times that I believe revenue increases must make a contribution to deficit reduction. But only if it leads to a balanced budget. This resolution contemplates raising $136 billion in new taxes over 4 years—for what worthy goal?—just to get us only $30 to $40 billion dollars behind the Gramm-Rudman-Hollings timetable. Something is very, very wrong with a budget that vastly increases the Nation's tax bill while losing ground on a balanced budget.

I am a member of the Finance Committee that will be charged with reporting language to the full Senate to raise that amount of revenue. Where is our committee likely to go? Well the Senate told us this afternoon, by a 90 to 10 vote that we should not touch corporate or individual income tax rates as passed in the Tax Reform Act of last year. That means we will need to go to the well of excise taxes. The crime of the last several years is that for all the high talk about lower rates and tax cuts, we are actually just shifting the tax burden away from income taxes to regressive excise and payroll taxes. For my part, I am not going to stand for loading this tax bill on working people and middle America. Likewise, I will oppose any gasoline tax or oil import fee, which would deeply hurt the struggling economy of rural America. I cannot predict that the outcome will be, but I know it will be a difficult package for the Senate to swallow.

The hallmark of the Reagan revolution was that the American people would not pay more for a less effective government. The challenge to the leadership of the Nation has been to change government so that we can do better for less. They certainly do not expect us to take the easy way out—by throwing their taxes at our problems.

This is not just a checkbook exercise Mr. President, where we shuffle the numbers around to make them add up right. It should be a process which gives meaningful policy direction. The resolution before us increases taxes, sells off assets, cuts defense, freezes most programs, and adds a layer of padding for new initiatives. There is no mandate for a changed government, only an invitation for more of the same.

I would ask my colleagues to consider the answers to the following questions before they vote for this package. How will the Finance Committee find $3 billion in savings in Medicare providers without placing greater stress on rural hospitals? How will the Finance Committee raise the $136 billion in new taxes to pay for the Chiles Democratic budget without overloading working America? How can the Senate Agriculture Committee save $1.4 billion in farm program spending without slashing farm income and farmers? How will the Armed Services Committee explain the tremendous cut in readiness programs to our military personnel? Where do we go next year, now that all the cheap, easy cuts have been made?

Among its many defects, Mr. President, this resolution legislates a grave generational inequity. Thomas Jefferson wrote:

> The question whether one generation has the right to bind another by the deficit it imposes is of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts, and morally bound to pay them ourselves.
>
> Spending money to be paid by posterity is swindling futurity on a grand scale.

There are winners and losers in this budget. But the failure of this Democratic budget to maintain the momentum toward a balanced budget will fall most heavily on the next two generations of Americans, who are being swindled on a grand scale. Not only does this budget not meet their needs today, it has mortgaged their tomorrow.

I can read the handwriting on the wall, Mr. President. It tells me that almost 60 of my colleagues will approve this resolution. It tells me that the President will have a lot of vetoing to do in the next 6 months. And it tells me that we now have three budgets: Administration, House, and Senate all of which are DOA.

If the American people didn't care so much about this matter, I would be plenty worried at this point. If not today, at some point in the near future, they will demand a budget policy which looks to the future, rather than rerunning the past. They don't much care which party did it, or what process was used. But I can assure you, their revulsion with a national leadership that cannot pay its bills, eventually will prevail, as it should. Hopefully it won't take a budgetary and economic catastrophy to bring it about.

Mr. CHAFEE. Mr. President, as we evaluate the proposed budget resolution for the next fiscal year, I believe there are two questions which must be taken into account. First, how does it assign priorities for Federal spending? And second, how adequately does it address the problem of the budget deficit?

Reducing the deficit—while protecting priority programs—has been the single greatest domestic challenge facing Congress and the administration in the past several years. We cannot hope to restore American competitiveness and assure that there will be jobs for our citizens until we bring down the deficit which threatens our economic recovery if left unchecked. During the last Congress we met this challenge, and after making some difficult budgetary decisions, we set the deficit on a downward path. We must not turn back.

At the same time, our Nation faces other challenges which cannot be ignored—such as providing adequate health care, improving our education system, meeting the needs of the poor, and protecting our environment. If we fail to commit sufficient resources in these areas today, the Nation will pay an incalculable price in the years ahead.

No budget proposal could completely satisfy everyone's goals. The proposal which is now before us, as revised by the chairman of the Budget Committee, Senator CHILES, is not perfect. I would prefer a budget resolution which came closer to meeting the goal of the Gramm-Rudman-Hollings law by reducing the deficit by more than $37 billion, the savings envisioned in this proposal. I would prefer a budget resolution which relied more upon reductions in spending than enhancement of revenues to reduce the deficit.

The progress we have made in bringing down the deficit during the past 2 years has taken place almost exclusively as a result of spending cuts. I believe we must continue to exercise restraint in Federal spending, and avoid waste wherever possible. This budget proposal calls for $12 billion in spending reductions. But in my view, we can no longer achieve deficit reduction solely by looking at the spending side of the budget.

I remain deeply concerned about the deficit—and I know that most Rhode Islanders share this concern. But as I have traveled throughout the State, I know they have other concerns, which I share. They are concerned about the needs of students who seek grants and loans to attend college. They are concerned about the needs of elderly citizens who require health care. They are concerned about the needs of disadvantaged children who require effective education and nutrition programs. They do not want us to back away from programs to combat air and water pollution. They do not want us to back away from community development programs which provide day care and other services in cities and towns across the country.

These are priority programs which we cannot afford to neglect. These are programs which most Americans believe should be protected. The budget proposal now before us would provide revenues both to reduce the deficit and fulfill the goals on our national agenda.

I am pleased that this revised proposal incorporates most of the provisions of the amendment which I cosponsored with Senators HOLLINGS and DANFORTH to restore funding for education programs. Ever since the 100th Congress began, we've been talking about how to improve American competitiveness. No single factor has a greater impact on our future as a nation than the quality of education we give our children. Our amendment, which is now included in this proposal, will provide additional funds for priority education programs such as compensatory education under Chapter One, Dropout Prevention, grants for needy college students, college work study programs, the TRIO programs, and Education of the Handicapped.

For the past 4 months I have served as cochairman for the congressional competitiveness caucus. Recently we released our short-term agenda—our list of concrete steps that Congress can take to restore competitiveness. Along with our recommendations, we made a point that I think bears repeating: The United States cannot have a world-class economy if it does not have world-class schools.

This budget proposal protects the so-called safety net programs which serve needy Americans and provides modest increases for priority programs such as the Women, Infants, and Children's Nutrition Program [WIC], Head Start, and worker training and retraining programs. It provides additional funding for research into the prevention and treatment of AIDS and other diseases. It restores funds for the Community Development Block Grant Program which the Budget Committee had sought to reduce.

I remain concerned about the adequacy of spending for health care in this proposal. The proposal calls for savings in the Medicare Program of $3 billion in the next fiscal year. I believe it will be very difficult to achieve savings of this magnitude without jeopardizing the quality of health care which Medicare beneficiaries receive. I am also concerned about the adequacy of funding in this proposal for the Medicaid Program, and I intend to pursue these concerns as discussion of the budget resolution continues.

This proposal is not the ideal blueprint for Federal spending in the next fiscal year. But it appears to be the best blueprint we have before us. It will enable us to continue to reduce the deficit and uphold our commitment to priority programs, and for those reasons I intend to support the proposal.

Mr. DANFORTH. Mr. President, earlier today the Senate voted on an amendment offered by the minority leader. The amendment expressed the opposition of the Senate to any increase in the tax rates included in last year's tax reform bill. I voted against this amendment and had planned to speak against the amendment during the floor debate. Unfortunately, I was unable to speak at that time, but I would now like to explain my position for the record.

The issue raised by the minority leader's amendment is whether a 28-percent tax rate for the most wealthy Americans must be held sacrosanct under any and all circumstances at a time when we are facing budget deficits of $134 billion. My answer to this question is no.

Every economist who has testified before Congress in the last several years has told us that the No. 1 domestic problem facing our Nation is the budget deficit. I agree and have agreed for many years. Unfortunately, our responses to the major economic policy questions this Congress is faced with are being dictated by immediate political needs rather than the harsh realities of our economic situation. I don't believe we were elected to gamble with the economic future of this country. Rather, we are here to make the difficult choices and decisions necessary to get us back on track toward a responsible Federal budget.

I believe that we should stick to the Gramm-Rudman-Hollings targets. With the exception of the Senator from South Carolina [Mr. HOLLINGS], no one—not the President, not the House of Representatives, not the Senate Budget Committee, not the Democrats in the Senate, and not the Republicans in the Senate—has proposed a budget that reaches the Gramm-Rudman-Hollings deficit reduction target of $108 billion in fiscal year 1988. The disappointing truth appears to be that the U.S. Senate has joined the House of Representatives and the President in telling the American public that we are simply not serious about meaningful deficit reduction.

I don't like taxes, and I like tax increases even less. In fact, I hate tax increases, and I would love to cut taxes below their current levels. But the pieces to our deficit reduction puzzle don't fit.

I don't like deficit spending any more than I like taxes. I am a sponsor of the balanced budget amendment. I am a sponsor of the line-item veto.

The issue raised by the minority leader was whether a single piece of the puzzle is to be totally off limits.

We all know that we must make interest payments on our national debt. Similarly, no one is advocating a modification to Social Security payments, and there is virtually no wriggle room to reduce our current level of spending on defense. These three items—interest on the national debt, Social Security and defense—constitute 61 percent of annual Federal spending. Can we take all of these items off the table, rule out taxes, and solve the deficit? Of course not—it can't be done.

Low tax rates are wonderful. However, I am unaware of any public policy or principle that demands a 28-percent tax rate for individuals with incomes of $500,000 and more. This is particularly true when other taxpayers earning one-tenth or one-seventh of that amount are subject to a tax rate of 33 percent.

Mr. President, I am not making any specific proposal, but rather I am merely pointing out that there is nothing sacrosanct in a 28-percent tax rate for the wealthiest among us when we are facing huge deficits and when we are abandoning the Gramm-Rudman-Hollings procedures we adopted only 2 years ago.

Mr. LEVIN. Mr. President, I will vote to support the Chiles amendment, not because it is an ideal budget, but because it is the best budget that the Senate can approve at this time.

I am disappointed that this budget does not meet the Gramm-Rudman deficit target for fiscal year 1988 of $108 billion using the more credible assumptions of the Congressional Budget Office, even though it does, at least, meet the balanced budget target for fiscal year 1991 using CBO assumptions. However, in a real sense, this missing of the mark for fiscal year 1988 is not the fault of this budget resolution, but rather is due in considerable part to the insistence of the President and the Congress that last year's tax reform bill be "revenue neutral." Last year, in opposing that tax reform bill, I said that its passage would make deficit reductions more difficult. By not using any of the revenue from loophole closing for deficit reduction the Congress and the President, in effect, limited our ability to achieve deficit reduction for fiscal year 1987. Last year's revenue neutral tax bill also resulted in the President and the Congress resorting to measures the potential of which for deficit reduction was less certain and more short term. As a result, the "jump off point" for reducing the deficit for fiscal year 1988 was about $20 billion higher than it would otherwise have been.

So the failure of this budget resolution to hit the Gramm-Rudman target for fiscal year 1988 using CBO assumptions—although it does hit the target using the President's Office of Management and Budget's assumptions—is not a reason for opposing this budget resolution. The die had already been cast before people even started to formulate this budget resolution. For several months, we have known that the President's budget missed the Gramm-Rudman target for fiscal year 1988 using CBO assumptions. The Senate is now forced to confront the reality that the Gramm-Rudman target of $108 billion in fiscal year 1988 is unattainable in a fiscally sound manner.

I am pleased that the discussions which have taken place during the past week have resulted in a better budget plan than was reported out of the Budget Committee. The spending levels for CDBG's and UDAG's are still below a freeze level, but are a real improvement from the 25 and 10 percent cuts which the Budget Committee recommended. The levels for defense and for health and education are also more in line with my own priorities. Further improvements may be possible in the conference with the House. Nevertheless, domestic spending is still restrained by a net of about $9 billion in fiscal year 1988 and a net of almost $70 billion over 4 years. On top of this amount, lower deficits will result in $30 billion less in interest payments on the national debt over the 4-year period.

Some have argued that domestic spending should be restrained more and defense spending restrained less than is provided for by this budget. However, before they press that claim they should consider that in real terms—after taking into account inflation—spending for domestic discretionary spending has been reduced by 22 percent from 1980 through 1987 while at the same time that real spending for defense has increased by 45 percent.

Others have suggested that this budget relies too heavily on tax increases for deficit reduction. I believe that this budget resolution does nothing more than recognize the simple reality that if programs are worth having, then it is worth paying for them now instead of sending the bill to our children and grandchildren. I am pleased that this resolution rejects the sale of loan portfolios as a way of raising revenues. Although such sales provide quick revenue now, they will actually dig us into a deeper hole because we will not be receiving the repayment of those loans in coming years. However, I am concerned that by approving a sense of the Senate resolution which seeks to rule off the table any attempt to modify the tax rate schedule for the wealthiest taxpayers among us as part of a deficit reduction package, the Senate, at least for the moment, has gone on record in favor of passing up the opportunity to reduce the deficit more equitably and to provide some tax relief to middle-income taxpayers. I am encouraged, however, by the statement of the chairman of the Finance Committee that even though he supported that sense of the Senate resolution today he recognizes that circumstances could change.

The bottom line after all is said and done is that this budget represents a reordering of priorities whose time has come. Let us pass this budget and get on with the work of trying to implement it.

Mr. BRADLEY. Mr. President, I rise in strong support of the budget resolution that is now before us. It is by no means a perfect budget, but it strikes a generally fair balance between spending and revenues and between defense and nondefense spending. And the congressional budget is clearly a more balanced plan than the budget proposed by the President. While the plan before us does have some flaws, it is my hope and anticipation that the House-Senate conference will make further improvements to the budget plan.

Even though this budget resolution contains significant restraint in domestic spending, priority programs are protected and new initiatives can be funded. The budget provides start-up funding for catastrophic health insurance and welfare reform as well as increased funding for key programs, including environmental protection, education, research, and expanded health care for poor families to reduce infant mortality. I am particularly pleased that the budget contains an additional $2 billion for education programs, which represents well over 5 percent real growth above and beyond inflation for these key programs. I hope both or at least one of my initiatives for gifted and talented children or for assistance to high school students in need of basic skills can be funded within these budget limits.

This year, we faced the duel challenge of reducing the Federal deficits and adequately funding priority programs. I am pleased to say that under the leadership of the chairman of the Budget Committee, this budget resolution accomplishes both goals.

Mr. President, there is a strong consensus that deficits must be significantly reduced. While I have never subscribed to the rigid deficit reduction targets in Gramm-Rudman, I strongly believe that we must bring the deficits down if we are to continue to grow as a nation. The congressional budget before us calls for $37 billion in additional deficit reduction measures for next year—reducing the deficit from a record high $221 billion in 1986 to $180 billion in 1987 and to roughly $135 billion in 1988. I believe these are solid steps in the right direction—steps toward lower Federal deficits and sustained economic recovery.

Mr. President, I wish I were in a position to urge my colleagues to provide even more funding for vital programs, such as education, transportation, health care, health research, community development, and environmental protection programs, just to name a few. Unfortunately, we just don't have the money to do everything that we want to do, though I hope there will be some improvements in some of these areas after the budget is conferenced with the House. How have we gotten into this terrible dilemma, Mr. President? I ask unanimous consent that a table prepared last year by the Congressional Budget Office be included in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Effect on 1986 deficit of policy changes made since 1981

	Billions
1981 tax cut, offset with increases enacted since 1981	$133
Defense increases	31
Nondefense cuts	−84
Effect of legislative action on interest costs	30
Total changes	110

Mr. BRADLEY. The table highlights the problem. Congressional action on the budget over the past 6 years is a major cause of our deficit problems. We sizeably cut taxes in 1981 but we have not significantly cut Federal spending. All we have done over the past few years is shift an increasing share of Federal spending from domestic programs to defense and to interest on the growing public debt.

The fact is that the national debt will triple over the decade of the 1980's. It is simply too late to significantly stop the build-up in the national debt—the genie, Mr. President, is out of the bottle. Even though domestic spending programs have been cut back by nearly $100 billion, an additional $800 billion has been added to the debt over the past 4 years and an additional half trillion will be added in the next few years.

Mr. President, I realize that I am talking about incomprehensively large numbers. A billion of anything is hard to imagine! A billion seconds ago, this country was still reeling from the effects of the Korean war. A billion minutes ago was 15 A.D. A billion hours ago, early man was learning how to use stone tools. And the next billion dollars in Federal budget deficits will accrue in the next 2 days!

This multibillion-dollar deficit problem, Mr. President, will not go away without significant congressional action. But it must be recognized that even if the Congress adopts severe austerity measures, the effects of these deficits will be with us for years and years and years to come. From 1951 to 1979, net interest payments on the national debt as a percentage of GNP held relatively constant, averaging 1.3 to 1.6 percent of GNP. Over the past 4 years, net interest payments have averaged 3.2 percent of GNP. Even if massive deficit reduction measures are enacted, it is unlikely that interest payments on the national debt will dip below 2.5 percent of GNP in the foreseeable future.

Mr. President, is this massive build-up in the national debt bad for the country? Of course it is. Virtually everyone agrees that deficits of this magnitude hurt the economy, through slower investment, slower accumulation of U.S. claims against other economies and increases in the claims of other economies on the United States. Big deficits mortgage our country and make us more vulnerable to outside pressures.

The trade deficit is tied directly to the Federal budget deficit. Because the government finances its deficit by borrowing, the dollars foreigners have spent buying our notes and bonds have been dollars they have not spent on goods and services. Enormous budget deficits have helped dry up exports and have left many Americans without jobs.

A second effect of our large deficits has been to raise the value of the dollar, which has made our products more expensive in foreign markets and has helped foreign products undercut American products here at home. Though the value of the dollar is coming down, without further budget deficit reduction efforts the cost of this decline will be higher interest rates. The budget deficit acts as a tax on trade goods, and the losers are workers in trade sensitive industries, services, and commodities. Until we reduce deficits, our economy will continue to remain vulnerable to outside pressures.

Mr. President, in 1981 I voted for a budget that made significant cuts in domestic spending, and I would have been prepared to vote for a reasonable tax cut. Unfortunately, my viewpoint on taxes did not prevail and I could not vote for the bill that was enacted. Our action adopting the President's tax cut bankrupted our economy. It was irresponsible then and it makes no better sense today.

The bad decisions made in the early part of this decade paved the way for the current deficits. But, Mr. President, it is simply not enough to point a finger at past irresponsible decisions and let it go at that. We cannot undo the bad decisions of the past. We, as Senators, have a responsibility to lead, given the circumstances of the day. There are painful choices made in this budget resolution before us—higher taxes and lower domestic and defense spending. But this budget resolution sets the right direction for the country—declining deficits which, in the long run, will lead to higher growth. I urge my colleagues to support the budget resolution.

Mr. RIEGLE. Mr. President, I would like to commend the distinguished chairman of the Budget Committee for his masterful job of maneuvering a budget resolution, first through the Budget Committee and now through the Senate floor. He has gotten here, despite the refusal of many Senate Republicans and of the President himself to participate in the process. And yet he has succeeded in advancing a plan which makes the tough decisions that are needed to put us on a steady track toward real and meaningful deficit reductions for fiscal year 1988 and over the next 4 years. I support this plan even with its shortcomings because I believe that the future strength of our national economy depends on this kind of steady reduction of massive Federal deficits.

This budget resolution is notable for its emphasis on strengthening programs that will help stimulate economic growth. It gives priority to education science and technology, job training and trade promotion in order to bring down our trade deficits and improve our ability to compete in international markets and to participate fully in the global economy. I am particularly pleased that the chairman has agreed to increase overall funding for education programs by $2.2 billion. These funds are very important for meeting the increased national need for programs like chapter I, which serve disadvantaged students, for handicapped education and drop out prevention programs, and for the various financial aid programs that serve college and graduate students. The future of our economy depends on a well-educated work force. We must continue to support and improve programs which encourage all of our young people to reach their fullest potential.

This budget also accommodates important new initiatives to begin to solve growing national problems. This budget provides for the creation of a Catastrophic Health Insurance Program to help individuals, and especially seniors, who are faced with exorbitant medical expenses as the result of a severe illness. It provides for increased funding to fight infant mortality, to improve maternal and child health care programs, and to increase funding for the highly successful WIC Program which provides food for low-income pregnant women and children. This budget also provides funding to reduce the burden placed on senior citizens who are currently forced to use up their life savings and sell their assets when their spouses are confined to nursing homes in order to qualify for Medicaid. The budget faces the AIDS crisis head on by providing funding for accelerated research while maintaining funding for other important biomedical research. I believe that we have a responsibility to respond to these kinds of emerging national problems and believe this budget does so in a responsible manner.

There are aspects of this budget which I do not support. As I discussed with the chairman earlier, I appreciate his efforts to reduce cuts to the Community Development Block Grants [CDBG] and Urban Development Action Grants [UDAG] programs. However, I believe these programs have already borne more than their share of cuts over the last 6 years. It is short-sighted to reduce assistance to struggling urban communities any further and I plan to work in conference to achieve a full restoration of these programs. I am also concerned about the assumption that $3 billion in savings can be achieved through changes in the Medicare Program. I question whether this saving could be achieved without causing hardship for beneficiaries of the program or without damaging the quality of health care.

In conclusion, I believe that this budget resolution takes the kind of bold, responsible action that is needed to make real deficit reductions while restoring a balance to our Federal spending priorities. For this reason, I will vote for this budget resolution and urge my colleagues to join with me in this effort.

Mr. CHILES. Mr. President, I ask unanimous consent that the Senate vote en bloc on the following questions:

One, the Chiles amendment No. 174, as amended, to the instructions contained in the motion to recommit; and

Two, the motion to recommit.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment and the motion, en bloc.

The amendment and the motion were agreed to.

Mr. CHILES. Mr. President, I move that the Senate proceed to the consideration of House Concurrent Resolution 93.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Without objection, the motion was agreed to.

The Senate proceeded to consider House Concurrent Resolution 93.

Mr. CHILES. Mr. President, I ask unanimous consent that House Concurrent Resolution 93 be considered as having been amended by striking all after the resolving clause, and inserting in lieu thereof the language of Senate Concurrent Resolution 49, as reported back pursuant to the motion to recommit.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHILES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is all time yielded by both sides?

Mr. DOMENICI. I yield back.

Mr. CHILES. I yield back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the House Concurrent Resolution No. 93, as amended.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE] is necessarily absent.

Mr. SIMPSON. I announce that the Senator from South Dakota [Mr. PRESSLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—56

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chafee
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stafford
Stennis
Weicker
Wirth

NAYS—42

Armstrong
Bond
Boschwitz
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Quayle
Roth
Rudman
Simpson
Specter
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Wilson

NOT VOTING—2

Gore Pressler

The House concurrent resolution (H. Con. Res. No. 93), as amended was agreed to, as follows:

Strike out all after the resolving clause and insert:

That the Congress hereby determines and declares that the concurrent resolution on the budget for fiscal year 1988 is established and the appropriate budgetary levels for fiscal years 1989, 1990, and 1991 are set forth.

MAXIMUM DEFICIT AMOUNTS

SEC. 2. (a) The levels and amounts set forth in this subsection are set forth for purposes of determining, in accordance with section 301(i) of the Congressional Budget and Impoundment Control Act of 1974, as added by the Balanced Budget and Emergency Deficit Control Act of 1985, whether the maximum deficit amount for a fiscal year has been exceeded; are determined on the basis of the economic and technical assumptions upon which the budget submitted by the President for fiscal year 1988 pursuant to section 1105 of title 31, United States Code, is based; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $932,000,000,000.
Fiscal year 1989: $995,400,000,000.
Fiscal year 1990: $1,067,300,000,000.
Fiscal year 1991: $1,150,900,000,000.

(2) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,039,800,000,000.
Fiscal year 1989: $1,075,600,000,000.
Fiscal year 1990: $1,100,900,000,000.
Fiscal year 1991: $1,127,100,000,000.

(3) The amounts of the deficits are as follows:

Fiscal year 1988: $107,800,000,000.
Fiscal year 1989: $80,200,000,000.
Fiscal year 1990: $33,600,000,000.
Fiscal year 1991: −$23,800,000,000.

(b) The levels and amounts set forth in this subsection are set forth for informational purposes only; are not set forth for purposes of any determination to be made under titles III or IV of the Congressional Budget and Impoundment Control Act of 1974; are determined on the basis of the economic assumptions reported to the Congress by the Congressional Budget Office; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $920,800,000,000.
Fiscal year 1989: $988,400,000,000.
Fiscal year 1990: $1,077,700,000,000.
Fiscal year 1991: $1,174,700,000,000.

(2) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,054,400,000,000.
Fiscal year 1989: $1,093,900,000,000.
Fiscal year 1990: $1,134,000,000,000.
Fiscal year 1991: $1,172,000,000,000.

(3) The amounts of the deficits are as follows:

Fiscal year 1988: $133,600,000,000.
Fiscal year 1989: $105,500,000,000.
Fiscal year 1990: $56,300,000,000.
Fiscal year 1991: −$2,700,000,000.

RECOMMENDED LEVELS AND AMOUNTS

SEC. 3. (a) The levels and amounts set forth in subsections (b) and (c) of this section and section 4 are set forth pursuant to subsections (a) and (b) of section 301 of the Congressional Budget and Impoundment Control Act of 1974; are set forth for purposes of any determination to be made under title III or IV of such Act (other than a determination under section 301(i) or 311(a) of such Act with respect to whether the maximum deficit amount for a fiscal year has been exceeded); and are based upon the economic and technical assumptions reported by the Congressional Budget Office.

(b) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $680,300,000,000.
Fiscal year 1989: $726,800,000,000.
Fiscal year 1990: $790,800,000,000.
Fiscal year 1991: $863,800,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 1988: $20,300,000,000.
Fiscal year 1989: $26,400,000,000.
Fiscal year 1990: $26,700,000,000.
Fiscal year 1991: $35,800,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1988: $59,700,000,000.
Fiscal year 1989: $63,900,000,000.
Fiscal year 1990: $68,900,000,000.
Fiscal year 1991: $74,300,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1988: $919,600,000,000.
Fiscal year 1989: $959,500,000,000.
Fiscal year 1990: $983,300,000,000.
Fiscal year 1991: $1,031,300,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $849,800,000,000.
Fiscal year 1989: $878,000,000,000.
Fiscal year 1990: $904,900,000,000.
Fiscal year 1991: $928,700,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1988: $169,500,000,000.
Fiscal year 1989: $151,200,000,000.
Fiscal year 1990: $114,100,000,000.
Fiscal year 1991: $64,900,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1988: $2,585,600,000,000.
Fiscal year 1989: $2,804,100,000,000.
Fiscal year 1990: $2,983,700,000,000.
Fiscal year 1991: $3,115,200,000,000.

and the amounts by which the statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1988: $231,800,000,000.
Fiscal year 1989: $218,500,000,000.
Fiscal year 1990: $179,600,000,000.
Fiscal year 1991: $131,500,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990, are as follows:

Fiscal year 1988:

(A) New direct loan obligations, $34,000,000,000.

(B) New primary loan guarantee commitments, $156,500,000,000.

(C) New secondary loan guarantee commitments, $100,600,000,000.

Fiscal year 1989:

(A) New direct loan obligations, $32,300,000,000.

(B) New primary loan guarantee commitments, $150,400,000,000.

(C) New secondary loan guarantee commitments, $97,900,000,000.

Fiscal year 1990:

(A) New direct loan obligations, $31,000,000,000.

(B) New primary loan guarantee commitments, $158,100,000,000.

(C) New secondary loan guarantee commitments, $94,600,000,000.

Fiscal year 1991:

(A) New direct loan obligations, $30,100,000,000.

(B) New primary loan guarantee commitments, $165,400,000,000.

(C) New secondary loan guarantee commitments, $91,000,000,000.

(c) The Congress hereby determines and declares that the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1988 through 1991 for each major functional category are:

(1) National Defense (050):

(A) Fiscal year 1988:

(i) New budget authority, $289,000,000,000.

(ii) Outlays, $283,600,000,000.

(iii) New direct loan obligations, $0.

(iv) New primary loan guarantee commitments, $0.

(v) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(i) New budget authority, $294,800,000,000.

(ii) Outlays, $288,000,000,000.

(iii) New direct loan obligations, $0.

(iv) New primary loan guarantee commitments, $0.

(v) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(i) New budget authority, $297,900,000,000.

(ii) Outlays, $292,000,000,000.

(iii) New direct loan obligations, $0.

(iv) New primary loan guarantee commitments, $0.

(v) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(i) New budget authority, $301,100,000,000.

(ii) Outlays, $296,000,000,000.

(iii) New direct loan obligations, $0.

(iv) New primary loan guarantee commitments, $0.

(v) New secondary loan guarantee commitments, $0.

(B) In accordance with the provisions of this resolution, the appropriate levels for function 050 (National Defense) shall be increased to $301,500,000,000 in budget authority and $290,600,000,000 in outlays for fiscal year 1988, $307,300,000,000 in budget authority and $295,000,000,000 in outlays for fiscal year 1989, $310,400,000,000 in budget authority and $299,000,000,000 in outlays for fiscal year 1990, $313,600,000,000 in budget authority and $303,000,000,000 in outlays for fiscal year 1991; and all appropriate budget aggregates shall be adjusted in a manner mathematically consistent with such modifications.

(2) International Affairs (150):

Fiscal year 1988:

(A) New budget authority, $15,800,000,000.

(B) Outlays, $15,800,000,000.

(C) New direct loan obligations, $6,000,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1989:

(A) New budget authority, $20,300,000,000.

(B) Outlays, $14,300,000,000.

(C) New direct loan obligations, $5,800,000,000.

(D) New primary loan guarantee commitments, $9,400,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1990:

(A) New budget authority, $16,000,000,000.

(B) Outlays, $13,300,000,000.

(C) New direct loan obligations, $5,700,000,000.

(D) New primary loan guarantee commitments, $9,800,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1991:

(A) New budget authority, $15,300,000,000.

(B) Outlays, $11,300,000,000.

(C) New direct loan obligations, $5,700,000,000.

(D) New primary loan guarantee commitments, $10,200,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 1988:

(A) New budget authority, $11,500,000,000.

(B) Outlays, $11,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $13,700,000,000.

(B) Outlays, $13,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $15,200,000,000.

(B) Outlays, $14,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $15,800,000,000.

(B) Outlays, $15,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(4) Energy (270):

Fiscal year 1988:

(A) New budget authority, $4,800,000,000.

(B) Outlays, $4,800,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $7,300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $4,500,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,000,000,000.

(B) Outlays, $4,600,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $4,700,000,000.

(B) Outlays, $4,200,000,000.

(C) New direct loan obligations, $2,100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):

Fiscal year 1988:

(A) New budget authority, $16,000,000,000.

(B) Outlays, $15,100,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $16,500,000,000.

(B) Outlays, $16,200,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $16,900,000,000.

(B) Outlays, $17,300,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $16,800,000,000.

(B) Outlays, $17,200,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(6) Agriculture (350)

Fiscal year 1988:

(A) New budget authority, $29,400,000,000.

(B) Outlays, $28,600,000,000.

(C) New direct loan obligations, $17,500,000,000.

(D) New primary loan guarantee commitments, $8,500,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $30,100,000,000.

(B) Outlays, $26,200,000,000.

(C) New direct loan obligations, $16,200,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $25,500,000,000.

(B) Outlays, $22,300,000,000.

(C) New direct loan obligations, $15,000,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $22,200,000,000.

(B) Outlays, $20,300,000,000.

(C) New direct loan obligations, $14,200,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

(7) Commerce and Housing Credit (370):

Fiscal year 1988:

(A) New budget authority, $12,200,000,000.

(B) Outlays, $7,500,000,000.

(C) New direct loan obligations, $4,000,000,000.

(D) New primary loan guarantee commitments, $91,600,000,000.

(E) New secondary loan guarantee commitments, $100,300,000,000.

Fiscal year 1989:

(A) New budget authority, $12,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $4,100,000,000.

(D) New primary loan guarantee commitments, $93,900,000,000.

(E) New secondary loan guarantee commitments, $97,600,000,000.

Fiscal year 1990:

(A) New budget authority, $15,400,000,000.

(B) Outlays, $6,800,000,000.

(C) New direct loan obligations, $4,100,000,000.

(D) New primary loan guarantee commitments, $98,800,000,000.

(E) New secondary loan guarantee commitments, $94,300,000,000.

Fiscal year 1991:

(A) New budget authority, $12,800,000,000.

(B) Outlays, $4,800,000,000.

(C) New direct loan obligations, $4,100,000,000.

(D) New primary loan guarantee commitments, $103,400,000,000.

(E) New secondary loan guarantee commitments, $90,700,000,000.

(8) Transportation (400):

Fiscal year 1988:

(A) New budget authority, $29,400,000,000.

(B) Outlays, $28,400,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $29,600,000,000.

(B) Outlays, $27,900,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $30,300,000,000.

(B) Outlays, $27,700,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $30,900,000,000.

(B) Outlays, $27,500,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(9) Community and Regional Development (450):

Fiscal year 1988:

(A) New budget authority, $7,400,000,000.

(B) Outlays, $6,700,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $7,300,000,000.

(B) Outlays, $6,400,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $7,200,000,000.

(B) Outlays, $6,500,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $7,000,000,000.

(B) Outlays, $6,300,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 1988:

(A) New budget authority, $36,000,000,000.

(B) Outlays, $32,900,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $36,400,000,000.

(B) Outlays, $35,900,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $37,700,000,000.

(B) Outlays, $36,900,000,000.

(C) New direct loan obligations, $1,800,000,000.

(D) New primary loan guarantee commitments, $9,200,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $39,200,000,000.

(B) Outlays, $38,200,000,000.

(C) New direct loan obligations, $1,800,000,000.

(D) New primary loan guarantee commitments, $9,200,000,000.

(E) New secondary loan guarantee commitments, $0.

(11) Health (550):

Fiscal year 1988:

(A) New budget authority, $45,100,000,000.

(B) Outlays, $44,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $48,000,000,000.

(B) Outlays, $48,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $51,800,000,000.

(B) Outlays, $51,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $56,000,000,000.

(B) Outlays, $55,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

(12) Medicare (570):

Fiscal year 1988:

(A) New budget authority, $93,200,000,000.

(B) Outlays, $80,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $102,700,000,000.

(B) Outlays, $89,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $113,200,000,000.

(B) Outlays, $99,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $123,800,000,000.

(B) Outlays, $111,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(13) Income Security (600):

Fiscal year 1988:

(A) New budget authority, $168,000,000,000.

(B) Outlays, $130,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $175,500,000,000.

(B) Outlays, $137,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $181,500,000,000.

(B) Outlays, $142,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $215,200,000,000.

(B) Outlays, $151,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(14) Social Security (650):

Fiscal year 1988:

(A) New budget authority, $4,700,000,000.

(B) Outlays, $4,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,300,000,000.

(B) Outlays, $4,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(15) Veterans Benefits and Services (700):

Fiscal year 1988:

(A) New budget authority, $28,000,000,000.

(B) Outlays, $27,400,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $30,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $28,100,000,000.

(B) Outlays, $27,500,000,000.

(C) New direct loan obligations, $1,000,000,000.

(D) New primary loan guarantee commitments, $28,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $28,000,000,000.

(B) Outlays, $27,700,000,000.

(C) New direct loan obligations, $900,000,000.

(D) New primary loan guarantee commitments, $30,700,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $28,300,000,000.

(B) Outlays, $27,900,000,000.

(C) New direct loan obligations, $800,000,000.

(D) New primary loan guarantee commitments, $33,000,000,000.

(E) New secondary loan guarantee commitments, $0.

(16) Administration of Justice (750):

Fiscal year 1988:

(A) New budget authority, $9,800,000,000.

(B) Outlays $9,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $9,600,000,000.

(B) Outlays $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $9,600,000,000.

(B) Outlays $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $9,600,000,000.

(B) Outlays $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(17) General Government (800):

Fiscal year 1988:

(A) New budget authority, $7,600,000,000.

(B) Outlays $7,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $7,600,000,000.

(B) Outlays $7,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $7,800,000,000.

(B) Outlays $7,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $7,800,000,000.

(B) Outlays $7,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(18) General Purpose Fiscal Assistance (850):

Fiscal year 1988:

(A) New budget authority, $1,800,000,000.

(B) Outlays $1,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $1,700,000,000.

(B) Outlays, $1,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $1,800,000,000.

(B) Outlays, $1,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $1,800,000,000.

(B) Outlays, $1,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(19) Net Interest (900):

Fiscal year 1988:

(A) New budget authority, $145,400,000,000.

(B) Outlays, $145,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $150,800,000,000.

(B) Outlays, $150,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $154,000,000,000.

(B) Outlays, $154,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $155,300,000,000.

(B) Outlays, $155,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(20) Allowances (920):

Fiscal year 1988:

(A) New budget authority, −$300,000,000.

(B) Outlays, −$600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $0.

(B) Outlays, −$300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $600,000,000.

(B) Outlays, $300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $1,200,000,000.

(B) Outlays, $800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(21) Undistributed Offsetting Receipts (950):

Fiscal year 1988:

(A) New budget authority, −$35,200,000,000.

(B) Outlays, −$35,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, −$36,300,000,000.

(B) Outlays, −$36,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, −$37,500,000,000.

(B) Outlays, −$37,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, −$38,900,000,000.

(B) Outlays, −$38,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 4. (a) Not later than May 14, 1987, the committees named in subsections (b) through (u) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $7,200,000,000 in contributions, $1,630,000,000 in budget authority and $1,630,000,000 in outlays in fiscal year 1988, $0 in contributions, $1,823,000,000 in budget authority and $1,823,000,000 in outlays in fiscal year 1989, $0 in contributions, $3,015,000,000 in budget authority and $3,015,000,000 in outlays in fiscal year 1990, and $0 in contributions, $2,305,000,000 in budget authority and $2,305,000,000 in outlays in fiscal year 1991.

(c) The Senate Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(d) The Senate Committee on Banking, Housing, and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(e) The Senate Committee on Commerce, Science, and Transportation shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $654,000,000 in budget authority and $636,000,000 in outlays in fiscal year 1988, $54,000,000 in budget authority and $51,000,000 in outlays in fiscal year 1989, $54,000,000 in budget authority and $53,000,000 in outlays in fiscal year 1990, and $54,000,000 in budget authority and $53,000,000 in outlays in fiscal year 1991.

(f) The Senate Committee on Energy and Natural Resources shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $170,000,000 in budget authority and $170,000,000 in outlays in fiscal year 1988, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1989, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1990, and $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1991.

(g) The Senate Committee on Environment and Public Works shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $190,000,000 in budget authority and $190,000,000 in outlays in fiscal year 1988, $195,000,000 in budget authority and $195,000,000 in outlays in fiscal year 1989, $198,000,000 in budget authority and $198,000,000 in outlays in fiscal year 1990, and $199,000,000 in budget authority and $199,000,000 in outlays in fiscal year 1991.

(h)(1) The Senate Committee on Finance shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $3,941,000,000 in outlays in fiscal year 1988, $0 in budget authority and $4,510,000,000 in outlays in fiscal year 1989, $0 in budget authority and $5,658,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $6,867,000,000 in outlays in fiscal year 1991.

(2) The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $11,300,000,000 in fiscal year 1988; $23,500,000,000 in fiscal year 1989; $23,500,000,000 in fiscal year 1990; and $32,500,000,000 in fiscal year 1991.

(3) The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to increase revenues, in addition to amounts specified in subsection (2), as follows: $7,000,000,000 in fiscal year 1988, $7,000,000,000 in fiscal year 1989, $7,000,000,000 in fiscal year 1990, and $7,000,000,000 in fiscal year 1991.

(i) The Senate Committee on Governmental Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 402(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $1,211,000,000 in outlays in fiscal year 1988, $0 in budget authority and $3,216,000,000 in outlays in fiscal year 1989, $0 in budget authority and $5,146,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $7,615,000,000 in outlays in fiscal year 1991.

(j) The Senate Committee on Labor and Human Resources shall report (1) changes in laws within its jurisdiction with provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $80,000,000 in budget authority and $80,000,000 in outlays in fiscal year 1988, $110,000,000 in budget authority and $110,000,000 in outlays in fiscal year 1989, $110,000,000 in budget authority and $110,000,000 in outlays in fiscal year 1990, and $110,000,000 in budget authority and $110,000,000 in outlays in fiscal year 1991.

(k) The Senate Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $56,000,000 in budget authority and $56,000,000 in outlays in fiscal year 1988, $32,000,000 in budget authority and $32,000,000 in outlays in fiscal year 1989, $0 in budget authority and $13,000,000 in outlays in fiscal year 1990, and $0 in budget authority and −$2,000,000 in outlays in fiscal year 1991.

HOUSE COMMITTEES

(l) The House Committee on Agriculture shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $7,200,000,000 in contributions, $1,630,000,000 in budget authority and $1,630,000,000 in outlays in fiscal year 1988, $0 in contributions, $1,823,000,000 in budget authority and $1,823,000,000 in outlays in fiscal year 1989, $0 in contributions, $3,015,000,000 in budget authority and $3,015,000,000 in outlays in fiscal year 1990, and $0 in contributions, $2,305,000,000 in budget authority and $2,305,000,000 in outlays in fiscal year 1991.

(m) The House Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(n) The House Committee on Banking, Finance and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $0 in outlays in fiscal year 1988, $0 in budget authority and $0 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(o) The House Committee on Education and Labor shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provides spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $911,000,000 in outlays in fiscal year 1988, $0 in budget authority and $900,000,000 in outlays in fiscal year 1989, $0 in budget authority and $913,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $1,007,000,000 in outlays in fiscal year 1991.

(p) The House Committee on Energy and Commerce shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $924,000,000 in budget authority and $3,906,000,000 in outlays in fiscal year 1988, $359,000,000 in budget authority and $3,856,000,000 in outlays in fiscal year 1989, $362,000,000 in budget authority and $4,961,000,000 in outlays in fiscal year 1990, and $363,000,000 in budget authority and $6,062,000,000 in outlays in fiscal year 1991.

(q) The House Committee on Government Operations shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within the jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $501,000,000 in outlays in fiscal year 1988, $0 in budget authority and $517,000,000 in outlays in fiscal year 1989, $0 in budget authority and $545,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $566,000,000 in outlays in fiscal year 1991.

(r) The House Committee on Interior and Insular Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $170,000,000 in budget authority and $170,000,000 in outlays in fiscal year 1988, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1989, $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1990, and $320,000,000 in budget authority and $320,000,000 in outlays in fiscal year 1991.

(s) The House Committee on Post Office and Civil Service shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $710,000,000 in outlays in fiscal year 1988, $0 in budget authority and $2,699,000,000 in outlays in fiscal year 1989, $0 in budget authority and $4,601,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $7,049,000,000 in outlays in fiscal year 1991.

(t) The House Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $56,000,000 in budget authority and $56,000,000 in outlays in fiscal year 1988, $32,000,000 in budget authority and $32,000,000 in outlays in fiscal year 1989, $0 in budget authority and $13,000,000 in outlays in fiscal year 1990, and $0 in budget authority and −$2,000,000 in outlays in fiscal year 1991.

(u)(1) The House Committee on Ways and Means shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $3,941,000,000 in outlays in fiscal year 1988, $0 in budget authority and $4,510,000,000 in outlays in fiscal year 1989, $0 in budget authority and $5,658,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $6,867,000,000 in outlays in fiscal year 1991.

(2) The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $11,300,000,000 in fiscal year 1988, $23,500,000,000 in fiscal year 1989, $23,500,000,000 in fiscal year 1990, and $32,500,000,000 in fiscal year 1991.

(3) The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to increase revenues, in addition to amounts specified in subsection (2), as follows: $7,000,000,000 in fiscal year 1988, $7,000,000,000 in fiscal year 1989, $7,000,000,000 in fiscal year 1990, and $7,000,000,000 in fiscal year 1991.

FUNDING FOR DEFENSE

SEC. 5. (a) Notwithstanding any other provision in this resolution, no increase in the levels for function 050 (National Defense) above those in section 3(c)(1)(A) of this resolution shall be effective unless—

(1) a reconciliation bill pursuant to section 4 of this resolution is enacted;

(2) the Senate Committee on Finance and the House Committee on Ways and Means, as an integral part of the changes in law reported pursuant to sections 4(h)(3) and 4(u)(3) of this concurrent resolution, provide that such changes in law shall not take effect unless the Committees on Appropriations of the Senate and the House of Representatives report legislation appropriating the full amount of the levels for function 050 (National Defense) for fiscal year 1988.

DETERMINATIONS OF WHETHER MAXIMUM DEFICIT AMOUNT IS EXCEEDED

SEC. 6. It is the sense of the Congress that any determination under section 311(a) of the Congressional Budget and Impoundment Control Act of 1974 with respect to whether a bill, resolution, amendment, or conference report would cause the maximum deficit amount for a fiscal year to be exceeded shall be based upon the same economic and technical assumptions, in the aggregate, upon which the budget submitted by the President for fiscal year 1988 pursuant to section 1105 of title 31, United States Code, is based.

DEFICIT REDUCTION ACCOUNT

SEC. 7. (a) It is assumed that as a procedure appropriate to carry out the purposes of the Congressional Budget and Impoundment Act of 1974 (within the meaning of section 301(b)(4) of such Act), the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives would, as an integral part of the changes in law reported pursuant to sections 4(h)(2) and 4(u)(2) of this concurrent resolution, report legislation—

(1) establish a separate account in the Treasury into which revenues resulting from the changes in law reported pursuant to sections 4(h)(2) and 4(u)(2) of this resolution would be deposited,

(2) ensure that any revenues deposited in such account would not be available for appropriation,

(3) provide that any such revenues deposited in such account would be used to retire outstanding debt obligations of the United States Government, and

(4) ensure that the revenue increases resulting from the changes in law reported pursuant to sections 4(h)(2) and 4(u)(2) would not be effective for any fiscal year in which the allocations made by the Committee on Appropriations of either House pursuant to section 302(b) of the Congressional Budget and Impoundment Control Act of 1974 are exceeded.

(b) Legislation reported pursuant to subsection (a) shall not be considered to be extraneous for purposes of section 20001 of the Consolidated Omnibus Reconciliation Act of 1985 (as amended by section 7006 of the Omnibus Budget Reconciliation Act of 1986).

SALE OF GOVERNMENT ASSETS

SEC. 8. (a) It is the sense of the Congress that—

(1) from time to time the United States Government should sell assets to non-governmental buyers; and

(2) the amounts realized from such sales will not recur on an annual basis and do not reduce the demand for credit.

(b) The amounts to be realized from such sales not previously authorized by law shall not be treated as revenues, receipts, or negative outlays—

(1) for purposes of determining, in accordance with sections 301(i) and 311(a) of the Congressional Budget and Impoundment Control Act of 1974, as added by the Balanced Budget and Emergency Deficit Control Act of 1985, whether the maximum deficit amount for a fiscal year has been exceeded;

(2) for purposes of other points of order under section 311 of the Congressional Budget and Impoundment Control Act of 1974;

(3) for purposes of reconciliation under section 310 of the Congressional Budget and Impoundment Control Act of 1974; or

(4) for purposes of allocations and points of order under section 302 of the Congressional Budget and Impoundment Control Act of 1974.

(c) It is the sense of the Congress that the United States Government should sell assets to non-governmental buyers in the following amounts: $0.

BUDGETARY TREATMENT OF LEGISLATION AUTHORIZING THE PREPAYMENT OF CERTAIN LOANS

SEC. 9. When legislation authorizes the United States Government to waive the prepayment premium on certain Government loans guaranteed by an agency and advanced by the Federal Financing Bank and allows repayment with new Government guaranteed loans—

(1) for purposes of reconciliation under section 310 of the Congressional Budget and Impoundment Control Act of 1974, the contributions from such prepayment shall be scored as revenues and shall not be scored as negative outlays, and

(2) for purposes of allocations and points of order under section 302 of such Act, the contributions from such prepayment shall remain unassigned to committees.

RESERVE FUND FOR THE WELFARE REFORM INITIATIVE

SEC. 10. (a) Of the amounts specified in section 3 of this resolution, it is assumed that budget authority and outlays in amounts not to exceed the amounts specified in subsection (b) for fiscal years 1988, 1989, 1990, and 1991 would be allocated to the appropriate committees of the House of Representatives and the Senate to provide for the child care and job training initiative when the appropriate committees of the House of Representatives or the Senate have reported legislation that will, if enacted, make funds available for such initiative.

(b)(1)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1988 would not exceed $150,000,000 of new budget authority and $110,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1988 would not exceed $600,000,000 of new budget authority and $300,000,000 of outlays.

(2)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1989 would not exceed $160,000,000 of new budget authority and $160,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1989 would not exceed $730,000,000 of new budget authority and $670,000,000 of outlays.

(3)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1990 would not exceed $240,000,000 of new budget authority and $220,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1990 would not exceed $760,000,000 of new budget authority and $750,000,000 of outlays.

(4)(A) The amounts available for allocation under subsection (a) for funding for child care for fiscal year 1991 would not exceed $300,000,000 of new budget authority and $290,000,000 of outlays.

(B) The amounts available for allocation under subsection (a) for funding for job training for fiscal year 1991 would not exceed $990,000,000 of new budget authority and $880,000,000 of outlays.

(c) Upon the reporting of legislation pursuant to subsection (a), revised allocations under section 302(a) of the Congressional Budget and Impoundment Control Act of 1974, altered by amounts not to exceed those in such legislation, would be deemed to have been reported. Such revised allocations would be considered for the purposes of such Act as allocations contained in this resolution, and the appropriate committees of the House of Representatives and the Senate would report revised allocations, pursuant to section 302(b) of such Act to carry out this section.

RESERVE FUND FOR THE MEDICARE CATASTROPHIC HEALTH INSURANCE INITIATIVE

SEC. 11. (a) It is assumed that budget authority and outlays for fiscal years 1988, 1989, 1990, and 1991 would be allocated to the appropriate committees of the House of Representatives and the Senate to provide for the medicare catastrophic health insurance initiative, and the aggregates for fiscal years 1988, 1989, 1990, and 1991 in sections 2 and 3 of this resolution would be adjusted accordingly, when—

(1) legislation has been reported that will, if enacted, ensure that any legislation providing for any such additional funding will not increase the deficits for fiscal years 1988, 1989, 1990, and 1991 above the levels set forth in sections 2 and 3 of this resolution; and

(2) the appropriate committees of the House of Representatives or the Senate have reported legislation that will, if enacted, make funds available for such initiative.

(b) Upon the reporting of legislation pursuant to subsection (a), revised allocations under section 302(a) of the Congressional Budget Act of 1974, altered by amounts not to exceed those in such legislation, and revised functional levels and aggregates to carry out this section, would be deemed to have been reported. Such revised allocations, functional levels, and aggregates would be considered for the purposes of such Act as allocations, functional levels, and aggregates contained in this resolution, and the appropriate committees of such Houses would report revised allocations, pursuant to section 302(b) of such Act to carry out this section.

MEDICARE SAVINGS

SEC. 12. It is assumed that the Committee on Finance of the Senate and the Committees on Ways and Means and Energy and Commerce of the House of Representatives would achieve Medicare savings as specified in this resolution without increasing premiums or deductibles or delaying eligibility or otherwise raising beneficiary out-of-pocket costs.

SENSE OF SENATE ON INCOME TAX RATES

SEC. 13. (a) FINDINGS.—The Senate finds—

(1) the Tax Reform Act of 1986 was enacted only after nearly two years of congressional study and deliberation,

(2) the most fundamental principle of tax reform has been the reduction or elimination of special tax benefits in order to reduce tax rates for all taxpayers, and

(3) taxpayers have a right to expect Congress to hold to its promise to reduce tax rates in return for elimination of special tax benefits, rather than to use tax reform as a disguised effort to raise taxes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the revenue levels of this budget resolution will not be achieved by either raising or delaying the individual or corporate income tax rates provided in the Tax Reform Act of 1986.

RURAL HOSPITALS MEDICARE PROGRAM

SEC. 14. It is the sense of the Congress that, in enacting any legislation that amends the Medicare Program to reconcile its expenditures with those required under a congressional concurrent resolution on the Federal budget for fiscal year 1988 and subsequent years, there should be taken into account the special needs of rural hospitals which are not currently taken into account under the Medicare hospital prospective payment system.

Amend the title so as to read: "Concurrent resolution setting forth the congressional budget for the United States Government for the fiscal years 1988, 1989, 1990, and 1991".

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was passed.

Mr. CHILES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHILES. Mr. President, I move that the Senate insist on its amendment and request a conference with the House on the disagreeing votes of the two houses and the Chair be authorized to appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, the motions are agreed to.

[The following proceedings occurred after midnight.]

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the hour is late but I want to add my voice in commendation to the chairman of the Budget Committee, the Senator from Florida [Mr. CHILES] and our majority leader, the Senator from West Virginia. I think all in the Senate understand very well that this has been a long, difficult, and challenging effort that I think has expressed the best judgment of the many Members of the Senate, particularly those who have worked very closely with the Senator from Florida and the Senator from West Virginia. We have a variety of different views and priorities among those who have expressed themselves in the majority this evening. I think the Senate majority leader and the Senator from Florida have done an outstanding job of leadership and they have demonstrated what statesmanship in this body is all about. I commend both of them. I know this is the feeling of my colleagues. I know many of them would be here. The fact that they are not here at this late hour in no way diminishes the great sense of admiration, respect, appreciation and support for this outstanding job. I for one express my appreciation, commendation, and admiration for the services they have provided on this issue to, most of all, the millions of American people who depend upon constructive and responsible leadership in this area and whose lives will be affected by this outcome. It really is an extraordinary achievement and both of them deserve well-deserved thanks.

I thank the Chair.

The **PRESIDING OFFICER**. The Senator from West Virginia.

Mr. **ROCKEFELLER**. Mr. President, I rise to express my respect and gratitude toward Senator CHILES, our distiguished Budget Committee chairman, for the outstanding leadership he has provided to obtain the Senate's support for a budget plan for fiscal year 1988. He has spent untold hours laboring through the difficult and often tense process of creating a consensus on a budget that will both make a significant dent in the Federal deficit and meet the pressing priorities of our Nation. As the strong vote for the revised budget plan indicates, Senator CHILES has truly succeeded in crafting a constructive approach that deserves the support of all of my colleagues.

I also commend our distinguished majority leader, Senator BYRD, for his tremendous leadership in this first and crucial phase of the budget process. I have looked to him in particular for his insight and analysis during the recent debate on the budget since we both have the honor of representing West Virginia in the Senate. We agree on the merits of the new Chiles plan because it addresses the needs of our State. And while looking out for West Virginia's concerns, the majority leader has carefully and persuasively worked with all Senators to build the consensus required to pass a budget plan that makes sense for the entire country.

I believe Senator BYRD has demonstrated in the past weeks precisely why his Democratic colleagues chose him as their leader. Today, we have acted with the forcefulness and unity that are essential to moving this country forward. I personally am very grateful to Senator BYRD. His leadership in this budget process exemplifies the dedication and service he provides every day to the American people.

When I reviewed the new Chiles plan, I assessed it in terms of the tests which I believe the Federal budget should meet. Based on that examination, I voted for this plan earlier today.

First, I considered its impact on West Virginia. My State is still feeling the pain of unfair and unbalanced budget cuts made each year since the Reagan administration began. The Chiles plan for 1988, however, provides for most of the community and economic development programs which are crucial to creating and maintaining jobs in West Virginia. I agreed with some of my colleagues that a 25 percent cut in the Community Development Block Grant, as originally proposed, was unacceptable. I am grateful that we succeeded in restoring most of these funds and ensuring that level funding will be provided for other programs which foster economic growth in our communities.

The new Chiles plan also recognizes the special needs of elderly, low-income Americans, and other segments of our population who are less fortunate. For example, additional funds are earmarked for critical health programs such as Medicaid, for initiatives to address the growing number of poor children, and for a new aid package for the homeless.

A second approach I took to analyzing the Chiles budget was to ask whether it will make key investments in this country's competitiveness. Again, this budget plan meets the test. For example, under the revised Chiles plan, a major initiative will be possible to provide additional education and retraining to our "displaced workers," so that they can obtain jobs that enable them to contribute their productivity and experience once again to the country's economy.

In my view, education ranks among the most important investments we make in our future. The Federal Government has certain responsibilities that cannot be shirked, such as providing special assistance to disadvantaged children through programs like Chapter One and Upward Bound. But as the Chiles plan recognizes, new efforts must also be made in science, math, foreign languages, and other fields that are directly linked to America's competitiveness. Almost $2 billion is provided in the Chiles plan to supplement existing programs and begin several programs which are likely to be enacted by Congress this year. By including this level of funding for education coupled with increases slated for basic research, science, and a number of related areas, this budget is future-oriented and procompetitiveness.

My last point, Mr. President, is that this budget plan lives up to our commitment to reducing the deficit. Since I arrived in the Senate, I have seen political will and leadership finally emerge to tackle this enormous problem. The Gramm-Rudman-Hollings deficit reduction process is underway, and takes another important step forward through the Chiles plan. By spreading the burden of deficit reduction and calling for additional revenue where needed, this budget is fiscally responsible and sound.

Mr. President, I again commend Senator CHILES, the majority leader, and all of my colleagues who have played a role in this important effort. This budget plan is a good starting point. There are still gaps and problems that must be addressed, but we have the time in the days ahead and through the conference with the House of Representatives to make the budget even better. I am encouraged by today's vote on the Chiles plan, and pledge to help reach a final agreement on a budget for 1988 which serves the American people constructively and fairly.

Mr. **LEAHY**. Mr. President, today I joined a majority of the Senate in voting for final passage of the so-called Chiles II budget resolution.

While I preferred many of the provisions of the original Senate budget resolution submitted by the chairman, the Chiles II budget makes many improvements.

The revised budget resolution restores funds for important education programs, as well as community development block grants and urban development action grants. The Chiles II budget also restores some of the more than $3 billion in cuts in Medicare contained in the original budget resolution. This Medicare provision is an improvement, but does not go far enough.

The Chiles II budget also increases support for veterans programs by $500 million over current levels—a $100 million increase over the original budget resolution and a $400 million improvement over the President's budget.

While I voted for the Chiles II budget so that the Senate can get on with its business, I want the record to show that I do not support its higher defense and revenue levels. The Chiles II budget would increase defense spending by $7 billion over the original Senate budget, but only if the President approves additional taxes to pay for the increase. If he is not willing to go along with more taxes to finance higher defense spending, the Senate is not going to let him find the extra money for the Pentagon from vitally needed domestic programs like Medicare and education.

That is why I voted for Senator GRASSLEY's amendment to cut defense spending in the Chiles II budget by $6 billion over 3 years, and to cut the taxes in the budget by $6 billion. Unfortunately, the Grassley amendment failed.

It is unclear whether the President will go along with this "pay for defense" plan, despite the dire warnings by Secretary Weinberger, who seems to believe the defense budget should grow by leaps and bounds regardless of the deficit or the state of the economy. I do not believe higher defense levels are necessary or warranted. But, in the unlikely event the President did opt to raise defense levels by $7 billion and pay for it with some new taxes, the Chiles II budget resolution would bring total revenue increases to $25.5 billion.

The $11.3 billion revenue figure in the original Senate budget resolution was justifiable, but frankly, I am very wary about the higher revenues in the Chiles II budget. The budget does not specify where these revenues will come from, and leaves it to the Finance Committee to find the new sources. That is why joined 89 other Senators in voting for Senator DOLE's resolution in opposition to raising income tax rates to finance these revenue increases.

The Chiles II budget sends a clear message to the President: Mr. President, the days when you could finance massive defense increases by running up the deficit are over.

If the President wants to increase defense spending above the original Senate budget resolution, he must first sign the budget reconciliation bill which will raise the necessary revenues. That reconciliation bill will also provide revenues to finance much needed improvements in health, education, and other important programs. In other words, if the President wants to increase defense spending, he is finally going to have to approve funds for important domestic programs. If he is unwilling to sign the reconciliation bill with the additional revenues for domestic as well as defense programs, he cannot have the extra $7 billion for defense.

This Chiles II budget resolution is not the perfect budget. There are aspects I would change if I could. I certainly would want to do more to sustain programs, like Medicare, catastrophic health insurance, education, rural health, and certain agriculture programs. But, this is a time of tight budgets, and we cannot do everything that we would like. Restraint is necessary everywhere. But, this budget is at least honest about defense spending being linked to some revenue increases, and stops the long trend by the administration of financing growth in defense spending through cutbacks in social and human services.

Mr. DOLE. Mr. President, I also congratulate the majority leader, the chairman of the committee and my colleague, Senator DOMENICI. I know how difficult it is, in a closely divided Senate, to put a budget together. I do not share the view of some on the final result, but I do share the appreciation for a job well done, with the majority leader's outstanding leadership, forging consensus on his side, and with the equally outstanding contribution by the distinguished chairman, Senator CHILES, and I would also say on our side, the good work of Senator CHILES' friend, PETE DOMENICI. They have worked together over the years. They have differences but they are good friends and that is what makes it all come together. I think I speak for all Members on this side, maybe not on the product but on the way it was done, how it was done and the players who did it.

We extend our congratulations.

Mr. CHILES. Mr. President, I thank the minority leader for his kind words. We certainly had his assistance as we tried to set up the process and we appreciate that. He did help accommodate us so that the Senate could move in an orderly way, and we appreciate that. I certainly appreciate his kind remarks.

I appreciate very much the remarks of the Senator from Massachusetts, who was of great assistance to us as we worked through this, and to my good friend from West Virginia, Senator ROCKEFELLER, for his kind remarks and his assistance, and actually to all of our Democratic colleagues who worked together. Each gave up something so that we could have some kind of unity on this budget.

The Senator from New Mexico made some very kind remarks about the Senator from Florida. He is my very close friend and those remarks mean very much to me, he having served for 6 years as the distinguished chairman of this committee.

Mr. President, I want to express my appreciation to the majority leader for his assistance. We could not have passed this budget tonight, and we certainly would not have had the Democratic unity that we had, and I do not think the process would have moved to where it is today—I know it would not—but for his dedicated leadership and his worthwhile advice and the respect that the caucus holds for him, that all Democrats hold for him and the position of trust that he carries with Democrats. It was certainly my great pleasure to work with him in this regard.

Mr. President, 4 months ago yesterday, the President submitted his budget to Congress. These have been gruelling months for all of us, and particularly for the members of the Senate Budget Committee.

Throughout that entire time, we have been exceptionally fortunate to have the help of a talented, dedicated staff who has given up weekends, holidays, evenings, and any semblance of a personal social calendar to play a key role in the development of this budget.

Their hard work and fine analytical skills have given us the statistical facts, historical data, and relevant information which we used as the background for the key decisions made by the Senate.

Let me begin by thanking Alan Cohen, as assistant director of the budget committee staff, for his tireless work. He played a key role in assembling and comparing the options put before our committee, and just as he can be proud of his efforts, the committee also extends its appreciation for a job well done. Jeff Colman, the junior analyst for budget priorities is as candid as he is conscientious. Confronted with mountains of material to be analyzed, he has done his work with a clarity and level of intelligence that puts a sharp point on each conclusion.

Doug Olin, the committee's assistant director for budget systems, nursed the committee through the early days of its experience with a new computer system. And while he made sense of this new technology for the rest of the staff, he also supervised the production of all committee documents, and managed to monitor appropriations activities, as well. In his spare time, he exposed the vast problems in the Moscow Embassy.

John Hilley, is the assistant director for economics, trade, and finance. He regularly provided the committee with analysis of the larger world forces in which our economy operates, and appraisals of the key budget areas in which investments were essential. His work has been, and remains, outstanding.

Kate Sparks, the committee's junior economist, comes to the committee via Oxford. In the few short months she's been with us, she has already demonstrated a serious grasp of the underlying economics and a professional approach to the trade and international issues with which she deals. Her balanced and thorough analysis of competitiveness issues have left their mark on the girders of this budget.

Perhaps no other member of the staff was as deeply into the actual numbers within the subject as Susan Nelson, our nonpartisan chief of budget review. The work is demanding, time consuming, and requires precision. A change in one element of the budget inevitably means changes throughout the budget as a whole. Keeping track of the numbers is at the heart of the process. Sue Nelson did all this with the highest level of skill and precision—and still managed to have a new son, John Travis, at just about the same time the committee was giving birth to the budget.

We were just as fortunate to have Wendy Counihan as the junior analyst for budget review. She brought a level of expertise and commitment to the process that kept her here through a number of Sun rises. And Laura O'Shea worked those same hours, producing the charts, and graphs and tables to make visual sense of the complex statistics within the budget documents.

Barbara Chow is the group leader for the physical resources and general government division of the Budget Committee. She is a gifted, consummate professional who demands thorough and precise work. She has always been willing to commit the time and great skill essential to excellence, and her work product shows it.

Lisa Faulkner is our analyst for administration of justice, and general purpose fiscal assistance. Throughout her years as a member of the professional staff, she has brought great ability and top analytical skills to an area of the budget which means so much to our domestic defense. She is highly regarded among Senate staffs for her thorough grasp of the issues and her exacting work.

Dave Williams, a new comer to the staff, faced the baptism of fire as he assumed the role of analyst for energy, environment, and natural resources. He proved himself early, and his work has been of the highest caliber.

Each of these people in the group headed by Barbara Chow were assisted by Tricia Smith who brought with her a ready and sweeping grasp of the issues with which she dealt, not to mention a deep reservoir of patience.

Doug Cook is the committee' group leader for national security. Throughout his years of service he has proven time and again his abiding belief in a strong national defense. He has been conscientious, persistent, and left no stones unturned in his continuing pursuit of the best possible staff mastery of this key area. My thanks to him and to Randy DeValk, the junior analyst for national defense who has applied himself with the same industry and diligence. Ann Durgin, a Presidential Management Intern has invested as much time and brought equal amounts of skill to her work aiding the national security division. Maggie Taylor, the staff assistant for national security has brought devotion and ability to her assignments, and both Maggie and Ann deserve our thanks.

Bill Dauster, the committee's chief counsel and assistant counsel, Mark Logan are two more of the gifted newcomers to the committee staff. Bill is self-effacing. But his modesty can't conceal his ability. He managed to help guide his and our first budget through the arcane procedural complexities while working with other Senate committees to screen Senate bills for Budget Act points of order.

As an attorney myself, I want to extent my sincere compliments to both these young men for the painstaking work they've done in actually shaping the complicated technical language of the budget resolution. It is an area which demands thoroughness, logic, and a mastery of procedure. Bill Dauster and Mark Logan have done their work with distinction, and they have the gratitude of the committee's membership.

Susan Latham, the staff assistant to the legal division, has proven to be a tower of strength. She brings analytical gifts to her work, and has earned the confidence of all staff members for her grasp of the issues as well as a flair for the mysteries of the computer programs at the core of the operation. I appreciate all she has done.

Kathy Deignan is the group leader for the human resources division. She has demonstrated her commitment and dedication to the needs of the elderly in this country through untiring effort. Kathy is well-known and widely respected throughout the professional community, and—perhaps more important—among senior citizens for the depth of her learning and the intensity of belief in the best possible service to those who have given so much to the Nation in the past.

Kim Wallace, the committee's analyst for education, training, employment, and social services has the gift of tight reasoning and complete commitment to the best education programs possible. He is a serious and thoughtful observer of evolving education policy, and an activist for all those in search of fresh opportunity both in the classroom and on the job.

Both Kim and Kathy have profited from the work of staff assistant, Vanessa Palmer. Regardless of the assignment, she has maintained good humor, devoted the same long hours and expressed the same firm commitment to work well done on behalf of the new generation of workers in this country.

Jim Carr, the group leader for tax policy, credit and housing, is among the most disciplined, hard working people I have ever known. He has mastered the curves and twists of policy by mastering each point of detail. People never hesitate to come to him with questions, knowing they will come away with thoughtful options and clearer understanding of the history behind those options.

Jim has been aided this year by Steve Hornburg, who assumed the duties of analyst for transportation and community and regional development. Steve joined us in the middle of the Senate's development of the highway/transit bill, and worked closely with the Senate authorizing committees to help produce a fiscally sound bill. Steve is a young man who has burned away lamps of midnight oil. The effort has produced results, and he has earned the respect of staff people across Capitol Hill for his hard work and attention to detail.

Dennis Beal is the press secretary for the Budget Committee. His advice and counsel over the years have been both wise and innovative. He is well respected among his colleagues and as warmly regarded for his dedicated community service in Maryland as he is for his public service in Washington.

Rich Rasmussen, has been with the committee only a few months. But in that time, he has brought creativity and energy to his work, and doing so, has made a solid contribution to better public understanding of the budget process. Francine Nelson, in the few months she has been with us, has brought a gift for organization and order to the communications section. She has made it her personal motto that no deadlines are missed, and her insight and hard work make sure the work is done right.

Jim Stasny is the committee's chief writer. From the most technical material to the shortest summary, he unfailingly finds exactly the right words to fit the situation and turns dark glass to clear windows. He has the gift for quick work and precise language, and is a valued and senior member of the budget committee staff.

I want to say a special word of thanks to Tom Foxwell, our director of publications and to Buck White and Alexander Green. These men are the forces behind the timely publication and distribution of all formal committee documents. It is essential to the committee's work that our hearings and reports are available quickly and correctly, and that work could not be done without Tom, Buck, and Alexander.

Anne Willis, our chief clerk, "runs the store." with the countless demands of the Senators and staff, it is her job to make sure that the committee is well-supplied with all the resources we need to operate. She's the one who sees to it that the hearings and markup sessions are well organized and properly supported.

Beth Strader, a staff assistant, has been with the committee for several years and earned the affection and respect of all of us for her cooperation and expertise. Lisa Bartko, our receptionist and Fletcher Martin, a staff assistant, make sure that the public's contact with the committee are professional and informative in every respect.

Angeline Nicholas is a staff assistant, new to the committee but already proven in her role as the person to turn to for quick and clear information. She coordinates the wide spread efforts of the committee staff and makes sure people are "there" when needed.

I want to offer my thanks to Michelle Edwards, the committee's office manager. those who know her have nothing but respect for her work. And those who know her well, marvel at her composure and wide-ranging ability. She is at her best when the pressure is greatest. Michelle knows how to get things done, and she's always at the center of events.

Finally, let me pay my personal respects to the Budget Committee's Majority Staff Director, Rick Brandon. His diligence and assistance have been invaluable. In his 13 years with the committee, he has acquired so thorough a grasp of the process that he is the acknowledged, top Senate staff expert on Federal budget matters. At the midpoint between the time our hearings ended and committee markup began, Rick became the father of a new daughter, Eva. So, while these past months have made deep demands on his time, I know he looks forward to more cherished hours in the company of his new family.

Mr. President, these have been lengthy remarks. But they do not compare with the long hours and hard work each of these people have invested in the crucial work of the Senate Budget Committee. To all of them, my heartfelt thanks.

I would like to add thanks to all the Democratic leadership staff who have helped us at every step of the way. In particular, Tom Sliter, one of our distinguished budget staff alumni, was a source of continual support.

The parliamentarian, Alan Frumin, and Gail Cowder, Assistant Parliamentarian, have provided invaluable and patient advice as we worked through the complexity of putting out four budget resolutions and working through the floor procedures, while facing pressures from all sides.

Mr. CHILES. Mr. President, I ask unanimous consent to amend the title so as to read Concurrent Resolution Setting Forth the Congressional Budget of the United States Government for Fiscal Years 1988, 1989, 1990, and 1991.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank from the bottom of my heart the distinguished chairman of the Budget Committee for a job exceedingly well done. He has demonstrated the patience, the equanimity, the skill, the good humor, the courtesy, the persistence and the knowledge that are worthy of the admiration of all of his colleagues. This has been a very, very tough job.

Mr. Chiles has proved himself equal to the task. I think that at the beginning one would not have dreamed that our party would come together as it did with all 54 Members supporting the Chiles budget, but the party did it and I feel indebted to Members of the party for their support and their encouragement that they gave.

They attended the conferences. Mr. Chiles in his contacts with the various Members worked together to resolve the differences and each gave a little there and gave a little here in order to present a unified force in adopting this budget.

Our party has a responsibility, Mr. President, for adopting a budget and we have accepted that responsibility and we fulfilled it.

I cannot commend too highly the Members of my party. I especially wish to say a kind word about the new Members on this side of the aisle. Our new Members provided an example for the rest of us as they put their hand to the plow and they did not look back. Time after time in the conference it was one of the new Members who stood to his feet and encouraged the rest of us.

I wish to thank my colleague, Mr. Rockefeller, for his overly charitable statement that he made concerning me. His words were accurate with respect to our chairman, but he was overly gracious in his remarks with respect to my part that I am indeed grateful.

I thank Mr. Kennedy also for his statement. It encourages me as we look ahead to exceedingly difficult battles down the road. We will have more of these battles and more hills to climb, but I am confident that this party of mine has demonstrated now that it can do the job and I think the character and the integrity that my party has shown in the face of difficult obstacles and in making very difficult choices is something that one can be grateful for.

I have seen the Senate rise to great occasions before. In the Panama Canal treaties to mention one instance, and there have been other instances.

While on this occasion this may not measure up to that situation it is certainly a very remarkable performance of the Democratic Party in the Senate has registered.

I also want to thank our Republican colleagues, the Republican leader, and the Republican manager on the resolution. While they did not agree with the product that Mr. Chiles and my colleagues crafted, nevertheless, they were courteous, they were cooperative in arranging for the order of the amendments and the votes and so on. So they, too, made a contribution.

Mr. President, I call attention to the fact that the President pro tempore of this body, the distinguished chairman of the Appropriations Committee in the Senate, was with us at all times in the conferences. As a matter of fact, he is nearly always the first person to arrive at our party conference every week and he is still on the floor, and he will be the manager of the supplemental appropriation bill which we will take up in the Senate tomorrow. He has been here on every vote. I mean to tell you on every vote. He has been sitting at his post of duty here patiently, quiet, alert, inquiring, and advising and counseling. He stayed with us. That kind of steadfast support, the kind that Senator Stennis regularly and consistently gives, is something that we are all indeed grateful for.

Mr. President, I too thank the staffs. I thank the staff of the Democratic Policy Committee, Mr. Tom Sliter, Sally Mernissi, Richard D'Amato, Lee Price, and Carol Mitchell of my West Virginia staff.

I thank the Secretary to the Majority Abby Saffold. I thank our fine staff people at the desk who are under Abby Saffold's direction, Bill Norton, Charles Kinney and Marty Paone. They are always there doing their duty.

I thank my own chief of staff, Mrs. Barbara Videnieks, and our outstanding Director of Communications for the Policy Committee, Miss Linda Peek.

Mr. President, I inadvertently omitted the name of Sheila Burke, the outstanding chief of staff of the distinguished Republican leader, who is always most courteous and helpful to all of us. She is an exceedingly capable lady and I personally want to extend my appreciation to her.

I also overlooked the names of Howard Greene and Elizabeth. We could not ask, on this side of the aisle, for anyone to be more courteous, more helpful and more agreeable to us than Howard Greene and Elizabeth, his fine wife.

I also add my admiration to those words that have been spoken by Mr. Chiles for Rick Brandon and the fine people on Senator Chiles' staff.

There have been some, I am sure, that I have overlooked, but I hope they will forgive me.

I say in closing that I feel we can go home tonight and thank the good Lord for his help, too, because he has a hand in these things, too. But first of all he has to have our hands and our minds and our hearts.

APPOINTMENTS

The PRESIDING OFFICER (Mr. Reid). The Chair, pursuant to Senate Resolution 352, 99th Congress, as amended by Senate Resolution 166, 100th Congress, announces the following appointments to the Commission on the Bicentennial of the U.S. Senate: on behalf of the majority leader, the appointment of the Senator from Illinois [Mr. Simon], the Senator from Kentucky [Mr. Ford], and the Senator from North Carolina [Mr. Sanford], and on behalf of the Republican leader, the appointment of the Senator from South Carolina [Mr. Thurmond], the Senator from Oregon [Mr. Hatfield], and the Senator from Kansas [Mrs. Kassebaum].

The Chair notes that the aforementioned Senators will join the majority leader, the Senator from West Virginia [Mr. BYRD], chairman; the minority leader, the Senator from Kansas [Mr. DOLE], vice chairman; and the President of the Senate pro tempore, the Senator from Mississippi [Mr. STENNIS], who serve on this commission by virtue of their positions.

The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: the Senator from Louisiana [Mr. BREAUX] (Commerce, Science, and Transportation), the Senator from Oregon [Mr. PACKWOOD] (Commerce, Science, and Transportation), and the Senator from Connecticut [Mr. DODD] (at-large).

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the following Senators to the Board of Visitors of the U.S. Military Academy: the Senator from New York [Mr. D'AMATO] (Appropriations), the Senator from Oklahoma [Mr. NICKLES] (Appropriations), the Senator from Michigan [Mr. LEVIN] (Armed Services), and the Senator from Alabama [Mr. SHELBY] (at-large).

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: The Senator from Nevada [Mr. REID] (Appropriations), the Senator from Mississippi [Mr. COCHRAN] (Appropriations), the Senator from Colorado [Mr. WIRTH] (Armed Services), and the Senator from South Dakota [Mr. PRESSLER] (at-large).

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the following Senators to the Board of Visitors of the U.S. Naval Academy: the Senator from Maryland [Ms. MIKULSKI] (Appropriations), the Senator from Oregon [Mr. HATFIELD] (Appropriations), the Senator from Texas [Mr. GRAMM] (Armed Services), and the Senator from Maryland [Mr. SARBANES] (at-large).

DEATH OF RUSSELL S. WEHRLE

Mr. ROCKEFELLER. Mr. President, I lost one of my closest friends and West Virginia lost one of its most dynamic leaders when Russell S. Wehrle died unexpectedly last month. Russ Wehrle was one of the kindest and most generous men I've ever known. I cannot begin to describe how much he meant to me personally—or how much I admired his selfless dedication to building a better West Virginia.

His energy was infectious; when Russ got behind a cause—and there were scores of them, all of them good—his commitment was all-consuming. Invariably, he would soon have the entire community consumed with him.

Charleston, West Virginia's capital city, will never be able to replace Russ. His influence was everywhere. He was a busy and eminently successful businessman, but still managed to donate thousands of hours over the years to the University of Charleston, the Sunrise Foundation, the Charleston Area Medical Center, the Charleston YMCA and YWCA, as director of the West Virginia Education Fund and as a member of the board of directors of the Herscher Foundation. He served as a member of the Kanawha County Board of Education from 1966 until 1972 and was a member and vital part of the St. Matthews Episcopal Church in Charleston.

In the wake of the Bhopal tragedy, he helped establish the National Institute of Chemical Studies, to make the industrial production of chemicals in West Virginia's Kanawha Valley as safe and environmentally sound as possible. He was also a trustee and former president of the United Fund of Kanawha Valley. Russ Wehrle was, in short, an indispensable part of West Virginia's business, civic, educational, and philanthropic communities.

Russ had one of the sharpest and most supple minds I've ever encountered. He was an enormously gifted man, having graduated summa cum laude, Phi Beta Kappa from Princeton. He turned his business, the McJunkin Corp., into the largest in-State owned and operated manufacturing company in West Virginia. At a time when many corporations were fleeing the Rust Belt for the Sun Belt, Russ elected to stay and fight: to keep his company rooted in West Virginia. He couldn't bear the thought of taking jobs outside the State he loved.

The thing I'll miss most about Russ, though, is his irrepressible humor. When I think of Russ, I picture a dozen people clustered around him at a party, all smiling broadly, waiting for Russ to deliver a hilarious punchline. He was what the Irish call a "shenachie"—a fiesty storyteller who loved to kid and be kidded.

He was also a devoted husband and father. Martha and his five children—Michael, Gaines, Kathryn, Philip, and Chilton—were the light of his life. No children ever had a better or more caring dad.

The Wehrles, in fact, were among the first people to welcome to West Virginia 20 years ago when I arrived as a VISTA volunteer. They made their home my home; I can never repay their generosity. Their friendship has been a tremendous source of strength for Sharon and me over the years, in good times and—most especially—in bad. All of West Virginia grieves with Martha, his children, and his thousands of friends.

Mr. President, I ask unanimous consent that the Charleston Gazette and Daily Mail editorials on Russ Wehrle be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD as follows:

[From the Charleston Gazette, Apr. 14, 1987]

LEADERSHIP

Charleston is lucky to have a progressive thrust that keeps the city alive—spruced up, constantly renewed, buzzing with actions improving the quality of life.

The vitality wouldn't be possible without volunteer civic leaders who give long hours of selfless work in behalf of their community.

Russell Schilling Wehrle was outstanding in this role, and his untimely death at 60 leaves a gap in the city's leadership.

Wehrle wasn't content merely to pursue wealth as head of McJunkin Corp. Instead, he poured thousands of hours into unpaid tasks benefiting the area.

He helped create the National Institute of Chemical Studies to analyze risks from the valley's plants. He was a top supporter of the University of Charleston. He served six years on the county school board. He gave leadership to the United Way, the Sunrise Foundation, the Charleston Area Medical Center, the YMCA, the YWCA, the West Virginia Education Fund, the Governor's Economic Advisory Council.

Wehrle's humorous, unstuffy style masked the importance of the many jobs he performed for the people.

Monday, a replacement was named to succeed Wehrle as president of McJunkin Corp. It will take several replacements to fill the void left in Charleston's civic life.

[From the Charleston Daily Mail, Apr. 6, 1987]

RUSSELL WEHRLE

Anyone who ever met Russ Wehrle walked away with several impressions; that his good humor was irrepressible and that his energy was boundless. Wehrle managed to bring both attributes to whatever he did, and for the City of Charleston and the state of West Virginia, he was always doing something.

Wehrle, who died Friday at 60, was president of McJunkin Corp., an industrial supply firm co-founded by his father in 1921. He had worked with the company for 40 years, and had been a director since 1964. Just before his death, Wehrle had negotiated the purchase of a Texas energy-related supply company that would dramatically expand McJunkin's scope.

But not many people around Charleston and the state knew Wehrle for his business acumen. They knew him because he was so vitally involved in civic projects, and because he always seemed to be available to support a worthy cause. He did so with unwavering encouragement and energy—so much so that it seemed every group had Russ Wehrle at the top of its list when it went looking for support.

Wehrle was a prime mover behind the establishment of the National Institute of Chemical Studies, was a trustee and former president of United Fund of Kanawha Valley, and was a key supporter of the University of Charleston, the Sunrise Foundation Charleston Area Medical Center, the YMCA, the YWCA and the West Virginia Education Fund. He served on the Kanawha County Board of Education from 1966 to 1972.

But Russ Wehrle lent informal support to many other organizations and individuals who he felt shared his sense of civic obligation and his optimism about his home town and state. He simply felt it was his job to put in more than he took out of either.

To his friends, family—anybody who knew much about him—it is obvious that he succeeded.

SOVIET VIOLATIONS OF THE ABM TREATY

Mr. DOLE. Mr. President, here in the Senate, in recent weeks, we have been treated to some extraordinary legal gymnastics and hair-splitting over the issue of interpreting the ABM Treaty. There has been talk of a, quote, "constitutional crisis," unquote. The ABM Treaty, we are told, is in jeopardy, just because the President of the United States is thinking about—not doing, mind you; just thinking about—proceeding on SDI research and development on the basis of a broader interpretation of the ABM Treaty.

Well, the ABM Treaty is in jeopardy, no doubt about that. But not from the perfectly legitimate exercise of authority by the President of the United States.

What is jeopardizing the treaty is the ongoing, blatant violations by the Soviet Union. And if there is any doubt remaining in anyone's mind about those violations, let me put those doubts to rest today.

The Europeans have a commercial remote-sensing satellite system called SPOT. Recently the Swedish Space Media Network released photographs taken by the SPOT system of the Soviet large phased-array radar at Krasnoyarsk (kraz-noe-yarsk). Those totally unclassified photos, available to everyone, prove conclusively what we've known for a long time on the basis of classified evidence: That Krasnoyarsk constitutes a major violation of the ABM Treaty; that it is intended for ballistic missile detection and target tracking, as part of a network of large phased-array radars; and that the Soviet explanation of that radar—as a space tracking facility—is just hogwash.

Mr. President, those are the facts. The facts which should now be evident to everyone.

Mr. President, let's end all this foolish nitpicking over the interpretation of the ABM Treaty. Let's get back to the facts: Soviet violations of the ABM Treaty, which endanger our security; and which prove why we have to be so careful about clarity and verification in any arms control agreements we sign with the Soviets.

I ask consent that an article on the SPOT photos from the April 11 issue of Jane's Defense Weekly appear in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KRASNOYARSK: FIRST PICTURE SUGGESTS TREATY VIOLATION

(By Mark Daly)

This first satellite photograph of the Soviet Union's notorious Krasnoyarsk large phased array radar apparently confirms U.S. claims that this massive installation violates the 1972 Anti-Ballistic Missile Treaty.

Sited in Siberia, Krasnoyarsk is claimed to break the 1972 Anti-Ballistic Missile Treaty on two counts and will eventually serve as a command and control centre for a national defence network.

The ABM Treaty requires that early warning radars should be located only on the periphery of the Soviet Union and that antiballistic missile radars should be sited within 150 km of Moscow.

Krasnoyarsk—which clearly has the configuration of an early warning radar—is some 3700 km from Moscow and the nearest border, with Mongolia, is about 750 km away.

The other crucial issue is the orientation of the radar antennas.

Outward-looking radars are permitted, but the US Department of Defense has repeatedly stated that Krasnoyarsk's radars point north-east across 4000 km of Soviet territory towards the Arctic, and the photograph confirms this, according to Sweden's Space Media Network, which issued the picture.

The European SPOT commercial remote-sensing satellite, which provided the photograph, shows a layout which broadly corresponds to descriptions and drawings in the Pentagon publication Soviet Military Power.

What it does not show is the proportions of the array structures, one of which stands 27 storeys high.

Space Media Network says that the picture confirms the US claims, although the image needs close and careful analysis.

The Soviet Union's counterclaim has always been that Krasnoyarsk is a space tracking radar.

Space tracking radars are permitted under the terms of the ABM treaty, but the picture refutes this by showing that the radars are not upward-pointing, according to space Media Network.

Late last year all the exterior work at Krasnoyarsk was reported to be complete (*JDW* 8 November).

So although US intelligence satellites still provide regular photographs of extraordinary clarity—showing far more detail than this SPOT picture—the problem now is finding out what is happening inside Krasnoyarsk.

The key question remains: "When will Krasnoyarsk become operational?"

The US DoD says it simply doesn't know, but insists that six months after Krasnoyarsk starts to work, the Soviets will be able to put an ABM ring all the way around the USSR.

Last December, the USA said that construction of three new phased array radars had been detected (*JDW* 20 December)

One of these is at Baranovchi, in the western USSR near the Polish border.

That brings the total of new phased array sites to nine—all of them perfectly legal under the terms of the ABM Treaty.

But if Krasnoyarsk is also designed to serve as command and control centre to direct these radars—and the USA claims that it is—the Soviet Union will be strategically protected by a powerful ring of sensors.

Finally, the US DoD says that Krasnoyarsk radars can be coupled to SA-12 Gladiator surface-to-air missiles, which have now been deployed in the Carpathian military district (*JDW* 7 March).

These missiles, in turn, protect SS-18 Satan ICBMs.

U.S. EMBASSY IN MOSCOW

Mr. HOLLINGS. Mr. President, ever since the news first broke about our Embassy in Moscow being compromised by Soviet agents, I have been trying to hold accountable the State Department officials as well as the marines who allowed this to happen. I have been completely frustrated by those who think that if they continue to hold out, that this will blow over.

On April 23, Senator RUDMAN and I met with the Attorney General and I asked him what the Department of Justice was doing to enforce title 18 of the United States Code, specifically section 793(f). This section provides for a fine or imprisonment upon conviction of anyone who "through gross negligence" allows national defense material to be removed, stolen, or otherwise tampered with by unauthorized personnel. The Attorney General told me that the Department was ready to help the Naval Intelligence Service with its investigation of the marines but that was the extent of their involvement; however, he indicated he would look further into the situation.

Mr. President, I have also on two occasions pressed Judge Webster to proceed with an FBI investigation of the civilian personnel of the Department of State as to their culpability under title 18, United States Code, section 793(f). Nothing has happened. Last week, April 30, the Attorney General testified to the Commerce, Justice, State, the Judiciary Subcommittee. When I reminded him of our conversation of the previous week he said, "I have commenced an independent inquiry within the Department to look into that matter."

This morning at the subcommittee's hearing on the FBI's budget our main witness was Executive Assistant Director John D. Glover. I recalled the Attorney General's testimony and asked if the FBI was part of the Attorney General's inquiry. Mr. Glover said they were not. He said there was a memorandum of understanding with Defense about investigations of military personnel and that they were monitoring the investigation of the Naval Intelligence Service. Once again they completely missed the point.

I told him that what was needed was an investigation of the State Department's personnel. He wanted to discuss it in closed session and I told him that there was no need for a closed session but to get on with an investigation. Mr. Glover had a whispered conversation with another FBI official that accompanied him and intimated that they may be looking at one civilian who served in Moscow.

Mr. President, once again it is the same old run-around. We lost 240 marines in Beirut and no one is accountable; 7 astronauts were lost in the *Challenger* flight and no one is accountable. Now we have an Embassy compromised and its the same old shuffle.

This afternoon I dispatched a letter to President Reagan calling his attention to a statement by Marine Corporal Parks. The statement indicates that there was a complete breakdown of discipline and responsibility in Moscow and perhaps criminal conduct. I ask unanimous consent that my letter to the President and the attachments thereto be printed in the CONGRESSIONAL RECORD at the end of my remarks.

Mr. President, Justice and the FBI are confused. Instead of commencing an investigation and taking statements, they act as if it would be an offense to investigate the State Department personnel. Rather than continuing this nonsense and finding once again "that the process is flawed," all we need to do is indict one regional security officer or one ambassador if the facts justify it. The indictment alone would bring security to America's Embassies the world around.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
RUSSELL OFFICE BUILDING,
Washington, DC, May 6, 1987.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I am addressing you as the chief law enforcement officer of our land asking for a thorough and vigorous investigation of all civilian personnel assigned to the U.S. Embassy in Moscow during the last two years who may have contributed to the violation or actually violated Title 18 U.S. Code Annotated, Section 793(f)(1). This Code section provides for a fine and imprisonment upon conviction of anyone who "through gross negligence" allows material relating to national defense to be removed, stolen or otherwise tampered with by unauthorized personnel. I am attaching a copy of the section for ready reference and also a statement of one witness whose statement has been released to the public.

At the present time, we are constantly reminded of the Navy's investigation of Marine personnel and perhaps the mishandling of this investigation, indicating a need for Justice Department expertise. I have formally and informally brought this to the attention of both Judge Webster and Attorney General Meese over the past four weeks. However, this morning in testimony, the FBI indicated that it was only monitoring the investigation of Navy Intelligence and assisting where requested, but of course the State Department has made no such request. Later, in whispers by the Acting FBI Director, it was intimated that they may be looking at one civilian who served in Moscow. There is every indication from the attached statement of Marine Corporal Parks and from other statements that there was a general breakdown of discipline and responsibility and perhaps criminal conduct. I am not looking for monitoring. I am not looking for the details of an investigation, and certainly don't expect requests to come from the State Department. I am looking for a vigorous and thorough investigation of all personnel, civilian and military, at the Moscow Embassy during the time period.

I have been given the run-around. What is needed here is the taking of statements of all civilians assigned to the Moscow Embassy during the period in question to be coordinated with all the statements we have been presently taking from the Marines.

Somehow, Justice and the FBI are confused. They act as if it would be an offense to investigate State Department personnel. Rather than continuing this nonsense and finding once again "that the process is flawed", all we need do is indict one Regional Security Officer or one Ambassador if the facts justify it. The indictment alone would bring security to America's embassy facilities the world around.

Most respectfully, please enforce the law.

Sincerely,

ERNEST F. HOLLINGS.

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§ 793. Gathering, transmitting, or losing defense information

(f) Whoever, being entrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model instrument, appliance, note, or information, relating to the national defense, (1) through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, or (2) having knowledge that the same has been illegally removed from its proper place of custody or delivered to anyone in violation of his trust, or lost, or stolen, abstracted, or destroyed, and fails to make prompt report of such loss, theft, abstraction, or destruction to his superior officer—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

[Telegram]

From NAVINVSERVRA, Camp Lejeune, NC.
To COMNAVSECINVCOM, Washington, DC.
Report of investigation (pending).
Espionage,
S/Lonetree, Clayton John/Sgt USMC (et al)
M/I/NEF5 [redacted] /06NOV61/ Chicago, IL.
Command/NSICHQ, Washington, DC/ 63285
Made at/06LE/Camp Lejeune, NC/M. B. Jones, Special Agent
Reference
(A) NISRA Camp Lejeune ROI/01APR87
Interrogation of Parks

1. Duane Bartholemew Parks, CPL, USMC, [redacted], was interrogated at Naval Investigative Service Resident Agency (NISRA) Camp Lejeune, NC, on 4 Apr 87. Parks denied participation in, or knowledge of espionage activities while assigned as marine security guard (MSG) in Moscow. Parks admitted a sexual encounter with two criteria country females. This encounter occurred inside the U.S. Embassy in Moscow. Parks further implicated numerous other MSG's in fraternization with Soviet prostitutes. Further, Parks admitted participating in blackmarket activity while assigned MSG duty in Moscow. Additionally, Parks implicated other MSG Marines and civilian State Department personnel in blackmarket activities. Parks' signed, sworn statement is appended as exhibit (1). Verbatim transcript of the body of the statement is as follows: "For purposes of identification, I am a 22 year old caucasian male, 5'7" tall, weigh 160 pounds, brown hair and green eyes. I was born 19 Mar 65 in Eureka, CA. I enlisted in the USMC 03 Aug 83. I am currently assigned to "E" Co 2DBN 8THMARREGT.

CAMP LEJEUNE, NC

I was assigned to embassy duty at the Embassy in Moscow between May 85/Mar 86. While assigned to the Embassy, I received NJP on three occasions. The first offense was for unauthorized absence late Nov 85. I had went out with some West German Embassy guards in Moscow and ended up spending the night at a couple of Scotch girls residence at an unknown address in Moscow. The curfew was 0200 and I returned around 1100. For that offense I received a pay forfeiture of $350 a month for two months and 45 days restriction. In Jan 86, I was put on report by Ssgt Stufflebeam, USMC, Asst. Detachment Commander, for sleeping on duty at post 1. For that offense I received NJP at the company level in Frankfurt, Germany. I received 30 days restriction and a $250 pay forfeiture for two months. I was then put on report in Feb 87 on the day I returned from company level NJP for unauthorized leave again. I was told to report to Msgt Wingate by 1100/1130, the morning after I returned. I fell asleep in the recreation room and I told the SOG to wake me up, and someone had to wake me up to make the appointment. I then received NJP at Quantico, VA., battalion level and was awarded $100 a month pay forfeiture for two months. I also received a suspended bust. During the period of my NJP I personally reported to the regional security officer (RSO) of the Moscow Embassy, Mr. Mecke, my detachment Commander Mgysgt Joen Wingate, USMC, and my Battalion Commander Col. Boomer, Quantico, VA, MCB., that Ssgt Stufflebeam had been fraternizing with Soviet prostitutes. I knew this from direct observation and other sources. In Aug/Sep 85, Stufflebeam, Cpl Paquette and I were at the motel Mezh Bar. Stufflebeam was observed leaving the bar with a Soviet woman and got into a taxi cab. Stufflebeam confided to me and Thomas Mueller (A W. German Embassy guard) that he had sex with Soviet women. Sgt Clayton Lonetree, USMC, also confided to me that an Embassy driver named "Sasha" had informed him the Ssgt Stufflebeam was having sex with Soviet women. I informed Mr. Mecke of Stufflebeam's sexual activities with Soviet women and the fact that the drivers and other Marines were aware of that fact. Mecke put my allegations off as revenge. Boomer, Kris and Wingate apparently took no actions that I know of against Stufflebeam. Maj Kris was my Commander of whom I had also informed of Stufflebeam's activities. I did not like Stufflebeam because he wrote me up for sleeping on duty when in fact I was not sleeping on duty. I believe Stufflebeam fabricated his report about sleeping on duty because I had been talking to others about his fraternization with Soviet women. I drew up several petitions. One was about my alleged sleeping on duty, another about the security defects at the Moscow Embassy and another about the integrity to Ssgt Stufflebeam and Mgysgt Wingate. About 50-75% of the Marine detachment signed my petition. I presented the petitions to Maj Kris who ultimately disregarded them. At my third NJP I was relieved from MSG duty and assigned to Camp Lejeune, NC. During my assignment to the Moscow Embassy, several if not almost all Marine personnel and some civilian personnel were involved in blackmarketing. Most of the Marines would deal with Lcpl Tony Young, Cpl Tom Vanderhorst, were the primary figures. They dealt with Pushkin University students and an Embassy employee named "Nicholi". "Nicholi" hung around at the Embassy gate and was in charge of all Soviet employees at the Embassy. I dealt with Nicholi myself. I swapped two pair jeans and some tennis shoes to Nicholi for an Icon. I gave the Icon (Russian orthodox crucifix) to my girlfriend in Kansas. I believe Joel Klieman (Embassy CPO) and "Gil" (black man who worked in post office) blackmarketed through Lcpl Tony Young. "Gil", I believe his full name is Gil Coates. Coates also talked about buying a car so he could deal for rubles. Sgt Williams (fat one), Sgt Tony Young, Cpl Vanderhorst, Cpl Tim Reiger and I also dealt with a Russian male, same as above, at the new Embassy site. We traded shoes and clothing to the Russian for uniforms (Soviet military), Icons. We also traded cigarettes and liquor to the Russian. In all blackmarketing was common activity among the Marines and many of the U.S. civilian employees. I have only named the people I actually observed dealing but I am sure most of the Marines did deal on occasion.

Around Jan 86, I met two Polish women at Berstuben Bar/Restaurant. I was with Sgt Tracy Latona and Cpl Paquette. I took the two Polish women to my room at the Embassy. We walked by post 1 of which Lcpl Sly was on duty. He observed us but did not say anything and did not check ID cards. I took the women to my room where they undressed. I tried to have sex with one but could not complete the act. The other was in her menstrual period so I took her over to Paquette's room where she spent the rest of the night until about 0400. I escorted them out of the Embassy.

In the morning I passed LCPL Sly again and made sure they got off the compound. That is the only time I fraternized with women from criteria countries while in Moscow. They phoned embassy, inquiring about key, operator told me they were outside waiting for me to return it. I did return it.

Sgt. Lonetree and LCPL Arnold Bracy were never suspect on my part of being involved in any espionage activity. Bracy was well liked and religious. He was close friends with LCPL Lopez. He was close friends with LCPL Lopez. Lonetree hung around with Sgt Mataitis periodically and was friendly with all the Soviet embassy drivers. He played games with them and spent time with them. Lonetree hung around a lot with Sasha the driver and another driver of which I can't recall his name. Sasha and the other driver were invited on occasion into the marine house within the embassy to watch TV. I never observed these drivers in any of the unathorized floors of the embassy. One of the drivers, I can't recall his name, requested me to get him some rock and roll tapes. He also asked me for warm shoes which I never got for him. I gave him the tapes and he returned them thereafter to Sgt. Latona who returned them to me. He requested for more but I played him off.

The security at the embassy was very very poor. I was transferred directly to the Moscow embassy from MSG school. I was gung-ho on my arrival at the embassy but my attitude rapidly soured when I discovered that almost everything we were taught about security at the MSG school was ignored by the embassy RSO, Mr. Mecke. Upon my arrival, the secure areas of the embassy were in the hands of one man, post 3. Post 3 had control of all the alarms and TV monitors. The monitors covered the outside of the building and never worked. The alarms would go off for no reason at all and they needed a new alarm system. A roving patrol was started for the secure spaces around Dec. 85. One man routinely made the burn run and that was post 3. The SOG would stand post 3 while the burn run was made. If the alarms went off when the SOG was out of the embassy, you just waited until he returned rather than sound a react because the alarms went off so often that the marines would never get any sleep if you sounded a react each time the SOG was not around. All the security problems were brought to the attention of appropriate command authority and the RSO.

The most unusual thing to occur while I was on duty was around summer/fall of 1985. I was standing post 3. It was around 0530/0600. Mr. Mecke had come to work early. I had control of the elevator and spaces. I do not recall allowing anyone to the elevator or authorizing them to come up to the 8th floor. But all of a sudden this man who appeared to be a Russian appeared at my post. The man was in his 30's, sandy hair, under 6', medium build, mustache, Russian style clothing, produced a red Russian ID card. I did not know what to do but Mecke appeared and cleared the man to enter. I do not know where Mecke and the man went in the secure spaces. I can't recall if the man spoke or not. I can't recall them setting off alarms.

I heard that Sgt. Kinsler found the new embassy blueprints adrift in an office space in the embassy site. I'm pretty sure they were left out more than once.

I was never approached by any Soviet personnel or other hostile country personnel to provide any classified information. I never provided information to hostile country personnel, I never had any knowledge of such activity on the part of others and would have turned anyone else in if I knew or suspected they were involved in such activity.

While assigned to the Moscow embassy I avoided the post 3 assignment as much as I could by trading posts. I worked post 3 not more that 15/20 times. I always traded with Sgt. Kinsler for the day post 3. At night I would normally trade post 3 to LCPL Young or Cpl Vanderhorst who liked to stand that post for some reason. I can't recall trading the post with Lonetree but we were not on the same squad. I preferred the warehouse while on restriction. I didn't like any of the inside duties save post 1 mids. I made few burn runs because I avoided post 3. I also avoided post 2A, supernumerary, because the post involved too much running around. LCPL Young liked post 2A also. Young and Vanderhorst took my Post 3 and Post 2A assignments during night shifts. Sometimes others would take the post for me, but mostly it was Young and Vanderhurst.

The SOG usually checked all their posts as required, SSgt. Stufflebeam and MGSgt. Wingate rarely checked the posts. In fact SSgt. Stufflebeam would call Post 3 and request that a space be left in the log book so he could sign that he checked the post the next morning. Posts were sometime shut down for special events like the Marine Corps Ball. Only Post 3, the SOG, were manned by Marines during the Ball. Some other posts were allegedly manned by Seebees. LCpl. Young, both Sgt. Williams and Sgt. Lane had girlfriends at Pushkin University. It was rumored Lane and the thin Williams had criteria country girls. To my knowledge, all the Marines fraternized with criteria country females except Sgt. Swanson and possibly Sgt. Kinsler. I have no reason to believe Wingate was fraternizing. I believe Wingate was involved in blackmarketing. He sold porno books (Playboy, Hustler, Penthouse) at the flea market. The flea market was used as a cover to blackmarket. It was as simple as that. People would order things in from outside the U.S.S.R. to sell at a large profit at the flea market.

I have no reason to believe Stufflebeam was involved in espionage but I know he was over sexed. Thomas Mueller (a West German guard) can confirm Stufflebeam's activities with Soviet prostitutes because Mueller and Stufflebeam would liberty together. They ran together for about two months wherein Mueller told me that Stufflebeam routinely went out with Soviet women. I have Mueller's address which I will provide.

I did not know a Soviet female by the name of "Viuolette". Lonetree mentioned to me that he liked a Soviet employee named "Sanya". Sgt. Mataitis also talked about "Sanya" and how he would like to "get in her pants".

LCpl. Tony Young always bragged about having a lot of money and in fact flashed a large roll of money on one occasion. MGSgt. Wingate always talked about money and bought a house in Greece before he transferred from Moscow. His wife was Greek and their Greek relatives attended the Marine Corps Ball. Four Greek relatives and three Greek friends of Wingate attended the ball. Also, LCpl. Young had a Finnish girlfriend at Pushkin University as I recall.

The above statement was typed by Mr. R. M. Embry from information provided by me in my presence and consists of four pages."

STATUS

2. Investigation is pending results of permissive search, financial disclosure and review of service record book.

EXHIBITS

(1) Statement by Parks/04Apr87 . . . (orig. 05QV/copy all).

MELVIN R. LAIRD, G. WARREN NUTTER LECTURE

Mr. WARNER. Mr. President, I was privileged to attend the 15th and final G. Warren Nutter Lecture in Political Economy sponsored by the Thomas Jefferson Center Foundation and hosted by the American Enterprise Institute. Most appropriately, Melvin R. Laird, former Secretary of Defense, gave the lecture. It was my privilege to have served with Secretary Laird and Assistant Secretary of Defense Warren Nutter in the Department of Defense.

As a nine-term Congressman from Wisconsin, Secretary of Defense from 1969 to 1973, and counselor to the President of the United States in 1973

and 1974, Melvin Laird has played a key role in steering our Nation on a steady course through some of its most turbulent chapters of history.

As such, he has a unique perspective on issues central to our national security processes, particularly the way the National Security Council should function to serve a President.

This insight is very valuable as the executive and legislative branches are now looking at this role. His special grasp of the problems involved with effectively formulating and implementing our security policies benefit us especially at this point in our history. His unrivaled experience in these arenas is shared in his presentation, which I offer for inclusion in the RECORD so that all may share in these matchless insights.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BEYOND THE TOWER COMMISSION

(By Melvin R. Laird)

Two years* ago, in introducing Larry Eagleburger as the tenth lecturer in this series, Bill Baroody said, "G. Warren Nutter was one of the great conservative intellectuals of his time." I agree with that.

Warren Nutter was, indeed, a scholar; but he was more than that. Warren understood the power of concepts and ideas. He understood, too, the importance of vision, of taking the longer view.

Beyond that, Warren knew that sound ideas and policies rarely came from a single individual. To the contrary, sound ideas and policies were almost always the results of:

A process that involved an interchange among many people—leaders and subordinates, line and staff;

A process that encouraged and rewarded boldness of thought;

A process that elicited a wide range of views;

A process that addressed and related forthrightly the many aspects of a complex situation; and

A process that looked at options and measured objectively the merits and consequences of those options—to include the new problems that most solutions generate.

After teaching for a number of years at the University of Virginia, Warren Nutter took a leave of absence in 1969. He joined the Laird-Packard team in the Department of Defense where he served as Assistant Secretary of Defense for International Security Affairs. For his service he was awarded the highest award of the Defense Department—the Distinguished Public Service Medal.

AN EARLIER ERA

The issues we addressed during that dramatic period from 1969 to 1973 were many and varied. Among the more prominent matters were:

A scaledown in the U.S. involvement in Southeast Asia through a program we developed and called Vietnamization;

Developing the Total Force Concept for our own regular and reserve military forces for the first time;

Ending the military manpower draft and developing the All-Volunteer Force for the Army, Navy, Marine Corps and Air Force;

A return to focusing on the dominant threat posed by the Soviet Union;

Opening dialogues with nations such as the Peoples Republic of China;

Improving the stability of deterrence through arms control agreements such as the ABM Treaty;

Improving the quality of Free World defense by working closely with our Allies in applying the Total Force Concept worldwide;

Focusing on appropriate sharing in defense borders among our Allies;

Paying heed to the economic, political, technical and social realities—as well as the military aspects of defense; and

Making realistic tradeoffs among the varied and sometimes conflicting goals that are involved in national security.

It was not an easy period. It was a period in which the roles of individuals were significant as well as a period in which national security processes were tested.

I believe we met successfully many of the tests. In others the record is less striking. Throughout the period, one principle was dramatically clear: A sound governmental process in National Security issues leads to sound options and ultimately to effective policy; an unsound National Security process spells missed opportunities at best and, at worst, deep trouble.

A MORE CURRENT VIEW

We have had trouble recently involving the national security process. Our government is sorting out a series of events involving overtures to Iran, hostages, and arms supplies.

This series of events has become a major problem for the Administration—and for the country. The problem was serious enough that President Reagan chose to appoint a Special Review Board, the so-called Tower Commission. The President gave that Board a broad charter. It was directed to conduct "a comprehensive study of the future role and procedures of the National Security Council (NSC) staff in the development, coordination, oversight, and conduct of foreign and national security policy."

The Tower Commission has presented its findings. It is, in my judgment, a sound report. It concludes correctly "there is no magic formula which can be applied to the NSC structure and process to produce an optimal system."

The Tower Commission also concluded:

1. "The President bears a special responsibility for the effective performance of the NSC system.

2. "The tension between the President and the Executive Department is worked out through the national security process . . . It is through this process the nation obtains both the best of the creativity of the President and the training and expertise of the national security departments and agencies.

[Let me add parenthetically that I felt Henry Kissinger was particularly effective in helping the generate and foster that tension to which the Tower Panel refers. I logged a lot of hours under that tension label.]

3. "The National Security Advisor should focus on advice and management, not implementation and execution; and

4. ". . . no substantive change (should) be made in the provisions of the National Security Act dealing with the structure and operation of the NSC system."

I agree with those conclusions. I also believe the arguments that support such conclusions can and should be extended to argue for a more focused national security process.

Allow me first to explain why I agree with the Tower Commission, as far as it goes, and then how I believe the logic can be extended to an improved national security policy process.

THE NSC SYSTEM

The National Security Council was established in 1947 ". . . to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters relating to the national security."

The key words and concepts are:

Advise the President;

Integration of policies; and

More effective cooperation in matters relating to national security.

Matters relating to national security? National security itself? What does national security really incorporate?

My good friend, Harold Brown, who also served as Secretary of Defense and who has been in the national security realm throughout his adult life, has defined national security as follows:

"National security . . . is the ability to preserve the nation's physical integrity and territory; to maintain its economic relations with the rest of the world in reasonable terms; to protect its nature, institutions, and governance from disruption from outside; and to control its borders."

That is a broad definition; but it's an accurate definition. Clearly national security involves more than just military forces and a foreign policy apparatus. It involves political and social support at home. It involves preservation of our basic cultural institutions. It also involves such important issues as how much defense the economy can reasonably sustain.

It is important to note, however, that even a broad-gauged definition of national security does not—or should not—violate the precepts that the National Security Council system is designed to advise, to help integrate, to assist in cooperation, and to enable others to operate more effectively. The broad-gauged definition of national security, moreover, places a high premium on the NSC staff's capabilities:

To be clear about U.S. goals and objectives;

To be analytical and imaginative in facilitating policy discussions;

To be objective and clear in laying out alternatives;

To be precise in describing the pros and cons and the implications of alternative courses; and

To be even-handed, especially avoiding an advocacy role, in working with the many departments and agencies involved.

All of these principles bear close attention. The first, that of being clear about U.S. goals and objectives, is a precept I shall come back to in a few moments.

PEOPLE

In the meantime, it is worth emphasizing that despite a broad national security charter and the criteria for effective NSC work, there is no need for a large NSC staff. The 1947 National Security Act specified as statutory members the President, the Vice President, the Secretary of State, and the

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*Nine term Congressman from Wisconsin, Secretary of Defense 1969–73, and Counsellor to the President for Domestic Affairs 1973–74.

Secretary of Defense. While others may serve as ad hoc members or advisers, the structure was meant to be lean. There is strength in a lean structure. From such a structure can come a focus on the truly important national security issues. A lean structure helps to obviate the temptations to become involved in tangential and operational matters. The truly important matters to be addressed by a quality staff that is small in number include, again, an articulation of national security objectives and goals, alternative policies to attain those goals, and analyses that outline the full implications of each alternative.

Dean Acheson, in writing about the NSC staff nearly three decades ago, specified: "A few recordkeepers, agenda makers, prodders, or gadflies, yes. But a separate staff cannot add knowledge, which remains in the departments; or responsible advice to the President, which is the duty and right of his Cabinet Secretaries. More bodies only clutter up a meeting and strain a flow of communication."

I believe Dean Acheson went too far; but the logic behind a small, quality NSC staff is contained in his remarks. The logic is sound.

PROCESS AND ORGANIZATION

Beyond the number and quality of people there is organization. The Tower Commission, in one of its most important statements said: "We recommend that no substantive change be made in the provisions of the National Security Act dealing with the structure and operation of the NSC system." The Tower Commission, in my judgment, is correct in that view.

From time to time, notable individuals have suggested major modifications to the NSC organization. Allow me to mention two such suggestions.

In 1984, General Albert Wedemeyer outlined the idea of a National Security Council. Its operation would be much like that of the NSC specified in the 1947 Act, except, as General Wedemeyer specified: "It would encourage the integration of matters (for example, economic and military programs) which too often have been treated in isolation, and thus unrealistically or unwisely."

The General's charge that integration has not occurred among key areas does not indict the original NSC organizational structure. It simply suggests that a better job could be done within the context of the 1947 Act.

General Wedemeyer departs from the 1947 Act most prominently in suggesting a relatively small, continuing council of perhaps eleven distinguished citizens who would devote their full time and talents to studying national strategy in its broadest aspects. The body would possess advisory functions only. It would have semi-autonomous status comparable to the Federal Reserve Board. Members of the Council would be appointed for life by the President with the advice and consent of the Senate.

The Wedemeyer suggestion is unique. It carries the suggestion that broad-gauged advice would get to the President on major objectives, policies, and alternatives.

The existing NSC structure, however, could accomplish the same ends. It should not be necessary to restructure the NSC to cause the NSC to function properly. Qualified people, working cooperatively, do not need another organizational arrangement. Saying it another way, misguided procedures, or inadequate quality of staff, could just as well subvert the Wedemeyer National Strategy Council as it has the currently-authorized NSC system.

Still another major departure from the 1947 NSC approach would be the late General Maxwell D. Taylor's National Policy Council (NPC). In General Taylor's well-written book, Precarious Security, he outlined a council not unlike the NSC, as augmented by all Presidents since the NSC was established. The major difference was that of bringing into NSC/NPC membership other cabinet members and advisers—for a total NPC membership of seven. The NPC would contain representatives from what General Taylor called, "the four principal sectors of national policy: (1) foreign-military-intelligence; (2) economic; (3) fiscal-monetary; and (4) domestic welfare."

While admiring General Taylor's recognition that national security and national policy involve a wide range of disciplines, there is no proof in General Taylor's advocacy for a National Policy Council that the existing NSC establishment is faulty in design. The fault, even by General Taylor's reasoning, lies in implementation of the NSC system.

The point is that simply modifying the organizational structure dealing with National Security delivers no promise of success—or even improvement. In fact, the opposite may be true. By modifying the organization or by adopting a new organization one may create grossly misguided expectations and hopes without really addressing underlying manning, procedural, and supervision problems.

PROCESS AT WORK—THE NIXON PERIOD

In fact, the NSC structure outlined by President Nixon in his 1970-1973 annual Foreign Policy Reports to Congress still looks solid. The philosophy was articulated clearly. President Nixon wrote:

"The NSC system is designed to marshall all the resources and expertise of the departments and agencies of the Government. The National Security Council is the apex of the system. It's here that the final refinement of studies conducted at lower levels provides a common framework for thorough deliberation. The Council's discussions assist me by illuminating the issues and focusing the range of realistic advice before I make my decision."

President Nixon supplemented this philosophy with a brief review of the various committees and groups that are central to the NSC system.

The names of the committees and groups are not important. What is important is that a structure was available to formulate policies and alternatives and to integrate ideas. The NSC structure was the facilitating mechanism through which the major departments and agencies could function more effectively. It was quite consistent with the 1947 National Security Act.

That is not to suggest that the Nixon NSC system worked to perfection. Some would contend it failed in major ways.

But the failures had more to do with implementation than with organizational design. The design seemed most appropriate. The breakdowns included the following:

1. *Failure to use the structure as advertised.* The Defense Program Review Committee or DPRC was a case in point. The DPRC was created upon our recommendation in DOD to address more systemically the relationships between defense spending and the economy. It was clear that changes in defense spending patterns had substantial impact on economic growth, employment, price stability, the balance of payments, and our ability to fund nondefense programs. To help advise the President on alternative military and economic programs, the National Security Adviser was to chair a group which included not only the usual NSC participants, but also Treasury, Budget, the Council of Economic Advisers, and, as appropriate, the Federal Reserve. We wanted to address national security in its broadest context.

The DPRC aborted. The DPRC, rather than being used for its original purposes, was manipulated by NSC staff members and other DPRC participants to non-productive ends. Some tried to affect the design of individual defense program systems. Some tried to interject pet theories in force design. Some claimed inadequate staff help and declined to participate in the DPRC. Others just simply were not interested in the economics of national security. As DPRC members violated the advertised DPRC charter, they killed the idea. I suggest to you the idea is one that still has validity.

2. *Failure by the NSC Adviser and Staff to Communicate Freely with the Departments and Agencies.* An example of this second drawback of the Nixon NSC system was the Washington Special Action Group or WSAG. The WSAG was to be the group that handled special and currently-hot issues, especially after the initial crisis stage had passed. It was a good idea to have a WSAG structure. The problem was that repeatedly WSAG meetings would be called with no agenda specified. Therefore, the Secretary of Defense could not provide guidance to the Deputy Secretary of Defense or to the Chairman of the Joint Chiefs of Staff—both of whom attended WSAG meetings for the Defense Department. By controlling the agenda and meetings so exclusively, the NSC adviser lessened significantly the utility of the group.

3. *Failure to Coordinate Outside Explicit NSC Boundaries, for Example, with Congressional Officials.* This third obstacle may seem a curiosity. There is no explicit call for the NSC to consult with or to integrate Congressional views. However, there is clear merit in doing so. Congress is a separate and equal branch of government. There are many exceptionally capable and thoughtful people in Congress who know the national security field well. We need their inputs.

4. *Involving the NSC Staff in Operations.* Yes, it has happened before. Air operations in Southeast Asia were sometimes a contentious issue. The temptations at the NSC to become involved were not always controlled. The implications of NSC involvement in operations during the Southeast Asia conflict were no more favorable then than during the more recent operational excursions.

The point in citing breakdowns or limitations to the Nixon NSC system is not that the basic NSC organizational blueprint is flawed. To the contrary. The advertised NSC organization and process was and is sound. It is, however, subject to misuse and to abuse. With proper leadership and motivation the national security process works and works well.

People, as we have seen, are a key ingredient—maybe the key ingredient to sound national security policy. Process—or organization, if you will, is another key element. A third and final necessary factor is perspective.

PERSPECTIVE—THE NEED FOR STRATEGY

By perspective I mean the longer or the broader view. Indeed, with perspective we soon get to strategy.

It is important to our national security that we have not only the right people, keenly motivated, and working within a positive organizational process; it is important also that we have at least our best people working on more than single issues. They must be working on national strategy.

The late Senator Henry Jackson was wise in many ways, but especially on national security matters. He observed as long ago as 1959 that, "Our governmental processes do not produce clearly defined and purposeful strategy for the cold war." Senator Jackson continued: "What seems most to be missing is a coherent and purposeful national program that sets forth in simple terms what we have to do to survive, and why." And finally, Senator Jackson asked this question: "Can a free society successfully organize itself to plan and carry out a national strategy for victory in the cold war?"

My response to Senator Jackson's question is a resounding "yes." Moreover, I believe the National Security Council system—just at one of its darkest moments—can be the vehicle to get the national strategy process started.

My good friend, Henry Kissinger, made a cogent observation last December. Henry said: "The failure at Reykjavik was not the predominance of the NSC staff but the administration's inability to develop a strategy that related diplomacy, military policy and arms control policy to a coherent national purpose."

Henry was correct. But the national strategy of which I speak has still other dimensions. We might recall Harold Brown's definition of national security. The national security dimensions are economic, social, and cultural, as well.

There are a number of ways to get a true strategy process started. One approach would be that suggested by Richard Halloran in his recent book, To Arm a Nation. Halloran suggests, in essence, gaining a strategic oversight by using the Presidential Commission mechanism that was successful at least in part, in issues such as Social Security, Central America, and the MX missile.

The suggested Commission, responsible to the Administration and Congress, would be a one-time body comprised of former Secretaries of State and Defense, retired military officers, former members of Congress, industrial and labor leaders, scholars, and prominent persons not beholden to special interests. It would be a Blue Ribbon Panel. It would produce a new strategic charter, perhaps modeled after the famous NSC-68 document of 1950. The strategic charter would define national objectives and illuminate a national strategy to achieve them.

Perhaps Halloran's method is appropriate. I believe, however, that the National Security Council can and should do the job. The NSC can and should turn to a longer view and initiate a national security strategy. It is imperative for our nation that we turn from a system of individual, ad hoc decisions and programs to an integrated, long-term view. It is an opportunity for the NSC. That organization can and should lead the way. It would be a major mistake not to.

The Tower Commission, after looking at people and processes, concluded that "modest improvements" within the national security apparatus "may yield surprising gains." Indeed, I am in total agreement, as I hope my remarks have indicated.

But beyond people and process is perspective—the broader view, national security objectives, and a long-range strategy. Therein lies not just a modest, but a major, opportunity for the NSC. It should and can get started to that end. I submit it is a good idea and a timely idea.

Senator Henry Jackson said: "We fail to act on good ideas available. We fritter away our strength on secondary matters. We fiddle trifling tunes while the world burns. But back of all that . . . is a central conviction: The world can be made a decent place to live in—a world of peace, material well-being, justice and freedom . . ."

I say, let's go to work now on a strategy to turn conviction into conclusion.

OLDER AMERICANS AWARENESS

Mr. SHELBY. Mr. President, today I celebrate my 53d birthday. Birthdays always seem to cause me to pause and consider my past and perhaps more importantly, my future. For instance, I was just a boy of 11 when we, as a nation, rejoiced in the conclusion of World War II. In 1999, just a year short of the turn of the century, I will be 65 years old.

In this country, reaching age 65 means much more than just being eligible for discount movie passes and Medicare. Age 65 is a banner year—as important as the milestones of 18, 21, and the dreaded 40. As if by magic when you reach 65, suddenly, there's no denying it, you are a senior citizen. Regardless of whether you look or feel your age, in the eyes and minds of everyone from the Government to the local boy scout who offers to help you cross the street, you've entered the world of the elderly.

It seems to me that in this country there is a pervasive negative feeling associated with growing old. Perhaps it is a subconscious prejudice aimed at our older citizens. In other cultures, aging is seen as the most beautiful part of life—a time to appreciate the fruits of many years of long labor, a time to laugh with a grandchild or go fishing with an old friend. There is a long-honored tradition of respect for the elderly integrated into the roots of many cultures, that somewhere along the line seems to have been lost in our country.

Now whether this lack of respect is borne out of a lack of understanding, or a fear of the uncertainty that accompanies old age is not clear to me. What is clear, however, is the fact that the elderly population in our country grows larger by the day. If we are to be responsive to the emotional, physical, and spiritual needs of our senior adults, we cannot allow the alienation of this vital segment of our society to continue.

Nowhere is it said or written that life ends after age 65. We in this historic 100th Congress are privileged to work with some of the most dynamic and influential statesman of our day. Do we ever question the fact that 73 of our colleagues are over age 65? The answer is "no". Their vitality and spunk forces us to respect them not for their gray hairs or wrinkles, but for their being active players, leaders, true legislators.

And so Mr. President, during this month of May we commemorate our older Americans. Throughout our country the call is out to public officials, business and civic leaders, and all Americans to heighten their awareness of the people who are without a doubt our Nation's most valuable resource. But let's not just stop on May 31. Let's remember our older Americans every day of every month. We certainly do not need a proclamation to help remind us who made this country great—let's keep that feeling in our hearts.

RETIREMENT OF MRS. EMMA "GRANKIE" EDENS

Mr. ROCKEFELLER. Mr. President, occasionally in life, you encounter a person who is filled with such warmth and joie de vivre that your life is changed—all for the better. So it is, Mr. President, with me and Mrs. Emma "Grankie" Edens, who is retiring this spring at the age of 83 after five decades of distinguished service to West Virginia and the Nation.

Grankie began working in West Virginia State government in the 1930's. Now, over 50 years later, she has decided to step down as an intern in my Charleston office. Grankie has been a public servant longer than most Members of Congress have been alive, and I ask my colleagues to join me in honoring her.

During Grankie's career, she has worked for several West Virginia Governors including myself, and the West Virginia Alcoholic Beverage Control Commission. I first met her when she volunteered for my successful campaign for West Virginia Secretary of State in 1968. She later distinguished herself as the volunteer who worked the most hours during my 1976 West Virginia gubernatorial campaign. After I was elected Governor, she helped organize and maintain the central filing system in the Governor's office. She was also a diligent and devoted volunteer for the Governor's hotline telephone system.

Since I became Senator in 1985, Grankie has faithfully performed a task 20 hours per week that might not seem glamorous, but is essential to the operation of our offices; clipping newspapers. She always performed her duties with a smile—even on those days when she did not feel her best. And she never had a problem keeping up with the younger set—she seems to have limitless energy.

Indeed, everyone lucky enough to have gotten to know Grankie will tell you the same thing: That's she's the kindest, gentlest, and most caring person in the world.

Grankie has several grandchildren she adores, who gave her that wonderful nickname. The name stuck, because of the kindness and patience and love she shows to everyone she meets. My staff and I will miss her terribly.

GOVERNOR DEUKMEJIAN SUPPORTS LINE-ITEM VETO

Mr. HUMPHREY. Mr. President, support continues to grow for S. 402, a bill to provide the President with limited line-item veto authority. As you know, I joined with Senator DAN EVANS and many other colleagues in introducing this legislation in January. We call it limited line-item veto authority because it would apply only to continuing resolutions.

Just recently, I received a letter from the governor of California, George Deukmejian, expressing his support for S. 402. Governor Deukmejian agrees that "the time has come to provide a line-item veto authority for the President." And as he goes on to point out, the approach embodied in S. 402 "to provide this authority on a limited basis for continuing resolutions, is a critical step toward enabling the President to have additional authority to balance the Federal budget."

In his letter, Governor Deukmejian included a piece he has written entitled "reducing the Federal Deficit, California Style." Governor Deukmejian puts forth the case for the line-item veto in clear terms: "Greater control of Federal spending is a legitimate responsibility of the President. It is critical if we are to make real progress in reducing the Federal deficit. More effective executive control of spending is essential to counter Congress' propensity to spend taxpayers' money so freely. Therefore, a line-item veto as part of the Federal budget process deserves serious consideration."

Mr. President, Governor Deukmejian raises several important points in his letter. It is almost time once again to raise the ceiling on the national debt. As the time for the ultimate in fiscal irresponsibility approaches, I commend Governor Deukmejian's comments to my colleagues.

Mr. President, I ask unanimous consent that Governor Deukmejian's letter appear in the RECORD, and also an article by Governor Deukmejian.

The being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, CA, May 1, 1987.

Hon. GORDON J. HUMPHREY,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR HUMPHREY: Thank you for providing me the opportunity to comment on your proposal to provide the President with line-item veto authority.

I strongly endorse your effort to provide a line-item veto authority for the President. Our experience in California has proven that it is a powerful and necessary authority for the Governor to ensure that annual state expenditures are balanced against revenues.

The federal government continues to struggle with a growing deficit. As you have stated, the time has come to provide line-item veto authority to the President. Your approach, to provide this authority on a limited basis for continuing resolutions, is a critical step towards enabling the President to have additional authority to balance the federal budget. I will be asking our Washington, D.C. office to monitor the progress of your legislation.

California's Constitution provides authority for the Governor to veto any bill passed by the Legislature. Furthermore, it authorizes the Governor to reduce or eliminate one or more items of appropriation while approving other portions of a bill. Each of these provisions also includes authority for the Legislature to override the Governor's veto by a two-thirds vote of each house. These constitutional provisions are a fundamental part of the check and balance system necessary for the sound management of California's fiscal resources.

During my first four years as Governor, I exercised my veto authority more than 1,600 times, resulting in a total savings of $3.5 billion. With this most effective tool, we have been able to maintain both a balanced budget and a prudent reserve for emergencies, without raising taxes on the people or businesses of the state.

Greater control of federal spending is a legitimate responsibility of the President, and it is critical if we are to make real progress in reducing the federal deficit. Over the years, many proposals have been introduced in Congress to provide the President with item-veto authority, and all have failed. It is time to give this common sense measure that works so well at the state level, a chance in Washington, D.C.

Thank you again for the opportunity to express our views on this important matter.

Most cordially,

GEORGE DEUKMEJIAN.

REDUCING THE FEDERAL DEFICIT, CALIFORNIA STYLE

The explosion of federal spending—the true cause of big deficits—should be of great concern to every state and every American family. It contributes to high interest rates, threatens to refuel inflation, and leaves for future generations an inexcusable legacy of debt.

It is easy to condemn big deficits, and in this election year everybody is doing it, including many at the state level. Some of those making the most noise are the first to complain when proposed deficit-reduction plans would reduce their own pet programs.

The fact is, there is no quick or easy answer to balancing the budget, as some election-year rhetoric would suggest. For example, it has been said that President Reagan's tax cuts and defense spending increases are responsible for the deficits. For the purpose of illustration, suppose we imposed a 100-percent tax on all income above $75,000. In 1984, the federal government would collect only an additional $33 billion. Then, suppose we cut all funds for the Pershing II, the B-1 bomber, the MX and Cruise missiles, the Trident submarine, and even cut alls funds for ammunition, right down to the bullets in our rifles. With those reductions, we would only save $13 billion. Thus, even implementing two such drastic measures, we would only reduce a projected $180 billion deficit by $46 billion.

A MAJOR TAX INCREASE—NOT THE ANSWER

In theory, there are three ways to cut the deficit: raise taxes, cut spending, or do some of both. A major tax increase is not the answer and could even lead to a bigger deficit.

We do not have big deficits because people's taxes are too low. We have them because governments spend too much. If we have learned anything in recent years, it is that we cannot wash away the red ink with higher taxes. Tax receipts doubled between 1976 and 1981. But at the same time that Americans were footing this 100 percent revenue increase, government spending grew even faster, and the result is record deficits.

A major tax increase now would abort our strong economic recovery. It would seriously damage the ability of states to continue rebuilding their revenue base following the past 15 years of economic turmoil caused by rising energy prices, double-digit inflation, and most recently, the recession. Given the good health our economy now enjoys, a choice between massive deficits and massive tax increases is no choice at all—and neither the states nor the American people should be asked to make it.

If you want to solve a problem, why not attack the real cause of that problem? In the case of the deficit, the cause is runaway government spending Federal spending now consumes nearly 25 percent of our country's gross national product, the highest share in peacetime history.

THREE STEPS FOR CONTROLLING FEDERAL SPENDING

Unfortunately, Congress lacks the political will to slay this federal spending monster, and the President lacks sufficient authority in the budget process to make up for this failure. The problem requires drastic action. Drawing from our recent experience in California, I have three suggestions:

1. Impose a one-year freeze on the overall level of federal spending.
2. Give the President authority for a line-item veto.
3. Enact a constitutional amendment requiring a balanced budget.

When I became governor of California in January 1983, our state had a budget deficit of $1.5 billion. We were near insolvency and paying our bills with IOUs. I insisted that, contrary to the conventional wisdom, the crisis could and should be resolved without a general tax increase. The discipline and authority provided by the three tools I am now suggesting at the federal level were instrumental in achieving our goal. Today California is back in the black. We even have a $950 million reserve for budget emergencies.

One-Year Spending Freeze.—Although I did not formally propose a spending freeze, I did freeze state hiring and insist that overall spending remain at approximately the same level as the previous year. This did not prevent us from shifting priorities within that ceiling. In other words, we were still able to increase support for key priorities, such as education and public safety, by compensating for these increases with prudent reductions in less essential areas.

The federal government should do the same. A one-year freeze on overall spending would reduce projected deficits by an estimated $240 billion over three years. At the same time, priority areas such as national defense could still receive increases through savings in other areas.

Line-Item Veto.—It is one thing to propose this kind of fiscal discipline; it is another thing to back it up with action. In California and 42 other states, governors have line-item veto authority—the power to reduce or delete individual spending items in an overall budget bill.

The $1.1 billion I "blue-penciled" last year and the $360 million I vetoed this year were critical for restoring fiscal stability to the nation's most populous state. Yet, no one who observed the process in Sacramento last year could claim that the legislature was denied or excluded from a major role in writing the budget. In addition, these spending reductions were made with great care not to hurt those who are dependent on the state for assistance.

Greater control of federal spending is a legitimate responsibility of the President. It is critical if we are to make real progress in reducing the federal deficit. More effective executive control of spending is essential to counter Congress's propensity to spend taxpayers' money to freely. Therefore, a line-item veto as part of the federal budget process deserves serious consideration.

Under current law, the President has only two options when unacceptably large spending bills are approved by Congress. He can sign the bills in their entirety, complete with excessive spending levels, or he can shut down government operations by vetoing the bill. There is no middle ground. The President can petition Congress to cancel spending plans, but unless both houses approve the request by a two-thirds vote within 45 days, the funds must be spent as originally authorized. Since 1975, 41 percent of all such presidential recision requests have been ignored by Congress, and none of President Reagan's 1983 recisions were approved.

A line-item veto would strengthen the President's ability to rescind individual items from congressional appropriations so that "pork-barrel" spending is not approved by riding the coattails of essential appropriations.

Public support for the line-item veto in the past has come from a wide range of organizations, including the League of Women Voters, the United States Chamber of Commerce, and the American Farm Bureau Federation. A Gallup Poll conducted in 1979 showed that 70 percent of respondents favored giving the President power to veto specific items in bills passed by Congress.

The short-term effects of a line-item veto would be somewhat limited, because about 55 percent of federal spending is permanently authorized, and another 20 percent is appropriated from previous years and cannot be vetoed. In the fiscal 1985 budget, for example, about $260 billion would be subject to line-item veto.

At the state level, governors typically veto 1-3 percent of spending requests each year. Although a 1 percent cut in federal spending would amount to only a small fraction of the projected deficit, the compounding effects of cutting 1 percent each year would soon become significant. If 1 percent were cut from the budget each year for the next five years, total savings could amount to $174 billion.

The line-item veto has been requested by nearly every President since the Civil War. More than 140 proposals have been introduced in Congress to provide the President with item-veto authority of one form or another since 1876—and all have failed. It is time to give this commonsense measure, which works so effectively at the state level, a chance in Washington, D.C.

Balanced-Budget Amendment.—Many states, including California, also have constitutional provisions requiring a balanced budget. We need such a provision at the federal level. It should be clear public policy, written into the Constitution, that our government balance its books every year.

We have a government of laws, not of men, because the founding fathers, in their wisdom, recognized that individuals, however well-intentioned, were not always capable of rising above their own self-interest and poltiical considerations to do what was best for all citizens. Today, the individuals in Congress have shown that they are unable to resist the many demands that are made on the public treasury. The result is a gathering storm that threatens to engulf our entire society: the federal deficit.

A spending freeze, a balanced-budget amendment, and a presidential line-item veto authority will not cure our deficit problem quickly or completely. But they will impose badly needed discipline on the elected officials who tax us and spend our money.

ENERGY AND NATIONAL SECURITY CONCERNS RELATED TO OIL IMPORT LEVELS—MESSAGE FROM THE PRESIDENT—PM 41

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was referred to the Committee on Energy and Natural Resources:

To the Congress of the United States:

Pursuant to Section 3102 of the Consolidated Omnibus Budget Reconciliation Act of 1986 (Public Law 99-509; 100 Stat. 1889), I am transmitting my views and recommendations on the energy and national security concerns related to oil import levels. These views and recommendations take into consideration the findings in "Energy Security: A Report to the President of the United States." That report was prepared under the direction of Secretary of Energy John S. Herrington at my request and in satisfaction of requirements of Public Law 99-509.

My Administration has done a great deal to build the Nation's foundation for long-term energy security and to strengthen the domestic oil industry. Price and allocation controls on oil have been eliminated; the Strategic Petroleum Reserve (SPR) has been increased nearly fivefold to more than 500 million barrels and, with our encouragement, our allies have built up their stockpiles by about 350 million barrels; several important energy tax incentives were retained in the Tax Reform Act and full-cost accounting provisions for independent producers were preserved; and I have recently forwarded to the Congress a $2.5 billion clean coal initiative. Because of these actions, the United States is now capable of withstanding a supply interruption comparable to the 1973 and 1979 interruptions without experiencing the same economic distress.

More remains to be done. Secretary Herrington's recent report on energy security points out three major concerns: (1) our increasing dependence on imported oil; (2) the sudden decline in oil prices in 1986, which has harmed significant segments of the U.S. petroleum industry; and, (3) the serious implications for national security raised by both of these events. The Department of Energy study concludes that by the mid-1990s we may be importing more than half our oil. Capital expenditures for oil exploration and development have dropped significantly, as has employment and U.S. oil production. Coupled with this production decline is increased consumer demand for oil, which together have resulted in a rise of one million barrels per day in oil imports. In recent months, while market prices have rebounded to some extent, the industry remains under pressure and the outlook is uncertain.

We must take steps to better protect ourselves from potential oil supply interruptions and increase our energy and national security. My goals in this area are to:

—maintain a strong domestic oil industry;
—increase our domestic stockpiles, which we can draw down in the event of a supply interruption;
—expand the availability of domestic oil and gas resources;
—continue conservation and progress toward diversification of our energy resources; and
—promote among our allies the importance of increasing their stockpiles.

I have already proposed a number of significant steps on which the Congress has failed to act. If these policies had been in place, our domestic oil industry would not be so seriously impaired today. I again urge the Congress to act quickly in adopting my proposals to improve our energy security and strengthen the domestic oil industry, including:

—repeal of the Windfall Profit Tax;
—comprehensive natural gas reform, including wellhead price decontrol, mandatory contract carriage and demand restraint repeal;
—approval of the Department of the Interior's five-year offshore oil and gas leasing plan;
—permitting environmentally sound energy exploration and development of the Arctic National Wildlife Refuge; and
—ensuring the future viability of nuclear power through nuclear licensing reform, reauthorization of the Price-Anderson Act, and progress in development of a nuclear waste repository.

Secretary Herrington and I will continue to push hard for higher levels of oil stockpiles among our allies, particularly at the Ministerial Meeting of the International Energy Agency and the Venice Economic Summit. The Vice President is also leading the Task Force on Regulatory Relief to look at unneeded regulatory barriers to greater energy security, including evaluating regulatory changes to facilitate the use of alternative fuels for the transportation sector.

In addition, today, I am urging the Congress to consider several steps that will lead to more exploration and development, reduce early well-abandonment, and stimulate additional drilling activity. I am suggesting the Congress consider two tax changes of a relatively technical nature: increasing the net income limitation on the percentage depletion allowance from 50 percent to 100 percent per property; and repealing the transfer rule to permit use of percentage depletion for proven properties that have changed ownership. These changes will be of significant value but avoid reopening basic issues considered in tax reform. To continue our efforts to build a stockpile protecting us against supply interruptions, I am prepared to support an SPR fill rate of 100,000 barrels per day, which will achieve by 1993 my goal of an SPR of 750 million barrels, provided that budget offsets are made available to cover the higher costs of this fill rate. I also am reducing the minimum bid requirement for Federal offshore leases from $150 per acre to $25 per acre, which will encourage exploration and development by reducing the up-front costs.

I believe all these measures are important steps toward ensuring that our Nation has a strong domestic oil and gas industry and substantial protection against oil supply interruptions. They would, taken together, increase production and make a significant contribution to our national security interests.

I am also instructing the Secretary of Energy to provide, through the Domestic and Economic Policy Councils, periodic assessments of our energy security risks. It may be necessary to consider a variety of options for encouraging exploration and production if our U.S. industry continues to be diminished and national security risks increase. I will consider further actions as warranted.

Ronald Reagan.

The White House, *May 6, 1987.*

MESSAGES FROM THE HOUSE

At 6:13 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill [H.R. 1157] to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise extend assistance to farmers adversely affected by natural disasters in 1986; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House:

For consideration of all matters except Senate amendment numbered 21: Mr. de la Garza, Mr. Glickman, Mr. Huckaby, Mr. Marlenee, and Mr. Roberts.

Solely for the consideration of Senate amendment numbered 21: Mr. Nowak and Mr. Stangeland.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 28. An act to limit the number of days a depository institution may restrict the availability of funds which are deposited in any account.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 55. Joint resolution designating the week of May 10, 1987, through May 16, 1987, as "National Osteoporosis Preventation Week of 1987."

The enrolled joint resolution was subsequently signed by the President pro tempore [Mr. Stennis].

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 28. An act to limit the number of days a depository institution may restrict the availability of funds which are deposited in any account.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

S. 1140. A bill to authorize appropriations for the Federal Election Commission for fiscal year 1988 (Rept. No. 100-52).

By Mr. INOUYE, from the Select Committee on Indian Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 727. A bill to clarify Indian treaties and executive orders with respect to fishing rights (Rept. No. 100-53).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. REID:

S. 1138. A bill to designate certain lands in the State of Nevada as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CHAFEE:

S. 1139. A bill to amend title XIX of the Social Security Act to permit States the option of providing medical assistance to individuals with a family income meeting an income standard specified by the State, and for other purposes; to the Committee on Finance.

By Mr. FORD, from the Committee on Rules and Administration:

S. 1140. A bill to authorize appropriations for the Federal Election Commission for fiscal year 1988; placed on the calendar.

By Mr. HECHT:

S. 1141. A bill entitled the "Nuclear Energy Waste Policy Act of 1987"; to the Committee on Energy and Natural Resources.

By Mr. SHELBY:

S. 1142. A bill to provide Federal recognition of the Mowa Band of Choctaw Indians of Alabama; to the Select Committee on Indian Affairs.

By Mr. McCONNELL (for himself and Mr. Ford):

S. 1143. A bill to provide for the conveyance of the Frankfort National Fish Hatchery to the Commonwealth of Kentucky; to the Committee on Environment and Public Works.

By Mr. BOSCHWITZ:

S. 1144. A bill for the relief of Stella Ubgoajah; to the Committee on the Judiciary.

By Mr. MURKOWSKI (for himself and Mr. Stevens):

S. 1145. A bill to amend the Alaska Native Claims Settlement Act to provide Alaska Natives with certain options for the continued ownership of lands and corporate shares received pursuant to the Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. DeConcini, and Mr. Grassley):

S. 1146. A bill to transfer functions of the Temporary Emergency Court of Appeals and to abolish such court; to the Committee on the Judiciary.

By Mr. NICKLES:

S. 1147. A bill to amend the Farm Credit Act of 1971 and the Consolidated Farm and Rural Development Act to provide debt restructuring assistance to farm borrowers while minimizing losses of the Farm Credit System and the Farmers Home Administration, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. STAFFORD:

S. 1148. A bill to authorize the imposition of certain recreation users fees at water resources development areas administered by the Department of the Army; to the Committee on Environment and Public Works.

By Mr. GLENN:

S. 1149. A bill to temporarily suspend the duty on meta-nitro-para-anisidine; to the Committee on Finance.

S. 1150. A bill to temporarily suspend the duty on para chloro-o-nitroaniline; to the Committee on Finance.

S. 1151. A bill to temporarily suspend the duty on meta nitro-o-anisidine; to the Committee on Finance.

S. 1152. A bill to temporarily suspend the duty on nitro-ortho-toluidine; to the Committee on Finance.

S. 1153. A bill to temporarily suspend the duty on phenyl-carbethoxy-pyrazolone; to the Committee on Finance.

S. 1154. A bill to temporarily suspend the duty on para nitro-o-anisidine; to the Committee on Finance.

By Mr. HEINZ:

S. 1155. A bill to amend the Internal Revenue Code of 1986 to treat similarly all tier 1 railroad retirement benefits for income tax purposes; to the Committee on Finance.

By Mr. PRYOR (for himself, Mr. Cochran, Mr. Fowler, and Mr. Sanford):

S. 1156. A bill to amend the Farm Credit Act of 1971 to provide Farm Credit System stockholder/borrowers with a multi-point program of relief and reform, and to assure the long-term health and stability of Farm Credit banks and associations through local control; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BRADLEY (for himself and Mr. Kennedy):

S. 1157. A bill to make demonstration grants to local educational agencies eligible to receive assistance under title I of the Elementary and Secondary Education Act of 1965, as modified by chapter 1 of the Education Consolidation and Improvement Act of 1981, in order to strengthen the educational partnership between the family and the school, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. HATCH:

S. 1158. A bill to continue authorization of various health and science programs; to the Committee on Labor and Human Resources.

By Mr. INOUYE (for himself and Mr. Stevens):

S. 1159. A bill to establish the National Aviation Authority as an independent user-fee supported government corporation to operate, maintain and enhance an efficient and responsive national system for airways management and air traffic control, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROTH (for himself, Mr. Glenn, Mr. Bumpers, Mr. Metzenbaum, Mr. Pryor, and Mr. Wilson):

S.J. Res. 125. A joint resolution to designate the period commencing on May 9, and ending on May 15, 1988, as "National Stuttering Awareness Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated.

By Mr. McCONNELL (for himself, Mr. Pell, Mr. Lugar, and Mr. Boschwitz):

S. Res. 207. A resolution expressing the sense of the Senate in support of a resolution of the conflict between Iran and Iraq; to the Committee on Foreign Relations.

By Mr. SIMON:

S. Con. Res. 57. A concurrent resolution expressing the sense of Congress on United States policy toward South Africa; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 1138. A bill to designate certain lands in the State of Nevada as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

NEVADA WILDERNESS PROTECTION ACT

Mr. REID. Mr. President, I am introducing today a bill which would designate 599,400 acres of Forest Service land as wilderness in the State of Nevada.

Nevada is a vast State—the seventh largest in the Nation, and it contains some of the most beautiful desert land and mountain peaks in the world.

With its more than 100 national forest roadless areas, totaling 3.2 million acres and spanning 70 percent of the national forests in our State, Nevada is virtually the only State in the Nation that has not adopted wilderness legislation. Currently all roadless areas are administered as "de facto" wilderness pursuant to court appeals against the latest forest management plans. That is why it is critical to resolve the wilderness impasse and release certain areas for other multiple uses.

Before going further, I would like to share some background regarding the evolution of this legislation. Early in 1983, I was contacted by U.S. Forest Service personnel to discuss the importance of designing a wilderness bill for Nevada. Over this 4-year period, I have met with various organizations, Federal officials, Members of Congress, and individuals here and in Nevada to become acquainted with their concerns about wilderness.

In the 99th Congress, I participated in a 5-day congressional tour of nearly all of the proposed areas. As a result of that trip, and my desire to see the wilderness issue resolved in a balanced, equitable way, I introduced a Nevada wilderness bill. Later I amended that bill and the legislation passed the House with an overwhelming majority, but it was never taken up for consideration in this body.

We are now in the 100th Congress, and I believe this is the year to resolve the Nevada wilderness situation. Waiting to act prolongs the inevitable and serves to tie those lands up administratively. Now is the time to protect some of the very special areas in Nevada and release the rest for other multiple use purposes.

It is important to realize Nevada is more than just the bright lights of Reno and Las Vegas. It is more than an area to set off atomic bombs; more than an area to test fighting capabilities of fighter aircraft throughout the free world. It is more than a dumping ground for high level and low level nuclear waste; and it is not, in fact, a desert wasteland. Nevada, to those of us who see it as something other than what I have just described, think of Nevada as the great Lake Tahoe; the only Alpine Glacial Lake in the United States and only one of two in the whole world. We think of Nevada as the great Lake Mead, formed when Boulder Dam was constructed and one of the largest manmade lakes in the world, as a place of recreation and enjoyment that has been part of the Western United States for almost 50 years. It is also a State with rare physical beauty and unique animal and plant species, which need to be preserved for future generations.

Mr. President, this is also the area of the United States newest national park, the Great Basin National Park, which will be dedicated August 5.

Nevada's little known secret is that it contains incredible mountain ranges full of high peaks, wild valleys and premier trout streams. Elk, deer, and mountain lions roam freely in aspen dominated forests. Some areas are the home of antelope and bighorn sheep. Indeed, one of the proposed areas boasts 30 lakes and contains mountain peaks as spectacular as any in the Great Rockies.

Over the past several years I have met with a myriad of interest groups, ranging from ranchers and miners, to skiers, hikers, sportsmen, and senior citizens. Together we developed a wilderness proposal that would be a practical solution to the wilderness dilemma. For example, grazing is allowed to continue in wilderness areas and buffer zones are disallowed in my bill. Water rights are not impaired, nor is the current National Forest revenue sharing with local governments because the current payment under the Payment-in-Lieu-of-Taxes Act will remain the same after wilderness designation. In addition, development of existing valid mining claims is permitted. Hunting, trapping, and fishing are permitted in wilderness areas as well. In fact, these opportunities may be enhanced because wilderness protects wildlife and fish habitat from the adverse effects of roadbuilding and other development. These areas will not become inaccessible to senior citizens and the handicapped as all of the lands in question are currently roadless.

After careful deliberation and literally hundreds of hours of study, I am introducing a very modest proposal for the designation of wilderness in the State of Nevada.

The Wilderness Act of 1964 provided for wilderness to become an ongoing part of American civilization—to give these wild areas legal protection amidst progress. For Nevada, passage of my bill will have the dual effect of setting aside less than 600,000 acres of the "crown jewels" of Nevada to be preserved for generations to come and of releasing more than 2.6 million acres of national forest lands in Nevada for other uses.

There's a famous Woodie Guthrie song that we're all familiar with called "This Land Is Your Land." Well, the State of Nevada is my State. It is your State. It's a land that covers lakes and rivers, deserts, and mountain peaks. It includes bighorn sheep, mountain lion, cougar, eagles, beaver, bobcat, chipmunks, elk, deer, and antelope—all far removed from the vision of atomic blasts and nuclear waste. Truly, Nevada is our land. And it is our duty as Members of Congress to try to set a balance to preserve wilderness and allow development, so that in the years to come this land will still be our land. My hope is that Nevada will be a place where our children will have the opportunity to see elk prancing on a hilltop or an eagle gliding through the sky, because we had the foresight to select these unique and beautiful areas as wilderness.

I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1138

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nevada Wilderness Protection Act of 1987".

SEC. 2. DESIGNATION OF WILDERNESS AREAS.

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131-1136), the following lands in the State of Nevada are hereby designated wilderness, and, therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the Toiyabe National Forest, which comprise approximately thirty-nine thousand acres, as generally depicted on a map entitled "Alta Toquima Wilderness—Proposed", dated March, 1987, and which shall be known as the Alta Toquima Wilderness.

(2) Certain lands in the Toiyabe National Forest, which comprise approximately eighty-two thousand acres, as generally depicted on a map entitled "Arc Dome Wilderness—Proposed", dated March, 1987, and which shall be known as the Arc Dome Wilderness.

(3) Certain lands in the Inyo National Forest, which comprise approximately nine thousand four hundred acres, as generally depicted on a map entitled "Boundary Peak Wilderness—Proposed", dated March, 1987, and which shall be known as the Boundary Peak Wilderness.

(4) Certain lands in the Humboldt National Forest, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "East Humboldts Wilderness—Proposed", dated March, 1987, and which shall be known as the East Humboldts Wilderness.

(5) Certain lands in the Humboldt National Forest, which comprise approximately forty-nine thousand acres, as generally depicted on a map entitled "Jarbidge Wilderness Additions—Proposed", dated March, 1987, and which are hereby incorporated in, and which shall be deemed to be a part of the Jarbidge Wilderness as designated by Public Law 88-577.

(6) Certain lands in the Humboldt National Forest, which comprise approximately eighty-two thousand acres, as generally depicted on a map entitled "Mt. Moriah Wilderness—Proposed", dated March, 1987, and which shall be known as the Mt. Moriah Wilderness.

(7) Certain lands in the Toiyabe National Forest, which comprise approximately twenty-six thousand acres, as generally depicted on a map entitled "Mt. Rose Wilderness—Proposed", dated March, 1987, and which shall be known as the Mt. Rose Wilderness.

(8) Certain lands in the Humboldt National Forest, which comprise approximately twenty-seven thousand acres, as generally depicted on a map entitled "Quinn Canyon Wilderness—Proposed", dated March, 1987, and which shall be known as the Quinn Canyon Wilderness.

(9) Certain lands in the Humboldt National Forest, which comprise approximately seventy-five thousand acres, as generally depicted on a map entitled "Ruby Mountains Wilderness—Proposed", dated March, 1987, and which shall be known as the Ruby Mountains Wilderness.

(10) Certain lands in the Toiyabe National Forest, which comprise approximately forty-three thousand acres, as generally depicted on a map entitled "Mt. Charleston Wilderness—Proposed", dated March, 1987, and which shall be known as the Mt. Charleston Wilderness.

(11) Certain lands in the Toiyabe National Forest, which comprise approximately ninety-seven thousand acres, as generally depicted on a map entitled "Table Mountain Wilderness—Proposed", dated March, 1987, and which shall be known as the Table Mountain Wilderness.

(12) Certain lands in the Humboldt National Forest, which comprise approximately forty thousand acres, as generally depicted on a map entitled "Grant Range Wilderness—Proposed," dated April, 1986, and which shall be known as the Grant Range Wilderness.

SEC. 3. MAPS AND DESCRIPTIONS.

As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such map and description may be made by the Secretary. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

SEC. 4. ADMINISTRATION OF WILDERNESS.

Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

SEC. 5. WILDERNESS REVIEW CONCERNS.

(a) FINDINGS.—The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Nevada and of the environmental impacts associated with alternative allocations of such areas.

(b) DETERMINATION.—On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in the State of Nevada; such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Nevada;

(2) with respect to the National Forest System lands in the State of Nevada which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Nevada reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Nevada are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Nevada for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) REVISION.—As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) APPLICATION OF SECTION.—The provisons of this section shall also apply to:

(1) National Forest System roadless lands in the State of Nevada which are less than 5,000 acres in size.

(2) Those National Forest System roadless areas, or portions thereof in the State of Nevada, which were identified by unit plans listed at the end of this paragraph, which are not designated as wilderness by this Act:

National Forest	Unit Plan
Humboldt	Santa Rosa
Humboldt	Ruby Mtn./E. Humboldt
Toiyabe	Mt. Charleston
Toiyabe	Central Nevada

SEC. 6. GRAZING IN WILDERNESS AREAS.

(a) LIVESTOCK GRAZING.—Grazing of livestock in wilderness areas established by this Act, where established prior to the date of enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and section 108 of Public Law 96-560.

(b) REVIEW.—The Secretary of Agriculture is directed to review all policies, practices, and regulations of the Department of Agriculture regarding livestock grazing in national forest wilderness areas in Nevada in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in this Act.

(c) REPORTS.—Not later than 1 year after the enactment of this Act, and at least every 5 years thereafter, the Secretary of Agriculture shall submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a report detailing the progress made by the United States Forest Service in carrying out the provisions of subsections (a) and (b) of this section.

SEC. 7. MT. ROSE SNOWMOBILE CORRIDOR EXCEPTION.

(a) EXCEPTION.—Notwithstanding any other provision of this Act or the Wilderness Act, the corridor located in Mt. Rose described in subsection (b) shall be available for snowmobiles beginning January 1 of each year and ending April 30 of such year.

(b) DESCRIPTION OF CORRIDOR.—The corridor referred to in subsection (a) is described as follows:

Northeast corridor boundary line running from the common corners of section 3, 4, 9, and 10 to a point one quarter mile east of the common corners of sections 10, 11, 15, 14, on the boundary between section 11 and section 14. The southwest corridor boundary line running from the common corner of sections 10, 11, 15, and 14 to a point one quarter mile south of the common corners of section 3, 4, 9, and 10 on the boundary between section 9 and 10. The corridor is approximately one mile long and approximately one quarter mile wide.

SEC. 8. PROHIBITION ON BUFFER ZONES.

Congress does not intend that the designation of wilderness areas in the State of Nevada lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from within any wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

SEC. 9. STATE WATER ALLOCATION AUTHORITY.

As provided in section 4(d)(6) of the Wilderness Act, nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from Nevada water laws.

SEC. 10. STATE FISH AND WILDLIFE AUTHORITY.

As provided in section 4(d)(7) of the Wilderness Act, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Nevada with respect to wildlife and fish in the national forests in Nevada.

By Mr. CHAFEE:

S. 1139. A bill to amend title XIX of the Social Security Act to permit the States the option of providing medical assistance to individuals with a family income meeting an income standard specified by the State, and for other purposes; to the Committee on Finance.

MED AMERICA ACT OF 1987

Mr. CHAFEE. Mr. President, today I am introducing legislation to provide access to health insurance for many individuals who are currently unable to purchase such insurance.

As a member of the Senate Finance Committee, and the Subcommittee on Health, which has jurisdiction over the Medicare, Medicaid, and Maternal and Child Health Block Grant programs in the Senate, one of my highest priorities has been to provide widespread and effective health care services for those who do not have access to such services.

Since 1984, despite fiscal constraints, we have been slowly moving forward on this issue. In the Deficit Reduction Act of 1984, we were able to include a small expansion of the Medicaid Program to provide voluntary coverage to children up to the age of 5 in families with incomes below State eligibility standards. We also provided for mandatory coverage of low-income women who were pregnant for the first time but were not eligible for Medicaid because they would not be eligible for AFDC benefits until the child was born.

In other words, we had a very harmful situation, a situation which was actually a catch-22 situation. Low-income pregnant women could not get proper prenatal care, because they were not eligible for Medicaid, because they were not on AFDC, and you cannot be on AFDC until you have a child. So what was happening, these poor women, low-income women, were not receiving proper prenatal care and the results were all too often damaging to the child and the mother.

The following year, in 1985, in the Consolidated Omnibus Budget Reconciliation Act, we were able to extend prenatal care coverage to all pregnant women who were beneath the State income standards.

Just last year, in 1986, as the chairman of the health subconference between the House of Representatives and the Senate, I was able to push through a provision to allow State Medicaid programs progressively to cover children up to age 5, pregnant women and the elderly up to the federal poverty level, even if those individuals were not eligible for the State welfare programs.

Again, we had a catch-22 situation in which the State welfare standards were set and if you fell below them you did not get the coverage on Medicaid.

The conference also adopted a proposal I sponsored to increase the authorization for the MCH Block Grant Program and to earmark some of that increase to preventive health care services.

My objective through all of this was to provide better medical care to prevent illnesses. All too often in this country, we concentrate on taking care of the sick. What we want to do is to keep people healthy, and for low-income women keep them healthy, keep their children healthy, and give them proper pre and postnatal care.

This year, I have joined Senator BRADLEY in introducing legislation to expand on our previous years' efforts by accelerating the phase-in of the initiatives I described earlier. In addition, the proposal would allow States to extend Medicaid coverage to pregnant women and children up to age 1 who are below 185 percent of the Federal poverty level.

I have also been concerned about the number of children without health care insurance who are members of families in which one or both parents are employed. This number is rapidly growing, and since 1984, I have had legislation in the Senate which would require employers to provide health are insurance to the children of their employees.

What is happening is all too often, again, we have the situation where the worker is covered, but his children are not. These are in low-income jobs. And quite frequently he or she is fortunate to have the coverage they have, but nobody cares for the children. There is no medical coverage for the children.

This bill, S. 968, is called CHIRP—the Child Health Incentives Reform Plan.

Although these legislative initiatives have started us on our way to a system of more effective health care for those who are currently without access to quality services, they are not enough. If we are to truly address the needs of these individuals, we must begin with a broad view of the problem and we must be open to creative solutions.

A lot of time here is spent with those over 65, and that is good. But we have to think of those who are under 65. The number of individuals below the age of 65 without any form of health insurance is about 37 million; 37 million Americans below the age of 65—we only have 230 million Americans total—have no form of health insurance coverage.

It is estimated that between 1980 and 1985, the number of uninsured individuals grew by almost 25 percent. Between those same years the number of uninsured children grew by 14 percent.

Between 1950 and 1985, in those 35 years, the U.S. infant mortality ranking fell from sixth place to last in a comparison with the 20 other industrial nations. That is shameful. We ought to be first. We should have the lowest infant mortality. But instead, we have the highest of the 20 industrial nations. And the interesting thing is that all of those other nations spend less on health care than we do. Something is wrong.

Infant mortality and low birth weight among babies are two of the most distressing problems facing our Nation. Eleven babies die out of every 1,000 infants born in this country. Few events can be as tragic as the death of a baby—especially when many such deaths can be prevented with proper prenatal care. The future of our Nation depends on our children, and they deserve a better chance to survive and to be healthy.

But, the needs of children and low-income families go beyond prevention services. In the debate on catastrophic health care in Congress, those under 65 have been ignored. I believe that if we are truly interested in addressing catastrophic health care expenses, we must look at both the old and the young.

More than one-third of those without any health care insurance live in families with incomes below the poverty level. Another one-third live in families with incomes between 100 and 200 percent of the poverty level.

There are other individuals who, even if they could afford to purchase insurance, are without access to private health care insurance. Who are they? They are those who have what we call preexisting conditions—some kind of a condition that the insurance company says no, we are not going to insure you.

Finally, there are individuals with chronic illnesses who exhaust their private health care insurance and have no where to go but into poverty to qualify for Medicaid benefits.

For families with a chronically ill child, you might have a family that is relatively well-off, both parents working, and suddenly they have a child with extremely severe problems, multiple sclerosis, whatever it might be. These families spend their way down into Medicaid. They exhaust their income. They exhaust their savings. They are trying. In order to qualify—the only thing they can qualify for is Medicaid benefits.

The legislation I am introducing today, MedAmerica, proposes a new approach to these problems. This bill would build on the existing Medicaid Program in three ways:

First, it would sever the tie between Medicaid and cash benefit programs—such as AFDC and SSI. As a result, States would have the option of providing Medicaid benefits to anyone whose income is below the Federal poverty level, regardless of whether or not they qualify for cash welfare programs.

Second, States would have the option to allow individuals—the so-called working poor—whose incomes are at or near the Federal poverty level to purchase health insurance through Medicaid for an income-adjusted premium, not to exceed 3 percent of the individual's or family's adjusted gross income.

Finally, States would have the option to allow persons with family incomes and resources in excess of 200 percent of the Federal poverty level to purchase Medicaid benefits for a non-income adjusted premium if they have been excluded from private health insurance coverage because of a medical impairment or disability or if they have exhausted one or more benefits under their private insurance plans.

At a minimum, a State which elects this option would have to provide the following items and services: inpatient and outpatient hospital care; physician services; x-ray services, EPSDT and family planning services; dental services; prescription drugs; dentures; prosthetic devices; eyeglasses; rehabilitative services; and clinical services furnished by or under the direction of a physician. Hospital and physician services for the full buy-in populations—those who have exhausted their private insurance benefits or have been denied coverage by private insurers—could not be limited by the States.

States may include in this plan all other Medicaid services allowed under Federal law, including home and community-based care services, but excluding services provided in long-term care institutions such as skilled nursing facilities, intermediate care facilities, and intermediate care facilities for the retarded.

I have requested information on the cost of this approach from the Congressional Budget Office, but have not yet received the cost estimate.

This proposal is ambitious, but it is critical that we explore this approach. I am convinced that some portions of it can pass this year. I will work for its entire passage even if it must move section by section each year.

I urge my colleagues to join me in my effort to invest in our greatest national resource—people—by providing health care to all of our citizens.

Mr. President, I ask unanimous consent that a letter signed by numerous health care organizations in support of MedAmerica, a summary of my proposal, and the bill itself be printed in full in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1139

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "MedAmerica Act of 1987".

SEC. 2. OPTIONAL EXPANSION OF MEDICAID COVERAGE TO INDIVIDUALS WITH FAMILY INCOMES NOT EXCEEDING A SPECIFIED LEVEL.

(a) STATE OPTION.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended—

(1) by striking "and" at the end of subparagraph (D),

(2) by inserting "and" at the end of subparagraph (E), and

(3) by inserting after subparagraph (E) the following new subparagraph:

"(F) at the option of the State, but subject to section 1916(c) and paragraphs (3), (4), (5), and (6) of subsection (p), for making medical assistance available to individuals who are described in subsection (p)(1);".

(b) DESCRIPTION OF GROUP.—Section 1902 of such Act is amended—

(1) by redesignating the subsection (l) added by section 3(b) of the Employment Opportunities for Disabled Americans Act as subsection (o), and

(2) by adding at the end thereof the following new subsection:

"(p)(1) An individual is described in this paragraph if—

"(A) the individual is not described in subsection (a)(10)(A)(i), and

"(B) the family income of the individual does not exceed the income level established by the State under paragraph (2) for a family of the same size as the family of the individual.

"(2) For purposes of paragraph (1)(B), the State shall establish an income level that is a percentage (not more than 200 percent) of the nonfarm income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) applicable to a family of the size involved.

"(3) Notwithstanding subsection (a)(17), for individuals who are eligible for medical assistance because of subsection (a)(10)(F)—

"(A) no resource standard shall be applied,

"(B) the income standard to be applied is the income level established under paragraph (2), and

"(C) family income shall be determined in accordance with a methodology that is no more restrictive than the methodology employed under title XVI, and costs incurred for medical care or any other type of remedial care shall not be taken into account.

"(4) A State plan exercising the option under subsection (a)(10)(F) shall provide that any individual with a family income that does not exceed the income level specified by the State pursuant to paragraph (2) for a family of the same size as the family of the individual shall be eligible for medical assistance under the plan.

"(5) A State plan may not exercise the option under subsection (a)(10)(F) unless the State has in effect, under its plan established under part A of title IV, income standards and payment standards that are not less than the income standards and payment standards in effect under such plan on April 30, 1987.

"(6) In the case of a State that exercises the options under subparagraphs (C) and (F) of subsection (a)(10), the State plan of the State shall provide that any individual who is (or would be) eligible for medical assistance under the plan under both such options may elect the option under which his or her eligibility for such assistance will be determined.".

(c) Benefits.—

(1) Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended, in the matter following subparagraph (F)—

(A) by striking "and" before "(IX)", and

(B) by inserting before the semicolon at the end the following: "; and (X) the medical assistance made available to individuals described in subsection (p)(1) shall include only the care and services described in paragraphs (1), (2)(A), (3), (4)(B), (4)(C), (5), (9), (10), (12), and (13) of section 1905(a)".

(2) Section 1902(a)(10)(A) of the Social Security Act is amended, in the matter preceding clause (i), by inserting "(or, in the case of a State exercising the option under subparagraph (F), (G), (H), or (I), the care and services listed in such paragraphs and in paragraphs (9), (10), (12), and (13))" after "section 1905(a)".

(d) Premiums and Cost Sharing.—Section 1916 of the Social Security Act (42 U.S.C. 1396o) is amended—

(1) in subsection (b) by striking "(A) or (E)" and inserting in lieu thereof "(A), (E), or (F)",

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and

(3) by inserting after subsection (b) the following:

"(c)(1) The State plan shall provide that—

"(A) in the case of an individual described in section 1902(p)(1) who is covered under the plan and whose family income (as determined in accordance with the methodology specified in section 1902(p)(3)(D)) does not exceed 100 percent of the nonfarm income poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) for a family of the same size—

"(i) no enrollment fee, premium, or similar charge will be imposed under the plan, and

"(ii) a deduction, cost sharing, or similar charge may be imposed under the plan only to the extent that a deduction, cost sharing, or similar charge may be imposed with respect to individuals to whom subsection (a) applies;

"(B) in the case of an individual described in section 1902(p)(1) who is covered under the plan and whose family income (as determined in accordance with the methodology specified in section 1902(p)(3)(D)) exceeds 100 percent of the nonfarm income poverty line (as so defined and revised) for a family of the same size—

"(i) subject to paragraph (3), there shall be imposed a monthly premium determined by the State in accordance with paragraph (2),

"(ii) except as provided in paragraph (4), a deduction, cost sharing, or similar charge may be imposed only to the extent that such a deduction, cost sharing, or charge may be imposed with respect to individuals to whom subsection (b) applies.

"(2) The amount of the monthly premium imposed under a State plan pursuant to paragraph (1)(B)(i) for a fiscal year shall be—

"(A) in the case of an individual who is the only member of a family, an amount equal to 1/12 of the estimated State-wide average per capita expenditures under the plan for the most recent fiscal year for which adequate data are available (determined by the State without regard to expenditures under the plan for skilled nursing facility services, intermediate care facility services, and services included in intermediate care facility services by reason of section 1905(d)), and

"(B) in the case of a family with more than one member, an amount equal to the product obtained by multiplying—

"(i) the amount determined by the State under subparagraph (A) for the fiscal year, by

"(ii) 1.5.

"(3) The total amount of the premiums imposed by a State with respect to an individual or a family (as the case may be) for any calendar year pursuant to paragraph (1)(B)(i) may not exceed—

"(A) 3 percent of the adjusted gross income of the individual (or the family) for the taxable year ending in the preceding calendar year, or

"(B) in the case of an individual (or family) that can demonstrate, to satisfaction of the State agency administering or supervising the administration of the State plan, that the adjusted gross income of the individual (or the family) for the taxable year ending in the calendar year for which the determination is being made will be significantly less than the adjusted gross income of the individual (or the family) for the taxable year ending in such preceding calendar year, 3 percent of the estimated adjusted gross income of the individual (or family) for the taxable year ending in the calendar year for which the determination is being made (determined in accordance with a methodology established by the State).

"(4) A State plan shall impose cost sharing or a similar charge with respect to care and services described in section 1905(a)(12) that are provided to individuals to whom paragraph (1)(B) applies, without regard to whether cost sharing or a similar charge is imposed with respect to such care and services that are provided to individuals to whom subsection (b) applies.".

(e) Conforming Amendments.—

(1) Section 1902(a)(10)(C) of such Act is amended by striking "(A) or (E)" in the matter preceding clause (i) and inserting in lieu thereof "(A), (E), or (F)".

(2) Section 1902(a)(17) of such Act (42 U.S.C. 1396a(a)(17)) is amended by striking "subsection (l)(3)" and inserting in lieu thereof "subsections (l)(3) and (p)(3)".

(3) Section 1903(f)(4) of such Act (42 U.S.C. 1396b(f)(4)) is amended by inserting "or 1902 (a)(10)(F)" after "1902(a)(10)(A)(ii)(X)".

SEC. 3. OPTIONAL EXPANSION OF MEDICAID COVERAGE TO INDIVIDUALS WHO ARE UNABLE TO OBTAIN HEALTH INSURANCE FROM ANOTHER SOURCE.

(a) State Option.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)), as amended by section 2 of this Act, is further amended—

(1) by striking "and" at the end of subparagraph (E),

(2) by inserting "and" at the end of subparagraph (F), and

(3) by inserting after subparagraph (F) the following new subparagraph:

"(G) at the option of the State, but subject to section 1916(d) and paragraphs (2) and (3) of subsection (q), for making medical assistance available to individuals who are described in subsection (q)(1);".

(b) Description of Group.—Section 1902 of such Act, as amended by section 2 of this Act, is further amended by adding at the end thereof the following new subsection:

"(q)(1) An individual is described in this paragraph if—

"(A) the individual is not described in subsection (a)(10)(A)(i), and

"(B) the individual is unable to obtain health insurance coverage from another source by reason of a preexisting medical condition (or any other factor designated by the State and approved by the Secretary).

"(2) A State plan may not exercise the option under subsection (a)(10)(G) unless the State has in effect, under its plan established under part A of title IV, income standards and payment standards that are not less than the income standards and payment standards in effect under such plan on April 30, 1987.

"(3) A State may not exercise the option under subsection (a)(10)(G) unless—

"(A) the State has exercised the options under subclauses (IX) and (X) of subsection (a)(10)(A)(ii), and

"(B) the income levels established by the State under such options (pursuant to subsections (l)(2) and (m)(2)(A)) are the maximum levels permitted to be established under such options.".

(c) Benefits.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. (a)(10)), as amended by section 2 of this Act, is further amended, in the matter following subparagraph (G)—

(1) by striking "and" before "(X)", and

(2) by inserting before the semicolon the following: ", (XI) the medical assistance made available to individuals described in subsection (q)(1) shall include the care and services required to be made available to individuals described in subsection (p)(1), and, at the option of the State, home or community-based services described in section 1916(c) (without the necessity for any waiver under such section), and the making available of such care and services to such individuals shall not, by reason of this paragraph (10), require the making available of such care and services, or the making available for such care and services in such amount, duration, and scope, to any individuals not described in such subsection, and (XII) in the case of individuals described in subsection (q)(1), the care and services described in paragraphs (1), (2)(A), and (5) of section 1905(a) shall be made available without limitation on the number of days or the number of visits, and the making available of such care and services to such individuals in such amount, scope, and duration shall not, by reason of this paragraph (10), require the making available of such care and services in the same amount, duration, and scope to any individuals not described in such subsection".

(d) Premiums and Cost Sharing.—Section 1916 of the Social Security Act (42 U.S.C. 1396o), as amended by section 2 of this Act, is further amended—

(1) in subsection (b) by striking "(A), (E), or (F)" and inserting in lieu thereof "(A), (E), (F), or (G)",

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and

(3) by inserting after subsection (c) the following:

"(d)(1) The State plan shall provide that, in the case of an individual described in section 1902(q)(1) who is covered under the plan—

"(A) there shall be imposed a monthly premium determined by the State in accordance with paragraph (2),

"(B) except as provided in paragraph (3), a deduction, cost sharing, or similar charge may be imposed only to the extent that such a deduction, cost sharing, or charge may be imposed with respect to individuals to whom subsection (b) applies.

"(2) The amount of the monthly premium imposed under a State plan pursuant to paragraph (1)(A) for a fiscal year shall be—

"(A) in the case of an individual who is the only member of a family, an amount equal to 1/12 of the estimated State-wide average per capita expenditures under the plan for the most recent fiscal year for which adequate data are available (determined by the State without regard to expenditures under the plan for skilled nursing facility services, intermediate care facility services, and services included in intermediate care facility services by reason of section 1905(d)), and

"(B) in the case of a family with more than one member, an amount equal to the product obtained by multiplying—

"(i) the amount determined by the State under subparagraph (A) for the fiscal year, by

"(ii) 1.5.

"(3) A State plan shall impose cost sharing or a similar charge with respect to care and services described in section 1905(a)(12) that are provided to individuals to whom this subsection applies, without regard to whether cost sharing or a similar charge is imposed with respect to such care and services that are provided to individuals to whom subsection (b) applies.".

(e) Conforming Amendments.—

(1) Section 1902(a)(10)(C) of such Act, as amended by section 2 of this Act, is further amended by striking "(A), (E), or (F)" in the matter preceding clause (i) and inserting in lieu thereof "(A), (E), (F), or (G)".

(2) Section 1902(a)(17) of such Act (42 U.S.C. 1396a(a)(17)), as amended by section 2 of this Act, is further amended by striking "subsections (l)(3) and (p)(3)" and inserting in lieu thereof "subsections (l)(3), (p)(3), and (q)".

(3) Section 1903(f)(4) of such Act (42 U.S.C. 1396b(f)(4)), as amended by section 2 of this Act, is further amended by striking "or 1902 (a)(10)(F)" and inserting in lieu thereof "or subparagraph (F) or (G) of section 1902(a)(10)".

SEC. 4. OPTIONAL EXPANSION OF MEDICAID COVERAGE TO INDIVIDUALS WHO HAVE EXHAUSTED HEALTH INSURANCE BENEFITS UNDER OTHER PLANS.

(a) State Option.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)), as amended by sections 2 and 3 of this Act, is further amended—

(1) by striking "and" at the end of subparagraph (F),

(2) by inserting "and" at the end of subparagraph (G), and

(3) by inserting after subparagraph (G) the following new subparagraph:

"(H) at the option of the State, but subject to section 1916(d) and paragraphs (2) and (3) of subsection (r), for making medical assistance available to individuals who are described in subsection (r)(1);".

(b) Description of Group.—Section 1902 of such Act, as amended by sections 2 and 3 of this Act, is further amended by adding at the end thereof the following new subsection:

"(r)(1) An individual is described in this paragraph if—

"(A) the individual is not described in subsection (a)(10)(A)(i), and

"(B) the individual has exhausted some or all of the benefits under the health insurance policy or plan covering the individual (other than skilled nursing facility services, intermediate care facility services, or services included in intermediate care facility services by reason of section 1905(d)).

"(2) A State plan may not exercise the option under subsection (a)(10)(H) unless the State has in effect, under its plan established under part A of title IV, income standards and payment standards that are not less than the income standards and payment standards in effect under such plan on April 30, 1987.

"(3) A State may not exercise the option under subsection (a)(10)(H) unless—

"(A) the State has exercised the options under subclauses (IX) and (X) of subsection (a)(10)(A)(ii), and

"(B) the income levels established by the State under such options (pursuant to subsections (l)(2) and (m)(2)(A)) are the maximum levels permitted to be established under such options.".

(c) Benefits.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) as amended by sections 2 and 3 of this Act, is further amended, in the matter following subparagraph (H) by inserting "or (r)(1)" after "(q)(1)" each place it appears in subclauses (XI) and (XII) (as added by section 3).

(d) Premiums and Cost Sharing.—Section 1916 of the Social Security Act (42 U.S.C. 1396o), as amended by sections 2 and 3 of this Act, is further amended—

(1) in subsection (b) by striking "(A), (E), (F), or (G)" and inserting in lieu thereof "(A), (E), (F), (G), or (H)",

(2) in subsection (d)(1), as added by section 3 of this Act, by striking "section 1902(q)(1)" in the matter preceding subparagraph (A) and inserting in lieu thereof "subsection (q)(1) or (r)(1) of section 1902".

(e) Conforming Amendments.—

(1) Section 1902(a)(10)(C) of such Act, as amended by sections 2 and 3 of this Act, is further amended by striking "(A), (E), (F), or (G)" in the matter preceding clause (i) and inserting in lieu thereof "(A), (E), (F), (G), or (H)".

(2) Section 1902(a)(17) of such Act (42 U.S.C. 1396a(a)(17)), as amended by sections 2 and 3 of this Act, is further amended by striking "and (q)" and inserting in lieu thereof "(q), and (r)".

(3) Section 1903(f)(4) of such Act (42 U.S.C. 1396b(f)(4)), as amended by sections 2 and 3 of this Act, is further amended by striking "subparagraph (F) or (G)" and inserting in lieu thereof "subparagraph (F), (G), or (H)".

SEC. 5. OPTIONAL EXPANSION OF MEDICAID COVERAGE TO INDIVIDUALS WHO ARE EMPLOYED BY ELIGIBLE EMPLOYERS.

(a) State Option.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)), as amended by sections 2, 3, and 4 of this Act, is further amended—

(1) by striking "and" at the end of subparagraph (G),

(2) by inserting "and" at the end of subparagraph (H), and

(3) by inserting after subparagraph (H) the following new subparagraph:

"(I) at the option of the State, but subject to section 1916(d) and paragraphs (2) and (3) of subsection (s), for making medical assistance available to individuals who are described in subsection (s)(1);".

(b) Description of Group.—Section 1902 of such Act, as amended by sections 2, 3, and 4 of this Act, is further amended by adding at the end thereof the following new subsection:

"(s)(1) An individual is described in this paragraph if—

"(A) the individual is not described in subsection (a)(10)(A)(i), and

"(B) the individual is employed by an eligible employer (as defined in paragraph (4)).

"(2) A State plan may not exercise the option under subsection (a)(10)(I) unless the State has in effect, under its plan established under part A of title IV, income standards and payment standards that are not less than the income standards and payment standards in effect under such plan on April 30, 1987.

"(3) A State may not exercise the option under subsection (a)(10)(I) unless—

"(A) the State has exercised the options under subclauses (IX) and (X) of subsection (a)(10)(A)(ii), and

"(B) the income levels established by the State under such options (pursuant to subsections (l)(2) and (m)(2)(A)) are the maximum levels permitted to be established under such options.

"(4) For purposes of this subparagraph, the term 'eligible employer' means any employer that—

"(A) employs not more than 25 individuals,

"(B) is unable to provide adequate health insurance coverage for such individuals at a reasonable cost to the employer and such individuals (as determined by the State).".

(c) Benefits.—Subclause (X) in the matter following subparagraph (H) of section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)), as added by section 2 and amended by sections 3 and 4 of this Act, is further amended by inserting "or (s)(1)" after "(p)(1)".

(d) Premiums and Cost Sharing.—Section 1916 of the Social Security Act (42 U.S.C. 1396o), as amended by sections 2, 3, and 4 of this Act, is further amended—

(1) in subsection (b) by striking "(A), (E), (F), (G), or (H)" and inserting in lieu thereof "(A), (E), (F), (G), (H), or (I)",

(2) in subsection (d)(1), as added by section 3 of this Act, by striking "or (r)(1)" in the matter preceding subparagraph (A) and inserting in lieu thereof ", (r)(1), or (s)(1)".

(e) Conforming Amendments.—

(1) Section 1902(a)(10)(C) of such Act, as amended by sections 2, 3, and 4 of this Act, is further amended by striking "(A), (E), (F), (G), or (H)" in the matter preceding clause (i) and inserting in lieu thereof "(A), (E), (F), (G), (H), or (I)".

(2) Section 1902(a)(17) of such Act (42 U.S.C. 1396a(a)(17)), as amended by sections 2, 3, and 4 of this Act, is further amended by striking "and (r)" and inserting in lieu thereof ", (r), and (s)".

(3) Section 1903(f)(4) of such Act (42 U.S.C. 1396b(f)(4)), as amended by sections 2, 3, and 4 of this Act, is further amended by striking "subparagraph (F), (G), or (H)" and inserting in lieu thereof "subparagraph (F), (G), (H), or (I)".

SEC. 6. EFFECTIVE DATE.

(a) The amendments made by this Act shall apply to medical assistance furnished in calendar quarters beginning on or after October 1, 1987.

MAY 5, 1987.

Hon. JOHN H. CHAFEE,
U.S. Senate, Washington, DC.

DEAR SENATOR CHAFEE: The undersigned national health and disability organizations wish to extend our thanks and support for the Med-America proposal you are introducing today. Through your bill, Congress and the nation are being offered a comprehensive response to the problems of the uninsured. It is a proposal with vision that directly addresses the basic issue of lack of coverage rather than treating solely the symptoms of our faltering health care system.

Our organizations represent those who have been most overlooked in the continuing review of catastrophic care: children, people with serious illnesses and disabilities, the poor and near-poor. We also represent the providers who attempt to assure at least a minimal safety net for the uninsured and underinsured.

What Med-America does is respond to the broad needs to the uninsured through an already established mechanism—Medicaid. The bill embraces those whose income and employment status do not afford them access to health care and those whose preexisting conditions effectively exclude them from private insurance options.

Basic benefits are assured by inclusion of a mandatory benefit package which does not inordinately expand existing state commitments. Equity issues are assured by virtue of the incremental process by which states may, at their option, expand coverage.

Our organizations are prepared to assist you and the Members of the Finance Committee as you begin active consideration of Med-America. We are hopeful that this legislation can become a benchmark for a broader Congressional response to the ongoing problems of the uninsured. Thank you for your vision, your concern and your continued willingness to take risks.

Sincerely,

American Academy of Pediatrics, American Diabetes Association, American Association of University Affiliated Programs, American Association on Mental Deficiency, American Public Health Association, Association for Retarded Citizens, Blinded Veterans Association, Child Welfare League of America, Cooley's Anemia Foundation, Children's Defense Fund, Disability Rights Education and Defense Fund.

Epilepsy Foundation of America, Forum of Inner City Catholic Hospitals, Mental Health Law Project, National Association of Children's Hospitals and Related Institutions, National Association of Private Residential Facilities for the Mentally Retarded, National Easter Seals Society, National Head Injury Foundation, National Hemophilia Foundation, National Mental Health Association, National Multiple Sclerosis Society, National Sudden Infant Death Syndrome Foundation, United Cerebral Palsy Associations, Inc., Western Association of Children's Hospitals.

SUMMARY OF MED-AMERICA, INTRODUCED BY SENATOR JOHN H. CHAFEE, MAY 5, 1987

ELIGIBILITY CRITERIA

At its option, and in addition to existing Medicaid optional coverage categories currently enumerated in the statute, a State may extend coverage to the following individuals:

(a) Persons with family incomes under 200% of the federal poverty level, or such other lower limit that the state may establish. Those individuals between 100% and 200% of the federal poverty level would be required to pay an income adjusted premium in order the receive these benefits. The premium can be no greater than 3% of the individual or family's adjusted gross income.

(b) Persons with family incomes and in resources in excess of 200% of the federal poverty level (or the lower level established by the state) who have been excluded from private health insurance coverage because of a medical impairment or disability or who have exhausted one or more benefits under their private insurance plans. These individuals would be allowed to purchase the Medicaid benefit with a non-income adjusted premium.

(c) Employers who are unable to purchase affordable private coverage for their employee.

BENEFITS

At a minimum, a state which elects this option would have to provide the following items and services: inpatient and out patient hospital care; physician services; x-ray services, EPSDT and family planning services; dental services; prescription drugs; dentures; prosthetic devices; eyeglasses; rehabilitative services; and clinical services furnished by or under the direction of a physician. Hospital and physician services for the full buy-in populations (i.e. those who have exhausted their private insurance benefits or have been denied coverage by private insurers) could not be limited by the states.

Additionally, at its option a state may include in this plan all other Medicaid services allowed under federal law, including home and community-based care services, but excluding services of long-term care institutions including skilled nursing facilities, intermediate care facilities, and intermediate care facilities for the retarded.

PREMIUMS AND COST SHARING

A state would establish an annual premium, to be paid in monthly amounts, equal to the average per recipient expenditure (excluding expenditures for long-term institutional services) during the latest period for which recipient and expenditure payment data are available. A family premium would be established for individuals purchasing coverage for themselves and for related members of their households.

Persons with incomes in excess of 200% of the federal poverty level (or the level established by the state) who are eligible under this program, would pay the full annual premium in monthly amounts.

Persons with family incomes between 100 and 200% of the federal poverty level would pay a monthly amount equal to no more than 3% of their total family adjusted gross income, as reflected in their latest federal income tax returns. Families would be eligible to have their premium contribution amount recalibrated if there were a significant change in their incomes that necessitated an adjustment in the size of their premium payment.

Families with incomes under 100% of the federal poverty level would not pay any portion of the premium.

Employers seeking coverage for employees would pay the full premium. They may choose to contribute to the cost of such coverage as a part of an employees benefit package and thereby reduce the employees' actual health insurance costs.

A state could impose co-payment (but not deductible) requirements on families or individuals. In the case of families with incomes below the federal poverty level, co-payments could not exceed those imposed on the categorically needy. In the case of other persons covered under this program, co-payment, may also be imposed for prescribed drugs, eyeglasses, dental services, dentures, and prosthetic devices even if they were not imposed on other Medicaid recipients. In no event, however, may co-payments be required for medical, dental and vision services furnished under EPSDT or for pregnancy-related care.

MAINTENANCE OF EFFORT AND CONDITIONS OF PARTICIPATION

1. In order to qualify for this program, a state's AFDC payment levels would have to be as high as they were on the date that this measure was introduced.

2. In order for a state to take advantage of the options in Med-America to provide insurance for the full cost by-in groups (those who have been excluded from private health insurance coverage because a medical impairment or disability or who have exhausted one or more benefits under their private insurance plans), it would be required to fully implement the SOBRA optional provisions for children and pregnant women and low income elderly.

3. The mandatory benefit package for the buy-in population established by Med-America would also be mandatory for all individuals below 100% of poverty who qualify for the Medicaid program.

By Mr. HECHT:

S. 1141. A bill entitled the "Nuclear Energy Waste Policy Act of 1987"; to the Committee on Energy and Natural Resources.

NUCLEAR ENERGY WASTE POLICY ACT

Mr. HECHT. Mr. President, today I am offering a bill that will put in place a much needed margin of safety for whatever approach this Nation ultimately takes to its high level nuclear waste disposal problem.

With several of my colleagues, I recently completed an inspection trip to Europe, which involved visits to nuclear waste facilities in France and Sweden. I met with the top nuclear energy officials of these nations and learned a lot about how the American Nuclear Waste Program can be improved. The single most important lesson I learned, Mr. President, is that this Nation can take one very simple and inexpensive step which has huge payoffs in terms of improved safety. My legislation will make sure that America takes this important and sensible step forward.

In those countries that have successful nuclear waste programs, high level nuclear waste is stored for 30 to 50 years, so it can cool down and become less radioactive before permanent disposal takes place. We should apply this safety lesson to our own Nuclear Waste Program. However, the current plans of the Energy Department are to put nuclear waste into a repository after only 5 to 10 years of cooling.

My bill will ensure that waste is not shipped to a repository until it has been aged for at least 50 years. This bill will guarantee that when the waste is finally shipped to a repository, it will be much cooler, much less radioactive, and therefore less dangerous to the public health and safety and the environment. It will also make the waste easier and less expensive to handle and to transport.

This bill should not only be of interest to Senators from a State where a repository may eventually be located, but also to those who represent the many States through which the waste must be transported on its way to a repository.

I urge all my colleagues to support this legislation, and look forward to its early consideration.

By Mr. SHELBY:

S. 1142. A bill to provide Federal recognition of the Mowa Band of Choctaw Indians of Alabama; to the Select Committee on Indian Affairs.

MOWA BAND OF CHOCTAW INDIANS RECOGNITION ACT

● Mr. SHELBY. Mr. President, today I am introducing the Mowa Band of Choctaw Indians Recognition Act.

The Mowa Band of Choctaw Indians is a group of about 7,000 people who lie in southwest Alabama within the original boundary of the Choctaw Nation. Though the people have been located here for over 10 generations, the name "Mowa" is recent. It is derived from the first two letters of Mobile and Washington counties, and represents their geographic location. Their ancestors established the community in this sparsely populated area during the 1800's, just prior to the removal of the Indians from the State. The Mowa Choctaws of south Alabama are a segment of the Choctaw Indians who refused to migrate from their homeland during the infamous "Trail of Tears." They avoided removal by concealing themselves and their descendants in their efforts to achieve recognition as Indians. They have been officially recognized by the State of Alabama, and now seek recognition by the Federal Government.

The Mowa Choctaws of Alabama have lived in the same area for the past 200 years and have been living together and functioning as a group throughout that time. The progenitors of the Mowa came together in the forks between the Alabama and Tombigbee Rivers, below a stream called the cut-off, which flows from the Alabama River, southwest to the Tombigbee. This area between the rivers—called the basin—had always been claimed by both Choctaw and Creek. To settle the dispute, the U.S. Government set the watershed as the boundary line with the Creek to the east and the Choctaws to the west. The Mowa community was, and still is, on the Choctaw side of the Tombigbee River.

This area of the Mowa's has been identified as a prehistoric Indian site by the U.S. Army Corps of Engineers in their reconnaissance study made prior to the construction of the Tennessee-Tombigbee Waterway. Artifacts attest to Indian occupation long before any Europeans came.

Since this early period, the people have paid taxes, voted, and served their country from the Civil War through Vietnam, but many neighbors still scoff at their claim of being Indian.

Since the 1880's, the ancestors of today's Mowas have consistently sought recognition as Indian. Each time the U.S. Government opened the rolls, they applied—with the eastern Choctaw in 1887, the eastern Cherokees in 1907, and the Creeks in the 1950's, finally achieving state recognition in 1978.

The goal of the Mowa band in obtaining Federal recognition is to preserve their community. They believe that, given a little assistance, and with the cooperation and good faith of their non-Indian neighbors, that they can help their people improve their standard of living, obtain adequate housing, and support their families and communities. In the past several years, the Mowas have developed a good working relationship with their non-Indian neighbors. They currently serve with them in local community organizations and in positions of leadership. They have demonstrated that they can perform effectively along side their neighbors in the schools, on the assembly line, and in the boardroom.

The Mowa's plan for Federal recognition, according to Framon Weaver, chairman of the Mowa tribe council, is to be able to provide jobs and a better standard of living for the people, as well as better educational and job training opportunities. As late as 1984, unemployment among the Mowas was over 50 percent. Right now, the closest thing the Mowa community has to a middle class is a few storeowners. Many members of the tribe are migratory farm workers because that is the only work available to them.

The Mowa's plans for economic development stress the dual goals of providing employment for their people and utilizing their existing skills, as well as training them for the jobs that will arise in the future. They have no interest in "get rich quick" schemes or those that would destroy their resources or alienate their young people or elders. The Mowas need the opportunities that Federal recognition will provide.

The Mowas desire the same success that has come to their cousins, the Mississippi Band of Choctaws, since their Federal recognition. They have made great strides in education, health care, housing, and job training for their people. The Mississippi Choctaws are most proud of their economic development. An 80-acre industrial park houses two major industries employing hundreds of people. The establishment of a development company in 1969 paved the way for the construction of 400 new homes and the repair of another 200, and is responsible for construction of numerous buildings on the reservation. Plans are underway to build a child-care facility for working parents, a transportation network, and a commercial shopping center. The Mississippi Choctaws are currently one of the largest employers in the State. It can also happen for the Mowas.

Even though the Mowa Choctaw Indians have had a long battle to regain their identity, the hard work of their leaders has made the effort worthwhile. I know the Indians now have a good self-concept and are proud of their heritage as native Americans. I am very proud that I can assist them receive this overdue recognition by introducing the Mowa Band of Choctaw Indians Recognition Act into the 100th Congress, and I urge my colleagues to support this legislation.●

By Mr. McCONNELL (for himself and Mr. FORD):

S. 1143. A bill to provide for the conveyance of the Frankfort National Fish Hatchery to the Commonwealth of Kentucky; to the Committee on Environment and Public Works.

FRANKFORT NATIONAL FISH HATCHERY

● Mr. McCONNELL. Mr. President, on February 26 of this year I introduced legislation to return the Frankfort National Fish Hatchery to the Commonwealth of Kentucky. Unfortunately, the bill was not referred to the appropriate committee for consideration; therefore, I am reintroducing the bill today with my colleague, Senator FORD.

In the early 1950's the Commonwealth of Kentucky decided that it needed a warm-water fish hatchery and acquired land on Elkhorn Creek near Frankfort for this purpose. However, with the agreement that the U.S. Fish and Wildlife Service would operate the facility, the land was transferred to the Federal Government. The hatchery has served its purpose well over the past several decades in breeding channel catfish, black bass, bluegill, walleye, and hybrid stripers for the waters of Kentucky and surrounding States.

However, in recent years the hatchery has not been adequately funded and was repeatedly placed on the closure list. Confronted with the latest attempt to close down the facility, Kentucky entered into a memorandum of agreement [MOA] with the Fish and Wildlife Service in October 1986 to operate the facility under a 25-year lease. Having assumed operation, the Commonwealth intends to make a substantial commitment of State dollars into the upgrading of the water supply system, the renovation of a number of leaking and silted ponds, the construction of a new hatchery building and the remodeling of three residences. Although the Commonwealth has assumed the financial and management obligations for operating the facility, the MOA contains untold restrictions that require the State to obtain specific approval on most management decisions or proposed changes to the facility.

The point is, Mr. President, that the Federal Government obviously does not and will not operate this facility. Since the Commonwealth has already made a long-term commitment to run the hatchery to its maximum benefit, then it should be returned to its original owner without cumbersome restrictions.

Finally, such a transfer is not without precedent. The 99th Congress conveyed two facilities in almost identical circumstances; one in New Hampshire and the other in Montana. We should do no less for Kentucky who has already shown its commitment to the long-term operation of the facility. I am convinced that placing the hatchery in the hands of the Commonwealth will provide for the highest and best use in the service of recreational fisherman of Kentucky and surrounding States.●

● Mr. FORD. Mr. President, today Senator McCONNELL and I are introducing legislation for what I hope will be the culmination of several years of effort to resolve the uncertainty over management and funding for the Frankfort National Fish Hatchery. The creation of the Frankfort National Fish Hatchery was the direct result of initiative on the part of the local community and the Kentucky State Fish and Wildlife Department.

Years ago, the Commonwealth of Kentucky realized a need for a fish-spawning facility to stock the surrounding waterways. The Commonwealth, therefore, on January 15, 1952, deeded to the United States of America land along the Elkhorn Creek, land acquired from residents of Franklin County, KY, to be used for construction of a warm-water fish hatchery. The Federal Government subsequently agreed to operate the facility and has done so over the last 33 years.

Beginning in 1980, the Federal Government consistently attempted to close the facility. These attempts came at a time when improved sport fishing facilities were proving themselves as great tourist attractions, providing jobs and revenues to local, State, and Federal entities.

I have worked diligently each of these last 8 years to secure adequate funding to continue the operation of the Frankfort National Fish Hatchery. Unfortunately, as Federal funding became scarce, $150,000 in fiscal year 1986, the facility itself began to deteriorate as much needed improvements were ignored.

The deed from the Commonwealth of Kentucky to the Federal Government on this donated land contained no restrictions whatsoever. However, a common understanding existed that, as the State of Kentucky assisted in the management of the facility and, for that matter, was responsible for its very existence, the State would receive a larger share of the spawned fish.

Until 1985, Kentucky and the immediately surrounding States did indeed receive the large share, including black bass, walleye, catfish, and blue gill. The Federal Government, in that same year, dedicated 15 ponds, or 25 percent of the pond facilities to produce striped bass to be used for stocking the Chesapeake Bay.

I encouraged the State Department of Fish and Wildlife to look into acquiring the facility and taking control of the management. The Federal Government made it clear in 1980, when proposals to stop funding the facility first appeared before Congress, that the facility was no longer a high priority. Although I welcomed the opportunity to supply the Chesapeake Bay with fish from the Frankfort facility, I felt the original understanding resulting from land conveyance had been broken. Furthermore, conservative estimates indicated that the Frankfort Fish Hatchery needed over $1 million in repairs and improvements to allow the facility to operate up to its full potential. Money, I point out, that would not have been coming from the Federal Government.

The Commonwealth of Kentucky, on October 1, 1986, entered into a memorandum of agreement [MOA] with the Federal Fish and Wildlife Service to assume full operation and associated costs of the facility. The State of Kentucky intends to improve the facility by upgrading the water supply system through a new deep well, construct a new hatchery building, renovate existing structures, and repair existing ponds. The State has committed over $70,000 for this year to do so.

Despite the fact that the State of Kentucky has assumed all responsibility for the facility, the Federal Government will continue to benefit from increased tourism and adequate stocking of Kentucky waterways.

Sounds like the perfect arrangement. However, the truth is the intervention and interference of the Federal Government hangs over the heads of those managing the facility. The bill we are introducing today would resolve this matter. More to the point, transferring ownership of the Frankfort Fish Hatchery back to the Commonwealth of Kentucky is the proper and responsible thing for the Federal Government to do. After all, the Federal Government will only be returning what was given to it originally in 1952.●

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1145. A bill to amend the Alaska Native Claims Settlement Act to provide Alaska Natives with certain options for the continued ownership of lands and corporate shares received pursuant to the act, and for other purposes; to the Committee on Energy and Natural Resources.

ALASKA NATIVE CLAIMS SETTLEMENT ACT AMENDMENTS

● Mr. MURKOWSKI. Mr. President, today, Senator STEVENS and I are introducing legislation which amends the Alaska Native Claims Settlement Act of 1971. [ANCSA]. This legislation—frequently called the "1991" amendments—provides the Alaska Native people with several options for protecting and maintaining the benefits of their aboriginal land settlements.

The bill we are introducing today is similar to the Senate substitute amendment to S. 2065 which full Senate was not able to consider before the close of the 99th Congress. This amendment can be found on page S 15412 of the CONGRESSIONAL RECORD dated October 6, 1986.

Congress passed ANCSA in 1971 to settle an extinguish aboriginal land claims. The settlement adopts a unique approach to resolving those claims. It established 12 native regional corporations and over 200 villages corporations as the recipients of the settlement proceeds. Each of these corporations received a portion of a 44-million-acre land entitlement and $960 million. Natives who wished to participate in the settlement enrolled in a regional and/or village corporation and received 100 shares of stock in each. By law, this stock cannot be sold until 1991, at which time the restrictions expire and the stock can be sold on the open market.

At the time the act was passed, it was assumed land would be conveyed in a timely manner, without litigation, and there would be a simple transition from a primarily subsistence lifestyle to that of a corporate shareholder. These expectations have not been realized. As a result, Native shareholders are in fear of losing their land in 1991 when the stock will be available for sale.

The 1991 amendments are the product of 12 congressional hearings, 10 in Alaska and 2 in Washington, DC. The bill we are introducing today is a compromise package drafted in response to concerns raised during the hearings. However, there remain two outstanding issues, which I hope will be resolved as the hearing and legislative process continues during this Congress. These issues are the section authorizing assets to be transferred to a qualified transferee entity, with a sovereignty disclaimer and; how the vote on continuing stock restrictions should be taken, the so-called opt-in/opt-out issue.

The amendments provide the corporations options for continuing Native ownership of ANCSA lands. Among the options is the ability to extend stock restrictions beyond 1991. For regional corporations, the stock restrictions will terminate pursuant to current law in 1991. This legislation would give the shareholders the opportunity to vote to opt in to continuing the restrictions beyond 1991. For village corporations, the stock restrictions are automatically continued in 1991, and the shareholders can vote to opt out of the restrictions.

This distinction balances the need to protect individual shareholder's rights to choose whether the stock should be restricted, and the need to provide additional protection to village corporations. The opt-in/opt-out issue is one of two primary ones that need to be resolved as the legislative process continues and it is my hope that a consensus can be reached.

The second issue of controversy intended to assist continued Native land ownership, is the qualified transferee entity section. This section allows a regional or village corporation to transfer some or all or its assets to some other entity. The reasons for this option is that some corporations feel they may be better able to use some other managing entity to hold the land.

Unfortunately, this provision has been tangled up in the sovereignty issue. The status of tribal government authority is currently unresolved in Alaska and is not one that should be addressed in this legislation. Thus, I have consistently stated that this legislation will remain neutral on the question of sovereignty—it will neither enhance nor detract from the status quo on that question. This bill attempts to achieve this goal through the use of a sovereignty disclaimer. However, the issue of what neutrality is, remains one which will need to be resolved.

The most significant changes in the legislation we are introducing today and the Senate substitute amendment proposed last session, is the deletion of an option to establish a shareholder trust and of a section to require that a referendum be passed by a majority of Alaska Natives before the legislation can be finally enacted.

Mr. President, this legislation is a starting point. The House has passed a 1991 bill. The Committee on Energy and Natural Resources has scheduled a hearing on this bill and H.R. 278 for later this month. As the hearing and mark-up process continues, it is my hope that we can achieve a degree of consensus necessary to permit us to move the legislation through the Senate in an expeditious manner.●

● Mr. STEVENS. Mr. President, I am pleased to join my colleague from Alaska in sponsoring this bill to amend the Alaska Native Claims Settlement Act of 1971 to deal with the problems of 1991.

The bill, in most respects, tracks the bill Senator MURKOWSKI and I developed last year, which the Senate was not able to consider. We are prepared to discuss possible changes in the bill's corporate provisions when the bill is considered in the Energy and Natural Resources Committee. It is my hope, however, that action can be taken quickly to move 1991 legislation to a House-Senate conference, which I believe will be the most expeditious way to resolve this highly complex and important issue.●

By Mr. HATCH (for himself, Mr. DECONCINI, and Mr. GRASSLEY):

S. 1146. A bill to transfer functions of the Temporary Emergency Court of Appeals and to abolish such court; to the Committee on the Judiciary.

ABOLITION OF TEMPORARY EMERGENCY COURT OF APPEALS

● Mr. HATCH. Mr. President, this afternoon I rise to introduce a bill, along with my colleagues Senators DECONCINI and GRASSLEY, that amends section 211 of the Economic Stabilization Act to abolish the Temporary Emergency Court of Appeals [TECA]. The abolition of TECA has been recommended by the American Bar Association, the Judicial Conference of the United States and many of the judges who now sit on TECA.

TECA was created in 1971 to review actions taken under the Economic Stabilization Act of 1970. The Temporary Emergency Court of Appeals was modeled after an earlier court, the Emergency Court of Appeals and was given the following stated purpose:

> In order to funnel into one court all the appeals arising out of the District Courts and thus gain in consistency of decision, there is created a Temporary Emergency Court of Appeals similar to the court established for purpose in the wage and price control programs of World War II and the Korean conflict. (S. Rep. No. 507, 92d Cong., 1st Sess. 10 (1971)).

The purpose of TECA was to create one appellate court which would develop expertise and provide uniformity in a complicated, narrow subject area. Such a court could expeditiously handle those cases arising under the Emergency Petroleum Allocation Act of 1973. Specifically, the new court was designed "to permit the expeditious consideration and disposition of problems arising under the statute by a court familiar with its provisions and operations." (S. Rep. No. 931, 77th Cong., 2d Sess. 7 (1942)). It is important to note that Congress specifically rejected a House-passed provision that would have vested the review function in the existing circuit courts of appeals. Id.

At this time, however, the emergency giving rise to the creation of TECA has ended and the caseload of the court has dropped considerably. As of this year, there are only 21 cases pending before the court; in 1986, there were 30 and in 1985 there were 42. The estimates are that TECA, if maintained, would handle no more than 30 cases per year at a cost of approximately $144,000 annually. There are currently 29 part-time TECA judges located throughout the country who normally meet only once a year to hear oral arguments.

This bill transfers the jurisdiction of TECA to the Court of Appeals for the Federal Circuit. The American Bar Association and a memorandum drafted by the Judicial Conference recommend that TECA jurisdiction be placed with the Federal circuit in order to preserve the original goals of uniformity and expertise in decision-making. Congress, in creating the Federal circuit, defined it as "A forum for appeals from throughout the country in areas of the law where Congress determines that there is a special need for national uniformity." The Federal circuit judges, although based in Washington, are encouraged to meet around the country in order to maximize access and minimize expense and inconvenience to litigants.

Any problems in transition will be avoided by deferring closing down TECA until September 30, 1988. Pending appeals not yet submitted to a panel will be assigned to the Federal circuit. Cases already submitted to a panel will remain with that panel and will be designated to the Federal circuit for the purpose of deciding the case. This date not only provides a reasonable period to dispose of pending cases, but is also the date by which the Department of Energy must by law commence by action under the acts relevant to TECA's jurisdiction.

The American Bar Association and early analysis by the Judicial Conference indicated that the Federal circuit would be an appropriate forum to absorb the TECA caseload. However, at this time, while the Judicial Conference has recommended the abolition of TECA, it has not made a formal recommendation to Congress regarding the appropriate placement of the TECA jurisdiction. Therefore, Senators DECONCINI, GRASSLEY, and I have written to the Judicial Conference requesting their advise as to the appropriate transfer of jurisdiction of the TECA courts. Of course we will carefully examine the recommendations of the Judicial Conference when they are received. During the interim period, the bill introduced today transfers the TECA jurisdiction to the Federal circuit and will be useful to open discussion of this issue.

Mr. President, I request that the attached letter to the Judicial Conference, as well as a copy of the bill, be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1146

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211 of the Economic Stabilization Act of 1970 (85 Stat. 743; 12 U.S.C. 1904 note) is amended by striking out all after subsection (a) and inserting in lieu thereof the following:

"(b) Appeals taken on or after October 1, 1988, from orders or judgments entered by a district court of the United States shall be taken in accordance with the provisions of sections 1291 and 1292 of title 28, United States Code. Exclusive jurisdiction over appeals brought under this section shall be in the United States Court of Appeals for the Federal Circuit.".

SEC. 2. Subsection (c) of section 506 of the Natural Gas Policy Act of 1978 (Public Law 95-621; 92 Stat. 3350) is amended by—

(1) striking out "the Temporary Emergency Court of Appeals, established pursuant to section 211(b) of the Economic Stabilization Act of 1970, as amended," in the first sentence and inserting in lieu thereof "the United States Court of Appeals for the Federal Circuit"; and

(2) striking out "Temporary Emergency Court of Appeals" wherever it appears and inserting in lieu thereof "United States Court of Appeals for the Federal Circuit".

SEC. 3. Section 1295(a) of title 28, United States Code, is amended by—

(1) striking out "and" at the end of paragraph (9);

(2) striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon; and

(3) adding at the end thereof the following new paragraphs;

"(11) of an appeal under section 211 of the Economic Stablization Act of 1970 (Public Law 91-379, as amended; 84 Stat. 799);

"(12) of an appeal under section 5 of Public Law 93-159, as amended (87 Stat. 633; 15 U.S.C. 754);

"(13) of an appeal under section 506(c) of the Natural Gas Policy Act of 1978 (Public Law 95-621; 92 Stat. 3350); and

"(14) of an appeal under section 523(b) of the Energy Policy and Conservation Act (42 U.S.C. 6393; 89 Stat. 962).".

SEC. 4. (a) The Temporary Emergency Court of Appeals shall terminate on September 30, 1988. Any appeals pending in the Temporary Emergency Court of Appeals but not yet submitted to a panel on September 30, 1988, shall be assigned to the United States Court of Appeals for the Federal Circuit as though they had originally been filed in the United States Court of Appeals for the Federal Circuit.

(b) Any cases that have been submitted to a panel of the Temporary Emergency Court of Appeals and as to which the mandate has not yet been issued shall remain with that panel for all purposes and, notwithstanding the provisions of sections 291 and 292 of title 28, United States Code, that panel shall be designated to the United States Court of Appeals for the Federal Circuit for the purpose of deciding that case.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 4, 1987.

L. RALPH MECHAM,
Director, Administrative Office of the United States Courts, Washington, DC.

DEAR MR. MECHAM: This letter is in reference to your correspondence dated March 24, 1987. In that letter you responded to questions submitted by Senators DeConcini, Grassley and me regarding the views of the Judicial Conference on the issue of abolishing the Temporary Emergency Court of Appeals. You stated that on March 17, 1987, the Judicial Conference recommended that the Temporary Emergency Court of Appeals be eliminated but the Judicial Conference has not recommended an appropriate forum for future appeals of cases presently within the jurisdiction of TECA.

Given the complexity and specificity of the subject matter associated with the TECA jurisdiction and the careful study of this issue by the Judicial Conference, it is important that Congress have the benefit of the expertise of the Judicial Conference regarding this issue. Therefore, we request that you contact the Congress when the Judicial Conference has developed a position on the appropriate forum for transferring future TECA appeals.

Sincerely,

DENNIS DECONCINI,
ORRIN G. HATCH,
CHUCK GRASSLEY,
U.S. Senators.●

● Mr. GRASSLEY. Mr. President, I am pleased to join Senators HATCH and DECONCINI in this bill to abolish the Temporary Emergency Court of Appeals.

As you know, it's not often we in the Congress have the opportunity—or the will—to undo part of our massive Federal machinery. So, I commend Senator HATCH for taking the lead in spotting an area where we can save the taxpayers about $190,000 a year, without any harm to the legal system.

TECA was created in 1971 to hear appeals of oil and gas lawsuits arising under the Petroleum Allocation and Price Control Program. Today, only 21 cases are pending in the court. Last year there were 30 pending cases. The year before, there were 42. Mr. President, let me suggest that the temporary Emergency Court of Appeals is literally out of gas.

This bill eliminates the TECA and provides for the orderly redistribution of the existing and future TECA caseload. I am happy to note that the Judicial Conference and the American Bar Association agree the emergency that spawned the need for the TECA is over. This court is no longer needed. I hope my colleagues will quickly recognize this and join in this effort.●

By Mr. NICKLES:

S. 1147. A bill to amend the Farm Credit Act of 1971 and the Consolidated Farm and Rural Development Act to provide debt restructuring assistance to farm borrowers while minimizing losses of the Farm Credit System and the Farmers Home Administration, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

LANDOWNER PROTECTION ACT

● Mr. NICKLES. Mr. President, today, I am reintroducing the Landowner Protection Act which originated what I term "minimum loss concept". This legislation is largely unique in that not only can it help farm and ranch borrowers and strengthen a lenders financial position, but it can do so at no cost to the taxpayers.

On March 5, 1986, I first introduced this legislation as S. 2144, a no-cost way to help farm and ranch borrowers while reducing Farm Credit System losses. The Landowner Protection Act I am introducing today would affect the operation of the Farm Credit System [FCS] and the Farmers Home Administration [FmHA].

In the 99th Congress, S. 2144 was incorporated into a comprehensive credit package introduced by Senator BOSCHWITZ, S. 2332. Last year, the Landowner Protection Act was the basis for a House-passed resolution, a Senate resolution with 60 cosponsors, and farm credit legislation cosponsored by the entire Oklahoma delegation.

Earlier this year, the Landowner Protection Act was adopted by Senator BOREN, chairman of the Subcommittee on Agriculture Credit, as part of S. 57. It is my hope that any Farm Credit System assistance package will include the Landowner Protection Act provisions and others which offer real hope for farm and ranch borrowers.

In short, the legislation requires affected lenders to restructure loans, rather than foreclose, when such action will minimize lender and borrower losses. Additionally, it would reassert local control of FCS associations and strengthen the financial ability of lenders to lower interest rates.

Implementing the legislation can be accomplished under a plan such as a two-tier debt restructuring plan where the borrower services a manageable level of debt until all principal is eventually repaid.

This is not a complicated bill. It simply instructs the Farm Credit System and the Farmers Home Administration to do what they ought to be doing anyway, minimizing their losses. I urge my colleagues to join in support of this legislation.●

By Mr. STAFFORD:

S. 1148. A bill to authorize the imposition of certain recreation user fees at water resources development areas administered by the Department of the Army; to the Committee on Environment and Public Works.

ADMINISTRATION RECREATION FEE BILL

● **Mr. STAFFORD. Mr. President, at the request of the administration, I am introducing legislation which would allow the Corps of Engineers to charge user fees at certain water resources development projects which they administer.**

It is my understanding that this legislation would simply remove certain legal impediments to the charging of fees at corps managed recreation areas—impediments which other Federal land and water development agencies do not face.

It is also my understanding that the revenues obtained from the imposition of fees under this legislation would be credited to the already established special recreation user fee account of the corps and will be available to help administer corps recreation areas, the costs of which are currently being borne by the general taxpayer.

The administration estimates that this legislation would result in an increase in fee collections at corps facilities of $19.2 million in fiscal year 1988 and a total increase over the next 5 years of $96 million.

Mr. President, I ask unanimous consent that the bill be printed in the Record, along with a section-by-section analysis, a brief background paper prepared by the Corps of Engineers which describes some of the effects of this proposed legislation, and the letters of transmittal from the Assistant Secretary of the Army for Civil Works.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 1148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, Section 4 of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 897; 16 U.S.C. 4601-6a), is further amended by:

(a) inserting the words ", water resources development areas administered by the Department of the Army that are used in whole or in part for recreational purposes," after the words "the Department of the Interior" in the first sentence of subsection (a);

(b) deleting the words "The Secretary of the Interior and the Secretary of Agriculture" and inserting in lieu thereof the words "Each administering Secretary" in the first sentence of subsection (a)(4);

(c) deleting the words "The Secretary of the Interior and the Secretary of Agriculture" and inserting in lieu thereof the words "Each administering Secretary" in the first sentence of subsection (a)(5); and

(d) deleting the next to the last sentence of subsection (b).

Sec. 2. Section 210 of the Flood Control Act of 1968 (82 Stat. 746; 16 U.S.C. 460d-3) is repealed.

SECTION-BY-SECTION ANALYSIS

Section 1(a) amends Section 4 of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 897; 16 U.S.C. 460*l*-6a) to authorize the Department of the Army to charge entrance or admission fees for use of designated recreation areas of water resources development projects under its jurisdiction.

Subsection (b) is a conforming amendment to subject the Secretary of the Army to the same requirements the Secretaries of the Interior and Agriculture have for establishing Golden Age Passports.

Subsection (c) is a conforming amendment to subject the Secretary of the Army to the same requirements the Secretaries of the Interior and Agriculture have for issuing lifetime admission permits for the blind and permanently disabled.

Subsection (d) eliminates the requirement on the Corps of Engineers to provide one free campground at each of its projects where camping is permitted.

Section 2 repeals section 210 of the Flood Control Act of 1968 (82 Stat. 746; 16 U.S.C. 460d-3) which prohibits the Corps of Engineers from charging entrance or admission fees for use of project recreation areas and which limits the Corps of Engineers to the collection of fees for use of specialized recreation services or facilities.

BACKGROUND PAPER—EFFECTS OF PROPOSED RECREATION USER FEE BILL

The Land and Water Conservation Fund (P.L. 88-578), as amended, authorizes the Corps of Engineers to collect special recreation use fees at campgrounds under their jurisdiction.

"Unless all of the following facilities are available, campground use charges are prohibited: tent or trailer spaces, drinking water, access road, refuse containers, toilet facilities, campfire facilities (where fires are permitted), reasonable visitor protection and personnel collection by an employee or agent of the agency."

It was the intent of Congress, in this legislation, to charge fees at highly developed sites which require additional or specialized operation and maintenance activities.

"The Committee intends for agencies to develop a uniform fee structure which will reflect a reasonable charge in light of the relative facilities and services offered."

Congress went further to state those facilities which they felt necessary to adequately serve the public for which no charge would be made either singly or in combination.

"It prohibits, either singly or in any combination, any charges for: drinking water, wayside exhibits, roads, overlook sites, visitor centers, scenic drives, toilet facilities, picnic tables or boatramps* * *"

Within broad guidelines, Corps of Engineers managers currently determine the appropriateness of fee collection for individual campgrounds. Fees are now collected in 32 states. Factors such as direct and indirect federal expenditure for services provided, pricing strategies of area park and recreation providers, and cost to collect fees are all considered prior to imposing a fee schedule. This procedure would not change with expanded fee authority, although 4 to 8 more states may be added to the fee program.

Many Corps projects were completed prior to P.L. 88-578. Smaller projects, particularly in the Northeast, may have had only one campground and, due to legislation enacted in 1970 amending 88-578, this camp area remained free of charge. This situation would be remedied by removing the requirement for a free area at each Corps project providing camping.

Major Corps of Engineers day use areas generally contain one or more of the following: swimming beaches, showers, waterborne toilet facilities, boatramps, play areas, picnic grounds, picnic shelters, ranger patrols, routine trash collection and other amenities for public use. Certain smaller areas however, may contain only an overlook site, boatramp with limited parking and perhaps a trash can or vault toilet. It is not our intent to charge for smaller, hard-to-access day use type facilities. Nor is it our intent to charge for use of undeveloped lands.

The impacts of expanded fee authority may be shown for example. In one of the larger public use areas in eastern Kansas, there is a single entrance road with the camping and day use areas branching off that one road. The camping facilities include over 350 camp sites (some with water and electricity), two large shower buildings, 6 waterborne toilets and fully paved roads and parking areas. Fees for 1987 are $6-$8 per night. The day use facilities lie just beyond the camping area. These facilities include 8 boat launching lanes, courtesy docks, approximately 150 car-trailer parking spaces, a large swimming beach with handicapped access, 5 picnic shelters, a bath house, two waterborne toilets and a playground. There are no fees for use of this area at present. O&M costs, including janitorial, mowing, trash removal, patrol and water supply services, are approximately equal for these areas. The requested authority would allow the collection of a reasonable fee at the day use area in a manner similar to that imposed on recreational campers.

Department of the Army,
Office of the Assistant Secretary,
Washington, DC, April 29, 1987.

Hon. Robert T. Stafford,
U.S. Senate, Washington, DC.

Dear Senator Stafford: I have enclosed for your information a copy of my recent letter to the President of the Senate transmitting the Department of the Army's proposal on recreation user fees. The proposed legislation would authorize the collection of certain recreation user fees at water resources development areas administered by the Department of the Army.

We do not intend to charge entrance fees to all our project areas under this proposal. We would anticipate charging fees at those areas which have been significantly developed for recreation purposes and where there are substantial operation and maintenance expenditures. Collection of modest user fees to help defray the cost of providing recreation areas is a reasonable proposal at the present time. The cost of providing high-quality recreation areas continues to increase, and the limited Federal funds are increasingly needed for other national needs. The public in general understands this situation and is willing to pay a reasonable fee for use of recreation areas.

In view of this need, I urge your support of the enclosed proposal which would authorize the Department of the Army to charge recreation fees similar to the Department of Interior and the Department of Agriculture.

Sincerely,

Robert K. Dawson,
Assistant Secretary of the Army, (Civil Works).

DEPARTMENT OF THE ARMY,
Washington, DC, February 24, 1987.
Hon. GEORGE BUSH,
President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft of legislation "To authorize the imposition of certain recreation user fees at water resources development areas administered by the Department of the Army."

This proposal is part of the Department of the Army Civil Works Legislative Program for the 100th Congress. The Office of Management and Budget advises that the enactment of the proposal by the Congress would be in accord with the program of the President. The Department of the Army strongly recommends that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to authorize the collection of certain recreation user fees at water resources development areas administered by the Department of the Army. Enactment of the legislation would remove existing restrictions on the authority of the Department of the Army to impose reasonable charges for admission to and use of certain developed recreation areas under its administration and would eliminate the requirement to provide one free campground at each project where camping is permitted. These changes would provide the Department of the Army with authority comparable to that which is available to other Federal land and water resources development agencies. The legislation, however, is not intended to authorize the imposition of fees for general public access to water resources development projects.

The Department of the Army, through the Corps of Engineers, administers one of the largest systems for outdoor recreation in the entire Federal government. In the past, the bulk of the cost of operating this extensive program has been borne by the general taxpayers even though an easily identifiable group—those who actually visited our recreation areas and used our facilities—derived a direct benefit at little or no cost to themselves. This is because the Department of the Army, unlike other land and water resources development agencies, is severely limited in the charges it may impose for admission to or use of recreation areas or facilities.

Certainly, the availability of Federally subsidized outdoor recreation is of indirect benefit to all Americans. However, those who actually visit such areas derive greater benefit and should be expected to contribute a higher percentage of the costs of maintaining these areas and facilities. A recent study completed by Market Opinion Research of Detroit (and underwritten by the National Geographic Society and presented to the President's Commission on Americans Outdoors) gives us additional insight into current public opinion on this issue. As a part of the study, Market Opinion Research conducted a 2,000-interview telephone survey and found that a 55-percent majority of American adults thinks the costs of maintaining existing recreation areas should come mainly from user fees, rather than from taxes.

The enclosed draft bill is intended to remove existing restrictions on the authority of the Department of the Army to impose reasonable fees and to allow recovery of a larger percentage of the costs of maintenance from those who actually take advantage of these recreational opportunities. In this way, we can better ensure the continued availability of funding needed to maintain our recreation areas during these times of fiscal restraint. Enactment of the legislation will also provide us with greater management capability to protect the areas which we administer.

Despite the fact that user fees are a fact of life at state and local recreation areas, previous proposals to increase fees at Federal recreation areas have resulted in concerns being raised by many of our citizens. Unfortunately, the economic realities of the Federal budget are forcing many of us in Government to choose between reasonable cuts or alternative sources of funding for many popular programs. While we cannot be sure that all elements of the public will understand the difficult decisions confronting us in this area, we can assure the Congress and the public in general that any system of user fees which will be imposed will be designed to ensure the continued availability of meaningful outdoor recreational opportunities to all of our citizens.

COST AND BUDGET DATA

The enactment of this proposal will allow the Department of the Army to reduce its budgetary requirements by authorizing the collection of amounts to be used to offset existing expenditure needs. It is estimated that this proposal would result in an increase in fee collections of $19.2 million in Fiscal Year 1988 and an increase over the next five years of $96.0 million. These amounts, in turn, would be available for appropriation to fund the outdoor recreation program of the Corps of Engineers, reducing the burden of the General Fund of the Treasury. Receipts from collected fees will be credited to the already established special recreation user fees account and remain available until expended.

ENVIRONMENTAL AND CIVIL RIGHTS IMPACTS

Enactment of the enclosed legislation will not have any significant environmental or civil rights impacts.

Sincerely,

ROBERT K. DAWSON,
Assistant Secretary
of the Army (Civil
Works).●

By Mr. GLENN:

S. 1149. A bill to temporarily suspend the duty on meta nitro para anisidine; to the Committee on Finance.

S. 1150. A bill to temporarily suspend the duty on para chloro-o-nitroaniline; to the Committee on Finance.

S. 1151. A bill to temporarily suspend the duty on meta nitro-o-anisidine; to the Committee on Finance.

S. 1152. A bill to temporarily suspend the duty on nitro ortho toluidine; to the Committee on Finance.

S. 1153. A bill to temporarily suspend the duty on phenyl carbethoxy pyrazolone; to the Committee on Finance.

S. 1154. A bill to temporarily suspend the duty on para nitro-o-anisidine; to the Committee on Finance.

SUSPENSION OF DUTY ON CERTAIN ORGANIC CHEMICALS

Mr. GLENN. Mr. President, today I am introducing six bills which would each temporarily suspend the duty on an organic chemical imported to the United States. These chemicals are: Phenyl carbethoxy pyrazolone, para nitro ortho toluidine, meta nitro-o-anisidine, para chloro-o-nitroaniline, meta nitro para anisidine, and para nitro-o-anisidine. According to the Synthetic Organic Chemical Manufacturers Association, none of these chemicals are produced in the United States nor are domestic substitutes available for them.

Each of these chemicals is used as an organic intermediate during the manufacture of organic pigments. In fact, these organic intermediates represent a major cost in the organic pigment production process. Unfortunately, many organic intermediates are not produced in the United States and they carry very high duty rates which must be incorporated in the cost of finished pigments. This situation makes American organic pigment manufacturers less competitive against imported products, thereby jeopardizing jobs in the domestic pigment industry.

These organic intermediates are not subject to specific Occupational Safety and Health Administration [OSHA] regulations, but do fall under OSHA hazard communications standards. The organic pigments which are produced with these organic intermediates are primarily used in printing inks, and can also be found in plastics, paints, coatings, and textiles. Organic pigments are considered extremely safe because they are very insoluble and inert.

Mr. President, let me emphasize that these bills were written by my staff with the assistance of the domestic organic chemical industry, and I believe that they are noncontroversial in nature. I urge my colleagues to support this legislation and include it in the trade bill.

By Mr. HEINZ:

S. 1155. A bill to amend the Internal Revenue Code of 1986 to treat similarly all tier 1 railroad retirement benefits for income tax purposes; to the Committee on Finance.

TAX TREATMENT OF RAILROAD RETIREMENT

● Mr. HEINZ. Mr. President, the bill I am introducing today lifts an unfair burden that was placed on relatively few railroad retirees by the Consolidated Omnibus Budget Reconciliation Act of 1985—or COBRA. Like the bite of a snake, this COBRA provision has poisoned the economic security of some recipients of railroad retirement and disability benefits.

Tier I of the Railroad Retirement program pays retirees a benefit roughly equivalent to that paid under Social Security. Under COBRA, the benefit paid under tier I is compared with what a retiree would receive if enrolled under Social Security. Any dollars over the Social Security amount are taxed as regular income. Although this provision sounds reasonable on its face, it is unfair for a small number of individuals who have worked many years, and in some cases become disabled, in the rail industry.

The Railroad Retirement System is intended to meet the unique needs of the rail industry and its retirees. One of the most attractive features of the system—for which workers agree to pay higher payroll taxes—allows retirement at age 60 with 30 years of service. But this plus works as a minus under COBRA. Because the Social Security retirement age is 62, a 60-year-old railroad retiree would not be eligible for benefits for purposes of the COBRA comparison. Thus, until this retiree reaches age 62, his full pension check is taxed as ordinary income, and continues to be partially taxed until age 65.

Disabled railroad retirees suffer an equally unfair burden of taxation under the new COBRA provision. The Railroad Retirement System rules define a disabled worker as one who can no longer perform the duties of a railroad employee. Under Social Security, on the other hand, a worker is not considered disabled unless his impairments are such that he cannot engage in employment of any kind. Thus a worker who qualifies for railroad disability benefits may not qualify for benefits under Social Security.

For the unfortunate few rail workers who are disabled when they are as young as 40 or 50 years old, and who do not qualify under Social Security, their entire benefit checks will be taxed until they reach the Social Security retirement age of 62.

It is unfair for the rules to be changed so late in the game for these people—the disabled, the retired or those close to retirement. Surely the modest budget savings achieved do not justify the inequity of a tax so wrongly imposed. Not only have their fixed incomes been reduced by the COBRA provision, but because administrative problems prevented withholding taxes from being taken as scheduled last year, these retirees owed money to the IRS before filing deadlines this year. This expense is compounded by the fact that these additional taxes began reducing railroad benefit checks in January of this year.

In 1983, Congress took a good, hard look at the Railroad Retirement System. We demonstrated our support, our belief in its fundamental fairness, by enacting the Railroad Retirement Solvency Act. This act supposedly guaranteed benefits to railroad retirees as a legitimate claim. Now we are telling them that we have changed our minds.

Mr. President, railroad retirees have become experts at bearing the burden of benefit reductions. However, this is not going to help them meet the rising costs of health care and housing. I urge my colleagues to join me in keeping our promise to the railroad retirees by repealing this provision which is weighing so heavily on this small group.●

By Mr. PRYOR (for himself, Mr. COCHRAN, Mr. FOWLER, and Mr. SANFORD):

S. 1156. A bill to amend the Farm Credit Act of 1971 to provide Farm Credit System stockholder/borrowers with a multipoint program of relief and reform, and to assure the long-term health and stability of Farm Credit banks and associations through local control; to the Committee on Agriculture, Nutrition, and Forestry.

FARM CREDIT BORROWER RELIEF, SYSTEM REFORM AND LOCAL CONTROL ACT

Mr. PRYOR. Mr. President, with my colleagues Senator FOWLER, Senator COCHRAN, and Senator SANFORD I am introducing today legislation to provide relief to Farm Credit System borrowers, to reform certain aspects of the Farm Credit System's operations and to insure the preservation of local control over lending entities within the System.

American agriculture is being squeezed through a financial wringer and the effect on farm families throughout rural America has been devasting. Debt in the agricultural sector stood at $215 billion at its peak a few short years ago. Today it is heading for $150 billion and still dropping sharply. On this bleak financial landscape the number of farm families is shrinking, rural communities are vanishing, and an important part of our national heritage is threatened with extinction.

Economic forces left unchecked during a protracted contraction will direct the availability of remaining sources of credit to the strongest and wealthiest borrowers in the market. The trend is toward ever greater concentration of farm land in the hands of fewer wealthy investors, while farming families are squeezed off the land.

The Farm Credit System was established to ensure the existence of a viable source of credit on reasonable terms for farmers at times when the market will not provide such credit. The Farm Credit System's historical mission has been to strengthen participation in agriculture, by broadening the availability of credit to borrowers who were starting up their farms or to established operators who could not meet the credit standards of commercial banks or insurance company lenders during hard economic times.

Unfortunately, during the crises of the past few years the managers of the Farm Credit System seem to have forgotten whom their cooperative was established to serve. In many parts of the country the Farm Credit System looked to foreclosures as a first resort rather than as a last resort. The Farm Credit System also lost its way by instituting or encouraging the establishment of differential interest rates within districts, with higher rates having to be borne by new farmers or operators in distress. The pernicious effect of such risk-based interest rates is to narrow the base of agriculture through starvation of credit to all but the most credit worthy borrowers.

The bill that we introduce today is aimed at reestablishing Farm Credit System policies that will help farmers in need of help and at preserving local control of the Farm Credit System.

The emphasis of this legislation is on helping the farmer/borrower directly. Title I of the legislation establishes an interest rate buydown program aimed at getting interest rates to System borrowers down to the neighborhood of 7 percent. The bill would accomplish this by requiring a 1-percentage-point reduction in the billing rate of Farm Credit System loans, to be funded by each Farm Credit System lender with respect to its loans, and a further 2-percentage-point reduction funded by payments from the Treasury. In addition, the bill authorizes interest rates to be reduced further, on borrower request, by the early return to the farmer, in the form of an interest rate reduction, of up to one-half of the borrower's stock, applied as interest payments otherwise due by that farmer.

The bill further aids borrowers by establishing a new Farm Credit reserve fund to insure the repayment of borrowers' stock at par. One of the most severe problems besetting the Farm Credit System right now is the rampant shrinkage in loan volume, presently running at $1 billion per month. There is simply no way to stop the flight of good borrowers out of the Farm Credit System without reestablishing confidence on the part of borrowers that they will be able to redeem their stock at par.

The bill would reverse the foreclosure first policy of so many System lenders by providing for a new forbearance program and a mandatory restructuring program. Other important proborrower features of the legislation include homestead protection provisions, a leaseback/buyback program, and statutory specification of appropriate borrowers rights.

A second major area of concentration of this legislation is on Farm Credit System institutional problems that have gotten the System paralyzed in a litigation tangle that only new legislation can unsnarl. To that end the Farm Credit Reserve Fund will provide aid to troubled System banks and associations on a loan basis. The reserve fund would be capitalized initially by the System's issuance of $2.5 billion of uncollateralized bonds, guaranteed by the Treasury. An appropriate level of capital would be maintained in the fund in the future through the contribution of up to 1 percent of each System bond issuance.

The reserve fund so established would be administered by the Farm Credit Board. The creation of such a reserve fund would effectuate the termination of loss sharing/capital preservation agreements now in litigation and the bill so provides; no System entity could obtain help from the reserve fund until it had agreed to the capital preservation agreement reversals and capital assessment returns, thus ending the litigation. In addition, because the reserve fund will become the mechanism for System self-help, the bill accelerates the date in present law for sunset of the Capital Corporation. And finally, in order to halt the creeping efforts toward centralization by the Farm Credit System's leaders of the past few years, the bill also sunsets and prohibits the future establishment of service organizations such as the Farm Credit Corporation of America, which bring no useful efficiencies to the System and which are stalking horses for a centralized bank.

The third area of concentration in the legislation concerns preservation of local control of the System for the future. The measures included in the bill to accomplish this goal include a mandatory cooling-off period before mergers become effective; a referendum to allow stockholder/borrowers to decide whether they wish a separate board of directors for a System bank; and for periodic dissemination of accurate Funding Corporation reports to System entities.

We believe that these measures, if enacted, would provide appropriate solutions to the System's pressing problems. Borrower flight would be stopped by the lower interest rates and by the guaranteeing of borrowers' stock for a limited period of time. The bill would keep farmers on the farm and land off the thin market by encouraging forebearance, restructuring, and leaseback/buyback programs in every Farm Credit district. The bill would cut through the litigation mess over the Capital Corporation's assessment powers and over the loss sharing/capital preservation agreements by abolishing them and making use of the System's continuing strength in the capital markets, using a leveraged approach that should minimize the cash cost to the Government.

The cost of the Treasury's portion of the interest buydown would be approximately $1 billion on $50 billion of Farm Credit System agricultural loans for each of the next 2 years. The Treasury guarantee of $2.5 billion of bonds for the initial capitalization of the reserve fund will not cost the Government anything if, like the case of Chrysler Corp., a slimmed down Farm Credit System is able to return to profitability.

I hope my colleagues will join me in supporting this legislation. Attached is a title-by-title, section-by-section analysis. I ask unanimous consent that the bill, section-by-section analysis, and highlights of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1156

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Farm Credit Borrower Relief, System Reform and Local Control Act of 1987".

TITLE I—INTEREST RATE REDUCTION

SEC. 101. IMMEDIATE INTEREST RATE REDUCTION.

(a) MANDATORY INTEREST RATE REDUCTION.—There shall be a mandatory reduction in the billing rate on all Farm Credit Systems loans, to not less than seven percent, starting on the date of enactment of this Act and lasting for two years. This mandatory reduction shall apply to loans outstanding on the date of enactment of this Act and to new loans, and shall be composed of contributions first from System lenders and then from the Treasury of the United States, as set forth below. It shall be in addition to any voluntary rate reduction by any lending institution.

(1) SYSTEM CONTRIBUTION.—There shall be a one percentage point reduction which shall be funded by each Farm Credit System lender with respect to its loans. Any interest rate reductions made by a lender from January 1, 1987 through the effective date of this Act shall be counted toward this one percentage point reduction, and any interest rate increases made during that period shall be removed.

(2) FEDERAL CONTRIBUTION.—There shall be a two percentage point reduction which shall be funded by direct payments from the Secretary of the Treasury to each Farm Credit System lender, as soon as practicable after the end of each financial quarter, equal to the amount by which interest payments on loans held by that lender were reduced by operation of this paragraph. The Farm Credit Administration shall certify to the Secretary of the Treasury the payment due to each lender.

(b) FURTHER INTEREST RATE REDUCTION—BORROWER CONTRIBUTION.—Upon the written request of a Farm Credit System borrower, with respect to any or all of his or her loans, there shall be an additional two percentage point reduction to be funded by applying up to one-half of that borrower's stock, as allocated to each of his or her loans, against interest that the borrower would owe but for the reduction contained in this paragraph. This two percentage point reduction shall last until the end of the two-year period specified in subsection (a), but shall terminate with respect to a loan sooner if the stock credit allocable to that loan is exhausted. Crediting borrower stock against interest shall decrease a lender's capital account and be reported as interest income by the lender and as interest expense by the borrower, while decreasing the amount owed to the borrower upon redemption of his or her stock.

(c) TEMPORARY GUARANTEE OF BORROWER STOCK.—For a period of five years starting on the effective date of this Act, no borrower stock shall be retired at less than par, as guaranteed under section 601 of this Act.

TITLE II—BORROWER RELIEF: FOREBEARANCE AND RESTRUCTURING

SEC. 201. BORROWER RELIEF THROUGH FORBEARANCE AND RESTRUCTURING PROGRAM, FORECLOSURE RESTRICTIONS, LEASE-BACK BUY-BACK PROGRAM, HOMESTEAD.

Title IV of the Farm Credit Act of 1971 is amended by adding a new Part at the end as follows:

"PART G—FORBEARANCE AND RESTRUCTURING; FORECLOSURE RESTRICTIONS; LEASE-BACK BUY-BACK; HOMESTEAD

"SEC. 4.40. FORBEARANCE AND RESTRUCTURING PROGRAM.—All banks and associations shall have a forbearance and restructuring program that provides the borrower with at least the opportunities contained in this section.

"(a) On the written request of a borrower with respect to a loan that is about to become, or is, delinquent, a bank or association shall determine whether the borrower meets the following criteria:

"(1) the borrower is applying all income over and above necessary and reasonable living and operating expenses to the payment of primary obligations,

"(2) the borrower has the financial capacity and the management skills to protect the collateral from diversions, dissipation or deterioration, and

"(3) the borrower is capable of working out his or her existing financial difficulties, re-establishing a fully viable operation and repaying the loan on a rescheduled basis.

"(b) For borrowers meeting the criteria, the bank or association shall consider whether any of the following actions would both benefit the borrower and offer reasonable protection for the institution:

"(1) formal or informal agreement to a late payment or payments;

"(2) deferral for some period of the payment of all or part of the principal otherwise due;

"(3) extension of the term of the loan through reamortization; or

"(4) refraining for some period to exercise a right with respect to the loan otherwise granted by the loan documents or applicable law.

"(c) The bank or association may require the borrower to furnish appropriate financial documents and information in view of the forbearance or restructuring option or options under consideration.

"(d) The borrower shall have the right within 10 days after notification of a refusal to forbear or restructure to appeal for reconsideration to a committee established by the institution's board of directors. For associations, the committee shall be composed of two members of the board of directors and the chief executive officer. The notification or refusal to forbear or restructure shall disclose this right. The committee may accept additional information to decide the appeal. Its decision shall be final.

"SEC. 4.41. FORECLOSURE RESTRICTIONS.—(a) A bank or association shall not foreclose a mortgage if the borrower:

"(1) is doing his or her honest best (by exerting every reasonable effort toward proper management and operation of the security; using outside income or resources, if available, to help carry the indebtedness; and being willing to meet all material requirements which the bank and association are justified in making) and is cooperative;

"(2) is applying income over and above necessary living and operating expenses, to the payment of primary obligations (by restricting living expenses to what is reasonable in view of the amount of indebtedness);

"(3) is taking proper care of the property (by maintaining necessary buildings and other physical assets in reasonable state of repair and in general maintaining or improving the overall condition of the property); and

"(4) has the capacity to work his or her way out of a reasonable burden of debt under normal conditions.

"(b) The borrower shall receive at least 30 days written notice before a foreclosure action is filed against the borrower stating in writing the reasons for the foreclosure action, according to the terms of the loan agreement. If the borrower becomes current under the terms cited in the notice within the 30-day period, foreclosure proceedings shall not be filed. The borrower shall also have the right within 10 days after a foreclosure action is filed to appeal for reconsideration to a committee established by the institution's board of directors. For associations, the committee shall be composed of two members of the board of directors and the chief executive officer. The notification of intention to file a foreclosure action shall disclose these rights. The commitee may accept additional information to decide the appeal. Its decision shall be final.

"SEC. 4.42. HOMESTEAD PROTECTION.—If an institution forecloses a loan made by the institution or a borrower of a loan made by the institution declares bankruptcy or goes into voluntary liquidation to avoid foreclosure or bankruptcy, the institution shall make every effort to permit the borrower to retain ownership and/or possession and occupancy of the principal residence of the borrower, and a reasonable amount of adjoining land, to maintain the family of the borrower. In the absence of an agreement otherwise between the borrower and the institution, the homestead protected by this section shall be the statutory homestead in the state of the borrower's residence. Homestead protection may be through lease-back buy-back as provided in the next section or on any other terms negotiated between the borrower and the institution which offer reasonable protection for the institution, which may include financing the homestead on its market value at that time on terms that the borrower can likely repay.

"SEC. 4.43. LEASE-BACK BUY-BACK PROGRAM.—To avoid displacing viable agricultural operators and depressing the value of land in the region, banks and associations shall have a lease-back buy-back program that provides at least the opportunities contained in this section.

"(a) LEASE TO VIABLE OPERATOR WITH OPTION TO REPURCHASE.—If a bank or association forecloses on a loan, or if a borrower declares bankruptcy or enters voluntary liquidation to avoid foreclosure or bankruptcy, the institution, after taking title to any property listed as collateral with respect to such loan, may lease all or any part of that property to—

"(1) the borrower if that borrower is a viable operator at the time the institution takes title, or

"(2) if the borrower is not a viable operator or does not desire to lease the loan collateral, to any other viable agricultural operator, giving special consideration to operators of family-size farms and to beginning farmers.

"(b) 10-YEAR MAXIMUM TERM.—The bank may re-execute the lease or enter into a new lease with lessees who remain viable operators, except that the bank may not retain title to the leased collateral for longer than ten years.

"(c) REPURCHASE OPTION.—If the institution leases the property to the borrower under subsection (a)(1), the lease agreement shall contain a repurchase option covering the whole or any part, exercisable at any time as agreed between the institution and the borrower, at a price to be determined at the time that the option is exercised. The option price shall not exceed the amount of loan principal outstanding when the institution took title, plus any interest that would have accrued from that date to the date of repurchase.

"(d) CERTIFICATION AS BOND COLLATERAL.—The value of loan collateral to which an institution has taken title pursuant to this section may serve as bond collateral under Section 4.3(c).

"(e) APPEALS.—A borrower shall have the right to appeal an institution's decisions under this section to a committee established by the institution's board of directors. For associations, the committee shall be composed of two members of the board of directors and the chief executive officer. The decisions of that committee shall be final.

"(f) INAPPLICABILITY TO MARGINAL LAND.—This lease-back buy-back program shall not apply to land that the bank or association believes should not be in agriculture, or to highly erodible land or converted wetland as described in sections 1211 and 1221 of the Food Security Act of 1985."

TITLE III—BORROWER RIGHTS

SEC. 301. BORROWER RIGHTS.

(a) SPECIFICATION OF BORROWER RIGHTS.—The title of Part C of Title IV of the Farm Credit Act of 1971 is amended to read:

"PART C—BORROWER RIGHTS"

(b) PROTECTION OF BORROWERS WITH CURRENT LOANS FROM DEMANDS FOR ADDITIONAL COLLATERAL OR INFORMATION.—A new Section 4.21 is added to the Farm Credit Act of 1971 as follows:

"SEC. 4.21. BORROWER PROTECTION.—A Farm Credit System borrower may not, with respect to any loan that is current under the terms of the loan agreement:

"(a) be required to provide additional collateral;

"(b) be foreclosed on or otherwise liquidated for failing to post additional collateral; or

"(c) be required to furnish additional financial information unless provided for in the loan agreement, or unless the borrower is requesting a change in the terms in the loan agreement."

(c) ACCESS TO DOCUMENTS AND INFORMATION.—Section 4.13A of the Farm Credit Act of 1971 (12 U.S.C. 2200) is amended to read as follows:

"SEC. 4.13A. ACCESS TO DOCUMENTS AND INFORMATION.—System institutions shall provide their borrowers, at the time of execution of loans and at any time thereafter upon request:

"(a) copies of all documents signed or delivered by the borrower;

"(b) a copy of the institution's articles of incorporation or charter and bylaws;

"(c) the current and effective interest rates on the borrower's loans, whether fixed or variable, and any changes in the current and effective interest rates during the lives of the loans;

"(d) copies of current forbearance and restructuring policies, including notices of the right to and method of appeals; and

"(e) the appraised value of the collateral."

SEC. 302. JURISDICTION OF BORROWERS' SUITS; STANDING.

A new Section 5.38 is added to the Farm Credit Act of 1971 as follows:

"SEC. 5.38. BORROWERS' SUITES.—(a) RIGHT OF ACTION.—Any borrower shall have a right to sue

"(1) any institution of the Farm Credit System for violation of

"(A) any duty, standard or limitation owing to the borrower, prescribed under this chapter, and

"(B) any order issued by the Farm Credit Administration with respect to any such a duty, standard or limitation owing to the borrower, and

"(2) the Farm Credit Administration for a failure to perform any act or duty prescribed under this chapter to the extent that it is not discretionary.

"(b) JURISDICTION.—The United States district courts shall have original jurisdiction, without regard to the amount in controversy or the citizenship of the parties, over any action brought under subsection (a).

"(c) STANDING.—A borrower shall have standing if he or she has suffered legal wrong or is aggrieved or adversely affected by the violation or violations on which the suit is based.

"(d) OTHER CAUSES OF ACTION.—Nothing in this section shall restrict any right which any borrower or any other person (or class of borrowers or other persons) may have under this Act, any other statute or the common law."

TITLE IV—SUNSET OF THE CAPITAL CORPORATION AND HALT TO SYSTEM CENTRALIZATION THROUGH SERVICE ORGANIZATIONS.

SEC. 401. SUNSET OF THE FARM CREDIT SYSTEM CAPITAL CORPORATION

(a) SUNSET.—Section 4.28G(b) of the Farm Credit Act of 1971 (12 U.S.C. 2216F(b)) is amended to read as follows:

The authority and existence of the Farm Credit System Capital Corporation shall terminate on the ninetieth day after the effective date of the Farm Credit Relief, Reform and Local Control Act of 1987."

(b) LIQUIDATION; DISTRIBUTION OF PROCEEDS.—The Farm Credit System Capital Corporation shall be liquidated as soon as practicable after termination, and its assets shall be distributed among Farm Credit System institutions that contributed to its funding under section 4.28(a)(14) in proportion to their contributions. Distributions shall be decreased by amounts already received as financial assistance or otherwise already returned.

(c) CONFORMING AMENDMENT.—Section 4.1 of the Farm Credit Act of 1971 (12 U.S.C. 2152) is deleted.

SEC. 402. HALT TO SYSTEM CONSOLIDATION OR MERGER THROUGH SERVICE ORGANIZATIONS SUCH AS THE FARM CREDIT CORPORATION OF AMERICA.

(a) The service organizations sections of the Farm Credit Act of 1971, sections 4.25 through 4.28 (12 U.S.C. 2211 through 2214) are deleted. A new section 4.25 is added as follows:

"SEC. 4.25. CHARTERING OF SERVICE ORGANIZATIONS PROHIBITED.—The Farm Credit Administration shall not have the power under this or any other Act to charter any entities except Federal land banks, Federal land bank associations, Federal intermediate credit banks, production credit associations, banks for cooperatives, the Central Bank for Cooperatives, and the Federal Farm Credit Banks Funding Corporation."

(b) All service organizations established pursuant to section 4.25 of the Farm Credit Act of 1971 (12 U.S.C. 2211) before the effective date of this Act, except the Federal Farm Credit Banks Funding Corporation, shall be liquidated within ninety days after the effective date of this Act. The Federal Farm Credit Banks Funding Corporation shall retain its function of assisting in the issuance of system-wide obligations, and continue as a body corporate. The Federal Farm Credit Banks Funding Corporation shall have no authority to extend credit, to set policy, to prescribe lending limits or standards, to make any lending decisions, to hold any primary System capital, to assume in any manner the primary responsibility of System institutions to service System borrowers, or to provide insurance services for borrowers from System institutions.

SEC. 403. CONFORMING AMENDMENT.

Section 1.2 of the Farm Credit Act of 1971 (12 U.S.C. 2002) is amended to read as follows:

"Sec. 1.2. The Farm Credit System.—The Farm Credit System shall consist of the Federal land banks, the Federal land bank associations, the Federal intermediate credit banks, the production credit associations, the banks for cooperatives, the Central Bank for Cooperatives, and the Federal Farm Credit Banks Funding Corporation.".

TITLE V—FUTURE STABILITY THROUGH FARM CREDIT RESERVE FUND

SEC. 501. IMMEDIATE AUTHORIZATION OF THE FARM CREDIT RESERVE FUND

Section 4.9A of the Farm Credit Act of 1971 (12 U.S.C. 2161) is amended to read as follows:

"Sec. 4.9A. Reserve Fund for the Farm Credit System.—(a) Establishment.—The Farm Credit Administration shall establish a reserve fund (referred to in this part as "the Reserve") wtihin 30 days after the effective date of the Farm Credit Relief, Reform and Local Control Act of 1987, and maintain it in accordance with this section.

"(b) Investment.—The Reserve shall be held solely in Treasury securities, demand deposits and such other investments as are guaranteed as to principal and interest by the United States.

"(c) Use of Reserve Funds.—

"(1) Temporary guarantee of borrower stock.—For a period of five years starting on the effective date of the Farm Credit Relief, Reform and Local Control Act of 1987, the Farm Credit Administration shall make such payments to banks and associations from the Reserve as are necessary to prevent borrower stock from being retired at less than par.

"(2) Protect institution viability.—The Farm Credit Administration shall use the Reserve to make financial assistance available to financially troubled institutions of the Farm Credit System so as to ensure that farm credit services will continue to be availble to borrowers in the institution's territory.

"(d) Funding.—

"(1) Initial funding.—

(A) One-time issuance of guaranteed bond.—The initial funding of the Reserve shall be through the one-time issuance of an uncollateralized joint obligation of the banks of the Farm Credit System in the amount of 2.5 billion dollars, which shall be guaranteed by the United States. Each bank shall be responsible for that portion of the obligation which corresponds to that bank's portion of total System assets (considering bank and association assets as consolidated for this purpose). In return, the Reserve shall issue an equivalent amount of nonvoting stock in the Reserve to be held by each bank as an asset.

"(B) Liquidation proceeds.—All proceeds from the liquidation of any corporation pursuant to section 502 of this Act shall be contributed to the Reserve.

"(2) Perpetual funding.—The Reserve shall be maintained through the payment into it of up to 1 percent of the proceeds from each note, bond, debenture, or other obligation issued by one or more banks under this Act, as ordered by the Farm Credit Administration without the burden falling unfairly on individual banks or bank groups. Payments shall be allocated among the issuing banks in the same proportion as they receive the proceeds of the issuance, and shall be accounted for as operating expenses.

"(3) Suspension of payments.—The Farm Credit Administration shall temporarily suspend funding under paragraph (2) if the Reserve contains the lesser of:

"(A) an unobligated sum that exceeds the amount necessary to achieve the purposes of the Reserve, as determined by the Farm Credit Administration, giving due regard to the possibility of unexpected System or institution financial difficulties, or

"(B) an amount in excess of 3 percent of the total of System loans outstanding on December 31 of the preceeding year made to persons other than other System institutions.

"(e) Rebate.—Reserve amounts in excess of the maintenance level established under paragraph (d) shall be rebated to banks in proportion to their contributions during the period determined by the Farm Credit Administration as having generated the excess. Rebates shall be accounted for as operating income.

"(f) Repayment of Financial Assistance.—The Farm Credit Administration shall require a bank or association to repay any financial assistance made under this section when the Farm Credit Administration determines that the bank or association can do so and the need for financial assistance is reduced or no longer exists.

"(g) Regulations.—The Farm Credit Administration shall issue regulations implementing this section."

TITLE VI—TERMINATION OF LOSS SHARING THAT CONFLICTS WITH THE RESERVE FUND

SEC. 601. TERMINATION OF INTER-BANK AGREEMENTS IN CONFLICT WITH THE RESERVE FUND

The statutory authority for the 37-Bank Capital Preservation Agreement, the Federal Land Banks Capital Preservation Agreement, the Federal Intermediate Credit Banks Capital Preservation Agreement and the Banks for Cooperative Loss Sharing Agreement is abolished, and in exchange for the benefits flowing to the signatories to those agreements under the provisions of this Act, those agreements are terminated as of January 1, 1986, with any actions thereunder subsequent to January 1, 1986 being hereby reversed.

(a) Section 1.4(22) of the Farm Credit Act of 1971 is deleted;

(b) Section 2.1(18) of the Farm Credit Act of 1971 is deleted; and

(c) Section 3.1(18) of the Farm Credit Act of 1971 is deleted.

TITLE VII—LOCAL CONTROL

SEC. 701. ELECTION TO HAVE SEPARATE BOARDS OF DIRECTORS FOR SYSTEM BANKS.

A new Section 5.3A is added to the Farm Credit Act of 1971 as follows:

"Sec. 5.3A Election to Have Separate Board of Directors for System Bank.—(a) Petition; Notice.—Upon receipt of a petition by a stockholder or stockholders of any bank (or one or more borrowers from or subscribers to the guaranty fund of a bank for cooperatives) representing at least twenty-five percent of the total number of votes that may be cast by the bank's stockholders (or subscribers) in the election of directors, the Farm Credit Administration shall, within thirty days, issue a notice to all stock-holders (or subscribers) explaining that a referendum has been called to determine whether to elect a separate Board of Directors for the bank. The notice shall state the time and place of a special stockholders' meeting to hold the referendum. The notice to associations shall state the number of votes that the board of the association is entitled to cast in the referendum, based on the number of voting stockholders of that association on the date of such notice, as determined by the Farm Credit Administration. The meeting shall be held not less than thirty nor more than sixty days from the date on which the notice is mailed.

"(b) Majority Vote.—If at the special stockholders's meeting called pursuant to subsection (a) a majority of the votes represented at such meeting are cast in favor of the election of a separate Board of Directors for the bank, the Farm Credit Administration shall proceed to hold elections for a separate Board of Directors for the bank in accordance with the provisions of subsection (c).

"(c) Separate Bank Board of Directors.—Each separate Board of Directors shall be composed of five members. Two members of the original separate board shall be the two District board members already elected by the bank's stock-holders (or subscribers), who shall no longer be members of the District Board. The other three original members, and all succeeding members, shall be elected and serve in accordance with Sections 5.1 and 5.2.

"(d) Termination of District Board.—If separate boards are established for two or more banks in a District, the District Board for that District shall be terminated.

"(e) Coordination With Other Boards.—Coordination between boards of directors in a District on matters such as joint property, functions or policy shall be by committee composed of representatives from each board in the District.

"(f) Abolishment of Separate Boards.—A separate Board of Directors established pursuant to this section shall continue until abolished. If the Farm Credit Administration receives a petition similar to that described in subsection (a) requesting a referendum to determine whether to retain the separate Board of Directors for the bank, a referendum shall be held as provided in subsection (a). If a majority of the votes represented at the special shareholders' meeting called pursuant to the preceding sentence are cast in favor of abolishing the separate Board of Directors of the bank, the Board shall be abolished, and the two most senior members shall join the District Board, which shall then act for the bank. If the

District Board has been terminated under subsection (d), it shall take the concurrent abolition referendums of two District Banks to reestablish it.

"(g) LIMITATION.—The creation of a separate board, or its abolition, shall last at least five years.

"(h) POWERS.—The separate board of directors of a district bank elected pursuant to this section shall have the power to exercise all of the powers granted to the bank in section 1.4, 2.1, or 3.1, whichever is applicable. The District Board shall not act for the bank or impose the authority otherwise granted under Section 5.6."

TITLE VIII—MANDATORY COOL-OFF PERIOD FOR MERGERS

SEC. 801. COOLING-OFF PERIOD FOR ASSOCIATION MERGERS.

SEC. 4.12 of the Farm Credit Act of 1971 (12 U.S.C. 2183) is amended by adding at the end thereof the following:

"(d) A vote of voluntary merger by stockholders of two or more associations under subsection (a) shall not take effect for sixty days, and the associations shall be held separate for that time. If a petition for reconsideration, signed by at least five percent of the stockholders of any one or more of the merging associations, is presented to the supervising bank by the fiftieth day, a special stockholders' meeting to reconsider the merger shall be held before the sixtieth day. The special meeting shall include the stockholders of all merging associations. If a majority of the stockholders of any merging association votes against merger at the special meeting, the merger shall not take place."

TITLE IX-FUNDING CORPORATION REPORT

SEC. 901. REPORT BY THE FEDERAL FARM CREDIT BANKS FUNDING CORPORATION

A new Section 4.26 is added to the Farm Credit Act of 1971 as follows:

"SEC. 4.26. FUNDING CORPORATION REPORT.—The Federal Farm Credit Banks Funding Corporation shall make an annual written report to each System bank and association detailing its bond placements, budget, costs and expenses. Copies of this report shall be furnished to the Agriculture Committees of the Senate and the House of Representatives, and to the Farm Credit Administration."

[Section-By-Section Analysis]

FARM CREDIT BORROWER RELIEF, SYSTEM REFORM AND LOCAL CONTROL ACT OF 1987

TITLE I—INTEREST RATE REDUCTION

Section 101 provides for an immediate reduction in the billing rate on all Farm Credit System loans, starting on the date of enactment of the Act and lasting for two years.

Subsection (a) provides for a mandatory interest rate reduction to not less than seven percent. This mandatory reduction shall be composed first of a one percentage point reduction funded by each Farm Credit System lender with respect to its loans. This subsection uses institution rates on January 1, 1987 as benchmarks in order to avoid discouraging rate reductions during the consideration of this Act. The second component shall be a two percentage point reduction which shall be funded by direct payments from the Secretary of the Treasury to each Farm Credit System lender equal to the amount by which interest payments on loans held by that lender are reduced by operation of this two percentage point reduction. The Farm Credit Board shall certify to the Treasury the payments due to each lender. The mandatory reduction shall apply to loans outstanding on the date of enactment and to new loans, and shall be in addition to any voluntary rate reduction by any lending institution.

Subsection (b) provides for a further reduction, upon a borrower's written request, in the amount of two percentage points to be funded by applying up to one-half of each borrower's stock, as allocated to each of his or her loans, against interest that the borrower would owe but for the reduction contained in this subsection. This two percentage point reduction shall terminate with respect to a loan sooner than the general rate reduction mandated by this section if the stock credit allocable to that loan is exhausted.

Subsection (c) provides for a five-year guarantee of borrower stock as part of this rate reduction program. The terms of that guarantee are set out in section 501 of this Act.

TITLE II—BORROWER RELIEF: FORBEARANCE AND RESTRUCTURING

Section 201 adds a new Part G to Title IV of the Farm Credit Act of 1971 to establish a meaningful program of borrower relief alternatives.

A new section 4.40 requires that all banks and associations shall have a forbearance program that provides at least the borrower forbearance opportunities specified. First, on the written request of a borrower with respect to a loan that is about to become, or is, delinquent a bank or association shall determine whether the borrower meets three forbearance criteria: (1) whether the borrower is applying all income over and above necessary and reasonable living and operating expenses to the payment of primary obligations; (2) whether the borrower has the financial capacity and the management skills to protect collateral from diversions, dissipation or deterioration; and (3) whether the borrower is capable of working out his or her existing financial difficulties, re-establishing a fully viable operation and paying the loan on a rescheduled basis. For borrowers meeting the three criteria, the bank or association shall then consider whether the borrower would be benefitted, and the association protected, by a formal or informal agreement to a late payment or payments, by deferral for some period of the payment of all or part of the principal otherwise due, by the extension of the term of the loan through reamortization or by the institution refraining for some period to exercise a right with respect to the loan otherwise granted by the loan documents or applicable law. Appropriate financial information may be required by the bank or association in view of the forbearance option or options under consideration. A right of appeal is provided.

A new section 4.41 provides that a bank or association shall not foreclose a mortgage if the borrower: (1) is doing his or her honest best and is cooperative; (2) is applying income over and above necessary living and operating expenses to the payment of primary obligations; (3) is taking proper care of the property; and (4) has the capacity to work his or her way out of a reasonable burden of debt under normal conditions. This section also provides that borrowers must receive at least thirty days written notice before a foreclosure action is filed, stating the reasons for the foreclosure action according to the terms of the agreement. Foreclosure proceedings shall not be filed if the borrower becomes current under the cited terms within the thirty day period. The section further provides a right to appeal a filing of foreclosure within ten days.

A new section 4.42 provides that Farm Credit System institutions shall make every effort to permit a borrower in foreclosure, bankruptcy or voluntary liquidation to retain ownership and/or possession and occupancy of his or her principal residence, and a reasonable amount of adjoining land, to maintain his or her family. In the absence of an agreement otherwise between the borrower and the institution, the homestead protected by this section shall be the statutory homestead in the state of the borrower's residence. Homestead protection may be through lease-back buy-back as provided in section 4.43 or on any other terms negotiated between the borrower and the institution which offer reasonable protection for the institution, which may include financing the homestead on its market value at that time on terms that the borrower can likely repay.

A new section 4.43 establishes a lease-back buy-back program to avoid displacing viable agricultural operators and depressing the value of land in the region. Under this program, a bank or association may take title to loan collateral and may lease all or any part of it back to the borrower if that borrower is a viable operator, or to any other viable operator (giving special consideration to operators of family-size farms and to beginning farmers) if the borrower is not viable or does not want to participate. Collateral to which title has been taken may be held by an institution for not longer than ten years. If the institution leases the property to the borrower, the lease agreement shall contain a repurchase option covering the whole or any part of the collateral, exercisable at any time as agreed between the institution and the borrower, at a price to be determined at the time that the option is exercised. The option price shall not exceed the amount of loan principal outstanding when the institution took title, plus any interest that would have accrued from that date to the date of repurchase. This section also specifically permits the value of loan collateral to which an institution has taken title pursuant to this section to be used as bond collateral. This corrects a defect under current law which does not allow the value of acquired property to be used as bond collateral, thus forcing banks faced with a deficiency in collateral to sell acquired property to generate cash, which results in further depressing land values in the region. A borrower shall have a right of appeal from decision made under this section. The lease-back buy-back program shall not apply to land that the bank or association believes should not be in agriculture, or to highly erodible land or converted wetland.

TITLE III—BORROWER RIGHTS

Section 301 amends Part C of title IV of the Farm Credit Act of 1971 to be a Borrower Rights subtitle.

A new section 4.21 is added to the Farm Credit Act of 1971 to protect borrowers, with respect to any loan that is current under the terms of the loan agreement, from: (a) being required to provide additional collateral; (b) being foreclosed on or otherwise liquidated for failing to post additional collateral; or (c) being required to furnish additional financial information unless the borrower is requesting a change in the terms of the loan agreement.

Section 4.13A of the Farm Credit Act of 1971 is amended to provide borrowers with a right, at any time, to obtain copies of all documents signed or delivered by the borrower, a copy of the institution's articles of incorporation or charter and by-laws, the current and effective interest rates on the borrower's loans, copies of the current forbearance and restructuring policies, including notices of the right to the method of appeal, and the appraised value of the borrower's collateral.

Section 302 adds a new section 5.38 to the Farm Credit Act of 1971 to affirm that borrowers have a right to sue, in federal court, any institution of the Farm Credit System for violation of any duty, standard or limitation owing to the borrower and for violation of any order issued by the Farm Credit Administration with respect to any such duty, standard or limitation, and to sue the Farm Credit Administration for failure to perform any Act or duty to the extent that it is not discretionary. Borrowers have standing if they have suffered legal wrong or are aggrieved or adversely affected by the violation or violations on which their suits are based. This section specifically does not restrict any right which any borrower or any other person (or class of borrowers or other persons) otherwise has under the Farm Credit Act of 1971, any other statute or the common law.

TITLE IV—SUNSET OF THE CAPITAL CORPORATION AND HALT TO SYSTEM CENTRALIZATION THROUGH SERVICE ORGANIZATIONS

Section 401 sunsets the Farm Credit System Capital Corporation at an earlier date than the 1990 expiration provided for in the 1985 Amendments.

Subsection (a) provides that the authority and existence of the Farm Credit System Capital Corporation shall terminate on the ninetieth day after the effective date of the Act.

Subsection (b) provides that liquidation shall follow as soon as practicable after termination, and that the distribution of assets shall be to those Farm Credit institutions that contributed to the funding of the Capital Corporation under section 4.28G(a)14 of the Farm Credit Act of 1971, in proportion to their contributions. Distributions shall be decreased by amounts already received as financial assistance or otherwise already returned.

Subsection (c) is a conforming amendment to delete Section 4.1 of the Farm Credit Act of 1971.

Section 402 halts System Consolidation and merger through service organizations such as the Farm Credit Corporation of America.

Subsection (a) removes all authority from the Farm Credit Administration to charter any entities except Federal land banks, Federal land bank associations, Federal intermediate credit banks, production credit associations, banks for cooperatives, the Central Bank for Cooperatives, and the Federal Farm Credit Banks Funding Corporation.

Subsection (b) provides that all service organizations terminated on the effective date of this Act by the removal of the Farm Credit Administration's chartering authority shall be liquidated within ninety days after the effective date. The Federal Farm Credit Banks Funding Corporation is specifically continued as a body corporate. The Funding Corporation shall have no authority to extend credit, to set policy, to prescribe lending limits or standards, to make any lending decisions, to hold any primary System capital, to assume in any manner the primary responsibility of System institutions to service System borrowers, or to provide insurance services for borrowers from System institutions.

Section 403 is a conforming amendment to specify in Section 1.2 of the Farm Credit Act of 1971 that the Farm Credit System shall consist only of entities chartered under the authority of the Farm Credit Administration, as limited by this title.

TITLE V—FUTURE STABILITY THROUGH FARM CREDIT RESERVE FUND

Section 501 accelerates the start of operations of the Farm Credit Reserve Fund, which current law provides as a replacement for the Capital Corporation when that Corporation is sunsetted. This section amends Section 4.9A of the Farm Credit Act of 1971 to provide for the start-up of the Reserve within thirty days after the effective date of this Act. The Reserve shall be held solely in Treasury securities, demand deposits and such other investments as are guaranteed as to principal and interest by the United States. The Farm Credit Board shall use the Reserve to make financial assistance available to financially troubled inistitutions of the Farm Credit System so as to insure that Farm Credit services will continue to be available to borrowers in the institution's territory. The Farm Credit Board shall have an additional obligation to use the Reserve, for a period of five years starting on the effective date of this Act, to make such payments to banks and associations as are necessary to prevent borrower stock from being retired at less than par. The Reserve shall be funded initially through the one-time issuance of an uncollaterialized joint obligation of the banks of the Farm Credit System in the amount of $2.5 billion, which shall be guaranteed by the United States. The Reserve shall also have paid into it all proceeds from the liquidation of any service organization pursuant to Section 402 of this Act. The perpetual funding of the Reserve shall be through the contribution of up to one percent of the proceeds from each note, bond, debenture or other obligation issued by one or more banks under the Farm Credit Act of 1971 as ordered by the Farm Credit Board without the burden falling unfairly on individual banks or bank groups. Contributions shall be temporarily suspended if the Reserve contains the lesser of: (1) an unobligated sum that exceeds the amount necessary to achieve the purposes of the Reserve, as determined by the Farm Credit Board giving due regard to the possibility of unexpected System or institution financial difficulties; or (2) an amount equal to three percent of the total of System loans outstanding on December 31 of the preceding year made to persons other than System institutions. Reserve amounts in excess of the maintenance level shall be rebated to banks in proportion to their contributions during the period determined by the Farm Credit Board as having generated the excess. Financial assistance from the Reserve shall be repaid when the Farm Credit Board determines that the bank or association can do so and the need for financial assistance is reduced or no longer exists. The Farm Credit Board shall issue regulations implementing this section.

TITLE VI—TERMINATION OF LOSS SHARING THAT CONFLICTS WITH THE RESERVE FUND

Section 601 deletes the statutory authority for interbank agreements to share losses. The 37-Bank Capital Preservation Agreement, the Federal Land Banks Capital Preservation Agreement, the Federal Intermediate Credit Banks Capital Preservation Agreement and the Banks for Cooperatives Loss Sharing Agreement are terminated retroactively to January 1, 1986, and any actions taken under those agreements from January 1, 1986 through the effective date of this Act are reversed.

TITLE VII—LOCAL CONTROL

Section 701 provides for a new method under which the stockholders of any System bank (or the borrowers from or subscribers to the bank's guarantee fund) shall be able to choose to have a separate Board of Directors for that bank. The procedures are set forth in a new Section 5.3A of the Farm Credit Act of 1971. Consideration of a separate board is initiated by a petition to the Farm Credit Administration by a stockholder or stockholders of any bank (or one or more borrowers from or subscribers to the guarantee fund of a bank for cooperatives) representing at least twenty-five percent of the total number of votes that may be cast by the bank's stockholders (or subscribers) in the election of directors. Within thirty days, the Farm Credit Administration shall issue a notice to all stockholders (or subscribers) explaining that a referendum has been called and starting the time and place of a special stockholders' meeting. The meeting shall be held not less than thirty or more than sixty days from the date on which the notice is mailed. If a majority of the votes represented at such meeting are cast in favor of the election of a separate Board of Directors for the bank, the Farm Credit Administration shall proceed to hold elections for a separate board. Each separate Board of Directors shall be composed of five members. Two members of the original separate board shall be the District Board members already elected by the bank's stockholders (or subscribers), who shall no longer be members of the District Board. The other three original members, and all succeeding members, shall be elected and serve in accordance with Sections 5.1 and 5.2 of the Farm Credit Act of 1971. If separate boards are established for two or more banks in a District, the District Board for that District shall be terminated. Coordination between Boards of Directors in a District on matters such as joint property, functions or policy shall be by committee composed of representatives from each board in the district. A separate Board of Directors established pursuant to this section shall continue until abolished by the same election procedure. If a majority of the votes represented at the special shareholders' meeting called to consider abolition of the separate Board of Directors are cast in favor of abolition, the separate Board shall be abolished, and the two most senior members shall join the District Board, which shall then act for the bank. If the District Board has been terminated, it shall take the concurrent abolition referendums of two banks in the District to reestablish it. In order for there to be sufficient time for a change in corporate governance under this section to be assessed by the stockholders, the creation of a separate board or its abolition shall last at least five years. During the existence of a separate Board of Directors for a bank, that Board shall exercise all of the powers granted to that bank under Section 1.4, 2.1, or 3.1 of the Farm Credit Act of 1971, whichever is applicable. The District Board shall not act for the bank or impose the authority otherwise granted under Section 5.6 of the Farm Credit Act of 1971.

TITLE VIII—MANDATORY COOL-OFF PERIOD FOR MERGERS

Section 801 provides for a cooling-off period for association mergers by adding a new subsection to Section 4.12 of the Farm Credit Act of 1971. A vote of voluntary merger by stockholders of two or more associations shall not take effect for sixty days, and the associations shall be held separate for that time. If a petition for reconsideration, signed by at least five percent of stockholders of any one or more of the merging associations, is presented to the supervising bank by the fiftieth day, a special stockholders' meeting to consider the merger shall be held before the sixtieth day. The special meeting shall include the stockholders of all merging associations. If a majority of the stockholders of any merging association votes against merger at the special meeting, the merger shall not take place.

TITLE IX—FUNDING CORPORATION REPORT

Section 901 adds a new Section 4.26 to the Farm Credit Act of 1971 to require the Federal Farm Credit Banks Funding Corporation to make an annual written report to each System bank and association detailing its bond placements, budget, costs and expenses. Copies of this report shall be furnished to the Agriculture Committees of the Senate and the House of Representatives, and to the Farm Credit Administration.

[Highlights]

THE FARM CREDIT BORROWER RELIEF, SYSTEM REFORM AND LOCAL CONTROL ACT OF 1987

The proposed Farm Credit Borrower Relief, System Reform and Local Control Act of 1987:

I. Helps the farmer/borrower directly:

Interest rates are mandatorily reduced to not less than 7 percent by a

1 percentage point reduction in the billing rate on Farm Credit System loans, funded by each Farm Credit System lender with respect to its loans, and a

2 percentage point reduction funded by direct payments to lenders from the Treasury,

Interest rates are further reduced on borrower request by a

2 percentage point reduction, funded by the early return to the farmer of up to one-half of each borrower's stock, applied as interest payments otherwise due by that farmer,

Borrower stock is guaranteed by a new Farm Credit Reserve Fund,

Forebearance program,

Mandatory restructuring program,

Homestead protection,

Leaseback/buyback program,

Specification of borrower rights including right to sue.

II. Reforms the Farm Credit System Institutions:

Creates a Farm Credit Reserve Fund to guarantee borrower stock and to provide aid to troubled System banks and associations (to be repaid when feasible),

Reserve to be funded initially by the System's issuance of $2.5 billion of uncollateralized bonds, guaranteed by the U.S. Treasury,

Future funding of Reserve by contribution of up to 1% of each new System bond issuance,

Reserve to be administered by the Farm Credit Board,

Terminates the loss sharing/capital preservation agreements now in litigation that conflict with operation of the Reserve Fund,

Provides for early sunset of the Capital Corporation, and a halt to system centralization by prohibiting service organizations such as Farm Credit Corporation of America (Denver)

III. Preserves local control of cooperative system for the future:

Referendum to allow stockholder/borrowers to decide whether they wish a separate board of directors for each bank,

Provides a mandatory cooling-off period before mergers become effective,

Provides for dissemination of accurate Funding Corporation reports.

ADVANTAGES AND COSTS OF THE FARM CREDIT BORROWER RELIEF, SYSTEM REFORM AND LOCAL CONTROL ACT OF 1987:

Advantages

Stops borrower flight, by lowering interest rates, guaranteeing borrower stock.

Keeps farmers on the farm, and land off the thin market, by forebearance, restructuring, leaseback/buyback.

Addresses the issue of System self-help by cutting through the litigation mess over the ill-conceived Capital Corporation and the loss sharing/capital preservation agreements by abolishing them; making use of the System's continuing strength in the capital markets by creating a new Farm Credit Reserve Fund through new joint borrowing (uncollateralized), guaranteed by the U.S. Treasury initially, with the Reserve thereafter maintained by the System's regular bond issues.

Addresses past abusive conduct to borrowers by a Borrower's Bill of Rights

Addresses forced mergers of System institutions by a mandatory cooling-off period and assurance of truthful data

Addresses stockholder control of the System by providing a referendum in each district on whether stockholders want a separate board of directors for each bank

Continues the "at risk" stock ownership of the Farm Credit System institutions on the present decentralized basis.

Costs

$2.5 billion Treasury guarantee of bonds to fund Reserve Fund

$1.0 billion of Treasury money for each of two years to pay for 2 percentage point buydown of interest on approximately $50 billion of Farm Credit System agricultural loans.

Mr. COCHRAN. Mr. President, a major factor in my decision to cosponsor the Farm Credit Borrower Relief, System Reform, and Local Control Act of 1987 is my concern that fair and equitable representation must be afforded to the farmers and ranchers, without whom there would be no Farm Credit System.

Many farmers and ranchers have spent a lifetime building, through their investments and patronage, the single largest supplier of agricultural credit in the United States—the Farm Credit System. However, in listening to these farmers and ranchers, I worry that, for whatever the reasons—and there probably are many—the System is not today fully and satisfactorily fulfilling their total credit needs.

The System is failing them. There is a sense of pride in, and loyalty to, what they helped build, but today that System is not responding with its traditional credit services. Legitimate financial and credit needs of creditworthy borrowers are not being satisfied. Although it is the most important factor to many farmers, these needs include, but are not limited to, competitive interest rates. Other important retail credit services include timeliness of delivery, ease of refinancing when appropriate, and the ability to adapt to the changing demands of a capital intensive, interest sensitive, and trade dependent agriculture industry.

Mr. President, the System today is confronted with widely recognized and significant financial difficulties. Reports indicate the System has lost over $4½ billion in the last 2 years. Everyone knows that such a rate of loss cannot be sustained by the System even 1 more year. A solution must be found, and I am confident one will be.

Congress has, in fact, responded to concerns about the financial condition of the System in each of the last 2 years, but without Federal financial assistance. Based on all reports I have read, appropriate action to give the System the ability to properly service its member borrowers' credit needs this year will require some kind of Federal financial assistance.

Any review and analysis will reveal that the current financial situation facing the FCS is complex because the System is complex. Rationalizations of how and why the present financial circumstances and credit service policies evolved are numerous. Not surprisingly, there are numerous proposals for addressing the deficiencies in current System structure and operation. Considering the economic consequences for farmers and ranchers, and the financial impact on the System, as well as the budgetary impact on the Federal Government, the best proposal to deal effectively with the System will be, at best, difficult to identify. Congress will be required to devote considerable effort to the development of a good solution.

In fact, reviewing only those proposals now before the Senate indicates not one but several difficult choices must be made in developing a legislative solution for System problems. Although some interests may have a firm idea about what the final legislative package should be, the outcome at this time is not certain. One thing is certain, the final package will involve compromise.

Therefore, I do not cosponsor this bill with the belief that it identifies the one and only set of provisions capable of guiding the System to full financial health. In fact, I fully expect many provisions will be amended, not unlike the fate of provisions in other bills. I support the introduction of this bill because of its clear and unmistakable objective of preserving a decentralized, farmer/rancher owned and controlled cooperative agricultural credit system. And it is important to understand that control means control by the directors of local associations.

The provisions of this bill, therefore, I consider to be one alternative for helping to accomplish the objective of retaining a locally controlled, cooperative agricultural lending system. Where this objective can be more efficiently and effectively accomplished by amending certain provisions in this bill, I certainly will encourage those changes. Likewise, where provisions in this bill are more efficient and effective toward this objective, I urge my colleagues to support them.

Mr. FOWLER. Mr. President, I am pleased to join today with Senator PRYOR, Senator COCHRAN, and Senator SANFORD in introducing the Farm Credit Borrower Relief, System Reform, and Local Control Act of 1987. Our bill is as comprehensive as its title. It addresses each of the major problems that beset borrowers and that plague the Farm Credit System's institutions and their relations with one another. The issues are many and complex; the legislation, therefore, is detailed and lengthy. It is my earnest hope, however, that in the coming debate over farm credit legislation we will not mire down in the details while we lose sight of the central question that the farm credit crisis presents.

That question, in my mind is simply this: When agriculture has finished its painful course through the wringer, who will own the land?

The answer that we pursue in this legislation is that farm families should be given a fair opportunity to continue ownership of their land, and not be compelled by powerful economical forces at work to give up the land to wealthy investors.

Our bill is designed to give farmers the tools to fight for their own survival. Chief among these, of course, is a period of reduced interest rates, without which the foreclosure hammer will fall upon more and more farms as the curtain rings down on rural communities. Our bill, however, gives individual farmers some other important tools to fight for their farms and for control of their local associations and Farm Credit System banks, and it is these features of our bill that I would like to draw to the attention of the Senate today.

Mr. President, I am particularly proud to be the sponsor of legislation that spells out a borrowers bill of rights. The borrowers in this system have been abused, misled, coerced by Farm Credit Administration banks and officials who have sought to remake this system along new lines, but to the detriment of local control and cooperative principles. To protect against such abuses in the future, the bill provides borrowers with specific rights, including the following:

Borrowers whose loans are current cannot be required to post additional collateral, be foreclosed for failing to post additional collateral, or be forced to furnish additional financial information;

Borrowers have the right to sue in Federal court any institution of the Farm Credit System for violating duties owed to the borrower and for violating orders issued by the Farm Credit Administration with respect to such duties, and to sue the Farm Credit Administration for failure to perform mandatory duties;

Borrowers are given the right, at any time, to obtain copies of all documents signed or delivered by the borrower to the lender, a copy of the lending institution's articles of incorporation or charter and bylaws, the current and effective interest rates on the borrower's loan, copies of the current forbearance and restructuring policies of the lender, and the appraised value of the borrower's collateral.

The legislation also aims to help farmers keep their land by insuring that local people retain control of the associations and banks in the Farm Credit System. The threat of full centralization and full Federal control of the Farm Credit System has been advancing for the past 10 years. One need only look at the recent proposal from the Government Accounting Office to see that powerful people are still trying to lay down a paved highway to centralization and to put this system on that road once and for all. That issue will be squarely joined in the debate over this legislation. The accomplishment of centralization by stealth or coercion is no longer going to be possible.

I am opposed to centralization of the Farm Credit System, to rendering it a clone, for all practical purposes, of the commercial banking system. The Farm Credit System was established as an agricultural lender, limited to one sector and directed to encourage the participation of borrowers in the management of the Farm Credit System. The Farm Credit System fills a niche that banks and insurance companies do not fill, and farmers will be worse off for the absence of a decentralized, locally controlled cooperative credit system if it is allowed to vanish or to change into a more complex hybrid.

A way of life in our Nation's rural communities is at stake in the farm credit debate. I hope that we will adopt legislation that stands unequivically for the preservation of rural life, and that will treat borrowers fairly in their struggle to retain their land. I urge my colleagues in the Senate to join me and Senators PRYOR, COCHRAN, and SANFORD in sponsoring this legislation.

Mr. SANFORD. Mr. President, I am pleased to join Senators PRYOR, COCHRAN, and FOWLER in support of a "farm borrowers bill of rights."

Over the past year as I have traveled across North Carolina, I have heard hundreds of distressing and inexcusable examples of shabby treatment of farmers in financial trouble.

Last week, with Representative BILL HEFNER, I participated in a hearing at Wingate College to listen to farmers about their credit and other problems.

For one example, a second generation farmer who had farmed well and sent four children to college, was being thrown out of his home of 60 years. No sincere effort at refinancing had been offered. Another lost his farm when he could not keep up the mortgage at 12 percent, only to see the farm sold for 60 percent of his debt, and the new loan financed at 4 percent.

This is outrageous. The established farmer should have been given first refusal of the new deal.

This bill of rights will protect borrowers until they have every chance to work out of the farm depression they did not create.

It would prohibit a requirement of posting additional collateral because farm conditions that indicate a paper decline in value.

Borrowers will have the right to sue any institution of the Farm Credit System or the Farm Credit Administration for violating the rights of borrowers.

The legislation will also help farmers keep their land by assuring local control of the instruments of the Farm Credit System. Overcentralization will be stopped.

The Farm Credit Program was not designed to be simply another commercial bank system. It was designed to give farmers special help in time of trouble, and they seem to have forgotten their mission.

A sound farm economy is fundamental to the total economy of North Carolina, and to the strength of the Nation. Farmers need our special help until such time that we can provide a better and better administered farm program for the United States.

By Mr. BRADLEY (for himself and Mr. KENNEDY):

S. 1157. A bill to make demonstration grants to local educational agencies eligible to receive assistance under title I of the Elementary and Secondary Education Act of 1965, as modified by chapter 1 of the Education Consolidation and Improvement Act of 1981, in order to strengthen the educational partnership between the family and the school, and for other purposes; to the Committee on Labor and Human Resources.

FAMILY-SCHOOL PARTNERSHIP ACT

● Mr. BRADLEY. Mr. President, I rise today with my distinguished colleague from Massachusetts, Senator KENNEDY, to introduce the Family-School

Partnership Act. The purpose of this legislation is to provide $20 million to be used for demonstration programs designed to expand and support the family's role in reinforcing and expanding the work of the school, and to provide for a national center to compile and disseminate information about successful programs. This means increasing the involvement of families in their children's education in a meaningful, productive way in order to build student motivation and achievement. This means more than just helping children with their homework, it means instilling such values as responsibility, hard work, and commitment to school success. I believe that if children come to school with these values intact, the job of teachers becomes much easier.

Mr. President, the link between education and economic competitiveness has been clearly established. However, the economic battles of tomorrow are being won and lost today not only in our classrooms, but in our Nation's living rooms, family rooms, kitchens. Major education studies over the past two decades have indicated that the role of parents in the education of their children is significant, that all families have strengths that can be built upon, and that not even the best school can do the job alone.

Mr. President, the landmark report in 1964 by James Coleman and his colleagues found that family environment was more strongly related than any other factor, including school quality, to student achievement. Since that time, the evidence has continued to accumulate with regard to the importance of parent involvement in the education of their children. It has been shown that parent involvement raises academic achievement of students; improves attitude and performance of children at school; helps parents understand the work of schools; enables parents and children to communicate more; and builds school-community relationships in an ongoing, problem-preventing way.

Mr. President, in recent years we have seen tremendous changes in the structure of family life. More and more children are being raised in single-parent families, two-parent families where both parents work, and other variations on what we once thought of as the traditional family. What has not changed is that families, across all economic and racial lines, care about their children and their schooling. Programs which have had successful parent involvement components, such as Headstart and Project Follow Through, have demonstrated that even tired, overworked parents are willing to expend the effort to ensure a good education for their child.

Mr. President, meetings at school during the school day mean that the growing number of employed parents can no longer attend. Providing programs for them to help their children at home means that everyone can be involved. It assures equity in family involvement. We must emphasize family strengths, not deficits.

What families need is practical help to turn their concern into practical steps to take at home to help their children in schools. We know these programs can work; this has been demonstrated by the success of the National Education Association's Teacher-Parent Partnership Program, and the long and laudatory career of Dr. Dorothy Rich, who founded the Home and School Institute. Dr. Rich has worked for over 20 years to gain recognition for the forgotten factor in school success—the family—and to demonstrate that families can and will work hard to ensure that their child succeeds in school.

Mr. President, I am not only speaking of the need to develop programs targeted solely at families. The school must be just as actively involved. Schools need to find ways to involve families so that they can make better use of scarce resources. A small expenditure of school staff time and materials can make a major difference in parent support, and this support in turn can measurably increase the educational achievement of their children. One of the most effective routes for doing this is by training teachers and other school personnel in effective parent involvement techniques. Teachers and administrators are too frequently not prepared to work with families. They need to know how to use families as educators, and they need to know how to teach parents to work with their children.

I am encouraged to see parent involvement recommendations in such reports as the National Governor's Report "Time for Results," and Secretary Bennett's "What Works" and "First Lessons." But reports are not enough. Current legislation has not caught up with the research and the body of experience about parents as educators of children, working in partnership with the school.

It is for this reason that I am introducing the Family-School Partnership Act. I believe that the Federal Government must provide the leadership so urgently needed by States and localities in the development of effective family-school partnership programs which are responsive to local needs. Mr. President, I firmly believe that trying to educate children without the involvement of families is like trying to play a basketball game without all of the players on the court. If we are going to provide support for education, we must be certain we will have the greatest results, and we will only achieve those results with the involvement of the child's first teachers—the family.

I ask unanimous consent that a copy of the bill be inserted in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1157

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Family-School Partnership Act".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) it has been clearly demonstrated that parent involvement is directly related to better student achievement, attitudes, and performance in school; and

(2) demographics of the American family are changing the degree that significant numbers of children attending school come from families with single parents, families in which both parents are employed outside the home, or where the primary caregiver is not the biological parent; and

(3) the demographics mean that current approaches to developing and maintaining partnerships with educators in compensatory education programs require review and modification to make them more responsive to the needs of both families and schools; and

(4) effective approaches to more fully involving families as partners in their children's education should be encouraged as a matter of Federal policy.

(b) The purpose of this Act is to encourage eligible local educational agencies to increase the involvement of families in the improvement of the educational achievement of their children in the preschool, elementary, and secondary schools of such agency.

ELIGIBLE AGENCY

SEC. 3. In order to be eligible to receive a grant under this Act, a local educational agency must be eligible to receive a grant under section 111 of the Elementary and Secondary Education Act of 1965, as modified by the Education Consolidation and Improvement Act of 1981.

DEMONSTRATION PROGRAM AUTHORIZED

SEC. 4. (a) The Secretary is authorized to make demonstration grants to eligible local educational agencies for the development of innovative, promising family-school educational partnership activities designed to—

(1) support the efforts of families, including training, to the maximum extent practicable, to work with children in the home to both attain the instructional objectives of the schools of eligible local educational agencies and instill positive attitudes about the importance of education;

(2) train teachers and other staff personnel involved in the program supported under chapter 1 of the Education Consolidation and Improvement Act of 1981 to work effectively as educational partners with the families of participating students;

(3) train families, teachers and other staff personnel in the schools of such agency to build an educational partnership between home and school; and

(4) evaluate how well family involvement activities of the schools of such agency are working, what barriers exist to greater participation, and what steps need to be taken

to expend participation in such family involvement activities.

(b) The activities and procedures for which grants may be made under this act may include—

(1) regular conferences for families of students at eligible schools;

(2) training programs on the family's educational responsibilities and resources and reasonable and necessary expenditures associated with the attendance of parents or guardians at training sessions for such members;

(3) hiring, training, and use of educational personnel at eligible local educational agencies to coordinate family involvement activities and to foster communications among families, educators, and students;

(4) provision of school-to-home complementary curriculum materials and assistance in implementing home-based education activities that reinforce and extend classroom instruction and student motivation for students at eligible local educational agencies; and

(5) securing technical assistance, including training, for the purpose of designing and carrying out family involvement programs.

APPLICATION

SEC. 5. No grant may be made under this Act unless an application is submitted to the Secretary in such form, in such manner, and containing or accompanied by such information as the Secretary deems reasonably necessary to carry out the provisions of this Act.

NATIONAL CENTER FOR FAMILY-SCHOOL PARTNERSHIPS

SEC. 6. There is established in the Department of Education a national center for family-school partnerships in education.

(b) The Secretary, through the center, shall collect and disseminate information on, and serve as a clearinghousing for, successful programs on family-school educational partnerships.

DEFINITIONS

SEC. 7. As used in this Act—

(1) the term "elementary school" has the same meaning given that term under section 198(a)(7) of the Elementary and Secondary Education Act of 1965;

(2) the term "local educational agency" has the same meaning given that term under section 198(a)(10) of the Elementary and Secondary Education Act of 1965;

(3) the term "secondary school" has the same meaning given that term under section 198(a)(7) of the Elementary and Secondary Education Act of 1965; and

(4) the term "Secretary" means the Secretary of Education.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. (a) There are authorized to be appropriated $20,000,000 for the fiscal year 1988 and for each of the 4 succeeding fiscal years.

(b) Five percent of the amount appropriated in each fiscal year shall be available to carry out the provisions of section 6, relating to the national center for family-school partnerships.●

By Mr. HATCH:

S. 1158. A bill to continue authorization of various health and science programs; to the Committee on Labor and Human Resources.

OMNIBUS HEALTH AND SCIENCE REAUTHORIZATION ACT

Mr. HATCH. Mr. President, today I rise to introduce legislation to reauthorize eight Federal health and science programs. As the former chairman of the Senate Labor and Human Resources Committee, I was actively involved in the development of many of these programs, which help protect our children's future health; provide cures for many ill and disabled Americans and prevent dreaded diseases which plague our families and neighbors.

It is imperative that Congress act to continue these programs. Each of the eight I have included in the bill I am introducing today will expire on September 30, 1987, less than 5 months from now. We can now afford to miss this deadline.

Mr. President, this bill is by no means exhaustive of the committee's responsibilities. There are over 20 health programs which the Committee on Labor and Human Resources must reauthorize this year. Additional legislation will be needed and is currently being drafted. Today's bill, however, is comprised of reauthorizations which heretofore have been largely bipartisan and if acted on quickly by the committee, can be handled expeditiously by the Senate and the Congress. The following is a brief explanation of the legislation.

TITLE I—NATIONAL SCIENCE FOUNDATION

Mr. President, the legislation proposed by this title will plant the seeds for future growth. It calls for an investment in scientific and engineering research and education that will continue to pay dividends 10, 20, or 30 years from now.

Basic scientific experimentation yields new knowledge which ultimately leads to the development of new products and processes. These innovations will not only keep our country competitive in world markets, but also will improve our own quality of life. Development of the artificial heart at the University of Utah Medical Center, for example, was made possible, in part, because the National Science Foundation funded previous research on the fundamental interaction between blood and polymers.

Likewise, we must ensure the competence of our children in science and math. We must do this not only to promote an adequate supply of qualified American scientists, engineers, and physicians in the future, but also to endow our young people with the skills they will need to adapt to changing demands in the workplace. The National Science Foundation has a specific part to play in accomplishing this task.

The administration has recognized the critical importance of the National Science Foundation in securing these national goals, and has proposed to double the NSF budget in 5 years. This may be one of the few areas of the budget that deserves such a hefty increase.

The measure I am introducing today calls for a 16.5-percent increase in the NSF budget for fiscal year 1988. This increase will permit expanded support for basic research in every scientific discipline conducted in our Nation's colleges and universities as well as for instrumentation and equipment needs, enhancement of scientific manpower at all levels, and maintenance of the U.S. academic research fleet and the American presence in the Antarctic. The bill also adopts the administration's recommended growth path for the Foundation, which will bring NSF's total authorization level to $3,245,000,000 by fiscal year 1992.

I do not think, Mr. President, that we can afford not to pass this legislation for the simple reason that Americans have never been surpassed in their capacity to dream, conjecture, experiment, and invent. We must not stifle that creativity—we all depend on it. We must encourage it, and we must provide the resources which enable it to happen.

TITLE II—THE IMMUNIZATION PROGRAM REAUTHORIZATION

This title continues the Federal effort to provide our Nation's citizens with protection against preventable disease. As currently authorized, the program is designed to assist States and communities in establishing and maintaining preventive health services programs to immunize individuals against vaccine preventable diseases, including measles, rubella, poliomyelitis, diphtheria, pertussis, tetanus, and mumps.

The last reauthorization of this program, in 1984, extended the authority through fiscal year 1987. It also amended the authority to extend eligibility in the program to include children and adults.

The ability to control and eliminate both preventable diseases and the high economic and personal costs associated with these diseases have been demonstrated. Because of a vaccine, we have eradicated smallpox from the Earth. Because we provide children with DPT vaccines where appropriate, we have essentially eliminated these diseases in children in the United States. And we are on the verge of eliminating measles because of our efforts against this disease.

The economic savings of our Federal Immunization Program is impressive. According to the Department of Health and Human Services, about $1 billion per year is saved because of immunization against polio. But no person can estimate the amount of human suffering we have prevented.

This title simply reauthorizes this fine program at the level requested by President Reagan in his fiscal year 1988 budget. The funding level of $80.9 million represents an increase for fiscal year 1988, and I have included such sums as may be necessary for fiscal years 1989 and 1990. The increased funds for fiscal year 1988 should also be sufficient to increase the vaccine stockpile from an average of 16.6 weeks to an average of 18.4 weeks toward the goal of a 6-month supply.

Mr. President, I don't think that there is any question that immunization programs make an important contribution to health care cost containment efforts as well as contributing to the quality of life of the people and communities served. We save about $1 billion per year for polio treatment costs, and $500 million per year for the cost of treating measles. Since 1963, over 62 million cases of measles and 20,500 cases of mental retardation have been averted. And 6,200 children's lives have been saved because of the measles immunization.

I urge my colleagues to support the reauthorization of this program. It means we can maintain the high immunization levels of children entering school. We can increase age-appropriate immunization levels of preschool children. We can continue research on the safety, efficacy and appropriate use of vaccines. And we can educate society on the who should and should not be vaccinated against certain preventable diseases.

TITLE III—SEXUALLY TRANSMITTED DISEASE PROGRAM REAUTHORIZATION

Mr. President, title III of this bill reauthorizes the Federal program which provides grants to States for the control of sexually transmitted diseases. This bill authorizes $50,000,000 for fiscal year 1988 and such sums as are necessary for fiscal years 1989 and 1990.

The growing spectrum of sexually transmitted disease presents one of the most complex public health problems confronting our society. Until recently, the scope of these diseases was limited to five infections. Now there are at least 32 organisms and 26 syndromes recognized as sexually transmitted. And we must add to this list the dreaded disease, AIDS.

New diagnostic approaches have allowed us to identify the extent, the method of transmission, and the clinical consequences of sexually transmitted infections. Further, a key impact of these infections are on America's mothers and children. And costs are also a significant factor: the total estimated cost of sexually transmitted diseases exceeds $2 billion annually.

These diseases threaten the health of Americans. But because of efforts aimed at treatment and prevention, much has been accomplished. For example, although gonorrhea remains the No. 1 reportable disease, cases have leveled off since 1975 with 915,200 cases reported in fiscal year 1983. Also programs to manage and prevent pelvic inflammatory disease, the most severe complication of gonorrhea, have been established in all of the States. These programs have yielded a marked decline since 1976.

Nevertheless, an enormous amount of work remains and needs to be done. The sexually transmitted disease program has served our Nation well, and has enjoyed bipartisan suppport. Delaying its authorization will only give a signal to researchers, clinicians and the public alike that Congress' interest in meeting urgent public health needs is waning. I urge my colleagues to support this program.

TITLE IV—HOME HEALTH SERVICE AND TRAINING PROGRAMS REAUTHORIZATION

This title reauthorizes grants to localities to continue training homemaker/home health personnel at $5 million for fiscal years 1988, 1989 and 1990.

I am a strong supporter of home health care programs. They are critical in helping Americans who suffer from chronic illnesses. Roughly 9 million elderly Americans struggle from chronic heart or lung conditions. Many seniors will have severe problems because of a stroke. And, up to 4 million Americans will suffer from Alzheimer's disease.

Training of homemaker and home health care aids increases the quality and quantity of home care that may be provided. And these health aides can reduce the traditional costs of health care. One example of cost savings for home care services can be found in the Utah program called Alternatives. It focuses on persons applying for nursing home admissions for nonmedical reasons and has achieved a 25-percent reduction in State expenditures for nursing home care. Cost per client day care in 1978–79 was about $8, compared to costs of $24 to $33 per day for daily nursing home care. Further, statistics from Blue Cross/Blue Shield of Maryland report a savings of $1.2 million in 1982 from that State's coordinated home care program. Since 1983, they report a net savings of $6.3 million. Home care is cost-effective.

And even more important, a recent poll asked the American public where they would like to see health care expanded. The result was a resounding victory for home health care. Americans, by a margin of 9 to 1, prefer home care to institutionalized care.

We must maintain our support for the training programs which enable health care services to be provided in the home. I urge my colleagues to support this reauthorization.

TITLE V—ORGAN PROCUREMENT ORGANIZATIONS REAUTHORIZATION

This title reauthorizes a program which provides grants to nonprofit organizations to assist in the identification and procurement of available human organs for transplants. This bill reauthorizes these programs for 3 fiscal years at such sums as may be necessary.

Today, we almost take for granted the modern miracles of organ transplantation. Heart, liver, kidney and cornea transplants are now being routinely performed around the country. But while the operations have become routine, obtaining the organs is anything but easy.

There are hundreds, if not thousands, of Americans who have been approved for transplantations, but are waiting for donor organs. They are hanging on to life. To address this important problem I sponsored and Congress passed, the Organ Transplantation and Procurement Act of 1984. One of the purposes of this legislation is to provide assistance for Organ Procurement Organizations [OPO's].

The first OPO grant awards were made in September 1986. A total of $1.9 million was awarded to 18 grantees, including 2 planning grants for the consolidation of OPO's in service areas where at least two organ transplant programs existed. Also two grants were awarded for the initial operation and startup costs for regional OPO's. And 14 expansion grants were awarded for activities such as professional and public education activities with special emphasis on programs for minorities and other people in rural America.

This program is important to thousands of Americans who are still hoping for a chance to live. I urge my colleagues to support the reauthorization of the Organ Transplant Procurement Organization program.

TITLE VI—EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM REAUTHORIZATION

This title reauthorizes the Emergency Medical Services for Children Program within the Public Health Service. This program provides $2 million for up to four grants per year to States to improve emergency medical services for children. I am proposing we continue this program for 3 years at its current budget authority of $2 million.

This program recognizes that the emergency medical needs of acutely ill and seriously injured children tend to be different from those of adults. The demonstration projects developed are for the expansion and improvement of care for children who need treatment for trauma, or to expand care for children who are critically injured.

Some examples of the unique medical problems of children are life-threatening asthma attacks, accidental poisonings, and child abuse. The renewal of this program will provide significant benefits useful to State-administered programs as they work to save the lives of children in need of emergency medical care.

TITLE VII—NATIONAL CENTER FOR HEALTH STATISTICS PROGRAM REAUTHORIZATION

This title renews the National Center for Health Statistics [NCHS] which is the Federal Government's principal health statistics agency. NCHS data systems cover many issues in the health field, including overall health status, lifestyle and exposure to unhealthful influences. This title continues this program at the level of $52 million for fiscal year 1988 and provides such sums as may be necessary for fiscal years 1989 and 1990. I believe that these figures are in keeping with those supported by other members of the Senate Committee on Labor and Human Resources. Further, these figures are sufficient to permit the Center to proceed on schedule with the various surveys they have planned for fiscal year 1988.

Over its 26-year history, we have learned the important role NCHS has played in providing important data and research on critical health issues. Today, it maintains over a dozen data systems involving everything from personal interviews to physical examinations and labor testing. Also, it maintains review of hospital, nursing home, and physician records.

Many in Congress and the administration use this data. Medical researchers and others in the health community have also shared with me their support for the reauthorization of this program. And I am indeed grateful when I receive various NCHS publications. One in particular, Health, United States provides me with the most recent data on specific health care trends in our society.

I urge my colleagues to support the reauthorization and continuance of the National Center for Health Statistics.

TITLE VIII—TUBERCULOSIS CONTROL PROGRAM REAUTHORIZATION

This title reauthorizes our national effort to combat tuberculosis [TB]. This title authorizes $12 million for fiscal year 1988—an increase of $2 million over last year's funding level—and such sums as necessary for fiscal years 1989 and 1990.

Until the discovery of antibiotics, TB—not heart disease, not cancer, not strokes—was the leading cause of death. Given antibiotics, TB has been fairly well controlled—at least until the last few years.

But, over the last several years the incidence of this life-threatening disease has increased. This increase has been especially great in patients infected with multiple resistant TB—TB that is difficult if not impossible to treat. We are also starting to see an increase in the number of AIDS patients with TB. Because of this, I feel that we cannot afford to let the authorization for this program expire.

Mr. President, I look forward to working with all my colleagues to see these programs continued. I urge congesssional support in protecting our position as a world leader in health and science. The reauthorizations included in this omnibus measure are vital to our advancement of scientific research, and to continue our commitment to provide society with important health research, preventing and treatment programs.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Omnibus Health and Science Reauthorization Act I of 1987".

TITLE I—NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT

SHORT TITLE

SEC. 101. This title may be cited as the "National Science Foundation Authorization Act for Fiscal Years 1988 through 1992".

AUTHORIZATION OF APPROPRIATIONS

SEC. 102. Congress finds that to strengthen national economic productivity and competitiveness the programs of the National Science Foundation should be doubled in size over the next five years. To that end there is authorized to be appropriated to the National Science Foundation:

(a) For the fiscal year 1988, $1,893,000,000. Such funds will be available for the following categories:

(1) Biological, Behavioral, and Social Sciences, $297,000,000.

(2) Computer and Information Science and Engineering, $143,000,000.

(3) Engineering, $205,000,000.

(4) Geosciences, $330,000,000.

(5) Mathematical and Physical Sciences, $514,000,000.

(6) Scientific, Technological, and International Affairs, $51,000,000.

(7) Program Development and Management, $95,000,000.

(8) Science and Engineering Education, $115,000,000.

(9) United States Antarctic Program, $143,000,000.

(b) For the fiscal year 1989, $2,158,000,000, including $1,877,000,000 for research and related activities, $134,000,000 for science and engineering education, and $147,000,000 for the United States Antarctic Program.

(c) For the fiscal year 1990, $2,474,000,000.

(d) For the fiscal year 1991, $2,831,000,000.

(e) For the fiscal year 1992, $3,245,000,000.

AVAILABILITY OF APPROPRIATIONS

SEC. 103. Appropriations made under authority provided in section 102 shall remain available for obligation for periods specified in the Acts making the appropriations.

CONSULTATION AND REPRESENTATION EXPENSES

SEC. 104. From appropriations made under authorizations provided in this Act, not more than $7,500 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses at the discretion of the Director of the Foundation. The determinaion of the Director will be final and conclusive upon the accounting officers of the Government.

TRANSFER OF FUNDS

SEC. 105. (a) Funds may be transferred among the categories listed in section 102, so long as the net funds transferred to or from any category do not exceed 10 per centum of the amount authorized for that category in section 102.

(b) In addition, the Director of the Foundation may propose transfers to or from any category exceeding 10 per centum of the amount authorized for that category in section 102. An explanation of any such proposed transfer must be transmitted in writing to the Committee on Science and Technology of the House, and the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate. The proposed transfer may be made only when thirty calendar days have passed after transmission of such written explanation.

NSF ADMINISTRATIVE AMENDMENTS

SEC. 106. (a) Section 4 of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1863) is amended by adding to its end a new subsection (k) as follows:

"(k) Portions of Board meetings in which the Board considers possible Foundation budgets for a particular fiscal year or other legislative proposals that might be submitted to Congress may be closed to the public until the President's budget for that fiscal year or the legislative proposal has been submitted to the Congress.".

(b) Section 5(b) of the National Science Foundation Act of 1950 (42 U.S.C. 1864(b) is amended to read:

"(b) Except as otherwise specifically provided in this Act (1) the Director is the head of the agency and shall exercise all the authority granted to the Foundation by this or any other Act (including any powers and functions which may be delegated to him by the Board), and (2) all actions taken by the Director pursuant to the provisions of this or any other Act (or pursuant to the terms of a delegation from the Board) shall be final and binding upon the Foundation.".

(c) Section 7 of the National Science Foundation Act of 1950 (42 U.S.C. 1865) is amended to read:

"The Executive Committee of the Board shall be composed of the Director ex officio, who shall chair the Committee, and at least four other Board members elected by the Board. The Executive Committee shall exercise such powers and functions as may be delegated to it by the Board.".

(d) Section 14(d) of the National Science Foundation Act of 1950 (41 U.S.C. 1873(d)) is amended by inserting the words "Board and persons holding other offices in the Federal Government may serve as members of" before "special".

(e) Subsection 15(c) of the National Science Foundation Act of 1950 (42 U.S.C. 1874(c)) is repealed.

(f) Part B of the National Science Foundation Authorization and Science and Engineering Equal Opportunities Act (42 U.S.C. 1885 to 1885d, 94 Stat. 3010), as amended and redesignated by section 111 of the National Science Foundation Authorization Act for Fiscal Year 1986 (Public Law 99-159, 99 Stat. 892), is amended as follows:

(1) Section 36(b) (42 U.S.C. 1885c(b)) is amended to read:

"(b) Each member of the Committee shall be appointed by the Director of the National Science Foundation. Members shall be appointed to serve for a three-year-term, and may be reappointed for an additional term of three years."

(2) Section 36(f) (42 U.S.C. 1885(f)) is amended to read as follows:

"(f) Every two years, the Committee shall prepare and transmit to the Director a report on its activities during the previous two years and proposed activities for the next two years. The Director shall transmit to Congress the report, unaltered, along with comments.".

TITLE II—IMMUNIZATION PROGRAM

SHORT TITLE

SEC. 201. This title may be cited as the "Immunization Program Authorization Act for Fiscal Years 1988 through 1990".

AUTHORIZATION OF APPROPRIATIONS

SEC. 202. Section 317 (j) (1) of the Public Health Service Act is amended by striking out "and" after "1986" and by inserting before the period a comma and "$94,000,000 for the fiscal year ending September 30, 1988, and such sums as may be necessary for fiscal years 1989 and 1990".

TITLE III—SEXUALLY TRANSMITTED DISEASE CONTROL

SHORT TITLE

SEC. 301. This title may be cited as the "Sexually Transmitted Disease Control Authorization Act for Fiscal Years 1988 through 1990".

AUTHORIZATION OF APPROPRIATIONS

SEC. 302. Section 1910 of the Public Health Service Act is amended by inserting before the period a comma and "$50,000,000 for the fiscal year ending September 30, 1988 and such sums as may be necessary for fiscal year 1989 and 1990".

TITLE IV—HOMEMAKER/HOME HEALTH TRAINING GRANTS

SHORT TITLE

SEC. 401. This title may be cited as the "Homemaker/Home Health Training Grants Authorization Act for Fiscal Years 1988 through 1990".

AUTHORIZATION OF APPROPRIATIONS

SEC. 402. Section 319 (b) (5) of the Public Health Service Act is amended by striking out "and" and by inserting before the period a comma and "and $5,000,000 for each of the fiscal years 1988, 1989 and 1990".

TITLE V—ORGAN PROCUREMENT

SHORT TITLE

SEC. 501. This title may be cited as the "Organ Procurement Authorization Act for Fiscal Years 1988 through 1990".

AUTHORIZATION OF APPROPRIATIONS

SEC. 502. Section 371(c) of the Public Health Service Act is amended by striking out "and" after "1986" and by inserting before the period a comma and "and such sums as may be necessary for fiscal years 1988, 1989, and 1990".

TITLE VI—EMERGENCY MEDICAL SERVICES FOR CHILDREN

SHORT TITLE

SEC. 601. This title may be cited as the "Emergency Medical Service for Children Authorization Act for Fiscal Years 1988 through 1990".

AUTHORIZATION OF APPROPRIATIONS

SEC. 602. Section 1910 of the Public Health Service Act is amended by striking out "and for each of the two succeeding fiscal years." and by inserting a comma and "$2,000,000 for the fiscal year ending September 30, 1988, fiscal year 1989 and fiscal year 1990".

TITLE VII—NATIONAL CENTER FOR HEALTH STATISTICS

SHORT TITLE

SEC. 701. This title may be cited as the "National Center for Health Statistics Authorization Act for Fiscal Years 1988 through 1990."

AUTHORIZATION OF APPROPRIATIONS

SEC. 702. Section 308 (i) (2) of the Public Health Service Act is amended by striking out "and" after "1986" and by inserting before the period a comma and "$52,000,000 for the fiscal year ending September 30, 1988, and such sums as may be necessary for fiscal years 1989 and 1990".

TITLE VIII—TUBERCULOSIS CONTROL

SHORT TITLE

SEC. 801. This title may be cited as the "Tuberculosis Control Authorization Act for 1988 through 1990."

AUTHORIZATION OF APPROPRIATIONS

SEC. 802. Section 317(j)(2) of the Public Health Service Act is amended by striking out "and" after "1986" and by inserting before the period a comma and "$12,000,000 for the fiscal year ending September 1987, and such sums as may be necessary for fiscal years 1989 and 1990".

By Mr. INOUYE (for himself and Mr. STEVENS):

S. 1159. A bill to establish the National Aviation Authority as an independent user-fee supported Government corporation to operate, maintain, and enhance an efficient and responsive national system for airways management and air traffic control, and for other purposes; to the Committee on Commerce, Science, and Transportation.

NATIONAL AVIATION AUTHORITY ACT

● Mr. INOUYE. Mr. President, today I am introducing with Senator STEVENS a measure which addresses the ever-burgeoning problems and public dissatisfaction with this Nation's air traffic control [ATC] system. This bill, which we are introducing at the request of the airline industry, would create a wholly owned Federal corporation to operate and fund the ATC system in an effort to improve the safety and efficiency of this Nation's aviation environment. It is an innovative approach which I feel deserves consideration in an effort to focus the Senate's attention on the problems this Nation's airports currently face.

Each day we learn of greater passenger and air carrier frustration with the inadequacies of the system. Flight delays—and their causes—are daily news events. Safety of the system is uppermost in our minds. A system that is safe and efficient is essential to the vitality of the economic and national interests of the United States.

Staffing requirements for adequate levels of air traffic controllers at critical locations have neither been established nor met without persistent congressional directive. Budgetary pressures continually force staffing and acquisition decisions to be made which simply cannot accommodate timely modernization or even present demand.

The present day ATC system is inadequate. It often operates with obsolete equipment, understaffed and undertrained personnel, and inefficient procedures. It is underfinanced from an impounded user-funded trust fund. The modernization program begun in 1982 is billions short of funding and years behind schedule. Comprehensive automation improvements needed now will not be introduced in the ATC system before early 1993. The yearly congressional budgetary uncertainty creates funding instability in vital acquisition programs which lead to contractor stops, starts, delays, and layoffs in programs everyone agrees should be funded and which were, in fact, previously approved in the National Airspace System [NAS] plan.

Something must be done. The trust fund is caught in the Federal deficit; the personnel complain of overwork, inadequate equipment and opportunities for reward, micromanagement and political influences; and acquisition of modern equipment is a never-ending circle of buying things which, it is charged, can no longer do the job of providing an adequate system or do too little too late. The current situation has been unable to provide an efficient, responsive, modern ATC system. Adherence to the usual budgetary and appropriations processes are impeding a quick, effective response to dramatically changing aviation needs. When the system is not efficient, responsive, or modern, safety is maintained by further and greater restraints on capacity. The system is kept safe and slow, which fuels the frustrations of all our constituents, the traveling public who will continue to suffer the consequences of an inadequate, antiquated air transportation system until we correct the problems.

Many of the causes of the current problems are structural and endemic to standard Federal organizational structures. Routine Federal decisionmaking is multi-layered, slow and inflexible. Our budget process is uncertain and routinely requires budget priorities and goals to limit program needs, which is prudent in some areas, but not in the vital function of delivering ATC services. Acquisition is burdened by thousands of laws and tens of thousands of pages of regulations on procurement. The sum of these parts is a whole which is totally inadequate to address our constituents' needs.

Our constituents and this Nation deserve better. We must act now to change the way in which the ATC is maintained and operated. Structural changes in the funding, management, and procurement of the system are essential. The American people have paid for more than they are currently receiving, and we must act now to give them what they deserve: a national aviation system that is both safe and efficient, and able to accommodate the needs of the modern traveling public.

The legislation I am introducing today represents an approach that addresses the problems we confront today. It is a proposal that deserves thorough examination and warrants thoughtful consideration. This bill will serve as one focal point for discussion of the current state of the ATC. Other approaches should, and will, also be considered by the Aviation Subcommittee of the Commerce Committee, and I am certain that under the fine leadership of Senator FORD, a resolution to the problem will be found. As hearings are held on this matter, other new and good ideas will come forward and be considered. I welcome this process and hope that this bill will be the first step toward solving the problem.●

● Mr. STEVENS. Mr. President, I rise today to introduce with my distinguished colleague from Hawaii, Senator INOUYE, legislation which we hope will help deal with the problems facing our Nation's air transportation system.

We propose to create a Federal corporation to run the air traffic control system. The recent near-misses and complaints about delays highlight the problems that the current ATC system faces. In light of our country's increasing reliance on air transportation, we need to untie the hands of the system to deal with increased traffic loads, and additional personnel needs.

The current problems stem from the budgetary problems facing our entire country. Even though the aviation trust fund has a huge surplus, the necessary improvements cannot be authorized or funded at a fast enough rate because of the budget constraints we've placed on Federal spending. However, the aviation trust fund presents an interesting dilemma: These are moneys that are specifically dedicated to the Nation's air transportation system, but they can't be spent because of budgetary targets we passed to address the problem of deficit spending. Consequently, the full range of improvements that we can afford with the trust fund can't be realized because of the spending constraints that carry over from the rest of the Federal budget.

I've become aware of the impacts of this problem back home in Alaska—over the past year, more and more flight service stations are reducing hours and not replacing employees because of a lack of funds. Our reliance on air transportation in Alaska, and in the rest of the Nation, makes it essential that these facilities are open and as up to date as possible.

This legislation presents an innovative approach to addressing these and other problems facing our airports and our flying public. I am pleased to introduce this bill with my good friend from Hawaii in order to facilitate greater safety and efficiency in our national aviation system.●

By Mr. ROTH (for himself, Mr. GLENN, Mr. BUMPERS, Mr. METZENBAUM, Mr. PRYOR, and Mr. WILSON):

S.J. Res. 125. Joint resolution to designate the period commencing on May 9, 1988, and ending on May 15, 1988, as "National Stuttering Awareness Week"; to the Committee on the Judiciary.

NATIONAL STUTTERING AWARENESS WEEK

● Mr. ROTH. Mr. President, today I am introducing a resolution to designate the second week of May 1988, as "National Stuttering Awareness Week." Stuttering is a disability that affects over 3 million Americans. It occurs when the natural flow of speech is interrupted. It is a habitual inability to produce certain sounds, or the uncontrolled repetition of an initial sound, word, or phrase.

Stuttering is a learning disorder much like dyslexia and disgraphia. It is a condition that appears in both children and adults alike, although males are four times as likely to have it as females. The cause is unknown, but there is a strong possibility that it has something to do with an individual's genetic makeup. Often, stuttering can be traced back through a family's history.

The public should be made aware, and have some understanding of this problem. It should be made clear that people who stutter are not mentally inferior and in many cases have above average IQ's. When talking with someone who stutters, one should not try to second guess what he or she is trying to say, or finish the sentence or phrase. Rather, the patience and understanding of an interested and compassionate listener can alleviate anxiety and frustration which in turn can increase fluency.

While there is no known cure, there is certainly hope. There are professionals who can help. Speech pathologists' and other therapists' work has found success. In addition, there are support groups and organizations that can help these individuals come to terms with this problem. They can meet others, share their fears, frustrations and anxieties, and find support. Such positive human interaction can help alleviate the feelings of inadequacy, guilt, and frustration that are the truly debilitating factor.

That is why the "National Stuttering Awareness Week" is so important—to bring this disability into the light. By officially recognizing the second week in May as "National Stuttering Awareness Week," we will help educate the public about the problems individuals who stutter face. Equally important, we will help those who stutter by increasing the awareness of the help that is available to them.●

ADDITIONAL COSPONSORS

S. 12

At the request of Mr. CRANSTON, the names of the Senator from Alaska [Mr. STEVENS], the Senator from New York [Mr. MOYNIHAN], the Senator from Texas [Mr. BENTSEN], and the Senator from Tennessee [Mr. GORE] were added as cosponsors of S. 12, a bill to amend title 38, United States Code, to remove the expiration date for eligibility for the educational assistance programs for veterans of the All-Volunteer Force; and for other purposes.

S. 249

At the request of Mr. DODD, the name of the Senator from Washington [Mr. ADAMS], was added as a cosponsor of S. 249, a bill to grant employees parental and temporary medical leave under certain circumstances; and for other purposes.

S. 429

At the request of Mr. DURENBERGER, the name of the Senator from California [Mr. WILSON], was added as a cosponsor of S. 429, a bill to amend the Tax Reform Act of 1986 to delay for 2 years the exception for certain technical personnel from certain rules for determining whether an individual is an employee or independent contractor for employment tax purposes.

S. 438

At the request of Mr. LEAHY, the name of the Senator from Montana [Mr. BAUCUS], was added as a cosponsor of S. 438, a bill to modify the application of the antitrust laws to encourage the licensing and other use of certain intellectual property.

S. 447

At the request of Mr. CHAFEE, the name of the Senator from Indiana [Mr. LUGAR], was added as a cosponsor of S. 447, a bill to amend the Internal Revenue Code of 1986 to increase the excise taxes on cigarettes to 32 cents per pack and on snuff and chewing tobacco to 8 cents per package.

S. 453

At the request of Mr. MURKOWSKI, the name of the Senator from Maryland [Ms. MIKULSKI], was added as a cosponsor of S. 453, a bill to amend title 38, United States Code, and the Veterans' Dioxin and Radiation Exposure Compensation Standards Act to improve the standards for determining whether a radiation-related disease is service-connected; and for other purposes.

S. 476

At the request of Mr. DODD, the name of the Senator from Illinois [Mr. SIMON], was added as a cosponsor of S.

476, a bill to provide assistance in the development of new or improved programs to help younger persons through grants to the States for community planning, services, and training; to establish within the Department of Health and Human Services an operating agency to be designated as the Administration on Children, Youth, and Families; and to provide for a White House Conference on Young Americans.

S. 746

At the request of Mrs. **Kassebaum**, the name of the Senator from Tennessee [Mr. **Sasser**], was added as a cosponsor of S. 746, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit applicants to file abbreviated applications for registration of pesticides or new uses of pesticides under certain circumstances, and for other purposes.

S. 801

At the request of Mr. **Johnston**, the name of the Senator from Wyoming [Mr. **Simpson**] was added as a cosponsor of S. 801, a bill to facilitate the national distribution and utilization of coal.

S. 860

At the request of Mr. **Boren**, the names of the Senator from Ohio [Mr. **Glenn**], the Senator from Nevada [Mr. **Reid**], and the Senator from Minnesota [Mr. **Boschwitz**] were added as cosponsors of S. 860, a bill to designate "The Stars and Stripes Forever" as the national march of the United States of America.

S. 887

At the request of Mr. **Matsunaga**, the name of the Senator from Wisconsin [Mr. **Kasten**] was added as a cosponsor of S. 887, a bill to extend the authorization of appropriations for and to strengthen the provisions of the Older Americans Act of 1965, and for other purposes.

S. 912

At the request of Mr. **Exon**, the name of the Senator from Michigan [Mr. **Riegle**] was added as a cosponsor of S. 912, a bill to amend the Rural Electrification Act of 1936 to permit the prepayment of Federal financing bank loans made to rural electrification and telephone systems, and for other purposes.

S. 926

At the request of Mr. **Thurmond**, the name of the Senator from Mississippi [Mr. **Cochran**] was added as a cosponsor of S. 926, a bill to amend the Developmental Disabilities Assistance and Bill of Rights Act to provide grants for the operation of the National Information System for Health Related Services.

S. 943

At the request of Mr. **Adams**, the name of the Senator from Illinois [Mr. **Simon**] was added as a cosponsor of S. 943, a bill to amend the Federal Aviation Act of 1958 to ensure the fair treatment of airline employees in airline mergers and similar transactions.

S. 993

At the request of Mr. **Dole**, the name of the Senator from Oklahoma [Mr. **Nickles**] was added as a cosponsor of S. 993, a bill to reorganize the Department of State offices involved in overseas construction projects.

S. 994

At the request of Mr. **Dole**, the name of the Senator from Oklahoma [Mr. **Nickles**] was added as a cosponsor of S. 994, a bill to improve security at facilities of the U.S. Government located in foreign countries.

S. 995

At the request of Mr. **Dole**, the name of the Senator from Oklahoma [Mr. **Nickles**] was added as a cosponsor of S. 995, a bill to assure the availability of funds for additional construction activity in certain Communist countries.

S. 996

At the request of Mr. **Dole**, the name of the Senator from Oklahoma [Mr. **Nickles**] was added as a cosponsor of S. 996, a bill to increase penalties for espionage, to enhance security at U.S. missions abroad, and for other purposes.

S. 997

At the request of Mr. **Pell**, the name of the Senator from Nevada [Mr. **Reid**] was added as a cosponsor of S. 997, a bill to require the Director of the National Institute on Aging to provide for the conduct of clinical trials on the efficacy of the use of tetrahydroaminoacidine in the treatment of Alzheimer's disease.

S. 1006

At the request of Mr. **Hecht**, the name of the Senator from California [Mr. **Wilson**] was added as a cosponsor of S. 1006, a bill entitled the "Geothermal Steam Act Amendments of 1987."

S. 1009

At the request of Mr. **Matsunaga**, the names of the Senator from New Mexico [Mr. **Bingaman**] and the Senator from New Mexico [Mr. **Domenici**] were added as cosponsors of S. 1009, a bill to accept the findings and to implement the recommendations of the Commission on Wartime Relocation an Internment of Civilians.

S. 1020

At the request of Mr. **Moynihan**, the names of the Senator from Connecticut [Mr. **Dodd**] and the Senator from Washington [Mr. **Adams**] were added as cosponsors of S. 1020, a bill to create the office of Librarian of Congress Emeritus.

S. 1081

At the request of Mr. **Bingaman**, the name of the Senator from Mississippi [Mr. **Stennis**] was added as a cosponsor of S. 1081, a bill to establish a coordinated National Nutrition Monitoring and Related Research Program, and a comprehensive plan for the assessment of the nutritional and dietary status of the U.S. population and the nutritional quality of the U.S. food supply, with provision for the conduct of scientific research and development in support of such program and plan.

S. 1097

At the request of Mr. **Chafee**, the name of the Senator from Washington [Mr. **Adams**] was added as a cosponsor of S. 1097, a bill to provide for the continuation of parallel imports under section 526 of the Tariff Act of 1930.

S. 1099

At the request of Mr. **Cochran**, the name of the Senator from Mississippi [Mr. **Stennis**] was added as a cosponsor of S. 1099, a bill to authorize the several States and the District of Columbia to collect certain taxes with respect to sales of tangible personal property by nonresident persons who solicit such sales.

S. 1104

At the request of Mr. **Helms**, his name was added as a cosponsor of S. 1104, a bill to provide relief to persons injured by the importation of articles into the United States at less than market value or wholesale price.

SENATE JOINT RESOLUTION 14

At the request of Mr. **Helms**, the names of the Senator from Florida [Mr. **Chiles**] and the Senator from Virginia [Mr. **Trible**] were added as cosponsors of Senate Joint Resolution 14, a joint resolution to designate the third week of June of each year as "National Dairy Goat Awareness Week."

SENATE JOINT RESOLUTION 86

At the request of Mr. **DeConcini**, the names of the Senator from Tennessee [Mr. **Gore**], the Senator from Louisiana [Mr. **Johnston**], and the Senator from Oklahoma [Mr. **Nickles**] were added as cosponsors of Senate Joint Resolution 86, a joint resolution to designate October 28, 1987, as "National Immigrants Day."

SENATE JOINT RESOLUTION 107

At the request of Mr. **Specter**, the name of the Senator from North Carolina [Mr. **Sanford**] was added as a cosponsor of Senate Joint Resolution 107, a joint resolution to designate April 1987 as "Fair Housing Month."

SENATE JOINT RESOLUTION 124

At the request of Mr. **Graham**, the names of the Senator from West Virginia [Mr. **Byrd**], the Senator from Pennsylvania [Mr. **Specter**], the Senator from North Carolina [Mr. **Sanford**], the Senator from Wisconsin [Mr. **Kasten**], the Senator from South Carolina [Mr. **Thurmond**], the Senator from Arkansas [Mr. **Bumpers**], the Senator from Delaware [Mr. **Biden**], the Senator from Ohio [Mr. **Metz-**

Metzenbaum], the Senator from Colorado [Mr. Wirth], the Senator from Wisconsin [Mr. Proxmire], the Senator from Indiana [Mr. Lugar], the Senator from New Jersey [Mr. Lautenberg], the Senator from Maryland [Ms. Mikulski], the Senator from New York [Mr. Moynihan], the Senator from Louisiana [Mr. Breaux], the Senator from Kentucky [Mr. McConnell], the Senator from Vermont [Mr. Leahy], the Senator from Ohio [Mr. Glenn], and the Senator from Oklahoma [Mr. Boren] were added as cosponsors of Senate Joint Resolution 124, a joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week."

SENATE CONCURRENT RESOLUTION 29

At the request of Mr. DeConcini, the names of the Senator from Tennessee [Mr. Gore], the Senator from Massachusetts [Mr. Kerry], the Senator from Vermont [Mr. Leahy], and the Senator from Ohio [Mr. Metzenbaum] were added as cosponsors of Senator Concurrent Resolution 29, a concurrent resolution expressing the sense of Congress regarding the inability of American citizens to maintain regular contact with relatives in the Soviet Union.

SENATE CONCURRENT RESOLUTION 31

At the request of Mr. Pressler, the name of the Senator from Minnesota [Mr. Durenberger] was added as a cosponsor of Senate Concurrent Resolution 31, a concurrent resolution commending the Czechoslovak human rights organization Charter 77, on the occasion of the 10th anniversary of its establishment, for its courageous contributions to the achievement of the aims of the Helsinki Final Act.

SENATE CONCURRENT RESOLUTION 43

At the request of Mr. Stevens, the names of the Senator from South Dakota [Mr. Pressler], the Senator from Vermont [Mr. Stafford], the Senator from Arkansas [Mr. Pryor], the Senator from Connecticut [Mr. Weicker], the Senator from Hawaii [Mr. Inouye], the Senator from Utah [Mr. Hatch], the Senator from Ohio [Mr. Glenn], the Senator from Missisippi [Mr. Cochran], the Senator from Kansas [Mr. Dole], the Senator from Washington [Mr. Adams], the Senator from Oklahoma [Mr. Boren], the Senator from Maine [Mr. Cohen], the Senator from Minnesota [Mr. Durenberger], the Senator from Kentucky [Mr. Ford], the Senator from Iowa [Mr. Grassley], the Senator from Maine [Mr. Mitchell], the Senator from California [Mr. Wilson], the Senator from Alaska [Mr. Murkowski], and the Senator from Alabama [Mr. Shelby] were added as cosponsors of Senate Concurrent Resolution 43, a concurrent resolution to encourage State and local governments and local educational agencies to provide quality daily physical education programs for all children from kindergarten through grade 12.

SENATE CONCURRENT RESOLUTION 57—EXPRESSING THE SENSE OF CONGRESS ON UNITED STATES POLICY TOWARD SOUTH AFRICA

Mr. SIMON submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. Con. Res. 57

Whereas the Comprehensive Anti-Apartheid Act of 1986 sets out United States policy toward the Government of South Africa;

Whereas the goal of that policy is to peacefully bring about reforms leading to the establishment of a nonracial democracy in South Africa;

Whereas the Congress found in the Comprehensive Anti-Apartheid Act of 1986 that "international cooperation is a prerequisite to an effective anti-apartheid policy";

Whereas the Comprehensive Anti-Apartheid Act of 1986 states that it is the policy of the United States "to seek international agreements with other industrialized democracies to bring about the complete dismantling of apartheid";

Whereas the Comprehensive Anti-Apartheid Act of 1986 states that "Sanctions imposed under such agreements should be both direct and official executive or legislative acts of government";

Whereas the Comprehensive Anti-Apartheid Act of 1986, the Congress expressed its sense that the President "should instruct" the Permanent Representative of the United States to the United Nations to propose that the United Nations Security Council impose measures against South Africa "of the same type as are imposed by this Act";

Whereas the Permanent Representative of the United States to the United Nations contravened the intentions of the Congress, as expressed in the Comprehensive Anti-Apartheid Act of 1986, by voting on February 20, 1987, a proposed Security Council Resolution that would have imposed selective but mandatory international economic sanctions against South Africa, similar to those imposed by the United States through the enactment of the Comprehensive Anti-Apartheid Act of 1986;

Whereas that veto by the United States in the United Nations Security Council runs counter to the recommendations of the Advisory Committee on South Africa, established pursuant to Executive Order 12532 of September 9, 1985;

Whereas the Advisory Committee concluded in its January 1987 report that the "most effective external pressure" on the Government of South Africa will come from a "concerted international effort";

Whereas the Advisory Committee recommended that the President begin "urgent consultations" with United States allies to "enlist their support for a multilateral program of sanctions" drawn from those measures in the Comprehensive Anti-Apartheid Act of 1986;

Whereas the European Community and the British Commonwealth have adopted selected economic sanctions against the Government of South Africa which parallel some of the measures taken by the United States, such as a ban on new investment and on the importation of gold coins, iron, and steel; and

Whereas the European Community has failed to join the British Commonwealth and the United States in imposing a ban on the importation of coal from South Africa: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should—

(1) implement to the fullest extent all the provisions of the Comprehensive Anti-Apartheid Act of 1986;

(2) implement to the fullest extent the recommendations of the Advisory Committee;

(3) take active steps designed to bring about concerted multilateral pressure by Canada, the member states of the European Community, and other United States allies on the Government of South Africa to dismantle its immoral and inhumane system of apartheid through a process of negotiation with legitimate representatives freely chosen by all the citizens of South Africa;

(4) instruct the Permanent Representative of the United States to the United Nations to offer a resolution in the Security Council that would impose selective mandatory sanctions similar to those embodied in the Comprehensive Anti-Apartheid Act of 1986 against South Africa for a period of twelve months;

(5) use every means at the disposal of the President to urge the European Community to adopt an immediate ban on the importation of coal from South Africa; and

(6) strengthen the impact of the Comprehensive Anti-Apartheid Act of 1986 through the use of diplomatic and political pressure in private as well as public fora.

Sec. 2. The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President.

● Mr. SIMON. Mr. President, today I am introducing a resolution urging full and vigorous implementation of the Anti-Apartheid Act. When a bipartisan Congress last year enacted the sanctions legislation—over the President's veto—we forged a new direction for United States policy in South Africa. Now it is our task to ensure its fullest implementation.

That is why I am introducing a sense of the Senate resolution that the President should:

First, fully implement the provisions of the act and follow the recommendations of his Secretary of State's Advisory Committee on South Africa;

Second, take active steps with our allies to exert multilateral pressure on Pretoria, with particular emphasis on using every means to urge the European Community to adopt a ban on importation of South African coal;

Third, instruct our representative at the United Nations to offer a Security Council resolution for sanctions patterned after the Anti-Apartheid Act; and,

Fourth, strengthen the impact of the act through diplomatic and political pressure.

The administration would do well to heed the advice of its own Secretary of State's Advisory Committee on South

Africa, which, among other recommendations, requires United States negotiations with the industrialized democracies and South Africa's other trading partners to reach international cooperative arrangements imposing sanctions.

The recent United States veto of a United Nations Security Council resolution imposing selective sanctions runs counter to the spirit of our policy. This was a lost opportunity to demonstrate our serious opposition to apartheid. One of the first areas we can address is to help revive the European Community [EC] proposal, vetoed by the West Germans last August, to ban coal imports. According to the Economist, two-thirds of all South African coal exports go to the EC, valued at $1 billion in 1985. The 12 EC countries also account for approximately half of all foreign investments in South Africa.

Coal is a sector of tremendous importance to South African trade. The independent Johannesburg Star newspaper reported that South Africa's coal exports went up from 2.7 million tons in 1975 to a staggering 44.8 million tons in 1985. In addition, South Africa's foreign exchange earnings have multiplied almost 100 times over the same 10-year period from 37.4 million Rand to more than 3 billion Rand. And the South Africa Foundation News says that South Africa can make "fantastic" Rand profits with its coal trade, which accounted for 16 percent of world sales in 1985 only behind the United States at 34.8 percent and Australia at 23.9 percent.

We have an opportunity to build on the leadership we have provided on United States policy toward South Africa. To have meaning, we must ensure that the Anti-Apartheid Act is vigorously enforced. I urge my colleagues to support this resolution.●

SENATE RESOLUTION 207—RELATING TO A RESOLUTION OF THE CONFLICT BETWEEN IRAN AND IRAQ

Mr. McCONNELL (for himself, Mr. **Pell**, Mr. **Lugar**, and Mr. **Boschwitz**) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 207

Whereas, the continuation of the Iran-Iraq war threatens the security and stability of all states in the Persian Gulf;

Whereas, stability in the Gulf and the flow of oil is critical to world trade and the economic health of the West;

Whereas, the conflict between Iran and Iraq threatens U.S. strategic and political interests in the region;

Whereas, the conflict threatens international commercial shipping interests and activities;

Whereas, the Iran-Iraq war has continued seven years with more than 1,000,000 casualties;

It is resolved by the Senate That the Senate,

(1) Supports an immediate cease-fire; and

(2) Supports the total, unconditional withdrawal of both Iran and Iraq to internationally recognized boundaries; and

(3) Endorses the peaceful resolution of this conflict under the auspices of the United Nations or other international organization or party; and

(4) Encourages all governments to refrain from providing military assistance to either party refusing to participate in negotiations leading to a peaceful resolution of the war; and

(5) Urges strict observance of international humanitarian law by both sides and recommends a U.S. contribution to the U.S. International Committee for the Red Cross Special Appeal for Prisoners of War; and

(6) Recognizes that stability and security in the Persian Gulf will only be achieved if Iran and Iraq are at peace and agree not to interfere in the affairs of other nations through military action or the support of terrorism.

● Mr. McCONNELL. Mr. President, a few months ago, the Congress as well as the American people were stunned to learn that the United States was selling arms to Iran. Setting aside the possible motive or explanation for this initiative, it is clear to me that the consequences of this plan have extended far beyond the shock of the American public.

Since the November disclosures, a steady stream of representatives from various Middle Eastern nations has visited with me to express their doubts and reservations about the U.S. goals and role in the region. Mr. President, I rise today to enunciate what I believe our interests and objectives in the region are. I shall also ask my colleagues to support a resolution that I will introduce which expresses the sense of this body regarding U.S. policy in the Persian Gulf and, in particular, the Iran-Iraq war.

Mr. President, let me first note that my comments and this resolution are not intended as a criticism of this administration's policies. In fact, I believe my views are consistent with the President's stated goals. My intention in introducing this resolution is to put the Congress on the record, and to demonstrate to the public, what we support rather than what we oppose. After several months of criticism and doubts, I think it is time we clarify precisely what we can and do support in the region.

I think there is absolute agreement in the Senate that the Iran-Iraq war threatens the security and stability of all states in the gulf. Saudi Arabia, Kuwait, and Bahrain are particularly threatened given their proximity to the battlefield and their comparatively small defense forces. Just as one example, the largest of these three, Saudi Arabia, cannot help but view Iran as a dangerous threat given the Ayatollah's overwhelming numerical advantage. Iran has close to 700,000 active duty military troops and Revolutionary Guards and an additional 350,000 in reserve. Saudi Arabia's total military strength is less than one-third of Iran's reserves.

Troop numbers are statistical representations of a threat. What must also cause our friends in the region considerable concern are the casualties the Iranians have accepted in their drive to conquer Iraq. Secretary Weinberger estimated that in December 1986 alone, the Iranians sustained 40,000 casualties. Imagine the devastation such casualties would have on the force strength of Saudi Arabia, Kuwait, or Bahrain. In fact, not one could sustain these losses.

There is no doubt in my mind that we have a vested interest in assuring the Iran-Iraq war does not spread through the gulf. There are a number of reasons for our interests, not the least of which is to prevent Iran from gaining another regional foothold to be used as a base for Islamic inspired terrorist attacks. We have already lost too many lives to the scourge of Islamic fundamentalist terrorism. Families all over the world have already suffered too much as their loved ones have been taken and held hostage.

Terrorism poses a significant threat to U.S. citizens and interests. However, the expansion of the war could have devastating international economic and political repercussions. Today, 50 percent of the world's proven crude oil reserves are located in the Middle East. If Iran were to dominate the oil producing states of the Mid-East, world oil prices and market access would change decisively—and most certainly not to our advantage.

While I am concerned about the future security of nations with valuable oil reserves, I am immediately concerned with the effect the war is having on the safety of commercial shipping through the gulf. According to a New York Times story, since 1984—

> When attacks on ships began in earnest, more than 200 vessels have been hit and either sunk or damaged. Last year, there was a dramatic increase: Iranian attacks more than tripled to 41 from 13 and Iraqi attacks rose to 65 from 40.

Over the past 2 weeks there have been a number of indications in the news that the U.S. Navy may begin to escort Kuwaiti-bound ships traversing the Straits of Hormuz. The situation is clearly becoming more dangerous, but I think our President is taking the necessary steps to assure adequate protection of commerical shipping in the gulf. This administration is working closely with the leaders in the gulf to assure our respective and collective economic and commerical interests are secure.

While I have focused my comments on the dangers of Iran gaining political and military ground in the war, I am also concerned by the prospect of a weakened Iran whose infirmity affords the Soviets an opportunity to gain regional access or influence. The United States continues to have a strong interest in preventing a Soviet foothold in Iran that would lead to Soviet control of the Straits of Hormuz. Historically, Iran has served as a vital buffer between the Soviets and the gulf. I would like to see that role preserved.

I have expressed my concerns about the security of our friends in the gulf, our continued access to oil and the preservation of our strategic interests vis-a-vis the Soviets. At this point, my colleagues might wonder what I have to suggest. There is no doubt that the greater good of every nation in the region and every nation dependent on the Middle East's natural resources, is linked to an immediate settlement of the Iran-Iraq war.

The resolution that I have introduced spells out congressional support for several results. The resolution first, supports an immediate cease-fire, second, urges the total unconditional withdrawal of both Iran and Iraq to internationally recognized boundaries; third, endorses the peaceful resolution of the war through the efforts of the United Nations, the Islamic Conference or any other international organization or part; fourth, encourages all governments not to provide military assistance to either party refusing to negotiate a settlement to the conflict; fifth, supports the International Red Cross efforts on behalf of the prisoners of war; and, finally, sixth, recognizes that stability and security in the Gulf will only be achieved if Iran and Iraq are at peace and agree not to interfere through military or terrorist actions in the affairs of other nations.

Mr. President, as I noted when I began to speak, I believe it is imperative that the Congress explicitly define its' policy for the gulf. I believe that President Reagan supports each and every one of the points that I have just enunciated. Nonetheless, after months of strident domestic argument that has only raised doubts in the minds of many of our friends in the region, I wanted to lay those concerns to rest, by reiterating the positive.

I am grateful that the chairman of the Senate Foreign Relations Committee has chosen to support my resolution, as have my distinguished colleagues Senators Lugar and Boschwitz. Each of these gentlemen has many years of experience and wisdom regarding the Middle East, so I am especially pleased they are original cosponsors.

For a variety of unfortunate reasons, it is common criticism that the United States is an unreliable friend and a questionable enemy. It is at least, in part, to lay this criticism to rest that I launch this appeal, on this topic, in this house, today. If you will join me in support of this resolution, we can once again demonstrate the positive resolve of our country when confronted by events around the world that are opposed to our interests, the interests of the participants, and the interests of humankind.●

AMENDMENTS SUBMITTED

FIRST CONCURRENT RESOLUTION ON THE BUDGET

DOLE (AND OTHERS) AMENDMENT NO. 180

Mr. DOLE (for himself, Mr. Byrd, Mr. Bentsen, Mr. Quayle, Mr. Kasten, Mr. Roth, and Mr. Bond), proposed an amendment to amendment No. 174, as amended, proposed by Mr. Chiles to the instructions contained in the motion of Mr. Byrd to recommit, with instructions the concurrent resolution (S. Con. Res. 49) setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, 1990, and 1991; as follows:

At the end of the amendment add the following:

SEC. . SENSE OF SENATE ON INCOME TAX RATES.

(a) Findings.—The Senate finds—

(1) the Tax Reform Act of 1986 was enacted only after nearly two years of Congressional study and deliberation,

(2) the most fundamental principle of tax reform has been the reduction or elimination of special tax benefits in order to reduce tax rates for all taxpayers, and

(3) taxpayers have a right to expect Congress to hold to its promise to reduce tax rates in return for elimination of special tax benefits, rather than to use tax reform as a disguised effort to raise taxes.

(b) Sense of the Senate.—It is the sense of the Senate that the assumptions underlying the revenue levels of this budget resolution will not be achieved by either raising or delaying the individual or corporate income tax rates provided in the Tax Reform Act of 1986.

GRASSLEY (AND OTHERS) AMENDMENT NO. 181

Mr. GRASSLEY (for himself, Mr. McCain, Mr. Burdick, Mr. Exon, Mr. Conrad, Mr. Heinz, Mr. Dole, Mr. Domenici, Mr. Pressler, and Mr. Baucus) proposed an amendment to amendment No. 174, as amended, proposed by Mr. Chiles to the instructions contained in the motion of Mr. Byrd to recommit, with instructions, the concurrent resolution (S. Con. Res. 49) supra; as follows:

At the appropriate place insert the following:

Sec. . It is the sense of the Congress that, in enacting any legislation that amends the Medicare Program to reconcile its expenditures with those required under a congressional concurrent resolution of the Federal budget for fiscal year 1988 and subsequent years, there should be taken into account the special needs of rural hospitals which are not currently taken into account under the Medicare Hospital Prospective Payment System.

SYMMS (AND OTHERS) AMENDMENT NO. 182

Mr. SYMMS (for himself Mr. Hecht, and Mr. Pressler) proposed an amendment to amendment No. 174, as amended, proposed by Mr. Chiles to the instructions contained in the motion of Mr. Byrd to recommit, with instructions, the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 6, decrease the amount on line 41 by $483,000,000.

On page 6, decrease the amount on line 43 by $450,000,000.

On page 7, decrease the amount on line 3 by $503,000,000.

On page 7, decrease the amount on line 5 by $902,000,000.

On page 7, decrease the amount on line 17 by $604,000,000.

On page 7, decrease the amount on line 19 by $888,000,000.

On page 7, decrease the amount on line 31 by $631,000,000.

On page 7, decrease the amount on line 33 by $898,000,000.

On page 9, increase the amount on line 6 by $138,000,000.

On page 9, increase the amount on line 8 by $438,000,000.

On page 9, increase the amount on line 18 by $128,000,000.

On page 9, increase the amount on line 20 by $413,000,000.

On page 9, increase the amount on line 30 by $147,000,000.

On page 9, increase the amount on line 32 by $414,000,000.

On page 9, increase the amount on line 44 by $8,000,000.

On page 9, increase the amount on line 46 by $8,000,000.

On page 10, increase the amount on line 4 by $11,000,000.

* * * amount on line 6 by $11,000,000.

On page 10, increase the amount on line 16 by $11,000,000.

On page 10, increase the amount on line 18 by $11,000,000.

On page 10, increase the amount on line 28 by $11,000,000.

On page 10, increase the amount on line 30 by $11,000,000.

On page 16, increase the amount on line 1 by $201,000,000.

On page 16, increase the amount on line 3 by $201,000,000.

On page 16, increase the amount on line 14 by $204,000,000.

On page 16, increase the amount on line 16 by $204,000,000.

On page 16, increase the amount on line 27 by $206,000,000.

On page 16, increase the amount on line 29 by $206,000,000.

On page 16, increase the amount on line 40 by $206,000,000.

On page 16, increase the amount on line 42 by $206,000,000.

On page 22, increase the amount on line 47 by $247,000,000.

On page 22, increase the amount on line 49 by $241,000,000.

On page 23, increase the amount on line 7 by $250,000,000.

On page 23, increase the amount on line 9 by $249,000,000.

On page 23, increase the amount on line 19 by $259,000,000.

On page 23, increase the amount on line 21 by $258,000,000.

On page 23, increase the amount on line 31 by $267,000,000.

On page 23, increase the amount on line 33 by $267,000,000.

CHILES AMENDMENT NO. 183

Mr. CHILES proposed an amendment to amendment No. 174, as amended, proposed by him to the instructions contained in the motion of Mr. BYRD to recommit, with instructions the concurrent resolution (S. Con. Res. 49) supra; as follows:

Strike all after the words "the Congress" on line 1 of page 1 and insert in lieu thereof the following:

hereby determines and declares that the concurrent resolution on the budget for fiscal year 1988 is established and the appropriate budgetary levels for fiscal years 1989, 1990, and 1991 are set forth.

MAXIMUM DEFICIT AMOUNTS

SEC. 2. (a) The levels and amounts set forth in this subsection are set forth for purposes of determining, in accordance with section 301(i) of the Congressional Budget and Impoundment Control Act of 1974, as added by the Balanced and Emergency Deficit Control Act of 1985, whether the maximum deficit amount for a fiscal year has been exceeded; are determined on the basis of the economic and technical assumptions upon which the budget submitted by the President for fiscal year 1988 pursuant to section 1105 of title 31, United States Code, is based; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $916,600,000,000.
Fiscal year 1989: $976,200,000,000.
Fiscal year 1990: $1,048,300,000,000.
Fiscal year 1991: $2,123,600,000,000.

(2) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,024,300,000,000.
Fiscal year 1989: $1,069,000,000,000.
Fiscal year 1990: $1,107,800,000,000.
Fiscal year 1991: $1,144,400,000,000.

(3) The amounts of the deficits are as follows:

Fiscal year 1988: $107,800,000,000.
Fiscal year 1989: $92,800,000,000.
Fiscal year 1990: $59,500,000,000.
Fiscal year 1991: $21,300,000,000.

(b) The levels and amounts sets forth in this subsection are set forth for informational purposes only; are not set forth for purposes of any determination to be made under titles III or IV of the Congressional Budget and Impoundment Control Act of 1974; are determined on the basis of the economic assumptions reported to the Congress by the Congressional Budget Office; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $905,400,000,000.
Fiscal year 1989: $969,100,000,000.
Fiscal year 1990: $1,058,800,000,000.
Fiscal year 1991: $1,146,900,000,000.

(2) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,039,700,000,000.
Fiscal year 1989: $1,086,800,000,000.
Fiscal year 1990: $1,137,300,000,000.
Fiscal year 1991: $1,183,100,000,000.

(3) The amounts of the deficits are as follows:

Fiscal year 1988: $134,300,000,000.
Fiscal year 1989: $117,700,000,000.
Fiscal year 1990: $78,500,000,000.
Fiscal year 1991: $36,200,000,000.

RECOMMENDED LEVELS AND AMOUNTS

SEC. 3. (a) The levels and amounts set forth in subsections (b) and (c) of this section and section 4 are set forth pursuant to subsections (a) and (b) of section 301 of the Congressional Budget and Impoundment Control Act of 1974; are set forth for purposes of any determination to be made under title III or IV of such Act (other than a determination under section 301(i) or 31 (a) of such Act with respect to whether the maximum deficit amount for a fiscal year has been exceeded); and are based upon the economic and technical assumptions reported by the Congressional Budget Office.

(b) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $664,500,000,000.
Fiscal year 1989: $707,000,000,000.
Fiscal year 1990: $771,200,000,000.
Fiscal year 1991: $835,300,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 1988: $4,600,000,000.
Fiscal year 1989: $6,600,000,000.
Fiscal year 1990: $7,100,000,000.
Fiscal year 1991: $7,300,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1988: $59,800,000,000.
Fiscal year 1989: $64,000,000,000.
Fiscal year 1990: $69,100,000,000.
Fiscal year 1991: $74,400,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1988: $912,200,000,000.
Fiscal year 1989: $963,300,000,000.
Fiscal year 1990: $1,007,300,000,000.
Fiscal year 1991: $1,053,300,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $835,000,000,000.
Fiscal year 1989: $871,400,000,000.
Fiscal year 1990: $909,300,000,000.
Fiscal year 1991: $941,700,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1988: $170,500,000,000.
Fiscal year 1989: $164,400,000,000.
Fiscal year 1990: $138,100,000,000.
Fiscal year 1991: $106,400,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1988: $2,590,700,000,000.
Fiscal year 1989: $2,827,000,000,000.
Fiscal year 1990: $3,037,500,000,000.
Fiscal year 1991: $3,218,900,000,000.

and the amounts by which the statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1988: $236,300,000,000.
Fiscal year 1989: $236,300,000,000.
Fiscal year 1990: $210,500,000,000.
Fiscal year 1991: $181,400,000,000.

(6) The appropriate levels of total Federal credit activity for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990, are as follows:

Fiscal year 1988:

(A) New direct loan obligations, $31,000,000,000.

(B) New primary loan guarantee commitments, $18,400,000,000.

(C) New secondary loan guarantee commitments, $100,200,000,000.

Fiscal year 1989:

(A) New direct loan obligations, $27,700,000,000.

(B) New primary loan guarantee commitments, $112,900,000,000.

(C) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1990:

(A) New direct loan obligations, $25,500,000,000.

(B) New primary loan guarantee commitments, $117,800,000,000.

(C) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1991:

(A) New direct loan guarantee commitments, $24,200,000,000.

(B) New primary loan guarantee commitments, $123,000,000,000.

(C) New secondary loan guarantee commitments, $100,000,000,000.

(c) The Congress hereby determines and declares that the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1988 through 1991 for each major functional category are:

(1) National Defense (050):

Fiscal year 1988:

(A) New budget authority, $311,800,000,000.

(B) Outlays, $298,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $332,000,000,000.

(B) Outlays, $312,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $353,000,000,000.

(B) Outlays, $331,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $374,400,000,000.

(B) Outlays, $349,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(2) International Affairs (150):

Fiscal year 1988:

(A) New budget authority, $19,500,000,000.

(B) Outlays, $16,600,000,000.

(C) New direct loan obligations, $7,500,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $200,000,000.

Fiscal year 1989:

(A) New budget authority, $20,300,000,000.

(B) Outlays, $17,000,000,000.

(C) New direct loan obligations, $7,600,000,000.

(D) New primary loan guarantee commitments, $9,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $20,700,000,000.

(B) Outlays, $17,300,000,000.

(C) New direct loan obligations, $7,700,000,000.

(D) New primary loan guarantee commitments, $9,800,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $20,300,000,000.

(B) Outlays, $16,300,000,000.

(C) New direct loan obligations, $7,800,000,000.

(D) New primary loan guarantee commitments, $10,200,000,000.

(E) New secondary loan guarantee commitments, $0.

(3) General Science, Space, and Technology (250):

Fiscal year 1988:

(A) New budget authority, $11,500,000,000.

(B) Outlays, $11,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $12,900,000,000.

(B) Outlays, $12,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $13,500,000,000.

(B) Outlays, $13,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $14,100,000,000.

(B) Outlays, $14,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(4) Energy (270):

Fiscal year 1988:

(A) New budget authority, $2,500,000,000.

(B) Outlays, $3,300,000,000.

(C) New direct loan obligations, $600,000,000.

(D) New primary loan guarantee commitments, $1,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $3,600,000,000.

(B) Outlays, $2,600,000,000.

(C) New direct loan obligations, $500,000,000.

(D) New primary loan guarantee commitments, $1,300,000,000.

(E) New secondary loan guarantee commitements, $0.

Fiscal year 1990:

(A) New budget authority, $3,800,000,000.

(B) Outlays, $2,700,000,000.

(C) New direct loan obligations, $300,000,000.

(D) New primary loan guarantee commitments, $1,600,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $4,000,000,000.

(B) Outlays, $2,600,000,000.

(C) New direct loan obligations, $300,000,000.

(D) New primary loan guarantee commitments, $1,600,000,000.

(E) New secondary loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):

Fiscal year 1988:

(A) New budget authority, $14,100,000,000.

(B) Outlays, $14,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $15,100,000,000.

(B) Outlays, $15,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $15,100,000,000.

(B) Outlays, $15,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $14,400,000,000.

(B) Outlays, $15,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(6) Agriculture (350)

Fiscal year 1988:

(A) New budget authority, $25,700,000,000.

(B) Outlays, $24,900,000,000.

(C) New direct loan obligations, $17,200,000,000.

(D) New primary loan guarantee commitments, $6,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $27,000,000,000.

(B) Outlays, $23,300,000,000.

(C) New direct loan obligations, $14,400,000,000.

(D) New primary loan guarantee commitments, $7,500,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $22,500,000,000.

(B) Outlays, $19,300,000,000.

(C) New direct loan obligations, $12,500,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $17,700,000,000.

(B) Outlays, $15,200,000,000.

(C) New direct loan obligations, $11,100,000,000.

(D) New primary loan guarantee commitments, $7,700,000,000.

(E) New secondary loan guarantee commitments, $0.

(7) Commerce and Housing Credit (370):

Fiscal year 1988:

(A) New budget authority, $11,700,000,000.

(B) Outlays, $4,300,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $66,900,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1989:

(A) New budget authority, $10,000,000,000.

(B) Outlays, $1,400,000,000.

(C) New direct loan obligations, $1,600,000,000.

(D) New primary loan guarantee commitments, $60,700,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1990:

(A) New budget authority, $12,100,000,000.

(B) Outlays, $2,700,000,000.

(C) New direct loan obligations, $1,500,000,000.

(D) New primary loan guarantee commitments, $62,700,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

Fiscal year 1991:

(A) New budget authority, $9,700,000,000.

(B) Outlays, $200,000,000.

(C) New direct loan obligations, $1,700,000,000.

(D) New primary loan guarantee commitments, $65,300,000,000.

(E) New secondary loan guarantee commitments, $100,000,000,000.

(8) Transportation (400):

Fiscal year 1988:

(A) New budget authority, $24,900,000,000.

(B) Outlays, $27,000,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $24,800,000,000.

(B) Outlays, $26,400,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $24,900,000,000.

(B) Outlays, $26,100,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $25,800,000,000.

(B) Outlays, $26,100,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(9) Community and Regional Development (450):

Fiscal year 1988:

(A) New budget authority, $5,600,000,000.

(B) Outlays, $5,200,000,000.

(C) New direct loan obligations, $500,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,600,000,000.

(B) Outlays, $4,500,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,700,000,000.

(B) Outlays, $4,400,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,800,000,000.

(B) Outlays, $4,600,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 1988:

(A) New budget authority, $29,100,000,000.

(B) Outlays, $28,500,000,000.

(C) New direct loan obligations, $2,000,000,000.

(D) New primary loan guarantee commitments, $7,300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $28,300,000,000.

(B) Outlays, $28,700,000,000.

(C) New direct loan obligations, $2,000,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $27,800,000,000.

(B) Outlays, $28,000,000,000.

(C) New direct loan obligations, $1,900,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $27,600,000,000.

(B) Outlays, $27,800,000,000.

(C) New direct loan obligations, $1,800,000,000.

(D) New primary loan guarantee commitments, $7,600,000,000.

(E) New secondary loan guarantee commitments, $0.

(11) Health (550):

Fiscal year 1988:

(A) New budget authority, $43,500,000,000.

(B) Outlays, $40,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $44,300,000,000.

(B) Outlays, $42,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $45,700,000,000.

(B) Outlays, $44,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $47,400,000,000.

(B) Outlays, $46,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $100,000,000.

(E) New secondary loan guarantee commitments, $0.

(12) Medicare (570):

Fiscal year 1988:

(A) New budget authority, $93,900,000,000.

(B) Outlays, $78,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $103,900,000,000.

(B) Outlays, $86,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $114,300,000,000.

(B) Outlays, $94,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $124,900,000,000.

(B) Outlays, $103,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(13) Income Security (600):

Fiscal year 1988:

(A) New budget authority, $162,100,000,000.

(B) Outlays, $127,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $170,200,000,000.

(B) Outlays, $133,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $176,700,000,000.

(B) Outlays, $138,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $194,000,000,000.

(B) Outlays, $146,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(14) Social Security (650):

Fiscal year 1988:

(A) New budget authority, $4,700,000,000.

(B) Outlays, $4,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,300,000,000.

(B) Outlays, $5,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(15) Veterans Benefits and Services (700):

Fiscal year 1988:

(A) New budget authority, $27,600,000,000.

(B) Outlays, $26,700,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $28,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $28,200,000,000.

(B) Outlays, $27,100,000,000.

(C) New direct loan obligations, $1,000,000,000.

(D) New primary loan guarantee commitments, $26,300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $28,300,000,000.

(B) Outlays, $27,400,000,000.

(C) New direct loan obligations, $1,000,000,000.

(D) New primary loan guarantee commitments, $28,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $28,600,000,000.

(B) Outlays, $28,000,000,000.

(C) New direct loan obligations, $900,000,000.

(D) New primary loan guarantee commitments, $30,500,000,000.

(E) New secondary loan guarantee commitments, $0.

(16) Administration of Justice (750):

Fiscal year 1988:

(A) New budget authority, $9,000,000,000.

(B) Outlays, $9,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $9,100,000,000.

(B) Outlays, $9,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $9,100,000,000.

(B) Outlays, $9,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $9,300,000,000.

(B) Outlays, $9,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(17) General Government (800):

Fiscal year 1988:

(A) New budget authority, $7,800,000,000.

(B) Outlays, $7,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $8,100,000,000.

(B) Outlays, $8,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $8,200,000,000.

(B) Outlays, $8,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $8,200,000,000.

(B) Outlays, $8,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(18) General Purpose Fiscal Assistance (850):

Fiscal year 1988:

(A) New budget authority, $1,500,000,000.

(B) Outlays, $1,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $1,600,000,000.

(B) Outlays, $1,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $1,600,000,000.

(B) Outlays, $1,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $1,600,000,000.

(B) Outlays, $1,600,000,000.

(C) Net direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(19) New Interest (900):

Fiscal year 1988:

(A) New budget authority, $145,200,000,000.

(B) Outlays, $145,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $151,800,000,000.

(B) Outlays, $151,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $157,000,000,000.

(B) Outlays, $157,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $160,200,000,000.

(B) Outlays, $160,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(20) Allowances (920):

Fiscal year 1988:

(A) New budget authority, −$1,300,000,000.

(B) Outlays, −$1,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $500,000,000.

(B) Outlays, $700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $3,000,000,000.

(B) Outlays, $3,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(21) Undistributed Offsetting Receipts (950):

Fiscal year 1988:

(A) New budget authority, −$38,200,000,000.

(B) Outlays, −$38,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, −$39,300,000,000.

(B) Outlays, −$39,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, −$41,100,000,000.

(B) Outlays, −$41,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, −$45,700,000,000.

(B) Outlays, −$45,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 4. (a) Not later than May 14, 1987, the committees named in subsections (b) through (u) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $0 in contributions, $6,375,000,000 in budget authority and $6,298,000,000 in outlays in fiscal year 1988, $0 in contributions, $4,869,000,000 in budget authority and $4,867,000,000 in outlays in fiscal year 1989, $0 in contributions, $6,150,000,000 in budget authority and $6,149,000,000 in outlays in fiscal year 1990, and $0 in contributions, $7,364,000,000 in budget authority and $7,365,000,000 in outlays in fiscal year 1991.

(c) The Senate Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $2,213,000,000 in budget authority and $2,213,000,000 in outlays in fiscal year 1988, $738,000,000 in budget authority and $738,000,000 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(d) The Senate Committee on Banking, Housing, and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $32,000,000 in budget authority and $182,000,000 in outlays in fiscal year 1988, $40,000,000 in budget authority and $40,000,000 in outlays in fiscal year 1989, $49,000,000 in budget authority and $49,000,000 in outlays in fiscal year 1990, $55,000,000 in budget authority and $55,000,000 in outlays in fiscal year 1991.

(e) The Senate Committee on Commerce, Science, and Transportation shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $982,000,000 in budget authority and $982,000,000 in outlays in fiscal year 1988, $518,000,000 in budget authority and $518,000,000 in outlays in fiscal year 1989, $547,000,000 in budget authority and $547,000,000 in outlays in fiscal year 1990, $553,000,000 in budget authority and $553,000,000 in outlays in fiscal year 1991.

(f) The Senate Committee on Energy and Natural Resources shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $337,000,000 in budget authority and $303,000,000 in outlays in fiscal year 1988, $1,918,000,000 in budget authority and $2,076,000,000 in outlays in fiscal year 1989, $2,656,000,000 in budget authority and $2,815,000,000 in outlays in fiscal year 1990, and $5,487,000,000 in budget authority and $5,646,000,000 in outlays in fiscal year 1991.

(g) The Senate Committee on Environment and Public Works shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $51,000,000 in budget authority and $51,000,000 in outlays in fiscal year 1988, $63,000,000 in budget authority and $63,000,000 in outlays in fiscal year 1989, $66,000,000 in budget authority and $66,000,000 in outlays in fiscal year 1990, and $68,000,000 in budget authority and $68,000,000 in outlays in fiscal year 1991.

(h)(1) The Senate Committee on Finance shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $7,198,000,000 in outlays in fiscal year 1988, $0 in budget authority and $9,676,000,000 in outlays in fiscal year 1989, $0 in budget authority and $14,419,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $19,080,000,000 in outlays in fiscal year 1991.

(2) The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $5,000,000,000 in fiscal year 1988; $7,100,000,000 in fiscal year 1989; $7,700,000,000 in fiscal year 1990; and $8,000,000,000 in fiscal year 1991.

(i) The Senate Committee on Governmental Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $2,631,000,000 in outlays in fiscal year 1988, $0 in budget authority and $5,003,000,000 in outlays in fiscal year 1989, $0 in budget authority and $7,386,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $10,362,000,000 in outlays in fiscal year 1991.

(j) The Senate Committee on Labor and Human Resources shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $115,000,000 in budget authority and $108,000,000 in outlays in fiscal year 1988, $139,000,000 in budget authority and $137,000,000 in outlays in fiscal year 1989, $176,000,000 in budget authority and $171,000,000 in outlays in fiscal year 1990, and $221,000,000 in budget authority and $213,000,000 in outlays in fiscal year 1991.

(k) The Senate Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $38,000,000 in budget authority and $449,000,000 in outlays in fiscal year 1988, $92,000,000 in budget authority and $403,000,000 in outlays in fiscal year 1989, $169,000,000 in budget authority and $451,000,000 in outlays in fiscal year 1990, and $243,000,000 in budget authority and $517,000,000 in outlays in fiscal year 1991.

HOUSE COMMITTEES

(l) The House Committee on Agriculture shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $0 in contributions, $5,480,000,000 in budget authority and $5,486,000,000 in outlays in fiscal year 1988, $0 in contributions, $3,881,000,000 in budget authority and $3,890,000,000 in outlays in fiscal year 1989, $0 in contributions, $5,075,000,000 in budget authority and $5,084,000,000 in outlays in fiscal year 1990, and $0 in contributions, $6,216,000,000 in budget authority and $6,224,000,000 in outlays in fiscal year 1991.

(m) The House Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $2,213,000,000 in budget authority and $2,213,000,000 in outlays in fiscal year 1988, $738,000,000 in budget authority and $738,000,000 in outlays in fiscal year 1989, $0 in budget authority and $0 in outlays in fiscal year 1990, and $0 in budget authority and $0 in outlays in fiscal year 1991.

(n) The House Committee on Banking, Finance and Urban Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $32,000,000 in budget authority and $182,000,000 in outlays. In fiscal year 1988, $40,000,000 in budget authority and $40,000,000 in outlays in fiscal year 1989, $49,000,000 in budget authority and $49,000,000 in outlays in fiscal year 1990, and $55,000,000 in budget authority and $55,000,000 in outlays in fiscal year 1991.

(o) The House Committee on Education and Labor shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section

401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $1,010,000,000 in budget authority and $1,433,000,000 in outlays in fiscal year 1988, $1,127,000,000 in budget authority and $1,687,000,000 in outlays in fiscal year 1989, $1,251,000,000 in budget authority and $1,761,000,000 in outlays in fiscal year 1990, and $1,369,000,000 in budget authority and $1,892,000,000 in outlays in fiscal year 1991.

(p) The House Committee on Energy and Commerce shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $667,000,000 in budget authority and $7,075,000,000 in outlays in fiscal year 1988, $87,000,000 in budget authority and $9,073,000,000 in outlays in fiscal year 1989, $118,000,000 in budget authority and $14,101,000,000 in outlays in fiscal year 1990, and $125,000,000 in budget authority and $18,980,000,000 in outlays in fiscal year 1991.

(q) The House Committee on Government Operations shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $176,000,000 in outlays in fiscal year 1988, $0 in budget authority and $180,000,000 in outlays in fiscal year 1989, $0 in budget authority and $183,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $185,000,000 in outlays in fiscal year 1991.

(r) The House Committee on Interior and Insular Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $117,000,000 in budget authority and $83,000,000 in outlays in fiscal year 1988, $134,000,000 in budget authority and $292,000,000 in outlays in fiscal year 1989, $134,000,000 in budget authority and $293,000,000 in outlays in fiscal year 1990, and $135,000,000 in budget authority and $294,000,000 in outlays in fiscal year 1991.

(s) The House Committee on Post Office and Civil Service shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $2,348,000,000 in outlays in fiscal year 1988, $0 in budget authority and $4,680,000,000 in outlays in fiscal year 1989, $0 in budget authority and $7,041,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $10,008,000 in outlays in fiscal year 1991.

(t) The House Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $38,000,000 in budget authority and $449,000,000 in outlays in fiscal year 1988, $92,000,000 in budget authority and $403,000,000 in outlays in fiscal year 1989, $169,000,000 in budget authority and $451,000,000 in outlays in fiscal year 1990, and $243,000,000 in budget authority and $517,000,000 in outlays in fiscal year 1991.

(u)(1) The House Committee on Ways and Means shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $5,571,000,000 in outlays in fiscal year 1988, $0 in budget authority and $6,411,000,000 in outlays in fiscal year 1989, $0 in budget authority and $9,874,000,000 in outlays in fiscal year 1990, and $0 in budget authority and $13,107,000,000 in outlays in fiscal year 1991.

(2) The House Committee on Ways and Means shall report changes in the laws within its jurisdiction sufficient to increase revenues as follows: $5,000,000,000 in fiscal year 1988, $7,100,000,000 in fiscal year 1989, $7,700,000,000 in fiscal year 1990, and $8,000,000,000 in fiscal year 1991.

SUPPLEMENTAL APPROPRIATIONS ACT

MELCHER AMENDMENT NO. 184

(Ordered to lie on the table.)

Mr. MELCHER submitted an amendment intended to be proposed by him to the bill (H.R. 1827) making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes; as follows:

On page 55, line 14, strike out "and".

On page 55, line 15, insert after "schools," the following: "and any regulations (and any amendments to, or revisions of, regulations) relating to the Bureau of Indian Affairs' Higher Education Grant Program that were not in effect on March 1, 1984,".

● Mr. MELCHER. Mr. President, when the supplemental appropriations bill for 1987 is brought to the Senate floor for consideration I will be offering an amendment to delay the final implementation of some regulations which the Bureau of Indian Affairs has proposed for its Higher Education Grant Program. I believe Congress must evaluate the effects of these particular regulations before they are implemented.

Federal law and policy have clearly held that the Federal Government has a trust responsibility to Indian people for education. Education is critical to the future of Indian people. Indian leaders consistently cite education as the No. 1 tribal priority. The Montana Indian Education Association, for example, proclaims that "education is the key to the future of Indian people." It follows that Indian people are very concerned, as all of us should be concerned, about BIA actions which would, in any way, limit or threaten educational opportunity.

The BIA Higher Education Grant Program is the major source of support for Indian college students. This program is similar to other Federal student grant programs—such as the Pell grants, supplemental educational opportunity grants, or veteran's assistance grants—in that grants are provided to eligible Indian tribal members enrolled full time in an accredited college program. The BIA grant is the core of the financial aid package which is supplemented by Pell grants, work-study, loans or tribal scholarships.

Under the Indian Self Determination Act, a large number of Indian tribes contract with the BIA to deliver the program. Since the early 1970's, in response to tribal and Federal policies of encouraging Indians to attend and complete college, there has been a steady increase in the number of Indian college students, but BIA appropriations have not kept pace with the need. In order to allocate these inadequate funds fairly, most tribes have developed stringent standards and set priorities for the award of BIA higher education grants. Students are required to maintain acceptable grades in line with the academic requirements of their institution; they must complete degree programs in a certain time period; and generally, the more academically promising students are funded first. The program has been very successful and has enabled hundreds of American Indians to obtain college degrees and pursue professions in education, social work, health, law, medicine, and so forth. This is just a beginning and much more needs to be done.

This spring the BIA proposed some new regulations for the program. These proposed regulations would make questionable departures from existing practice.

My primary concern is with the proposed "repayment provision." Under this proposal Indian students receiving grants from the BIA would be treated differently than students who get Pell or veteran's grants. The BIA has proposed that if any student fails or withdraws from a term of school, the student would: First, be ineligible for future assistance; second, be required to repay the amount of the grant because it would be converted to a loan; and third, the tribal education departments would act as collection agencies for these grants which would become loans.

Needless to say, these proposals would establish stringent and unreasonable penalties for Indian students—penalties which are not assessed on any other students who receive Federal grants. I think this is outrageous and a very bad precedent. Further, these proposals ignore the fact that the American Indian student population is the most underprivileged and needy group in this country, and that Indians may need extra help in overcoming barriers to success. We certainly do not need to erect additional barriers or to make it harder for Indian students to get a college degree.

In April of this year, all eight members of the Indian Affairs Committee wrote to the BIA to express strong concern about the negative effects of the amendments. While the BIA has not responded, I understand that the agency plans to promulgate final regulations in late summer. My amendment will delay the promulgation of these regulations until Congress can review the effects of the proposed changes and make certain that postsecondary educational opportunity for Indians is not crippled by regulation. I believe that if the proposed regulations were promulgated as they now stand, it would be necessary to clarify the underlying statute on which the regulations are based.

I hope my colleagues will join in supporting this amendment.●

FIRST CONCURRENT RESOLUTION ON THE BUDGET

DOMENICI AMENDMENT No. 185

Mr. DOMENICI proposed an amendment to amendment No. 174, as amended, proposed by Mr. Chiles to the instructions contained in the motion of Mr. Byrd to recommit, with instructions, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 1, beginning with line 8, strike all through the end and insert in lieu thereof the following:

Sec. 2. (a) The following levels and amounts are set forth for purposes of determining, in accordance with section 301(i) of the Congressional Budget and Impoundment Control Act of 1974, amended by the Balanced Budget and Emergency Deficit Control Act of 1985, whether the maximum deficit amount for a fiscal year has been exceeded; are determined on the basis of the economic and technical assumptions upon which the budget submitted by the President for fiscal year 1988 pursuant to section 1105 of title 31, United States Code, is based; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and levels set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $921,500,000,000.
Fiscal year 1989: $992,500,000,000.
Fiscal year 1990: $1,058,900,000,000.
Fiscal year 1991: $1,135,700,000,000.

(2) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,029,400,000,000.
Fiscal year 1989: $1,074,000,000,000.
Fiscal year 1990: $1,093,500,000,000.
Fiscal year 1991: $1,113,400,000,000.

(3) The amounts of the deficits are as follows:

Fiscal year 1988: $107,900,000,000.
Fiscal year 1989: $81,500,000,000.
Fiscal year 1990: $34,600,000,000.
Fiscal year 1991: $22,300,000,000.

(b) The levels and amounts set forth in this subsection are set forth for informational purposes only; are not set forth for purposes of any determination to be made under titles III or IV of the Congressional Budget and Impoundment Control Act of 1974, as amended; are determined on the basis of the economic assumptions reported to the Congress by the Congressional Budget Office; and as set forth in this concurrent resolution, as reported, shall be considered to be mathematically consistent with the other amounts and level set forth in this concurrent resolution, as reported:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $910,300,000,000.
Fiscal year 1989: $985,500,000,000.
Fiscal year 1990: $1,069,300,000,000.
Fiscal year 1991: $1,159,500,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1988: $1,162,100,000,000.
Fiscal year 1989: $1,223,400,000,000.
Fiscal year 1990: $1,267,000,000,000.
Fiscal year 1991: $1,332,800,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $1,043,900,000,000.
Fiscal year 1989: $1,092,400,000,000.
Fiscal year 1990: $1,126,400,000,000.
Fiscal year 1991: $1,158,600,000,000.

(4) The amounts of the deficits are as follows:

Fiscal year 1988: $133,600,000,000.
Fiscal year 1989: $106,900,000,000.
Fiscal year 1990: $57,100,000,000.
Fiscal year 1991: −$900,000,000.

RECOMMENDED LEVELS AND AMOUNTS

Sec. 3. (a) The levels and amounts set forth in subsections (b) and (c) of this section are set forth pursuant to subsections (a) and (b) of section 301 of the Congressional Budget and Impoundment Control Act of 1974, as amended; are set forth for purposes of any determination to be made under title III or IV of such Act (other than a determination under section 301(i) of such Act with respect to whether the maximum deficit amount for a fiscal year has been exceeded); and are based upon the economic and technical assumptions reported by the Congressional Budget Office.

Fiscal year 1989: $106,900,000,000.
Fiscal year 1990: $57,100,000,000.
Fiscal year 1991: $900,000,000.

(b) The following budgetary levels are appropriate for the fiscal years beginning on October 1, 1987, October 1, 1988, October 1, 1989, and October 1, 1990:

(1) The recommended levels of Federal revenues are as follows:

Fiscal year 1988: $669,800,000,000.
Fiscal year 1989: $723,900,000,000.
Fiscal year 1990: $782,400,000,000.
Fiscal year 1991: $848,600,000,000.

and the amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 1988: $9,800,000,000.
Fiscal year 1989: $23,500,000,000.
Fiscal year 1990: $18,300,000,000.
Fiscal year 1991: $20,600,000,000.

and the amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1988: $59,700,000,000.
Fiscal year 1989: $63,900,000,000.
Fiscal year 1990: $68,900,000,000.
Fiscal year 1991: $74,300,000,000.

(2) The appropriate levels of total new budget authority are as follows:

Fiscal year 1988: $921,700,000,000.
Fiscal year 1989: $961,600,000,000.
Fiscal year 1990: $979,500,000,000.
Fiscal year 1991: $1,021,000,000,000.

(3) The appropriate levels of total budget outlays are as follows:

Fiscal year 1988: $839,600,000,000.
Fiscal year 1989: $876,700,000,000.
Fiscal year 1990: $897,500,000,000.
Fiscal year 1991: $915,900,000,000.

(4) The amounts of the deficits in the budget which are appropriate in the light of economic conditions and all other relevant factors are as follows:

Fiscal year 1988: $169,800,000,000.
Fiscal year 1989: $152,800,000,000.
Fiscal year 1990: $115,100,000,000.
Fiscal year 1991: $67,300,000,000.

(5) The appropriate levels of the public debt are as follows:

Fiscal year 1988: $2,585,800,000,000.
Fiscal year 1989: $2,805,500,000,000.
Fiscal year 1990: $2,985,700,000,000.
Fiscal year 1991: $3,119,100,000,000.

and the amounts by which the statutory limits on such debt should be accordingly increased are as follows:

Fiscal year 1988: $232,000,000,000.
Fiscal year 1989: $219,700,000,000.
Fiscal year 1990: $180,200,000,000.
Fiscal year 1991: $132,400,000,000.

(6) The appropriate levels of total Federal Credit acitivity for the fiscal years beginning on October 1, 1987, October 1, 1988, and October 1, 1989, are as follows:

Fiscal year 1988:

(A) New budget authority, $31,300,000,000.

(B) New primary loan guarantee commitments, $157,500,000.000.

(C) New secondary loan guarantee commitments, $100,600,000,000.

Fiscal year 1989:

(A) New direct loan obligations, $30,100,000,000.

(B) New primary loan guarantee commitments, $151,500,000.000.

(C) New secondary loan guarantee commitments, $97,900,000,000.

Fiscal year 1990:

(A) New direct loan obligations, $28,800,000,000.

(B) New primary loan guarantee commitments, $159,100,000.000.

(C) New secondary loan guarantee commitments, $94,600,000,00.

Fiscal year 1991:

(A) New direct loan obligations, $27,900,000,000.

(B) New primary loan guarantee commitments, $165,900,000.000.

(C) New secondary loan guarantee commitments, $91,000,000,000.

(c) The Congress hereby determines and declares that the appropriate levels of budget authority and budget outlays, and the appropriate levels of new direct loan obligations, new primary loan guarantee commitments, and new secondary loan guarantee commitments for fiscal years 1987 through 1991 for each major functional category are:

(1) National Defense (050):

Fiscal year 1988:

(A) New budget authority, $304,300,000,000.

(B) Outlays, $291,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $308,000,000,000.

(B) Outlays, $296,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $308,000,000,000.

(B) Outlays, $298,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $308,000,000,000.

(B) Outlays, $297,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(2) International Affairs (150):

Fiscal year 1988:

(A) New budget authority, $ * * *.

(B) Outlays, $13,700,000,000.

(C) New direct loan obligations, $6,200,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1989:

(A) New budget authority, $21,600,000,000.

(B) Outlays, $15,100,000,000.

(C) New direct loan obligations, $6,200,000,000.

(D) New primary loan guarantee commitments, $9,500,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1990:

(A) New budget authority, $17,200,000,000.

(B) Outlays, $14,300,000,000.

(C) New direct loan obligations, $6,200,000,000.

(D) New primary loan guarantee commitments, $9,900,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

Fiscal year 1991:

(A) New budget authority, $15,500,000,000.

(B) Outlays, $12,300,000,000.

(C) New direct loan obligations, $6,200,000,000.

(D) New primary loan guarantee commitments, $10,300,000,000.

(E) New secondary loan guarantee commitments, $300,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 1988:

(A) New budget authority, $11,200,000,000.

(B) Outlays, $11,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $13,200,000,000.

(B) Outlays, $12,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $14,100,000,000.

(B) Outlays, $14,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $14,400,000,000.

(B) Outlays, $14,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(4) Energy (270):

Fiscal year 1988:

(A) New budget authority, $2,100,000,000.

(B) Outlays, −$4,100,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, −$8,200,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $3,000,000,000.

(B) Outlays, $3,100,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, −$1,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $3,100,000,000.

(B) Outlays, $3,000,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, −$1,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $2,900,000,000.

(B) Outlays, $2,400,000,000.

(C) New direct loan obligations, $400,000,000.

(D) New primary loan guarantee commitments, −$1,000,000,000.

(E) New secondary loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):

Fiscal year 1988:

(A) New budget authority, $15,500,000,000.

(B) Outlays, $14,900,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $16,200,000,000.

(B) Outlays, $5,900,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $16,600,000,000.

(B) Outlays, $16,900,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $16,600,000,000.

(B) Outlays, $7,00,000,000.

(C) New direct loan obligations, $100,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(6) Agriculture (350):

Fiscal year 1988:

(A) New budget authority, $29,200,000,000.

(B) Outlays, $28,400,000,000.

(C) New direct loan obligations, $17,500,000,000.

(D) New primary loan guarantee commitments, $8,500,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $30,00,000,000.

(B) Outlays, $26,200,000,000.

(C) New direct loan obligations, $16,200,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $25,500,000,000.

(B) Outlays, $22,300,000,000.

(C) New direct loan obligations, $15,000,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $22,200,000,000.

(B) Outlays, $20,300,000,000.

(C) New direct loan obligations, $14,200,000,000.

(D) New primary loan guarantee commitments, $9,000,000,000.

(E) New secondary loan guarantee commitments, $0.

(7) Commerce and Housing Credit (370):

Fiscal year 1988:

(A) New budget authority, $12,300,000,000.

(B) Outlays, $7,200,000,000.

(C) New direct loan obligations, $3,600,000,000.

(D) New primary loan guarantee commitments, $91,600,000,000.

(E) New secondary loan guarantee commitments, $100,300,000,000.

Fiscal year 1989:

(A) New budget authority, $11,800,000,000.

(B) Outlays, $4,500,000,000.

(C) New direct loan obligations, $3,800,000,000.

(D) New primary loan guarantee commitments, $93,900,000,000.

(E) New secondary loan guarantee commitments, $97,600,000,000.

Fiscal year 1990:

(A) New budget authority, $14,800,000,000.

(B) Outlays, $6,300,000,000.

(C) New direct loan obligations, $3,800,000,000.

(D) New primary loan guarantee commitments, $98,700,000,000.

(E) New secondary loan guarantee commitments, $94,300,000,000.

Fiscal year 1991:

(A) New budget authority, $12,200,000,000.

(B) Outlays, $4,100,000,000.

(C) New direct loan obligations, $3,800,000,000.

(D) New primary loan guarantee commitments, $102,800,000,000.

(E) New secondary loan guarantee commitments, $90,700,000,000.

(8) Transportation (400):

Fiscal year 1988:

(A) New budget authority, $26,900,000,000.

(B) Outlays, $27,300,000,000.

(C) New direct loan obligations, $400,000,000

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $26,700,000,000.

(B) Outlays, $27,100,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $26,700,000,000.

(B) Outlays, $26,800,000,000.

(C) New direct loan obligations, $200,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $26,600,000,000.

(B) Outlays, $26,700,000,000.

(C) New direct loan obligations, $2,000,000,000.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(9) Community and Regional Development (450):

Fiscal year 1988:

(A) New budget authority, $6,900,000,000.

(B) Outlays, $6,600,000,000.

(C) New direct loan obligations, $500,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $6,500,000,000.

(B) Outlays, $6,100,000,000.

(C) New direct loan obligations, $600,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $6,400,000,000.

(B) Outlays, $6,000,000,000.

(C) New direct loan obligations, $600,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $6,200,000,000.

(B) Outlays, $5,700,000,000.

(C) New direct loan obligations, $600,000,000.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 1988:

(A) New budget authority, $34,000,000,000.

(B) Outlays, $32,400,000,000.

(C) New direct loan obligations, $1,500,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $34,300,000,000.

(B) Outlays, $33,900,000,000.

(C) New direct loan obligations, $1,600,000,000.

(D) New primary loan guarantee commitments, $9,100,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $34,400,000,000.

(B) Outlays, $34,200,000,000.

(C) New direct loan obligations, $1,600,000,000.

(D) New primary loan guarantee commitments, $9,200,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $34,500,000,000.

(B) Outlays, $34,500,000,000.

(C) New direct loan obligations, $1,600,000,000.

(D) New primary loan guarantee commitments, $9,200,000,000.

(E) New secondary loan guarantee commitments, $0.

(11) Health (550):

Fiscal year 1988:

(A) New budget authority, $43,500,000,000.

(B) Outlays, $43,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $46,600,000,000.

(B) Outlays, $46,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $50,100,000,000.

(B) Outlays, $49,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $53,700,000,000.

(B) Outlays, $53,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(E) New secondary loan guarantee commitments, $0.

(12) Medicare (570):

Fiscal year 1988:

(A) New budget authority, $93,300,000,000.

(B) Outlays, $80,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $102,700,000,000.

(B) Outlays, $87,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $113,300,000,000.

(B) Outlays, $96,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $123,900,000,000.

(B) Outlays, $109,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(13) Income Security (600):

Fiscal year 1988:

(A) New budget authority, $167,700,000,000.

(B) Outlays, $129,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $174,700,000,000.

(B) Outlays, $136,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $180,700,000,000.

(B) Outlays, $141,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $214,200,000,000.

(B) Outlays, $150,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(14) Social Security (650):

Fiscal year 1988:

(A) New budget authority, $4,700,000,000.

(B) Outlays, $4,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $5,300,000,000.

(B) Outlays, $5,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $5,400,000,000.

(B) Outlays, $5,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(15) Veterans Benefits and Services (700):

Fiscal year 1988:

(A) New budget authority, $27,500,000,000.

(B) Outlays, $27,000,000,000.

(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $30,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $27,500,000,000.

(B) Outlays, $26,900,000,000.

(C) New direct loan obligations, $1,000,000,000.

(D) New primary loan guarantee commitments, $28,400,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $27,100,000,000.

(B) Outlays, $26,800,000,000.

(C) New direct loan obligations, $900,000,000.

(D) New primary loan guarantee commitments, $30,700,000,000.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $27,200,000,000.

(B) Outlays, $27,000,000,000.

(C) New direct loan obligations, $800,000,000.

(D) New primary loan guarantee commitments, $33,000,000.

(E) New secondary loan guarantee commitments, $0.

(16) Administration of Justice (750):

Fiscal year 1988:

(A) New budget authority, $9,600,000,000.

(B) Outlays, $9,400,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $9,600,000,000.

(B) Outlays, $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $9,600,000,000.

(B) Outlays, $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $9,600,000,000.

(B) Outlays, $9,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(17) General Government (800):

Fiscal year 1988:

(A) New budget authority, $7,500,000,000.

(B) Outlays, $7,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $7,700,000,000.

(B) Outlays, $7,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $7,800,000,000.

(B) Outlays, $7,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $7,800,000,000.

(B) Outlays, $7,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(18) General Purpose Fiscal Assistance (850):

Fiscal year 1988:

(A) New budget authority, $1,800,000,000.

(B) Outlays, $1,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $1,900,000,000.

(B) Outlays, $1,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $1,900,000,000.

(B) Outlays, $1,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $1,900,000,000.

(B) Outlays, $1,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(19) Net Interest (900):

Fiscal year 1988:

(A) New budget authority, $145,800,000,000.

(B) Outlays, $145,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, $151,900,000,000.

(B) Outlays, $151,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, $154,500,000,000.

(B) Outlays, $154,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, $155,800,000,000.

(B) Outlays, $155,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(20) Allowances (920):

Fiscal year 1988:

(A) New budget authority, −$1,300,000,000.

(B) Outlays, −$1,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, −$1,200,000,000.

(B) Outlays, −$1,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, −$1,100,000,000.

(B) Outlays, −$1,200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, −$100,000,000.

(B) Outlays, −$200,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

(21) Undistributed Offsetting Receipts (950):

Fiscal year 1988:

(A) New budget authority, −$37,700,000,000.

(B) Outlays, −$37,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1989:

(A) New budget authority, −$36,500,000,000.

(B) Outlays, −$36,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1990:

(A) New budget authority, −$36,600,000,000.

(B) Outlays, −$36,600,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

Fiscal year 1991:

(A) New budget authority, −$37,500,000,000.

(B) Outlays, −$37,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

(E) New secondary loan guarantee commitments, $0.

RECONCILIATION

SEC. 4. (a) Not later than July 15, 1987, the committees named in subsections (b) through (s) of this section shall submit their recommendations to the Committees on the Budget of their respective Houses. After receiving those recommendations, the Committees on the Budget shall report to the House and Senate a reconciliation bill or resolution or both carrying out all such recommendations without any substantive revision.

SENATE COMMITTEES

(b) The Senate Committee on Agriculture, Nutrition, and Forestry shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $2,871,000,000 in budget authority and $9,179,000,000 in outlays in fiscal year 1988, and $3,055,000,000 in budget authority and $2,313,000,000 in outlays in fiscal year 1989.

(c) The Senate Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays or (3) any combination thereof, as follows: $2,714,000,000 in budget authority and $2,680,000,000 in outlays in fiscal year 1988, and $738,000,000 in budget authority and $738,000,000 in outlays in fiscal year 1989.

(d) The Senate Committee on Commerce, Science, and Transportation shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $1,037,000,000 in budget authority and $1,216,000,000 in outlays in fiscal year 1988, and $568,000,000 in budget authority and $564,000,000 in outlays in fiscal year 1989.

(e) The Senate Committee on Energy and Natural Resources shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $1,848,000,000 in budget authority and $1,848,000,000 in outlays in fiscal year 1988, and $1,849,000,000 in budget authority and $1,849,000,000 in outlays in fiscal year 1989.

(f) The Senate Committee on Environment and Public Works shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $190,000,000 in budget authority and $190,000,000 in outlays in fiscal year 1988, and $193,000,000 in budget authority and $193,000,000 in outlays in fiscal year 1989.

(g)(1) The Senate Committee on Finance shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $3,241,000,000 in outlays in fiscal year 1988, and $0 in budget authority and $6,310,000,000 in outlays in fiscal year 1989.

(2) The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $8,000,000,000 in fiscal year 1988 and $20,600,000,000 in fiscal year 1989.

(h) The Senate Committee on Governmental Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $3,259,000,000 in outlays in fiscal year 1988, and $0 in budget authority and $2,927,000,000 in outlays in fiscal year 1989.

(i) The Senate Committee on Labor and Human Resources shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $358,000,000 in budget authority and $358,000,000 in outlays in fiscal year 1988, and $264,000,000 in budget authority and $264,000,000 in outlays in fiscal year 1989.

(j) The Senate Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $56,000,000 in budget authority and $56,000,000 in outlays in fiscal year 1988, and $32,000,000 in budget authority and $32,000,000 in outlays in fiscal year 1989.

HOUSE COMMITTEES

(k) The House Committee on Agriculture shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $2,871,000,000 in budget authority and $9,179,000,000 in outlays in fiscal year 1988, and $3,055,000,000 in budget authority and $2,313,000,000 in outlays in fiscal year 1989.

(l) The House Committee on Armed Services shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $2,714,000,000 in budget authority and $2,680,000,000 in outlays in fiscal year 1988, $738,000,000 in budget authority and $738,000,000 in outlays in fiscal year 1989.

(m) The House Committee on Education and Labor shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $100,000,000 in budget authority and $1,011,000,000 in outlays in fiscal year 1988, and $0 in budget authority and $900,000,000 in outlays in fiscal year 1989.

(n) The House Committee on Energy and Commerce shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, or (3) any combination thereof, sufficient to increase contributions and reduce budget authority and outlays as follows: $3,331,000,000 in budget authority and

$6,710,000,000 in outlays in fiscal year 1988, and $2,871,000,000 in budget authority and $8,167,000,000 in outlays in fiscal year 1989.

(o) The House Committee on Government Operations shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $501,000,000 in outlays in fiscal year 1988, and $0 in budget authority and $517,000,000 in outlays in fiscal year 1989.

(p) The House Committee on Interior and Insular Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $48,000,000 in budget authority and $48,000,000 in outlays in fiscal year 1988, and $49,000,000 in budget authority and $49,000,000 in outlays in fiscal year 1989.

(q) The House Committee on Post Office and Civil Service shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $0 in budget authority and $2,758,000,000 in outlays in fiscal year 1988, and $0 in budget authority and $2,410,000,000 in outlays in fiscal year 1989.

(r) The House Committee on Veterans' Affairs shall report (1) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (2) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (3) any combination thereof, as follows: $56,000,000 in budget authority and $56,000,000 in outlays in fiscal year 1988, and $32,000,000 in budget authority and $32,000,000 in outlays in fiscal year 1989.

(s) The House Committee on Ways and Means shall report (A) changes in laws within its jurisdiction which provide spending authority as defined in section 401(c)(2)(C) of the Congressional Budget and Impoundment Control Act of 1974, sufficient to reduce budget authority and outlays, (B) changes in laws within its jurisdiction which provide spending authority other than as defined in section 401(c)(2)(C) of the Act, sufficient to reduce budget authority and outlays, or (C) any combination thereof, as follows: $0 in budget authority and $3,241,000,000 in outlays in fiscal year 1988, and $0 in budget authority and $6,410,000,000 in outlays in fiscal year 1989.

(2) The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to increase revenues as follows: $8,000,000,000 in fiscal year 1988, and $20,600,000,000 in fiscal year 1989.

ROTH AMENDMENT NO. 186

Mr. ROTH proposed an amendment to amendment No. 174, as amended, proposed by Mr. CHILES to the instructions contained in the motion of Mr. BYRD to recommit, with instructions, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

At the appropriate place, insert the following:

BIENNIAL BUDGET PROCESS

SEC. . (a) The Congress finds that the present annual budget process—

(1) fosters uncertainty in financial markets and creates budgetary uncertainty for recipients of Federal funds, thereby inhibiting the efficient operation of those programs;

(2) results in redundant congressional action on spending measures and budget issues;

(3) encourages the use of budgetary gimmicks, such as moving spending from one fiscal year to another in order to achieve the appearance of deficit reduction;

(4) focuses attention on detailed annual funding levels and congressional micromanagement and away from developing long-term national priorities; and

(5) allows insufficient time for Congress to consider national needs as a basis for sound and efficient policy approaches, thereby fostering piecemeal solutions that contribute to unrestrained growth of the Federal budget.

(b) It is the sense of the Congress that—

(1) a biennial budget and appropriation process would—

(A) provide greater stability and certainty for financial markets, government agencies, and other recipients of Federal funds;

(B) focus congressional attention on national fiscal policy and the development of national policy priorities;

(C) create an orderly, predictable process for consideration of spending decisions responsive to policy priorities and improve congressional control over the Federal budget;

(D) streamline the congressional budget process and therefore promote better accountability to the public; and

(E) improve the operations and effectiveness of the Congress by providing additional time for congressional oversight, program evaluation, and consideration of authorizing legislation; and

(2) the Congress should enact this year a biennial budget and appropriation process.

SUPPLEMENTAL APPROPRIATIONS ACT, 1987

MELCHER AMENDMENT NO. 187

(Ordered to lie on the table.)

Mr. MELCHER submitted an amendment intended to be proposed by him to the bill (H.R. 1827) supra; as follows:

On page 62, after line 26, insert the following:

BUREAU OF LABOR STATISTICS

For the development of data for, and the publication of, an index of consumer prices by the Secretary of Labor which accurately reflects the distribution of expenditures on goods and services, and the inflation rate within the goods and services, which are purchased by older Americans, and the furnishing to the Congress of the data and index within 90 days after the date of enactment of this Act, $1,500,000.

● Mr. MELCHER. Mr. President, I hope to offer an amendment to the supplemental appropriations bill to provide $1.5 million for the Department of Labor to develop data and publish an index of consumer prices which accurately reflects the distribution of expenditures on goods and services, and price changes of these goods and services, that are purchased by older Americans. This index would aid Congress in being fair for Social Security and other retirement programs. This index would include, but not be limited to, the costs of health care, prescription drugs, basic residential telephone services, public transportation, supplemental health insurance premiums, and funerals.

Last January, the cost-of-living [COLA] adjustment for Social Security, Supplemental Security Income, Social Security disability, and Veteran's pension recipients amounted to 1.3 percent. As a result, I received—as I'm sure most of my colleagues received—numerous complaints from retirees who told me that the increase didn't come close to covering the increases in costs that they are experiencing.

The Social Security COLA is tied to the Consumer Price Index [CPI]. The CPI, is an average. However, when computing this average rate of inflation, I believe it is essential to make certain that the categories of different goods and services are properly weighted and also reflect the difference older Americans have to make in purchases that are essential for them.

There are hundreds of components which are included in the development of the Consumer Price Index. All of these components are given different weightings according to usage, costs, adjusted inflation rates, and other variables. The CPI is the index that is used to formulate the Social Security COLA. The seven major categories and their associated current weightings on the CPI's 100 point scale are:

Housing	40.492
Food and beverages	19.733
Transportation	19.094
Apparel and upkeep	6.362
Personal care, education, tobacco	5.768
Medical care	4.469
Entertainment	4.082

Obviously older Americans face more costs in medical care. Those costs rose dramatically last year. However, financing a new car or new home is not common with them and those costs went down with lower interest rates last year.

But all in all older Americans got the short end of the stick last year. The CPI is not geared to their needs. The result was the unrealistic figure of 1.3 percent COLA

CPI weightings were recently revised, as they are done every 10 years, to make adjustments for high inflation and reduced consumption. The idea is that as prices increase, consumption decreases. As a result of the medical inflation rate and a number of other factors, the weight of the medical component of the index was reduced from 6.129 to its current 4.469.

While the tendency to reduce consumption as costs go up applies to most goods and services, the elderly cannot ignore needed medical care just because inflation has increased costs. Moreover, 11 percent of the elderly's expenses—not even close to the CPI's 4.469—go to medical care. Prescription drugs alone rose 9 percent from 1985 to 1986. There is no question in my mind that these figures should be better reflected in a CPI for older Americans.

In my mind, and those of many older Americans, the CPI does not adequately reflect the inflation rate in medical and other certain key services which are essential to the elderly. To address this situation, the amendment directs the Department of Labor to develop an inflation index for older Americans to accurately reflect the inflation they face for those goods and services that they spend their fixed incomes on. This is necessary for Congress to review a separate older Americans' CPI.

My amendment provides that the Department would furnish its findings to the Congress within 90 days after the enactment of the supplemental appropriations legislation. I believe this amendment is important because it will enable the Congress to have a more accurate picture of the true impact of inflation on the lives of older Americans. I urge my colleagues to join me in supporting this amendment.●

FIRST CONCURRENT RESOLUTION ON THE BUDGET

D'AMATO (AND OTHERS)
AMENDMENT NO. 188

Mr. D'AMATO (for himself, Mr. WILSON, Mr. GRASSLEY, and Mr. MURKOWSKI) proposed an amendment to amendment No. 174, as amended, proposed by Mr. CHILES to the instructions contained in the motion of Mr. BYRD to recommit, with instructions, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 3, decrease the amount on line 36 by $28,000,000.

On page 5, decrease the amount on line 30 by $90,000,000.

On page 5, decrease the amount on line 32 by $52,000,000.

On page 12, increase the amount on line 50 by $62,000,000.

On page 12, increase the amount on line 52 by $52,000,000.

CHAFEE (AND OTHERS)
AMENDMENT NO. 189

Mr. CHAFEE (for himself, Mr. DURENBERGER, and Mr. HEINZ) proposed an amendment to amendment No. 174, as amended, proposed by Mr. CHILES to the instructions contained in the motion of Mr. BYRD to recommit, with instructions, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 1, increase the amount on line 24 by $2,000,000,000.

On page 1, increase the amount on line 25 by $1,100,000,000.

On page 1, increase the amount on line 26 by $1,200,000,000.

On page 1, increase the amount on line 27 by $1,300,000,000.

On page 1, increase the amount on line 32 by $2,000,000,000.

On page 1, increase the amount on line 33 by $1,100,000,000.

On page 1, increase the amount on line 34 by $1,200,000,000.

On page 2, increase the amount on line 1 by $1,300,000,000.

On page 2, increase the amount on line 23 by $2,000,000,000.

On page 2, increase the amount on line 24 by $1,100,000,000.

On page 2, increase the amount on line 25 by $1,200,000,000.

On page 2, increase the amount on line 26 by $1,300,000,000.

On page 2, increase the amount on line 31 by $2,000,000,000.

On page 2, increase the amount on line 32 by $1,100,000,000.

On page 2, increase the amount on line 33 by $1,200,000,000.

On page 2, increase the amount on line 34 by $1,300,000,000.

On page 3, increase the amount on line 11 by $2,000,000,000.

On page 3, increase the amount on line 12 by $1,100,000,000.

On page 3, increase the amount on line 13 by $1,200,000,000.

On page 3, increase the amount on line 14 by $1,300,000,000.

On page 3, increase the amount on line 19 by $2,000,000,000.

On page 3, increase the amount on line 20 by $1,100,000,000.

On page 3, increase the amount on line 21 by $1,200,000,000.

On page 3, increase the amount on line 22 by $1,300,000,000.

On page 3, increase the amount on line 36 by $955,000,000.

On page 3, increase the amount on line 37 by $1,010,000,000.

On page 3, increase the amount on line 38 by $1,105,000,000.

On page 3, increase the amount on line 39 by $1,200,000,000.

On page 3, increase the amount on line 44 by $2,000,000,000.

On page 3, increase the amount on line 45 by $1,100,000,000.

On page 3, increase the amount on line 46 by $1,200,000,000.

On page 3, increase the amount on line 47 by $1,300,000,000.

On page 16, increase the amount on line 1 by $1,000,000,000.

On page 16, increase the amount on line 3 by $1,000,000,000.

On page 16, increase the amount on line 14 by $1,100,000,000.

On page 16, increase the amount on line 16 by $1,100,000,000.

On page 16, increase the amount on line 27 by $1,200,000,000.

On page 16, increase the amount on line 29 by $1,200,000,000.

On page 16, increase the amount on line 40 by $1,300,000,000.

On page 16, increase the amount on line 42 by $1,300,000,000.

On page 17, decrease the amount on line 3 by $45,000,000.

On page 17, increase the amount on line 5 by $1,000,000,000.

On page 17, decrease the amount on line 15 by $90,000,000.

On page 17, decrease the amount on line 27 by $95,000,000.

On page 17, decrease the amount on line 39 by $100,000,000.

On page 28, decrease the second amount on line 43 by $1,000,000,000.

On page 28, increase the first amount on line 51 by $2,000,000,000.

On page 28, increase the second amount on line 51 by $1,100,000,000.

On page 28, increase the amount on line 52 by $1,200,000,000.

On page 29, increase the amount on line 1 by $1,300,000,000.

On page 32, decrease the second amount on line 40 by $1,000,000,000.

On page 32, increase the amount on line 48 by $2,000,000,000.

On page 32, increase the first amount on line 49 by $1,100,000,000.

On page 32, increase the second amount on line 49 by $1,200,000,000.

On page 32, increase the amount on line 50 by $1,300,000,000.

MURKOWSKI (AND OTHERS)
AMENDMENT NO. 190

Mr. MURKOWSKI (for himself, Mr. STEVENS, Mr. SIMPSON, Mr. D'AMATO, Mr. MCCAIN, Mr. BOSCHWITZ, Mr. DOMENICI, Mrs. KASSEBAUM, Mr. WILSON, Mr. QUAYLE, Mr. TRIBLE, Mr. NICKLES, and Mr. MCCONNELL) proposed an amendment to amendment No. 174, as amended, proposed by Mr. CHILES to the instructions contained in the motion of Mr. BYRD to recommit, with instruction, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 19, increase the amount on line 49 by $50,000,000.

On page 19, increase the amount on line 51 by $100,000,000.

On page 21, decrease the amount on line 49 by $50,000,000.

On page 21, decrease the amount on line 51 by $100,000,000.

EVANS (AND OTHERS)
AMENDMENT NO. 191

Mr. EVANS (for himself, Mr. DOMENICI, Mr. HATFIELD, Mr. MCCLURE, Mr. PACKWOOD, Mr. SYMMS, Mr. MCCAIN, Mr. GARN, Mr. SIMPSON, and Mr. STEVENS) proposed an amendment

to amendment No. 174, as amended, proposed by Mr. Chiles to the instructions contained in the motion of Mr. Byrd to recommit, with instructions, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 1, decrease the amount on line 32 by $2,100,000,000.

On page 1, increase the amount on line 33 by $500,000,000.

On page 1, increase the amount on line 34 by $400,000,000.

On page 2, increase the amount on line 1 by $400,000,000.

On page 2, decrease the amount on line 5 by $2,100,000,000.

On page 2, increase the amount on line 6 by $500,000,000.

On page 2, increase the amount on line 7 by $400,000,000.

On page 2, increase the amount on line 8 by $400,000,000.

On page 2, decrease the amount on line 31 by $2,100,000,000.

On page 2, increase the amount on line 32 by $500,000,000.

On page 2, increase the amount on line 33 by $400,000,000.

On page 2, increase the amount on line 34 by $400,000,000.

On page 2, decrease the amount on line 38 by $2,100,000,000.

On page 2, increase the amount on line 39 by $500,000,000.

On page 2, increase the amount on line 40 by $400,000,000.

On page 2, increase the amount on line 41 by $400,000,000.

On page 3, increase the amount on line 36 by $400,000,000.

On page 3, increase the amount on line 37 by $500,000,000.

On page 3, increase the amount on line 38 by $400,000,000.

On page 3, increase the amount on line 39 by $400,000,000.

On page 3, decrease the amount on line 44 by $2,100,000,000.

On page 3, increase the amount on line 45 by $500,000,000.

On page 3, increase the amount on line 46 by $400,000,000.

On page 3, increase the amount on line 47 by $400,000,000.

On page 4, decrease the amount on line 1 by $2,100,000,000.

On page 4, increase the amount on line 2 by $500,000,000.

On page 4, increase the amount on line 3 by $400,000,000.

On page 4, increase the amount on line 4 by $400,000,000.

On page 4, decrease the amount on line 9 by $2,100,000,000.

On page 4, decrease the amount on line 10 by $1,600,000,000.

On page 4, decrease the amount on line 11 by $1,200,000,000.

On page 4, decrease the amount on line 12 by $800,000,000.

On page 4, decrease the amount on line 17 by $2,100,000,000.

On page 4, increase the amount on line 18 by $500,000,000.

On page 4, increase the amount on line 19 by $400,000,000.

On page 4, increase the amount on line 20 by $400,000,000.

On page 6, decrease the amount on line 43 by $2,500,000,000.

On page 9, increase the amount on line 6 by $100,000,000.

On page 9, increase the amount on line 8 by $100,000,000.

On page 9, increase the amount on line 18 by $100,000,000.

On page 9, increase the amount on line 20 by $100,000,000.

On page 9, increase the amount on line 30 by $100,000,000.

On page 9, increase the amount on line 32 by $100,000,000.

On page 9, increase the amount on line 44 by $100,000,000.

On page 9, increase the amount on line 46 by $100,000,000.

On page 10, increase the amount on line 4 by $100,000,000.

On page 10, increase the amount on line 6 by $100,000,000.

On page 10, increase the amount on line 16 by $100,000,000.

On page 10, increase the amount on line 18 by $100,000,000.

On page 10, increase the amount on line 28 by $100,000,000.

On page 10, increase the amount on line 30 by $100,000,000.

On page 22, increase the amount on line 47 by $100,000,000.

On page 22, increase the amount on line 49 by $100,000,000.

On page 23, increase the amount on line 7 by $200,000,000.

On page 23, increase the amount on line 9 by $200,000,000.

On page 23, increase the amount on line 19 by $100,000,000.

On page 23, increase the amount on line 21 by $100,000,000.

On page 23, increase the amount on line 31 by $100,000,000.

On page 23, increase the amount on line 33 by $100,000,000.

On page 23, increase the amount on line 45 by $200,000,000.

On page 23, increase the amount on line 47 by $200,000,000.

On page 24, increase the amount on line 5 by $100,000,000.

On page 24, increase the amount on line 7 by $100,000,000.

On page 24, increase the amount on line 17 by $100,000,000.

On page 24, increase the amount on line 19 by $100,000,000.

On page 24, increase the amount on line 29 by $100,000,000.

On page 24, increase the amount on line 31 by $100,000,000.

On page 27, decrease the first amount on line 6 by $100,000,000.

On page 27, decrease the second amount on line 6 by $100,000,000.

On page 27, decrease the second amount on line 7 by $102,000,000.

On page 27, decrease the second amount on line 8 by $102,000,000.

On page 27, decrease the second amount on line 9 by $103,000,000.

On page 27, decrease the first amount on line 10 by $103,000,000.

On page 27, decrease the first amount on line 11 by $103,000,000.

On page 27, decrease the second amount on line 11 by $103,000,000.

On page 28, decrease the amount on line 13 by $122,000,000.

On page 28, decrease the first amount on line 14 by $122,000,000.

On page 28, decrease the second amount on line 14 by $271,000,000.

On page 28, decrease the amount on line 15 by $271,000,000.

On page 28, decrease the first amount on line 16 by $270,000,000.

On page 28, decrease the second amount on line 16 by $270,000,000.

On page 28, decrease the amount on line 17 by $269,000,000.

On page 28, decrease the amount on line 18 by $269,000,000.

On page 30, decrease the amount on line 13 by $100,000,000.

On page 30, decrease the first amount on line 14 by $100,000,000.

On page 30, decrease the first amount on line 15 by $102,000,000.

On page 30, decrease the second amount on line 15 by $102,000,000.

On page 30, decrease the second amount on line 16 by $103,000,000.

On page 30, decrease the amount on line 17 by $103,000,000.

On page 30, decrease the second amount on line 18 by $103,000,000.

On page 30, decrease the amount on line 19 by $103,000,000.

On page 31, decrease the amount on line 48 by $122,000,000.

On page 31, decrease the first amount on line 49 by $122,000,000.

On page 31, decrease the second amount on line 49 by $271,000,000.

On page 31, decrease the amount on line 50 by $271,000,000.

On page 31, decrease the first amount on line 51 by $270,000,000.

On page 31, decrease the second amount on line 51 by $270,000,000.

On page 31, decrease the amount on line 52 by $269,000,000.

On page 32, decrease the amount on line 1 by $269,000,000.

WEICKER AMENDMENT NO. 192

Mr. WEICKER proposed an amendment to amendment No. 174, as amended, proposed by Mr. Chiles to the instructions contained in the motion of Mr. Byrd to recommit, with instructions, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 1, increase the amount on line 33 by $55,000,000.

On page 1, increase the amount on line 34 by $120,000,000.

On page 2, increase the amount on line 1 by $130,000,000.

On page 2, increase the amount on line 6 by $55,000,000.

On page 2, increase the amount on line 7 by $120,000,000.

On page 2, increase the amount on line 8 by $130,000,000.

On page 2, increase the amount on line 32 by $55,000,000.

On page 2, increase the amount on line 33 by $120,000,000.

On page 2, increase the amount on line 34 by $130,000,000.

On page 2, increase the amount on line 39 by $55,000,000.

On page 2, increase the amount on line 40 by $120,000,000.

On page 2, increase the amount on line 41 by $130,000,000.

On page 3, decrease the amount on line 36 by $82,000,000.

On page 3, increase the amount on line 37 by $137,000,000.

On page 3, increase the amount on line 38 by $137,000,000.

On page 3, increase the amount on line 39 by $137,000,000.

On page 3, increase the amount on line 45 by $55,000,000.

On page 3, increase the amount on line 46 by $120,000,000.

On page 3, increase the amount on line 47 by $130,000,000.

On page 4, increase the amount on line 2 by $55,000,000.

On page 4, increase the amount on line 3 by $120,000,000.

On page 4, increase the amount on line 4 by $130,000,000.

On page 4, increase the amount on line 10 by $55,000,000.

On page 4, increase the amount on line 11 by $175,000,000.

On page 4, increase the amount on line 12 by $305,000,000.

On page 4, increase the amount on line 18 by $55,000,000.

On page 4, increase the amount on line 19 by $120,000,000.

On page 4, increase the amount on line 20 by $130,000,000.

On page 5, decrease the amount on line 30 by $219,000,000.

On page 5, decrease the amount on line 32 by $112,000,000.

On page 5, decrease the amount on line 44 by $78,000,000.

On page 6, decrease the amount on line 4 by $14,000,000.

On page 6, decrease the amount on line 16 by $5,000,000.

On page 6, decrease the amount on line 26 by $219,000,000.

On page 6, decrease the amount on line 27 by $112,000,000.

On page 6, decrease the amount on line 29 by $78,000,000.

On page 6, decrease the second amount on line 30 by $14,000,000.

On page 6, decrease the amount on line 32 by $5,000,000.

On page 6, increase the amount on line 41 by $137,000,000.

On page 6, increase the amount on line 43 by $112,000,000.

On page 7, increase the amount on line 3 by $137,000,000.

On page 7, increase the amount on line 5 by $133,000,000.

On page 7, increase the amount on line 17 by $137,000,000.

On page 7, increase the amount on line 19 by $134,000,000.

On page 7, increase the amount on line 31 by $137,000,000.

On page 7, increase the amount on line 33 by $135,000,000.

GRASSLEY AMENDMENT NO. 193

Mr. GRASSLEY proposed an amendment to amendment No. 174, as amended, proposed by Mr. CHILES to the instructions contained in the motion of Mr. BYRD to recommit, with instructions, to the concurrent resolution (S. Con. Res. 49) supra; as follows:

On page 6, decrease the amount on line 26 by $6,000,000,000.

On page 6, decrease the amount on line 27 by $2,000,000,000.

On page 6, decrease the amount on line 29 by $2,000,000,000.

On page 6, decrease the second amount on line 30 by $2,000,000,000.

On page 29, decrease the first amount on line 6 by $2,000,000,000.

On page 29, decrease the second amount on line 6 by $2,000,000,000.

On page 29, decrease the first amount on line 7 by $2,000,000,000.

On page 33, decrease the first amount on line 3 by $2,000,000,000.

On page 33, decrease the second amount on line 3 by $2,000,000,000.

On page 33, decrease the amount on line 4 by $2,000,000,000.

DOMENICI AMENDMENT NO. 194

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to amendment No. 174, as amended, proposed by Mr. CHILES to the instructions contained in the motion of Mr. BYRD to recommit, with instructions, to the concurrent resolutions (S. Con. Res. 49) supra; as follows:

At the appropriate place, add the following new sections:

ALLOCATIONS UNDER SECTION 302; POINT OF ORDER

SEC. . (a) ALLOCATIONS BY BUDGET COMMITTEES.—In addition to the allocations required to be included in the joint explanatory statement accompanying a conference report on a concurrent resolution on the budget for a fiscal year pursuant to section 302(a) of the Congressional Budget Act of 1974, such statement shall also include an estimated allocation for such fiscal year, based upon such concurrent resolution as recommended in such conference report, of the appropriate levels of budget authority and outlays, divided between major functional category 050 (National Defense) and all other nondefense discretionary spending, among each committee of the House of Representatives and the Senate that has jurisdiction over the bills and resolutions providing such budget authority.

(b) SECTION 302(b) ALLOCATIONS BY OTHER COMMITTEES.—Each committee of the House of Representatives and the Senate to which an allocation is made under subsection (a) shall, after consulting with the committee or committees of the other House to which all or part of its allocation was made, further subdivide its allocation among its subcommittees.

(c) POINT OF ORDER.—

(1) At any time after the Congress has completed action on the concurrent resolution on the budget required to be reported under section 301(a) of the Congressional Budget Act for a fiscal year, it shall not be in order in the House of Representatives or the Senate to consider any bill or resolution (including a conference report thereon), or any amendment to a bill or resolution, that provides for budget outlays or new budget authority for nondefense discretionary spending in excess of the appropriate allocations of outlays or authority for such spending reported pursuant to subsections (a) and (b) in connection wth the most recently agreed to concurrent resolution on the budget for such fiscal year.

(2) Paragraph (1) may be waived or suspended in a House of the Congress by a vote of three-fifths of the Members of that House, duly chosen and sworn.

(3) If the ruling of the presiding officer of a House of the Congress sustains a point of order raised pursuant to paragraph (1), a vote of three-fifths of the Members of that House, duly chosen and sworn, shall be required to sustain an appeal of such ruling. Debate on any such appeal shall be limited to two hours, to be equally divided between, and controlled by, the majority and minority Leaders of the House involved, or their designees. An appeal of any such point of order is not subject to a motion to table.

EXTRANEOUS PROVISIONS IN RECONCILIATION BILLS AND RESOLUTIONS

SEC. . (a) POINT OF ORDER MADE PERMANENT.—Notwithstanding any other provision of law, of the Standing Rules of the Senate, or of the Standing Orders of the Senate, the provisions of section 20001 of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended by section 7006 of the Omnibus Budget Reconciliation Act of 1986 (as such provisions relate to the Senate), shall remain effective on and after January 2, 1988.

(b) EXTRANEOUS DEFINED.—A provision of a reconciliation bill or resolution shall be considered to be extraneous if it produces increases in outlays or decreases in revenues during a fiscal year after the fiscal years covered by the reconciliation bill or reconciliation resolution, as well as if it is a provision described in subparagraph (A), (B), (C), or (D) of section 20001 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (as so amended).

(c) APPLICATION OF S. RES. 286.—

(1) Notwithstanding any other provision of law, of the Standing Rules of the Senate, or of the Standing Orders of the Senate, the provisions of S. Res. 286 (99th Cong., 1st sess.), as amended by S. Res. 509 (99th Cong., 2d Sess.), shall remain effective on and after January 2, 1988.

(2) The provisions of S. Res. 286 (as so amended) shall apply to a provision that is considered to be extraneous under subsection (b) of this section in the same manner and to the same extent as those provisions apply to material that is considered to be extraneous in accordance with subsection (d)(1)(A) or (d)(1)(D) of section 20001 of the Consolidated Omnibus Budget Reconciliation Act of 1985.

(d) EXERCISE OF RULEMAKING POWERS.—The provisions of this section are enacted by the Senate—

(1) as an exercise of the rulemaking power of the Senate and as such they shall be considered as part of the rules of the Senate and shall supersede other rules of the Senate only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate to change such rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

EXPEDITED RESCISSIONS

SEC. . (a) IN GENERAL.—If the President, within three calendar days (excluding Sundays) of the time the President approves any appropriation bill, transmits to both Houses of the Congress, one or more special messages in accordance with subsection (b) proposing to rescind all or part of any items of appropriation provided in the appropriation bill, such special messages shall be considered in accordance with the provisions of this section.

(b) SPECIAL MESSAGES.—

(1) Each special message transmitted under subsection (a) shall specify, with respect to each item of appropriation (or part thereof) proposed by the message to be rescinded, the matters referred to in paragraphs (1) through (5) of section 1012(a) of the Impoundment Control Act of 1974 (2 U.S.C. 683(a)).

(2) Each special message transmitted under subsection (a) shall be accompanied by a draft bill or joint resolution that would, if enacted, only rescind each item of appropriation (or part thereof) proposed by the message to be rescinded.

(3)(A) Except as provided in subparagraph (B), the President may transmit one special message under subsection (a) with respect to each agency for which an appropriation bill appropriates or otherwise makes funds available. A special message may propose to rescind one or more items of appropriation with respect to the agency to which it relates.

(B)(i) For purposes of subparagraph (A), except as provided in clause (ii), the term "agency" means—

(I) any Executive department (as defined in section 101 of title 5, United States Code), and

(II) any independent establishment (as defined in section 104 of title 5, United States Code),

of the United States Government.

(ii) The President shall incorporate in a single special message all rescissions proposed with respect to any independent establishment—

(I) for which an appropriation bill appropriates or otherwise makes funds available, and

(II) for which the total amount appropriated or otherwise made available for the fiscal year immediately preceding the fiscal year in which the special message is transmitted was less than $100,000,000.

For purposes of subclause (II) of this clause, the total amount appropriated for an independent establishment for a fiscal year shall be determined without regard to any rescission or deferral under this section or under the Impoundment Control Act of 1974, and without regard to any reduction or sequestration under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) PROCEDURES IN SENATE AND HOUSE OF REPRESENTATIVES.—

(1)(A) On the day on which a special message proposing to rescind an item of appropriation is transmitted to the House of Representatives and the Senate under subsection (a), the draft bill or joint resolution accompanying such special message shall be introduced (by request) in the House by the majority leader of the House, for himself and the minority leader of the House, or by the Members of the House designated by the majority leader and the minority leader of the House, and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by the Members of the Senate designated by the majority leader and the minority leader of the Senate. If either House is not in session on the day on which a special message is transmitted, the draft bill or joint resolution shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which such House is in session.

(B) A bill or joint resolution introduced in the House of Representatives or the Senate pursuant to subparagraph (A) shall be referred on the date of introduction to the Committee on Appropriations of such House. The committee shall report the bill or joint resolution without substantive revision (and with or without recommendation) not later than 5 calendar days of continuous session of the Congress after the date on which the bill or joint resolution is introduced. A committee failing to report a bill or joint resolution within the 5-day period referred to in the preceding sentence shall be automatically discharged from consideration of the bill or joint resolution, and the bill or joint resolution shall be placed on the appropriate calendar.

(C) A vote on final passage of a bill or joint resolution introduced in a House of the Congress pursuant to subparagraph (A) shall be taken on or before the close of the 10th calendar day of continuous session of the Congress after the date of the introduction of the bill or joint resolution in such House. If the bill or joint resolution is agreed to, the Clerk of the House of Representatives (in the case of a bill or joint resolution agreed to in the House of Representatives) or the Secretary of the Senate (in the case of a bill or joint resolution agreed to in the Senate) shall cause the bill or joint resolution to be engrossed, certified, and transmitted to the other House of the Congress on the same calendar day on which the bill or joint resolution is agreed to by such House.

(2) If prior to the passage by one House of a bill or joint resolution introduced in that House under this section, that House receives a bill or joint resolution containing the same provisions from the other House pursuant to subparagraph (C) of paragraph (1), then—

(A) the procedure in the House receiving the bill or joint resolution with respect to the bill or joint resolution introduced in that House shall be the same as if the bill or joint resolution had not been received from the other House; but

(B) the vote on final passage shall be on the bill or joint resolution of the other House.

(3)(A) A motion in the House of Representatives to proceed to the consideration of a bill or joint resolution under this section shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) Debate in the House of Representatives on a bill or joint resolution under this section shall be limited to not more than 4 hours, which shall be divided equally between those favoring and those opposing the bill or joint resolution. A motion to postpone, made in the House of Representatives with respect to the consideration of a bill or joint resolution under this section, and a motion to proceed to the consideration of other business, shall not be in order. A motion further to limit debate shall not be debatable. It shall not be in order to move to table or to recommit a bill or joint resolution under this section or to move to reconsider the vote by which the bill or joint resolution is agreed to or disagreed to.

(C) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill or joint resolution under this section shall be decided without debate.

(D) Except to the extent specifically provided in the proceding provisions of this paragraph, consideration of a bill or joint resolution under this section shall be governed by the Rules of the House of Representatives applicable to other bills and joint resolutions in similar circumstances.

(4)(A) A motion in the Senate to proceed to the consideration of a bill or joint resolution under this section shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed or disagreed to.

(B) Debate in the Senate on a bill or joint resolution under this section, and all debatable motions and appeals in connection therewith, shall be limited to not more than 4 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(C) Debate in the Senate on any debatable motion or appeal in connection with a bill or joint resolution under this section shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill or joint resolution, except that in the event the manager of the bill or joint resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leader, or either of them, may, from time under their control on the passage of a bill or joint resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) A motion in the Senate to further limit debate on a bill or joint resolution under this section is not debatable. A motion to table or to recommit a bill or joint resolution under this section is not in order.

(d) PROHIBITION OF AMENDMENTS.—No amendment to a bill or joint resolution considered under this section shall be in order in either the House of Representatives or the Senate. No motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House for the Presiding Officer to entertain a request to suspend the application of this subsection by unanimous consent.

(e) DEFINITIONS.—For purposes of this section—

(1) "item of appropriation" means any numerically expressed amount of budget authority set forth in an appropriate bill;

(2) "appropriation bill" means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations;

(3) "appropriation Act" means any appropriation bill that has been approved by the President and become law;

(4) "budget authority" had the meaning given to such term in section 3(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(2)); and

(5) continuity of a session of the Congress shall be considered as broken only by an adjournment of the Congress sine die, and the days on when either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of the 5-day and 10-day periods referred to in subsection (c) of this section. If a special message is transmitted under this section during any Congress and the last session of the Congress adjourns sine die before the expiration of 10 calendar days of continuous session (or a special message is transmitted after the last session of the Congress adjourns sine die), the message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the 5-day and 10-day periods referred to in subsection (c) of this section shall commence on the day after such day.

(f) EXERCISE OF RULEMAKING POWERS.—The provisions of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such

rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

INAPPLICABILITY OF EXCEPTION TO SECTION 311 POINT OF ORDER.

SEC. . The exception set forth in subsection (b) of section 311 of the Congressional Budget and Impoundment Control Act of 1974 shall not apply to bills, resolutions, and amendments considered on or after the date of the adoption of the concurrent resolution.

REINSTATEMENT OF SEQUESTRATION MECHANISM

SEC. . It is the sense of the Congress that legislation should be enacted to reinstate an automatic sequestration mechanism in the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), in order to assure fiscal restraint and deficit reduction, and to improve the processes by which Congress establishes the appropriate levels of Federal budget authority, outlays, revenues, and deficits.

BIENNIAL APPROPRIATIONS

SEC. . It is the sense of the Congress that two-year appropriations should be enacted for the Department of Defense, and that, on a trial basis, two-year appropriations should be utilized for all other government activities funded through the appropriations process, in order to better control Federal spending and to improve Congressional budgeting procedures.

BUDGETARY TREATMENT OF FEDERAL CREDIT PROGRAMS

SEC. . It is the sense of the Congress that—

(1) the Committee on the Budget and the Committee on Governmental Affairs of the Senate and the appropriate committees of the House of Represenatives shall report legislation to reform the budgetary treatment of Federal credit programs, and

(2) such legislation should be enacted in time for such reforms to be reflected in the budget submitted by the President under section 1105 of title 31, United States Code, for fiscal year 1989.

NOTICE OF HEARINGS

SUBCOMMITTEE ON WATER AND POWER

Mr. BRADLEY. Mr. President, I would like to announce for the information of the Senate and the public, the scheduling of 2 days of public oversight hearings before the Subcommittee on Water and Power of the Senate Energy and Natural Resources Committee.

The hearings are scheduled for June 5 and 18, 1987, each day beginning at 9:30 a.m. in room 366 of the Dirksen Senate Office Building.

Testimony is invited regarding the current water-related programs of the U.S. Geological Survey with emphasis on those programs relating to quantification and analysis of our Nation's ground-water resources. It is anticipated that the subcommittee will take testimony from administration witnesses on June 5 and public witnesses on June 18.

For further information regarding the hearings you may wish to contact Russell R. Brown, senior professional staff for the subcommittee at 224-2366. Those who wish to testify or submit a written statement for the hearing record should write to the Subcommittee on Water and Power, room SD-364, Dirksen Senate Office Building, Washington, DC 20510 or call the subcommittee directly at (202) 224-2366.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON FOREIGN COMMERCE AND TOURISM

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Foreign Commerce and Tourism, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on May 6, 1987, at 2 p.m. to hold hearings on proposed legislation authorizing funds for fiscal year 1988 for the U.S. Travel and Tourism Administration [USTTA].

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 6, 1987 at 10 a.m. to hold a hearing on competitiveness and antitrust issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, and the Strategic Forces and Nuclear Deterrence Subcommittee, Committee on Armed Services, be authorized to meet during the session of the Senate on Wednesday, May 6, 1987, at 2 p.m. to hold a hearing on need for and operation of a strategic defense initiative institute.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NUCLEAR REGULATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Nuclear Regulation, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on May 6, beginning at 1 p.m., to hold a hearing on Nuclear Regulatory Commission authorization issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

HONORING THE WEST FLORIDA ELECTRIC COOPERATIVE ASSOCIATION'S 50TH YEAR OF SERVICE

● Mr. CHILES. Mr. President, I would like to take this moment to commemorate the 50th anniversary of the West Florida Electric Cooperative Association.

It was 50 years ago this month when a group of 712 rural citizens organized in west Florida with the hope of providing electric service for their region. The group borrowed $194,000 from the Rural Electrification Administration [REA] to construct the lines and within 2 years was providing services to its member-consumers. From its modest beginning, the rural utility has grown to the point where it now serves over 14,000 residents in the rural sections of Calhoun, Holmes, Jackson, and Washington Counties.

The REA and the cooperatives which it supports have improved the quality of life for rural citizens across the country. In Florida alone, approximately 70 percent of the State's land mass is served by rural electric cooperatives, reaching more than 436,000 consumers. The Florida experience demonstrates the value of the REA and the members of the West Florida Electric Cooperative Association are key players in its success. They have brought progress, growth and opportunity to the four counties which they span.

I salute the West Florida Electric Cooperative Association for 50 years of outstanding service to the State of Florida.●

SALVATION ARMY ANNIVERSARY

● Mr. HEINZ. Mr. President, I rise to extend my warmest congratulations to the Salvation Army of Allegheny County, which is celebrating 100 years of service on May 11, 1987.

For a century, the Salvation Army has furthered the tradition of its founder, William Booth, in caring for Allegheny County's sick and downtrodden, young and old. The Salvation Army buys new winter clothing for poor children and the elderly, provides food and shelter for victims of natural disaster, cares for the bedridden, provides treatment for alcoholism and drug addiction, and distributes Christmas toys to underprivileged children.

I offer my special congratulations to Mr. William F. Gilfillan, Jr., Mr. C. Fred Fetterolf, and Mrs. Henry (Elsie) Hillman who are being recognized this year in Allegheny County for outstanding service to their community through the Salvation Army. Their lives exemplify the Salvation Army's motto: "Heart to God; Hand to man."

As a native of Allegheny County, I know of the vital work being done by the Salvation Army, and I hope and pray that it will continue to serve our community for centuries to come.●

A SALUTE TO ROGER WELLS

● Mr. SIMON Mr. President, I ask the Senate today to recognize a man who exemplifies the very best in the ideals and spirit of the State of Illinois and the Nation.

Throughout a career that spans the 20th century, Dr. Roger Hewes Wells has established himself as an insightful observer of U.S. foreign and domestic policy.

Dr. Wells was born June 1, 1894, in Quincy, IL. The son of a well-known physician, the young Roger Wells quickly distinguished himself as an able scholar and graduated summa cum laude with Phi Beta Kappa honors from Northwestern University.

After 1 year teaching in a Quincy High School, Roger Wells enlisted in the Army to help our Nation fight in World War I. His contributions as a member of the machinegun company of the 5th Illinois Infantry earned him the rank of 2d lieutenant.

Four years after his honorable discharge, Wells received his Ph.D. in government from Harvard University.

With that background, Dr. Wells began his illustrious career as a distinguished scholar of national and international affairs. He went on to provide insights on government to his Bryn Mawr College students for the next 40 years.

Students still rely on and benefit from Dr. Wells' contributions to political science literature. You might find his works on reading lists in either a government, political science, or modern Germany class.

As a Guggenheim Fellow at the University of Berlin in 1927 and 1928, Dr. Wells carefully studied the government systems of German cities. His studies led him to author the first of many books—"German Cities: A Study of Contemporary Municipal Politics and Administration." Because of this study he was selected and served as deputy director of the Civil Administration Division of the U.S. Military Government in Germany from 1954 to 1957.

During the Second World War, Dr. Wells again answered his country's call when he served as chairman of the panel of the War Labor Board, Region III.

He also was chief of the historical division of the U.S. High Commission. Dr. Wells represented our Nation at the 1947 Conference of Foreign Ministers in Moscow.

For all of his distinguished service, Dr. Wells was awarded the Medal of Freedom by Gen. Lucius Clay.

Other notable works among his numerous publications include "American Local Government," published in 1939, and "The States in West German Federalism: A Study in Federal-State Relations," published in 1961.

After he retired from Bryn Mawr College, Dr. Wells and his wife, the former Stella Florence Dueringer, returned to Illinois, where he taught at MacMurray College in Jacksonville until 1968.

Until Mrs. Wells' death in 1984, Dr. and Mrs. Wells were active members and leaders in their community Methodist church.

Today outstanding students at MacMurray College are endowed with the Dr. Roger Hewes Wells scholarship for studies abroad.

I would like to join with his family, friends, and all Illinoisans in honoring this great man on the occasion of his 93d birthday.●

SENATOR QUAYLE'S OP-ED

● Mr. WALLOP. Mr. President, the junior Senator from Indiana, Senator QUAYLE, has written a most illuminating commentary on the Soviet view of the ABM Treaty that appeared this week in Defense News. The basic point is that the Soviet Union has long regarded the broad interpretation of the ABM Treaty as legitimate, and only recently, after the United States began re-examining the treaty negotiating record, began calling for a narrow interpretation.

Mr. President, as evidence Senator QUAYLE quotes at length a letter received from Ambassador Henry Cooper, the current Deputy Negotiator for the Defense and Space Talks in Geneva. Ambassador Cooper's letter made the following three points, and I quote from the Senator from Indiana's op-ed:

> One, the Soviets were so convinced that the ABM Treaty did not limit the research, development and testing of futuristic, space-based defensive systems that in March 1985 they sought a separate accord to ban such activities.
>
> Two, when the Soviets approached us 2 years ago with this proposal for a separate ban on space-based ABM systems, our negotiators in Geneva were genuinely perplexed because they assumed that such systems already were covered under the ABM Treaty.
>
> And three, it was this Soviet proposal—and our own confusion about it—that sparked an intensive internal review of the ABM Treaty negotiating record by the Reagan Administration.

Mr. President, I urge that my colleagues look closely at the well-reasoned piece written by the Senator from Indiana and to ponder carefully its concluding question: (and I quote) "If the Soviets are aggressively developing ABM systems as a result of their own broad interpretation of the ABM Treaty, how can it be in our own best interests to continue to interpret that same treaty narrowly?"

Mr. President, I ask that the full text of Senator QUAYLE's op-ed be placed in the RECORD.

The article follows:

PUT THE SPOTLIGHT ON THE SOVIETS

(By Dan Quayle)

There seems to be something missing in the national debate about the 1972 Antiballistic Missile (ABM) Treaty and whether a broad interpretation of that treaty would allow us to test exotic, space-based defensive systems more realistically.

That missing ingredient is the Soviet Union's interpretation of the ABM Treaty and the extent to which the Soviets already have built up their own strategic defenses based on that interpretation.

While we are considering limits we believe the treaty imposes on research, development and testing of ABM systems, we must also look very carefully at the treaty constraints the Soviets have acted under.

Because the Soviet Union is our partner in this nuclear deterrence pact, their actions in the nuclear arena have a profound effect on our national security efforts.

To consider limiting our own strategic defenses under the ABM Treaty without considering how the Soviets have interpreted that very same treaty is not only foolish, it is dangerous to the welfare of this nation.

When the United States signed the ABM and SALT I treaties in 1972, we did so with the understanding and the hope that the Soviets would adhere to the concept of Mutual Assured Destruction (MAD).

Well, even a brief review of history shows that not only have the Soviets rejected MAD, a strong case can be made that they used both treaties to accelerate their strategic defense technologies and to overtake our first-strike strategic offensive forces.

The Soviets have liberally interpreted the ABM Treaty for years because, as even their public statements indicate, they place a high premium on strategic defenses.

It is for this reason that the Soviets have developed and deployed extensive strategic air defenses, two generations of ABM systems around Moscow and antitactical missile systems, even as we were abandoning our own strategic defense efforts.

Now, 15 years later, the Soviets have decided that the ABM Treaty, in fact, places very strict limits on certain types of strategic defenses. Why?

The answer to that question is contained in a letter to me that I believe contains evidence demonstrating just how blind our current debate is about the ABM Treaty.

Last August, I met with our deputy defense and space group negotiator, Ambassador Henry Cooper, to talk about the Soviets' posture on the president's Strategic Defense Initiative (SDI).

What Cooper had to say about the Geneva talks and the Soviets' interpretation of the ABM Treaty was astounding, so I asked him to put his observation in writing. Three of the most significant points he made during our discussion were:

One, the Soviets were so convinced that the ABM Treaty did not limit the research, development and testing of futuristic, space-based defensive systems that in March 1985 they sought a separate accord to ban such activities.

Two, when the Soviets approached us two years ago with this proposal for a separate ban on space-based ABM systems, our negotiators in Geneva were genuinely perplexed because they assumed that such systems already were covered under the ABM Treaty.

And three, it was this Soviet proposal—and our own confusion about it—that sparked an intensive internal review of the ABM Treaty negotiating record by the Reagan administration.

As Cooper noted in his Aug. 26, 1986, letter to me, "Their proposed ban of space-based ABM systems . . . puzzled us because it seemed redundant with existing U.S.-Soviet obligations under Article V of the ABM Treaty."

As a result, our internal review of the negotiating record was not, Cooper noted, "undertaken out of the blue to 'torpedo the treaty,' as some have suggested."

It was only after a comprehensive review of the classified negotiating record that some light was shed on the puzzle.

"That review led to the conclusion that the Soviets never agreed to include ABM systems based on 'other physical principles' in the Article V prohibition," Cooper wrote to me.

In fact, the Soviets apparently agreed in 1972 to only one limit on such futuristic ABM systems: that neither side would deploy such a system without first negotiating an amendment to the treaty.

When the United States suggested in late 1985, that perhaps we would interpret the treaty broadly, the Soviets did an about-face and demanded a restrictive interpretation of the ABM Treaty.

This Soviet move was understandable, Cooper pointed out, because "our decision to constrain the SDI program to be consistent with our previously held view of the terms of the treaty puts them in the best of all worlds.

"The U.S. has legitimized the 'broader interpretation' for them . . . while continuing the narrow restraints on activities under the SDI program," according to Cooper.

Finally, Cooper made one other point that his private conversations with Soviet negotiators have confirmed his belief that the Soviets have broadly interpreted the ABM Treaty for years.

In fact, U.S. arms control adviser Paul Nitze said recently that the Soviets are planning an experiment in which they intend to use exotic beam devices to knock pieces off the surface of one of Mars' moons.

While it is unclear whether such a space-based test would violate the ABM Treaty outright, it certainly would seem to violate our own narrow interpretation of the treaty.

Soviet plans for such a test demonstrate what we need to keep firmly in mind as we continue our debate over the ABM Treaty and the limits it places on our SDI program—namely, how the Soviet Union is acting under its own interpretation of the treaty.

For if the Soviets are aggressively developing ABM systems as a result of their own broad interpretation of the ABM Treaty, how can it be in our own best interests to continue to interpret that same treaty narrowly?●

SOUTH DAKOTA FIGHTS FOR POW/MIA RECOGNITION

● **Mr. DASCHLE.** Mr. President, today I wish to bring to the attention of my colleagues Concurrent Resolution 26, introduced by the South Dakota State Legislature, seeking release of any American servicemen still being held captive in Southeast Asia and the return of the remains of any Americans who may have died there during the Vietnam war.

As elected officials we have responsibilities, both professional and moral, to resolve this issue with the Government of Vietnam and bring our American servicemen home. I pledge my continued commitment to this purpose, and I applaud the South Dakota State Legislature for their efforts in that direction.

Mr. President, I ask that the text of the South Dakota State Legislature's Concurrent Resolution 26 be printed in the RECORD.

The resolution follows:

SENATE CONCURRENT RESOLUTION 26

A concurrent resolution, seeking the immediate release of any Americans who may still be held captive in Indochina and the return of the remains of any Americans who may have died in Southeast Asia during the Vietnam War.

Whereas, there are currently over two thousand four hundred Americans still missing or otherwise unaccounted for in Indochina and the families of those United States servicemen and civilians missing in Indochina still suffer untold grief and uncertainty due to the lack of an adequate accounting; and

Whereas, the President has declared the issue of Americans missing or otherwise unaccounted for in Indochina as a matter of highest national priority, has raised intelligence priorities, has initiated high level dialogue with the governments of the Lao People's Democratic Republic and the Socialist Republic of Vietnam and has stated that decisive action would be taken to return any American proven to be in captivity; and

Whereas, the governments of the Socialists Republic of Vietnam and the Lao People's Democratic Republic have agreed to continue and accelerate cooperation with the United States government, including further joint excavations to be conducted in the near future, and Vietnam has pledged to work with the United States to resolve the issue within two years; and

Whereas, the Disabled American Veterans support the United States government policy that the fullest possible accounting can only be achieved through government-to-government cooperation; and

Whereas, the Disabled American Veterans has maintained an enduring interest in the welfare of those Americans listed as missing or otherwise unaccounting for in Indochina: Now, therefore, be it

Resolved, by the Senate of the Sixty-second Legislature of the state of South Dakota, the House of Representatives concurring therein, that any Americans who may still be held captive in Indochina be released immediately and further, that any remains of Americans who may have died in Southeast Asia during the Vietnam War be returned to this country.●

BUDGET SCOREKEEPING REPORT

● **Mr. CHILES.** Mr. President, I hereby submit to the Senate the budget scorekeeping report for this week, prepared by the Congressional Budget Office in response to section 308(b) of the Congressional Budget Act of 1974, as amended. This report was prepared consistent with standard scorekeeping conventions. This report also serves as the scorekeeping report for the purposes of section 311 of the Budget Act.

This report shows that current level spending is under the budget resolution by $3.9 billion in budget authority, but over in outlays by $13.3 billion.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 4, 1987.

Hon. LAWTON CHILES,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of congressional action on the budget for fiscal year 1987. The estimated totals of budget authority, outlays, and revenues are compared to the appropriate or recommended levels contained in the most recent budget resolution, Senate Concurrent Resolution 120. This report meets the requirements for Senate scorekeeping of Section 5 of Senate Concurrent Resolution 32 and is current through May 1, 1987. The report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended. At your request this report incorporates the CBO economic and technical estimating assumptions issued on January 2, 1987.

No changes have occurred since the last report.

With best wishes,

Sincerely,

EDWARD M. GRAMLICH,
Acting Director.

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 100TH CONGRESS, 1ST SESSION, AS OF MAY 1, 1987

[Fiscal year 1987—In billions of dollars]

	Current level [1]	Budget resolution (S.Con.Res. 120)	Current level (+/− resolution)
Budget authority	1,089.5	1,093.4	−3.9
Outlays	1,008.3	995.0	13.3
Revenues	833.9	852.4	−18.5
Debt subject to limit	2,253.9	[2] 2,322.8	−68.9
Direct loan obligations	42.5	34.6	8.0
Guaranteed loan commitments	140.5	100.8	39.8

[1] The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has enacted in this or previous sessions or sent to the President for his approval. In addition, estimates are included of the direct spending effects for all entitlement or other programs requiring annual appropriations under current law even though the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

[2] The current statutory debt limit is $2,300 billion (Public Law 99–509).

FISCAL YEAR 1987, SUPPORTING DETAIL FOR CBO WEEKLY SCOREKEEPING REPORT, U.S. SENATE, 100TH CONGRESS, 1ST SESSION, AS OF MAY 1, 1987

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			833,855
Permanent appropriations and trust funds	720,451	638,771	
Other appropriations	542,890	554,239	
Offsetting receipts	−185,071	−185,071	
Total enacted in previous sessions	1,078,269	1,007,938	833,855

FISCAL YEAR 1987, SUPPORTING DETAIL FOR CBO WEEKLY SCOREKEEPING REPORT, U.S. SENATE, 100TH CONGRESS, 1ST SESSION, AS OF MAY 1, 1987—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
II. Enacted this session:			
Water Quality Act of 1987 (Public Law 100–4)	−4	−4	
Emergency Supplemental for the Homeless (Public Law 100–6)	−7	−1	
Surface Transportation and Relocation Act (Public Law 100–17)	10,466	−80	2
Technical Corrections to FERS Act (Public Law 100–20)	1	1	
Total enacted this session	10,456	−843	2
III. Continuing resolution authority:			
IV. Conference agreements ratified by both Houses:			
V. Entitlement authority and other mandatory items requiring further appropriation action:			
Special milk	6	3	
Veterans compensation	173		
Readjustment benefits	9		
Federal unemployment benefits and allowances	33	33	
Advances to the unemployment trust funds [1]	(3)	(3)	
Payments to health care trust funds [1]	(224)	(224)	
Family social services	110		
Medical facilities guarantee and loan fund	5	4	
Payment to civil service retirement and disability fund [1]	(33)	(33)	
Coast Guard retired pay	3	3	
Civilian agency pay raises	358	373	
Replenishment of disaster relief funds [2]	57	50	
Total entitlements	754	467	
Total current level as of May 1, 1987	1,089,479	1,008,321	833,857
1987 budget resolution (Senate Concurrent Resolution 120)	1,093,350	995,000	852,400
Amount remaining:			
Over budget resolution		13,321	
Under budget resolution	3,871		18,543

[1] Interfund transactions do not add to budget totals.

[2] Included at request of Senate Budget Committee.

Note.—Numbers may not add due to rounding.●

RENOMINATION OF COMMISSIONER NORWOOD

● Mr. SARBANES. Mr. President, I rise to applaud the nomination of Janet L. Norwood to a third full term as the Nation's Commissioner of Labor Statistics. Before her nomination to a first term in 1979, Ms. Norwood served as Deputy Commissioner from October 1973 to April 1978 and as Acting Commissioner from April 1978, following the death of Commissioner Julius Shiskin, to May 1979. Ms. Norwood was first nominated to a 4-year term in 1979, and to a second term in 1983. Currently completing her second term as Commissioner, Ms. Norwood has been a Bureau of Labor Statistics employee for nearly a quarter century.

A graduate of Douglass College of Rutgers University who received her Ph.D. from Tufts University, Commissioner Norwood has been national vice president of the American Statistical Association and has been active in other major professional organizations; she is the author of numerous articles and the recipient of a number of public service awards and honorary degrees.

Such a summary hardly does justice to Ms. Norwood's distinguished career. Nor does it accurately reflect her long and devoted public service and the superior leadership she has brought to the Bureau of Labor Statistics.

The Bureau of Labor Statistics plays a major role in the Federal statistical infrastructure, compiling, for example, employment, unemployment, wage, productivity, and price data. Accurate, comprehensive, and timely information in these areas is essential to responsible decisionmaking in both the public and private sectors, and presupposes the highest professional standards of competence and integrity. As BLS Commissioner and throughout her career at the BLS, Ms. Norwood has unfailingly adhered to just such standards, and her pending reappointment as Commissioner is therefore, a most welcome development.●

SURVEY BY CHICAGO COUNCIL ON FOREIGN RELATIONS

● Mr. SIMON. Mr. President, I am pleased to note that the Chicago Council on Foreign Relations has published its most recent survey of citizen opinions on U.S. foreign policy. It is called "American Public Opinion and U.S. Foreign Policy 1987," and I commend it to each of my colleagues. It is important reading.

The survey is based on results conducted in October and November 1986 by the Gallup organization for the council. The survey includes changes of opinion registered after the Iran arms-for-hostages scandal broke, through additional polling in January 1987.

Americans now believe that we have a favorable military balance with the U.S.S.R. Not surprisingly, this feeling of security has diminished the public's support for some defense spending. Arms control is thought to be even more important than before, and there is more support for détente with the Soviet Union.

Support for a militarily aggressive foreign policy is just not there; 75 percent of the public gives the administration's handling of Nicaragua either a fair or poor grade. If Nicaragua invaded Honduras to destroy Contra bases, 71 percent would oppose using American troops to assist Honduras. Fully 80 percent of the people believe our military aid to Central America will lead to U.S. military involvement in that troubled region. More broadly, 55 percent believe the Reagan administration has done either a fair or poor job in human rights.

It's a shame that this report did not come out sooner in regard to the Iran crisis. Khomeini's Iran had the lowest favorability rating of any country, followed by the Soviet Union, Syria, Nicaragua, Nigeria, and South Africa. The drop in support for the Administration's terrorism policy between November 1986 and January 1987, then, should not be surprising: the "excellent/good" rating went from 44 percent to 28 percent, and support for President Reagan's overall foreign policy went from 52 percent to 30 percent. The countries Americans liked best were Canada, Great Britain, West Germany, Japan, and Mexico in that order.

On arms control the results may be startling to some people. I knew the mutual, verifiable freeze idea, so ardently and eloquently advanced by my good friend and colleague Senator Kennedy, was popular. I didn't realize just how popular it truly is. If the Soviet leaders would agree to it right now, 73 percent of the public would support an immediate freeze; 71 percent feel that the goal of worldwide arms control is very important.

Our relations with the Soviets have a direct impact on arms control. I have long believed that progress on arms control is intimately linked to improving the United States-Soviet relationship. Public sentiment in the area of United States-Soviet relations gives me hope that a better relationship will eventually lead to getting good arms control accords; 82 percent favor concluding a variety of arms agreements with the U.S.S.R.; 78 percent favor resuming cultural and educational exchanges; 57 percent say increase or expand grain sales.

On South Africa 28 percent said we should impose limited economic sanctions, and a further 29 percent said we should ban all trade with and investment in that country. That amounts to 57 percent of the public voicing dissent with apartheid.

Let me just conclude by pointing out the public's top foreign policy goals. At the top of the list is protecting the jobs of American workers. Tied for second place is securing adequate supplies of energy and worldwide arms control. Third is combatting world hunger, fourth is reducing our trade deficit, and fifth is combatting communism. This list cannot be exhaustive, but it does show us how important the whole subject of economic security and arms control is to the American people.

Mr. President, once again I commend the Chicago Council on Foreign Relations report to my colleagues. Characteristically, the council has done us all a worthy service.●

AFGHANISTAN: LETTERS FROM THE STATE OF OKLAHOMA

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a United Nations report as: "A situation approaching genocide."

As chairman of the Congressional Task Force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the RECORD two letters each day from various States in the Nation. Today, I submit two letters from the State of Oklahoma and ask that they be printed in the RECORD.

The letters follow:

DEAR SIR: We are writing to express our opinions on the Afghanistan situation. It is difficult to find strong enough words that are still printable. Appalled, shocked and disgusted come to mind.

As children, we were taught that Adolf Hitler died in his bunker along with his dream. The world pledged "never again".

The Reader's Digest stated that 35 percent of the Afghanistan population has either been killed or fled in terror. How high does that number have to go before something is done?

We agree that war is an ugly business to be avoided at all costs. Especially a war with Russia. But, haven't we reached the "all costs" point? I'm sure the people being persecuted would agree.

This world belongs to each and every one of us. Russia is trying to wipe Afghanistan off the face of the earth. They will succeed too, unless we do something. The rest of the free world always waits to see what we will do. We truly believe their fate lies in our hands. How can we close our eyes? How can any American sleep at night until this hideous action has been stopped? We are turning to you for help and guidance. What else can we, the public, do?

On behalf of the Afghanistan people, we thank you for listening. We hope and pray that you heard.

Sincerely,

DI ANNA MARSALA,
CHRITINE TAYLOR,
Bethany, Oklahoma.

DEAR SENATOR HUMPHREY: I am deeply concerned about the horrors going on in Afghanistan. I would support more military aid to these stricken people, and other such aid including food and medicine. I know our nation has plenty of problems of our own, but we cannot stand by and let our fellow men in Afghanistan suffer as they do now.

Sincerely,

BARBARA PERKINS,
Moore, Oklahoma.

SOVIET "GLASNOST" POLICY CHALLENGED

● Mr. SIMON. Mr. President, in the past few months numerous changes have occurred in the Soviet Union. Secretary Gorbachev and other government officials state that these changes are part of a new Soviet policy—"glasnost." Emigration levels have been higher in the past few months than in recent years. An increasing number of political prisoners have been released. Although I recognize that there have been some improvements, much greater steps are necessary before Western societies will be convinced that a true transition is taking place.

I am pleased that the number of releases each month is increasing. However, decisions regarding exit visas are arbitrary and inconsistent. I cannot help but believe that if the Soviet Government was serious about implementing reforms, it would release individuals who require medical treatment in the West. Benjamin Charny is one of these unfortunate victims. He suffers from malignant melanoma, a fatal form of skin cancer. Just a few weeks ago, Soviet authorities told Benjamin again that he was refused permission to leave. Further, the authorities also told him not to bother to reapply for another 10 years. If Benjamin does not receive the appropriate treatment soon, which is only available in the West, it is unlikely that he will survive.

Delay in granting cancer patients permission to emigrate has already resulted in the death of Inna Meiman. Inna, too, was in dire need of medical attention in the West. Her release came too late, though, and she passed away in February. Naum Meiman, Inna's husband, still wishes to emigrate. After the tragedy of losing his wife, Naum deserves some happiness.

I urge the Soviets to grant Naum Meiman, as well as Benjamin Charny, permission to emigrate immediately.●

SOVIET REFUSENIK IDA NUDEL

● Mr. LEVIN. Mr. President, on Monday, the State of Israel commemorated the 39th anniversary of its independence. At this time, Israelis and supporters of Israel gathered to celebrate the freedom which Israel has meant for so many.

Last Monday, 500 people gathered in Tel Aviv for a different type of birthday celebration. This party was to honor a brave and wonderful woman who is unable to celebrate her birthday in freedom. Ida Nudel is a longtime Soviet refusenik who has been selfless in her efforts to provide constant care, comfort, and inspiration to Soviet prisoners of conscience. On April 27, Ida greeted yet another birthday, still waiting. Waiting to receive one precious exit visa which would enable her to realize a dream. Her dream is to be reunited with her only living sister in Haifa, Israel.

Ida was present at her Tel Aviv birthday party by way of a telephone call placed to her by Natan Scharansky. It is my hope, and the hope of all those who have been working toward her release, that Ida will be in Israel next year to celebrate her birthday in freedom.●

CONCURRENT RESOLUTIONS INDEFINITELY POSTPONED

Mr. BYRD. Mr. President, I cleared this request previously with the ranking manager, the manager, and the distinguished Republican leader. I ask unanimous consent that Calendar Orders Nos. 94 and 95, Senate Concurrent Resolution Nos. 50 and 51, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY

Mr. BYRD. Mr. President, I have cleared this with the Republican leader and he is here. I ask unanimous consent that on tomorrow, after the two leaders have been recognized under the standing order, there be a period for the transaction of morning business for not to extend beyond 11:30 a.m., that Senators may speak up to 5 minutes each during that period, and that at the conclusion of morning business, at 11:30 a.m., the Senate proceed to the consideration of Calendar Order No. 105, H.R. 1827, an act making supplemental appropriations for fiscal year ending September 30, 1987.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. Mr. President, there will be rollcall votes tomorrow. I hope that the Senate will complete action on the supplemental appropriation bill tomorrow. I will consult with the Republican leaders on tomorrow to see what the schedule will be as we look at Friday and Tuesday of next week. I do not intend to bring the Senate in on Monday. I think Senators have worked hard and if the Senate is not in session on Monday it will give committees an opportunity to meet.

They are unfailing in their courtesy and their cooperation. And I want to thank them, too.

RECESS UNTIL 11 A.M.

Mr. BYRD. Does the distinguished Republican leader have anything further?

Mr. DOLE. No, I do not.

Mr. BYRD. Mr. President, it is 25 minutes until 1 o'clock in the morning. I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 11 o'clock a.m. on Thursday, May 7, 1987.

The motion was agreed to; and, at 12:35 a.m., the Senate recessed until, Thursday, May 7, 1987, at 11 a.m.

EXTENSIONS OF REMARKS

PRESIDENT REAGAN'S SPEECH

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. LAGOMARSINO. Mr. Speaker, during today's 1-minute speeches I called to the attention of my colleagues the speech by President Reagan last Sunday in support of the democratic countries of Central America. The President, in that speech, emphasized the importance of negotiations and economic assistance to help achieve peace in the region. The text of the President's remarks follows:

REMARKS BY THE PRESIDENT TO THE AMERICAN NEWSPAPER PUBLISHER'S ASSOCIATION

THE PRESIDENT. Thank you. (Applause.) Thank you all very much. Thank you, Dr. Graham, for being here, Mr. Chairman, Mayor Koch, ladies and gentlemen—there she is—I was just looking for the other woman in my life. (Laughter.)

It's a great honor to be here with you on this, the 100th anniversary of your convention. The truth is, it's always a great pleasure to be addressing anything that's—something older than I am. (Laughter.) I'm beginning to feel right at home here in New York Harbor. Last year, of course, we celebrated another centenary—that of the Statue of Liberty—the generous lady who, for 100 years now, has stood watch over this gateway to freedom. It couldn't be more appropriate that, a year later, we gather here on Ellis Island to celebrate with all of you, the ladies and gentlemen of the fourth estate, who also have stood watch over our freedoms, and who have been the guardians of our liberty.

You all know what Thomas Jefferson said of the press—that given the choice of a government without newpapers, or newspapers without a government, he wouldn't hesitate for a second to choose the latter. Of course Jefferson said that before he became President. (Laughter.)

You know, it reminds me of a particular editor who just wouldn't admit to any mistakes over in his paper. Everything in this paper had the weight of scripture. And then early one morning he received a call from an outraged subscriber who protested that his name was listed in that morning's obituary section as having died the previous day. And the editor said, "And where did you say you were calling from?" (Laughter.)

Well, of course, Presidents aren't always entirely objective themselves, like Harry Truman when he read the reviews of Margaret's recital. And then Bill Moyers likes to tell the story of one day at lunch with President Johnson—Bill was saying grace when Johnson bellowed, "Speak up, Bill, I can't hear a darn thing." And Bill looked up and said, "I wasn't addressing you, Mr. President." (Laughter.) The fact is, if those of us in government and the press sometimes think of ourselves as antagonists, it's only in the context of transitory events. The rush of daily business that can obscure for us a deeper truth—that we're two complimentary institutions, each drawing life and strength from the other and that together we hold the sacred trust of democratic government and freedom. The life and hope of liberty in an all-too-often threatening world—that is our solemn responsibility.

Mr. Jefferson also wrote that the truth of human liberty is "self evident," but he knew its success was anything but so. It was only the courage and the will of free men that gave freedom a chance, and once established, it was only their continuing dedication that kept freedom alive and allowed it to prosper.

That dream of freedom has a special meaning to us today as we gather here on Ellis Island, beneath the gaze of Miss Liberty. It would be easy to come here and tell once more the story of those who have passed through these gates, to simply celebrate once again the freedom Americans enjoy. But my job today is more difficult. It's not about those who came to this land, but it's about the dream that brought them here. Today, another people are in search of that dream, and theirs, too, is an inspiring story—one that must speak to the heart of all who came to this island and cherish the great lady of this harbor.

I speak of the people of Central America. And let me begin in 1981. I wonder how many remember that when we first drew attention to the crisis in El Salvador, we were met with an almost fatalistic acceptance of communist victory in that country—if not the whole region. Democracy, it was said, couldn't work in El Salvador: the people were too poor; they had no democratic tradition; they didn't want the chance for democracy that we offered; in fact, their sympathies lay with the communist guerrillas we were told.

But then one day the silent, suffering people of El Salvador were offered a chance to choose for themselvs—a national election. And despite the bullets, the bombs and the death threats of the communists, the people of El Salvador turned out in record numbers, standing in line for hours waiting to vote—to vote for democracy.

Congressional observers in that national election told me of a woman who was wounded by rifle fire on the way to the polls because the guerrillas tried to keep the people from getting there. She refused to leave the line and have her wound treated until after she had voted. And the wait in the line was hours long. One grandmother, as she started to the polls, had been warned by the guerrillas that if she voted she would be killed when she returned from the polls. She told them, "You can kill me, kill my family, kill my neighbors, but can't kill us all." That was the voice of Central America—the testimony of a people determined to be free.

Much has been achieved since 1981. In a region in which military dictatorships have dominated society, democracy is taking root. A decade ago, only Costa Rica was a democracy. Today, Costa Rica has been joined by elected civilian governments in El Salvador, Guatemala, and Honduras—only Nicaragua remains a dictatorship. But while the trend toward democracy unmistakable, the threat to freedom and democracy in Central America remains powerful because of Sandinista totalitarianism in Nicaragua. The aspirations of millions for freedom still hang in the balance.

The elected leaders of neighboring Central American countries understand this; they have personally told me this. They know the Nicaraguan regime threatens their own future and the stability of this hemisphere. They know that the establishment of a genuinely democratic system in Nicaragua—with the full guaranteed liberties of free assembly, free speech, and free press—offers the only real hope for the long-term peace and security of the region. They know such a system provides a check and balance on any government, discourages militarism, and ensures the people's right to choose their own destiny. And that's why the views of our Central American friends and the aspirations of the Nicaraguan people are one and the same—the establishment of full, popularly-elected, legitimate democratic rule in Nicaragua. So what we seek for Nicaragua is simple enough: self-determination for the Nicaraguan people—the right to select their own leaders in free, fair, contested, and regularly-scheduled elections.

The majority of Central Americans have made this choice. And I have come here today to say to you that the freedom fighters of Nicaragua are fighting for the same thing that the brave woman in El Salvador risked her life for—democracy. Real democracy, rooted in sound, stable, democratic institutions and ensuring the full range of political liberties and human rights. And, I have come here to say that the United States government pledges to the American people what the freedom fighters have pledged to their own people—that our objective in Nicaragua is clear: free elections.

On the other hand, the Soviets and the Sandinistas have also made a choice, not for democracy, not for a free press, and not for free elections, but for control through force. In 1986 alone, overall Soviet bloc assistance to the Sandinistas exceeded $1 billion. These Soviets shipments have made the small country of Nicaragua an aggressor nation with the largest military machine in Central America, threatening the security of the entire region.

Make no mistake: the Soviets are challenging the United States to a test of wills over the future of this hemisphere. The future they offer is one of ever-growing communist expansion and control. And this is the choice before Congress and our people; a basic choice, really: between democracy and communism in Nicaragua, between freedom and Soviet-backed tyranny. For myself, I'm determined to meet this Soviet challenge and to ensure that the future of this hemisphere is chosen by its people and not imposed by communist aggressors.

Now, I could go on for hours about our negotiations with the Sandinistas: the Contadora process, and the missions of my regional diplomatic negotiator, Philip Habib. But since those first negotiations back in 1979, in which the Sandinistas promised a democratic, pluralistic society, we've seen that these Marxists-Leninists never intended to honor those promises; we've seen them use negotiations time and again simply to delay,

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● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

to manipulate world opinion. And that's why the choice remains the same: democracy or communism, elections or dictatorship, freedom or tyranny.

The debate in this country over Central American policy has been direct and tough—and, yes, even heated at times. While such debate is healthy, we all know that a divided America cannot offer the leadership necessary to provide support and confidence to the emerging democracies in Central America.

I do not think there's anyone in Congress who wants to see another base for Soviet subversion, another Cuba, established on American shores. And yet that is what is happening right now. It's now an issue on which all Americans must unite; it's simply too important to become a partisan firefight in the next election. If we cut off the freedom fighters, we will be giving the Soviets a free hand in Central America, handing them one of their greatest foreign policy victories since World War II. Without the pressure of the Central American democracies and the freedom fighters, the Soviets would soon solidify their base in Nicaragua, and the subversion in El Salvador would reignite, The Nicaraguans have already infiltrated operatives even into Costa Rica—and they're simply waiting for the signal. Soon the communists' prediction of a "revolutionary fire"—their words—sweeping across all of Central America could come true. Let us not delude ourselves about the ultimate objective of the Soviets' billion-dollar war in Nicaragua.

There is a line attributed to Nikolai Lenin: "The road to America leads through Mexico." I do not intend to leave such a crisis for the next American President. For almost 40 years, America has maintained a bipartisan consensus on foreign policy. The Democratic Party—and the party of Franklin Roosevelt, Harry Truman, and John Kennedy—has stood in firm support of democracy and our national security. This is no time for either party to turn its back on that tradition or the cause of freedom—especially when the threat to both is so close to home.

The survival of democracy in our hemisphere requires a U.S. policy consistent with that bipartisan tradition. So I want to describe the framework of that policy, a policy that begins with support for the stable, long-lasting democracy in Costa Rica, and the democracies taking root in El Salvador, Guatemala, and Honduras. Many in Congress have stressed the importance of maintaining sufficient levels of economic aid to assist those democracies. I couldn't agree more. That's why additional economic assistance must be approved for the four Central American democracies.

Second, close cooperation with our democratic friends in Central America is also essential, and our policy is to continue now, as in the past, diplomatic efforts to achieve a lasting peace. Earlier this year, President Arias of Costa Rica put forward a proposal aimed at achieving a peaceful settlement of the conflict in Nicaragua. At the center of his proposal is an insistence on democracy in Nicaragua. The United States welcomes this initiative and supports its general objective. At the same time we have some concerns which need to be resolved particularly on the sequence of implementation. It's essential that any cease-fire be negotiated with the full range of the opposition. It is our profound hope that a Central American consensus can be reached soon, and that a process leading toward freedom in Nicaragua can go forward.

Congress has expressed its support for the efforts of the Central American democracies to achieve a diplomatic settlement to the regional conflict. They've asked for an increased effort by the United States to examine ways for a peaceful conclusion to the civil strife in Nicaragua. This administration has always supported regional diplomatic initiatives aimed at peace and democracy, whether it be through Contadora, through face-to-face meetings with the ruling party in Nicaragua, or through current Central American initiatives. Let me say right now that I will lend my full support to any negotiations that can build democracy throughout Central America without further bloodshed.

You know, I recently received a letter signed by 111 members of the House of Representatives calling for a major diplomatic effort, "designed"—their words—"designed to achieve peace, security guarantees for all Central American nations, the promotion of democratic institutions, and the removal of Soviet and Cuban military personnel from Nicaragua." While I do not endorse everything in the letter, I certainly join these Congressmen in calling for the restoration of freedom of the press, freedom of religion, freedom to assemble, freedom of speech and free elections, all of which are now denied by the government of Nicaragua.

Our Senate passed, by a 97-1 vote, a resolution stating that a "durable peace is only possible within the context of democratic regimes committed to eradicating extreme poverty, to establishing an effective means for equal opportunity for all elements of society, and free and periodic elections."

So, while Congress gets no argument from me in seeking a peaceful, diplomatic solution in Nicaragua, you can see the key is democracy and that a majority in Congress clearly recognized this. That's why I strongly believe there is a solid basis upon which to build a common effort with Congress to resolve this conflict in Central America. I plan to make every effort to work toward these goals, and I hope Congress will join with me.

And that brings me to the third element in our policy—our commitment, our support for the freedom fighters who have pledged their lives and honor to a free Nicaragua. This administration's support of the Nicaraguan freedom fighters, in their struggle for peace and democratic government, will not change unless the regime in Nicaragua accedes to the democratic aspirations of the Nicaraguan people. Every day the Nicaraguan people are becoming more outraged by the repression of their communist rulers. The democratic Nicaraguan resistance, including the freedom fighters, today offers the only political alternative to the dictatorship of the past and the communism of today; that alternative is democracy, and it's winning increasing support from the people of Nicaragua.

For as long as I'm President, I have no intention of withdrawing our support of these efforts by the Nicaraguan people to gain their freedom and their right to choose their own national future. In the next few months, I will be asking Congress to renew funding for the freedom fighters. Again, I stress the danger of the course argued by some in the Congress: that the most expeditious route to peace in Central America is abandoning our commitment to the Nicaraguan freedom fighters. Delays and indecision here at home can only cause unnecessary suffering in Nicaragua, shake the confidence of the emerging democracies in the region, and endanger our own security.

We've come a long way in these last seven years toward understanding the true nature of the Sandinista regime and its aggressive aims against its own people and its democratic neighbors in Central and South America. A new bipartisan consensus is forming, one that rejects all the old excuses. Last year, in an editorial entitled "The Road to Stalinism," the New York Times charged that the "pluralistic revolution" the Sandinistas promised is "hopelessly betrayed." Stated the Times: "Only the credulous can fail to see the roots of the police state now emerging."

And then my old friend, Tip O'Neill, in the wake of one of the Sandinistas' most blatant acts of aggression, declared that Daniel Ortega was what he had always said he was, nothing less than a "Marxist-Leninist Communist," intent on provoking a "revolution without borders."

Well, now the question before the American people and the United States Congress is, "What do we do about it?" Well, despite almost universal acknowledgment of the brutal, totalitarian, and subversive intentions of the Sandinista regime, the renewal of aid to the freedom fighters is still a debated question. But I think there's increasing recognition that the freedom fighters are the only ones who stand between the Sandinistas and their expansionistic aims; that they are the major obstacle to preventing all of Central America from being engulfed in the communists' "revolutionary fire;" that the freedom fighters are the only ones who offer the hope of freedom to the people of Nicaragua and a chance for a stable and long-lasting peace in Latin America. They're worthy of our support.

So that's why the upcoming vote in Congress on whether to continue providing support to the freedom fighters in Nicaragua may well be the most important vote our representatives cast in 1987; and possibly one of the most important cast in their careers in public office.

It's an important question for the press and media, as well. I can't help but note that in the new democracy of El Salvador, communist-supported guerrillas continue to try to bring down democratic rule. There's little or no media attention. Yet, just across a border in Nicaragua, the freedom fighters battle against a totalitarian communist regime and are assailed far and wide as lawless terrorists or worse. Forgive me, but the story needs perspective. And that perspective is provided by the aggressive nature of Sandinista communism.

Today, the people of Nicaragua know from experience the reality of Sandinista communism: the brutality, the poverty, the oppression; and for that reason they know what we too often forget, that freedom is worth fighting for.

It's the same first-hand knowledge of oppression and yearning for liberty that steels the brave Afghan resistance and gives them the courage to take up arms against the overwhelming might of the Soviet military machine; the same knowledge that inspires the brave Angolans and Cambodians, fighting long wars of liberation against their Soviet-backed oppressors; the same knowledge that drove the Grenadian people to embrace the American servicemen liberating their country and throw flowers in their path. And wasn't it something to see graffiti on the walls saying, not "Yankee Go Home," but when I was there, every place I looked, it was saying, "God bless America."

They were all responding to the call to freedom—a call that was a—has a particular eloquence among these buildings, on this island where so many of our ancestors greeted the sight of Liberty with tears of joy. We hear the call of freedom in the work to which you've dedicated your lives, sounding clearly, proudly, every morning and evening in the pages of a free press. Tragically silenced in Nicaragua by the closing of La Prensa, we still hear that call in the brave voice of its publisher, Violeta Chamorro, who makes it clear that on the subject of freedom, the press can never be agnostic. She said, "without liberty of the press, there is no representative democracy, nor individual liberty, nor social justice . . . only darkness, impunity, abuse, mediocrity and repression."

Well, that's the choice we face: between the light of liberty or the darkness of repression. When, after terrible voyages of sickness and hardship, our ancestors first spied Liberty's torch, they knew that light shone for them—"those huddled masses yearning to breathe free." For those who've known only the bitterness of want and oppression, that torch burns especially bright.

Today, the light of freedom is our sacred keepsake, the promise of America to all mankind. We must forever hold its flame high, a light unto the world, a beacon of hope that extends beyond this harbor, all the way to the jungled hills of Nicaragua, where young men are fighting and dying today for the same liberties we hold dear; all the way into the hearts of people everywhere who fight for freedom.

Thank you all. God bless you. (Applause.)

THE BRAZILIAN DEBT CRISIS

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GARCIA. Mr. Speaker, I am submitting for the RECORD testimony presented to the Subcommittee on International Finance, Trade, and Monetary Policy by Dr. Paul Sacks of Multinational Strategies Inc., on the Brazilian debt crisis.

Dr. Sacks presents an interesting case for the "Americanization of the debt crisis." He believes that this problem is becoming for a number of reasons a North and South American problem. His arguments are compelling. I, therefore, hope my colleagues will take a moment to read Dr. Sacks excellent testimony:

TESTIMONY OF DR. PAUL M. SACKS

BRAZIL AND THE DEBT CRISIS

The Brazil moratorium has been touted by many as a watershed in the debt crisis. In my opinion, the moratorium is only secondary to the real watershed. I hope the Brazil moratorium focuses our attention on the debt situation in general, but I also hope that it does not distract our attention from the more important change that is taking place.

The new watershed is the Americanization of the debt crisis. By this I mean that the debt crisis is fast becoming a South American and North American problem, rather than a global problem. As other debtors and creditors slowly make their exit, only U.S. money center banks and large debtors, primarily in Latin America, remain behind. And the primary cause of the Americanization of the debt crisis is close to home. It is the massive depreciation of the dollar. Through this depreciation, the U.S. Treasury is effectively bailing the European and Japanese banks out of the debt crisis.

Very little attention has been paid to the link between the dollar and Third World debt. Yet its implications are substantial. The dollar-debt link has simplified the debt crisis for the U.S. government. With fewer actors in the game, U.S. policy-makers are now more capable of taking steps that will alleviate the debt crisis. But before policymakers move forward to act, it may be useful to take a closer look at the implications of Americanization. I believe that the most profound meaning of these changes is that if they are allowed to run their full course, we will all have a better set of mechanisms to cope with the next Brazil crisis.

Brazil

A few comments about the current Brazil crisis will help set the stage for my broader argument.

It would be a mistake to claim that the Brazil problem was caused by its international debt burden. In fact, Brazil's debt has lightened over the last couple of years. The fall in the price of petroleum was a great savings for Brazil. Interest rates have also fallen, and Brazilian exports have not yet met the protectionist barriers that many anticipated.

Domestic political problems caused Brazil to run out of money and stop interest payments; the size of Brazil's external debt has little to do with the moratorium. The trouble began when President Sarney's cabinet discovered an effective strategy for increasing its popularity: it froze prices but allowed wages to take a quantum leap. A flood of spending ensured, consuming everything that was produced for the domestic market as well as many goods that should have been exported. The sharp rise in spending also elevated the level of imports. Fewer exports and more imports sent the trade balance through the floor, leaving Brazil with no money to pay its debt.

Why did President Sarney persevere with a policy that was driving his balance of payments into the ground? Because he was building up a very important commodity: votes. He proved this by leading his party to victory in the November elections. Shortly thereafter Brazil ran out of money.

New rules of the game

As a result, banks, governments, and multilateral agencies around the world are once more engaged in an effort to resolve this Brazilian problem. But the resolution will take place in a much changed environment, an environment that has watched the dollar depreciate dramatically. This depreciation has altered the way in which important actors view the Brazilian problem.

The main consequence of a depreciated dollar is that non-U.S. banks are far less vulnerable to large debtor countries. Since most of this debt is denominated in dollars, the size of a loan by a Japanese bank to Brazil has shrunk by almost 50% over the last couple of years, if measured in terms of yen. The Japanese bank's exposure to Brazil represents a far smaller portion of the bank's capital base. The same can be said for European banks, since the dollar has depreciated against the pound and European Currency Unit as well.

In other words, the risk posed by Brazil for a Japanese bank is being reduced far more rapidly than it is for a U.S. bank.

The return on these loans is also diminishing for non-U.S. banks, since returns are denominated in dollars that are worth less when converted into the bank's own currency. While U.S. banks are still earning a healthy return on their loans to problem debtors, non-U.S. banks are watching these returns slow to a trickle. Alternative opportunities are much more attractive to these banks.

In short, Brazil represents a smaller risk and a smaller return to a Japanese bank than it did two years ago, while for a U.S. bank, risk and return have not fallen nearly as much. Therefore, a Japanese bank is less apt to be motivated by fear to find a resolution for the Brazilian problem, and is more eager to shed its Brazil assets to move into more profitable assets. The same can be said of European banks.

There are several additional factors contributing to the Americanization of the debt crisis. European banks operate in a regulatory context that makes it easier to rid themselves of problem loans. Advantages such as hidden reserves, lenient tax treatment of loan loss reserves, and accounting standards that allow for the capitalization of interest, all enable European banks to take a more flexible approach to the restructuring of debt.

It should come as no surprise, therefore, that Japanese and European banks have made a more concerted effort to clean their portfolios of unwanted Third World debt. The factoring company established by Japan's 28 largest banks is a prime example. The company's purpose is to buy Third World debt from the Japanese banks, at a discount. In exchange, the banks will receive equity shares in the factoring company. The Japanese banks will improve their capital-asset ratios without suffering from the unhappy tax and accounting problems of holding Third World debt.

European banks have not been quite as visible, but they too have been ridding themselves of Third World debt. Their exit vehicle has been the secondary market for these loans. More lenient regulatory and accounting treatment has allowed them to write down much of their problem loans over the last five years. Hence they are more amenable to selling these loans on the secondary market. They have already taken the losses.

European banks have been joined by smaller U.S. regional banks, who are also selling off their problem loans. Even though U.S. regionals do not enjoy the regulatory and accounting leniency that European banks enjoy, these small banks are extremely eager to withdraw from what they view as a debt quagmire. They repent for ever having gotten involved in Third World lending, and are willing to suffer their losses and retire to the domestic market.

As Japanese, European, and U.S. regional banks leave the scene, one group of banks is left behind: the U.S. money center banks. These banks do not have the luxury of lenient regulation and accounting practices, nor can they afford to suffer the losses involved in selling large portions of Third World debt. Gradually, the debt crisis is becoming a crisis exclusive to North American money-center banks.

And what if the depreciation of the dollar—the main force behind the Americanization of the debt crisis—does not accomplish its goal? What if a cheaper dollar makes little or no progress towards reversing the U.S. trade deficit?

If the depreciation does not succeed, the debt situation will suffer two additional shocks. On top of a weakened dollar, we may find ourselves before long with greater protectionism and higher interest rates. Protectionism is gaining partisans. And if the dollar depreciation continues much longer, the Federal Reserve Bank may respond by increasing interest rates. Debtor countries will fall victim of a scissors effect. On one hand, higher U.S. tariff barriers will limit exports from these countries to the U.S. Debtor countries will be less able to earn the dollars necessary to service their debt. On the other hand, higher interest rates will increase the amount that these countries have to pay each year. As the scissor blades come together, debtor countries will run out of money.

This is the stage on which the Brazilian problem—and future debtor problems—will be resolved. On the creditor side, fewer banks are motivated by the fear that they can be wiped out by a single default. Instead, they are finding ways of exiting the debt crisis, leaving the U.S. money center banks behind to deal with the problem. On the debtor side, there are ominous signs that point to a severe payments crunch if U.S. protectionism and high interest rate cannot be averted.

Simplification

From the point of view of the United States policy-makers, the Americanization of the debt crisis simplifies matters. But what are the implications of this simplification for U.S. policy making?

Since the problem is less complex, it is easier to devise policies to deal with it. With fewer actors, policy instruments can be used with greater precision. But should we rush to devise legislation and policy instruments that we hope will resolve the crisis once and for all?

Probably not, in my opinion.

My reasoning is quite simple. The Americanization of the debt crisis may be a dark cloud on the not-to-distant horizon, but, like all other dark clouds, it has its silver lining.

A central component of Americanization is the loss of competitiveness suffered by U.S. money center banks to their Japanese, European, and U.S. regional bank counterparts. While these other banks exit in search of greater opportunities elsewhere, U.S. money center banks are left shouldering the burden of Third World debt.

Before long, U.S. money center banks will respond like any other firm operating in a competitive and dynamic marketplace: they will devise ways of exiting themselves. Indeed, sharp minds in the commercial banking community are already at work devising such exit options.

I am not suggesting that policy-makers should remain idle. I am suggesting that they refrain from grandiose plans that may not succeed. There is an important role to be played by the public sector. Public officials, and Congress in particular, can create a softer playing field by enhancing the exit options that are being devised.

For example, the Congress should not pursue plans to set up a multilateral factoring company to purchase Third World debt. Such a plan would meet strong opposition from the Japanese and the West Germans, who would view it as their bail-out of U.S. banks.

If anything, the Congress should consider establishing a U.S. factoring company that would complement the Japanese company.

The Congress should also restore the tax deduction for loan loss reserve additions that was repealed with last year's tax reform. If banks are encouraged to set aside loan loss reserves, they are more likely to write down these loans. This, in turn, encourages banks to sell them on the secondary market.

Policy-makers should do whatever they can to enhance the evolution of the secondary market for Third World loans. This market, now in its infancy, has been a useful exit for European banks and U.S. regional banks. A larger market with fewer pitfalls will extend this option to the U.S. money center banks.

There should also be a concerted effort to devise instruments such as the exit bonds that are currently being negotiated in the Argentine debt negotiations. These instruments give banks the option to convert part of their exposure into bonds, freeing them of future obligations to lend new money. By giving smaller creditors an exit from future obligations, these instruments make future rounds of debt restructuring far more simple and effective.

There are losses to be borne as debtors and creditors extricate themselves from the debt crisis. This is clear. What is less clear is how to distribute these losses equitably between shareholders and taxpayers. In my opinion, both should bear part of the losses. The Americanization of the debt crisis will accelerate the pace at which banks pass on losses to their shareholders. The Congress should not get in the way of this by devising far-reaching plans that will transfer the losses to the taxpayer. Where necessary, the Congress should help the banks enhance their exit options. But proceed cautiously; let the market work. This approach gives ample room for optimism.

CURRENT ISSUES IN UNITED STATES-CANADIAN RELATIONS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. HAMILTON. Mr. Speaker, I would like to insert my Foreign Affairs Newsletter for April 1987 into the CONGRESSIONAL RECORD:

Canada is a country with which we share many common values and policies. The United States and Canada have the world's longest undefended border. Over the years, Canada has been one of our closest allies. In any close relationship, however, disagreements arise. Several issues are currently causing some friction: acid rain, trade, cultural and territorial sovereignty, and defense spending. Each needs to be addressed to preserve the long-standing goodwill between our two nations.

Acid rain is probably the most troubling issue. Acid rain—mainly a mixture of water and sulphur dioxide or nitrogen oxide emitted from metal smelters, coal-burning power plants, and autos—produces environmental damage to lakes, forests, crops, human health, and even buildings. The sources of acid rain and its damage exist on both sides of the border. In eastern Canada, over 14,000 lakes are now acidic, killing fish and damaging surrounding forest lands. Another 325,000 lakes are seriously at risk. About 55 percent of the forests in eastern Canada are affected. In the U.S., the forests and lakes of New England have been similarly damaged. The rainfall in several midwestern and eastern states is many times more acidic than in the plains states.

While both Canada and the United States recognize that they share responsibility for this problem, the Canadians have already put into effect plans to reduce the level of their pollutants by 50 percent by 1994. The Canadian government will contribute $150 million to modernize the smelting industry, and has imposed more stringent auto emission standards effective September, 1987. The U.S. also has adopted a tough auto emissions plan, but has failed to enact an acid rain reduction plan for industry, causing intense concern in Canada. Instead, we have concentrated our efforts on research into clean coal technology. At his 1987 summit with Canadian Prime Minister Brian Mulroney, President Reagan took an important step by committing the U.S. to consider a bilateral accord on acid rain. We need to develop a decisive policy on acid rain quickly. Until we do, acid rain will continue to strain U.S.-Canadian relations.

Trade is a second important issue between the U.S. and Canada. Each has long been the largest trading partner of the other. Canada buys 22 percent of U.S. exports, and the U.S. buys 75 percent of Canada's. 80 percent of the trade between our countries is free of any tariffs. This trading relationship, however, has become a source of tension with protectionist tendencies on both sides. First, the U.S. trade deficit with Canada is second only to our deficit with Japan. In 1986, we purchased $23.3 billion more in Canadian products than we sold to that nation. Second, because some U.S. industries are being hurt by the rise in Canadian imports, several unilateral measures were taken. The United States imposed a tariff on cedar shingles, threatened to impose tariffs on all Canadian softwood products, and registered a variety of complaints on other imports such as steel, sugar, and fish. Canada retaliated by imposing a preliminary tariff on corn imports from the U.S.—the first time a countervailing duty was applied.

To improve trade relations, Canada proposed negotiations for a Free Trade Agreement (FTA) in 1985. Such an agreement would eliminate all tariffs between the two nations and would provide each with access to a very large market for its products. Negotiations are underway, and a draft agreement is expected for congresional consideration by the fall. The most difficult aspects of the negotiations are how to reduce nontariff barriers and coordinate national policies to facilitate trade. Supporters claim that this agreement would benefit both countries by pressuring each to adopt economies of scale, foster greater efficiency, stimulate technological innovation, and reduce areas of conflict between our two nations. While some opposition exists to such an agreement—especially among specific industries which may suffer in the short run—my sense is that an equitable and balanced free trade pact could enhance economic growth and prosperity for both countries.

The third issue between the U.S. and Canada is sovereignty. One aspect involves cultural sovereignty—the desire of each country to maintain its separate identity; the other, territorial sovereignty—a disagreement over the Northwest Passage in the arctic. The former is a particular concern for Canada since it is dwarfed by the United States in population, economic size, and defense capabilities. Many of its industries, publications, and media are heavily influenced by the U.S., despite Canadian laws limiting foreign content on radio and television. As we negotiate trade relations with Canada, we need to be sensitive to this concern. The territorial sovereignty issue erupted in 1985, when a U.S. Coast Guard icebreaker traveled through the Northwest Passage, an area claimed by Canada as an internal waterway and subject to its control. The United States contends that it is an international strait with the right of free passage. While discussions have been held, neither side has been willing to move from its original position.

Finally, defense expenditures have always been a source of dispute between the U.S. and Canada. Although we share membership in NATO and the North American Aerospace Defense (NORAD) system, the U.S. has continuously sought to have Canada spend more on defense. With a very large land mass and very limited military capabilities—for example, 1986 defense expenditures of $7.3 billion compared to $273 billion by the U.S.—Canadian defense need to be improved. Canada has been reluctant to do so, though it has recently reviewed its overall defense policy. Indications are that a greater emphasis on conventional defenses of Canada will result. In addition, Canada, whose defense spending as a percentage of GNP is the second lowest among NATO allies, needs to do more for common western security.

Each of these issues can be resolved, but we need to do much more to address them. Canada is a neighbor and good friend that we cannot take for granted. Congress and the President must work together to develop a responsive and responsible policy in dealing with our friend to the north.

TRIBUTE TO THE MICHIGAN UNITED CONSERVATION CLUBS

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. WOLPE. Mr. Speaker, I want to pay special tribute to the Michigan United Conservation Clubs on the occasion of the organization's 50th anniversary. The organization, founded on November 7, 1937, by 35 conservation club leaders from the State of Michigan, has grown to include a membership of over 100,000.

The MUCC, the largest environmental organization of its kind, has a diverse membership committed to a common goal of protecting the right of Michiganders to enjoy clean air, clean water and abundant fish and wildlife. The organization has been successful in a number of campaigns it has waged in the public's interest. Most noted is its support of Michigan's bottle bill—a ban on throw-away bottles that was enacted by referendum. The MUCC has also been a vigorous advocate of Michigan's public access to Inland Lakes Program—funded by fishing and hunting fees. This initiative has seen the establishment of 670 access sites, more than the rest of the 49 contiguous States combined. The MUCC was also a leader among a coalition of conservation and environmental organizations that prevented the development of a mine and smelter within the Porcupine Mountains Wilderness State Park, thus preserving the largest tract of virgin hardwoods in North America. In addition, it was the MUCC that inspired the creation of the innovative Michigan Natural Resources Trust Fund—wherein revenues from oil, gas, and mineral production from State-owned lands are committed to the purchase of public recreational land.

The Michigan United Conservation Clubs' motto is "Conservation through Education." The organization has realized its educational objectives through its Wildlife Discover Program, its sponsorship of the National Wildlife Federation's class project for middle and high school students, its publication of two magazines—Michigan Out-of-Doors for its membership and Tracks for you people of all ages—and its sponsorship of camps for boys and girls ages 11 through 16.

MUCC members express their commitment to protect our natural resources not only by effective grassroots legislative campaigns, but also by their involvement in numerous local and State policy making committees. Additionally, the organization conducts its own programs and clinics and sponsors exhibits to promote outdoor recreation. The MUCC has been a vital force in allowing Michigan to maintain its boundless waters, its endless forests, and the serene magnificence of its wilderness areas.

Mr. Speaker, I have been honored to represent many members of the Michigan United Conservation Clubs and to have had the opportunity to work with them on a number of conservation issues during my tenure in public office. I am certain that my colleagues will want to join with me in extending to them our very best wishes for another 50 years of successful advocacy on behalf of the environment.

TRIBUTE TO LT. FRED D. CAROZZO

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GAYDOS. Mr. Speaker, on Saturday, March 21, 1987, U.S. Navy Lt. Fred "Fritz" D. Carozzo died in action when the aircraft he was copiloting went down while on a routine surface surveillance mission over the East China Sea near Okinawa.

The two other members of his crew are alive today only because of Lieutenant Carozzo's split-second decision to initiate the ejection sequence that saved them. Regrettably, by the time his crewmates had been safety ejected from the aircraft, it was too late for his ejection seat to complete a safe escape. These two seamen will be forever grateful that Fritz's final selfless act allowed them to survive.

Fritz left a lasting impression on all who knew him. His commanding officer said that Fritz was always his first choice for executing the most demanding assignments. Fritz had only recently completed the difficult job of devising an overall plan for the antisubmarine defense of his entire battle group.

Fritz's heroism will long be remembered by his family and those who knew him. His selfless courage, integrity, and ability are a lasting testament to his character and a shining example for all Americans engaged in service to our Nation.

Since Fritz was a lifelong resident of Clairton, PA, the mayor and members of the Clairton City Council proclaimed April 20, 1987 "Lt. Fred D. Carozzo Day," and I will insert a copy of this proclamation into the RECORD.

PROCLAMATION

Whereas, The Mayor and Members of the City Council of Clairton, Allegheny County, Pennsylvania proclaim April 20, 1987 as Lt. Fred D. Carozzo, Jr. Day in the City of Clairton,

Whereas, Lt. Fred D. Carozzo, Jr. was born and raised in Clairton and graduated from Clairton High School. He also was a 1978 graduate of the University of Nebraska,

Whereas, On March 21, 1987 he died in a U.S. Naval air accident in the East China Sea near Okinawa,

Whereas, by his final selfless act Lt. Fred D. Carozzo, Jr. was instrumental in saving his two crewmen's lives,

Whereas, we acknowledge the fine character of Lt. Fred D. Carozzo, Jr. and all our young men serving our country,

Whereas, Lt. Carozzo has left a lasting impression on the Department of the Navy and will be remembered for his outstanding performance in some of the most demanding assignments. He had only recently completed the overall plan for antisubmarine defense of the entire Battle Group.

Now, therefore, I, Nick C. Zumbo, mayor of the city of Clairton, Allegheny County, Pennsylvania, set my hand and seal this 14th day of April 1987.

FIGHTER FOR VETERANS' RIGHTS HONORED

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. FRANK. Mr. Speaker, one of the staunchest fighters for the rights of veterans in southeastern Massachusetts is Leo Viens. Leo has been an adviser to me in veterans' affairs for several years, and I can count on him to be straightforward and unvarnished in giving me his opinion on issues.

Leo is a man who fights for others, and does not ask for things for himself. But recently, an error that had victimized Leo Viens was undone and he finally received a medal that he had been awarded 42 years ago. The story Leo's medal is told in the accompanying interesting article by Jim Hand of the Sun Chronicle published in Attleboro—Members might be interested to note that one of the predecessor papers that went into the making up of the current Sun Chronicle was one published by former House Speaker Joseph Martin.

Mr. Speaker, I ask that the article by Jim Hand about the medal which Leo Viens earned and finally received 42 years after the fact be printed here:

ATTLEBORO MAN GETS WAR MEDAL—42 YEARS LATE

(Mr. Jim Hand)

ATTLEBORO.—It has been more than 40 years since China awarded Leo Viens a medal for helping airlift supplies to the Flying Tigers in their war against the Japanese.

But it was only last week that Viens received the medal—in the mail. Still, it was a thrill to finally hold the China War Memorial Medal, the 70-year-old South Attleboro veteran said.

The recognition was issued by Chinese Generalissimo Chiang Kai-shek to Viens and others in 1945, but the medals were never presented.

In fact, some doubted they even existed because the U.S. government apparently lost a memo about their distribution after the war according to a World War II pilots' association.

The China-Burma-India Hump Pilots' Association in Missouri recently tracked down the memo and the medals.

The association is called the Hump Pilots Association because the Himalaya Mountains the pilots flew over were nicknamed the "Hump."

Viens said he lost a few buddies to the Hump as their supply planes smashed into the mountains killing those aboard.

His best friend, Michael Marcucelli of Pawtucket, died that way, he said.

The China War Memorial Medal is about the size of a silver dollar, made of bronze and depicts Chiang Kai-shek and Lu Ku Bridge, where the Chinese portion of the war broke out.

Viens was a 22-year-old Pan American commerical pilot in Africa when he volunteered to go to Burma to help with the airlift. Later he received a field commission making him a captain in the Army Air Corps.

The job was to fly ammunition and gasoline to the Flying Tigers at Loy Wing, China, and return with wounded and refugees. Loy Wing could only be reached by air. The ground route from Burma had been cut off by the Japanese.

The Flying Tigers were American volunteers fighting for China against the Japanese. The Tigers, like Viens, were militarized by the U.S. Army Air Corps in 1942 after America officially joined the war.

The necessity of flying over the high mountain range with overloaded planes and bad weather was probably more of a threat to the pilots than the Japanese Viens said.

The pilots' association estimates that 3,000 Allied aircraft were lost in the jagged peaks of the Himalayas.

Viens survived that hazard and also some attacks. "One time I remember the field was being bombed and we had no choice but to land because we never carried enough fuel for a round trip," he said.

A Pawtucket native, Viens returned to the States and settled in South Attleboro in 1943, where he has lived since.

He is retired now, legally blind, does not get around much, and getting the medal to go along with his U.S. Distinguished Flying Cross has boosted his spirits.

"I was so happy when I saw this thing," he said. "Even after 40 years."

GENERAL PINOCHET'S ROLE IN LETELIER-MOFFITT MURDERS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. MILLER of California. Mr. Speaker, irrefutable evidence in the 1976 murder of exiled former Chilean Ambassador to the United States, Orlando Letelier, and his associate, Roni Moffitt, points directly at Chilean dictator Gen. Augusto Pinochet.

As confirmed by FBI officials investigating the case for over a decade, testimony from the mercenary who carried out the murder, the admissions of the agent who performed the surveillance role in the plot, and extensive documentation, Pinochet was personally involved in the assassination plot and subsequent coverup. He has refused to allow three members of his Armed Forces to be extradited and stand trial in the United States.

The following article printed in the National Catholic Reporter provides an excellent analysis of the case:

[From the National Catholic Reporter, Apr. 3, 1987]

LETELIER-MOFFITT MURDER CALLED CHILE'S WATERGATE

(By Saul Landau)

Chile's President and commander in chief, General Augusto Pinochet Ugarte, has been in power longer than Adolf Hitler was. He has survived horrendous crises, ranging from massive strikes and popular demonstrations to an assassination plot against him. Now he is threatened again, this time by a 1976 assassination U.S. officials believe he ordered and are certain he helped to cover up.

"The Letelier-Moffitt murders will become Chile's Watergate," declared a high U.S. official who has monitored the bizarre assassination case for more than 10 years. "In the Chile scenario," the official declared. "Colonel Manuel Contreras [former chief of DINA, Chile's CIA] is the Bob Haldeman character; Pinochet is Nixon. The difference is that Nixon didn't have anyone assassinated."

Sept. 21, 1976, Orlando Letelier, the exiled former Chilean ambassador to the United States and cabinet minister under the Salvador Allende regime, was killed when a bomb planted in his car was detonated by remote control as he drove along Washington, D.C.'s, Embassy Row. Accompanying him were two young colleagues from the Institute for Policy Studies, where Letelier had taken a position. Roni Moffitt died a few minutes after the Chilean diplomat. Her husband, Michael, survived with minor wounds.

The FBI trailed the killers to the door of DINA Chief Contreras. He had given the hit order, which was carried out by a team of Chileans, one U.S. mercenary working for DINA, Michael Townley, and a gang of anti-Castro Cubans living in the United States. In 1978, a U.S. grand jury indicted Contreras and two other Chilean army officers, along with Townley and five Cubans, for conspiracy to murder.

To prove its case, the government relied on the testimony of Townley, who in a plea bargain exchange for a light sentence named his superiors and inferiors in the plot. The FBI also dug up masses of documents, the paper trail that corresponded to the stages of the murder plot and the elaborate cover-up.

The bureau offered compelling evidence against the Chilean officers, but Pinochet refused to allow three members of his armed forces to be extradited to stand trial in Washington, D.C. The subservient Chilean judges declined the U.S. request, stating that Townley's tainted testimony—referring to his plea bargain—hardly stood up against the word of three Chilean army officers. The elaborate evidence the FBI offered was dismissed.

At this point, two FBI special agents concluded that Pinochet's involvement in the cover-up meant he had also been personally involved in the assassination plot. One FBI agent in frustration told me, "There's no way in the world Contreras would have murdered an internationally known man like Letelier in Washington, D.C. without the express approval of Pinochet."

"We knew that he had to have given the order," a veteran natonal security official told me. "Damn it, Contreras breakfasted with Pinochet every morning. He reported only to Pinochet. Given the hierarchic and Prussian structure of the Chilean military, where nothing significant happens without the head man's approval, it is inconceivable that Pinochet wasn't at least aware of the operation to kill Letelier."

But knowing and proving are far apart. The U.S. government did not have evidence sufficient to take legal actions against the Chilean dictator, who has ruled his country with an iron hand since the day he led a military coup against the Allende government in September 1973.

Then in January this year, one of the three officers indicted for conspiring to assassinate Letelier defected. Armando Fernandez Larios had performed the surveillance role in the plot and delivered to Townley information on the location of Letelier's house and the make and model of his car. Then he had returned to Chile, lied to the court, along with his accomplices, and faded from public view.

The case appeared dead. "Pinochet," said one of the FBI investigators in 1980, "has gotten away with murder." Until this year, when Fernandez, consumed with remorse and regret and afraid for his life in Chile, turned himself over to U.S. authorities, admitted his role in the Letelier killing and named Pinochet as involved in its coverup.

In addition, Fernandez told the bureau interrogators, and subsequently a U.S. judge, that one of the plotters had told him Pinochet was knowledgeable about the order to murder.

Colonel Pedro Espinoza, currently stationed in South Africa, had told Fernandez of an argument among several generals about how to coordinate the officers' testimonies before the Chilean court when Contreras responded to a question of who gave the order to kill Letelier. "Go ask the chief," Contreras reportedly said, meaning Pinochet, Contreras' only chief.

Fernandez's information about Pinochet's role in the murder is hearsay, but his statements about the president's participation in the cover-up are firsthand. Pinochet met with Fernandez three times after the killing of Letelier, told him he could not resign from the army and thereby tell the truth about the murder. Pinochet had told him that as an officer he had to obey orders. And his superiors had ordered him to lie.

"That corresponds with our intelligence information," the national security official told me. "We had been informed from our sources down there [in Chile] that Pinochet had ordered hits against several of his opponents. Those inside Chile were later reported as suicides [the case of Jose Toha, who as defense minister under Allende had been Pinochet's boss] or accidents [the mysterious helicopter crash of a charismatic Pinochet rival, a General Bonilla]. He became a master at covering up murder."

The official was referring to the fact that DINA has also acquired a capability of killing abroad. In late September 1974, Contreras ordered Michael Townley to Buenos

Aires, Argentina, to assassinate former Chilean Chief of Staff Carlos Prats. A bomb similar to the one that was later placed under Letelier's car blew away the general and his wife. Prats, like Letelier and Toha, had been Pinochet's boss when he served as defense minister.

The next DINA target was an exiled Christian Democratic leader, Bernardo Leighton. Again Contreras chose Townley to execute a man thought to be successfully mobilizing European opinion against the Pinochet regime. Leighton and his wife were badly wounded by a gunman, who the FBI discovered was a well-known Italian fascist who had developed strong links with DINA.

In the wake of the bad publicity engendered by the Letelier-Moffitt murders, DINA was dissolved and replaced by an equally brutal but less scientific repressive apparatus. Pinochet's overseas assassination attempts ceased as the Chilean government received universal disapproval for its actions. President Jimmy Carter imposed mild, but nevertheless humilating sanctions on Chile when Pinochet repeatedly refused to cooperate with the U.S. government's investigation.

In 1981, however, President Reagan began to warm up to Pinochet, and only the Letelier case continued to stand in the way of fully normal relations. Then in 1986, U.S. policy toward Chile shifted and fell into line with the new thinking about how to deal with Third World dictators.

In El Salvador, the United States had opted for Jose Napoleon Duarte when world opinion turned against the extreme right and its death squads. In the Sudan, Haiti and most dramatically in the Philippines, the United States abandoned historically loyal and anticommunist dictators, while reinforcing the armed forces of each nation.

So, too, has the U.S. pulled away from support of Pinochet as a strong anticommunist ally, into a critical posture toward him. At the same time, the U.S. has courted the Chilean military—except those holding government posts. The defection of Fernandez, according to a top Justice Department official, is causing serious unease at certain levels of the armed forces. In his resignation letter from the army, Fernandez implored his fellow officers not to blindly obey orders.

IN PRAISE OF KLAAS DE VRIES

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GARCIA. Mr. Speaker, the Civilian Affairs Committee of the North Atlantic Assembly, which I have the privilege of chairing, is losing one of its most valuable members this year: Dr. Klaas de Vries of the Netherlands. Dr. de Vries is also the committee's oldest member, as well as its vice-chairman. His retirement is a loss to us all.

Dr. Klaas de Vries was born on November 11, 1917. In 1936, he obtained the teacher's certificate; in 1938, the headmaster's certificate; in 1939, the secondary school teacher's certificate, and in 1942, the State diploma A.

From 1936 to 1943, he taught at schools for primary and extended primary education—secondary modern school. In 1943, he went into hiding. From 1944 to 1945, he was squad leader in the forces of the Interior, and in 1945, he volunteered to go to the—then—Netherlands East Indies and served in the infantry—second lieutenant—and as an information officer—lieutenant. In 1948, he returned to the Netherlands and was made a reserve officer. In 1975, he was honorably discharged in the rank of reserved lieutenant colonel in the Army's legal department.

In the military field, he held the following additional offices: chairman of the Education Committee of the National Council for the Welfare of the Military till 1980, member of ADA—advisory council defense matters—till 1978, chairman of the Section Church and the Armed Forces of the Council for Pastoral Care of the Dutch Reformed Church since 1977, and of the CIOM—interdenominational contact in government matters pertaining to the armed forces—since 1982.

From 1948 to 1955, he was a history master at the Protestant Teacher Training College of Sneek—Friesland, and simultaneously he read law at Groningen University where, in 1952, he obtained his LL.M—cum laude. In 1955, he took his PhD—cum laude—on a thesis on criminal adjective law in medieval Dutch towns.

From 1955 to 1962, he was headmaster of the Protestant Teachers' Training College of the town of Leyden, and from 1956 till 1970 he also gave teacher training courses in mediaeval history at the Institute "Vrije Leergangen," Amsterdam. He worked from 1962 till 1980 at the Fryske Academy, Leeuwarden—Friesland—as a senior lecturer till 1964 and afterward as director. He was also principal of the Institute "Noordelijke Leergangen," which is attached to the academy, until 1970.

In 1968, he became a member of the first Chamber of the States-General for the CHU—Christian Historical Union. Since 1980, he has been a member of the CDA—Christian Democratic Appeal—and from 1974 to 1980, he was general editor of the Christian historical weekly, De Nederlander.

He became a member of the North Atlantic Assembly in 1969, and from 1976 to 1979 was vice-chairman of the Civilian Affairs Committee. From 1979 to 1983, he was general rapporteur of this committee, and again became vice-chairman of the committee in 1984.

THE IRAN-CONTRA HEARINGS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, May 5, 1987, into the CONGRESSIONAL RECORD:

This week, House and Senate select committees will begin public hearings on the Administration's 1985-86 sales of arms to Iran and the diversion of profits from those sales to the Nicaraguan contras. The hearings begin six months after news of the sales first appeared in a Lebanese newspaper, and four months after the committees were created and charged with the investigation. The hearings will be the major contribution of the Congress to the process of understanding what happened and learning from it.

The committees have not been alone in investigating these subjects, but they may produce the most comprehensive account yet. Before they were formed, investigations were underway by various standing congressional committees, by the President's Special Review Board (the "Tower Commission"), and by Independent Counsel Walsh, the special prosecutor appointed by the Attorney General. With so many lawyers and investigators involved, one might wonder why the select committees are necessary.

The answer lies in different mandates. The Independent Counsel is concerned with only the prosecution of those who violated the criminal law. The Tower Commission was appointed solely to evaluate the National Security Council's role. The interests of the Congress are broader, involving questions of both process and policy. We want to know why arms were secretly sold to Iran in exchange for hostages, in violation of our publicly-stated policies. We want to know how money from those sales was secretly diverted into bank accounts to buy arms for the contras. We need to determine who was responsibile for these events. We seek to restore respect for traditional and constitutional ways of conducting the nation's business, and to demonstrate the health and vitality of the American system.

Although the House and Senate have separate investigative committees, their work has been closely coordinated. Resources have been pooled, information shared, and tasks equally divided. This cooperation helped lead to the unprecedented decision to hold joint public hearings. The committees have been directed to report to the Congress later this year their findings and recommendations. While they have no legislative powers, their recommendations are expected to be influential because of the prominence of committee members who are standing committee chairmen and party leaders. The committees have operated thus far in an atmosphere of bi-partisanship.

The House committee has been working in a secure and guarded vault-like office in the dome of the Capitol. A staff of about forty lawyers, investigators and security personnel has reviewed more than 200,000 pages of documents from the White House, the National Security Council (NSC), and various fedeal departments and agencies. Thousands of pages of bank and telephone records have been obtained from private individuals and corporations. Committee members and staff have travelled throughout the United States, Europe, and Central America to conduct hundreds of interviews and take depositions. All this information is stored in a huge computer database which can retrieve and analyze information at the push of a button. The investigation will continue even while the public hearings are taking place.

The hearings will occur in three phases. The first phase will examine the actions of government officials to supply weapons to the contras during a period when such aid was prohibited by law. The hearings are not intended to debate Central American policy, but to scrutinize the foreign policy-making process. We will also attempt to determine what happened to those millions of dollars intended for the contras. Phase two will chronicle the series of arms sales to Iran during 1985-86. Top government officials, including Lieutenant Colonel North and Vice Admiral Poindexter, will be called to explain their roles. In phase three, we will try to assess who was responsible for devising this secret policy and supervising its execution, and determine the extent of the President's involvement. We will consider the extent to which the checks and balances between the President and the Congress, fundamental to our democratic system, were adhered to in this case. The public hearings are scheduled to be completed by the end of July.

The committees have faced a number of problems. We will only hear the full testimony of the principal witnesses, North and Poindexter, this summer. We were unable to get access to bank records in Switzerland, but we have obtained access to records from bank account holders that should give an almost complete picture of the money trail. The impasse over obtaining White House documents and the President's notes has also been resolved to the committees' satisfaction. To compel the testimony of some witnesses, we have had to grant limited or "use" immunity. Use immunity does not by itself prevent prosecution of the immunized witness, but it creates considerable problems for the prosecutor because he will not be able to use any of the evidence or leads developed from the immunized testimony. He can only use evidence that he can prove was obtained independently. The committees have worked closely with Judge Walsh before granting use immunity to any witness. Finally, we have the problem of finishing an enormous amount of work before the committees go out of existence by the end of October.

Some corrective changes have already been made in the foreign policy-making process. Both personnel and structural changes have been made at the NSC and elsewhere to correct some of the abuses that occurred. My hope is that the outcome of the hearings will not only be legislative reforms of the foreign policy-making structures, but changes in the attitudes of officials who work within those structures. By identifying problems, by criticizing improper action, and by revealing all of the facts to the American people, the hearings themselves should contribute to the democratic process of reform.

TRIBUTE TO BOB BRENNER

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. WOLPE. Mr. Speaker, I want to pay tribute to a good friend and very special constituent of mine, Bob Brenner, on the occasion of his retirement as director of the Allied Industrial Union's region 7. On May 8, his friends and colleagues will gather to honor Bob for over 37 years of committed service to the Allied Industrial Workers Union.

Following his service as a fighter pilot in the Pacific Ocean during World War II, Bob Brenner accepted employment at Clark Equipment in Battle Creek, MI. He was active in the worker's organizing campaign, and his efforts earned him a position on the AIW international staff in 1953. In 1971, he became the director for region 7 and held that position until this day.

I have felt very privileged to know Bob Brenner. Bob's dedication to serving working men and women, his gentle approach to people, his deep personal involvement in the issues of our time—all have touched my life, as they have the lives of all who have had the good fortune of knowing and working with him.

But Bob Brenner's commitment to public service has never been limited to his union and its members. He has served on many State commissions and community boards, seeking in any way he can to contribute to the development of a more just and humane society.

Mr. Speaker, I am sure that my colleagues will want to join with me in saluting Bob Brenner for his outstanding contributions on behalf of the Allied Industrial Workers, the State of Michigan and working people throughout the Nation. We will also want to extend our best personal wishes to Bob and Lou Brenner for many happy and fulfilling years of retirement.

THE POEMS BY DR. CLINTON F. LARSON

HON. HOWARD C. NIELSON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. NIELSON of Utah. Mr. Speaker, three poems by my neighbor, Dr. Clinton F. Larson, professor emeritus and former poet in residence at Brigham Young University, are included in today's CONGRESSIONAL RECORD. Three other poems—Nuclear Winter, Washington Society, and San Diego Naval Base—were placed in the CONGRESSIONAL RECORD of April 4, 1987.

ASTRONAUT

(By Clinton F. Larson)

Falling, falling into the remote sea,
The debris of the shuttle and fire
Branch outward into a flowering pyre
That we were here—in the overbending trees
Of their trajectory, hanging in the lea
Of Christ for a moment, then like a lyre
Of glissando failing separately to sire
The bolt into the surface and to flee
Down the abyss, to be twisted, to tire
Into death and its false animation
In squandering fire and the lifting parhelion
Of Mercury.

TELEVISION EVANGELIST

(By Clinton F. Larson)

Unbelievably benign, he knows you, reciprocal
As you watch and listen, ameliorative and quick
To Sunday lustre. Before him, you are slick
With caret dew that twinkles. The gospel call,
Included in his sentencing that is like a shawl
For one's indenturing, is lilt of curlew settling sick
Within his pining rhetoric. Verily, the trick
Is getting a flock to be as generative. The hall
Of his knowing is his mirroring. His cause
Is everything that anyone might gestate in him
And more (the gesture and the honied hymn
That belt his vaster audience with measure),
For what he knows he knows and says is pleasure
Unto him as, wonderfully, he mouths his gauze.

RACIAL FEUDALISM

(By Clinton F. Larson)

Born another, of another strain and gene,
You are different, of dire Necessity strange
In coloration, eyes, rise of forehead, mange
Rustling in to counter me in the thin, lean
Exorcism and genesis in which you learned to wean
Yourself away, sloughing down, orange
Of hair macerate and complexion that impinge
On verity and race and, again, with less
Hauteur than we, debased and so inordinate
I spoon your wick that makes you glow elate
To your point of view. I scrounge and press
You to see Salem of excoriation and Existence
As frowardly efficient as circumambience,
With you under a plank, stones on it as evident
As the shire of plots that weight you inwardly.
I would shovel you with flesh, so forwardly
You inch opinion, less Christian, Jewish, bent
Of mien, and Mohammedan. The east went
Down with sun, and the deft lion cowardly
To skulk in Judah. The unbilical is hardly
Long enough if you are human, godlessly sent
To stack your books of exacerbation thick
Where morbid sense thins in foreign methane
That may ignite a halo in your holy diaphane,
That I neglect. Charge your missiles and pick
A target. Some of us will lose. The war
Will come when I will orchestrate the score
I keep vaning still against you.

ENERGY CONSERVATION GAINS IN COLLEGE STATION, TX

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. BARTON of Texas. Mr. Speaker, improvements in energy conservation have been dramatic over the past 10 years. Ever since the Arab oil embargo in 1973–74, the American people and American industries have committed themselves to the goal of doing "more with less," or producing more goods and services but using less energy. We have made great strides in this area, and we now use about half the energy per unit of gross national product [GNP] as we used in 1973.

There are two kinds of conservation programs: The ones where Government tells the people how much energy they can use and how they can use it, and the ones where the people decide the best way to use their energy by themselves. I am a big proponent of the second kind of conservation program.

That is not to say that the local, State, and Federal Government do not have a role to play in conservation programs. I just think that everyone is better off if that role is limited to providing information, not orders.

I want to point with pride to a successful conservation program in the heart of my congressional district: College Station, TX. I am especially proud of the fact that this was a community effort, and the local government served the residents of College Station well through providing information and encouragement to cut energy consumption and costs for the entire city.

Three years ago, the city of College Station was troubled by the monthly demand charge in their utility contract. This demand charge provided that the minimum monthly charge for the city would be 75 percent of the peak month over the previous 11-month period. Unfortunately, this peak was Mount Everest. There was 1 month a year when College Station used power like it was going out of style: The month the 32,000 students at Texas A&M University hit town. Thousands of Aggies return to Texas A&M University at the hottest time of the year, and air-conditioners run overtime.

College Station decided to launch an initiative to reduce this peak and educate the residents on the benefit of energy conservation. The program was based on the following logic: The lower the peak, the lower would be both the minimum monthly charge and annual utility bills.

The accomplishments of the residents of College Station also provide an education to my non-Texan colleagues here in Washington. Everyone here thinks that my fellow Texans are all spendthrifts and ornery individuals who cannot work together. College Station has provided a clear lesson that both of these misconceptions do not hold true in Texas. We respect an honest dollar as much as anyone from Connecticut, and we work together as well as anyone in the United States. In fact, telephone surveys demonstrate 98 percent of the residents of College Station were aware of the program, 88 percent participated, and 92 percent of the residents believed that the program was beneficial for College Station. I cannot think of a better example of old-fashioned Texas teamwork.

Over the past 3 years, the peak reduction program resulted in major savings for the people of College Station. The 1984 peak reduction program resulted in $405,889 in savings, the 1985 program saved $585,946, and the 1986 reduction program saved another $585,000. All told, College Station has saved $1.57 million in utility charges over the last 3 years.

I invite my colleagues to study the accomplishments of College Station:

[From Public Power, March-April 1987]

CONSUMERS CUT COSTS IN COLLEGE STATION, TEXAS

(By Charles K. Shear)

COLLEGE STATION, TEXAS.—In most cases, knowledge is power. But in College Station, Texas, a public power community housing Texas A&M University, knowledge is *less* power, or at least a lower summer peak.

From 1984 to 1986, College Station completed a successful voluntary load management program, designed on the premise that if College Station customers knew the benefits of a lower demand peak they would voluntarily reduce consumption during peak periods. With expenditures of just $10,000 per year, the program has saved about $1,575,000.

College Station has a population of 52,260. In addition, Texas A&M enrolls approximately 32,000 students. Although the university does not purchase power from the city, many students move into College Station and open utility accounts. Students are also the main clientele of many local businesses.

The city purchases electricity wholesale from Gulf States Utilities Co. and resells the power to local commercial and residential customers. (College Station has no industrial customers.) As with most large electricity consumers, College Station's supply contract includes a ratchet clause under which the city's monthly demand charge is a minimum of 75 percent of its peak over the preceding 11-month period.

Faced with higher wholesale electric costs, the city in April 1984 reviewed various ways to keep utility costs down. The former city manager, North Bardell, conceived the idea of a voluntary load management program.

Two facts made Bardell's proposal appealing: (1) the Gulf States ratchet clause and; (2) consumption records for the previous five years. They showed the utility system reached its demand peak during the billing period of Aug. 20 to Sept. 20, between 6 p.m. and 6:30 p.m. daily. Specifically, four out of the five years, demand peaked the Wednesday after the opening of fall classes at Texas A&M. The only exception was one year when it rained that Wednesday and demand peaked the following day.

The timing of the demand peak is easy to understand. Thousands of Aggies come back to town in what is usually the hottest time of the year, and air conditioners run overtime.

RESIDENTS LEAD PARTICIPATION

The peak-reduction program was launched with five components: (1) residents, (2) commercial customers, (3) city facilities, (4) the media, and (5) voltage reduction. The city solicited program participation for the whole period of Aug. 20 to Sept. 20, with effort concentrated on the week Texas A&M started fall classes. For optimum savings the program was run from 4 p.m. to 8 p.m. daily.

When planning the first year's program, we were concerned about residential participation; citizen apathy might be a large obstacle to overcome. However, the residential sector was the largest contributor to the program's success.

Citizens heard about the program through television, radio, newspaper, mailings, handouts, door tags, street banners and posters. To reach as many people as possible, we wanted a constant reminder in many communication forms.

The utility information program followed the "kiss" rule—"keep it simple, stupid." We tried to convey a message that said participation was painless and easy. Some of the information dealt with technical aspects of demand control. However, we emphasized that conserving electricity during peaks would lower wholesale electric costs over the next year and all of the savings would be passed to customers through a lower power-cost adjustment.

We gave residents specific tips for load management at peak times including: (1) turn off the electric water heater; (2) turn the air conditioner off if the home is unoccupied; (3) raise the thermostat's normal setting three degrees while the home is occupied; (4) wash and dry clothes during an offpeak period of the day; (5) bake and cook as little as possible during the high demand period; (6) close the doors and vents to unoccupied rooms; and (7) in general, turn off any electrical appliance not in use or schedule its use at another time.

A telephone survey conducted in October 1985 showed that 98 percent of College Station customers knew of the program. It also showed that 88 percent of College Station households participated. An even larger number (92 percent) believed the program was beneficial. Two percent of the people did not believe the program was helpful, but participated because their friends and neighbors did.

CUSTOMERS PROMOTED PROGRAM

A concerted effort was made to inform commercial customers of the benefits of the city's program and how they could manage their own load.

Businesses were told of the program through seminars and mailings. We visited the largest 25 electrical users and phoned all other commercial customers.

Many commercial customers believed that restricting electrical use would adversely affect customer and employee relations. But the majority of them promoted the program. Almost all displayed posters encouraging participation. Several businesses informed their employees of the program's benefits by holding meetings and distributing fliers, and many commercial customers reduced consumption.

The key to city staff participation in such a program is management support. This was easy—the city manager and City Council were strong proponents of the program. Management involvement was maintained by keeping key officials informed and requesting their help in many activities.

City participation was exceptional. Staff of several departments came to work early and went home at 4 p.m. The city water pump station was shut down at 4 p.m. All air conditioners, including those used during City Council meetings, were turned off at 4 p.m. at city facilities.

City staff not only helped reduce the demand peak by lowering consumption, but also by projecting an image of leadership for the community. Citizens and the media became more aware of the program when they sat in on a City Council meeting without air conditioning.

PRESS UPDATES CONSTANT

The city kept the media informed. Reporters who covered city hall were briefed a week before the program began. Lines of communication were set up for quick news releases during critical periods and for daily updates.

One tool was a remote meter, hooked up to Gulf States' power source, which gave the city demand information. The meter enabled the city to determine critical periods and give the media current information. Data from the meter were also used in a daily graph published in the local newspaper.

Ready information from the utility, delivered with enthusiasm, kept the press on the issue. The media was eager to present current news stories and report information the public wanted to hear. The result was a snowballing effect. The more information the public heard, the more it wanted; the more it wanted the more the media covered the story.

VOLTAGE REDUCED BY 4 PERCENT

College Station has reduced voltage on its primary distribution system, to help cut peak demand loading, for eight years, with favorable results. Nominal voltage at the city's electrical substations is typically maintained in the range of 125V-127V during times of peak system loading. During the load-management program beginning in 1984, the system was monitored daily via recording chart devices installed at each substation. During peak periods, voltage was reduced from 4 p.m. to 8 p.m. Output voltage levels were manually lowered via the power transformer load tap changer control to 120V-122V. The city reduced the voltage level by about 4 percent during the peak load period.

A major portion of the city's distribution feeder system has been constructed since 1976. The city's feeder circuits average approximately three miles in length. Feeder loadings are usually maintained at or under 50 percent of the conductor thermal rating to facilitate possible load transfer between circuits during emergencies. In general, conductor loading, and not voltage-drop constraints, is the main criterion used in design of the city's feeder circuit capacity and feeder load levels. No major feeder voltage drop problems have occurred even during peak loads when voltage levels have been reduced.

This type of load shedding could be implemented by an electric system for which voltage-drop conditions are major design criteria. The city regularly monitors voltage levels at the end of its distribution feeder circuits during voltage reductions to be certain that adequate customer service levels are maintained.

CUSTOMERS SAVE MONEY

The 1984 load management program saved College Station electrical customers $405,889. The 1985 program saved $585,946 and the 1986 program is estimated to save $585,000 under current wholesale rates. Total expenditures for the three years were $30,000, most of it for radio and TV advertising and mailings.

During these intensive load management periods the peak generally occurred at 4 p.m., two and one-half hours earlier than before. Summer peaks used to range from 14 percent to 18 percent higher than winter peaks, but in 1985 these peaks were just about the same. The 1986 summer peak was 9 percent below the 1985 summer peak, in part because of cooler temperatures.

The city had been concerned about loss of revenue generated by electric sales. However, during the 1984 intensive load management period demand dropped 10 percent and sales increased 5.8 percent. In 1985 demand dropped 13 percent and sales increased 6.6 percent. Last year, in part because of weather, demand dropped 19 percent from the projected peak and sales decreased 8 percent from 1985. Electric sales would have been greater had there been no load management program, but revenue was much better than anticipated. And of course cutting the peak eased the pain from the ratchet in our wholesale power supply contract.

The unquantifiable benefits of the city's extra effort to reduce summer peaks the last three years include more public awareness and better public relations. College Station residents were able to get involved in controlling electric costs. They got a better understanding of energy conservation, and the costs of producing electricity. Also, the city demonstrated its concern about high bills.

College Station's load-management program has proven to be workable, and its costs were greatly outweighed by the savings. It is easy to implement and can be adapted by any city.

ROC IS MAKING CONCESSIONS TO HELP ALLEVIATE U.S. TRADE CONCERNS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. CRANE. Mr. Speaker, in the wake of the passage of the most protectionist trade bill since the Smoot-Hawley tariff bill, it is interesting to note that some of our trading partners are still making unilateral efforts to reduce their trade surpluses with the United States. Rather than buckling down and preparing for the trade fight that this legislation promises to bring, some of our trading partners still believe that negotiations and macroeconomic factors will solve the United States' trade woes. Unfortunately for them, despite their efforts, this legislation will only exclude from retaliation those noncompetitive countries that are unsuccessful at selling their products in U.S. markets.

Faced with the prospects of being hit by the most punitive and harsh provisions contained in H.R. 3, the Republic of China [ROC] continues to make a valiant effort to alleviate practices that have been labeled unfair by certain Members of the U.S. Congress. The following letter from Dr. Fredrick Chien, the ROC's representative in Washington, DC, outlines some of the most recent trade concessions made by the ROC. Ironically, at the very time that the United States, once considered the bastion of free trade, prepares to embark on the road of protectionism, our lesser developed trading partners are attempting to open their markets to U.S. products.

The letter by Dr. Chien follows:

COORDINATION COUNCIL FOR
NORTH AMERICAN AFFAIRS,
Washington, DC, April 28, 1987.

Hon. PHILIP CRANE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN CRANE: As a follow-up to my letter of February 18, 1987 concerning the pursuit by the Republic of China (ROC) on Taiwan of a "fair and free" trade with the United States, I wish to call your attention to the further actions we have taken, mainly as the result of the most recent round of the bilateral trade talks, in moving toward the said goal.

In the talks we first committed to immediate reduction of tariffs on 62 agricultural and industrial products, out of a total of 66 items proposed by the U.S. side. With the average range of reduction of 49.5 percent, including 6 items which will become duty-free by the end of this year, the move will offer considerable export potential for U.S. farmers and manufacturers in the Taiwan market.

Among the items, two products have especially been the concern of many Members of the U.S. Congress for some time, of which tariff or non-tariff barriers have been removed with this action. This is to say that import ban on peaches will be totally eliminated and the tariff for chocolate confectionery (originally 100 percent) will be reduced to 17.5 percent by May 1 and to 12.5 percent by the end of this year. In addition, we have just announced for immediate tariff reductions some 800 other products as another part of an ongoing liberalization program. These moves have been hailed by the U.S. side as "significant steps which demonstrate Taiwan's commitment to enhance U.S. export opportunities in its market."

In the area of textile trade, both sides have agreed in the talks that the original bilateral agreement be extended for another year at a growth rate of less than 1 percent. This is made possible because of our commitment to lower the ROC's textile and apparel tariffs to levels below those of existing U.S. textile tariffs. The quid pro quo was described by Deputy U.S. Trade Representative Alan Woods as "an excellent deal for American textile and apparel manufacturers," which provides U.S. producers with "another year of protection against import surges while giving them additional export opportunities."

All these measures will make the average effective rate of the ROC tariff around 7 percent, and, in terms of the average nominal rate, less than 20 percent. Compared with most other nations, developing as well as developed, these figures cannot be considered high.

Satisfactory consultations have also been conducted on the further expansion of intellectual property protection and a more strict enforcement of relevant laws and regulations in that field. There were also discussions of "big tickets" procurement of U.S. goods and services for major projects in Taiwan. We indicated our strong interest in granting such contracts to U.S firms so long as the latter can show their competitiveness. As a matter of fact, several ROC special procurement missions are in the process of being formed as another round of our initiative to "Buy American."

Ongoing talks on shipping, intermodel transportation and insurance have also produced some concrete progress, which will further open the Taiwan market to the United States. For example, U.S. carriers will be able to apply for and receive licenses for their branch offices in Taiwan to operate as container terminal operations, shipping agencies, and the like in accordance with our laws and regulations. As for insurance business, we have committed that each year 4 qualified U.S. insurance companies will be licensed to enter our domestic market.

Although many members of the U.S. Congress have shown their concern over the exchange rate between the U.S. dollar and the New Taiwan dollar (NT$), I feel almost unable to keep you up to date on this issue since our currency value is on the rise almost everyday. At present one U.S. dollar is worth NT$32.92 as against NT$40 some time ago. The New Taiwan dollar has been appreciated by roughly 17.7 percent in the last 8 months, by far the highest among all newly industrialized countries.

All in all, it can be said that we have been doing our utmost in pursuing a "fair and free" trade with this nation. It will be very unfair, if these efforts based on our sincerity and goodwill are not taken into account or misunderstood. I therefore strongly urge you to take our endeavours into careful consideration when you discuss the omnibus trade bill.

With warmest regards,
Sincerely,
FREDRICK F. CHIEN,
Representative.

NATIONAL ESTUARINE AND COASTAL WATERS PROGRAM

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. HUGHES. Mr. Speaker, the Office of Technology Assessment has recently submitted a report to Congress called "Wastes in the Marine Environment" which concluded that estuaries and coastal waters around the country act as the primary receptacle for the majority of pollutants introduced into the marine environment. In response to this problem, I have introduced a bill calling for a National Estuarine and Coastal Waters Program. This bill would complement and further strengthen existing legislation addressing the water quality and management of our Nation's estuarine and coastal resources.

This bill would require the Environmental Protection Agency and the National Oceanic and Atmospheric Administration to jointly develop and implement a National Estuarine and Coastal Waters Program. The program shall consist of a continuing evaluation and comparison of our Nation's water quality and management of our coastal and estuarine resources. The evaluation will include an assessment of the impact of man-induced changes on estuaries and coastal waters, and the relationship of such changes to pollutant loadings of various nutrients and toxic contaminants. The evaluation also calls for an identification of the pathways by which nutrients and pollutants flow through estuaries and coastal waters. Most importantly, this bill calls for an identification and ranking of those estuaries and coastal waters that are degraded or distressed, including an analysis of any human health risks.

In addition, EPA and NOAA are required to provide scientific, legal, and technical assistance to Federal, State, and local governments in an effort to help develop and implement strategies to improve water quality and also to help manage the coastal and estuarine resources. The agencies are expected to stress the achievement of such coordinated efforts on a regional basis.

Among the other needed strategies for coastal waters and estuarine management, the bill calls for the designation of centers of excellence. These centers of excellence are mandated to carry out research in the associated disciplines consisting of the long-term collection, dissemination, and public availability of information and data results from the research. The centers would also provide for needed educational programs that would furnish the public and all levels of government with information on existing and potential problems regarding local estuaries as well as assistance and proposals to address those problems.

The OTA and others suspect there will be a continuation of degradation of our estuaries and coastal waters unless we develop a scheme to protect these threatened resources. This bill represents the most reasonable approach to addressing the water quality and coastal and estuarine issues by enhancing the recently passed Clean Water Act and any of the other laws that directly and indirectly affect estuarine and coastal resources.

Mr. Speaker, I believe this is a good bill and it is my hope that the Fisheries and Wildlife, Conservation, and the Environment Subcommittee which is scheduled to hold oversight hearings on May 20, 1987, will approve this bill, or similar legislation in the coming months. I would also like to submit a more detailed analysis of the key provisions of the bill:

H.R. 2240

National Estuarine and Coastal Waters Program—key provisions:

1. Estuarine and Coastal Waters Study and Protection Act.

2. The Administrators of the Environmental Protection Agency (EPA) and the National Oceanic and Atmospheric Administration (NOAA) are mandated to jointly develop and implement a national estuarine and coastal waters program.

3. The Program will include a continuing evaluation and comparison of the water quality and management of the estuarine and coastal resources in the United States.

4. The evaluation will include an assessment of the impact of man-induced changes on estuaries and coastal resources and the relationship of such changes to pollutant loadings of nutrients, chlorine, acid precipitation, dissolved oxygen, petroleum hydrocarbons, and toxic pollutants (including organic chemicals and heavy metals.).

5. The evaluation also calls for the identification of the pathways by which nutrients and pollutants flow through estuaries and coastal waters.

6. The bill requires an identification and ranking of those estuaries and coastal waters that are degraded or distressed including an analysis of the human health risks and resource deterioration associated with the degraded and distressed estuaries and coastal waters.

7. The EPA and NOAA shall provide scientific, legal, and technical assistance to Federal, State, and Local Agencies. Their assistance would be used to help develop and implement projects improving water quality and also to help manage the coastal and estuarine resources.

8. The bill requires the development and implementation of strategies in conjunction with appropriate State and Local agencies for applying existing Federal, State, and Local laws to achieve optimum management and water pollution control in the estuaries and coastal waters. The Environmental Protection Agency and the National Oceanic and Atmospheric Administration are called to stress the above mentioned strategies of water pollution control and management on a regional basis.

9. EPA and NOAA re required to jointly issue regulations that identify the functions of their respective agencies in implementing the Program. The two agencies are also required to specify how they will coordinate their functions as they apply to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.); the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); and any other Federal law that directly or indirectly affects water quality, estuarine resources, or coastal resources.

10. The bill calls for EPA and NOAA to jointly designate one or more areas of excellence for estuarine and coastal studies that will carry out research in the associated disciplines consisting of the long term collection, dissemination, and public availability of information and data results from the research. The centers of excellence will also have the responsibility to develop and promote educational programs designed to inform the public of existing and potential problems regarding local estuaries and coastal waters as well as provide assistance to Federal, State, and Local agencies in addressing these problems.

11. At the beginning of each Congress, the Administrators of EPA and NOAA shall submit a report on the state of the estuaries and coastal waters including all the Federal activities undertaken to improve the water quality and management of the coastal and estuarine resources. The Report shall minimally include the following:

An assessment of the National Estuarine and Coastal Waters Program,

An identification and ranking of these estuaries and coastal waters that are degraded and distressed,

A discussion of the major pollution problems and trends which are having direct and indirect effects on the Nation's estuaries and coastal waters,

An identification of further estuarine and coastal waters research needs at the federal, regional, and state levels including a listing of priority research needs to address areas of particular concern,

An evaluation of existing management approaches at all levels of government for protecting estuary and water quality and for managing estuarine resources and coastal resources,

Recommendations for making the existing management approaches more effective.

12. The bill authorizes appropriations to EPA and NOAA as may be necessary to carry out the functions under the Act.

IN PRAISE OF HERBERT HUPKA

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GARCIA. Mr. Speaker, the Civilian Affairs Committee of the North Atlantic Assembly, which I chair, will soon suffer the loss of one of its most senior members who is also its vice-chairman: Dr. Herbert Hupka from Germany, who will retire from politics in the first half of 1987.

Dr. Herbert Hupka is a patriot and a writer. His life is one of devotion to his motherland and of a communication of his ideas through the medium of writing. He was born on August 15, 1915 in Ceylon, but grew up in Ratibor, in Upper Silesia, the old part of Germany to which his name is linked. He studied German philology, history, geography and history of art at the Universities of Halle and Leipzig. He obtained his PhD in 1940. He served during the war, against his will after 1944, and was arrested three times by the Red Army.

After the war, he started his journalistic career by being the news editor of Radio Munich, a post which he kept until 1957, and by publishing the youth publication We in Munich, of which he was editor-in-chief for 2 years. In 1948, his patriotism took on an activist form when he cofounded the Association of Silesian Refugees, of which he remained a faithful member all his life, and which he chaired after 1968.

In 1957, he became the program director of Radio Bremen, and in 1959 the press officer of the Committee for an Undivided Germany in Bonn. After 1964, he became a freelance journalist and writer, writing many books on Silesia and the German motherland, and also political books on inter-German relations.

After becoming a member of the Bundestag, the German Parliament, in 1969, he kept up the same interests, focusing his work on intra-German relations and on broadcasting to Eastern Europe. Having been elected first as a member of the SPD, he disagreed so strongly with Chancellor Brandt's Ostpolitik that he crossed benches in February 1972, becoming a member of the Christian Democratic Union [CDU]. He thought Germany should not accept the reducing of its territory which limited the two Germanys to the west side of the Oder-Neisse line.

His activities also centered on broadcasting. He is a longstanding member of the International Advisory Board of the Free-Europe-Radio Liberty, and he is alternative chairman of the international German broadcasting service the "Deutsche Welle."

Although Dr. Hupka is now going to retire, he will doubtlessly continue to serve his country during his retirement.

CONGRESSMAN JACK KEMP INTRODUCES LEGISLATION NAMING THE BUFFALO VETERANS ADMINISTRATION MEDICAL CENTER AFTER MAJ. ROBERT J. DiTOMMASO

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. KEMP. Mr. Speaker, I am introducing legislation, today, to name the Veterans' Administration Medical Center, in Buffalo, NY, after the first western New Yorker listed as "Missing in Action" in Vietnam, Maj. Robert J. DiTommaso.

On July 29, 1966, Robert DiTommaso was flying in a C-47 with seven other crew members on a classified mission when their aircraft was attacked by fighters 10 to 20 miles south of Xam Nua, Laos. Radio contact was blocked and nothing has been heard about Robert or the crew since.

Robert J. DiTommaso was born in Lackawanna, NY, on August 7, 1941. In elementary school he was president and salutatorian of his graduating class, and was awarded two medals by a local American Legion Post for essays on Americanism. He attended the University of Buffalo, where he majored in history and government, and made the dean's list all 4 years. Robert DiTommaso completed 2 years of ROTC courses before being assigned to advance officers training. Robert graduated in 1963 and was commissioned a second lieutenant in the Air Force. After seeing duty in Alaska, Turkey, Japan, and Korea, he received extensive training at Elgin Air Force Base, FL, before being sent to Udorn, Thailand, in December 1965.

As we look back to the fall of Saigon 12 years ago, we remember the honor of those who served, and the tragedy of those still missing. All Americans owe a special debt to our fellow countrymen who serve this Nation in the Armed Forces. The families and loved ones of the 2,400 Americans still unaccounted for in Vietnam, who have held onto their faith and determination never to let any of us ever forget, are truly American heroes. In western New York, our community continues to remember the bravery and sacrifices of the men and women who have served their country, thanks to the courage of people like Mrs. Mafalda DiTommaso, who has not celebrated a holiday since her son Robert was shot down in 1966. Their extraordinary sacrifice and spirit command our admiration, and demand our unrelenting commitment to a full accounting of our missing countrymen. That national commitment is more than a promise; it is a solemn responsibility we owe not only to those 2,400 and their families, but to future generations who will serve their country, that they may be secure in the knowledge of our unfailing support for them in combat and commitment to their safe return home.

This important legislation naming the veterans hospital in Buffalo after Maj. Robert J. DiTommaso is a memorial to all of our fellow Americans listed as POW's and MIA's. The veterans hospital will serve as a monument to the courage and sacrifice of our missing countrymen.

I call on my colleagues in the House today to join me in paying tribute to Robert J. DiTommaso, and all our missing servicemen, and their families who continue to speak out, to never give up, to never forget.

LIST OF BUFFALO AREA VETERANS AND VETERANS ORGANIZATIONS SUPPORTING THIS LEGISLATION TO NAME THE VETERANS' ADMINISTRATION MEDICAL CENTER IN BUFFALO AFTER MAJ. ROBERT J. DiTOMMASO

Frank Falkowski, Executive Director, Vietnam Veterans Leadership Program of the Niagara Frontier, Inc.

Pete Linkowski, Amvets National Service Officer.

Steve Banko, decorated Vietnam War veteran, and Executive Assistant to New York State Senator Anthony Masiello.

Roy Barley, President, Chapter 164, Vietnam Veterans of America, Secretary of Vietnam Veterans Leadership Program, Second Vice Commander, American Legion Post 431 and Charter Member of Amvets Post 66 (which is the Robert J. DiTommaso Amvets Post).

James R. Ahearn, Department of New York, Veterans of Foreign Wars Service Officer.

John Glegota, Erie County Veterans Service Officer.

Frank Sigeti, Veterans of Foreign Wars, Post 1419, Hamburg, N.Y.

Paul Tekac, Secretary, State Council of Vietnam Veterans of America.

Frank Volmer, Chapter 77, Buffalo Vietnam Veterans of America.

John Grandits, Vietnam Veterans Leadership Program.

A TALE OF TWO DEFICITS

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. DANNEMEYER. Mr. Speaker, I insert a paper by Prof. Antal E. Fekete of the Memorial University of Newfoundland, which analyses our twin deficits and their correlation. I believe the paper merits the attention of my colleagues for it focuses on the highly dangerous chain-reaction effect involved in the process creating these deficits. Unless we can arrest this chain reaction soon, we may lose all control.

The article follows:

A TALE OF TWO DEFICITS

(By Antal E. Fekete)

There is probably no topic in economics today which is more hotly debated than the genesis of the two deficits: the U.S. budget deficit and the U.S. trade deficit. The table below strongly suggests that something has gone terribly wrong, and something unprecedented and very ominous is happening. The two deficits appear to be running out of control. And the "Big Bang", marking the beginning of their present course, appears to have taken place in 1971.

ANNUAL BUDGET AND TRADE DEFICITS IN THE UNITED STATES

[Figures rounded to the nearest $1,000,000,000; minus sign indicates deficit, otherwise surplus]

	Budget deficit	Trade deficit
1950	−3	1
1951	6	3
1952	−2	3
1953	−7	1
1954	−1	3
1955	−3	3
1956	4	5
1957	3	6
1958	−3	3
1959	−13	1
1960	0	5
1961	−3	6
1962	−7	5
1963	−5	5
1964	−6	7
1965	−1	5
1966	−4	4
1967	−9	4
1968	−25	1
1969	3	1
1970	−3	3
1971	−23	−2
1972	−23	−6
1973	−15	1
1974	−6	−6
1975	−53	9
1976	−74	−9
1977	−54	−31
1978	−59	−34
1979	−40	−28
1980	−74	−25
1981	−79	−28
1982	−128	−36
1983	−208	−67
1984	−158	−113
1985	−212	−124
1986	−221	−168

Source: Economic Report of the President.

The cumulative deficits present an even more alarming picture. The U.S. government's debt, $2.2 trillion at last count, is growing so fast as to double in every five years. And as a result of running persistent and ever larger trade deficits since 1971, the U.S. has gone from being the world's foremost creditor to its foremost debtor nation.

Mainstream economists have come up with a theory purporting to explain the apparent correlation between the two deficits. According to this, when the budget deficit rises, market participants come to expect higher "real" interest rates, because the borrowing requirements of the government will rise. This in turn causes a net increase in demand for dollars, in anticipation of an appreciation in its value. Finally, so the theory goes, a rise in the value of the dollar produces a net inflow of foreign capital which produces the trade deficit. The conclusion of this "analysis" is that the way to reduce the trade deficit is to debase the dollar.

It should be obvious that this explanation begs the main question: What has caused the deficit to rise in the first place? and it evades the question: How is it that our present debt and deficit crisis is unprecedented in the entire 200-year history of this nation? Moreover, the explanation is disingenious in that it ignores the basic condition of the dollar, namely, that it is a currency in default. There is a tendency in mainstream economics to ignore the fundamental truth that a breach of promises cannot help the credit standing of the debtor.

A fuller explanation of the two deficits must take into account the fact that on August 15, 1971, the U.S. government defaulted on its obligation to pay gold to foreign governments at the $35 statutory price. Now it is a fundamental fact of life, not subject to debate or doubt, that whenever a debtor defaults on his promises to pay, his paper goes to a discount in the markets. The annals do not cite a single exception to this rule during the entire recorded history of mankind. Not surprisingly, the dollar was no exception either: in less than 10 years it lost 90% of its value in terms of gold, 50% of its value in terms of Swiss francs, various fractions of its value in terms of various foreign exchange, not to mention a major part of its purchasing power. Thus the "Big Bang", the default of August 15, 1971, started a course of dollar depreciation which has continued ever since, with more or less significant reversals. The most significant reversal occurred during the period 1980-1985 when the market gave the benefit of the doubt to President Reagan that he would institute a monetary reform which would convincingly stabilize the dollar. When that did not happen even after the second inauguration, the dollar resumed its slide in March 1985.

But it is misleading, to say the least, to talk about a "strong" dollar in reference to the period 1980-1985, during which the dollar recovered a fraction of its earlier huge losses in terms of gold and foreign exchange. It would be more accurate to describe this period as a stay of execution or, perhaps, a grace period to enable the U.S. government to rectify the conditions leading to the dollar-débâcle of 1971.

The policy of deliberate dollar debasement, inaugurated at the Group of 5 meeting at the Plaza Hotel in New York on September 22, 1985, should also be viewed from the same perspective. When a government goes all out to beat down the value of its currency in the foreign exchange markets, as the U.S. government has done under the "leadership" of Secretary of the Treasury Baker, and when this government invites foreigners to join in the exercise, then it cannot be said that the government is acting in good faith as a debtor, nor that it is trying to make amends for its earlier default that has caused huge losses to its creditors all over the world, including its own citizens.

The chain-reaction triggered by the "Big Bang" of 1971 can be described as a five-step process:

(1) the dollar depreciates in terms of gold and foreign exchange;

(2) the Federal Reserve tries damage-control by allowing arms interest rates to rise dramatically—destroying the bond market in the process;

(3) the fast-maturing government debt is refinanced at drastically higher rates of interest, causing record budget deficits;

(4) domestically generated savings turn out to be entirely inadequate to finance the burgeoning budget deficits. Foreigners step forward and buy the high-yielding U.S. government securities, and pay for them by shipping finished goods to our shores. The trade deficit of the U.S. hits record volume.

(5) The burgeoning trade deficit causes a new round of dollar depreciation, viewed with "benign neglect" or even actively encouraged by responsible government officials.

At this stage, the 5-step process itself at a higher level of deficit and debt figures. There have been two complete cycles so far: 1971-1976 and 1977-1984. The third cycle appears to have begun in 1985 and its first step is well on its way, and the second about to start. The ominous aspect of this process is that each cycle is more destructive than the preceding one bringing bigger deficits, higher interest rates, more debt repudiation and bank failures in its wake.

There is no valid reason to expect that the policy of self-inflicted dollar depreciation can rectify the trade deficit in 1987 any more than the policy of "benign neglect" could in 1977. The vanishing U.S. export markets are due to the same cause. The high-interest rate policy of the Federal Reserve bankrupted America's overseas customers: the Latin American and other third world countries, whose trade has traditionally been financed by American bank credit. The U.S. government, in allowing the dollar to drift as a currency in default, bears a large part of the responsibility for the world's debt crisis and for the vanishing world trade. The Federal Reserve policy of high interest rates knocked out marginal producers all over the dollar trade area, and demoralized the commodity markets on which third world countries depended for their dollar earnings.

Moreover, to the extent every produced good has an input of imported components, the profit margin of the American export industry is squeezed, and that of its foreign competitors boosted, by the policy of deliberate dollar depreciation. The U.S. has to export more to pay for the same (or even declining) amounts of imports: the terms of trade of the U.S. is deteriorating while the terms of trade of its competitors is improving.

Finally, according to Anderson's Law, as long as the dollar keeps falling, or is under suspicion that it might do so, exports tend to fall and imports tend to rise. The late Benjamin M. Anderson, a distinguished American monetary economist, observed in the 1930's that under the conditions of monetary debasement exporters reason that they should not hurry to export because they should get still more domestic currency for their exports at a later time; importers reason that they must hasten to import all they can because the foreign exchange in which they pay for their imports will cost more in domestic currency next week, next month, next year.

The policy of deliberate dollar debasement is not only immoral but it is insane in the extreme. It is destructive domestically as well as internationally, without any redeeming features. It should be stopped immediately and the dollar be stabilized at the same time, before more damage is done to the domestic industry, agriculture, and to world trade.

In summary, the system of floating exchange rates was inaugurated in 1971 without any thought given to the dire consequences that were bound to follow. When the dollar depreciation, which was entirely predictable, boosted commodity prices, the Federal Reserve tried to pacify the gold and foreign exchange markets with its high-interest rate policy. This action demoralized the bond markets and caused the budget deficit to escape from the earth's gravitation. The destruction of the bond market taught Americans a lesson about the folly of saving, and there were no domestic savings available to finance the budget deficits. Luckily for us, foreigners were still ready and eager to finance our runaway budget deficits, as long as we allowed them to pay with finished goods. This caused the trade deficit to go out of control. Now the last vestiges of foreign confidence in the dollar is being methodically destroyed by the U.S. Treasury with its open advocacy of further dollar debasement.

Our present plight is another vivid indictment of fiat money systems. When governments take possession of the people's purse by introducing fiat money, thus freeing themselves from control by the people, debt starts to proliferate. As a consequence, foreign exchange rates will start fluctuating wildly in response to changes in the various rates at which the debt tower is growing in various countries. Currency depreciation is simply a reflection of the fact that debt denominated in that particular currency is growing out of control. Unless the government concerned brings the growth of debt under control, the fiat currency may plunge to worthlessness.

This is the danger threatening the dollar. The dollar's predecessor: the Continental, the fiat money issued by the Continental Congress, met the same fate over two hundred years ago. The officials in charge of our present experimentation with fiat money are either ignorant of history, or they act as though those lessons have been lost upon them.

Unless these men are removed from their posts, and a convincing plan to stabilize the dollar on a permanent basis is introduced soon, we may expect a new round of record high interest rates, and a new round of record deficits.

President Reagan is poorly advised on economic matters, as he was on foreign policy. He is running the risk that he will not be remembered as another Franklin D. Roosevelt, the Great Communicator. He might be remembered as another Hoover, who presided over the Great Crash.

AMERICAN SUCCESS STORY

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mrs. BENTLEY. Mr. Speaker, I insert the following Baltimore Sun story in today's RECORD. It is an All American success story about our colleague and my dear friend, Congresswoman CONNIE MORELLA from Montgomery County, MD.

I, of course, think it only gains credibility from the Sun by-line. It was my privilege to serve that newspaper for many years as maritime labor editor and it is my pleasure to share with you my newspaper's view of one of the stars of the freshman class in the 100th Congress.

Thank you:

AMERICAN SUCCESS STORY

(By Nora Frenkiel)

CONGRESS IS THE PAYOFF FOR IMMIGRANTS' DAUGHTER

To begin with, there's the dandelion story. It rears its weedy head on Constance Morella's swearing-in day. It's a sweet little story, the kind that makes a reporter's heart go thumpety-thump, the kind that commands a few stars alongside the quotes in a notebook.

Constance Morella, newly elected Republican to Congress from the wealthy and overwhelmingly Democratic 8th District in Montgomery County, could not be in better form on the sixth day of January. Snugly tucked into a form-fitting knit dress, a shade you might call knockout iris, her eyes a tear-misted aquamarine, she is one of the proudest daughters of immigrants ever to ascend to the Hill.

Loyalists, friends and family members are squeezed into a small room off the main hallway where the swearing-in ceremonies are being shown on closed-circuit TV. There's her 86-year-old mother from Boston, Christine Albanese, who appears as sharp as a pitchman for old-style spaghetti sauce, saying, "I always knew my Connie would do it."

Fresh from the swearing-in, Representative Morella sweeps in, looking at least a decade younger than her 56 years. A few kisses and hugs and then straightway to her mother. "See," she says to the friends and cameras, "my immigrant mother really does exist."

Across the room, the congresswoman's older brother, Austin, a buildings supervisor in Somerville, Mass., admits he's no lover of politicians but a great admirer of his sister. "She's a smart girl and a lucky girl," he observes, "and everything she went after she got." Then a devilish sense of humor takes hold. "We are from poor parents," he begins earnestly. How poor, he is asked. "We were so poor we had to go out and pick dandelions for supper.

A lovely image, but a bit of hyperbole. A week later, Mrs. Morella, sitting in her congressional office, surrounded by wilted congratulatory plants and the almost obligatory poster that reads "Women's place is in the House . . . and in the Senate," will laugh heartily about it all.

"We all joked about it on the way home in the car that day," she says. "My mother jumped on Austin after he admitted he told the story. She insisted we did not pick dandelions. We bought them."

The classic first-generation success theory is too simplistic. It does not explain how a former airline reservations clerk turned college English teacher, wife and mother, decided to enter politics 17 years ago, worked her way through the Montgomery County Commission for Women, two terms in the Maryland House of Delegates and a stunning upset this past fall to capture the seat vacated by four-term Democratic congressman Michael Barnes.

"I didn't have the problem of being first-generation," she says, "because I was so outgoing and so assimilated I never even learned to speak Italian." She attributes her success to hard work and a desire to achieve—the classic first-generation explanation. Yet, she also confesses. "I didn't always go around telling people, like I did on swearing-in-day, about the old-world connection."

Her Democratic opponent, former state Sen. Stewart Bainum Jr., out-spent her, outpolled her almost until the end, but never underestimated her. "I was surprised by the outcome," he admits, "but we did our best and we have no regrets. Connie ran a fine campaign and she stuck to the issues . . . I thought she'd be a formidable opponent."

She wasn't exactly an unknown she served in the Maryland House of Delegates for eight years and had run unsuccessfully in the Republican primary for the congressional scat in 1908—but her face wasn't exactly recognizable either.

Casting herself as the middle-class candidate, she won supposedly sophisticated Montgomery County voters who follow the issues, even if in this election, say some, they didn't vote issue but personality. Her opponent, Mr. Bainum, vice president of Manor Care Nursing Homes, fourth-largest nursing-home chain in the county, won the dubious distinction of having spent the most money—almost $1.5 million compared to her $622,000—in a losing congressional race this past year. But even his strategists agreed, once the public sees and hears Mrs. Morella and it becomes a personality contest, it's over: The study Democrat knocked out by the iris, the single millionaire who runs nursing homes versus the woman who raised nine kids, three of her own, and six of her late sister's.

"It was a personal triumph for Connie," say her husband, Tony Morella. "It was Connie, she was the theme, she was the campaign. What we wanted was to put her out on the streets and let her talk to people. The same thing, you see, you go talk to the PTA, you know Stewart's never been to a PTA, he wants to get up and talk about quality of education, he's got a liability. Connie talks about the work ethic and civil servants and talks about retirees and benefits and taxes and the economy. She's a part of it."

Mr. Bainum says, "I think it's a myth that Morella won because she's a mother and I'm not a father . . . What turned it around was the endorsement from the *Washington Post.*" After the endorsement his polls showed he went from 11 points ahead to 5 points behind. However, even longtime Democratic observers say Mrs. Morella's momentum was building. They saw it coming, like a purple haze late in the day of the campaign.

A Wednesday in March, and a House vote looms, a largely symbolic one, to freeze the remaining $40 million in aid to the contras. Mrs. Morella, in the middle of a meeting with General Accounting Office specialists, is wondering whether her beeper is really going to go off.

She questions staff members with an intensity, speaking in a richly accented voice where the R's sometimes come out too pronounced, when "idea" sounds more like "I-dear."

As the beeper goes off, along with the blaring House alarms for a vote, so does she, 5 feet 2½ inches, spinning down the long corridors to the underground subway to the Capitol. She is the lone woman, squeezed between the blow-dried and balding. She whispers to a reporter, "Not a lot of women around. . . . This is when it reminds me.

And later in the day, after she casts her yes vote on the moratorium, one of only 17 Republicans in the House to do so, she encounters one of the blow-dried Southern Republicans in the Rayburn hallway who says, "Hi girls," and to the congresswoman. "Are you for us or against us?" She tilts her head and lowers her voice, "Sorry, the other way."

Although she'll be criticized for her vote to open the rule to amendments, which plays like a Republican tactic, followed by her vote for the moratorium, supporting the Democrats, she will insist, "It was consistent. I always vote to open debates and then I vote my conscience. I think constituents want a representative who votes independently." In her campaign she spoke out in support of the contras and still says she believes in aid although "there has to be accountability."

Some Democratic observers and colleagues from Annapolis will say, "It's typical of her wanting to be loved and having it both ways. She flip-flops on the issues." Others more generously say, "She makes the politically correct vote."

Mrs. Morella calls herself a moderate, a liberal in the tradition of her longtime friend, retired Sen. Charles McC. Mathias, who actively campaigned for her. Her agenda, she says, is one of enlightened social policies balanced by fiscal conservatism. She supports "Star Wars" and Medicaid funding for abortions for some poor women, which she voted for in Annapolis. A Catholic, she has consistently voted pro-choice.

"I disagree with everything Phyllis Schlafly stands for," says the congresswoman, who adds, "I have a theory that Republicans are thought of as competent. They're thought of as people who want to balance a budget who want to make local government work but they're also thought of as not very compassionate. You take a woman and she's thought of as being more compassionate and understanding of people's needs and you put those two things together and maybe that's why the Republican woman has an appeal to both sides."

Her father, Salvatore, who emigrated from Calabrine, Italy, made desks, but there were never any in their home in the hard-working, ethnic town of Somerville, Mass. The fourth child of six, and the first girl, she grew up poor but not so poor as to skip tap-dancing lessons and piano lessons.

In high school she dated, was voted "most charming" by her peers and obeyed her parents most of the time. Her father, who shielded and protected her, wanted her to marry and maybe become a teacher. Her mother, who "ran interference between me and my dad," also wanted her to marry. Education would have been a plus.

This was late '40s, and teaching was a good career choice for someone of her background. "I just balked," she recalls. "I saw teaching as too static." So instead of attending Salem College on a drama-club scholarship, she transferred with her scholarship to Boston University, where she took an associates of arts degree in general education.

She was running for class secretary when she met Tony Morella in one of her classes. He was running on a straight path out of poor East Boston—one of the few boys from his neighborhood who attended prestigious Boston Latin.

They sat next to each other in class and during the term became friends. They had their first date Friday the 13th of January 1950, when they want to see "The Secret Life of Walter Mitty." The next day, in an alcove of the Boston Public Library, he proposed and she accepted.

While he spent four years away in the service, fulfilling ROTC obligations, she took a job as an airline reservations clerk, finishes up her bachelor's degree and also worked a second job as a hotel desk clerk.

In August 1954 they married and moved to Washington, where she continued working reservations for TWA and he went through Georgetown Law School. He also got a patronage job from Representative Tip O'Neill, working the automatic House elevators not far from where his wife works today. They were "poor as church mice," she remembers.

The years went by, punctuated by children and car pools. Tony Morella, working as a government lawyer and then in his own practice in Georgetown, began drifting more and more into political life, running Maryland campaigns for Nelson Rockefeller and Mr. Mathias. In the late '60s. Mr. Mathias would sit in the Morellas' cathedral-ceilinged living room and map strategy. Mrs. Morella played the role of wife and mother and conscience, asking questions for the woman in the street.

"I was very traditional in the beginning," she recalls. "I thought I'd stay nice and busy, maybe belong to the book club and raise these kids . . . I knew it would be an achievement to have a nice house, and have nice children and have my husband be a lawyer. That would have been a kind of success."

In fact, she wanted more and earned a master's degree in English from American University in 1967. She also wanted more of politics while her husband wanted less. Appointed to the Montgomery County Commission for Women, she found a focus.

"I remember she'd come home all fired up being angry because men always had the credit cards in their names," says her husband. In the Morella household, of course, tradition still ruled. The credit cards were in his name.

One night in 1973, he recalls, "she came home from testifying, and she said. 'You know if you want to make things happen you've got to get on the other side of the table . . . I think I'm going to run for the House of Delegates.' "

The cynic in him wondered "whether or not she was capable of dealing with a side of politics that I don't like, the maneuvering, the insincerity, the inaccuracies." The spouse in him marveled at her sense of commitment and her ability to connect with people.

After she lost the race, she returned to teaching English at Montgomery College, but her political aspirations were, if anything, greater.

"Since her first election," recalls Mark, her 25-year-old son, who lives in Germantown, "she brought us together and said. "What do you think?" She was always taking votes around the house." They've been running with her ever since: There's also Paul, 31, an actor, director and model who is married and lives in Rockville, and Laura, 23, who is studying biology at American University and lives at home.

Even her opponents call her a lovely woman, a decent person, a woman with no enemies, a good soul. In an interview she needs little coaxing and will talk so rapidly that the points sometimes become obscured. Was she shy? Never, she says with a laugh. And one of the only subjects that slows her pace, shows the age catching up and the sadness is the death of her younger sister in 1975.

"They were best friends," recalls her husband. "They looked alike, they switched clothes, talked on the phone every day." Her sister, a divorced mother of six, died within a year of her diagnosis of cancer. There was never any question whether she would take her sister's six teen-aged children. She told her former brother-in-law. "I'm doing this with you or without you."

So the two Morella children still living at home were called together again to vote and the vote was unanimous. Five bedrooms were carved out of the basement, a station wagon was borrowed from friends, there were lists for showers and cleaning and a washing machine that ran all night long.

Mrs. Morella is more comfortable talking about the practical adjustments. "There are things," she says, "that you learn to do without. There are things that don't become so important anymore. I learned it was OK to have cobwebs and not get upset. I learned it was OK not to fix breakfast everyday."

There was another family crisis a year ago. In January 1986, just a month after his wife announced she was running for Congress, Tony Morella suffered a massive heart attack and underwent open-heart surgery. "I looked up into her face and saw that face under the fluorescent lights," he recalls. "I saw that strength. She is my strength."

"He sees his wife as that rare "natural" politician, a woman who moves through a supermarket line and converts voters. Some of the stargazers on the Hill have seen it, too. Yet at just about 100 days into the session, others are already assessing her vulnerabilities as well.

Keith Haller, a longtime Democratic pollster, questions whether she'll be a serious player in the House because of "the Catch-22 she has to play. I think she's going to have some trouble within her own party trying to weigh what is the party position and support her own leadership and trying to remain in the liberal-to-moderate philosophical realm."

If her legislative record at Annapolis is any indication, there are those who doubt her ability to make a major name for herself. Four-term Congressman Barnes, who resigned the 8th District seat and had an unsuccessful run for the Senate, questions her political motivation and long-term agenda. "I cannot think of one significant piece of legislation she introduced in Annapolis in eight years," says Mr. Barnes.

"She was on the lowest rung of the ladder, as one of the few Republicans, from Montgomery County no less, and a woman to boot," says one of her former colleagues. For her voting record, according to Legislative Tracking in Annapolis, she garnered high ratings from the controversial Maryland Business for Responsive Government and the Maryland League of Conservation Voters (an environmental coalition) as well as low ratings from the conservative pro-life Family Protection Lobby.

Others offer praise for her hard work and realism. "Connie could have gone two ways," observes Del. Timothy Maloney (D-Prince George's), who served with her on the Appropriations Committee. "She could have been a strident lonely voice or stuck to her guns and learned to compromise, which is what she did. Connie's major role seemed to be to put herself in the position of the average voter or consumer."

He cites her work to simplify motor-vehicle regulations and to establish the criminal injuries compensation board. "Fiscally, I found her to be a surprisingly hard-liner," he adds. "She wasn't afraid to stand up to labor and mass-transit contracts. She was very strong in that regard."

Mrs. Morella believes the record is clear. "I think I have, with all lack of modesty, an extraordinary, strong eight-year record for issues that I care deeply about," she says. "Civil rights, women's issues, budgetary issues and the constituency concerns, too. . . . You make a mark by sometimes introducing good legislation that the majority party picks up and then you end up being the cosponsor.

"That happened to me with raising the drinking age, that happened with the precious-metals bill, on the check-float bill and on child-support enforcement . . . What sometimes happens in the minority is that you can't have the vanity of being the first name [on the bill]."

In the House, she believes she may play a similar role. Certainly, she'll be watched even more closely now, and already names are being tossed out as possible opponents for 1988. But Mr. Bainum says he is not interested in running against Mrs. Morella again, citing her new advantage as an incumbent.

Will she primarily be a service representative looking out for the interests of her constituents?

She seems to be moving in that direction. "I can't underestimate or undervalue constituent work." Launching into a teacher's voice, she continues, "We have the only Constitution that starts out with 'We the People.' I take it literally. It says the House of Representatives is the people's house. I take it literally, whether it's about a social security check not coming through or problems with immigration."

Her balance she says, is finding issues that overlap: Soviet Jewry, for instance, a major constituent concern among the many Jewish voters in the 8th District that also brings her into the international arena.

Although she wasn't appointed to her preferred committees—House Ways and Means and Appropriations—she will serve on minor committees that matter to her constituents: Science, Space and Technology, the Select Committee on Aging and the Committee on Post Office and Civil Service, which should make the 70,000 civil servants and retirees in Montgomery County very happy indeed. And another issue may make civil servants happy—her stance against mandatory drug testing.

Her mind is racing as she drives the 20 or so miles home in her blue Chevrolet Cavalier, crossing the line into Montgomery County at 9:30 one Wednesday evening. She lives in a modest split-level on what could be an ordinary street in any suburban neighborhood. Except this is Montgomery, which means the house the Morellas bought in Bethesda in 1961 for $44,000 is now worth almost a quarter of a million dollars.

As she drives, she rattles off her strategy for achieving a high profile her first term: to make them sit up and notice. And if it means drug-testing hearings, so be it. "I think it's a ridiculous policy." And yes, she admits, "I know it will bring attention . . . Yes, I'm a first-term congresswoman and I know how it appears. But I also know that everyone's not as ambitious as I am." (Drug-testing hearings requested by Representative Morella were held in the House recently without any major press coverage.)

Lately, she's been seeking a balance between running so hard, as she did for this seat, and slowing down. She works every weekend; on a recent Saturday she met 68 constituents who discussed their 68 problems at her Wheaton office, she gave a speech to a Korean-American group, and ended the day with another speech at a B'nai B'rith meeting.

"I'm learning," she says on another overscheduled weekday, "that I've got to take at least one day off a week. I've got to do it . . . I might take up tennis again. Maybe tap dancing. And maybe I've just got to spend some time pulling up the weeds."

IN PRAISE OF LUDIVINA GARCIA ARIAS

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GARCIA. Mr. Speaker, my friend and colleague, Mrs. Ludivina Garcia Arias from Spain, has recently left the North Atlantic Assembly's Civilian Affairs Committee, which I chair, and is now a member of the European Parliament. I should like to mark her departure by a few words. She has been a considerable asset to my committee, and her loss has come as a great blow. We can only envy the European Parliament on their gain. Ludivina Garcia Arias was born in Mexico in 1945, her family having has to leave Spain to live in exile after the victory of the Francoists in the Spanish Civil War. She was therefore educated in Mexico and obtained her B.A. in history from the Universidad Autonoma de México. Her political skills were much in evidence at this early stage in her career, since she was elected as student representative in the university council. She returned to her homeland in 1970 and joined the Spanish Socialist Party [PSOE] In 1973. She thus participated in the clandestine reorganization of the party in Asturias, an industrial province of Northern Spain with the most ancient working-class tradition. At the same time, she taught history at college level, and became a member of the National Executive—in charge of dealing with emigrates—at the National Union of Workers [U.G.T.] the largest trade union in Spain.

After the restoration of democracy, she was elected municipal counsellor of the city of Oviedo, and a regional deputy in the assembly of Asturias. In 1980, she was elected to the Spanish Congress of Deputies where she occupied a leadership position in the Foreign Affairs Committee. This is how she became a member of the North Atlantic Assembly of which she was one of the most active Spanish members. She participated in committee and subcommittee activities with great enthusiasm, and also with considerable expertise. She was not one to talk about a subject without having studied it in detail.

She was elected, in 1985, rapporteur of the Subcommittee on the Free Flow of Information and People, a post she held for a year with great success, earning the respect of her colleagues for her dedication to the improvement of human rights in the East and West. As she had become familiar with NATO issues through the assembly, she was able to take a leading role in the campaign in Astorias for the referendum on NATO membership. In 1986, the Congress of Deputies appointed her to represent her country in the European Parliament.

The European Parliament's gain is the North Atlantic Assembly's loss, and I know that all my colleagues on the Civilian Affairs Committee will miss her as much as I shall. She is a good friend of the North Atlantic Alliance and a genuine supporter of freedom and human rights all over the world.

TOBACCO AD BAN AND FTC LEGISLATION

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. FLORIO. Mr. Speaker, many Members of the House are interested in the debate regarding proposals to ban tobacco advertising. Concern regarding tobacco advertising is heightened by reports suggesting possible efforts to target such advertising at young people. I am inserting in the RECORD an article from the Washington Post on this subject.

Many years ago Congress established the Federal Trade Commission to take a careful approach to the kind of issues raised by tobacco advertising. Unfortunately, there has been an effort in recent years to exempt unfair advertising from the FTC's power to issue industry trade rules. With inclusion of the exemption provision in this year's Senate FTC reauthorization bill, the issue has been raised again.

Mr. Speaker, the tobacco ad ban controversy highlights the mistaken nature of efforts to restrict the FTC's role. At a time when the public is trying to grapple with the sensitive issue of restricting inappropriate advertising, we need more options, not fewer.

The administrative process is well-suited to assisting in canvassing the full range of approaches to the tobacco problem. The public concern about this problem will not be made to disappear by handcuffing the FTC. Rather, the restrictions on the FTC will force exclusive reliance on the political process.

Recent Cigarette Advertising Seen as Targeting the Young: Congress Prepares To Consider Total Ban

(By Susan Okie)

As Congress prepares to consider bills that would ban all tobacco advertising, recent advertising campaigns by some cigarette manufacturers are using unusually young-looking models or featuring themes likely to appeal to young people.

The manufacturers and advertising agencies behind the campaigns deny that they are seeking to attract new smokers or trying to appeal to teen-agers. A voluntary industry-wide code prohibits cigarette advertisements from using models who are or who "appear to be" under 25, or from suggesting that smoking is essential to success or sexual attraction.

But some industry observers say that in recent months they have noticed a trend toward younger-looking models and images in magazine, newspaper and billboard cigarette advertising. For instance, in a recent advertisement for Kool Mild cigarettes, a muscular young man in a tank top and jeans stares defiantly at the camera, head thrown back and cigarette cocked between two fingers. The blond, long-haired, denim-clad woman beside him stands with one leg up, leaning on a motorcycle.

In a recent Benson and Hedges advertisement, two young women in a restaurant, one holding a cigarette, ogle a young man who is smoking and reading at the next table. In a second picture, the two smokers have struck up a conversation while the other woman looks on.

In recent ads for Salem Lights and Newport cigarettes, laughing young men and women slide on a toboggan or frolic in the snow. In different versions of an ad for Lucky Strike Lights, a young man in a football jersey or a young woman in a lumberjack-style jacket gazes provocatively at the reader. The text reads, "Light My Lucky."

Antismoking activists who study cigarette advertising said some brands have featured young-looking models for years, but many said they were struck by the recent campaigns.

Matthew Myers, a lawyer with the Coalition for Smoking or Health, said he had complained about the Kool Mild ads "to anybody who would listen to me over the last month or two. The boy, if he's shaved, they've painted the whiskers off his face. The girl, if she's over 18, they've treated her with something . . . ." But he added that he did not think the campaign violated the law under which the Federal Trade Commission regulates cigarette advertising.

The couple with the motorcycle in the Kool Mild campaign are "an absolute direct portrayal of the image that young people seem to aspire to," said Charles Sharp, a former advertising executive who runs a consulting firm for advertising agencies.

Sharp said that he had noticed a trend in the industry toward younger-looking models, and that he did not believe cigarette manufacturers' claim that such advertising is solely aimed at persuading adult smokers to change brands.

"They have to directly attract young people to get them started . . . so they will continue to be users," he said. "They know that if a person does not try tobacco products by age 20, the likelihood of their taking it up is very remote."

James Lott, manager of media relations for Brown and Williamson Tobacco Co., makers of Kool Mild, said the campaign was "certainly not" aimed at young people. "We only advertise to adult smokers," he said. "We scrutinize all our campaigns to make sure they fall within the advertising code."

Kenneth Olshan, chairman of the board of Wells, Rich, Greene Inc., the agency that created the Benson and Hedges campaign, said the young women shown at the restaurant were over 25, and were not supposed to look like teen-agers or college students. "If you look at one ad, you might get that idea," he said. " . . . You have to look at the whole campaign. You'll find a real age range that represents the population."

"We're just trying to appeal to cirgarette smokers of all ages: men and women, blacks and Hispanics and whites and everything," he said. "These people [in the ads] are just terrific people who could be living in the house down the street or the apartment next door."

The models used in the "Light My Lucky" campaign for American Tobacco's Lucky

Strike Lights "have to be 23 or older," according to a staff member at Laurence, Charles, Free and Lawson Inc., the agency that created it. The employe, who asked not to be identified, said the models are required to show a birth certificate and sign a form stating that they are over 23.

"If she's 12 and she's in an ad but she signed a paper and showed a birth certificate saying she's 23, we did our part," he said.

He added that the president of American Tobacco Co. checked each new advertisement. "Sometimes he says, 'No, it's borderline . . . They look too young,' and we'll go back and do another ad," he said.

The industry's advertising code, which went into effect in the mid-1960s, specifies that models must be—and must look—25 or older. Another provision of the code states that cigarette advertising should "not suggest that smoking is essential to social prominence, distinction, success, or sexual attraction." Asked about the latter provision, the agency employee said, "I never heard of those. I don't know if it's a written rule or an unwritten rule. We do check for everything."

The images found in many cigarette advertisements are especially suited to attracting teen-agers, according to Edward Popper, a professor of marketing at Northeastern University. "The kinds of messages cigarette companies use—sexual success, attractiveness, social prestige, and even the sense of rugged, individualistic, risk-taking behavior—are particularly appealing to young people," he said.

Popper said that about half of the approximately $2 billion that the industry spends each year on advertising and promotion pays for promotion, an increase from 10 percent in 1969. He said the tobacco companies use promotional funds to sponsor rock concerts and sporting events attended by teen-agers, and distribute free samples, indiscriminately at such events, although their advertising code prohibits giving free samples to anyone under 21.

"They sample at all the events they sponsor, and there is no indication that they distinguish between the older user and the younger user or potential user," he said.

Kenneth E. Warner, chairman of the department of public health policy at the University of Michigan School of Public Health, estimated that, to keep cigarette consumption at current levels, 6,000 people a day would have to take up smoking to replace smokers who die or give up the habit. He said studies show that 90 percent of smokers start before age 20.

"That's a powerful incentive for the companies to use whatever techniques are available to get kids to smoke," he said.

Scott Stapf, assistant to the president of the Tobacco Institute, denied that tobacco companies sponsor events to attract teenagers. "There's been a real effort made to stay away from promotional events geared to young people," he said.

He also contested Popper's assertion that the companies distributed samples indiscriminately. He said that possession by minors is illegal in 41 states. He said the firms that distribute cigarette samples sign a contract that their workers will distribute them only to people over 21 and will ask first whether the recipient is a smoker.

Separate bills that would ban all forms of tobacco advertising and promotion have been introduced by Reps. Mike Synar (D-Okla.) and Bob Whittaker (R-Kan.).

GOLDEN ANNIVERSARY OF THE BANQUET OF CHAMPIONS

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. RITTER. Mr. Speaker, the Boys Club of Bethlehem, PA, is celebrating a very special occasion today. This is the golden anniversary of the 50th Annual Banquet of Champions, Chuck Bednarik, a star in professional football on the Philadelphia Eagles' team and a former Boys Club member is the "Speaker and Award of Honor" recipient.

Annually, the Banquet of Champions recognizes outstanding achievements of local teams and individuals. Honoring those who have succeeded and achieved greatness in one or other sport, is a real and tangible means of directing the aspirations and expectations of our young boys toward higher goals and accomplishments.

The Boys Club includes a wide range of activities within the community which intend to support and supplement the role and action of parents, schools and home life. Without supplanting these fundamental institutions, the Boys Club seeks to fill out the good work already in progress and lend a hand toward a richer existence for each of the boys.

Responsible adult guidance, sports of all types, social and leadership experiences, civic activities and group clubs for hobbies and special interests like photography, are all contained in a total program aimed at the growth and development of boys from 7 to 18.

Of particular note is the group in operation for the purpose of good guidance with regard to drugs and alcohol. This group is 1 of 10 in the country selected for evaluation and destined as a model for the rest of the Nation.

My warmest congratulations are extended to Vince Brugger, the general chairman for the banquet, and the entire staff and administration of the Boys Club. Your work builds our community and affects our entire Nation for the better.

A TRIBUTE TO RUTH BOWKER

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. SAXTON. Mr. Speaker, I rise today to offer a tribute to my constituent, Ruth Bowker of Southampton Township, NJ, whose distinguished service on behalf of others spans more than 30 years.

Ruth is a lifelong resident of the friendly community of Vincentown, where she has enjoyed a reputation as a good neighbor and a grassroots volunteer of the highest quality.

Mr. Speaker, no one knows for sure when Ruth first jointed the Vincentown Emergency First Aid Squad. But there is no question that she has been answering the alarms for more than 30 years.

You have to know the Vincentown area to truely appreciate the work of those on fire and emergency squads. The town itself is a residential community with a shaded main street, a branch of the Rancocas Creek passing nearby, and a swimming lake. But Vincentown is also bordered by busy major highways, many outlying developments, and rural roads.

Those like Ruth, who answer to alarms at any time of the day or night, come to cover a wide territory and confront a variety of emergency situations.

Ruth's dedication is particularly noteworthy, Mr. Speaker, in that her work with the first aid squad came during a period when she raised nine children and also participated in a variety of other local activities.

More specifically, organizations with which Ruth has become affiliated include the local Grange; Veterans' Wives; the March of Dimes; Vincentown PTA; the Parents Booster Club at nearby Lenape High School; the Bible school at Vincentown United Methodist Church; and Republican Club; and the fund driver for UNICEF.

This lifelong dedication to her fellow citizens and community has not escaped the attention of those who know and love Ruth. In fact, Mr. Speaker, this Saturday, May 9, 1987, Ruth will be honored at a special dinner held in her honor.

Words alone, I know, cannot begin to compensate Ruth Bowker for her tireless work on behalf of others. But I am sure that my fellow colleagues in the House will want to join with me in congratulating and commending Ruth for caring enough to take the initiative to answer the call to duty—not once, but again, and again, and again, and again.

REMOVING OBSTACLES TO ENERGY INDEPENDENCE

HON. RICHARD K. ARMEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. ARMEY. Mr. Speaker, I rise today to speak about the dire situation confronting our country's oil and gas producers, one that threatens our Nation's energy security and ultimately our national security.

In retrospect, 1986 could be remembered as the pivotal year that brought unprecedented devastation and despair to one of America's most prosperous industries. As petroleum imports increased by nearly a million barrels per day, domestic production fell by about 45 percent. Thousands of Americans were forced to leave the industry, some of whom will never come back.

In the face of these alarming trends, Congress must begin to focus on a new, comprehensive national energy policy. As we begin the debate, we should strive for measures that will strengthen our domestic capabilities and lessen our Nation's growing dependence on unstable sources of foreign crude.

If there is one good thing brought about by the devastation of the industry—and it's hard to find a silver lining in this ominous cloud—it has focused attention on the tremendously counterproductive regulations that have been heaped on the energy industry.

On a positive note, the House voted to repeal the Fuel Use Act earlier this week. This legislation was intended to control consumption after perceived shortfalls in the 1970's; however, it actually created a tremendous surplus of natural gas while it forced industry to pursue costly, less efficient energy alternatives. Although this action is long overdue, I believe it can serve as a first step in restoring our domestic energy industry while enhancing U.S. competitiveness.

In terms of further action, I am urging the Congress to adopt the following proposals:

REPEAL THE WINDFALL PROFIT TAX

Since the price of oil has frequently fallen beneath the adjusted base price established by this legislation, the anticipated revenues have evaporated; however, the administrative burden accompanying the tax remains intact, costing producers nearly a dollar per barrel. Obviously, this tax is grossly unfair in light of current difficulties. Recently, one company accurately stated that:

> The Congress should realize that the oil industry simply can't afford to be singled out for any more special taxes.

INCREASE THE PERCENTAGE DEPLETION ALLOWANCE

Rather than imposing additional taxes, Congress should work to address existing inequities. Ideally, the code should promote rather than inhibit domestic energy production. The percentage depletion allowance for enhanced recovery and new production should be increased to the historic 27.5 percent level. This would revitalize one of the most significant capital formation tools ever employed by the industry by offering the necessary incentives to assume the related risks.

ALLOW FOR NATURAL GAS COOPERATIVES

This measure would enable independent gas producers to pool their resources—similar to a cooperative—without being subject to Federal antitrust laws. By enhancing the take for natural gas buyers, the producers will be able to bolster domestic production.

REDUCE EXCESSIVE GOVERNMENTAL REGULATION

Government regulation is another deterrent to industrial growth and opportunity. As chairman of the House Republican Research Committee's Task Force on Regulatory Reform, I favor legislative proposals that remove the heavy hand of Government from oil and gas production. The Natural Gas Policy Act should be amended so that the pricing of all natural gas may be decontrolled. This would help spur enhanced productivity and competition among gas producers while enabling the marketplace to freely operate.

CONTINUE ADDING TO THE STRATEGIC PETROLEUM RESERVE [SPR]

For protecting ourselves from future oil shocks, the strategic petroleum reserve [SPR] continues to serve as an excellent safety valve for America. With the cheap price of oil in today's marketplace, it makes sense to continue contributing to the SPR. I would like to see at least half of the purchases come from domestic sources at the prevailing world price.

ALLOW CONTINUED PRODUCTION AND EXPORTATION OF ALASKAN CRUDE

I would also like to urge my colleagues to join me as a cosponsor of Congressman Don Youngs legislation that authorizes the Interior Secretary to lease promising sections of the Coastal Plain of ANWR for oil and gas exploration and production. Furthermore, by removing restrictive portions of the Export Administration Act of 1979 that prohibit the exportation of Alaskan crude, we can bolster United States trade with other countries, particularly Japan, and lower our merchandise trade deficit.

I've sponsored or cosponsored legislation to achieve each of the points I've outlined above. Working together as we did to repeal the Fuel Use Act, we can lift the noose of excessive and counterproductive Federal regulations from the neck of the energy industry and restore the incentives necessary to continue down the road toward energy independence.

NEW JERSEY'S MARIO PERILLO HONORED BY ORDER SONS OF ITALY

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mrs. ROUKEMA. Mr. Speaker, on Friday, May 8, 1987, a distinguished constituent of mine will receive one of the highest honors bestowed by the Order Sons of Italy. Mario Paul Perillo of Saddle River will receive the Sons of Italy Golden Lion Award at ceremonies in New York City.

For Mario Perillo, this is certainly not the first such honor. In fact, over the past few years he has been variously honored by the President and the Prime Minister of Italy, the mayors of Venice and Rome, the secretary of state of the Republic of San Marino, the minister of tourism of Malta and the Commonwealth of the Bahamas.

Mario Perillo's accomplishments are a source of great pride for all Italian-Americans. In many ways, his success symbolizes our rich contribution to the American dream. The son of an immigrant, he knows, as we all do, that opportunity goes hand-in-hand with hard work. He also knows, as we all do, that our common heritage was built brick by brick over the years as opportunity led to advancement of America.

Today, as chairman of Perillo Tours, Mario has proven himself to be one of America's premier executives; building a firm that has become a national leader in its three chosen areas of specialization.

I share the sense of pride and accomplishment felt by all Italian-Americans on this occasion. I am proud of the ongoing accomplishments of Mario Perillo, his family and, indeed, all Italian-Americans to America's rich ethnic heritage.

I ask my colleagues in this U.S. House of Representatives to join me in offering our heartfelt congratulations to his wife, Olga, and the rest of their family and to Mario Paul Perillo, the Sons of Italy's Golden Lion Award honoree.

NATIONAL TRANSPORTATION WEEK

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. YATRON. Mr. Speaker, the President recently proclaimed the week of May 10, 1987, as National Transportation Week. This proclamation marks the 30th year that we have officially recognized the importance of America's transportation system. A number of my constituents will be celebrating this important occasion in a special way. On May 13, 1987, the Reading, PA, Traffic Club will recognize National Transportation Week with a special luncheon.

National Transportation Week provides an excellent opportunity for us to reflect on the importance of America's transportation systems. We are blessed with the most efficient and effective transportation services in the world. Americans can travel freely with freedom and convenience and can also rely on the effective and swift movement of goods by surface, water, or air. These transportation systems form the backbone of America's economic and military strength.

We would not have been able to enjoy these benefits without the hard work and dedication of the men and women involved in America's transportation industry. Through the commitment of groups like the Reading Traffic Club, our Nation's transportation network has grown and flourished. National Transportation Week provides an opportunity for these fine individuals to reflect on their many achievements and contributions. Their dedication gives me hope that these past successes can be repeated as we continue our efforts to rebuild, restore, and revitalize America's transportation network. I commend the entire membership of the Reading Traffic Club for their contributions to this effort. I know that my colleagues will join me in recognizing the club during National Transportation Week and in wishing all of its members continued success and good fortune in the years to come.

CELEBRATING THE RETIREMENT OF MAURICE BARBOUR

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. HERTEL. Mr. Speaker, last week marked the retirement of our great friend, Mr. Maurice (Maury) Barbour, from the position of Social Security Judge in Lansing, MI.

After graduating from Union High School in Grand Rapids, Mr. Barbour attended Grand Rapids Junior College, Western Michigan University, and the Detroit College of Law where he received his law degree. He went to work for the Michigan attorney general's office. He stayed for 30 years, and worked for four attorneys general, eventually becoming the first assistant in the revenue and collection division. Maury earned a reputation as a tough litigator and persistent negotiator. He pursued money owed the State as if it were owed to him.

In 1980, Mr. Barbour decided to expand his horizons. He took his Civil Service exam, passed, and was accepted in the Social Security division of the Department of Health and Human Services. He became a Federal Administrative Judge of the Fifth Regional District of the United States, overseeing hearing and appeals. He was sworn in on his 61 birthday.

Throughout his career, Mr. Barbour was known as a man who truly cared for others. Maury is always quick to point out the humor of even the most stressful circumstances and never fails to see the humor in himself. He took an interest in, and helped to guide the careers of many young people, including myself. He was an inspirational mentor and encouraged us to fulfill our potential and to live life at its fullest. Maury possesses that special knack of being able to strike up a conversation with anyone and immediately establish a rapport. In addition to his dedication to the people he worked with, Mr. Barbour's caring extends to his activities in the Methodist Church, of which he has been a member for many years. Maury Barbour is a public servant of the highest class.

Maurice Barbour has devoted much of his life to the caring and nurturing of his family. He and his loving wife, Josephine, raised two children—Pamela and Patrick. Each of them have become successful in their own right, mirroring their parents' strength of character and individuality. They have provided their parents with four fine grandchildren—Louis, Elizabeth, Sarah, and Darren.

In celebration of his retirement, Maury's coworkers chose a unique method of sharing their feelings for him. Knowing that he preferred not to attend a banquet in his honor, they provided a weeklong celebration at the office, with each day dedicated to a different theme, such as "flower day," "card day," or "chocolate day." This was topped off with a gift of an easel and paints so that Maury can take up painting again. Other plans include traveling, renewing old friendships, enjoying his family, playing tennis and golf, gardening, and renewing his interest in history and politics.

I cherish my remembrances of Maury Barbour and hope to revisit them with him soon. I therefore ask my colleagues to join me in thanking Maury Barbour for his caring and concern, and in wishing him the best of luck in his long deserved retirement.

TRIBUTE TO TRESCOTT T. ABELE

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. ATKINS. Mr. Speaker, I would like to take this opportunity to join the town of Pepperell, MA in honoring Mr. Trescott T. Abele.

Mr. Abele has served as moderator for the town of Pepperell for over 40 years. His term began in 1942 and with the exception of 1944 he has served every year since that time. No other moderator in the Commonwealth of Massachusetts has matched Mr. Abele's tenure.

In addition to his work as moderator, Mr. Abele has served the Pepperell community in various other capacities. He was a member of the Pepperell School Committee for 3 years in the early 1930's. Later, Mr. Abele taught mathematics at Pepperell High School for 19 years, during 4 of which he also served as the school's principal. Mr. Abele acted as a town assessor for 38 years, and worked on the Conservation Commission from 1964 to 1980. Without a doubt, Mr. Abele's many years of service have left him as the unofficial ombudsman to Pepperell.

After many years of running town meetings and handling an abundance of paperwork, Mr. Abele informed the selectmen that he would not seek reelection as moderator. However, he was quick to add that he is not finished with public service and is ready to continue his service to Pepperell.

The dedication that Mr. Abele has shown for the past four decades has been instrumental to the development and day-to-day operations of Pepperell. In order to honor this man for his dedicated service, the Pepperell Board of Selectmen has proclaimed May 17, 1987 as Trescott T. Abele Day. I join with the citizens of Pepperell in saluting a man who has long worked, not for recognition, but for the good of his town.

THE LESSONS OF AFGHANISTAN

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. RITTER. Mr. Speaker, I am pleased to offer the following article entitled "The Lessons of Afghanistan," by Michael Johns, for the review of my colleagues. This is as thorough an overview of the Afghan situation as I have seen. Soviet actions in Afghanistan provide us with important insights into the nature of the Soviet regime, its objectives in Afghanistan and what our own options might be.

THE LESSONS OF AFGHANISTAN—BIPARTISAN SUPPORT FOR FREEDOM FIGHTERS PAYS OFF

(By Michael Johns)

The time has come to stop talking about the lessons of Vietnam, and to start talking about the lessons of Afghanistan. Those lessons are, first, that Soviet Communism is evil; and, second, that consistent and generous support to freedom fighters resisting Soviet imperialism can serve both the moral and the geopolitical interests of the free world, even when the freedom fighters have little chance of total victory.

The Soviet reign of terror in Afghanistan is a stark reminder that the Soviet Union is still fundamentally Stalinist in its contempt for life and its imperial ambitions. Soviet occupation troops have set afire caves filled with hundreds of frightened villagers, they have employed chemical and biological weapons outlawed by international arms control agreements, they have deliberately blown the hands off children by distributing bombs that look like toys, and they have abducted ten-year-olds from their parents and sent them to the Soviet Union for training as spies and for indoctrination in Marxist-Leninist principles. One million Afghans have perished as a result of Soviet depopulation tactics, and five million have fled their nation, creating the world's largest refugee population. Not since Pol Pot's Cambodia have such heinous atrocities been inflicted on one people and one land.

Yet despite Afghanistan's seven-year occupation by 120,000 Soviet troops armed with the best in Soviet military hardware, a formidable resistance movement, the mujahideen, has succeeded in denying the Soviets total control of their country. Last year, Mikhail Gorbachev labeled Afghanistan a "bleeding wound," and while his hints of removing troops in the "nearest future" cannot be taken at face value, it is clear that the occupation of Afghanistan has wounded the Soviet politically, economically, and militarily. Had the Soviets known in 1979 what they know today, it is much less likely they would have invaded; and they would probably think twice about invading another Moslem land.

A STINGER A DAY

The achievements of the mujahideen are a testament to the virtues of unequivocal bipartisan support for anti-Communist resistance groups. The U.S. Congress has waffled on support for the Nicaraguan contras, Angola's UNITA, and Mozambique's RENAMO forces, all of whose chances for a military victory are considerably greater than those of the mujahideen. Yet aiding the Afghan resistance has been almost universally supported by Congress. In 1986 alone, the United States committed $470 million to the mujahideen. Support is also coming from Britain, Saudi Arabia and China.

Within the last year, the mujahideen have received approximately 150 shoulder-fired Stinger anti-aircraft weapons from the United States. These weapons have changed the war dramatically. For years, a lack of effective air defense allowed Soviet aircraft such as the Mi-24 to assault the mujahideen almost at will. Today the Soviets still control the airspace in Afghanistan, but the mujahideen are using the Stingers effectively to defend their strongholds from air attacks. Last December, for instance, the State Department reported that Stinger missiles shot down, on average, one Soviet aircraft per day. Out of respect for the missile, Soviet jets and helicopters no longer linger over attack areas, but make quick entries and exits. The presence of Stingers has also forced the Soviets to release bombs from higher altitudes, with a resulting loss in accuracy. And as Soviet AN-26 troop transport planes take off, Soviet helicopters now circle overhead dropping red and orange flares to provide a distracting target for the heat-seeking Stingers.

Western journalists now report that, because of mujahideen-fired Stingers, the Soviets have been forced to alter their entire flight plans in Afghanistan. Soviet planes taking off from Kabul now gain altitude for 35 minutes in a spiraling pattern before finally turning east toward Jalalabad in order to keep the aircraft over the relatively well-secured area of Kabul before they pass over guerrilla strongholds in the surrounding mountains. All of these positive developments are strategic victories for the mujahideen and a direct result of increased levels of support for their cause.

MOSCOW'S MIGRAINE

Total victory for the mujahideen, that is, the recreation of an independent Afghanistan, is unlikely even if the Soviets withdraw their troops. Since Afghanistan's Communist coup of 1978, the Soviet strategy has consistently been to maintain a pro-Soviet regime in Kabul at all costs. In 1979, the Soviets' invasion accompanied their murder of Hafizollah Amin, a doctrinaire Marxist-Leninist whom they feared was losing control of the country to the mujahideen. Last year they replaced their puppet Babrak Karmal with Najibullah or "Najib the Bull," whose expertise in secret police intimidation and control tactics they hope will keep Afghanistan firmly in the Soviet orbit without the need for Soviet occupation troops. It took the Soviets more than a decade to pacify the Central Asian Basmachi revolts of the 1920s and 1930s. They appear prepared to do what is necessary to maintain control in Afghanistan, though they would evidently prefer to do this without their own troops.

Nevertheless, the aid to Afghan freedom fighters must be counted as a significant partial victory for the free world. The occupation of Afghanistan has tied up some 120,000 Soviet troops including many of their highly trained "Spetsnaz" forces. Some 400,000 of the Soviets' two million troops have served in the "limited contingent" in Afghanistan; 20,000 have lost their lives fighting the mujahideen there. The result has been devastating to Red Army morale; Soviet draftees are balking at service in Afghanistan despite the incentives of quick advancement they are offered. As one recruit told Nicholas Daniloff of *U.S. News and World Report:* "We all know how the Minsk division was wiped out. In our barracks, we figure the chances of being killed [in Afghanistan] are one in four." A totalitarian state that controls its media can absorb such losses without much damage. The real cost of Afghanistan has been economic and political.

The Soviets have partially financed the occupation of Afghanistan by extracting billions of dollars of natural gas. However, most estimates place the Soviet cost of the occupation of Afghanistan between $3 billion and $12 billion per year. Providing supplies to the mujahideen, especially Stingers, has proven to be a particularly cost-effective way of combatting Soviet power. Each Stinger costs $75,000. Each Soviet Mi-24 it downs (and there is a success rate of approximately 70 percent) costs $8 million. For every dollar the mujahideen have raised, the Soviets have had to spend approximately 10 times more to counteract it. That is money that cannot be spent supporting the war on democracy elsewhere in the world.

Afghanistan has emerged as the Soviets' greatest political burden of the 1980s. While the Soviets are fortunate to operate in a world that is, for the most part, oblivious to their covert and indirect atrocities, their actions in Afghanistan have been too openly barbarous to remain unnoticed or uncriticized. Their illegal occupation has evoked outrage in Western capitals, in the United Nations, and in most of the Arab world. Together with Vietnam, Soviet behavior in Afghanistan is perhaps the leading obstacle to a rapprochement between the Soviet Union and China. In most of the world, the simple utterance of the word "Afghanistan" is almost immediately equated with an indictment of the Soviet Union and international Communism.

The political fallout from Afghanistan may also be beginning to cause problems for the Soviets in their own territory. The Moslem communities of the Soviet Union are growing rapidly, and by the turn of the century may account for one-third of the total population. In February, the Associated Press reported that the mujahideen have been crossing the border into Soviet territory to plant mines on roads used by Soviet border patrols and to distribute Moslem literature and tapes. One of the Soviets' greatest long-term worries is that explosive Moslem nationalism could spread to Soviet Central Asia and lead to organized rebellion against the Kremlin.

The Soviets have also had to suffer the embarrassment of well-publicized Soviet defections. Last October, an Afghan pilot, Mohammed Daoud, flew a Soviet Mi-21 to a Pakistani airbase and requested political asylum. It did not stop there. Daoud then expressed his desire to join the mujahideen and fight for the liberation of his homeland. Some Afghan and Soviet soldiers who cannot stomach the violence they are inflicting on the Afghan population or who disagree with the occupation of the country attempt to enter the U.S. embassy in Kabul to request political asylum. The Soviets usually respond by surrounding the embassy and cutting off external power and electricity until the soldier is released. In response to the growing number of successful and attempted defections, the Soviets have tightened draft regulations, and increased the punishments for evaders. Soviet soldiers who attempt to desert the Red Army are returned to the Soviet Union and are presumed to be executed.

AGAINST ALL ODDS

The ability of the mujahideen to hold their own against an invading superpower is a remarkable tale of courage and commitment in the face of an evil totalitarian occupation. Unfortunately, other resistance movements around the world have not benefited from such unswerving levels of American commitment. Without outside moral support and materiel, large and popular resistance movements in Angola, Mozambique, Laos, Vietnam, Suriname, Cambodia, and especially Nicaragua, have had trouble establishing a viable military opposition to their respective tyrannies.

This is especially regrettable because the opportunities for victory are so much greater in Nicaragua, Angola, and Mozambique than they are in Afghanistan. Were the Nicaraguan contras, for example, to receive the massive and consistent levels of foreign support given the mujahideen, there is little doubt that they too could control their countryside and perhaps even some of the cities.

The mujahideen receive nearly universal support from both American political parties, even though there is little likelihood that if they came to power they would establish a democratic government respectful of civil liberties. Human rights groups do not testify in Congress on massacres committed by the mujahideen; nor, for all the moral outrage over arms sold to Iran, does Congress devote much attention to links between the Afghan resistance and Khomeini. The human rights record of the contras, by contrast, is examined under a microscope, even though they are much more influenced by Western democratic values than are the mujahideen.

The apparent reason for this double standard is that Americans see in Afghanistan the presence of thousands of Soviet troops and clear evidence of an illegal occupation. What they fail to see is that Nicaragua—with its illegitimate Marxist-Leninist junta, its Soviet advisors, suspension of basic civil rights and liberties, and unpopular allegiances to Moscow and Havana—is also under foreign occupation. While there may not be 120,000 Soviet troops on Nicaraguan soil, there easily could be if the Soviets decided that was in their strategic interests.

Furthermore, the geopolitical importance of Nicaragua to the United States surpasses that of Afghanistan. This is not to diminish the need for continued and even increased levels of support for the mujahideen, but to suggest that the consolidation of a Leninist dictatorship in Nicaragua will be the most damaging setback to our national security and international credibility since the rise of Fidel Castro provided a Soviet beachhead in Cuba. With support from Moscow and Havana, the Sandinistas would be free to intensify their support for Marxist revolution throughout Latin America and the Caribbean. This would result not only in the endangerment of Latin America's fragile democracies, but also in the diversion of America's political attention from other areas of the world.

In Nicaragua, the Soviets are supplying the Sandinista dictatorship with $500 million worth of modern Soviet military hardware every year. Meanwhile, the United States debates, and delays, on its moral and strategic obligation to the contras. Afghanistan has proven that, with consistent and substantial levels of support, the forces of resistance can make headway in their battle for self-determination. The time has come for these lessons to be applied elsewhere in the world and for America to assume her role as the leader in the world's march for freedom.

COCKBURN, WHERE IS THY STING?

(By Robert Andrews)

(Robert Andrews, a retired Army colonel and former CIA officer, is director of congressional relations for Rockwell International Corp. The views presented in this article are his own)

Those Stinger anti-aircraft missiles that are proving so effective in Afghanistan (and Angola) are knocking out more than Soviet helicopters and MIGs from the sky. They are also shooting down the arguments of Pentagon critics who say American high-tech weapons are too complicated to work on real-life battlefields.

Richard Weintraub reported in the Washington Post (January 27, 1987) that the Afghan mujahideen had downed "90 to 100 Soviet or Afghan government aircraft" with the portable, shoulder-fired Stinger, a successor to the Redeye that incorporates recent advances in infrared sensor technology.

David B. Ottaway reported (Washington Post, February 8, 1987) that after training courses of six to eight weeks, Afghan guerrillas "were averaging seven to eight hits for every 10 Stingers fired." According to Ottaway Jonas Savimbi's troops have been scoring similar successes in Angola.

On February 10, Gary Lee of the Washington Post reported that Western diplomats in Moscow were estimating a loss of aircraft at "the rate of one a day after the Stingers were introduced into the rebels' arsenals."

Yet only six months before, the technology-bashing crowd of Pentagon critics unleashed a blitz of articles saying that Stingers were too complicated for their intended users, and so badly designed that they couldn't work.

Martin Binkin of the Brookings Institution, writing in the Los Angeles Times (July 1, 1986), cited the Stinger as an example of a "trend toward more complicated, less reliable and more difficult-to-maintain equipment." He argued that firing the missile required reasoning skills and hand-eye coordination beyond the ability of most soldiers, and that it was designed so that only 2 percent of all Army soldiers are tall enough to use it safely. There was "good reason," he suggested, "to be skeptical about its capabilities . . . in the hands of Third World forces."

Wayne King and Warren Weaver, Jr., in the New York Times (August 3, 1986) called the Stinger "too complicated for the caliber of soldier" assigned to firing it; he referred to "18 complex" preparatory steps, a figure also cited by Binkin and by Molly Moore in a Washington Post article, "U.S. Troops Find Weapons Too Complex."

Wayne Biddle in Discovery reported that "the concentration of hydrogen chloride emitted by the firing of the missile is 20 times greater than Occupational Safety and Health Administration standards."

And Andrew Cockburn in "The Stinger Is No Stinger" (New York Times, July 22, 1986), complained that Stinger's two-pound warhead was too "puny" to inflict much damage on targets. He argued furthermore, that "a humid climate, such as that of Nicaragua, will play merry hell with the Stinger's delicate electronic innards"—a prediction that will surprise the Cuban pilots who have seen their comrades downed in Angola.

Like all weapons, the Stinger has its drawbacks, and some of the criticism mentioned in these articles may have been justified. But as experience on the battlefield has shown, these limitations can be overcome and are trivial when compared with the weapon's phenomenal performance.

Next time Andrew Cockburn, Molly Moore, Martin Binkin and other strident critics of Pentagon technology try to discredit a U.S. weapon system and, by inference, the ability of our government to provide for the nation's defense, look at their track record. The people who write about weapons systems should be held as accountable as the people who build and use them.

GLASNOST—AN ELEGANT FICTION

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. KEMP. Mr. Speaker, I would like to share with my colleagues the ideas expressed by the following article by Eric Breindel from the New York Post on Saturday, May 2. The article talks about the current effect of glasnost on Soviet Jewish emigration, and raises Natan Shcharansky's concerns about the long-term results.

It is expected that about 11,000 Jews will receive their exit visas this year. Most of these people are known to us, since they have been in refusal for many years, and have been visited by members of congressional delegations and human rights groups. They have become our treasured friends. This is excellent news for these friends and for all of us who care about them.

The concern, however, is that this wave of emigration will be the last. I agree with Natan that, although the news is good for the long-term refuseniks, the prognosis for the future is extremely grim. Once the doors have closed behind those expected to leave this year, they will be closed very tightly indeed. Here's why.

The new Soviet emigration law restricts application for exit visas to those who have invitations from immediate relatives outside the Soviet Union. After this year's expected emigration, few members of the Jewish and other minorities remaining in the Soviet Union will have relatives outside who qualify as "immediate" under the new law, and will not even be permitted to apply to emigrate. Each prospective applicant must have, in addition to this coveted invitation, the permission of the remaining family members to apply; highly unlikely in view of the consequences which befall each applicant and family.

Furthermore, once the application has been accepted, it can be rejected under the newly expanded definition of "security risk." Mr. Gorbachev has gone on record as saying that the ineligibility to emigrate because of state secrets should not last longer than 10 years. However, when the widow of a pilot is deemed a security risk, the few individuals whose applications to emigrate are accepted are practically guaranteed at least a 10-year wait.

And finally, with so few people qualified to apply for exit visas, with the heart gone from the movement because the first generation of dissidents, the old timers, the backbone of the movement have left in one last great wave, Mr. Gorbachev can say "The problem no longer exists."

The article follows:

[From the New York Post, May 2, 1987]

SHCHARANSKY: BEWARE "LIBERAL" GORBACHEV

(By Eric Breindel)

A year has passed since Natan Shcharansky—newly released after eight years in the gulag—was welcomed as a hero by hundreds of thousands at a rally near the UN. The symbol of the Jewish dissident movement in the Soviet Union, Shcharansky—by his mere presence in New York—represented a moment of triumph in the history of the Soviet Jewry movement.

But few indeed were those at that rally who saw in the release of Shcharansky any promise of fundamental change on the part of the Kremlin.

At the time, Jewish emigration from the Soviet Union was barely even a trickle. Despite the Helsinki accords, despite the passing of Brezhnev and the advent of Gorbachev, there was no indication whatever that Moscow was planning to let Soviet Jews leave in significant numbers.

Concerned Americans, therefore, had no choice but to keep the pressure on—by continuing the demonstrations and protests, and by maintaining support for human rights legislation such as the Jackson-Vanik amendment, which links preferential trade status for the Soviet Union to Jewish emigration.

Now, however—as Natan Shcharansky returns to New York, and as thousands again prepare to rally for Soviet Jewry outside the UN—some see changes of great magnitude on the horizon. And the reason, of course, is glasnost.

Just last month, in the midst of the excitement over Gorbachev and glasnost, two American Jewish leaders—Morris Abram, the organizational head of the American Jewish community, and Seagrams chairman Edgar Bronfman, the president of the World Jewish Congress—returned from Moscow with the clear impression that some 11,000 longstanding Jewish "refuseniks" (applicants who've been refused exit visas) were about to be granted permission to leave.

Also in the last couple of months, Israeli diplomats have come out of meetings with Soviet officials persuaded that "direct flights" for Jewish emigrants—Moscow-to-Bucharest-to-Tel Aviv—are a real possibility.

And, of course, a number of well-known dissidents—among them refusenik Josef Begun and Ukrainian human rights activist Anatoly Koryagin—have been released from prison in recent months and promised permission to emigrate.

Not surprisingly, there are those who insist that it's time to show the Soviets that they will reap tangible rewards for opening the gates.

In the current issue of Moment magazine, well-known Sovietologist Marshall Goldman sums up this view: "If there was ever a time to be flexible and responsive, this seems to be it. Gorbachev needs to be encouraged."

Goldman goes on to make it plain that he means "a reconsideration of support for Jackson-Vanik."

This analysis distresses Natan Shcharansky—to put it mildly. In a discussion with New York Post editors yesterday morning, Shcharansky explained that he sees on the horizon not progress, but potential disaster for the Soviet Jewry struggle.

Shcharansky contends that recent changes in the Soviet emigration law—instituted by "Gorbachev the liberal"—could very well mean the 11,000 refuseniks will be "not the first [of many Jewish emigrants] to go, but the last."

The Soviets, he points out, have long claimed that the purpose of almost all Jewish emigration is "family reunification." No other reason for leaving the Socialist paradise is admissible.

Moscow has now redefined "family," as used in this context, to mean only siblings, parents and children. Moreover, beyond an invitation from an immediate relative abroad, the would-be emigrant is now required to secure the blessing of brothers and sisters and parents remaining behind.

Given the jobless purgatory into which exit visa applicants and their relatives are often consigned, the difficulty of securing the blessing of non-departing brothers and sisters can't be overestimated.

Also redefined and enlarged under Gorbachev is the "security risk" category. Shcharansky explains that even the widow of, say, a pilot or an army engineer may now be refused permission to leave—due to knowledge of "state secrets."

In the end, Shcharansky fears, the 11,000 core-refuseniks may be allowed to leave, after which most everyone else will be rendered ineligible for one "legal" reason or another. Visa applications from ineligibles won't even be accepted. And Gorbachev will be able to turn to a trusting world and proclaim: "The problem has been solved. All those who wanted to leave are gone."

Sad to say, this isn't pessimism, it's realism. Natan Shcharansky is no pessimist—he's a beacon of hope. When he warns of a great Gorbachev hoax—and insists that Jackson-Vanik not be touched until emigration's back up to the 1970s rate of 50,000 a year—that's a warning to heed.

CHRISTIANE BROOKS JOHNSON

HON. BEVERLY B. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mrs. BYRON. Mr. Speaker, over 3 months ago, a tragic train accident in Chase, MD, took the life of Christiane Brooks Johnson, my constituent from Potomac, MD. Christy, as she was called by her family, was on her way to visit her sister in Syracuse, NY, before returning to Stanford University to resume her undergraduate studies.

Christy was a vivacious and cheerful woman whose accomplishments during her life reflected a personal commitment to those less fortunate than she. While at college, she studied hard to become certified as an emergency medical technician. Upon receiving her certification, Christy returned to the Washington, DC, area to volunteer her services at the Cabin John Fire and Rescue Squad. As a volunteer at Cabin John, she became an integral part of the rescue squad where her medical skills as well as her tireless compassion were in constant demand.

In addition to her work for the rescue squad, Christy served as an intern in the Santa Clara County Juvenile Probation Office where, again, her patience and understanding were highly valued.

Christy's life was focused in a very constructive and positive way. And, though her death interrupted her bright future, Christy left us a legacy of compassion, understanding, and love for others. It is a legacy which we should never forget.

As the investigations of this terrible tragedy continues, I think that Christy and the other victims of the Amtrak collision should serve as constant reminders that railway safety reform is essential. Our Nation must be better assured that our public transportation system is both dependable and safe.

CATASTROPHIC ILLNESS EXPENSE PROTECTION AMENDMENTS OF 1987

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GRADISON. Mr. Speaker, today I rise to introduce the Catastrophic Illness Expense Protection Amendments of 1987. Joining me in introducing the measure is my colleague on the Ways and Means Committee, the distinguished chairman of the Health Subcommittee, Congressman PETE STARK.

This bill is part of the legislative effort this year to limit the liability of all Americans for expenses resulting from catastrophic illness. It would place a ceiling on the out-of-pocket costs for physician and hospital services resulting from a catastrophic illness for Americans with employer-purchased or subsidized health insurance coverage. Under the measure, employers offering medical insurance coverage would be required to provide protection against catastrophic physician and hospital expenses as part of that coverage, in order to receive a tax deduction for the cost of the coverage purchased or subsidized by employers.

PROTECTION AGAINST CATASTROPHIC ILLNESS EXPENSE

In the late 1970's, Congress considered initiatives to address the financial distress which American families face from the expenses of catastrophic illness. Congress was unable to develop catastrophic health insurance legislation at that time. This year President Reagan has rekindled the congressional commitment to filling this gap in the social safety net.

President Reagan began the process in his 1986 State of the Union Message when he made the development of public and private efforts to protect Americans against catastrophic illness expense an administration priority.

The President gave Dr. Otis Bowen, the Secreary of Health and Human Services, the task of developing recommendations to address this issue. The Secretary delivered a report to the President highlighting the need to close the gaps in Medicare coverage for the elderly and disabled. In the report, he also stressed the need for action to assure coverage against costs of catastrophic illness for all Americans.

The Ways and Means Health Subcommittee, under the direction of Chairman STARK, has taken the lead in the House of Representatives in developing a Medicare catastrophic coverage proposal. The proposal is now being considered by the full committee. Senator BENTSEN, chairman of the Senate Finance Committee, as well as Senators DOLE and DURENBERGER, have catastrophic coverage proposals "on the table." And, Representative BOB MICHEL, our Republican leader, has made Medicare catastrophic coverage a priority for Republicans in this Chamber.

It is important, however, that the issue of catastrophic illness expenses be considered beyond the Medicare Program. Secretary Bowen has recommended broader initiatives and the opportunity provided by the legislative progress of Medicare catastrophic coverage should not be allowed to conclude without our taking action to protect the nonelderly.

This is my purpose in introducing this bill. It brings before the House a measure to assure that those Americans who have employer-purchased or subsidized insurance will have protection comparable to that which other legislation would accord Medicare beneficiaries.

This bill would not assure protection to all Americans. It would not, for example, assist the 30 to 35 million Americans without Medicare, Medicaid or employer-paid coverage. The problem of the uninsured also must be addressed. The Congress should set as a goal the development of a national policy to promote health coverage, particularly against the expense of catastrophic illness for Americans currently uncovered by medical insurance. While Congress does not have a "magic bullet" to close all the gaps in the Nation's medical insurance coverage, it should do what it can as opportunities arise. The initiative outlined in H.R. 2300 can and should be accomplished now. Although it will not protect all nonelderly Americans, it will help millions.

THE NEED FOR H.R. 2300

Projections by the HHS National Center for Health Services Research indicate that 7 to 10 million Americans with health insurance coverage are underinsured. Further research reveals that many of these Americans have employer-purchased or subsidized insurance which is insufficient to protect them from personal financial distress due to catastrophic illness expenses.

A recently completed Small Business Administration study supports this conclusion. While 90 percent of American workers have access to health insurance coverage through their employers, 5 percent of those employers provide no limit on out-of-pocket physician and hospital expenses. Another 16 percent of employers provide insurance with limits on out-of-pocket expenses in excess of $2,000.

Cost sharing for the first dollars of health care costs, deductibles and coinsurance, is useful as a cost containment feature of coverage. Cost sharing both saves health plan expenditures and instills cost consciousness for plan recipients. There comes a point, however, where out-of-pocket costs can at worst curtail necessary use by plan participants or cause families real financial distress or bankruptcy.

THE PROPOSAL

The largest Federal health program after Medicare and Medicaid, is the tax subsidy for employer-provided health insurance. Premium costs currently excluded from employee income is estimated at $24.2 billion for fiscal year 1988.

This obviously has benefited most Americans. The tax incentive currently is given, however, with few "strings." In the 1985 Consolidated Omnibus Budget Reconciliation Act [COBRA], the Congress placed new conditions on the tax subsidy—the assurance that employer-paid health plans would offer employees and/or their dependents the option to buy into the employer group plan for a transitional period after employee termination, death, or divorce.

H.R. 2300 would go a step further. It would require employers who provide insurance, to include in their health plans a stop-loss provision, limiting employee liability for payment for physician and hospital services to out-of-pocket costs of $2,000 for individuals and $3,500 for families. Although most employer plans already meet this standard, some do not.

The requirement will be made only for firms with 20 or more employees and would have an effective date for health plan years on or after January 1, 1989. Employee health insurance groups of more than 20 persons should be sufficiently large for catastrophic coverage to be an inexpensive addition. Also, the effective date should be far enough in the future to allow employers and health insurance companies to make necessary plan adjustments.

Critics will argue that the proposal opens the door to Federal mandating of health insurance benefits. This is not my intent. The COBRA continuation provision does not mandate benefits, it only promotes access to employer health insurance groups for the unsponsored. H.R. 2300 simply requires protection against the cost of physician and hospital services in extreme cases of medical necessity.

This provision is consistent with the purpose of insurance—to protect individuals from undue economic loss. The proposal does not call for a specific benefit package nor does it define the array of providers or services which plans must cover. Such aspects of health plan coverage should be left to employers, employees, and their health insurers to determine. The market is better at making these decisions than is Government, although it remains in both individual and public interests to assure that tax-favored coverage protects Americans against significant economic loss.

CONSIDERATION OF H.R. 2300

On May 12, 1987, the Ways and Means Health Subcommittee will conduct a hearing on the issue of catastrophic medical expenses for the nonelderly. This will offer the subcommittee an opportunity to consider H.R. 2300.

It is my intention to refine this measure with the guidance gained from the hearing and to seek a legislative vehicle to which the measure can be attached this year.

I look forward to working with my colleagues on the Ways and Means Committee and in the House as a whole to pursue the development of this legislation in the upcoming months.

Following is a summary of the bill:

[Summary]

CATASTROPHIC ILLNESS EXPENSE PROTECTION AMENDMENTS OF 1987, H.R. 2300

This bill would amend the Internal Revenue Code of 1986 to require the health benefit plans offered by employers with 20 or more employees to include catastrophic coverage.

The bill would remove the tax deductibility of employer contributions to health benefit plans which did not include catastrophic coverage as defined by this bill. In addition, highly compensated individuals of nonprofit organizations would lose their tax exclusion for employer-paid benefits unless the employer provided catastrophic coverage.

To meet the requirements of this bill, a group health plan would have to provide coverage of 100 percent of the otherwise allowable cost or charge for physician and inpatient and outpatient hospital services provided during a catastrophic benefit period. No coinsurance, co-payment or deductible could be charged during the catastrophic benefit period. This benefit period would begin after covered individuals or family members incurred out-of-pocket expenses for services covered under the plan during the plan year in excess of $2,000 for individual coverage and $3,500 for family coverage. The plan would not be allowed to cancel coverage for any reason except failure to pay the premium, and employers would not be allowed to differentiate coverage on the basis of an employee's health status.

This bill would be effective for plan years beginning on or after January 1, 1989. For collectively bargained plans, the effective date would be the earlier of January 1, 1991, or the termination of the last collectively bargained agreement.

JAPAN'S COMPETITIVE EDGE

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. BEILENSON. Mr. Speaker, I would like to call my colleagues' attention to an article coauthored by Sam Cohen and my cousin, Laurence Beilenson, a distinguished attorney and historian. The article, which appeared recently in the Orange County Register, argues that Japan has been able to become so economically competitive because the United States pays so much of its defense costs. I hope my colleagues will take the time to read these thoughtful comments relating to current trade and defense policy.

THE ARMS DEFICIT—JAPAN'S REAL COMPETITIVE EDGE IS THAT THE U.S. PAYS FOR ITS DEFENSE

(By Laurence W. Beilenson and Sam Cohen)

Reading the papers about the latest round in the recurrent efforts of the president and Congress to keep Japan from taking Uncle Sam to the economic cleaners reminds the reader of Humphrey Bogart's now classic line in the movie "Casablanca": "Play it again, Sam." If we seem to have heard the song before, our ear does not mislead us. By now the record has become scratchy and the tape worn.

First, Japan and the United States make an agreement. Second, the United States correctly accuses Japan of breaking the agreement. Third, Japan correctly replies that it isn't the only one, and let's talk it over. Fourth, Congress threatens to impose trade sanctions. Fifth, Congress passes a law, but places the onus to make it operative on the president. Sixth, the president warns the Japanese, but tells Congress we must not yield to the vice of protectionism. Seventh, the American businesses affected by this episode and the labor unions involved temporarily quit bashing each other and make common cause against the foreigner. Eighth, the president imposes sanctions. Ninth, representatives of the two nations meet. Tenth, the Japanese make new promises and the sanctions are lifted. Eleventh, it happens all over again.

It's time to play Japan a new tune, Sam. Its theme should be: If you want Uncle Sam to continue to protect you with its armed might, paid for by American taxpayers, pay Uncle Sam fairly and fully in money now.

Let us lay aside the argument between the free marketers and the protectionists. It will get us nowhere.

The protectionists can fruitfully urge that the classical case for a free market unmarred by government intervention is similar to saying how happy mankind would be if only humans and their rulers were good. Non-intervention has never been tried for long. Governments always have interfered.

It is not the purpose of this short article to assess the merits of the two schools of thought. It is enough to show the debate has become stale, flat, and unprofitable. Let us, therefore, turn to the more agreeable and unifying task of telling the truth about the Japanese.

They are an admirable, shrewd, able people, who have risen from the defeat of World War II to become an economic giant.

But good old Uncle Sam, having appointed himself the protector of "the free world" against the Communist-ruled countries, has paid out of domestic taxes and mostly borrowed money the expense of defending Japan. The Japanese, freed of that expense, have turned their productive ability to enriching themselves; for which we should blame not them, but ourselves. We need not, however, continue the error.

The Japanese-American alliance treaty requires the United States to protect Japan, but does not require Japan to protect the United States. Japan does not permit nuclear weapons on its soil so as not to become a Soviet target, but the United States does have nuclear weapons on its soil to the delight of the Japanese. During the early years of the alliance, the American taxpayer paid the entire cost, direct and indirect, of defending Japan. Today we still pay a large share. For most of the life of the treaty, the Japanese have kept their defense budget to less than 1 percent of their GNP; the United States has spent from 5-8 percent, today about 6.5 percent. Japan has just inched a shade above 1 percent.

And that is not all the disparity. We protect South Korea, whose conquest the Japanese say would create a dagger pointed at the heart of Japan. We protect the Philippines, the neighbor of Japan. We keep open the Persian Gulf so that Japan can import its oil. Does Japan contribute? Not a nickel.

Our Japanese alliance treaty can be terminated on one year's notice, and the president has power to do so without congressional action. President Reagan should dispatch the notice accompanying it with a letter telling of our warm friendship but pointing out the inequalities in the relationship.

It would be better if we abandoned our global obsession and stopped there, but that is too much to ask our politicians dedicated to containment. Still, half a loaf is better than no bread, and perhaps most Americans would be satisfied if the letter concluded thus: "The United States would consider revoking the notice if Japan paid the United States for defending it. If you wish to continue the alliance, please pay the United States within 30 days $50 billion as the first installment of a total and continuing payment to be discussed. We accept your protestations that you have become pacifists, but please be pacifists at your own expense, not at ours. Respectfully, the United States of America, by Ronald W. Reagan, president."

If we get the money, we'll quarrel among ourselves about what to do with it. But let's quarrel about that rather than about getting the money or getting out. That's the new tune, Sam.

(Beilenson is the author of Survival and Peace in the Nuclear Age, and Cohen is a retired military analyst.)

A DIFFERENT VIEW

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GINGRICH. Mr. Speaker, the attached essay by Brig. Gen. Barry McCaffrey is a fine analysis of the recent movie "Platoon." He provides valuable insight on how this movie distorts the realities of our country's longest war. I commend it to anyone who is serious about understanding what really went on in Vietnam.

[From the Army Times, Mar. 23, 1987]

MOVIE GIVES "DISTORTED IMAGE" OF TROOPS IN VIETNAM

FORT BENNING, GA.—The movie "Platoon" portrays a terrible and distorted image of American combat troops in Vietnam. With its skillful photography and acting, the movie has clearly painted the wrong picture. Hundreds of my friends fought (and many died) in Vietnam. I personally served there during parts of 1966-69 and in 1971.

"Platoon" portrays a combat outfit characterized by murder of civilians, rape, arson, murder of prisoners, cowardice and incompetence of NCOs and officers, and massive drug and alcohol abuse. All these terrible crimes and more have without doubt occurred in places and times in Vietnam and every other American war. The Vietnam War was characterized by particularly bitter small unit actions, many of which were fought in populated areas. The savagery of these fights was perhaps as brutal as even the heavy combat among the civilian populations of Europe during World War II.

However, do not for a minute believe that "Platoon" is an accurate picture of the U.S. Army in Vietnam. Even during the depressing days of the U.S. withdrawal, our combat units never came apart. In general, we treated the civilian populations with respect and affection. Millions of the Vietnamese have since risked their lives to escape by sea and through Cambodian jungles. In combat, when U.S. rifle companies captured VC suspects (or in particular North Vietnamese soldiers), we got them to talk by giving them milk and cigarettes . . . our teenage enemy captives were treated with dignity by teenage U.S. soldiers who had captured them.

Newly arrived soldiers had to earn the trust and respect of their platoon, but we sure didn't make them "walk point." Most units had volunteers for any dangerous, sensitive job such as "point team," "tunnel searches," and recovery of wounded. Cripes! The last thing a combat unit would do is put a "new guy on point."

There are two other things the movie didn't bring out. First, we prayed a lot. We had chaplains in the field conducting church services. We prayed with our wounded. We prayed with our dead. Second, we loved each other. Infantry combat is brutal, exhausting, occasionally terrifying and incredibly uncomfortable. We grew to depend on each other totally in order to survive. The enormous bond of love and trust that grew among combat infantry soldiers is absent from the screen of this movie.

Go see "Platoon." It's beautifully photographed and the acting is good. Go see "Platoon" to look upon a unit without honor, without courage, without moral leadership. "Platoon" is a film about what can happen to an American Army unit that slips into evil. "Platoon" is not a movie about the Army that battled so valiantly, so effectively, and to no avail in our country's longest war.

U.S. CONTINENTAL ARMY BAND PRAISED

HON. PETER W. RODINO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. RODINO. Mr. Speaker, on April 23 of this year the U.S. Continental Army Band of Fort Monroe, VA, performed an outstanding concert at the 31st Annual All-Eastern Band and Instrumental Clinic held on April 22-25 at the Naval Amphibious Base, Norfolk, VA.

This memorable concert included selections conducted by the commanding officer of the band, Capt. Charles L. Moore, USA, and by its executive officer, Capt. Thomas Rotundi, Jr., USA. This excellent military band also premiered "Ave Maria," conducted by its composer, Prof. Charles T. Gabriele.

Working from its home in historic Fort Monroe, the U.S. Continental Army Band continuously travels to a multitude of points within the United States and abroad, providing excellent performances of music for military, State and civic ceremonies, and formal concerts.

It is noted that Professor Gabriele's "Ave Maria" for band—and optional chorus—fills a void in the band-music repertoire. The U.S. Continental Army Band is highly commended for premiering this music, particularly during this memorable year of the Bicentennial of the Constitution. The professionalism of this band warrants much praise.

TRIBUTE TO SAMUEL W. McALLISTER

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. DIXON. Mr. Speaker, for many years Sam McAllister has served as a leader of working people and servant of the public interest in the area I represent. Sam's coworkers, friends, and family will honor him on the occasion of his retirement from the leadership of the Teamsters Union on May 8, 1987. I would like to join them in congratulating him on a job well done and thanking him for his contributions to the community, and I would like to share with my colleagues in the House a few of his many accomplishments.

Sam first joined the Teamsters in 1959 when he started working as a freight handler for Southern California Freight Lines. His colleagues in local No. 357 recognized his commitment to their concerns and elected him chief shop steward in 1962. He continued to move up the leadership ladder and was appointed business representative/dispatcher of local No. 357 in 1966. An immigrant from Panama, by 1967 Sam had earned his U.S. citizenship and his involvement in labor then broadened to include electoral politics. In the many years since, he has worked tirelessly on behalf of candidates for public office who were responsive to the working-people's agenda he cared about so much. In 1972 he was appointed business representative of local No. 572, and in that capacity assumed a full range of responsibilities, from negotiating contracts to arbitration. It was a job he did very well.

Sam's civic spirit found expression over the years in active community service. He has been a member or assumed leadership positions in a number of local organizations, including the Urban League, NAACP, Los Angeles County Judicial District Advisory Board, A. Philip Randolph Institute, and the Crenshaw Neighborhood Association.

Sam retired from the Teamsters on April 1, 1987. It has been a great pleasure to work with him over the years on these issues of mutual concern, and I have valued his judgement and friendship. I join his wife, their children and grandchildren, his friends and colleagues in extending him every good wish for the future.

HEALTH-CARE INDUSTRY NEEDS PROTECTION OF LIABILITY REFORM

HON. JAN MEYERS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mrs. MEYERS of Kansas. Mr. Speaker, as my colleagues know, the issue of product liability has become a major concern of those in the health-care industry.

The Puritan-Bennett Corp., located in Overland Park, KS, in my congressional district, is a major manufacturer of health-care equipment. I am pleased to submit the following article on product liability reform written for the Kansas City Times by Mr. Burton Dole, Jr., president and chairman of the board of the Puritan-Bennett Corp.:

[From the Kansas City Times, Nov. 20, 1986]

HEALTH-CARE INDUSTRY NEEDS PROTECTION OF LIABILITY REFORM

(By Burton A. Dole, Jr.)

As we study the analyses of the November election, one theme is most evident—product liability reform may be in trouble in the next session of Congress. This much-needed reform took a great deal of congressional time and study in the last session and was a big topic of discussion throughout the land.

In the last congressional session a significant, if not perfect, product liability reform bill was voted out of the Senate Commerce Committee but not acted on by the full Senate. The committee efforts was led by Republican Sen. Jack Danforth of Missouri. This year Sen. Ernest Hollings, Democrat of South Carolina, an outspoken critic of product liability reform efforts, is expected to be chairman of the committee.

The harm that outrageous product liability judgments have caused is well-known, and the need for reform legislation is equally obvious as the 100th Congress prepares to convene in January.

We at Puritan-Bennett and others in the health-care industry are particularly concerned that medical innovation may be the most important, but least known, victim of the lawsuit mania sweeping the country. The sad result is that improvements in the quality of health care have been impaired because research and development in medical innovations are being discouraged by potentially devastating product liability risks.

Shifts in technology research are tough to notice. It's not like the case of a public swimming pool where the community knows in a second that a diving board was taken down because of a liability risk.

When an innovative company shifts gears away from long-term development of new medical products, few are aware of it. Even now many medical inventions never become products because companies are not able to add yet more liability risk to their product lines. Somehow, this seems like the wrong outcome.

Today, we and many other companies are dropping investments in new products to avoid multimillion-dollar lawsuits and skyrocketing insurance rates. For example, only one company now makes vaccines for measles, mumps and rubella, only two make anesthesia gas machines, and only a few make infant ventilators. And liability costs are putting the future availability of the crucial DPT vaccine for young children into question.

Whenever a medical procedure results in less than an ideal outcome there is a sizeable risk that the patient will sue everyone remotely involved in the incident. This is partly due to the misconception that medical care should be riskless, a notion fostered in part by all-too-often-quoted stories of "miracle drugs and cures."

The fact is that modern medicine involves many extraordinarily complex products and procedures, which taken collectively produce many spectacularly beneficial results. There is risk in these procedures, however, and the dedicated people who care for the patients and those who invent and build products for their use are being discouraged rather than encouraged to continue.

Had this climate existed 20 years ago, infant ventilators might not even be available today. Would we now be safe from polio if vaccine innovators of 30 years ago had faced today's threat of lawsuits?

Society, as a whole, is probably willing to accept the inherent risks of medical advancement. But individually, many can't seem to resist the temptation of multimillion dollar awards. And they are encouraged by huge jury awards in many states against health-care practitioners and manufacturers. In overreaching to protect individual consumers case by case, courts unwittingly put health care for the entire society at risk.

Only litigation reform can protect the public from the current decline in medical product innovation. Doctors and some hospitals already have made good progress in gaining some relief in some states. This is a good thing, but medical product manufacturers, unfortunately, have been included in only eight states in this relief.

There needs to be, in my opinion, a comprehensive approach through liability reform that includes hospitals, health-care professionals and health-care product suppliers.

INTRODUCTION OF OMNIBUS LEGISLATION BY REQUEST OF THE U.S. DEPARTMENT OF AGRICULTURE

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. MADIGAN. Mr. Speaker, I am today introducing omnibus legislation by request of the U.S. Department of Agriculture.

This bill covers a wide variety of changes in the law effecting supports, trade, credit, insurance, fees, novel varieties of seeds, inspection services, and revised definitions sought in several sections of existing law.

I do not support all of the changes being sought by the Department, but do believe that some of these changes are necessary and should be before the Congress.

EDDIE FUNCHESS—STORY IN COURAGE—RECIPIENT OF NATIONAL HANDICAP AWARD

HON. BILL GRANT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GRANT. Mr. Speaker, it is my privilege and honor to inform my colleagues in the U.S. House of Representatives that this inspirational young man has been elected to receive the Outstanding Achievement by a Handicapped Student award of the National Council on Vocational Education.

It is a well deserved honor.

Two years ago Mr. Eddie Funchess of Opa-Locka, FL was an able-bodied individual working full-time as a machinist in a gun factory and part-time as a salesman in a jewelry store. He worked long hours to provide his wife and two children with a home and a car.

Two years ago Mr. Funchess was kidnapped from the jewelry store where he worked, shot in the head by his abductors, and left for dead at an I-95 underpass. He was found by some children in time for help to be called for him. The bullet that was fired at Mr. Funchess lodged in the base of his neck on the spine. Upon removal of the bullet, he was a quadriplegic.

Mr. Funchess has shown a remarkable attitude for someone so recently disabled. In fact, the director of Program-Ability hesitated to consider him for the program based on her experience with disabled individuals that 2 years is generally not enough time for severely handicapped individuals to be ready emotionally and psychologically for the hard work of rebuilding their lives.

The Funchess' family lost their home and new car because of Mr. Funchess' tragedy and inability to work and pay the bills. Mr. Funchess realized that if he was going to provide for his family he had to be retrained for a job that he could perform.

Mr. Funchess applied for admission in the Program-Ability (computer programming training for the disabled) program. He was told what the admission criteria were. Knowing that he probably would not pass the math skills portion of the entrance test, Mr. Funchess with the help of a tutor worked to improve Mr. Funchess' math skills. As part of the admission process, Mr. Funchess was interviewed several times by persons from the business community who hire students from the program as computer programmers. The purpose of Program-Ability is to employ disabled individuals—not just to train them. Therefore, the interviews with prospective employers is a very important part of the admission process. Mr. Funchess competed with 254 other applicants. He was 1 of 20 students accepted!

Mr. Funchess is determined to succeed. He comes early to class, he stays late, and he rereads his class notes at least three times every night to be sure that he retains the information he is being taught. He has impressed his Program-Ability classmates so much with his determination to succeed that they elected his class president. As president he represents the class at the monthly meetings of the Business Advisory Committee for Program-Ability.

Mr. Funchess is indeed succeeding! He inputs data by using a pencil to punch the computer keys. He received an "Excellent" rating in all areas of his first performance evaluation last November. He will graduate in August 1987.

Eddie Funchess is a 28-year-old student, husband, and father who shares his determination and positive attitude for a future with other disabled individuals. He makes regular visits to local hospitals to talk with recently disabled individuals.

Sometimes an award honors the individual. In this case, the individual honors the award.

I am proud to pay tribute to a truly remarkable young man who inspires us all with his courage and example.

SMALL BUSINESS WEEK FOCUSES ON EXPORT POTENTIAL, JOB CREATION

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. GALLO. Mr. Speaker, during Small Business Week, May 10–16, it is important to realize the full potential of our small business community as the engine that drives our economy. As a member of the House Small Business Committee, I am committed to a Federal policy that encourages small businesses to seek export opportunities as a solution to our trade problem.

More than one-half of our private work force is employed by America's 4 million small businesses, which produce goods and services greater than the gross national product of West Germany.

Only the United States, the Soviet Union and Japan have GNP's larger than the output of United States small business, making it the fourth largest producer in the world.

In spite of this potential, our trade policy has not addressed the needs of the small business community. Currently, 250 U.S. corporations account for more than 80 percent of all exports, yet more than 30,000 U.S. small businesses offer goods and services with potential overseas markets.

In terms of job creation, the small business community has been a consistent producer, with 80 percent of new jobs created between 1969 and 1976 in businesses with fewer than 100 employees and with 1 million new jobs created during the years 1981 to 1983, in spite of the 1982 recession.

This job-creation potential is critical to our efforts to reduce the trade deficit in a manner that promotes economic growth at home. For every $1 billion of goods and services exported, we put 25,000 people to work.

After a series of public hearings, the House Committee on Small Business has unanimously approved a trade package that includes proposals made by my New Jersey-based small business export opportunity task force.

Our small business people have the raw materials and the talent to outproduce our competition and to beat them to the punch in development of new products and ideas.

The missing link is the barrier that exists at the first step of the process—getting the right information to the right people at the right time.

Having data banks and information packets and briefing books available to help small business people expand into foreign markets is important. But without direct people-to-people help, advice and counseling, this information is not enough to launch the export expansion needed to cure our trade deficit.

My effort to put people back in the trade debate has included creation of my small business export opportunity task force, an advisory group representing a cross-section of State and Federal Government and private business people.

Although the work of my task force continues, we have already identified three critical areas for people-to-people programs that are now a part of the Small Business Committee bill.

First, we must raise public awareness of export opportunities and reach out to bring more small businesses into the field of exporting.

Second, we need to identify and remove trade barriers and cut redtape that currently keep small business people from exporting.

Third, we must build on resources available in the private sector and among State and Federal Government services to help small businesses expand into international markets.

I believe that creation of a trade hotline, increased participation in trade shows and coordination of basic support services to small businesses competing in foreign markets can be the glue that holds our trade policy together.

American trade policy is at a crossroads. I firmly believe that Government and business have an obligation to work together to develop a people-to-people trade policy based on growth and job creation.

Together, we can help small business to think big and to translate big ideas into action.

CONDEMNATION OF THE SOUTH AFRICAN "WHITE ONLY" ELECTIONS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. RANGEL. Mr. Speaker, I stand before you to express my complete frustration with the apartheid regime's blatant resistance to the need for change in that country and to call on this Congress to review its commitment to democracy. Today, South Africa held "white only" elections. These elections represent the true intentions of that government to continue its domination of the majority population by opposing democracy.

The sanctions legislation passed by this body in the 99th Congress included a provision that would allow for a review of the progress of the South African Government in ending apartheid and establishing a nonracial democracy. I ask you, and my colleagues, does this election represent efforts to dismantle apartheid?

Since the reinstitution of the state of emergency in that country the condition of Black South Africans has deteriorated exponentially. Like an animal caught in a trap, the South African Government has retaliated against any opposition, peaceful or not, with relentless and unwarranted violence. There are more than 25,000 men, women, and children being held in detention. The government has escalated its attacks on the homelands and on the frontline nations, countries that boarder South Africa.

How long must we wait before we take a real stand in opposition to the cruel oppression suffered by more than 25 million South Africans? The legislation passed by this Congress last year has made minor, if any impact. We must now take the next step forward. For too long we have been sitting back, like the sleeping dog allowing the wolf to take away all the sheep. The Anti-Apartheid Act of 1986 calls for a yearly executive review of South Africa's progress. A year is too long, for clearly progress has not been and will not be made without the constant pressure of the threat of even greater efforts by the international community.

Mr. Speaker, I urge my colleagues to join me in expressing complete outrage with the Government of Pretoria. Let not our consciousness lie still. We must continue as the leading force of democracy by calling for an immediate termination of all trading and other economic relations with South Africa.

ESKIMOS STRONGLY SUPPORT DRILLING IN ANWR FOR THEIR FUTURE

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. YOUNG of Alaska. Mr. Speaker, over 110 of my colleagues have now joined in cosponsorship of H.R. 1082, a bill to provide for the expeditious and environmentally sound leasing of the coastal plain of the Arctic National Wildlife Refuge, in Alaska. Many more have shown support for development of the area, considered to be America's best onshore prospect for oil and gas.

Many may not be aware, however, that present law precludes the Eskimos who live there and have lived there for thousands of years from developing about 100,000 acres of their own land. They own it, but they cannot develop the oil that underlies their area. This is an area of exceedingly harsh climates; an area covered in snow most of the year, with no trees to burn for warmth. The Inupiat people sit on what could be an oil deposit larger than Prudhoe Bay, yet they are unable to produce oil under present law, even though they own the land.

My bill, H.R. 1082, would change that law to allow these people to develop a future for their children. I urge my fellow Members to join with me in this effort. The attached article, which I ask to be printed in its entirety, is written by Mr. Oliver Leavitt, an Inupiat Eskimo, tells this sad but true story.

The article follows:

[From the Anchorage Daily News, May 5, 1987]

FUTURE OF THE INUPIAT RESTS ON WILL OF CONGRESS

(By Oliver Leavitt)

BARROW.—Alaska's North Slope has once again become the battleground for a congressional confrontation pitting two powerful but familiar adversaries—environmentalists and the energy industry. The center of this struggle is crude oil—potentially the largest onshore oil field in the United States, according to the U.S. Interior Department. Tragically, the people who have the most at stake, the Inupiat Eskimos, are again getting ground up in the struggle being shaped more by environmental romanticism than by realities of life in the Arctic and the national need for new domestic oil sources.

Simply stated, the issue is whether Congress will permit oil and gas exploration and development on 1.5 million acres of public lands in the coastal plain area of the Arctic national wilderness system. The two contrasting bills now pending in Congress would either designate the coastal plain as wilderness and prohibit oil and gas development, or permit oil and gas development there, subject to regulations to protect fish and wildlife and the needs of Inupiat subsistence users.

The Inupiat people have a direct interest in this matter. We own 92,000 acres of land—within ANWR and adjacent to the coastal plain—around the village of Kaktovik. These lands represent one of our best chances to directly take part in the economic benefit of Alaska oil. But federal law now prohibits us from developing the oil potential of our land.

The Inupiat has lived for generations on the North Slope. And we have always been concerned about the impacts of oil exploration and development of our land. When oil was discovered at Prudhoe Bay our concerns led us to initially oppose its development. However, during the past 20 years we have learned that careful development could be made compatible with our stewardship of wildlife resources and our subsistence lifestyle. The development of Prudhoe Bay also led to dramatic improvements in our quality of life.

Today, for the first time, jobs are available and our families live in semi-adequate homes rather than drafty shacks. We now finally have schools in our communities and no longer have to send our children off every year to Bureau of Indian Affairs boarding schools thousands of miles away. We now have access to medical care, measured in tens of miles rather than hundreds, and electricity for lighting and heating our homes. And in some of our villages we even have running water and sanitation facilities. However, despite these basic and important improvements we remain essentially dependent upon our land for our survival. We hunt and fish for what we eat. There is no other way of life for the Eskimo in the Arctic.

Because of what we have learned from the development of Prudhoe Bay and adjacent areas, we support reasonable regulated development of the ANWR coastal plain's oil and gas resources. But we also insist upon strict environmental controls through federal, state and local North Slope Borough governments. Oil development can take place while protecting the land, caribou and other subsistence uses. As a result of the many changes brought by the development of Prudhoe Bay, we have made the difficult transition from the harsh realities of life on the North Slope to being on the threshold of modern life and conveniences taken for granted everywhere else. And while remaining subsistence hunters are dependent on our land for survival, we can't simply and totally go back to the life we once lived.

The delicate balance we have achieved between our subsistence lifestyle and the cash economy requires continuation of both opportunities for subsistence hunting and employment. We do not want to be subjected to life in a lonely Arctic ghetto, living on welfare because of the lack of jobs, development and economic activity. But we see this as the inevitable consequence of designating the coastal plain, including some of our lands, as a "Wilderness Area." Not only would the economic base suffer, but wilderness designation would most likely frustrate and complicate subsistence activities.

Without careful exploration and development on the coastal plain, the lives of our children will be grim. If exploration started today, the most optimistic projections do not put the first drop of oil into the pipeline for a decade. During the dark months of winters, long after the photographers for the environmental groups have gone south, we will be here at home contemplating our future. Years from now, long after the drilling rigs and oil crews are gone, we will still be here. This is our home. What the future holds for us and our children is in good part up to Congress.

UNION CORPORATE CAMPAIGNS

HON. STEVE BARTLETT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. BARTLETT. Mr. Speaker, I would like to call to the attention of my colleagues a recent study of what appears to be a growing trend in labor relations in this country—the use of corporate campaigns in labor disputes. The study, "Union Corporate Campaigns," by Prof. Charles R. Perry, was published by the University of Pennsylvania's Wharton School.

As one who is very interested and supportive of American workers, I found the contents of this report alarming. We are all aware of the decline in union membership over the years, and realize that organized labor is looking for new methods to enlist union members and support for their cause. The Wharton study suggests, though, that one of the notable changes in the character and conduct of union-management relations in the 1980's has been the emergence of the corporate campaign, a subtle activity which leads to employer vulnerability.

I believe that both labor and management agree that labor violence hurts everyone involved in a dispute. When our newspapers report such incidents as the United Food and Commercial Workers' [UFCW] strike last year in which the National Guard had to be called out to stop the violence, nobody wins.

The corporate campaign, according to the study, takes a much more subtle approach by seeking to identify a company's vulnerability, and then using such information to weaken the company in the eyes of the public.

The study details 10 cases which the author believes were corporate campaigns involving an orchestrated attempt on the part of a union to discredit a company publicly, thereby evoking union support.

For those of us in the legislative branch, one of the issues raised by the study is if Federal administrative agencies and the Congress are being encouraged through such tactics to become involved in labor disputes.

Professor Perry cites an AFL-CIO manual on how to conduct a corporate campaign entitled "Developing New Tactics: Winning With Coordinated Campaigns" which:

> Envisions a potentially significant role for appeals to the various branches of government (executive, legislative, and judicial) at all levels (federal, state and local) as a means to "embarrass" a target company or to make it "uncomfortable."

I find such tactics to be very disturbing. Over the years, Congress has enacted a comprehensive set of important labor protections for American workers. Employees seeking enforcement of these protections can bring the power of the Federal Government to bear by filing charges with the EEOC, OSHA, NLRB Wage-Hour or other labor agencies. Congress, I am sure, did not intend these mechanisms to be used in an orchestrated manner to initiate investigations and enforcement proceedings whose principal purpose is not to remedy unlawful employment practices, but rather, to publicly embarrass an employer so severely that it can no longer function as an economic entity.

I raise the Wharton study with my colleagues because we as legislators have a responsibility not only to enact laws, but also to determine how well those laws serve the public. The information presented by Prof. Charles Perry raises a yellow flag, at least for this Member.

LE VANIEL WOOTEN CELEBRATES HIS RETIREMENT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. TOWNS. Mr. Speaker, I wish to call the attention of my colleagues to one of my constituents, Mr. LeVaniel Wooten, who is retiring after 25 years of employment with the New York Metropolitan Transit Authority.

Mr. LeVaniel Wooten was born to Mr. and Mrs. Ezechial Wooten on October 28, 1918. He was orphaned by the age of 2, his mother having passed away when he was only 8 months old, and his father having been killed by the Ku Klux Klan shortly thereafter.

Mr. Wooten was raised by various relatives until he joined the U.S. Army in 1937, where he served for a period of 16 years. In addition to being a veteran of two wars, World War II and the Korean War, Mr. Wooten is also a past prisoner-of-war as well as a survivor of a Sherman tank explosion.

The occasion of Mr. Wooten retirement is being celebrated at a retirement party being given by his six children on Friday, May 8, 1987 at his home.

Finally, Mr. Speaker, I am certain that my colleagues will want to join me in congratulating Mr. Wooten on his courage in the face of adversity and for reaching yet another great milestone in his life—the celebration of his retirement.

THE EMERGENCY HOMEOWNERSHIP COUNSELING ACT OF 1987

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to provide much needed relief to homeowners across the Nation who are in jeopardy of losing their homes due to economic conditions beyond their control.

The bill, entitled the "Emergency Homeownership Counseling Act of 1987," authorizes the U.S. Department of Housing and Urban Development [HUD] to make grants to nonprofit organizations experienced in the provision of homeownership counseling and advice to homeowners. Under my bill, $100 million would be made available to assist in the expansion of such services throughout the Nation.

The bill directs the HUD Secretary to take action to ensure that homeownership counseling services from private, nonprofit organizations are made available throughout the country—with priority to areas that have high rates of home foreclosures and are not adequately served by homeownership counseling organizations. HUD must also take action to inform the public of the availability of such services.

Mr. Speaker, this legislation is intended to target assistance and relief to those homeowners who, through no fault of their own, find themselves unable to meet monthly mortgage payments. Eligibility for assistance under my bill will be limited only to those homeowners with good credit and work histories who have been unable to make mortgage payments due to conditions beyond their control and are facing imminent foreclosure proceedings.

A key provision in the bill is a stay on foreclosure proceedings. Under this legislation, eligible homeowners who apply for homeownership counseling and advice with a nonprofit funded under this act, would be protected from any foreclosure proceedings for a period of 6 months. I believe that this is a rational and reasonable provision that will provide much needed relief to homeowners, without putting undue strain on the banking community.

It is my hope, Mr. Speaker, that this bill will result in the expansion of private homeownership counseling organizations across the nations—especially in areas like northeast Ohio, western Pennsylvania, Texas, and Oklahoma where economic hard times have resulted in a high rate of home foreclosures. Private homeownership counseling organizations have been quite successful in preventing foreclosures and getting families back on their feet financially.

Housing Opportunities, a nonprofit organization based in McKeesport, PA, runs a program called HOPE that boasts a success ratio of over 90 percent. Most significantly, these programs eventually become self-sustaining as they get local banks and utilities to sign-on and contribute to the program. The HOPE Program has received plaudits from the banking community as an effective program that works. In most instances, banks lose money on foreclosures. It is in their interest to see a homeowner keep their home. This legislation is designed to expand the type of services troubled homeowners so desperately need to get through rough times.

This bill seeks to set up a program whereby the Federal Government would provide grants to and work with the private sector to provide much needed counseling services. This program, in the long run, will pay for itself because, as I stated earlier, once in place the programs become self-sustaining. In areas where homeownership counseling services are unavailable, seed money is needed to get programs started. My bill will make such seed money available and provide the impetus to the private sector to expand to areas across the country.

Many areas of the country are undergoing hard times. My congressional district has been particularly hard hit. One of the more tragic results has been the exodus of people from the area. Mortgage foreclosures breakup families and shatter dreams. Hard working Americans living in these areas don't want to leave their hometowns, their roots. This bill is a balanced and reasonable measure that seeks to address this very tragic and serious problem. Honest people who have worked hard all their lives and have never been in debt deserve a break and deserve help.

The legislation I am introducing today will provide the help and counseling these families need. Mr. Speaker, I urge all of my colleagues to support this important legislative initiative.

CARGO PREFERENCE AND THE U.S. MERCHANT MARINE

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. LENT. Mr. Speaker, today, I am introducing legislation to clarify the application of our Federal cargo preference laws to the procurement practices of the executive branch. This legislation sets forth in very specific language what the Congress originally intended in 1904 when it enacted the Military Preference Program and in 1954 when the Preference Program for other Federal cargoes was enacted.

The American maritime industry is undergoing a terrible—and dangerous—decline. This decline has been the subject of numerous hearings held by the Merchant Marine Subcommittee. As the ranking member of this subcommittee, I have heard witness after witness testify about the economic and competitive problems facing the American-flag merchant marine. Maritime experts have been saying for years that if American ships can have better access to cargoes, it will be possible to turn around the decline of this industry and bring it back to a more healthy state.

Cargoes are generated through the international commercial trade of the United States and as a result of Federal procurements using American tax dollars to buy equipment and goods for governmental programs—both military and civilian. The Federal Government also makes great quantities of agricultural commodities available for U.S. ships through our foreign aid and food-for-peace efforts.

This legislation I am introducing today deals with the cargoes created through Federal procurement actions rather than the food aid programs that were addressed in the agriculture-maritime compromise provision contained in 1985 farm bill. I am not changing that law. This bill also does not deal with commercial cargoes at all.

The United States has always relied on the merchant fleet to supply and support our military forces. All of the defense planners indicate that around 90 percent of the military supplies needed to support a conventional war effort will have to go by sea. Apparently, we have the capability to carry what would be required in the surge phase—or the first 30 days—of a military action. Beyond that, there are some real questions.

The active U.S.-flag merchant fleet has fallen from over 5,000 ocean-going vessels at the end of World War II to less than 500 today. The admiral in charge of the Military Sealift Command [MSC] says that the Soviet Union has several thousand merchant vessels at its command for military use. This same admiral has said that the United States has a shortfall in dry cargo capability of about half a million tons and a shortfall of about 20 to 25 tankers.

Without exception, administration officials—from Navy officers involved with sealift up to the President of the United States—have indicated that merchant ships are important for our national security. This brings us back to my legislation designed to provide cargoes for U.S. ships.

One of the most troubling aspects of the situation is the fact that officials who are charged with the responsibilities of providing and maintaining an adequate military sealift capability are also involved with some of the procurement decisions that have resulted in evading the application of the cargo preference laws. Last summer the Chief of Naval Operations prepared a report entitled, "Navy Merchant Marine Manpower Study," which indicated that the United States will not have enough trained seamen during wartime to operate the military sealift ships—much less those needed at the same time to supply the Nation with essential goods to keep our economy going. The primary conclusion of that report was that a fail-safe solution to the decline of the manpower availability is a robust, peacetime U.S.-flag fleet that supports as a minimum an active seafarer pool of adequate size sufficient to meet all shipping requirements in time of war.

In a recent interview, the MSC Commander said in response to a question about how to solve the military sealift shortfalls:

> There is nothing we can do except to ensure that the 1904 Cargo Preference Act is strictly adhered, to, meaning we ship on U.S.-flag ships all of the available cargo. That's how we support the U.S.-flag fleet.

Mr. Speaker, my legislation is designed to provide the executive branch with just exactly what the Navy admiral was talking about. The bill clearly and concisely follows the intent of Congress as enacted in 1904 and 1954. Creative procurement practices of the executive agencies have frustrated that original intent and loopholes have been created that have taken cargo away from American ships.

The offices of the executive branch involved in Government procurement must follow the law precisely as Congress intends. My bill clarifies that intent.

I am aware of arguments of the opponents to cargo preference who say that is costs too much. To those opponents, I simply refer them to the statement of Adm. William J. Crowe, Jr., Chairman of the Joint Chiefs of Staff who stated in 1986:

> The decline in size and capacity of the U.S. merchant marine has been a major concern of DOD national security planners. In this era of constrained resources, if there were no U.S.-flag merchant marine, it would have to be replaced by a Government-owned and operated sealift fleet—at considerable additional expense to acquire and operate.

Mr. Speaker, this Nation has a privately owned and operated merchant fleet. We should keep that fleet alive. We do not want or need to have the U.S. Navy involved in merchant shipping. The military should be involved in military activities and military equipment—not commercial shipping. If we can get the Government to comply with our cargo preference laws, that will go a long way to assuring that we will continue to have a private merchant fleet and the Navy can stick to its military mission. My bill eliminates any confusion and clarifies what kinds of procurement actions are to be covered.

A TRIBUTE TO HARRY CARSON

HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. TALLON. Mr. Speaker, the State of South Carolina does not have a professional football team, but we take great pride in the fact that the Super Bowl champion New York Giants were led to victory by Harry Carson, a native of our State. Mr. Speaker, Harry Carson was born in my district and is a graduate of South Carolina State College. He was a scholar, as well as an outstanding athlete. The phrase "a gentleman and a scholar" describes him well. As you can imagine, we are extremely proud of him back in South Carolina and today I would just like to do a little bragging.

An article in the New York Times entitled, "How the Giants Became the Giants," said Harry Carson is an integral part of what might be the strongest and deepest linebacking unit ever assembled by a National Football League team. According to the reporter, Carson was an articulate voice from the day he arrived at Giants camp in 1976.

Mr. Speaker, football aficionados know that Harry Carson has completed his 11th season with the Giants, that he has been named to the Pro Bowl eight times and that he is without a doubt one of the best linebackers in the NFL. "Human sledgehammers in businesslike blue," that's the way People magazine described the Giants' linebackers. Carson was captain of this crew. His teammate George Martin says Carson is the "soul of the entire team. He sounds the rallying cry—and we rally."

The Giants won their last Super Bowl in 1956. They've had a difficult time making a come back, but they did, with the help of a gentle Giant named Harry Carson. He stuck with the Giants through some very lean years—but his tenacity, leadership and prowess paid off with the greatest of championships—the Super Bowl.

Recently, Harry was named South Carolina's Male Pro Athlete of the Year by the South Carolina Athletic Hall of Fame. The city of Florence has proclaimed May 9-11 "Harry Carson Weekend." Residents of Florence, the sixth district and the entire State will gather to pay tribute to this Giant gentleman and football player.

A recent newspaper article quotes Harry saying that he could have retired from football 2 years ago after a particularly bad season. He said he didn't want to though, he didn't want to burn bridges. "Now," he says, "I'm here to provide leadership for the younger players."

We are extremely proud of Harry Carson—his achievements and his contributions to the game of football. But most of all, we are grateful to him for the fine example he sets for the youth of our State. Like the younger members of the Giants football team, they too can say they have seen further because they had the opportunity to stand on the shoulder of a Giant—Harry Carson.

RECENT DEVELOPMENT IN THE REPUBLIC OF KOREA

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. McKINNEY. Mr. Speaker, today, the House Asian and Pacific Affairs Subcommittee will hold a hearing on the recent developments in the Republic of Korea. Though I am unable to personally attend this hearing, I feel compelled to speak on this crucial matter.

The importance of South Korea must not be overlooked. With 40,000 American troops stationed in Korea, our defense commitment alone would be reason to express concern. However, this is not the only point of interest. The establishment of a democratic government friendly to the United States would help strengthen our strategic position in that country as well as the Pacific region in general. Moreover, South Korea is important economically. As a rapidly industrializing nation, South Korea's status has gone from recipient of U.S. aid to our Nation's seventh largest trading partner with annual bilateral trade valued at $19 billion. South Korea has experienced a sustained economic growth rate of over 8 percent during the last 5 years. This steady improvement has taken place in the face of the direct and sustained threat to the country's very existence posed by its northern counterpart—North Korea.

The heart of the matter, however, lies not with any strategic or economic gains but rather with those involving the personal freedoms of the country's people. While President Chun has announced that he wants to become the first president in his counrty's history to hand over power peacefully, more recent developments have given cause for alarm. Prospects for genuine constitutional reforms have deteriorated substantially.

First, there has been a renewal of government violence and torture. This must not be tolerated. Many of us are aware of the death of a 21-year-old college student resulting from police torture. Furthermore, President Chun's government, while espousing the rhetoric of political and social reform, has taken steps to tighten its own control and to restrict the actions of the democratic opposition. The most recent example of this hypocrisy has been the latest house arrest of Kim Dae-jung—strongly pro-American and one of the most prominent opposition leaders in the country. Kim is forbidden to leave his home and is allowed no visitors. Scores of armed guards surround his house around the clock.

A second cause for concern is the opposition party itself. The New Korean Democratic Party [NKDP], led by Kim Dae-jung and Kim Young-sam, once was a formidable force within South Korea's legislature, occupying 103 seats in the National Assembly. The party since has fallen apart and lost its political leverage, largely due to its own internal disputes.

Finally, President Chun has formally suspended debate on future constitutional changes for the country until after the elections. Mr. Chun offered the excuse that his action was needed to insure a "peaceful change of power" in order to guarantee a successful hosting of the 1988 Olympic Games. Instead, Mr. Chun's decision is an invitation to anarchy as South Koreans may use the Games as a forum to focus world attention on their plight. The result can jeopardize the smooth operation of the Games and the safety of our athletes.

The time has come for the United States to abandon its current hands off approach and prod President Chun to hold true to his original words. Mr. Chairman, not long ago the people in the Philippines faced a situation not wholly unlike that which the Republic of Korea now faces; namely, a dictatorship, suppression of civil and human rights, and government violence. The United States lent its support to the democratic regime vying for power. Because of our encouragement and support, America and the Philippines today are close allies. On the other hand, foreign policy failures in Nicaragua continue to represent lost opportunities for the United States to shore up its position in Central America and to further world democratic reforms in that region.

Mr. Chairman, our Constitution is founded on the belief that each individual "is endowed with certain inalienable rights" which government, as a defender of the common good, may not encroach upon. U.S. foreign policy should be guided by this belief and should globally promote three basic rights—the right to be free from government violations of one's personal safety and integrity; the undeniable right to the fulfillment of such vital needs as food, shelter, health care, and education; and finally, the right to enjoy civil and political liberties. As we Americans celebrate the bicentennial anniversary of our own Constitution, it seems hypocritical for us to ignore the plight of those citizens in other countries who are just now struggling to realize those freedoms which we have enjoyed for the past 200 years.

SALT II IS CRITICAL TO FUTURE ARMS CONTROL

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Miss SCHNEIDER. Mr. Speaker, I rise in strong support of the continued mutual adherence to the numerical limits provided for in the SALT II Treaty. The announcement from some quarters that the SALT II agreement "is dead" came as a shock and a disappointment, not only to many Americans, but also to our allies. We have an opportunity today to keep this imperfect agreement alive until a better agreement can be negotiated. At the same time, we will maintain the current levels of deterrence on both sides.

Those who have problems with SALT II say that it should be thrown out because it doesn't move us to our ultimate goal. But control in the growth of numbers of launchers and warheads has been accomplished, and continues to be in effect. If arms control is ever to be successful, we must engage in exactly the limitations called for in SALT II—but we need to do it better. When we decide we need a new house because the roof has sprung a leak, we don't abandon our old house and move out into the street. We try to repair the leak. If that's not practical, we locate our new house before abandoning the old. Before we abandon SALT II, we should be certain we have in hand a better agreement.

Questions arising over SALT II compliance by the Soviet Union are serious issues. But let us be clear about the type of disagreement we have—the charges of noncompliance are of a technical nature. They do not concern the heart of SALT II, the numerical limits placed on strategic arms. The most serious charges are that the Soviets have used excessive encoding of test flight data and that they have exceeded the degree of modification allowed before a missile is considered a "new" model.

I lack the technical expertise to know whether or not the modifications made to the SS-13 missile exceed the limits imposed by SALT II. Nor can I tell whether the level of encryption used by the Soviets is sufficient to impede verification. Those who have the technical expertise to evaluate the data disagree about whether these instances are so far removed from the treaty language as to represent clear violations. There is, however, compelling evidence that adherence to the numerical limits of the SALT II agreement while these disagreements are dealt with will not place the United States at a strategic disadvantage.

Certainly the American people would have much more confidence in our ability to eventually negotiate an arms reduction treaty if we saw a greater willingness to negotiate differences of understanding in existing agreements. If we cannot agree on a satisfactory mechanism to settle questions arising from an existing agreement, how will we ever agree to dismantle the even larger nuclear arsenals that will result from abandoning SALT II?

Mr. Speaker, SALT II has provided needed restraint in the growth of both of the superpowers' nuclear arsenals. To abandon it before we take the next step in arms limitation is irresponsible on its face. Arms control is the single most important problem of the 20th century. A failure to restrain the development and deployment of weapons has inevitably led to a failure to restrain their use. Such a failure in the nuclear age would be catastrophic. I urge continued adherence to the SALT II numerical limits as long as those limits are observed by the Soviet Union.

EAGLE SCOUT STEVEN NOVOTNY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. LIPINSKI. Mr. Speaker, it is with great pleasure that I call to the attention of my colleagues an exemplary young citizen, Steven Novotny. He will be recognized for achieving the highest rank in scouting, "Eagle Scout," at a court of honor on May 17, 1987.

In becoming an Eagle Scout, he will join the ranks of a very select group. The individual tasks which he had to complete are impressive alone. These tasks challenged every facet of his personality—mental, physical, psychological, and more. His accomplishment becomes even more notable when it is viewed cumulatively. That is, the entire sum of achievements and the perseverance of character demand illustrate just what high caliber young man Steven is.

In today's society, our youth are truly bombarded with a variety of lifepaths to choose from. While the freedom of choice is in itself good, too often we hear of young people who are led astray by the ignorance of their years to a lifestyle they do not deserve. It is always refreshing to recognize young men who choose a constructive way of life and also excel at it. Though some credit should be given to the family of this young man and to the scout leaders who provided support, Steven today knows that he can participate in society in a manner that will benefit himself as well as his community.

The achievement of attaining the rank of Eagle Scout lays an excellent base for a productive future. I'm sure my fellow Members of Congress join me in wishing Steven the best of luck in his future endeavors.

SMALL BUSINESS WEEK

HON. JACK BUECHNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. BUECHNER. Mr. Speaker, I rise today to commemorate "Small Business Week," a week during which our Nation will recognize its outstanding small business owners and operators for their personal achievements and their contributions to the country. President Reagan has described small business as an integral part of our free enterprise system, "an essential part of our heritage as Americans."

The week will provide an opportunity for us to focus on the dimensions of America's small and independent business community. More than half of our private work force is employed by small business. Some 4 million small enterprises employ workers. Self employment is the main source for about 8 million people. And more than 16½ million Americans are involved in some type of recorded independent business activity.

Small business is an essential part of our American heritage. We should be grateful for the inexhaustible supply of creative energy that is necessarily a part of small business, the example of success they set that inspires Americans to start their own small businesses each year. This is how American communities are developed—developed around the innovative genius of its people, reaping the benefits of their success to provide for their families and helping build the local economy.

John Sloan, president of the National Federation of Independent Business, has written about small business and its identification with the community. He wrote, "for the most part, it is extraordinarily positive, working to the public's social benefit. But for most communities * * * it is the small business population that provides a community with its identity, its hope, its good will * * *."

Over 140 years ago, Alexis de Tocqueville came to America and made a remarkable observation that remains true to this day. "What most astonished me in the United States," he wrote, "is not so much the marvelous grandeur of some undertakings as the innumerable multitude of small ones."

During Small Business Week, I salute those entrepreneurs in small business who have made the dynamic U.S. economy what it is today, I hope that you, my colleagues in the House of Representatives, will do the same.

BREAKTHROUGH IN SUPERCONDUCTIVITY

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 6, 1987

Mr. RITTER. Mr. Speaker, on Thursday, April 30, 1987, in LHOB 1100 from 1:00 to 4:30 p.m., the House Republican Research Committee Task Force on High Technology and Competitiveness sponsored a historic first of its kind conference entitled "Breakthrough in Superconductivity: The Race To Commercialize."

The following is my statement opening the conference:

I would like to welcome all of you to the first of a series of events sponsored by the House Republican Research Committee's Task Force on High Technology and Competitiveness.

In the annals of human history, significant breakthroughs occur in science and technology that change the way we live and work. I'd say the steam engine, the application of electricity, the airplane, the light bulb, and the transistor, paving the way to modern electronics, are such breakthroughs. So are the recent discoveries in superconductivity.

A Sumitomo Electric Co. report, first made public at this conference, paints a clear sketch of what we are up against. "A year in the past is a day now" say the Japanese. They go on to say that "simultaneous progress of fundamental and applied research" is necessary to lead in this field.

Before discussing today's agenda, I would like to put our House Republican Task Force's goals into perspective to provide a framework for understanding this conference.

Our goal is to lead the Congress in developing and promoting a closer liaison between industry, academia, and Government efforts to commercialize our world renowned R&D efforts into real products and services. Toward that goal we have supported: "Sematech" to promote semiconductor manufacturing technology, expanding NBS to a flagship national laboratory by including a new division on industrial competitiveness and developing competitive impact statements. Also our task force seeks to play a lead role on the issue of bringing greater competitiveness to America via emphasis on the quality and excellence of American products and endeavors. Here today we will consider what the best mechanisms are to assure the United States has a leadership role in superconductivity.

This week Congress focused on reform of trade policies—policies and strategies designed to give U.S. products a fairer shake in the global economy. But unless U.S. products and services are superior, unless they are viewed by American and world consumers as both desirable and excellent, we will be competing with both hands tied behind our back, no matter what our trade policies are. The rapid commercialization of scientific advances is a prerequisite for our gaining a comparative advantage in new products in the global economy. In other words, to win we must be simultaneously the best and the fastest. New scientific and technological breakthroughs, the kind we will be discussing here today, are the foundation upon which American industries create desirability and excellence in new products.

We have an opportunity in today's conference to focus both on the meaning of recent scientific breakthroughs in superconductivity and the opportunity for such advances to enter the marketplace.

So, just what is superconductivity? Superconductors, as our distinguished panelists will describe with greater accuracy, are basically superefficient conduits of electricity. It's like water having been pumped into a pipe—flowing without resistance—as if the pipe had no inner wall, as if there were nothing to slow down the flow. Superconductivity: "Scientists have long known that certain metals conduct electricity with no resistance when they are cooled to absolute zero, −495°F. But that was too cold to be much use. Now in a series of breathtaking advances, scientists have raised the superconductivity threshold to practical levels"—(Business Week, April 6, 1987).

We may finally see efficient electric cars or high-speed bullet trains that float on cushions of air produced by electromagnets. Superefficient electrical transmission and storage promises to alter our energy policies. Medical imaging machines based on magnetics could replace x rays as a safer form of medical diagnosis. A new and far more powerful breed of computers could process more information more efficiently. The commercial applications appear almost limitless. Our entire technology, based on the use of electricity, could change in ways we can't begin to imagine today.

This field even holds fascination for those interested in the English language. For example, in the Sumimoto report, the authors coin the word, in translating from the Japanese, "Superconductorization" to describe the process of transition from the present to the future, electrical and electronics technology. Hopefully, that will not become yet another high tech import from Japan, but then again it does boil the process down to one word. Words like the chemical elements "lanthanum," "yttrium," and "lutetium" could become as commonplace as "copper."

Japan via MITI has already put together its leading minds in industry, universities, and national laboratories in order to define a strategy whereby they will be the first in this great new field. "Japanese scientists, industrialists and Government officials have responded frantically, convinced they can, and must, walk away with the commercial applications. "When it comes time to make something out of it, predicts Prof. Sholi Tanaka—University of Tokyo—'the Japanese will have the upper hand'." "March 20, 1987, Wall Street Journal). How we get our superconductor science to the marketplace, how we compete in the race with the Japanese and others will have enormous implications for future world leadership.

We will need to work together, and given the representatives from industry, academia, and Government we have here today, we are making a good start. We are interested in what you believe the proper role of the U.S. Government should be—the proper role of Congress. But, as I've said, "Japan is out of the starting block and we are going to have to hit our stride in our own way, and hit it soon, if we are going to be a factor in the global race."

On the legislative front, Senator Durenberger and I have introduced identical bills, S. 800 and H.R. 2069, which call for a National Commission on Commercial and National Defense Applications of Superconductors to study methods of developing improved superconductors and expanding the commercial and strategic use of superconductors.

The bill has 10 features ranging from analysis of U.S. competitiveness in this field to consideration of ways to improve and coordinate. First, R&D information flow; second, R&D funding—both private and Federal; and third, development of commercial and military applications, to understand the impact on national security, and to consider antitrust, tax and intellectual property aspects. It calls on the President to provide staff and other necessary resources to "facilitate the deliberations and carry out the charge of the Commission."

We look forward to lively and informative discussion. Unlike most congressional hearings, we'd like to encourage the press and other members of the audience to ask questions once the panelists have concluded their opening remarks.

Mr. Speaker, a Sumitomo Electric Co. report, first made public at this conference, paints a clear sketch of what we are up against. How we get our superconductor science to the marketplace, how we compete in the race with the Japanese and others will have enormous implications for future world leadership. MIT Prof. Kent Bowen noted that, "The train on superconductivity in Japan has left."

I would like to also thank the House Republican Research Committee and its chairman for their assistance in setting up this conference.

Following up on our conference, Mr. Speaker, I would like to today invite interested colleagues to cosponsor H.R. 2069 and join myself and Congressmen Brown of California, Valentine of North Carolina, Matsui of California, Frenzel of Minnesota, and Fawell of Illinois in calling on the President to form this 4-month "National Commission on Commercial and National Defense Applications of Superconductors" to study methods of developing improved superconductors.

Mr. Speaker, I would like to submit for the Record at this point the bill, two recent media articles on this subject, as well as the agenda of the conference:

H.R. 2069

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That this Act may be cited as the "Superconductivity Competition Act of 1987".

Sec. 2. (a) Not later than fifteen days after the date of enactment of this Act, the President shall appoint a National Commission on Commercial and National Defense Applications of Superconductors. It shall include representatives of—

(1) the Congress;

(2) the National Academy of Sciences, the National Science Foundation, the National Aeronautics and Space Administration, the Department of Energy, the Department of Justice, the Department of the Treasury, the Department of Commerce (including the National Bureau of Standards), the Department of Education, the Department of Transportation, and the Department of Defense;

(3) organizations whose membership is comprised of physicists and engineers;

(4) organizations representing the interests of the general public; and

(5) representatives of companies and universities engaged in superconductivity research.

(b) Not later than four months after the date of enactment of this Act the Commission shall submit a report to the President and to the Congress, regarding recommendations as to how to enhance the development of improved superconductors and commercial and national defense applications of superconductors. In preparing this report, the Commission shall address at least—

(1) the state of United States competitiveness in the development of improved superconductors;

(2) methods to improve and coordinate the collection and dissemination of research data relating to superconductivity;

(3) methods to improve and coordinate funding of research and development of improved superconductors;

(4) methods to improve and coordinate the development of viable commercial and military applications of improved superconductors;

(5) foreign government activities designed to promote research, development, and commercial application of improved superconductors;

(6) the need to provide increased Federal funding of research and development of improved superconductors;

(7) the impact on the United States national security if the United States must rely on foreign producers of superconductors;

(8) the benefit, if any, of granting private companies partial exemption from United States antitrust laws to allow them to coordinate research, development, and products containing improved superconductors;

(9) options for providing income tax incentives for encouraging research, development, and production in the United States of products containing improved superconductors; and

(10) methods to strengthen domestic patent and trademark laws to ensure that qualified superconductivity discoveries receive the fullest protection from infringement.

(c) The President shall provide whatever staff or other resources are necessary to facilitate the deliberations and carry out the charge of the Commission.

BREAKTHROUGH IN SUPERCONDUCTIVITY: THE RACE TO COMMERCIALIZE

PANEL 1: TECHNOLOGY APPLICATIONS

Moderator: Rep. Don Ritter (Chairman, Task Force on High Technology and Competitivess).

Introductions and Welcome: Senator John Danforth, Rep. Harris Fawell.

Topics

Basic Materials (timeframe for breakthroughs toward commercialization).

Materials Processing.

Electronics/Computer (linking superconductors & semiconductors).

Magnetics (motors, electric cars, trains).

Electrical/Power Transmission.

Panelists

Kent Bowen, Ph.D. (Massachusets Institute of Technology).

Praveen Chaudhuri, Ph.D. (IBM-T.J. Watson Research Center).

Paul C.W. Chu, Ph.D. (University of Houston).

Robert A. Laudise, Ph.D. (AT&T Bell Labs).

Frank Y. Fradin, Ph.D. (Argonne National Laboratories).

Richard Harris, Ph.D. (National Bureau of Standards—Cryoelectronic Metrology Group).

John Hulm, Ph.D. (Westinghouse).

Brain Maple, Ph.D. (University of California at San Diego).

PANEL 2: POLICY CONSIDERATIONS—TOWARD U.S. LEADERSHIP IN SUPERCONDUCTORS

Moderator: Rep. Don Ritter (Chairman, Task Force on High Technology and Competitiveness).

Introductions and Welcome: Senator Dave Durenberger, Rep. Amo Houghton (Vice-Chairman, Task Force on High Technology and Competitiveness), Rep. Bill Frenzel.

Panelists

Neil Ashcroft, Ph.D. (Cornell University).

Kent Bowen, Ph.D. (Massachusets Institute of Technology).

Praveen Chaudhuri, Ph.D. (IBM-T.J. Watson Research Center).

Paul C.W. Chu, Ph.D. (University of Houston).

Alan Clark, Ph.D. (National Bureau of Standards).

John Hulm, Ph.D. (Westinghouse).

James L. Merz, Ph.D. (University of California at Santa Barbara).

Note: The following organizations have indicated they will be in attendance: OSTP, OTA, DOE, DOC, NSF, and DOD.

[From the Washington Post, May 1, 1987]

JAPAN COULD WIN SUPERCONDUCTOR RACE WITH UNITED STATES, SCIENTISTS WARN

(By Michael Specter)

Scientists leading the intense effort to develop a new class of superconductors, which carry electricity without losing energy, warned yesterday that the United States must act quickly to compete with the strong national effort under way in Japan.

Speaking at a House forum on high-technology competitiveness, researchers from government, industry and the academic world expressed fear that American companies have not prepared for the fierce race to market the new ceramic materials used to make superconductors.

"Most of the fundamental knowledge has come out of U.S. labs," said Kent Bowen, professor of ceramics engineering at the Massachusetts Institute of Technology. "But the Japanese are already making devices. If we don't get our act together, we don't have a chance."

On almost the day that the new ceramics were devised, Japan's Trade Ministry organized a national consortium of experts to work on all aspects of development.

At the forum, several politicians called for creation of a similar U.S. national board to oversee superconductor research and help bring new products, such as wires and computer chips, to market.

Speakers repeatedly mentioned that, although the United States was first with color television and videocassette recorders (VCRs), those markets have been ceded almost completely to Japan.

"We go on inventing, and they go on producing," Sen David F. Durenberger (R-Minn.) said. "The stakes are just too high to let superconductivity go the way of the VCR industry."

The financial implications may be enormous. Superconductors that could transport electricity—whose power is not diminished by the customary resistance in transmission—would have a vast array of potential applications, from power lines to high-speed trains and powerful computers.

If scientists find materials that conduct electricity at room temperature with no loss of power, the discovery would transform electronic technology. Conventional superconductors must be cooled by liquid helium to hundreds of degrees below zero. Liquid helium is rare, expensive and difficult to handle.

Progress in the laboratory has moved at a blistering pace, but leading researchers have voiced increasing concern that, as in the past, the United States could yield to Japan in practically applying the new technology.

"It is very important to be the first with the results and the first to get new material to market," said Robert Laudise of AT&T Bell Labs. "Without both, one doesn't matter."

Laudise said one U.S. industrial weakness involves processing materials, "the art and science of making things," as he put it.

"When you really try to cultivate process as science, things go well in manufacturing," he said. "When you don't, you lose the whole ball game."

All speakers said much remains to be learned about the new materials, their structure and how they work.

Scientists from several disciplines—among them physics, materials research and chemistry—have joined to try to determine how the new ceramics work and what might work better.

Laboratories nationwide have begun fabricating wires, tapes and thin films that could be deposited on computer chips. But, because the ceramic mixture is brittle and carries only light loads of electrical current, most devices are far from ready for commercial use.

Rep. Don Ritter (R-Pa.), who organized the forum, said he has urged the White House to consider forming a task force to monitor the industry's growth and development.

To dramatize his point, Ritter released a report from Sumitomo Electric Industries, a major Japanese manufacturing firm, that revealed highly detailed concentration on commercial applications of new materials.

"One year in the past is one day now," the memo read. "We should seek for a new style management in order to conduct basic research and applied research simultaneously."

[From the Morning, Allentown (PA) Call, May 1, 1987]

SUPER EFFORT SOUGHT: SUPERCONDUCTIVITY WORK DISCUSSED

(By Daniel Weiss)

WASHINGTON.—Pioneers in the rapidly developing field of superconductivity warned Congress yesterday that the United States must accelerate and coordinate its efforts to develop the new industrial science to beat the Japanese to the commercial market.

New advances in superconductivity, the state in which electricity moves through a material without any resistance, could affect almost every sector of society through improved electric and magnetic devices.

But physicists gathered for a congressional conference on superconductivity warned that the Japanese also are making breakthroughs in the technology and have a better structure to apply it to commercial products, such as computers, power stations, trains, and microwave stations.

"A coordinated national effort on superconductivity may be in order," said Dr. Paul C. W. Chu, a physicist at the University of Houston credited with one of the most recent U.S. advances in superconductivity.

Chu was one of nearly a dozen physicists who spoke at the conference called "Breakthrough in Superconductivity: the Race to Commercialize." It was sponsored by the Task Force on High Technology and Competitiveness within the House Republican Research Committee.

Rep. Don Ritter, R-15th, a metallurgist by training, is chairman of the task force and organized the conference. "In the annals of human history, significant breakthroughs occur in science and technology that change the way we live and work," Ritter told the panelists and an audience of about 50 people.

"We may finally see efficient electric cars of high speed bullet-trains that float on cushions of air produced by electromagnetics," said Ritter, speaking in an almost awe-like tone. "Superconductivity," Ritter said, asking the audience to imagine, "The commercial applications appear almost limitless."

But the physicists were there to emphasize the threat from Japan.

H. Kent Bowen, a professor of Ceramic Engineering at the Massachusetts Institute of Technology, said the Japanese Ministry of Information and Technology (MITI) could give that nation a competitive edge. MITI, which promotes public-private industrial partnerships on a national scale, recently announced a special task force to apply superconductivity to commercial products.

Bowen said the Japanese ceramics industry is well organized with several multi-billion companies poised to exploit the new technology. By contrast, he said the U.S. ceramics industry is in disarray.

"The Japanese government structure of funding for research allows them to introduce technology much faster than the United States," Bowen said.

"They are making devices already," he added, referring to a Japanese high-speed levitating train that is operating in the experimental stage.

Superconductivity was first discovered nearly a century ago, but developments that could lead to widespread commercialization have occurred in recent months. The U.S. Department of Energy, along with several private companies, has used superconducting magnets in nuclear fusion and in high energy particle physics research for several years.

* * * *

The more recent developments include the creation of a new class of materials that become superconductive at higher temperatures than previously thought possible. Until recently, superconductivity was thought possible only at the temperature of liquid helium, several hundred degrees below zero.

"Superconductivity is probably looking easy to most of the public" Richard Harris, a physicist at the National Bureau of Standards said. "It will not be easy."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, May 7, 1987, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 8

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Health and Human Services, and Department of Education.

SD-192

Energy and Natural Resources

Research and Development Subcommittee

To resume hearings on proposals to restructure the Department of Energy's uranium enrichment program.

SD-366

Joint Economic

To hold hearings to review the employment/unemployment statistics for April.

SD-628

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Housing and Urban Development, and independent agencies.

SD-124

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Federal Aviation Administration of the Department of Transportation, and the General Accounting Office (R, E & D, F & E, Airport Grants).

SD-138

Labor and Human Resources

Business meeting, to consider pending calendar business.

SD-430

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 11

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 12

9:00 a.m.

Judiciary

Technology and the Law Subcommittee

To hold hearings to review legal issues that arise when color is added to films originally produced, sold and distributed in black and white.

SD-226

9:30 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Defense, focusing on the Army budget.

SD-192

Environment and Public Works

Hazardous Wastes and Toxic Substances Subcommittee

To hold hearings to examine stratospheric ozone depletion and substitutes for ozone depleting chemicals.

SD-406

10:00 a.m.

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Board for International Broadcasting, and the Equal Employment Opportunity Commission.

S-146, Capitol

Small Business

To hold hearings to review the results of a survey conducted by the Committee of Graduates of the Small Business Administration's Minority Business Development Program under section 8(a) of the Small Business Act.

SR-428A

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Commerce, Science, and Transportation

Surface Transportation Subcommittee

To resume hearings on proposed legislation authorizing funds for the Hazardous Materials Transportation Act.

SR-253

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 13

9:30 a.m.

Banking, Housing, and Urban Affairs

Securities Subcommittee

To hold oversight hearings to review the proposed budget request for the Securities and Exchange Commission.

SD-538

Commerce, Science, and Transportation

Consumer Subcommittee

To hold hearings on proposed legislation authorizing funds for the Consumer Product Safety Commission.

SR-253

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Environment and Public Works

Hazardous Wastes and Toxic Substances Subcommittee

To continue hearings to examine stratospheric ozone depletion and substitutes for ozone depleting chemicals

SD-406

Judiciary

Patents, Copyrights and Trademarks Subcommittee

Business meeting, to mark up S. 568 and S. 573, bills to protect patent owners from importation into the United States of goods made overseas by use of a United States patented process.

SD-562

10:00 a.m.

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988, to receive public testimony on certain programs of the Departments of Commerce, Justice, State, the Judiciary, and related agencies.

S-146, Capitol

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Transportation and related agencies.

SD-138

Judiciary

To hold hearings on drug testing issues.

SD-226

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration, focusing on ocean and coastal programs.

SR-253

Judiciary

Antitrust, Monopolies and Business Rights Subcommittee

To hold hearings on S. 443, to provide that rail common carriers shall not be immune from private suits for damages or injunctive relief under the antitrust laws.

SD-562

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:30 p.m.

Judiciary

To hold hearings on pending nominations.

SD-226

MAY 14

9:00 a.m.

Governmental Affairs

Federal Services, Post Office, and Civil Service Subcommittee

To hold joint hearings with the House Committee on the Post Office and Civil Service's Subcommittee on Census and Population to review the 1990 census questionnaire.

SD-342

9:30 a.m.

Environment and Public Works

Hazardous Wastes and Toxic Substances Subcommittee

To continue hearings to examine stratospheric ozone depletion and substitutes for ozone depleting chemicals.

SD-406

Veterans' Affairs

Business meeting, to consider proposed legislation providing employment assistance to veterans, and proposed legislation approving VA construction of major medical facilities.

SR-418

10:00 a.m.

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Transportation and related agencies.

SD-138

Commerce, Science and Transportation

Business meeting, to consider pending calendar business.

SR-253

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 15

9:30 a.m.

Commerce, Science, and Transportation

Communications Subcommittee

To hold hearings on S. 506, Digital Audio Recorder Act.

SR-253

Governmental Affairs

Oversight of Government Management Subcommittee

To hold hearings to examine activities of the Food Safety and Inspection Service of the Department of Agriculture.

SD-342

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Housing and Urban Development, and independent agencies.

SD-124

MAY 18

2:00 p.m.

Commerce, Science, and Transportation

To hold hearings on pending nominations for the Board of Directors of the Corporation for Public Broadcasting.

SR-253

Energy and Natural Resources

To hold hearings on proposed legislation to expand the clean coal technology program.

SD-366

MAY 19

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration, focusing on atmosphere and satellite programs.

SR-253

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 20

9:30 a.m.

Agriculture, Nutrition, and Forestry

To resume oversight hearings on the implementation of the Federal Insecticide, Fungicide, and Rodenticide Act, focusing on pesticide residues in domestic and imported food.

SR-332

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Veterans' Affairs

To hold hearings on S. 6, Veterans' Health Care Improvement Act, S. 216, to increase the per diem rates paid to States for providing care to veterans in State homes, S. 631, to improve the procedures for the procurement of medical and pharmaceutical supplies by VA, S. 713, to facilitate the recruitment of registered nurses by the VA, proposed Veterans' Administration Health Personnel Recruitment and Retention Act of 1987, and other related proposals, and proposed legislation approving VA construction of major medical facilities.

SR-418

10:00 a.m.

Appropriations

Military Construction Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for Army military construction programs.

SD-192

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Judicial Conference, Commission on the Bicentennial of the Constitution, U.S. Sentencing Commission, and the State Justice Institute.

S-146, Capitol

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

2:00 p.m.

Energy and Natural Resources

To hold oversight hearings to review the Department of Energy report on energy security.

SD-366

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 21

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affairs.

SR-325

1:15 p.m.

*Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on H.R. 799, to designate a segment of the Kings River, California, as a wild and scenic river, and H.R. 626, to convey certain Federal public lands in Cherokee, DeKalb and Etowah Counties, Alabama, to any trustee who will convey such lands to the current owners of record.

SD-366

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 27

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 28

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 29

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

JUNE 2

9:30 a.m.

Energy and Natural Resources

To hold hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 4

9:30 a.m.

Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

SR-253

Energy and Natural Resources

To resume hearings on oil and gas leasing in the Coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 5

9:30 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on current water-related programs of the U.S. Geological Survey, focusing on quantification and analysis of groundwater resources.

SD-366

JUNE 8

9:30 a.m.

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 10

9:30 a.m.

Veterans' Affairs

To hold hearings on S. 9, Service-Disabled Veterans' Benefits Improvement Act, S. 453, to improve the standards for determining whether a radiation-related disease is service-connected, proposed Veterans' Radiation Exposure Compensation Act of 1987, and other related proposals.

SR-418

JUNE 11

9:30 a.m.

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 18

9:30 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To resume hearings on current water-related programs of the U.S. Geological Survey, focusing on quantification and analysis of groundwater resources.

SD-366

JUNE 23

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings to review proposed budget estimates for fiscal year 1988 for the Department of State.

SD-192

JUNE 30

9:30 a.m.

Veterans' Affairs

Business meeting, to consider S. 9, Service-Disabled Veterans' Benefits Improvement Act, proposals providing VA compensation, pension, education assistance, home loan, and other related benefits, proposed legislation providing for disability payments based on nuclear-detonation radiation exposure, and proposed legislation relating to the administration of the VA loan guaranty program.

SR-418

CANCELLATIONS

MAY 7

9:30 a.m.

Judiciary

Constitution Subcommittee

To hold oversight hearings on racial discrimination in the imposition of the death penalty.

SD-538

2:00 p.m.

Energy and Natural Resources

Research and Development Subcommittee

To hold hearings to review the status of the Department of Energy's defense materials production facilities.

SD-366

MAY 11

2:00 p.m.

Appropriations

Commerce, Justice, State, Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Legal Services Corporation.

S-146, Capitol

MAY 12

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for certain export financing programs.

S-126, Capitol

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 84, authorizing funds for the Land and Water Conservation fund, and S. 735, relating to the distribution of revenues received under the Land and Water Conservation Fund Act.

SD-366

MAY 13

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for foreign assistance programs.

S-126, Capitol

MAY 14

10:00 a.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To resume hearings on S. 84, authorizing funds for the Land and Water Conservation fund, and S. 735, relating to the distribution of revenues received under the Land and Water Conservation Fund Act.

SD-366

SENATE—*Thursday, May 7, 1987*

(Legislative day of Tuesday, April 21, 1987)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Honorable WILLIAM PROXMIRE, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

I exhort therefore, that first of all, supplications, prayers, intercessions, and giving of thanks be made for all; for kings and for all that are in high positions; that we may lead a quiet and peaceable life in all Godliness and honesty.—I Timothy 2:1-2.

Our Father in heaven, we join with millions throughout the Nation who are participating in this National Day of Prayer, proclaimed by the President in response to a joint resolution of Congress. We are grateful for the Governors who have proclaimed this a day of prayer in their States—and the mayors who have proclaimed it as a day of prayer in their cities. We are unspeakably grateful for the millions who are taking this day seriously in their homes, their churches, their places of work. We ask a special visitation of the Spirit of God upon those who will be joining together from many States to pray on Capitol Hill. We praise You, Lord, that Members of the Senate will be upheld in prayer by millions who believe that prayer makes a difference—who accept the mandate of the Apostle Paul to the church and respond by praying for all who are in authority. Grant, O God, that the spirit of prayer will pervade the Capitol today and that many who labor here will set aside a few minutes to spend in prayer alone or with peers. We pray this in His name Who to His disciples was a model of prayer to be emulated. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. STENNIS].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 1987.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM PROXMIRE, a Senator from the State of Wisconsin, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

Mr. PROXMIRE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

THE CHAPLAIN'S PRAYER

Mr. BYRD. Mr. President, I thank the Chaplain for reminding us as Tennyson did that "More things are wrought by prayer than this world dreams of," and for reminding us of the emphasis that our forefathers placed upon prayer and the importance of it and the need for it. In fact, that is our way of communicating with our Maker. We have noted that spiritual awareness that has come down from the very early fathers of the founding of this country to the present day.

Mr. President, it is a little like the old-time religion: What was good for all our fathers is good enough for us.

THE BUDGET

Mr. BYRD. Mr. President, last week in a speech before the Chamber of Commerce, the President reiterated his opposition to discussing a budget with Congress until the Democrats produced a budget. Last night, Senate Democrats produced a budget.

The President says he will veto increased revenues to balance the budget; yet, both his budget and the Senate budget have $18 billion in added revenues next year. The difference is that the revenues in the Democratic budget will help to balance the budget in 1991. The President's budget would still be $36 billion in the red by then.

The President's budget has been soundly rejected by both Houses. Last month, his budget received only 27 votes in the House. Yesterday, his budget got just 18 votes out of 99 votes in the Senate.

By contrast, the House budget passed with 230 votes. The Senate budget was adopted with 56 votes, including the votes of three Republicans.

After a conference with the House, I believe that both bodies will adopt a budget along the lines of that which passed the Senate yesterday.

Mr. President, the results speak for themselves. The Congress has shown that it is prepared to make the tough choices needed to reach a balanced budget. I hope that the President will take this as a sign and begin working with the Congress on a budget. He has been on the sidelines thus far. If he stays on the sidelines, I fear that the country is headed for a real budget crisis.

We are ready to sit down with the President. I hope he will come to the table.

A bipartisan budget is in the best interests of the country and we all owe it, the Republicans and Democrats, to the American people to put aside partisanship and act to put the Nation on a sound course.

Mr. President, have I any time remaining?

The ACTING PRESIDENT pro tempore. The majority leader has 6 minutes 10 seconds.

Mr. BYRD. Mr. President, I ask unanimous consent that I may reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the minority leader is recognized.

Mr. DOLE. Mr. President, I thank the distinguished Presiding Officer.

THE BUDGET

Mr. DOLE. Mr. President, I would indicate to the distinguished majority leader that I think at this point he is probably correct. I think now may be the time for the administration to become involved in this whole budget process. It has been my feeling from the outset that the President sent his budget up and it did not get many votes, as was stated. He fulfilled his responsibility. Now we have adopted our budget, or let us say there has been a budget adopted. It is not my budget. That is the way the system works. I would guess now is the time for us to start sitting down together to see if there is some common ground between Congress and the administration, and that means the President.

So I certainly do not disagree with the remarks of the majority leader. In

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● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

fact, I am going to do what I can to urge our former colleague and now the President's Chief of Staff, Mr. Howard Baker, to become involved in this process. It may be still a bit early. But I think once there is a conference report on the budget itself, then we are going to get into reconciliation, and then it is obviously time. Beyond that, it is too late.

NATIONAL BARRIER AWARENESS DAY

Mr. DOLE. Mr. President, today is an important day for more than 36 million Americans. It is a day to recognize the men, women, and children who represent a vital segment of our society. But unfortunately, it is a group that is oftentimes excluded from society—through no fault of its own!

DISABLED AMERICA

I am talking about disabled America, 36 million strong. And I mean strong: Strong in its desire to be a productive member of society, and strong in the determination to tear down the barriers that stand in its way. But we cannot do it alone.

That is why I ask my colleagues—and those who are watching or listening to these proceedings—to join me in marking "National Barrier Awareness Day." It is a 1-day event that I hope will lead to an everyday understanding of the challenges that confront disabled Americans. And I do not mean the challenge of disabilities; we can deal with that.

I mean physical challenges such as architectural barriers—the sidewalks and steps that prevent the disabled from getting to work; and attitudinal barriers—society's prejudices and insensitivity that segregate the disabled.

TEAR DOWN THE BARRIERS

Today, many Americans—including some caring celebrities—will take part in "National Barrier Awareness Day." They will spend the day in a wheelchair, or on crutches, or blindfolded, or whatever else it takes to discover firsthand what it means to be disabled.

They will then report their experiences at special events in all 50 States. One such event takes place in Washington today at the L'Enfant Plaza Lowes Hotel, in the Monet Ballroom on the second floor, at 3 p.m.

As the event's honorary chairman, I invite my colleagues to join me there. And I ask America to join us in our fight to tear down the barriers. If we do, more than 36 million Americans will have the opportunity to show the world that disabled does not mean unable.

BICENTENNIAL MINUTE

MAY 7, 1834: SENATE REFUSES TO PRINT PRESIDENT'S MESSAGE

Mr. DOLE. Mr. President, 153 years old today, on May 7, 1834, the Senate voted to reject a message from the President of the United States. That action occurred several weeks after the Whig-controlled body took the unprecedented action of censuring Democratic President Andrew Jackson for his refusal to support recharter of the Bank of the United States.

Jackson responded to his censure with a message to the Senate denying its power to take such an action. He wrote:

> Without notice, unheard and untried, I thus find myself charged on the records of the Senate, and in a form hitherto unknown in our history, with the high crime of violating the laws and Constitution of my country.

The President required that the Senate accept his "solemn protest" against its censure proceedings.

The Senate, following heated discussions, agreed, by a party-line vote, to the following four motions:

> First, Resolved, that the protest communicated to the Senate, * * * by the President of the United States, asserts powers as belonging to the President which are inconsistent with the just authority of the two Houses of Congress; and inconsistent with the Constitution of the United States. Second, that while the Senate is, and ever will be, ready to receive from the President all such messages and communications as the Constitution and laws; and the usual course of public business authorize him to transmit to it, yet it cannot recognize any right in him to make a formal protest against votes and proceedings of the Senate, declaring such votes and proceedings to be illegal and unconstitutional, and requesting the Senate to enter such a protest on its journals. Third, the aforesaid protest is a breach of the privileges of the Senate, and it will not be entered on the journal. Fourth, that the President of the United States has no right to send a protest to the Senate against any of its proceedings.

LEVIN AMENDMENT OF THE ABM TREATY

Mr. DOLE. Mr. President, the Armed Services Committee has reported the defense authorization bill, and we may turn to it on the floor as early as next week. As most of my colleagues know, that bill contains the so-called Levin-Nunn amendment which would tie the President's hands on SDI, on ABM Treaty interpretation, and—make no mistake about it—on arms control. It is not too early for us to give some serious thought to how we will handle this issue. This morning I would like to share my thoughts on the matter.

Some may not admit it, but it is President Reagan's strategy which led to progress on arms control, raising the prospect of an intermediate-range nuclear forces agreement.

The President's tough bargaining, and dedication to America's defense, have changed the arms control agenda. The eighth round of START began in Geneva this week, and the Soviets will be discussing real reductions, not theoretical caps; warheads, not launchers; and effective verification.

Everyone knows that our SDI Program has played a major role in getting the Soviets to talk seriously in Geneva. Moscow would very much like to transform our SDI from America's future defense to an endless research project—while they push ahead aggressively to build their own strategic defenses—and some in Congress are unwittingly helping to do just that.

The President is considering his legal options under the ABM Treaty, seriously and cautiously. He is sharing the studies which underpin his thinking with us; and he has engaged us in extensive consultations. Nevertheless, some are jumping ahead, seeking to bind his hands with ill-conceived amendments on crucial bills.

The Levin-Nunn amendment would simply legislate the narrow interpretation of the ABM Treaty: Restricted development and testing could only proceed if approved by a joint resolution of Congress—essentially, a one-House veto. And let us not forget that this amemdment is nothing less than a unilateral constraint on United States defense programs, and a unilateral concession to the Soviets.

The President cannot negotiate with Congress and the Soviets at the same time. He cannot negotiate with the Soviets if Congress has already given the Soviets the prize they want. It is absolutely pointless to expect productive talks in Geneva if Congress starts legislating the Soviet agenda by strangling SDI for them.

I believe that arms control, defense, and the Constitution would be better served if we support our negotiators now, continue to give the President the benefit of our counsel on the ABM Treaty, and await his decision.

President Reagan has repeatedly warned that he will veto any attempt to enact the Soviet agenda. It it comes to that, the American people will support him, and so will a sufficient number of Senators.

Finally, Mr. President, I am sure that all my colleagues were happy to hear that Ambassador Max Kampelman represented the United States at the opening of the eighth round of talks this week. It is good to have him back on the job.

It is in that spirit that we have arms control, that bipartisan spirit. Max Kampelman, as many of us know, is a very active, long-time member of the other party, the Democratic Party, and the President is a Republican. It is this spirit, this nonpartisan spirit, that

I think we will finally achieve the success that most Americans are looking for in Geneva.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business not to extend beyond the hour of 11:30 with Senators permitted to speak therein for 5 minutes each.

(Mr. GRAHAM assumed the Chair.)

WHY MAD SERVES AMERICAN INTEREST BETTER THAN SDI

Mr. PROXMIRE. Mr. President, this Senator is very interested in the concluding remarks by the distinguished Republican leader. The Senator disagrees, of course, strongly with the Republican leader on the efficacy of the SDI and this Senator has a lot of company.

Mr. President, where is the strategic defense initiative [SDI] going? Will it continue to be the No. 1 priority of the Reagan administration? And how will it proceed in this deficit-conscious and SDI-critical Democratic Congress? Last year, the Congress cut the Presidents SDI budget request by a hefty one-third. The administration warded off a far deeper reduction by a bare one vote margin in the Republican Senate. Won't the President suffer diminished clout in the wake of the Iran-Contra fiasco? He certainly will. Won't the last 2 years of the administration make the President's lameduck status increasingly evident? Of course.

Won't the new Democratic Senate enfeeble the President's prime SDI base of support in future congressional battles? It will indeed. Since this diminution in Presidential power over the Congress is so evident, isn't it clear that in the remaining 2 years of the President's administration he cannot possibly win from the Congress the research funding momentum necessary to keep SDI on track toward the comprehensive nationwide antiballistic missile defense that the President and his Secretary of Defense have so often called for? I believe this is the case. So what can we expect the administration to do about what seems like a losing battle?

One major possibility is for the administration to drop the pie-in-the-sky vision of a super nationwide astrodome SDI defense, in favor of the more widely accepted SDI "point defense".

What would the so-called point defense do? The point defense would provide protection for land-based missile sites, submarine pens, bomber bases, and command centers. It would forget the population defense. It would protect our nuclear deterrent. Would such a defense significantly advance the national security of the United States? The answer is no. That kind of defense could serve the interests of the Soviet Union. It could not serve the interests of the United States. Why is this? First, the Soviet Union has deployed most—about 70 percent—of its nuclear deterrent in land-based stationary launchers. We know exactly where every one of these Soviet launchers is. They are stationary. They will be there next month, next year, and 5 years from now. We can easily develop the technology to penetrate any conceivable Russian hardening of these launching sites. But a Soviet defense of this offensive nuclear capability based on radar and deployed interceptors would probably preserve a sufficient capability to permit an effective Soviet retaliation for an American attack aimed at these land-based launchers. So a Soviet point defense SDI could serve the U.S.S.R. security interests. Why wouldn't a similar U.S. deployment serve American interests just as surely?

Answer: there is a difference. Unlike the Soviets, this country does not have 70 percent of its deterrent in vulnerable; stationary land-based launchers. In fact, 75 percent of the American deterrent is already mobile, and largely invulnerable. Fifty percent of our nuclear capability is based on submarines. Many of those submarines are scattered throughout the world's oceans. Each of our Trident submarines—each one—over time has the capability to eliminate every major city in the Soviet Union. Of course, some of those submarines are in port, but most of them could be at sea long before a missile fired from Soviet territory could reach the continental United States. And that isn't all. Another 25 percent of the U.S. deterrent is deployed in bombers—either in the air or capable of being airborne within a very few minutes of the time the Soviets launch an attack. Like the submarines, the bombers are virtually invulnerable to attack. Clearly, a sufficient number of American submarines and bombers would survive any Soviet attack to permit a retaliatory response that would end the Soviet Union as an organized society.

This is the situation right now, today. So do we need SDI? Now you tell me what a point defense could significantly add to the deterrence of our present submarine and bomber borne deterrent.

All of this is exactly why the ABM Treaty that in effect bans a nationwide SDI of any kind is in the strict national security interest of the United States, as well as in the interest of nuclear peace. Yes indeed, the ABM Treaty is grounded on the recognition of the grim doctrine of mutual assured destruction. MAD recognizes the principle of deterrence that has kept the peace since the dawn of the nuclear age more than 40 years ago.

It is working better today than ever. There is every reason to expect that this doctrine of mutual terror will work in the future. We should certainly not spend a trillion dollars on an SDI system that undermines this established and proven doctrine of deterrence.

AN AMERICAN DIES IN NICARAGUA

Mr. PROXMIRE. Mr. President, Benjamin Linder, a young mechanical engineer living and working in Nicaragua, was killed on the morning of April 28. Available evidence indicates that he died in an attack by Contra military forces.

This fact hit home hard in my office where Thomas C. Hecht, a cousin of Mr. Linder's, is in residence as an intern. Often a tragedy only gains significance when it occurs to someone you know. Then the reality of the situation becomes more personal. And the consequences of the loss assume their true proportion.

Mr. Hecht expressed his feelings by way of an article in the Milwaukee Sentinel on May 6. He makes a convincing call to stop the bloodshed in Nicaragua.

In the meantime the Congress can take action. We can refuse to appropriate any more funds for the Contras. And we can insist that the State Department and the administration conduct a full and impartial investigation into this killing—including the extradition of any individuals believed to be guilty of this crime, should that be consistent with U.S. law and the findings of an official inquiry.

Mr. President, I ask unanimous consent that the article by Mr. Hecht in the Milwaukee Sentinel be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Milwaukee Sentinel, May 6, 1987]

COUSIN: LET'S MAKE SURE LINDER IS LAST AMERICAN KILLED BY CONTRAS

(By Thomas C. Hecht)

On the morning of April 28, Benjamin Linder, a 27-year-old mechanical engineer building a hydroelectric plant in rural Nicaragua was killed when six Nicaraguan contras ambushed him.

He was the first American killed by the American-backed contras in their increasingly bloody and unavailing attempt to wage war against the Nicaraguan people.

As his older brother John Linder fittingly noted: "His death was not an accident. His death was policy."

To me, the situation in Nicaragua and the erroneous policy of this United States in backing the contras hits home because Ben Linder was my cousin.

American weapons and American aid to the contras were responsible for the killing of an innocent man.

Ben was a civilian technician who, like thousands of other volunteers in recent years, knew that rural electrification, health care and education are universial rights that transcend political disputes.

Like some 60,000 other Americans who have visited Nicaragua since the 1979 revolution, he also saw his presence as a way of repudiating US support for the contra rebels.

Indeed, the only thing that makes his death more noteworthy than the thousands of other civilians that the contras have killed is the fact that he was an American. However, the victim himself stated on several occasions that his life was not worth more or less than that of any Nicaraguan.

In a week where Americans watching the PBS broadcast of "Shoah" were startled at the complicity of Jews shoving Jews into the gas chambers, what is extraordinary is the complacency with which this country supports the brutal slaying of Nicaraguans by Nicaraguans.

Will adding one American's name to the list change our intentions? Will his death change the loathsome contra practice of attacking civilian projects in Nicaragua?

If anything, let us hope that Ben's death brings the holocaust underway in Central America closer to home. Americans must learn that democracy should stand on its own, if it is worth anything. It shouldn't have to be propped up, least of all by resorting to violence. Democracy means building dams for the poor people you love.

If there is any solace in Ben's death, it is that he was able to illuminate several rural Nicaraguan villages. Maybe now he will light up the hearts of Americans to urge their elected representatives to stop the bloodshed.

This will only occur if the United States cuts off further aid to the contras, prohibits private organizations such as Carl Channell's from offering any assistance to their cause, and recognizes that the Sandinista government is here to stay.

Benjamin Linder was a freedom fighter. Let us make certain that he is the last American killed by the contras.

ORDER OF PROCEDURE

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. PROXMIRE assumed the chair.)

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I ask unanimous consent that I may have 5 minutes for a statement in morning business.

The ACTING PRESIDENT pro tempore. The Senator has that right.

Mr. BYRD. Mr. President, will the distinguished Senator withhold while the distinguished Republican leader is on the floor, so that we might transact a little business? It will be just 3 minutes.

Mr. GRAHAM. Yes.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr BYRD. Mr. President, I will propound these requests while the Republican leader is on the floor.

HOKULE'A WEEK

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of Senate Resolution 193, a resolution commemorating Hokule'a Week.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution.

The ACTING PRESIDENT pro tempore. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 193) to express the sense of the Senate at the period commencing on May 23, 1987, and ending on May 30, 1987, is recognized as "Hokule'a Week."

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 193

Whereas the Polynesian Voyaging Society's double-hulled sailing canoe, the Hokule'a, will return to Oahu on May 23, 1987, after a two and one half year voyage of rediscovery;

Whereas the Hokule'a was born out of scientific controversy, and proved that early Polynesian migration could, indeed, have sailed from the west against the prevailing direction of the winds, as ancient chants had described;

Whereas the Hokule'a proved that early Polynesian migration could have been purposefully performed with sophisticated noninstrument navigation;

Whereas the Hokule'a greatest success may have been in gathering together the people of Hawaii with other Pacific islanders to work towards a common goal;

Whereas the people of Hawaii are inviting the Pacific island dignitaries, who became a part of Hawaii's goodwill lei, to celebrate the return of the Hokule'a with them;

Whereas the celebration of the return of the Hokule'a might be an appropriate occasion for a friendly gesture to be made between the United States and the Pacific islanders;

Whereas this celebration would provide an opportunity for mainland American's and the people of Hawaii to share with the Pacific islanders, the goodwill of the return of the Hokule'a; and

Whereas the Hokule'a represents the spirit of challenge that generates exploration and discovery in every age, whether it be ancient Polynesians navigating the vast Pacific by the stars and their senses, or astronaut Ellison Onizuka, who said, "If everything else (navigational) fails, we can still use the stars to get home", or navigator Nainoa Thompson, settling scientific controversy and proving the truths of ancient songs by navigating the Pacific as the ancients did: Now, therefore, be it

Resolved, That it is the sense of the Senate that the period commencing on May 23, 1987, and ending on May 30, 1987, is recognized as "Hokule'a Week".

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

JEWISH HERITAGE WEEK

Mr. BYRD. Mr. President, I ask unanimous consent that the committee on the Judiciary be discharged from further consideration of House Joint Resolution 67, a resolution commemorating Jewish Heritage Week.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Joint Resolution 67.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 67) to authorize the President to issue a proclamation designating May 3 through May 10, 1987, as "Jewish Heritage Week."

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H. J. Res. 67) was considered, ordered to a third reading, read the third time, and passed.

MR. BYRD. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SOLIDARITY SUNDAY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of Senate Resolution 201, a resolution commemorating Solidarity Sunday.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 201.

The ACTING PRESIDENT pro tempore. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 201) to express the sense of the Senate in support of Solidarity Sunday.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 201

Whereas, on May 3, 1987, the constituent agencies of the Coalition to Free Soviet Jews will sponsor "Solidarity Sunday for Soviet Jewry" in reaffirmation of the American people's resolve to secure freedom for Soviet Jews and other beleaguered individuals;

Whereas, Americans of all faiths will join with the Coalition in public expressions of solidarity with the more than 2.5 million Jews in the Soviet Union;

Whereas, the right to emigrate freely and to be reunited with one's family abroad is being denied by Soviet authorities to Soviet Jews and other groups in direct contravention of the Universal Declaration of Human Rights, and the Helsinki Final Act, and Madrid Concluding Document, to all of which the Soviet Union is signatory;

Whereas, the government of the Soviet Union has implemented new emigration restrictions designed to make the process of obtaining an emigration visa even more difficult;

Whereas, the emigration of Soviet Jews has been severely restricted in recent years, hovering at 1,000 per year or less, from a high of 51,320 in 1979;

Whereas, those Soviet Jews and other persons who have applied to leave the Soviet Union have been subjected to expulsion from jobs and schools, exile from major Soviet cities, constant surveillance and harassment and even arrest and imprisonment on false charges;

Whereas, the government of the Soviet Union continues to persecute its Jewish citizens and deny them even those few rights and privileges accorded other recognized religions in the Soviet Union;

Whereas, the government of the Soviet Union discriminates against Jewish cultural and religious activities by banning and suspending Hebrew and Jewish cultural classes, arresting Hebrew teachers on false criminal charges, attacking Hebrew teaching circles as "subversive", promoting anti-Semitic ideology under the cloak of "anti-Zionism", and harassing those Soviet Jews who seek only to exercise their right to practice their religious and cultural heritage;

Whereas, the government of the Soviet Union will not succeed in isolating Soviet Jews from their friends in the free world so long as those who cherish liberty and human rights continue to speak out on behalf of beleaguered people everywhere;

Whereas, the Soviet Union has undertaken positive steps in the area of human rights, among these a minimal increase in monthly emigration and the release of several prominent prisoners of conscience;

Whereas, progress in the areas of Jewish emigration and Jewish religious and cultural rights would contribute importantly to improved U.S.-Soviet relations; and

Whereas, "Solidarity Sunday for Soviet Jewry" will serve as an expression of American determination to continue efforts to obtain freedom for Soviet Jews who are prisoners of conscience, to halt exit visas granted to refuseniks, many of whom have sought permission to emigrate for up to seventeen years, and to secure the free exercise of religious beliefs and cultural expression for all minorities: Now, therefore, be it

Resolved, by the Senate of the United States of America that the President is authorized and requested to issue a proclamation designating May 3, 1987 as "Solidarity Sunday for Soviet Jewry" and calling upon the people of the United States, State and local government agencies, and interested organizations to observe these days with appropriate ceremonies, activities and programs.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

50TH ANNIVERSARY OF DUCKS UNLIMITED, INC.

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of Senate Concurrent Resolution 52, a resolution commemorating the 50th anniversary of the conservation organization Ducks Unlimited, Inc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Concurrent Resolution 52.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be stated by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 52) to recognize and congratulate Ducks Unlimited, Incorporated, in honor of its 50th anniversary.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. Con. Res. 52

Whereas Ducks Unlimited, Incorporated, is one of the largest and most successful private wetlands and waterfowl conservation organizations in the world, having raised nearly $400,000,000 and conserved more than 4,000,000 acres of wetlands throughout North America;

Whereas wetlands play an integral role in maintaining the quality of life through material contributions to our national economy, food supply, water quality and supply, flood control, and fish, wildlife, and plant resources, and thus to the health, safety, recreation, and economic well-being of all citizens;

Whereas wetlands constitute only a small percentage of the land area of North America, are estimated to have been reduced by half in the contiguous States, and continue to disappear at the rate of nearly 700,000 acres each year;

Whereas governments alone cannot adequately protect valuable wetlands without help from private organizations;

Whereas the members, volunteers, and staff of Ducks Unlimited have given generously of their time, energy, and financial resources to achieve outstanding conservation objectives;

Whereas Ducks Unlimited has established and maintained a singleness of purpose for the protection and enhancement of waterfowl habitats that is a standard other organizations have sought to achieve; and

Whereas January 29, 1987, was the 50th anniversary of the founding of Ducks Unlimited and its pioneering leadership in continent-wide waterfowl conservation programs: Now, therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognizes and congratulates Ducks Unlimited, Incorporated, for its 50 years of unprecedented accomplishments in the protection and enhancement of wetlands waterfowl habitat.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ACREAGE DIVERSION PROGRAMS

Mr. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 1157.

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendments of the Senate to the bill (H.R. 1157) entitled "An Act to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the following are appointed as conferees on the part of the House:

For consideration of all matters except Senate amendment numbered 21: Mr. de la Garza, Mr. Glickman, Mr. Huckaby, Mr. Marlenee, and Mr. Roberts.

Solely for the consideration of Senate amendment numbered 21: Mr. Nowak and Mr. Stangeland.

Mr. BYRD. Mr. President, on behalf of Mr. Leahy, I move that the Senate insist on its amendments, agree to the conference requested by the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Chair appointed the following conferees on the part of the Senate: Senators LEAHY, MELCHER, PRYOR, BOREN, LUGAR, DOLE, and HELMS; and for areas under the jurisdiction of the Committee on Environment and Public Works, Senators MOYNIHAN and STAFFORD.

RETENTION OF PAY FOR CERTAIN FEDERAL WORKERS IN THE TUCSON AREA

Mr. BYRD. Mr. President, I inquire of the distinguished Republican leader if he is ready to proceed with Calendar Order No. 84, S. 942.

Mr. DOLE. Yes, we are prepared to proceed. It has been cleared on this side.

Mr. BYRD. I thank the leader.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 942.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 942) to amend title 5, United States Code, to extend the pay retention provisions if such title to certain prevailing rate employees in the Tucson area whose basic pay would otherwise be subject to reduction pursuant to a wage survey.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That notwithstanding section 536.104(a)(3) of Title 5, Code of Federal Regulations, Federal wage employees in the Tucson, Arizona wage area whose pay has been reduced as a result of a wage survey conducted during fiscal year 1986 shall be entitled to pay retention under 5363 of title 5, United States Code, commencing on the date such reduction took effect.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMISSIONER OF FOOD AND DRUG ADMINISTRATION

Mr. BYRD. Mr. President, is there a House message at the desk on H.R. 1226, the bill to require Senate confirmation for the appointment of the Commissioner of the Food and Drug Administration?

The ACTING PRESIDENT pro tempore. The bill H.R. 1226 is at the desk.

Mr. BYRD. Mr. President, I ask that the bill be read the first time.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1226) to amend the Federal Food, Drug, and Cosmetic Act to require the appointment of the Commissioner of Food and Drugs to be subject to Senate confirmation.

Mr. BYRD. Mr. President, I ask that the bill be read the second time.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DOLE. Mr. President, on behalf of Senator HATCH, I object.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be held at the desk.

Mr. BYRD. I thank the Chair and I thank the Republican leader.

JUST SAY NO TO DRUGS WEEK

Mr. BYRD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of Senate Joint Resolution 124, "Say No To Drugs Week."

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Joint Resolution 124.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 124) designating May 10, 1987, through May 16, 1987, as "Just Say No To Drugs Week."

The Senate proceeded to the joint resolution.

Mr. BYRD. I thank the distinguished Senator from Florida for yielding. I understand this measure before the Senate is a measure on which he is interested in speaking.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

Mr. GRAHAM. Thank you, Mr. President, I appreciate the courtesy of the majority and minority leaders in affording me time to make a few comments on this important joint resolution.

This joint resolution, Mr. President, will call upon the President of the United States to designate the week on May 10 through May 16 as "Just Say No To Drugs Week."

We know that one of the great challenges to our generation of Americans is to resist the constantly rising, frightening flood of drugs and their use in this Nation. This is a special challenge as it relates to young people. Unfortunately, many young people today see many role models that indicate that the use of drugs is acceptable and is an appropriate pattern of life. They see this in figures who are prominent in sports and entertainment. We also know that young people are influenced by their peers and by those whom they accept as role models.

"Just Say No To Drugs" clubs, which have been established in schools across our Nation, have given our young people an option and support to help them choose the option of a drug-free life.

This resolution recognizes the Nation's young people who are publicly fighting drug abuse by saying no to drugs. They are contributing—by dedication and by courageous example—to the important goal of a drug-free America.

Next week, local communities around the country will be conducting events and rallies to demonstrate their commitment to fighting drug abuse. With the leadership of First Lady, Mrs. Nancy Reagan, thousands of schoolchildren, their parents, and other concerned citizens will participate in these events.

In the State of Florida, 75 communities will host "Red Ribbon Day" on May 13. Floridians will wear red ribbons. Police cars and city vehicles in Miami will have red ribbons attached to their antennas. In Tallahassee, the capital of our State, the capitol building itself and other government buildings will be wrapped with red banners as a reminder to be vigilant in the war against drug abuse.

On May 15, 50,000 Florida schoolchildren will march statewide in the national "Just Say No" walk.

We can only combat the tragedy and waste of drug abuse among children and teenagers by education and reinforcement—and positive peer pressure. I ask my colleagues to salute this effort, and the young people who are making a difference, by supporting this resolution to declare "Just Say No To Drugs Week."

The ACTING PRESIDENT pro tempore. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, is as follows:

S.J. RES. 124

Whereas America's youth are our Nation's most precious resource;

Whereas young people are contributing to drug abuse prevention by starting "Just Say No" clubs and saying "no" to drugs;

Whereas America's youth should be recognized and encouraged for their efforts in the fight against drug abuse: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of this Nation's young people to publicly fight drug abuse by just saying "no" to drugs and thereby contributing to the end of drug abuse in America, the President is directed to issue a proclamation designating the week of May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week", and calling on the people of the United States to observe this week with appropriate programs, ceremonies, and activities.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. DOLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DIXON. Mr. President, I ask unanimous consent to proceed as though in morning business for a short period of time until the majority leader is ready to proceed.

Mr. BYRD. Mr. President, will the distinguished Senator from Illinois allow the able Republican leader and myself to just proceed with the nomination on the Executive Calendar? It will take less than 2 minutes.

Mr. DIXON. I say to the majority leader, it is always my distinct pleasure to yield to the majority and minority leaders for the purpose of performing Senate business.

Mr. BYRD. I thank the distinguished and very able Senator from Illinois [Mr. Dixon].

EXECUTIVE CALENDAR

Mr. BYRD. Mr. President, I ask the distinguished Republican leader if the following nominations have been cleared on the Executive Calendar on his side of the aisle: All of the nominations on page 2 under the Department of Health and Human Services, the Judiciary, the Department of Justice, with the exception of Calendar Order No. 90, message No. 98 and the nominations on page 3 under Department of Justice, the Judiciary, International Monetary Fund, and the Department of State and on page 4 the nominations placed on the Secretary's desk in the Foreign Service.

Mr. DOLE. Mr. President, if the majority leader will yield I think he is correct with one addition. Calendar No. 88 has not yet been cleared as he mentioned; Calendar No. 90, Calendar No. 100 has not been cleared.

Mr. BYRD. Very well. I thank the Republican leader.

EXECUTIVE SESSION

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the following nominations en bloc: Calendar Order Nos. 89, 91, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, and the nominations placed on the Secretary's desk in the Foreign Service.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the nominations not only be considered en bloc but confirmed en bloc, and that the motions to reconsider en bloc be laid on the table, and that the Senate return to legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

The Judiciary

Bohdan A. Futey, of Ohio, to be a Judge of the U.S. Claims Court for the term of 15 years vice Philip R. Miller, term expired.

Reena Raggi, of New York, to be U.S. District Judge for the Eastern District of New York, vice Frank X. Altimari, elevated.

Ronald S. W. Lew, of California, to be U.S. District Judge for the Central District of California vice Laughlin E. Waters, retired.

Richard J. Daronco, of New York, to be U.S. District Judge for the Southern District of New York vice Lee P. Gagliardi, retired.

David S. Doty, of Minnesota, to be U.S. District Judge for the District of Minnesota, vice Miles W. Lord, retired.

Department of Justice

J. Keith Gary, of Texas, to be U.S. Marshal for the Eastern District of Texas for the term of four years vice James G. Barton, term expired.

Earl L. Rife, of Ohio, to be U.S. Marshal for the Northern District of Ohio for a term of 4 years. (Reappointment)

Dwight G. Williams, of Mississippi, to be U.S. Marshal for the Northern District of Mississippi for a term of 4 years. (Reappointment)

Robert W. Foster, of Ohio, to be U.S. Marshal for the Southern District of Ohio for a term of 4 years. (Reappointment)

The Judiciary

Wilkes C. Robinson, of Kansas, to be a Judge of the U.S. Claims Court for a term of 15 years vice Judith Ann Yannello, term expired.

International Monetary Fund

Charles H. Dallara, of Virginia, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years. (Reappointment)

Department of State

Fred J. Eckert, of Virgnia, for the rank of Ambassador during the tenure of his services as U.S. Representative to the United Nations Agencies for Food and Agriculture in Rome.

Nominations Placed on the Secretary's Desk in the Foreign Service

Foreign Service nominations beginning Ain H. Kivimae, and ending Ravindar Kumar Sikand, which nominations were received by the Senate and appeared in the Congressional Record of April 10, 1987.

Mr. BYRD. I thank the distinguished minority leader.

Mr. DOLE. Mr. President, as is in executive session, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. I again thank the Senator from Illinois.

The PRESIDING OFFICER (Mr. Graham). The Senator from Illinois is recognized.

Mr. DIXON. Thank you, Mr. President and I thank the majority leader.

YOUNG U.S. CITIZENS ABDUCTED TO SAUDI ARABIA: WHERE CAN THEY TURN?

Mr. DIXON. Mr. President, not long ago I related to the U.S. Senate the tragic case of two young American citizens illegally abducted by their fugitive father to the Kingdom of Saudi Arabia. For over 1 year I have been pressing the Saudi Arabian monarchy to bring these two young children home.

Khalid Hammad Al-Geshayan came to the United States in 1974 as a student. He married a young American woman, Patricia Roush, whom he had met at San Francisco City College, in 1978. They had two daughters together, named Alia and Aisha, both of whom are U.S. citizens by birth.

Soon after the marriage, problems began to arise stemming from Geshayan's documented alcoholism and schizophrenia. A period ensued, Mr. President, when Geshayan beat his wife and his first child repeatedly.

Needless to say, Patricia filed for divorce and was granted one in December 1985. Judge Charles J. Grupp of the Circuit Court of Cook County, IL, granted a dissolution of marriage on the grounds of mental cruelty. Judge Grupp awarded sole custody of Alia and Aisha to Patricia.

Shortly thereafter, Mr. President, Geshayan returned to the United States, harassed his ex-wife, and ultimately abducted the two young girls to Saudi Arabia.

I have a prepared statement, Mr. President, in which I detail the entire course of Geshayan's activities since arriving in the United States on a diplomatic visa in December 1974. This statement contains a comprehensive analysis of the U.S. Government's case against Geshayan. It documents his alcoholism and schizophrenia, and his activities in the United States for which he is criminally charged. I will ask unanimous consent that this statement be printed in the Record.

At this point, Mr. President, I would like to describe to the Senate my efforts to bring this very unfortunate state of affairs to the attention of our State Department and the Saudi Arabian Government.

I regret to say, Mr. President, that the response I have received has been dismal. My constituent, Patricia Roush, has been told by the State Department that there is nothing our Government can do to bring these two young U.S. citizens back to their mother and their country. I personally brought this matter to the attention of Saudi representatives in my Senate office, and again urged that the decisions of the U.S. court be honored. Again, Mr. President, I was told that these children could not be returned.

What I learned from the Saudis, Mr. President, is that they intend to do absolutely nothing to bring these United States citizens home to their mother, in spite of the fact that Geshayan has committed criminal acts in this country and kidnapped two U.S. citizens from my State. I discussed the following things with the Saudis:

A letter from Geshayan's physician to a San Francisco hospital outling his paranoid schizophrenia diagnosis. May I point out to the Senate precisely what kind of an individual we are describing: One with a drinking problem, assaultive behavior, and angry mood swings.

Next, Mr. President, I presented a portion of Khalid Al-Geshayan's San Francisco criminal docket, which outlines drunken driving, battery on a person, entering a noncommercial dwelling unlawfully, vandalism, and disturbing the peace.

Finally, Mr. President, I showed the Saudis a criminal complaint, the United States of America versus Khalid Hamad Al-Geshayan. A warrant for the arrest of Mr. Geshayan was recently issued by the Circuit Court of Cook County for child abduction. Under Federal law, he is charged with unlawful flight to avoid presecution.

I presented the Saudi Embassy officials with each of these documents, and I asked the Saudi Government to honor the laws of this country and return these children to their mother, who has been awarded sole custody of Alia and Aisha. It seemed difficult to believe that Saudi law would protect Mr. Geshayan after his violent behavior toward his American wife and his criminal history.

The Saudi representatives, however, asserted that my constituent, Patricia Roush, has few rights under Saudi religious law, and under that same law, has no claim to her two American children. The Saudis informed me that under these laws, even the irresponsible father, Geshayan, has a greater claim to these children than their American mother. I learned further, Mr. President, that in the event Mr. Geshayan is deemed an unfit parent by the Saudi courts themselves, the children, Alia and Aisha, would not go to their mother but to a relative of Khalid Geshayan's!

While we must accept the reality that different nations maintain diverging legal systems. I find the specifics of this case grossly unfair, Mr. President. I was told that there was nothing that the Saudi Arabian Government could do to bring these children back to their mother. I was told that, under Saudi law, Geshayan enjoys the right to these two United States citizens, and that there is no opportunity for a greater Saudi Government role in this matter, that the King, the Ambassador, and the ruling family of this Saudi Arabian monarchy can't help these children at all.

I cannot accept this, Mr. President. I hear all too often that we have a friend in this Saudi Arabian kingdom, that we have an influential friend in the Middle East. I hear on the floor of this great body about arms sales and other military agreements. I hear about the importance of trade and economic cooperation with the kingdom of Saudi Arabia.

I believe the Saudi Government can and must do something about these two young American girls currently being held hostage in Saudi Arabia. In the spirit of comity and in the spirit of goodwill, I believe the ruling monarchy in Saudi Arabia can restore these two young United States citizens to their mother, in whose custody they belong, according to the United States courts.

I intend to focus on this matter continually on the Senate floor, and I intend to introduce legislation to increase the level of the State Department's involvement in these and other matters at the earliest opportunity. Implementing legislation for a recently ratified Convention on International Child Abduction is expected to reach this body in the near future, Mr. President, and as we discuss the thousands of cases of young abducted Americans, I guarantee my colleagues that this case involving Saudi Arabia, as well as many others, will recive a full hearing on the Senate floor. This state of affairs simply must not be allowed to continue!

This particular case involving Saudi Arabia is especially egregious, Mr. President. The tragic case of these two young girls, their mother and their fugitive father, who today enjoys the safe haven and protection of Saudi "religious law," is absolutely incomprehensible and intolerable. Khalid Al-Geshayan has violated the United States law by abducting two United States citizens to Saudi Arabia. It is as plain as can be, Mr. President.

I will not accept the answer the Saudi Government has given, and I urge my colleagues to look closely at cases in their own States involving children abducted to Saudi Arabia. Today I am demanding from the Saudi Government its respect for American laws and the decisions of American courts.

Mr. President, I ask unanimous consent that the entire record—which is this thick—on the criminal violations and the misconduct of Mr. Geshayan be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

MISCONDUCT OF MR. GHESHAYAN

Mr. President, I come before you today to plead the case of Patricia Roush and her two young daughters, Alia and Aisha Gheshayan. Alia and Aisha were abducted by their father, Khalid Hammad Al-Gheshayan, from their home in Cicero, Illinois, after he had abandoned his family, and subsequently lost all custodial rights to his children. Mr. President, to demonstrate the very serious nature of this crime and the tragedy Patricia Roush and her children live with each day that this travesty of justice is allowed to continue, I will present to you a history of the family situation leading to the abduction as follows:

1. In December of 1974, Mr. Khalid Hammad Al-Gheshayan came to the United States on a A-1 Diplomatic Visa to study at the University of San Francisco. (The A-1 Visa was later changed by the U.S. to a F-1 Student Visa.) In the fall of 1975, Gheshayan transferred to City College of San Francisco after his enrollement was dropped by the University. Gheshayan's study in the U.S. was sponsored by the Saudi Arabian Education Mission which had granted him a full scholarship.

2. Patricia Roush met Gheshayan in San Francisco where she also attended college in pursuit of a Bachelor in Arts Degree, which she completed in 1978.

3. On November 9, 1978, Roush and Gheshayan were married in San Francisco, California.

4. Two children were born of the marriage, Alia Angelica Al-Gheshayan, born January 5, 1979 and Aisha Alexandra Al-Gheshayan, born July 2, 1982.

5. Soon after the marriage, problems began to arise stemming from Gheshayan's documented alcoholism and schizophrenia. Records show that on December 12, 1977, Gheshayan was admitted to St. Frances Memorial Hospital in San Francisco, by Dr. Bruce Fisher, for alcohol related medical problems. This admission was the beginning of a series of admissions for alcoholism and schizophrenia spanning approximately five years.

In 1977, Gheshayan also began psychiatric treatment with Dr. Frederick Lasker, M.D., in Psychiatry, San Francisco, California. Records show that Dr. Lasker, in consultation with S.D. Glass, M.D., of Mary's Help Hospital (now: Seton Medical Center), and Mary's Help Hospital's Crisis Team diagosed Gheshayan as having paranoid schizophrenia, alcoholism, and medical problems secondary to alcoholism. These records also show that Gheshayan was in and out of French Hospital in San Francisco, as well as a 10-day stay in Houston International Hospital in 1977, during this approximate five year period.

These records also show Martin Lorber, M.D., Mary's Help Hospital stating, "This is the first St. Mary's Help Hospital admission for this 30 year old Arabic student with a history of alcoholism over the past five years since he came to the U.S. as a student. He has multiple family problems associated with his drinking. . . . DISCHARGE DIAGNOSIS; Acute and chronic alcoholism. Alcohol hepatitis. Paranoid Schizophrenia. PROGNOSIS; Poor." (5/5/1980-5/23/1980)

Mary's Help Hospital's original admitting records show that Gheshayan told the admitting nurse, on May 5, 1980, that he had a variety of injuries from fights and hit and run auto accidents, and that the last time he had achieved sobriety was during a 7-8 month period in jail.

6. Prior to the marriage, Gheshayan had been arrested on several occasions by the San Francisco Police Deparment. However, after marriage, the situation worsened. The arrest charges ranged from misdemeanor drunk driving, to hit and run accident, battery on a person, vandalism, disturbing the peace, and public drunkenness.

7. In 1981, The Saudi Arabian Education Mission discontinued Gheshayan from the scholarship program for poor scholarship. Academic records show Gheshayan receiving 1 A, 1 D, 1 Incomplete, 2 Withdrawals, and 11 Fs, for a cumulative grade point average of 0.21 on a 4.00 scale.

8. On February 6, 1979, approximately one month after the birth of Alia, Gheshayan was deported by the Immigration and Naturalization Service, (INS). Allowing his student visa to expire, and with his Permanent Residency petition pending, (through marriage to a U.S. citizen), the INS began an investigation of Gheshayann's criminal arrest record. The deportation followed an incident of battery, by Gheshayan, against Patricia and his newborn baby, Alia. The police picked up Gheshayan and then turned him over to the INS. INS Agent Jeanette Kimball, (now stationed in West Germany), told Patricia that Immigration felt Gheshayan's U.S. citizen family would be better off with him out of the country. Patricia agreed.

9. Gheshayan stayed in Saudi Arabia, following his deportation, approximately one month. He then traveled to Vancouver, Canada, moving in with a friend, Mr. Nebil Beirouti.

During his stay in Vancouver, from approximately March of 1979 to July of 1979, Gheshayan began working on expediting his Permanent Residency application, calling Patricia and pleading for help, and he resumed drinking. Documents and letters obtained by Special Agent Robert Gomora, of the Illinois State Police, through Nora Beattie, Security Investigator for British Columbia Telephone, (B.C. Tel.), show that Gheshayan was under investigation by B.C. Tel. and Pacific Telephone for credit card fraud committed during his stay in Vancouver. And, that although Gheshayan admitted to the fraud, the District Attorney in California did not prosecute.

These records include a letter from G. R. Mackie, Senior Security Investigator for B. C. Tel., to Pacific Telephone describing an interview with Mr. Beirouti, He states:

"It is his feeling that Khalid is mentally sick. While he was living with Beirouti he was always drunk. This was one of the reasons he was evicted . . . When Beirouti kicked him out he went to the Olympic Hotel.

"I checked with the manager of the hotel. They remember him well . . . The desk clerk stated that he was drunk most of the time and using drugs. At one point he got into a fight and ended up in the hospital. She said that a woman and a baby came to see him during his stay and he beat her and the baby." (January 1, 1980 letter from G.W. Mackie to Mike O'Toole, Security Department, Pacific Telephone.)

10. In July of 1979, despite these problems, Mr. Gheshayan received his U.S. Permanent Residency and returned to San Francisco. He again began study under the Saudi Arabian Education Mission's scholarship program. Patricia agreed to try again, feeling sorry for Gheshayan, wanting a father for Alia—now six months old, and hopeful that medical treatment would begin to help.

11. In July of 1979, Patricia was working as an insurance investigator when Gheshayan returned to San Francisco. Soon after his return, Gheshayan began drinking again, and stopped attending school. During this stay, and all subsequent stays, Gheshayan stayed with his family for only a few nights at a time.

12. In October of 1979, Gheshayan left Patricia and Alia permanently to stay with friends in San Francisco, eventually taking his own apartment. From October of 1979 to August of 1981, Gheshayan would travel between Saudi Arabia and San Francisco. When in San Francisco he would stay with his family for a few nights at a time, was in and out of the hospital, and in and out of jail.

13. In August of 1981, while Gheshayan was in Saudi Arabia, Patricia began divorce proceedings. Gheshayan returned to San Francisco and convinced Patricia to reconcile for the sake of Alia. During this reconciliation Patricia became pregnant with Aisha. One month into the pregnancy, Gheshayan again returned to Saudi Arabia leaving his family without money.

Gheshayan's family agreed to send Patricia money, through the family's U.S. attorney, Mr. George Mashie of Syracuse, N.Y., for the length of the pregnancy only.

While pregnant with Aisha, Pat continued to work, and began nursing school while Alia went to childcare. Patricia felt the nursing degree would offer the children long-term financial security.

Gheshayan returned to San Francisco for the last five months of the pregnancy. During this time period he did not work or go to school since he had now been discontinued from the scholarship program. Four days after Aisha was born, on July 2, 1982, Gheshayan returned to Saudi Arabia, leaving Patricia, Alia and Aisha with no money.

14. In September of 1982, Gheshayan returned to San Francisco. Three months later, in December of 1982, he left the U.S., never again returning to the U.S. to live with his family.

15. In January of 1985, Patricia went to Saudi Arabia in a final attempt to save her marriage. She remained in Saudi Arabia until May 2, 1985. At this time, Patricia left Saudi Arabia with the assistance of U.S. Embassy employees, Mr. James Bigus and Ms. Stephanie Smith. This followed a beating by Gheshayan so severe that it left Patricia with two broken ribs and a cardiac contusion.

16. In May of 1985, leaving Saudi Arabia, Patricia left Gheshayan for good, returning to her family home in Cicero, Illinois with Alia and Aisha. She enrolled in Morton College, in Cicero, to complete her nursing degree, graduating with a Bachelor of Science degree in Applied Sciences in the Spring of 1986 and becoming a registered nurse.

17. In the Fall of 1985, Patricia filed for Dissolution of Marriage. Gheshayan was notified by mail of the divorce proceeding, and was ordered to appear for court in Cook County, Illinois, on December 26, 1985. He returned to the U.S. on December 17, 1985, and although he was in Illinois, and had been properly notified, he failed to appear in court.

18. On December 26, 1985, Judge Charles J. Grupp of the Circuit Court of Cook County, Illinois granted the Dissolution of Marriage. The Dissolution of Marriage was granted on the grounds of mental cruelty. Based on Gheshayan's prior history of abandonment, Judge Grupp awarded Patricia sole custody of Alia and Aisha.

19. In January of 1986, in an action designed to gain access to his children, and Patricia, Gheshayan filed an Order to Vacate the Dissolution of Marriage claiming falsely that he had been improperly notified. Based on false statements given by Gheshayan, Judge Grupp granted the Order to Vacate, on January 17, 1986, putting pressure on Patricia to allow Gheshayan to see Alia and Aisha.

20. Within a matter of days following January 17, 1986, Order to Vacate, Patricia obtained new counsel and asked to appear before Judge Grupp to prove that Gheshayan had lied to the Court to gain access to the children. However, in the meantime Patricia was refusing to allow Gheshayan to see the children for fear that he would abduct them as punishment for her divorce action. Gheshayan began an incredible campaign of harassment against Patricia and her family. At the advice of her former counsel and family, and with Judge Grupp's order for visitation standing, Patricia succumbed to pressure, allowing Gheshayan limited visitation. Judge Grupp also issued an order preventing removal of the children from the Court's jurisdiction.

21. On January 25, 1986, Gheshayan's second visit with the children, he abducted the children taking them to Saudi Arabia against Court orders and in violation of the law.

22. After a mandatory legal notification period, on April 23, 1986, Patricia and her new counsel, Dennis M. Feinberg, again appeared before Judge Grupp to ask that the Dissolution of Marriage be reinstated. Judge Grupp agreed with counsel Reinberg and found in Patricia's favor reinstating the Dissolution of Marriage, Nunc Pro Tunc, as if it had never been overturned. This decision of the Court was based on evidence presented by Feinberg that demonstrated the fraud committed by Gheshayan in the petition to vacate. Judge Grupp agreed with Feinberg's statements that Gheshayan had, ". . . perpetrated a fraud on this Court through his misrepresentations contained in the verified Petition to Vacate Dissolution of Marriage and by his actions and course of conduct in abducting the aforesaid children. The Respondent never intended to be bound by any order of this Court, but, rather, intended from the time of December 17, 1985 to January 25, 1986, to abduct the children and permanently keep them in Saudi Arabia against their individual wills."

23. On January 28, 1986, a warrant for the arrest of Khalid Hammad Al-Gheshayan was issued by the Circuit Court of Cook County for child abduction. Bail was fixed in the amount of $10,000.

24. On January 30, 1987, the United States District Court Judge Bernard Weisberg, found that, "Khalid Hammad Al-Gheshayan, defendant herein, did move and travel in interstate commerce with the intent to avoid prosecution for child abduction, a felony under the laws of the State of Illinois, in violation of Title 18, United States Code, Section 1073." The case is now pending on the fugitive calendar.

25. Patricia Roush continues to reside in Cicero, Illinois where she is employed as a registered nurse.

MESSAGES FROM THE HOUSE

At 2:20 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 27. An act to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation and, for purposes of strengthening the reserves of the Corporation, to establish a forebearance program for thrift institutions and to provide additional congressional oversight of the Federal Home Loan Bank Board and the Federal home loan bank system.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 27. An act to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation and, for purposes of strengthening the reserves of the Corporation, to establish a forebearance progam for thrift institutions and to provide additional congressional oversight of the Federal Home Loan Bank Board and the Federal home loan bank system.

MEASURES READ THE FIRST TIME

The following bill, previously received from the House of Representatives, was read the first time:

H.R. 1226. An act to amend the Federal Food, Drug, and Cosmetic Act to require the appointment by the Commissioner of Food and Drugs to be subject to Senate confirmation.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 7, 1987, he had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 55. Joint resolution designating the week of May 10, 1987, through May 16, 1987, as "National Osteoporosis Prevention Week of 1987".

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-111. A joint resolution adopted by the Legislature of the State of California; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY JOINT RESOLUTION NO. 3

"Whereas, California is the nation's leading exporter, with $32.4 billion worth of goods exported through its ports during 1985 alone; and

"Whereas, Exports are vital to this state's employment, tax revenue base, and economic growth, with trade projected to equal one-quarter of the state's entire output by the year 2000; and

"Whereas, California is the world's leading center for high-technology development and production, employing more than 30 percent of the nation's total work force and contributing to the productivity of virtually every other industry sector; and

"Whereas, High-technology firms, especially those which are highly dependent on overseas markets, are particularly impacted by export controls, and rely strongly on an export climate as unrestrained as possible; and

"Whereas, Under the Federal Export Administration Act, certain exports may be restricted to prevent diversion of American technology to unfriendly nations; and

"Whereas, Exporters of high-technology products subject to these restrictions must obtain a special license, known as a validated license, to export their product from the United States Department of Commerce; and

"Whereas, A validated license is subject to review by some or all of the following agencies: the United States Department of Commerce, the Department of Defense, the United States Customs Bureau, and COCOM (a coordinating committee composed of a group of 15 countries which coordinate export controls for security purposes; and

"Whereas, Each of these agencies and organizations have their own methods of review which may cause further delays in the licensing process; and

"Whereas, The United States Department of Commerce reports that 40 percent of all export license applications received by their department each year are filed by California exporters, who are thousands of miles and three time zones away, and are therefore at a disadvantage when attempting to provide and receive necessary information in order to comply with the export regulations, receiving limited assistance from the Department of Commerce's International Trade Administration offices; and

"Whereas, Many exporters find it difficult to interpret the massive volumes of Export Administration Regulations and the tens of thousands of entries under the Commodity Control List; and

"Whereas, Providing the required supporting documentation can be burdensome, especially when substantial technical information is needed or where foreign countries must provide certifications; and

"Whereas, There is clearly overlapping jurisdication over the development and enforcement of export control policies between the Department of Commerce, the Department of Defense, and the United States Customs Bureau, leading to delays in license approval and difficulties in resolving compliance investigations; and

"Whereas, The cumulative effects of these burdensome bureaucratic licensing procedures increases the cost of doing business as an exporter in California, not only by necessitating the employment of staff and consultants simply to manage the paperwork, but also through contractual penalties for delayed deliveries and the loss of current and future business opportunities; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the California Legislature respectfully memorializes the President of the United States, Secretary of the Department of Commerce, Secretary of the Department of Defense, Director of the United States Customs Bureau, and the Congress of the United States to streamline the export licensing process, consistent with national security, by doing all of the following:

"(a) Reducing the licensing requirements for exports to friendly countries which maintain similar export controls.

"(b) Establishing a comprehensive operations license to facilitate multiple transactions with foreign subsidiaries, affiliates, vendors, joint ventures, and licensees.

"(c) Streamlining the interagency review procedures and approval time; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Secretary of Department of Defense, the Secretary of the Department of Commerce, the Director of the United States Customs Bureau, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-112. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Commerce, Science, and Transportation:

"HOUSE CONCURRENT RESOLUTION

"Whereas, The proposed Superconducting Super Collider (SSC) is a high-energy research accelerator that, when completed, will be the largest and most ambitious purely scientific project ever constructed; and

"Whereas, As designed, the facility will be located 30 feet below ground and will consist of a circular tunnel 10 feet in diameter and 52 miles in circumference; and

"Whereas, Scientists believe the device, essentially the world's largest atom smasher, will enable them to discover more about minute particles; spin-off research from a smaller European model has already led to a nuclear scanning device that has considerably advanced the field of X-ray technology; and

"Whereas, The accelerator's design requires as much as 11,000 surface acres with a site tilt of less than one degree, making Texas an ideal choice for the laboratory's location; and

"Whereas, The flat land and loose rock formations available in certain sections of Texas provide optium conditions for the SSC's construction; further, the project will coexist harmlessly with farming and ranch usage and poses no hazard to human, plant, or animal life; and

"Whereas, With an initial construction cost of roughly $3 billion and an annual operating budget of over $200 million, this important research center would be an appreciable addition to the Texas economy; at least 2,300 new jobs will be generated during the six-to-nine year construction phase and roughly 2,700 positions will become available once the facility is fully operational; and

"Whereas, Conservative estimates indicate that net benefits from the project's building phase and first 20 years of operation will total approximately $553 million; other states have already mounted lobbying campaigns in an attempt to secure this lucrative and prestigious project; and

"Whereas, Construction of the SSC in Texas would greatly enhance the state's sagging economy by bringing much-needed economic diversity, and the research performed in connection with the project promises to produce long-range benefits of great scientific and practical value; and

"Whereas, The State of Texas possesses a competent and hardworking labor pool; and

"Whereas, Texas is the nation's leading energy-producing state and has the power resources necessary for a project on the scale of SSC; and

"Whereas, Texas is the home of great public and private universities and colleges, which can readily provide much-needed expertise for the project and capable resources to accelerate spin-off research and development that will be of great benefit to this country; and

"Whereas, Texans stand united in their desire to attract the SSC to this state; and

"Whereas, The Texas Legislature in 1985 created the Texas National Research Laboratory Commission to serve as the coordinating unit and authority within the state for the formulation of a siting proposal for SSC; and

"Whereas, The Texas Legislature remains committed to providing whatever support is necessary to the success and timely advancement of the SSC project; now, therefore, be it

"Resolved, That the 70th Legislature of the State of Texas hereby request the Congress of the United States to support construction of the Superconducting Super Collider in Texas; and, be it further

"Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the vice-president of the United States, to the speaker of the United States House of Representatives, to the secretary of energy, to the science advisor to the president, and to all members of the Texas delegation to the congress, with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States."

POM-113. A resolution adopted by the California Republican Assembly opposing any legislation that would create a Federal designation of status for the Big Sur coast; to the Committee on Energy and Natural Resources.

POM-114. Joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Energy and Natural Resources.

HOUSE JOINT MEMORIAL NO. 9

"We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Forty-ninth Idaho Legislature, do hereby respectfully represent that:

"Whereas Alaska's Arctic National Wildlife Refuge includes more than 19 million acres of land, amounting to approximately five percent of the entire state landmass; and

"Whereas the Coastal Plain is approximately eight percent of the refuge and it is considered to be highly prospective for the discovery of large quantities of oil and gas; and

"Whereas Congress has reserved the discretion to decide if the 1.5 million acres will be opened to further exploration, development and production; and

"Whereas national energy security depends on the development of domestic oil and gas resources to replace depleted reserves of the United States; and

"Whereas the United States must prepare to develop domestic petroleum resources if it is to preclude overwhelming dependence on foreign petroleum sources in the 21st century; and

"Whereas the Nation stands to derive revenues including portions of bonuses, royalties and rents from oil and gas development; and

"Whereas the petroleum industry has consistently demonstrated its ability to operate in conditions similar to those found on the Coastal Plain in a safe, responsible manner without significant adverse environmental impacts; and

"Whereas opening the Artic National Wildlife Coastal Plain to further exploration, development and production will generate increased employment and business opportunities for residents of the State of Idaho and all Americans.

"Now, therefore, be it resolved by the members of the First Regular Session of the Forty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we strongly urge the Congress of the United States to open the Arctic National Wildlife Refuge Coastal Plain to environmentally responsible oil and gas exploration, development and production.

"Be it further resolved that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States."

POM-115. A joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Energy and Natural Resources:

"HOUSE JOINT MEMORIAL NO. 8

"We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Forty-ninth Idaho legislature, do hereby respectfully represent this:

"Whereas the people of the State of Idaho having played an important role in the development of nuclear power as evidenced by the fact that the Idaho National Engineering Laboratory is located at the site where many of the key developments in the commercial nuclear power program and the birth of the Naval nuclear power program; and

"Whereas the people of the State of Idaho have pursued the benefits of nuclear power with the sincere belief that properly developed and regulated nuclear power could offer clean, safe and secure power for our sons and daughters for many generations; and

"Whereas the dedication and knowledge of the people of the State of Idaho has played a key role in the development of Naval nuclear power; the ability of nuclear power to meet the demanding requirements of service at sea while maintaining the highest standards of safety and reliability. In no small part, these achievements can be traced to the construction and testing of prototypes in Idaho. These prototypes have led to standard reactor designs that can be relied upon to provide the power necessary to meet the needs of our national defense. Long after the reactors which were born in Idaho went to sea, the people of Idaho have continued to train the Navy crews necessary to operate the reactors and do the development work and testing necessary to assure the continuing safety of the Naval reactors; and

"Whereas the commercial nuclear power industry has not reached its full potential and the construction of standard designs has not been implemented. The results are a decline in public confidence, decreases in plant availability, high production cost, and the suspension of new reactor ordering; and

"Whereas this situation threatens the economic health of some segments of the Idaho population and makes it more likely that there will be delays in developing and demonstrating reactors that meet the public requirements for an environmentally sound power source, with assured safety, economy and reliability.

"Now, therefore, be it resolved by the members of the First Regular Session of the Forty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we respectfully call upon the United States government, the governments of our sister states and the government of this state to implement a national program of commercial nuclear power development that conforms to the following seven principles:

"1. The United States government must create an environment that fosters the development of the nuclear option. Legislation providing licensing reform and "Price-Anderson protection" must be enacted. The United States government should provide sites for prototype reactors and the United States Department of Energy should be responsible for the operation and testing of the prototypes. Electrical power from the prototype reactors should be made available by the United States government to utility companies.

"2. The State of Idaho and its sister states must allow power generation by either major utilities or generating companies. Only specialized, experienced companies can insure that nuclear power plants are operated in accordance with uniform national standards and backed by an appropriate staff.

"3. The State of Idaho must encourage the installation and testing of prototype reactors in Idaho.

"4. Private industry must design and construct standardized reactors suitable for use throughout the country. The goals should be focused on smaller, simpler, more flexible plants with larger safety margins. Design and construction practices should be adaptable to fixed price sales. Prefabrication in specialized off-site facilities should be encouraged.

"5. Nuclear waste disposal should be managed in interim facilities until the advanced concepts being developed in Idaho and elsewhere have been fully explored. The opportunity to burn nuclear waste in specialized fast reactors must be carefully considered.

"6. In every case, the concepts being developed in the United States should incorporate international experience. International licensing standards should be developed and put into use. Safety and reliability information should be shared on an international basis. Nuclear power is too important an item to be addressed only on a national basis.

"7. The uranium industry in the United States must regain its viability if nuclear power is to provide the promise of energy independence. The "enrichment policies" of the United States government should be used to insure the survival of the domestic uranium mining business.

"Be it further resolved that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to President Ronald Reagan, to Secretary of State George P. Shultz, to the Secretary of Energy, John S. Herrington, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States, to the governors and presiding officers of both houses of the state legislatures of the States of Alaska, Arizona, California, Colorado, Hawaii, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming."

POM-116. A concurrent resolution adopted by the Legislature of the State of South Dakota; to the Committee on Energy and Natural Resources:

"House Concurrent Resolution No. 1019

"Whereas the state of South Dakota has already spent considerable time and funds in developing state water project priorities; and

"Whereas the United States has previously committed to provide construction and study funds to jointly move forward with such projects; and

"Whereas the United States Department of the Interior has proposed a reduction in funding for South Dakota water projects in fiscal year 1987 and fiscal year 1988 in order to increase funding of water projects in other states; and

"Whereas the state of South Dakota is willing to do its share to help accomplish balanced federal budget objectives if such measures are equitable to all involved states; and

"Whereas the proposed funding reductions are inequitable and would seriously delay the construction and planning schedules for our state water project priorities; and

"Whereas these South Dakota water projects enjoy strong local citizen support:

"Now, therefore, be it resolved, by the House of Representatives of the Sixty-second Legislature of the state of South Dakota, the Senate concurring therein, that the United States Congress swiftly adopt legislation to restore fiscal year 1987 funds and appropriate fiscal year 1988 funds to continue with the construction of the WEB rural water system and Belle Fourche rehabilitation project as currently scheduled, and to conduct general investigations of other currently proposed or authorized water projects in South Dakota; and

"Be it further resolved, that the Chief Clerk of the House of Representatives of the state of South Dakota forward copies of this resolution to the South Dakota congressional delegation, the Clerk of the United States House of Representatives and the Secretary of the United States Senate."

POM-117. A joint resolution adopted by the Legislature of the State of New Mexico; to the Committee on Energy and Natural Resources:

"A Memorial Urging the United States Congress and the United States Department of Energy to Encourage the Transfer of Technology From Department of Energy National Weapons Laboratories

"Whereas there is great potential for entrepreneurial spin-offs into the private sector of technologies developed at Los Alamos and Sandia national laboratories; and

"Whereas the legislature understands that many of the technologies developed at Los Alamos and Sandia national laboratories are not weapons-related and may be appropriate for technology transfer without compromising national security; and

"Whereas the United States government in the 1980s has made a strong commitment to encourage technology transfer from national laboratories, and legislation to make patent rights from government-sponsored research more accessible to private enterprise was enacted, including the Stevenson-Wydler Technology Innovation Act of 1980, the Bayh-Dole Act of 1980, Public Law 98-620 and the Federal Technology Transfer Act of 1986; and

"Whereas government-owned, contractor-operated facilities that engage in weapons-related programs, such as Los Alamos and Sandia national laboratories, are subject to cumbersome and time-consuming processes which make transfer of technologies to the private sector very difficult; and

"Whereas Federal legislation has been proposed that would place new restrictions on laboratories involved in the nuclear weapons program and such legislation would discourage industry by reducing already limited incentives for technology transfer from weapons laboratories; and

"Whereas, Los Alamos and Sandia national laboratories are not only a national resource in science and technology but have a major economic impact in New Mexico and are a rich potential source for technology-related entrepreneurial spin-offs and new business development in the state;

"Now, therefore, be it resolved by the legislature of the State of New Mexico, that it urges the United States Congress and the United States department of energy to continue the strong Federal commitment to technology transfer by easing and encouraging the transfer to the private sector of technologies from department of energy national weapons laboratories, provided such transfer does not compromise national security; and

"Be it further resolved that a copy of this memorial be sent to the speaker of the United States House of Representatives, the president pro tempore of the United States Senate, each member of the New Mexico congressional delegation, the chairman of the armed services committee of the United States Senate, the chairman of the science and technology committee of the United States House of Representatives, the secretary of the United States department of energy, the manager of the Albuquerque operations office of the United States department of energy, the director of the Los Alamos national laboratory and the president of Sandia national laboratories."

POM-118. A concurrent resolution adopted by the Legislature of the State of Mississippi; to the Committee on Energy and Natural Resources:

"House Concurrent Resolution No. 275

"Whereas the Mississippi Nuclear Waste Policy Advisory Council has developed and adopted, effective July 12, 1985, a position on liability resulting from nuclear waste related incidents; and

"Whereas the Mississippi Energy and Transportation Board has concurred in this position:

"Now, therefore, be it resolved by the House of Representatives of the State of Mississippi, the Senate concurring therein, that it is the policy of the State of Mississippi:

"(1) That the state, its agencies, subdivisions, officials, employees and all private individuals should be absolved from any liability whatsoever for damages suffered as a result of the nuclear waste disposal program in the State of Mississippi;

"(2) That the United States Government assume full liability for all damages suffered as a result of the nuclear waste disposal program in the State of Mississippi and make full compensation for any damages;

"(3) That the Energy and Transportation Board shall coordinate with the Mississippi Congressional Delegation to assure that the State of Mississippi and its citizens are absolved from any liability for damages suffered as a result of the nuclear waste disposal program in the State of Mississippi;

"(4) That all state and local governmental entities, state and local officials, and employees should be provided by the United States Government total and absolute liability coverage or immunity from suit;

"(5) That any monetary amount for claims related to the nuclear waste disposal program be paid from the Nuclear Waste Fund established under Section 302 of the Nuclear Waste Policy Act and in the event of a catastrophic event which would require the payment of funds in excess of funds in the Nuclear Waste Fund, the Department of Energy or any successor agency shall be entitled to borrow from the United States Treasury such funds as may be required to settle all claims fully and shall be repaid to the Treasury from the Nuclear Waste Fund;

"(6) That the establishment of a separate Court of Claims should be considered by the Congress;

"(7) That a Waiver of Defense is endorsed; and

"(8) That there shall be no time limitation for the filing of actions related to the nuclear waste disposal program.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Mississippi Congressional Delegation, Governor William Allain and to the members of the Capitol Press Corps."

POM-119. A concurrent resolution adopted by the Legislature of the State of Arizona; to the Committee on Energy and Natural Resources:

Senate Concurrent Memorial 1002

"Whereas since early 1981 the Smithsonian Institution and the Steward Observatory at the University of Arizona, in cooperation with the National Optical Astronomy Observatories at Kitt Peak, have considered Mount Graham, Arizona as a suitable site for a modern astronomical observatory and have diligently pursued that proposal; and

"Whereas the current project proposes ten telescopes, constructed in three phases over thirty years with a life span of one hundred years; and

"Whereas there are only a limited number of astrophysical sites worldwide that are suitable for the modern generation of telescopes of unprecedented size and sensitivity that utilize not only visible light but also infrared and submillimeter radio wavelengths; and

"Whereas there are only two developed sites in the world that could fulfill any of the Arizona Universities' astronomical requirements and neither would accommodate all of the requirements, and both of the sites are excessively distant and would pose logistic and travel cost limitations; and

"Whereas the United States Forest Service considered seven development alternatives in a draft environmental impact statement for the proposed Mount Graham astrophysical area; and

"Whereas only two of the alternatives would allow Steward Observatory to achieve its objectives of maintaining a world-class astronomical research and teaching program at the University of Arizona and bringing first-class national and international astronomy projects, and their attendant technological base, to this state; and

"Whereas this development plan would provide up to six hundred fifty new jobs connected with the observatory and in recreation and tourism and over fifteen million dollars in personal income to economically distressed Graham County, Arizona plus over eight hundred new jobs and twenty-two million dollars in personal income to Pima County, Arizona. Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

"1. That the Congress of the United States and the United States Forest Service give due consideration and approval to the development alternative for the Mount Graham astrophysical area that would allow Steward Observatory to proceed to site and fully develop its proposed observatory.

"2. That the Secretary of State of the State of Arizona transmit certified copies of this Memorial to the Chief of the United States Forest Service, the President of the United States Senate, the Speaker of the United States House of Representatives and to each Member of the Arizona Congressional Delegation."

POM-120. Joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Energy and Natural Resources:

SENATE JOINT MEMORIAL NO. 104

"We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Forty-ninth Idaho Legislature, do hereby respectfully represent that:

"Whereas, Idaho has no national park; and

"Whereas, the Craters of the Moon attracts an average of only 220,000 visitors a year, many of them Idaho residents who go year after year; and

"Whereas, the unique beauty and grandeur of the area should attract many times that number from throughout the Nation; and

"Whereas, the description of a monument, as a memorial stone or building erected in remembrance of a person or thing, does not fit the Craters of the Moon area and therefore does not attract the maximum number of tourists; and

"Whereas, changing the status of the Craters of the Moon National Monument to the Craters of the Moon National Park would create more publicity for the State and thereby generate more tourist appeal and a better economy; and

"Whereas, there are no grazing, agricultural, or mineral resources within the boundaries of the Craters of the Moon National Monument; and

"Whereas, administration of the area would not need to change because the Craters of the Moon National Monument is already administered by the National Park Service; and

"Whereas, increase in tourist traffic would more than offset any additional cost due to more tourists; and

"Whereas, no additional land would be needed; and

"Whereas, chambers of commerce throughout Idaho have given evidence of their support for a Craters of the Moon National Park; and

"Whereas, as part of Idaho's centennial celebration, the redesignation of the Craters of the Moon National Monument to the Craters of the Moon National Park would be an appropriate historic event. Now, therefore, be it "*Resolved* by the members of the First Regular Session of the Forty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that the United States Congress enact, and the President of the United States approve, legislation providing for the redesignation of the Craters of the Moon National Monument, containing 53,545.06 acres of federal land to the Craters of the Moon National Park, as part of Idaho's centennial celebration.

"*Be it further resolved* that the Secretary of the Senate be, and she is hereby authorized and directed to forward copies of this Memorial to President Ronald Reagan, Secretary of the Interior Donald Hodel, the President of the Senate and the Speaker of the House of Representatives of Congress, and the honorable congressional delegation representing the State of Idaho in the Congress of the United States."

POM-121. A concurrent resolution adopted by the legislature of the State of North Dakota; to the Committee on Energy and Natural Resources:

"HOUSE CONCURRENT RESOLUTION NO. 3003

"Whereas, local governments in North Dakota depend heavily on their tax base in real property as a means of maintaining adequate fiscal management; and

"Whereas, lands held in trust or owned by the federal government are generally exempt from real property taxation; and

"Whereas, in those cases where the federal government makes payments in lieu of real property taxes, the payments are generally far below the moneys that would be received from privately owned land; and

"Whereas, the removal or purchase of land for federal purposes and the existence of lands held in trust causes an adverse economic effect on local government at all levels; Now, therefore, be it

"*Resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein:* That the Congress of the United States is urged to enact legislation requiring the federal government to make payments in lieu of taxes on all land withdrawn, held in trust, or purchased for federal purposes to replace real property tax revenue foregone by local governments; and

"*Be it further resolved,* That copies of this resolution be forwarded by the Secretary of State to the presiding officers of the United States House of Representatives and the United States Senate and to each member of the North Dakota Congressional Delegation."

POM-122. A concurrent resolution adopted by the Legislature of the State of North Dakota; to the Committee on Energy and Natural Resources:

"SENATE CONCURRENT RESOLUTION NO. 4004

"Whereas, the Garrison Diversion Unit Commission was established by an Act of Congress, Public Law 98-360, to review the contemporary water development needs of the State of North Dakota; and

"Whereas, the Garrison Diversion Unit Commission, in its final report to the Secretary of the Interior and committees of the Congress of the United States, agreed with the Congress that a moral commitment was made in 1944 to the Upper Missouri Basin States and Indian Tribes with the passage of the Pick-Sloan Missouri Basin Program, and found that the State of North Dakota sacrificed hundreds of thousands of acres of land, much of it prime river bottom land, for the greater benefit of the Nation; and

"Whereas, the Garrison Diversion Unit Commission further found that the Federal Government promised but has not provided assistance to replace the economic base of the State and Indian Tribes; and

"Whereas, at the recommendation of the Garrison Diversion Unit Commission, the Secretary of the Interior on May 10, 1985, established the Garrison Unit Joint Tribal Advisory Committee to examine the impact of the impoundment of waters under the Pick-Sloan Missouri Basin Program on the Fort Berthold and Standing Rock Indian Reservations; and

"Whereas, the Garrison Unit Joint Tribal Advisory Committee held several hearings during which it was made aware of the accuracy of the observation of the Garrison Diversion Unit Commission that the tribes of the Fort Berthold and Standing Rock Indian Reservations bore an inordinate share of the cost of implementing the Pick-Sloan Missouri Basin Program mainstream reservoirs; and

"Whereas, the Garrison Unit Joint Tribal Advisory Committee made findings and recommendations to find ways to resolve inequities borne by the tribes and to provide full potential for irrigation and financial assistance for on-farm development costs, development of shoreline recreation potential, return of excess lands, protection of reserved water rights, replacement of infrastructures lost by the creation of the Garrison and Oahe Reservoirs, preferential rights to Pick-Sloan Missouri Basin power, additional financial compensation, and other items; and

"Whereas, the inundation of rich Missouri River bottom land by the Garrison and Oahe Reservoirs and project delays have resulted in agricultural, mineral, and forestry losses not only to tribal interests but nontribal interests as well; now, therefore, be it

"*Resolved by the Senate of the State of North Dakota, the House of Representatives concurring therein:* That the Congress of the United States is urged to enact legislation implementing the recommendations of the Garrison Unit Joint Tribal Advisory Committee, and authorizing the creation of a similar advisory committee to review the impact of the impoundment of waters under the Pick-Sloan Missouri Basin Program on the economic base of nontribal persons and entities; and

"*Be it further resolved,* that copies of this resolution be forwarded by the Secretary of State to the presiding officers of the United States House of Representatives and United States Senate, to each member of the North Dakota Congressional Delegation, and to the Secretary of the Interior."

POM-123. Joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Energy and Natural Resources:

"SENATE JOINT RESOLUTION NO. 8

"Whereas, 122 years have passed since Nevada became a state and the United States Government still retains more than 86 percent of the land in Nevada; and

"Whereas, The growth in population within this state and the resulting change in the use of the land has placed a heavy demand on the state and local services, thereby creating many ghost towns in this state; and

"Whereas, The vast federally owned areas create a major tax burden for the owners of private property in this state in order to meet their needs for services; and

"Whereas, Intermingled ownership of land among private persons and federal governmental agencies severely restricts proper practices for the conservation of the natural resources of the state, including wildlife, and the preservation of areas for recreation which are best suited for management by the state and local governments; and

"Whereas, Federal ownership of a majority of the land in this state prohibits the orderly expansion of landlocked cities on a planned basis, without an adverse effect on the existing economy of the local areas; and

"Whereas, This state has established an innovative program to prepare statements of policy and plans relating to the future jurisdiction of the land, requiring the cooperation of and consultation with all levels of government and members of the general public; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That the Nevada Legislature urges the Congress of the United States to support and cooperate with the efforts of the state to acquire gradually its fair share of federal land so that Nevada has parity with its neighboring states of Arizona, New Mexico and Utah; and be it further

"Resolved, That copies of this resolution by the Secretary of the Senate to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Committee on Energy and Natural Resources, the Chairman of the House Committee on Interior and Insular Affairs, the Secretary of the Interior, the Secretary of Agriculture and each member of the Nevada Congressional Delegation; and be it further

"Resolved, That this resolution becomes effective upon passage and approval."

POM-124. A resolution adopted by the City Commission of Lake Worth, Florida urging adoption of legislation to eliminate the disparity in certain Social Security benefits; to the Committee on Finance.

POM-125. A resolution adopted by the Board of Commissioners of Shelby County, Tennessee favoring reinstatement of Federal revenue sharing; to the Committee on Finance.

POM-126. Joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Finance.

"HOUSE JOINT MEMORIAL NO. 5

"We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Forty-ninth Idaho Legislature, do hereby respectfully represent that:

"Whereas, the Legislature of the State of Idaho finds and declares that the State has been seriously handicapped in its ability to collect legally due use taxes on interstate sales because of the 1967 United States Supreme Court decision in the National Bellas Hess case; and

"Whereas, the National Bellas Hess decision denies Idaho the legal authority to require the collection of use taxes by out-of-state mail order firms which have no physical presence in the State but which may advertise extensively there; and

"Whereas, the National Bellas Hess decision has resulted in a loss of tax revenue, based on U.S. Advisory Committee on Intergovernment Relations Report for 1985, of between 4.5 and 11.6 million dollars to the State of Idaho; and

"Whereas, Idaho retailers have lost, based on a U.S. Advisory Committee on Intergovernment Relations Report for 1985, between 120 and 290 million dollars in retail sales during that period to out-of-state firms not required to remit a sales tax; and

"Whereas, the problems of state revenue loss and the competitive disadvantage of local business have been intensified in recent years because of the great growth in mail order sales through television, radio, and credit card advertising; and

"Whereas, these problems can be resolved only by the correction of the National Bellas Hess decision; now, therefore, be it

Resolved by the members of the First Regular Session of the Forty-ninth Idaho Legislature, the House of Representatives and the Senate concurring, that we do hereby petition the Congress of the United States to act immediately to introduce, consider, and enact legislation which would prevent the huge revenue loss and remove the competitive advantage now enjoyed by out-of-state businesses and that it do so by authorizing Idaho to require the collection of sales and use taxes by interstate sellers who solicit business in Idaho through catalogs, advertising materials, radio, television, and the press.

"Be it further resolved that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States."

POM-127. Joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Finance:

"We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Forty-ninth Idaho Legislature, do hereby respectfully represent that:

"Whereas, the numbers of stock ewes in Idaho and the Nation has declined by eighty percent in the four decades since World War II; and

"Whereas, the sheep rancher's main source of income is the market for the sale of delicious, wholesome lamb; and

"Whereas, this market has been severely depressed over the forty year period since World War II; and

"Whereas, this extremely low market has been primarily responsible for the near demise of the domestic sheep industry in this country; and

"Whereas, a flood of imported lamb is coming into this country from principally New Zealand and Australia; and

"Whereas, lamb, the only meat which is not currently protected by import quotas; and

"Whereas, beef is protected and imports into the United States only accounted for seven and seven-tenths percent of the domestic beef supply for 1985; and

"Whereas, imported lamb accounted for nine and nine-tenths percent of the domestic lamb supply for 1985, now, therefore, be it

Resolved by the members of the First Regular Session of the Forty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that Congress enact legislation and the President approve such legislation which would include lamb in the 1979 Meat Import Act and that the lamb imported into the United States not be a greater percentage of the total lamb supply in the United States than beef imports are a percentage of the total beef supply in the United States.

"Be it further resolved that the Secretary of the Senate be, and she is hereby authorized and directed to forward copies of this Memorial to the President of the United States, to the President of the Senate and to the Speaker of the House of Representatives of Congress, to the honorable congressional delegation representing the State of Idaho in the Congress of the United States, and to the Secretary of Agriculture of the United States."

POM-128. Joint resolution adopted by the Legislature of the State of Alaska; to the Committee on Foreign Relations:

"RESOLUTION

"Be it resolved by the Legislature of the State of Alaska:

"Whereas Canadian maritime transportation companies are providing cargo services from Canadian ports to communities in Alaska under a provision of 46 U.S.C. 883 (Jones Act); and

"Whereas United States maritime transportation companies are prohibited from serving communities in the Yukon Territory under an order issued by the Canadian government; and

"Whereas the United States and Canada have historically cooperated to ensure that the communities of Alaska and the Yukon Territory are well served by competitive, efficient, and cost-effective marine and surface transportation of goods; and

"Whereas only practical cooperation between the United States and Canada can assure competitive, cost-effective, and efficient marine transportation services to the communities of Alaska and the Yukon Territory; and

"Whereas reciprocal and equal treatment under the laws of each country is necessary to ensure that companies of neither country have an unfair competitive advantage; and

"Whereas the current situation in which Canadian marine transportation companies are permitted to move cargo between Alaska ports while United States companies are prohibited from providing similar service through Alaska ports to communities in the Yukon Territory is unfair; be it

Resolved that the Alaska State Legislature respectfully request the President of the United States, the Secretary of State, the Secretary of Transportation, and the Secretary of Commerce to pursue equitable and reciprocal treatment from the Canadian government for United States marine transportation companies seeking to provide services to the Yukon Territory and to take action limiting the authority of Canadian marine transportation companies to operate in Alaska until the Canadian government grants rights to United States companies to operate in the Yukon Territory; and be it

"Further resolved that the Alaska State Legislature respectfully requests the Congress to amend 46 U.S.C. 883 (Jones Act) to require that the authority for Canadian marine transportation companies to operate between ports of Alaska is contingent upon a reciprocal grant of authority by the Canadian government for United States marine transportation companies to provide service

to communities of the Yukon Territory; and be it

"Further resolved that nothing in this resolution should be construed to mean that the Alaska State Legislature supports amending 46 U.S.C. 883 (Jones Act) in a way that would diminish the effects of the third proviso of that Act; and be it

"Further resolved that the Alaska State Legislature respectfully requests the Alaska delegation in Congress to initiate legislation and to seek administrative action to ensure that United States marine transportation companies are accorded the same treatment in Alaska and Yukon Territory markets as are Canadian marine transportation companies."

POM-129. A resolution adopted by the California Republican Assembly in support of states' rights; to the Committee on Foreign Relations.

POM-130. A resolution adopted by the California Republican Assembly in support of President Reagan's South Africa policy; to the Committee on Foreign Relations.

POM-131. A resolution adopted by the California Republican Assembly opposing legislative interference in foreign policy; to the Committee on Foreign Relations.

POM-132. Joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Governmental Affairs.

"Assembly Joint Resolution No. 29

"Whereas, Numerous agencies of the Federal Government hold large amounts of unclaimed property belonging to people who cannot be located; and

"Whereas, This property rightfully belongs to the citizens of the individual states rather than the Federal Government; and

"Whereas, State laws governing unclaimed property provide that if the owners of the property cannot be located, the unclaimed property is held and used by the states; and

"Whereas, Presently there is no statutory mechanism to require the transfer of this unclaimed property from the federal agencies to the states; and

"Whereas, The agencies of the Federal Government have resisted all efforts to make any such transfers; and

"Whereas, The National Association of Unclaimed Property Administrators is working with the appropriate leaders in Congress to schedule public hearings on the need for federal laws to address the problems arising in connection with unclaimed property held by federal agencies; now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, jointly, That Congress is hereby urged to enact legislation to transfer unclaimed property held by federal agencies, but belonging to the residents of the several states, to each state respectively in which the owners of the property last resided so the states can hold and disburse these unclaimed properties in accordance with their laws for the benefit of their residents; and be it further

"*Resolved,* That a copy of this resolution be transmitted by the Chief Clerk of the Assembly to the Speaker of the House of Representatives, the Vice President of the United States as the presiding officer of the Senate, and to each member of the Nevada Congressional Delegation; and be it further

"Resolved, That this resolution becomes effective upon passage and approval."

POM-133. A concurrent resolution adopted by the Legislature of the State of North Dakota; to the Select Committee on Indian Affairs:

"House Concurrent Resolution No. 3004

"Whereas, the establishment and governance of the several Indian reservations within the state of North Dakota and other states have resulted from treaties and other acts of the United States government; and

"Whereas, the various relationships among state, tribal, local, and federal governmental units are both unique and often ill-defined and are extraordinary to the normal relationships envisioned by the framers of our federal system; and

"Whereas, the solutions to problems regarding the authority of state, tribal, local, and federal governments to exercise governmental powers as they might apply to Indian and non-Indian persons living within reservation boundaries are not readily apparent; and

"Whereas, tribal governments have purported to extend their jurisdiction to all persons and lands within the boundaries of Indian reservations, including non-Indians and land that is not owned by an Indian or an Indian tribe; and

"Whereas, the uncertainties of this jurisdictional morass raise substantial questions concerning the availability of full constitutional guarantees to non-Indian citizens residing within reservation boundaries; and

"Whereas, tribal members are entitled to certain privileges and protections in addition to the privileges and protections of other United States citizens which tends to establish various classes of citizenship with attendant differences in the rights and obligations of these classes of individuals in important areas such as taxation; and

"Whereas, free and orderly commerce and economic development on reservations is endangered by a lack of certainty in the application of state and federal laws and regulations relative to banking, and other commercial transactions, liquor and gambling control, and other aspects of commerce; and

"Whereas, these undesirable conditions are largely a result of acts of the United States government, and the state of North Dakota is virtually powerless to achieve their fundamental resolution; now, therefore be it

Resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein: That the President of the United States is urged to establish a presidential commission to study the impact of federal Indian policies on non-Indians living or working on or near Indian reservations in the United States and to report the results of its study and its recommendations to the President, the Congress of the United States, and the Secretary of the Interior; and

"Be it further resolved, that the President is urged to authorize such a commission, in carrying out its responsibilities, to conduct hearings and interviews at sites across the nation and to confer with state, local, tribal, and other government officials, private sector business people, private property owners, and other organizations and individuals affected by matters pertaining to the commission's study; and

"Be it further resolved, that copies of this resolution be forwarded by the Secretary of State to the President of the United States, the United States House of Representatives and United States Senate, each member of the North Dakota Congressional Delegation, the Secretary of the Interior, and the governors and legislative bodies of the states of Arizona, California, Idaho, Minnesota, Montana, New Mexico, Oregon, South Dakota, Washington, Wisconsin, and Wyoming."

POM-134. A resolution adopted by the House of Representatives of the State of New Mexico; to the Select Committee on Indian Affairs:

"A Memorial Deploring the Forced Relocation of Navajos by the United States Congress

"Whereas, the United States congress has passed laws to force the removal of twelve thousand Navajos from lands which they have occupied for generations; and

"Whereas, the forced relocation by the United States congress of these twelve thousand Americans is an injustice unworthy of America; and

"Whereas, in instances where large groups of non-indians were deemed to be living on lands illegally taken from Indians, the United States government has not forced removal of thousands of people; and

"Whereas, the Navajos who are being forced to relocate from the reservation interior have heretofore been buffered by the rest of the reservation and are less accustomed to modern culture than most Navajos; and

"Whereas, the Navajos who face relocation and those who have been relocated are suffering culturally, emotionally, physically and economically; and

"Whereas, New Mexico is directly affected by this relocation because some of those being relocated will be settled in New Mexico and many Navajos in New Mexico have relatives who are hurt by the relocation;

"*Now, therefore, be it resolved by the House of Representatives of the State of New Mexico,* That it deplores the forced relocation of Navajos who are American citizens and calls upon the United States congress to take all necessary steps to stop the relocation and to alleviate the suffering of those who have already been displaced; and

"*Be it further resolved,* That in the future the United States congress refrain from passing legislation to relocate whole communities of Indians and other American citizens; and

"*Be it further resolved,* That a copy of this memorial be sent to the chairman of the Navajo tribe, the speaker of the United States house of representatives, the president pro tempore of the United States senate and each member of the New Mexico congressional delegation."

POM-135. A petition from a citizen of Danbury, Connecticut praying for a redress of grievances; to the Committee on the Judiciary.

POM-136. A joint resolution adopted by the Legislature of the State of Montana; to the Committee on the Judiciary.

A Joint Resolution of the Senate and the House of Representatives of the State of Montana Ratifying a Proposed Amendment to the United States Constitution Concerning Pay Increases for Members of Congress

"Be it resolved by the Senate and the House of Representatives of the State of Montana: (1) "That the Legislature of the State of Montana, pursuant to Article V of the United States Constitution, ratify an amendment to the Constitution of the United States proposed by resolution of the First Congress of the United States in New

York, New York, on September 25, 1789, which reads as follows:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring,* That the following [Article] be proposed to the Legislatures of the several States, . . . which [Article], when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution, viz:

"[An Article] in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

"Article the second . . . No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."

"(2) That the Legislature of the State of Montana acknowledge that the above-quoted article of amendment to the United States Constitution has already been ratified by the legislatures of the following states on the dates indicated: "Maryland on December 19, 1789; North Carolina on December 22, 1789; South Carolina on January 19, 1790; Delaware on January 28, 1790; Vermont on November 3, 1791; Virginia on December 15, 1791; Ohio on May 6, 1873 [70 *Ohio Laws* 409-10]; Wyoming on March 3, 1978 [124 *Cong. Rec.* 7910]; Maine on April 27, 1983 [130 *Cong. Rec.* H9097, S11017]; Colorado on April 18, 1984 [131 *Cong. Rec.* S17687]; South Dakota on February 21, 1985 [131 *Cong. Rec.* H971, S3306]; New Hampshire on March 7, 1985 [131 *Cong. Rec.* H1378, S3597]; Arizona on April 3, 1985 [131 *Cong. Rec.* H2060, S4750]; Tennessee on May 23, 1985 [131 *Cong. Rec.* H6672, S10797, S13504]; Oklahoma on July 10, 1985 [131 *Cong. Rec.* H7263, S13504]; New Mexico on February 13, 1986 [132 *Cong. Rec.* H827, S2207-8, S2300]; Indiana on February 19, 1986 [132 *Cong. Rec.* H1634, S4663]; and Utah on February 25, 1986 [132 *Cong. Rec.* S6750]; as well as by the Senate of the State of Georgia on February 2, 1984 and on January 21, 1985."

"(3) That the Legislature of the State of Montana acknowledge that the above-quoted amendment to the United States Constitution may still be ratified by states' legislatures as a result of *Coleman v. Miller,* 307 US 433 (1939), in which the United States Supreme Court ruled that Congress is the final arbiter on the question of whether too much time has elapsed between Congress' submission of the amendment and the most recent state legislature's ratification of the amendment if Congress failed to specify a consideration deadline.

"(4) That the Secretary of State notify the Archivist of the United States (pursuant to 1 U.S.C. 106b) of the action of the 50th Legislature by sending him a copy of this resolution.

"(5) That the Secretary of State send copies of this resolution to the Montana Congressional Delegation, the Secretary of the United States Senate, and the Clerk of the United States House of Representatives with a request that it be printed in full in the *Congressional Record.*"

POM-137. A resolution adopted by the California Republican Assembly relating to line item veto; to the Committee on the Judiciary.

POM-138. A resolution adopted by the California Republican Assembly relating to Japanese-American reparations; to the Committee on the Judiciary.

POM-139. A resolution adopted by the California Republican Assembly relating to the English Language Acquisition Act; to the Committee on Labor and Human Resources.

POM-140. A joint resolution adopted by the Legislature of the State of Idaho; to the Committee on Labor and Human Resources.

"SENATE JOINT MEMORIAL No. 105

"We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the First Regular Session of the Forty-ninth Idaho Legislature, do hereby respectfully represent that:

"Whereas, Idaho's hard-working and productive citizens should not be unjustly limited in their economic efforts; and

"Whereas, several Idaho enterprises have been started which are able to produce unique and highly marketable products within a home environment; and

"Whereas, federal law arbitrarily restricts the sale of certain homemade products; and

"Whereas, consumer products and goods must be produced economically in order to compete with foreign producers; and

"Whereas, many products can be fabricated at a lower cost by home industries; and

"Whereas, the Ninety-eighth Congress, First Session, considered S 1245 by Senator Hatch, which would have exempted certain home industries from marketing restrictions; and

"Whereas, enactment of federal legislation is essential to allow development and growth of home industries.

"*Now, therefore, be it resolved by the members of the First Regular Session of the Forty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein,* that we do respectfully request the Congress to enact legislation similar to S 1245 of the First Session of the Ninety-eight Congress, or to take other appropriate measures to allow productive and competitive home enterprises to flourish.

"*Be it further resolved,* that the Secretary of the Senate be, and she is hereby authorized and directed to forward copies of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the honorable congressional delegation representing the State of Idaho in the Congress of the United States."

POM-141. A resolution adopted by the Senate of the State of New Mexico; ordered to lie on the table:

"SENATE MEMORIAL 14

"Whereas, New Mexico is the fifth largest state in the union; and

"Whereas, United States Interstate Highways 10, 25 and 40 enter and leave New Mexico, with Interstate Highway 25 crossing the State from North to South and Interstate Highway 40 bisecting the State from East to West; and

"Whereas, with a population density of 11.5 per square mile and with a rank of thirty-seventh in population in the United States, New Mexico has endless miles of interstate highways which travel through rural areas, bypassing small towns and communities; and

"Whereas, New Mexico is also a heavily traveled 'crossover' state with innumerable automobiles and trucks traveling across its boundaries into other states in all directions; and

"Whereas, the fifty-five mile per hour speed limit is difficult for New Mexicans to obey since they must travel so many miles through rural areas when they use the interstate highways; and

"Whereas, in 1985 the Senate of the State of New Mexico did respectfully request the Congress of the United States to make an exception to the fifty-five mile per hour speed limit on interstate highways in rural areas and no satisfactory congressional response has been received to date;

"*Now, Therefore, be it resolved by the Senate of the State of New Mexico,* That it again hereby respectfully requests the Congress of the United States to make an exception to the fifty-five mile per hour speed limit on interstate highways in rural areas, particularly in New Mexico; and

"*Be it further resolved,* That copies of this memorial be sent to the President Pro Tempore of the United States Senate, to the Speaker of the United States House of Representatives and to each member of the New Mexico Congressional Delegation."

POM-142. A resolution adopted by the California Republican Assembly censuring former Congressman Pete McClosky for an attack upon a fellow Republican and support of a Democratic candidate; ordered to lie on the table.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BYRD (for himself and Mr. DOLE):

S. 1160. A bill to establish constitutional procedures for the imposition of the death penalty in espionage cases, and for other purposes; to the Committee on the Judiciary.

By Ms. MIKULSKI (for herself and Mr. BUMPERS):

S. 1161. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the Medicare Program for routine mammograms; to the Committee on Finance.

By Ms. MIKULSKI:

S. 1162. A bill to amend chapter 89 of title 5, United States Code, to provide authority for the direct payment or reimbursement to certain health care professionals; to clarify certain provisions of such chapter with respect to coordination with State and local law, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ROCKEFELLER:

S. 1163. A bill to suspend the tariff on certain carbodiimides; to the Committee on Finance.

By Mr. RIEGLE (for himself and Mr. PRESSLER) (by request):

S. 1164. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BRADLEY (for himself and Mr. LAUTENBERG):

S. 1165. A bill to authorize the Secretary of the Interior to provide for the development and operation of a visitor and environmental education center in the Pinelands

National Reserve, in the State of New Jersey.

By Ms. MIKULSKI:

S. 1166. A bill to establish a quality assurance system for homecare services provided under Medicare and Medicaid Programs, the Social Services Block Grant Program, and the Older Americans Act of 1965; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM:

S. Res. 208. A resolution to express the sense of the Senate regarding the Caribbean Basin Initiative; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BYRD (for himself and Mr. Dole):

S. 1160. A bill to establish constitutional procedures for the imposition of the death penalty in espionage cases, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. Byrd and the text of the legislation appear earlier in today's Record.)

By Ms. MIKULSKI (for herself and Mr. Bumpers):

S. 1161. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the Medicare Program for routine mammagrams; to the Committee on Finance.

MEDICARE COVERAGE FOR ROUTINE MAMMAGRAMS

● Ms. MIKULSKI. Mr. President, today I am introducing legislation to provide Medicare reimbursement for mammagrams, the x-ray screening procedure used to detect breast cancer. It will save lives and reduce unnecessary surgery and increased medical costs due to late detection of the disease.

Breast cancer strikes 1 out of 10 women in America today. Each year, 40,000 women will die from the disease and thousands more will undergo extensive surgery, that could have been prevented, in order to survive. What is worse is that much of this tragedy is preventable.

The purpose of breast screening by mammography is to improve the survival of women by detecting breast cancer at an early stage. Mammagrams can detect a tumor 2 to 3 years before a physician is able to by physical exam. It is a highly safe, reliable, and acceptable procedure. Mammography is capable of providing the diagnosis of carcinoma of the breast before it spreads to other parts of the body. Treatment applied at this stage can produce a cure rate in excess of 90 percent, according to the American College of Radiology.

My legislation will enable Medicare recipients to benefit from this well-known screening technique. It provides Medicare reimbursement for a mammagram every other year. It also has a built-in cost-containment feature because it caps the reimbursible cost at $50, and mandates that payments be made on an "assignment" basis. This prevents additional costs from being passed on to the consumer.

This legislation will enable older women to obtain an inexpensive preventive procedure that will save lives and reduce later health care expenses and trauma by reducing the severity of breast cancer.●

By Ms. MIKULSKI:

S. 1162. A bill to amend chapter 89 of title 5, United States Code, to provide authority for the direct payment or reimbursement to certain health care professionals; to clarify certain provisions of such chapter with respect to coordination with State and local law; and for other purposes; to the Committee on Governmental Affairs.

FEDERAL EMPLOYEES HEALTH CARE FREEDOM-OF-CHOICE ACT

● Ms. MIKULSKI. Mr. President, today, I am introducing the Federal Employees Health Care Freedom-of-Choice Act of 1987. This legislation will guarantee enrollees in the Federal Employees Health Benefits Program [FEHBP] access to licensed, qualified health providers of their choice.

Freedom of choice has been a hallmark of the FEHBP. As the largest employer-sponsored group health program in the world, the FEHBP includes almost 300 plans from which Federal employees can choose to meet their health insurance needs.

But freedom of choice is important within the plans as well. Currently, Federal employees who have enrolled in fee-for-service plans do not always have direct access to qualified and licensed health providers of their choice. FEHBP may currently refuse to reimburse a licensed health care professional, simply because that provider is not a physician.

My legislation corrects this inequity in reimbursement policy. It requires FEHBP plans to reimburse the full range of allied health providers. In order to be reimbursed, these professionals must be licensed under State laws where they practice.

Expanded access to health providers increases the likelihood that FEHBP enrollees will be able to find the health care they need. In addition, greater choice among qualified providers will promote increased cost effectiveness within the FEHBP. Often, qualified allied health providers charge fees lower than those of physicians.

To ensure that Federal law does not conflict with State statutes licensing health care providers and regulating the practice of medicine, I have included language in my legislation which restates and strengthens current policy that Federal law governing FEHBP shall not override State or local laws which relate to the licensing or certification to practice medicine, nursing, or other health professions.

FEHBP insurance plans may not, however, impose their own requirements on practitioners in addition to those mandated by law. To do so restricts freedom of choice, inhibits compensation, and denies Federal employees access to health care providers.

This legislation mandates expanded access to providers, but does not provide expanded coverage for health services. It represents an important improvement in the FEHBP, especially in medically underserved areas where insufficient access and choice have threatened the quality of health care.

In conclusion, this legislation has been written to expand freedom of choice and promote cost effectiveness while protecting the quality of health care. It carries out a principle I believe in that the Federal Government should not discriminate in its reimbursement policies among health providers licensed in their States to provide health care.●

By Mr. RIEGLE (for himself and Mr. Pressler) (by request):

S. 1164. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes; to the Committee on Commerce, Science, and Transportation.

NASA AUTHORIZATION ACT

● Mr. RIEGLE. Mr. President, at the request of the Administrator of NASA, Senator Pressler and I are introducing the administration's proposed fiscal year 1988 NASA authorization bill today.

In fiscal year 1988, the President has requested $9.481 billion for the programs of the National Aeronautics and Space Administration. However, since this bill was introduced in January, there have been some additional developments that will warrant serious consideration by the Senate Commerce Committee, which are scheduled to mark up the fiscal year 1988 NASA authorization bill next week. In particular, the members of the committee will need to review additional budget requirements for expendable launch vehicles and space shuttle anomaly resolution activities.

During the course of next week's markup, I intend to offer a complete substitute to the administration's proposed authorization bill, a substitute that I hope will be strongly supported by the members of the Subcommittee on Science, Technology, and Space and the members of the full committee. The intent of this substitute will be to put NASA and the Civil Space Program back on track and to initiate formulation of a coherent and rational space policy. The complete details of this measure will be available early next week.

Mr. President, we are at a critical juncture in the history of the Civil Space Program. The decisions that the Senate and the House make this year will determine the future course and direction of the Civil Space Program. Next week's markup of the NASA authorization by the Senate Commerce Committee will be the first step in forging a new consensus on the goals and policies of the Civil Space Program and in firming up our Nation's commitment to the Civil Space Program. And I hope all of my colleagues in the Senate will join myself and the distinguished ranking member of the subcommittee in initiating this effort and in reestablishing the preeminence of the U.S. Civil Space Program.●

By Mr. BRADLEY (for himself and Mr. LAUTENBERG):

S. 1165. A bill to authorize the Secretary of the Interior to provide for the development and operation of a visitor and environmental education center in the Pinelands National Reserve, in the State of New Jersey; to the Committee on Energy and Natural Resources.

NEW JERSEY PINELANDS PRESERVATION ACT

Mr. BRADLEY. Mr. President, New Jersey's Pinelands National Reserve grew from historic Federal and State legislation in 1978 and 1979. It represented a cooperative experiment among Federal, State, and local governments. It's a partnership that rarely has been accomplished with the success of this effort. In the case of the Pinelands, the results have been solid. This national reserve has faced numerous obstacles, which have repeatedly been overcome by imagination and determination.

Prior to the passage of the Federal National Park and Recreation Act in 1978 and the State's 1979 Pinelands Protection Act, more than 240,000 acres in the Pinelands were under public ownership as parks, wildlife areas, and State forest. Because of the unique and fragile nature of the pinelands, the Pinelands National Reserve legislation sets aside a 1.1-million-acre area—nearly 22 percent of the land area in the State—for special consideration and protection.

Most visitors to New Jersey pass the pinelands without notice. Millions of people yearly drive on the New Jersey Turnpike and the Garden State Parkway which border the Pinelands area. There are no snow-capped peaks, no soaring waterfalls, no spectacular caverns. This 1.1 million acres of scrub pine forest, wetlands, and rare plant and animal species is subtle and precious. The Pinelands represents a vast wilderness area, made even more remarkable by its proximity to the Northeast's population and industrial centers.

But it is a fragile area—the Pinelands' sandy soils and shallow ground water table are easy victims to industrial pollution or abuse.

Mr. President, today I am introducing legislation which supplement these efforts to establish the Pinelands Reserve. I am pleased to have as a cosponsor, Senator LAUTENBERG. A central goal of this legislation is to end the anonymity of this wild and beautiful region. Passage of this legislation will enable the creation of a Pineland's visitor or interpretive center. This legislation includes a Federal spending authorization of roughly $5 million for the development of such a facility.

This center would serve two key purposes: to focus attention on the vast and beautiful Pinelands Wilderness, and to provide an easily accessible center for environmental education and telling the Pinelands story.

A decade ago, this wilderness area was in danger and, today, because of the historic efforts, the Pinelands are alive and well. In 1983, the United Nations itself recognized the importance of the Pinelands by designating it as an International Biosphere Reserve, a distinction it shares with only the world's most remarkable ecosystems such as Yellowstone National Park and the Florida Everglades.

It is the Pinelands Commission that has the tough job of protecting the most fragile and remarkable areas. The Pinelands Commission uses its comprehensive management plan as a blueprint for the protection and development of this vital wilderness. Much of the plan represents an effort to channel development away from sensitive areas. However, an essential component of this plan is a land acquisition program which is designed to protect critical environmental and cultural areas and provide a wide range of recreational opportunities.

Approximately 100,000 acres of land have been targeted for acquisition with the goal of establishing a system of self-maintaining ecological reserves which are representative of the Pinelands. So far, roughly 67,000 acres have been funded for acquisition. Unfortunately, with a Federal grant of $5.8 million last summer, the original spending authorization of $26 million contained in the 1978 legislation was exhausted.

It is my goal to give the Pinelands Commission and the State DEP, which actually must purchase the land, the tools they need to complete this vital acquisition program. To this end, I am proposing to increase the Federal spending authorization by $21.2 million.

There are two main targets for this new land acquisition program: The Wading River ecosystem in the central Pinelands, and lands in the Manumuskin River watershed area in the south.

The Wading River watershed area includes the unique pine plains (12,000 acres of pygmy pine forest) and white cedar swamps. The Wading is one of New Jersey's purest streams and a popular spot for canoeists—two features it shares with the Manumuskin River in the south.

I note that, earlier this month, the Senate approved my legislation which designates the Maurice, Manumuskin, and Menantico Rivers as study rivers for possible inclusion in the Nation's System of Wild and Scenic Rivers. The features that make these rivers exceptional are the features of the Pinelands itself.

Mr. President, that the Pinelands can exist at all in New Jersey, the most densely populated State in the Nation, is amazing. The Pinelands demonstrates the power of people to hold back, to reflect on the land's meaning and promise, and to decide positively that the collective interest is preservation and restraint.

I ask unanimous consent that the legislation be printed in the RECORD.

There being no objection, the legislation was ordered to be printed in the RECORD, as follows:

S. 1165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 502 of the National Parks and Recreation Act of 1978 (Public Law 95-625; 16 U.S.C. 471i), establishing the Pinelands National Preserve in the State of New Jersey, is amended by adding at the end the following new subsection:

"(l)(1)(A) In furtherance of the findings and purposes of this section, and to enhance public education and appreciation of the natural and cultural resources of the Pine Barrens area of New Jersey, the Secretary shall, in cooperation with the planning entity and appropriate departments and agencies of the State of New Jersey, implement an interpretive program for the Reserve.

"(B) The program authorized by this subsection shall include—

"(i) the preparation of interpretive and informational materials, exhibits, films, lectures, and other devices and educational methods, and making them available, directly and through appropriate offices of the State of New Jersey, to the public; and

"(ii) the planning, construction, and operation, in accordance with this subsection, of a visitor and environmental education center and related facilities located in the Reserve.

"(2)(A)(i) Within 12 months of the date of enactment of this subsection, the Secretary, with the concurrence of the planning entity and the State of New Jersey, and the cooperation of other public and private entities as may be necessary and appropriate, shall complete a plan and design for the visitory and environmental education center and related facilities.

"(ii) The plan shall—

"(I) indicate the location or locations of the center and related facilities;

"(II) set forth the method of acquisition, the prospective ownership of the real property on which the center shall be constructed, and the estimated cost of the acquisition, construction, and operation of the center; and

"(III) indicate the manner in which the planning entity established pursuant to this section and the State of New Jersey shall participate in the acquisition, construction, and operation of the center.

"(iii) The design of the interpretive center shall include a provision for an observation facility at an appropriate site, consistent with the relatively primitive nature of the area, to demonstrate the openness and expanse of undeveloped land that characterizes the Pine Barrens region.

"(B) Within 18 months of the completion of the plan and design of the center, the Secretary shall substantially complete the construction of the center and related facilities. Notwithstanding any other provision of law, the Secretary may accept the donation of real property and construct the center and related facilities thereon, or the Secretary may construct the center and related facilities on property owned by the State of New Jersey or a political subdivision thereof, as indicated in the plan and design. Federal funds in an amount of 75 percent of the cost shall be available for the construction of the center and related facilities.

"(C) The Secretary shall cooperate in the operation and maintenance of the center and related facilities, including the assignment of professional staff of the National Park Service to assist in the interpretation of the Pine Barrens area. Federal funds in the amount of 75 percent of the cost shall be available for operating and maintaining the interpretive center and facilities.

"(3) The Secretary may enter into such contracts and agreements with the planning entity, the State of New Jersey, and other public and private entities as may be necessary and appropriate to carry out the authorities and responsibilities of the Secretary under this subsection. There is authorized to be appropriated such sums as may be necessary to carry out the interpretive program for the Preserve, not to exceed, however—

"(A) $1,000,000 for completion of the plan and design for the visitor and interpretive center, pursuant to paragraph (2)(A), and

"(B) $5,000,000 for construction of the center, pursuant to paragraph (2)(B) and related facilities and exhibits.".

(b) Section 502(k) of such Act is amended by—

(1) striking out "of this section" in the first sentence and inserting in lieu thereof "subsections (a) through (j) of this section"; and

(2) adding at the end thereof the following new sentence: "Effective October 1, 1987, in addition to the funds authorized pursuant to this subsection, there are hereby authorized to be appropriated not to exceed $21,200,000 for land acquisition.".

By Ms. MIKULSKI:

S. 1166. A bill to establish a quality assurance system for home care services provided under Medicare and Medicaid programs, the Social Services Block Grant Program, and the Older Americans Act of 1965; to the Committee on Finance.

HOMECARE QUALITY ASSURANCE ACT

● Ms. MIKULSKI. Mr. President, today I am introducing the Homecare Quality Assurance Act of 1987 in order to ensure that quality care is provided to persons receiving care in their homes. This bill is a companion to the legislation introduced in the House of Representatives by the chairman of the House Aging Committee, EDWARD R. ROYBAL.

The home care industry has mushroomed over the past two decades and current trends are creating an even greater demand for these services as the number of elderly increase.

One of the principal reasons for the increased need for home care services is hospital cost containment programs. The pressure of hospital cost containment has resulted in earlier hospital discharges. Patients are being released "sooner and sicker" and often require post-hospital care. Most people would agree that, when medically appropriate, homecare services are preferable to institutional care and should be at the heart of any long-term care plan.

Yet in spite of the dramatic growth and need for home care, we know little about the quality of care provided. A 1986 report by the American Bar Association entitled, "The Black Box of Homecare Quality", points out the deficiencies in the home care quality assurance system. Of particular concern is the in-home location of services that makes the actual delivery of care virtually invisible, and therefore, largely beyond the reach of public and professional scrutiny.

This legislation addresses the deficiencies the ABA study cites in the current quality assurance system. The bill covers all home care services provided under Medicaid, Medicare, the social service block grant and the Older Americans Act.

The legislation provides for greater consumer protection by establishing a consumer bill of rights, expanded ombudsman activities, consumer hotlines, and State consumer boards.

It ensures quality assurance by establishing standards and conditions of participation, a monitoring system, Federal surveys and enforcement mechanisms.

The legislation also provides for research and demonstration and training funds to address the current lack of training opportunities for home care workers and the lack of professional esteem among these workers.

Home care plays a vital part in permitting older persons to continue living independently or with their families. Yet, providing care in the home carries the risk of poor care, unreliable services, and outright abuse and exploitation. It is therefore imperative that we have a means of assuring the quality of home care if we are to succeed in providing elderly and disabled persons with the opportunity for a meaningful, healthy and independent life. We must ensure that quality care does not stop at the hospital or nursing home door.●

ADDITIONAL COSPONSORS

S. 81

At the request of Mr. METZENBAUM, the name of the Senator from Maine [Mr. MITCHELL] was added as a cosponsor of S. 81, a bill to amend the Older Americans Act of 1965 to establish the Alzheimer's disease and related dementias home and community based services block grant.

S. 248

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 248, a bill to amend title 10, United States Code, to permit members of the Armed Forces to wear, under certain circumstances, items of apparel not part of the official uniform.

S. 773

At the request of Ms. MIKULSKI, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 773, a bill to amend title XIX of the Social Security Act to clarify that, in the case of an institutionalized spouse, income and resources required under court order to be used for the support of a noninstitutionalized spouse are not considered to be available to the institutionalized spouse.

S. 774

At the request of Ms. MIKULSKI, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 774, a bill to amend the Internal Revenue Code to provide for the deduction of contributions to long-term care savings accounts.

S. 775

At the request of Ms. MIKULSKI, the names of the Senator from North Dakota [Mr. BURDICK] and the Senator from Nebraska [Mr. KARNES] were added as cosponsors of S. 775, a bill to amend title II of the Social Security Act to require that certain individuals be informed of the limitations imposed upon entitlement to extended care services under the Medicare Program and of the conditions that such individuals are—or may be—required to meet to be eligible for long-term care under a State plan approved under title XIX of such act.

S. 776

At the request of Ms. MIKULSKI, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Ohio [Mr. GLENN], and the Senator from North Dakota [Mr. BURDICK] were added as cosponsors of S. 776, a bill to amend title XIX of the Social

Security Act to protect the welfare of spouses of institutionalized individuals under the Medicaid Program.

S. 780

At the request of Mr. REID, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 780, a bill to amend the enforcement provisions of the Federal Election Campaign Act of 1971.

S. 814

At the request of Mr. HATFIELD, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Vermont [Mr. LEAHY], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Connecticut [Mr. DODD], the Senator from South Dakota [Mr. DASCHLE], the Senator from Hawaii [Mr. INOUYE], the Senator from Rhode Island [Mr. CHAFEE], the Senator from North Carolina [Mr. SANFORD], and the Senator from Washington [Mr. ADAMS] were added as cosponsors of S. 814, a bill to facilitate the resettlement of Indochinese refugees and to provide for the protection of Indochinese refugees along the border of Thailand from cross-border attacks, and for other purposes.

S. 838

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 838, a bill to provide financial assistance to the States for computer education programs, and for other purposes.

S. 858

At the request of Mr. BRADLEY, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 858, a bill to establish the title of States in certain abandoned shipwrecks, and for other purposes.

S. 860

At the request of Mr. BOREN, the names of the Senator from Idaho [Mr. MCCLURE], and the Senator from Idaho [Mr. SYMMS] were added as cosponsors of S. 860, a bill to designate "The Stars and Stripes Forever" as the national march of the United States of America.

S. 943

At the request of Mr. ADAMS, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 943, a bill to amend the Federal Aviation Act of 1958 to ensure the fair treatment of airline employees in airline mergers and similar transactions.

S. 1007

At the request of Mr. HATFIELD, the name of the Senator from Nevada [Mr. HECHT] was added as a cosponsor of S. 1007, a bill to enable States located on a river or aquifer affected by the siting of a repository for high-level radioactive waste or spent nuclear fuel to participate effectively in the site selection, review, and approval process for such repository, and for other purposes.

SENATE JOINT RESOLUTION 44

At the request of Mr. DURENBERGER, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from Georgia [Mr. NUNN], and the Senator from Nevada [Mr. REID] were added as cosponsors of Senate Joint Resolution 44, a joint resolution to designate November 1987, as "National Diabetes Month."

SENATE JOINT RESOLUTION 76

At the request of Mr. QUAYLE, the names of the Senator from Kansas [Mr. DOLE], the Senator from Ohio [Mr. METZENBAUM], the Senator from Ohio [Mr. GLENN], the Senator from Connecticut [Mr. WEICKER], the Senator from Connecticut [Mr. DODD], the Senator from Virginia [Mr. TRIBLE], the Senator from Vermont [Mr. LEAHY], the Senator from Vermont [Mr. STAFFORD], the Senator from California [Mr. WILSON], the Senator from California [Mr. CRANSTON], the Senator from Nebraska [Mr. EXON], the Senator from Colorado [Mr. WIRTH], the Senator from Oklahoma [Mr. BOREN], the Senator from Rhode Island [Mr. CHAFEE], the Senator from North Carolina [Mr. HELMS], the Senator from Idaho [Mr. SYMMS], the Senator from Arizona [Mr. DECONCINI], the Senator from New York [Mr. MOYNIHAN], the Senator from Maine [Mr. MITCHELL], the Senator from Florida [Mr. CHILES], the Senator from Alaska [Mr. STEVENS], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Washington [Mr. ADAMS], the Senator from Mississippi [Mr. STENNIS], the Senator from Hawaii [Mr. INOUYE], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Illinois [Mr. SIMON], the Senator from Illinois [Mr. DIXON], the Senator from Delaware [Mr. ROTH], the Senator from Montana [Mr. BAUCUS], the Senator from Wisconsin [Mr. KASTEN], the Senator from Tennessee [Mr. GORE], the Senator from North Dakota [Mr. CONRAD], and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of Senate Joint Resolution 76, a joint resolution to designate the week of October 4, 1987, through October 10, 1987, as "Mental Illness Awareness Week."

SENATE JOINT RESOLUTION 103

At the request of Mr. LAUTENBERG, the names of the Senator from North Dakota [Mr. BURDICK], the Senator from New York [Mr. MOYNIHAN], the Senator from Hawaii [Mr. INOUYE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New Jersey [Mr. BRADLEY], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of Senate Joint Resolution 103, a joint resolution to designate October 1987, as "Computer Learning Month."

SENATE JOINT RESOLUTION 117

At the request of Mr. LAUTENBERG, the names of the Senator from Mississippi [Mr. STENNIS], the Senator from Alabama [Mr. SHELBY], the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of Senate Joint Resolution 117, a joint resolution designating July 2, 1987, as "National Literacy Day."

SENATE JOINT RESOLUTION 125

At the request of Mr. ROTH, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of Senate Joint Resolution 125, a joint resolution to designate the period commencing on May 9, 1988, and ending on May 15, 1988, as "National Stuttering Awareness Week."

SENATE CONCURRENT RESOLUTION 43

At the request of Mr. STEVENS, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of Senate Concurrent Resolution 43, a concurrent resolution to encourage State and local governments and local educational agencies to provide quality daily physical education programs for all children from kindergarten through grade 12.

SENATE CONCURRENT RESOLUTION 54

At the request of Mr. HATFIELD, the names of the Senator from Illinois [Mr. SIMON] and the Senator from Tennessee [Mr. GORE] were added as cosponsors of Senate Concurrent Resolution 54, a concurrent resolution expressing the sense of the Congress with respect to relations between Vietnam and the United States.

SENATE RESOLUTION 208—SENSE OF THE SENATE REGARDING THE CARIBBEAN BASIN INITIATIVE

Mr. GRAHAM submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 208

Whereas the Caribbean and Central American countries historically have had close economic, political, and cultural ties to the United States;

Whereas promoting Caribbean and Central American prosperity is in the economic and security interests of the United States;

Whereas the Congress proposed the Caribbean Basin Initiative as a key means of promoting regional prosperity;

Whereas the Congress has decided that the best way to promote Caribbean and Central American prosperity is through the Caribbean Basin Initiative;

Whereas Caribbean and Central American countries view the Caribbean Basin Initiative as a test of the long-term commitment of the United States to the economic prosperity of the region;

Whereas the Caribbean Basin Initiative is not expected to have any significant effect on the overall United States economy, according to the United States International Trade Commission; and

Whereas the Caribbean Basin Initiative represents an important opportunity for mutual economic benefit for the United States and Caribbean and Central American countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Senate should ensure that—

(1) the Caribbean Basin Economic Recovery Act shall be preserved, and extended for an additional 12 years.

(2) to the extent that the Congress imposes changes that are intended to improve the competitive environment for United States industry workers, such changes do not unduly affect the unilateral duty free trade system available to the beneficiary countries designated under such Act,

(3) generic changes in the trade laws of the United States do not discriminate against imports from such beneficiary countries in relation to imports from other United States trading partners, and

(4) the United States maintain the commitment made by such Act to the countries of the Western Hemisphere which is in the economic and security interests of the United States.

Mr. GRAHAM. Mr. President, several weeks ago our attention was focused on Central America, several weeks from now our attention will again be riveted on this region. In our recent previous action that attention was focused on the specific question of United States financial aid to the Contras in Nicaragua.

We will be determining by our action, in the next few weeks if that will again be the sole issue upon which this Senate expresses its interest in a region of great strategic, economic, cultural, and historic interest to our Nation.

If we do nothing we are going to end up with the same limited issue, defining U.S. policy in solely military terms.

We have the opportunity however, to broaden consideration of the United States interests in the region to include diplomatic, economic, and scholarship initiatives—as well as the military component of the United States presence in the Caribbean Basin.

The House of Representatives has already passed—and we will soon be considering—a major revision of our Nation's trade laws. This legislation will focus primarily on the trade issues that exist among our largest trading partners. This focus could lead to the inadvertent slighting of the Caribbean Basin trading partners.

Today I am introducing a resolution to safeguard our investment in the Caribbean Basin Initiative, only by carefully evaluating the effects of our overall trade legislation on the economies of the CBI nations, can we ensure that our efforts to help those developing countries will be successful.

We need to be particularly sensitive as we work on the larger trade bill—to the needs of our neighbors in the south—to the continued viability of the Caribbean Basin Initiative.

Economic issues are among the most significant to the future of Central America and the Caribbean, if we are to broaden our agenda to address the real needs of these small nations in our own hemisphere, we must help them to economic stability and development.

Unlike the trading partners whose relationship has largely shaped and been the driving force behind our current consideration of trade laws, all 23 countries currently participating in the Caribbean Basin Initiative are a minor component of U.S. trade policy, together, they constitute less than 1 percent of our trade deficit.

But the limited preferential treatment we give those CBI nations is vitally important to them. Trade with the United States represents 75 percent of their trade activity.

The Caribbean Basin Initiative recognized the importance of this region to the United States; recognized the importance of stimulating economic growth through private sector initiatives.

We can protect our mutual interests in the region by extending our original commitment to the program for a minimum of an additional 12 years. The security of a long-term investment strategy will be the most significant single factor in attracting new investment and encouraging growth and stability.

The purpose of the resolution I am introducing today is to raise the flag of caution. In our pursuit of the giants of global trade we want to be careful not to trample on the emerging economies of these friendly and very close neighbors. Some particular examples of areas we should be sensitive to are:

CUMULATION

CBI countries should not be counted in with other, large-scale exporters whose products unfairly impact U.S. manufacturers and laborers. In most cases the CBI trade is of too small a volume to affect our own economy.

DIVERSION OR CIRCUMVENTION

When CBI countries attempt to implement the program by diversifying their economies we should ensure that any embargoed raw materials they use in manufacturing are embargoed only from the country of origin, not from the smaller CBI nation which turns those materials into goods for export.

PRESIDENTIAL WAIVER

We should require that the President take the CBI into account in all decisions which involve a Presidential waiver of U.S. trade laws to protect our own economy from unfair foreign competition. Without this precaution we could damage the struggling economies we are trying to encourage.

Mr. President, I and my colleagues appreciate the opportunity to present these concerns before you today. We look forward to sustaining the energy and interest in the shared economic future we and our Caribbean trading partners have worked so hard to build.

Our support for the principles of CBI demonstrates our sensitivity to the special relationship between our country and our neighbors. By supporting the CBI we will send the larger message that the United States recognizes the necessity of a comprehensive, sustained and pragmatic policy toward the countries of Central America and the Caribbean.

Upon such a policy, a future of peace and prosperity can be established in the region. Without it, we condemn ourselves and our neighbors to repeated challenges to the stability, both economic and political, of our region and of our mutual interests.

NOTICES OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BUMPERS. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Public Lands, National Parks and Forests.

The hearing will take place Tuesday, May 19, 1987, beginning at 10 a.m. in room SD-366 of the Senate Dirksen Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on two measures currently pending before the subcommittee. The measures are:

H.R. 278 and S. 1145, bills to amend the Alaska Native Claims Settlement Act to provide Alaska Natives with certain options for the continued ownership of lands and shares received pursuant to the act, and for other purposes.

I would also like to note that the hearing on H.R. 799 which was originally scheduled for 2 p.m. on Thursday, May 21, 1987, is now scheduled to begin at 1:15 p.m.

Finally, the hearings on S. 84 and S. 735—bills to amend the Land and Water Conservation Fund—originally scheduled for May 12 and May 14, 1987 have been canceled.

Those wishing information about testifying at the hearing or submitting written statements should write to the Subcommittee on Public Lands, National Parks and Forests, U.S. Senate, room SD-364, Dirksen, Senate Office Building, Washington, DC. For further information, please contact Beth Norcross at 224-7933 or Tom Williams at 224-7145.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 7, 1987, at 9:30 a.m. and 2:30 p.m. to mark up S. 490, the Omnibus Trade Act of 1987.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS, AND FORESTS

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks, and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, May 7, 1987, at 10 a.m. to receive testimony concerning H.R. 191/S.261, bills to authorize the establishment of a "Peace Garden" on a site to be selected by the Secretary of the Interior; and S. 451, a bill to require the Secretary of the Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over national park system units.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks, and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, May 7, 1987, at 2 p.m. to continue hearings concerning S. 839, the Nuclear Waste Policy Act Amendments Act of 1987.

SUBCOMMITTEE ON NUCLEAR REGULATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Nuclear Regulation, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on May 7, beginning at 9:30 a.m., to hold a hearing on emergency planning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

PRICE REDUCTION IN THE SENATE RECORDING STUDIO

● Mr. FORD. Mr. President, I am pleased to notify the Senate that I have approved a new price schedule for the recording studio that the Sergeant at Arms has proposed. The new schedule has the overall effect of lowering prices by about 20 percent. The prices will go into effect as of May 1.

At a business meeting on April 1, the Rules Committee approved a modernization project prepared by the director of the studio. In that plan about $710,000 would be spent on upgrading the facilities and replacing obsolete equipment. The money would come from the studio revolving fund, which is made up of fees charged to the users. So these expenditures for replacing the old equipment called for no additional appropriations. However, the Rules Committee also approved additional staffing for the studio, which would be funded by the Senate.

The Sergeant at Arms and the director of the studio have concluded that with this new equipment they will not only give better service but that the studio will operate more efficiently. Therefore the reduction in rates.

New equipment; improved service; lower prices; the new Sergeant at Arms and the new director in the recording studio are getting off to a great start.●

S. 79, THE HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION ACT

● Mr. HUMPHREY. Mr. President, it is important to offer some clarification regarding the relative position of the business community on S. 79, the High Risk Occupational Disease Notification and Prevention Act.

Some companies, and their associations, have chosen to support the version of the bill that was reported from the Subcommittee on Labor on April 28. Most notable are General Electric, IBM, Occidental Petroleum, Crum & Forster Insurance Co., the Chemical Manufacturers Association, and the American Electronics Association. There may be others as well.

However, many more companies and associations oppose the legislation without necessarily quarreling with the premise that workers deserve notification in those situations where exposure leads to occupational disease.

A quick glance at the legislation compels many in the business community, I suspect, to have grave reservations about many of the bill's "process" provisions. For instance, S. 79 sets up an independent risk assessment board within the HHS Department. The Secretary of Health and Human Services [HHS] is authorized to appoint the board and, I suppose, fire the board as well. But the board has final rule making authority, and is therefore unaccountable to a duly elected President and the President's appointed HHS Secretary.

Further, I would point out that this risk assessment board is a policy/administrative body, and not an adjudicative or quasi-adjudicative body. There is no precedent for such independence and, if let stand, it could well result in government run amok.

Mr. President, so that all can see that not everyone in the business community has jumped on board S. 79, I ask that a letter from the Coalition on Occupational Disease Notification be printed in the RECORD. It is signed by a number of groups and organizations in opposition to S. 79 as now drafted.

The letter follows:

COALITION ON OCCUPATIONAL
DISEASE NOTIFICATION,
April 30, 1987.

DEAR SENATOR HUMPHREY: We the undersigned, representing more than a million companies in the United States, many of which are located in your state, oppose the High Risk Occupational Disease Notification and Prevention Act of 1987, S. 79, as currently drafted and revised. The bill will result in billions of dollars in unwarranted litigation claims against employers, staggering costs for all businesses, especially small businesses, and the creation of an unnecessary and costly new government bureaucracy. These costs are simply not affordable in these days of tough competition and budget restraint.

We urge you to vote no on S. 79.

Very truly yours,

National Association of Manufacturers, Chamber of Commerce of the United States, National Federation of Independent Businesses, National Association of Wholesalers, Aerospace Industries Association, Alliance of American Insurers, American Mining Congress, American Coke and Coal Chemicals Institute, American Furniture Manufacturers Association, American Paper Institute.

American Retail Federation, American Road and Transportation Builders Assn., American Subcontractors Association, American Wood Preservers Institute, ARMTEX Corporation, Associated Builders and Contractors, Associated General Contractors of America, Association of Plumbing-Heating - Cooling Contractors, Bridgestone Tire Company.

Cast Metals Association, Caterpiller Inc., Composite Can & Tube Institute, Food Marketing Institute, Ford Motor Company, Gates Rubber Company, GenCorp, Inc., General Motors, Georgia-Pacific, Houston Lighting and Power Company, McCreary Tire and Rubber Company.

Michelin Tire Corporation, Motor Vehicle Manufacturers Association, National Association of Casualty & Surety Agents, National Association of Homebuilders, National Association of Independent Insurers, National Food Brokers Association, National Forest Products Association, National Industrial Sand Association, National Kitchen Cabinet Association, National Moving & Storage Association, National Particle Board Association, National Ready Mixed Concrete Association, National Restaurant Association.

National Sand & Gravel Association, National Small Business United, National Stone Association, National-American Wholesale Grocers Association, Owens-Illinois, Inc., Petroleum Marketers Association of America, Portland Cement Association, Printing Industries of America, Procter & Gamble, R.R. Donnelly & Sons Company, Rubber Manufacturers Association, Sterling Drug Inc., The American Society of Personnel Administrators, The AntiFriction Bearing Manufacturers.

The B.F. Goodrich Company, The Firestone Tire and Rubber Company, The Formaldehyde Institute, The Goodyear Tire and Rubber Company, The National Cotton Council, The Small Business Legislative Council, The Society of the Plastics Industry, The Standard Oil Company, U.S. Borax and Chemical Corporation, Union Camp, Uniroyal Goodrich Tire Company, USG Corporation.●

FORTIETH ANNIVERSARY OF KORCZAK ZIOLKOWSKI'S ARRIVAL IN BLACK HILLS

REMEMBERING KORCZAK ZIOLKOWSKI AND CRAZY HORSE

● Mr. LEVIN. Mr. President, the 19th century poet's call for "men to match my mountains" was answered on May 3, 1947—40 years ago last Friday—when sculptor Korczak Ziolkowski arrived in the Black Hills of South Dakota. Korczak, already a renowned artist, went West in response to a request from Sioux Chief Henry Standing Bear who asked him to carve a sculpture of the Indian hero Crazy Horse out of a Black Hills mountain. Standing Bear told Korczak that "my fellow chiefs and I would like the white man to know that the red man has great heroes too."

Before embarking on the project to which he would dedicate the rest of his life, Korczak Ziolkowski studied the life of Crazy Horse. He concluded that the chiefs were right in choosing this particular American Indian leader as a symbol of Indian heroism. Crazy Horse was a fearless fighter. But Korczak pointed out that he resorted to battle with the white man only after the U.S. Government had reneged on its treaty obligations to the Sioux and only after he saw "his peoples' lives and their way of life ravaged and destroyed * * *."

Crazy Horse died at the age of 34. Not surprisingly, in view of the treachery he had witnessed repeatedly in his life, he was slain by a soldier at Fort Robinson, NE, where he had gone under a flag of truce. By the time of his death, Crazy Horse knew that the Sioux had lost their beloved, sacred Black Hills and that they were destined to live on reservations. Just prior to his death, Crazy Horse was taunted by a white trader who rhetorically asked him "where are your lands now?" Crazy Horse looked out to the horizon, pointed over his horse's head, and said: "My lands are where my dead lie buried."

It is that moment that Korczak Ziolkowski sought to memorialize in stone. From 1947 until his death in 1982, Korczak worked on a mountain sculpture of Crazy Horse—his arm outstretched over the land. Korczak's Crazy Horse, when complete, will be the most massive sculpture in the world—563 feet high and 641 feet long. Crazy Horse's head will be 90 feet high, large enough to envelop all four President's heads on the nearby Mount Rushmore. His arm will be as long as a football field, long enough for 4,000 people to stand on.

Given these dimensions, it is not surprising that Korczak's work is not yet completed. Although he removed millions of tons of granite from Thunderhead Mountain, there are still millions of tons which must be blasted away by Korczak's successors—most notably his wife, Ruth, and their 10 children. Like Korczak, they are determined that Crazy Horse be commemorated with the same grandeur and in the same spirit as other American heroes, such as those chiseled in the stone of Mount Rushmore.

I share that belief. But I also believe that Korczak Ziolkowski himself was an American hero—an example of the idealism, grit, and determination that built this country. Korczak created the Crazy Horse Memorial without any State or Federal assistance. Twice he turned down potential funding of $10 million. Instead, Korczak built this national monument—a site visited annually by a million sightseers—with contributions from his supporters across the land. And with his own physical and spiritual power and that of his wife and family.

For many years I have been inspired by Korczak and his work. I was fortunate enough to get to know him in the years prior to his death in 1982 and I value my continuing friendship with his widow, Ruth, and the rest of the family. I'd like to conclude with a portion of the remarks I made on September 6, 1981 at a ceremony commemorating the unveiling of a stamp honoring Crazy Horse, a stamp that featured Korczak's design.

> Perhaps never before (and perhaps never again) has there been such a physical and spiritual commitment of artist to subject. . . . We are enobled by Crazy Horse's life and Korczak's transcendent vision of it. We are better people because we remember Crazy Horse today and because Korczak remembered him all these years.

For 40 years a man, Korczak Ziolkowski, carved a mountain. It is a task that staggers the mind and fills it with awe. But Korczak did it. He's gone but his work continues. And his dream lives on, transforming a mountain and our souls.●

THE REVISED CHILES BUDGET RESOLUTION

● Mr. MITCHELL. Mr. President, debate concerning the Federal budget and the budget deficit is not new. Throughout this decade the fundamental issues have not changed.

In 1981, the deficit was $78.9 billion and the public debt was $998.8 billion. Last year, it exceeded $200 billion for the third time since 1981, reaching an all-time high of $220.7 billion. The public debt, which 6 years ago President Reagan described as equivalent to a stack of $1,000 bills 67 miles high, has now risen to about 150 miles—$2.25 trillion.

The current account balance which measures the merchandise trade balance, the trade services balance, investment earnings, and transfers clearly shows the decline of our economic stature in the world. In 1981, the United States ran a current account surplus of more than $6 billion. Last year, the current account deficit was over $150 billion. Our merchandise trade deficit alone last year was $170 billion.

This year, we will spend $134 billion on interest payments to finance the national debt. And for next year, each budget resolution—that of Senator Chiles, Senator Hollings, Senator Domenici, the President, and the sequester—call for interest payments over $138 billion. Interest payments alone since 1981 have increased over 100 percent.

We find ourselves in a situation where we must make some very difficult decisions. We must decide whether we will continue borrow and spend policies, or whether we will pay as we go for our spending.

It is never easy to decide how to allocate national resources. This year it is particularly difficult because of the enormous amount of savings we needed to achieve the acceptable deficit targets under Gramm-Rudman-Hollings.

The Budget Committee has worked very hard to achieve the needed savings, while also providing some increases in areas of national importance. The revised Chiles budget plan would balance the budget by 1991. It continues to reduce the deficit by $37 billion next year—slightly above the $36 billion requirement mandated under Gramm-Rudman-Hollings.

I am pleased that the Budget Committee has removed the cap on Medicare catastrophic insurance. This will allow more flexibility in addressing the health care of the Nation's elderly. As chairman of the Finance Subcommittee on Health, I have been working with Senator Bentsen and others to develop an effective catastrophic care proposal. The cap on catastrophic care included in the Budget Committee's earlier plan would have made our task much more difficult.

The revised Chiles plan adds back $300 million next year, or $1.2 billion over 4 years, from the original Medicare savings required. This brings the level of savings required under Medicare to $3 billion next year. The revised Chiles plan, like the original Chiles plan, maintains that the savings will not affect beneficiary premiums, deductibles, or be achieved by delaying eligibility.

The President originally requested $5 billion in Medicare savings, $35 billion over 4 years. The House approved savings of $1.3 billion next year, $10.2 billion through 1990. My own Subcommittee on Health heard testimony just a short time ago concerning savings in this area. Since enactment of the Prospective Payment System in 1984, which as many of you know replaced the cost-based reimbursement system, reimbursements to hospitals have averaged 15 percent above costs. While hospital profits are not the central issue, these numbers do indicate that some reductions are possible.

I expect that the savings in this area, once a conference committee has met, will ultimately be around $2 billion. During the reconciliation process, I will work to ensure that the savings are achieved in a fair manner. Studies have shown that rural hospitals have not profited nearly as much as urban providers. In fact some rural hospitals have not profited at all. It is my intent that the savings achieved will not unduly burden rural providers.

The revised Chiles plan provides for increases in education funding to bring the level of spending to $2.2 billion above the baseline, plus an additional $200 million for the Head Start Program. Job programs are increased $700 million. Space and science programs are increased by $1.3 billion. Increases in funding are also provided for EPA programs and land acquisition, aid to the homeless, NIH and AIDS research, the Women, Infants, and Children's Feeding Program [WIC], law enforcement and judiciary programs, the Customs Service, and about a 5-percent annual increase in State and local grant assistance.

Given the budget constraints facing us this year, some other programs have been cut back. I regret that this was necessary, but to achieve savings we simply can't freeze all spending. I believe the Budget Committee has made a number of compromises in spending cuts compared to both its original budget resolution and the budget presented to Congress earlier this year by the President.

The revised Chiles plan reduces the Community Development Block Grant Program [CDBG] by 10 percent and the Urban Development Action Grant Program [UDAG] by 5 percent. I fully recognize the importance of these programs to many cities and towns throughout the country and I know substantial reductions in these areas have been made in the past. Again, I wish we could freeze spending so that States could continue level funding in these areas. However, these cuts under the revised budget are much better than the original Chiles plan that sought to reduce CDBG by 25 percent and UDAG by 10 percent. And, the revised plan is much better than the President's budget that would have terminated UDAG and reduced funding for CDBG by nearly 20 percent while substantially broadening the areas which CDBG funds would be allocated.

There are areas in which the revised Chiles plan assumes a freeze compared to the substantial reductions or outright elimination proposed by the President. For instance, funds for the Small Business Administration would be frozen at fiscal year 1987 levels. Housing for the elderly and handicapped would be frozen at fiscal year 1987 levels as would rural housing. Rural water and waste disposal grants would be frozen. Funds for the Economic Development Administration would be frozen. Veterans medical care would receive full funding, and new construction for veterans nursing homes and rehabilitation centers would continue.

The revised Chiles plan represents a difficult but well balanced compromise to achieve real savings. The revised Chiles plan lowers the total national debt $100 billion more than the President's plan over 4 years. Savings are evenly distributed between domestic cuts, military spending restraint, and revenues earmarked soley for deficit reduction. Under the President's economic assumptions, the Chiles plan meets the $108 billion deficit target under Gramm-Rudman-Hollings. An extra $7 billion in defense outlays will be provided should the Senate and the President decide to pay for the increase with additional revenues.

The Federal budget deficit has been a growing problem that needs to be addressed in a balanced and responsible manner. The revised Chiles budget meets those objectives.●

NAUM MEIMAN

● Mr. SIMON. Mr. President, the Soviet Union has made certain changes that indicate that they would like to improve relations with our country. I believe that such actions should be encouraged to continue. Hopefully, the Soviet Government will adopt a policy that recognizes the human rights of all its citizens. Until that day comes, however, we must continue to work on behalf of the hundreds of thousands of individuals in the Soviet Union who are denied their basic rights.

The Soviets' treatment of Naum Meiman exemplifies the harassment and discrimination accorded Soviet Jews. Naum is a political activist and long-time refusenik who has been seeking permission to emigrate to the West for over 10 years. He is presently adjusting to the recent loss of his wife Inna.

Naum, in his seventies, desperately wishes to live what is left of his life in the West. I urge the Soviet Government to grant Naum this wish and allow him to emigrate.●

AFGHANISTAN: LETTERS FROM THE STATE OF ARKANSAS

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a United Nations report as: "A Situation Approaching Genocide."

As chairman of the Congressional Task Force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the RECORD two letters each day from various States in the Nation. Today, I submit two letters from the State of Arkansas for the RECORD.

The letters are as follows:

DEAR SIR: I have just finished reading "Agony in Afghanistan" in the March issue of Reader's Digest, and would like to join many others, I'm sure, in expressing my concern about the problems suffered by this country.

Somehow, the United States must take a stand and use their influence in terminating this situation.

Sincerely,

MRS. J.W. O'BRIEN.

HARRISON, AR.

DEAR SENATOR HUMPHREY: What is being done about the people of Afghanistan? Why are we allowing such torture to continue?

I thought the U.N., if not individual countries of the "free world" could do something in the face of such denial of human rights.

I have no answers but feel that our country should do something to put a stop to such blatant abuse of virtually helpless people. The Indians, the Cheks, Cambodians. . . . where does it end?

Whenever a person or people lose their rights, we all lose.

Sincerely,

BARBARA SMITH.

MAYNARD, AR.●

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the laying down of the supplemental appropriations bill at 11:30 a.m. be extended for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that Senators may continue to speak under the previous order with certain conditions in regard to morning business.

The PRESIDING OFFICER (Mr. DIXON). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. If there is no further morning business, morning business is closed.

SUPPLEMENTAL APPROPRIATIONS, 1987

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 1827, which the clerk will report.

The legislative clerk read as follows:

H.R. 1827, an act making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes.

The Senate proceeded to consider the bill (H.R. 1827) making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof, the following:

(The parts of the bill intended to be stricken are shown in boldface brackets, and the parts of the bill intended to be inserted are shown in italic.)

H.R. 1827

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes, namely:

TITLE I—PROGRAM SUPPLEMENTALS

CHAPTER I

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

OPERATIONS, RESEARCH, AND FACILITIES

[The sum of $62,500,000, to be derived from $27,500,000 appropriated pursuant to Public Law 99-500 and Public Law 99-591 for commercialization of the land remote sensing satellite system and $35,000,000 appropriated pursuant to the same law for the polar orbiting satellite system, is hereby reprogrammed for a two spacecraft land remote sensing satellite system under a plan which provides for the cost of the second satellite from funds from users or other sources other than funds from the National Oceanic and Atmospheric Administration. The release of such funds is subject to the funding plan being approved by the House and Senate Committees on Appropriations.

[At such time as funds are appropriated to carry out Sec. 118 of the Federal Water Pollution Control Act, the funds transferred to the National Oceanic and Atmospheric Administration in accordance with subsection (h)(3) of such section, shall be used to carry out the provisions of subsection (d) of such section at the Great Lakes Environmental Research Laboratory.]

None of the funds appropriated for the Department of Commerce in fiscal year 1987 shall be obligated or expended to promulgate or implement the March 2, 1987 proposed rulemaking on Sea Turtle Conservation; Shrimp Trawl Requirements for waters described in the proposed rulemaking as western Gulf of Mexico offshore, western Gulf of Mexico inshore, and Louisiana inshore, zones 10 through 21.

Of the funds deposited in the Fisheries Promotional Fund pursuant to section 209 of the Fish and Seafood Promotion Act of 1986, $750,000 shall be made available as authorized by said Act, to remain available until expended.

DEPARTMENT OF JUSTICE

[General Administration

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $10,450,000, to remain available until September 30, 1988.

[Legal Activities

[SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

[For an additional amount for "Salaries and expenses, general legal activities", $5,499,000, to remain available until September 30, 1988.

[SALARIES AND EXPENSES, ANTITRUST DIVISION

[For an additional amount for "Salaries and expenses, Antitrust Division", $299,000, to remain available until September 30, 1988.

[SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

[For an additional amount for "Salaries and expenses, United States Attorneys", $887,000, to remain available until September 30, 1988.]

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

[For an additional amount for "Salaries and expenses, United States Marshals Service", $405,000, to remain available until September 30, 1988: *Provided,* That in] *In* the appropriation language under this heading in Public Law 99-500 and Public Law 99-591, add at the end thereof the following: "Notwithstanding the provisions of title 31 U.S.C. 3302, the Director of the United States Marshals Service may collect fees and expenses for the service of civil process, including: complaints, summonses, subpoenas and similar process; and seizures, levies, and sales associated with judicial orders of execution; and credit not to exceed $1,000,000 of such fees to this appropriation to be used for salaries and other expenses incurred in providing these services.".

[SUPPORT OF UNITED STATES PRISONERS

[For an additional amount for "Support of United States Prisoners", $9,630,000, to remain available until September 30, 1988.

[SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

[In the appropriation language under this heading in Public Law 99-500 and Public Law 99-591, delete "$29,637,000 of which $23,266,000 shall remain available until expended" and substitute the following: "$29,637,000 of which $22,791,000 shall remain available until expended".

[UNITED STATES TRUSTEE SYSTEM FUND

[In addition to amounts made available under the head "Salaries and expenses, oversight of bankruptcy cases", for the expansion of the United States Trustees Program, as authorized by Sec. 115 of the "Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986" (Public Law 99-554), $16,436,000: *Provided,* That deposits to the Fund are available in such amounts as may be necessary to pay refunds due depositors.

[Federal Bureau of Investigation

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $3,989,000, to remain available until September 30, 1988.

[Drug Enforcement Administration

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses, Drug Enforcement Administration", $776,000, to remain available until September 30, 1988: *Provided,* That in appropriation language under this head in the Department of Justice Appropriations Act, 1987, as included in Public Law 99-500 and Public Law 99-591, delete "five hundred seventy-five" and substitute "1,030".]

Immigration and Naturalization Service

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $147,793,000, to remain available until September 30, 1988: *Provided,* That in appropriation language under this head in the Department of Justice Appropriations Act, 1987, as included in Public Law 99-500 and Public Law 99-591, delete the phrase "(not to exceed four hundred ninety, all of which shall be for replacement only)" and substitute "(not to exceed 1,796, of which 490 shall be for replacement only)"*: Provided further, That not to exceed $3,264,000 of the funds appropriated under this head in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, fiscal year 1987, Public Law 99-500 and Public Law 99-591 may be transferred to any other appropriation account of the Department of Justice to pay costs related to the relocation of employees of the Criminal Division.*

[Federal Prison System

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $548,000, to remain available until September 30, 1988.]

[NATIONAL INSTITUTE OF CORRECTIONS

[For an additional amount for "National Institute of Corrections", $15,000.]

General Provisions—Department of Justice

Sec. 1. Notwithstanding any other provision of law, of the funds appropriated to the Department of Justice in Public Law 99-500 and Public Law 99-591, not to exceed an additional $5,000,000 may be transferred to "Salaries and expenses, general legal activities" to pay expenses related to the activities of any Independent Counsel appointed pursuant to 28 U.S.C. 591, et seq., upon notification by the Attorney General to the Committee on Appropriations of the House of Representatives and the Senate and approval under said Committees' policies concerning the reprogramming of funds contained in section 607 of section 101(b) of Public Law 99-591.

Sec. 2. Section 205(h)(1)(A) of the Departments of Commerce, Justice, and State, and the Judiciary and Related Agencies Appropriations Act, fiscal year 1987, in Public Law 99-500 and Public Law 99-591 are amended by striking "All of the fees collected under subsection (d) shall be deposited in a separate account within the general fund of the Treasury of the United States" and inserting in lieu thereof "All of the fees collected under subsection (d) shall be deposited in a separate account within the general fund of the Treasury of the United States, to remain available until expended".

DEPARTMENT OF STATE

Administration of Foreign Affairs

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $61,750,000, to remain available until September 30, 1988.]

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

[For an additional amount for "Acquisition and Maintenance of Buildings Abroad",

$12,000,000, to remain available until expended: *Provided,* That these funds shall be available subject to the approval of the House and Senate Appropriations Committees' policies concerning the reprogramming of funds contained in House Report 99-669.]

Of the funds appropriated under this head in the Departments of Commerce, Justice, and State, and the Judiciary, and Related Agencies Appropriations Act, fiscal year 1987, Public Law 99-500 and Public Law 99-591, not to exceed $5,000,000 may be transferred to Department of State, Administration of Foreign Affairs, "Salaries and expenses": Provided, That notwithstanding any other provision of law, no funds appropriated to the Department of State in this or any other Act may be obligated for the new office building in Moscow, except as necessary to demolish the building: Provided further, That subsection (d) of section 154 of Public Law 99-93 is repealed and subsection (a) of such section is amended in the first sentence, to read as follows: "The Secretary of State shall not permit the Soviet Union to occupy the new chancery building at its new embassy complex in Washington, D.C., or any other new facility in the Washington, D.C. metropolitan area, until a new chancery building is ready for occupancy for the United States embassy in Moscow and if the Soviet Union fails to provide prompt and full reimbursement to the United States for damages incurred as a result of the construction of the new United States embassy in Moscow.": Provided further, That the Secretary of State is directed to develop and submit to the Speaker of the House of Representatives and the Appropriations and Foreign Relations Committees of the Senate by August 30, 1987, a plan to establish essential parity in the numbers, types and quality of buildings held by the United States in Moscow and the Soviet Union in Washington, D.C.: Provided further, That it is the sense of Congress that no additional funds should be appropriated for new embassy construction, except for the completion of projects, other than Moscow, where construction is now underway until such time as the management of overseas embassy construction is organized under an Under Secretary who shall also have responsibility for the Office of Foreign Missions and the Bureau of Diplomatic Security: Provided further, That the Secretary of State and Director of Central Intelligence shall within thirty days after enactment of this Act convene a panel of outside experts to review and analyze the plans, contracts and protocols of any construction projects of the Office of Foreign Buildings.

[INTERNATIONAL ORGANIZATIONS AND CONFERENCES

[CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

[For an additional amount for "Contributions to International Organizations", $268,831 for payment of the United States assessed contribution to the Interparliamentary Union: *Provided,* That in the appropriation language under the heading "Contributions to International Organizations" in the Department of State Appropriations Act, 1987, as included in Public Law 99-500 and Public Law 99-591, delete the phrase that reads "of which $130,000,000, to remain available until expended, shall become available for expenditure on October 1, 1987".

[INTERNATIONAL COMMISSIONS

[AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

[For an additional amount for "American Sections, International Commissions", $600,000, to remain available until September 30, 1988.]

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", [$45,645,000] *$33,500,000,* to remain available until September 30, 1988.

[DEFENDER SERVICES

[For an additional amount for "Defender Services", $2,500,000, to remain available until expended.]

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", [$98,000] *$100,000.*

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", [$1,017,000] *$1,000,000.*

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATIONS AND TRAINING

Funds appropriated under this head in Public Law 98-396 for a training vessel for the State University of New York Maritime College shall be available for acquisition, preconversion and conversion costs of such vessel.

FEDERAL SHIP FINANCING FUND

For payment to the Secretary of the Treasury for debt reduction, $1,375,000,000, [to remain available until expended, and for payment of interest on said amount to the Secretary of the Treasury, $73,000,000,] to remain available until expended.

BOARD FOR INTERNATIONAL BROADCASTING

GRANTS AND EXPENSES

For an additional amount for "Grants and expenses", $33,195,000, to remain available until expended.

[COMMISSION FOR THE STUDY OF INTERNATIONAL MIGRATION AND COOPERATIVE ECONOMIC DEVELOPMENT

[SALARIES AND EXPENSES

[For necessary expenses of the Commission for the Study of International Migration and Cooperative Economic Development as authorized by Title VI of Public Law 99-603, $275,000, to remain available until expended.

[DWIGHT DAVID EISENHOWER CENTENNIAL COMMISSION

[EXPENSES

[For necessary expenses of the Dwight David Eisenhower Centennial Commission as authorized by Public Law 99-624, $50,000, to remain available until expended.]

FEDERAL COMMUNICATIONS COMMISSION

The authority under the Supplemental Appropriations Act, 1985 (Public Law 99-88) with respect to the relocation of the Fort Lauderdale Monitoring Station shall extend through fiscal year 1988 and under the same terms and conditions of Public Law 99-88.

[SMALL BUSINESS ADMINISTRATION

[GENERAL PROVISION

[Notwithstanding any other provision of law, rule, or regulation relating to the Small Business Administration, the Administrator of the Small Business Administration shall, with respect to small business concerns involved in the fishing industry, declare the recent Texas Gulf Coast-related red tide contamination a disaster for purposes of section 7(b) of the Small Business Act (15 U.S.C. 636(b)). Such declaration shall be made not later than 60 days after the date of the enactment of this Act. Disaster loan assistance shall be provided pursuant to paragraph (2) of such section to such small business concerns.

[For purposes of this provision—

[(1) the term "recent Texas Gulf Coast-related red tide contamination" means the contamination of customary fishing grounds by red tide, the closing of (or reduction of catch limits in) customary fishing grounds due to excessive harvesting on such grounds prompted by red tide contamination outside the nominal boundaries of such grounds, and the contamination of such customary fishing grounds or significant reductions in the normal populations of fish resulting from heavy rainfall, flooding, or the runoff waters thereof, which has occurred along the Texas Gulf Coast since September 1, 1986; and

[(2) the terms "fish" and "fishing industry" have the meanings given such terms in sections 23(1)(B) and 23(1)(C), respectively, of the Small Business Act (15 U.S.C. 650(1)(B), 650(1)(C)).

[For purposes of paragraph (2) of section 7(b) of such Act (15 U.S.C. 636(b)(2)), eligibility of individual applicants shall not in any way be dependent upon the number of disaster victims in any county or other political subdivision.

[UNITED STATES INFORMATION AGENCY

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $8,098,176, of which $598,176 shall be used for purchase of Pakistani Rupees from the special account for the Informational Media Guarantee Program to carry out the provisions of section 1011(d) of the Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1442(d)).

[RADIO BROADCASTING TO CUBA

[For an additional amount to carry out the provisions of section 7 of the Radio Broadcasting to Cuba Act, as amended (22 U.S.C. 1465(e)), $993,000, to remain available until expended.]

CHAPTER II

DEPARTMENT OF DEFENSE—MILITARY

[MILITARY PERSONNEL

[MILITARY PERSONNEL, ARMY

[For an additional amount for "Military personnel, Army", $255,452,000.

[MILITARY PERSONNEL, NAVY

[For an additional amount for "Military personnel, Navy", $40,600,000.

[MILITARY PERSONNEL, MARINE CORPS

[For an additional amount for "Military personnel, Marine Corps", $36,520,000.

[MILITARY PERSONNEL, AIR FORCE

[For an additional amount for "Military personnel, Air Force", $157,800,000.]

Operation and Maintenance

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and maintenance, Army", $75,000,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and maintenance, Navy", [$50,000,000] *$70,000,000.*

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and maintenance, Air Force", $20,000,000.

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For an additional amount for "Operation and maintenance, Defense Agencies", [$382,500,000] *$442,000,000.*

[OPERATION AND MAINTENANCE, ARMY RESERVE

[For an additional amount for "Operation and maintenance, Army Reserve", $15,000,000.]

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and maintenance, Navy Reserve", $5,000,000.

[OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

[For an additional amount for "Operation and maintenance, Army National Guard", $10,000,000.

[Procurement

[AIRCRAFT PROCUREMENT, AIR FORCE

[For an additional amount for "Aircraft procurement, Air Force", $313,700,000: *Provided,* That none of the funds appropriated in this paragraph shall be obligated or expended unless authorized.]

Research, Development, Test, and Evaluation

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For an additional amount for "Research, development, test, and evaluation, Army", [$3,300,000] *$25,000,000.*

[RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

[For an additional amount for "Research, development, test, and evaluation, Navy", $14,000,000, for Manufacturing Technology: *Provided,* That none of the funds appropriated in this paragraph shall be obligated or expended unless authorized.

[RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

[For an additional amount for "Research, development, test, and evaluation, Air Force", $19,000,000: *Provided,* That none of the funds appropriated in this paragraph shall be obligated or expended unless authorized.]

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE AGENCIES

For an additional amount for "Research, development, test, and evaluation, Defense Agencies", [$4,400,000] *$131,000,000.*

[DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

[For an additional amount for "Developmental test and evaluation, Defense", $13,900,000.]

Administrative Provisions

[Sec. 1. Section 9073 of the Department of Defense Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591) is amended to read as follows:

["Sec. 9073. The test authority provided for in section 618 of Public Law 99-145 and section 8083 of Public Law 99-190 shall remain in effect until such time as the system provided for by section 614(a) of the Department of Defense Authorization Act, 1987 (Public Law 99-661) is implemented for both Department of Defense military and civilian employees.".]

Sec. [2] *1.* Within the funds appropriated for operation and maintenance of the Armed Forces for fiscal year 1987, and pursuant to section 403(a) of title 10, United States Code, funds may be used for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code.

Sec. 2. Section 9102 of the Department of Defense Appropriations Act, 1987, (as included in Public Laws 99-500 and 99-591) is amended by inserting ", except for civilian personnel employed on January 1, 1987" after the words "United States".

Sec. 3. Section 9015 of the Department of Defense Appropriations Act, 1987, (as included in Public Laws 99-500 and 99-591) is amended by striking the amount "$1,100,000,000" and in lieu thereof inserting the amount "$1,590,372,000".

Sec. 4. Section 9105 of the Department of Defense Appropriations Act, 1987, (as contained in section 101(c) of Public Laws 99-500 and 99-591), is amended—

(1) in the second proviso, by striking out "for more than 50 percent" and inserting in lieu thereof "for less than 50 percent"; and

(2) in the third proviso, by inserting "or the program with respect to which the contract was awarded" after "if such a contract".

Sec. 5. None of the funds previously appropriated to the Air Force may be used to conduct a trainer aircraft competition unless such competition includes candidate aircraft from at least two United States firms and at least one candidate aircraft is compliant with the T-46/Next Generation Trainer system specifications as it pertained to the source selection of the Next Generation Trainer in 1982.

Sec. 6. Section 9061 of the Department of Defense Appropriations Act, 1987, Public Laws 99-500 and 99-591, is amended by inserting after the year "1984" and before the period "except reasonable costs incurred in promoting American aerospace exports at domestic and international exhibits".

Sec. 7. (a) None of the funds appropriated by this or any other Act for research, development, test, and evaluation for the Department of Defense or any of its components for any activities associated directly or indirectly with the Advanced Launch System/Heavy Lift Launch Vehicle, hereinafter referred to as "ALS", may be obligated or expended until the Secretary of Defense, with the concurrence of the Administrator of the National Aeronautics and Space Administration, has submitted to the Committees on Appropriations of the Senate and House of Representatives a certification, which includes the following:

(1) an agreement between the Department of Defense and the National Aeronautics and Space Administration on the most cost-effective design approach for the ALS and on a joint program office and management plan to implement this program so as to make maximum use of the expertise and unique testing facilities of the National Aeronautics and Space Administration, especially with respect to rocket propulsion systems;

(2) a detailed description of the ALS program management plan, including identification of the specific roles and responsibilities to be fulfilled by the Defense Agencies, Air Force, and the National Aeronautics and Space Administration; and

(3) a formal cost-sharing agreement among all participants in the ALS program identifying the program's total costs (in current and constant dollars) for research, development, test, and evaluation, procurement, and facilities construction; such agreement shall include the budgetary resources intended to be dedicated annually by each participant in fiscal years 1987 through 1992;

(b) Any funds appropriated by this or any other Act for research, development, test, and evaluation of liquid oxygen/hydrocarbon and liquid oxygen/liquid hydrogen rocket propulsion systems, and of alternative solid rocket booster propulsion systems, associated directly or indirectly with the ALS, or for the construction of test facilities for such propulsion systems, may be obligated and expended only through the "Research and Development" activities, and the "Construction of Facilities" activities, of the National Aeronautics and Space Administration and only at the site of existing research and testing facilities of the National Aeronautics and Space Administration except that construction of the J-6 Large Rocket Test Facility at Arnold Engineering Development Center for testing of large, solid-propellant rocket motors in a simulated flight-altitude environment shall be provided through "Military Construction, Air Force" activities: Provided, That not less than $38,000,000 of the funds appropriated for "Research, development, test, and evaluation, Defense Agencies" by this Act shall be transferred to NASA as a part of the ALS program utilizing facilities and budgetary resources of both NASA and components of the Defense Department.

(c) Any funds appropriated by this or any other Act for research, development, test, and evaluation directly or indirectly relating to the ALS may be obligated or expended only for ALS variants which embody advanced technologies and which reduce the cost to launch payloads to low Earth orbit by a factor of ten compared with current space boosters costing less than $3,000 (in constant fiscal 1987 dollars) per pound to low Earth orbit: Provided, That none of these funds may be obligated or expended for any activities associated with accelerating or facilitating any early deployment option for ballistic missile defense.

Sec. 8. Notwithstanding section 3052(c) (1) and (2) of Public Law 99-570, the Secretary of the Navy shall immediately transfer an APS-125 radar system, to the United States Customs Service to be used for drug interdiction purposes: Provided, That $7,500,000 made available in Public Law 99-349, the Urgent Supplemental Appropriations Act of 1986, for an APS-138 radar system shall be made available to the Navy for procurement of an APS-139 radar system as replacement of the radar transferred to the United States Customs Service.

Sec. 9. The Secretary of the Army, as Executive Agent for the Department of Defense, may authorize activities on the part of the Armed Forces in celebration of the Bicentennial of the Constitution, and in support of Congressional Bicentennial activities. Such sums as are necessary to pay the expenses of these activities shall be made available from funds otherwise appropriated to the Department of Defense, except that such funds shall not be counted against the limitation on funds available for public affairs or legislative liaison activities of the Department of Defense.

[Sec. 3. None of the funds appropriated for the Department of Defense in fiscal year

1987 shall be obligated or expended to deactivate or implement procedures for conversion or deactivation of the 815th Air Force Reserve Weather Reconnaissance Squadron, Keesler Air Force Base, Mississippi, or for the deactivation of the 36th Tactical Airlift Squadron, McChord Air Force Base, Washington.

[SEC. 4. None of the funds appropriated for the Department of Defense in fiscal year 1987 are available for remuneration of any individual or entity associated with fund raising for the restoration of the Battleship Texas: *Provided*, That the grant for the restoration should be made to the Texas Parks and Wildlife Department vice the Battleship Texas Advisory Board of the State of Texas.

[SEC. 5. (a) None of the funds provided for fiscal year 1987, within 60 days of the enactment of this Act, may be obligated or expended for the deployment or maintenance of—

[(1) launchers for more than 820 intercontinental ballistic missiles carrying multiple independently targetable reentry vehicles (MIRVs);

[(2) launchers for an aggregate of more than 1,200 intercontinental ballistic missiles carrying MIRVs and submarine launched ballistic missiles carrying MIRVs;

[(3) an aggregate of more than 1,320 launchers described in paragraph (2) and heavy bombers equipped for air launched cruise missiles capable of a range in excess of six hundred kilometers; or

[(4) a number of MIRVs on an individual ballistic missile in excess of the limitations included in the SALT II agreement, its agreed statements and common understandings;

unless the President certifies to the Congress that the Soviet Union, after the date of enactment of this Act, has exceeded the limitations included in subsections (a) (1-4). Such certification shall be accompanied by a report, in both classified and unclassified versions, providing information upon which the President bases his certification: *Provided*, That for purposes of this section, the following definitions shall apply—

[(1) launchers of intercontinental ballistic missiles and submarine launched ballistic missiles equipped with multiple independently targetable reentry vehicles are launchers of the types developed and tested for launching intercontinental ballistic missiles and submarine launched ballistic missiles equipped with multiple independently targetable reentry vehicles; and

[(2) air launched cruise missiles are unmanned, self-propelled, guided, weapon delivery vehicles which sustain flight through the use of aerodynamic lift over most of their flight path and which are flight tested from or deployed on aircraft.

[(b) Within 30 days of enactment of this Act, the President shall notify Congress of his plans for carrying out the provisions of section (a).

[SEC. 6. FISCAL YEAR 1987 NUCLEAR TESTING LIMITATION.

[(a) LIMITATION.—Effective 90 days after the date of the enactment of this Act, funds appropriated for fiscal year 1987 may not be obligated or expended to carry out a nuclear explosion with a yield exceeding one kiloton, or a nuclear explosion that is conducted outside a designated test area, unless the President certifies to Congress—

[(1) that the Soviet Union, after the end of the 90-day period beginning on the date of the enactment of this Act, has carried out a nuclear explosion with a yield exceeding one kiloton;

[(2) that the Soviet Union, after the end of such 90-day period, has carried out a nuclear explosion outside a designated test area; or

[(3) that the Soviet Union has refused to accept and implement reciprocal in-country monitoring arrangements to take effect not later than the last day of such 90-day period and extend through the remainder of fiscal year 1987.

[(b) TERMINATION FOR CERTAIN NEW AGREEMENTS.—The limitation on nuclear explosions in subsection (a) shall cease to apply if supplanted by an agreement, accord, or treaty between the United States and the Soviet Union establishing significant limits on nuclear explosions by such countries that is negotiated after the date of the enactment of this Act.

[(c) DEFINITIONS.—For purposes of this section:

[(1) The term "in-country reciprocal monitoring arrangements" means arrangements between the United States and the Soviet Union to supplement national technical means of verification through the emplacement by each country of seismic monitoring stations on the national territory of the other so that the seismic monitoring network of each nation will be capable of detecting and identifying nuclear explosions with a yield exceeding one kiloton at known nuclear weapons test sites of the other nation and at any other site of the other nation that currently has the capability to accommodate decoupled nuclear explosions with a yield exceeding one kiloton.

[(2) The term "designated test area" means an area within the Soviet Union or the United States which—

[(A) is known to be composed of strong-coupling rock; and

[(B) is located within the boundaries of a single existing nuclear weapons testing site in such country.

[SEC. 7. (a) Notwithstanding section 9126 or section 9133 of the Department of Defense Appropriations Act, 1987 (as contained in section 101(c) of the joint resolution entitled "Joint resolution making continuing appropriations for fiscal year 1987, and for other purposes," Public Law 99-500 and Public Law 99-591), only funds specifically authorized by the Congress in accordance with section 502 of the National Security Act of 1947 may be obligated or expended for intelligence or intelligence-related activities.

[(b) Except as provided in subsection (c), all intelligence and intelligence related activities for which funds were appropriated in the Defense Appropriations Act, 1987 shall be considered specifically authorized by Congress pursuant to section 502 of the National Security Act of 1947.

[(c) It is the sense of Congress that certain intelligence or intelligence-related activities referred to in subsection (b) and identified by the Committee on Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives should be the subject of reprogramming actions agreed upon by the appropriate Committees of Congress.]

CHAPTER III

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

[GENERAL INVESTIGATIONS

[Using funds previously appropriated in the Energy and Water Development Appropriations Act 1987, Public Law 99-500 and Public Law 99-591, the Secretary of the Army is directed to undertake the following studies: Ohio River Water Development Study, between Rivermile 40-491, Ohio; Maumee Bay State Park, including preconstruction engineering and design, Ohio; St. Johns County, including preconstruction and design, Florida; Jacksonville Harbor, St. John's River and Intracoastal Waterway Study, Florida; St. John's River Study, Florida; and Water Resources Based Economic Development Computer Model (to continue design and testing) and, in addition, $350,000 for the purposes of studying and evaluating at an estimated cost of $850,000 alternative disposal sites to the currently active San Jacinto disposal area on Galveston Island at full Federal expense; the Secretary of the Army is also directed to undertake environmental studies and submit recommendations to the Committees on Appropriations of the House and Senate on the advisability of modifying project operation and maintenance requirements, assuming that the current disposal site will no longer be available for extensive Federal use in the near future.

[CONSTRUCTION, GENERAL

[The Corps of Engineers is directed to proceed with the Fairfield Vicinity Streams, California, project under the provisions of section 117 of Public Law 99-190.

[Using funds previously provided in the Energy and Water Development Appropriations Acts 1986 and 1987, (Public Laws 99-141, 99-500 and 99-591), the Secretary of the Army is directed to undertake the following projects in the amounts as specified hereafter:

[Project	Amount
[Port Austin Harbor, Michigan	$2,800,000
[Sand Island Beach, Hawaii	$600,000
[Wellsburg, West Virginia (Ohio River milepost 74.8 to 72.8)	
[Cox Run Area	$50,000
[Middle School Area	$50,000
[Water Works Vicinity, Wellsburg Municipal Pool and Park Vicinity	$200,000
[Main Street Areas	$100,000
[Sistersville, West Virginia City Park Area	$50,000
[Glen Dale, West Virginia	
[Glen Dale Airport	$125,000
[Sewer Outfalls	$125,000

In regard to the Wellsburg, Sistersville and Glen Dale projects, the Congress finds that an emergency exists in satisfaction of the requirements of Section 14—Emergency Streambank and Shoreline Protection.

[Using funds previously provided in the Energy and Water Development Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591), the Secretary of the Army is directed to use $5,000,000 to initiate land acquisition activities as described in section 1114 of Public Law 99-662.

[OPERATION AND MAINTENANCE, GENERAL

[(INCLUDING TRANSFER OF FUNDS)

[In addition to the amounts appropriated under this head in the Energy and Water Development Appropriations Act, 1987, as included in Public Law 99-500 and Public Law 99-591, there are hereby appropriated such sums as become available in the

Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

[For an additional amount for "Operation and Maintenance, general," $125,000 to be derived by transfer from "General Investigations" to perform a cumulative environmental analysis of Section 55 measures along the 46-mile reach of the Platte River between Hershey, Nebraska, and the Lincoln-Dawson County line.]

OPERATION AND MAINTENANCE, GENERAL

Of amounts appropriated for this account in Public Laws 99-500 and 99-591, such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund.

REVOLVING FUND

The Corps of Engineers is directed to advertise and procure an automated system that adheres to specifications developed by the Corps of Engineers for civil program requirements without regard to the Army Information Architecture Tier 2 standards for operating systems.

[GENERAL PROVISIONS

[The Secretary of the Army shall file a report with the appropriate committees of the House of Representatives and the Senate within ninety days after a written request is made pursuant to the provisions of subsection (m) of section 103 of Public Law 99-662 indicating the action taken on the request. In addition, the Secretary of the Army shall file a report with the appropriate committees of the House of Representatives and the Senate within ninety days after enactment of this Act listing any project or study falling under the provisions of subsection (e)(1) of section 103 of Public Law 99-662.

[The project for Denison Dam (Lake Texoma), Red River, Texas and Oklahoma, authorized by the Flood Control Act approved June 28, 1938, (52 Stat. 1219) is modified to provide that water allocations in Lake Texoma shall be as follows:

[(1) the bottom of the conservation pool shall be designated to be at 610 feet elevation above sea level; and

[(2) the bottom of the flood control pool shall be designated at 619 feet elevation above sea level.

[Notwithstanding section 838(d) of the Water Resources Development Act of 1986, or any provision of law relating to water resource development, the United States shall not be obligated to pay compensation to any party by reason of the modification in subsection (a).

[None of the funds in this Act or any other Act relating to water resource development may be used to construct or enter into an agreement to construct additional hydropower units at Denison Dam (Lake Texoma).

[A project for flood control along the San Timoteo Creek in the vicinity of Loma Linda is authorized for construction as part of the Santa Ana Mainstem including the Santiago Creek project and in accordance with plans to be developed by the district engineer during preconstruction, engineering, and design studies for the Santa Ana Mainstem. In determining economic justification, the benefit and cost for the San Timoteo project will be included together with benefits and costs for the entire Santa Ana Mainstem, including Santiago Creek. The total cost for the Santa Ana Mainstem, including Santiago Creek, is to be raised accordingly.

[Section 91 of the Water Resources Development Act of 1974 is amended by striking out "$28,725,000" in the last sentence and inserting in lieu thereof "$30,500,000".

[DEPARTMENT OF THE INTERIOR

[BUREAU OF RECLAMATION

[CONSTRUCTION PROGRAM

[(TRANSFER OF FUNDS)

[For an additional amount for "Construction program", for the cleanup of Kesterson Reservoir of the San Luis Unit, Central Valley Project, to remain available until expended, $5,600,000, to be derived by transfer of unobligated balances in "Loan program", Bureau of Reclamation: *Provided*, That the Secretary is authorized to obligate funds for the San Joaquin Valley Drainage Program after August 1, 1987, and through September 30, 1987, only after the Secretary has notified the Congress of his intention to comply with the California State Water Resources Control Board Order No. 87-3 (March 19, 1987): *Provided further*, That no funds may be obligated for the San Joaquin Valley Drainage Program after October 1, 1987, unless the Congress has further authorized such expenditures.

[Using funds previously provided in the Energy and Water Development Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591), the Secretary of the Interior is directed to undertake the following project in the amount specified hereafter:

[Project	Amount
[O'Neill Unit, Nebraska .	$1,381,000

[Using funds previously provided in the Energy and Water Development Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591), the Secretary of the Interior shall proceed with contracting for construction of the East-side and West-side roads and other features at the McGee Creek, Oklahoma, project in the amount specified hereafter:

[Project	Amount
[McGee Creek, Oklahoma	$7,755,000

[LOAN PROGRAM

[(TRANSFER OF FUNDS)

[For an additional amount for "Loan program" for the United Water Conservation District, to remain available until expended, $570,000, to be derived by transfer of unobligated balances in the "Construction program" from Teton Dam Failure, Payment of Claims funds provided under Public Law 94-355 and Public Law 94-438.

[DEPARTMENT OF ENERGY

[POWER MARKETING ADMINISTRATIONS

[SOUTHWESTERN POWER ADMINISTRATION

[Notwithstanding provisions of title 5, U.S.C., except for section 5308, no funds approved for Southwestern Power Administration shall be used to pay the rates of basic pay and premium pay for power system dispatchers unless such rates are based on those prevailing for similar occupations in the electric power industry.]

CHAPTER IV

FOREIGN ASSISTANCE AND RELATED PROGRAMS

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For an additional amount for payment to the International Development Association by the Secretary of the Treasury, $207,476,749 for the United States contribution to the seventh replenishment, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FINANCE CORPORATION

For an additional amount for payment to the International Finance Corporation by the Secretary of the Treasury, $7,205,610, for the United States share of the increase in subscriptions to capital stock, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For an additional amount for payment to the African Development Fund by the Secretary of the Treasury, $36,639,000, for the United States contribution to the fourth replenishment of the African Development Fund, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For an additional amount for payment to the African Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock, $6,492,127 to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $17,375,058.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

ECONOMIC SUPPORT FUND

ASSISTANCE FOR CENTRAL AMERICA

(TRANSFER OF FUNDS)

(a) There are hereby transferred to the "Economic support fund" for use pursuant to this heading for assistance for Central America $300,000,000 from funds appropriated by fiscal year 1987 or prior year Department of Defense Appropriations Acts.

(b) Funds transferred pursuant to paragraph (a) shall remain available until September 30, 1988: Provided, That the President shall make available the $300,000,000 transferred pursuant to paragraph (a) for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to Economic support fund assistance) for the countries of Central America with democratically-elected governments as follows:

$55,000,000 shall be made available only for assistance for Guatemala,

$55,000,000 shall be made available only for assistance for Costa Rica,

$60,000,000 shall be made available only for assistance for Honduras,

$130,000,000 shall be made available only for assistance for El Salvador.

(c) Of the funds specified for El Salvador in paragraph (b), $75,000,000 shall be made available only for earthquake relief and reconstruction which shall be used in accordance with the authorities contained in section 491 of the Foreign Assistance Act of 1961, funds made available for the purposes of this paragraph shall be accounted for separately.

(d) The assistance provided under this heading shall be in addition to the amounts previously allocated for fiscal year 1987 for these countries pursuant to section 653 of the Foreign Assistance Act of 1961.

(e) The assistance provided under this heading shall be made available consistent with the policies contained in section 702 of

the International Security and Development Cooperation Act of 1985 (relating to El Salvador), section 703 of that Act (relating to Guatemala), and chapter 6 of part I of the Foreign Assistance Act of 1961 (relating to the Central America Democracy, Peace, and Development Initiative).

(f) Funds made available for assistance pursuant to this heading may be obligated only in accordance with the Congressional notification procedures applicable under section 523 of the Foreign Assistance and Related Programs Appropriations Act, 1987, and section 634A of the Foreign Assistance Act of 1961.

ASSISTANCE IN SUPPORT OF SOLIDARITY

For an additional amount for the "Economic Support Fund", $1,000,000, which shall be made available, notwithstanding any other provision of law, only for the support of the independent Polish trade union "Solidarity."

ASSISTANCE FOR SOUTHERN AFRICA

For an additional amount for the "Economic Support Fund", $50,000,000: Provided, That none of these funds may be available for activities in Mozambique or Angola: Provided further, That such funds shall be made available only as follows:

(a) $37,500,000 shall be made available to assist the member states of the Southern Africa Development Coordination Conference (SADCC) in carrying out the most urgent sector projects supported by SADCC in the following sectors: transportation and communications, energy (including the improved utilization of electrical power sources which already exist in the member states and offer the potential to swiftly reduce the dependence of those states on South Africa for electricity), agricultural research and training, and industrial development and trade (including private sector initiatives): Provided, That of this amount not less than 60 percent shall be used in the transportation sector: Provided further, That none of the funds made available under this paragraph may be made available for the design, rehabilitation, construction, or equipping of any rail or road transportation corridor other than the Northern Corridor, which links southern Africa with Dar es Salaam, Tanzania.

(b) $12,500,000 shall be made available for projects and activities for disadvantaged South Africans, or for humanitarian assistance for the member states of SADCC. Assistance for the member states of SADCC may include such activities as: transport of emergency food and medical supplies; refugee assistance; and disaster relief and rehabilitation assistance which shall be provided pursuant to the authorities contained in section 491 of the Foreign Assistance Act.

(c) Of the funds made available for the SADCC member countries for humanitarian assistance by paragraph (b), up to $5,000,000 may be made available for the United Nations Children's Fund's emergency appeals for affected countries in southern Africa.

(d) None of the funds made available under this heading shall be available for obligation pursuant to the provisions of this heading until they have been authorized.

Independent Agencies

PEACE CORPS

For an additional amount to carry out the provisions of the Peace Corps Act (75 Stat. 612) (22 U.S.C. 2501, et seq.), $7,200,000, to remain available until September 30, 1988.

Military Assistance

Funds Appropriated to the President

FOREIGN MILITARY CREDIT SALES

For an additional amount to carry out the provisions of section 23 of the Arms Export Control Act, $38,000,000, of which $25,000,000 shall be available only for the Philippines, $10,000,000 shall be available only for Morocco, and $3,000,000 shall be available only for Kenya: Provided, That uncommitted balances of loans made to the Philippines pursuant to section 23 of the Arms Export Control Act since October 1, 1984 and which were made prior to the date of enactment of this Act shall be disbursed without requirement for repayment of principal or interest.

Export Assistance

Export-Import Bank of the United States

LIMITATION ON PROGRAM ACTIVITY

Notwithstanding the "limitation on program activity" contained in Title IV of the Foreign Assistance and Related Programs Appropriations Act, 1987 in Public Law 99-500 and Public Law 99-591, during the fiscal year 1987 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be reduced from $900,000,000 to $700,000,000, and shall be provided under the terms and conditions in the Foreign Assistance and Related Programs Appropriations Act of 1987 as they apply to the Export-Import Bank.

General Provisions

GUARANTY RESERVE FUND

Section 24(c) of the Arms Export Control Act is amended subject to authorization, by striking the second paragraph and inserting the following:

"Funds provided for necessary expenses to carry out the provisions of section 23 of the Arms Export Control Act, funds provided for necessary expenses to carry out the provisions of chapter 4 of part II and of section 503 of the Foreign Assistance Act of 1961, as amended, may be used to pay claims on the Guaranty Reserve Fund to the extent that funds in the Guaranty Reserve Fund are inadequate for that purpose.".

REPEAL OF SECTION 215

Section 215 of title II of the Military Construction Appropriations Act, 1987 as contained in Public Law 99-500 and Public Law 99-591 is hereby repealed.

INTER-AMERICAN DEVELOPMENT BANK

It is the sense of the Congress that United States economic and foreign policy interests in the western hemisphere would be best served if the Secretary of the Treasury were to adhere to the Administration's proposal to modify the voting procedures within the Inter-American Development Bank to require that decisions be taken by the board by a voting majority of 65 percent of the voting shares.

DAIRY SURPLUS PRODUCTS

Funds provided for new development projects of private entities and cooperatives utilizing surplus dairy products may also be used for development projects that include surplus dairy livestock under the Dairy Termination Program.

CHAPTER [IV] *V*

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT[—INDEPENDENT AGENCIES]

Housing Programs

RENT SUPPLEMENT

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s), is further reduced in fiscal year 1987 by not more than $14,420,000 in uncommitted balances of authorizations provided for this purpose in appropriation Acts.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act (12 U.S.C. 1715z-1), is further reduced in fiscal year 1987 by not more than $2,699,000 in uncommitted balances of authorizations provided for this purpose in appropriation Acts.

Management and Administration

SALARIES AND EXPENSES

(RESCISSION)

Of the funds included under this head in the conference version of H.R. 5313, Department of Housing and Urban Development-Independent Agencies Appropriations Act, 1987, and made available by Public Law 99-591, $4,266,000 are rescinded.

INDEPENDENT AGENCIES

American Battle Monuments Commission

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", [$3,000,000] *$2,150,000*: *Provided*, That of the foregoing amount, [$1,500,000] *$500,000* shall be available until expended and placed in a reserve for release at the discretion of the Secretary of the American Battle Monuments Commission after consultation with the Congress, *and $150,000 shall be available until expended for the establishment of a memorial on Guadalcanal in the Solomon Islands.*

Consumer Product Safety Commission

SALARIES AND EXPENSES

Of the funds provided to the Consumer Product Safety Commission for "Salaries and expenses" in Public Law 99-500 and Public Law 99-591, an additional $20,000 shall be available for personnel compensation and benefits for the Commissioners of the Consumer Product Safety Commission appointed pursuant to 15 U.S.C. 2053.

Environmental Protection Agency

SALARIES AND EXPENSES

(TRANSFER OF FUNDS)

For an additional amount for "Salaries and expenses", $12,000,000, to be derived by transfer from "Construction grants".

RESEARCH AND DEVELOPMENT

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-54 relating to the Environmental Protection Agency, "Research and development", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

ABATEMENT, CONTROL, AND COMPLIANCE

Of the funds appropriated to the Environmental Protection Agency for "Abatement, control, and compliance" in Public Law 99-500 and Public Law 99-591 for the purposes of the Asbestos School Hazards Abatement Act of 1984, an additional $2,000,000 shall be available for administrative expenses for section 206(d)(2) Public Law 99-519.

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-55 relating to the Environmental Protection Agency, "Abatement, control, and compliance", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

(TRANSFER OF FUNDS)

For an additional amount for "Abatement, control, and compliance", [including $9,000,000 which shall be available for the project authorized by section 515 of the Water Quality Act of 1987 (Public Law 100-4), $27,000,000,] *$18,000,000,* to remain available until September 30, 1988, and to be derived by transfer from "Construction grants".

CONSTRUCTION GRANTS

Of the funds appropriated to the Environmental Protection Agency for "Construction grants" in Public Law 99-500 and Public Law 99-591, the $1,200,000,000 which was not to become available until enactment of a subsequent appropriations Act authorizing the obligation of such funds is hereby made available: *Provided,* That the [$1,161,000,000] *$1,170,000,000* remaining after the transfers to "Salaries and expenses" and "Abatement, control, and compliance" shall be allocated and used in accordance with the provisions of the Water Quality Act of 1987 (Public Law 100-4).

HAZARDOUS SUBSTANCE RESPONSE TRUST FUND

Of the funds provided to the Environmental Protection Agency for "Hazardous Substance Response Trust Fund" in Public Law 99-500 and Public Law 99-591, no more than $16,000,000 shall be available to carry out the purposes of the Emergency Planning and Community Right-to-Know Act of 1986 (Public Law 99-499).

[Federal Emergency Management Agency

[ADMINISTRATIVE PROVISION

[The regulation changes to 44 CFR parts 59 and 60 promulgated by the Federal Emergency Management Agency and set forth at 51 Fed. Reg. 30306-30309 (August 25, 1986), which amended the definition, placement, and exclusion of mobile homes in an existing mobile home park or mobile home subdivision, as previously defined, shall not be effective from enactment of this Act through September 30, 1988.]

Federal Emergency Management Agency

DISASTER RELIEF

For an additional amount for "Disaster relief", $57,475,000, to remain available until expended.

ADMINISTRATIVE PROVISION

The regulation changes to 44 CFR parts 59 and 60 promulgated by the Federal Emergency Management Agency and set forth at 51 Fed. Reg. 30306-30309 (August 25, 1986), which amended the definition, placement, and elevation of mobile homes in an existing mobile home park or mobile home subdivision, as previously defined, shall not be effective from enactment of this Act through September 30, 1987.

National Aeronautics and Space Administration

CONSTRUCTION OF FACILITIES

(TRANSFER OF FUNDS)

For an additional amount for "Construction of Facilities", $3,000,000, to remain available until September 30, 1989, and to be derived by transfer from "Space flight, control and data communications".

Veterans Administration

COMPENSATION AND PENSIONS

For an additional amount for "Compensation and pensions", $80,200,000, to remain available until expended.

MEDICAL CARE

(INCLUDING RESCISSION)

Of the funds provided under this head in the conference report on H.R. 5313, Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1987, as enacted by Public Law 99-500 and Public Law 99-591, [$44,178,000] *$34,178,000* shall remain available until September 30, 1988, to fund central procurement contracts for the acquisition of automated data processing equipment and contracts for major systems support in amounts not less than $1,000,000 for the Decentralized Hospital Computer Program and the Integrated Hospital System: *Provided, That $10,000,000 included for the aforementioned contracts under this head in the conference version of H.R. 5313, Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1987, and made available by Public Law 99-500 and Public Law 99-591, are rescinded: Provided further, That of the $34,178,000 appropriated in fiscal year 1987 for the procurement of computer hardware, the Veterans Administration may obligate funds only at health care facilities where the capacity of existing systems has been reached and the procurement of additional or replacement equipment is necessary to maintain patient care.*

GENERAL OPERATING EXPENSES

Of the funds provided under this head in the conference report on H.R. 5313, Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1987, as enacted by Public Law 99-500 and Public Law 99-591, $17,925,000 shall remain available until September 30, 1988, to fund contracts in amounts not less than $1,000,000 for the acquisition of automated data processing equipment and services to support the modernization program of the Department of Veterans Benefits.

CONSTRUCTION, MAJOR PROJECTS

[Not more than $2,000,000 shall be available from the existing unobligated balance of the "Construction, major projects" appropriation for settlement of a contractor's claims involving the Veterans Administration Medical Center, Huntington, West Virginia.]

Of the unobligated balance available under this heading, not to exceed $2,000,000 shall be available for the settlement of a contractor's claim arising from the construction of an addition to Building No. 1 at the Veterans Administration Medical Center, Huntington, West Virginia; and, notwithstanding any other provision of law, not to exceed $900,000 from the unobligated balance under this heading shall be available for the settlement of a contractor's claim arising from the construction of the Basic Science Addition at the Veterans Administration Medical Center, Huntington, West Virginia, authorized pursuant to Public Law 92-541, as amended.

VETERANS JOB TRAINING

For payments to defray the costs of training and provision of incentives to employers to hire and train certain veterans as authorized by the Veterans' Job Tranining Act, as amended (29 U.S.C. 1721), [$30,000,000] *$20,000,000,* to remain available until September 30, 1989.

[ADMINISTRATIVE PROVISION

[The mission of the Veterans Administration Medical Center at Walla Walla, Washington, shall not be changed from that in existence on January 1, 1987.]

CHAPTER [V] *VI*

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for "Management of lands and resources", [$450,000] *$2,126,000.*

United States Fish and Wildlife Service

RESOURCE MANAGEMENT

For an additional amount for "Resource management", [$2,800,000] *$3,100,000.*

CONSTRUCTION AND ANADROMOUS FISH

For an additional amount for "Construction and anadromous fish", $15,000,000, to remain available until expended.

LAND ACQUISITION

For an additional amount for "Land acquisition", $5,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

National Park Service

OPERATION OF THE NATIONAL PARK SERVICE

For an additional amount for "Operation of the national park system", [$18,050,000] *$17,631,000.*

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1987 by 16 U.S.C. 460l-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For an additional amount for "Land acquisition and State assistance", [$13,910,000] *$25,000,000,* to be derived from the Land and Water Conservation Fund, to remain available until expended[:—*Provided,* That pursuant to 16 U.S.C. 251k, the Secretary may acquire the 270-acre parcel known as Keystone Spit on Whidbey Island, Washington, and convey such parcel to the State of Washington in exchange for the approximately 1,000 acres of tidelands owned by such State within the boundary of Olympic National Park: *Provided further,* That if recreational uses of these tidelands must be regulated, the National Park Service shall consult with the State of Washington prior to the implementation of any such regulations: *Provided further,* That the exchange must include the mineral rights of the tidelands].

ADMINISTRATIVE PROVISIONS

None of the funds made available by this or any other Act shall be used to pay the salary of an Assistant Secretary for Fish and Wildlife and Parks beyond thirty days after the date of enactment of this Act, unless the National Park Service has an Office of Policy Development located within the immediate office of the Director, under the sole supervision of the Director.

Notwithstanding any other provision of law, the pesticide application program described in the West Virginia Department of Natural Resource's permit application to conduct a pesticide (bacillus thuringiensis israelensis (Bti)) spraying program on the New River, West Virginia, to control the river's black fly (Simulium jenningsi) population, received by the Superintendent of New River Gorge National River, West Virginia, on September 9, 1986, is hereby permanently approved. No additional analyses, *proposals, or approvals will be required for the State to conduct similiar pesticide application programs in future years. The State shall notify the National Park Service of its planned annual program at least ninety days in advance of spraying, and shall consider the recommendations provided by the National Park Service, the United States Fish and Wildlife Service, and other parties in the conduct of the pesticide application program.*

Geological Survey

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, investigations, and research", $2,597,000, of which $597,000 shall remain available until expended.

Minerals Management Service

LEASING AND ROYALTY MANAGEMENT

For an additional amount for "Leasing and royalty management", $800,000: *Provided, That none of the funds in this or any other Act may be used to implement, prior to November 1, 1987, a rule which modifies the product valuation guidelines of the Minerals Management Service.*

[PAYMENTS TO STATES FROM RECEIPTS UNDER MINERAL LEASING ACT

[In fiscal year 1987 the Department of the Interior shall deduct an amount equal to one half of the total annual cost of operation of the Federal onshore mineral leasing programs of the Minerals Management Service, Bureau of Land Management and the United States Forest Service from Federal onshore mineral leasing receipts prior to the division and distribution of such receipts between the states and the Treasury and shall credit these amounts to miscellaneous receipts of the Treasury.]

Office of Surface Mining Reclamation and Enforcement

ABANDONED MINE RECLAMATION FUND

Section 405(k) of the Surface Mining Control and Reclamation Act of 1977 (Public Law 95-87) is amended by adding at the end thereof, "except for purposes of subsection (c) of this section with respect to the Navajo and Hopi Indian Tribes.

Bureau of Indian Affairs

OPERATION OF INDIAN PROGRAMS

For an additional amount for "Operation of Indian programs", $3,127,000, including $200,000 to carry out the provisions of the Higher Education Amendments Act of 1986 (Public Law 99-498).

The Bureau of Indian Affairs shall not *transfer funds under a* contract with any third party for the management of tribal or individual Indian trust funds until[:—an accounting of the funds has been completed and provided to the appropriate tribes or individuals;] *the funds held in trust for such tribe or individual have been audited and reconciled and the tribe or individual has been provided with an accounting of such funds,* and the appropriate Committees of the Congress and the tribes have been consulted with as to the terms of the proposed contract or agreement: *Provided,* That the Bureau may not implement or take steps leading to implementation of proposed initiatives, including but not limited to imposition of a flat fifteen per centum administrative fee for tribal contractors, and imposition of tuition fees at Bureau post-secondary schools, until Congress has reviewed all such initiatives and approved them as part of the fiscal year 1988 appropriations process.

Territorial and International Affairs

COMPACT OF FREE ASSOCIATION

Funding provided pursuant to Public Law 99-178 (the fiscal year 1986 Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Act) for educational assistance to the Federated States of Micronesia and the Republic of the Marshall Islands shall be available until expended.

GENERAL PROVISION

Any funds appropriated under Public Law 84-747 (64 Stat. 573) in satisfaction of judgement awarded the Choctaw Nation of Oklahoma in Docket Numbered 16 of Indian Claims Commission which have not been distributed on the date of enactment of this Act (including all interest and investment income accrued thereon) shall be held in trust by the Secretary of the Interior for the Choctaw Nation of Oklahoma and shall be invested under the Act of June 24, 1938 (25 U.S.C. 162a).

The funds may be used on an annual budgetary basis by the tribal governing body subject to the approval of the Secretary.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

STATE AND PRIVATE FORESTRY

[(BY TRANSFER)]

(INCLUDING DISAPPROVAL OF DEFERRAL)

For an additional amount for "State and private forestry", [$1,500,000] *$10,000,000,* [to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service"] *to remain available until expended.*

The Congress disapproves deferral D87-35 relating to the Forest Service, "State and private forestry", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

CONSTRUCTION

[(BY TRANSFER)]

For an additional amount for "Construction", [$130,000] *$1,000,000*[,—to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service"].

LAND ACQUISITION

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-36 relating to the Forest Service, "Land acquisition", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

TIMBER PURCHASER ROADS CONSTRUCTED BY THE FOREST SERVICE

(RESCISSION)

(INCLUDING DISAPPROVAL OF DEFERRAL)

Of the funds previously made available and unobligated in this permanent appropriation account, $30,000,000 is rescinded.

The Congress disapproves deferral D87-37 relating to the Forest Service, "Timber purchaser roads constructed by the Forest Service", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

HIGHWAY CONSTRUCTION: MOUNT ST. HELENS NATIONAL VOLCANIC MONUMENT

For payment of obligations incurred for construction of a road serving the Mount St. Helens National Volcanic Monument, $9,915,000, to be derived from the Highway Trust Fund (other than Mass Transit Account), to remain available until expended to liquidate the contract authority provided in title II of the Interior and Related Agencies Appropriations Act, 1987, as included in section 101(h) of Public Law 99-500 and Public Law 99-591.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

SPECIAL ACTS

Public Law 99-500 and Public Law 99-591, section 101(h), Interior and Related Agencies Appropriations Act, 1987, under this head, is amended by inserting ", Wasatch" after the word "Cache".

[DEPARTMENT OF ENERGY

[ENERGY CONSERVATION

[Of the funds appropriated under this head in Public Law 99-500 and Public Law 99-591, an additional $2,800,000 shall be available for continuing a research and development initiative with the National Laboratories for new technologies up to proof-of-concept testing to increase significantly the energy efficiency of processes that produce steel, and under the same conditions contained under this head in Public Law 99-500 and Public Law 99-591.]

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

INDIAN HEALTH SERVICES

Personnel ceilings may not be imposed on the Indian Health Service nor may any action be taken to reduce the full-time equivalent level of the Indian Health Service by the elimination of temporary employees by reduction in force, hiring freeze or any other means without Congress having reviewed and approved such a proposal as part of the fiscal year 1988 appropriations process.

[Smithsonian Institution

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $500,000.

[National Capital Planning Commission

[SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $80,000.

[United States Holocaust Memorial Council

[HOLOCAUST MEMORIAL COUNCIL

[Public Law 96-388, as amended (36 U.S.C. 1401 et seq.) is further amended as follows:

[(1) 36 U.S.C. 1405(a) is amended by deleting the words "the President upon the recommendation of the Chairperson of the Council" and substituting "the Chairperson of the Council, subject to confirmation of the Council", and adding the following new sentence: "The Executive Director shall serve at the pleasure of the Council.";

[(2) 36 U.S.C. 1405(b) is amended by striking the "." in subsection (2) and adding "; and" after "law" and adding the following new subsection:

["(3) implement decisions of the Council, in the manner directed by the Council, and perform such other functions as may be assigned from time to time by the Council, the Executive Committee of the Council, or the Chairperson of the Council.".]

CHAPTER [VI] *VII*

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for "Training and employment services" for activities authorized by sections 236, 237, and 238 of the Trade Act of 1974, as amended, $20,000,000[: *Provided,* That $50,000,000 appropriated under this heading in the conference version of H.R. 5233, and made available by the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1987, Public Law 99-500 and Public Law 99-591, for the Summer Youth Employment and Training Program shall be available for obligation upon enactment of this bill for the Summer Youth Employment and Training Program for program year 1986 only].

[COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

[For an additional amount for "Community service employment for older Americans", to carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, $7,800,000.

[For an additional amount for "Community service employment for older Americans", to carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, $2,200,000.

[STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

[For an additional amount for "State unemployment insurance and employment service operations", $130,000,000 from the Employment Security Administration account in the Unemployment Trust Fund, of which $30,000,000 shall be used to carry out the targeted jobs tax credit program under section 51 of the Internal Revenue Code of 1986, and of which $55,000,000 shall be available only to the extent necessary to administer unemployment compensation laws to meet increased costs of administration resulting from changes in a State law or increases in the number of unemployment insurance claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic allocation was based, which cannot be provided for by normal budgetary adjustments based on State obligations as of December 31, 1987.]

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For an additional amount for "Health resources and services", [$37,500,000] *$18,750,000* for carrying out title V of the Social Security Act, as amended.

CENTERS FOR DISEASE CONTROL

DISEASE CONTROL, RESEARCH, AND TRAINING

For an additional amount for "Disease control, research, and training", $20,000,000.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE ON AGING

For an additional amount for "National Institute on Aging," [$1,800,000] *$750,000.*

RESEARCH RESOURCES

For an additional amount for "Research Resources", $4,000,000.

NATIONAL CENTER FOR NURSING RESEARCH

For an additional amount for "National Center for Nursing Research", $1,000,000.

[ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

[ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

[For an additional amount for "Alcohol, drug abuse and mental health", $750,000.]

PUBLIC HEALTH SERVICE

PUBLIC HEALTH EMERGENCY FUND

For carrying out title III, section 319 of the Public Health Service Act, as amended, $30,000,000 for the emergency provision of drugs determined to prolong the life of individuals with Acquired Immune Deficiency Syndrome, to remain available until September 30, 1988.

FAMILY SUPPORT ADMINISTRATION

WORK INCENTIVES

For an additional amount for "Work incentives", [$35,000,000] *$17,000,000.*

OFFICE OF HUMAN DEVELOPMENT SERVICES

FAMILY SOCIAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Family social services", $165,227,000 for part E of title IV of the Social Security Act, of which $43,583,000 shall be derived from unobligated balances in "Social Services Block Grant": *Provided,* That of the total additional amount, $127,184,000 shall be available for foster care and $38,043,000 shall be available for adoption assistance.

DEPARTMENT OF EDUCATION

VOCATIONAL AND ADULT EDUCATION

[For an additional amount for "Vocational and adult education", $1,000,000 for the support of curriculum coordination centers pursuant to part A of title IV of the Carl D. Perkins Vocational Education Act.]

Of the $11,000,000 appropriated for fiscal year 1987 for title IV of the Carl D. Perkins Vocational Education Act, $7,050,000 shall be for activities authorized by part A, including $6,000,000 for section 404, $450,000 shall be for section 415 of part B, and $3,500,000 shall be for section 422 of part C.

STUDENT FINANCIAL ASSISTANCE

[(TRANSFER OF FUNDS)]

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Student financial assistance", $287,000,000, to be derived by transfer from "Guaranteed student loans".

The allotment of the State of Louisiana under subpart 3 of part A of title IV of the Higher Education Act of 1965, from funds appropriated for fiscal year 1987, shall be expended without regard to the provision of sections 415A(a), 415C(b)(6), (8) and (10) of such subpart.

[HIGHER EDUCATION

[For an additional amount for "Higher education", $3,300,000, of which $1,000,000 shall be for activities authorized under part B of title III of the Higher Education Act, $1,000,000 shall be for activities authorized under part A of title VI of said Act, and $1,300,000 shall be for activities authorized under part C of title IX of said Act.

[COLLEGE CONSTRUCTION LOAN INSURANCE

[For carrying out part E of title VII of the Higher Education Act of 1965, as amended, $20,000,000 to be available until expended.

[CHICAGO LITIGATION SETTLEMENT

[(TRANSFER OF FUNDS)

[To enable the United States of America to satisfy in full any and all obligations it may have to provide financial assistance for the Chicago Board's Desegregation Plan under section 15.1 of the Consent Decree entered in the case United States v. Board of Education of the City of Chicago, 80 C 5124, and to resolve all claims of the Chicago Board and all litigation concerning the United States' obligations to the Chicago Board under section 15.1, there is hereby appropriated $83,000,000 to be derived by transfer of remaining unobligated or contingently obligated balances of appropriations for fiscal years 1983 through 1986 for the Department of Education that would have been expended or lapsed but for the escrow provisions established as a result of the litigation between the Chicago Board and the United States: *Provided,* That the Secretary of Education shall make these funds available to the Board in a timely fashion, when needed, to be used only for desegregation activities in accordance with the terms and conditions of the Consent Decree: *Provided further,* That this $83,000,000 reappropriation constitutes full and final satisfaction of any and all past, present and future claims that the Chicago Board may have against the United States arising under or resulting from section 15.1 of the Consent Decree, and releases the United States from any further liability under section 15.1: *Provided further,* That the funds appropriated by this Act shall remain available until expended.]

RELATED AGENCIES

NATIONAL COMMISSION TO PREVENT INFANT MORTALITY

OPERATING EXPENSES

For "Operating expenses", $700,000, to remain available until September 30, 1988.

CHAPTER [VII] *VIII*

LEGISLATIVE BRANCH

SENATE

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For a payment to Cecile F. Zorinsky, widow of Edward Zorinsky, late a Senator from Nebraska, $89,500.

SALARIES, OFFICERS AND EMPLOYEES

OFFICE OF THE SECRETARY

For an additional amount for "Office of the Secretary", $100,000.

ADMINISTRATIVE, CLERICAL AND LEGISLATIVE ASSISTANCE TO SENATORS

For an additional amount for "Administrative, Clerical and Legislative Assistance to Senators", $27,700, which shall not be available until July 1, 1987.

MISCELLANEOUS ITEMS

For an additional amount for "Miscellaneous items", $1,500,000.

ADMINISTRATIVE PROVISIONS

SECTION 1. (a) The Secretary of the Senate shall, upon the written request of the Majority or Minority Leader of the Senate, transfer from any available funds in such Leader's allotment in the Leader's Representation Allowance (as defined in subsection (b)(1) for any fiscal year (commencing with the fiscal *year ending September 30, 1985) to such Leader's Expense Allowance (as defined in subsection (b)(2)) to such year such amount as is specified in the request. Any funds so transferred for any fiscal year at the request of either such Leader shall be available to such Leader for such year for the same purposes as, and in like manner and subject to the same conditions as, are other funds which are available to him for such year as his expense allowance as Majority or Minority Leader.*

(b)(1) The term "Leader's Representation Allowance" means the Representation Allowance Account for the Majority and Minority Leaders established by section 197 of Public Law 99-88 (2 U.S.C. 31a-2).

(2) The term "Leader's Expense Allowance", when used in reference to the Majority or Minority Leader of the Senate, refers to the moneys available, for any fiscal year, to such Leader as an expense allowance and the appropriation account from which such moneys are funded.

Sec. 2. (a) The Secretary of the Senate is authorized to use any available funds (but not in excess of $25,000 for any fiscal year), out of the appropriation account (within the Contingent Fund of the Senate) for the Secretary of the Senate, to assist him in the proper discharge, within the United States, of his appropriate responsibilities to members of foreign parliamentary groups or other foreign officials.

(b) The provisions of subsection (a) shall be effective in the case of expenditures for fiscal years ending after September 30, 1986.

Sec. 3. (a) Effective July 1, 1987, the table contained in section 105(d)(1) of the Legislative Branch Appropriation Act of 1968, as amended (2 U.S.C. 61-1(d)(1)), is amended by striking out—

"$904,114 if such population is 5,000,000 but less than 7,000,000;" and inserting in lieu thereof

"$904,114 if such population is 5,000,000 but less than 6,000,000;

"$931,810 if such population is 6,000,000 but less than 7,000,000;".

(b) Effective July 1, 1987, the administrative and clerical allowance of each Senator from the State of Georgia and the State of North Carolina is increased to that allowed Senators from States having a population of six million but less than seven million, the population of said State having exceeded six million inhabitants.

(c) Effective July 1, 1987, the administrative and clerical allowance of each Senator from the State of Indiana, the State of Massachusetts, the State of Missouri, and the State of Virginia, is that allowed Senators from States having a population of five million but less than six million.

Sec. 4. The chairman of the Majority or Minority Conference Committee of the Senate may, during the fiscal year ending September 30, 1987, at his election, transfer not more than $40,000 from the appropriation account for salaries for the Conference of the Majority and the Conference of the Minority of the Senate, to the account, within the contingent fund of the Senate, from which expenses are payable under section 120 of Public Law 97-51 (2 U.S.C. 61g-6). Any transfer made at such time or times as such chairman shall specify in writing to the Senate Disbursing Office. Any funds so transferred by the chairman of the Majority or Minority Conference Committee shall be available for expenditure by such committee in like manner and for the same purposes as are other moneys which are available for expenditure by such committee from the account, within the contingent fund of the Senate, from which expenses are payable under section 120 of Public Law 97-51 (2 U.S.C. 61g-6).

Sec. 5. Section 101(j) of Public Law 99-591 is amended by adding at the end thereof the following new sentence: "For purposes of the preceding sentence, the figure '$177,435,714' which appears in such H.R. 5203, in title I, under the item 'SALARIES, OFFICERS AND EMPLOYEES', shall be deemed to be '$177,535,714'.".

HOUSE OF REPRESENTATIVES

Payments to Widows and Heirs of Deceased Members of Congress

For payment to Elizabeth J. Grotberg, widow of John E. Grotberg, late a Representative from the State of Illinois, $75,100.

For payment to Joy Temes, daughter of Sala Burton, late a Representative from the State of California, $77,400.

Contingent Expenses of the House

STANDING COMMITTEES, SPECIAL AND SELECT

For an additional amount for "Standing committees, special and select", $1,950,000.

ALLOWANCES AND EXPENSES

For an additional amount for "Allowances and expenses", $9,508,000, including "Supplies, materials, administrative costs and Federal tort claims", $8,893,000, of which $6,845,000 shall remain available until expended for the purchase of a telephone switch for the House of Representatives; "Reemployed annuitants reimbursements", $368,000; and a special session or ceremony of the Congress in honor of the Bicentennial of the Constitution, $247,000, subject to adoption of an authorizing resolution.

Salaries, Officers and Employees

For an additional amount for "Salaries, officers and employees", $371,000, including "Office of the Clerk", $280,000; "Office of the Sergeant at Arms", $72,000; and "Office of the Law Revision Counsel", $19,000.

Administrative Provision

Section 101(j) of the Legislative Branch Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591) is amended by inserting "'House leadership offices,'" after "'Allowances and expenses,'".

JOINT ITEMS

Capitol Police

GENERAL EXPENSES

For an additional amount for "General expenses", $180,000.

Capitol Guide Service

For an additional amount to "Capitol Guide Service", $109,000.

Architect of the Capitol

WEST CENTRAL FRONT OF THE CAPITOL

(DEFERRAL)

Upon enactment of this Act, no funds appropriated and remaining available until expended for the West Central Front in the Act making supplemental appropriations for the fiscal year 1983, and for other purposes (Public Law 98-63), shall be available until October 1, 1987, unless such funds are necessary for the payment of administrative and engineering inspection staff.

Administrative [Provision] Provisions

Title I of the Legislative Branch Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591) is amended, in clause (4) of the paragraph relating to "Office of the Attending Physician" under the main heading "Joint Items", by striking out "eleven" and inserting in lieu thereof "twelve".

Effective October 18, 1986, section 101(j) of the joint resolution making continuing appropriations for the fiscal year 1987, and for other purposes (Public Law 99-500 and 99-591; 100 Stat. 1783-287, 3341-287) is amended by inserting ", and the provisions of H.R. 5203 (to such extent and in such manner) shall be effective as if enacted into law" immediately before the period at the end.

OFFICE OF TECHNOLOGY ASSESSMENT

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $350,000.

CHAPTER [VIII] *IX*

MILITARY CONSTRUCTION

Administrative Provisions

[MATHER AIR FORCE BASE

[The Department of Defense is directed to terminate all work in connection with the study for possible base closure of Mather Air Force Base, California.

[FAMILY HOUSING, NAVY AND MARINE CORPS

[In addition to any other funds which may be available for such purpose, the Secretary of the Navy is authorized to expend monies made available by the City of San Diego, California for the relocation or replacement of four family housing units in San Diego, California as a consequence of a final judgment in United States v. 35.934 Acres of Land, et al., Civil Action No. 800-0021-E in United States District Court for the Southern District of California.]

NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

None of the funds previously appropriated for North Atlantic Treaty Organization Infrastructure may be used for the procurement of aircraft.

TORREJON AIR BASE, SPAIN

It is the sense of the Senate that all facility construction costs associated with the relocation of the Tactical Fighter Wing at Torrejon Air Base, Spain, to another location, should be the responsibility of the North Atlantic Treaty Organization.

NAVAL AIR STATION, ADAK, ALASKA

Within the funds previously appropriated for military construction planning and design, Navy, $1,500,000 shall be available for design of a middle school at Naval Air Station, Adak, Alaska.

CHAPTER [IX] *X*

DEPARTMENT OF AGRICULTURE

Special Supplemental Food Program for Women, Infants, and Children

Section 17(g)(1) of the Child Nutrition Act of 1966 is amended—

(1) by inserting "and" after "September 30, 1986,"; and

(2) by striking "and September 30, 1988" and all that follows through the end of the sentence and inserting in lieu thereof "September 30, 1988, and September 30, 1989,".

[Office of the Secretary of Agriculture

[INVESTIGATIONS OF CHANGES NEEDED IN FARM PROGRAMS IN ORDER TO RESTORE THE AMERICAN FARM ECONOMY

[To enable the Secretary of Agriculture to investigate whether producers of basic agricultural commodities, including soybeans, favor the imposition of mandatory limits on the production of basic agricultural commodities, including soybeans, that will result in prices for such commodities that provide a fair return to the farm producer at not less than the cost of production, $6,000,000.

[To enable the Secretary of Agriculture to investigate the quantity of each basic agricultural commodity, including soybeans, needed by crop year to meet domestic consumption, to maintain an adequate reserve, and to regain and retain our fair share of world markets, $2,000,000.

[To enable the Secretary of Agriculture to investigate the changes needed in existing rules and regulations of the Department of Agriculture to provide for implementation of mandatory limits on the production of basic agricultural commodities, including soybeans, and nonrecourse loans on basic agricultural commodities, including soybeans, that reflect a fair return to the farm producer at not less than the cost of production, $2,000,000.]

AGRICULTURAL RESEARCH SERVICE

For an additional amount for "Agricultural Research Service", [$450,000] *$10,450,000, to remain available until expended: Provided, That $10,000,000 shall be made available for a grant for a human nutrition research center to be designated and established hereafter as a United States Department of Agriculture nutrition research center at the Pennington Biomedical Research Center of Louisiana State University.*

COOPERATIVE STATE RESEARCH SERVICE

For an additional amount for "Cooperative State Research Service", $300,000: *Provided,* That of the amounts appropriated under the heading "Cooperative State Research Service" in the Agriculture, Rural Development, and Related Agencies Appropriations Act, 1987, made applicable by section 101(a) of the Continuing Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591), for payments to agricultural experiment stations to carry out the purposes of the Hatch Act, as amended (7 U.S.C. 361a-361i), any monies available for allotment to any recipient, but withheld by the Secretary of Agriculture for failure to meet the matching requirements of the Hatch Act, may be reapportioned to other agricultural experiment stations and used to carry out the purposes of the Hatch Act: *Provided further,* That no experiment station that received funds under the Hatch Act during fiscal year 1986 shall receive a total allotment in fiscal year 1987 that exceeds the total allotment it received in fiscal year 1986.

For grants to States for the establishment and operation of international trade development centers, as authorized by the National Agricultural Research Extension and Teaching Policy Act of 1977, as amended, (7 U.S.C. 3292), $3,200,000, to remain available until expended.

[BUILDINGS AND FACILITIES]

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension and teaching programs of the Department of Agriculture, where not otherwise provided, [$16,200,000] *$8,000,000,* to remain available until expended.

EXTENSION SERVICE

For an additional amount for "Extension Service", for special grants for financially stressed farmers and dislocated farmers as authorized by section 1440 of Public Law 99-198, $600,000, to remain available until expended.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

For an additional amount for "Animal and Plant Health Inspection Service", [$3,000,000] $8,500,000.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

(TRANSFER OF FUNDS)

For an additional amount for "Agricultural Stabilization and Conservation Service, Salaries and expenses", $24,000,000: *Provided,* That not to exceed $24,000,000 of the above amount may be transferred to this account from the Commodity Credit Corporation.

DAIRY INDEMNITY PROGRAM

For the Dairy Indemnity Program, an additional $1,000,000, to remain available until expended: Provided, That this amount shall be transferred to the Commodity Credit Corporation: Provided further, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

GENERAL SALES MANAGER

(TRANSFER OF FUNDS)

Not to exceed an additional $705,000 may be transferred from the Commodity Credit Corporation funds to the General Sales Manager to help implement export programs, including the adjustment of the offering price to remain competitive, as authorized by law, and programs mandated in the Food Security Act of 1985.

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

(TRANSFER OF FUNDS)

To reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a-11, 713a-12), [$6,563,189,000] *$6,653,189,000,* such funds to be available, together with other resources available to the Corporation, to finance the Corporation's programs and activities during fiscal year 1987: *Provided,* That of the foregoing amount not to exceed the following amounts shall be available for the following programs: [export guaranteed loan claims, $300,000,000;] conservation reserve program, $400,000,000; additional payments to producers under section 633(B) of the Agriculture, Rural Development, and Related Agencies Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591), which shall be made to cover the difference between the partial payment and the amount of the full claim, $135,000,000; [and interest payments to the United States Treasury, $400,000,000:] *Provided further,* That five per centum of the funds available for the conservation reserve program in this Act shall be transferred to the conservation operations account of the Soil Conservation Service for services of its technicians in carrying out the conservation programs of the Food Security Act of 1985.

HONEY

Section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(2)) (as added by section 108(a) of Public Law 99-500 and Public Law 99-591) is amended by striking out subparagraph (C).

FARMERS HOME ADMINISTRATION

The Secretary may adjust interest rates on existing nonsubsidized loans if he determines such interest rates are excessive in relation to prevailing commercial rates for comparable loans: *Provided,* That such rate adjustments shall constitute a change in the loan agreement and not a new loan.

The limitations on loan prepayments contained in section 634 of the Agriculture, Rural Development, and Related Agencies Appropriations Act, 1987 shall remain in effect through September 30, 1987.

[RURAL DEVELOPMENT GRANTS

[For a grant pursuant to section 310B(c) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1932), for the development of Choctaw Regional Rural Industrial Park, $3,000,000.]

RURAL HOUSING INSURANCE FUND

During fiscal year 1987, and within the resources and authority available, obligations for direct loans and related advances pursuant to section 515 of the Housing Act of 1949 (42 U.S.C. 1485), shall not exceed $554,900,000.

For an additional amount for rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949, as amended, $115,000,000, to be used for contracts for newly constructed units financed under sections 514, 515 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486).

LOAN SERVICING REGULATIONS

None of the funds appropriated or made available by this or any other Act, or otherwise made available to the Secretary of Agriculture or the Farmers Home Administration, may be used to implement the regulations relating to the general revision of farmer program regulations of the Farmers Home Administration published in 52 Federal Register 1706 (1987) or any other regulations that would have the same effect as such regulations.

RURAL ELECTRIFICATION ADMINISTRATION

A borrower of a loan made by the Federal Financing Bank and guaranteed under section 306 of the Rural Electrification Act of 1936 (7 U.S.C. 936) that serves 3 or fewer customers per mile may, at the option of the borrower, prepay such loan (or any loan advance thereunder) in accordance with section 306A of such Act (7 U.S.C. 936a).

SOIL CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Soil Conservation Service, Watershed and flood prevention operations" for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented, $300,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

CHANGE IN TUITION LIMITATION FOR PRIVATE SCHOOLS

(a) SCHOOL LUNCH PROGRAMS.—Section 12(d)(5) of the National School Lunch Act (42 U.S.C. 1760(d)(5)) is amended to read as follows:

"(5) 'School' means (A) any public or nonprofit private school of high school grade or under, (B) any public or licensed nonprofit private residential child care institution (including, but not limited to, orphanages and homes for the mentally retarded, but excluding Job Corps Centers funded by the Department of Labor), and (C) with respect to the Commonwealth of Puerto Rico, nonprofit child care centers certified as such by the Governor of Puerto Rico. For purposes of clauses (A) and (B) of this paragraph, the term 'nonprofit', when applied to any such private school or institution, means any such school or institution which is exempt from tax under section 501(c)(3) of the Internal Revenue Code of 1954.".

(b) SCHOOL BREAKFAST PROGRAMS.—Section 15(c) of the Child Nutrition Act of 1966 (42 U.S.C. 1784(c)) is amended to read as follows:

"(c) 'School' means (A) any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school, (B) any public or licensed nonprofit private residential child care institution (including, but not limited to, orphanages and homes for the mentally retarded, but excluding Job Corps Centers funded by the Department of Labor), and (C) with respect to the Commonwealth of Puerto Rico, nonprofit child care centers certified as such by the Governor of Puerto Rico. For purposes of clauses (A) and (B) of this paragraph, the term 'nonprofit', when applied to any such private school or institution, means any such school or institution which is exempt from tax under section 501(c)(3) of the Internal Revenue Code of 1954.".

EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on July 1, 1987.

REIMBURSEMENT

Of the funds made available under the heading "CHILD NUTRITION PROGRAMS" of title III of the provisions made effective by section 101(a) of Public Law 99-190 but not requested through an official budget request transmitted to the Congress—

(1) $167,500,000 shall be available to the Secretary of Agriculture to reimburse State agencies for meals served under child nutrition programs conducted under the National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) in September, 1987; and

(2) $50,000 shall be available to the Secretary of Agriculture to provide cash compensation to eligible school districts for losses sustained by the districts as a result of the alteration of the methodology used to conduct the study referred to in section 1581(a) of the Food Security Act of 1985 (99 Stat. 1594) during the school year ending June 30, 1983.

SPECIAL MILK PROGRAM

For an additional amount for "Food and Nutrition Service, Special milk program", $3,426,000.

FOREIGN AGRICULTURAL SERVICE

For an additional amount for "Foreign Agricultural Service" to offset increases in overseas costs, **[**$1,000,000**]** *$2,000,000.*

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

(TRANSFER OF FUNDS)

Funds available to the Department of Agriculture during fiscal year 1987 shall be available to assist an international organization in meeting the costs, including salaries, fringe benefits and other associated costs, related to the employment by the organization of Federal personnel that may transfer to the organization under the provisions of 5 U.S.C. 3581-3584, or of other well-qualified United States citizens, for the performance of activities that contribute to increased understanding of international agricultural issues. Such funds may be transferred for such purpose from one appropriation to another or to a single account: *Provided,* That not to exceed a total of $500,000 may be expended for such purpose and such amount shall remain available until expended.

FOOD AND DRUG ADMINISTRATION

For an additional amount for "Food and Drug Administration, Salaries and expenses", $1,500,000 for evaluation and analysis of the drugs, vaccines, and tests for treatment of Acquired Immune Deficiency Syndrome.

Section 3 of the Saccharin Study and Labeling Act (21 U.S.C. 348 nt.) is amended by striking out "May 1, 1987" and inserting in lieu thereof "May 1, 1992".

CHAPTER **[**X**]** *XI*

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(TRANSFER OF FUNDS)

For an additional amount for "Operations", **[**$55,200,000**]** *$55,000,000, of which $29,598,400, shall be derived by transfer from the unobligated balances of "Facilities and Equipment", $11,619,000, to be derived by transfer from "Operation and maintenance, Metropolitan Washington airports", $5,000,000, to be derived by transfer from "Construction, Metropolitan Washington airports", and $8,782,600, to be derived by transfer from the unobligated balances of "Payments to air carriers".*

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING RESCISSION)

For an additional amount for liquidation of obligations incurred for airport planning and development under section 14 of Public Law 91-258, as amended, and under other laws authorizing such obligations, and obligations for noise compatibility planning and programs, $160,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended**[**:—*Provided,* That the first proviso under the heading "Grants-in-Aid for Airports (Liquidation of Contract Authorization) (Airport and Airway Trust Fund)", as contained in the Department of Transportation and Related Agencies Appropriations Act, 1987, 99th Congress, H.R. 5205, to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference thereon, 99th Congress, House Report 99-976, as filed in the House of Representatives on October 7, 1986, as if enacted into law, pursuant to section 101(l) of Public Law 99-500 and Public Law 99-591, approved October 30, 1986, is amended as follows:

["*Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the commitments for which are in excess of $1,000,000,000 in fiscal year 1987 for grants-in-aid for airport planning and development and noise compatibility planning and programs, notwithstanding section 506(e)(4) of the Airport and Airway Improvement Act of 1982, as amended: *Provided further,* That an additional $25,000,000 of such commitments may be made in fiscal year 1987 using unobligated amounts in the supplementary discretionary fund provided by sections 505(a) and 507(a)(3)(B) of such Act, without affecting the amount authorized to be appropriated from the Airport and Airway Trust Fund under section 506(c), the amount of apportionments required to be made under section 507, or the satisfaction of general limitations under section 508(d) of such Act."**]**: *Provided, That of the unobligated contract authority available for airport development and planning pursuant to section 505(a) of the Airport and Airway Improvement Act of 1982, $150,000,000 are hereby rescinded.*

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

For the settlement of promissory notes issued to the Secretary of the Treasury, $2,602,000, to remain available until expended, together with such sums as may be necessary for the payment of interest due under the terms and conditions of such notes.

FEDERAL HIGHWAY ADMINISTRATION

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out the provisions of section 402 of Public Law 97-424, $35,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided, That of the funds previously appropriated for fiscal year 1987 "Motor Carrier Safety Grants", $15,469,000 are hereby rescinded.*

[BALTIMORE-WASHINGTON PARKWAY

[(HIGHWAY TRUST FUND)

[(TRANSFER OF FUNDS)

[For an additional amount for "Baltimore-Washington Parkway", $2,000,000, to be derived by transfer from "Motor Carrier Safety Grants" and to remain available until expended.

[HIGHWAY SAFETY AND ECONOMIC DEVELOPMENT DEMONSTRATION PROJECTS

[(HIGHWAY TRUST FUND)

[(TRANSFER OF FUNDS)

[For an additional amount for "Highway Safety and Economic Development Demonstration Projects", $5,000,000, to be derived by transfer from "Motor Carrier Safety Grants" and to remain available until expended.

[HIGHWAY SAFETY IMPROVEMENT DEMONSTRATION PROJECT

[(HIGHWAY TRUST FUND)

[(TRANSFER OF FUNDS)

[For an additional amount for "Highway Safety Improvement Demonstration Project", $2,000,000, to be derived by transfer from "Motor Carrier Safety Grants" and to remain available until expended.

[HIGHWAY-RAILROAD GRADE CROSSING SAFETY DEMONSTRATION PROJECT

[(HIGHWAY TRUST FUND)

[(TRANSFER OF FUNDS)

[For an additional amount for "Highway-Railroad Grade Crossing Safety Demonstration Project", $2,000,000, to be derived by transfer from "Motor Carrier Safety Grants" and to remain available until expended.

[VEHICULAR AND PEDESTRIAN SAFETY DEMONSTRATION PROJECT

[(HIGHWAY TRUST FUND)

[(TRANSFER OF FUNDS)

[For the purpose of carrying out a demonstration of methods of improving vehicular and pedestrian safety on roads on the Federal-aid urban and Federal-aid secondary systems, involving Route 66 in Northampton and Huntington, Massachusetts, there is hereby authorized to be appropriated $12,000,000, to be derived from the Highway Trust Fund and to remain available until expended, of which $5,000,000 is hereby appropriated to be derived by transfer from "Motor Carrier Safety Grants" and to remain available until expended: *Provid-*

ed, That all funds appropriated under this head shall be exempt from any limitation on obligations for Federal-aid highways and highway safety construction programs.

[NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

[OPERATIONS AND RESEARCH

[(TRANSFER OF FUNDS)

[For an additional amount for "Operations and Research", $1,000,000, to be derived from unobligated balances of funds made available by section 311 of Public Law 96-131 for replacement of facilities associated with Interstate Route 170 and to be merged with this account, notwithstanding any limitation on obligations on Federal-aid highways, and to remain available until expended.]

FEDERAL RAILROAD ADMINISTRATION

RAIL SERVICE ASSISTANCE

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-42 relating to the Federal Railroad Administration, "Rail Service Assistance", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

RAILROAD SAFETY

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-43 relating to the Federal Railroad Administration, "Railroad Safety", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-45 relating to the Federal Railroad Administration, "Northeast Corridor Improvement Program", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

For payment to the Secretary of the Treasury for debt reduction, $12,500,000, to remain available until expended, together with such sums as may be necessary for the payment of interest due to the Secretary of the Treasury under the terms and conditions of such debt.

SETTLEMENTS OF RAILROAD LITIGATION

For the settlement of promissory notes pursuant to section 210(f) of the Regional Rail Reorganization Act of 1973 (Public Law 93-236), as amended, $56,928,495, to remain available until expended, together with such sums as may be necessary for the payment of interest due to the Secretary of the Treasury under the terms and conditions of such notes.

CONRAIL COMMUTER TRANSITION ASSISTANCE

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-46 relating to the Federal Railroad Administration, "Conrail Commuter Transition Assistance", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

URBAN MASS TRANSPORTATION ADMINISTRATION

RESEARCH, TRAINING, AND HUMAN RESOURCES

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves [$4,036,000] *$4,336,000* of the proposed deferral D87-47 relating to the Urban Mass Transportation Administration, "Research, Training, and Human Resources", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the deferral disapproved herein shall be made available for obligation.

INTERSTATE TRANSFER GRANTS—TRANSIT

(DISAPPROVAL OF DEFERRAL)

The Congress disapproves deferral D87-48 relating to the Urban Mass Transportation Administration, "Interstate Transfer Grants—Transit", as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this Act and the amount of the proposed deferral disapproved herein shall be made available for obligation.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $4,000,000, or so much thereof as may be available in and derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

RELATED AGENCIES

DEPARTMENT OF THE TREASURY

REBATE OF SAINT LAWRENCE SEAWAY TOLLS

(HARBOR MAINTENANCE TRUST FUND)

For rebate of the United States' portion of tolls paid for use of the Saint Lawrence Seaway, pursuant to Public Law 99-662, $6,250,000, or so much thereof as may be available in and derived from the Harbor Maintenance Trust Fund, to remain available until expended, of which not to exceed $250,000 shall be available for expenses of administering the rebates.

PANAMA CANAL COMMISSION

OPERATING EXPENSES

For an additional amount for "Operating Expenses", [$8,013,000] *$2,013,000,* to be derived from the Panama Canal Commission Fund, [of which $6,000,000 shall be available to cover the cost of removing a landslide at the Panama Canal, and $2,013,000] shall be available for payment to the Republic of Panama, pursuant to article XIII, paragraph 4(c) of the Panama Canal Treaty of 1977.

GENERAL [PROVISION] *PROVISIONS*

AMTRAK ADVISORY COMMISSION

None of the funds provided for the Department of Transportation in this or any other Act shall be used to implement any charter establishing an advisory commission on the privatization of Amtrak.

DISCRETIONARY BRIDGE PROGRAM

Notwithstanding any other provision of law, the Secretary of Transportation is directed to consider phase 1 and phase 2 of the construction of a bridge across the Mississippi River at Dubuque, Iowa, known as the Dubuque City Island Bridge, as one project, and for the purpose of determining which projects to fund under the discretionary bridge program, assign to phase 2 of such construction the same priority that was given to phase 1 of such construction.

POMPANO BEACH AIR PARK

None of the funds appropriated for the Federal Aviation Administration under this or any other Act shall be used (1) to compel the City of Pompano Beach, Florida, to redesignate any land designated as nonaviation use land at the Pompano Beach Air Park as of November 1, 1966, or (2) to take any action to revert the Pompano Beach Air Park.

CHAPTER [XI] *XII*

DEPARTMENT OF THE TREASURY

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

[For an additional amount for "Salaries and expenses", $5,500,000, of which $500,000 is for the Office of Depreciation Analysis, and of which $5,000,000 is to remain available until expended for repairs and improvements to the Treasury Annex.]

For an additional amount for "Salaries and expenses", $5,000,000, to remain available until expended for repairs and improvements to the Treasury Annex.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

Of the funds appropriated under this heading by the Treasury, Postal Service, and General Government Appropriations Act, fiscal year 1987, Public Law 99-500 and Public Law 99-591, $2,500,000 shall remain available until September 30, 1988: Provided, That funds made available under this heading by the Treasury, Postal Service, and General Government Appropriations Act, fiscal year 1987, Public Law 99-500 and Public Law 99-591 shall be used in part to raise the base level of employment at the Federal Law Enforcement Training Center to 325 full-time equivalent positions in the fiscal year ending September 30, 1987.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $1,900,000, which shall remain available through September 30, 1988, for headquarters relocation.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", [$10,000,000] *$5,000,000: Provided, That the additional funds made available by this Act shall be used in part to raise the base level of employment for the Bureau of Alcohol, Tobacco, and Firearms to 3,251 full-time equivalent positions for the fiscal year ending September 30, 1987: Provided further, That funds made available by this Act may be used to purchase two additional special explosives investigative vehicles and associated investigative equipment.*

UNITED STATES CUSTOMS SERVICE

OPERATION AND MAINTENANCE, AIR INTERDICTION PROGRAM

[Of the funds appropriated under this heading in Public Law 99-500 and Public

Law 99-591, $2,500,000 shall remain available until September 30, 1988, for the purpose stated in the conference report to accompany H.J. Res. 738 (House Report 99-1005).

[DISAPPROVAL OF DELAY IN AVAILABILITY]

(DISAPPROVAL OF DELAY IN AVAILABILITY)

The Congress disapproves the proposal to delay availability of obligation of $32,099,000 for Operation and Maintenance, Air Interdiction Program, until after October 1, 1987, contained in House Document 100-31, of February 9, 1987. This disapproval shall be effective upon enactment into law of this Act and the funds shall be made available for obligation.

Internal Revenue Service

PROCESSING TAX RETURNS

For an additional amount for "Processing tax returns", $55,200,000.

EXAMINATION AND APPEALS

For an additional amount for "Examination and appeals", $8,110,000.

INVESTIGATION, COLLECTION AND TAXPAYER SERVICE

For an additional amount for "Investigation, collection, and taxpayer service", $16,690,000.

United States Secret Service

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $5,722,000: *Provided, That of the funds appropriated under this heading in the Treasury, Postal Service, and General Government Appropriations Act, fiscal year 1987, Public Law 99-500 and Public Law 99-591, $6,000,000 appropriated for continued construction at the James J. Rowley Secret Service Training Center shall remain available until expended.*

[United States Postal Service

[PAYMENT TO THE POSTAL SERVICE FUND

[For an additional amount for "Payment to the Postal Service Fund", $79,177,000.]

INDEPENDENT AGENCIES

General Services Administration

Federal Buildings Fund

LIMITATIONS ON AVAILABILITY OF REVENUE

In addition to the aggregate amount heretofore made available for real property management and related activities in fiscal year 1987, $61,900,000 shall be made available for rental of space: *Provided,* That any revenues, collections and any other sums accruing to this fund during fiscal year 1987 in excess of $2,447,756,000, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)), shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts.

National Archives and Records Administration

OPERATING EXPENSES

For an additional amount for "Operating expenses", $475,000.

General Provisions

WAIVER OF PAY RETENTION REGULATIONS

Notwithstanding section 536.104(a)(3) of Title 5, Code of Federal Regulations, Federal wage employees in the Tucson, Arizona, wage area whose pay has been reduced as a result of a wage survey conducted during fiscal year 1986 shall be entitled to pay retention under 5363 of title 5, United States Code, commencing on the date such reduction took effect.

CUSTOMS FORFEITURE FUND

TECHNICAL CORRECTION TO PUBLIC LAW 99-570

Section 1152(b) of Public Law 99-570 is repealed, and shall be treated as though it had never been enacted.

ALLOWANCES FOR CERTAIN GSA PERSONNEL

Notwithstanding sections 5923 and 5924, title 5, United States Code and any applicable regulations, the General Services Administration shall honor allowances initially authorized, resulting in an aggregate amount of $27,000 payable to twenty-one General Services Administration employees for certain cost of living and related expenses during official foreign duty from November 1984 through September 1985.

TITLE II—INCREASED PAY COSTS FOR THE FISCAL YEAR 1987

For additional amounts for appropriations for the fiscal year 1987, for increased pay costs authorized by or pursuant to law as follows:

LEGISLATIVE BRANCH

Senate

"Salaries, officers and employees", $5,715,000;

"Office of the Legislative Counsel of the Senate", $47,000;

"Inquiries and investigations", $1,116,000;

House of Representatives

"House leadership offices", $39,000;

"Members' clerk hire", $2,584,000;

"Committee employees", $720,000;

"Special and select committees", $446,000;

"Allowances and expenses", $408,000;

"Salaries, officers and employees", $618,000;

Joint Items

"Joint Economic Committee", $75,000;

"Joint Committee on Printing", $10,000;

Office of Technology Assessment

"Salaries and expenses", $209,000;

Congressional Budget Office

"Salaries and expenses", $80,000;

Architect of the Capitol

Office of the Architect of the Capitol: "Salaries", $50,000;

"Capitol buildings", $70,000;

"Capitol grounds", $40,000;

"Senate office buildings", $250,000;

"House office buildings", $300,000;

"Capitol power plant", $40,000;

Library buildings and grounds: "Structural and mechanical care", $50,000;

Botanic Garden

"Salaries and expenses", $25,000;

Library of Congress

"Salaries and expenses", $605,000;

Copyright Office: "Salaries and expenses", $173,000, of which not more than $17,000 shall be derived from collections during fiscal year 1987 under 17 U.S.C. 111(d)(3) and 116(c)(1);

Congressional Research Service: "Salaries and expenses", $215,000;

Copyright Royalty Tribunal

"Salaries and expenses", $5,000, of which $4,000 shall be derived by collections from the appropriation "Payments to Copyright Owners" for the reasonable costs incurred in proceedings involving distribution of royalty fees as provided by 17 U.S.C. 807;

Government Printing Office

Office of Superintendent of Documents: "Salaries and expenses", $46,000;

General Accounting Office

"Salaries and expenses", $2,500,000;

THE JUDICIARY

Supreme Court of the United States

"Salaries and expenses", $504,000;

"Care of the building and grounds", $24,000;

United States Court of Appeals for the Federal Circuit

"Salaries and expenses", $97,000;

United States Court of International Trade

"Salaries and expenses", $69,000;

Courts of Appeals, District Courts, and Other Judicial Services

"Salaries and expenses," $15,032,000;

"Defender services", $593,000;

Administrative Office of the United States Courts

"Salaries and expenses", $504,000;

Federal Judicial Center

"Salaries and expenses", $116,000;

EXECUTIVE OFFICE OF THE PRESIDENT

[White House Office

["Salaries and expenses", $172,000;

[Executive Residence at the White House

["Operating expenses", $43,000;

[Special Assistance to the President

["Salaries and expenses," $10,000;

[Council of Economic Advisers

["Salaries and expenses", $16,000;

Council on Environmental Quality

"Council on Environmental Quality and Office of Environmental Quality", $3,000;

[Office of Policy Development

["Salaries and expenses", $23,000;

[National Security Council

["Salaries and expenses", $28,000;

[Office of Administration

["Salaries and expenses", $57,000;

[Office of Management and Budget

["Salaries and expenses", $290,000;

[Office of Federal Procurement Policy

["Salaries and expenses", $12,000;]

Office of Science and Technology Policy

"Office of Science and Technology Policy", $3,000;

Office of the United States Trade Representative

"Salaries and expenses", $77,000;

FUNDS APPROPRIATED TO THE PRESIDENT

Agency for International Development

"Operating expenses, Agency for International Development", $2,175,000;

"Operating expenses of the Agency for International Development, Office of the Inspector General", $103,000;

Peace Corps

"Peace Corps, operating expenses", $324,000;

African Development Foundation

"African Development Foundation", $15,000;

DEPARTMENT OF AGRICULTURE

[(INCLUDING TRANSFER OF FUNDS)]

"Office of the Secretary", [$31,000] *$53,000;*

"Office of the Assistant Secretary for Administration", [$7,000] *$10,000;*

"Office of the Assistant Secretary for Governmental and Public Affairs", [$7,000] *$10,000;*

"Office of the Assistant Secretary for Economics", $7,000;

"Office of the Assistant Secretary for Science and Education", [$7,000] *$11,000*;

"Office of the Assistant Secretary for Marketing and Inspection Service", [$7,000] *$11,000*;

"Office of the Under Secretary for International Affairs and Commodity Programs", [$8,000] *$15,000*;

"Office of the Under Secretary for Small Community and Rural Development", $8,000;

"Office of the Assistant Secretary for Natural Resources and Environment", [$7,000] *$12,000*;

"Office of the Assistant Secretary for Food and Consumer Services", [$7,000] *$10,000*;

"Departmental Administration", for budget and program analysis $79,000; for personnel, finance and management, operations, information resources management, equal opportunity, small and disadvantaged business utilization, and administrative law judges and judicial officers, $232,000; making a total of $311,000;

"Building operations and maintenance", $35,000;

"Office of Governmental and Public Affairs", for public affairs $53,000; for congressional relations, $5,000; and for intergovernmental affairs $4,000;

"Office of the Inspector General", $400,000;

"Office of the General Counsel", $300,000;

"Agricultural Research Service", $3,935,000;

"National Agricultural Library", $65,000;

"Economic Research Service", $415,000;

"National Agricultural Statistics Service", $490,000;

"World Agricultural Outlook Board", $15,000;

"Foreign Agricultural Service", $567,000;

"General Sales Manager", an additional $114,000, to be derived by transfer from the Commodity Credit Corporation fund;

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

"Salaries and expenses", an additional $8,967,000, to be derived by transfer from the Commodity Credit Corporation funds;

FARMERS HOME ADMINISTRATION

"Salaries and expenses", $3,000,000;

SOIL CONSERVATION SERVICE

"Conservation operations", $7,297,000;

"River basin surveys and investigations", [$102,000] *$190,000*;

"Watershed planning", [$74,000] *$136,000*;

["Watershed and flood prevention operations", $943,000;]

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

"Salaries and expenses", $2,000,000;

FEDERAL GRAIN INSPECTION SERVICE

"Salaries and expenses", $53,000;

AGRICULTURAL MARKETING SERVICE

"Limitation on administrative expenses", (increase of $501,000 in limitation);

"Funds for strengthening markets, income and supply (section 32)", (increase of $112,000 in the limitation, "marketing agreements and orders");

"Packers and Stockyards Administration", $78,000;

"Agricultural Cooperative Service", $32,000;

"Office of Transportation", $23,000;

"Food Safety Inspection Service", $7,000,000;

FOOD AND NUTRITION SERVICE

"Food program administration", $713,000;

HUMAN NUTRITION INFORMATION SERVICE

"Salaries and expenses", $34,000;

FOREST SERVICE

"Forest research", $1,844,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

"State and private forestry", $413,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

"National forest system", $17,574,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

"Construction", $2,859,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

DEPARTMENT OF COMMERCE

(TRANSFERS OF FUNDS)

GENERAL ADMINISTRATION

"Salaries and expenses", $450,000, to be derived by transfer of unobligated balances from "Regional development programs";

ECONOMIC DEVELOPMENT ADMINISTRATION

"Salaries and expenses", $397,000, to be derived by transfer from "Economic Development Revolving Fund";

ECONOMIC AND STATISTICAL ANALYSIS

"Salaries and expenses", $332,000, to be derived by transfer of unobligated balances from "Regional development programs";

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

"Operations, Research, and Facilities", $7,505,000, to be derived by transfer from "Coastal Energy Impact Fund";

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

"Salaries and expenses", $243,000, to be derived by transfer from ["National Oceanic and Atmospheric Administration, Operations, Research, and Facilities"] *National Telecommunications and Information Administration, "Public telecommunications facilities, planning and construction"*;

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

"Operation and Maintenance, Army", $2,679,000;

"Operation and Maintenance, Navy", $3,350,000;

"Operation and Maintenance, Marine Corps", $183,000;

"Operation and Maintenance, Air Force", $1,925,000;

"Operation and Maintenance, Defense Agencies", $2,307,000;

"Operation and Maintenance, Army Reserve", $109,000;

"Operation and Maintenance, Navy Reserve", $29,000;

"Operation and Maintenance, Marine Corps Reserve", $3,000;

"Operation and Maintenance, Air Force Reserve", $281,000;

"Operation and Maintenance, Army National Guard", $285,000;

"Operation and Maintenance, Air National Guard", $618,000;

"Court of Military Appeals, Defense", $1,000;

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

"Research, Development, Test, and Evaluation, Army", $336,000;

"Research, Development, Test, and Evaluation, Navy", $33,000;

"Research, Development, Test, and Evaluation, Air Force", $306,000;

"Research, Development, Test, and Evaluation, Defense Agencies", $115,000;

DEPARTMENT OF DEFENSE—CIVIL

(INCLUDING TRANSFER OF FUNDS)

CORPS OF ENGINEERS—CIVIL

"General expenses", $1,832,000, to be derived by transfer from "Construction, General";

SOLDIERS' AND AIRMEN'S HOME

"Operation and maintenance", $554,000, to be derived by transfer from "Capital outlay";

DEPARTMENT OF ENERGY

(INCLUDING TRANSFER OF FUNDS)

"Energy Information Administration", $469,000, to be derived by transfer of unobligated balances in ["Fossil energy research and development"] *"Energy conservation"*;

"Emergency preparedness", $89,000; to be derived by transfer of unobligated balances in ["Fossil energy research and development"] *"Energy conservation"*;

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

"Salaries and expenses", $5,892,000;

HEALTH RESOURCES AND SERVICES ADMINISTRATION

"Indian health services", $7,686,000;

NATIONAL INSTITUTES OF HEALTH

"National Cancer Institute", $1,594,000;

"National Heart, Lung and Blood Institute", $628,000;

"National Institute of Dental Research", $211,000;

"National Institute of Diabetes and Digestive and Kidney Diseases", $405,000;

"National Institute of Allergy and Infectious Diseases", $498,000;

"National Institute of General Medical Sciences", $92,000;

"National Institute of Child Health and Human Development", $345,000;

"National Eye Institute", $119,000;

"National Institute of Environmental Health Sciences," $266,000;

"National Institute on Aging", $193,000;

"National Institute of Arthritis and Musculoskeletal and Skin Diseases", $50,000;

"Office of the Director", [$150,000] *$252,000*;

SAINT ELIZABETHS HOSPITAL

"Federal Subsidy for Saint Elizabeths Hospital", $2,487,000;

SOCIAL SECURITY ADMINISTRATION

"Limitation on administrative expenses", $18,000,000, to be derived from amounts available in this account for automatic data processing and telecommunications activities";

ASSISTANT SECRETARY FOR HUMAN DEVELOPMENT

"Human Development Services", [$500,000] *$1,300,000*;

DEPARTMENTAL MANAGEMENT

"General departmental management", [$1,500,000] *$2,200,000*;

"Office of Consumer Affairs", $10,000;

[DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Management and Administration

[SALARIES AND EXPENSES

[(TRANSFER OF FUNDS)

["Salaries and expenses", $9,714,000, to be derived by transfer from the various funds of the Federal Housing Administration;]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

"Management of lands and resources", $5,622,000;

["Oregon and California grant lands", $815,000;]

United States Fish and Wildlife Service

"Resource management", $3,046,000;

National Park Service

"Operation of the National park system", $9,960,000;

"National recreation and preservation", $200,000;

Geological Survey

"Surveys, investigations, and research", $6,072,000;

Bureau of Mines

(BY TRANSFER)

"Mines and minerals", [$900,000] *$1,442,000, to be derived by transfer from unobligated balances in "Energy conservation";*

Bureau of Reclamation

"Construction Program", $3,034,000;

"Operation and Maintenance", $1,808,000;

Bureau of Indian Affairs

"Operation of Indian programs", $9,765,000;

Departmental Offices

["Office of the Secretary", $350,000: *Provided,* That the limitation on expenses for the immediate Office of the Secretary in fiscal year 1987 under this head in the Department of the Interior and Related Agencies Appropriations Act, 1987, as included in Public Law 99-500 and Public Law 99-591, shall be increased only to the extent necessary for pay adjustments pursuant to Executive Order 12578 of December 31, 1986;]

"Office of the Solicitor", [$200,000] *$425,000;*

"Office of the Inspector General", [$120,000] *$245,000;*

DEPARTMENT OF JUSTICE

General Administration

"Salaries and expenses", $575,000;

United States Parole Commission

"Salaries and expenses", $84,000;

Legal Activities

"Salaries and expenses, general legal activities", $1,646,000;

"Salaries and expenses, Antitrust Division", $315,000, to remain available until September 30, 1988;

"Salaries and expenses, United States Attorneys", $2,818,000;

"Salaries and expenses, Oversight of Bankruptcy Cases", $93,000;

"Salaries and expenses, United States Marshals Service", $2,234,000;

"Salaries and expenses, Community Relations Service", $64,000 *of which $16,000 shall remain available until expended;*

Federal Bureau of Investigation

"Salaries and expenses", $9,309,000 of which $5,686,000 shall remain available until September 30, 1988;

Drug Enforcement Administration

"Salaries and expenses", $2,593,000;

Immigration and Naturalization Service

"Salaries and expenses", $5,588,000;

Federal Prison System

"Salaries and expenses", $3,932,000;

"National Institute of Corrections", $20,000;

"Buildings and facilities", $30,000;

"Limitation on administrative and vocational training expenses, Federal Prison Industries, Incorporated" (increase of $27,000 in the limitation on Administrative expenses, and $106,000 on Vocational Training expenses);

Office of Justice Programs

"Salaries and expenses", $172,000;

DEPARTMENT OF LABOR

(INCLUDING TRANSFER OF FUNDS)

Occupational Safety and Health Administration

"Salaries and expenses", $1,583,000, to be derived from the unobligated balances of Employment Standards Administration, "Salaries and expenses";

Employment Standards Administration

"Black Lung Disability Trust Fund", $708,000, of which $296,000 shall be available for transfer to Employment Standards Administration, "Salaries and expenses" and of which $412,000 shall be available for transfer to Departmental Management, "Salaries and expenses";

Departmental Management

"Salaries and expenses", $1,476,000, to be derived from the unobligated balances of Employment Standards Administration, "Salaries and expenses";

"Office of the Inspector General", $460,000, to be derived from the unobligated balances of Employment Standards Administration, "Salaries and expenses";

DEPARTMENT OF STATE

Administration of Foreign Affairs

"Salaries and expenses", $6,900,000;

DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFERS OF FUNDS)

Office of the Secretary

"Salaries and expenses", [$750,000] *$563,000,* to be derived by transfer from the unobligated balances of "Payments to air carriers";

Coast Guard

"Operating expenses", [$20,100,000] *$15,100,000,* of which *$5,000,000 shall be expended from the Boat Safety Account,* $3,945,000 shall be derived from the unobligated balances of "Deepwater Port Liability Fund", $5,000,000 from the unobligated balances of "Research, development, test, and evaluation", and $1,155,000, to be derived by transfer from "United States Railway Association, Administrative expenses";

"Reserve training", $1,200,000 to be derived by transfer from the unobligated balances of the "Deepwater Port Liability Fund";

Federal Aviation Administration

"Headquarters administration", [$500,000] *$271,000,* to be derived by transfer from "Operation and maintenance, Metropolitan Washington airports";

"Operations", [$44,000,000, of which $8,500,000 shall be derived by transfer from the unobligated balances of "Payments to air carriers"] *$33,000,000;*

Federal Highway Administration

"Limitation on general operating expenses" (increase of $1,200,000 in the limitation on general operating expenses);

"Motor carrier safety", $140,000, to be derived from unobligated balances of [funds made available by section 311 of Public Law 96-131 for replacement of facilities associated with Interstate Route 170 and to be merged with this account, notwithstanding any limitation on obligations on Federal-aid highways] *"Motor Carrier Safety Grants";*

National Highway Traffic Safety Administration

"Operations and research", [$600,000] *$317,000, to be derived from unobligated balances of funds made available by section 311 of Public Law 96-131 for replacement of facilities associated with Interstate Route 170 and to be merged with this account, notwithstanding any limitation on obligations on Federal-aid highways;*

Federal Railroad Administration

"Office of the administrator", [$200,000] *$100,000,* to be derived from the unobligated balances of "Conrail labor protection";

"Railroad safety", $400,000, to be derived from the unobligated balances of "Conrail labor protection";

Saint Lawrence Seaway Development Corporation

"Limitation on administrative expenses, Saint Lawrence Seaway Development Corporation" (increase of $30,000 in the limitation on administrative expenses);

Research and Special Programs Administration

"Research and special programs", $150,000, to be derived from the unobligated balances of "Payments to air carriers";

Office of the Inspector General

"Salaries and expenses", $400,000, to be derived from the unobligated balances of "Payments to air carriers";

RELATED AGENCIES

National Transportation Safety Board

(INCLUDING TRANSFER OF FUNDS)

"Salaries and expenses", $325,000, to be derived by transfer from the unobligated balances of "Payments to air carriers";

[DEPARTMENT OF THE TREASURY

[Office of the Secretary

["Salaries and expenses", $1,353,000;

[Federal Law Enforcement Training Center

["Salaries and expenses", $118,000;

[Financial Management Service

["Salaries and expenses", $1,430,000;

[Bureau of Alcohol, Tobacco and Firearms

["Salaries and expenses", $1,359,000;

[United States Customs Service

["Salaries and expenses", $12,577,000;

[United States Mint

["Salaries and expenses", $571,000;

[Bureau of the Public Debt

["Salaries and expenses", $721,000;

[Internal Revenue Service

["Salaries and expenses", $1,000,000;

["Processing Tax Returns", $7,003,000;

["Examination and Appeals", $13,700,000;

["Investigation, Collection, and Taxpayer Service", $11,400,000;

[United States Secret Service

["Salaries and expenses", $2,045,000;]

ENVIRONMENTAL PROTECTION AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

"Salaries and expenses", $9,000,000, [of which $2,000,000 shall be derived by transfer from the "Buildings and facilities" appropriation for construction of a laboratory at the Environmental Research Center at the University of Nevada, Las Vegas] *which shall be derived by transfer from "Research and development": Provided, That of the amount heretofore provided for any activity or project, the amount reduced shall not exceed 8 per centum*;

[GENERAL SERVICES ADMINISTRATION

[Federal Supply Service

["Operating expenses", $1,233,000: *Provided*, That in addition to this appropriation, the annual limitation for expenses of transportation audit contracts and contract administration payable from overcharges collected is increased by $4,000 to $10,504,000;

[Information Resources Management Service

["Operating expenses", $297,000;

[Federal Property Resources Service

["Operating expenses", $177,500;

[General Management and Administration

["Salaries and expenses", $912,000;

[Office of Inspector General

["Office of Inspector General", $198,000;

[Allowances and Office Staff for Former Presidents

["Allowances and Office Staff for Former Presidents", $3,000;

[Federal Buildings Fund

["Limitations on availability of revenue", in addition to the aggregate amount heretofore made available for real property management and related activities in fiscal year 1987, $3,071,700 shall be available for such purposes and the limitation on the amount available for real property operations is increased to $755,959,000 and the limitation on the amount available for program direction and centralized services is increased to $57,219,000 and the limitation on the amount available for design and construction services is increased to $63,537,700: *Provided*, That any revenues and collections and any other sums accruing to this fund during fiscal year 1987, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)), in excess of $2,450,827,700 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts;]

Consumer Information Center

"Consumer Information Center", $8,000 (and an increase of $8,000 in the limitation on administrative expenses);

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

"Research and program management", $25,000,000, [of which $12,000,000 shall be derived by transfer from] *to be derived by transfer from "Research and development" and* "Space flight, control and data communications";

SMALL BUSINESS ADMINISTRATION

Small Business Administration

(TRANSFER OF FUNDS)

"Salaries and expenses," $2,400,000, to be derived by transfer from the "Business Loan and Investment Fund", to remain available until September 30, 1988;

VETERANS ADMINISTRATION

"Medical care", $149,391,000;

"Medical and prosthetic research", $1,859,000;

"Medical administration and miscellaneous operating expenses", $400,000;

"General operating expenses", $5,500,000;

"Construction, minor projects" (increase of $350,000 in the limitation on the expenses of the Office of Facilities);

OTHER INDEPENDENT AGENCIES

[Administrative Conference of the United States

["Salaries and expenses", $34,000;

[Advisory Commission on Intergovernmental Relations

["Salaries and expenses", $8,000;

[Advisory Committee on Federal Pay

["Salaries and expenses", $1,000;]

American Battle Monuments Commission

"Salaries and expenses", $140,000;

[Arms Control and Disarmament Agency

["Arms control and disarmament activities", $124,000;

[Committee for Purchase from the Blind and Other Severely Handicapped

["Salaries and expenses", $4,000;]

Consumer Product Safety Commission

"Salaries and expenses", $250,000;

Equal Employment Opportunity Commission

"Salaries and expenses", $2,640,000;

Export-Import Bank

"Limitation on administrative expenses" (increase of $157,000 in the limitation on administrative expenses);

Federal Communications Commission

"Salaries and expenses", $755,000;

Federal Home Loan Bank Board

"Limitation on administrative expenses, Federal Home Loan Bank Board" (increase of $200,000);

[Federal Labor Relations Authority

["Salaries and expenses", $136,000;]

Federal Maritime Commission

"Salaries and expenses", $200,000;

Federal Mediation and Conciliation Service

"Salaries and expenses", $181,000;

[Merit Systems Protection Board

["Salaries and expenses", $170,000;

["Office of the Special Counsel", $42,000;

[National Archives and Records Administration

["Salaries and expenses", $592,000;]

National Commission on Libraries and Information Science

"Salaries and expenses", $6,000;

National Endowment for the Arts

"Grants and administration", $200,000;

National Endowment for the Humanities

"Grants and administration", $200,000;

National Labor Relations Board

"Salaries and expenses", $628,000;

National Mediation Board

"Salaries and expenses", $60,000;

National Science Foundation

"Research and related activities" (increase of $1,300,000 in the limitation on program development and management);

[Office of Personnel Management

[(INCLUDING TRANSFER OF FUNDS)

["Salaries and expenses", $731,000 together with an additional amount of $435,000 for current fiscal year administration expenses for the retirement and insurance program to be transferred from the appropriate trust funds of the Office of Personnel Management in amounts to be determined by the Office of Personnel Management without regard to other statutes;]

Securities and Exchange Commission

"Salaries and expenses", $1,837,000;

Smithsonian Institution

"Salaries and expenses", $2,654,000;

National Gallery of Art

"Salaries and expenses", $490,000

Woodrow Wilson International Center for Scholars

"Salaries and expenses", $21,000;

[United States Holocaust Memorial Council

["Holocaust memorial council", $19,000;]

United States Information Agency

"Salaries and expenses", $2,691,000;

[United States Tax Court

["Salaries and expenses", $150,000.]

Title III—INCREASED COSTS FOR RETIREMENT CONTRIBUTIONS (PUBLIC LAW 99-335)

For additional amounts for appropriations for the fiscal year 1987, for Federal Employees' Retirement System costs authorized by or pursuant to law as follows:

LEGISLATIVE BRANCH

Senate

"Salaries, officers and employees", $6,986,000;

"Office of the Legislative Counsel of the Senate", $53,000;

"Office of the Senate Legal Counsel", $18,000;

"Senate policy committees", $133,000;

"Inquiries and investigations", $1,848,000;

House of Representatives

"Allowances and expenses", $35,880,000;

Joint Items

"Joint Economic Committee", $155,000;

"Joint Committee on Printing", $34,000;

Capitol Guide Service: "Salaries and expenses", $32,000;

Office of Technology Assessment

"Salaries and expenses", $545,000;

Congressional Budget Office

"Salaries and expenses", $452,000;

Architect of the Capitol

Office of the Architect of the Capitol: "Salaries", $166,000;

"Capitol buildings", $187,000;

"Capitol grounds", $68,000;

"Senate office buildings", $456,000;

"House office buildings", $611,000;

"Capitol power plant", $109,000;

Library buildings and grounds: "Structural and mechanical care", $130,000;

Botanic Garden

"Salaries and expenses", $48,000;

Library of Congress

"Salaries and expenses", $1,906,000;

Copyright Office: "Salaries and expenses", $287,000, of which not more than $12,000 shall be derived from collections during fiscal year 1987 under 17 U.S.C. 111(d)(3) and 116(c)(1);

Congressional Research Service: "Salaries and expenses", $617,000;

Books for the blind and physically handicapped: "Salaries and expenses", $103,000;

COPYRIGHT ROYALTY TRIBUNAL

"Salaries and expenses", $7,000, of which $6,000 shall be derived by collections from the appropriation "Payments to Copyright Owners" for the reasonable costs incurred in proceedings involving distribution of royalty fees as provided by 17 U.S.C. 807;

GOVERNMENT PRINTING OFFICE

Office of the Superintendent of Documents: "Salaries and expenses", $83,000;

GENERAL ACCOUNTING OFFICE

"Salaries and expenses", $3,563,000;

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

"Salaries and expenses", $409,000;

"Care of the building and grounds", $33,000;

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

"Salaries and expenses", $23,000;

UNITED STATES COURT OF INTERNATIONAL TRADE

"Salaries and expenses", $49,000;

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

"Salaries and expenses", $9,688,000;

"Defender services", $887,000;

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

"Salaries and expenses", $80,000;

FEDERAL JUDICIAL CENTER

"Salaries and expenses", $108,000;

EXECUTIVE OFFICE OF THE PRESIDENT

WHITE HOUSE OFFICE

"Salaries and expenses", $374,000;

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

"Operating expenses", $53,000;

SPECIAL ASSISTANCE TO THE PRESIDENT

"Salaries and expenses", $107,000;

COUNCIL OF ECONOMIC ADVISERS

"Salaries and expenses", $95,000;

OFFICE OF POLICY DEVELOPMENT

"Salaries and expenses", $89,000;

NATIONAL SECURITY COUNCIL

"Salaries and expenses", $62,000;

OFFICE OF ADMINISTRATION

"Salaries and expenses", $214,000;

OFFICE OF MANAGEMENT AND BUDGET

"Salaries and expenses", $413,000;

OFFICE OF FEDERAL PROCUREMENT POLICY

"Salaries and expenses", $20,000;

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

"Office of Science and Technology Policy", $20,000;

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

"Salaries and expenses", $168,000;

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

"Operating expenses of the Agency for International Development", $5,488,000;

"Operating expenses of the Agency for International Development, Office of the Inspector General", $218,000;

PEACE CORPS

"Peace Corps, operating expenses", $436,000;

AFRICAN DEVELOPMENT FOUNDATION

"African Development Foundation", $99,000;

DEPARTMENT OF AGRICULTURE

(INCLUDING TRANSFER OF FUNDS)

"Office of the Secretary", $29,000;

"Office of the Assistant Secretary for Administration", $8,000;

"Office of the Assistant Secretary for Governmental and Public Affairs", $6,000;

"Office of the Assistant Secretary for Economics", $6,000;

"Office of the Assistant Secretary for Science and Education", $6,000;

"Office of the Assistant Secretary for Marketing and Inspection Service", $6,000;

"Office of the Under Secretary for International Affairs and Commodity Programs", $8,000;

"Office of the Under Secretary for Small Community and Rural Development", $8,000;

"Office of the Assistant Secretary for Natural Resources and Environment", $6,000;

"Office of the Assistant Secretary for Food and Consumer Services", $6,000;

"Departmental Administration", for budget and program analysis, $73,000; for personnel, finance and management, operations, information resources management, equal opportunity, small and disadvantaged business utilization, and administrative law judges and judicial officer, $385,000; making a total of $458,000;

"Building operations and maintenance", $165,000;

"Office of Governmental and Public Affairs", for public affairs, $111,000; for congressional relations, $6,000; and for intergovernmental affairs, $9,000;

"Office of the Inspector General", $622,000;

"Office of the General Counsel", $239,000;

"Agricultural Research Service", $4,747,000;

"Extension Service", *including extension agents,* $6,500,000;

"National Agricultural Library", $97,000;

"Economic Research Service", $580,000;

"National Agricultural Statistics Service", $612,000;

"World Agricultural Outlook Board", $21,000;

"Foreign Agricultural Service", $607,000;

"General Sales Manager", an additional $107,000 to be derived by transfer from the Commodity Credit Corporation fund;

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

"Salaries and expenses", an additional $9,920,000 to be derived by transfer from the Commodity Credit Corporation fund;

OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

"Salaries and expenses", $114,000;

SOIL CONSERVATION SERVICE

"Conservation operations", $5,331,000;

"River basin surveys and investigations", $130,000;

"Watershed planning", $97,000;

FARMERS HOME ADMINISTRATION

"Salaries and expenses", $4,678,000;

FEDERAL GRAIN INSPECTION SERVICE

"Salaries and expenses", $76,000;

AGRICULTURAL MARKETING SERVICE

"Marketing Services", $490,000;

"Limitation on administrative expenses", (increase of $213,000 in limitation);

"Funds for strengthening markets, income and supply" (section 32), (increase of $84,000 in the limitation "marketing agreements and orders");

"Packers and Stockyards Administration", $58,000;

"Agricultural Cooperative Service", $46,000;

"Office of Transportation", $34,000;

"Food Safety Inspection Service", $4,573,000;

FOOD AND NUTRITION SERVICE

"Food program administration", $1,503,000;

"Human Nutrition Information Service", $75,000;

FOREST SERVICE

"Forest research", $1,000,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

"State and private forestry", $190,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

"National forest system", $9,300,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

"Construction", $1,600,000[, to be derived by transfer from the permanent appropriation entitled "Timber purchaser roads constructed by Forest Service";]

DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

GENERAL ADMINISTRATION

"Salaries and expenses", $464,000;

BUREAU OF THE CENSUS

"Salaries and expenses", $1,433,000;

"Periodic censuses and programs", $2,806,000, to remain available until expended;

ECONOMIC AND STATISTICAL ANALYSIS

"Salaries and expenses", $408,000;

ECONOMIC DEVELOPMENT ADMINISTRATION

"Salaries and expenses", $400,000, to be derived by transfer from "Economic Development Revolving Fund";

INTERNATIONAL TRADE ADMINISTRATION

"Operations and Administration", $2,237,000, to remain available until expended;

MINORITY BUSINESS DEVELOPMENT AGENCY

"Minority business development", $180,000;

UNITED STATES TRAVEL AND TOURISM ADMINISTRATION

"Salaries and expenses", $49,000;

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

"Operations, research, and facilities", $5,972,000, to remain available until expended;

NATIONAL BUREAU OF STANDARDS

"Scientific and technical research and services", $1,368,000, to remain available until expended;

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

"Salaries and expenses", $213,000;

DEPARTMENT OF DEFENSE—MILITARY

Operation and Maintenance

"Operation and Maintenance, Army", $119,047,000;

"Operation and Maintenance, Navy", $148,880,000;

"Operation and Maintenance, Marine Corps", $8,117,000;

"Operation and Maintenance, Air Force", $85,564,000;

"Operation and Maintenance, Defense Agencies", $102,453,000;

"Operation and Maintenance, Army Reserve", $4,858,000;

"Operation and Maintenance, Navy Reserve", $1,306,000;

"Operation and Maintenance, Marine Corps Reserve", $135,000;

"Operation and Maintenance, Air Force Reserve", $12,471,000;

"Operation and Maintenance, Army National Guard", $12,666,000;

"Operation and Maintenance, Air National Guard", $27,479,000;

"National Board for the Promotion of Rifle Practice, Army", $7,000;

"Court of Military Appeals, Defense", $36,000;

Research, Development, Test, and Evaluation

"Research, Development, Test, and Evaluation, Army", $14,955,000;

"Research, Development, Test, and Evaluation, Navy", $1,477,000;

"Research, Development, Test, and Evaluation, Air Force", $13,609,000;

"Research, Development, Test, and Evaluation, Defense Agencies", $5,165,000;

Military Construction

"Military Construction, Army", $4,136,000;

"Military Construction, Navy", $1,736,000;

"Military Construction, Army Reserve", $53,000;

Family Housing

"Family Housing, Army", $435,000;

DEPARTMENT OF DEFENSE—CIVIL

(INCLUDING TRANSFER OF FUNDS)

Cemeterial Expenses—Army

"Salaries and expenses", $40,000;

Corps of Engineers—Civil

"General expenses," $1,400,000, to be derived by transfer from "Construction, General";

Soldiers' and Airmen's Home

"Operation and maintenance", *not to exceed* $578,000, to be derived by transfer from "Capital outlay";

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(INCLUDING TRANSFER OF FUNDS)

Food and Drug Administration

"Salaries and expenses", $4,108,000;

Health Resources and Services Administration

"Health resources and services", $1,400,000, which shall be derived by transfer from unobligated balances from the Health teaching facilities activity, "Health resources and services";

"Indian health services", $4,000,000;

Centers for Disease Control

"Disease control, research, and training", $1,237,000;

National Institutes of Health

"National Cancer Institute", $3,533,000;

"National Heart, Lung, and Blood Institute", $1,146,000;

"National Institute of Dental Research", $368,000;

"National Institute of Diabetes and Digestive and Kidney Diseases", $703,000;

"National Institute of Neurological and Communicative Disorders and Stroke", $495,000;

"National Institute of Allergy and Infectious Diseases", $861,000;

"National Institute of General Medical Sciences", $260,000;

"National Institute of Child Health and Human Development", $570,000;

"National Eye Institute", $233,000;

"National Institute of Environmental Health Sciences", $131,000;

"National Institute on Aging", $365,000;

"National Institute of Arthritis and Musculoskeletal and Skin Diseases", $101,000;

"Office of the Director", **[**$350,000**]** *$503,000*;

Saint Elizabeths Hospital

"Federal Subsidy for Saint Elizabeths Hospital", $1,941,000;

Departmental Management

"Office of the Inspector General", $500,000, to be derived by transfer from "Grants to States for Medicaid" in the Health Care Financing Administration;

"Office of Consumer Affairs", $8,000;

[DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Management and Administration

[SALARIES AND EXPENSES

[(TRANSFER OF FUNDS)

["Salaries and expenses", $9,755,000, to be derived by transfer from the various funds of the Federal Housing Administration;]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

"Management of lands and resources", **[**$454,000**]** *$3,780,000*;

["Oregon and California grant lands", $479,000;]

United States Fish and Wildlife Service

"Resource management", $2,800,000;

National Park Service

"Operation of the national park system", $4,000,000;

"National recreation and preservation", $100,000;

Geological Survey

"Surveys, investigations, and research", **[**$4,206,000**]** *$1,236,000;*

Bureau of Mines

"Mines and minerals", $1,350,000;

Bureau of Reclamation

"Construction Program", $2,350,000;

"Operation and Maintenance", $1,567,000;

Bureau of Indian Affairs

"Operation of Indian programs", $4,500,000;

Departmental Offices

["Office of the Secretary", $400,000: *Provided* That the limitation on expenses for the immediate Office of the Secretary in fiscal year 1987 under this head in the Department of the Interior and Related Agencies Appropriations Act, 1987, as included in Public Law 99-500 and Public Law 99-591, shall be increased only to the extent necessary for agency contributions for retirement costs prescribed by the Civil Service Retirement System (5 U.S.C. ch. 83) and the Federal Employees Retirement System Act of 1986 (Public Law 99-335);]

"Office of the Solicitor", $200,000;

"Office of Inspector General", $180,000;

DEPARTMENT OF JUSTICE

General Administration

"Salaries and expenses", $778,000;

United States Parole Commission

"Salaries and expenses", $155,000;

Legal Activities

"Salaries and expenses, general legal activities", $2,213,000;

"Salaries and expenses, Antitrust Division", $430,000, to remain available until September 30, 1988;

"Salaries and expenses, United States Attorneys", $3,510,000;

"Salaries and expenses, Oversight of Bankruptcy Cases", $150,000;

"Salaries and expenses, United States Marshals Service", $3,211,000;

"Salaries and expenses, Community Relations Service", $85,000 *of which $22,000 shall remain available until expended*;

Federal Bureau of Investigation

"Salaries and expenses", $23,005,000;

Drug Enforcement Administration

"Salaries and expenses", $7,324,000;

Immigration and Naturalization Service

"Salaries and expenses", $10,186,000;

Federal Prison System

"Salaries and expenses", $17,053,000;

"National Institute of Corrections", $129,000;

"Buildings and Facilities", $208,000;

"Limitation on administrative and vocational training expenses, Federal Prison Industries, Incorporated" (increase of $25,000 in the limitation on Administrative expenses, and of $30,000 in Vocational Training expenses);

Office of Justice Programs

"Salaries and expenses", $210,000;

DEPARTMENT OF LABOR

(INCLUDING TRANSFER OF FUNDS)

Employment and Training Administration

"Program administration", $808,000 to be derived from the unobligated balances of Employment Standards Administration, "Salaries and expenses";

Employment Standards Administration

"Black Lung Disability Trust Fund", $494,000, of which $224,000 shall be available for transfer to Employment Standards Administration, "Salaries and expenses" and of which $270,000 shall be available for transfer to Departmental Management, "Salaries and expenses";

Occupational Safety and Health Administration

"Salaries and expenses", $1,533,000 to be derived from the unobligated balances of Employment Standards Administration, "Salaries and expenses";

Mine Safety and Health Administration

"Salaries and expenses", $1,941,000 to be derived from the unobligated balances of Employment Standards Administration, "Salaries and expenses";

Departmental Management

"Salaries and expenses", $1,302,000 of which $199,000 shall be derived from unobligated balances of the Employment Standards Administration, "Salaries and expenses", and $1,103,000 shall be derived by transfer from Employment Standards Administration, "Salaries and expenses";

"Office of the Inspector General", $556,000 to be derived by transfer from Employment Standards Administration, "Salaries and expenses";

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

"Salaries and expenses," $16,734,000;

DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFER OF FUNDS)

OFFICE OF THE SECRETARY

"Salaries and expenses", $450,000, to be derived from the unobligated balances of "Payments to air carriers";

COAST GUARD

"Operating expenses", [$2,000,000] *$1,723,200,* to be derived from the unobligated balances of the "Offshore Oil Pollution Compensation Fund";

FEDERAL AVIATION ADMINISTRATION

"Headquarters administration", $350,000, to be derived by transfer from "Operation and maintenance, Metropolitan Washington airports";

"Operations", [$46,000,000, of which $10,000,000 shall be derived by transfer from "Operation and maintenance, Metropolitan Washington airports"] *$38,613,600;*

FEDERAL HIGHWAY ADMINISTRATION

"Limitation on general operating expenses" (increase of $1,600,000 in the limitation on general operating expenses);

"Motor carrier safety", $660,000, to be derived from unobligated balances of [funds made available by section 311 of Public Law 96–131 for replacement of facilities associated with Interstate Route 170 and to be merged with this account notwithstanding any limitation on obligations for Federal-aid highways] *"Motor carrier safety grants";*

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

"Operations and research", $400,000, *to be derived from unobligated balances of funds made available by section 311 of Public Law 96–131 for replacement of facilities associated with Interstate Route 170 and to be merged with this account, notwithstanding any limitation on obligations on Federal aid highways;*

FEDERAL RAILROAD ADMINISTRATION

"Office of the Administrator", $100,000, *to be derived from the unobligated balances of "Conrail labor protection";*

"Railroad safety", $250,000, *of which $135,000 shall be derived from the unobligated balances of "Conrail labor protection";*

URBAN MASS TRANSPORTATION ADMINISTRATION

"Administrative expenses", $300,000, to be derived from the unobligated balances of "Research, training, and human resources";

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

"Limitation on administrative expenses, Saint Lawrence Seaway Development Corporation" (increase of $30,000 in the limitation on administrative expenses);

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

"Research and special programs", $100,000, to be derived from the unobligated balances of "Payments to air carriers";

OFFICE OF THE INSPECTOR GENERAL

"Salaries and expenses", [$400,000] *$354,400, to be derived from the unobligated balances of "Payments to air carriers";*

RELATED AGENCIES

NATIONAL TRANSPORTATION SAFETY BOARD

(TRANSFER OF FUNDS)

"Salaries and expenses", $330,000 to be derived by transfer from the unobligated balances of "Payments to air carriers";

DEPARTMENT OF THE TREASURY

OFFICE OF THE SECRETARY

"Salaries and expenses", $863,000;

FEDERAL LAW ENFORCEMENT TRAINING CENTER

"Salaries and expenses", $167,000;

FINANCIAL MANAGEMENT SERVICE

"Salaries and expenses", $1,164,000;

[BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

["Salaries and expenses", $3,428,000;]

UNITED STATES CUSTOMS SERVICE

"Salaries and expenses", $10,066,000;

UNITED STATES MINT

"Salaries and expenses", $422,000;

BUREAU OF THE PUBLIC DEBT

"Salaries and expenses", $1,058,000;

INTERNAL REVENUE SERVICE

["Salaries and expenses", $3,110,000;]

"Processing Tax Returns", [$81,854,000] *$71,427,000;*

"Examination and Appeals", [$23,325,000] *$20,354,000;*

"Investigation, Collection, and Taxpayer Service", [$11,711,000] *$10,219,000;*

UNITED STATES SECRET SERVICE

"Salaries and expenses", $5,387,000;

ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER OF FUNDS)

"Salaries and expenses", $5,000,000, *of which $2,000,000 shall be derived by transfer from "Research and development": Provided, That of the amount heretofore provided for any activity or project, the amount reduced shall not exceed 2 per centum;*

GENERAL SERVICES ADMINISTRATION

FEDERAL SUPPLY SERVICE

"Operating expenses", $1,611,000: *Provided,* That in addition to this appropriation, the annual limitation for expenses of transportation audit contracts and contract administration payable from overcharges collected is increased by $6,000 to $10,510,000;

INFORMATION RESOURCES MANAGEMENT SERVICE

"Operating expenses", $328,000;

FEDERAL PROPERTY RESOURCES SERVICE

"Operating expenses", $290,000;

GENERAL MANAGEMENT AND ADMINISTRATION

"Salaries and expenses", $1,214,000;

OFFICE OF INSPECTOR GENERAL

"Office of Inspector General", $373,000;

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

"Allowances and Office Staff for Former Presidents", $5,000;

FEDERAL [BUILDING] *BUILDINGS* FUND

"Limitations on availability of revenue", in addition to the aggregate amount heretofore made available for real property management and related activities in fiscal year 1987, $5,762,000 shall be available for such purposes and the limitation on the amount available for real property operations is increased to [$761,024,000] *$758,284,000* and the limitation on the amount available for program direction and centralized services is increased to [$57,444,000] *$57,315,000* and the limitation on the amount available for design and construction services is increased to [$64,009,700] *$63,807,000: Provided,* That any revenues and collections and any other sums accruing to this fund during fiscal year 1987, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)), in excess of [$2,456,589,700] *$2,453,518,700* shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts;

"Consumer Information Center", $6,000 (and an increase of $6,000 in the limitation on administrative expenses);

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(TRANSFER OF FUNDS)

"Research and program management", $10,500,000, of which $7,000,000 shall be derived by transfer from "Research and development" and $3,500,000 shall be derived by transfer from "Space flight, control and data communications";

SMALL BUSINESS ADMINISTRATION

(TRANSFER OF FUNDS)

"Salaries and expenses", $2,400,000, to be derived by transfer from the "Business Loan and Investment Fund";

VETERANS ADMINISTRATION

"Medical care", $131,600,000;

"Medical and prosthetic research", $1,024,000;

"Medical administration and miscellaneous operating expenses", $175,000;

"General operating expenses", $5,000,000;

"Construction, minor projects" (an increase of $275,000 in the limitation on the expenses of the Office of Facilities);

OTHER INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

"Salaries and expenses", $14,000;

ADVISORY COMMITTEE ON FEDERAL PAY

"Salaries and expenses", $2,000;

ARMS CONTROL AND DISARMAMENT AGENCY

"Arms control and disarmament activities", $176,000;

COMMISSION ON CIVIL RIGHTS

"Salaries and expenses", $19,000;

CONSUMER PRODUCT SAFETY COMMISSION

"Salaries and expenses", $250,000;

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

"Salaries and expenses", $1,889,000;

EXPORT-IMPORT BANK

"Limitation on administrative expenses" (increase of $227,000 in the limitation on administrative expenses);

FEDERAL COMMUNICATIONS COMMISSION

"Salaries and expenses", $1,199,000;

FEDERAL ELECTION COMMISSION

"Salaries and expenses", $83,000;

FEDERAL HOME LOAN BANK BOARD

"Limitation on administrative expenses, Federal Home Loan Bank Board", (increase of $200,000);

FEDERAL LABOR RELATIONS AUTHORITY

"Salaries and expenses", $220,000;

FEDERAL MARITIME COMMISSION

"Salaries and expenses", $147,000;

FEDERAL MEDIATION AND CONCILIATION SERVICE

"Salaries and expenses", $188,000;

INTELLIGENCE COMMUNITY STAFF

"Intelligence Community Staff", $155,000;

MARINE MAMMAL COMMISSION

"Salaries and expenses", $10,000;

Merit Systems Protection Board

"Salaries and expenses", $272,000;

"Office of Special Counsel", $79,000;

National Archives and Records Administration

"Operating expenses", $863,000;

National Commission on Libraries and Information Science

"Salaries and expenses", $17,000;

National Council on the Handicapped

"Salaries and expenses", $10,000;

National Endowment for the Humanities

"Grants and administration", $200,000;

National Labor Relations Board

"Salaries and expenses", $1,659,000;

National Mediation Board

"Salaries and expenses", $44,000;

Office of Personnel Management

"Salaries and expenses"; $1,129,000 together with an additional amount of $682,000 for current fiscal year administration expenses for the retirement and insurance program to be transferred from the appropriate trust funds of the Office of Personnel Management in amounts to be determined by the Office of Personnel Management without regard to other statutes;

Railroad Retirement Board

"Limitation on administration" increase of $764,000 in the limitation on administration in fiscal year 1987, which shall be available only after maximum absorption within the existing limitation and only to the extent necessary for agency contributions prescribed by the Federal Employees Retirement System Act of 1986, to be derived from the railroad retirement accounts;

"Limitation on railroad unemployment insurance administration fund" increase of $214,000 in the limitation on railroad unemployment insurance administration fund in fiscal year 1987, which shall be available only after maximum absorption within the existing limitation and only to the extent necessary for agency contributions prescribed by the Federal Employees Retirement System Act of 1986, to be derived as authorized by section 11(a)(iv) of the Railroad Unemployment Insurance Act;

"Limitation on review activity" increase of $22,000 in the limitation on review activity in fiscal year 1987, which shall be available only after maximum absorption within the existing limitation and only to the extent necessary for agency contributions prescribed by the Federal Employees Retirement System Act of 1986, to be derived from the railroad retirement accounts and the railroad unemployment insurance account;

Securities and Exchange Commission

"Salaries and expenses", $2,163,000;

Smithsonian Institution

"Salaries and expenses", $1,700,000;

National Gallery of Art

"Salaries and expenses", $330,000;

Woodrow Wilson International Center for Scholars

"Salaries and expenses", $19,000;

[United States Holocaust Memorial Council

["Holocaust memorial council", $16,000;]

United States Information Agency

"Salaries and expenses", $5,443,000;

"Radio Broadcasting to Cuba", $516,000;

United States Tax Court

"Salaries and expenses", $75,000.

TITLE IV

Urgent Relief for the Homeless Supplemental Appropriations Act of 1987

[CHAPTER I

[DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Grants for Facilities to Assist the Homeless

[For grants to private voluntary organizations, units of local government, and States for facilities to assist the homeless as authorized by title III of the Urgent Relief for the Homeless Act as passed the House of Representatives on March 5, 1987, or similar legislation if enacted into law, $75,000,000, to remain available until expended: *Provided*, That the foregoing amount shall not be available until expended.

[Emergency Shelter Grants Program

[For an additional amount for the Emergency Shelter Grants Program carried out by the Department of Housing and Urban Development pursuant to section 101(g) of Public Law 99-500 and Public Law 99-591, $100,000,000, to remain available until expended: *Provided*, That in addition to the allocations required for the Emergency Shelter Grants Program pursuant to the provisions made applicable by section 101(g) of Public Law 99-500 and Public Law 99-591, the Secretary of Housing and Urban Development shall (for amounts appropriated beginning with the enactment of this Act) allocate assistance under the program to the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, in accordance with an allocation formula established by the Secretary: *Provided further*, That the Secretary of Housing and Urban Development may waive the 15 percent limitation on the use of assistance for essential services established for the Emergency Shelter Grants Program pursuant to section 523(2)(B) of the provisions made applicable by section 101(g) of Public Law 99-500 and Public Law 99-591, if the unit of general local government receiving the assistance demonstrates that the other eligible activities under the program are already being carried out in the unit of general local government with other resources.

[Transitional Housing Demonstration Program

[For an additional amount for the Transitional Housing Demonstration Program carried out by the Department of Housing and Urban Development pursuant to section 101(g) of Public Law 99-500 and Public Law 99-591, $30,000,000, to remain available until expended.

[Permanent Housing for Handicapped Homeless Persons

[For grants for the acquisition and rehabilitation of property to serve as permanent housing for handicapped homeless persons as authorized by title IV of the Urgent Relief for the Homeless Act as passed the House of Representatives on March 5, 1987, or similar legislation if enacted into law, $25,000,000, to remain available until expended.

[FEDERAL EMERGENCY MANAGEMENT AGENCY

[Emergency Food and Shelter Program

[For an additional amount for the "Emergency food and shelter program", $50,000,000: *Provided*, That, notwithstanding any provision of this or any other Act, the earmarking of funds solely for the provision of emergency rent and utility assistance shall not apply to the funds provided herein.

[VETERANS' ADMINISTRATION

[Veterans' Domiciliary Program

[For an additional amount for "Medical care", $20,000,000, to be available only for expansion of capacity to provide care to homeless veterans eligible for benefits under the program authorized by section 610 of title 38, United States Code, to remain available (as authorized by section 203(a) of such title) through September 30, 1988, and amounts appropriated in other paragraphs of this title are hereby reduced by a total amount of $20,000,000 by pro rata reduction.

[CHAPTER II]

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Health Resources and Services Administration

[Health Resources and Services

[For an additional amount for "Health resources and services", for carrying out the activities authorized by section 101(a) of H.R. 558, the Urgent Relief for the Homeless Act, as passed the House on March 5, 1987, $75,000,000 to remain available through September 30, 1988.]

Health Resources and Services Administration

Health Resources and Services

For an additional amount for "Health resources and services", $30,000,000, to remain available through September 30, 1988.

[Alcohol, Drug Abuse and Mental Health Administration

[Alcohol, Drug Abuse and Mental Health

[For an additional amount for "Alcohol, drug abuse and mental health", for carrying out the activities authorized by section 101(b) of H.R. 558, the Urgent Relief for the Homeless Act, as passed the House on March 5, 1987, $25,000,000 to remain available through September 30, 1988.]

Alcohol, Drug Abuse and Mental Health Administration

Alcohol, Drug Abuse and Mental Health

For an additional amount for "Alcohol, drug abuse and mental health", $75,000,000, to remain available through September 30, 1988.

[Family Support Administration

[Office of Community Services

[Community Services Block Grant

[For an additional amount for "Community services block grant", for carrying out the activities authorized by section 101(h) of H.R. 558, the Urgent Relief for the Homeless Act, as passed the House on March 5, 1987, $45,000,000 to remain available through September 30, 1988.]

Family Support Administration

Office of Community Services

Community Services Block Grant

For an additional amount for "Community services block grant", $20,000,000, to remain available through September 30, 1988.

DEPARTMENT OF EDUCATION

Special Programs

For an additional amount for "Special Programs", $2,500,000, to remain available through September 30, 1988.

VOCATIONAL AND ADULT EDUCATION

For an additional amount for "Vocational and Adult Education", $10,000,000, to remain available through September 30, 1988.

[AUTHORIZATION

[The provisions of the bill H.R. 558 (100th Congress, 1st Session), the "Urgent Relief for the Homeless Act", as passed the House of Representatives on March 5, 1987, are hereby enacted.]

SHORT TITLE

This title may be cited as the "Urgent Relief for the Homeless Supplemental Appropriations Act of 1987".

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Except where specifically increased or decreased elsewhere in this Act, the restrictions contained within appropriations, or provisions affecting appropriations or other funds, available during fiscal year 1987, limiting the amount which may be expended for personal services, or for purposes involving personal services, or amounts which may be transferred between appropriations or authorizations available for or involving such services, are hereby increased to the extent necessary to meet increased pay costs authorized by or pursuant to law.

[SEC. 503. None of the funds made available by this Act may be used to implement, administer, enforce, or otherwise carry out any provision of Executive Order No. 12564 (dated September 15, 1986).]

SEC. 503. None of the funds appropriated or made available by this or any other Act shall be available to administer drug tests under Executive Order Numbered 12564, until and unless—

(a) The Director of the Drug Abuse Policy Office has certified in writing to the Committees on Appropriations of the House and Senate and other appropriate committees of the Congress, the following:

(1) That any executive branch department or agency proposing drug testing has established a plan in accordance with Executive Order Numbered 12564;

(2) That the Department of Health and Human Services (HHS) has certified or given pre-certification approval to a laboratory facility or facilities which comply with applicable state licensure requirements and meet the HHS Scientific and Technical Guidelines for Drug Testing Programs, dated February 13, 1987, or as subsequently amended by the Secretary of Health and Human Services;

(3) That each agency or department head has promulgated guidelines and procedures for the agency or department's drug testing program that satisfy any rehabilitation requirement for that agency or department by precluding the removal of an employee based solely upon a first confirmed positive test result from an agency- or department-administered drug test, unless such removal promotes the efficiency of the service due to egregious or aggravating facts or circumstances or because the employee holds a position involving law enforcement, national security, the protection of life or property, or public health or safety.

(b) The Director of the Drug Abuse Policy Office has submitted to the Congress a detailed analysis, by agency and at the time each agency's plan is certified by the Director pursuant to subsection (a) of this section of the positions designated pursuant to section 3(a) of Executive Order Numbered 12564 to be tested for illegal drug use, and the general process (unannounced test dates, random test scheduling, random sampling, etc.) by which urinalysis testing based upon other than a reasonable suspicion, follow-up to rehabilitation or treatment, or accident or unsafe practice will be undertaken.

(c) The Director of the Office of Management and Budget (OMB) has submitted in writing to the Committee on Appropriations of the House and Senate, a detailed statement for each agency and department at the time of their plan certification pursuant to subsection (a) of this section, of the costs of that agency or department implementing all requirements of Executive Order Numbered 12564.

(b) An executive branch agency or department with a drug testing program in existence before the issuance of Executive Order Numbered 12564 is exempt from this section until that program is brought into conformity with Executive Ordered Numbered 12564.

(c) The provisions of this Section shall expire on May 1, 1989.

[SEC. 504. None of the funds appropriated by this Act may be obligated for the centralization, consolidation, or redeployment of the Customs Service Air Operations unless the Secretary of the Treasury submits a report to the Committees on Appropriations which sets forth specific details for the use of such funds thirty days in advance of such implementation.

[SEC. 505. None of the funds made available by this or any other Act for the General Services Administration for the fiscal year ending September 30, 1987, shall be used to transfer title to the property known as the Customs House in Boston, Massachusetts, or to take any measures in preparation for such a transfer, before October 1, 1987. The limitation in this section shall not apply to any sale agreement entered into with the city of Boston, Massachusetts.

[SEC. 506. None of the funds appropriated or made available by this or any other Act or otherwise appropriated or made available to the Secretary of Transportation or the Maritime Administrator for purposes of administering the Merchant Marine Act, 1936, as amended (46 U.S.C. 1101 et seq.) shall be used by the United States Department of Transportation or the United States Maritime Administration to propose, promulgate, or implement any rule or regulation, or, with regard to vessels which repaid subsidy pursuant to the rule promulgated by the Secretary May 3, 1985 and vacated by Order of the U.S. Court of Appeals for the D.C. Circuit January 16, 1987, conduct any adjudicatory or other regulatory proceeding, execute or perform any contract, or participate in any judicial action with respect to the repayment of construction differential subsidy for the permanent release of vessels from the restrictions in section 506 of the Merchant Marine Act, 1936, as amended: *Provided,* That such funds may be used to the extent such expenditure relates to a rule which conforms to statutory standards hereafter enacted by Congress.

[SEC. 507. Notwithstanding any other provision of this Act, each amount appropriated or otherwise made available by this Act (other than by title IV) that is not required to be appropriated or otherwise made available by a provision of law is reduced by 21 percent.

[SEC. 508. None of the funds appropriated or made available by this Act shall be used to close the Federal Aviation Administration's Flight Service Station located at Youngstown, Ohio.]

SEC. 504. Section 208(a) of the Department of Justice Appropriations Act, 1987 (Public Law 99-500 and Public Law 99-591) is hereby repealed.

SEC. 505. Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324A) is amended—

(1) in subsection (i)(1), by striking out "6-MONTH PUBLIC INFORMATION PERIOD.—During the six-month period" and inserting in lieu thereof "10-MONTH PUBLIC INFORMATION PERIOD.—During the ten-month period"; and

(2) in subsection (j)(1), by striking out "one year" and inserting in lieu thereof "16 months."

SEC. 506. None of the funds provided in this or any other Act may be made available to facilitate in any way the sale of M-833 antitank shells or any comparable antitank shells containing a depleted uranium penetrating component to any country other than:

(1) Countries which are members of NATO, or

(2) Countries which have been designated as a major non-NATO ally for purposes of section 1105 of the National Defense Authorization Act for Fiscal Year 1987.

SEC. 507. None of the funds made available by this or any other Act may be used for the purpose of restarting the N-Reactor at the Hanford Reservation, Washington during fiscal year 1987. For the purposes of this paragraph the term "restarting" shall mean any activity related to the operation of the N-Reactor that would achieve criticality, generate fission products within the reactor or dischange cooling water from nuclear operations.

SEC. 508. None of the funds appropriated by this or any other Act shall be available for the purpose of relocating the headquarters of the Peace Corps to office space outside of the District of Columbia.

SEC. 509. None of the funds appropriated or otherwise made available in title III of this Act may be used for purposes other than for Federal Employees' Retirement System costs authorized by or pursuant to the Federal Employees' Retirement System Act of 1986 (Public Law 99-335). Notwithstanding any other provision of this Act, any funds provided in title III of this Act not utilized by September 30, 1987, for agency contributions prescribed by the Federal Employees' Retirement System Act of 1986 (Public Law 99-335) shall lapse.

This Act may be cited as the "Supplemental Appropriations Act, 1987".

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER (Mr. SHELBY). The majority leader.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I am waiting momentarily before making a motion, and while I wait, so that the Senate will not just be in a quorum call, I ask unanimous consent that I may speak out of order for not to exceed 7 minutes.

The PRESIDING OFFICER. Without objection it is so ordered.

DEATH PENALTY FOR ESPIONAGE

Mr. BYRD. Mr. President, from Benedict Arnold until recently, Americans have considered treason and espionage against their country among the most heinous of crimes. By and large, the majority of spies caught in the United States throughout our history have been aliens, not American citizens.

The Walker spy ring, the Pollard case, and the Moscow Embassy scandal, however, are radical departures from that earlier patriotic tradition. In these recent espionage incidents, greed and avarice appear to have superseded any sense of loyalty to country. Especially in the Walker case, native-born American citizens have done incalculable damage to our national security. As the KGB double-defector Vitaly Yurchenko observed, the Walker spy ring was so successful in compromising our naval secrets that, had the United States and the Soviet Union been at war with one another, the United States might have lost that war.

What some have called an espionage epidemic—this plague of Americans selling military secrets to foreign governments—is an egregious outrage.

Consequently, I am today introducing legislation to help curb that espionage epidemic—a bill to set constitutional standards by which capital punishment could be imposed in certain espionage cases.

This legislation does not in itself impose capital punishment for espionage. That decision was enacted by Congress some years ago. Rather, this legislation sets standards for applying capital punishment in cases involving espionage in accordance with recent court decisions regarding such penalties. The legislation puts into place the procedure by which capital punishment could be used in espionage cases in a judicious, humanitarian, and constitutional fashion.

My main objective in introducing this legislation is to use capital punishment as a deterrent to espionage.

I have seen capital punishment implemented. It is not a pleasant experience. I do not relish putting people to death. But one Benedict Arnold was one too many. I am convinced, after careful reflection over a period of many years, that capital punishment would stop many who might contemplate betraying their country. And if they betray their country, then, after all constitutional due process has been made available to them, they should pay that penalty, the ultimate penalty of being executed.

Currently, any individual who may be considering spying against our country weighs the value of monetary or other gain against the sometimes notorious leniency of our penal codes. Life imprisonment as the penalty? Life imprisonment perhaps—but perhaps not. One might even be paroled later. And if a spy is genuinely valuable to some foreign power, he might even expect to be swapped for an agent held by the other side. And in many instances, if there is monetary gain involved, he might be willing to serve a few years in prison, be paroled, and have his money cached away somewhere for use in far-away vacation spots in future years. In the most extreme possibility, he might even be freed or exchanged following a hostage taking by his sympathizers. But capital punishment is final, and anyone caught spying on the United States should have to contemplate that, because by spying on the United States he or she might also be risking the lives of millions of Americans as well as the security and well-being of this country. Individuals who engage in espionage do so calculatedly—it is the most heinous of crimes—deliberately. It is not a crime committed in hot blood, like manslaughter. It is a calculated, deliberate, and coldly-planned crime. Spying is not a crime of passion. Such individuals, with the enactment of this proposed legislation, would have second thoughts if capital punishment were a real possible consequence of their actions.

Under this bill a person found guilty of espionage against the United States would face a second hearing to determine if his or her deeds warrant the death penalty. Courts would have to be fair in making that decision, taking into account both the mitigating and the aggravating factors, if there were such, in the case.

And if the death penalty were applied, that decision would be subject to review on appeal.

I believe that this legislation meets the criteria established by the courts on the constitutionality of the death penalty and would help in stemming the recent epidemic in espionage for greed and pay.

I hope that the Senate will take the lead on this question and will pass this rational antispying legislation, because any citizen who contemplates endangering the security of his country, your country, my country, this country, and the very lives of his fellow citizens by commission of the despicable crime of espionage—treason against America—should also have to contemplate the possible loss of his or her own life as a consequence.

I am proud to offer this legislation on behalf of the distinguished Republican leader, Mr. DOLE, and myself, and I ask unanimous consent for its appropriate referral and for its printing in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the bill follows:

S. 1160

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 794 of title 18, United States Code, is amended by adding at the end thereof the following new subsections:

"(d)(1) Except as provided in paragraph (2), a defendant who has been found guilty of an offense described in this section shall be sentenced to death if, after consideration of the factors set forth in subsection (e) in the course of a hearing held pursuant to subsection (f), it is determined that imposition of a sentence of death is justified.

"(2) No person may be sentenced to death who was less than 18 years of age at the time of the offense.

"(e)(1) In determining whether a sentence of death is justified for any offense, the jury, or if there is no jury, the court, shall consider each of the following mitigating factors and determine which, if any, exist:

"(A) the defendant's mental capacity was significantly impaired, although the impairment was not such as to constitute a defense to prosecution;

"(B) the defendant was under unusual and substantial duress, although not such duress as would constitute a defense to prosecution; and

"(C) the defendant was an accomplice whose participation in the offense was relatively minor.

The jury, or if there is no jury, the court, shall consider whether any other mitigating factor exists.

"(2) In determining whether a sentence of death is justified, the jury, or if there is no jury, the court, shall consider each of the following aggravating factors and determine which, if any, exist:

"(A) the defendant has previously been convicted of another offense involving espionage for which either a sentence of life imprisonment or death was authorized by statute;

"(B) in the commission of the offense the defendant knowingly created a grave risk of substantial danger to the national security;

"(C) in the commission of an offense under subsection (a) the foreign government was of a country whose security interests are adverse to those of the United States, including the Soviet Union and its allies, and any which had been publicly designated by the President as so adverse prior to the commission of the offense described in this section; and

"(D) in the commission of the offense the defendant knowingly created a grave risk of death to another person.

The jury, or if there is no jury, the court, may consider whether any other aggravating factor exists.

"(f)(1) If the attorney for the government believes that the circumstances of the offense are such that a sentence of death is justified under this section, he shall, a reasonable time before the trial, or before acceptance by the court of a plea of guilty, or at such time thereafter as the court may permit upon a showing of good cause, sign and file with the court, and serve on the defendant, a notice—

"(A) stating that the government believes that the circumstances of the offense are such that, if the defendant is convicted, a sentence of death is justified under this chapter; and

"(B) setting forth the aggravating factor or factors that the government, if the defendant is convicted, proposes to prove as justifying a sentence of death.

The court may permit the attorney for the government to amend the notice upon a showing of good cause.

"(2)(A) If—

"(i) the attorney for the government has filed a notice as required under paragraph (1); and

"(ii) the defendant is found guilty of an offense described in this section,

the judge who presided at the trial or before whom the guilty plea was entered, or another judge if that judge is unavailable, shall conduct a separate sentencing hearing to determine the punishment to be imposed. Prior to such a hearing, no presentence report shall be prepared by the United States Probation Service, notwithstanding the provisions of rule 32 of the Federal Rules of Criminal Procedure.

"(B) The hearing required by this paragraph shall be conducted—

"(i) before the jury that determined the defendant's guilt;

"(ii) before a jury impaneled for the purpose of the hearing if—

"(I) the defendant was convicted upon a plea of guilty;

"(II) the defendant was convicted after a trial before the court sitting without a jury;

"(III) the jury that determined the defendant's guilt was discharged for good cause; or

"(IV) after initial imposition of a sentence under this section, reconsideration of the sentence under this section is necessary; or

"(iii) before the court alone, upon the motion of the defendant and with the approval of the attorney for the government.

A jury impaneled pursuant to division (ii) shall consist of 12 members, unless, at any time before the conclusion of the hearing, the parties stipulate, with the approval of the court, that it shall consist of a lesser number.

"(3)(A) At the hearing required by paragraph (2), information may be presented as to any matter relevant to the sentence, including any mitigating or aggravating factor permitted or required to be considered under subsection (e). Information presented may include the trial transcript and exhibits if the hearing is held before a jury or judge not present during the trial. Any other information relevant to a mitigating or aggravating factor may be presented by either the attorney for the government or the defendant, regardless of its admissibility under the rules governing admission of evidence at criminal trials, except that information may be excluded if its probative value is substantially outweighed by the danger of creating unfair prejudice, confusing the issues, or misleading the jury. The attorney for the government and the defendant shall be permitted to rebut any information received at the hearing, and shall be given fair opportunity to present argument as to the adequacy of the information to establish the existence of any aggravating or mitigating factor, and as to the appropriateness in the case of imposing a sentence of death.

"(B) The attorney for the government shall open the argument in a hearing required by paragraph (2). The defendant shall be permitted to reply. The attorney for the government shall then be permitted to reply in rebuttal. The burden of establishing the existence of any aggravating factor is on the government, and is not satisfied unless the existence of such a factor is established beyond a reasonable doubt. The burden of establishing the existence of any mitigating factor is on the defendant, and is not satisfied unless the existence of such a factor is established by a preponderance of the information.

"(4) The jury, or if there is no jury, the court, shall consider all the information received during the hearing required by paragraph (2). It shall return a special finding as to each mitigating and aggravating factor, concerning which information is presented at the hearing, required to be considered under subsection (e). The jury shall find the existence of a mitigating or aggravating factor by a unanimous vote, although it is unnecessary that there be a unanimous vote on any specific mitigating or aggravating factor if a majority of the jury finds the existence of such a specific factor.

"(5) If an aggravating factor required to be considered under subsection (e)(2) is found to exist in a hearing required by paragraph (2) of this subsection, the jury, or if there is no jury, the court, shall then consider whether all the aggravating factors found to exist sufficiently outweigh all the mitigating factors found to exist to justify a sentence of death, or, in the absence of a mitigating factor, whether the aggravating factors alone are sufficient to justify a sentence of death. Based upon this consideration, the jury by a unanimous vote, or if there is no jury, the court, shall return a finding as to whether a sentence of death is justified.

"(6) In a hearing held before a jury, the court, prior to the return of a finding under paragraph (5), shall instruct the jury that, in considering whether a sentence of death is justified, it shall not consider the race, color, national origin, creed, or sex of the defendant. The jury, upon return of a finding under paragraph (5) shall also return to the court a certificate, signed by each juror, that consideration of the race, color, national origin, creed, or sex of the defendant was not involved in reaching the juror's individual decision.

"(g) Upon a finding under subsection (f)(5) that a sentence of death is justified, the court shall sentence the defendant to death. Upon a finding under subsection (f)(5) that a sentence of death is not justified, or under subsection (f)(4) that no aggravating factor required to be found exists, the court shall impose any sentence other than death that is authorized.

"(h)(1) In a case in which a sentence of death is imposed, the sentence shall be subject to review by the court of appeals upon appeal by the defendant. Notice of appeal shall be filed within the time specified for the filing of a notice of appeal. An appeal under this section may be consolidated with an appeal of the judgment of conviction and shall have priority over all other cases.

"(2) The court of appeals shall review the entire record in the case, including—

"(A) the evidence submitted during the trial;

"(B) the information submitted during the sentencing hearing;

"(C) the procedures employed in the sentencing hearing; and

"(D) the special findings returned under subsection (f)(4).

"(3)(A) If the court of appeals determines that—

"(i) the sentence of death was not imposed under the influence of passion, prejudice, or any other arbitrary factor; and

"(ii) the information supports the special finding of the existence of an aggravating factor required to be considered under subsection (e),

it shall affirm the sentence.

"(B) In any case, the court of appeals shall remand the case for reconsideration under subsection (f).

"(C) The court of appeals shall state in writing the reasons for its disposition of an appeal of a sentence of death under this section.

"(i) A person who has been sentenced to death pursuant to the provisions of this chapter shall be committed to the custody of the Attorney General until exhaustion of the procedures for appeal of the judgment of conviction and for the review of the sentence. When the sentence is to be implemented, the Attorney General shall release the person sentenced to death to the custody of a United States marshal, who shall supervise the implementation of the sentence in the manner prescribed by the law of the State in which the sentence is imposed. If the law of the State does not provide for implementation of a sentence of death, the court shall designate another State, the law of which does so provide, and the sentence shall be implemented in the latter State in the manner prescribed by such law. A sentence of death shall not be carried out upon a woman while she is pregnant.

"(j) A United States marshal charged with supervising the implementation of a sentence of death—

"(1) may use appropriate State or local facilities for the purpose;

"(2) may use the services of an appropriate State or local official or of a person such an official employs for the purpose; and

"(3) shall pay the costs thereof in an amount approved by the Attorney General.".

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, that the Senate might now get on with its business of acting on the appropriations bill, I move to waive title III and the distinguished Republican leader I believe joins in this effort, I move to waive title III—Mr. President, I misspoke myself about the distinguished Republican leader's joining me in the motion. I make the motion to waive title III of the Congressional Budget Act of 1974 for the consideration of the bill and committee amendments thereto.

Mr. President, I withhold my motion for the time being.

The PRESIDING OFFICER. The Senator has that right.

Mr. BYRD. Mr. President, I withdraw my motion for the time being and hope to be able to proceed shortly. In the meantime, I suggest the absence of a quorum.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS FOR 30 MINUTES

Mr. BYRD. Mr. President, while work is going forward on a motion—I think it will probably take at least a half-hour; I hope it will be worked out in a half-hour—rather than the Senate stand in a quorum call, I ask unanimous consent that the Senate stand in recess for 30 minutes.

There being no objection, the Senate, at 12:41 p.m., recessed until 1:12 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. Daschle].

The PRESIDING OFFICER. The Chair, in his capacity as the Senator from South Dakota, suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS FOR 15 MINUTES

Mr. BYRD. Mr. President, I think progress is being made on revising the verbiage of the motion to waive, but a little more time is needed.

I ask unanimous consent that the Senate stand in recess for 15 minutes.

There being no objection, the Senate, at 1:41 p.m., recessed until 1:56 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. Daschle].

WALLA WALLA VA HOSPITAL FOR THE SUPPLEMENTAL APPROPRIATIONS BILL

Mr. ADAMS. Mr. President, I would like to call the distinguished chairman's attention to an issue of importance to my State.

The Veteran's Administration has recently proposed to eliminate 150 acute care beds at the Walla Walla Veterans Medical Center in Washington State, and convert the facility into an outpatient clinic. Because of the negative impact this proposal will have on the welfare of veterans throughout the Northwest, and on the fragile economy of the Walla Walla region, I have grave concerns about this proposal.

The Walla Walla facility presently serves approximately 70,000 veterans living in rural communities in Washington, Oregon, and Idaho. Closure of the facility will mean that these veterans will have to travel great distances to receive inpatient care at VA facilities in Spokane, Boise, Portland, or Seattle. I am concerned that implementation of the VA proposal will mean that many veterans, including the elderly and destitute, will not receive any medical attention at all.

Many of these veterans suffer from disabilities incurred in combat in World War II, Korea, and Vietnam. These men made a commitment to help defend our country, and honored it through sacrifice of life and limb. At a time when many World War II veterans are reaching retirement age and have greater health needs, this proposed mission change means that many veterans in this isolated rural area will receive poorer health care than they have been previously receiving.

In return for this commitment of personal sacrifice, the Federal Government also made a commitment, a commitment to provide veterans with medical care. The VA's proposal, in my opinion, represents a breach of that promise.

The VA proposal would also have serious negative impacts on the Walla Walla economy, which is already weakened by a depressed farm economy, and several recent plant closures. The Walla Walla Medical Center is the third largest employer in the community. The VA's proposal would result in the layoff of 80 percent of the center's work force, and reduce its overall budget by approximately 60 percent. These changes would have a catastrophic effect on the local economy.

I have carefully examined both the VA's justifications for this proposal, and their plans for serving veterans in this area once the inpatient facility is closed. I believe that the VA has neither advanced sufficient reasons for the mission change, nor has made adequate provisions for the health care of veterans in the area if the mission change were to occur.

I have previously asked the committee to include language in the legislation before us preventing the VA from utilizing appropriated funds for the purposes of implementing this mission change. I was told that since the committee has been urging the agency to develop more cost efficient operations wherever possible, the committee believed it was inappropriate to legislatively bar the agency's action in this instance. I appreciate the committee's desire to adhere to this policy. I am informed, however, that the House supplemental appropriations bill will include language similar to that I had proposed for inclusion in the bill before us. I would very much like to see this language adopted in the final bill, and would like to ask the distinguished chairman to be sensitive to my concerns when this issue comes up in conference.

Mr. PROXMIRE. I thank my colleague and good friend, Senator Adams, for setting forth his arguments once again regarding the need to continue Walla Walla as an inpatient facility. He makes a good case for such action and I intend to give his concerns my thoughtful consideration when the issue comes up in conference.

Mr. BURDICK. Mr. President, last week in the Appropriations Committee, we passed your amendment to restore $33.5 million for judiciary salaries and expenses. I understand that money is to be used to pay salaries and set up desks and telephones for the 52 new bankruptcy judges and 400 deputy clerks Congress authorized last year for our backlogged bankruptcy courts. Is that correct?

Mr. GRASSLEY. That is correct.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

POWER PLANT AND INDUSTRIAL FUEL USE ACT OF 1978

Mr. BYRD. Mr. President, the Republican leader was just on the floor, and he has no objection to my making the following request as long as Mr. Stafford is present on the floor. Mr. Stafford is here.

I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 111.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A bill, H.R. 1941, to repeal and amend certain sections of the Power Plant and Industrial Fuel Use Act of 1978.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 1941) was ordered to a third reading, was read the third time, and passed.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STAFFORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I thank Mr. Stafford, and I again thank the Republican leader.

RECESS UNTIL 2:07 P.M.

Mr. BYRD. Mr. President, I believe that shortly there will be an agreement on both sides as to the proper wording of the motion to waive, which I think will meet with the consent of those parties who have been most involved in working out the language on the motion.

So, until then, I ask unanimous consent that the Senate stand in recess for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, at 1:57 p.m., the Senate recessed until 2:07 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. Dixon].

The PRESIDING OFFICER. The majority leader is recognized.

SUPPLEMENTAL APPROPRIATIONS, 1987

Mr. BYRD. Mr. President, I move to waive sections 302(f), 303(a), and 311(a) of the Budget Act in the consideration of H.R. 1827, as reported by the committee.

The PRESIDING OFFICER. The question is on agreeing to the motion of the majority leader.

Mr. BYRD. Mr. President, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, I believe that a Senator wishes to discuss the motion. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHILES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida.

Mr. CHILES. Mr. President, this year's fight to reduce the deficit is only beginning. Last night we finished the first round. I think we fought a good fight, but there are many rounds ahead. We have to go to conference with the House and we have to get the President involved. We have to have a reconciliation bill to pass, and we have to try to see that all the spending bills are kept within their limits. I hope we will win each one of those rounds. We need to.

But we are all haunted by last year's battle. It is a fight that I characterized as a split decision. Last October, as we entered fiscal year 1987, we claimed that we had met the Gramm-Rudman targets of $144 billion. We knew we had not. In fact, last October we knew we were at least $40 billion higher than the target. We are now at least $40 billion over the 1987 Gramm-Rudman-Hollings target for this fiscal year. And we knew last October there were still some bills that were coming due, bills coming due because of some decisions we made and decisions we failed to make.

Last year we knew that CBO forecasts were on the optimistic side and the President's were simply wishful thinking. Last year we knew that many of the savings were one-time savings and they would not stand the test of time. And last year we failed to deal meaningfully with the structural deficit. We did not raise any new revenue. We did little to permanently cut spending, and we knew there would be some bills coming due.

Mr. President, the supplemental is one of those bills that is now being presented. It is now due. Last year I asked my colleagues to approve the reconciliation bill with their eyes open, and this year we need to keep our eyes open.

This supplemental bill will add $2.6 billion to the 1987 deficit. There is no question that a Budget Act point of order lies against the bill, but I think we have to ask ourselves, What does the supplemental do?

It appropriates $9.4 billion. The largest portion of this bill, $7.3 billion, is for pay raises, veterans' compensation, family social services, and the Commodity Credit Corporation. These do not add to the current deficit levels since they are already calculated in those totals. These were bills that we knew were coming due and we have provided for them. However, this bill will still increase the 1987 outlays by $2.6 billion over the current levels. Almost half of this increased deficit is for retirement contributions that we have to make.

The departments and the agencies of the Government cannot absorb over $1 billion in retirement costs this late in the year. But those retirement costs are not included in our calculation for the current year deficit because we thought that the committees were going to absorb the retirement costs in last year's continuing resolution. They did not. That has left this mandatory item unfunded and it is an item that we have to fund. It is a $1 billion cost of last year's fight and it is a bill that has come due.

Mr. President, larger than half of this total, $1.4 billion, is now for new spending. Some of this spending is necessary. It is truly emergency spending. But 60 percent of the $1.4 billion is for purely discretionary increases in defense and foreign aid.

Now, the body has to make a decision on those. I want to compliment the Appropriations Committee and the work that Senator Stennis and Senator Hatfield and staff and members of the committee have done in holding this supplemental down. It is considerably under the House supplemental.

Even after the House emergency supplemental took an across-the-board cut that was raised by Members on the floor, we are still over $1 billion below the house supplemental. It is again well below the wish list that Members had and certainly that came before the committee. And again I compliment the staff and I compliment the leadership, the chairman, the distinguished Senator from Mississippi, and the ranking member, the distinguished Senator from Oregon.

Each Member of this body has to weigh the spending increases posed in this bill with the need for deficit reduction. I intend to support the waiver that has been proposed by the distinguished majority leader. I feel at this time the committee had done the best work it could in trying to restrain spending, and I think under the circumstances where we face the House bill, it is something we should support.

The President has, I understand, concluded that he will not veto this bill as reported out of the committee. I think it is important to raise that proviso, because if this bill gets on the floor, if the Senate does not restrain itself as the committee attempted to restrain itself, we will have a bill that can be vetoed.

We also will have amendments that could be subject to other points of order.

So I am going to support a budget waiver for the committee-passed bill.

The bulk of the supplemental is for bills that have to be paid. The CCC needs to be funded. The pay raises have already been calculated into the deficit projections, and I do not think we can turn our back on the retirement contributions.

The waiver before us is not a blanket invitation to new spending. It weighs the limits of the Budget Act only for the spending level reported by the Senate committee which is substantially below the House.

Any amendments that add spending above the committee levels will be subject to Budget Act points of order which will require 60 votes to waive. As for those further spending amendments, I certainly reserve judgment.

I hope the Senate will not add to the amount already in this bill. We have already added substantially to the deficit. Additional spending decisions now made will only increase our burden in the outyears.

I am also reserving judgment on amendments to strike elements of this bill. By supporting a budget waiver for the committee-passed bill, I am not supporting every element in this mark and perhaps it could be scrubbed more on the Senate floor. Nor does this mean that we support any conference report on the bill.

The House-passed supplemental is $1 billion higher than our version of the budget authority and over $400 million higher in outlays.

Mr. President, last night we started down a path to reduce the Federal deficit by making some realistic policy choices and by attacking the structural deficit. That effort, as we all know, was made more difficult by failure to act in the past. This supplemental is a legacy of that failure. It will add over $2 billion to the Nation's debt. Nevertheless, while we are trying to deal with the future, we certainly need to make up for past mistakes and it is for that reason we must now waive the Budget Act for this bill.

I urge by colleagues not to compound our past errors. Let us try to restrict this supplemental to emergency requirements.

In conclusion, Mr. President, this bill will increase the 1988 outlays by over $400 million. That certainly will have to constrain the Appropriations Committee in 1988 because that $400 million cannot be added to the budget resolution to accommodate this bill.

Before offering amendments, I hope my colleagues remember that more spending today simply will mean less spending tomorrow.

Mr. GRAMM. Mr. President, I rise in opposition to the waiver program.

I should like to begin in making my statement in opposition by saying that I think the Appropriations Committee, under the circumstances, has done a good job, certainly as compared to what the House has done. But the bottom line is that here we are again voting to raise the budget deficit by $2.6 billion in terms of new spending, between now and the end of fiscal year 1987. That's $2.6 billion this year, not 1988, even though the spending today will affect those totals in the outyears and affect the budget we adopted just last night.

I remind my colleagues that on two previous occasions when we have authorized new programs calling for new spending in this year, I offered an amendment that said that the Senate—in fact, Congress, if Congress ends up adopting those authorization bills in the form that we passed them in the Senate—that Congress committed itself to fund them in such a way that the deficit would not be raised.

I remind my colleagues that on the agriculture disaster bill, we authorized substantial amounts of money; and when I offered the amendment saying that any appropriation made under those authorizations would be deficit neutral, that amendment was adopted by a vote of 96 to 0. Yet, while I may be incorrect—and if I am, I hope someone will correct my perception—I see no offset of $135 million of funds provided in this measure for farm disaster payments.

Mr. President, I am not opposed to farm disaster payments. I am for them. Disasters occur. We pay part of the disaster costs. That is the way the program is set up. But when we authorized an expansion in eligibility by a vote of 96 to 0, we committed that the appropriations that were made under that authorization would not raise the deficit. I submit that this bill violates that commitment.

Then, again, on homeless assistance, when we authorized $500 million to aid the homeless, as deserving as that cause might have been, I offered an amendment that said that in providing appropriations under that authorization, those appropriations would be undertaken in such a way as not to raise the deficit. There was no dispute about it. By a vote of 100 to 0, when we funded the homeless bill, we would do it without raising the deficit. Yet, this bill contains $138 million of budget authority and $97.5 million of outlays, and there is no offset whatsoever, to the best of my ability to determine.

So, either we were serious when we voted these two previous times—once by 96 to 0 and once by 100 to 0—or we are not serious today.

The bottom line is this: We started this Congress by adopting a water bill that was a budget buster, we followed it with a highway bill that was a budget buster, and we followed it with a housing bill that was a budget buster.

We adopted a budget last night that calls a $45 billion increase in domestic spending over last year's level, and here we are today calling for a budget waiver so that we can raise the deficit this year, on this one bill, by $2.6 billion.

I find it hard to believe that people in this Congress can say they are serious about the deficit problem, when day after day after day, we continue to spend more money.

There will be some who will say we also voted for a $27 billion tax increase last night—at least, called for it. It is unfortunate, if your concern is about lowering the deficit, that we raised domestic spending almost twice as much as we committed to raise taxes; and everyone in this Chamber knows that the probability of that tax increase ever being imposed is virtually zero.

I know that hard work has gone into this appropriation, I know that this appropriation is superior to what the House has done. But the bottom line is, if we were serious about deficit reduction, we would fund these emergency matters, but we would offset them by removing authorizations and appropriations from other programs. Surely, in a budget of $1.18 trillion that is currently in place, we could find an offset for $2.6 billion.

If these are really emergencies, there must be lower priority items that are currently being funded.

What a strange thing it is that every working family in America can always find a way to pay for an emergency by cutting back on something else that is less critical. Yet, every day in the U.S. Congress when someone comes along with a new need, we always pass the bill on to the taxpayer and to the consumer.

Mr. President, let me conclude by saying that I am alarmed about what is going on in the U.S. Senate. I am alarmed that after 6 years of talking about deficit reduction, after 6 years during which we brought the inflation rate to a virtual standstill and cut interest rates by two-thirds, and put 11.2 million people back to work, we are taking larger and larger steps every day, leading us back to more inflation and higher interest rates and, in this case, bigger deficits.

I urge my colleagues to vote against the budget waiver and in doing so not vote against these needed spending programs. Many of the programs in here are deserving, some not so deserving.

My point is this: If we are serious about the commitment we have made over and over on the budget, we ought to be serious about coming up with offsets for these spending programs, rather than simply raising the deficit.

I remind my colleagues that while I stand ready to be corrected, I am not aware of an offset on agriculture disaster payments, despite the fact that this Congress voted 96 to 0 to demand such offsets, to keep the deficit from raising. I am not aware that there is an offset on homeless assistance, despite the fact that the Senate voted 100 to 0 to demand that either taxes be raised or other programs be cut. Yet, I see no offset.

If we were serious when we cast those votes, we should vote against waiving the budget, thereby forcing the committee to come back with a bill that is deficit neutral.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the motion?

Mr. STENNIS. Mr. President, I have a goodly number of figures here regarding the line items of this bill, but it has already been exceptionally well discussed and a great many of the figures given and explained. So I do not think it will serve any additional good purpose to take up a good deal of time now in going over the same figures, even though you may have a different slant or a different interpretation from what some of the others who use these same figures have.

But I tell you right now, Mr. President, nearly every Member is working to the good and helping meet these problems on matters like this bill covers and it is no easy job. Many times it is not even a pleasant job and it does not always come out just like those who try to work it out and put it together with the idea of getting back more toward a balanced budget. It is disappointing to them and does not serve the purpose totally well.

But, nevertheless, times have changed, attitudes have changed to some degree and achievements are already made. Last night look what happened here. I think it was about 2 o'clock in the morning, somewhere around there. Tremendous votes were coming out one after another, pointed in a reform, if I may use that term, direction.

Now, with all the multitude of the national debt and all investments in it and borrowings, you can hardly do business from day to day, much less from month to month or year to year, without crossing the path of some of the more conservative reform principles and practices that have been put into effect here in the last several years. Things just do not work out that way. It takes effort and it takes backsliding and it takes a different tone of agreement among the Members, and we find ourselves going in two directions sometimes at once, but we have to keep on if we are going to accomplish anything. We have to keep on and I know the criticism here of what has been done on this bill is made in good faith.

I take no exception whatsoever at what was said. I am just pleased that we are traveling along in the right direction. We are making headway. We are making some new rules here that are not going to hurt anyone but it will help the system.

In that way we are making rapid headway. Whether it totals up to huge amounts or not, I think the amounts are getting better and better.

So if we can continue now the pattern we followed here for the last year or two in making corrections, we can continue that attitude in a large enough scale more and more of our people willing to participate and see the benefits, too, of the new approach, the different approach, at least, why, I feel better myself than I have in a good while about these problems and I know others have had the same experience.

There will be plenty of opportunities to continue this kind of responsible, practicable, moderate reform. You cannot reform people overnight or make them understand. We do not understand all these problems anyway. But we are making headway and not through noise but through achievements, consistent achievements.

I hope that we can continue on, even in this bill, for some more small modest adjustments that are saving some money but going a long way in getting on the right track and the right trail.

So, I thank everyone for the contributions they made here in this effort, this bill itself, and those that go with it. But more than that even, there is a new spirit and a determination, a new determination to do more about these things and still carry on in a constructive way, tend to our needs, our necessities, our growth, and building, I think, more solid, substantial, progressive improvements all the time and doing it in an effort that is not always easy. It is rather severe at times and sacrifices have to be made.

I pray, yes, I even pray that there be continuation in this direction in this field, in this great land that we still have, and we do not propose to let it be neglected at all.

So I particularly am pleased with the cooperation we have had here and the give and take spirit. It is going to bring more and more fruit.

If there are any Members here who wish to express themselves, I hope they will.

I yield the floor.

The PRESIDING OFFICER. The question is on the motion to waive three sections of the Budget Act.

Is there any further debate on the motion to waive those three sections of the Budget Act?

If not, the yeas and nays having been ordered, the question is on agreeing to the motion, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE] is necessarily absent.

The PRESIDING OFFICER (Mr. SHELBY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—51

Adams
Baucus
Bentsen
Biden
Bradley
Breaux
Bumpers
Burdick
Chiles
Cochran
Conrad
Cranston
D'Amato
Daschle
Dodd
Durenberger
Ford
Fowler
Glenn
Graham
Grassley
Harkin
Hatfield
Heflin
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Matsunaga
McClure
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Pell
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Specter
Stennis
Stevens
Weicker

NAYS—48

Armstrong
Bingaman
Bond
Boren
Boschwitz
Byrd
Chafee
Cohen
Danforth
DeConcini
Dixon
Dole
Domenici
Evans
Exon
Garn
Gramm
Hatch
Hecht
Heinz
Helms
Hollings
Humphrey
Karnes
Kassebaum
Kasten
Levin
Lugar
McCain
McConnell
Murkowski
Nickles
Nunn
Packwood
Pressler
Proxmire
Quayle
Roth
Rudman
Simpson
Stafford
Symms
Thurmond
Trible
Wallop
Warner
Wilson
Wirth

NOT VOTING—1

Gore

The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. BYRD. Mr. President, I hope that Senators will stop now and look and listen. What we have done in voting down this motion is, we have paved the way for sending this bill back to the calendar and when it will be called up again we will have the same exercise to go through.

Meanwhile, what is happening to the country? Two-thirds of this money bill, $6.7 billion is for the farmers. Why isn't the farm bloc voting for this motion?

The CCC deficiency payments, reimbursement for losses, the money has run out. There "ain't" any more. As of May 1, it ran out.

For increased pay costs for Federal workers, $408 billion in this supplemental. What are we going to say to them? Are we going to say they cannot have the pay increase?

There is the sum of $1.2 billion to pay for the new retirement contribution. What are we going to do now? Renege on our commitment?

For the homeless relief initiative, the sum of $137 million is in this bill. Are we going to renege on our commitment here?

Mr. President, I hope that Senators will think seriously about these matters. I am going to move to reconsider. I qualify to make that motion. I am going to move to reconsider shortly, but if there are other Senators who wish to speak to this matter before I make the motion, I will yield with the understanding that I do not lose my right to the floor.

I hope that we will vote to reconsider. It requires a 60-vote majority to waive. Otherwise, the time that has been spent has been for naught. The clock is running and the farmers are waiting for reimbursement for their losses.

There are many other parts of the bill I have not mentioned. There are some parts of this bill that I have not mentioned at all, such as the foreign assistance items. The administration is very interested in that. I may not be personally, but it is in there. And there are many other items. Senators will see on page 5 of the committee report those items and others.

I yield to any Senator at this point without losing my right to the floor, Mr. President. I do not mean to hog the floor, but I want to make the motion to reconsider in due time.

I yield to the Senator from Texas.

Mr. GRAMM. Mr. President, I thank the distinguished Senator for yielding. I would like to make a couple of points. First of all, had we had a clean CCC bill that would not have been subject to a point of order because it had no outlay effect. So the point of order here did not apply to CCC. If you are concerned about simply recharging CCC in terms of providing funds, that can be done. It is not subject to a point of order. What held this bill up was not that.

What held this bill up was that it raised the deficit by $2.6 billion. I am not saying, Mr. President, that there are not good programs here, essential programs, and a few programs that I think on the margin qualify as being emergency. But there is an alternative. The alternative is to come up with offsets, to take savings that we agreed upon last night, to put them into this bill as offsets so that the deficit does not rise. If we do not, then there is no point of order, there is no need for 60 votes, and we can proceed.

On the other hand, to simply waive the Budget Act is to assure that the deficit goes up by $2.6 billion.

If our objective is to balance the budget, if our objective is to prevent interest rates and inflation rates from going back up, this is where we have to draw the line. So I urge my colleagues, No. 1, CCC is not an issue here. We can bring CCC to the floor. It is not subject to a point of order, and it can be adopted, so we need not hold up the CCC.

If we want to spend $2.6 billion on these programs, if they are critical programs, then let us combine that $2.6 billion add-on with reductions in other programs to offset it so that it might be deficit neutral.

Every day, every American family has to reorder priorities and they do it. I think the time has come for us to do it. I am proud of the vote we just cast. I hope Members of the Senate will stay with their position and ask the Appropriations Committee to go back and find offsets, many of which were identified last night in the budget.

We all know it is unlikely we are going to have a reconciliation bill. If we are going to have $2.6 billion in new spending now, let us offset it against other programs.

Mr. HATFIELD. Will the Senator yield for a question?

Mr. BYRD. Mr. President, I have the floor.

Mr. HATFIELD. Will the Senator permit me to ask a question of the Senator from Texas?

Mr. BYRD. I will be happy to yield for that purpose with the Chair protecting my rights.

The PRESIDING OFFICER. The majority leader has the floor. Without objection, the Senator from Oregon is recognized.

Mr. BYRD. No, I am recognized. This Senator is recognized. I yield for that purpose.

The PRESIDING OFFICER. For the purpose of asking a question.

Mr. HATFIELD. The majority leader has merely yielded for a question.

May I ask the Senator from Texas to please explain for me a little bit about why this does not really represent an outlay.

As I understand, the CCC is broke and we are going to appropriate $6.2 billion so they are going to start putting out checks.

Now, those checks are not outlays?

Let me correct myself—$6.7 billion, not $6.2 billion. We do not have any money now. We are going to, I say, appropriate $6.7 billion and then we are going to start sending out checks to these people who qualify.

Now, are those checks not outlays?

Mr. GRAMM. If the distinguished Senator will yield, the checks are not outlays.

Mr. HATFIELD. No.

Mr. GRAMM. They represent budget authority for an entitlement, and basically what we have done is simply set limits on that, though the entitlement is written into law and the budget authority obligations are not scored by CBO as outlays and as a result there is no point of order against CCC.

Mr. HATFIELD. In other words, it is a scorekeeping technique we are using here? We do not call them outlays because the Budget Committee choses not to call them outlays and the CBO or whoever else it is.

The Senator is saying to us the $6.7 billion, which is not in there now and, if we put it in there, those farmers who do not have any money at this point under CCC begin to get checks and they will ultimately total $6.7 billion, that is not spending money, that is not an outlay, that does not contribute to the deficit.

Mr. GRAMM. If the distinguished Senator will yield, I am not saying that. That is the way the books of the U.S. Government are kept. If we want to offset that $6.7 billion with other cuts, I will vote for it.

Mr. HATFIELD. Mr. President, I would just like to say let us not play games. We hear enough of this phony bookkeeping anyway between the White House and the CBO, OMB, and we get enough of it from the Budget Committee. Merely because somebody says this is not an expenditure, it is not an expenditure.

I think part of our problem is this whole budget process. I do not intend to miss any opportunity to point out how ludicrous it is that we are going to start arguing today that $6.7 billion is not an outlay, that it is not an expenditure. I think we better reconsider this vote, as the majority leader has indicated, bite the bullet, stand up and take the responsibility and say it is an expenditure or whatever you want to call it, play games, but let us get on with the business of the Government and pass this waiver so we can get this appropriation bill through.

Mr. BYRD. Mr. President, I thank the distinguished Senator. I yield under the same conditions to my friend, the Senator from Florida [Mr. CHILES].

The PRESIDING OFFICER (Ms. MIKULSKI). Without objection, it is so ordered.

Mr. CHILES. Mr. President, I wish more Senators were present. I think part of our problem is the body does not understand this, especially when I look at some of the votes that have been cast. Much of the bill has been provided for in the budget resolution and we knew that there were a number of items which were going to come due later and that we would pay for them. And so the supplemental pay, the CCC, and those kinds of things basically are provided for.

There is some increases over the budget mark. It is $2.6 billion. And that I think is the money that the body ought to focus on and decide on that basis do you want to waive the budget resolution or not.

Of the $2.6 billion, $1 billion is for pensions. Now, that $1 billion was in the budget resolution last year. The agencies themselves were supposed to take care of that pension money and the Appropriation Committee in effect was to see that they did that. That has not happened. We start with an Appropriations Committee this year and a couple of months left and I can tell you there is no way those agencies can make that money up now.

So either you are or are not going to say workers are entitled to their pension. I think they have a warrant, I think they can sue the U.S. Government. In other words, I think it is a bill you have to pay. I do not care what we do on the waiver; one way or the other that bill has to be paid, that $1 billion.

Now, I am as a member of the Appropriations Committee and the Budget Committee going to see, when we put a mark like that in the Budget Act, that we enforce it next time. It should not happen that way. But in effect the distinguished Senator from Mississippi finds himself chairman of the committee and there is no way he can deal with this problem right now, I can tell you. That billion dollars has to be paid.

Now, that leaves $1.6 billion more, and of that $1.6 billion about 40 percent I can tell you——

Mr. BYRD. Madam President, may we have order in the Senate. There are too many conversations going on in the Senate and the Senator from Florida is entitled to be heard. This is a very important vote.

Mr. CHILES. About 40 percent of the $1.6 billion is emergency, and I think basically if you examine it like I did and had our staff examine it, I think you will see it. And that leaves about 60 percent that is not. That 60 percent is in two items. It is in defense and it is in foreign assistance. It is about $768 million in BA and $632 million in outlays for DOD military items.

Now, these are items that the Secretary of Defense came up here on. The President in effect is asking for these items. The House has provided funding for them. They have been provided for here.

Now, when I look at some of the no votes on this, they are the very people who were saying we were not putting in enough money for defense in 1988 and that we had to increase it. If this body wants to instruct the committee to go back and take all of these items out, they are discretionary items. The other is $387 million in foreign assistance in BA, $251 million in outlays. That is what the Secretary of State has been around here and has pleaded for. Part of that is the base money, paying for our bases. Part of it is some of the money for the multilateral development banks. We have not paid our share. That again is an item that is sort of discretionary, not included in the budget. We cut those items. If the body says we do not want to yield to any of those, then the Appropriations Committee, I guess, could take those items out.

What I wanted to point out is that I did support the waiver. I do not like to see us go over. But when I see where the House is, even after they had an across-the-board cut, because some of the Members on the floor jumped up and said they think this is too high, and had the across-the-board cut, it was a major cut they made—even with that, this bill is a billion dollars below the House.

The President has indicated that he will sign this bill if it does not go any higher than the numbers we have here, because it has items he has in effect primarily requested. The DOD items and the foreign assistance items make it go up.

My feeling was, as a member of the Budget Committee and the Appropriations Committee, and seeing the requests that were turned down—I can tell the Senate that the requests were higher than this, and I know what our respective subcommittees turned out. Mine had $49 million out of $125 million. That was the only difference in our subcommittee.

So, maybe some people could have held that down more. But I think that, overall, the chairman of the Appropriations Committee and his staff, as well as the respective subcommittees, have done a pretty good job in holding it down.

I think that in the future, with respect to moneys like these pension moneys, we ought to enforce it. If there are emergency provisions, this is an emergency supplemental.

I guess it comes down to this point: Are there people who think we need this additional money for defense? Most of it is what the Secretary of Defense thought was critical. That is a judgment call. I do not substitute myself for anybody's judgment, but when I see some "no" votes, I do see that there are people who are vitally interested in always saying that we have to make a sufficient mark for defense, and I do not think they completely understand. I also think that when people understand what happens when somebody finds out that his pension is not going to be paid for, if this bill sits on the calendar for any length of time, we had better start providing answers to those telegrams.

Mr. BYRD. Madam President, the bill will be on the calendar over the weekend, and people can have time to get in touch with their representatives, I am sure.

Mr. GRAMM. Mr. President, will the distinguished leader yield?

Mr. BYRD. I yield, under the same conditions as heretofore.

Mr. GRAMM. Madam President, I want to explain CCC, and I want to talk a little about entitlements and about FEMA.

Mr. BYRD. Madam President, I ask unanimous consent that I may be permitted to take my seat, or to take a seat, but that I retain the floor notwithstanding, and that I do not lose my rights to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Madam President, the way the Commodity Credit Corporation is set up, the loans are extended, or outlays are incurred, and we come back and adjust the budget authority. It is true that in doing the bookkeeping, we admit the expenditure after the fact, but the point is that the outlays have already occurred.

All we are doing here is adjusting our books to the reality, and that is why the CCC expenditure is not subject to a point of order and why the point of order that was sustained on the vote we just took had nothing to do with CCC. Maybe we should do it differently, but that is not the issue here.

I point out, also, that civilian pay raises, veterans compensation, special milk program, family social services, and FEMA are also entitlements and they are not subject to a point of order.

So, when we refused to waive the point of order here, we were not talking about any of those programs. Those add-ons, so to speak, are not subject to a point of order.

So, what we are voting on here is whether or not we are going to raise the deficit as measured directly by $2.6 billion.

I remind my colleagues of the first time in this Congress we debated this point of order issue. They will recall that it was on the homeless bill, and we voted to take $50 million out of FEMA to provide for the homeless. I would like my colleagues to note that in this bill we are adding the $50 million back to FEMA and, paradoxically, since FEMA is viewed as noncontrollable here, that is not subject to a point of order. So when we funded the $50 million housing bill and claimed that we were offsetting it, and people got up and said, "This is a phony offset," in fact, it turned out to be, and here we are adding it back.

The point I would like to make before we vote again is this: The issue here is not whether or not programs in this bill are vital or not. That is not the issue. The question here is, Are we going to waive a point of order? In a $1.18 trillion budget, surely, if there are $2.6 billion of critical programs—and I submit that many of these programs are not critical—we can go back and find offsets.

So the issue here is not whether we are going to fund these programs. The question is, How are we going to do it? Are we going to do it by raising the deficit, or are we going to do it by going back and taking money away from alternatives or by adding revenues directly to pay for it? Either one of those two things would eliminate the necessity for a point of order. So the vote we are about to have is not a vote as to whether you want these programs. It is a vote about whether or not we are going to pay for it.

Are you going to take the money away from a lower priority use? Are you going to vote taxes directly in this bill to pay for it? If you do either of those things, there is no point of order.

I believe we should sustain the point of order, and I urge my colleagues to stay with their vote.

I thank the distinguished majority leader for his kindness.

Mr. LEVIN. Madam President, will the majority leader yield so that I may ask a question of the Senator from Texas?

Mr. BYRD. Madam President, I yield for that purpose, provided my rights are protected.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Madam President, I wonder if my friend from Texas will explain a little more as to what he said about adding revenues in this appropriation bill.

How would the Senator do that, mechanically? I did vote with the Senator on this first vote. I am troubled, frankly, by our simply waiving the Budget Act when this is one of the areas where there is some discipline. The fact that the House was higher than we are is not a matter which gives me solace. We are a billion dollars below them and are still seeking a significant waiver of the Budget Act, and that is the place we have some discipline.

The fact that the President would sign this bill does not give me much comfort, either, because he does not care much about the deficit, either, given the budget he submitted.

I believe we should seek offsets or put in revenues to pay for programs we have to fund. I cannot vote, in good conscience, to fund most of these programs. I have no trouble with some of them. My difficulty is that we do not have any offsets in this bill and we do not have any revenues in this bill.

My question of the Senator from Texas is this: How in this bill, mechanically, could there be revenues, since this is an appropriation bill and did not come from the Finance Committee?

Also, how could there be offsets in this bill from programs that are not covered by the bill itself, from other programs already appropriated?

Mr. GRAMM. In terms of offsets, the offsets could be undertaken by de-appropriating funds for de-authorizing funds from other functions—actual reconciliation language, changing eligibility for entitlements, cutting back a program.

In terms of a revenue offset, there would be a germaness question about an amendment. That germane question could be ruled and could be overcome with a vote.

There is the constitutional question about money bills emanating in the House, and it may very well be that in terms of our actions our scope is limited relative to the House, which could emanate a money bill for this purpose.

It may be that a money bill in some form exists. The debt ceiling will certainly be one where that could be accommodated.

There are technical problems, but in terms of the final adoption of a law there is no hurdle that cannot be overcome.

The question is, are we going to fund this by simply raising the deficit or are we going to try to find a way to offset it, either by paying for it with the revenues or by cutting other programs to keep the net effect of it deficit neutral.

Mr. CHILES. May I just say to my good friend from Michigan, if my good friend from Michigan wants to listen, I just wanted to correct things. There are all kinds of offsets in this bill. Three hundred million dollars for Central America is an offset of some defense funds, and most all of the pay is based on absorptions, which is offset.

So the bill has hundreds of millions of dollars in offsets in it.

You can argue you should have offset another $2.6 billion. But, what I am saying on the pensions, that billion dollars, I do not see how you offset this on the agencies at this late date. It is just impossible to do.

For example, an agency like Justice or something where all of their money is manpower, DEA is the same way, Customs is the same way. To say to them you have to offset this pension money now, you can say it but there is no way in the world it can happen unless they decided to RIF. I guess that is what they do. They would RIF hundreds of thousands of people to do that.

So I do not think you can offset that many. That is why I say I regret that happened. I think the Appropriations Committee ought to be monitoring and seeing during the year that they are setting that, but from where the Senator from Mississippi found himself in effect as chairman of that committee, that one could not be done.

Mr. LEVIN. Madam President, will the Senator yield for a question on that?

Mr. CHILES. Yes.

Mr. LEVIN. There are two things that seem to me could be done that would give some kind of assurance that action will be taken. One is an offset reducing the amount of funding for the offices of the people who did not carry out the law last year.

Mr. CHILES. That is an amendment the Senator might want to make.

Mr. LEVIN. I said if there were referral back, that could come back from the appropriations. It may be a small offset, but it would send a pretty big message.

Mr. CHILES. It might be a heck of a message.

Mr. LEVIN. Another kind of action could be taken and perhaps—and I am just really exploring with my friend from Florida because I know the dilemma he is in—I frankly want to fund these programs, too, but I want to pay for them.

Mr. CHILES. Right.

Mr. LEVIN. Another possibility would seem to me is that there be revenues that would be suggested at least and the matter referred to the Finance Committee as a joint referral.

And I am wondering if that was also explored. I think this is a House bill, and I believe, as a matter of fact, revenues could be added although I may be wrong, and the Parliamentarian could perhaps correct me on that.

In any event assuming this is an appropriate vehicle for revenues, was there consideration given to a referral to the Finance Committee to take a look at the record?

Mr. CHILES. I just say nothing is impossible, I guess, but how you go raise revenue in 1987 for spending that was done in 1987, and that is what this is, this is an 1987 emergency sup, and that time of raising that is gone unless we are going to retroactively say to some people we are going to charge you some taxes back because we let spending get out of control.

I will vote for a lot of taxes. I do not want to vote for any like that because I think people could be pretty upset about that.

I guess I do not know how you do that to accommodate the revenues.

Mr. BYRD. Madam President, under the Senate rules, if my motion to reconsider carries and the vote on the motion to waive is again rejected, then no new motion to reconsider that vote will be in order.

So I do not want to run that risk. I am afraid to have another vote at this moment because not many Senators have been here to hear this debate.

So I am about to ask unanimous consent that the Senate stand in recess until tomorrow morning at 10 o'clock so that Senators may consult or at least reconsider this matter overnight, and contemplate what the results would be of rejecting this motion a second time.

If any other Senator wishes to speak before I do, he may.

Mr. STENNIS. Madam President, will the Senator yield to me for some figures here?

Mr. BYRD. Yes.

Mr. STENNIS. I think the record could well reflect the actual figures here comprising this $2.6 billion. $1.1 billion of that is for retirement contributions that have been earned under the law and, of course, must be paid. $0.8 billion for defense, and that is military as I interpret this, must be paid, and readiness costs is an item that is a part of that. There is $0.2 billion foreign operations requested by the administration, Central America, and the next item is $0.1 billion, homeless initiative, the way I read it. The other one is $0.4 billion increase pay costs which must be paid.

It is a total of $2.6 billion that in mysterious ways got other descriptions, but money on the barrel head that has to be paid.

I thank the Senator.

Mr. BYRD. Madam President, I ask unanimous consent that I may ask the distinguished Senator from Texas a question without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Is it the intention of the distinguished Senator from Texas to make a point of order against this bill in the event we do not go forward with this motion to waive at this time?

Mr. GRAMM. It would be my intention.

Mr. BYRD. I thank the Senator.

Madam President, I will ask unanimous consent for a recess so that we all may have time to reconsider the positions that we have taken. It may have been that a good many Senators came into the Senate and voted and may wish to reconsider. They are very busy in committee meetings, and they are all over the place conducting committee hearings. Oftentimes they come into the Chamber and they have not heard the debate and the issues that are involved. I can understand how Senators might have cast a vote and would wish, upon reflection, and upon knowing more about what is involved, to change their vote. I hope, therefore, that, after further consideration, the 60 votes needed for the waiver will be forthcoming on tomorrow.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD. Mr. President, I, therefore, ask unanimous consent that the Senate stand in recess until the hour of 10 o'clock tomorrow morning.

There being no objection, at 3:39 p.m., the Senate recessed until tomorrow, Friday, May 8, 1987, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 7, 1987:

INTERNATIONAL MONETARY FUND

Charles H. Dallara, of Virginia, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years.

DEPARTMENT OF STATE

Fred J. Eckert, of Virginia, for the rank of Ambassador during the tenure of his services as U.S. Representative to the United Nations Agencies for Food and Agriculture in Rome.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

THE JUDICIARY

Bohdan A. Futey, of Ohio, to be a judge of the U.S. Claims Court for the term of 15 years.

Wilkes C. Robinson, of Kansas, to be a judge of the U.S. Claims Court for the term of 15 years.

Reena Raggi, of New York, to be U.S. district judge for the eastern district of New York.

Ronald S. W. Lew, of California, to be U.S. district judge for the central district of California.

Richard J. Daronco, of New York, to be U.S. district judge for the southern district of New York.

David S. Doty, of Minnesota, to be U.S. district judge for the district of Minnesota.

DEPARTMENT OF JUSTICE

J. Keith Gary, of Texas, to be U.S. Marshal for the eastern district of Texas for the term of 4 years.

Earl L. Rife, of Ohio, to be U.S. Marshal for the northern district of Ohio for the term of 4 years.

Dwight G. Williams, of Mississippi, to be U.S. Marshal for the northern district of Mississippi for the term of 4 years.

Robert W. Foster, of Ohio, to be U.S. Marshal for the southern district of Ohio for the term of 4 years.

FOREIGN SERVICE

Foreign Service nominations beginning Ain H. Kivimae, and ending Ravindar Kumar Sikand, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 10, 1987.

HOUSE OF REPRESENTATIVES—*Thursday, May 7, 1987*

The House met at 11 a.m.

Sister Jean Patrice Harrington, president, College of Mount St. Joseph, Mount St. Joseph, OH, offered the following prayer:

Loving God, on this National Day of Prayer we commend to You this great Nation—all of its people both young and old, rich and poor, whose lives combine in forming our traditions, in writing our history, in determining our future.

As we strive for justice and equity and peace for all, help us to acknowledge the dignity of each human person.

We ask for each, freedom:

From a need for power;

From intolerance to change;

From insensitivity to others;

From a tendency to manipulate;

From every vestige of prejudice; and

From every kind of bondage.

We ask for each a freedom designed:

To assure an opportunity;

To develop one's potential;

To receive quality education;

To work in order to earn a respectable livelihood;

To worship You according to one's convictions; and

To speak openly against oppression and for loving relationships.

May all Members of this distinguished body commit themselves anew to protect those cherished freedoms, by exercising their decisionmaking role with wisdom, integrity, and full knowledge of the responsibility that is theirs in protecting the rights of all.

May the work done here bring us each day a little closer to being truly "one nation under God, indivisible, with liberty and justice for all." Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

A TRIBUTE TO SISTER JEAN PATRICE HARRINGTON

(Mr. THOMAS. A. LUKEN asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. THOMAS A. LUKEN. Mr. Speaker, it is my pleasure to be a Representative of the district of Sister Jean Patrice, who just gave the prayer. As many of the gentlemen in the Chamber know, it is rather unprecedented for a nun to give the prayer here, but Sister Jean Patrice has continued to do unprecedented things. As a matter of fact she is retiring this year, and she has so many credits and is so popular in my district that it is my fond hope in the interest of my own job security that she does not go into politics.

Sister Jean Patrice recently received the St. Francis Xavier Medal from Xavier University, my own alma mater, to honor persons of action, of courage and innovation who have had a direct impact on their fellow man and woman.

Since her arrival in 1977 she has led Mount St. Joseph to many heights, through several major reforms. In 1983 she started the Excel Program—a program designed to get college-bound students with learning disabilities into college.

She has also displayed her commitment to the community. She serves on many boards of directors of companies, actively serves on those boards of directors in Cincinnati and in the Ohio region.

Her wisdom and contagious energy is most evident in her view of retirement as a time to move on to new visions and new vitality, and it is appropriate to leave when things are going well.

So I am very proud to represent Sister Jean Patrice, and I think that we are all very proud that we have had this good representative of the Sisters of Charity here this morning.

RECESS

The SPEAKER. Pursuant to the order of the House of Thursday, April 30, 1987, the Chair declares the House in recess, subject to the call of the Chair, to receive the former Members of Congress.

Accordingly (at 11 o'clock and 5 minutes a.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF CONGRESS

The SPEAKER of the House presided.

The SPEAKER. On behalf of the Chair and of the Chamber, I consider it a high honor and a distinct personal privilege to have the opportunity of welcoming so many of our former Members and colleagues as may be present for this occasion. We pause in our deliberations this time each year to welcome them back to this historic Chamber.

This is a bipartisan affair, and in that spirit the Chair is going to recognize the floor leaders of both political parties in the House at the present time, and then during the calling of the roll of the former Members, the Chair would ask if the distinguished gentleman from Arizona [Mr. RHODES] at that point would assume the chair.

The Chair first recognizes the distinguished majority leader, the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Thank you, Mr. Speaker.

Speaker O'Neill, Speaker WRIGHT, my former colleagues, Members, I am delighted to have the opportunity to extend the warmest welcome to the former Members who have gathered this year to give us an opportunity to share a few minutes together as those who have served in this great body.

My memory goes back to 1965, when I was first a Member of this House, and I see around me all those Members, almost everyone in this room, with whom I had the honor to serve. I recognize the enormous talent and ability, the enormous contribution that has been made to this country and to the Congress by those who are gathered in the Chamber today. In fact, it is very difficult for me not to instantly stand a bit to attention with the presence of former chairmen and ranking minority members and former Speakers and former leaders.

The work of the former Members of Congress, individually and as a group, is I think one of the great and wonderful accomplishments of those who have joined us today. Both in the Organization of Former Members of Congress and in their individual commitments to public and private efforts the former Members have given enormously of their experience and ability to the continued service of their local, State, and national governments and to many, many private causes.

We all think and say that the privilege of service in the House of Representatives is knowing and working with our colleagues, and I think when new Members of Congress hear this, they take it with a bit of skepticism as something that is said by senior Members but perhaps is not quite as deeply felt as the Members suggest. The longer one serves here I think the deeper the commitment is to the fellowship and association and common effort that brings us together from all corners of this country, from all reaches of our land, from all backgrounds, to serve those to whom we

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

owe our office and to have the opportunity which is the greatest honor that befalls most of us in our lives, to be Members of the House of Representatives.

□ 1110

Thomas Jefferson wrote an epitaph and showed it to a friend before he died. Mr. Jefferson is buried in a simple gravesite at Monticello under this epitaph, and as he showed it to his friend, Mr. Jefferson read it. It said, "Here lies buried Thomas Jefferson, author of the Declaration of the Independence, author of the statute granting religious freedom in Virginia, father of the University of Virginia," and that is all that it said, except for the date of birth. Of course, Mr. Jefferson did not know the date of his own death.

The friend smiled and said, "Well, Mr. Jefferson, this is totally inadequate. It does not mention that you were the Ambassador to France after the great Benjamin Franklin, that you were Secretary of State of the United States, that you were Vice President of the United States, and that you were twice elected Chief Magistrate and President of the United States."

I think Mr. Jefferson's response is a good text for all of us present and former who have had the opportunity to serve in public office and in public life. He said, "Sir, I prefer to be remembered for what I have done for others rather than for what others have done for me."

All of us know that this is a tremendous honor for us, those who presently serve and those who have served in the past to represent hundreds of thousands of American citizens in this Chamber which we think of as the most democratic and deliberative body in the world, and to share that experience, and in an effort to make our own contributions as best we may to the furtherance and advance of our people and our country, and then to have the opportunity to come back together covering the range of years. I will not even begin to start recognizing the people in this room, but to be present with Speaker O'Neill, with Leader John Rhodes, with all of you, committee chairmen, Members, people I know who have made such an enormous contribution to our country by your past service and your present efforts is a great pleasure for us, and we extend to you our warmest welcome and greeting on this wonderful day.

The SPEAKER. The distinguished minority leader, the gentleman from Illinois [Mr. Michel] has been unavoidably detained. He will be here later, he assures me, and for that purpose we will delay his remarks until after the calling of the roll.

The Chair directs the Clerk to call the roll of former Members of Congress.

The Clerk called the roll of former Members of Congress, and the following Members answered to their names:

ROLLCALL OF FORMER MEMBERS OF CONGRESS ATTENDING 17TH ANNUAL SPRING MEETING, MAY 7, 1987

Hugh Q. Alexander of North Carolina;
William H. Ayers of Ohio;
Lamar Baker of Tennessee;
Robert Barry of New York;
Laurie Battle of Alabama;
J. Glenn Beall, Jr., of Maryland;
Robin Beard of Tennessee;
Berkley Bedell of Iowa;
John A. Blatnik of Minnesota;
Richard Bolling of Missouri;
Daniel B. Brewster of Maryland;
Donald G. Brotzman of Colorado;
Charles B. Brownson of Indiana;
James T. Broyhill of North Carolina;
William T. Cahill of New Jersey;
William Carney of New York;
Elford A. Cederberg of Michigan;
Charles E. Chamberlain of Michigan;
Jeffery Cohelan of California;
Albert M. Cole of Kansas;
James M. Collins of Texas;
William C. Cramer of Florida;
Paul W. Cronin of Massachusetts;
Glenn R. Davis of Wisconsin;
Edward J. Derwinski of Illinois;
William Jennings Bryan Dorn of South Carolina;
John N. Erlenborn of Illinois;
Michael A. Feighan of Ohio;
Hamilton Fish of New York;
L.H. Fountain of North Carolina;
Nick Galifianakis of North Carolina;
Robert N. Giaimo of Connecticut;
Martha W. Griffiths of Michigan;
Gilbert Gude of Maryland;
Robert P. Hanrahan of Illinois;
Ralph R. Harding of Idaho;
James Harvey of Michigan;
Jeffrey P. Hillelson of Missouri;
Chet Holifield of California;
Roman L. Hruska of Nebraska;
William L. Hungate of Missouri;
Richard Ichord of Missouri;
Jed Johnson, Jr., of Oklahoma;
James Jones of Oklahoma;
Horace R. Kornegay of North Carolina;
Peter N. Kyros of Maine;
John V. Lindsay of New York;
Robert McClory of Illinois;
John Y. McCollister of Nebraska;
William S. Mailliard of California;
James R. Mann of South Carolina;
Wiley Mayne of Iowa;
George Meader of Michigan;
Lloyd Meeds of Washington;
D. Bailey Merrill of Indiana;
John S. Monagan of Connecticut;
Frank E. Moss of Utah;
Thomas P. O'Neill, Jr., of Massachusetts;
Shirley N. Pettis of California;
Peter Peyser of New York;
James Quigley of Pennsylvania;
Thomas F. Railsback of Illinois;
Henry S. Reuss of Wisconsin;
John J. Rhodes of Arizona;
J. Kenneth Robinson of Virgina;
John M. Robison, Jr., of Kentucky;
J. Edward Roush of Indiana;
John H. Rousselot of California;
Philip Ruppe of Michigan;
Eldon Rudd of Arizona;
Harold S. Sawyer of Michigan;
Fred Schwengel of Iowa;
William L. Scott of Virginia;
Garner Shriver of Kansas;
Carlton R. Sickles of Maryland;
Henry P. Smith III of New York;
William L. Springer of Illinois;
Lynn E. Stalbaum of Wisconsin;
Roy A. Taylor of North Carolina;
Herbert Tenzer of New York;
Andrew Jackson Transue of Michigan;
Victor V. Veysey of California;
Charles W. Whalen, Jr., of Ohio;
Larry Winn of Kansas;
Ralph W. Yarborough of Texas;
Samuel H. Young of Illinois; and
Leo C. Zeferetti of New York.

□ 1120

Mr. RHODES (presiding). The Chair announces that 82 former Members of Congress have responded to their names.

I guess I need not report that a quorum is present because a quorum is obviously present.

The Chair now takes great pride in recognizing the distinguished Republican leader of the House, the gentleman from Illinois, Mr. Robert Michel.

Mr. MICHEL. I thank the Speaker and, my colleagues, and may I join Tom Foley in officially welcoming you back to the floor of the House. Each year it is so good to see old friends this day, but today is particularly joyous because we get a chance to pay tribute to our friend, the former Speaker, Tip O'Neill. I have seen Tip on occasion since he left us.

Mr. RHODES (presiding). My colleagues, the distinguished Republican leader of the House, Bob Michel, does not like to be called minority leader and I do not blame him. I did not either. He is the Republican leader.

Mr. MICHEL. Incidentally, Mr. Speaker, your reference to being in the minority, I hate to say that my dubious distinction, along with Bill Broomfield now, is that every new day that I am serving, I am setting a record for having served longer in consecutive years as a member of the minority party than any other Member in the history of the country. It is a horrible distinction.

Now I have seen Tip O'Neill on occasion since he left us, and I can tell you he is really enjoying his retirement. He tells me that the lecture circuit suits him just fine and that he now understands why we Republicans have been praising the free enterprise system for so long. That working title of Tip's book, "A Man of the House," I seem to recall that is the title I gave him in my farewell remarks on the floor of this House when we had several significant occasions in his honor. And I am happy that he is using that title.

Let me turn, if I might for a moment, to the meaning of this day, I guess, as I see it. A few weeks ago we Republican Members went to Federal Hall up in New York City where the first Congress met, you will recall. You would not recall that other than reading it in your history books.

But during our conference in New York, we discussed many subjects, and running through all those discussions, I guess, and conversations was this theme of continuity and change, and from the first Congress to the 100th Congress, this institution has been governed by those two imperatives, continuity and change.

Someone once said that our allegiance should not be to the forms of the past but to its virtues. I believe the House of Representatives has followed that rule. We changed many of the forms, the way we have been doing things around here. As a matter of fact, this televised coverage of the House of Representatives, if it has a flaw I would say it is that we do not have near the camaraderie on the floor of the House that we once had when so many of you were here and we really got to know you better because we were sitting here most of the time during the course of the debate in that afternoon, and the electronic coverage, I think, has tended to change that part of it. And if I have a regret over our having moved to televising these proceedings, that may be the one objection I would have.

I guess former Members remind us of the principle of continuity and, yes, of change. We see old friends and collegues and are reminded of our ties with them in days gone by. We are also reminded that this institution, of course, is bigger than any one of us. It flows on like a mighty river with or without any individual Member, including those of us who are still here, and will some day join the former Members.

When you see so many former colleagues in one place you get some idea of the continuity and sense of community that we share.

So I just want to say again how happy I am to see so many of my old colleagues on our side of the aisle, those with whom we have always had a cordial relationship on the Democratic side of the aisle—I still play golf with a few of them out there.

Tip, it is wonderful that we should again be paying a special tribute to you. You know that old, warm affection and regard "Bob" has for you.

So thanks, folks, nice to have you with us.

Mr. RHODES (presiding). The Chair now recognizes the president of the Association of Former Members, the gentleman from Illinois, the Honorable Edward J. Derwinski.

Mr. DERWINSKI. Since we are in the presence of many Members and former Members of the other body, I want to announce up front that I will live within the 5-minute rule.

Let us see now, Tip is here, which is fine.

I would like to give you a very brief annual report or President's report just touching on the highlights of our association, keeping in mind that this is a unique institution that now has been operating almost 200 years and has in turn helped create similar entities.

Mr. Speaker, on behalf of the Alumni Association of the Congress, I want to thank you for making this time available to us for our annual report to the Congress.

As the Congress moves toward the celebration of its bicentennial, our association will be nearing the completion of its second decade of existence. This affords us a special opportunity to look forward to the future and reflect on our accomplishments in the past.

Our Alumni Association is unique. The only way you can join it is through service in the U.S. Congress. We currently have approximately 600 members who have represented 49 States in the House and Senate. So, our membership is unique. When our members speak about the Congress, they know the institution, its strengths and weaknesses, its history and traditions.

This is one of the reasons our founders, Dr. Walter Judd and the late Congressman Brooks Hays were so keen on establishing a Campus Fellows Program. And it is one of the reasons why this program which now has completed 215 campus visits has been so well received on college campuses throughout the country. Our most recent visits have been by Tom Railsback to Indiana University Northwest, Bob Giamo to the University of California, John Anderson to Mid-America Nazarene College in Kansas, and Dick Clark to the University of Oklahoma. Mr. Speaker, I am submitting a list of the colleges and universities visited with a list of fellows to be printed at this point in the Record along with comments from the letters of evaluation we received from the faculty of these most recent visits which are a sample of the praise we receive for this program that takes the Congress to the classroom.

Colleges and Universities Visited Under the Congressional Alumni Campus Fellows Programs

COLLEGE/UNIVERSITY, STATE/COUNTRY, AND FELLOW

Alaska Pacific University, Alaska, William S. Mailliard (California).

Albion College, Michigan, David S. King (Utah).

Albion College, Michigan, Ted Kupferman (New York).

Albion College, Michigan, Martha Keys (Kansas).

Alfred University, New York, Frank E. Moss (Utah).

American College in Paris, France, David S. King (Utah).

American College in Paris, France, Byron L. Johnson (Colorado).

Arizona State University, Arizona, Gale W. McGee (Wyoming).

Arizona State University,* Arizona, Jacques Soustelle (France).

Assumption College, Massachusetts, Gale W. McGee (Wyoming).

Auburn University, Alabama, William L. Hungate (Missouri).

Auburn University,* Alabama, Alan Lee Williams (United Kingdom).

Avila College,* Kansas, Karin Hafstad (Norway).

Bainbridge Jr. College, Georgia, Gilbert Gude (Maryland).

Baylor University, Texas, James Roosevelt (California).

Baylor University,* Texas, Peter von der Heydt (Germany).

Bowling Green State University, Ohio, Robert P. Hanrahan (Illinois).

Bradley University, Illinois, Charles W. Whalen, Jr. (Ohio).

Brandeis University, Massachusetts, Abner J. Mikva (Illinois).

Brandeis University, Massachusetts, L. Richardson Preyer (North Carolina).

Brenau College, Georgia, Ralph W. Yarborough (Texas).

Brigham Young University,* Utah, Jacques Soustelle (France).

California Poly. State—San Luis Obispo, California, Frank E. Evans (Colorado).

California Poly. State—San Luis Obispo, California, Ralph W. Yarborough (Texas).

California Poly. State—Pomona, California, Robert R. Barry (New York).

Cameron University, Oklahoma, William D. Hathaway (Maine).

Cameron University, Oklahoma, William L. Hungate (Missouri).

Cameron University, Oklahoma, Dick Clark (Iowa).

Carleton College, Minnesota, William S. Mailliard (California).

Carroll College, Montana, Ralph W. Yarborough (Texas).

Chaminade College, Hawaii, Catherine May Bedell (Washington).

Chatham College, Pennsylvania, Catherine May Bedell (Washington).

Chatham College, Pennsylvania, Martha Keys (Kansas).

Charleston College,* South Carolina, John M. Reid (Canada).

Clark College, Georgia, William L. Hungate (Missouri).

Clark College, Georgia, William S. Mailliard (California).

Colgate University, New York, William S. Mailliard (California).

College of the Sequoias, California, Gale W. McGee (Wyoming).

Colorado State University,* Colorado, Alastair Gillespie (Canada).

Columbia College, South Carolina, Catherine May Bedell (Washington).

Columbia College, South Carolina, Martha Keys (Kansas).

Columbia College, South Carolina, James M. Quigley (Pennsylvania).

Columbia College,* South Carolina, John M. Reid (Canada).

Concordia College, Michigan, Walter H. Moeller (Ohio).

Connecticut College, Connecticut, Ralph W. Yarborough (Texas).

Converse College, South Carolina, Jed Johnson, Jr. (Oklahoma).

Dartmouth College, New Hampshire, John O. Marsh, Jr. (Virginia).

Dartmouth College, New Hampshire, William S. Mailliard (California).

Davis & Elkins College, West Virginia, Frank E. Moss (Utah).

Davis & Elkins College, West Virginia, J. Glenn Beall, Jr. (Maryland).

Denison University, Ohio, Frank E. Moss (Utah).

DePauw University, Indiana, Hugh Scott (Pennsylvania).

Dillard University,* Louisiana, George Kahn-Achermann (Germany).

Doshisha University, Japan, Catherine May Bedell (Washington).

Duke University,* North Carolina, George Kahn-Ackermann (Germany).

Eckerd College, Florida, William L. Hungate (Missouri).

Elmira College, New York, Charles W. Whalen, Jr. (Ohio).

Friends University, Kansas, Henry P. Smith, III (New York).

Furman University, South Carolina, Jed Johnson, Jr. (Oklahoma).

Georgetown University,* Washington, DC, Celio Borja (Brazil).

Grinnel College, Iowa, Neil Staebler (Michigan).

Guilford College, North Carolina, Gale W. McGee (Wyoming).

Gustavus Adolphus College, Minnesota, Charles W. Whalen, Jr. (Ohio).

Hamilton College, New York, William S. Mailliard (California).

Hartwick College, New York, Ralph W. Yarborough (Texas).

Hiram College, Ohio, Howard H. Callaway (Georgia).

Hiram College, Ohio, Roman L. Hruska (Nebraska).

Hope College, Michigan, Walter H. Judd (Minnesota).

Hope College, Michigan, Gale W. McGee (Wyoming).

Hope College, Michigan, Catherine May Bedell (Washington).

Idaho State University, Idaho, John R. Schmidhauser (Iowa).

Indiana State University, Indiana, Gordon L. Allot (Colorado).

Indiana Univ. Northwest, Indiana, Neil Staebler (Michigan).

Indiana Univ. Northwest, Indiana, William L. Hungate (Missouri).

Indiana Univ. Northwest, Indiana, Tom Railsback (Illinois).

Jackson State University, Mississippi, Allard K. Lowenstein (New York).

Johns Hopkins University, Maryland, Hugh Scott (Pennsylvania).

Johns Hopkins University,* Washington, DC, Celio Borja (Brazil).

Kansai University, Japan, Frank E. Moss (Utah).

Kansas-Newman College, Kansas, Henry P. Smith, III (New York).

Kansas State University, Kansas, Paul N. McCloskey, Jr. (California).

Keio University, Japan, Frank E. Moss (Utah).

King College, Tennessee, Charles W. Whalen, Jr. (Ohio).

King's College, Pennsylvania, Philip Hayes (Indiana).

Kirkland College, New York, William S. Mailliard (California).

Kwansei Gakuin University, Japan, Frank E. Moss (Utah).

LaGrange College, Georgia, Ralph W. Yarborough (Texas).

Lake Forest College, Illinois, Ralph W. Yarborough (Texas).

Lindenwood College, Missouri, Gaylord Nelson (Wisconsin).

Longwood College, Virginia, Paul W. Cronin (Massachusetts).

Luther College, Iowa, Gibert Gude (Maryland).

McNeese University, Louisiana, William S. Malliard (California).

Marshall University, West Virginia, John J. Gilligan (Ohio).

Mary Hardin Baylor College, Texas, Brooks Hays (Arkansas).

Matanuska-Susitna Community College, Alaska, William L. Hungate (Missouri).

Mesa Community College, Arizona, Gale W. McGee (Wyoming).

Miami University—Middletown, Ohio, James Roosevelt (California).

Miami University—Middletown, Ohio, James W. Symington (Missouri).

Mid-America Nazarene College, Kansas, John B. Anderson (Illinois).

Mid-America Nazarene College, Kansas, John Dellenback (Oregon).

Millsaps College, Mississippi, Allard K. Lowenstein (New York).

Montclair State College, New Jersey, Walter H. Judd (Minnesota).

Montclair State College, New Jersey, Ralph W. Yarborough (Texas).

Morehead State University, Kentucky, Dan Kuykendall (Tennessee).

Morehouse College, Georgia, William S. Mailliard (California).

Morehouse College, Georgia, William L. Hungate (Missouri).

Morris Brown College, Georgia, William S. Mailliard (California).

Morris Brown College, Georgia, William L. Hungate (Missouri).

Mount Vernon College, Washington, DC, Martha Keys (Kansas).

Murray State University, Kentucky, Brooks Hays (Arkansas).

Nanzan University, Japan, Catherine May Bedell (Washington).

New York University, New York, George McGovern (South Dakota).

Northern Illinois University, Illinois, William L. Hungate (Missouri).

Northern Kentucky University, Kentucky, Martha Keys (Kansas).

North Park College,* Illinois, Karin Hafstad (Norway).

Northwestern University,* Illinois, Karin Hafstad (Norway).

Oklahoma State University, Oklahoma, Ralph W. Yarborough (Texas).

Oregon State University, Oregon, Martha Keys (Kansas).

Otterbein College, Ohio, James Roosevelt (California).

Purdue University—Calumet, Indiana, William L. Hungate (Missouri).

Purdue University—Calumet, Indiana, Tom Railsback (Illinois).

Randolph-Macon College, Virginia, Gale W. McGee (Wyoming).

Randolph-Macon College, Virginia, Hugh Scott (Pennsylvania).

Rockhurst College, Kansas, Karin Hafstad (Norway).

Rose Hulman Institute of Technology, Indiana, Gordon L. Allott (Colorado).

St. Cloud State University, Minnesota, Charles W. Whalen, Jr. (Ohio).

St. Lawrence University, New York, Roman L. Pucinski (Illinois).

St. Mary-of-the-Woods, Indiana, Gordon L. Allott (Colorado).

St. Mary's College, Indiana, Gale W. McGee (Wyoming).

St. Michael's College, Vermont, Walter H. Judd (Minnesota).

St. Norbert's College, Wisconsin, Martha Keys (Kansas).

St. Olaf College, Minnesota, William S. Mailliard (California).

Salem College, North Carolina, Martha Keys (Kansas).

Sangamon State University, Illinois, Andrew J. Biemiller (Wisconsin).

Sangamon State University, Illinois, Martha Keys (Kansas).

Sangamon State University,* Illinois, Alan Lee Williams (United Kingdom).

Sangamon State University,* Illinois, Alastair Gillespie (Canada).

Siena College, New York, Frank E. Moss (Utah).

Siena College, New York, Charles W. Whalen, Jr. (Ohio).

Southeast Community College, Kentucky, Donald E. Lukens (Ohio).

Southern Illinois, University, Illinois, John R. Schmidhauser (Iowa).

Southwestern College, Kansas, Henry P. Smith, III (New York).

Spelman College, Georgia, William S. Mailliard (California).

Spelman, College, Georgia, William L. Hungate (Missouri).

SUNY—Binghamton, New York, John B. Anderson (Illinois).

SUNY—Plattsburg, New York, L. Richardson Preyer (North Carolina).

State University of Oswego, New York, Martha Keys (Kansas).

Syracuse University, New York, Charles W. Whalen, Jr. (Ohio).

Talladega College, Alabama, Ted Kupferman (New York).

Tougaloo Southern Christian College, Mississippi, Allard K. Lowenstein (New York).

Transylvania University, Kentucky, James M. Quigley (Pennsylvania).

U.S. Air Force Academy,* Colorado, Alan Lee Williams (Great Britain).

U.S. Coast Guard Academy, Connecticut, Ralph W. Yarborough (Texas).

U.S. Naval Academy, Maryland, John S. Monagan (Connecticut).

U.S. Naval Academy, Maryland, William S. Mailliard (California).

U.S. Naval Academy, Maryland, Alan Lee Williams (Great Britain).

University of Alaska, Alaska, William L. Hungate (Missouri).

University of Alaska, Alaska, William S. Mailliard (California).

University of Arizona,* Arizona, Celio Borja (Brazil).

University of Arkansas, Arkansas, Gale W. McGee (Wyoming).

University of Arkansas, Arkansas, Charles W. Whalen, Jr. (Ohio).

University of California—Berkeley, California, Robert N. Giaimo (Connecticut).

University of California—Berkeley, California, Henry S. Reuss (Wisconsin).

University of California—Berkeley, California, Newton I. Steers, Jr. (Maryland).

University of Dayton, Ohio, Catherine May Bedell (Washington).

University of Delaware, Delaware, John J. Gilligan (Ohio).

University of Delaware, Delaware, Henry S. Reuss (Wisconsin).

University of Georgia,* Georgia, George Kahn-Ackermann (Germany).

University of Georgia, Georgia, Otis Pike (New York).

University of Georgia,* Georgia, John M. Reid (Canada).

University of Georgia,* Georgia, Alan Lee Williams (United Kingdom).

University of Maine—Orono, Maine, John Rhodes (Arizona).

University of Michigan—Flint, Michigan, Gale W. McGee (Wyoming).

University of Nevada, Nevada, Gale w. McGee (Wyoming).

University of New Mexico,* New Mexico, Alastair Gillespie (Canada).

University of New Mexico,* New Mexico, Celio Borja (Brazil).

University of New Orleans,* Louisiana, Georg Kahn-Ackermann (Germany).

University of New Orleans,* Louisiana, Jacques Soustelle (France).

University of North Carolina, North Carolina, Robert P. Hanrahan (Illinois).

University of North Dakota, North Dakota, Neil Staebler (Michigan).

University of Oklahoma, Oklahoma, Catherine May Bedell (Washington).

University of Oklahoma, Oklahoma, Dick Clark (Iowa).

University of Oklahoma, Oklahoma, Martha Keys (Kansas).

University of Oklahoma, Oklahoma, William S. Mailliard (California).

University of Oklahoma, Oklahoma, Charles W. Whalen, Jr. (Ohio).

University of Oregon, Oregon, Martha Keys (Kansas).

University of Redlands, California, Catherine May Bedell (Washington).

University of South Carolina,* South Carolina, Alan Lee Williams (United Kingdom).

University of South Carolina, South Carolina, Gale W. McGee (Wyoming).

University of South Dakota, South Dakota, William L. Hungate (Missouri).

University of Texas,* Texas, Alastair Gillespie (Canada).

University of Texas,* Texas, Celio Borja (Brazil).

University of Utah, Utah, Robert N. Giaimo (Connecticut).

University of Utah,* Utah, Jacques Soustelle (France).

University of Utah,* Utah, Alan Lee Williams (United Kingdom).

University of Washington,* Washington, Alan Lee Williams (United Kingdom).

University of West Virginia,* West Virginia, Georg Kahn-Ackermann (Germany).

University of West Virginia,* West Virginia, Jacques Soustelle (France).

University of Wisconsin,* Wisconsin, Georg Kahn-Ackermann (Germany).

University of Wyoming, Wyoming, Frank E. Moss (Utah).

Urbana College, Ohio, David S. King (Utah).

Valparaiso University, Indiana, Neil Staebler (Michigan).

Vanderbilt University, Tennessee, Ralph W. Yarborough (Texas).

Vanderbilt University,* Tennessee, Celio Borja (Brazil).

Virginia Military Institute, Virginia, Gale W. McGee (Wyoming).

Wake Forest University, North Carolina, William L. Hungate (Missouri).

Wake Forest University,* North Carolina, Georg Kahn-Ackermann (Germany).

Washington College, Maryland, Gale W. McGee (Wyoming).

Washington & Lee University, Virginia, Gale W. McGee (Wyoming).

Wayne State College, Nebraska, Gale W. McGee (Wyoming).

Westmont College, California, Ronald A. Sarasin (Connecticut).

Wheaton College, Massachusetts, Charles A. Vanik (Ohio).

Whitman College, Washington, Frank E. Moss (Utah).

William & Mary College, Virginia, Hugh Scott (Pennsylvania).

Wofford College, South Carolina, Jed Johnson, Jr. (Oklahoma).

215 visits—68 Fellows

*International project funded by the Ford and Rockefeller Foundations for visit of Parliamentarians from the United Kingdom, Germany, France, Canada, Brazil and Norway.

EVALUATION COMMENTS

We very much enjoyed having former Congressman Robert Giaimo visit with us at the Graduate School of Public Policy at the University of California, Berkeley. The enclosed schedule of activities indicates that Bob Giaimo spoke to diverse audiences. Faculty and students in the Political Science Department and the School of Business Administration also took advantage of his broad expertise on Congress, interest groups, and the federal budgetary process. Deans of other professional schools at UC Berkeley were present at a faculty lunch given in Mr. Giaimo's honor. In summary, Bob Giaimo's visit can be evaluated as a very successful educational endeavor.—Phyllis Strong Green, Associate Dean, Graduate School of Public Policy, University of California, Berkeley, Berkeley, California.

I want to take this opportunity to thank you for providing an organizational structure whereby we are able, despite being a small college, to have a person of John Anderson's stature on our campus for a few days. Given the rates charged by booking agents for prominent speakers, we could not even have anyone close to his importance visit MANC for an evening address, much less a residency such as his. We are most appreciative of your facilitating this splendid academic opportunity.—John R.M. Wilson, Lyceum Director and History Professor, Mid-American Nazarene College, Olathe, Kansas.

The recent visit of Congressman Thomas Railsback here (and at Purdue Calumet) was a great success. The students who participated in the discussion sessions were very much pleased with the interaction. The convocation on "America and the World Trade Situation" stimulated some very interesting questions from the audience . . . We wish to thank Former Members of Congress for extending this opportunity to us.—George C. Roberts, Professor of Political Science, Indiana University Northwest, Gary, Indiana.

What a splendid way to end my ten-year tenure as Director of the Scholar-Leadership Enrichment Program. As an interdisciplinary and intercollegiate activity, many believe the Scholar-Leadership Enrichment Program is one of the finest opportunities available to Oklahoma students. Student evaluations are uniformly glowing: An absolutely super experience . . . Dick Clark was great! He is very knowledgeable and personable. He was very open and friendly . . . This seminar was some of my best spent time in my college career . . . I believe that having an intense discussion with a group of intelligent students and a top-notch scholar is an experience that's second to none. This is unlike any other educational experience and is highly successful and enjoyable. . . .—J. Clayton Feaver, Director, Scholar-Leadership Enrichment Program, The University of Oklahoma, Norman, Oklahoma.

The experience of congressional service shared by our Members with students on college campuses in States other than from which they served has proved to be a significant resource to faculty and students alike. This innovative program began under a pilot grant from the Ford Foundation and has been continued by grants from the John Crain Kunkel Foundation, the Lilly Endowment, the Charles Stewart Mott Foundation, the UPS Foundation, the Flora and William Hewlett Foundation, as well as a number of academic, corporate, and individual donors.

Under grants from the Ford Foundation and the Rockefeller Foundation, we have internationalized the program to bring in as visiting fellows former parliamentarians from Brazil, Canada, France, the Federal Republic of Germany, Norway, and the United Kingdom. Additionally, under grants from the Japan-U.S. Friendship Commission, the United States-Japan Foundation and the EXXON Educational Foundation we have sent two of our Members to Japan to lecture at Japanese universities and brought a delegation from the Japanese Diet to visit a United States college campus. At this point in the RECORD, I would like to list the 229 financial sponsors who have made our educational programs possible.

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209. U.S. Committee on Pacific Economic Cooperation.[1]
210. U.S. Department of State.[2]
211. U.S. Information Agency.[5]
212. United States-Japan Foundation.[1]
213. University of Alaska.[1]
214. University of Arkansas-Monticello.[1]
215. University of California-Berkeley.[1]
216. University of Dayton.[1]
217. University of Delaware.[1]
218. University of Oklahoma Foundation.[1]
219. University of South Carolina, Byrnes Center.[2]
220. Anonymous Individual.[2]
221. University of Utah.[1]
222. Hon. Victor V. Veysey.[1]
223. Washington Institute for Value in Public Policy.[1]
224. Whalley Charitable Trust.[1]
225. Hon. G. William Whitehurst.[1]
226. Mr. and Mrs. James Yao.[1]
227. Hon. Ralph W. Yarborough.[1]
228. Yeshiva University.[1]
229. Hon. Samuel H. Young.[1]

[1] Sponsors have contributed $1,000 to $10,000.

[2] Friends have contributed $10,000 to $50,000.

[3] Donors have contributed $50,000 to $100,000.

[4] Benefactors have contributed $100,000 to $250,000.

[5] Patrons have contributed at least $250,000.

During the last 14 years we have sponsored an average of two international seminars a year for a total of some 29 interparliamentary programs. In the last dozen seminars we have brought together some 60 Members of the House and Senate together with their counterparts from Germany, Japan, Canada, Scandinavia, Australia, New Zealand, and other developed democracies. These seminars have been funded by the German Marshall Fund of the United States, the Japan-United States Friendship Commission, the USIA, the Scandinavian Seminar College, and the East-West Center. They have been held from the East-West Center in Honolulu to the Salzburg seminar in Austria. Parliamentary seminars have been also held in cooperation with the Johnson Foundation Conference Center "Wingspread," the Konrad Adenauer Foundation, the Friedrich Ebert Foundation, the Friedrich Naumann Foundation, the Berlin Aspen Institute, the Gerald R. Ford Foundation, the Japan Center for International Exchange, and the James Byrnes International Center for the University of South Carolina.

Our two most recent seminars were held last month at the Byrnes Center of the University of South Carolina which was our second seminar there and our seventh with members of the Japanese Diet, and earlier this month we held our second seminar at Lake Como with the Konrad Adenauer Foundation which was our 11th with the German Bundestag.

Three of the programs have resulted in publications of which we are very proud. One is a comparative study of the "The Japanese Diet and the U.S. Congress," published in Japanese and English. A second is a study in cooperation with the Atlantic Council and the Gerald R. Ford Library entitled "The Presidency, the Congress and Foreign Policy." The third is a study of the German Bundestag and the U.S. Congress focusing on the importance of the role of technology, which will be published in German and English later this year. We plan to continue our series of comparative studies with other democratically elected national legislatures.

Incidentally, our 30th parliamentary seminar will be held in August which will be our second with the Scandinavian Seminar College bringing together Members of the Congress with their counterparts in Norway, Denmark, and Sweden. We believe that these seminars provide a valuable service in providing opportunities for Members of the Congress to meet their counterparts in other national legislatures.

One of the projects of which we are most proud is providing hospitality at the Capitol for distinguished international visitors. Under a 2-year grant from the Ford Foundation and subsequent support from the German Marshall Fund we will have hosted more than 125 events at the Capitol for cabinet ministers, parliamentarians, jurists, academicians, and other distinguished visitors from 63 countries. These events have included congressional receptions, luncheons, and breakfasts enabling legislators of many countries to meet with persons who have served or are serving in the U.S. Congress and are able to interpret it to them with firsthand knowledge.

Mr. Speaker, we now have counterpart associations in more than a dozen democracies that include Argentina, Austria, Belgium, Brazil, Canada, France, Germany, Greece, Italy, Japan, Luxembourg, Switzerland, Turkey, the United Kingdom, and Venezuela.

Each year we invite one of our sister organizations to send a delegation to our spring meeting. In recent years we have had delegations from France, Germany, Italy, and the United Kingdom. This year we are particularly pleased today to welcome representatives from our newest counterpart association, the former members of the Canadian Parliament who are represented today by a delegation consisting of two former members of the House of Commons, William Clark and Doug Rowland, as well as Mrs. Clark.

Our association is aimed at promoting a better understanding of the Congress as an institution. When our association was founded, there were many skeptics who doubted whether Democrats and Republicans, Liberals, and Conservatives, could put aside party labels and ideological differences to work together in a nonpartisan cooperative framework. The remarkable thing is not only have we been able to do so, but many personal friendships have developed across party and ideological lines as we have discovered.

A common bond in our service in the Congress. Whatever differences we may have on specific issues are slight when compared to our shared belief in representative government and the institution of the Congress of the United States. Although we have been able to generate more than $1 million in foundation support for our association's educational programs in the last decade and a half, an even more telling statistic is that our own membership has contributed more than half a million dollars to our alumni association in a comparable time which speaks volumes of the active support of our own members.

Mr. Speaker, in order to ensure bipartisanship, our board of directors is half Republican and half Democratic, elected by our membership. Our officers rotate on an annual basis between the parties and a balance is maintained on the board to ensure representation of alumni of both Houses of the Congress.

To next year's association president, John V. Lindsay, I extend my best wishes for continued success in the development of the educational programs of our organization. The coming year will be a particularly significant one because in September we shall meet to celebrate the bicentennial of the signing of the Constitution which we shall commemorate at our fall meeting in September in Philadelphia. We all know that our Republic was founded as a great experiment in self-government 200 years ago. There were many who doubted that the experiment could long endure. Even through a terrible civil war, two world wars, economic depressions, and vast technological and social changes, the remarkable thing is that our system of a written constitution with representative government and separation of powers has not only endured, it has flourished providing more freedom and opportunity for more citizens than any system previously recorded in human history. We are especially proud of the role of the Congress in maintaining and extending that freedom and opportunity within the context of our constitutional system of government. We share a pride in whatever large or small role we played in the Congress in helping preserve and extend that freedom. Ours is a fragile system. We all know the truth that George Washington stated in his first inaugural address that our Republic is "an experiment intrusted to the hands of the American people." We know that experiment cannot succeed without the commitment of an informed citizenry who understand the historical background of the development of our democratic institutions and are determined to preserve them for future generations.

As an association, we stand together committed to the goals of the preservation of the central institution of representative democracy of our Republic, the Congress of the United States.

We have with us at this conference, for example, members of the newly formed Former Parliamentary Association of Canada. There are others like it.

So we are serving as an inspiration to other groups to continue their former public service and public support.

Then momentarily wearing my current hat as an employee of the State Department, I would like to tell you how tremendously invaluable this association has been in hosting the visits from members of Parliament. Frankly, our current colleagues in the Congress are just too busy to do the kind of job that is required. The Association of Former Members has done a terrific job in hosting visits from parliamentarians from around the world. In so doing, I think they demonstrated the practical politics they are able to convey, and our visitors come away with that unique touch of bipartisanship that we have developed.

I must say that I find bipartisanship on the part of my Democratic friends very important. It has come, of course, too late. Having spent 24 years and always being in the hopeless minority, the idea of now being treated as an equal in retirement is in itself quite inspiring.

Now, if you will permit me, the one sad duty at this point, I would like to read the roll of our deceased Members of the past year, after which I would ask that you would all join me in observing a moment of silence.

In the last year we have lost: O.K. Armstrong (Missouri); Raymond E.

Baldwin (Connecticut); Jonathan Bingham (New York); Chester Bowles (Connecticut); Tim Lee Carter (Kentucky); Chester A. Chesney (Illinois); W. Sterling Cole (New York); Shepard J. Crumpacker (Indiana); Harry Darby (Kansas); James G. Donovan (New York); Ivor D. Fenton (Pennsylvania); Edward A. Garmatz (Maryland); Charles E. Goodell (New York); Edith Green (Oregon); James C. Healey (New York); Alton A. Lennon (North Carolina); Peter F. Mack, Jr. (Illinois); Abraham J. Multer (New York); William T. Pheiffer (New York); Albert Reeves (Missouri); and Al Ullman (Oregon).

I would like to ask that we observe a moment of silence in their memory.

(Whereupon a moment of silence was observed.)

□ 1130

Mr. DERWINSKI. At this time, I would like to acknowledge the presence of two distinguished New Yorkers. First, for a bit of history, I would like to acknowledge the presence of our oldest Member, not only in age, but also in service, a young man who started his service in the House in 1920 and is with us today as a member of this august association, Hamilton Fish of New York.

The next president of the association—I should say next president because we do have a Democratic process of electing our presidents—the next president will be a Democrat, which is sort of a twist in history because when he served here in the House, he was actually a Republican. Then he became mayor of New York, and you know, when you become mayor of New York, many things happen to you that affect your political balance.

John Lindsay will be our next member as a good Democrat, and I am only afraid that he will require that the association all start wearing "I love New York" buttons as part of membership, and that we all join, the next time that he is the head of a citizens' committee to increase subway fares in New York City, he will probably haul the association into it.

John, we pledge you our fullest cooperation. You know you have a great group to work with and a great association, now even a great history behind us. We know you are going to do a great job and will have a really successful year.

At this point, again I have to refer to my 24 years of minority service, this is a rare opportunity. At this point, in my capacity as president, I would order the Honorable Tip O'Neill to step forward.

Tip, do you want to use the minority mike or do you feel more comfortable with that microphone?

Mr. O'NEILL. I have never been on that side.

Mr. DERWINSKI. You should have tried it sometime; it is great.

Actually, we are going to present Tip with our Distinguished Service Award. I would say that the decision to present this award, Tip, was reached by acclamation.

There are a couple extra historic points, though. One, Tip, is that we have, along with the award itself, letters of commendation from Members of the U.S. Senate, and as I read them, I read through it sort of an honest reaction on their part to the fact that it is the House where the real people speak. This is an homage to you from Members of the Senate.

We also have a similar group of messages from Members of the House, and they all reflect the great affection and esteem and respect that we have for you.

Last, but not least, the award itself, which is presented to Speaker Thomas P. O'Neill, Jr., on the floor of the House of Representatives, by the U.S. Association of Former Members of Congress in recognition of his service to the Republic, May 7, 1987.

There is not a man who is better known around the country as Mr. Speaker, Mr. Congress, than Tip O'Neill, a great guy, a great friend of all of ours, and Tip, on behalf of all members of the association, I am pleased to present this award to you.

Mr. O'NEILL. Thank you. Thank you.

Mr. RHODES (presiding). The Chair is pleased to recognize the distinguished former Speaker and recipient of the annual award of the Association of Former Members, my buddy, Tip.

Mr. O'NEILL. Mr. Speaker, oh, how John longed for that title.

Mr. Speaker, my colleagues, former Members of the Congress and present Members, I am delighted to be here today. I have been asked so many times, "How is the transition going? How is the commencement of a new life? Do you miss it here in Congress?"

Of course I miss it. To say otherwise would be ridiculous. I miss my colleagues; I miss the leadership meetings; I miss the press; I miss my employees who worked with me for so many years.

I miss the whole attitude. I am keeping myself out of the position of making decisions, but I am moving around and I am enjoying myself.

"Have you ever felt that you would have liked to have stayed?" Sure, I would have liked to have been here for the 100th Congress, to be perfectly truthful, but I served as Speaker for 10 consecutive years, longer than any person, and I owed it to the Members. I owed it particularly to Jim Wright, who had been majority leader and Tom Foley, and the rest who were coming along, for their loyalty through the years in this great institution.

Jim came from Texas and I came from Massachusetts. We do not always think alike, but Jim is a beautiful person, he always has been, and I am deeply grateful to him.

Here we are in the 100th Congress, the 200th anniversary of the Constitution. Indeed, it is going to be a tremendous year. The 200th anniversary of the Constitution, a simple document, put together by the Founding Fathers with a simple set of rules on how to govern our Nation, a tripartite institution: the President, the administration; the Congress, the House and the Senate; and the Judiciary.

Here in this body, the obligations and the duties are to authorize, appropriate, in case of war, to declare war, oversight, and to set the laws of the Nation.

I have been in this Chamber so many times, through a period of 35 years. I was in Cleveland on the night of the President's State of the Union. I was sitting in a hotel room and saying to myself, "This is the first time in 35 years that I haven't been present for that particular night." I watched the President and so many memories came back, as do memories as I stand here now.

We always respond to the will of the American people. That is the policy and that is the art of government and that is what the Constitution is all about. That is what Congress is all about.

I have seen, through my 50 years in public life, and in 17 terms here, when we developed a great agricultural system and became the breadbasket of the world. Then an industrial complex, and now, on the 200th anniversary, how things have changed.

After the war, in the days when I was here when Eisenhower was President, the military industrial complex moved, when the Marshall plan was put into effect, we were the breadbasket of the world. We traded with every nation. We had an economy that was flowing. We were the power of the world.

□ 1140

And suddenly things have changed. But this Congress had the challenge of the agricultural days and it witnessed the changes and the problems of the industrial days. Now we are at a time when we have to look forward. We cannot stand still. We have to continue to be the leader. There are those of us who eye the situation and realize that America must move.

But how do we move? I think we have to move in quality and productivity. How do we get to that? I think we get to that through the realm of education, because the strong backs and the strong arms of the past which helped develop industry will not be needed in the future. It is the keen, strong mind of education.

I am happy about things since I left the Congress. I appreciated the fact that on both sides of the aisle we are looking at a deficit. We have to do something to straighten out that deficit. I am more concerned, as I think of the Congress today, than I was 45 years ago. I think industry and those who govern are closer together than they have ever been before.

The Founding Fathers had a great challenge. As I look back, I think they were heavenly sent and heavenly blessed.

This 100th Congress has a great challenge. Its challenge is to bring us toward the 21st century.

Let me just say this: This Congress has never failed the American people. I have thought about that so many times as I sat on the rostrum and had the gavel and looked up there. I remember the time when I read about what Alexander Hamilton said one day when he was sitting in the gallery. The House was a noisy hubbub, and he was sitting with a British parliamentarian who asked, "What is going on down there?"

"Well," he said, "let me say one thing to you." He said, "There the people govern."

We are the voice of the people, and we owe a responsibility to the people. We have met adversity many, many times, and we have always been equal to the challenge. I think we are at the stage of meeting adversity again right now, and I have every confidence in our system of government and every confidence in the Congress and the elected people of this Government.

To my colleagues who served in this body as I did, let me say that it was a delight to be at your dinner last night and to meet with so many of you. It brought back fond memories. There is hardly a person in the House that I cannot associate something with along life's line.

So I am happy to join you. I am happy to be one of you. I want to participate in your functions. All of us together have so much knowledge and we have seen so much history, we should make sure that that history is recorded for the future of this Nation.

For honoring me today, for this beautiful gavel, I thank you, and I say to Ed Derwinski and to the officers of the association that I want you to know I am available and will be at your service. I want to participate, I want to keep alive the spirit that I love so much in the Congress of the United States. Thank you.

[Applause, the members of the audience rising.]

Mr. DERWINSKI. Mr. Speaker, that applause demonstrates our warm affection and respect for Tip.

Tip is a man of his word. You should know that Tip has agreed to serve on our board of directors, so when he told us he wanted to help, by gosh, he has already volunteered, and he will be a member of our board of directors.

I want to thank all of you. Lunch is at the Capitol Hill Club.

In addition, Tip, I want to say that Walter Judd, one of our cofounders, sends his best wishes. Dr. Judd is ill, but he sends his best wishes to you, Tip, and to all of us on this occasion.

Mr. Speaker, I thank you for your courtesy. Had you ever been Speaker, you would have been a wonderful presiding officer.

Mr. RHODES (presiding). Naturally I associate myself with the last remarks of the gentleman from Illinois.

I want to thank the Speaker on behalf of the membership and the majority leader and the minority leader—excuse me, the Republican leader—for the courtesy you have shown us, as you always do on this occasion. I am particularly pleased to see so many of my former colleagues who are here today.

I want to congratulate my friend, the former Speaker, whose kindness I will long remember and cherish, on the award he so richly deserves, and I want to welcome him officially to the Association of Former Members.

Tip, you will be a great addition to our group, and we are pleased that you will be participating. It will strengthen the association immeasurably.

On behalf of the Speaker, I will announce that the House will reconvene at the hour of 12, and, without objection, the annual meeting on the floor of the House of Association of Former Members is hereby adjourned.

Accordingly (at 11:45 a.m.), the House continued in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. MURTHA] at 12 noon.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD and that all Members and former Members who spoke during the recess have the privilege of revising their remarks and remarks submitted on behalf of former Members, including certainly one of the greatest Speakers we have ever come to know, Mr. O'Neill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

APS REPORT AND SBKKV SURVIVABILITY

(Mr. McCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLOSKEY. Mr. Speaker, 2 weeks ago the American Physical Society—the leading society of physicists in the United States—released a study on the science and technology of directed energy weapons.

In doing so, the APS also came to important conclusions about the survivability of any space-based antimissile system.

Those conclusions cannot be considered as good news for those who believe our Nation should abandon the ABM Treaty and embark upon a development, testing, and deployment program relying principally upon space-based kinetic kill vehicles.

The APS found that the ability of any space-based ABM system to withstand attack is "highly questionable at present." It also concluded that "during the operational phase, the space-based assets are especially vulnerable."

Yet, early deployment advocates want us to commit to a system of expensive, highly vulnerable SBKKV satellites which rely on technology which is 30 years old and a small number of sensor satellites which can be neutralized with only a modest Soviet effort.

The APS also found that while it will be some time before lasers and other exotic weapons will be adequately developed for a decision as to whether they could form part of an effective ballistic missile defense, certain directed energy technologies can threaten vital parts of a space-based defensive system.

Most significantly, the APS found that:

> Since a long time will be required to develop and deploy an effective ballistic missile defense, it follows that a considerable time will be available for responses by the offense * * *. A specific threat cannot be predicted accurately in advance of deployment.

For these and other reasons, I will be offering an amendment which was approved by the Armed Services R&D Subcommittee to limit the space-based kinetic kill vehicle program. This amendment will permit basic research to continue without committing us to spending at least $121 billion on a system that will be obsolete before it is initially deployed.

I hope my colleagues will support this effort to halt the rush to near-term deployment of ABM systems which violate the ABM Treaty.

FAMILY AND MEDICAL LEAVE: ANOTHER BEDROCK FAMILY ISSUE

(Mrs. ROUKEMA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, it is now a mere 3 days until Mother's Day and a mere 5 days before the Labor-Management Subcommittee takes up one of the bedrock family issues of our day: family leave.

Startling economic and social changes are transforming the American family. So, the time has come to develop a family and medical leave policy that simply says that if an employee must take a leave of absence because of childbirth, a serious illness or serious illness among family members, they will not be fired.

All this being true, we cannot ignore the very real concerns of the American employer. Any realistic legislative solution must strike a balance between the needs of employees and employers. Business, especially small business, must be able to continue productive and profitable operations.

Next week our subcommittee will mark up a family leave bill.

I propose legislation which would grant limited, unpaid family and medical leave periods but applies only to full-time employees in good standing and would affect companies and corporations with more than 50 employees.

For families in America today, especially young families, a reasonable family leave policy is the job security issue of our day.

COME CLEAN, MR. PRESIDENT

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I want to address the Barnum & Bailey Circus proceedings that are taking place at the Iran-Contra hearings. Ghorbanifar now blames the CIA. The CIA, they sort of blame Secord. Secord turns the blame back on the CIA. Mr. Meese blames Poindexter. Poindexter blames North. And North is blaming the liberal press.

Come on here, Mr. President. The President just keeps smiling. This is the greatest smile in Presidential history, the most charismatic, that got him elected. Now it is becoming known as the great smile of the great stonewall.

Mr. President, come clean, the buck stops right at your desk. You can fool some of the people some of the time, some of the people all of the time, but you cannot fool all Americans all of the time. Mr. President, you are now beginning to insult the intelligence of the American people, because this Barnum & Bailey Circus cannot be believed, nor can it be credible to any American with any common sense.

IT IS TIME TO ACT ON FARM CREDIT

(Mr. MARLENEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARLENEE. Mr. Speaker, we as a Nation have let the farm credit delivery system languish long enough. It is like a time bomb with an accelerator ticking, ticking, ticking, faster and faster, and the longer we wait, the closer we come to disaster. It is time to stop playing "ring around the rosey" and stop pointing the fingers of blame at everybody else in this whole scenario.

The producer cannot continue to sustain a 12-, 13-, 14-percent interest rate on long-term credit. The Farm Credit System is essential to an agricultural recovery. The Farm Credit System is essential to agricultural real estate stability. Unless we fix the Farm Credit System and stop the time bomb, we as a Congress are going to blow all of the investments that we have made into agriculture to stabilize it—we are going to blow it entirely out of the water. Our investments will be gone, the producers will be gone, and we will have a far greater problem. It is time to act on farm credit.

□ 1210

FAMILY MEDICAL LEAVE ACT

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I am very proud to announce that the Subcommittee on Civil Service of the Committee on Post Office and Civil Service has passed out the Family Medical Leave Act for all civil service employees. It is long overdue.

As we face this Mother's Day weekend, it is time that this Nation's Capital stops talking about family, and I do not think that there is any other capital in the world that has poured more rhetoric on the family, and does something about families, something to relieve the stress that young families are sensing all over, and we mean something real, not something that is a bag of smoke.

If I had a map here of the entire world, every other country in the world except the United States, South Africa, Burkina, Sudan, and Ghana has done this. It is long overdue, and I am pleased that the subcommittee has begun progress, and I hope that the Committee on Education and Labor moves it next week.

DISAPPOINTMENT WITH SUPREME COURT JUSTICE THURGOOD MARSHALL'S REMARKS

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Mr. Speaker, I rise to express my great disappointment with recent remarks attributed to Supreme Court Justice Thurgood Marshall in which he contends that the framers of our U.S. Constitution were "not particularly profound." I strongly disagree. Our Founding Fathers placed real restrictions on the power of government over the individual, rather establishing a standard of human rights that ultimately have applied to every American. Jefferson, Madison, Franklin, and the other delegates to the Philadelphia Convention created a living document capable of evolving over time. They created a system of government in which freedoms would be broadened, rather than diminished.

Mr. Speaker, our Constitution is the oldest written document of its kind in continuous use. That in itself should tell us that our Founding Fathers had exceptional foresight. I hope Justice Marshall will take a second look at history and recognize that he does indeed have reason to celebrate the bicentennial of this outstanding document.

RECENT VISIT TO NICARAGUA

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHEUER. Mr. Speaker, I recently visited Nicaragua as a member of the United States delegation to the 77th Conference of the Inter-Parliamentary Union.

While in Managua, Representative LINDY BOGGS and I met with a group of women whose sons, brothers, and husbands are imprisoned apparently without cause by the Sandinistas.

These women, most of them mothers dressed in rags and tatters, told me stories of torture, fear, imprisonment under inhumane conditions in Nicaragua's infamous El Chipote prison, a jail to which all inspection or entrance is barred to international human rights groups, including the International Red Cross.

Mr. Speaker, since my return to Washington, I have learned that the Sandinista state security police detained one of the women—Concepcion Salazar Gonzalez—2 days after she met with me and threatened that she would never again see her two imprisoned sons if she held further meetings with visiting foreigners.

"We could have them disappear so you would never see them again * * * and we can do the same to you," the Sandinista security officials told her.

The Sandinista security police summoned Mrs. Salazar to the prison on the pretext that they wanted to discuss the case of her imprisoned sons, Domingo and Fanor. But when she arrived, she was brought into a room in which the temperature was so low that she likened it to a refrigerator, and she was interrogated by four security officials.

Mr. Speaker, I am offended and outraged by this act.

Neither Representative Boggs or I have ever supported military aid to the Contras, yet the Sandinista still terrorized this helpless mother because she met with us.

Actions such as this one make it clear that the Sandinista's are governing by repression and intimidation with a total disregard for the human rights of Nicaraguan citizens.

Mr. Speaker, incidents such as this one may cause Members of this body to think differently next time we face a vote on Contra aid.

PLANT CLOSING BILL

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, we will soon have to consider a bill that would, by law, mandate a 90-day notice before a company could close a plant. For large corporations with many individual plants, this may not cause great difficulties. But for a small business, with one or two locations, it would be a real threat.

As a small businessman, to notify your employees and the local government of the impending closing of your plant under the provisions of this bill would start a standard chain of events. First, your suppliers would change payment terms to cash or decide not to deliver supplies at all. Your lenders, who already knew of your weakened condition, would cut off your credit. Your employees with good skills would leave to find another job.

In the meantime, Mr. Speaker, you would be consulting with your employees, for the bill authorizes private lawsuits for backpay and lost benefits for failure to consult or disclose relevant information.

Has anyone in this Chamber put a pencil to the costs of this bill to the small employer? If the small businessman must lay off 50 employees and pays an average of $6 per hour, the closings payroll would amount to $156,000. This amount may not bother politicians here in Washington, Mr. Speaker, but, to a small company trying to save the remaining parts of its business, it is absolute disaster.

SPENT FUEL CONTINGENCY ACT OF 1987

(Mrs. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. LLOYD. Mr. Speaker, today I am introducing a bill entitled "Spent Fuel Contingency Act of 1987." My bill would enable the Government to fulfill its legal and contractual commitments to begin accepting for disposal the spent nuclear fuel discharged from commercial nuclear powerplants beginning in calendar year 1998. The Congress intended that a Federal disposal facility would be available in 1998 to begin receiving such spent fuel. However, the Waste Program has proven to be highly controversial and has been delayed.

Mr. Speaker, we should reject the Department of Energy's proposed monitored retrievable storage facility. The Waste Disposal Program has turned into a ripoff of the utility ratepayers and this temporary MRS facility is yet another example of unnecessary expenditures. A reasonable, safe, and totally effective program for the storage of spent nuclear fuel at powerplant sites is in the best interest of the utility ratepayers and the Nation. The Spent Fuel Contingency Act of 1987 is the best congressional response to an immediate problem in the Federal Nuclear Waste Disposal Program.

H.R. 2319

SECTION 1. SHORT TITLE.

This Act may be cited as the "Spent Fuel Contingency Act of 1987".

SEC. 2. FINDINGS.

The Congress finds and declares that—

(a) the federal government has a legally binding contractual commitment to begin accepting title to spent nuclear fuel discharged from domestic commercial nuclear power plants beginning in calendar year 1998;

(b) until calendar year 1998, it is the responsibility of the owner of the power plant to provide adequate storage for such spent fuel;

(c) a federal disposal facility, constructed pursuant to the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101, et seq., in this Act referred to as the "Waste Act"), may not be available at such a time to begin receiving such spent fuel;

(d) the government should be prepared with a contingency plan to fulfill its contractual obligations in the event that such federal disposal facility is not available to receive such spent fuel;

(e) a central Monitored Retrievable Storage facility for spent nuclear fuel storage and processing as identified in section 141 of the Waste Act (42 U.S.C. 10161) is unacceptable under any circumstances; and,

(f) a safe and cost effective plan to fulfill the government's commitment is to accept title to, and responsibility for, spent fuel at the power plant site and to store such spent fuel at the power plant site until a federal disposal facility is ready to receive the spent nuclear fuel for disposal.

SEC. 3. CONTINGENCY PLAN.

(a) Contract Requirement.—The Secretary of Energy, (in this Act referred to as the "Secretary") shall, pursuant to his responsibilities under the Waste Act, enter into agreements with persons holding contracts with the government under the authority of section 302 of the Waste Act (42 U.S.C. 10222) to enable the Secretary to implement the contingency plan developed pursuant to subsection (b).

(b) Contingency Plan.—The Secretary shall develop a written contingency plan to accept title to, and responsibility for, spent nuclear fuel from those persons who have contracted with the government under authority of section 302 of the Waste Act (42 U.S.C. 10222). Such plan shall require the Secretary to finance out of the Nuclear Waste Fund (in this Act referred to as the "Waste Fund") established in the Waste Act, all of the costs associated with receiving, processing (excluding reprocessing to separate out any of the constituent chemical elements or chemical compounds of the spent nuclear fuel), storing, licensing, controlling and monitoring such spent fuel at the nuclear power plant sites, or, if such spent fuel cannot be returned to such site, at other locations where such persons are storing such spent fuel. The Secretary shall compensate such persons for the use of any non-federal land required by the Secretary to implement the contingency plan.

(c) Implementation.—The Secretary shall implement the contingency plan at such time as will enable him to fulfill his contractual commitments to receive spent nuclear fuel pursuant to section 302 of the Waste Act (42 U.S.C. 10222).

(d) Credits.—The Secretary is authorized to make direct payments from the Waste Fund, or issue credits against the fee to be collected by the Secretary pursuant to section 302 of the Waste Act (42 U.S.C. 10222), to any person for any activity that will assist the Secretary in fulfilling his obligations under this Act or the Waste Act, including, but not limited to, payments or credits to such persons who agree to reduce the amount of required federal spent nuclear fuel storage or disposal space by taking one or more of the following actions—

(1) consolidating or otherwise processing (excluding reprocessing to separate out any of the constituent chemical elements or chemical compounds of the spent nuclear fuel) such spent fuel;

(2) reracking existing spent nuclear fuel storage pools;

(3) creating dry cask storage; or

(4) building new wet storage pools.

(e) Definitions.—The term "person" shall have the meaning given to such term in section 11 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014).

DEMOCRAT BUDGET PRIORITIES

(Mr. THOMAS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of California. Mr. Speaker, our Democrat colleagues both here in the House and in the Senate often complain that we accuse them of tax and spend, tax and spend and playing politics with the budget.

Early this morning the Senate passed their budget. What did they do? They increased taxes. And after blasting the President's economic assumptions for months, they adopted them because it saved them billions of dollars.

It is true they cut a few items—they cut defense; they cut international affairs. They cut agriculture; they cut veterans, but lo and behold, in function 800, general government, we find $100 million added to pay for taxpayer-financed campaigns.

The Senator from Alaska, Senator MURKOWSKI, offered an amendment to move that money into the veterans' budget function. The Senator from California, ALAN CRANSTON, said, speaking against the amendment "I believe that providing for public financing of congressional elections is one of our most pressing national needs. That needed reform will benefit veterans as well as all Americans."

Welcome to a Democrat-controlled Congress, taxpayers. If they have their way, they are going to be cutting veterans but getting you, Mr. and Mrs. taxpayer, to pay for Senators' campaign buttons and bumper stickers.

Why do we complain about the Democrats taxing and spending? Take a look at the Senate's budget.

BARRING OF KURT WALDHEIM FROM THE UNITED STATES

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WEISS. Mr. Speaker, last Congress the House passed a resolution I introduced calling upon the Attorney General to examine evidence related to Kurt Waldheim's activities during World War II. In carrying out that mandate, and by barring Waldheim's entry to this country, the United States last week reaffirmed its commitment to reject those involved in the worst crime in the history of civilization.

Our Government should have acted last year before Waldheim was elected President of Austria after his election. Never before have we refused entry to the head of a friendly nation. As former Secretary General to the United Nations, Waldheim carries special international prestige. The easy decision would have been not to complicate United States—Austrian relations, and to let the matter die. Nevertheless, our Government chose principle over politics, and justice over expediency.

When the war criminal is Karl Linnas or John Demjanjuk, bringing him to justice is a relatively simple step. When Kurt Waldheim is implicated in criminal activity, serving justice is much harder. But they must be judged by the same standard. Last week our Government showed its devotion to that principle. Only by upholding it, and by refusing to forget the crimes committed in the name of Nazi Germany can we hope to prevent the Holocaust from happening again.

□ 1220

WE SHOULD QUESTION THE VALIDITY OF LISTENING TO A COUNTRY WHICH TREATS ITS CITIZENS THIS WAY

(Mr. RHODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, like the gentleman from New York whose remarks I hope all of us listened to, I was also privileged to be in Managua last week along with the gentleman from California [Mr. BATES]. And I, likewise, was privileged to visit with a group of women whose relatives had been imprisoned for no offense or for political offenses. But unlike the gentleman I did not meet with 30 women; I only met with 5. It might interest the gentleman to know that Mrs. Gonzalez was not the only one who was picked up and detained by the state security police. Among those ladies that the gentleman met with, there were four who were detained and every single one of the other ladies that the gentleman met with was visited by the state security police and they were strongly advised to cease meeting with foreigners, especially with the U.S. Congressmen.

So by the time I got there, only five of those women were willing to come forth and to meet with me and they showed exceptional courage in doing so.

The gentleman would also be interested, I believe, my colleague and friend, to know that they asked me and through me the gentleman to come home and to tell their story. And they gave me their names. They said, "Please use our names." And they gave me the names of their loved ones who have been imprisoned and they said, "Please use their names, please tell our story. We believe this is the only way that we will be able to obtain freedom and justice in Nicaragua."

I asked them, "Aren't you afraid of retribution and the consequences of us going back to the United States and telling your story?" And they said, yes, they were, but they believed that this is the only way that they can obtain freedom and obtain justice is for us, the American people, to become aware that there is political repression in Nicaragua, that there are political prisoners in Nicaragua and we have to help them regain their freedom.

I would hope my colleagues who in the past have not supported our policy toward Nicaragua will heed the words of the gentleman from New York the next time you have an opportunity to question the validity of listening to a country that treats its citizens this way.

PRESIDENT'S DEFENSE PRIORITIES SKEWED

(Mr. McCURDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, when we resume debate on the Defense authorization bill today, we will be considering more than a dozen amendments related to the strategic defense initiative.

I support a robust SDI research and technology development program, at the level approved by the Armed Services Committee, because I believe that we should explore strategic defense options that may lead to reducing the threat posed by ballistic missiles.

At the same time, Mr. Speaker, we must be realistic about the current threat. If we are serious about reducing nuclear arsenals, then we have better realize that we must strengthen our conventional forces, especially within the Army, in order to close the gap with Warsaw Pact forces in Europe.

At the Reykjavik summit, the United States proposed reducing the superpowers' nuclear arsenals by drastic measures. But the President's fiscal year 1988 defense request indicates to me that he cannot have been serious in making this proposal. The committee's review found that the administration was seeking cuts in conventional force programs so that additional funds could be allocated to strategic, classified, or advanced technology programs.

Mr. Speaker, if the administration really wants to reduce stockpiles of nuclear weapons, it should be pushing to upgrade our conventional forces, not weaken them.

If the administration has its way, our ground forces would suffer in order to pay for more nuclear hardware and two more aircraft carriers. In point of fact Air Force R&D is larger than Army procurement. Vital equipment purchases such as the Apache Attack Helicopter Program would be closed down, 82 choppers short of its original goal. The Army Helicopter Improvement Program would be terminated, at the expense of the troops who really need them.

Mr. Speaker, the committee believes that priorities expressed in the President's request have been skewed the wrong way. Our work reflects a policy decision to protect conventional—particularly Army—forces at the expense of growth in strategic forces, and I urge my colleagues' support.

WE SHOULD SUPPORT THE WELDON AMENDMENT AS THE FIRST STEP IN ADDRESSING VIOLATIONS OF THE ABM TREATY

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, in the next few minutes we are going to begin the continuation of debate on the Department of Defense authorization bill. First up will be what I think is probably one of the most important amendments to be considered and that is the Weldon amendment which addresses the construction of that huge radar system at Krasnoyarsk. We hear so much about the term "Krasnoyarsk," we know that it is a violation. Almost everyone in this House has admitted that it is a violation. We must also remember that there is another important part of the ABM Treaty that is being violated. Not many people have talked about the flat twin and pawn shop mobile ABM missiles that the Soviets have been deploying and utilizing. What I am saying is we have to support the Weldon amendment, but it is only the first step in addressing the Soviet violations of the ABM Treaty.

THE DEATH OF BENJAMIN LINDER

(Mr. BATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BATES. Mr. Speaker, I am calling for an official inquiry by the Department of State into the death of Benjamin Linder. Mr. Linder, who was an American citizen, was allegedly killed by Contra guerrillas on April 29, 1987, while working at a remote village in the northern province of Jinotega, Nicaragua. To date, reports of the slaying are conflicting.

One report indicated that Benjamin was killed by the shrapnel of a grenade during a confrontation between Contra guerrillas and Sandinista militiamen. Most reports however, state that he was ambushed with coworkers near an isolated ravine where he received nonlethal wounds to his arms and legs. The autopsy shows he died as a result of being shot in the head at point blank range.

Our State Department has an obligation to the Linder family whom I met with in Managua in providing an appropriate response with regard to this unfortunate incident. I urge my colleagues to join with me in requesting Secretary of State Shultz to look into this matter and providing an adequate response.

THE PRESIDENT AND CONGRESS SHOULD WORK TOGETHER TO SUPPORT THE ARIAS PLAN, THE CONTADORA PROCESS OR BILATERAL TALKS

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, while the Nation focuses on the Iran Contra hearings and their daily revelations, could it be we have missed something significant in the administration's policy in Central America? I recall seeing the President as he boarded his helicopter state that he wanted to pursue free elections in Nicaragua. He said nothing about overthrowing the Sandinista government.

If this is the case, this could be a major change of policy. Does this mean that the President is now ready to really support the Arias plan or the Contadora process of bilateral Washington-Managua talks, the best vehicles to achieve these free elections that he wants?

Mr. Speaker, the policy of aiding the Contras is the cornerstone of our Central American policy and has not worked. It is being discredited everyday in the hearings. The American people are not buying it because it is money down a rat hole.

If the President had not made his Central American policy so partisan, perhaps we could have dealt with this issue much more positively.

The only way we can deal with Central American policy is in a bipartisan fashion.

If the President is sending signals that he is ready to work with the Congress for a change, then we should take advantage of that offer which he has made.

ANOTHER OMINOUS EVENT IN SOUTH AFRICA

(Mr. LELAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LELAND. Mr. Speaker, yesterday in South Africa, an ominous event occurred. The white electorate went to the polls to determine the future of their country and the fate of 24 million black South Africans. This election was designed to deliver a mandate for change in South Africa. But, it is evident that white South Africans are not interested in change.

The proapartheid parties received nearly double the total votes garnered in the last white election. This signifies the growing opposition of the white minority to any further change.

Furthermore, the election ignored the sovereignty of 24 million blacks and forced them to accept a fate mandated by an election from which they were prohibited.

While the final votes are being tallied, antiapartheid forces are counting their losses and black South Africans are counting their dead. The election stands as an ugly monument to apartheid and the continued repression of the black majority.

We in Congress must continue to act now. Congress and the American people must not let this travesty go unnoticed.

□ 1230

NATIONAL LAW ENFORCEMENT MEMORIAL

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, 2 weeks ago plans were unveiled for a National Law Enforcement Memorial to be built here in our Nation's Capital. Most of the Members here are familiar with this project, because we authorized it by a unanimous act of Congress in 1984.

As a 23-year police veteran, I was proud to have authored that legislation and I am just as proud of the memorial plans that have been developed. The proposed law enforcement memorial would be located on the Ellipse, one of Washington's most prominent sites. Plans call for turning the Ellipse, which is now largely defined by hot dog vendors and parked cars, into one of the world's most beautiful park areas. Two rows of flowering trees would encircle the Ellipse, with appropriate symbolism blended in, including a directory of fallen police officers.

The National Capital Memorial Commission is now considering the plan, with a decision expected next month. Meanwhile, support for the idea has been overwhelming. Today's New York Daily News ran an editorial calling the planned memorial "simple in concept," and "simply, an exquisite idea." They quoted the architect of the plan, Davis Buckley, who said, "What we wanted was a living memorial that will be with us forever. When the trees bloom * * * people will remember."

Finally, the Daily News declared, "There is need for such a memorial. Because too many people forget. Because too many take police—and the death of police—for granted. And that is nearly as tragic as the deaths themselves." Those are important thoughts as we prepare to commemorate "Peace Officers' Memorial Day" on May 15. I hope my colleagues will join me in endorsing this exciting and long overdue tribute to our Nation's law enforcement officers.

STAR WARS

(Mr. WHEAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHEAT. Mr. Speaker, a few years ago when I heard the President refer to the Soviet Union as the evil empire I was afraid he was confusing reality with the Hollywood world of the reel-to-reel. Today I'm sure of it.

Yes, after 7 years Ronald Reagan finally knows that Mikhail Gorbachev is not Darth Vader. And that's good. Too bad he still hasn't learned that star wars is just another movie fantasy.

In the President's script, little children trained on computer-age video games grow up to become Luke Skywalker and Han Solo. They control a system of space weapons, x-ray lasers, and futuristic energy beams that protect Princess Lea from nuclear weapons.

But in the real world, there are no jedi knights, no ewoks. No, Mr. President, Obi-Wan Kenobi can't save us from nuclear annihilation with a mysterious force. We must save ourselves.

We must reach new arms control agreements, not violate existing treaties.

Mr. President, if you want to see star wars, go to the movies.

McCLOSKEY-SPRATT AMENDMENT

(Mr. MOODY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOODY. Mr. Speaker, yesterday, we voted overwhelmingly to continue adherence to the ABM Treaty, a keystone of arms controls and U.S. security against a space-based arms race.

In the DOD authorization bill now before us there will be another vote to protect and continue the ABM Treaty, the McCloskey-Spratt amendment, to remove spending authority for space-based kinetic kill vehicles, known as SBKKV.

The SBKKV is an interceptor rocket mounted on a satellite that would be fired in space to collide with in-flight warheads.

The problem is that the SBKKV is based on 30-year-old technology that, according to former Secretary of DOD Harold Brown, can easily be defeated.

What is worse, deployment and testing of the SBKKV is the easy first step to early partial deployment of SDI. This would no doubt bedazzle the public and help build political support of SDI. But it would also violate the conservative version of the ABM Treaty which we affirmed only yesterday.

The Subcommittee on Research and Development of the Armed Services Committee recognized this and supported the McCloskey-Spratt approach. Unfortunately, the full committee saw otherwise. We now can sustain the R&D subcommittee.

I urge my colleagues to follow through on yesterday's vote to preserve the ABM Treaty and support the McCloskey-Spratt amendment.

EXPLANATION OF THE RULE

(Mr. DERRICK asked and was given permission to address the House for 1 minute.)

Mr. DERRICK. Mr. Speaker, before I ask to be recognized on behalf of this rule, I would like to explain to the House kind of generally what we have been doing on this Defense authorization rule.

I have been on the Committee on Rules now for about 11 years, and it probably comes close to being the most complicated rule that we have had to deal with, certainly the most voluminous rule that we have had to deal with.

We had over 200 amendments that were presented to the Committee on Rules, and, of course, as much as the committee wishes that everyone have an opportunity to be heard, I think it would be unreasonable to expect us to come out on the floor with an open rule or any facsimile thereof that would make these 200 amendments in order.

Taking that into consideration, we have met on a constant basis with the chairman of the Committee on Armed Services and with the ranking minority member of the Committee on Armed Services to kind of trim it down, to make these amendments in order that the members insisted on, and still, at the same time, that we thought were of significant substance to deserve a lengthy debate.

One of the things that we found, and we discussed it in the caucus at length, is the problem that so many of these amendments have never come before the authorizing committee. I think that would be proper to say that about most of the 200 amendments that came before the committee.

We have kind of—although nothing seems to be absolute around here—decided that next year when this bill comes up, we are going to look very closely at whether amendments were presented to the authorizing committee, and if they were not, we are going to look very closely and be very, very hesitant to make amendments in order that have not first been before the authorizing committee with the time for debate and a time to be heard in authorizing committee so that the members of the authorizing committee, as well as the chairman, will have an opportunity to look at those matters that really the Committee on Rules does not have the expertise, because so many of them are of a very narrow context that, unless you are involved on a daily basis with the consideration of these matters, that you would not.

I think we are—as you know, this is the third rule on this particular bill. I do not know that I can recall, since I have been here, that we have had more than one rule on any particular bill. I think maybe last year we had two on the Defense authorization bill, but it has been necessary to do that and we expect to be on the floor with, I might add, and I am sure you will be delighted to hear this, the final rule probably will be filed this afternoon.

HERE WE GO AGAIN—ANOTHER TAKEOVER—THE RICH GET RICHER AND THE WORKERS GET LAID OFF

(Mr. FLORIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FLORIO. Mr. Speaker, takeover frenzy has engulfed corporate America. The problem is, after a takeover, the rich seem to get richer while the working man gets laid off.

How does this happen? What follows is a recent newspaper article highlighting the latest case study. Supermarkets General Corp. recently agreed to a leveraged buy-out to beat back a hostile takeover. In the process, its annual interest expense will swell from $22 million a year to $208 million a year. To meet this huge debt burden, the company is already reducing expansion plans and plans to sell off some stores. In addition, the capital program will be slowed down.

Thus the company will be cutting back on future capital investment to service current debt. The cutbacks and store sales could well mean layoffs for the work force. The capital program reductions could lead to a less competitive company in the future. But the takeover group will likely profit handsomely.

The article follows:

PATHMARK'S PARENT CUTTING BACK, MAY SELL SOME STORES

(By Allen J. Wax)

Supermarkets General Corp., faced with the prospect of an almost ten-fold increase in its annual interest costs because of a pending leveraged buy-out, is reducing expansion plans and planning to sell off some of its stores.

The company's interest expense, $22 million this year, will swell to $208 million next year, according to documents filed with the Securities and Exchange Commission in connection with the $1.8 billion take-over of the New Jersey-based parent of the Pathmark supermarket chain.

Supermarkets General agreed on April 22 to the $46.75-a-share offer from an investor group led by Merrill Lynch Capital Partners and including the Equitable Life Assurance Society and a group of the chain's executives. The tender for 81 percent of the stock of Supermarkets General will end May 22.

The group is putting up only $100 million of the $1.8 billion in cash, the documents show.

Projections made by Merrill Lynch will require the company to undertake a cost-reduction program. Jim Dougherty, executive vice president of Supermarkets General, said Wednesday that the cuts would start after completion of the tender offer.

"It will involve a slowdown in our capital budget program, postponement of certain projects that don't have a real high payback," he said in an interview. "It's just a reassessing of our priorities."

He said that sales of assets mentioned in the documents would not be a major program, but might involve individual stores in certain areas.

In addition to 137 Pathmarks, the company operates 45 Rickel home centers, 41 supermarkets in New England, 65 drugstores and 63 convenience stores.

The company projects a $38 million loss next year, instead of a $79 million profit, because of the additional debt load, the documents show.

Supermarkets General will have a debt of $1.965 billion and stockholder equity of $100 million after the leveraged buy-out, a transaction in which the company's assets are pledged as collateral. That compares with $199 million in debt and stockholder equity of $465.8 million before the merger.

More than half of the debt will be financed through bank loans furnished by Manufacturers Hanover Trust Co. and Bankers Trust Co. Equitable Life will lend the venture $225 million and Merrill Lynch will provide $700 million in short-term bridge financing that is to be refinanced through the sale of high yield junk bonds.

□ 1240

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 157 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 157

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day reported is hereby waived against a resolution reported from that committee on May 7, 1987 providing for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, and that any such resolution be considered as having been read when called up for consideration.

The SPEAKER pro tempore (Mr. Murtha). The gentleman from South Carolina [Mr. Derrick] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. Latta], pending which I yield myself such time as I may consume.

Mr. Speaker, this rule simply waives clause 4(b) of rule XI against a resolution reported from the Committee on Rules today which provides for the further consideration of H.R. 1748, the National Defense Authorization Act for fiscal years 1988–89. Clause 4(b) of Rule XI provides that a report from the Committee on Rules may not be considered on the same day it is reported, except by a two-thirds vote of the House.

This rule is necessary because it was impossible for the Rules Committee to complete action yesterday on a rule providing for the further consideration of H.R. 1748. There were more than 200 amendments that Members wished to offer to that bill. In order to ensure that the rule would provide for reasonable consideration of the issues in H.R. 1748, without leading to a free-for-all on the floor that would prevent completion of the bill within a reasonable amount of time, the committee found it necessary to wait until today to complete action on that rule. In order to prevent any delay in the consideration of H.R. 1748, the committee reported this rule last night, allowing us to bring up the rule providing for the further consideration of H.R. 1748 today. As soon as we adopt House Resolution 157, we will turn to consideration of that rule.

I want to make it clear that this waiver of the 1-day layover rule applies only to a rule reported from the Rules Committee today dealing with consideration of H.R. 1748. It does not affect consideration of any other rule reported from the Rules Committee. This rule merely allows the House to move on to the further consideration of H.R. 1748 today.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from South Carolina [Mr. Derrick] has pointed out, this rule would provide for the waiver that is absolutely necessary unless we want to do nothing today and come in tomorrow and do the rule tomorrow, and then be 1 day further behind in our work.

Late yesterday it became clear that the Rules Committee was not going to be able to report a rule governing the remainder of the amendment process on the defense authorization bill in time to file it yesterday. The rule reported today could only be considered by a two-thirds vote.

Therefore, the solution that was proposed was to report a rule yesterday waiving the two-thirds requirement. If this rule is agreed to, it is not going to be necessary to have a two-thirds vote to consider a rule reported by the Rules Committee today.

I might say that I just came from the Rules Committee, and we are in session on the rule to be reported. That will be a very lengthy rule that hopefully will cover the remainder of the debate on this defense authorization bill. So if this rule is agreed to, it will not be necessary to have the Clerk read the next rule on the defense authorization bill. It will be considered as having been read. I oppose this part of the rule.

Mr. Speaker, I yield 2 minutes to the minority leader, the gentleman from Illinois [Mr. Michel].

Mr. MICHEL. Mr. Speaker, this is really quite an exercise we are going through, voting a rule to waive a rule. Just when I thought we were confused, the Democratic majority goes us one better. Confusion seems to reign supreme on this entire debate, one of the most critical debates of the decade. It gives me some indication that it is organized chaos, and perhaps we had better pull ourselves together or resign ourselves to a total breakdown here. From my point of view, in all the years I have been here, this seems to be unprecedented. I have not really checked the record on that, but this is not really a resolution declaring the month of May as National Petunia Month. We are talking about something very serious, the security of the country and the security of the entire free world.

It seems to me that we ought to be giving it more thoughtful consideration than to be spending so much time on a rule to debate what a few years ago was no problem at all, the military authorization to defend this country. To get us to this point now where we are actually voting on a rule to waive a rule governing our normal procedures has to be troubling to this Member, and I could not let the opportunity go by, I say to the gentleman from Ohio [Mr. Latta] without at least expressing my reservations, knowing full well that the gentleman said that we do not want to kill a day here. By the same token, to bring up a measure of this magnitude and importance and keep changing the rules from day to day gives me real cause for concern.

Mr. DERRICK. Mr. Speaker, will the gentleman yield for just a moment?

Mr. MICHEL. Sure, I yield to the gentleman from South Carolina.

Mr. DERRICK. Mr. Speaker, let me say that the gentleman is certainly correct, that this is an unusual procedure, but that in and of itself does not make it an undesirable procedure. I would like to tell the gentleman that the Rules Committee has given very, very thoughtful consideration to the defense authorization bill before us.

The SPEAKER pro tempore. The time of the gentleman from Illinois [Mr. Michel] has expired.

Mr. LATTA. Mr. Speaker, I yield 1 additional minute to the gentleman from Illinois [Mr. Michel].

Mr. DERRICK. Mr. Speaker, if the gentleman will yield, this is a means of keeping things moving ahead, and when we come forth with the rule later on this afternoon, the gentleman will see that. Everything we have done, I might add, has been in agreement with the chief minority Member.

Mr. MICHEL. Mr. Speaker, I get some measure of comfort when the gentleman tells me they are giving real thoughtful consideration to this matter. I would certainly hope that rule would prevail.

Mr. DERRICK. I thought the gentleman understood that the Rules Committee always gives serious consideration to these matters.

Mr. MICHEL. Well, there have been some times when we have been shortshrifted now, if the gentleman will accept that.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would advise the gentleman from Illinois that, as I mentioned earlier, we are now meeting in the Rules Committee on this rule, and I have 3½ pages of amendments here, single-spaced, that are being made in order on this rule. So thoughtful consideration is being given to this rule that will be down here, I hope, shortly.

It is just a matter right now of deciding, I think, in the main whether or not we are going to do anything today or whether or not we are going to wait until tomorrow to do what we should be doing today.

Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. Lott].

Mr. LOTT. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time.

Mr. Speaker, I think the time has come to say, "enough." And it is not just because of the amendments that we have been considering. The unbelievable votes that occurred yesterday are to me, in the 20 years I have been watching the House of Representatives, the most unbelievable move toward actual surrender I have ever seen. I can understand, though, that when you have an opportunity to make your case, you debate it and you lose. The problem, though, is the numbers. They do not add up, from my point of view, in the House of Representatives. I acknowledge that. But I have never seen such an abomination of the process in my life.

Yes; the Rules Committee has given serious consideration to this all right. We are giving you a rule a day now, and as a matter of fact you even get a two-fer. You get two rules today.

On this Armed Services Committee-Department of Defense bill we are going to have four rules—so far. I suspect we may have to go for a fifth one. I have never seen that before.

Yes; the Rules Committee is considering it very carefully. The Rules Committee is putting itself over the Armed Services Committee and over the Members of this body and saying, "Yes; we will allow this amendment to be offered," or "We don't like this one," and "No; that one won't be offered." We are telling our colleagues, all of us elected by the same number of people, some of them on the Armed Services Committee, that "we don't like your amendment. It is not in order."

I like to see the Rules Committee assert itself a little bit every now and then. I am on the Rules Committee, and I like to see us assert ourselves in stopping committees from putting nongermane, irrelevant issues on reconciliation. I think it is a good idea sometimes that we tell the chairman of a committee, whether it is Chairman Aspin or some other chairman, "You have exceeded your authority. Your are stealing someone else's territory."

That is fine. But I have never seen anything like this. We have 210 amendments on this bill—really 410 or 420 when you consider that you had to put them in the Record on both the bill and the committee substitute. It is because we said, "Members, if you don't get your amendments in the Record by Friday afternoon, you're out."

So everybody scrambles back to their desks and says, "My goodness, I have got to protect myself." We all develop our amendments, we run down and put them in the Record. This forces us to develop them so we can get them in on time. Then once you develop them, you have got pride of authorship and you feel like you have got to follow through.

In our efforts to try to cut down on amendments, I suggest to you that we are causing them to multiply.

But this rule is really a good one. By a majority vote, we are going to say that you do not have to have a two-thirds vote to bring up a rule the same day.

□ 1250

I have been watching the Rules Committee; I repeat again. For 20 years I have never seen this before. It has been said, "Oh, it is only on this one bill." Hey, man, this is another horse getting out of the barn. The door is open; it is going to be a stampede. We might as well wipe out the two-thirds requirement.

The Rules Committee will be bringing them down here anytime we want to without any advance notice, and that is not the worst of it. We do not even really see the rules. We are up there voting now on a six-page, legal-sized rule, and we are being given a one-page explanation because it is so long and complex we really could not be expected to understand what it is.

My colleagues, this thing is a mess procedurally. The process stinks and the substance is unbelievable. I am ready to put a screeching halt to the whole thing; stop it right here.

Do not vote for this rule. Let us tell the Armed Services Committee chairman and the Rules Committee that we are not playing this game anymore. We are going to stop it now. How many of you know what we are going to be doing today? How many of you know what we are going to be doing this very day? I dare say 98 percent of the Members do not have the foggiest idea what is coming up; whether their amendment is going to come up. Are we going to debate nuclear carriers today or not? Is it going to be tomorrow or not? Is it going to be next Tuesday? The Members do not know.

Mr. Speaker, why do you tolerate that? I will tell you what would happen to me if I was running a schedule like that on our side of the aisle, I would be impeached, summarily, and it would be unanimous. Why do you allow, why allow your leadership to treat you like this? You do not know whether we are going to have votes tomorrow or not or on what. You do not know. By the way, take a look at when we are in and out. You know, we quit on 6 this day, why? Friday it is 3; next Tuesday, it is going to be 9. Come on.

Mr. Speaker, this is a travesty from word "go." Some of you in the majority may think, "Oh, I am going to go along with this because, you know, it will facilitate the thing." Remember this: Today you may be facilitating the process. Today, it may be hurting somebody over here. Tomorrow, it could be you. Vote "no" on this rule.

Mr. Speaker, the time has come to say enough, is enough, is enough. We are now being asked to consider a special rule that waives the requirement of a two-thirds vote to consider another rule for the defense bill on the same day the rule is reported.

I would ask my colleagues to carefully consider what you are being asked to do. This third defense rule will make in order certain amendments to be printed in the report of the Rules Committee—a report that will not be printed until tomorrow, if we're lucky. More importantly, that third defense rule will exclude certain germane amendments which had been submitted, simply because the Rules Committee has determined they are not important enough to see that light of day. The fact is, Mr. Speaker, that in attempting to make the amendment process more efficient, we have made it more complicated and difficult than ever.

The negotiations between the Armed Services and Rules Committees on this issue have become more complex and drawnout than the strategic arms talks. If we had devoted just half of the energies involved in negotiating a procedural fix to managing the bill on the floor under normal process, we probably would be a lot farther along today than we are. If we had given the Armed Services Committee chairman the rule he originally requested, making in order all germane amendments submitted, subject to appropriate time limits, we could have reported a rule on Tuesday. But, here it is Thursday, and we are about to consider a third rule for the same bill.

I would ask my colleagues to consider just what you are doing and sacrificing in the name of procedural efficiency. You are abdicating your right and responsibility as a freely elected member to participate in the legislative process. Why should the Rules Committee sit in judgment over which amendments are worthy of consideration and which are not?

And yet, that's just what has been happening in almost every rule this year. Of the 12 rules we've reported for consideration of bills, only 2 have been open, and the other 10 have been restrictive. That's only 17 percent open and 83 percent closed. By contrast, in the last Congress at this time, we had reported 11 rules, of which 8 were open and only 3 were restrictive. That's 73 percent open and only 27 percent restrictive. This represents a major reversal and a shocking trend.

The time has come to put a stop to the disenfranchisement of Members of Congress and restore our full right to represent our districts on an equal par with those being given special blessing by the Rules Committee. Vote down this rule and help restore the regular process. It's worked in the past and can be made to work again if we want it to.

RULES REPORTED IN THE 99TH CONG.

[Providing for initial consideration of legislation in House]

Rule No. H. Res.	Date reported	Bill No.	Title and rule type
79	Feb. 26, 1985	H.R. 1035	Emergency farm relief—Open.
85	do	H.R. 1189	Farm credit—Closed.
86	do	H.R. 1239	Urgent supplemental appropriations—Open.
119	Apr. 2, 1985	H.R. 1714	NASA authorization—Open.
128	Apr. 16, 1985	H.R. 1617	Bureau of Standards—Open.
129	do	H.R. 1210	National Science Foundation—Open.
136	Apr. 18, 1985	H.J. Res. 239	Contra aid—Modified open.
137	do	H.R. 2068	Department of State authorization—Open.
140	Apr. 24, 1985	H.R. 1555	Foreign aid authorization—Modified open.
157	May 7, 1985	H.R. 1157	Maritime authorization—Open.
158	do	H.R. 1784	Panama Canal authorization—Open.

Note.—As of May 7, 1985, 11 rules were granted, of which 8 (73 percent) were open, and 3 (27 percent) were restrictive.

RULES REPORTED IN THE 100TH CONG.

[Providing for the initial consideration of legislation in House]

Rule No. H. Res.	Date reported	Bill No.	Title and rule type
26	Jan. 7, 1987		Establishing 3 select committees—Closed.
27	do	H.R. 1	Water Quality Act—Closed.
38	Jan. 8, 1987	H.R. 2	Surface transportation—Closed.
109	Mar. 4, 1987	H.R. 558	Homeless Relief Act—Open.
116	Mar. 10, 1987	H.J. Res. 175	Contra aid moratorium—Closed.
135	Mar. 31, 1987	H.R. 1320	Land and Water Conservation Fund Act amendments—Modified closed.
139	Apr. 4, 1987	H.R. 139	Concurrent resolution on the Budget—Modified closed.
148	Apr. 22, 1987	H.R. 1827	Supplemental appropriations—Modified open.
151	Apr. 27, 1987	H.R. 3	Omnibus trade bill—Modified closed.
152	Apr. 28, 1987	H.R. 1748	Department of Defense authorization—Modified open.
156	May 5, 1987		Do.
154	May 4, 1987	H.R. 27	FSLIC—Modified open.
155	May 5, 1987	H.R. 1039	Mineral Lands Leasing Act—Open.

Note.—As of May 6, 1987, 12 rules were reported of which 2 (17 percent) were open, and 10 (83 percent) were restrictive.

OPEN AND RESTRICTIVE RULES, 95TH TO 100TH CONG.

Congress	Open rules		Restrictive rules		Total rules
	Number	Percent	Number	Percent	
95th	213	88	28	12	241
96th	161	81	37	19	198
97th	90	80	22	20	112
98th	105	72	40	28	145
99th	65	64	36	36	101
100th [1]	2	17	10	83	12

[1] Data for the 100th Cong. is based on "Notice(s) of Action Taken," Committee on Rules, 100th Cong. as of May 6, 1987.

Source for data: "Survey of Activities of the House Committee on Rules' (reports by the Committee on Rules), 95th–99th Cong. Rules counted were those providing for the initial consideration of legislation (as opposed to special rules on conference reports, etc.). For the purposes of this table, restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules. [Prepared by Don Wolfensberger, Minority Counsel, Subcommittee on Legislative Process, Committee on Rules.]

Mr. LATTA. Mr. Speaker, I yield 7 minutes to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to engage the gentleman in the well in a colloquy because the gentleman serves on the Rules Committee; he is knowledgeable about the process. I approach the subject with some knowledge and experience from my position as ranking member on the Armed Services Committee; the committee that put this thing together or attempted to.

Let me say that the chairman of the full committee and I have worked closely together. As I said in our meeting with our committee this morning, he has been fair in dealing with me. We have had to negotiate. He has sometimes been difficult, but in the final analysis he has been fair.

I think the process lends itself to being unfair to our committee first. Second, unfair to the Members as a whole, and I would raise this caviat to the members of the Rules Committee. They are in the process right now, and when you leave the floor, I assume you will go back and resume deliberations with the Rules Committee, of determining what amendments will not be made in order.

Some of these that are going to be considered that are going to be ruled out of order are absolutely germane.

Mr. LOTT. Yes, sir.

Mr. DICKINSON. Absolutely. Dealing with aircraft procurement thereof, or whether it is research and development or whatever. What we are trying to do is expedite the process. But if I were a member, and I am, of the Armed Services Committee, and I had a germane amendment that had been offered in full committee and been voted on, and the Rules Committee says that you cannot offer it now on the floor, then I think it would be a long, hot summer before we got out of here. We would hear my amendment or else we would debate these things at length.

If we summarily, arbitrarily within the Rules Committee tell a member of this committee that he cannot offer an amendment to his own committee product that has been the subject of debate and vote in the full committee, then we are getting into, instead of accelerating the program, instead of expediting it, I think we are laying a snare here that is going to get us quite tangled up and we might be here a lot longer than we intend to.

When you come out late in the evening, no notice, and offer a rule that says that by a majority vote you can waive the two-thirds vote required by the normal rules of the House; there is no notice on that. I did not know about it. I have not talked to anybody that did not know about it. They just came out with it and said, "We can file this in time and thereby waive what is normally there to protect the minority."

Have I misstated anything, as far as you know, from the Rules Committee?

Mr. LOTT. If the gentleman would yield, not at all. While the gentleman is working with the chairman of the committee and you have all tried to be fair with each other, I am not prepared to give him any accolades, but I understand you might have to.

Let me warn you also that in some instances where you gentlemen have agreed, the Rules Committee has not lived up to your agreement. In some instances, we are saying, "Oh, no, you cannot get your deal because it has been something worked out here between the chairman and the ranking member," so it is used to put some in, but then, when you do have an agreement, the Rules Committee puts in place the Foreign Affairs Committee position over yours. Now, what is going on here? Are we going to go with your agreement or not? There is no consistency.

Mr. DICKINSON. I think we will have to wait and see. The chairman and I on six particular votes that would have to come as what we call "king of the mountain"; who goes first; who goes second, we have put together an agreement. I have got the "post position," so-to-speak. I have got to go last on three. He got to go last on three that he chose. That was a package; it does not bind the Rules Committee; I understand that.

This is part of a total package of over 200 amendments that we have tried to whittle down and to streamline the process so that we could get through in a 2-week period.

Now, if that package comes unraveled in the Rules Committee, then the other accommodations and considerations are out the window and one of us who was a party to it winds up shortchanged and he is going to feel possibly aggrieved and feel like his deal did not go through and he is not bound by it. Then, again, the whole thing could come unraveled.

Mr. DERRICK. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from South Carolina.

Mr. DERRICK. Mr. DICKINSON, I understood your testimony before the Rules Committee to be that you did not want an open rule; is that right?

Mr. DICKINSON. That is right. That is not what we are debating here.

Mr. DERRICK. You know, I am really a little surprised and a little chagrined because we have been working up there together with you and we thought everyone was in agreement over the last several days and to hear now that you are not in agreement, it just amazes me so.

If you are not for an open rule, then what that must mean is that you just do not agree with the amendments that are in order and you want to make yours in order.

Mr. DICKINSON. What the chairman and I presented to your committee, the Rules Committee, we were in agreement on. But I am told that the product, the rule that is coming out of your committee is not what the chairman and I agree on.

Mr. DERRICK. What you disagree with is the amendments that we have made in order.

Mr. DICKINSON. No; it is not that either.

As I just explained to you, and perhaps maybe if I could just draw a picture.

Mr. DERRICK. I understand. I do understand.

Mr. DICKINSON. All right. I am glad I was able to get that part through to you. The thing is if we have an agreement then the Rules Committee cannot say, "Well, we will take part of it and not take the other part without one or the other of the parties feeling aggrieved and then the whole thing can come apart."

So, it has been a very difficult procedure here. I would hope that we never see it again.

Mr. LATTA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, before we get led too far astray by all this debate, what we are debating right now is one rule. We will be debating this lengthy rule later.

□ 1300

The question is whether or not we are going to continue our work today or whether we are going to go over until tomorrow. The staff was working past midnight last night on this matter and the rule could not be filed. As a consequence, we have to have a two-thirds vote on this. That is all we are deciding at the moment.

The rule on the bill, the germaneness of amendments, et cetera, will be down later. Then you can discuss it as much as you like for an hour.

Let me say that a lot of things have been said here that I agree with, some things I disagree with. I certainly disagree with any kind of an agreement between a ranking member and a chairman that will take my responsibilities away as a member of the Rules Committee. If I am going to go up there and just rubberstamp everything that is agreed to beforehand, they can have my seat. I have a little judgment that I want to exercise up there in the Rules Committee, even though I am outvoted 9 to 4 most of the time, but I want to be able to exercise that judgment and I am not about to give it up.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I think we ought to pause and reflect on exactly what we are doing here on this particular rule. What this rule does is that it waives the two-thirds vote requirement for consideration of the next rule by a majority vote, and it also says that the next rule does not even have to be read by the reading clerk before the House considers it.

Now, these are two very far-reaching and very unprecedented suggestions. The two-thirds vote requirement was put in to make sure that on controversial legislation the House would at least have overnight to determine what it was going to be doing and what type of a rule was to be considered.

This is particularly important when we are dealing with a complicated rule, such as the one that the Rules Committee will be reporting for our consideration shortly.

The second feature of the rule that is before us waives the reading requirement, so not only is this rule lengthy and complicated, the Members will not even have it read by the reading clerk and I assume there will not be 435 copies available for their reading at the time it comes up.

Haste makes waste, and very frankly, I am afraid that the procedure that the Rules Committee has suggested that the House follow this afternoon is going to result in mistakes that will take a far longer time to correct.

At the very least, I am wondering if the gentleman from South Carolina who is managing this rule would consider deleting the last clause of the rule to permit the reading of the second rule when it comes up, which is the lengthy and controversial one. I know there is a precedent for that, since the gentleman from South Carolina amended the rule on the floor that he was managing last week.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. DERRICK. Mr. Speaker, I yield 1 minute to the gentleman.

Mr. SENSENBRENNER. Mr. Speaker, would the gentleman from South Carolina consider deleting that part of the rule that says that any such resolution be considered as having been read when called up for consideration, so at least the House will know what is in the rule?

Mr. Speaker, I yield to the gentleman from South Carolina.

Mr. DERRICK. Well, no, I will not delete that section.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the rule be amended to delete that portion of page 2, lines 6, 7, and 8, that reads: "and that any such resolution be considered as having been read when called up for consideration.".

Mr. DERRICK. A point of order, Mr. Speaker, the rule is not amendable.

Mr. SENSENBRENNER. Mr. Speaker, I have asked unanimous consent for that.

The SPEAKER pro tempore. The gentleman was not recognized for that purpose.

Mr. DERRICK. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. DERRICK. Mr. Speaker, may I be recognized to say something at this point?

The SPEAKER pro tempore. The gentleman from South Carolina is recognized.

Mr. DERRICK. Mr. Speaker, we very seldom, if ever, read the complete thing—well, not very seldom, but in many instances we do not, and we are talking about 25 or 30 minutes. Nobody is trying to pull any hood or any hooley-dealey over anybody.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. DERRICK. Yes, I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I have been here 8½ years and every rule that the Rules Committee has brought up on the floor during that time has been read in full by the reading clerk. What this rule proposes is that the reading clerk not even do that. Is the gentleman aware of that?

Mr. DERRICK. Let me say that ordinarily we do not dispense with the reading of rules. The only reason that was put in there was because it would take 25 or 30 minutes to read it.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield further?

Mr. DERRICK. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I would not complain about this had the rule been printed and available for the reading by the Members before it is being brought up. That is what the two-thirds rule is all about, to protect the membership on that. This is trampling on the Members' rights in two instances in this case.

Mr. DERRICK. Mr. Speaker, let me say to the gentleman from Wisconsin, [Mr. SENSENBRENNER], since the gentleman feels so strongly about it, I will offer at the proper time an amendment to delete the requirement that it not be read, if the gentleman feels that strongly.

Mr. Speaker, I have no further requests for time.

Mr. LATTA. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding this time.

Mr. Speaker, yesterday the rule that was brought forward with regard to the armed services bill was described to us as being an unusual procedure. Today I would submit to this body that what we have before us is a thoroughly corrupt procedure, a corruption of the entire basis of the rules of this House, because what we are literally saying to the Members is that the two-thirds rule under which we operate here that assures the membership that they will understand what it is in the legislation they are considering is being waived. We are waiving it by a majority vote and we are doing so, we say, for the convenience of the Members.

Well, let me suggest that here is the rule that is being considered up there, page after page of it, and we have no idea what is down in there yet. It has not been adopted by the Rules Committee.

What they propose to do is bring it directly out of the Rules Committee, bring it down to the floor and have us vote on it right away. Up until a moment ago what they were going to do was suggest that we ought to vote on it without even reading it, without even understanding what is in the rule. We obviously are not going to have a printed copy, as we have a printed copy of this rule, and then they were going to suggest that we should not even read it.

Now, I am pleased that the gentleman from South Carolina has agreed that we can now amend this rule to at least read it so that the Members have some understanding of what it is they are going to vote on when we vote on the rule, and also what it is that is being decided in terms of the procedures of the House for the next several days. I think the Members have the right to know that and to deny the Members that right is corrupt.

I think that it is a disturbing procedure that, first of all, we have gone through a number of bills so far in this Congress where we have brought them out under restrictive rules and now what we are doing is modifying that restrictive rule process to the point that the Members do not even know what it is we are considering on the floor. That is wrong, wrong, wrong. It is wrong on this bill, it is wrong on future bills.

I say that we ought to vote down this rule as a thoroughly corrupt process in terms of the rules of this House and say that the membership of this body has some rights. Our rights are that we at least know what we are voting on.

I know it is very unusual for Members to say they want to know what is in the things they are voting on. I realize that is very unusual, but there are at least a few of us who listen to the debate. There are at least a few of us who do look at what it is we are voting on and try to understand it. Now we are even being denied the right to know what it is that we are voting on. That is wrong and this rule should be voted down.

Mr. LATTA. Mr. Speaker, I have no further requests for time.

MODIFICATION TO HOUSE RESOLUTION 157 OFFERED BY MR. DERRICK

Mr. DERRICK. Mr. Speaker, I ask unanimous consent to offer a modification to House Resolution 157.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to House Resolution 157 offered by Mr. DERRICK: Page 2, line 6, after "and for other purposes," strike out "and that any" and all that follows through "consideration." on page 2, line 8.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. The resolution is modified.

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution, as modified.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution, as modified.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 251, nays 166, not voting 16, as follows:

[Roll No. 91]

YEAS—251

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bates
Beilenson
Bennett
Berman
Bevill
Biaggi
Bilbray
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conyers
Cooper
Coyne
Crockett
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gibbons
Glickman
Gonzalez
Gordon
Grant
Gray (PA)
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Howard
Hubbard
Huckaby
Hughes
Hutto
Jacobs
Jenkins
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Latta
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Mineta
Moakley
Mollohan
Montgomery
Moody
Morrison (CT)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Rahall
Rangel
Ray
Regula
Richardson
Robinson
Rodino
Roe
Roemer
Rose
Rostenkowski
Rowland (GA)
Roybal
Russo
Sabo
Sawyer
Scheuer
Schroeder
Schumer
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Swift
Synar
Tallon
Tauzin
Taylor
Thomas (GA)
Torres
Torricelli

Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

NAYS—166

Archer
Armey
Badham
Baker
Ballenger
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Byron
Callahan
Chandler
Cheney
Clinger
Coats
Coble
Coleman (MO)
Conte
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
DeLay
DeWine
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Fields
Fish
Gallegly
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Grandy
Green
Gregg
Gunderson
Hansen
Hastert
Hefley
Henry
Herger
Hiler
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
Jeffords
Johnson (CT)
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Leach (IA)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCandless
McCollum
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Morrison (WA)
Myers
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Porter
Pursell
Quillen
Ravenel
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Stangeland
Stump
Sundquist
Sweeney
Swindall
Tauke
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOT VOTING—16

Annunzio
Combest
Fawell
Ford (TN)
Gephardt
Gray (IL)
Hoyer
Jones (NC)
Leath (TX)
Lent
Mavroules
McKinney
Savage
Schneider
Sharp
Valentine

□ 1320

So the resolution, as modified, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1330

LEGISLATIVE PROGRAM

Mr. LOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute for the purpose of getting the schedule for the balance of the day and Friday and hopefully the times that Members might expect the rest of the week and next week.

For that purpose I would be glad to yield to the distinguished majority leader.

Mr. FOLEY. I thank the distinguished whip for yielding.

Mr. Speaker, we will consider this afternoon the so-called Weldon amendment which deals with the sense of Congress with respect to the Krasnoyarsk radar. We will take up the second rule and presuming the adoption of the second rule will proceed to the issue of strategic defense initiative funding. We expect to adjourn at approximately 6 p.m. this evening. Tomorrow the House will meet at 10 a.m. and will continue consideration of this bill until 3 p.m.

On Monday the House will meet at noon and we expect to adjourn Monday at approximately 6 p.m.

On Tuesday the House will meet at noon and Members should expect a late session. I would expect at least 9 p.m. if not later on Tuesday night. On Wednesday the House will, we hope, be able to come in at 10 a.m., and we will proceed to a late schedule similar to the Tuesday session, of at least 9 p.m.

On Thursday next week we will seek permission to come in at 10 a.m. and will adjourn at 3 p.m. This is a result of a scheduled visit to New York. The House will not be in session next Friday.

The House will be in session on Monday the 18th, and we will expect to adjourn about 6 p.m.

Mr. LOTT. If the gentleman would yield at that point, you would expect votes on that Monday also, I take it?

Mr. FOLEY. Yes, in session with votes until 6 p.m.

On Tuesday and Thursday next week——

Mr. LOTT. The week after next.

Mr. FOLEY. The week after next, the 19th, 20th, and 21st of May, the House will be in session without reservation as to time which means after 9 p.m., possibly on each day, at least until 9 p.m. until we conclude the bill. That includes Thursday the week after next and if necessary to complete the bill the House will not go into its recess and will meet on Friday, the 22d until such time as the bill is concluded. No 3 p.m. assurance on Friday the 22d, late on Tuesday the 19th, Wednesday the 20th, and Thursday the 21st, Tuesday, Wednesday and Thursday and Friday if necessary. Now, I will be glad to repeat that if Members want to have it repeated.

Mr. LOTT. If the leader would yield, I think we have the times and all, and it will now be in the RECORD and we can all, both sides, send out notices.

Mr. FOLEY. If the gentleman will yield further, we are trying to accommodate Members who on both sides of the aisle have asked for advance notice as to the meetings of the House. We have to finish this bill. We have an enormous number of amendments still to be disposed of and we are trying by this announcement to give you a clear idea of what will be the schedule for the next 3 weeks, 2 weeks after this week.

We will meet tomorrow until 3 p.m., Monday until 6, and so on. It will be announced.

Mr. LOTT. I would like to thank the leader for doing this. I have always said I think the membership can live with anything just so long as we know what it is going to be and we stick with it. It is helpful to have this additional information.

Could I ask what happened to the nuclear carrier amendments that were scheduled to be taken up yesterday? Are you now——

Mr. FOLEY. Tomorrow.

Mr. LOTT. Now wait a minute. If I might reclaim my time, the gentleman is saying tomorrow. It was scheduled yesterday, and then I thought it would be today, and then I have heard, well, it would be next Tuesday; and now you are saying it is Friday. I understood that on this Friday we would not take up a major controversy like that particular issue. Now, the chairman might say that that is not controversial, but, boy, I cannot imagine that being construed as not being controversial.

Mr. FOLEY. Well, every amendment has some importance to some Member or it would not be on the schedule. We are trying to accommodate to a degree that on Friday and Monday we will try to avoid many, many major issues that would be decided to be major issues.

I am sorry that it is not possible to absolutely track the time required in the House. We assume that by the time we dispose of the Weldon amendment, the rule and the SDI financing issue on which there are four alternative proposals, the House will be at 6 p.m. this evening and it will not be possible to take up the carrier issue tonight. So it is scheduled for tomorrow.

Mr. LOTT. Is it still intended then for tomorrow to take up under the rule, as it was 5 minutes ago, for Friday we were going to take up the ATB issue with the Aspin amendment, unamended, the burden-sharing amendments. But you are not saying we are also going to try the nuclear carrier issue on Friday also.

Mr. FOLEY. Well, let me just say to the gentleman that we are with the cooperation of the Rules Committee attempting to schedule, to a degree, to allow Members to know the time involved in the schedule. But the Rules Committee has given to the Chairman of the Committee on Armed Services, after consultation with the ranking member, the gentleman from Alabama

[Mr. Dickinson] the ability to announce changes in the schedule. This is absolutely required because it is not possible for any Committee on Rules to see 2 weeks ahead of time as to how expeditious the business is going to be.

Mr. LOTT. Well, without dragging this out too much, let me just ask the gentleman: Will the nuclear carrier issues come up on Friday?

Mr. FOLEY. Yes.

Mr. LOTT. Along with ATB and burden-sharing?

Mr. FOLEY. Yes.

Mr. LOTT. But we will be through regardless of——

Mr. FOLEY. We plan to be through, the House will not meet after 3 o'clock tomorrow.

Mr. LOTT. I thank the distinguished majority leader.

Mr. FOLEY. May I emphasize one factor: when we have given assurances for approximately 6 p.m. and 3 p.m. as we have for Mondays and Fridays, we will try to be very close to that hour. On those evenings next week, Tuesday and Wednesday, and the following week Tuesday, Wednesday, Thursday, and possibly Friday, we are suggesting a minimum of 9 o'clock. Members should not assume that that means 9 o'clock. It might mean 10 o'clock, it might mean 10:30. But the Members should be prepared for a late session at least to 9 o'clock. The 6 o'clock and 3 o'clock hours are designed to give Members a fairly precise notion of when we will adjourn. The later evenings would be flexible according to the business of the House. We ask the Members' indulgence. This is an important and critical bill and must be concluded before the May recess.

I thank the gentleman.

Mr. LOTT. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. Murtha). Pursuant to House Resolution 156 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

□ 1339

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. Russo (Chairman pro tempore) in the chair.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Wednesday, May 6, 1987, pending was the amendment, contained in House Budget 100-82, offered by the gentleman from California [Mr. Hunter] as the designee of the gentleman from Pennsylvania [Mr. Weldon] which is not subject to amendment.

Under the rule, the gentleman from Pennsylvania [Mr. Weldon] will be recognized for 10 minutes, and the Member opposed, the gentleman from South Carolina [Mr. Spratt], will be recognized for 10 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. Weldon].

Mr. WELDON. Mr. Chairman, I yield myself 5 minutes.

□ 1340

Mr. WELDON. Mr. Chairman, yesterday we had extensive debate in this body regarding the SALT treaty and the ABM Treaty. We heard arguments on both sides of those issues, especially regarding the ABM Treaty.

I would say, in looking over the Record and listening to the conversations and debate yesterday that I can say that all of us want to achieve arms control and real reduction. The disagreement is over how we get there.

I think as we debate and look at future arms control issues in this session, it is my opinion that we should certainly base future negotiations on past facts and factual information presented to us as leaders of this Nation.

Over the next 2 weeks, we will be debating well over 100 amendments to the armed services bill, the Defense authorization bill.

Perhaps there will be no amendment that will be so simple, so straightforward, so factual, and I hope so profound, as the amendment that I am going to ask this body to vote on today in this session.

This amendment looks at one specific violation of the ABM Treaty. The violation that I am discussing is the installation of the Krasnoyarsk radar facility in the central part of Siberia in the Soviet Union.

For the Record, I am entering, for the Members of the House, a number of articles and accounts from leaders throughout this country and throughout the world who have, in fact, declared that the Krasnoyarsk installation is, in fact, a direct violation of the ABM Treaty and is a very glaring violation of that treaty.

I will have in there statements from President Reagan, from Perle, from the Armed Control and Disarmament Agency, from Secretary of Defense Weinberger, from Secretary Shultz, from newspapers such as the Wall Street Journal, the Washington Post and the New York Times.

I will have quotes from Stanford University, from former Defense Secretary McNamara, from the Center for Defense Information, and even a sense of information from the most recently released briefing book, from the National Campaign To Save the ABM Treaty, that even they say that most scientists and most experts agree that Krasnoyarsk is a direct violation of the ABM Treaty.

In addition to all of this documentation in terms of support that this is, in fact, a violation of ABM, I have entered into the Record a letter sent by 23 of my colleagues to General Secretary Gorbachev also stating in 1985 that this is, in fact, a violation of the ABM Treaty.

In addition, the other body most recently passed a very similar wording that, in effect, by a 93-to-2 vote, also declared that Krasnoyarsk is a very blatant violation of the ABM Treaty.

I would like to add one additional piece of information to help us realize that Krasnoyarsk is, in fact, a direct violation of the ABM. From the Washington Times, dated April 29, 1987, we have Soviet General Boris Surikov, who has been quoted as saying, "Although I must say in territorial terms, the location of the Krasnoyarsk facility is not adequate and, therefore, we can interpret is in violation of the ABM Treaty."

So to all of these other comments, I now can say that we have on the record a Soviet general who has even acknowledged that Krasnoyarsk violates a treaty which we debated very heavily yesterday.

The purpose of my amendment today is to very simply allow this body to go on record individually and, as a group, to say to America that we are not only going to look to the future for our arms control negotiations and ultimate agreements, but we are going to look at past violations. When those violations occur and when they are documented, then we are going to hold our arms control negotiators to highlight those instances to the Soviet team so that we can, in fact, take appropriation action in future negotiations.

I would hope that this body today would look to support the Weldon amendment and send a clear signal, not only throughout this country, but throughout the world, that the Soviet Union has been in violation of the ABM Treaty with the installation of Krasnoyarsk and that we are going on record in recognizing that violation.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. WELDON. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman for offering his amendment because, for the first time, this House is going to be able to send a positive signal of strength to the Soviet Union.

In the past, we have sent, I think, mixed signals and weak signals to the Soviet Union by affirming arms control treaties after they have shown direct violation to the treaties.

But in this case, the gentleman is saying that Krasnoyarsk is a violation and this House has a chance to go on record in telling the Soviet Union we consider them to be in violation.

I commend the gentleman.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume in order to ask the gentleman from Pennsylvania [Mr. WELDON] some questions in clarification of his resolution.

I am probably going to vote for it, but I think it would help all Members to have a clarification of some of the things that are set forth in his resolution.

In subparagraph 7 of your resolution, it is stated:

> The President has certified that the Krasnoyarsk radar is an unequivocal violation of the Antiballistic Missile Treaty.

For purpose of the RECORD, where is the certification that this is an unequivocal violation?

Mr. WELDON. Mr. Chairman, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from Pennsylvania.

Mr. WELDON. Mr. Chairman, that will be in the RECORD. That was certified in 1983 when we first found it out. It has also been certified to this body. As a matter of fact, I was not here in 1985, but this body, as a part of the 1985 defense authorization bill, asked the President of this country to certify to it certain arms control violations. One of those certifications by our President was the clear violation of Krasnoyarsk. It will be in the RECORD, as it was yesterday. It will be in the RECORD also today.

Mr. SPRATT. On March 10, 1987, the President submitted his unclassified report on Soviet noncompliance with arms control agreements. Is that the report that you are referring to?

Mr. WELDON. No, I am referring to the 1985 request by this body and the President's response to that.

Mr. SPRATT. This is the most recent report, March 10, 1987, and it states as follows. I am quoting from it.

> Large phased-array radars [LPAR's] have always been considered to be the long leadtime elements of a possible territorial defense. Taken together, the Krasnoyarsk radar and other Soviet ABM-related activities give us concerns that the Soviet Union may be preparing an ABM defense of its national territory.

What I am saying is that that does not appear to me to be an unequivocal certification. I was wondering if you could point to a place in the RECORD where we have that.

Mr. WELDON. I would just counter that perhaps we are quibbling over words, but I will have the documentation in there to back up my statement.

Mr. SPRATT. I ask the gentleman also if he is asserting that this facility, when it becomes operational, if it is established then to be part of an ABM facility, is the significance of that primarily military or is it primarily political?

□ 1350

Mr. WELDON. Mr. Chairman, I am not arguing the significance of it. What I am saying is that we agreed to a treaty, the ABM Treaty, and in that treaty there were certain technical guidelines that we both adhered to. No one that I know of disputes—and perhaps the gentleman will quote someone for me—no one disputes the fact that this is a glaring, open, technical violation. I even quoted General Surikov of the Soviet Union, who even said in fact that it is a technical violation of the treaty.

Mr. SPRATT. I am concerned primarily for political reasons, because if it is indeed part of the ABM system to give them territorial defense, then it is a violation of the treaty and it means that we cannot rely upon them even as to things that can be verified. So I share the gentleman's concern. I want to make that very, very clear.

But as to the military significance, let me read a couple of statements and find out how the gentleman responds to the military significance. This is a statement of Robert Gates, who is the Deputy Director of CIA. He was the administration's nominee to be the Director. Directly quoting him, he said this to the Senate Armed Services Committee:

> These radars, however, are large fixed installations, vulnerable to direct attack * * * Without the support from these radars, a widespread ABM system would be much less capable * * *. There will always be an issue of whether an ABM system is worth having which depends to a great extent on a few, potentially quite vulnerable facilities, * * *.

Let me give the gentleman another quotation from an administration official who is not identified that appeared in the National Journal in March 1985:

> The intelligence community is in basic agreement that when the radar is operational, it will not be optimized for an ABM role * * * [it] does not cover the path of incoming U.S. ICBM's [intercontinental ballistic missiles] because it is too far east and is pointing in the wrong direction.

Then finally here is one statement from the Aspin group, including General Scowcroft:

> The marginal ABM potential * * * is minimal and does not significantly advance the prospects for a Soviet ABM system.

Would the gentleman agree that the military significance of it, then, is not nearly as serious as the political significance?

Mr. WELDON. No, I would not agree because the potential for this installation has been well documented that it could in fact have over a period of time battle management capabilities, and it could become a part of a nationwide network within the Soviet Union that could allow them to have a strategic advantage over us for battle management purposes, a clear violation of ABM.

Mr. SPRATT. Mr. Chairman, let me read to the gentleman again what another official, Harold Brown, said about it. In February of 1985, he said this:

> Krasnoyarsk is "an early-warning radar that is located in the wrong place. I do not think it is a great threat to U.S. Security because I do not think it has that much capability."

Mr. WELDON. Mr. Chairman, I think there are those who like to pooh-pooh the installation at Krasnoyarsk not on the merits of its being a technical violation but on the merits of its being that strategically important and to go along with the Soviets' claim that it is being used for space purposes. This is in my opinion an entirely shallow argument, and certainly I can well document it, as I have in the RECORD, for those people who clearly disagree with that argument.

As a matter of fact, I would refer the gentleman to the latest copy of "Soviet Military Power." On page 48 there is a clear delineation of the potential for Krasnoyarsk and what it can do in terms of battle management in relation to this country.

Mr. SPRATT. Mr. Chairman, I was simply trying to make the point that the strategic defense initiative and American Security Group, cochaired by General Scowcroft and William J. Perry made in a report back in 1986. They said this:

> None of these compliance problems [including the Krasnoyarsk radar] is very significant in a military sense, but all are very troublesome politically.

Mr. McCURDY. Mr. Chairman, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from Oklahoma.

Mr. McCURDY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Weldon amendment.

I think the gentleman has raised a valid point. It clearly does seem significant to those on the Armed Services Committee and also the Intelligence Committee who have had extensive briefings and hearings on compliance issues, and Members agree and state unequivocally that the Krasnoyarsk radar, because of its location, not on the periphery of the Soviet Union, not facing outward or oriented outward, is a clear violation of that treaty.

I think there has been some debate as to the military signficance of it, but I do not think that is the point the gentleman from Pennsylvania is trying to make. I think the gentleman is trying to draw the support of the House and the Congress and to express overwhelming outrage at the construction of this facility and certainly bring pressure to bear on the

Soviets to try to demonstrate that we think it is a serious matter and that a move toward operation would be a tremendous mistake.

As a matter of fact, I chaired a subcommittee of the Intelligence Committee that had over a year long set of hearings on monitoring and verification issues, and as to the ABM it was stated time and time again by the intelligence community and by leaders knowledgeable of the Soviet Union that this is a clear violation.

Now, I notice that on the gentleman's chart there is an artist's rendering of the facility, and it is clear that that is the best that we can show publicly. But I think it is safe to say that the evidence that has been compiled is sufficient, and I have to commend our intelligence community on their ability and the quality of the evidence that they have built to justify the position that this body, I think, will inevitably take today, and that is the Krasnoyarsk radar, if it were to go on line and if it were to become operational as a radar system, because of its location, would be a clear violation. I think from the chart there again, we can see the dot indicating its location. Had that radar been up in the extreme northeastern end where it is pointed, then it would not have been a violation. It would have fallen in the same category of some of the things we are trying to do on the ADI in the Department of Defense for the Air Force. The ADI position is what we have in the bill, which is trying to improve our air defense initiative in this country. ADI has been a long time in coming, and it certainly is an important issue.

Also it should be made clear that if it becomes operational—and there is some question in my mind, and we cannot state for the record here, I think, until it is declassified—I think there is some question whether it is operational today, but the construction is apparent. There is no doubt that, if nothing else, the Soviets have been caught in a pretty blatant attempt to violate this treaty.

So, Mr. Chairman, I would just say in conclusion that I think the intelligence community and certainly the Department of Defense and those of us who have spent considerable time looking at this issue would agree with the gentleman that there is no doubt whatsoever that this is a violation, and I would support the gentleman's amendment.

The CHAIRMAN pro tempore (Mr. Russo). The Chair would advise the Members that the gentleman from Pennsylvania [Mr. Weldon] has 5 minutes remaining and the gentleman from South Carolina [Mr. Spratt] has 30 seconds remaining.

Mr. WELDON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio [Mr. Kasich].

Mr. KASICH. Mr. Chairman, I appreciate the gentleman's yielding this time to me.

Mr. Chairman, I would like to compliment the gentleman from Oklahoma [Mr. McCurdy] on his statement and also state that I understand the concern of the gentleman from South Carolina [Mr. Spratt]. But what I think we are concerned about, whether it is operational or not, and clearly it is on the verge of being operational, is the fact that we have these new satellite pictures that prove to us that Krasnoyarsk is in fact a violation. It is not just that that concerns us; it is the dual capable systems, the SA-10 and 12 potentially used in the ABM mode, it is the mobile radars, although there is some dispute as to whether they have mobile radar capability, and it is testing air defense and ABM radars at the same time. That is another thing they engage in. It is the variety of things that they do.

Mr. Chairman, I think we ought to vote unanimously for this good amendment offered by the gentleman from Pennsylvania [Mr. Weldon] because it clearly expresses the concerns of Congress, and, frankly, I think we need to say something to them about these violations because we have not been able to do it so far.

Mr. WELDON. Mr. Chairman, I yield 1½ minutes to my distinguished colleague, the gentleman from California [Mr. Herger].

Mr. HERGER. Mr. Chairman, I rise in strong support of the amendment offered by my colleague, the gentleman from Pennsylvania [Mr. Weldon].

This amendment is a welcome expression of the truth, something which should be actively pursued as we take up these important national security issues.

Before we unilaterally embrace the most restrictive interpretation of the ABM Treaty, let us examine the conduct of the Soviet Union since the ABM Treaty was signed in 1972. The facts are that the Soviets have violated this treaty in the past and continue to do so now. We must send a message to the Soviets that the United States will not stand by and ignore their violations while we fully comply with that same ABM Treaty ourselves.

□ 1400

Again, I would like to commend my colleague from Pennsylvania for the detailed analysis he has provided in this amendment. The Soviets phased-array radar at Krasnoyarsk has time and again been proven as an unequivocal violation of the ABM Treaty. This issue should be at the top of our list of negotiating issues to bring up with the Soviets.

These facts should also be instrumental in our decision here in the Congress on appropriate funding for the strategic defense research and development.

Mr. Chairman, this amendment forces us to ask the question: Why should the United States comply with a treaty which the Soviet Union is clearly violating?

Mr. WELDON. I thank my colleague from California for his comments. I also thank the gentleman from the other side.

Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona [Mr. Rhodes].

Mr. RHODES. I thank the gentleman for yielding.

Mr. Chairman, this is truly a noncontroversial amendment. All this amendment says is that this little, old radar facility here violated the ABM Treaty.

Yesterday, when we were debating our compliance with the ABM Treaty, time after time Members from this side of the aisle got up and cited this radar facility as being a violation. I do not recall anybody from this side of the aisle denying that it was. So it must be a noncontroversial amendment.

Also, my friends, in March 1985, a letter was sent to the Chairman of the Soviet Union signed by the chairman of the House Armed Services Committee and 22 of his colleagues, and it said, in pertinent part:

> Experts in the field who have served in both Republican and Democratic administrations have come to the deeply disturbing conclusion that the system currently being constructed will violate provisions of the treaty. But the radar construction question must be satisfactorily resolved if we are to maintain the existing treaty on antiballistic missiles or make progress on other important arms control issues.

Yes, my friends, a noncontroversial amendment. A little ironic perhaps, because we certainly did, with the overwhelming vote of the Democrat side of this House put this House on record yesterday as insisting that this country must abide by the strict, narrow interpretation of the Antiballistic Missile Treaty.

We owe it to ourselves to be honest with the world and vote for the noncontroversial Weldon amendment which recognizes this violation.

Mr. SPRATT. Mr. Chairman, I support the amendment and have also risen in opposition solely for debate purposes.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Maryland [Mrs. Byron].

Mrs. BYRON. I thank the gentleman.

Mr. Chairman, let me say, first of all, that in the last 4 years I have chaired the Arms Control and Disarmament Panel of the Armed Services Committee. During our testimony and during the hearings that we had, there was no question in our minds that the

Krasnoyarsk radar is a blatant violation of the ABM Treaty.

It has been almost common knowledge since the 1982 timeframe that this is true. Let me quote from a speech before the National Press Club by Ken Adelman in January 1986:

> The Soviets have built a new large phased-array radar in Siberia with a location and orientation explicitly forbidden by the ABM Treaty. Hundreds of hours were expended negotiating this treaty provision. Violation of this provision strikes at the heart of the ABM Treaty.

Mr. Chairman, I want to commend the gentleman for his resolution, and I rise in support of that resolution.

I urge the adoption of the resolution.

Mr. WELDON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. I thank the gentleman.

Mr. Chairman, I think we have an opportunity, with this excellent amendment, to return some comity and some unified approach to this body on arms control. Perhaps when we go to conference committee with the other body we can send a strong signal and let the Soviets know that we are unified on blatant violations of the ABM Treaty.

Krasnoyarsk sits on the Trans-Siberian Railroad, in the dead center of their country. They are not going to stand up and tell the world, yes, this is a battle management radar so that some day we can have an SDI shield over all of our beloved motherland.

But there is something happening in the Soviet Union. Only the worst cynic will say that Mr. Gorbachev does not have some approaches where he is trying to turn a massive juggernaut around. The Soviet Union has admitted that Krasnoyarsk is a violation of the ABM Treaty.

Let us listen again to the quotes of the Soviet generals that the author of this amendment put out.

Gen. Boris Surikov, states, "Yes, in territorial terms, this was a mistake."

A retired three-star general, Mikhail Milshtein, said: "We might be willing to tear this down."

Let us get into the Western Union smoke signal mode here and send a strong message to the Soviet Union that we want this issue resolved.

Mr. AuCOIN. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the gentleman from Oregon.

Mr. AuCOIN. I thank the gentleman for yielding.

Mr. Chairman, I support this amendment because the radar at Krasnoyarsk is an apparent violation of the letter of the ABM Treaty. It should be modified or shut down.

At the same time, we would miss the point if we addressed Krasnoyarsk without also considering related questions concerning the function and significance of this radar, the U.S. negotiating posture, and comparable U.S. radars.

Krasnoyarsk is a new large phased array radar which is not on the periphery of the Soviet Union. If, when it is turned on, its beam pattern is revealed to be too low for a spacetrack system—this is what the Soviets claim it is but its design appears inconsistent with this purpose—it will be a violation of article VI of the ABM Treaty.

But while it is a violation of the letter of the treaty, Members should note that this does not make it an ABM radar, a violation of the spirit of the ABM Treaty.

For one thing, its beam patterns is too eastward-oriented for an effective ABM radar. An optimal ABM radar at that location would look north, on great-circle routes from our ICBM bases.

More importantly, Krasnoyarsk is much too large and expensive to be a useful ABM radar. Fifteen years ago, our own designers recognized that any radar is vulnerable. This means if you want to have an ABM system that won't go up in smoke before you can use it, you have to have large numbers of radars; the only way to get these numbers is to make each radar small and cheap. Of course, just because something's dumb doesn't mean the Soviets—or the American military, for that matter—won't do it. But the fact is, Krasnoyarsk would make a dumb ABM radar.

More likely, it's an early warning radar, set back from the periphery to avoid the prohibitive climate on the northern border. It seems probable that the Soviet bureaucracy blundered, ordering the construction of this device without considering its arms control implications. But, as I have stated while Krasnoyarsk may not be a violation of the spirit of the treaty, it is clearly a violation of the letter and it should be modified to conform to the treaty, or shut down altogether. I urge the Soviet leadership to do that.

Regrettably, the Republican administration numbers, among its many failures, the failure to persuade the Soviets to bring Krasnoyarsk into conformity. It's not clear whether the administration's failure is due to ideological obsession—you can't call the other side the "Evil Empire" one day and ask them to accommodate you tomorrow—or to simple incompetence. But the fact is, the current Republican administration has failed where better administrations of both parties have succeeded under more difficult circumstances in the past.

Consider, for example, the 1978 incident in which the Soviets did 14 warhead-releasing maneuvers on a test of the SS-18 ICBM, although SALT II permits only 10 warheads per ICBM. Technically, the Soviets were within their rights, for two reasons: they didn't actually release 14 warheads, and in any case the treaty hadn't been signed and wasn't in effect. But the Democratic administration told the Soviets their 14-maneuver tests were pressing too close to the spirit of the treaty and had to stop. The Democratic administration succeeded; the 14-maneuver tests stopped and have never been repeated. Now, in easier circumstances, the Republican administration has failed to negotiate the problem. This is fact.

Finally, there is the question of the two new American large phased-array radars being built in Greenland and Great Britain. These are early warning radars not on the periphery of the United States, and it is difficult to reconcile them with the ABM Treaty provision which causes concern regarding Krasnoyarsk. Arms control opponents argue that the U.S. radars are upgrades of existing radars rather than new radars, but if you look at the designs this position is hard to defend.

While it is difficult to reconcile the new American radars with the ABM Treaty, beyond a doubt they are stabilizing devices. I'd like to be able to keep them. This creates obvious complications for the Krasnoyarsk issue which we will have to resolve, probably in the next administration.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the gentleman from Washington.

Mr. DICKS. I thank the gentleman.

Mr. Chairman, I would just say one thing for the record. We have got to be able to explain Touley and Flyingdale. We have got a problem ourselves in terms of two large, phased-array radars.

I will vote for the amendment.

Mr. DORNAN of California. You will vote for it?

Mr. DICKS. I will vote for the amendment. I just want to make sure that the House understands that two large phased-array radars——

Mr. DORNAN of California. I thought you were going to kill it with a moral equivalent argument. The United States is not violating the ABM Treaty. In fact we have gone out of our way to stay within the treaty, even when it hasn't been in our best interests to do so. There is no comparison between our legal phased-array radars and Krasnoyarsk. Let us have a unanimous vote in support of this amendment.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the gentleman from Illinois.

Mr. HYDE. The Flyingdale and Touley were grandfathered in. They existed years before the ABM Treaty was signed.

Mr. DICKS. Not as large, phased-array radars.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. HUNTER].

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WELDON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 15, as follows:

[Roll No. 92]

AYES—418

Ackerman
Akaka
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bates
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Boucher
Boulter
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Clay
Clinger
Coats
Coble
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kemp
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nichols
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Roybal
Russo
Sabo
Saiki
Sawyer
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stark
Stenholm
Stokes
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Tauzin
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Upton
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NOT VOTING—15

Alexander
Annunzio
Bosco
Coleman (MO)
Combest
Ford (TN)
Gephardt
Jones (NC)
Jones (TN)
Mavroules
McKinney
Mineta
Nelson
Savage
Valentine

☐ 1420

Mr. VISCLOSKY and Mr. COOPER changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. Downey of New York). Pursuant to House Resolution 156, it is now in order for the gentlewoman from Illinois [Mrs. Martin] or her designee to offer an amendment contained in House Report 100-82, which is not subject to amendment or to a demand for a division of the question. If said amendment is not adopted, it shall be in order to consider the amendment offered by Representative McCurdy or his designee, which shall not be subject to amendment or to a demand for a division of the question.

AMENDMENT OFFERED BY MRS. MARTIN OF ILLINOIS

Mrs. MARTIN of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. Martin of Illinois: Page 3, after line 25, insert the following new subsection:

(c) Additional Authorizations.—(1) The amount authorized in subsection (a)(5) for other procurement for fiscal year 1988 is hereby increased by $50,000,000 for the Mission Essential Equipment Program.

(2) The amount authorized in subsection (a)(4) for procurement of ammunition for fiscal year 1988 is hereby increased by $10,000,000, of which—

(A) $5,000,000 is for 25-millimeter M792 round; and

(B) $5,000,000 is for 155-millimeter M483 artillery projectile.

Page 6, strike out lines 11 through 13.

Page 7, after line 24, insert the following:

(3) The amount authorized in paragraph (1) for fiscal year 1988 is hereby reduced by $644,000,000. The amount authorized in such paragraph for fiscal year 1989 is hereby reduced by $797,000,000.

Page 8, line 6, strike out the period and insert in lieu thereof ", plus an additional $200,000,000 for Reactor Plant Equipment.".

Page 8, line 8, strike out the period and insert in lieu thereof ", plus an additional $20,000,000 for the AN/SSQ-89 Surface Antisubmarine Warfare (ASW) Combat System.".

Page 8, line 10, strike out the period and insert in lieu thereof ", plus an additional $12,735,000 for CVN Catapults and Arresting Gear.".

Page 8, line 12, strike out the period and insert in lieu thereof ", plus an additional $10,000,000 for 5-inch/54-caliber gun ammunition.".

Page 8, after line 16, insert the following new flush sentence:

The total amount authorized for other procurement for the Navy for fiscal year 1988 in the matter preceding paragraph (1) is hereby increased by $242,735,000.

Page 9, after line 19, insert the following new subsection:

(b) Additional Amounts for Aircraft Procurement.—

The amount authorized in subsection (a) for procurement of aircraft for fiscal year 1988 is hereby increased by $55,535,000 for programs as follows:

(1) $5,535,000 for C-141 aircraft modifications.

(2) $25,000,000 for aircraft spares.

(3) $25,000,000 for common ground equipment.

(By unanimous consent, Mr. Foley was allowed to speak out of order for 1 minute.)

FURTHER LEGISLATIVE PROGRAM

Mr. FOLEY. Mr. Chairman, I take this time to advise the Members that because of the problems in considering the rule, which we yet have to consider today, that it seemed advisable, after consultation with the minority, to reschedule for this afternoon the carrier issue in order to come to the approximate time of adjournment of 6 p.m. which we had announced earlier.

The effort to bring up the funding on the strategic defense initiative would inevitably lead us into a very late session tonight under the circumstances. Since the Members had been assured that that would not be the case, we are going to return to the original schedule and consider the carrier issue.

In addition to that, I would advise the Members that we intend to proceed with the previously announced schedule on Friday and Monday, both tomorrow and Monday, and we will be adjourning at approximately 3 o'clock tomorrow and at 6 p.m. on Monday. But on Tuesday it would be my intention to ask for permission to come in at 10 a.m. rather than at 12, and as previously announced work late on Tuesday night.

This proposed schedule for Tuesday would be first, consideration of the Davis-Bacon amendents, and second, both money and language amendments that apply to the strategic defense initiative, and we would spend the rest of Tuesday and into Tuesday evening to complete that issue, all phases of the strategic defense initiative.

As I say, this has been a matter of discussion between the leadership on both sides and the committee leadership on both sides.

□ 1430

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, let me say that the majority leader has stated it correctly. We have been here in consultation on this side.

We had a problem that seemed very difficult to solve. I agreed to this because this is in consonance with the first agreement that we had that we would have no major amendments or the most controversial amendments would not come up on Friday or Monday for the benefit of Members who because of previous engagements could not be here.

This was really a matter of some contention as to whether or not this should fall in this category, so by rearranging the vote, I think we are keeping faith with the Members to whom we have announced that we would not have the most controversial amendments on Monday and Friday. So as I understand what the majority leader said, we will finish the carrier today and following that we will have the rule for the balance of the week; tomorrow and Monday we will have the less controversial amendments. The first item of business Tuesday will be the Davis-Bacon, followed then by SDI and everything related to SDI until we furnish everything related thereto on Tuesday.

Mr. FOLEY. The gentleman from Alabama is correct.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN pro tempore (Mr. Downey of New York). Without objection, the gentleman from Wisconsin [Mr. Aspin] is recognized for 1 minute.

There was no objection.

FURTHER LEGISLATIVE PROGRAM

Mr. ASPIN. Mr. Chairman, let me enter into a dialog here with the gentleman from Alabama.

If I might have the attention of the committee and the attention of the gentleman from Alabama, I would like to explain to the House the issue on carriers.

Mr. Chairman, I would like to discuss with the gentleman from Alabama a little bit about this amendment that is coming up. The amendment which we have before us now is the Martin amendment which would strike the two aircraft carriers that are in the bill.

If that amendment should fail, we would have a 20-minute debate. There would be an hour debate on that. If that amendment should fail, we have an hour debate on an amendment by the gentleman from Oklahoma [Mr. McCurdy] to strike one of the carriers in the bill.

We have to divide the time on this amendment between a half hour on each side, and we normally do that. We have a little problem here, because the proponent of the amendment is on the Republican side, and I agree with the proponent of the amendment. I think the gentleman from Alabama, Bill Dickinson, agrees with the opponent of the amendment.

Who is going to control the 30 minutes on your side, the gentlewoman from Illinois or the gentleman from Alabama?

We will do it the opposite way. If the gentleman would yield 30 minutes of his time to the gentlewoman from Illinois [Mrs. Martin], I will yield 30 minutes of my time to the gentleman from Florida [Mr. Bennett], who is opposed to the issue.

The gentleman from Alabama can vote with the gentleman from Florida, and I can vote with the gentlewoman from Illinois.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Alabama.

Mr. DICKINSON. Do not presuppose my vote on this, but I agree with the yielding of the time.

If the genlteman would yield further, I have been asked by several of my colleagues on this side of the aisle what we might reasonably be expected to vote on Friday and on Monday. Since many of them might have their own amendments to come up, it would be helpful if the gentleman could give us that information.

Mr. ASPIN. Part of it is that we do not yet know what the rule is going to look like, but it is for certain that on Friday and on Monday, we will be dealing with the individual Members' amendments that they filed in the rule, and the rule is going to make in order most of them, I understand, not all of them.

There is also going to be a package of amendments that the gentleman from Alabama and I have agreed on that we will present en block but the ladies and gentleman who have filed with the Committee on Rules amendments, we ought to look for trying to handle a very great deal of those on both Friday and Monday.

Mr. DICKINSON. In looking over the schedule, I would assume that we do not know what the rule coming out will be, I would assume that on Friday, tomorrow, we would probably deal first with the ATB.

Mr. ASPIN. The gentleman is correct.

Mr. DICKINSON. Probably the next would be on the nuclear reactor?

Mr. ASPIN. No, that one not tomorrow.

Mr. DICKINSON. A new rule?

Mr. ASPIN. Burden sharing next.

Mr. DICKINSON. So we know those will be the first two?

Mr. ASPIN. After that, I would suspect we would be wanting to do individual amendments of individual Members.

Mr. DICKINSON. When is it anticipated that the oracle will speak and we will know what will be the order of amendments?

Mr. ASPIN. We are all waiting breathlessly for the room up there on the third floor to open the doors, and when white smoke comes out, we will have a rule.

Mr. DICKINSON. I thank the gentleman.

The CHAIRMAN pro tempore. Under the rule, the gentlewoman from Illinois [Mrs. Martin] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

The Chair recognizes the gentlewoman from Illinios [Mrs. Martin].

Mrs. MARTIN of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment before our committee deals with the budgetary issue which will impact defense spending for the next decade:

The funding of a $7 billion accelerated aircraft carrier construction program.

The issue is quite obviously not a partisan one, nor is it necessarily an issue about 15 carriers, or even about the eventual need to replace 1, 2, 3, or 8 of the carriers.

My amendment will save $1.8 billion in fiscal year 1988 and fiscal year 1989 budget authority by denying the Navy's accelerator request to buy two *Nimitz*-class nuclear carriers.

The amendment also saves $5.5 billion during the out years of 1990 or 1993.

Before citing my reasons, let me go through a relatively boring part of this, so that you can understand what was replaced and what was not in this particular amendment.

The first part of the amendment provides for a cut of $444 million in 1988, and almost $800 million in 1989.

This would have initiated procurement of the two new replacement carriers.

In the next part of the amendment is a $200 million transfer to the Navy's nuclear reactor plant equipment.

This is not new spending but necessary to retain the base nuclear capabilities for our fleet. Both opponents and proponents agree on this particular issue.

With the money saved from these first years, there are dollars added to readiness for the Army, the Navy, and the Air Force.

The package of readiness items restores $43 million to accounts reduced from the President's budget and provides $115 million to accounts that the services have identified as suffering deficiencies.

These items include aircraft spares, munitions, antisumbarine warfare equipment, and Army combat equipment.

□ 1440

Mr. Chairman, it is unusual for a Republican to be standing here bringing to the floor an amendment which cuts from the defense budget. But this Republican does it because to do else would ultimately hurt the defense and national security of this Nation.

Less than 1 year ago the Secretary of the Navy testified before the Committee on Armed Service, of which I am a member, that there would be no need to replace aircraft carriers before 1992.

Suddenly now we are accelerating by two the number of aircraft carriers it is essential, according to the Navy now, that we have.

Mr. Chairman, I am going to argue that the Navy is incorrect and, indeed, jeopardizes future readiness of this Nation by greedily trying to acquire from a budget too much that would ultimately help the defense of this Nation.

I would quote then-Secretary Lehman:

> There are new aircraft carriers in the fiscal year 1987 budget and no new construction carriers are needed until the early 1990's.
>
> We intend to request long-lead funding in 1992 for a *Nimitz*-class replacement for the *Midway.*

The Navy claims that the new carriers will not weaken the readiness of the Army, Navy or Air Force. But to provide for these carriers the Navy's own programs decision proposes these cuts, and I think you should listen to them: Aircraft procurement $450 million, weapons procurement, $400 million, readiness and support, $1.6 billion; military construction, $200 million, carrier service life extension programs, $640 million and deferral of two other ships.

One of the least delightful things about this debate has been part of the level on which I believe the Navy has been acting. I do not fault the Virginia delegation for trying to protect for its State some of the most incredible jobs, and, frankly, pork of the century. Were it my district, I would do the same thing. But our obligation is a different one. It is to make sure that this Nation is ready and that this Nation's security will not be impaired even to the benefit of one, two, or three States. Some Members, if they are back in their office, may have received a copy of what their district will get. I say this right now: If the reason we are voting for national defense is what a district gets, I should not have voted for one defense bill in the 7 years I have been here.

My State does not get that much from defense, but I am proud to have voted for it.

If on the other hand, Mr. Chairman, you did not receive a sheet saying how much you are going to make out from this, as 190 districts would not, that indicates to you that there are no benefits to your individual district and that, overall, you are causing a drop in readiness for this Nation.

I think through the debate you will be hearing much; you will be hearing from the superb chairman of the Subcommittee on Seapower. We all know on the Committee on Armed Services that sometimes when you are involved in a subject your caring about it puts it forward on the agenda.

I can only tell you this: When this vote is over, if you have voted for the Martin amendment, there will still be 15 carriers; when this vote is over, with the Martin amendment there will still be national security and the schedule that was described by the Secretary of the Navy will still be kept.

There is one last thing: If we vote for these two carriers, I beg Members to look forward to the 1993, 1994, 1995 fiscal years when virtually all congressional flexibility in matters of defense will be over. To maintain this carrier survey, there will have to be a 3- to 5-percent growth in Navy outlays every year. I may support such an outlay but we do not here. If, therefore, we go ahead with this program, knowing full well that more than 1 percent of growth is totally unlikely, we will continually take from other programs and, moreover, we will be looking at long-term costs of not just $7 billion, but some estimate up to $30 billion. That is without debate, without strategic necessity. To do so I think ultimately narrows our ability as Members of Congress to make those difficult defense decisions in the 1990's and we should not be precluded by the desire of some to accelerate and take from the Congress its right to make those decisions.

The CHAIRMAN pro tempore (Mr. DOWNEY of New York). Is the gentleman from Florida [Mr. BENNETT] opposed to the amendment?

Mr. BENNETT. Mr. Chairman, I am.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. BENNETT] is recognized for 30 minutes.

Mr. BENNETT. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, we have had extensive hearings in the Subcommittee on Seapower as to how many carriers there should be. It has been conclusively shown that the responsibility defensewise of our country requires a 15-carrier fleet at a minimum. The Joint Chiefs of Staff say that, everybody who has studied it says that. We know we need that. If we do not build these two carriers now when they are actually in the fleet or when they are about to come into the fleet the ships that they would be supplanting would be about 50 years of age.

So it is not true that if you do not build these carriers that you are going to have a 15-carrier fleet because you are going to have 2 carriers out there when these come aboard that have to be jettisoned, taken out of the fleet.

The next point: You save about $700 million by having these two carriers done together. That is the reason the committee approved it. I did not start off wanting to do this, but when I realized that one was coming in one year and another was coming another year and we were going to save $700 million by that process, that seemed the logical thing to do.

Every year there is a great discussion about what are the needs of the Navy. We had a thorough discussion of that, lots of testimony this year. This is essential to our national defense. It actually is sort of the cutting edge of our strength in times of peace and a very important part of our ability in times of war. The carrier is the one thing that we can use in peacetime as we send a carrier into an area of concern and yet not actually go to war. We tell people that if they do not behave up, they are going to be in trouble. Therefore it has been a very valuable thing in our maintaining peace throughout the world. There have been about 90 instances in recent years which have occurred by the use of a carrier putting down a thing that might have gone into a war. In time of war it is, of course, our advanced airstrip. General Rogers tells us we may lose all airstrips in Europe. If that happens to be the case, this is the only way you are going to have a sufficient number to do anything—to do anything or to do harm to the enemy at that time.

An argument has been made that this is a lot more expensive than having just a carrier, and that a carrier cannot operate by itself. Under some circumstances the carrier should have additional ships around it, but it is a great, potent factor by itself in many circumstances.

Mr. Chairman, I will go to the next speaker and reserve whatever time I may have.

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. McCurdy].

☐ 1450

Mr. McCURDY. Mr. Chairman, I support the amendment offered by the gentlewoman from Illinois. As she stated, and I concur, I do not think this is an issue of the number of carriers or the issue of whether or not we ought to have carriers.

The issue is one of timing. It is important to note here that the carrier fleet will remain the same, will have 15 carrier battle groups, but the difference is that the timing will be considerably different.

The Navy has not included this approach in the last 3 of the Navy 5-year shipbuilding plans. It was not even in this year's JCS posture statement. The Navy did not submit this proposal for the normal DOD program budget review; instead, took it directly to Secretary Weinberger in the late fall.

I understand that much of the rationale for his decision was the statements then that this acceleration of this shipbuilding program would save $3 billion if you accelerate it. Under closer scrutiny, they had to revise their figures considerably downward, and now the allegation is, or the estimate is that they will save some $700 million.

That may be the case, but that is 10 percent of the overall cost of these systems.

The GAO and CBO estimated and testified that a similar investment in accelerating the aircraft production lines would yield at least as much savings in the same timeframe. CBO actually estimated a minimum of $1.1 billion in savings.

So it is not unique that we want to save money by accelerating developments. We can do it. But why is it that the Navy has this opportunity in the year that Air Force R&D is larger than Army procurement, in the year that we see that the decline in conventional capability?

It is clear, Mr. Chairman, that eventually these carriers will have to be replaced. I do not argue that the *Midway*- and the *Saratoga*- and the *Forrestal*-class ships will eventually be replaced, but there are other costs involved here. Other costs. It takes 1,000 more men to man a *Nimitz*-class carrier than it does the *Midway,* 1,000 more men that we have to supply, feed and equip.

The cost that we make today, the budget decisions that we make today have long-term policy decisions, and I think it is important that we not accelerate this development, that we put the money where we can best utilize it, and that is in the ammunition accounts, the conventional account and that we relook this and not be locked into a long-term development program that we are not going to be able to look at again in the near term.

I believe this is probably the first real test of homeporting, whether or not it can work, and I think it is clear that some of those decisions made today are based on politics, as opposed to the necessity of proper programming within the Department of Defense.

I urge passage of the amendment.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. Bateman].

Mr. BATEMAN. Mr. Chairman, proponents of amendments to delete long-lead funding of two replacement aircraft carriers recognize that it is necessary to periodically replace carriers. That, Members of the House, is precisely what the bill does, if the amendments are defeated.

We would in an economic smart buy, that GAO says will save at least $700 million, replace the *Midway* at age 52 after 1995 and a *Forrestal*-class carrier in the late 1990's. The carriers to be replaced will be beyond their useful life.

Defeat of the pending amendments will preserve our national maritime strategy in the most cost-effective manner. It will save thousands of jobs and keep our industrial base intact. This is the most critical vote of this session for our faltering shipbuilding and steel industries. I call your attention to the compelling letter of the Shipbuilders Council and the urging of significant elements of the AFL-CIO on this issue.

When the long-lead funding for the two carriers is in the bill and within the House-passed budget resolution, why delete them and why lose thousands of jobs? Why wreck our national maritime strategy? Why cripple our conventional capability and readiness into the 21st century?

I proudly represent the shipbuilders of Newport News who delivered the U.S.S. *Theodore Roosevelt* 16 months ahead of schedule and under the target costs. They are building the U.S.S. *Abraham Lincoln* and *George Washington* on the same construction schedule and $1 billion under the projected costs. This is of the essence of why the Navy has advanced its request for long-lead funding to replace ancient aircraft carriers. For the Navy not to do so would leave a hiatus period that would dismember this critical industrial base. Rather than do this, the Navy has indeed advanced its request and thereby saves at leat $700 million.

It is not just shipbuilding jobs for my district. It is a question of jobs in the domestic steel, coal, and electronics industries and other jobs that would be lost. Do not inflict this needless and costly pain and in the process undermine a rational national maritime strategy that demands we replace carriers which are beyond their useful life.

Vote against the pending amendment.

Mrs. MARTIN of Illinois. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. Hertel].

Mr. HERTEL. Mr. Chairman, I want to frame this debate in talking why this amendment has been offered and why it has been offered by the gentlewoman from Illinois [Mrs. Martin].

The gentlewoman said in her opening remarks that she has no axe to grind. She has worked for the defense of this country as a member of the Committee on Armed Services. Her concerns are the costs and the plans that are made for military expenditures and what that means to this year's budget and budgets into the next decade.

She makes no friends by offering this amendment. The problem with the way that we do our appropriations, our appropriations is that every committee comes to the House floor and says that they need more and more and that they have priorities, and legitimately, they do. The Members work very hard on the facts and the figures, whether it be people coming down for public services, for highways, or for the most important responsibility we have, and that is the national defense of this Nation.

It was just a year ago that I stood in this well and offered amendments to delete the New York Port from homeporting, mainly because of the great expense that that port will cost now, but especially into the future. On that first vote here in the House, we were successful in deleting that money for the New York Port, partially because Lynn Martin had the courage to come down and say what she has said today. That is, Mr. Chairman, we do not have the money.

We are not talking about the tactical advantages and need for aircraft carriers; we are talking about priorities for the 1987 budget and down the line, how much this is going to cost us.

I just want to commend the gentlewoman for her courage in bringing this amendment forward because the Members of this entire House are now suffering one of the heaviest lobbying efforts they have seen since last year's home-porting. I am saying that the

Navy can mount—I will give them credit—can mount probably the most massive lobbying effort that this House has ever seen 2 years in a row, back to back.

I only ask the Members to consider during this lengthy debate what the facts are, what the options are.

You have already been told that we need two carriers because the others are rapidly ending their useful life after a period of 45 years. But if we look at the battleships *New Jersey, Wisconsin, Iowa,* and *Missouri,* they are as old or older. They have the same powerplants as our current *Midway* and *Coral Sea* carriers.

The Navy has properly made its four-battleship action programs centerpieces of service life extension programs. They have been successful. Many Members of this House voted for that just a few years ago.

□ 1500

In fact the rationale for justifying two new carriers directly contradicts the far less costly service life extension program. We have some problems in our older ships, but let us look at what the commanding officer of the *Midway* said this last month:

> The material condition is excellent, and I am pretty sure she will be able to remain in the front line well over the year 2000.

He also said:

> The morale of the crew is very high. Retention is also high. Fortunately, we do not experience any manning shortages.

We have already been told about the savings, but I ask the Members to just look down to the following years and eventually to the $60 billion it will cost for the new carriers. We do not have the money today, we do not have the money next year. I ask the Members to vote for the Martin amendment.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Chairman, I would like to address some of the major manpower issues associated with the Navy's request for two replacement aircraft carriers. The primary issue stems from the misperception that the replacement of two aging carriers with two of the *Nimitz*-class will necessitate a drastic increase in required manning. This is not the case.

It must be realized that by the time the two replacement carriers, CVN-74 and CVN-75, come on line, the 600 ship Navy will already be manned and will have been operational for years. As the Navy starts to replace the older *Forrestal*-class carriers in the late 1990's, the actual required increase in manpower including both air wing and ship's company personnel will be less than 120 individuals. Replacing an even older *Midway*-class carrier with a *Nimitz*-class would require a little larger increase of about 800 individuals; however, this is due primarily to the *Nimitz*-class carrier's ability to deploy with 90 vice 60 aircraft. But the enhanced capability of the *Nimitz*-class, both in size and striking power, is disproportionately higher than the manpower increase and essential for the Navy's future. Let me also emphasize that as we move toward the Navy of the late 1990's, manpower reductions from other areas within the Navy will more than compensate for the slight additions required for replacement carriers. Therefore, manpower should not be an issue in our consideration of the replacement carrier proposal.

Morale and retention of our sailors does, however, have a great impact and deserves our consideration. We cannot mortgage the future by hoping that our venerable but older carriers will forever remain cost effective to operate and maintain. We cannot ask our sailors to be our front line fighting force on carriers which are over 45 years old and aging daily. Without carrier replacements, we will be forced to ask sailors to struggle to repair aging, increasingly costly to maintain, less capable systems. If we do not begin the replacement process now, we will be asking some men to serve on ships designed and built 20 years before they were born.

Let me emphasize that these carriers are not intended to supplement current force levels, but replace two of our present ships as they approach the age when repair and equipment updates required become economically prohibitive. If we are to sustain a realistic level of readiness for immediate response around the globe we must not be unrealistic in our approach to the carrier issue. The cruisers, destroyers, and support ships for the 600 ship Navy will be in place by the time CVN-74 and CVN-75 are delivered. Without the fully capable modern aircraft carrier, forward deployed naval operations would have to be conducted at great risk. And with less than 15 carriers we would have to either cancel current national commitments to certain parts of the world or significantly increase the operational tempo of a decreasing carrier force. The former would signal a form of retreat; the latter would be devastating to our sailors' morale and retention.

In sum, these carriers are indispensible to the Navy's mission. We are responsible to ensure that the men deployed on them are provided what they need to execute their required missions. I support this aspect of the President's budget in the strongest possible terms and urge each of you to do the same. The national interest and our obligations to the American public demand it.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, I would like to engage a slightly different course of debate on these two carriers. I am not noted as a great fan of John Lehman as Secretary of the Navy. But, I think he did some very excellent things to and for the Navy. I very early opposed the 15 carriers because I could not at that time see the rationale for 15 carriers. But let me share with the Members the argument that persuaded me to become a strong advocate of the 15 battle groups, and that is in essence this:

As we know, in 1945 the United States of America reluctantly, not by its desire, became the leader of the free world, and we took on responsibilities we did not ask for. We took on responsibilities for the protection of sea lanes, for the protection of Western civilization, and for peaceful progress of the world, and I will have to say that I think it has worked pretty well, because for the longest time in recent recorded history the world has not seen global conflict for more than 40 years. That is some kind of record of which to be proud. With this, of course, is mobility, technology, training, experience, and the projection of defensive power to deter people from attacking other people.

We are responsible, whether we like it or not, for five huge areas of this globe, all covered with water. For that we have to have five carrier battle groups. Naval deployment logic insists that for each carrier battle group we have to have one carrier, and for each area of the earth for which we are responsible we have to have a carrier battle group, and we have to have three carriers for each. Now, to maintain each of the five areas it requires three carriers, one in port for training; one in maintenance and overhaul, and one on station or in transit. Any way you look at it, if we are responsible for five huge areas of the Earth, it takes 15 carriers to do it, and you just cannot do it with less.

Mr. Chairman, it is absolutely essential, lest we abdicate the responsibility we have but did not seek, the responsibility that goes along with having maintained global peace for more than 40 years, that we have to have 15 battle groups, which requires that many carriers.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. SISISKY].

Mr. SISISKY. Mr. Chairman, we have heard the outline of why we need 15 carriers, but I want to get it straight right from the beginning. These are replacement carriers. They are not carriers to add to the battle groups. They will not cost $17 billion, $37 billion or $57 billion, as has been charged all over the place. They will cost $6.9 billion.

Let us talk a little bit about cost because the thrust of the amendment offered by the gentlewoman from Illinois [Mrs. MARTIN] is affordability. I guess, the Navy did cite in its plans that they would bring this in at some time in 1990 or 1992, but the strange part about it is that they found out they should change their plans when they discovered a two-ship buy at an earlier date instead of $10 billion at this date would be again $6.9 billion, for a savings of $3 billion.

Now, the figure of $700 million was mentioned by GAO. What we did not hear is that that was the minimum savings. And what is that? It means that an Aegis cruiser represents $700 million, and I hope we never stay here long enough to learn that $700 million is not a good savings.

But let me tell the Members what happened in the purchase of the CV-72 and CV-73. The Navy, when they propose these carriers, saves $754 million right off the top by the two-carrier purchase. And guess what happened then? Those carriers will come in at $1.2 billion cheaper than the amount appropriated by this Congress.

So, Mr. Chairman, they are affordable. We cannot penalize the Navy for finding out that they made mistake and then tried to correct the mistake. I ask for a "No" vote on the amendment.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, I cannot believe what I am hearing here this afternoon from Members who should know better.

At the risk of getting too academic, let us run through for a minute the procedure for the effort that goes into the formulation of our defense authorization bill. We consider the threat facing us in the world, our commitment throughout the world, our commitments and our national strategy. Our military leaders come before us and tell us what they need in the way of equipment to carry out their duties and responsibilities.

The Army, the Navy, the Air Force, and the Marines all have a part to play. They decide on their priorities. In the case of the Navy, they decide on the types of ships they need, the aircraft they need, and the weapons systems they need.

□ 1510

They are in the best position to know what they need. If they do not know, who does?

I have a lot of confidence in the people we have here who serve on the Armed Services Committee. But Lord help us, I do not think they should be the ones to decide over the advice of our military leaders what their priorities should be. After all, they have the job to do.

Am I to understand that this procedure is to be reversed? Should our self-styled experts, who have much experience in these matters, start off and decide for the military what they need, and tell the Navy, "You do not know what you are talking about. You do not need this type of weapons system; I am an expert, I know better than you do. You need this type."

If we have gotten to that place, as I said before, we have had it.

Mrs. MARTIN of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. MOODY].

Mr. MOODY. I thank the gentlewoman for yielding me this time.

Mr. Chairman, I rise to support the Martin amendment to redirect funds from early funding of two carriers to the readiness accounts. The first point to make about the Navy's request is that it represents an acceleration of the carrier program, but former Secretary Lehman has testified to our colleagues that these will not be needed until the early 1990's.

The second point I would like to make is that the initial outlays are very misleading; $644 million this year and $797 million next year. They are very, very small compared to the very large outlays that will be required in the following years. We have a bill of $5.5 billion waiting for us in the early 1990's if we take this early step now.

The third point is the question of economies of scale. Yes, it does save money to build two as long as you are building one, and we can save $700 million. But the real issue is do we have to have that savings now? We still have that savings later. Suppose we build two later? We still save the $700 million by combining them and having economies of scale at that time. So that is not a compelling argument in itself.

My fourth point and last one is that the Martin amendment, and the key to the Martin amendment is that it redirects funds away from the carrier account now into our chronically neglected Readiness and Sustainability accounts. These accounts are not exciting, they are not big ticket. They do not have huge contracts in anyone's district, but they are very important in terms of the fighting capacity of our naval forces. We need a force that can fight, not a hollow force that is long on hardware and short on ammunition. Short on spares and short on combat support equipment.

In the words of former JCS Chief Admiral Crowe, when, because of judicial restraints, "painful choices have to be made," Admiral Crowe said, "I would give first priority to sustainability, modern munitions, ASW, and the SSN program." These are the words of Admiral Crowe, and I think he is absolutely right.

I hope we will support the Martin amendment.

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. I thank the gentleman for yielding me this time.

Mr. Chairman, I wish we did not need 15 carriers and 15 carrier battle groups. They are not cheap, as we all know, but I believe we need them.

When I was a younger man, I spent almost 5 years of my life as a naval flight officer. I flew in and out of a number of places around the world where we no longer fly in military aircraft. We no longer fly in and out of the naval air station at Sangley Point in the Philippines; we no longer fly in or out of Utapao Air Base in Thailand. There are a number of other places we do not fly out of anymore today either.

There are additional bases which may follow in the wake of Sangley Point and Utapao, Thailand. They could be bases in the Philippines. There could be bases in Greece, or there could be bases in Spain. I believe that we need aircraft carriers and carrier battle groups today as much as ever. Tomorrow, we likely will need them even more.

The question is: How do we maintain those 15 carriers battle groups and how do we do it at the least cost to the taxpayer. That is the question. I believe the answer is the bill that is before us today, without this amendment. I urge its defeat.

Mrs. MARTIN of Illinois. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. I thank the gentlewoman for yielding me this time.

Mr. Chairman, I rise in support of this amendment because it makes strategic sense and reflects budgetary realities.

This is a budget and policy decision. I do believe that the Congress should have some say in deciding the fleet mix of such naval forces because that is a major defense policy issue. My own view is that the Navy has much more critical funding requirements in terms of attack submarine development and procurement if they are to play the pivotal role in protecting our sea lanes to NATO. I agree that we should prevent Soviet attack submarines from getting out through the Barents Sea into the Atlantic. However, I don't think destruction of their Soviet submarines bases by U.S. carrier-based aircraft is realistic or prudent. I believe that we should augment our attack submarine forces to do this job.

Force projection is admittedly an important element of a U.S. maritime strategy, but it seems to me the nuclear carrier with its battle group array of defensive ships is a high price to pay chiefly for force projection. Building and sustaining a battle group does not constitute an acceptable cost/benefits approach to defensive sea control. Life cycle cost is the budget issue here, not the $300 million in savings for 1988.

The gentlelady's amendment very responsibly retains $200 million of the carrier funding for reactor plant equipment to maintain a vendor infrastructure to fabricate components for naval nuclear power plants. This, in my view this amendment supports industry's ability to manufacture tomorrow's nuclear attack submarines as well as nuclear carriers. We should make every effort to enhance and modernize our attack submarine fleet and this set-aside funding will help preserve our high technology nuclear manufacturing teams.

I have pursued my concerns about the need for a broader and more comprehensive approach to attack submarine RDT&E for the past 3 years. In fact, the $100 million recommended by the committee for advanced submarine technology is a direct result of our HASC correspondence with the Secretary of Defense regarding the emerging Russian threat. The Soviet Akula class submarine has narrowed the gap between U.S.S.R. and U.S. attack submarines and four members of the committee expressed deep concern to Mr. Weinberger over this issue. The Secretary avoided our question as to whether the SSN-21 class is adequate to meet the variety of Soviet threats. We cannot take the risk of, as one admiral put it, "shooting behind the rabbit * * *." We simply must improve our submarine technology base through a comprehensive program with integrated technology platforms for new classes of SSN-21's. We must begin now!

I am pleased that the committee has recommended the $100 million in additional funding for advanced technology submarine development and I certainly hope that the House can preserve this committee initiative through conference. As stated in my additional view on H.R. 1748, the nuclear navy's answer to the emerging Russian threat in submarine technology has lamentably been "business as usual". The nuclear navy simply does not perceive revolutionary technology development, incorporating innovative features as a desirable approach to RDT&E. They unfortunately wish to adhere to incremental technology improvement in naval powerplants technology and other aspects of attack submarine technology development. Indeed, the stakes involved here in terms of the navy fleet mix and their ability to counter tomorrow's Soviet threats are simply too great to leave this matter to the "conventional wisdom" of the U.S. nuclear navy.

Mr. Chairman, I am strongly supportive of the gentlelady from Illinois' amendment and I commend it to the whole House. The carefuly crafted redirection of funds make considerable sense. I would hope that the House will send a message to the Navy that we cannot blindly forge ahead to implement questionable strategic doctrine with staggering life cycle costs. The committee has already put the Navy on notice that the old ways of developing submarine technology won't meet tomorrow's threats: the risks are too great.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. I thank the gentleman for yielding me this time.

Mr. Chairman, I do not take a back seat to anyone in the House in being a critic of big ticket Pentagon spending. I fully admit that these carriers do not come cheap. But I want to say to my colleagues that I support both carriers and I rise to oppose the Martin amendment which strikes them and I would like to tell the Members why.

We need these two new carriers to bolster our conventional forces, not only on land but also at sea, which these carriers will do. I think it is important for my colleagues to understand that the United States is first and foremost a maritime power, and controlling the world's sealanes is of utmost importance. If stability is our primary goal, and we are firm in honoring our commitments worldwide, then we simply have to replace the *Midway* and the *Coral Sea* with new *Nimitz*-class carriers.

We should not put off the inevitable: we should fund these replacement carriers now. It not only makes good strategic sense, it makes good business sense as well. If we wait to replace these aging carriers, we will increase their cost to the taxpayer by millions and millions of dollars. In fact, the Navy projects that if we buy these carriers today, these ships will cost less to acquire than their predecessors.

How long must vital conventional programs of this kind suffer from the President's romance with SDI? These carriers have been proven and time tested, both in peacetime and in wartime. Let us move today to reward consistency. I believe that it is time that we put our faith in proven track records, rather than relying on strategic visions such as SDI which are destabilizing and unnecessary.

The aircraft carrier is the major striking element of U.S. general-purpose naval forces—the cornerstone of our maritime strategy. This is strategy that is based on the premise that the United States, as the preeminent Western maritime power, must have the ability to use the seas to project force ashore against our adversary if need be, while maintaining unimpeded use of the ocean lifelines to our allies, our forward deployed forces, and our trading partners. The maritime strategy recognizes the unique role maritime forces play in supporting our national military strategy and the key role they play in plans for the defense of NATO allies. A balanced force of 15 deployable aircraft carriers is the core element of that strategy and commitment to maintaining the maritime superiority necessary to execute fully our national strategy.

Mr. Chairman, rather than pay an enormous penalty in both strategic and fiscal terms, let us move now in the direction of conventional strength and fiscal responsibility. The *Achille Lauro* hijacking and Libya should have convinced us of the importance and utility of the carrier battle group.

It is time to take a valuable lesson from history. In the name of flexible response and economic prudence, we must bolster our carrier fleet by replacing the *Midway* and the *Coral Sea* today.

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Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. Lott].

Mr. LOTT. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I urge my colleagues to vote against the Martin amendment.

I am not a member of the Armed Services Committee and we do not build carriers in my area, although it is not a bad idea, but I do not have a vested interest in this amendment.

I am here speaking on this amendment because I am concerned about what we are doing and what we have already done. The votes yesterday were the most staggering votes I have ever seen in this body in 20 years. It was an inadequate amount of funding. We are saying we must comply with treaties that the Soviet Union does not even have to comply with and now we are even talking about not moving forward with getting new carriers that we need.

Enough already. We have proven our point. We want to hold the line on the fence or cut it back, but are we with this amendment cutting our throats? Are we missing an opportunity to save $700 million? Are we missing an opportunity to have these jobs for blue collar workers, men and women who need this employment?

Mr. Chairman, these carriers are our long legs. If we are going to be where we need to be around this world to protect America's strategic interests, we must have these carriers, new carriers. We are going to have to retire the *Coral Sea* and the *Midway*.

Let me ask you a question. Have you ever landed on a carrier? It will scare the fool out of you.

Have you ever landed on an old carrier like the *Forrestal* before it was retired?

How would you like to have your son or daughter land in a modern airplane on the *Midway*? It is dangerous.

Our best aviation, our best planes, cannot even be carried on the *Midway*.

Mr. Chairman, this amendment would be a tragic mistake. We need these carriers. Without them, we cannot do our job to defend America's interest.

Defeat the Martin amendment.

Mrs. MARTIN of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I, too, rise in support of the amendment of the gentlewoman from Illinois to strike the authorization for the two nuclear-powered aircraft carriers for fiscal years 1988 and 1989 and to retransfer some of those funds.

Originally I intended and planned to offer a similar amendment which would have saved the American taxpayers $1.4 billion in fiscal years 1987 and 1988, and a total of $6.9 billion between 1988 and 1993; but I am not offering that amendment. It was not made in order by the rule. Instead, I am supporting the amendment of the gentlewoman from Illinois which comes close to achieving the same goal.

Mr. Chairman, the United States continues to run a deficit of immense proportions. It must be dealt with by achieving savings wherever they can be found.

Those who say that by including the carriers we are going to save money in 1987 and 1988 have mathematics that I cannot understand at all. I do not know how you save money by spending money. You are going to spend, ultimately you will save money, but those savings, as I said before, are going to be here in 1992. They are going to be here in 1991, if you feel we must start these aircraft carriers at that time; but the impact of these carriers on the total naval budget in the time of the next 6 to 8 years is going to adversely impact on the rest of the fleet, on our attack submarines, on the numbers we can have of those, because we are going to have to continue on with these carriers in that timeframe when you are not going to get that 3-percent increase in the defense budget that is needed in order to carry out the type of program that is needed for the 600-fleet Navy. It just is not going to be there.

So the question is whether or not we wait, we continue with the rest of our program for the Navy, and do the aircraft carriers later as they are needed. Right now this money is not needed. We do not need to start building these two carriers now.

The argument that this means jobs for people is a specious argument.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to my friend, the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I rise in opposition to the amendment offered by my good friend Congresswoman MARTIN that deletes the authorization for the two new carriers. These carriers are not intended to supplement current force levels, but to replace two aging carriers—carriers that will be over 50 years old by the time they are replaced.

Congress has directed the Navy to maintain a 15-carrier force; 15 carrier battle groups is the minimum-sized force capable of adequately meeting the threats posed to our national security interests. Congress has consistently supported the requirements for this force structure as evidenced by approval of funding for the *Lincoln* and the *Washington*, now under construction. We will finally attain the 15 deployable carrier level with the delivery of the *Lincoln* in fiscal year 1990 and will maintain it with the delivery of the *Washington* 2 years later, replacing the World War II-era *Coral Sea*.

The two new proposed carriers would replace the *Midway* and a 50-year-old *Forrestal*-class carrier. The Navy has determined that the point at which a carrier reaches the end of its useful service life, or that time that it is no longer economically prudent to repair and update them is approximately 45 years of total commissioned service. The *Midway*, commissioned in 1945, back when I was in the Navy, was designed to provide 25 years of useful service life. It will be 55 by the time the new carrier replaces it—if we begin funding the new carriers today. The *Midway* has served us very well, but its useful life has expired. It is economically unfeasible to revamp or update its equipment to meet current threats. In fact, because of its size, the *Midway* is unable to operate the F-14 Tomcat fighter, an important part of the battle group's defense perimeter. In addition, it is extremely doubtful that the ancient steam propulsion plants in the *Midway* and the old *Forrestal* carriers can be maintained with spit, black magic, sweat, and morale, without jeopardy to operational capability. Can we, with a clear conscience, ask our sailors to put their lives on the line in World War II vintage carriers? Remember, the threats have changed; we are no longer facing Japanese zeroes or Nazi U-boats. Finally, my colleagues may have noted recent reports noting that the new antiroll devices in the *Midway* still do not work. This carrier is just getting too old. The early *Forrestal*-class vessels have similar problems.

Let me comment briefly on arguments voiced by some of my colleagues that age is not really an issue. They point to the recent redeployment of World War II vintage battleships. They forget to mention that these battleships have been laid up, in mothballs for years. The carriers, however, have seen continuous, hard service. They have been on the cutting edge for 40 years. It's analogous to two cars—one carefully kept in the garage for many years, then brought out after extensive maintanence. It's the battleship. The other is the family stationwagon that has been used hard every day for those same years. Obviously, the wagon is in far worse shape. The stationwagon is the carrier. The need for the two new carriers is real.

Some of my colleagues have argued that carriers are vulnerable and are not worth the investment. No vessel is immune to attack, but the *Nimitz*-class aircraft carrier with its aircraft, support ships, and damage control capabilities, is our most defendable platform. The modern, and I emphasize modern, carrier can hold its own in combat and still deliver a lethal punch. The carrier is a military instrument of choice and is used in nearly every instance we have needed a military dimension for our foreign policy objectives. Carrier-borne aircraft were used in response to the *Achille Lauro* hijacking and the strikes against Libya. The carrier can be quickly deployed, its armanent can be tailored to specific mission requirements, and its response can be graduated to a variety of levels of engagement. Unlike foreign bases, carriers are not disadvantaged by geography, ally support, lease agreements, landing rights, and perimeter security. It is much easier to target an airfield with ordnance and terrorism than a carrier with a torpedo. An airfield may cost only about $1.3 billion to build whereas a carrier goes for $3.5 billion, but remember that we left many excellent airfields and facilities for the enemy in Vietnam. We did not lose or leave a single carrier. The need for an all-purpose, fully capable, modern carrier was further reinforced during the Falkland conflict.

I fully agree with my colleagues that scarce defense dollars must be efficiently and prudently spent. That is why I support this carrier acquisition plan. The total cost of this program represents a bargain for the American taxpayer. It is about $700 million less, according to a GAO estimate, than would be needed to procure the two carriers in separate authorizations and separate contracts. Studies indicate that delaying carrier procurement will increase the cost per ship by millions of dollars. So the sooner the United States starts replacing them, the cheaper they will be. Furthermore, by utilizing a one-carrier buy with a follow-on option, the Navy expects to save more than $1 billion. This savings has been verified by the experience in construction outlays for the *Lincoln* and *Washington*. The relatively small difference in construction costs between conventional and nuclear powered carriers is offset over the service life of the nuclear carrier.

What if we wait? While delaying this funding would appear to be a savings, it is a very shortsighted one. As I just explained, waiting costs more. Waiting will cost jobs and future quality and efficiency. The Navy has wisely asked for long-lead funding now to avoid losing thousands of outstanding craftsmen at Newport News, who would lose their jobs and be dispersed if the replacement carriers are not promptly authorized. Getting them back or training workers would be difficult and extremely expensive. The work force employed is a good one—the two carriers they are building now, the *Lincoln* and the *Washington*, are 16 months ahead of schedule and are $1 billion under budget in equivalent construction time.

While the carriers are built in Newport News, it is important to remember that everyone benefits. Obviously, the national defense benefits. So does the depressed American shipbuilding industry. The new ships require massive amounts of American steel, American coal, American electronics, and American aircraft and fittings. Today, 44 States including my State of California, share in the industrial effort supporting the carrier program. These carriers are not budget busters—they are included in the original Presidential request, committee budget, and Aspin substitute. This long-lead funding does not weaken the readiness of our other services or other Navy programs. It has been integrated in the budget preparation since the beginning.

We need to maintain at least the minimum 15 carrier group level to protect our Nation and its vital interests. We will be purchasing two new carriers in the near future. I support this measure to make this carrier acquisition more economical and timely—it just makes more sense. I urge my colleagues to reject the Martin amendment that would delete these ships or any other amendments that would sink this important program. As Theodore Roosevelt said, "No nation can hold its place in the world, or do any work really worth doing, unless it stands ready to guard its rights with an armed hand." We need these replacement carriers to fulfill our responsibilities effectively.

Mr. HUNTER. Mr. Chairman, I rise in opposition to the amendment offered by my friend, the gentlewoman from Illinois [Mrs. MARTIN]. Let me give you four reasons: aircraft, airfields, survivability, and people.

Number one, the *Midway* will not take the F–14. I think the whip has just talked about the problems that you have landing on a very small aircraft carrier, the danger that is involved; but also the fact that you cannot project your No. 1 fighting machine, the F–14, from that particular platform.

Second, airfields. We no longer have Libya. We no longer have Iran. We no longer have all the North African countries and the Middle East countries that we had in the old days that would accommodate American airfields.

American power is projected around the world from an airbase that consists only of carriers, and I would like to remind my colleagues that in 1970 we had 24 carriers. Today we have 15, so we are talking about a market reduction in carriers.

Survivability: The *Midway* is about half the size of the *Nimitz* class aircraft carriers.

Last, if you look at people, the people problem, and that was brought up by the other side a couple of times. The facts are that the *Midway* was built to accommodate about 3,000 people. It has to accomodate now about 4,000 because you have so many operations to undertake to allow an aircraft carrier to survive in a hostile environment, that you need those people, and because of that you have very cramped quarters. You have very tough living conditions on the *Midway*.

One Member was on the *Midway* and he said when you get down below the surface on the *Midway*, it is like one of the old Humphrey Bogart movies, "The African Queen," watching them trying to make this old equipment work and handle, and that is absolutely true.

So if you are looking for quality for the men and women who operate our aircraft carriers, maybe we need a thousand extra people. The gentleman from Oklahoma [Mr. MCCURDY] mentioned that; but it is much better to have more than enough people operating an aircraft carrier than to have too few and to have crowded conditions.

Mr. Chairman, I urge defeat of the Martin amendment.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LUNGREN].

Mr. LUNGREN. Mr. Chairman, a previous speaker said that we ought to be somewhat skeptical of this whole approach because of the full court press presented on this issue by the Navy Department and likened it to what they did on the home-porting issue last year.

Well, I was one of those who was very skeptical of this approach this year because I was skeptical of the home-porting question last year.

Well, I have sat down. I have looked at this, and I think they are absolutely right in the request they make this year.

The question is not debated on either side that they need to be replaced, that we need two replacement aircraft carriers. The question is when; so that really comes down to the question of timeliness.

The committee has told us they have reviewed it and the question of timeliness comes down on the side of having these replacement aircraft carriers as soon as possible. The need is essential. The need is also timely.

Some have criticized the Navy Department by saying somehow they did not come up with this last year, now they come up with it this year. The Navy has explained that by saying they went back and they surveyed it. They surveyed their needs and with new information, new analysis, they now say this is something they need; so I guess what people are saying is that when the Department does what we ask them to do, go back and make an assessment of your needs, and they do that and come up with new information, we tell them to forget about that information. It does not fit in our political agenda or our budgetary agenda driven by political circumstances this particular year.

The last thing I would like to talk about is something that has been talked about by a number of people, and that is people. We love to talk about weapons systems. We love to talk about ships, but we very rarely talk about the people who happen to be on them. If we do not have timely replacements, what will probably happen is that we will go from 15 down to 13 carriers. We did that at another time in recent history. We did that from 1976 to 1981. What did we do? Did we reduce our missions? No. We put a greater stress and impact not only on the ships themselves, but on the people.

In 1980 the U.S. *Eisenhower* was at sea for 247 out of 252 days in the Indian Ocean. If we were to do that today, because it went down to 13 carriers, that means they would have to work 7 days a week, 12 to 16 hours a day, get no overtime pay and virtually no conveniences of privacy that civilians expect.

Mr. Chairman, we owe these people on these ships more than that.

Mrs. MARTIN of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DENNY SMITH].

☐ 1530

Mr. DENNY SMITH. Mr. Chairman, I rise in support of the Martin amendment, and I do so because I believe that the amendment is in the best interests of our national defense.

There is simply not enough money in the Navy budget or in the Federal budget for us to commit here today another $7 billion in authorizing two more carriers.

I have served with the gentlewoman from Illinois [Mrs. MARTIN] on the Committee on the Budget, a committee where we have spent a lot of time taking a hard look at the budget.

What we have found is that our Federal deficit has grown so big, and the problem is so long-term, that it is time for this body to start taking a long-range view of the policy decisions that we make here every day.

Like it or not, the Navy's budget shortfall, without authorizing two more carriers, is already of titanic proportions. Two more carriers will make it even worse.

If you think that you are doing the Navy a favor by supporting two more carriers at this time, you are wrong. More carriers right now will rob them of the readiness and sustainability money that they are going to need in the future.

We will, in fact, be building a very large, very hollow fighting force without the men, equipment, and training to be sufficiently combat ready.

And please do not be persuaded by the argument that two carriers now will save the taxpayers money. It is true that building two carriers at once will save some money, and in 1981 I voted for those two carriers we have on the way. Building three carriers at once would probably also save some money. If that is the case, why not 5 carriers or 10 carriers? We could replace the entire fleet that is getting older, but it would also bankrupt the Nation.

Believe me, any savings achieved by building two more carriers now will be wiped out by the increased debt service that this country will carry when we borrow the $7 billion needed to pay for them.

I ask my colleagues to support the Martin amendment.

Mr. BATEMAN. Mr. Speaker, will the gentleman yield?

Mr. DENNY SMITH. I yield to the gentleman from Virginia.

Mr. BATEMAN. Mr. Speaker, the gentleman is aware, is he not, that these proposed two long lead funds authorizations for carriers are within the House-passed budget resolution, which is a negative growth figure, and they are within that figure.

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. Skelton].

Mr. SKELTON. Mr. Chairman, I rise in opposition to the Martin amendment.

Mr. Chairman, this is a situation where we in the Committee on Armed Services have worked within a very constrained budget this year. We have also looked at some very important programs, and in so doing we have put within this authorization bill two new carriers.

In my opinion these carriers are a must. If we as a nation are to maintain the deployable aircraft carriers at 15, it is necessary that we start two carriers now. You do not build them overnight. It takes several years to build them.

This is a replacement of two older carriers that are in the force today, and they will be leaving the force in the late 1990's. In that respect it is necessary that we have these carriers to replace them at that time.

The CHAIRMAN pro tempore (Mr. Russo). The Chair will state that there is 7 minutes remaining for the gentlewoman from Illinois [Mrs. Martin] and there is 7 minutes remaining for the gentleman from Florida [Mr. Bennett].

Mrs. MARTIN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. Hertel].

Mr. HERTEL. Mr. Chairman, at the midpoint in this debate I ask the Members to consider that the argument is not about the use of carriers or the excellent job that the Navy and our fighting people have been doing with carriers. It is not about the fact that down the road, as the Navy Secretary said last year, we will need replacement carriers. The issue and the reason that this amendment is before us right now is the cost argument as to what it would mean not so much this year, as the gentleman from Virginia pointed out, or even next year, but in the following years, when we talk about the billions of dollars for the carrier, for the people to man it, and for the support, aircraft, and ships.

No one is happy that we have this tremendous Federal deficit, no one is happy at all in this Nation, but we have to face it. So this is one of those votes. When we talk to our constituents as to why we have this deficit, we will have to look them in the eye regarding this vote and how much these two carriers cost at this time and in the future.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. Sweeney].

Mrs. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentlewoman from Louisiana.

Mrs. BOGGS. Mr. Chairman, I rise in opposition to the amendment.

I thank the gentleman for yielding and allowing me to express my opinion.

Mr. SWEENEY. Mr. Chairman, I recently had the opportunity to share the other side of an argument with the gentlewoman from Colorado [Mrs. Schroeder] about withdrawing troops from NATO. It is not important today who won that argument. What is important is that there is a lot of talk in this Congress about withdrawing troop commitments from foreign bases. At the same time we have forces around the world asking us or telling us or ousting us from bases—Papandreou in Greece; we lost our land presence in Iran and throughout the Middle East; we are losing our land presence in Central America.

At a time when we are withdrawing our land-based commitments around the world, it is almost axiomatic that we have to increase our reliance on our sea-based commitments. A simple look at history confirms for us the importance of having carriers.

In Korea, in the first 5 days of that conflict, the opponents overran almost all of our land bases. In Vietnam, in addition to fighting the distance problem from our shores to theirs, 400 of our land-based tactical aircraft were destroyed, and over 4,000 were damaged.

Those concerned about special operation forces should ask themselves how well we would have performed in the *Achille Lauro* hijacking, ask themselves how well we would have performed in the Gulf of Sidra conflict were it not for those carriers.

In fact, in 90 percent of all crises involving the use of armed force since World War II, we have depended upon the Navy. In 60 percent of all those limited crises we have further relied upon nuclear carriers.

Mrs. MARTIN of Illinois. Mr. Chairman, I reserve the balance of my time for my final statement. I know that the gentleman will be concluding the debate, and I would like to precede his final statement.

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. Darden].

Mr. DARDEN. Mr. Chairman, I appreciate the gentleman's yielding time to me.

Mr. Chairman, I would like to very briefly summarize my support for the carriers and my opposition to the amendment offered by my very good friend, the gentlewoman from Illinois.

Let me briefly say, Mr. Chairman, that these carriers are the result of some very tough budget decisions that we had to make in the committee on Armed Services, but we set our priorities and we determined that this is one program that not only could we afford, but we could not afford to let pass by.

These are not new carriers, these are replacement carriers. We cannot let this work force which we have already assembled be dispersed and then be brought back again at a cost of more than $700 million. So let us go ahead and bite the bullet now. Let us save $700 million. So let us go ahead and bite this bullet now. Let us save $700 million for these carriers that we have got to have to replace the aging carriers in our fleet.

Mr. Chairman, there is some question as to the need for 15 carrier battle groups. The necessity of 15 carriers centers around the requirements set forward in the current maritime strategy. This strategy is based on the principle that we will take the offensive on the seas if a serious threat emerges. I believe it imperative to our security that we do indeed go on the offensive if our sovereignty, or that of our allies, is threatened.

Although we adhere to this forward maritime strategy, we must face the reality that it may not be accomplished, and we will, through necessity, fight a defensive battle. However, if we are not willing to fund the tools necessary to attempt a forward, offensive battle, we are destined to fight a defensive struggle that could result in loss of control of the seas by the American Navy.

On another note, cancellation of these carriers will undoubtedly degrade the ship-related industrial base. If we wait until 1994 to begin production of these carriers, will create a gap of over a year in the production line and work force.

Today we have in place a highly skilled work force. Should we allow this force to disperse we will then pay dearly to bring it together again.

I have spoken with several members of the Virginia delegation. I understand and have firsthand experience of the economic consequences of gaps in production lines. I know what gaps can do to a State's economy.

In closing, there are several programs that can and should be canceled—the C-17, and our entire torpedo research and development inventory are excellent examples. But, these carriers are essential to fulfiling the current maritime strategy.

I urge rejection of this amendment.

Mrs. MARTIN of Illinois. Mr. Chairman, I am reserving my time to precede the chairman's final statement, if I may.

The CHAIRMAN pro tempore. It is the opinion of the Chair that the gentlewoman is the sole speaker remaining on her time.

Does the gentleman from Florida [Mr. BENNETT] yield time to any Member?

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, let me make a couple of additional points. Many people refer to this carrier issue and see this carrier issue as a symbol or even worse yet as simply a budget issue. I guess for those who have not taken the time to really explore this issue in detail it is a symbol. But more than that it is a measure of our commitment fulfilling our obligations around the world, to patrolling the world's waters and keeping the world's peace.

A lot of people prefer to talk about our obligations and commitments, but then when it comes down to acting on them in this fashion, to instead withdraw and look at the world as a Sweden or as a Holland or as a Portugal might, and to be sure, Sweden and Holland and Portugal have no aircraft carriers, and therefore they have no influence over world military affairs or over foreign policy.

□ 1540

A carrier in this case and the two carriers we are talking about, give us tools to influence world military affairs, give us tools to influence world foreign policy importantly, and that is why it is important we vote down the Martin amendment.

The CHAIRMAN pro tempore (Mr. RUSSO). The gentlewoman from Illinois [Mrs. MARTIN] is recognized for 6 minutes.

Mrs. MARTIN of Illinois. Mr. Chairman, it is extraordinarily difficult for me to stand here and to in effect oppose a distinguished chairman with whom I serve on the Armed Services Committee and whom I respect. Frankly, it is even more difficult to hurt people, if this amendment passes, that are fighting for, I concur, what they believe, but it has a direct effect on their districts. Again, that is not easy.

But I would also argue unless we begin doing some of these things that we ultimately are beginning to do to defense that which we have accused our enemies of doing, and that is destroying ultimately the strategic value and the needs of this Nation.

I did not serve in the Navy. I do not claim sudden expertise. I cannot wave flags. I did not have 40 people looking like admirals and all of those other things, with those lovely uniforms, going to every office begging for votes. But I can tell you a few things.

Some people have urged I use this. This is the goodie list. Perhaps I am being naive, but I respect the people with whom I serve more than that. I do not think ultimately that is the way most of them are going to make a decision on this.

Second, there are those that argue that you would be cutting back to pick up the liberal votes. Well, we are not. I am not going to lie to you. This year and next year we do not cut those dollars from the budget, nor am I going to argue for the conservatives that it guarantees that it will be everything they want in a military budget, because it does not do that either.

It does this: It keeps us at 15 carriers, 15 carriers. It is what we promised. It is part of the commitment to the 600-ship Navy.

Mr. BATEMAN. Mr. Chairman, will the gentlewoman yield?

Mrs. MARTIN of Illinois. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I thank the gentlewoman for yielding.

You have said throughout that you wanted to keep 15 battle carrier groups?

It takes 5, 6 years to build one. The *Midway* will be 15 years old before the first will be built.

Why is it you are saying you want to keep 15, if you are not willing to keep an orderly replacement?

Mrs. MARTIN of Illinois. I am going to be 52 before the *Midway* is built, and I do not intend to get rid of me either.

Mr. BATEMAN. I do not suggest that at all.

Mrs. MARTIN of Illinois. I will now quote from the captain of the *Midway* who says that his ship will be eager to go into the year 2000, that morale and reenlistment is high.

The argument that you cannot, you would not retain the 15-ship Navy is both unfair and specious.

The 15-ship aircraft carriers will be maintained.

Ladies and gentlemen of the House, do you like having your ability to make decisions removed? Do you not want the chance to argue the strategic value of these massive aircraft carriers? Do you not want to talk about in 1989, 1990, and 1991 the kinds of things we should be doing?

Do you want to see perhaps our submarines which, I would argue, are the most important part of that fleet cut back?

The Members and I know what is happening here. We know; we can tell from the people who are supporting this amendment the kind of geography in which it comes.

The Members understand what happened this year and last year, but some of the rest of us have other obligations and it is to this nation as a whole.

Mr. Chairman, I wish to quote from the Chairman of the Joint Chiefs of Staff whom I do believe we would all concur is a naval expert.

This memorandum is from October 14, 1986, and it is an internal memorandum.

> * * * it would be very difficult to accommodate the early funding given our current fiscal limitations.
>
> * * * One percent real growth would require the Navy to cut $74 billion from its current BES position in addition to the $6.2 billion identified offset. Before agreeing to accelerating CVN procurement, it would appear advisable to know more about the larger picture.
>
> The simple fact is that in a fiscal climate more austere than currently planned the carrier priority may not be as high as it is today. For example, when painful choices have to be made, I would give first priority to sustainability, modern munitions, ASW, and the SSN program. In essence, I believe we need to see the full spectrum of the Navy's programs before making a decision that will lock us into a long-term major commitment. Under no circumstances would I like to see a decision made that would fence the Navy's TOA, vis-a-vis the other Services, in order to provide an accelerated carrier schedule.

Mr. Chairman, I ask only that we do the same thing. I do not ask to remove any carriers. I ask you to keep to the same schedule that was agreed to in 1986.

I will say this. If we do not, and if my amendment loses, we will face the unique view of having new, modern aircraft carriers in seas that are unpatrolled by submarines, under skies without aircraft to defend troops without munitions. Is this truly national defense? Is this truly serving seapower? I would argue no.

It takes courage for Republicans and Democrats alike to say no to a service as honorable as the Navy. I say no, because I think it ultimately will save the Navy.

Mr. VOLKMER. Mr. Chairman, will the gentlewoman yield?

Mrs. MARTIN of Illinois. Mr. Chairman, I yield to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I wish to join with the gentlewoman's remarks, and I think it is important for people to recognize that there is only going to be so many dollars in the future in the budget of the Navy.

Mrs. MARTIN of Illinois. Mr. Chairman, I thank the gentleman.

Spend the dollars wisely. "Yes" on Martin.

Mr. BENNETT. Mr. Chairman, I yield the remainder of my time to the gentleman from Washington [Mr. Dicks] to conclude the debate.

The CHAIRMAN pro tempore. The gentleman from Washington [Mr. Dicks] is recognized for 3 minutes to close debate.

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. DICKS. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. Montgomery] the distinguished member of the Committee on Armed Services.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to the Martin amendment and support the committee amendment for the two carriers that will replace the old carriers, the *Midway* and the *Forrestal*.

This will not be done until the 1990's. The problem we have had on the Committee on Armed Services is, we do not plan far enough ahead. We come up now with the carriers and they want them to be knocked out. I support the Martin amendment being defeated.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to the amendment of the gentlewoman from Illinois [Mrs. Martin].

I would like to point out on April 27, Admiral Crowe sent a letter to Chairman Bennett in which he said:

> I am fully committed to the President's budget as submitted. It represents a reasoned and measured approach to a balanced national defense given the existing fiscal climate. The Navy's two replacement aircraft carrier request has attracted much discussion and attention, as well it should. It is an essential program that makes eminent sense and I fully support it.
>
> A balanced force of 15 deployable aircraft carriers is the core of our Nation's commitment to maintaining the maritime superiority necessary to fully execute our national strategy.

Henry Kissinger said about his service as National Security Adviser that every time there was a crisis around the world he and the President, the first thing they would do is say, where are the carriers?

I must say that for my friends who talk about a conventional defense initiative, who talk about conventional readiness, I would say that the backbone of our conventional force and the thing that gives us superiority over the Soviet Navy is our very important aircraft carriers, and particularly those with nuclear power.

The two carriers that are going to be voted on here, when we did this a few years ago, when we bought two carriers, we did not save just $700 million, we saved $1.2 billion by packaging this and taking advantage of a contract opportunity.

If you are really interested in saving the taxpayers some money, underline that.

We even financed the bringing back of the Missouri out of the funds that were saved. These are replacement carriers, nuclear-powered replacement carriers, far superior to the ships that they are replacing.

The *Midway* today has a very serious operational problem called snaproll. We are sending kids out there to land airplanes on a carrier today that has a very serious operational deficiency.

□ 1550

We cannot even operate the F-14 off of that carrier. So I say to my friends here today, let us vote down this very ill-conceived amendment, let us take advantage of an opportunity to save between $700 million and $1.2 billion; let us keep our commitment to a 600 ship Navy; let us keep our commitment to our young men and women who serve in the Navy.

Let us vote down the Martin amendment and support the committee position.

Mr. MCMILLAN of North Carolina. Mr. Chairman, the debate on the merits of beginning long-lead funding for two *Nimitz*-class aircraft carriers has been proceeding for 5 months. Critics of this procurement have challenged the tremendous cost associated with these ships and their accompanying aircraft and complements, the trade-offs between readiness and procurement, and the assurances of the Department of Defense that there would be no need to seek funding in 1988 for these ships.

Proponents cite the need to maintain 15 carrier battle groups in the context of a 600-ship navy, the opportunity for substantial savings through such long-term financing, the need to maintain our shipbuilding mobilization base for future construction of our carriers, and the age of the carriers these new ships would replace.

The capabilities of the *Nimitz*-class battle groups are impressive. But nowhere in the course of the protracted debate, in newspapers, in briefing papers, in conversation, have I heard a responsible discussion of the strategic arguments for or against such procurement. Once again, debate has boiled down to budgetary implications with little or no attention paid to strategic policy. We need to expand our focus beyond isolated weapons systems and examine the total strategy within which these decisions need to be made. A debate of this magnitude and significance, like all other decisions, needs to be supported by a clear analysis that makes a strong case for 15 carrier battle groups in light of the range of threats to our security and that of the free world. At this point, we are not addressing strategy in terms of national policy. Nor are we informed as to what degree the 15 carrier battle groups are strategically allocated in support of treaty obligations and the degree to which we should reasonably expect our allies to bear a fair share of the cost of building and operating these units.

Mr. DAVIS of Michigan. I rise in opposition to any amendment that stops the Navy's plan to purchase two new aircraft carriers. While that sort of amendment is portrayed as a dollar saver, I think quite the opposite is true.

We need 15 carrier battle groups. Time and time again, defense experts have studied this question and the answer is always the same: 15 carriers is a minimum. The two carriers that the Navy has proposed does not increase our number of carriers. The two new ships would be replacements for the U.S.S. *Midway*, and a *Forrestal*-class carrier, which would be more than 45 years of age when the new carriers become available. We are going to need replacements for these carriers, and, as they say in the TV commercial, "You can pay me now or you can pay me later!"

I vote for buying the carriers now! A skilled labor force is in place to construct the vessels, and the Navy's so-called heel-to-toe procurement plan—which basically means one after another—is estimated to save $700 million. And who can predict how much the cost of these carriers will increase if we wait several years. Besides, if the money is not there now, it sure is not going to be there 5 years from now.

For years we have been beating up on the Navy, encouraging them to make "businesslike" decisions. This is a businesslike decision. I have no parochial reason for wanting a buy of these carriers now. This is just common sense.

I urge my colleagues to defeat this amendment.

The CHAIRMAN pro tempore (Mr. Russo). All time has expired.

The question is on the amendment offered by the gentlewoman from Illinois [Mrs. Martin].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. MARTIN of Illinois. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 124, noes 294, not voting 15, as follows:

[Roll No. 93]

AYES—124

Aspin
Atkins
Bates
Beilenson
Bereuter
Berman
Boggs
Bonior (MI)
Bonker
Boxer
Brooks
Brown (CO)
Bruce
Buechner
Carr
Clay
Coats
Collins
Conyers
Cooper
Coyne
Daub
DeFazio
Dellums
Dorgan (ND)
Durbin
Dyson
Edwards (CA)
Evans
Fascell
Fawell
Fish
Flake
Flippo
Florio
Ford (MI)
Frank
Frenzel
Garcia
Gejdenson
Gibbons
Gingrich
Gradison
Green
Gregg
Gunderson
Hayes (IL)
Hayes (LA)
Hefley
Hertel
Houghton
Jacobs
Kastenmeier
Kennedy
Kildee
Kolbe
Kostmayer
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lightfoot
Lloyd
Lowry (WA)
MacKay
Markey
Martin (IL)
McCurdy
McHugh
Meyers
Mfume
Miller (CA)
Mineta
Moody
Morella
Morrison (CT)
Mrazek
Nagle
Nelson
Oberstar
Obey
Owens (NY)
Owens (UT)
Patterson
Perkins
Petri
Pursell
Rangel

Ray
Regula
Rodino
Roth
Roukema
Roybal
Scheuer
Schroeder
Schuette
Schumer
Sensenbrenner
Skaggs
Smith (IA)
Smith (NE)
Smith, Denny (OR)
Smith, Robert (OR)
Solarz
Stark
Stokes
Studds
Sundquist
Synar
Tauke
Udall
Upton
Vento
Volkmer
Walker
Waxman
Weiss
Wheat
Williams
Wolpe
Yates

NOES—294

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Armey
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boland
Boner (TN)
Borski
Bosco
Boucher
Boulter
Brennan
Broomfield
Brown (CA)
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coble
Coelho
Coleman (MO)
Coleman (TX)
Conte
Coughlin
Courter
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Davis (IL)
Davis (MI)
de la Garza
DeLay
Derrick
Dickinson
Dicks
DioGuardi
Dixon
Donnelly
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Dwyer
Dymally
Early
Eckart
Edwards (OK)
Emerson
English
Erdreich
Espy
Fazio
Feighan
Fields
Foglietta
Foley
Frost
Gallegly
Gallo
Gaydos
Gekas
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Grant
Gray (IL)
Gray (PA)
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hefner
Henry
Herger
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kemp
Kennelly
Kleczka
Kolter
Konnyu
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Livingston
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
Madigan
Manton
Marlenee
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Mica
Michel
Miller (OH)
Miller (WA)
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morrison (WA)
Murtha
Myers
Natcher
Neal
Nichols
Nielson
Nowak
Oakar
Olin
Ortiz
Oxley
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Quillen
Rahall
Ravenel
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rose
Rostenkowski
Rowland (CT)
Rowland (GA)
Russo
Sabo
Saiki
Sawyer
Saxton
Schaefer
Schulze
Sharp
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Snowe
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stenholm
Stratton
Stump
Sweeney
Swift
Swindall
Tallon
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Vander Jagt
Visclosky
Vucanovich
Walgren
Watkins
Weber
Weldon
Whittaker
Whitten
Wilson
Wise
Wolf
Wortley
Wyden
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—15

Annunzio
Bevill
Combest
DeWine
Dingell
Ford (TN)
Gephardt
Jones (NC)
McKinney
Murphy
Roemer
Savage
Schneider
Tauzin
Valentine

□ 1610

The Clerk announced the following pairs:

On this vote:

Mr. Roemer for, with Mr. Ford of Tennessee against.

Miss Schneider for, with Mr. Combest against.

Messrs. TRAXLER, HASTERT, and PORTER changed their votes from "aye" to "no."

Messrs. LEHMAN of Florida, HAYES of Illinois, PURSELL, ROYBAL, OBERSTAR, SCHEUER, RANGEL, and GARCIA changed their votes from "no" to "aye."

Mr. MOAKLEY changed his vote from "present" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MC CURDY

Mr. McCURDY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. (Mr. Gray of Illinois). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. McCurdy:

Page 4, after line 2, insert the following new subsection:

(c) Additional Authorizations.—(1) The amount authorized in subsection (a)(5) for other procurement for fiscal year 1988 is hereby increased by $50,000,000 for the Mission Essential Equipment Program.

(2) The amount authorized in subsection (a)(4) for procurement of ammunition for fiscal year 1988 is hereby increased by $10,000,000, of which—

(A) $5,000,000 is for the 25-millimeter M792 round; and

(B) $5,000,000 is for 155-millimeter M483 artillery projectile.

Page 6, line 20, strike out "$644,000,000 for fiscal year 1988 and".

Page 8, after line 9, insert the following:

(3) The amount authorized in paragraph (1) for fiscal year 1988 is hereby reduced by $644,000,000.

Page 8, line 15, strike out the period and insert in lieu thereof ", plus an additional $200,000,000 for Reactor Plant Equipment.".

Page 8, line 17, strike out the period and insert in lieu thereof ", plus an additional $20,000,000 for the AM/SSQ-89 Surface Antisubmarine Warfare (ASW) Combat System.".

Page 8, line 19, strike out the period and insert in lieu thereof ", plus an additional $12,735,000 for CVN Catapults and Arresting Gear.".

Page 8, line 21, strike out the period and insert in lieu thereof ", plus an additional $10,000,000 for 5-inch/55-caliber gun ammunition.".

Page 8, after line 25, insert the following new flush sentence:

The total amount authorized for other procurement for the Navy for fiscal year 1988 in the matter preceding paragraph (1) is hereby increased by $242,735,000.

Page 10, after line 4, insert the following new subsection:

(b) Additional Amounts for Aircraft Procurement.—The amount authorized in subsection (a) for procurement of aircraft for fiscal year 1988 is hereby increased by $55,535,000 for programs as follows:

(1) $5,535,000 for C-141 aircraft modifications.

(2) $25,000,000 for aircraft spares.

(3) $25,000,000 for common ground equipment.

The CHAIRMAN pro tempore. Pursuant to the provisions of House Resolution 156, the gentleman from Oklahoma [Mr. McCurdy] will be recognized for 10 minutes, and a Member in opposition, the gentleman from California [Mr. Badham] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Oklahoma [Mr. McCurdy]

PARLIAMENTARY INQUIRY

The CHAIRMAN pro tempore. For what purpose does the gentleman from Virginia [Mr. Bateman] rise?

Mr. BATEMAN. Mr. Chairman, before we begin the debate on the upcoming amendment offered by the gentleman from Oklahoma [Mr. McCurdy] I would like to address a parliamentary inquiry to the Chair in order that all Members will understand, including this one, how this amendment is impacted by section 802 of the provisions of the bill which would remain in the bill if the amendment were adopted.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BATEMAN. Mr. Chairman, section 802 of the authorization bill on the floor as it comes from the committee provides authorizations for appropriations in this act for fiscal year 1989 shall be effective only with respect to appropriations made during the 1st session of the 100th Congress. In light of that provision and in light of the fact that the upcoming amendment would eliminate funding for aircraft carriers in fiscal year 1988 but retain them for fiscal year 1989, but leaving the Appropriations Committee without any authorization for 1988, it would appear under the normal procedures of the House to make the McCurdy amendment a nullity even if it passed insofar as authorizing a 1989 carrier.

I do not know the answer to the question. I thought, however, that the Members should have it brought to their attention and know the implications of the amendment and its passage based upon this provision of the bill.

The CHAIRMAN pro tempore. The gentleman has not raised a parliamentary inquiry with respect to the amendment. The Chair cannot construe its legal effect.

The gentleman from Oklahoma [Mr. McCurdy] is recognized for 10 minutes.

Mr. McCURDY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not intend to take the full time allotted me because I think the debate is somewhat redundant. We have been through the issues before, and clearly there was a very strong vote on the last amendment.

I do not think we are deterred, however, and we intend to proceed with this amendment to delete one of the two carriers that are authorized under this bill.

As we found in the earlier debate, I am not sure there were many Members who were opposed to the upgrading of the carrier battle force in the future, and we think there should be replacement carriers. The issue, pure and simple, is that the Navy slam-dunked the DOD this year with the classic camel's-nose-under-the-tent routine in trying to get it in this year's authorization.

I say to my colleagues that it is easy today to vote for an authorization that only has some $50 million in the bill. It is not a big issue. Yes, it does fit within the authorization level this year, and it does fit within the overall budget levels. That is not the issue. The issue is the outyear funding, the outyear accelerated funding of these carriers. We are talking about something in the neighborhood of $3.5 billion, and in the previous amendment we talked about $7 billion.

It is important that we keep this in mind about the savings made this year. If we were to vote for the McCurdy amendment for delaying the production in the building of the second carrier—the first carrier, in this instance, that is, only one of the two carriers—the savings this year is minimal, and those savings we would redirect to necessary operations and maintenance accounts. We would direct those to the areas where the CINC's and the military personnel that appeared before our committee indicated our greatest weakness lies, and that is in the ammunition account and that is in the readiness accounts. We intended this bill to protect operations, maintenance, readiness, and personnel, but we made some very harsh procurement decisions for the long term. We are building in, in the outyears, the future years, a tremendous cost to this Nation in this shipbuilding account.

Mr. Chairman, by voting for this amendment today we are not going to be precluded from revisiting this issue next year. By making this decision today, we say that we are going to authorize the production of one aircraft carrier. Next year in our authorization bill we can then revisit this and again make that determination. If Members voted no on previous amendment, they have indicated that they are willing to spend $7 billion over the next 3 years and are obligated to that funding amount.

□ 1620

By making the decision now on the McCurdy amendment, all you are saying is, "Yes, we believe that we can go ahead with the replacement carrier, the *Midway*, which is truly in trouble." By making that decision, we can produce that carrier. However, we are deferring the decision on the second carrier until a later date, whether it is next year or the year afterwards.

Now, they are going to argue that this is perfect marriage; that by buying two carriers you save $700 million.

Mr. Chairman, I wish to conclude. I want to make the point, and I think it is important. We are right down to the crux of it right now. If you agree, if you voted "no" on that last amendment, and if you vote "no" on this amendment, what you have committed this country to is the long lead and the purchase of over $7 billion of taxpayers' money on only two vessels. If you vote "yes" on this amendment, you are agreeing to fund one carrier, you are making savings this year that can be transferred to effective accounts such as ammunition, operations and maintenance, and other necessary items.

You can and you will have the opportunity next year to revisit this issue. We have a better opportunity through full hearings to determine whether or not the savings are actually going to be achieved.

Let me just conclude by saying what the Navy is arguing today by accelerating over 5 years, by accelerating—I want to say it one more time—by accelerating their decision to build these carriers is that you can make these savings.

Members of the House, in this budget climate, and if you support a balanced budget, I think you ought to listen to this, if you support this, if you signed onto a constitutional amendment to balance the budget, you ought to listen to this.

What you are telling us is that we are basically going to be "bargain poor." You have heard that term; we use it in the South. Basically that means if my wife were to give me her credit card and say, "Go down to the sale, because we are going to have this great, 20-percent-off sale downtown," in this case, 10-percent-off sale, and you charge up all those items, we are going to save a lot of money. The problem is it is going to appear on my credit card balance at the end of the month. We are going to be bargain poor if we continue to make decisions like we are making today.

My colleagues, I only ask you to carefully consider this amendment which I think is fiscally prudent, is security-sound and is a wise choice for those in the Congress who do not want to get committed for a long-term investment that we will not have a chance to revisit in the future.

I ask you to support the McCurdy amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BADHAM. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, the House just made a very dramatic statement in favor, I think, of a 15-carrier battle group. If we go along with the McCurdy amendment which, because this is a 2-year authorization bill, we are not going to have any money this year for a new replacement carrier because the Appropriations Committee, which I serve on defense, only operates on a 1-year basis.

I can understand an amendment to take out both of these, but if you are going to go ahead and do one, we ought to package them together and get the savings that we got last time.

The last time we did this, we saved $1.2 billion. I think that is very important. I am just as concerned about fiscal responsibility as my friend from Oklahoma is. But I also understand that we need a 15-carrier battle group Navy. This is an important conventional issue.

I hear my friends talking about a conventional defense initiative. This is a very important conventional defense vote.

Mr. BADHAM. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. Bennett].

Mr. BENNETT. I thank the gentleman for yielding me this time.

Mr. Chairman, as has already been mentioned, the House has spoken eloquently for building the two carriers. They are replacements for the carriers that are going to be about 50 years of age when a decade from now they actually hit the water. This is the economical way to do it by buying two at once.

When the Navy came to us for these carriers, at first I was quizzical about it myself, but I found out we are going to save all this money by doing it in this particular way. It just makes sense to to it this way. We are going to save at least $700 million, perhaps $1.5 billion by doing it this way.

Carriers are our best and most effective tool to preserve peace in peacetime by our President. We can withdraw if we find out that there is not going to be any problems that we cannot handle. In wartime, they give us the flying fields that we may lack in Europe if we have a conventional war in Europe that overruns Europe, and right now it seems a possibility. These carriers would be our only place to get airplanes into the European Theater.

Mr. Chairman, they are very valuable from the standpoint of preserving peace. They are very valuable in time of war, and are the winning edge of war even if we have a very serious conventional war in Europe. Mr. Chairman, this is the cheapest way to to it, and therefore we ought to do it this way.

Mr. BADHAM. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. I thank the gentleman for yielding me this time.

Mr. Chairman, we have by our last vote indicated that we believe America needs and deserves 15 deployable carrier battle groups, and that the buy that has been structured which saves the $700 million is an intelligent one.

To now pass the McCurdy amendment wipes out all the logic of what has just been done; it eliminates the savings of the $700 million; it disbands the industrial base upon which our ability to build these carriers is based, and requires that we then try and bring it all back. All because we did not go forward with the smart, intelligent buy structured the way we have been telling the Department of Defense they should be structuring it with long-lead funding preventing huge spikes in the future over the 5 or 6 fiscal years that this two-carrier buy would make possible. You undermine the entire intelligence of that very sound buying strategy if you pass the McCurdy amendment.

I ask for its defeat.

Mr. BADHAM. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to attack this in a different vein. We know it is going to be very expensive to build one or two or three aircraft carriers, but if we intend to keep the sealanes open as stated by our own Pentagon, our own military advisers, you are going to have to take the initial step and go on with two aircraft carriers for good planning for the future.

Let me remind all of the Members these are not two to be added, but two to be replacing older carriers that I am told are 45 and 46 and 47 years old. If you want to retain a qualitative edge in the ocean and under the sea, including submarines eventually, I urge all of my colleagues today to continue the buildup of our aircraft carriers and their groups to retain that edge for the security of our country.

The best vote, I believe, for all of you and for me and all others would be to vote for two aircraft carriers.

Mr. SKELTON. Mr. Chairman, will the gentleman yield?

Mr. MAVROULES. I yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman.

I wish to associate myself with your comments. I think that we have embarked on the right decision on the last vote and I certainly hope that we can proceed with the aircraft carriers.

□ 1630

Mr. LAGOMARSINO. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. SISISKY].

Mr. SISISKY. Mr. Chairman, we have been through the arguments today about the needs of the carriers, so this is not the issue right now. The issue is an economic issue, as it was before. By removing one carrier, that really does not solve anything, except to increase procurement costs. The cost of a single carrier increases by several hundred million dollars over the cost of a carrier in a two-ship package. Buying just one carrier involves additional costs of $200 million in fiscal year 1988 for production of nuclear spare components and $400 million added to the cost of buying only one carrier next year.

How can anybody concerned about money, whether today or in the future, think that this makes any sense?

Mr. Chairman, I ask for a "no" vote on this amendment.

Mr. McCURDY. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Chairman, I support the amendment, but I agree with the opponents of the amendment, if in any case you buy things 5 years sooner, whether it be an automobile, a plane, a tank, or an aircraft carrier, you will save money. If in any case you buy twice as much, you should save money or you are getting a bad deal.

I can take you to a Chevrolet dealer this afternoon. If we buy 2 cars or 10 cars, we will save money instead of the purchase price for one car. I will concede that argument.

So why do we offer this amendment, after the House has overwhelmingly defeated the Martin amendment? The same reason. There is not enough money.

So when you read the newspaper articles and your constituents come to you and say, "Why don't our troops have enough munitions? Why don't we have enough fuel to fly the airplanes? Why don't we have enough airplanes?"

Tell them that you bought two carriers 5 years earlier and you got a deal, but you do not have any money left for what you need for the defense and the conventional requirements of the armed services of this Nation.

Mr. BADHAM. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HUNTER], a member of the committee.

Mr. HUNTER. Mr. Chairman, I oppose this amendment. I want to tell you three reasons why we need the carrier: aircraft, airfields, and people.

Very simply, the F-14 is our top-line fighter. You cannot fly the F-14 off the *Midway.*

Airfields: In the old days we had places like Libya in North Africa. We had Iran. We had other friends around the world, especially in volatile areas, who would allow Americans to base aircraft on their land areas. That time is gone.

The aircraft carriers are America's airfields and those 15 aircraft carriers in many cases are the only American airfields we have in several very volatile regions.

Finally: people. For quality of life, we need to have *Nimitz*-size aircraft carriers. The *Midway* right now should accommodate only 3,000 people. It has 4,000 people and very cramped quarters. In the case of the pilots who fly into that aircraft carrier, it is a very dangerous situation.

Mr. Chairman, I would recommend a no vote on this amendment.

Mr. McCURDY. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois [Mrs. MARTIN].

Mrs. MARTIN of Illinois. Mr. Chairman, I thank the gentleman for yielding me this time.

People can make up their own minds on what they have to do.

Mr. Chairman, I would point out something. Although we are talking about $7 billion or $3½ billion, by the time you add the new planes and the new people, you are talking about a lot of money. You are talking about the SSC. One of these carriers and its accompanying costs equals the SSC.

Now decide what this country needs and maybe even what your State needs.

Mr. BADHAM. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. AuCOIN].

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding me this time, to rise in opposition to the McCurdy amendment.

Mr. Chairman, it may very well be true, as the gentlewoman from Illinois has said, that the cost of one of these carriers is the equivalent of the SSC, but I think we ought to think about what the importance of these carriers are.

I will stipulate that the cost of the carrier is not cheap. I take a back seat to no Member of the House in terms of being a critic of big ticket defense spending items that don't enhance our security, but I want to stipulate also that the importance of these carriers is very great. The aircraft carrier is the major striking element of the U.S. general-purpose naval forces.

It is the cornerstone of our maritime strategy. This is a strategy that is based on the premise that the United States, as the preeminent Western maritime power, must have the ability to use the seas to project forces ashore against an adversary if need be, while maintaining unimpeded use of the ocean lifelines to our allies, our forward deployed forces, and our trading partners.

Our maritime strategy recognizes the unique role maritime forces play in supporting our national military strategy and the key role they play in plans for the defense of NATO allies. A balanced force of 15 deployable aircraft carriers is the core element of our commitment to maintaining the maritime superiority necessary to execute fully our national security.

How long must vital conventional programs suffer from the President's romance with SDI? These carriers have been proven and time-tested, both in peacetime and in wartime. Let us move today to reward consistency. I believe that it is time that we put our faith in proven track records, rather than relying on strategic visions such as SDI which are destabilizing and unnecessary.

Rather than pay an enormous penalty in both strategic and fiscal terms, let us move now in the direction of conventional strength and fiscal responsibility. The *Achille Lauro* hijacking and Libya should have convinced us of the importance and utility of the carrier battle group.

As others in the debate earlier have pointed out, almost every time there has been a major need to project U.S. force anywhere in the world when a time of crisis comes, they turn to the Navy, and frequently it is to our aircraft carriers. That is No. 1.

No. 2, the carriers are getting old. They are obsolete. Look at the *Midway;* it is in need of replacement. They are unsafe.

Let us do the inevitable. It is inevitable that they must be replaced. Let us replace them now with 1987 dollars, rather than 1990 or 1994 dollars and save the taxpayers' dollars and do something important for the Nation's security at the same time.

Mr. McCURDY. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. RAY].

Mr. RAY. Mr. Chairman, I just rise to align myself with the McCurdy amendment.

Mr. McCURDY. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I voted against the Martin amendment, but I am voting for the McCurdy amendment.

I would like to respond to the argument made by the gentleman from Virginia [Mr. SISISKY]. Sure, we can save money by building two carriers, but we pay a price for it. We pay a price for it in buying less than the optimal buy of F-14's and F-18's to go on the decks of these carriers. We pay a price for it in terms of eliminating the ABA carrier altogether because the money is not there. We buy fewer Apache helicopters than we need. All through the procurement accounts we will buy less than what will be optimum so that we can accommodate these two carriers in this budget.

The problem with buying two carriers this year is that it misses the whole message of the debate on this budget. We have limited, finite resources for defense, and we have to be prudent about the way we allocate those resources.

Mr. BADHAM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think this debate has probably gone on long enough. I would simply say that the Congress of the United States in not altogether too often in agreement with the administration and the Department of Defense has already made the decision long ago that we believe in the theory and the practice and the philosophy of a 600-ship Navy. We agreed on that. We are driving toward that.

We also further agreed on the contention that to have a 600-ship Navy and to protect 5 huge areas of the planet Earth that are convered by water, it requires 15 carrier battle groups.

We have already decided today that we are not going to lop two carriers off.

This amendment here is undoubtedly well-meaning. I have the greatest respect for the gentleman from Oklahoma [Mr. McCURDY], a member of the committee, but the gentleman is losing sight of the fact, and I think the Members would agree with me on this, losing sight of the fact that what we have now is that we are going to have two more carriers. We are going to have 15 carrier battle groups. That has already been decided.

The question is, how do we get them in the most efficient way?

Lest, Mr. Chairman, we continue the practice of micromanaging the Defense Department, which has proven costly and wasteful, let us let the Navy use their resources that we have given them to provide in the best way they can to do those things to accomplish the mission that we and the administration want.

Mr. HOPKINS. Mr. Chairman, will the gentleman yield?

Mr. BADHAM. I am happy to yield to the gentleman from Kentucky.

Mr. HOPKINS. Mr. Chairman, I appreciate my colleague yielding.

Mr. Chairman, as the ranking member on the Procurement Subcommittee of the Armed Services Committee, we have just decided in this body not to eliminate two aircraft carriers. Those two carriers are already within the budget figures of $289 billion; is that correct?

Mr. BADHAM. That is correct.

Mr. HOPKINS. Now we have an amendment before us to eliminate one of those carriers, is that correct?

Mr. BADHAM. That is correct.

Mr. HOPKINS. If that amendment fails, can we anticipate another amendment to perhaps do away with the landing deck on one of the carriers?

Mr. BADHAM. I certainly hope not and I thank the gentleman for his contribution.

Mr. Chairman, I yield back the balance of my time.

□ 1640

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The question is on the amendment offered by the gentleman from Oklahoma [Mr. McCURDY].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. McCURDY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 145, noes 267, not voting 21, as follows:

[Roll No. 94]

AYES—145

Aspin
Atkins
Bates
Beilenson
Bereuter
Berman
Bilbray
Bonior (MI)
Boxer
Brooks
Broomfield
Brown (CO)
Bruce
Buechner
Carr
Coats
Collins
Cooper
Coyne
Daub
DeFazio
Dellums
Dixon
Dorgan (ND)
Durbin
Dyson
Edwards (CA)
Evans
Fascell
Fawell
Flake
Flippo
Florio
Ford (MI)
Frank
Frenzel
Garcia
Gejdenson
Gibbons
Glickman
Gonzalez
Goodling
Gordon
Green
Gregg
Gunderson
Hamilton
Hayes (IL)
Hayes (LA)
Hefley
Hertel
Houghton
Hoyer
Hughes
Jacobs
Johnson (SD)
Jontz
Kaptur
Kastenmeier
Kennedy
Kildee
Kleczka
Kolbe
Kostmayer
Leach (IA)
Lehman (CA)
Levin (MI)
Levine (CA)
Lewis (GA)
Lightfoot
Lloyd
Lowry (WA)
MacKay
Markey
Martin (IL)
McCloskey
McCurdy
McHugh
Meyers
Mfume
Miller (CA)
Mineta
Moody
Morella
Morrison (CT)
Mrazek
Nagle

Nelson
Nowak
Oberstar
Obey
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Perkins
Petri
Porter
Pursell
Rangel
Ray
Ritter
Rodino
Roth
Roukema
Roybal
Savage
Sawyer
Scheuer
Schroeder
Schuette
Schumer
Sensenbrenner
Skaggs
Slattery
Slaughter (NY)
Smith (IA)
Smith (NE)
Smith, Denny (OR)
Smith, Robert (OR)
Solarz
Spratt
Stallings
Stark
Stokes
Studds
Sundquist
Synar
Tauke
Towns
Udall
Upton
Vento
Visclosky
Volkmer
Walgren
Walker
Waxman
Weiss
Wheat
Williams
Wolpe
Yates

NOES—267

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Armey
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Bonker
Borski
Bosco
Boucher
Boulter
Brennan
Brown (CA)
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coble
Coelho
Coleman (MO)
Coleman (TX)
Conte
Coughlin
Courter
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Davis (IL)
Davis (MI)
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Donnelly
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Dwyer
Early
Eckart
Edwards (OK)
Emerson
English
Erdreich
Espy
Fazio
Feighan
Fields
Fish
Foglietta
Foley
Frost
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Guarini
Hall (OH)
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hefner
Henry
Herger
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Howard
Hubbard
Huckaby
Hunter
Hutto
Inhofe
Ireland
Jenkins
Johnson (CT)
Jones (TN)
Kanjorski
Kasich
Kemp
Kennelly
Kolter
Konnyu
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
Madigan
Manton
Marlenee
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCollum
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Mica
Michel
Miller (OH)
Miller (WA)
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morrison (WA)
Murtha
Myers
Natcher
Neal
Nichols
Nielson
Olin
Ortiz
Oxley
Packard
Parris
Pashayan
Pepper
Pickett
Pickle
Price (IL)
Price (NC)
Quillen
Rahall
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Roberts
Robinson
Roe
Rogers
Rose
Rostenkowski
Rowland (CT)
Rowland (GA)
Russo
Sabo
Saiki
Saxton
Schaefer
Schulze
Sharp
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slaughter (VA)
Smith (FL)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Snowe
Solomon
Spence
St Germain
Staggers
Stangeland
Stenholm
Stratton
Stump
Sweeney
Swift
Swindall
Tallon
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Traficant
Traxler
Vander Jagt
Vucanovich
Watkins
Weber
Weldon
Whittaker
Whitten
Wilson
Wise
Wolf
Wortley
Wyden
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—21

Annunzio
Bevill
Clay
Combest
Conyers
Dingell
Dymally
Ford (TN)
Gephardt
Hyde
Jeffords
Jones (NC)
Lehman (FL)
Leland
McKinney
Murphy
Oakar
Roemer
Schneider
Tauzin
Valentine

☐ 1650

The Clerk announced the following pairs:

On this vote:

Mr. Roemer for, with Mr. Jones of North Carolina against.

Mr. Leland for, with Mr. Lehman of Florida against.

Miss Schneider for, with Mr. Combest against.

Mr. FOGLIETTA and Mr. GEKAS changed their votes from "aye" to "no."

Mr. TOWNS and Mr. DAUB changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LELAND. Mr. Speaker, earlier this afternoon I was unavoidably detained and missed the vote on rollcall No. 94. Had I been here, I would have voted "aye."

The CHAIRMAN pro tempore (Mr. Gray of Illinois). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. Murtha], having assumed the chair, Mr. Gray of Illinois, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON TUESDAY, MAY 12, 1987, WEDNESDAY, MAY 13, 1987, AND THURSDAY, MAY 14, 1987

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, May 11, 1987, it adjourn to meet at 10 a.m. on Tuesday, May 12, 1987, and that when the House adjourns on Tuesday, it adjourn to meet at 10 a.m. on Wednesday, May 13, 1987 and that when the House adjourns on Wednesday, it adjourn to meet at 10 a.m. on Thursday, May 14, 1987.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

DISPENSING OF CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule shall be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 67. Joint Resolution to authorize and request the President to issue a proclamation designating May 3 through May 10, 1987, as "Jewish Heritage Week."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1157. An act to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1157) an act to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986," disagreed to by the House and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Leahy, Mr. Melcher, Mr. Pryor, Mr. Boren, Mr. Lugar, Mr. Dole, and Mr. Helms; and for areas under jurisdiction of Committee on Environment and Public Works: Mr. Moynihan and Mr. Stafford, to be conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week"; and

S. Con. Res. 52. Concurrent resolution to recognize and congratulate Ducks Unlimited, Inc., in honor of its 50th anniversary.

The message also announced that pursuant to section 9355(a) of title 10 of the United States Code, the Chair on behalf of the Vice President appoints Mr. REID, Committee on Appropriations; Mr. COCHRAN, Committee on Appropriations: Mr. WIRTH, Committee on Armed Services; and Mr. PRESSLER, at large; to the Board of Visitors of the U.S. Air Force Academy.

The message also announced that pursuant to section 6968(a) of title 10 of the United States Code, the Chair on behalf of the Vice President appoints Ms. MIKULSKI, Committee on Appropriations; Mr. HATFIELD, Committee on Appropriations; Mr. GRAMM, Committee on Armed Services; and Mr. SARBANES, at large; to the Board of Visitors of the U.S. Naval Academy.

The message also announced that pursuant to section 4355(a), title 10 of the United States Code, the Chair on behalf of the Vice President appoints Mr. D'AMATO, Committee on Appropriations; Mr. NICKLES, Committee on Appropriations; Mr. LEVIN, Committee on Armed Services; and Mr. SHELBY, at large; to the Board of Visitors of the U.S. Military Academy.

The message also announced that pursuant to section 194(a) of title 14 of the United States Code, the Chair on behalf of the Vice President appoints Mr. BREAUX, Committee on Commerce, Science, and Transportation; and Mr. PACKWOOD, Committee on Commerce, Science, and Transportation; and Mr. DODD, at large, to the Board of Visitors of the U.S. Coast Guard Academy.

□ 1700

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1748, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

Mr. DERRICK, from the Committee on Rules, reported the following privileged resolution (H. Res. No. 160, Rept. No. 100-84), which was referred to the House Calendar and ordred to be printed:

H. RES. 160

Resolved, That during the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, no further amendment to the bill or to the amendment in the nature of a substitute, as modified, shall be in order except the amendments designated in section 2 of this resolution or in the report of the Committee on Rules accompanying this resolution, and said amendments shall be considered only in the order and in the manner specified. The amendments designated in this resolution shall be printed in the report of the Committee on Rules accompanying this resolution and shall be considered as having been read when offered. Each amendment may only be offered by the Member designated for such amendment in the report of the Committee on Rules accompanying this resolution. Debate on each of said amendments shall not exceed the time specified in this resolution or said report, to be equally divided and controlled by the proponent of the amendment and a Member opposed thereto. Points of order under clause 7 of Rule XVI are waived against amendments contained in sections one and two of the report of the Committee on Rules accompanying this resolution. No amendment except for the amendments printed in section three of the report of the Committee on Rules accompanying this resolution shall be subject to amendment (except as otherwise specified in this resolution or in such report of the Committee on Rules) or to a demand for a division of the question in the House or in the Committee of the Whole. Debate on any amendment offered to an amendment printed in section three of the report of the Committee on Rules shall be limited to ten minutes, equally divided and controlled by the proponent of the amendment and a member opposed thereto. Any particular amendment under consideration when the Committee of the Whole rises on a legislative day shall be completed when the Committee of the Whole next resumes its sitting on H.R. 1748. During the consideration of the bill, pro forma amendments for the purpose of debate shall be in order only if offered by the chairman or ranking minority member of the Committee on Armed Services. Any period of general debate specified in the resolution shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

SEC. 2. It shall be in order to begin consideration of the amendments contained in the report of the Committee on Rules accompanying this resolution as follows:

(1) When the Committee of the Whole resumes its sitting on H.R. 1748 on Thursday, May 7, 1987, it shall be in order, following disposition of the amendment offered by Representative Hunter of California, pending when the Committee of the Whole rose on Wednesday, May 6, 1987 to debate the levels of funding for the Strategic Defense Initiative for a period not to exceed 40 minutes. It shall then be in order to consider the amendments relating to such funding contained in section one of the report of the Committee on Rules accompanying this resolution, only in the following order: (A) by Representative Hunter of California, or his designee; (B) by Representative Dellums of California, or his designee; (C) by Representative Rowland of Connecticut, or his designee; and (D) by Representative Bennett of Florida, or his designee. Each of said amendments shall be in order even if changing portions of the amendment in the nature of a substitute, as modified and as amended, already changed by amendment. If more than one of said amendments is adopted, only the last such amendment which is adopted shall be considered to have been finally adopted and reported back to the House. Following disposition of said amendments, it shall be in order to debate the subject matter of the Strategic Defense Initiative, for a period not to exceed 60 minutes. At the conclusion of said debate, it shall be in order to consider the amendments printed in section one of the report of the Committee on Rules accompanying this resolution in the following order: (A) by Representative Kemp of New York, or his designee; (B) by Representative McCloskey of Indiana, or his designee; (C) by Representative Hertel of Michigan, or his designee; (D) by Representative Courter of New Jersey, or his designee; (E) by Representative Downey of New York, or his designee; (F) by Representative Olin of Virginia, or his designee; (G) by Representative AuCoin of Oregon or by Representative Bennett of Florida, or their designee; (H) by Representative Dornan of California, or his designee; and (I) by Representatiave Buechner of Missouri, or his designee.

Following disposition of said amendments, it shall be in order to begin consideration of the amendments printed in section 3 of the report of the Committee on Rules accompanying this resolution in the order and in the manner provided for in said section and subject to the provisions of paragraph (7) of section 2 of this resolution.

(2) After the Committee of the Whole rises on the legislative day of Thursday, May 7, 1987 and resumes its sitting on H.R. 1748 on Friday, May 8, 1987, further consideration of the amendments printed in section 3 of the report of the Committee on Rules accompanying this resolution shall be suspended. It shall then be in order to consider the amendment relating to the Advanced Technology Bomber printed in section 1 of the report of the Committee on Rules accompanying this resolution by, and if offered by, Representative Aspin of Wisconsin. Following disposition of said amendment, it shall then be in order to debate the subject matter of defense burdensharing for a period not to exceed 40 minutes. It shall then be in order to consider the following amendments relating to defense burdensharing contained in section 1 of the report of the Committee on Rules accompanying this resolution in the following order: (A) by Representative Gregg of New Hampshire, or his designee; (B) by Representative Richardson of New Mexico, or his designee; (C) by Representative Bryant of Texas, or his designee; and (D) by Representative Mrazek of New York, or his designee. All points of order against amendments (C) and (D) for failure to comply with the provisions of clause 7, Rule XVI, are hereby waived. Following disposition of said amendments, it shall be in order to resume consideration of the amendments printed in section 3 of the report of the Committee on Rules accompanying this resolution.

(3) After the Committee of the Whole rises on the legislative day of Friday, May 8, 1987 and resumes its sitting on H.R. 1748 on Monday, May 11, 1987, further consideration of the amendments printed in section 3 of the report of the Committee on Rules accompanying this resolution shall be suspended. It shall be in order to debate the subject matter of contracting out for a period of not to exceed 20 minutes. It shall then be in order to consider the following amendments on this subject, printed in section 1 of said report, in the following order: (A) by Representative Nichols of Alabama, or his designee; (B) by Representative Hutto of Florida, or his designee; and (C) by Representative Matsui of California, or his designee. Following disposition of said amendments, it shall be in order to resume consideration of the amendments printed in section 3 of the report of the Committee on Rules accompanying this resolution.

(4) After the Committee of the Whole rises on the legislative day of Monday, May 11, 1987, and resumes its sitting on H.R. 1748 on Tuesday, May 12, 1987, further consideration of the amendments printed in section 3 of the report of the Committee on Rules accompanying this resolution shall be suspended. It shall be in order to debate the application of the Davis-Bacon Act to funds authorized in H.R. 1748 for a period not to exceed 40 minutes. It shall then be in order to consider the following amendments relating to the Davis-Bacon Act printed in the section 1 of said report: (A) by, and if offered by, Representative Murphy of Pennsylvania, or his designee, and then (B) by, and if offered by, Representative Dickinson of Alabama, or his designee. Following disposition of said amendments, it shall be in order to debate the subject matter of testing of nuclear arms for a period not to exceed one hour. At the conclusion of said debate, it shall be in order to consider the following amendments relating to the testing of nuclear arms printed in section 1 of said report: (A) by, and if offered by, Representative Broomfield of Michigan, or his designee; and then (B) by, and if offered by, Representative Schroeder of Colorado, or her designee. Following disposition of said amendments, it shall be in order to debate the subject matter of chemical weapons for a period not to exceed 40 minutes. It shall then be in order to consider the following amendments relating to chemical weapons contained in section 1 of said report: (A) by, and if offered by, Representative Aspin of Wisconsin, or his designee; and then (B) by, and if offered by Representative Fascell of Florida, or his designee.

Following disposition of said amendments, it shall be in order to debate the subject matter of anti-satellite weapons for not to exceed 40 minutes. It shall then be in order to consider the following amendments relating to the anti-satellite weapons printed in section 1 of said report: (A) by, and if offered by, Representative Dickinson of Alabama, or his designee, and then (B) by, and if offered by, Representative Brown of California, or his designee. Each of the amendments designated in this paragraph shall be in order even if changing portions of the amendment in the nature of a substitute, as modified and as amended, already changed by amendment. If both of said amendments on any issue specified in this paragraph are adopted, only the latter amendment on such issue which is adopted shall be considered to have been fully adopted and reported back to the House. Following disposition of said amendments, it shall be in order to resume consideration of the amendments printed in section 3 of the report of the Committee on Rules accompanying this resolution.

(5) After the Committee of the Whole rises on the legislative day of Tuesday, May 12, 1987, and resumes its sitting on H.R. 1748 on Wednesday, May 13, 1987, further consideration of the amendments printed in section three of the report of the Committee on Rules accompanying this resolution shall be suspended. It shall be in order to debate the subject matter of Ballistic Missiles for a period not to exceed 60 minutes. It shall then be in order to consider the following amendments on this subject printed in section one of said report: (A) by, and if offered by, Representative Hertel of Michigan, or his designee; (B) by, and if offered by, Representative Frank of Massachusetts, or his designee; (C) by, and if offered by, Representative Dellums of California, or his designee; (D) by, and if offered by, Representative Kyl of Arizona, or his designee; (E) by, and if offered by, Representative Dickinson of Alabama, or his designee; (F) by, and if offered by, Representative Weiss of New York, or his designee; (G) by, and if offered by, Representative Feighan of Ohio, or his designee. Following disposition of said amendments, it shall then be in order to consider the following amendments printed in section one of said report relating to Central America in the following order: (A) by, and if offered by, Representative Foley of Washington, or his designee, which shall not be subject to amendment except for an amendment by, and if offered by, Representative Hunter of California, or his designee; (B) by, and if offered by, Representative Mrazek of New York, or his designee; (C) by, and if offered by, Representative Boxer of California, or her designee; (D) by, and if offered by, Representative Foglietta of Pennsylvania, or his designee; (E) by, and if offered by, Representative Davis of Illinois, or his designee. It shall be in order to post-pone recorded votes, if ordered, on any first degree amendment designated (A) through (E) until the conclusion of debate on all said amendments, and the Chair may reduce to a minimum of five minutes the period of time within which a recorded vote, if ordered, may be taken on all said amendments following the first vote in that series. Following disposition of said amendments it shall be in order to resume consideration of the amendments printed in section three of the report of the Committee on Rules accompanying this resolution.

(6) Notwithstanding any provision of this resolution and subject to the second sentence of this paragraph, it shall be in order for the chairman of the Committee on Armed Services, or his designee, after giving at least one hour notice and after consultation with the ranking minority member of that committee, to offer at any time any of the amendments printed in section two of the report of the Committee on Rules accompanying this resolution. Said amendments shall be in order even if amending portions of the amendment in the nature of a substitute, as modified, already amended. All points of order against the amendment relating to military pay printed in section two of the report for failure to comply with the provisions of section 303(a)(4) of the Congressional Budget Act of 1974, as amended, are hereby waived.

(7) Notwithstanding any provision of this resolution, it shall be in order for the chairman of the Committee on Armed Services, or his designee, at any time to offer en bloc amendments including modifications in the text of any amendment beginning with amendment numbered 28 printed in section three of the report of the Committee on Rules. Such amendments en bloc shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, such amendments en bloc shall be debatable for not to exceed 60 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. The original proponents of amendments offered en bloc shall have permission to insert statements in the Congressional Record immediately before the disposition of the amendments en bloc.

(8) If the Committee of the Whole does not complete consideration of any amendments specifically made in order by Section 2 of this resolution for consideration on any particular legislative day, it shall be in order on any subsequent legislative day for the chairman of the Committee on Armed Services, after giving at least one hour notice, and after consultation with the ranking minority member of that committee, to request the Chair to recognize the proponent of such amendments following disposition of a specified amendment contained in the report of the Committee on Rules accompanying this resolution and the Chair may recognize the proponents of such amendments in accordance with that notice notwithstanding the order of amendments otherwise specified in such report. If the chairman of the Committee on Armed Services does not give such notice or make such request, the amendments may be offered by their proponents following the disposition of all other amendments contained in section three of the report of the Committee on Rules accompanying this resolution.

SEC. 3. At the conclusion of the disposition of all amendments printed in the report of the Committee on Rules accompanying this resolution, no further amendment to the bill or to the amendment in the nature of a substitute as modified shall be in order, and the question shall occur on the amendment in the nature of a substitute as modified and as amended. The Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute as modified, subject to the preceding provisions of the resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 160 and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution.

□ 1710

The SPEAKER pro tempore (Mr. MURTHA). The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 160 is a rule providing for the further consideration of H.R. 1748, the National Defense Authorization Act for fiscal year 1988-89. As I noted when the House considered House Resolution 156 yesterday, the procedure we are using to govern consideration of H.R. 1748 is a bit unusual. We have already adopted two rules governing the consideration of H.R. 1748 and a rule which allowed the House to consider this rule today. We have followed this procedure not because the Rules Committee enjoys reporting four rules on the same bill, but because we were faced with a very important and complex piece of legislation, with more than 200 amendments that Members wished to offer to that legislation, and a desire on the part of the vast majority of Members to complete action on that legislation in a reasonable amount of time. I might also state that this procedure is at least in part the result of the Rules Committee's efforts to work with the chairman and ranking minority member of the Armed Services Committee in order to develop a rule with bipartisan support. That effort complicated our work, but we think it was worthwhile.

Mr. Speaker, this rule provides for the consideration of amendments to H.R. 1748 which are printed in the Rules Committee report accompanying this rule. These amendments must be considered in the order and manner provided in the rule and the report. These amendments are divided into three categories, which are listed in three sections of the committee report. I will describe each category, but because of the very large number of amendments I cannot describe each amendment. Members will find all amendments which are in order, and the amount of debate time accorded each amendment printed in the committee report accompanying this rule. During consideration of H.R. 1748 pro forma amendments for the purposes of debate are in order only if offered by the chairman or ranking minority member of the Armed Services Committee. The rule also provides that any amendment under consideration when the Committee of the Whole rises, shall be completed when the committee next resumes its sitting.

The first section of the report contains amendments which address major policy issues. The rule structures the consideration of these amendments around the policy issues involved, sometimes even providing for "general debate" on the issue before specific amendments are considered. For instance, the rule provides that the Committee of the Whole will consider four amendments dealing with SDI authorization levels.

There will then be 1 hour of debate on SDI policy issues, followed by consideration of amendments dealing with those issues. There are 13 major policy clusters, including such issues as contracting out Davis-Bacon, chemical weapons, nuclear testing, Asat, and Central America. The rule specifies the day on which consideration of the amendments within each cluster may begin. If all amendments in a cluster are not disposed of when the committee rises at the end of that day, it is in order at any subsequent time for the chairman of the Armed Services Committee, after consulting with the ranking minority member of Armed Services and giving 1 hour notice, to request that the Chair recognize the proponent of such amendments.

If the chairman of the Armed Services Committee does not exercise this option, the proponent of such amendments will be recognized after the disposition of all of the amendments contained in section 3 of the Rules Committee report. The amendments contained in section 1 of the report are not subject to amendment or a division of the question, except as specified in the rule. The debate time for each amendent is specified in the report. The rule waives clause 7 of rule XVI, which prohibits nongermane amendments, against amendments in section 1 of the report.

The second section of the report contains eight amendments that address significant issues, but do not fall into a major policy category. This category includes, for instance, amendments dealing with the the N-reactor at Hanford, WA, and amendments dealing with procurement of the C-17 aircraft. It is in order for the chairman of the Committee on Armed Services, after consultation with the ranking minority member of Armed Services and 1 hour notice, to offer any amendment printed in section 2 of the committee report. These amendments are printed in the committee report, along with the debate time allotted to each amendment. These amendments are not subject to amendment or a division of the question, except as specified in the Rules Committee report. The rule waives clause 7 of rule XVI against the amendments contained in section 2 of the committee report. It also waives section 303(a)(4) of the Budget Act, which prohibits consideration of new entitlement authority prior to final adoption of a budget resolution, against the amendment relating to military pay.

The third section of the committee report contains 83 amendments which are not insignificant, but which do not require lengthy consideration. Many of these amendments are likely to be accepted by the Armed Services Committee and can be disposed of very quickly. The debate time for each amendment is listed in the committee report. The amendments in section 3 are in order on any day, after the disposition of the amendments in section 1 scheduled for consideration on that day. The amendments contained in section 3 are subject to perfecting amendments, with debate on any perfecting amendment limited to 10 minutes. In addition, the chairman of the Armed Services Committee has the discretion at any time to offer any of the amendments numbered 28 through 83 en bloc, with modifications of the text. Such en bloc amendments are debatable for 60 minutes, divided between the chairman and ranking minority member of the Armed Services Committee. They would not be subject to amendment or to a demand for a division of the question. The original proponents of any such amendment would have permission to insert statements in the record immediately before the disposition of the amendments en bloc.

Mr. Speaker, as I indicated before, this is a rather complicated rule. However, I think that it allows for fair and appropriate consideration of a very complicated and important bill.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the able gentleman from South Carolina [Mr. DERRICK] has explained the rule in the best way possible. It is a very complicated rule. Members of the House may feel like shouting with joy about the conclusion of the last rule on the defense authorization bill.

I understand that the four rules that we have hammered out in the Committee on Rules may have set a record for the number of rules on one bill. I do not know that any one bill in the history of this Congress has ever taken four rules before the bill is finally concluded on the floor since the Committee on Rules was first organized.

At the same time, I applaud the staff of the Committee on Rules for working with the membership of the Committee on Rules to do whatever was necessary to bring this bill to the floor.

At long last, here we are, the last rule to bring this matter to a conclusion sometime before our Memorial Day recess.

Mr. Speaker, I support the rule. I think it is absolutely necessary that we get down to business on the amendments and quit debating the rules.

□ 1720

This is the fourth one. Sooner or later, if we do not watch it, we will have more debate time on the rules than on the bill itself.

Mr. Speaker, I urge adoption of the rule.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, exactly the kind of thing that we feared would happen has happened in this rule. We are dealing here with a monster. If I understand the rule correctly—and I hope someone will correct me if I am wrong, because I have a real problem here—we give the ability in this rule to take everything from amendment 28 through amendment 83 and wrap every one of those amendments into one en bloc amendment which would be debatable for 60 minutes.

Let me say that my understanding is that we could, therefore, take 55 amendments, put them all in this 1 en bloc amendment, and debate it for a total of 60 minutes, 1 minute per amendment.

Let me suggest to the Members that there are a few things here we might want to debate for more than 1 minute. One of those amendments, for example, would prohibit the use of the NASA-manned space station for military purposes. That is a very controversial amendment. I serve on the Space Subcommittee. It is something we have debated for hours in the Space Subcommittee, and we are going to allow it perhaps 1 minute on the House floor?

Here is an amendment to report on the electronic spying from the Soviet Embassy. That is something of great importance to all the Members of this body. We have talked about it out here before, and that report might get a total of 1 minute of time on the House floor?

Here is something having to do with minority and small business setasides. That is very important to many Members of this body. We are going to give that a possible total time of 1 minute?

And the fact is that within the 60 minutes of time many of these amendments are not even going to get 1 minute because if some Member gets up and uses 5 minutes, some of these amendments will not even be discussed. We have potentially 55 amendments here, of which a handful will get discussed and most of them will not even be involved in discussion on the floor.

Mr. Speaker, I think this rules procedure is a travesty. To suggest to people that we are going to give the manned space station and the military application of it 1 minute of time on this House floor, I think, is appalling.

Mr. Speaker, I would hope that the Members would vote against this rule.

Mr. DERRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me address the remarks that were just made by the gentleman from Pennsylvania [Mr. WALKER]. If the rule were to be followed as the gentleman outlined it, I think there would be room for some concern, but it is not going to be in the interest of the gentleman from Wisconsin [Mr. ASPIN] to wrap any controversial matters into this block, because the block would run a strong chance of failing if he did so. So it is our assumption that what he will do is separate those more controversial matters, and they will have 10 minutes each and will be voted on separately.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. DERRICK. I am glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding. He is most gracious.

My problem is that we were told earlier today that the Rules Committee was in the process of intense deliberations here and we are getting their very best judgments on these things. What the gentleman is now telling me is that their best judgment was to give the ability on the floor to wrap 55 amendments into one en bloc amendment. I thought that is what the gentleman was up there doing, picking out some of these controversial items and giving them a certain amount of time.

Now what we find out is that the product of what the gentleman did gives us a report this size that is dumped on the floor. We have one copy of this report on the minority side. Most of the stuff in the rule is pursuant to this report. I have struggled to just get through a little bit of it to try to understand it, and then I came to the understanding that approximately this much of the report is going to be subject to perhaps being put in one amendment.

It seems to me that that is not very much in the way of deliberations, and that we are put in the position of voting for a rule that has an awful lot of problems.

Mr. DERRICK. Mr. Speaker, let me say to the gentleman from Pennsylvania [Mr. WALKER] that I said earlier we were giving these matters a lot of deliberate consideration. We did. I did not guarantee that the gentleman would agree with the results.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. DARDEN] for the purpose of debate only.

Mr. DARDEN. Mr. Speaker, I thank the gentlemen for yielding this time to me, and I stand here today and reaffirm my support for the rule.

The reason I come before the House at this time, Mr. Speaker, is that there had been some confusion earlier about whether or not an amendment I had intended to offer, along with the gentleman from Utah and the gentleman from Georgia [Mr. JENKINS] would in fact be allowed. However, this controversy has been resolved, and I want to take a moment to thank the Chairman of the Rules Committee, the gentleman from Florida [Mr. PEPPER], the gentleman from South Carolina [Mr. DERRICK], and the leadership for working out this very difficult situation, which now will ensure that my amendment, an amendment to delete the C-17 funding, is in fact heard.

I think, Mr. Speaker, we will all agree, whether we support the C-17 or whether we do not, that this is a very important amendment. It is an amendment which will affect expenditures of some $40 billion in the next 5 years. So I think it is more than fitting that we at least get 40 minutes to come and debate this matter. That is roughly a billion dollars a minute to talk about this very important program.

I am not going to address the merits of it right now, and I am not going to make a pitch for my amendment to delete the C-17, but I think both the proponents and the opponents will all agree with me that it is an important amendment, and it will be considered by the House of Representatives in due time.

Again, Mr. Speaker, I want to thank the very cooperative members of the Rules Committee for working out this controversy.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I just want to go on record as explaining my vote on the upcoming rule. I was hoping that the chairman of the Armed Services Committee would be here because this affects some discussions and agreements he and I made prior to going to the Rules Committee and asking for this particular rule.

Mr. Speaker, we had a very difficult time, as has been evidenced by what has transpired here on the floor, in coming to a conclusion as to what the rule would provide and how this bill would be presented to the floor because of the myriad of amendments that have been filed. As has been pointed out, there were originally over 400 amendments filed to the bill. These were whittled down to something around 250 amendments. We spent a great deal of time, the staff, the committee chairman, and myself, trying to resolve these amendments, to group them, and to knock those that were duplicative.

There were six policy issues that were very much in contention, and whether it is a fact or just a perception, there is a strong feeling here that when you follow what we call the "king of the mountain" procedure in offering amendments, rather than just following the straight amending process, the order in which these amendments are offered is sometimes very vital. So on these six amendments, the chairman of the committee and I, who, I believe, differed on all of them, agreed that on the Davis-Bacon amendment, which I intend to offer and which was fought very hard last year, I would be allowed to offer the last amendment.

I see that the chairman of the committee has now come in, and I want him to hear what I am saying. It was agreed on the Davis-Bacon amendment that the gentleman from Pennsylvania [Mr. MURPHY] would go first and I would have the last amendment.

There was agreement on nuclear testing. It was agreed that the gentleman from Michigan [Mr. BROOMFIELD] would go first and the gentlewoman from Colorado [Mrs. SCHROEDER] would have the last amendment. It was agreed on the antisatellite weapons that I would have the first amendment and the gentleman from California [Mr. Brown] would go last. These were very hardly fought positions, and we had a lot of discussion. It was agreed on the chemical weapons that the gentleman from Florida [Mr. Fascell] would go first, and then the gentleman from Wisconsin [Mr. Aspin]. That was three and three.

No one denies the Rules Committee the right and the authority to make rules in order and to make a determination of the order in which they would come in. I simply say that in four out of the five or five out of the six, the Rules Committee did accede to our request, but in one very important instance, which has to do with the chemical weapons, the order was reversed by the Rules Committee, and they have a right to do that.

The chairman of the full committee and I entered into these agreements in good faith. I thought we entered into them with the understanding that they would be adhered to. We cannot control the Rules Committee. I understand that. it is for that reason I am not going to try to block the rule, and I am not going to try to create any problem in presenting the rest of the bill, but it is for that reason that I am not going to support the rule. I am voting personally against the rule.

□ 1730

I would also like to serve notice that if we ever get into this mess again where we have to package these things, any agreement I make with the chairman is going to be conditioned on the agreement being adhered to by the Rules Committee. Otherwise, all bets are off.

For us to put ourselves at a disadvantage on certain amendments and then have somebody else tear up the package and say somebody else likes it better, we have spent too much time to have what we did ignored.

I would say to the chairman, if I have misstated anything, I want you to correct it.

Mr. ASPIN. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Let me just say to the gentleman that he is absolutely correct on this. The agreement that we worked out and that I had hoped that the Rules Committee would follow would give the Republican side the post position, the second vote on the chemical weapon issue. That was changed by the Rules Committee on this side. As you say, that is their right.

We do have a problem, I would say to our people on this side on this whole issue. That is that every one of these amendments is important to somebody, and that we end up in the process, we try and work out which ones are the most important to the most important number of Members on the Democratic side.

On our side, it was my judgment that the issues of the narrower interpretation of ABM was important, the issue of testing was important, the issue of the SDI numbers was important, and that we would like to have the pole position on everything, but given the choice that we would give them the pole position on chemicals, we would give it to them on Davis-Bacon, and finally, we even had to give it to them on SALT II. That was the hardest one to give them. We worked it out and said, OK, we have got a deal. But it is very hard to be the negotiator on that when then I find out that the Rules Committee has changed what we have worked out, and I did not hear about it until the Rules Committee had already agreed among themselves to make that change.

As I understand it, the gentleman from Florida, the chairman of the Foreign Affairs Committee, had a particular interest. But every issue is important to somebody, and we are going to get ourselves in an awful jam on our side if we have to, if we create suspicion on the Republican side that the deal they are cutting is not the deal that is going to be delivered.

Mr. DICKINSON. Let me say that I do not, in any way, try to infer that it was not done in good faith. I do not, in any way, say that there was any subterfuge or any trickery involved; I do not mean that. You and I had an agreement and we worked it out. The Rules Committee is not bound by anything that you and I agreed to.

I am just simply going on record as saying, first, I am not going to vote for the rule, because that is not what we agreed to. Second, I will never enter into another agreement that is not conditioned on it being finally bought off on by the Rules Committee because it puts us at a disadvantage, and you can darn well see who was at a disadvantage when it came out of the Rules Committee.

Mr. DERRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. Pepper].

Mr. PEPPER. I thank the gentleman.

Mr. Speaker, what the gentlemen have said here is that they entered into an agreement between themselves. That is correct. The Rules Committee accepted scores of amendments and requests and suggestions agreed to by these two distinguished Members.

We tried it every way we could to cooperate with them. The minority will attest; that was our purpose. But they must not expect us to give up all of our prerogatives. They, between themselves, do not have the right to deprive us of all of our jurisdiction. When this matter arose, we debated it very sincerely. We were very much aware of our distinguished friends having entered into this agreement. We were very reluctant not to observe their agreement.

But, here was our chairman on the Foreign Affairs Committee who insisted that his committee had primary jurisdiction over this matter. He asked to be heard. We had to give consideration to him as a Member of the House. Our judgment was that if his committee, without any dispute apparently, had primary jurisdiction over this subject, that he was entitled to insist, as he vigorously did, that we give him the position that the rule affords.

So we are sorry that we could not in every respect accede to our friends; they were wonderfully helpful. I do not know what we would have done without the advice and counsel of these two distinguished gentlemen. I hope they will forgive us, if, in some instance at least, we felt that it was necessary to exercise our own responsibility.

Mr. DICKINSON. If the gentleman will yield, I would say that I do not mean to, in any way, impugn bad faith or anything. We do not deny your right. We did not realize that the Foreign Affairs Committee had primary jurisdiction over chemical weapons. If we had known that, we probably would not have got into the subject matter.

Mr. DERRICK. If I may reclaim my time, let me just say something to the distinguished gentleman from Alabama.

I want to say that I am very disappointed that you have chosen not to support the rule because I quite frankly will tell you that I do not recall any time lately that we have given as much consideration to a Member on our side of the aisle as we did to you. You have got about 98 percent of what you wanted, and now because you did not get 2 percent, you are not going to support the rule. That is your prerogative and your right to do that.

I just must say that I am disappointed.

Mr. DICKINSON. Then I will change my mind; I will vote for the rule.

Mr. DERRICK. Thank you. My father always said, "When he says yes, to quit," so I am going to quit.

Mr. Speaker, I yield 2 minutes to the gentleman from Utah [Mr. Owens].

Mr. OWENS of Utah. I thank the gentleman.

Mr. Speaker, I wish to propound a question to the representative of the Rules Committee. It is my understanding that the gentleman on the committee has authorized the amendment which was earlier not permitted to now be offered under the rule. The amendment is offered by the gentleman from Georgia [Mr. DARDEN] and myself dealing with the attempt to delete funding for the C-17 cargo airplane.

Mr. DERRICK. If the gentleman will yield, that is correct. The Rules Committee is not perfect. We do make mistakes sometimes and I just think we quite made a mistake on that.

Mr. OWENS of Utah. But you have corrected that, as I understand the gentleman?

Mr. DERRICK. That is correct.

Mr. OWENS of Utah. If I may, I wanted to express appreciation to the Rules Committee for permitting us to offer that amendment; it is a very important amendment. I will not debate the merits of the amendment except to say that by way of preparation for that amendment, and if my prejudice steals into this, Mr. Speaker, I apologize, but there is a report prepared by the GAO which should be studied by Members in depth. The report is represented by some as being supportive of the C-17. But if studied in depth by the Members, I think they will find that it does not, in effect, recommend the C-17 being funded. The GAO report on the C-17 is very heavily qualified and full of inconsistencies and inadequacies and I think should be studied carefully by Members.

There are three other reports which ought to be studied as well. The Congressional Budget Office has also prepared a report which indicates that the cost of building more C-5 aircraft instead of building the C-17 would be in essence 3 percent cheaper. That report needs to be studied carefully by Members.

There are two other reports which I think should be called to the attention of this Chamber. The Institute for Policy Analysis has come down very strongly on the side of continued reliance on the C-5 instead of new money for the C-17 in this controversy. And there is the report which I think has great import to the other side of the aisle. The Heritage Foundation has said that it is preferable, economically and otherwise, to oppose funding the C-17 and instead support the C-5.

□ 1740

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. PARRIS].

Mr. PARRIS. Mr. Speaker, I recognize and I concede that this is a complex matter. The stakes run high, passions run high. This is a difficult and convoluted parliamentary situation, but this bizarre arrangement was concocted to expedite the consideration of this matter and to complete it within this time next week.

That is exactly why, Mr. Speaker, I object to the process. We are talking about the expenditures of $300 billion. One-third of the total annual budget is what we are talking about.

In addition to that, there is no more fundamental requirement of the Constitution of the United States than to provide for the common defense. That is what this is all about, our free world responsibilities to preserve, protect, and defend, the free people of this planet.

It deserves thorough consideration, and if it took a month of this Congress' time, it would not be too much.

I simply do not understand why it is that we have to ramrod some kind of a convoluted, bizarre arrangement, in which thorough consideration of these complex matters cannot be afforded.

I think, Mr. Speaker, this rule should be rejected.

Mr. QUILLEN. Mr. Speaker, I think we all realize that this procedure has backfired. I would plead with the committee chairmen that the next time they come to the Rules Committee, that such a rule is not requested and that no open invitation be made for such confusion. I am sure that we have learned our lesson. The Rules Committee has done the very best it could. I think we have fashioned something good out of chaos.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Speaker, I am terribly disappointed that Members have sought to use the rule, which is the process for bringing this bill to the floor, to discuss an amendment that will be given time, will be given ample time. In fact, when we talk about the C-17, I recall the debate on this floor 3 years ago when the Air Force, when the gentleman from Lockheed, I mean the corporate gentleman from Lockheed, and when others from Boeing and Douglas and Lockheed agreed that we would only build C-5's until we had another plane ready to go into production, and that plane was the C-17, and Casper Weinberger said 50 and no more.

Lockheed has kept to that agreement, but others seem to want to debate that during the time we are on the rule today.

I can tell you, Mr. Speaker, that the GAO report is correct. We are going to save lives. We are going to save people. We are going to save dollars and we are going to get better airlift that will get us up to the requirements.

If you want to debate it now, let us debate it now; but the deal was made. An agreement was struck, 50 C-5's, then the C-17.

Mr. Speaker, I just simply want to say in addition to that, we will debate this again on Monday. We debate it in the subcommittee. We debate it in the full committee and the C-5 lost. Why? Because people of honor said 50 and no more.

Mr. LOTT. Mr. Speaker, back when I was a teenager, there was a drummer named Cozy Cole who had a couple of hit records in a row entitled, "Topsy: Part I," and Topsy: Part II."Well, old Cozy would be pleased to know that the beat goes on. Today we are being asked to consider, "Topsy-Turvey: Part IV"—the fourth rule for the defense authorization bill.

While these so-called structured rules are purportedly designed to bring more order and clarity to the amendment process, I am afraid they only succeed in making things more complicated and confusing. And I speak as a member of the Rules Committee who supposedly has an inside track on what we're doing here. But, I must frankly confess that we didn't even have a list of the amendments to be made in order by the report accompanying this rule when we voted to report it. So I can't say with any certainty at this point which amendments have been included and which have been excluded. I am led to believe that some 133 are made in order by this rule, and some 28 amendments did not make the cut. But that's just hearsay.

You know, it used to be that Members only had to come before the Rules Committee if they needed a waiver in order to offer a particular amendment. Everyone else who had germane amendments didn't have to worry about making an appearance since they know they would be in order. Under the open rules we reported 80 percent of the time back in the 95th Congress, and 64 percent of the time in the 99th Congress.

But, that's no longer the case. So far in this 100th Congress, the "We the People" Bicentennial Congress, we have only reported two open rules, or 17 percent of the total. So, the question asked of Members emerging from the Rules Committee today is not simply, "Did you get your waiver?" The question asked today under these restrictive rules is, "Have you been baptized or excised?" And I think some 28 amendments were excised under this rule, most of which were perfectly germane so far as I know. George Orwell would be proud of this "new rule" policy. In our little amendment farm, some amendments are more equal than others.

I am again going to ask my colleagues to vote against this rule and register their protest over these increasing encroachments on our rights and responsibilities as legislators to legislate. Keep in mind that each time you vote for one of these restrictive rules—and that's been 83 percent of the time in this Congress—you increase the precedents in favor of such rules and the chances that somewhere down the road you too will be prevented from offering a perfectly germane amendment. Now is the time to take your stand, and not after we have enshrined these restrictive rules as standard operating procedures in the House. Vote "no" on this rule!

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and made the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 254, nays 149, not voting 30, as follows:

[Roll No. 95]

YEAS—254

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Armey
Aspin
Atkins
AuCoin
Badham
Barnard
Bateman
Bennett
Berman
Biaggi
Bilbray
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Buechner
Bustamante
Callahan
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Coelho
Coleman (TX)
Collins
Cooper
Coyne
Crockett
Daniel
Darden
Davis (IL)
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dickinson
Dicks
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dyson
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gibbons
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Hubbard
Huckaby
Hutto
Jacobs
Jenkins
Johnson (SD)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Mineta
Moakley
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Myers
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rangel
Ray
Richardson
Robinson
Roe
Rose
Rostenkowski
Roukema
Rowland (GA)
Roybal
Russo
Sabo
Savage
Sawyer
Scheuer
Schroeder
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Sweeney
Swift
Synar
Tallon
Taylor
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

NAYS—149

Archer
Baker
Ballenger
Bartlett
Barton
Beilenson
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Brown (CO)
Bunning
Burton
Byron
Chandler
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coughlin
Courter
Craig
Crane
Dannemeyer
Daub
DeLay
DeWine
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Fawell
Fields
Gallegly
Gallo
Gekas
Gilman
Gingrich
Goodling
Gradison
Grandy
Gregg
Gunderson
Hansen
Hastert
Hefley
Henry
Herger
Hiler
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
Johnson (CT)
Kasich
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Leach (IA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
McCandless
McCollum
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Porter
Ravenel
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Rogers
Roth
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stump
Sundquist
Swindall
Tauke
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOT VOTING—30

Annunzio
Bates
Bevill
Boner (TN)
Clay
Combest
Conte
Conyers
Dingell
Dymally
Ford (TN)
Gephardt
Hall (OH)
Hughes
Jeffords
Jones (NC)
Jones (TN)
Kemp
Kostmayer
Lehman (FL)
McKinney
Murphy
Oakar
Rodino
Roemer
Schneider
Smith (FL)
Tauzin
Valentine
Williams

□ 1800

The Clerk announced the following pair:

On this vote:

Mr. Jones of Tennessee for, with Miss Schneider against.

Mr. BATEMAN changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BADHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 160, the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL EXPLANATION

Mr. COMBEST. Mr. Speaker, because of an injury that required a brief hospitalization, I was unable to attend the session of the House on Thursday, May 7.

If I had been present:

On rollcall No. 91, I would have voted "nay."

On rollcall No. 92, I would have voted "yea."

On rollcall No. 93, I would have voted "nay."

On rollcall No. 94, I would have voted "nay."

On rollcall No. 95, I would have voted "nay."

PERMISSION TO POSTPONE CONSIDERATION ON TOMORROW, FRIDAY, MAY 8, 1987, OF AMENDMENT TO H.R. 1748, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988, NOTWITHSTANDING THE RULE

Mr. BADHAM. Mr. Speaker, I ask unanimous consent that when the Defense authorization bill is taken up tomorrow, by agreement of the chairman of the committee and the author of the amendment, that amendment No. 3 in section 3, the Bates amendment on the Super Stallion helicopter, not be taken up tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. GEJDENSON. Mr. Speaker, reserving the right to object, I would hope that the gentleman from Connecticut [Mr. MORRISON] might be advised of this request before I withdraw my reservation.

Mr. BADHAM. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from California.

Mr. BADHAM. Mr. Speaker, I will tell the gentleman that I have cleared this with our leadership, with the leadership on the other side, with the gentlemen from Connecticut, Mr. MORRISON and Mr. ROWLAND, and everybody is in agreement.

Mr. GEJDENSON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1425

Mr. KOLTER. Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of H.R. 1425.

The **SPEAKER** pro tempore. Is there objection of the request of the gentleman from Pennsylvania?

There was no objection.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON THE BUDGET REGARDING CURRENT LEVEL OF SPENDING AND REVENUES FOR FISCAL YEAR 1987

(**Mr. DERRICK** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DERRICK. Mr. Speaker, on behalf of Chairman WILLIAM H. GRAY III, pursuant to the procedures of the Committee on the Budget and section 311 of the Congressional Budget Act as amended, I am submitting for printing in the CONGRESSIONAL RECORD the official letter to the Speaker advising him of the updated current level of spending, credit, and revenues for fiscal year 1987. The most recent current level report of this session of Congress was filed on April 22, 1987. Since that report, no action has been completed by Congress which would change budget authority and outlay estimates for fiscal year 1987.

The term "current level" refers to the estimated amount of budget authority, outlays, credit authority, and revenues that are available—or will be used—for the full fiscal year in question based only on enacted law.

Current level reports are intended to provide Members information to compare enacted spending and revenues with the aggregate ceilings on budget authority, outlays, and revenues established in a budget resolution; and also to compare enacted legislation with the allocations of new discretionary budget authority, entitlement authority, and new credit authority made to a committee pursuant to subsection 302(a) of the Budget Act, as amended. This report compares the spending, credit, and revenue levels in current level with those assumed in the budget resolution for fiscal year 1987—Senate Concurrent Resolution 120—adopted on June 26, 1986.

Current level reports provide information that is necessary for enforcing section 311 of the Budget Act, as amended. Subsection 311(a) prohibits the consideration of a spending or revenue measure if the adoption of that measure would cause the ceiling on total new budget authority or total outlays set in the budget resolution for a fiscal year to be exceeded or would cause revenues to be less than the appropriate level of revenues set in the budget resolution.

Subsection 311(b) provides an exception to the 311(a) point of order for measures which would breach the ceilings on total spending set in the budget resolution but would not cause a committee to exceed its "appropriate allocation" of discretionary spending authority made pursuant to section 302(a) of the Budget Act. Such an exception was first provided by the budget resolution for fiscal year 1985—House Concurrent Resolution 280, 98th Congress. The exception was made permanent by the amendments to the Budget Act included in the Balanced Budget and Emergency Deficit Control Act of 1985—Public Law 99-177, Gramm-Rudman-Hollings. This exception is intended to protect a committee that has stayed within its allocation of discretionary budget authority and new entitlement authority from points of order if the total spending ceilings have been breached for reasons outside of its control. The fiscal year 1987 302(a) allocations to House committees made pursuant to the conference report on Senate Concurrent Resolution 120 were printed in House Report 99-666, July 9, 1986.

Section 311(c) of the Budget Act, provides that for purposes of enforcing section 311 in the House of Representatives the levels of new budget authority, entitlement authority, outlays, and revenues shall be determined on the basis of estimates made by the Committee on the Budget. Current level reports represent partial fulfillment of this enforcement responsibility of the Budget Committee by providing both estimates of enacted aggregate spending and revenues; and, for purposes of determining the applicability of the section 311(b) exception, estimates of the relationship between the budgetary effect of enacted legislation within a committee's jurisdiction and the allocation of spending authority made to that committee.

Because current level reports are intended both to inform the Members of the House and to be used in determining appropriate enforcement of the Budget Act, this report includes two sets of aggregate expenditure and revenue levels. The first set of estimates is included for the purpose of enforcing section 311 of the Budget Act. These estimates are based on economic and technical assumptions in place at the time of the adoption of the budget resolution, Senate Concurrent Resolution 120, on June 26, 1986. This is intended to protect committees which acted on the basis of the assumptions of the budget resolution from changes in economic and technical factors over which they have no control. Unless the Congress adopts a subsequent budget resolution which alters the assumptions about legislative actions, committees should be able to expect that measures that conform with the budget resolution will not be subject to points of order for violation of the Budget Act. To do otherwise and base enforcement on constantly changing economic and technical estimates would seriously disrupt the legislative process, penalize committees which are unable to complete work on legislation within a short period after adoption of a budget resolution, and undermine respect for budget enforcement procedures.

The second set of estimates is included solely for information purposes. It is based on the latest economic and technical data and gives Members the best available estimates of the actual spending and revenue situation for fiscal year 1987. They are intended to provide a realistic picture of the current budget situation.

In addition to section 311, the Budget Act contains another point of order which requires Budget Committee estimates for enforcement. Section 302(f) of the Budget Act, as amended, prohibits the consideration of a measure providing new budget authority, entitlement authority, or new credit authority if the adoption of that measure would cause a committee to exceed its allocation of new spending or credit authority made pursuant to subsection 302(b) of the Budget Act. The 302(b) allocation is a subdivision of the new spending, entitlement and credit allocated to a committee pursuant to section 302(a), among either the subcommittees of that committee or among programs over which the committee has jurisdiction. This provision was added to the Budget Act by the amendments included in the Balanced Budget and Emergency Deficit Control Act of 1985.

Section 302(g) provides that the enforcement of section 302 shall be based on estimates of spending and credit authority made by the Committee on the Budget. The Budget Committee intends to fulfill this responsibility by providing, as necessary, a separate section 302 status report to the Speaker.

For information purposes only, current level reports will continue to include a comparison of the budget and credit authority divided among the Appropriations subcommittees by that committee's 302(b) division with the actual enacted spending and credit legislation within each subcommittee's jurisdiction.

As chairman of the Budget Process Task Force, and on behalf of Chairman GRAY, I intend to keep the House informed regularly on the status of the current level.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 6, 1987.

Hon. JAMES C. WRIGHT, Jr.,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On January 30, 1987, the Committee on the Budget outlined the procedure which it had adopted in connection with its responsibilities under Section 311 of the Congressional Budget Act of 1974 to provide estimates of the current level of revenues and spending.

I am herewith transmitting the status report under S. Con. Res. 120, the Concurrent Resolution on the Budget for Fiscal Year 1987.

In the House of Representatives, the procedural situation with regard to the spending ceilings (total budget authority and total outlays) is affected by Section 311(b) of the Congressional Budget Act of 1974, as amended by P.L. 99-177. Enforcement against possible breaches of the spending ceilings under 311(a) of the Budget Act would not apply when a measure would not cause a committee to exceed its "appropriate allocation" of "new discretionary budget authority" or "new entitlement authority" made pursuant to Section 302(a) of the Budget Act. It should be noted that under this procedure the committee's outlay allocation is not considered.

The intent of section 311(b) of the Budget Act is to protect a committee that has stayed within its spending authority allocations—discretionary budget authority or new entitlement authority—from points of order if the total spending ceilings have been breached for reasons outside of its control. The 302(a) allocation to House committees made pursuant to the conference report on S. Con. Res. 120 were printed in H. Rept. 99-666 (July 9, 1986).

The enclosed tables compare enacted legislation to each committee's 302(a) allocation of discretionary budget authority, new entitlement authority, new direct loan obligations and new primary loan guarantee commitments. The estimates of spending and revenues for purposes of the application of points of order under the Budget Act are based upon the economic and technical assumptions underlying the most recently agreed to budget resolution.

Sincerely,

WILLIAM H. GRAY III,
Chairman.

Enclosures.

REPORT TO THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES FROM THE COMMITTEE ON THE BUDGET ON THE STATUS OF THE FISCAL YEAR 1987 CONGRESSIONAL BUDGET ADOPTED IN S. CON. RES. 120

REFLECTING COMPLETED ACTION AS OF MAY 5, 1987

[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriate level	1,093,350	995,000	852,400
Current level	1,084,972	990,381	860,139
Amount under ceilings	8,378	4,619	
Amount over ceilings			
Amount under floor			
Amount over floor			7,739

BUDGET AUTHORITY

Any measure providing budget or entitlement authority which is not included in the current level estimate and that exceed $8,378 million in budget authority for fiscal year 1987, if adopted and enacted, would cause the appropriate level of budget authority for that year as set forth in S. Con Res. 120 to be exceeded.

OUTLAYS

Any measure providing budget or entitlement authority which is not included in the current level estimate and that exceeds $4,619 million in outlays for fiscal year 1987, if adopted and enacted, would cause the appropriate level of outlays for that year as set forth in S. Con. Res. 120 to be exceeded.

REVENUES

Any measure that would result in a revenue loss which is not included in the current level estimate and exceeds $7,739 million for fiscal yeaer 1987, if adopted and enacted, would cause revenues to be less than the appropriate level for that year as set forth in S. Con. Res. 120.

COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION ALLOCATION BY COMMITTEE PURSUANT TO SEC. 302

[In millions of dollars]

	Current level budget authority
House authorizing committee:[1]	
Agriculture	(+960)
Armed Services	(...)
Banking, Finance, and Urban Affairs	(+110)
District of Columbia	(...)
Education and Labor	(+10)
Energy and Commerce	(+692)
Foreign Affairs	(+1)
Government Operations	(...)
House Administration	(...)
Interior and Insular Affairs	(+175)
Judiciary	(−53)
Merchant Marine and Fisheries	(+93)
Post Office and Civil Service	(+106)
Public Works and Transportation	(−5)
Science and Technology	(+2)
Small Business	(+438)
Veterans' Affairs	(...)
Ways and Means	(+530)

[1] Committees are over (+) or under (−) their 302(a) allocation.

COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION SUBDIVISIONS OF THE HOUSE APPROPRIATIONS COMMITTEE PURSUANT TO SEC. 302

[In millions of dollars]

House Appropriations Subcommittee subdivisions	Current level budget authority	Direct loans	Primary loan guarantees
Commerce, State, Justice	(−548)	(...)	(−24)
Defense	(−5,468)	(...)	(...)
District of Columbia	(−1)	(...)	(...)
Energy and Water	(−541)	(+2)	(...)
Foreign Operations	(+405)	(−187)	(−26)
HUD/Independent Agencies	(−1,427)	(−21)	(+12,434)
Interior	(−248)	(...)	(...)
Labor, HHS, Education	(+135)	(+142)	(+15)
Legislative Branch	(−23)	(...)	(...)
Military Construction	(−66)	(...)	(...)
Rural development and agriculture	(+114)	(−396)	(+12)
Transportation	(−38)	(−24)	(...)
Treasury, Postal Service	(−3)	(...)	(...)
Total	(−7,709)	(−484)	(+12,411)

Note.—Subcommittees are over (+) or under (−) their 302(b) subdivisions of discretionary action.

ALLOCATION OF NEW ENTITLEMENT AUTHORITY (NEA) PURSUANT TO SEC. 302

[In millions of dollars]

Committee	Allocation	Enacted
Armed Services	0	+1,469
Education and Labor	+11	−45
Energy and Commerce	+108	+145
Foreign Affairs	0	+1
Interior and Insular Affairs	0	+205
Judiciary	0	+9
Post Office and Civil Service	−100	+1
Veterans' Affairs	+172	+122
Ways and Means	−315	−2,891

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 6, 1987.

Hon. WILLIAM H. GRAY, III,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the current levels of new budget authority, estimated outlays, estimated revenues, and direct and guaranteed loan levels in comparison with the appropriate levels for those items contained in the most recently agreed to concurrent resolution on the 1987 budget (S. Con. Res. 120). This report for fiscal year 1987 is tabulated as of close of business May 5, 1987. A summary of this tabulation is as follows:

[In millions of dollars]

	Current level	Budget resolution S. Con. Res. 120	Current level +/− resolution
Budget authority	1,084,972	1,093,350	−8,378
Outlays	990,381	995,000	−4,619
Revenues	860,139	852,400	7,739
Direct loan obligations	33,782	34,550	−768
Guaranteed loan commitments	114,964	100,750	14,214

No changes have occurred since the last report.

At the request of the Committee staff, we have enclosed a table showing the major differences between the current level for 1987 and CBO's revised baseline.

With best wishes,

Sincerely,

EDWARD M. GRAMLICH,
Acting Director.

PARLIAMENTARIAN STATUS REPORT 100TH CONG. 1ST SESS. HOUSE SUPPORTING DETAIL, FISCAL YEAR 1987 AS OF CLOSE OF BUSINESS MAY 5, 1987

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			860,137
Permanent appropriations and trust funds	736,715	637,442	
Other appropriations	533,965	549,329	
Offsetting receipts	−196,917	−196,917	
Total enacted in previous sessions	1,073,763	989,854	860,137
II. Enacted this session:			
Water Quality Act of 1987 (Public Law 100–4)	−4	−4	
Emergency supplemental for the homeless (Public Law 100–6)	−7	−1	
Surface Transportation and Relocation Act (Public Law 100–17)	−10,466	−90	2
Federal employees retirement system technical corrections (Public Law 100–20)	1	1	
Total enacted this session	10,456	−94	2
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory items requiring further appropriation action:			
Claims, defense	11	11	
Payments to air carriers, DOT	2	2	
Retired pay—Coast Guard	6		
Family social services	61		
Guaranteed student loans	140		
Special milk program	8	3	
Advances to unemployment trust fund[1]	(9)	(9)	
Black lung disability trust fund	314	314	
Veterans readjustment benefits	9	9	
Civilian agency pay raises	202	282	
Total entitlements	753	621	
Total current level as of May 5, 1987	1,084,972	990,381	860,139
1987 budget resolution (S. Con. Res. 120)	1,093,350	995,000	852,400
Amount remaining:			
Over budget resolution			7,739
Under budget resolution	8,378	4,619	

[1] Interfund transactions do not add to budget totals.

Note.—Numbers may not add due to rounding.

FISCAL YEAR 1987 CURRENT LEVEL COMPARED WITH CBO REVISED BASELINE—MAJOR REESTIMATES

[In billions of dollars]

	Outlays
CBO revised baseline, Feb. 2, 1987	1,009.8
Current level as of May 6, 1987	990.4
Total difference	19.4
Due to revised economic assumptions:	
Outer Continental Shelf	2.4
Medicare	.4
Unemployment trust fund	.3
Other income security (subfunction 609)	−.2
Medicaid	−.3
Social Security	−.8
Net interest	−12.3
Due to technical reestimates:	
Commodity Credit Corporation	5.9
Federal Deposit Insurance Corporation	5.0
Federal Savings and Loan Insurance Corporation	2.7
National defense (function 050)	2.6
Net interest	2.3
Medicare	2.6
Medicaid	1.4
Other income security (subfunction 609)	0.9
Custom user fees (budget reclassification)	1.0
Unemployment trust fund	.9
Rural development insurance fund	.8
Employer share, employee retirement	.7
Civil service retirement and disability	.7
Tennessee Valley Authority	.6
Rural housing insurance fund	.6
Agricultural credit insurance fund	.5
Oil overcharge (budget reclassification)	.4
Economic support fund	.3
Rural Electrification Administration	.4
Federal Housing Administration fund	.5
Employees health benefits fund	.3
Outer Continental Shelf	.2
Veterans education benefits fund	−.3
Repayments of loans to the District of Columbia	−.3
Social Security	−.5
Postal Service	−1.8
Other reestimates	1.5

FISCAL YEAR 1987 CURRENT REVENUE LEVEL COMPARED WITH CBO FEBRUARY BASELINE

[In billions of dollars]

	1987
CBO revised baseline, Feb. 2, 1987	834.1
Current revenue level as of May 6, 1987	860.1
Total difference	−26.0
Due to revised economic assumptions	−28.7
Due to technical reestimates	2.7
Due to changes in legislation	(1)

[1] Less than $10,000,000.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE STEWART B. McKINNEY FROM THE STATE OF CONNECTICUT

Mr. GEJDENSON. Mr. Speaker, I offer a privileged resolution [H. Res. 161] and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 161

Resolved, That the House has heard with profound sorrow of the death of the Honorable Stewart B. McKinney, a Representative from the State of Connecticut.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore. The gentleman from Connecticut [Mr. Gejdenson] is recognized for 1 hour.

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a body that often breaks down into partisan battle. It is a body that oftentimes we move at such a rapid pace that we do not adequately spend time with our friends. That was not the case with Stewart McKinney.

For most of us in the Connecticut delegation, a small delegtion, Stewart was a friend, a friend that we worked closely with on most issues, but more than that, a friend personally. There was a bond between all of us and Stewart that does not often occur in the speedy life that we live, and it is with great sorrow and concern for his family that we are here this evening to say that Stewart is someone we loved, someone we respected, and someone that we will all surely miss.

This is a friendship that we will all treasure with its memories; and while there is great pain, I think for all of us here tonight, his memory will give us strength, his accomplishments for his people in Connecticut and across the Nation, that even in his hours of illness, he stood out there on the night-long watch for the homeless, that his care and concern for others was greater often than his care even for himself.

We will always remember and admire his accomplishments here in this Chamber.

Mr. Speaker, I yield to the gentleman from Texas [Mr. Wright], the Speaker of the House.

Mr. WRIGHT. I join with my colleague from Connecticut and with other Members of the House in our thoughts which go to the memory of Stewart B. McKinney.

He was in every sense a dedicated, earnest, committed American. Stewart McKinney was not partisan in his nature. He was not harsh in his attitude toward anyone. He was deeply devoted to this country.

I worked with Stewart McKinney in the development of legislation several years ago aimed at trying to render this Nation of ours less dependent upon foreign sources for our energy. I have never known a more dedicated Member. Never in my experience of more than 30 years have I had the opportunity to work with anybody who was more fundamentally and sincerely committed to the earnest goal of serving the country.

He seemed to embody those characteristics of forbearance, of understanding, according to other people, the assumption of sincerity that he would want them to accord to him.

☐ 1810

He was not motivated in that struggle or any other battles that he has waged for the homeless, for others in our society, by parochial concerns. He did not seem to be motivated at all by political considerations.

Rather, the motivation of Stewart McKinney and his service here in the House was that of an American who wanted to leave the country a little better than it was.

We have watched him as the debilitating disease that afflicted him wasted his energies and his strength away these last months and yet we have seen him behave with great dignity and with great respect for his fellow man, his colleagues and for this Chamber. And I know that all of us do join in the deep sense of loss which we feel on the death of Stewart B. McKinney.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentlewoman from Connecticut.

Mrs. KENNELLY. Mr. Speaker, this is a very sad night for this body, for this Nation, and particularly for the State of Connecticut. Stewart McKinney served this Nation long and well. He served his State long and well. We are going to miss him a great deal.

I join with everybody in this body to extend my sympathy and my prayers to his beloved wife, Lucy, and to his five children.

I know how very much Stewart loved them and how much they are going to miss him. I can only hope that Lucy and his children get some small comfort out of the fact that we are going to miss him very much and he is going to be remembered in this body fondly and forever.

I have known Stew a long, long time. Stew and my husband served in the house of representatives in Connecticut together. They had been good friends for many, many years.

This last illness that Stew had was not his first. Stew had a bad heart condition; he had a serious operation. But that never kept Stew down.

As soon as it was time for him to go back and do his duty, do what he was elected to do, to represent his constituents, he was right back, in fact, some of us thought too soon. But you could not keep Stew McKinney down.

Stew had a marvelous way of cutting through things, telling what he felt and what he valued, exactly as it was. Stew, a graduate of Yale University, a marvelously intellectual person, had that ability to look at people in the streets of Bridgeport, the country of Fairfield, and talk to them one-on-one, and understand exactly how they felt about their country, about their State.

We have been very, very fortunate to have had STEW MCKINNEY in this body, and I have to tell you something, all of you, STEW could have had the nomination for the U.S. Senate from the State of Connecticut, he could have had the Republican nomination, many times, to run for Governor of the State of Connecticut. STEW loved the U.S. Congress so much that he did not want to serve any place else but right here.

Now we who really were very proud and feel so strongly about saying how lucky we were to have STEW as our friend, STEWART MCKINNEY, we are going to miss you very, very much.

Mr. GEJDENSON. Mr. Speaker, I yield to Congresswoman JOHNSON from the Sixth District.

Mrs. JOHNSON of Connecticut. I thank the gentleman.

Mr. Speaker, I rise in recognition of the passing of our friend and colleague, STEW MCKINNEY.

It was only a few short weeks that he was at this podium in this well advocating passage of legislation to help the homeless. He was always a strong voice here for people who needed government. He believed that government had a responsibility to help the people who needed help. And he would be here at this podium—and we have all seen him—passionate, strong, articulate, determined. And if he believed he was morally right, he was here; if he was the only vote for his position even.

He took stands that were politically disasterous for a Republican in Connecticut; he took stands that were politically disasterous for a Congressman of any party here on the floor.

If he believed it, he stood up for it. And I know that that legacy has meant a lot to us. It will serve his children better than money he could have bequeathed them and Lucy, with us, is proud of the contributions that STEWART made here year after year.

He knew that urban America, that his beloved city of Bridgeport, and other tough cities of America and Connecticut represented the human rights challenge that America faces, represented the economic challenge that we face, the housing challenge which embodied the discrimination, bitterness, disappointment, and that indeed, government and people could change all that if we only cared enough, were strong enough, passionate enough and dedicated enough.

We will miss him. He leaves us with a memory, but with a responsibility.

I thank my colleagues for being with us.

Mr. GEJDENSON. I thank the gentlewoman.

Mr. Speaker, I yield to the gentleman from Connecticut [Mr. MORRISON].

Mr. MORRISON of Connecticut. Mr. Speaker, it is hard to speak at such a sad moment. STEWART MCKINNEY was a good friend to so many of us and a colleague that we so respected whether we agreed or disagreed on a particular issue. He was partisan in the right sense of the word; he was partisan on behalf of what he cared about and what he believed in. He was no partisan over labels, whether they be party labels or others.

I first met him when I was lobbying him before I came to this body and he was always fun to advocate with and to talk with, from outside the body.

He was wonderful to be a colleague of here.

His compassion, his commitment, his fairness, and all that.

We served together on the Housing Subcommittee of the Committee on Banking, Finance and Urban Affairs, a place in which he invested so much of himself, fighting for what I think we all believe in, that the people of this Nation deserve to be housed, every one of them. He believed that. He was willing to do what it took to try to make that a reality and to fight whatever forces were arrayed against that.

He often said one of his proudest achievements was the Connecticut Coastal Wildlife Refuge, which was created over the last few years due most importantly to his leadership and his commitment.

He said there are few things you can do in political life that last very long. But here we have preserved on the congested coast of Connecticut some land that will be forever wild, forever preserved in its natural state for all that offers us environmentally in our human and recreational activities. He was so proud of that, he made it happen. We were all so proud to be there with him.

Lines of districts did not decide what STEWART would work on. He worked on that, it affected all of Connecticut. He was proud of his work on the Chrysler rescue package; working for the city of New York when it had a debt crisis. He did the same thing in New Haven for a company that was in trouble, helping me to find a way to assist that company. He would help wherever he could make that kind of a difference. He was a proud son of Yale University and always supported it and worked for its betterment. Yale has lost, along with us, a great friend.

I join all my colleagues in extending to Lucy, his dear wife and a wonderful person, and his children my feeling of sadness and compassion for their situation, and hope that they will have the strength to carry on.

STEWART would want them to do so in the proud way that he served here.

Mr. GEJDENSON. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Speaker, a lot will be said about STEWART MCKINNEY over the years, about all the great accomplishments that he has gone through both in the State legislature and certainly here in the House. But I look at STEWART MCKINNEY as a teacher. I say that as one of the newer Members of the delegation and one of the newer Members of the Congress.

STEWART, I think, was a teacher to all of us. He taught us about integrity, he taught us about independence. He taught us about compassion and most importantly he taught us about friendship.

We all have such busy lives and sometimes we do not have time for each other, and we do not have time for our familes.

When I was first elected 2 years ago there was one person, the day after the election, who called me, not just to congratulate me, as many people did. STEWART MCKINNEY called me up and he said:

> Listen, it is not easy coming into the Congress as a freshman. I had it easy when I came in because Lowell Weicker was elected Senator and I walked in and sat down at his desk and took over the job. It is not going to be easy when you get here. It is not going to be easy to put a staff together.
>
> It is not going to be easy to understand the process. It is not going to be easy to understand where your office is and all the other technical aspects.

□ 1820

STEW then, at that time, not only offered his friendship and support, but literally turned his entire office and staff over to me. He is the type of person who was not concerned about political motivations.

As the rest of my colleagues have said, he took very brave and bold political stands, but he also, I think if you look back over the last 18 years that many of you have known him, has touched all of you in some special way.

STEW always taught me a few lessons about how to deal with people. He was loved in his district and loved in the State by Republicans and Democrats and Independents. It did not really matter much.

Another thing that STEW taught me was that titles are not important. As a matter of fact, I do not think anybody ever called him "Congressman MCKINNEY." He quickly, quickly corrected people, whether they were staff or whether they were friends or lobbyists or whoever they were and said, "No, please call me STEW."

In Connecticut, in his district, he is known as STEW, not Congressman MCKINNEY. I think that says a lot for the way he deals with people, the one-to-one basis, the friendship that he extends to so many of us and has extended to so many of us over the years.

He will be missed. He will be missed by all of us in the delegation. He will be missed by the thousands and thousands of people who have been served and helped in all the years of public service.

Our thoughts and our prayers are with Lucy and all of his fine, fine children.

Mr. GEJDENSON. I yield to the gentleman from Illinois [Mr. Michel], our minority leader.

Mr. MICHEL. Mr. Speaker, may I first express my appreciation to the distinguished Speaker for announcing that after these proceedings are concluded, that the House will adjourn out of respect to our dear friend, Stew McKinney, who passed away this afternoon.

We are going to suffer in this House a great loss, both professionally and from a friendship point of view.

Those good things that have been said about his stewardship from the Connecticut delegation speaks to how well he was thought of in his home State, in his district and, of course, here in this House of Representatives, where I have had the privilege of getting to know someone whom I might have otherwise never have known but for the fact that we serve in this body. Stew McKinney was one of those very beautiful persons to get to know.

From a professional point of view, serving on the Committee on Banking, Finance and Urban Affairs, Committee on the District of Columbia, several of those chores not exactly the most desirable on which to serve from time to time, but I have observed Stew on the floor of this House managing a piece of legislation from this very table and doing just a superlative, exemplary job, one that we could all look to and say, "Now, there is a fellow who really knows his business and his subject matter well."

He did his homework. When he was called upon to manage a bill, he did his homework and did a very professional job.

In a more personal way, Stew and I, and John Rowland just made mention to the fact that he preferred to be called Stew, we lived quite close together, as a matter of fact, in the neighborhood here on Capitol Hill. We used to take our laundry to the laundry together on occasion and kibitz on the neighborhood.

Stew was a builder and he enjoyed construction business and building things in the neighborhood. He took an active role.

There have just been so many occasions when I would just have to turn to Stew—I am reminded particularly when he had his operation for the bypass and the times that he was required to maybe recline in the cloakroom—I would have to admonish him, "Stew, you are just barely back on your feet, you had better not overstep the rules that the doctors prescribed for you. You have to take it easy."

To think that it is quite likely, as apparently the doctors have indicated to us, that those numbers of blood transfusions that our dear friend, Stew, was required to take during the course of those serious operations have led, undoubtedly, to his death this afternoon.

I guess there is also another lesson in that for those of us who have to deal, and will have to deal probably on a continuing and accelerated basis, with that very critical subject matter.

I have lost a very dear friend in this House. I know Members on the other side fully recognize how there really was no center aisle as far as Stew McKinney was concerned.

I just want to extend my profound sympathy to Lucy and those five children for the tremendous loss that they have suffered.

There is one other area that I remember Stew and I used to kibitz about because we both served in the enlisted ranks during our period in the service. Stew was an Air Force sergeant during the Korean war. My service happened to be during World War II, but it does again, addressed itself to the kind of individual that Stew McKinney was, dedicated to his country, great public service and we are certainly going to miss him around here.

Mr. GEJDENSON. Mr. Speaker, I have been advised by the Sergeant at Arms that while there is no time yet for services for our friend, Stewart McKinney, and our colleague, that if you call the Sergeant at Arms' Office and leave your names, you will all be notified of the appropriate time and services that will occur.

Mr. Chairman, I yield to the gentleman from Oregon [Mr. AuCoin.]

Mr. AuCOIN. Mr. Speaker, I am not very good at saying things like this on occasions of this kind, but I respected and loved Stew McKinney so much, I just want to add a few thoughts to the many eloquent words that his friends and colleagues have already stated.

Stew McKinney was the first friend I met on the House Committee on Banking, Finance and Urban Affairs, when I came here 13 years ago. It was interesting to me, I think prophetic, that that friendship was across the aisle. I was down on the lower tier, as all freshmen Democrats are on all committees; Stew was on the upper tier across the aisle on the Republican side, and I think it was some issue that I had raised that he felt I took a bath on it; I think I lost dramatically, and noticing the loneliness of that position, Stew came over to me and befriended me and told me at that time, whether or not that particular amendment was—it is long since forgotten—was meritorious or not, it is something that I cannot recall, but he told me, "You know, being lonely in defeat is not without its virtue there, young man, and you should not forget that."

As I watched Stew McKinney fight the lonely fights that he had fought in subsequent years, based on principle always, I realized how absolutely genuine his remarks were when he made them to me.

The friendship that we built and developed over the years is a friendship that I cannot forget. I think his loss is not only my loss, and a loss to his delegation, but it is really a loss to this institution.

As I think of words to describe Stew McKinney, the first word that occurs to me is heart. This guy had a heart. He was a man who was given many things, and he really believed and acted on the principle that if you are blessed with many gifts that you give back a great deal to society.

His whole life, I think, is a demonstration of that belief.

□ 1830

The other word that occurs to me as I think about Stew McKinney—and I was shocked to hear about his death today—is "bigness." I think all the thoughtful Members of the House, whether on that side of the aisle or this side of the aisle, will agree with me as we reflect on some of the issues and fights we have had over the last few years, that the fights tend to take on dimensions and overtones that bring out the smallness in us. Stew McKinney was not that way. He always reached for something bigger. He always tried to reach that higher level of statecraft, that larger question, that larger plane, and he wanted the debates to be fought out on that basis. The example of the public life and the private life he has given to each and every one of us is a tremendous example. We do have our fights. We are going to have more of them, but they should not be on small and petty fringes; they should be on the larger questions, the kinds of questions and the kinds of dimensions that Stew McKinney always reached for.

I miss this man. I miss him already. I am going to miss him for the remaining days I serve here, and I know I speak for many Members of this House in expressing that view.

So I join in sending condolences to his family whom I have not met and to the many constituents whom he served so well.

Mr. Speaker, I congratulate the gentleman from Connecticut for taking this time and letting this gentleman from Oregon express the gratitude and the sense of celebration I had in even knowing Stew McKinney, much less working with him.

Mrs. ROUKEMA. Mr. Speaker, will the gentleman yield,

Mr. GEJDENSON. I yield to the gentlewoman from New Jersey.

Mrs. ROUKEMA. Mr. Speaker, I thank the gentleman for yielding.

I stand here speaking as a friend and colleague of Stew McKinney and one who served with him on the Banking Committee.

I guess what comes to my mind on this occasion is that Stew McKinney was a breath of fresh air in this House. Whether you agreed with him or you disagreed with him, you always knew where Stew McKinney stood, and I think we will all agree in our heart of hearts that that is a rare quality in the public arena today. You always knew where he stood because he had personal honesty and intellectual honesty.

I refer to the fact that I have served for 6 years now, going on 7 years, with Stew on the Banking Committee, and I have got to tell you that it is an education serving on that committee with Stew. Stew had complete command of his subject matter, whether he was dealing with the HUD bureaucracy—his favorite committee, of course, was Housing—or whether it was the big money-center banks or Paul Volcker at the Fed, Stew knew the issue. He did not address himself to pomposity. He reduced every issue to its essence, did away with the verbiage, spoke plain English, and got right to the point, which is a rare quality, one that I would hope to aspire to.

Finally, I would have to say, in deference to his family, that they must know that we have lost a great friend here, but more than that, the American people have lost a great fighter for justice, a great fighter for humanity, and we have lost a superior intellect in this House.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Arkansas.

Mr. ALEXANDER. Mr. Speaker, I thank the gentleman for yielding.

I learned of Stew McKinney's death this afternoon from a police officer who works the corner door of the Cannon Building that I enter and exit from each day, and he did not know that I knew Stew or that I had any association with him.

Unlike many who have spoken here today, I have not served on a committee with Stew, we are not a member of the same political party, and I had no social occasion to be with him. My knowledge of Stew McKinney centered around the fact that he and I shared the same part of the parking garage in the Cannon Building, and our only association was as we would come and go each day, sometimes at the same time, and we would exchange conversations about various topics that were of mutual interest to us.

We talked about automobiles a lot. He liked convertibles; I liked convertibles. He liked old cars; I liked new cars. So we talked about automobiles. I know how to fix a car. He does too. I think he was in the automobile business at one time. I am a country boy from Arkansas, and you know how to fix cars when you are from the country. So we did exchange conversations about automobiles.

But somehow the subject of automobiles carried with it the undertones of principle, and while we never discussed issues as such, he and I agreed on many things, and we would always conclude our conversation with some relevant comment that either collectively supported or collectively opposed some issue of the day. And I want to say that my observation about Stew is that he was a person of deep commitment and a person who had the courage of his commitments. I deeply respect anyone who has the courage of his commitments or of her commitments, as the case may be. No matter what those commitments may be, whether I agree with them or disagree with them, I respect that quality in a person.

I respected Stew McKinney, I loved him, and I will miss him. My sympathies go out to the members of his family who I know will miss him greatly during the days and years ahead.

Mr. Speaker, I thank the gentleman for yielding.

Mr. PARRIS. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Virginia.

Mr. PARRIS. Mr. Speaker, I thank the gentleman for his consideration in yielding to me at this time so I may take this opportunity to say just a few perhaps inadequate words. Many of the words that have been said here by my colleagues were words spoken in a very eloquent way so that I wish I had said many of them.

I, of course, like you, was very deeply saddened to learn of the death of our friend and our colleague, Stewart McKinney. I have worked with Stew for many years, and I know that we will all miss his dedication and his commitment to this Nation which we so greatly cherish.

Congress has lost a respected and a very popular colleague, as this spontaneous outpouring certainly will attest to. The Nation has lost a devoted public servant, who always made his duty to America the foundation of his career.

Stewart and I served on not one but two committees together. I probably spent more time with Stewart McKinney in the processes of the Congress than any other Member. I came here in 1972. My district, as many of you will recall, is right across the river, and I was as signed, happily, to the District of Columbia Committee. I worked with Stewart side by side and shoulder to shoulder in 1973 on the home rule bill. He was a real craftsman, as has been said. He was a great friend of the District of Columbia and the Nation's Capital.

Stewart was in his political philosophy what I call modestly left of center, if you will. I consider myself modestly right of center. We did not always agree, but there is one thing that Stewart would always give you, and that is honesty and fairness. He was without exception invariably fair with everybody with whom he worked.

I have served and now serve and have had the privilege of serving for the last 6 years as the second-ranking member of the District of Columbia Committee, and presumably I will take his place as the ranking member of that committee. His shoes are going to be some extremely large shoes to fill.

His service in this Congress and his handling of his recent illness, which we all knew was not good, I think, establishes without any question that this was one very gutsy guy with a great deal of courage.

Mr. Speaker, we will always miss him, and we cherish his memory.

Mr. WOLPE. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Speaker, I thank the gentleman for providing each of us an opportunity to say a few words both of condolence and to express our sympathy to Stewart's family, and also to indicate something of what Stewart McKinney meant to each of us in this body. I feel as though I have lost not only a very good political ally but a very good friend.

□ 1840

It has been said in many different ways, I think that if there is any single characteristic of Stew McKinney that had impact upon me it was his love of life. He was an extraordinarily passionate individual who was deeply involved in whatever issues were before him and before this body.

He felt deeply, he was deeply committed to remedy the social inequities within our society, and he was enormously courageous in taking on both the challenges that we are facing in this country of ours and he was equally courageous in addressing the challenges that he was facing just through his deterioration of health over so many years.

I do not think any of us knew Stew McKinney when he was not ill, and yet he always tried to avoid dealing with that subject in his relationships with his colleagues. He was always optimistic, cheerful and he had a tremendous sense of humor that always provided each of us with inspiration and made us all feel good because of our contact with him.

I became involved with Stew McKinney initially through our collective efforts that he initiated, actually, before I entered the Congress, having to do with the protection of the Alaskan oil resources for this country. Then we worked together on a whole variety of initiatives under the auspices of the Northeast and West Congressional Coalition. In a sense, his involvement in the coalition efforts was very indicative of another dimension of Stew McKinney which was the extent to which he kept the focus upon the issues and away from partisanship.

He was interested in solving problems. It did not matter whether Democrats or Republicans were going to be part of that solution, he simply wanted to get the problems solved, and he was able to work across the aisle, and across ideological lines in an effort to get that problem solved.

We have all lost a very important colleague of this body. The people of Connecticut were enormously fortunate to have Stew McKinney as their advocate, and this country was very fortunate to have Stew McKinney offer a model of the best in public service.

I shall miss him as I know will all of my colleagues.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. Frenzel].

Mr. FRENZEL. I thank the gentleman for yielding and I thank him for his patience.

I am not sure the gentleman expected this spontaneous outpouring on a day when most of us thought we would be elsewhere at this time, but there are just an awful lot of Members of this body that want to pay their respects to Stewart and to Stewart's family.

I myself considered him a close friend. We came to Congress when the 92d convened in 1971. We were both assigned to the Banking Committee and served together on that committee.

I remember Stewart particularly calling himself an "urbanist." He believed in big cities, he loved big cities and he loved the people that lived in big cities, and he especially loved those that had a little trouble getting along in big cities. He tried to make their lives easier the best way that he could.

I often asked him how he could stand it for over 16 years on the Banking Committee, and he said "You do not understand; it is the Housing Subcommittee that keeps me there because that is the most important thing I am doing in the Congress."

Stewart represented an unusual district. He had some of the richest people in the country and some of those who were down on their luck as well. I wondered how he could represent them, but he did not worry about it. He just went about representing them, and both of those classes seemed to like him well enough so that he did not have any trouble getting himself reelected.

The third thing I remember about him is probably why, and it is that each of us is different. Often, when we have to be different from our region or our party or our friends, we are a little self-conscious about it. Stewart was never that way. When it came time to be different he simply accepted it in the confidence that whatever he was doing was the best for himself or the people that he represented.

He was an extraordinary Member of this body. A friend that we will all miss, but more importantly, that a lot of people in this country who never knew he existed will miss him because of the things that he tried to do for them unbeknownst to them.

We will go on, and we will do our work, but at least for this one Member it will be quite a different Congress without Stewart McKinney.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Texas [Mr. Leland].

Mr. LELAND. I thank the gentleman from Connecticut for giving me this privilege of being able to speak about a person who I held in the highest esteem.

Mr. Speaker, Stewart McKinney to me was the testimony personified to those of us who, in this body, tried to represent the best interests of the people of this country.

Stewart McKinney can be memorialized best by me by just making a notation this evening about the night that he came to sleep on a grate to demonstrate to the American people that indeed there is a problem of the homeless. It was a rather controversial event to say the least. A lot of people thought that it was not dignified that Members of Congress should go and do just that.

I think that this memorializes the very compassion, the dedication, the commitment that has been alluded to this evening by all of Stewart's friends and colleagues. For, you see, he was very frail and ill at the time, and it was said at that night the windchill factor was about 20 degrees below zero, and yet Stewart McKinney was there.

I remember, too, that when he arrived at the grate at the site where we were to sleep, the press asked him, "Why was he there," He said, "I wanted to make sure that the American people knew that this was not a Democratic issue; that the Republicans are here represented tonight also."

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Arizona [Mr. Kolbe].

Mr. KOLBE. I thank the gentleman from Connecticut for yielding.

Mr. Speaker, I join with my colleagues this evening in expressing our sorrow at the passing of our colleague, Stew McKinney.

I had the privilege of serving with Stew, both for my first 2 years in this body on the Banking Committee and also in one of those informal groups that spring from this body. I think what I remember most about Stew, both in the committee and in that group, was the passion that Stew brought to everything that he said and everything that he believed in.

How many times has that word been used here this evening; the "passion" that Stew felt? He was compassionate. He felt so passionately about the things that he believed in, whether it was the homeless; whether it was housing issues for all Americans. Whether it was more mundane things such as banking issues or problems of the District of Columbia.

Oh, yes, talking about his district, about Bridgeport and the people that he represented. About Yale, where he went to school. I remember so well, as he talked about the people he represented. It was so obvious that he believed, he really believed in the people that he represented, that he came to this Congress to represent.

He will be missed greatly in this body. He will certainly be missed greatly by me. He will be missed by all of us. Though we will miss him, we are all much richer for having had him in our midst.

So, as we join in sending our condolences to his wife, Lucy, and to his family, we say we bid a fond farewell to him. But we also thank them and the Good Lord for having made it possible for him to be among us these days and to have given so much stewardship to this country and to all the rest of us.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. Vento].

Mr. VENTO. I thank the gentleman from Connecticut, the Dean of the delegation, for yielding to me.

Mr. Speaker, I have known Stewart the six terms I have served in Congress. He has been in my district. I have been in his district, and I watched him carefully working on the Banking Committee and working on other problems. I think that the comments about the tremendous talent, the compassion and the service that he provided to the district that he represented and the people of this country really stands as an example for all of us that aspire to do well in our work.

I do not think it came easy to him. I saw the hour after hour that he spent on the Banking Committee on his beloved Housing Subcommittee on which I was privileged to serve with him. The time he spent, the questions he asked in terms of that commitment. It was not just a commitment of an intellectual exercise but it was hours of testimony and hearings that stood behind him that provided the type of preparation and understanding of issues that made all the difference in terms of crafting public policy that lasts and public policy that works.

□ 1850

I can see STEWART MCKINNEY sitting on the top row of that committee. I can see him so often asking these long questions, all in one sentence and then providing the answer to the question in that same sentence, and even then sometimes the witnesses did not get those answers correct.

I remember him, and I think all of us do, with joy, with inspiration, and certainly with compassion, setting an example in these last years of illness, showing us how to act I think as Members of this body in a bipartisan fashion and showing us in other ways how to live when one faces adversity, a model of service, a model of commitment.

Tonight our hearts, our feelings and concern go out to his family, to Lucy and the family.

I think to all of us while he is not with us, he will always be with me in spirit and I think with many of the Members who served with him.

Thanks, STEWART.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Speaker, I thank the gentleman for yielding and appreciate his taking this time so that we might eulogize our good friend, STEWART MCKINNEY.

I felt a deep sense of sadness and sorrow as I learned of his passing earlier in the afternoon.

STEWART MCKINNEY has been a deeply committed Member of Congress since his election in 1970 and as a member of the House Banking Committee on which I served as the ranking Republican.

STEWART has been a champion of housing for low-income people and for protecting the handicapped persons who have been deinstitutionalized.

He most recently, and this has been alluded to several times, but I would emphasize it by repetition, demonstrated his commitment by visiting numerous shelters throughout the District during the evening of the homeless sleepout, probably to the detriment of his own health, certainly a real act of compassion.

STEWART was crucial in the creation of the Neighborhood Reinvestment Corp.

In addition, as the ranking Republican on the Economic Stabilization Subcommittee, STEWART was a very, very strong player in helping get the legislation passed for the city of New York, and more specifically for the Chrysler Corp. I would have to say that he was probably instrumental in my support of the Chrysler loan guarantee, an accomplishment which later saved thousands of jobs and benefited the whole Nation.

He was an intelligent, articulate spokesman for his cause. He made a tremendous contribution to the betterment of this Nation. He was extremely knowledgeable on housing legislation, as I said.

He will be greatly missed. My wife, Marjorie, joins me in wishing deepest sympathy to his wife, Lucy, and their five childern. I know that his family will be in our prayers in the days ahead.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentlewoman from South Carolina [Mrs. PATTERSON].

Mrs. PATTERSON. Mr. Speaker, I thank the gentleman from Connecticut for yielding.

I am a new Member. I have only been here since January, but I think to know that STEWART MCKINNEY's death brings me to this podium speaks highly of him. Knowing there are so many Members of this body that freshmen do not get to know, it should mean a lot to those who have spoken before who have known him that in my short months here he meant a great deal to me. I had been serving on the Banking Committee and whenever STEWART MCKINNEY spoke, I listened. He had time to talk with me and share with me and I feel that I got to know him well in these short months.

I just wanted to let his family know and other Members of this body to know that I wish there had been longer times, more years, that I could have gotten to know him, because these few months have meant a great deal to me.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH of Iowa. Mr. Speaker, I thank the dean for yielding.

A number of very apt descriptions have been given of STEW this afternoon. I would just like to comment briefly on one aspect of STEW's leadership, that being of the moderate wing of the Republican Party, a wing that is not overly in vogue today.

It is sometimes said of moderates in a very critical fashion that because they stand on two sides of issues, they are vulnerable to being hit from both directions. It is also said sometimes that moderates lack conviction.

Well, no one fits these descriptions less well than STEWART MCKINNEY. No one had more conviction than he had, whether the issue be arms control, civil rights, environment, or education, making Government work in this town or other towns, particularly in the urban centers, no one stood and articulated with more commitment, personal as well as philosophical.

As for standing in the middle, as pragmatists sometimes do, and getting hit, it was never really STEW's problem, partly because he was so busy with so many new ideas that if anyone bothered to try to flail at him, he would have gone in a new direction before anyone had a chance.

STEW, of all Members of this body, simply had energy that was boundless. His effervescence was irrepressible. His idea quotient would not stop. He was a leader, a man of his times, and I think will be as much as anyone I can think of much missed in this body.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from the District of Columbia.

Mr. FAUNTROY. Mr. Speaker, I thank the gentleman, and I do want to thank him from the bottom of my heart for giving us in the Congress an opportunity to vent our deep sense of loss at the passing of STEW MCKINNEY, giving us an opportunity to say to his darling wife of 37 years, to his five children, to his three grandchildren, to the people of the Fourth Congressional District of Connecticut, and particularly the people of his beloved Bridgeport, and in a sense to Yale University, to say to all of them, thank you for allowing us to have shared a bit of the life of this man, STEW MCKINNEY.

STEW, as we all know, was a man of uncommon intellect, energy and compassion for the disadvantaged. It has been my privilege to have been here during those years, to parallel his years in the Congress, and I know on the basis of my close association with him on three committees, that I know whereof I speak.

As a member of the Housing Committee and the Banking Committee and the ranking minority member on the Housing Committee, we all know that whenever low- and moderate-income people needed a voice and a mind and an argument for their case, STEW MCKINNEY was there.

The fact that he joined us on the grates as we moved toward the passage of the measure for the homeless, the fact that we have now reported out of the Housing Committee what I hope will be the first housing measure to be passed to become law in the last 6 years is a tribute to STEW MCKINNEY.

And what can I say about his service on the District Committee? He has been the preeminent champion of full self-determination for the nearly three-quarters of a million citizens who still endure the tryanny of taxation without representation in our Nation's Capital.

When we needed a voice in this Congress for home rule legislation in 1973, Stew McKinney was that voice. When we needed a voice for the effort for full voting representation in the U.S. House and Senate, he was there.

I served with him as well on the Select Committee on Assassinations, investigating the Assassinations of John F. Kennedy and Martin Luther King, Jr., and that same intellect, that same energy, that same compassion came forward at that time as well.

Yale University ought to be proud of him because he was the preeminent liberally educated person. He spoke on numerous issues, not alone those concerned with the least of these, God's little ones, in this country, and did it with precision and with confidence that I think has been unmatched in this Congress.

I had the privilege of attending Yale Divinity School and Stew's stewardship here reminded me of that tenet of our Judeo-Christian heritage. When I see him, I see Isaiah saying, "The spirit of the Lord God is upon me because he hath anointed me to declare good news to the poor, to bind up the broken-hearted and to set at liberty them that are bound indeed."

□ 1900

Finally let me say to the family and to all of us who will miss him that I know that because of his stewardship that he will hear the Creator say to him, "Enter thou the joys of heaven because when I was hungry, you fed me, and when I was thirsty, you gave me to drink, and when I was sick and in prison, you came to see about me."

And if anybody asks, "When saw he thee or hungered or thirst or sick or in prison," the Members of this House as long as we live will be able to say, "Because he spoke and he did it on the floor of the House of Representatives."

Home from the hill is the hunter, and the sailor home from the sea, and if it may be said of anybody, it can be said of Stew McKinney that he should rest from his employ. The battle is fought, the victory is won. He will enter God's joy.

Mr. GEJDENSON. I yield to the gentleman from Wisconsin [Mr. Gunderson].

Mr. GUNDERSON. Mr. Speaker, I appreciate the gentleman's yielding.

I was one of those who was not aware that we were going to take this time this evening, but as soon as I determined that this was the case, wanted to come back here and join with my colleagues in expressing not only our sympathy to the family, but I think our feelings of good will for this very kind and gentle man.

I have been trying to come to those proper words and perhaps in the bipartisan fashion that Stew lived and served, it is appropriate that the words which keep coming back to me are the words 19 years ago used in the eulogy of another public official from the northeastern part of this country, where his brother, Senator Kennedy, stood up and said that "We asked that you remember him as a good and decent man who saw wrong and tried to right it, saw war and tried to stop it, who saw suffering and tried to heal it."

Those words are as appropriate in 1987 for our friend and colleague, Stew McKinney, as they are today.

Yet, I think that it is important as well that we all remember that despite the sensitivity of Stew McKinney, he also was a Republican always. Never did he question his party affiliation, and never did he waver. He believed in what he defined a Republican to be, which was a conservative with compassion. And while we remember and we talk about this afternoon his compassion, I will remember just as vividly with a small smile those "92 Group" budget debates where we would sit in the rooms, not this year but last year and the year before, and Stew McKinney would finally get up and say, "I'll cut my program, you cut your program, we've got to quit being parochial, we've got to understand that we will bankrupt this country if we don't do something about the deficits which are in front of us."

Speaking of the 92 Group, they had no better friend than Stew McKinney. We had the chance once a week to take over his office. On Tuesday afternoons he was always the gracious host and shared the clutter and the clang and the junk and the chairs to use his office to get together and talk about how we might move forward as a party on behalf of the country and the ideals that we believe in.

So to a dear friend we say goodbye, but we also I think thank you, and we say not only to his family but I think equally important to his staff, those people who have rallied around, have lived and served and believed and shared the hopes and dreams of Stew McKinney, that you too are suffering at this hour, and we want you to know that we share in your sympathy and your admiration.

I hope each and every one of the family and staff will somehow find comfort in knowing that today we mourn his death, but for years to come we will celebrate his life and what he did for his constituents, what he did for his colleagues, but most important, what he did for his country.

Mr. GEJDENSON. I yield to the gentleman from California [Mr. Dreier].

Mr. DREIER of California. I thank the gentleman for yielding.

Mr. Speaker, I too, would like to join in extending my deep sympathy to Stewart McKinney's family.

When I first came here I met Stewart, and frankly I have to say that he did not always carry the Republican torch the way many of us in California had seen the Republican torch to be carried, and by that I am saying that I certainly am one who was more conservative than Stewart.

Stewart and I had a tremendous rapport. We had a very healthy exchange on a wide range of issues. I had the privilege of serving with him on that Housing Subcommittee on which he was the ranking member, and we went through certainly many very, very interesting debates. I attended more than a few breakfasts in his office to look at that very, very complex budget around which the Department of Housing and Urban Development centered, and it was a fascinating thing.

For me, though Stewart was one who did show a great deal of independence, and he also had a great deal of compassion, and as I looked at some of the things that Stewart had done over the past few years, I will never forget something that I often quote in speeches when I am out on the stump, when I am dealing with people that relate to the banking industry, because we all know from the debate that we had here just a couple of evenings ago that there certainly is a great deal of question surrounding the financial services industry.

I always quoted Stewart, said, "You know, our ranking member of the Housing Subcommittee and a guy who always reminded everyone in committee how many years he had served as a member of the Banking Committee has said, when we look at the problem of trying to turn the corner on the delivery of financial services. 'What we've got to do is take representatives from the savings and loan industry, the commercial banking industry, the investment bankers, the insurance industry, the brokerage industry, the real estate industry, lock them all in a room, give them nothing more than bread and water, and when they come out with a consensus, we'll mark up a piece of legislation.' "

I heard Stewart tell that story many times in committee, and I have had the privilege of quoting that many times around the country in speeches, and he is absolutely right, because we have been seeing so many challenges over the years in that area, and while it has been frustrating for me as I am now on my seventh year dealing with that issue, Stewart served many years longer, and he was facing that on a daily basis.

His independence was shown to me not only with all the great arguments that he had provided from the well of the House, but as I regularly looked at the man who had the largest fleet of convertibles of any human being I have ever known. Any of us walking back and forth from the votes would see STEWART—unfortunately because his health was failing, chauffeured back and forth in one of his vintage convertibles, and he loved collecting them.

He told me about one of his trips to California and he said, "Gosh, DAVID, I broke down while I was out there and even rented the new Mustang convertible which has just come out."

I said, "STEWART, if you had just told me that it was a Mustang, I would have known that it was a convertible," because it seemed that that was all he ever drove.

I really will miss STEWART. He was a great friend to me, provided me with a great deal of inspiration, and as my friend from Connecticut, JOHN ROWLAND, said earlier, he was a teacher to a great many of us. I said that I philosophically did not always agree with him, but because there was that lack of agreement on a number of issues, and because we shared the same cloakroom, it only intensified the level of debate.

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My deepest sympathies to Lucy and all the members of his family, and I know it will be extraordinarily difficult for us to have another STEWART MCKINNEY in this House.

Mr. GEJDENSON. I yield to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. I thank the gentleman in the well for yielding me this time.

I come to this Chamber this evening saddened by the news of the passing of one of the finest men I have ever been privileged to know in my lifetime.

As has been said by someone here earlier this evening, in a body of this sort we do not always have an opportunity to get to know one another.

Many of us, due to the various assignments, we oftentimes do not really get to work together. I had the pleasure a few years ago of getting to know STEW when we both served on the House Select Committee on Assassinations.

I had the privilege of chairing that committee, and STEW was one of its members. Over that 2-year period that we worked together investigating the facts and circumstances surrounding the assassinations of Dr. Martin Luther King, Jr., and the late President John F. Kennedy, we got to know one another very well, because over that 2-year period, for a long period of time we were in hearings every day together. It was at that time that I first came to realize and respect his intellect, his keen insight, and his perceptiveness. STEWART was probably one of the most articulate Members of this body. During that period of time, I saw in him a real commitment and dedication. It was important to him that we dedicate ourselves to trying to find the answers to those two assassinations on behalf of the American people. It was something that even just a few weeks ago he spoke to me about on the floor.

One of his greatest concerns was that someday we would release all of the findings that had been placed under executive lock and key for a number of years, and STEW felt very strongly that we should release everything, so that the American people would know all of the information that was uncovered during the course of those investigations. This he felt very deeply about.

In addition to it, I have on so many occasions seen STEW go on the floor of the House on behalf of many, many causes. In his capacity as a Member of the Committee on District of Columbia, I have seen him stand in the well many times fighting on behalf of the residents of the District of Columbia. I have seen him fight on behalf of minorities and minority causes; and he did so unabashedly, unashamedly.

He felt that was something that a principled individual had to do, and he was indeed a very principled man, and so tonight we can see from the testimony given in this body the highest esteem and prestige that Members of this body held for this man.

STEW MCKINNEY will continue to live in this body. He stood for something that makes this body remain a place for all of us to look to his type of talent, ability and commitment as a symbol for all of us to look up and work toward.

Mr. Speaker, I thank the gentleman; and I express on behalf of my family our deepest condolences to his wife and family.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I just wanted to thank the gentleman from Connecticut, [Mr. GEJDENSON] for gathering us this evening; and as the senior Member of our delegation now, I thank him for his work tonight, and also thank all of the Members from both sides of the aisle who poured out tonight to be with us on the occasion of STEWART's death.

I also want to comment on one thing that did not come out. Not anticipating that we would talk so long, I did not bring it out myself, and I think it deserves to be brought out; and that is that STEWART expressly asked that we know that he died of AIDS, a sort of final courageous act that says, we must all face the challenge of learning, of knowledge, of finding out, so that we will not lose champions like STEWART, strong voices so needed by humanity to the ignorance and inadequancy of our human community.

I think we will carry forward that message.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I thank the gentleman from Connecticut, my distinguished friend for yielding me this time tonight, and for allowing us to pay our respects to the memory of STEWART MCKINNEY.

STEWART MCKINNEY was the type of person who made us enjoy being a Member of the House of Representatives. He was committed. He was concerned. He was friendly.

He was involved, and he really cared about what went on, not only in this body but also in this country.

He was a man of absolute and utmost compassion and concern. We all remember the legislation for the homeless which is the most recent involvement that he had on the floor of this House this past year.

Yesterday I had the occasion to drop into the hopper this cosponsorship, perhaps one of his last bills that he cosponsored; and that was a bill for the creation of a penal under the auspices of the National Academy of Sciences to deal in a nonpolitical fashion with the issue of AIDS.

STEWART understood the problem of AIDS, understood that it was an issue easy to have diverted into a political kind of an approach rather than the scientific approach which it required, and so I am proud that I was able to have him as a cosponsor of that legislation, as we all were proud to have him be our leader and our guide in this body.

It was an honor and a privilege to serve with him.

I want to express my condolences to his widow and his entire family. We will all miss him.

Mr. GEJDENSON. Mr. Speaker, before closing, I wish to state that Connecticut is a State with a great tradition. Down this hall as we leave this Chamber is a statue of our first Governor, Governor Trumbull. First appointed by the British, Trumbull served to be one of the leading revolutionaries, financing a good piece of the war, and fighting for the people of this country.

From that day forward, we have had great Governors like Governor Baldwin and Governor Bowles, all tremendous public servants.

As the history of our State will be written, STEWART MCKINNEY would stand tall with all of them. He is someone who came here and never forgot his people. He fought for them from every corner of his district, and for those of us from Connecticut to his entire family, our deepest condolences and our shared grief for a friend that we hold so dear amongst all of those that we know.

Stewart McKinney will always hold a very special place.

Mr. ST GERMAIN. Mr. Speaker, during his 16 years on the House Banking Committe, Stew McKinney was a shining light and a true man of humility. The Connecticut Yankee, the product of Yale education and a pedigree background, yet he was always fighting for the low- and middle-income people of this Nation. Whether it meant supporting the consumer's right to timely access to his or her deposited funds, or providing housing for all Americans, Stew was at the forefront of the effort, no matter what the opposition.

I cannot remember how many times Stew would lament that he was not a lawyer, but only a lowly English major. His English background gave him a way with words that proved invaluable when dissecting the sanitized statements of many of our witnesses. He made the issues understandable to both his colleagues and the public at large.

I remember his lambasting the "high rollers" in the thrift industry for their excessive and risky loans. He was a constant champion of a safe and sound banking system. He always spoke up for the consumer and I am sure he was pleased to learn that the House passed the checkhold bill this week.

I cannot tell you how sorely Stew will be missed by his colleagues in the House, and especially this committee chairman. I feel privileged tc have been able to have spent nine terms alongside my colleague from New England, Stew McKinney.

Mr. TRAFICANT. Mr. Speaker, it is with deep sorrow that I rise to mourn the passing of our colleague, Congressman Stewart B. McKinney of Connecticut.

Although I didn't know Mr. McKinney very well, from my experiences with him, I came to see his as a fine, dedicated Member who cared deeply for the welfare of his constituents and his country.

Most of all, I will remember his as an honest and honorable man.

Mrs. BOXER. Mr. Speaker, Stewart McKinney's death brings the tragedy of AIDS home to the Congress, and it is hitting us hard.

Stew McKinney was a kind and beautiful person—a very independent thinker whose compassion for people was always evident.

Even as he was dying of AIDS, Stew participated with Members of Congress in a vigil with the homeless of Washington, DC, to call attention to their plight. For 5 years I have been speaking to my colleagues about the AIDS issue, trying to convince them of the necessity to commit substantial Federal funds to the AIDS research, education, and prevention effort. Now they are painfully aware of the reason why this is so important—because AIDS can translate into premature deaths of productive and loving people.

Stew McKinney will be sorely missed. I know it was his wish that we do more to fight AIDS, and I hope we will use his death as a motivation to declare war on this terrible disease.

Mr. DIXON. Mr. Speaker, I am deeply saddened that the House has lost one of its most respected and hard-working Members. Stewart McKinney has effectively served Connecticut and the Nation during his 16 years in the House of Representatives, giving thoughtful and careful deliberation to the many issues facing our country.

Stew was a forceful, articulate advocate for community development, self-rule for the District of Columbia, and sound national economic policy. I am particularly appreciative of Stew's support for development assistance to southern Africa, the world's poorest economic region.

My deepest condolences are extended to his wife, Lucie, their children, and families. All of us share their deep sense of loss.

Mr. JACOBS. Mr. Speaker, the thing I like about Stewart McKinney is that he thought what he judged to be right and said what he thought.

He helped the helpless and was refreshingly unsanctimonious about it.

His passing leaves us not only lonely but, on the things that really count, forever poorer.

Mr. RANGEL. Mr. Speaker, I was deeply saddened to learn of the death of the Honorable Stewart B. McKinney of Connecticut. Stewart and I were both elected to the House of Representatives in 1970, and during his tenure in Congress, he rose to positions of prominence on the House Committees on Banking, Finance, and Urban Affairs, and the District of Columbia.

At the start of the 100th Congress, Stewart became a member of the House Select Committee on Narcotics Abuse and Control, which I am privileged to chair. During the short time he served on the committee, I came to value his thoughtful contributions to our work. He attended committee functions regularly and was an active questioner of witnesses who appeared before us. He was particularly concerned about low levels of reimbursement for drug abuse treatment services under medical insurance policies. He recognized that the high cost of drug abuse treatment could put a financial strain on the budgets of all but the most affluent of our constituents and he wanted to make the cost of drug abuse treatment affordable to people who needed it. I regret that I will no longer have the benefit of his counsel on the Narcotics Committee.

My heartfelt sympathy goes out to all the members of the McKinney family at this difficult period in their lives.

Mr. MAZZOLI. Mr. Speaker, I know that I share with all Members of the House the profound sadness and sense of personal loss on the death of our friend and colleague, the Honorable Stewart B. McKinney of Connecticut.

Stew and I came to the House at the same time—in the 92d Congress—and we served together on the District of Columbia Committee almost the entire length of his tenure in the House.

I valued his friendship and admired his strength of character, his integrity, and the determination he displayed in quietly discharging his official duties despite facing severe health setbacks.

Over the years, Stewart McKinney cast many courageous votes—one especially tough vote was his in favor of immigration reform legislation I began working on 6 years ago. But, if Stew felt the need to support a program, he would fight with a passion for those programs—like Community Development Block Grants, Urban Development Action Grants, and housing for the homeless—which have helped the disadvantaged and downtrodden citizens of our Nation's cities.

Our Nation has lost a respected public servant whose career and distinguished service to the people of his district and the country bring great honor to this House and all who may be privileged to serve here.

I extend my condolences and deepest sympathies to the McKinney family at this difficult time.

GENERAL LEAVE

Mr. GEJDENSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution presently under consideration.

The SPEAKER pro tempore (Mr. Pickle). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GEJDENSON. I thank my colleagues. I think it is appropriate, although not planned, as I quickly calculate that we had an equal number from both parties, again a testament to Stewart McKinney, a man from one political party who represented and fought for the things we all believed in.

The SPEAKER pro tempore (Mr. Pickle). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT

Mr. MORRISON of Connecticut. Mr. Speaker, I move that the House be now adjourned.

The motion was agreed to; accordingly (at 7 o'clock and 19 minutes p.m.) pursuant to House Resolution 161, and under its previous order, the House adjourned until tomorrow, Friday, May 8, 1987, at 10 a.m., in memory of the late Honorable Stewart B. McKinney.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1351. A letter from the Executive Associate Director, Office of Management and Budget, transmitting a report that the appropriation to the Department of Agriculture listed therein has been reapportioned on a basis that indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

1352. A letter from the Acting Secretary of the Army, transmitting a copy of the Department's determination that it is in the public interest to use other than competitive procedures for the procurement of the supplies described therein, pursuant to 10 U.S.C. 2304(c)(7); to the Committee on Armed Services.

1353. A letter from the Secretary of Health and Human Services, transmitting the second triennial report on drug abuse and drug research on the health consequences and extent of drug abuse, including recent findings on the health effects of marijuana, cocaine, and the addictive properties of tobacco, pursuant to 42 U.S.C. 290aa-4 (PHSA, sec. 505(b) (97 Stat. 178)); to the Committee on Energy and Commerce.

1354. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting notification of a proposed manufacturing license agreement for the production in Australia of AN/PPX-3B Interrogators for use by the armed forces of Australia and New Zealand (Transmittal No. MC-24-87), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

1355. A letter from the Secretary of Defense, transmitting the Department's views on recent congressional proposals concerning our bilateral relationship and security interests with the Republic of Turkey; to the Committee on Foreign Affairs.

1356. A letter from the Director, Office of Management and Budget, transmitting a draft of proposed legislation to extend and revise the authority of the President under chapter 9 of title 5, United States Code, to transmit to the Congress plans for the reorganization of the agencies of the executive branch of the Government; to the Committee on Government Operations.

1357. A letter from the Director, Office of Management and Budget, transmitting a copy of the report on the implementation by the Federal agencies and State and local governments of the Single Audit Act of 1984, for the period ending March 31, 1987, pursuant to 31 U.S.C. 7507; to the Committee on Government Operations.

1358. A letter from the Executive Director, Pennsylvania Avenue Development Corporation, transmitting the Corporation's report for calendar year 1986 under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1359. A letter from the Attorney General, Department of Justice, transmitting a report describing the status of the study to determine the employment eligibility of aliens, conducted in consultation with the Secretaries of Labor and Health and Human Services, Pursuant to Public Law 99-603; to the Committee on the Judiciary.

1360. A letter from the Secretary of Transportation, transmitting the 1987 annual report on highway safety improvement programs which discusses the progress and effectiveness of the hazard elimination and rail-highway crossing programs administered by the Fedeal Highway Administration, pursuant to 23 U.S.C. 152(g); Public Law 93-87, section 203(e); to the Committee on Public Works and Transportation.

1361. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report covering certain properties to be transferred to the Republic of Panama in accordance with the Panama Canal Treaty of 1977 and related agreements, pursuant to 22 U.S.C. 3784(b); jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

1362. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the collection of fees to reimburse the United States Travel and Tourism Administration, and for other purposes; jointly, to the Committees on Energy and Commerce, Public Works and Transportation, and Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DERRICK: Committee on Rules. House Resolution 160. A resolution providing for the consideration of H.R. 1748, a bill to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes. (Rept. 100-84). Referred to the House Calendar.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1444. A bill to amend titles XI, XVIII, and XIX of the Social Security Act to protect beneficiaries under the health care programs of that Act from unfit health care practitioners, and otherwise to improve the antifraud provisions relating to those programs. (Rept. 100-85, Pt. 1). Ordered to be printed.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 1659. A bill to amend title 38, United States Code, to increase the per diem rates for payments by the Veterans' Administration to States for domiciliary care and nursing home care provided to veterans in State homes, and for other purposes; with amendments (Rept. 100-86). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN (for himself, Mr. OWENS of New York, Mr. GRAY of Illinois, Mr. RAHALL, Mr. SOLARZ, Mr. SMITH of Florida, Mr. SCHEUER, Mrs. BOXER, Mr. FORD of Tennessee, Mr. FAUNTROY, Mr. MORRISON of Connecticut, Mr. LEVIN of Michigan, Mr. ECKART, and Mr. MARTINEZ):

H.R. 2308. A bill to protect consumers by prohibiting the sale in commerce of services when the limited availability of the services is not disclosed; to the Committee on Energy and Commerce.

By Mr. DE LUGO:

H.R. 2309. A bill to amend the Christopher Columbus Quincentenary Jubilee Act; to the Committee on Post Office and Civil Service.

By Mr. MINETA (for himself, Mr. HOWARD, Mr. HAMMERSCHMIDT, and Mr. GINGRICH):

H.R. 2310. A bill to amend the Airport and Airway Improvement Act of 1982 for the purpose of extending the authorization of appropriations for airport and airway improvements, and for other purposes; jointly, to the Committees on Public Works and Transportation and Science, Space, and Technology.

By Mr. DUNCAN:

H.R. 2311. A bill to amend the Internal Revenue Code of 1986 to provide that unearned income of a child attributable to damages received on account of personal injuries or sickness of the child shall not be taxed at the marginal rate of such child's parents; to the Committee on Ways and Means.

By Mr. FRANK (for himself, Mr. UDALL, Mr. MATSUI, Mr. STAGGERS, Mr. FROST, Mr. ACKERMAN, Mr. BOUCHER, Mr. DANIEL, Mr. SMITH of Florida, Mr. FAZIO, Mr. MORRISON of Connecticut, Mr. LEHMAN of California, Mr. BIAGGI, Mr. GLICKMAN, Mrs. SCHROEDER, Mr. MARKEY, Mr. BUSTAMANTE, Mr. FAUNTROY, Mr. MOAKLEY, Mr. HUGHES, Mr. LOWRY of Washington, and Mr. SOLARZ):

H.R. 2312. A bill to restore, on an interim basis, certain recently amended procedures for determining the maximum attorney's fees which may be charged for services performed before the Secretary of Health and Human Services under the Social Security Act and to require a report by the Secretary of Health and Human Services regarding possible improvements in such procedures; to the Committee on Ways and Means.

By Mr. GRADISON:

H.R. 2313. A bill to suspend until December 31, 1990, the duty on Teicoplanin; to the Committee on Ways and Means.

H.R. 2314. A bill to suspend until December 31, 1990, the duty on Ornithine; to the Committee on Ways and Means.

By Mr. GREEN:

H.R. 2315. A bill to amend the National Science Foundation Act of 1950 to provide for the continuing evaluation and improvement of curricula in the fields of mathematics, science, and technology, and for the continuing evaluation of developments in educational applications of new technologies; to the Committee on Science, Space, and Technology.

H.R. 2316. A bill to amend the Internal Revenue Code of 1986 to allow tenants of residential rental property a deduction for certain real property taxes; to the Committee on Ways and Means.

H.R. 2317. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to recognize as an exception to applicable antialienation and preemption provisions State court judgments, decrees, or orders recognizing or creating in the employer or assigning to the employer a right to an employee's accrued retirement benefit as an equitable remedy under State law for criminal fraud or theft; jointly, to the Committees on Education and Labor and Ways and Means.

By Mr. HAMMERSCHMIDT (for himself, Mr. GINGRICH, Mr. SHUSTER, Mr. STANGELAND, Mr. CLINGER, Mr. SUNIA, Mr. MOLINARI, Mr. SUNDQUIST, Mr. BOEHLERT, Mr. TOWNS, Mr. LIGHTFOOT, Mr. WISE, Mr. CHAPMAN, and Mr. ROBERTS):

H.R. 2318. A bill to amend the Federal Aviation Act of 1958 to extend the small community air service program; to the Committee on Public Works and Transportation.

By Mrs. LLOYD (for herself, Mr. JONES of Tennessee, Mr. COOPER, Mr.

Gordon, Mr. Boner of Tennessee, Mr. Sundquist, Mr. Boucher, and Mr. Duncan):

H.R. 2319. A bill to establish a contingency plan to enable the Government to fulfill its contractual commitments to accept title to, and responsibility for, spent nuclear fuel; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. MILLER of California (for himself, Mr. Atkins, Mr. Beilenson, Mr. Berman, Mrs. Boxer, Mr. DeFazio, Mr. Gejdenson, Mr. Green, Mr. Jeffords, Mr. Kildee, Mr. Kleczka, Mr. Kolter, Mr. McMillen of Maryland, Mr. Mrazek, Mr. Owens of New York, Ms. Oakar, Mr. Penny, Mr. Petri, Mr. Solarz, and Mr. Udall):

H.R. 2320. A bill to direct the Secretary of the Interior to improve management of ground water in the reclamation States; to the Committee on Interior and Insular Affairs.

By Mr. PANETTA:

H.R. 2321. A bill to amend section 810 of the Housing and Community Development Act of 1974, section 202 of the Housing Act of 1959, and section 8 of the United States Housing Act of 1937, to establish a special program for housing for the chronically mentally ill; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2322. A bill to amend titles XVI, XVIII, and XIX of the Social Security Act with respect to services and benefits for chronically mentally ill individuals; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. DAUB (for himself, Mr. Dorgan of North Dakota, Mr. Grandy, and Mr. Bereuter):

H.R. 2323. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain short-term loans; to the Committee on Ways and Means.

By Mr. ROSE (for himself, Mr. Boucher, Mr. Hatcher, Mr. Johnson of South Dakota, Mr. Jones of North Carolina, and Mr. Lancaster):

H.R. 2324. A bill to amend the Farm Credit Act of 1971 to provide Farm Credit System stockholder/borrowers with a multipoint program of relief and reform, and to assure the long-term health and stability of Farm Credit Banks and associations through local control; to the Committee on Agriculture.

By Mr. SMITH of Texas:

H.R. 2325. A bill to authorize the acceptance of a donation of land for addition to Big Bend National Park, in the State of Texas; to the Committee on Interior and Insular Affairs.

By Ms. SNOWE:

H.R. 2326. A bill to remedy the injury to the U.S. shoe industry caused by increased imports; to the Committee on Ways and Means.

By Mr. SOLOMON (for himself, Mr. Montgomery, Mr. Hammerschmidt, Mr. Edwards of California, Mr. Wylie, Mr. Applegate, Mr. Stump, Mr. Mica, Mr. McEwen, Mr. Dowdy of Mississippi, Mr. Smith of New Jersey, Mr. Evans, Mr. Burton of Indiana, Ms. Kaptur, Mr. Bilirakis, Mr. Penny, Mr. Ridge, Mr. Staggers, Mr. Rowland of Connecticut, Mr. Rowland of Georgia, Mr. Dornan of California, Mr. Bryant, Mr. Smith of New Hampshire, Mr. Gray of Illinois, Mr. Davis of Illinois, Mr. Kanjorski, Mr. Stenholm, Mr. Harris, Mr. Kennedy, Mrs. Patterson, Mr. Johnson of South Dakota, Mr. Jontz, Mr. Lewis of Florida, Mr. McCurdy, Mr. Annunzio, Mr. Horton, Mr. Chappell, Mr. McDade, Mr. Martin of New York, Mr. Fauntroy, Mr. Daniel, Mr. Yatron, Mr. Hefner, Mr. Obey, Mr. Sisisky, Mr. Leath of Texas, Mr. Perkins, Mr. Thomas of Georgia, Mr. Howard, Mr. Richardson, Mr. Coleman of Texas, Mrs. Lloyd, Miss Schneider, Mr. Nichols, Mr. DeFazio, Mr. Clarke, Mr. Derrick, Mr. Smith of Florida, Mr. Stangeland, Mr. St Germain, Mr. Parris, Mr. McCollum, Mr. English, Mr. Flippo, Mr. Jones of North Carolina, Mrs. Smith of Nebraska, Mr. Miller of Ohio, Mr. Kolter, Mr. Rahall, Mr. Kleczka, Mr. Durbin, Mrs. Morella, Mr. Manton, Mr. Oberstar, Mr. Lagomarsino, Mr. Torres, Mrs. Saiki, Mr. Boehlert, Ms. Slaughter of New York, Mr. McCloskey, Mr. Marlenee, Mr. Lancaster, Mr. Ortiz, Mr. Porter, Mr. Sikorski, Mr. Sweeney, Mr. Hochbrueckner, Mr. Holloway, Mr. de la Garza, Mr. Petri, Mr. Traficant, Mr. Dorgan of North Dakota, Mr. Wolpe, Mr. Wolf, Mr. Swindall, Mr. Wilson, Mr. Fuster, Mr. Lent, Mr. Oxley, Mr. Rogers, Mrs. Boxer, Mrs. Bentley, Mr. Ackerman, Mr. Williams, Mr. Molinari, Mr. McGrath, Mr. McHugh, Ms. Snowe, Mr. Sabo, Mr. Whittaker, Mr. Latta, Mr. Regula, Mr. Sundquist, Mr. Martinez, Mr. Hughes, Mr. Towns, Mr. Emerson, Mr. Slattery, Mr. Gallegly, Mr. Hutto, Mr. Stratton, Mr. Pepper, Mr. Fish, Mr. Torricelli, and Mr. Gallo):

H.R. 2327. A bill to amend title 38, United States Code, to ensure eligibility of certain individuals for beneficiary travel benefits when traveling to Veterans' Administration medical facilities; to the Committee on Veterans' Affairs.

By Mr. STENHOLM (for himself, Mr. Stangeland, Mr. Valentine, Mr. Bartlett, Mr. Dickinson, Mr. DeLay, Mr. Archer, Mr. Armey, Mr. Badham, Mr. Barnard, Mr. Barton of Texas, Mr. Bereuter, Mr. Bilirakis, Mr. Blaz, Mr. Bliley, Mr. Boulter, Mr. Broomfield, Mr. Brown of Colorado, Mrs. Byron, Mr. Callahan, Mr. Coble, Mr. Combest, Mr. Craig, Mr. Crane, Mr. Daniel, Mr. Dannemeyer, Mr. Dornan of California, Mr. Dreier of California, Mr. Edwards of Oklahoma, Mr. Emerson, Mr. Fawell, Mr. Frenzel, Mr. Gingrich, Mr. Hall of Texas, Mr. Hammerschmidt, Mr. Hansen, Mr. Hefner, Mr. Henry, Mr. Hopkins, Mr. Hunter, Mr. Hutto, Mr. Ireland, Mr. Jones of North Carolina, Mr. Kolbe, Mr. Leath of Texas, Mr. Lewis of Florida, Mr. Lightfoot, Mr. Lungren, Mr. McCandless, Mr. McCollum, Mr. McMillan of North Carolina, Mr. Montgomery, Mr. Moorhead, Mr. Nielson of Utah, Mr. Oxley, Mr. Packard, Mr. Parris, Mr. Porter, Mr. Ray, Mr. Roberts, Mr. Schaefer, Mr. Shaw, Mr. Shumway, Mr. Skeen, Mr. Slaughter of Virginia, Mr. Denny Smith, Mr. Smith of New Hampshire, Mr. Robert F. Smith, Mrs. Smith of Nebraska, Mr. Spence, Mr. Stump, Mr. Sundquist, Mr. Sweeney, Mr. Swindall, Mr. Tauke, Mr. Vander Jagt, Mrs. Vucanovich, Mr. Walker, Mr. Weber, Mr. Whittaker, and Mr. Wolf):

H.R. 2328. A bill to amend the Davis-Bacon Act and the Copeland Act to provide new job opportunities, effect significant cost savings on Federal construction contracts, promote small business participation in Federal contracting, reduce unnecessary paperwork and reporting requirements, clarify the definition of prevailing wage, and for other purposes; to the Committee on Education and Labor.

By Mr. TAUZIN:

H.R. 2329. A bill to provide for the settlement of the land claims of the Chitimacha Tribe of Louisiana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALGREN:

H.R. 2330. A bill to authorize appropriations to the National Science Foundation for the fiscal year 1988, and for other purposes; to the Committee on Science, Space and Technology.

H.R. 2331. A bill to suspend until January 1, 1990 the duty on certain carbodiimides; to the Committee on Ways and Means.

By Mr. de la GARZA (for himself and Mr. Madigan):

H.J. Res. 270. Joint resolution to recognize the 125th anniversary to the U.S. Department of Agriculture; to the Committee on Agriculture.

By Mr. BEILENSON (for himself, Mr. Atkins, Mrs. Boxer, Mr. Crockett, Mr. DeFazio, Mr. de Lugo, Mr. Espy, Mr. Jacobs, Mrs. Johnson of Connecticut, Ms. Kaptur, Mr. Lipinski, Mr. Mfume, Mr. Mrazek, Mr. Oberstar, Mr. Owens of New York, Mr. Smith of Florida, Mr. Solarz, Mr. Whittaker, and Mr. Wilson):

H.J. Res. 271. Joint resolution authorizing and directing the President to call upon radio and television broadcasters, to educate, in cooperation with public health organizations, the public about the dangers of cigarette smoking; to the Committee on Energy and Commerce.

By Mr. ROEMER (for himself, Mr. Anthony, Mr. Bevill, Mr. Boner of Tennessee, Mr. Blaz, Mr. Borski, Mr. Boucher, Mrs. Boxer, Mr. Conyers, Mr. Dornan of California, Mr. Espy, Mr. Fauntroy, Mr. Fazio, Mr. Garcia, Mr. Gray of Illinois, Mr. Gray of Pennsylvania, Mr. Hefner, Mr. Hoyer, Mr. Hutto, Mr. Kostmayer, Mr. Lagomarsino, Mr. Lipinski, Mr. Mrazek, Mr. Neal, Mr. Smith of Florida, Mr. Stump, Mr. Visclosky, and Mr. Wolf):

H.J. Res. 272. Joint resolution designating the week of April 24, 1988, through April 30, 1988, as "National Eating Disorders Awareness Week"; to the Committee on Post Office and Civil Service.

By Mr. SCHUMER (for himself and Mr. Vento):

H.J. Res. 273. Joint resolution proposing an amendment to the Constitution of the United States relative to contributions and expenditures intended to affect congressional, and Presidential elections; to the Committee on the Judiciary.

By Mr. MONTGOMERY:

H. Con. Res. 118. Concurrent resolution expressing the sense of the Congress with respect to relations between Vietnam and the United States; to the Committee on Foreign Affairs.

By Mr. GEJDENSON:

H. Res. 161. Resolution expressing the condolences of the House on the death of Representative McKinney of Connecticut; considered and agreed to.

MEMORIALS

Under clause 4 of rule XXII.

64. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to air traffic control facilities at Whiteman Airport; to the Committee on Public Works and Transportation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GRADISON:

H.R. 2332. A bill for the relief of Wieslaw Kujda; to the Committee on the Judiciary.

By Mr. PORTER:

H.R. 2333. A bill for the relief of Rocene Dumlao; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. Bustamante and Mr. Mfume.

H.R. 65: Mr. English, Mr. Wilson, Mr. Savage, Mr. Moakley, Mr. Tallon, Mr. Bustamante, Mr. Dwyer of New Jersey, Mr. Kolter, Mr. Martinez, Mr. Scheuer, and Mr. Wolpe.

H.R. 176: Mr. Edwards of California.

H.R. 382: Mr. Lipinski, Mr. DeFazio, Mr. Hatcher, and Mr. Wolpe.

H.R. 385: Mr. Vander Jagt.

H.R. 388: Mr. Holloway, Mr. Madigan, Mr. Bevill, and Mr. Schuette.

H.R. 442: Mr. Bereuter.

H.R. 570: Mr. Duncan.

H.R. 618: Mr. Schumer.

H.R. 645: Mr. Mollohan.

H.R. 758: Mr. Mack.

H.R. 762: Mr. Atkins and Mr. Foglietta.

H.R. 778: Mr. McCollum and Mr. Boulter.

H.R. 916: Mr. Hansen, Mr. Bennett, Mr. Livingston, Mr. Denny Smith, Mr. McEwen, Mr. Bilirakis, Mr. Wilson, Mr. Huckaby, and Mr. McCollum.

H.R. 924: Mr. Edwards of California.

H.R. 954: Mr. Tallon.

H.R. 1002: Mr. Clay.

H.R. 1076: Mr. Howard.

H.R. 1176: Ms. Kaptur, Mr. Jeffords, Mr. Roe, Mr. Solomon, Mr. Lewis of Georgia, Mr. Atkins, Mrs. Bentley, Mr. Lagomarsino, Mr. Garcia, Mr. Fascell, Mr. DeFazio, Mr. Fazio, Mrs. Boxer, Mr. Towns, Mr. McCollum, and Mr. Davis of Michigan.

H.R. 1177: Ms. Kaptur, Mr. Jeffords, Mr. Roe, Mr. Lagomarsino, Mr. DeFazio, Mr. Fascell, and Mrs. Boxer.

H.R. 1186: Mr. Russo, Mr. Gekas, and Mr. McEwen.

H.R. 1373: Mr. Hiler and Mr. Mineta.

H.R. 1425: Mr. Dymally.

H.R. 1517: Mr. Fawell, Mr. Lipinski, Mr. McCollum, Mr. Ballenger, and Mr. Molinari.

H.R. 1546: Mr. Sawyer, Mr. Hayes of Illinois, and Mr. Fish.

H.R. 1604: Mr. Evans and Mr. Ridge.

H.R. 1659: Mr. Edwards of California, Mr. Wylie, Mr. Applegate, Mr. Stump, Mr. Mica, Mr. McEwen, Mr. Dowdy of Mississippi, Mr. Smith of New Jersey, Mr. Evans, Mr. Burton of Indiana, Ms. Kaptur, Mr. Bilirakis, Mr. Rowland of Georgia; Mr. Ridge, Mr. Bryant, Mr. Rowland of Connecticut, Mr. Florio, Mr. Dornan of California, Mr. Kanjorski, Mr. Smith of New Hampshire, Mr. Robinson, Mr. Stenholm, Mr. Harris, Mr. Kennedy, Mrs. Patterson, Mr. Johnson of South Dakota, Mr. Jontz, Mr. Donnelly, Mr. McCloskey, Mr. Frank, Mr. Fazio, Mr. Dwyer of New Jersey, Mr. Fauntroy, Mr. Kolter, and Mr. Schuette.

H.R. 1699: Mr. Lowery of California, Mr. Bosco, Mr. Bates, Mr. Lungren, Mr. Lagomarsino, Mr. Martinez, Mr. Dellums, Mr. Hawkins, Mr. Badham, Mr. Dannemeyer, Mr. Hunter, Mr. Lewis of California, Mr. Waxman, Mr. Dornan of California, Mr. Berman, Mr. Dixon, and Mr. Roybal.

H.R. 1716: Mr. Gonzalez, Mr. Campbell, Mr. Biaggi, Mr. Lantos, Mr. Crockett, Mr. Hawkins, Mr. Eckart, and Mr. Mfume.

H.R. 1717: Mr. Hochbrueckner, Mr. Blaz, Mr. Gordon, Mr. Fuster, Mr. Kleczka, Mr. Hayes of Illinois, Mr. Wortley, Mr. Guarini, Mr. Kastenmeier, Mr. Donnelly, Mr. St Germain, Mrs. Bentley, Mr. Fauntroy, Mr. Mrazek, Mr. Wilson, Mr. Garcia, Mr. Gejdenson, Mr. Horton, Mr. Lehman of Florida, Mr. Gonzalez, Mr. Neal, Mr. Gunderson, Mr. Hall of Texas, Mr. Chapman, Mr. Levin of Michigan, Mr. Porter, Mr. Murphy, Mr. Sensenbrenner, Mr. Henry, Mr. Towns, Mr. Vento, Mr. Bevill, Mr. Kildee, Mr. Price of Illinois, Mr. Biaggi, Mr. Sunia, Mr. Mineta, Mr. Lott, Mr. Traxler, Mr. Solarz, Mr. Smith of Florida, Mr. Roe, Mr. Lancaster, Mr. Pepper, Mr. Grant, Mr. McCollum, Mr. Mavroules, Mr. Fish, Mr. Owens of New York, Mr. Dowdy of Mississippi, Mr. Nelson of Florida, Mr. Pashayan, Mr. Eckart, Mr. Ireland, Mr. Pursell, Mr. Sikorski, Mr. Fascell, Ms. Kaptur, Mr. Pickle, Mr. Lewis of Florida, Mr. Frank, Mr. Rose, Mr. Cardin, Mr. Shaw, Mr. Livingston, Mr. Atkins, Mr. Martinez, Mr. Price of North Carolina, Mr. Badham, Mr. Akaka, Mr. Derrick, Mr. Spence, Mr. Schuette, and Ms. Slaughter of New York.

H.R. 1734: Mr. Towns, and Mr. Foglietta.

H.R. 1819: Mr. Martinez.

H.R. 1820: Mr. Martinez.

H.R. 1821: Mr. Martinez.

H.R. 1934: Mr. Callahan, Mr. Coleman of Missouri, Mr. Cooper, Mr. Torres, Mr. Madigan, Mr. Akaka, Mr. Lipinski, Mr. Hayes of Illinois, Mr. Daub, Mr. Sundquist, Mr. Solarz, Mr. Wise, Mr. Weiss, Mr. Hochbrueckner, Mr. Levine of California, Mr. Synar, Mr. Schuette, Mr. Bustamante, Mr. Martinez, Mr. Vento, Mr. Owens of New York, Mr. Dyson, Mr. Hughes, Mr. Scheuer, Mr. DeFazio, Mr. Wolpe, and Mr. Buechner.

H.R. 2036: Ms. Oakar, Mr. Atkins, Mr. Foglietta, and Mr. Wolpe.

H.R. 2062: Mrs. Collins.

H.R. 2070: Mr. Clinger, Mr. Bonior of Michigan, and Mr. McKinney.

H.R. 2132: Mr. Burton of Indiana, Mr. Livingston, Mr. Dornan of California, and Mr. Bliley.

H.R. 2144: Mr. Martinez, Mr. Darden, Mr. Dannemeyer, Mr. Torricelli, Mr. Wilson, Mr. Dornan of California, Mr. McGrath, Mr. Davis of Illinois, Mr. Lungren, and Mr. Barton of Texas.

H.R. 2202: Mr. Bateman, Mr. Lent, and Mr. Eckart.

H.R. 2249: Mr. Burton of Indiana, Mr. Fascell, Ms. Kaptur, Mr. Moakley, Mr. Kolter, Mr. Sabo, Mr. Borski, Mrs. Bentley, Mr. Towns, and Mr. Rodino.

H.R. 2260: Mr. Madigan and Mr. Neal.

H.J. Res. 25: Mr. Gejdenson.

H.J. Res. 58: Mr. Courter and Mr. Conte.

H.J. Res. 178: Mr. Morrison of Washington, Mr. Stallings, and Mr. Volkmer.

H.J. Res. 206: Mr. Fish, Mr. McGrath, Mr. Frost, Mr. Hayes of Louisiana, Mr. Kanjorski, Mr. McMillen of Maryland, and Mr. Mrazek.

H.J. Res. 221: Mr. Towns, Mr. Campbell, Mrs. Martin of Illinois, and Mr. Clinger.

H. Con. Res. 19: Mr. Bilbray.

H. Con. Res. 35: Mr. Schuette.

H. Con. Res. 43: Mr. Stark, Mr. Kostmayer, Mr. Roe, Mr. Gray of Illinois, Mr. Lipinski, Mr. Howard, Mr. Berman, Mr. Sabo, Mr. Udall, Mr. Frank, Mr. Boulter, Mr. Smith of Florida, Mr. Ackerman, Mr. Mrazek, Mr. Towns, Mr. Wilson, Mr. Kleczka, Ms. Kaptur, Mr. Oberstar, Mr. de la Garza, Mr. Scheuer, Mr. Espy, Mr. Gray of Pennsylvania, Mr. Fazio, Mr. Torres, Mr. Wolpe, Mr. Hayes of Illinois, and Mr. Edwards of California.

H. Con. Res. 99: Mr. Bereuter.

H. Con. Res. 109: Mr. Martinez, Mr. Torricelli, Mr. Dornan of California, Mr. McGrath, Mr. Davis of Illinois, Mr. Lungren, and Mr. Barton of Texas.

H. Con. Res. 113: Mr. Leach of Iowa, Mr. Crockett, Mr. Lagomarsino, Mr. Lowry of Washington, and Mr. Fuster.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1425: Mr. Kolter.

PETITIONS, ETC.

Under clause 1 of rule XXII.

38. The SPEAKER presented a petition of the United Ceba USAFFE Veterans Council Ginatilan Post, Ginatilan, Cebu, Philippines 6426, relative to a monumental landmark; which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

U.S. AUTO INDUSTRY

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GORDON. Mr. Speaker, on Tuesday, May 5, the Congressional Automotive Caucus hosted a luncheon featuring Marvin T. Runyon, president and chief executive officer of Nissan Motor Manufacturing, U.S.A., as its guest speaker.

Mr. Runyon's speech provided a rare opportunity for members of the Congressional Automotive Caucus to gain some candid insights and assessments of the challenges facing the U.S. auto industry from one of its most respected colleagues.

Beginning his career over 40 years ago on a Ford chassis assembly line in Dallas, Mr. Runyon retired in 1980 as Ford's vice president for body and assembly operations. In that same year, he assumed his present position at Nissan and has overseen the development of the most sophisticated and automated car manufacturing facility in the world. In 1984, Fortune magazine listed Nissan as one of the best managed factories in America.

Mr. Speaker, I wish to share with my colleagues Mr. Runyon's remarks:

REMARKS TO THE CONGRESSIONAL AUTOMOTIVE CAUCUS

I appreciate this opportunity to visit with you today in this informal setting. I've testified before Congress several times, and I've always come away a little frustrated by the limits on dialogue. I hope we can expand the dialogue this afternoon.

I'll talk today about several issues I expect are on your minds—auto imports, trends in the auto industry including foreign investment, and what's happening in the auto parts industry. I expect what I have to say will be a little different from what you usually hear. Afterwards, I hope we can talk candidly about whatever is on your minds.

AUTO IMPORTS

I'd like to start with the trade deficit and auto imports. It's certainly true that automotive imports are a big part of the deficit. The important question, of course, is how do we deal with the deficit—and I believe there's only one way . . . we must produce our way out of it—by becoming more competitive, by curbing our appetite for imports, and by getting serious about exports.

Other ways of dealing with the trade deficit—like the VRA on autos and the Gephardt amendment—would have the same effect as squeezing a balloon. If you squeeze out imports from Japan or imports of autos, the deficit will just bulge out somewhere else. It might benefit the auto industry for awhile, but it won't affect the deficit.

A perfect example of a bulge in the balloon, by the way, is the Korean Hyundai, the car that set all kinds of first-year sales records. The Hyundai was no miracle—it was the inevitable result of the VRA, which pushed the Japanese upscale to compete with higher priced U.S. cars and left a vacuum at the low end of the market that sucked the Koreans in. Anyone who takes credit for the VRA has to take credit for the success of the Hyundai too.

When I hear Detroit bemoaning the trade deficit and pointing to how big a part of it autos are, I can't help but think that they are responsible for that part of it . . . and I can't help but ask myself what they are doing about it.

No one twists the arms of consumers to buy imported autos. No one forces Detroit to import cars from Japan, Korea, and Mexico and sell them under their own nameplates. And no one forces Detroit to raise their prices when import prices go up. If Detroit built more competitive products instead of importing them, and took advantage of the dollar's fall to hold prices rather than raise them, consumers would buy fewer imports. That would help the deficit.

Exporting autos would help the trade deficit too. I don't understand why no one expects our auto companies to be exporters. They are such a big part of the problem . . . they should be a bigger part of the solution. They virtually ignore the second largest auto market in the world—Japan. Nothing stands in the way of their competing in Japan. Detroit's complaints about Japanese standards are a smoke screen so thin they should be embarrassed to hide behind it. Did they cut prices in Japan when the dollar fell? GM did . . . but Ford and Chrysler did little or nothing.

Instead of taking responsible action, they try to shift responsibility to Government. They come to Washington with bad advice. Ford says pressure the Japanese to cut the VRA back by 600,000 units. Chrysler says enact the Gephardt amendment. That won't help the deficit or make our industry competitive. The only force that breeds competitiveness is competition—the discipline of the market. It's clear they don't like that discipline.

What I find amazing is how two companies that earned more than $14 billion in profits in the last three years (and one that set a record $1.5 billion profit for the first quarter of this year), all the while raising prices, can possibly demand that you protect them from competition. If they were really concerned about the trade deficit, and if they were really serious about getting competitive, they'd be doing things a little differently.

WHERE WE'RE HEADING

Let me step back for a moment to talk about the implications of "getting competitive" and the implications of several clear, and essential, trends in the auto industry. We've seen a lot of change in the auto industry in recent years and our companies have made some progress. But we're going to have to see a lot more change if the industry is ever to become truly competitive—and survive.

The bottom line is that there will be substantially fewer jobs in the U.S. automotive industry in the future. People try to blame this on imports and what some call "transplants," but it just isn't that simple. Two more fundamental factors are at work: the abandonment of vertical integration and the drive for productivity.

The U.S. auto industry is too vertically integrated. GM is at 70 percent; Ford is at 50 percent; and Chrysler is at 35 percent. By comparison, most Japanese companies are at 20 to 25 percent.

Vertical integration is an outdated way of making cars. It requires the manufacturer to design the product, including its parts, almost totally. Then the manufacturer goes to his suppliers, inside or outside of the company, and gives them the designs. The suppliers then have to adapt their systems to the design. But they can't just rely on the designs they receive; they have to have their own design departments check them thoroughly. That's a costly and inefficient system.

In Japan, things work differently. A manufacturer designs the vehicle and then calls in suppliers and gives them the freedom to design parts to fit the basic design. It lets the people who are expert in one thing do their job, and those who know how to do something else do that job. It's a much better system.

As this reality is accepted, U.S. auto manufacturers will source more and more parts outside their companies. This will lead to two important trends. One is a decline in jobs in the auto companies themselves. The other is tremendous opportunities for auto supplier firms. Many new supplier jobs and a lot of new supplier companies will be created.

Those new supplier jobs may not be in the United States, though. And some of the new supplier companies that are in the United States may be foreign-owned. As auto companies look for suppliers, they will look for companies that can give them three things: The highest quality . . . the best price . . . and the most reliable delivery. National origin and ownership won't be considered. If our auto companies are ever going to be competitive, they won't have the luxury of considering non-economic criteria as they make their sourcing decisions. No auto company can afford to operate that way. As long as foreign manufacturers deliver products of lower cost and higher quality than U.S. suppliers, the business will go overseas.

The second factor at work is the drive to increase productivity; that is, to increase output with constant or fewer inputs. I came across an example of this just last week. The president of a stamping company told me how he is building three press lines in Kentucky to replace six press lines in Pennsylvania. It will take 300 fewer people to run the new press Lines . . . and the new lines will produce many more parts than the old one.

This kind of thing must happen for our industry to become competitive. And as it happens, companies will have to cut back their numbers of employees in order to survive.

What our auto companies have already gone through and will continue to go through reflects the fact that they failed over many years to recognize this reality. For many years, our industry increased productivity year after year, and labor contracts provided for automatic, annual wage increases for productivity improvements year after year. That's fine—but one part of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the equation was missing: people weren't let go. Labor contracts made work rules more restrictive and protective and resulting higher costs were just passed on to consumers. The system worked as long as our market tolerated an oligopoly. When the market changed in the late 1970s, the game was over and adjustment could no longer be avoided. But old habits die hard, and painfully.

Unfortunately for us all, when you lose competitiveness, you end up going through what economists call adjustment. Plants shut down, people lose their jobs, and communities hurt. And people come to you to stop the pain. You can—or at least you can try—but you can do it only at the cost of slowing the restoration of competitiveness.

The only answer is that we must facilitate change, not stand in its way. We must better educate and train our employees, make our society more mobile and responsible, and equitably share the burdens of adjustment. We must make companies and workers understand that they cannot rely upon Government to preserve the present or recapture the past. They must look primarily to themselves—to what they need to do to become competitive—to solve their problems.

FOREIGN INVESTMENT IN THE AUTO INDUSTRY

Let me try to relate what I've been saying about getting competitive to the issue of foreign investment in the auto industry. It's very relevant. Suddenly, a lot of questions are being raised about it. "Overcapacity" is the watchword.

I think overcapacity is a misused concept. It really doesn't matter how many of something you can build if there's no market for them. If I had the capacity to build 100 or a million buggy whips, it wouldn't mean anything, except that I would be soon out of business.

What counts is competitive capacity—the capacity to produce what consumers want. If we had overcapacity of that sort, you would see car prices falling, imports declining, and new investment falling off. That's what overcapacity means, and we don't have it. In fact, we're undercapacity. We've got increasing car prices, rising imports, and billions of dollars in new investments, by domestic and foreign companies. And we're not ever going to get competitive in the auto industry and the auto parts industry in this country without that investment, both foreign and domestic.

You may be thinking that you'd be delighted to see foreign investment in the United States auto industry if only the U.S. content of the vehicles built by Japanese subsidiaries were higher. Let me tell you where we are and where we're going in this area. We started at 38 percent overall U.S. content four years ago. We're now at 58 percent. You want to know about parts, I expect. We're at 37 percent U.S. parts and we're moving to 45 percent in the coming months. The fall of the dollar gets the credit for that. I expect we'll be at 60 percent U.S. parts content within two years. I think that means we'll match or exceed the U.S. content of the Big Three by then.

THE AUTO PARTS ISSUE

Let me tell you what we've found about the competitiveness of the U.S. auto parts industry. There are basically three groups of parts companies. There are companies that are striving for and achieving excellence. We've found 104 of them; some are constituents of yours. We're looking hard for more. These companies are competitive, and they are going to survive and prosper.

There's a second group of companies we feel have potential to be competitive, but we—and in some cases they—don't know whether they're going to make it. Then there's a third group that's not going to make it unless government intervenes on their behalf. In some cases, their management has done poorly at looking ahead and planning for the future. In other cases, management and workers have been unwilling to make the necessary changes in how they operate to enable them to compete. These companies are going to be casualties of the painful adjustment process I talked about.

I've heard a lot of talk about some U.S. suppliers complaining that they can't get in the door to bid on the business of companies like mine. I can't speak for any company but my own—but I say it's bunk. I'm tired of listening to it. Perhaps you are too. Maybe together we can do something about it.

I've brought some business cards with me today. I hope you'll take one and keep it handy. The next time an auto parts company comes in and tells you they can't do business with my company, pick up the telephone and call me. I'll personally find out what the story is, and we'll see if we can't straighten it out.

Only one thing. Don't call on behalf of suppliers who tell you they sell to the Big Three and can't figure out why they can't sell to us. Those credentials alone won't cut it with us. Companies wanting to supply us have got to meet our specifications and quality demands.

I'd like to conclude by recommending a new book for you to read. It's entitled "Changing Alliances," and its a report of a Harvard research project about what's happening in the auto industry today. The authors believe that American manufacturers face three options.

One is to ignore or resist change. Detroit tried this for a time . . . and it's still not clear that they've completely abandoned this strategy.

The second is to insist that our foreign competitors change the way they do business. We've engaged in this crudely from time to time in "Japan bashing" and in more sophisticated ways through negotiations such as Moss. There are real limits to what this approach can accomplish.

The third option is for us to change. It's the most difficult. It's also the only one that offers American manufacturing a future. Companies and workers that adapt and adjust to change will flourish. Those that can't . . . or won't . . . will not.

I suspect I've said a few things you may have some questions about and I'd be happy to try to answer them.

H.R. 2251

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. PETRI. Mr. Speaker, last week, I introduced H.R. 2251 to correct an absurd IRS interpretation of the treatment of preproductive expenses under the Tax Reform Act of 1986.

Prior to passage of the Tax Reform Act, livestock producers could deduct the expenses for raising animals as they were incurred. The Tax Reform Act of 1986 limits these deductions to those animals held less than 2 years before becoming productive. The new procedures for capitalizing expenses for livestock held longer than 2 years require a lot of burdensome recordkeeping for the producer.

As the IRS moved to implement the new law, the question arose as to when to start the 2-year timeclock. The IRS decided to start it running from the date of conception, not from birth. I can't imagine that was the intent of Congress, nor can I imagine that the IRS would want to carry over the same principle into other areas, such as the effective date for claiming personal exemptions for human babies.

This ruling does not affect producers of most types of livestock because they are generally brought into production—or sold for slaughter—well within the 2-year timeframe. However, dairy cattle and horses are the exceptions. Most dairy farmers, for example, raise their own heifers for milking stock. Dairy cows are generally brought into production within 2 years from the date of birth, not the date of the conception which is 9 months earlier.

My bill would correct this absurdity by requiring the IRS to start the timeclock at the date of birth, not the date of conception. In this way, dairy farmers and horse breeders will not have to be burdened with excessive recordkeeping requirements, and the IRS will be spared from dangerous extensions of its new principle.

I urge my colleagues to join me in cosponsoring this bill.

NEGOTIATIONS ON A CHEMICAL WEAPONS BAN

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. MURTHA. Mr. Speaker, I received the following letter from the Honorable George P. Shultz, Secretary of State:

DEAR JACK: I am writing in response to your letter of April 22 in which you requested my judgment as to the status of the negotiations on a chemical weapons ban and the impact on the negotiations should the Congress eliminate funding for the US CW modernization program this year.

Over the past year we have seen a steady evolution in the Soviet CW stance. In both the CW negotiations at the Geneva Conference on Disarmament and in the intensified U.S./Soviet bilateral discussions on treaty-related issues agreed upon by the President and General Secretary Gorbachev at their November 1985 meeting, the Soviets have moved toward U.S. positions. Since the November 1985 Summit, we have had five rounds of bilateral discussions on a CW ban, and we anticipate a sixth round early this summer. These talks have been constructive.

Once the Soviets saw that the U.S. was serious about acquiring an adequate deterrent capability, the Soviet position began to take on an air of realism. For example, this March they finally acknowledged—after more than ten years of negotiations—that the Soviet Union is a chemical weapons state. Just before my visit to Moscow earlier this month, Gorbachev announced in

Prague that the U.S.S.R. is constructing a facility for destroying chemical weapons. In Moscow, Foreign Minister Shevardnadze agreed to a U.S. proposal for an exchange of visits by U.S. and Soviet experts to our respective CW destruction facilities. On more technical points, the new Soviet posture has facilitated progress in a number of areas, such as the early declaration of CW production facilities and the verification of the elimination of these facilities. The Soviets have also agreed to declaration of the location of their stocks soon after a convention would enter into force.

While the past year of multilateral negotiations and bilateral talks on a CW ban has been characterized by measurable progress in a number of areas, substantial work remains. On challenge inspection, the Soviets have not agreed to mandatory inspection in cases involving suspected undeclared stocks and production facilities. On exchange of data, the Soviets have neither agreed to such an advance exchange nor followed our example of unilateral disclosure of information about CW capabilities. We hope they will come to the negotiating table this summer with revised instructions on these unresolved issues.

Our judgment is that the elimination of funding for the U.S. chemical modernization program could cause a significant setback in the negotiating process. It was only after we made clear that we would no longer tolerate a situation wherein our CW stockpile continued to deteriorate as the negotiations dragged on, that the Soviet position began to change. We believe that our binary modernization decision has provided a useful incentive to the Soviets to negotiate somewhat more productively. Finally, I would just note how feeble is the Soviet assertion that binary production would complicate the negotiations. We have made clear all along that if a verifiable CW convention is achieved, all our CW—including binaries—would ultimately be eliminated. They understand this perfectly.

Sincerely yours,

George P. Schultz.

Mr. Speaker, this letter from Secretary Schultz communicates some apprehension that I share; if we vote for the Fascell and/or Porter amendments, we torpedo the current negotiations and lose our chance of getting rid of chemical weapons.

The previous two Congresses moved the talks off dead center with their votes for a deterrent in fiscal year 1986 and fiscal year 1987. We should continue the process and vote against the Fascell and Porter amendments.

MOUNT ZION HIGH SCHOOL SWINGSATIONS

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. DURBIN. Mr. Speaker, I would like to share with my colleagues a sample of excellence from our Nation's youth. Putting aside my local bias, it may be hard to find a group of more talented singers, dancers and musicians than the Mount Zion High School Swingsations. These young entertainers have delighted audiences through the Midwest and have brought home trophies and awards from as far away as Hollywood, CA.

In a benefit concert recently, the Swingsations enchanted a local audience in Taylorville, IL. Their attention to perfection in vocal excellence and showmanship once again was a hallmark of their performance. They are now headed toward their final show of the 1986-87 season on May 22 when the Swingsations will present their Spring Concert at the Mount Zion High School Gym.

I want to take this opportunity to salute the talented seniors who will be leaving the Swingsations this year. They can be proud of a stunning record of performances including winning the Grand Championship title 2 years in a row at the National Show Stoppers Invitational in Chicago; the 1985 Grand Championship Award in the Young Americans National Show Choir Competition in Hollywood; and the 1986 Grand Champion Trophy plus Outstanding Swing Choir—Show Category and Vocal Category—at the Bishop Lueres Competition in Fort Wayne, IN.

The remaining Swingsations are fortunate to study and learn under Director Roberta Vest and Choreographer Dwight Jordan. Director Vest has taught at Mount Zion schools for 14 years after graduating from Millikin University in Decatur, IL. At Mount Zion schools, Ms. Vest has developed a number of choirs and originated the Swingsations in 1977. Ms. Vest has been a clinician and guest director at numerous colleges and universities and in 1982 was nominated for the Mary Kooynmian Award as "Illinois Gifted Teacher of the Year."

Choreographer Jordan is also a graduate of Millikin University where he received his degree in music education. He is currently codirector of Showchoir Camps of America which has camps in three States where students from throughout the United States receive training in singing and dancing. Mr. Jordan also is stage director and choreographer for the nationally-syndicated "Miss National Teen-Ager Pageant."

Mr. Speaker, It is an honor for me to have this opportunity to draw attention to the Mount Zion Swingsations. Mount Zion residents and indeed Illinois can be very proud of these young and talented singers, dancers and musicians. Under the leadership of Roberta Vest and Dwight Jordan, they have reached for perfection and on May 22, 1987, local Mount Zion residents will be able to once again acclaim what many have already acknowledged, that these young performers have indeed reached perfection.

SUPPORT TAX AMNESTY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BIAGGI. Mr. Speaker, an article recently appeared in the Higher Education and National Affairs newsletter supporting a Federal tax amnesty. James P. Angelini, assistant professor of accounting at the University of Rhode Island declared that the Federal Government should institute a tax amnesty program to restore to the tax rolls citizens who have evaded paying income taxes.

I have authorized legislation, H.R. 301, to provide a one-time, 6-month national tax amnesty program. The program would provide immunity from all civil and criminal penalties, as well as 50 percent of the interest penalty, in exchange for a full repayment of all unpaid taxes and the remaining interest penalty. I urge my colleagues to read the following article, and more importantly, to give the idea of a tax amnesty program their full consideration.

As Professor Angelini so astutely states, "people feel that tax evasion is a victimless crime. Tax evasion is a disease, one that seems to be tolerated by its victims, the honest taxpayers of this country."

PROFESSOR SUPPORTS FEDERAL TAX AMNESTY

The federal government should institute a tax amnesty program to restore to the tax rolls citizens who have evaded paying income taxes, says James P. Angelini, assistant professor of accounting at the University of Rhode Island. Such a program could collect between $12 billion and $38 billion in unpaid taxes, he says.

"The United States has one of the highest [tax] compliance rates of any country in the world," Angelini said. "However, this advantage has been steadily diminishing over the past 40 years. The rate of noncompliance with our tax laws seems to be growing and estimates of the magnitude of the problem vary considerably."

Some economists estimate that as much as $500 billion in income each year is not reported to the Internal Revenue Service (IRS). IRS officials say the figure is lower—ranging from $100 billion to $150 billion each year, Angelini said.

Tax amnesty is a voluntary disclosure program that waives criminal prosecution and penalties for tax evasion if the taxpayer comes forward and pays the uncollected taxes.

Such programs have been successful in the state, Angelini said. Eighteen states have started tax amnesty programs in the past three years. New York raised $334 million during a three-month program; California and Illinois each have collected about $150 million. "A federal amnesty program will help the country address the serious problem of tax evasion and remind citizens of their moral obligation to pay taxes," Angelini said." People feel that tax evasion is a victimless crime. Tax evasion is a disease, one that seems to be tolerated by its victims, the honest taxpayers of this country.

GREEK INDEPENDENCE DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. ANNUNZIO. Mr. Speaker, on March 25, 1821, 166 years ago, the people of Greece declared their independence, and with a series of uprisings against their Turkish oppressors, began their long and difficult struggle to become a free nation.

Although the Ottoman Turks had dominated Greek lands since the 1300's, a Greek national revival developed during the 1700's which led to an end to Turkish rule. Inspired by the American experience, the Greeks' desire for independence was strengthened by the country's greater prosperity and education. In 1814, Greek merchants formed a secret organization, the Philike Hetairia, the Society of Friends, and a conspiracy was carefully planned which evolved into a general uprising of all Greek inhabitants of the European section of the Turkish Sultan's Empire.

Seven years later, in 1821, a full-scale revolution broke out, achieving notable successes, as Greek nationalist fighters swept down from the mountains and defeated the Turks in Peloponnesus, in Rumely in central Greece, and on many islands in the Aegean Sea. The Greeks heroically held out against repeated Turkish attacks to regain these regions.

Against overwhelming odds, the Greeks courageously fought for 8 continuous years, and on October 20, 1827, at the battle of Navarino, the Turkish fleet was soundly defeated and destroyed by the combined elements of British, French, and Russian navies.

This victory gave the Greeks additional incentives in their fight against Turkish oppression, and after many years of conflict and struggle, on September 14, 1829, the Turks were forced to recognize Greek sovereignty and independence at a conference in Adrianople.

Mr. Speaker, the civilization which flourished in Athens in the millenium before the birth of Christ gave rise to the democratic principles which we cherish in the free world today, and Greek philosophy, art, literature, and science have had a lasting impact on Western civilization. Greece's golden age truly left a rich legacy which has helped to shape our own traditions, and Greek immigrants who have come to American shores have contributed mightily to our national life. The ties of friendship that have linked our two nations over the decades have grown stronger and we have stood together as allies in war and peace.

It is a pleasure, therefore, to extend greetings to Americans of Greek descention the 11th Congressional District of Illinois which I am honored to represent, and Greek-Americans throughout this Nation, on the occasion of Greek independence—an inspiring event in the history of freedom, and to recall a century and a half of genuine and lasting friendship between the people of America and the people of Greece.

CRIMINAL MISCONDUCT DOES NOT PROVIDE AN EXCEPTION TO ERISA'S ANTI-ALIENATION PROVISION

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GREEN. Mr. Speaker, today I introduced legislation that would amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to recognize as an exception to applicable anti-alienation and preemption provisions State court judgments, decrees, or orders recognizing or creating in the employer or assigning to the employer a right to an employee's accrued retirement benefit as an equitable remedy under State law for criminal fraud or theft.

I feel that this legislation is needed in light of a recent court case concerning an employee's pension. Briefly, an employee of Bache & Co. elected to participate in the company's pension plan and obtained a vested interest therein of approximately $170,000. In early 1984, a Florida bank obtained judgments totaling nearly $211,000 against the employee which he sought to satisfy by giving the bank a revocable assignment and transfer of his interest in the pension plan. The Florida bank, as assignee, then sued the trustee of the Bache pension plan in the southern district of New York for disbursement of the employee's funds. The trustee responded with an interpleader counterclaim against the employee, the Florida bank and Bache. The employee requested disbursement to the bank, the bank asserted its rights as assignee, and Bache asserted that it was entitled to the funds based on certain misconduct of the employee. The misconduct consisted of the employee's fraud on Bache customers by engaging in unauthorized transactions resulting in conversion and the obtaining of improper commissions.

In January 1985, the employee pleaded nolo contendere to a Florida indictment charging him with grand theft and securities fraud in connection with these activities. Bache allegedly had paid over $3 million to its customers as a result of the wrongdoing and asserted that it was subrogated to the rights of its customers for return of the converted funds. Bache also sought leave to assert an amended cross-claim against the bank to impose a constructive trust on the employee's pension funds because the funds included commissions paid on the fraudulent transactions. The district court denied Bache's motion and granted summary judgment to the Florida bank.

I believe that Congress did not intend the anti-alienation provision of ERISA to prevent employers from tracing stolen funds contributed to a pension plan. The legislation that I introduced today would clarify this belief. Below, I have submitted the text of my bill for review by my colleagues:

H.R. 2317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXEMPTION FROM ANTI-ALIENATION PROVISIONS.

(a) AMENDMENT OF ERISA.—Section 206(d) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(d)) is amended by adding at the end the following:

"(4) Paragraph (1) shall not apply to the creation or recognition of the existence of the right of the employer to, or the assignment to the employer of the right to, all or part of the accrued benefit of an employee, in a judgment, decree, or order of a State court of competent jurisdiction, as an equitable remedy under State law for an act of fraud or theft which was committed by the employee, which resulted in a loss to the employer, and which has served as the basis for a criminal conviction of the employee by a State court. The preceding sentence shall apply only to the extent of the losses determined by the State court to have been suffered by the employer as a result of such act of fraud or theft."

(b) AMENDMENT OF INTERNAL REVENUE CODE.—Paragraph (13) of section 401(a) of the Internal Revenue Code of 1986 (relating to assignment and alienation) is amended by adding at the end for the following:

"(C) SPECIAL RULES RELATING TO STATE COURT JUDGMENTS, DECREES, OR ORDERS REMEDYING ACTS OF CRIMINAL FRAUD OR THEFT AGAINST EMPLOYERS.—Subparagraph (A) shall not apply to the creation or recognition of the existence of the right of the employer to, or the assignment to the employer of the right to, all or part of the accrued benefit of an employee, in a judgment, decree, or order of a State court of criminal jurisdiction, as an equitable remedy under State law for an act of fraud or theft which was committed by an employee, which resulted in a loss to the employer, and which has served as the basis for a criminal conviction of the employee by a State court. The preceding sentence shall apply only to the extent of the losses determined by the State court to have been suffered by the employer as a result of such act of fraud or theft.".

SEC. 2. CONFORMING AMENDMENT TO PRE-EMPTION PROVISION.

Section 514(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1144(b)) is amended by adding at the end the following:

"(9) Subsection (a) shall not apply to a State court judgment, decree, or order to the extent it provides for a remedy permitted by section 206(d)(4).".

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to State court judgments, decrees, and orders issued on or after the date of the enactment of this Act.

401(k) PLANS FOR TAX EXEMPT ORGANIZATIONS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. PETRI. Mr. Speaker, yesterday, I introduced a bill, H.R. 2304, which would permit tax-exempt organizations to establish 401(k) retirement plans. Under the provisions of the Tax Reform Act of 1986, tax-exempt organizations can no longer have new 401(k) plans if they had not already established such plans by July 1986.

Traditionally, tax-exempt organizations have used these plans in lieu of high salaries to attract high caliber employees. It seems to me that we should not prohibit tax-exempt organizations from establishing such plans. In fact, I believe we ought to be making every effort to encourage people to think of their retirement when seeking employment. Why should the use of 401(k) plans be limited to for-profit organizations?

I urge my colleagues to join me in cosponsoring this legislation.

REV. FATHER BENJAMIN WALKER, PASTOR OF ST. JOSEPH CHURCH

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. MURTHA. Mr. Speaker, I would like to take this opportunity to say a few words about an outstanding citizen from my district, Father Benjamin Walker, of Johnstown, PA.

The Knights of Columbus All Saints Assembly, of which Father Walker is the associate friar, has contacted me in regard to his numerous contributions to not only Johnstown, but our Nation as well. During the Vietnam war, he served as a Navy chaplain and was assigned to the Marine Corps in Vietnam. After serving in many different areas, he became a chaplain in the U.S. Navy Chaplain Corps, with the rank of lieutenant jg. In 1970, Father Walker, holding the rank of lieutenant commander, received an honorable discharge. He returned to the United States with several honors, including the Presidential Unit Citation, Navy Unit Citation, Combat Action Ribbon, National Defense Service Medal, Vietnamese Service Medal, and Vietnamese Campaign Medal.

Upon his return, Father Walker continued to actively serve his country and community. Through the years, he has been an inspiration to the people of Conemaugh Borough in Johnstown, PA. His service to the people of this area includes home and neighbor improvement programs, as well as community involvement projects.

On June 14, 1987, Father Benjamin Walker will be honored by 435 members of the All Saints Assembly, and I would like to offer him my congratulations and sincere appreciation. He is respected for his patriotism and dedication to humanity. I wish him all the best for the coming years.

SPEAKER HENRY THOMAS RAINEY

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. DURBIN. Mr. Speaker, I represent the 20th District of Illinois. I have the honor of following in some very respected footsteps. Not only did Abraham Lincoln represent Illinois' 20th District; it was also once the congressional district of Henry Thomas Rainey, former Speaker of this prestigious body.

Henry T. Rainey was born on a farm at the edge of Carrollton, IL, in 1860. He was an articulate speaker, a good athlete, and an outstanding student. After studying at the Union College of Law in Chicago, Rainey returned to Carrollton to practice his profession. He was elected to Congress in 1902, and served 18 years until he was defeated in the Harding landslide of 1920.

Returning to Congress 2 years later, he worked his way back up the ladder of seniority until ascending to the Speaker's chair in March 1933. Mr. Rainey presided effectively over two of the most turbulent sessions of modern times. In his last session, he pushed through 22 bills favored by the Roosevelt administration, without a single amendment. He was an active defender of the American farmer and the working class, and was a formidable architect of several New Deal initiatives.

Henry Rainey, marked by his large stature, shock of white hair and bow tie, was true to the noble traditions of his great office. He loyally served his party, but it was his devotion to fairness and fidelity to his country which won him the highest esteem.

Mr. Speaker, on May 20, Democrats from Greene County in my home district in Illinois will gather in Carrollton for a dinner in his honor. I am confident that the values of compassion, justice, and service to one's country that were adopted by Henry T. Rainey will be present in the spirit of this gathering.

Speaker Rainey embodied an era of both desperation and hope. The New Deal policies he helped push through Congress were a demonstration of Government at its best: Intervening in rough times to help those unable to overcome the Great Depression.

In these tough economic times, we should learn from the example of optimism and vision displayed by Speaker Rainey. Our present problems are not permanent bonds, not if we exhibit the kind of courage and integrity of leaders like this historic public servant. The residents of Greene County and the entire 20th District in Illinois are proud to celebrate the legacy of Speaker Rainey.

THE OWOSSO TOWNSHIP RESCUE AMBULANCE SERVICE

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. SCHUETTE. Mr. Speaker, for 10 years the Owosso Township Rescue Ambulance Service has provided outstanding service to the people of Owosso, MI. Today, I would like to recognize the volunteers who have dedicated a part of their lives to this noble cause.

On June 27 of this year, the ambulance service and city of Owosso will celebrate the 10th anniversary of this service. In 1985, the Owosso Township Rescue Ambulance Service was named Ambulance Service of the Year by a national board. Since its beginning 10 years ago, the service has continued to provide high quality assistance to those in need. In a largely rural area, these services are of utmost importance in times of emergency and the citizens of Owosso must feel a sense of assurance to know their rescue service is one worthy of national attention.

Currently the rescue service is staffed by approximately 60 volunteers. These dedicated individuals have demonstrated outstanding talent and care for the people they have assisted, and on June 27 the people of Owosso will celebrate that dedication and talent and express their gratitude for a job well done.

Mr. Speaker, I hope you and our colleagues will join me in commending these fine individuals and share in expressing gratitude for their commitment to serving their public above and beyond the normal call of duty.

RECLAMATION STATES GROUND WATER ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. MILLER of California. Mr. Speaker, I am introducing today—along with 19 colleagues—the Reclamation States Ground Water Protection and Management Act of 1987.

The purpose of this bill is to encourage the reclamation States to better protect and manage their ground water resources.

Ground water is a critical natural resource—one heavily depended upon by the residents of the Western United States as well as the Nation. It accounts for 35 percent of all water withdrawn for municipal water supplies. Ground water is the source of drinking water for 50 percent of the U.S. population and 97 percent of rural residents.

Ground water is also a threatened natural resource. In many Western States, ground water is being withdrawn at rates faster than it can be replenished, resulting in serious overdraft problems. In other cases, ground water supplies have been contaminated or polluted, thereby limiting or even eliminating possible future uses.

It is clear—indeed it is imperative—that better and more effective programs are needed to protect and manage our ground water resources.

The bill I am introducing encourages reclamation States to develop and implement ground water management and protection programs. However, the Federal Government will have a role. The Federal Government, through the Department of the Interior, will identify which States have ground water problems requiring resolution or action. It will develop, through a public and open process, minimum criteria that State ground water programs must meet as a condition of that State receiving Bureau of Reclamation funds for water projects.

States which choose not to develop plans and which have serious problems with ground water will not receive funds for construction of reclamation projects. Further, the Secretary of the Interior will be precluded from entering into water delivery contracts in such States.

The bill involves a "carrot-and-stick" approach to ensuring that sound ground water programs are put into place where needed. This is the best way to make sure that Federal water project construction dollars are not continually poured into States to correct ground water problems—problems that should not or would not have occurred if ground water programs had been in place.

This is not the first time this sort of approach has been used. In fact, the Interior Department did threaten to stop funding the central Arizona project [CAP] because the ground water problems in the State were severe, and little was being done to remedy the problem—except, of course, to build the CAP project.

Arizona responded quickly and very ably to the challenge from the Department of the Interior. It now has a progressive and far-reaching ground water program. I view these actions by Arizona as a model for other reclamation States with ground water problems.

The Reclamation States Ground Water Protection and Management Act is a reasonable approach to an urgent problem. As taxpayer dollars for water projects become increasingly scarce and as the decisions about which projects to build or not build become more difficult, one thing is abundantly clear. Taxpayers' dollars should not be spent to build new projects to correct ground water problems which would never have developed in the first place if adequate protection programs had been in place.

Yet, this is just what we have been doing. Over the years, a number of very costly and highly subsidized projects have been built primarily to replace or to supplement ground water supplies that have been depleted, overdrawn, polluted or otherwise made unusable. For example, at least three units of the Central Valley project in California fall into this category. The total estimated cost of these three large projects—the Auburn-Folsom unit, the San Luis unit, and the Mid-Valley unit—is in the neighborhood of $5.7 billion. A careful and thorough review of the Bureau's Construction Program will reveal additional billions of dollars allocated for projects designed in large part to correct or remedy ground water problems.

This large infusion of money into structural solutions to ground water overdraft problems has not led to solutions at all. Ground water overdrafts continue to be major and serious problems throughout the West. Ground water pollution and contamination are growing threats. We need solutions other than more dams. We need effective programs to manage and protect our water supplies. This bill will provide the mechanism and the assurance we need that our ground water is protected and that we aren't wasting taxpayer dollars on unnecessary water projects.

Mr. Speaker, I plan to schedule hearings on this bill before my Subcommittee on Water and Power Resources in the very near future. This is critically important legislation, but I recognize that it will not be without controversy. I, therefore, want to get the legislative process under way as soon as possible with the expectation that the bill can be enacted this year.

RECLAMATION STATES GROUND WATER PROTECTION AND MANAGEMENT ACT OF 1987

SECTION-BY-SECTION ANALYSIS

Section 1. The short title

Section 2. Congressional findings and purpose

Congress finds that ground water pollution, overdraft and contamination are problems of national significance and that some Reclamation states have not effectively protected and managed their ground water resources. This has resulted in unnecessary Federal expenditures for water projects. Ground water should be managed by the States, and Reclamation states should be encouraged to implement effective ground water protection and management programs.

The purpose of the Act is to encourage Reclamation states to develop ground water protection and management programs consistent with criteria specified by the Secretary of the Interior.

Section 3. Definitions

"Reclamation state" is defined to include the seventeen Reclamation states.

Section 4. Ground water protection and management criteria

The Secretary is required to publish (within one year) criteria for assessing the adequacy of State programs to protect and manage ground water resources. These criteria shall include such elements as: programs for mapping and classifying aquifers; authorities for controlling all significant sources of toxic and other contamination; programs to control ground water withdrawals; surface use restrictions to protect water quality and quantity; programs to manage water resources through integrated and conjunctive use of ground and surface waters; and, programs to enforce effectively Federal, State, and local ground water protection and management laws.

Section 5. Identification, assessment, and prohibition

The Secretary is directed to identify those Reclamation states with significant or potentially significant ground water overdraft, contamination or pollution problems with the results made public at the same time as the criteria are published. The Secretary is then required to assess the adequacy of the ground water protection and management programs of those States identified as having ground water problems. The assessment is to be based on the criteria in section 4. States which have been identified as having significant ground water problems and inadequate programs shall be notified and given a reasonable opportunity to respond.

Within three years, a prohibition is imposed on the expenditure or obligation of Federal funds for the construction of a Reclamation project and on the execution of any Reclamation contract in any State identified by the Secretary unless that State has an approved ground water protection and management program.

Section 6. Approval of State programs

The Secretary shall review and approve ground water protection and management plans submitted by Reclamation states if such plans are substantially in compliance with the criteria set forth in section 4. State programs approved under this section shall be periodically reviewed by the States and revised as appropriate. Revisions must be approved by the Secretary unless it is determined that such changes are not consistent with the purpose of this Act.

The Secretary shall conduct periodic reviews of approved State plans to ensure continued compliance with and adequacy of the plan.

NATIONAL BARRIER AWARENESS DAY

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. WELDON. Mr. Speaker, I rise to remind my colleagues that President Reagan has proclaimed today, May 7, as National Barrier Awareness Day. Celebrations are scheduled to take place in Washington, DC, the National Host City, and in 39 States across the country. These events will serve to remind us of the architectural, attitudinal, and communicative barriers encountered by individuals with disabilities in their homes, schools, workplace, and communities.

Mr. Speaker, in my home district, the Taylor Hospital is sponsoring a program to educate the media of barrier awareness by inviting public figures to perform some of their daily activities on this day from a wheelchair. While I regret that I could not participate in this worthwhile endeavor because of my responsibilities here in Washington, I did want to take this time to congratulate the Taylor Hospital and Edna Escher for their efforts, and to let then know of my concern and support.

JAPANESE ECONOMIC POLICY AND THE UNITED STATES TRADE DEFICIT

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GARCIA. Mr. Speaker, as a supporter of the Gephardt amendment and of H.R. 3, I am hopeful that our trading partners will begin to realize that we cannot—alone—erase our trade deficit.

Nonetheless, Prof. Michael Hutchison, of the University of California at Santa Cruz, wrote a very cogent article in yesterday's Wall Street Journal on Japanese domestic economic policy, arguing that it does not have a negative impact on our trade deficit. Professor Hutchison's arguments are certainly worth considering. I am, therefore, submitting his article to the RECORD for my colleagues' perusal:

JAPAN'S POLICIES ARE EXPANSIONARY

(By Michael M. Hutchison)

Going beyond recent protectionist trade measures, the U.S. is now calling for Japan to adopt more expansionary financial policies to help reduce the huge and prolonged U.S. trade imbalance. The claim is that "austere" financial policies in Japan have slowed the growth of U.S. exports. The facts are quite different, however. Japan is following expansionary policies.

The basic argument against Japan is simple: Japan for domestic reasons is presumed to have adopted policies that keep domestic purchases of goods and services (aggregate demand) at a low level. Part of these purchases are imports, including goods and services supplied by U.S. firms. Slow growth of U.S. exports is therefore alleged to be in large part attributable to restrictive Japanese policies. A reversal of these policies toward expansion, monetary expansion in particular, would presumably help ease the U.S. trade problem.

But Japanese aggregate demand growth over the past two years has not been slow, nor have Japanese financial policies been particularly restrictive. Moreover, the U.S. trade deficit was not caused by restrictive Japanese financial policies, and will not be cured by expansionary ones.

HARDLY FITS THE PICTURE

In recent years, domestic demand adjusted for inflation grew at a faster rate in Japan than in either Europe or the U.S. Over 1985 and 1986, it grew an average 4% in Japan. The major European countries and the U.S., in contrast, both averaged only about 3% real demand growth over the same period. Moreover, forecasts by the Organization for Economic Cooperation and Development indicate that this year, Japan's aggregate demand growth of about 3.5% will be on a par with Europe's, and will exceed that of the U.S. by a full percentage point. Japan hardly fits the picture of a stagnating economy whose financial policies discourage imports and have indirectly caused sluggish U.S. growth.

Over the past few years, Japan's fiscal policy has been dominated by a desire to reduce the huge budget deficits that emerged in the mid-1970s, and it's relied primarily on monetary policy in maintaining aggregate demand.

Responding to the recession in the aftermath of the first oil-price shock, Japanese fiscal policy became very expansionary in the mid-1970s. This led to several years of record budget deficits and a debt-to-GNP ratio that grew fivefold. Considering all levels of government, Japan's public-sector budget moved from a surplus in the early 1970s to a series of deficits peaking at the equivalent of 5.5% of GNP in 1978. At that time, Japan adopted a steady and moderately restrictive fiscal stance. Over almost a decade, budget deficits have been gradually reduced to an equivalent of about 1.4% of GNP.

Moreover, it appears that a recent move to fiscal expansion first announced by the Ministry of Finance last September will not seriously undermine the policy of deficit reduction. Most analysts view the pump-priming package and supplementary budget as only mildly stimulative.

Generally restrictive Japanese fiscal policy since the beginning of the decade has been balanced by a monetary policy directed both to maintaining aggregate demand growth and influencing the value of the yen exchange rate against the dollar. After the Group of Five meeting at New York's Plaza Hotel in September 1985, Japan gave in to U.S. pressure and engineered a major tightening of monetary conditions. Interbank rates were raised by more than 200 basis points (to 8% from under 6%) between September and December 1985 with the sole objective of appreciating the value of the yen against the dollar; domestic conditions at the time did not warrant monetary restraint.

Needless to say, the strategy worked: Monetary contraction in Japan during the second half of 1985 helped sustain the rise of the yen against the dollar that had begun in February. But as confidence in the dollar was shaken, the yen's continued rapid advance through the end of 1985 and into 1986 surprised both policy makers and financial-market participants. The recent appreciation of the yen to around 140 per dollar is its strongest value ever.

To counteract the deflationary effects of high interest rates and a strong yen, the Bank of Japan abruptly shifted gears and adopted an aggressive expansionary stance in January 1986 that has continued to this day. The discount rate was lowered in four steps in 1986 to 3% from 5%, and again in February 1987 to 2.5%—a historic low (the previous low of 3.29% held from April 1936 through October 1946). Reflecting these reductions in the discount rate, money-market rates fell to 4% by the end of the year. Average lending rates of Japanese banks for both short- and long-term loans have declined to their lowest levels in the postwar period, and are currently far below those in the U.S. and the other major industrial countries. Moreover, surveys of large enterprises and banks in Japan also indicate considerable ease in credit market conditions, and promises of more rate cuts last week by Prime Minster Nakasone bode even more relaxation.

Reflecting the easy stance of monetary policy, money growth in Japan has been strong. The principal money aggregate (M2+CDs) monitored by the Bank of Japan grew 8.3% in 1986, slightly less than its 9% growth in 1985, but significantly faster than the 1980-84 6.9% average. Narrow money growth (M1) in Japan has accelerated even more—it was 9.1% in 1986, compared with 5% in 1985 and a 5.6% average over the 1980-84 period.

Despite this record of monetary ease, the 10% decline in Japanese wholesale prices in 1986 is often cited as an unambiguous sign of the contractionary effects of Japanese policies. This assertion is incorrect. Wholesale prices in Japan have followed the prices of imported raw materials. The average price of imports coming into Japan has fallen 45% since the beginning of 1985, spurred both by the sharp rise in the value of the yen and by the drop in crude-oil prices. The temporary "pass-through" of lower import prices has undoubtedly been the primary cause of falling Japanese wholesale prices, and not a restrictive Bank of Japan policy.

SPENDING AND SAVING

The evidence clearly suggests that the state of aggregate demand in Japan and Japanese financial policies were not significant causes of the more than $100 billion rise in U.S. trade deficits between 1980 and 1986. America's trade deficit has grown against all of its major trading partners and regions: Canada, Latin America, Europe and Asia. In fact, the proportion of the total multilateral U.S. trade deficit accounted for by its bilateral deficit with Japan is about the same today as it was in 1980. Nor are Japanese policies primarily responsible for the broad-based and rapid decline in the foreign-exchange value of the dollar since February 1985. The dollar has fallen against the currencies of all of the Group of Five industrial countries.

Responsibility for the wide swings in the U.S. trade balance and the exchange value of the dollar rests primarily with U.S. domestic policy and private spending and saving decisions. Even if Japan were to follow yet more expansionary policies, almost all of the major expansionary policies, almost all of the major econometric models suggest that the spillover effects on the U.S. trade deficit would be small and would have only a minimal overall impact on U.S. economic growth. Browbeating Japanese policy makers about perceived shortcomings in their macroeconomic policies only serves to divert attention from the real issues.

THE CHAMPIONSHIP SULLIVAN SINGERS

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. DURBIN. Mr. Speaker, I am very proud to share with you the arrival at Sullivan High School of a spectacular national trophy. The National Show Choir Championship Trophy was awarded to the Sullivan Singers of Sullivan IL, after their sterling performance at the Young American National Show Choir Competition in Pasadena, CA.

The championship Sullivan Singers are most deserving of this high honor. These young students were unwilling to settle for anything but perfection. Knowing that the recognition of excellence is reserved for only the very best, they have dedicated hundreds of hours of practice and rehearsals toward this national championship and the knowledge that they have indeed reached excellence.

Director David Fehr and choreographer Dwight Jordan merit special acclaim for their dedication, patience and exceptional leadership. It is clear that these individuals have special musical and dance talents. However, beyond their natural talents, they are teachers and have a special gift in knowing how to bring out the abilities and skills of young students.

As the school year draws to a close, the Sullivan Singers will lose several seniors. These seniors will be deeply missed and I'm sure they will miss the friendship and joy of being a part of a close group. However, they graduate with the admiration of their community and the memories of winning a national championship.

Mr. Rich Taylor, manager of Show Development Entertainment for Walt Disney World, said it best when he said of the Sullivan Singers, "you are truly amazing and awesome." I am very proud of the Sullivan Singers and take great pride in congratulating them on their national championship at the Young American National Show Choir Competition.

BRING BACK THE ANTISMOKING ADS

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BEILENSON. Mr. Speaker, today I am introducing a resolution which calls upon the Nation's radio and television broadcasters to renew the antismoking campaign of 1967–71 during which Government and private health organizations were provided free air time for public service announcements depicting the health hazards of smoking.

Those ads were enormously successful in educating the public about the dangers of smoking and deterring young people from starting this habit. There is no doubt that thousands of smoking-related deaths were prevented because of this counteradvertising campaign.

In 1967, the Federal Communications Commission ordered radio and television stations to allow time for antismoking advertisements. The decision was based on the "fairness doctrine" which requires that broadcasters give time for conflicting points of view to be made public.

Those antismoking ads were no longer aired once Congress banned cigarette advertisements from radio and television in 1971. Ironically, in the years after Congress instituted the ban on cigarette advertising in the electronic media, and these antismoking ads were thereby also stopped, overall cigarette consumption went up, not down.

Recently there has been a great deal of discussion concerning what, if anything, the Federal Government should do to discourage smoking. Several proposals have been offered in Congress including banning cigarette advertising in the print media, and prohibiting tobacco campanies from deducting advertising costs. However, in addition to presenting difficult constitutional questions, it's unlikely that these proposals would do much to actually discourage people from smoking.

The best, most effective way to discourage cigarette smoking is to better inform the public, and especially young people, about the known dangers of smoking. Reintroducing these extremely effective antismoking ads would enable us to avoid the sticky problems raised by the other proposals—and would do much more to actually persuade people to not smoke.

The reasons for devoting modest amounts of TV and radio air time to an effective antismoking campaign could not be stronger. Cigarette smoking causes over 300,000 deaths each year, and is the single most preventable cause of death in the United States. It causes more deaths than heroin, cocaine, alcohol, fires, automobile accidents, homicide, suicide, and AIDS combined. Surgeon General C. Everett Koop estimates that smoking is responsible for 30 percent of all coronary heart disease, 80 to 90 percent of all chronic lung disease, and 30 percent of all cancer deaths. And smoking by pregnant women has been linked to premature birth, fetal injury, and low birth weight.

Indeed, as the Surgeon General asserts:

> There is no single more effective action a person can take to reduce the risk of cancer—and of dying from it—than to quit smoking, especially cigarette smoking.

Astonishingly, studies done in 1985 show that one-third of high school seniors still believe that smoking a pack of cigarettes every day poses no serious health risk. And, while smoking in the total population has decreased modestly, 1985 saw an increase in smoking among high school seniors. This is a frightening trend considering that 90 percent of all smokers begin before the age of 20, and that teenage smokers are much more likely to be heavy smokers as adults and are less able to quit.

Many adults also remain unaware of the terrible health effects of smoking. Studies show that 25 percent of women of childbearing age are not aware that smoking during pregnancy increases a woman's chances of having a low-birth-weight baby. And about one-third are not aware of the role smoking during pregnancy plays in increasing the chances of stillbirth.

Clearly this is a trend that can and should be reversed through an effective media-sponsored antismoking campaign.

Mr. Speaker, the Nation's broadcasters, as users of scarce public airwaves, are required by law to serve the needs and interests of the community. They once played an extremely effective role in educating the public about the known and avoidable dangers of cigarette smoking. Bringing back those antismoking ads is an effective, positive, and noncontroversial way to discourage smoking, and it will ensure that ignorance does not continue to play a role in the death and disease caused by cigarette smoking.

I urge my colleagues to join me in supporting this important legislation.

IMPROVED SERVICES FOR THE CHRONICALLY MENTALLY ILL

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. PANETTA. Mr. Speaker, I am pleased to rise today to introduce legislation designed to reinforce America's commitment to improving the quality of life for the chronically mentally ill. The package of two bills which I am offering is designed to facilitate the integration of mentally ill individuals into the community. Another bill introduced with these two in the last Congress requiring States to develop a comprehensive mental health services plan was, as you know, passed and signed into law.

Mr. Speaker, it comes as no surprise to any of us that the growing numbers of neglected, disturbed persons filtering helplessly through our society has reached an unacceptable proportion. We need only walk down any urban street on a cold winter night to witness a graphic demonstration of their desperate and tragic plight. The increasingly familiar sight of huddled masses of humanity absorbing what little warmth can be obtained from steel-grated air vents has awakened the passion and compassion of millions of Americans. Yet the homelessness of the deinstitutionalized chronically mentally ill is just part of a larger problem.

In the early 1960's President Kennedy pioneered a movement to unlock the institutional gates that were segregating the chronically mentally ill from society as a whole. Widespread reports of abuse and neglect in public mental institutions justifiably provoked a sense of outrage and horror among the American public, and the rush to deinstitutionalize the chronically mentally ill swung into full force. As a result, the number of patients today in large public institutions has drastically decreased. Whereas some 560,000 severely disabled patients were served in public residential facilities in 1955, that number declined 80 percent to 116,000 in 1984.

However, the shift toward community living has not been accompanied by universal guarantees of comprehensive, high quality care. Hairraising stories to match any told of the horrors of institutionalization are now coming to light: the released schizophrenic unable to cope with the pressures of daily living commits suicide; the family is condemned to the street by a discontinuation of income support; the mother, delirious from medication, becomes a violent threat to her children; and on, and on, and on.

As a society, we have a responsibility to help these individuals. We cannot appease our consciences merely by emptying out the beds in public institutions. We must recognize that extra assistance will be required to accompany a successful transition to community living, and we must develop a national consensus to facilitate the trend.

What is required is a comprehensive package of services tailored to the varied needs of the chronically mentally ill: case management, supervised living arrangements, outpatient care, rehabilitation, vocational training, and income support, to name but a few. Taken together, a configuration of community-based services can be more cost-effective than 24-hour institutional care.

Yet, more importantly, an effective network of supportive services for the chronically mentally ill will enable them to attain a degree of independence and dignity heretofore beyond their reach. The barriers to independent living are numerous but not insurmountable. We can help tear down these barriers, and lay the foundation for a fullfilling future life. But to do so will require a concerted and coordinated effort. The Federal Government must take the lead in working with States, local governments, and the private sector to promote this movement.

The legislation I am proposing today will pave the way for such an effort. The package addresses two aspects of community living in which the chronically mentally ill will require increased Federal assistance. As I mentioned, the 99th Congress approved a measure, the State Comprehensive Mental Health Services Act, introduced by Senator KENNEDY, that was identical to the measure I introduced here. The act requires States to develop and implement plans for comprehensive community-based care of the mentally ill in order to remain eligible for Alcohol, Drug Abuse, and Mental Health Administration block grants. At this point, let me take a moment to outline the two remaining parts of the package in more detail.

MEDICAID AND SSI CHANGES

Despite the 20-year trend toward deinstitutionalization, there still exists an institutional bias in the Medicaid Program. In 1981, a waiver program was inaugurated which allows States to apply for coverage for community-based services for the mentally ill, but the use of this provision is by no means universal. By contrast, full coverage is provided in public mental institutions for those patients under 18 and over 65 through Medicaid. Any individual, regardless of age, may receive care in a skilled nursing facility [SNF] or intermediate care facility [ICF] so long as that institution is not primarily a mental hospital. Moreover, no requirement for the provision of mental health services is required in these settings. Care in a psychiatric ward of a general hospital is fully covered.

Clearly, we should use the Medicaid Program as a tool to encourage the use of alternative care settings. Although a one-shot payment to an institution presents the least administrative hassles, the well-being of the patient must be taken into consideration.

The first of these two bills seeks to enact modifications in the Medicaid Program to facilitate community-based care. The legislation would make it a requirement, instead of an option, for States to provide a range of services to their Medicaid population. Once again, case management plays a key role. A written plan would be developed for each patient which would detail the coordination of social, medical and outpatient services, income support, outreach, crisis intervention, family counseling, respite, habilitation and rehabilitation, and vocational training. The bill also requires the establishment of specific standards to be applied to SNF's or ICF's which provide care to the chronically mentally ill Medicaid patient. In addition, demonstration projects would be funded in five States to explore the feasibility of providing mental services on a contractual or capitated basis with a single point of entry.

Hospitals receiving Medicaid reimbursements would be required to establish a plan for the provision of community-based supportive services before discharging all chronically mentally ill patients.

With regard to SSI, some allowances must be made for the chronically mentally ill recipient in recognition of the extenuating circumstances that apply to this disease. For example, because the illness is often episodic, current regulations regarding periods of hospitalization must be adjusted. Under current law, a person who is institutionalized for more than 30 days loses SSI benefits. For chronically mentally ill patients who are often temporarily hospitalized for periods of more than 30 days, this income loss means they are unable to retain their residences. As a result, they find themselves on the street upon discharge. The bill would continue monthly benefit payments at a level sufficient to maintain housing for the chronically mentally ill if their discharge is expected within 6 months.

Delays involved in determining disability for the purposes of SSI payments can often make or break the success of independent living for the mentally ill individual. There is, however, a provision in the SSI regulations which allow for presumptive disability payments prior to final determination of eligibility if the applicant meets all other income level requirements and there is a high probability that he or she will be deemed to be disabled. This bill will make chronic mental illness sufficient cause for presumptive payments if the applicant agrees to participate in a plan of care and is, first, about to be discharged from an institution, second, at risk of institutionalization, or third, homeless.

In addition, as it now stands, chronically mentally ill persons who are able to obtain employment despite their disability automatically lose their SSI and Medicaid benefits. While the new earnings can obviate the need for the monthly SSI payment, the loss of Medicaid eligibility terminates access to the very medical services which enable he or she to work in the first place. Clearly, this regulation can be counterproductive. Therefore, this bill provides Medicaid coverage for former SSI recipients who are at-risk mentally ill persons for up to 3 years of employment. The work disincentive is further reduced by making permanent the liberalization of the earnings test originally instituted in 1980.

Finally, the bill would make an exception to the regulations which bar payments to residents of public institutions for those residing in transitional or halfway houses, or emergency shelters for the homeless.

HOUSING LAW CHANGES

The second bill I am introducing today addresses the severe housing problem facing chronically mentally ill Americans, as manifested in the swelling ranks of disturbed homeless. State mental health authorities would be allowed to take over unused properties owned by the Department of Housing and Urban Development [HUD] for conversion into supervised living facilities for the chronically mentally ill. Five million dollars in the first year and $14 million in each of the next 2 years would be authorized for these purposes.

A set-aside would be established in section 202 housing assistance for the elderly and handicapped of at least 14 percent or $100 million for loans for the development of housing geared specifically to the needs of nonelderly handicapped families. Builders would have to include an assured range of services to meet their special needs.

Finally, a voucher program would be established for supervised housing for the chronically mentally ill. Five million dollars would be authorized for the first year of this program. Costs would be shared on a 50-50 basis between the Federal and State governments, and would be administered through State mental health agencies.

The bulk of the provisions in these two bills do not require new authorizations but merely redirect existing funds. The additional spending that is called for is relatively modest, and could also be expected to result in reduced expenditures in other areas of the budget. But the legislation goes deeper than the issue of funding. It recognizes that old patterns cannot continue, that the problems of the mentally ill affect us all, and that we must change the status quo. To ignore the undeniable need for a reorientation in governmental programs affecting this portion of the population would be shortsighted and heartless. I like to think that we in Congress have the ability to reach out beyond the halls of the Capitol, and to effect real and positive changes in the lives of every American. Indeed, it is our duty.

Mr. Speaker, this initiative will promote that cause; it will reaffirm America's commitment to assisting the less fortunate in our society.

The inherent difficulties in independent living for the chronically mentally ill person are enormous; the Government should not add to the problem.

Over 200 years ago, Thomas Jefferson spoke of the inalienable right of the individual to pursue happiness. Today, for some of us the road to happiness is cluttered with obstacles created by society and Government. We can tear down these barriers, and clear the path to full self-realization for each and every American. In the end, society will reap the rewards. Please join me in supporting this important legislative initiative to improve the lives of the chronically mentally ill.

BOY SCOUTS OF AMERICA HONOR GUY BAKER

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. DUNCAN. Mr. Speaker, on April 28, the Great Smoky Mountain Council of the Boy Scouts of America honored one of my constituents by presenting him with the prestigous Silver Beaver Award. Mr. Guy Baker, of Athens, TN, was the recipient of this highest honor that that Boy Scout council can bestow upon an individual.

Mr. Baker has been involved in the Scouting programs of several States and has accumulated over 25 years of service. Presently he is involved with Troop 118, in Athens, to which he has been associated for some 7 years.

The Silver Beaver Award is presented to those who have shown an unyielding commitment to the Scouting movement and it is with great pleasure that I recognize Guy Baker for having demonstrated that very type of commitment.

THE 80TH ANNIVERSARY OF THE BIRTH OF MARGUERITE MARY MARCELLA SHINE-FREEMAN

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to salute a very special person residing in the First Congressional District on Long Island.

More than a tree grew in Margaret Smith's section of Williamsburg Brooklyn. Marguerite Mary Marcella Shine-Freeman also grew there. And, like the tree, she is a symbol for all as to what is worthwhile in life. Born May 9, 1907, Marguerite has spent 80 years growing into the respected, admired, and much loved person that we honor today. Her Irish parents passed through Ellis Island with a large supply of hope and determination for a better life in the new world. Marguerite has taken that hope and determination and used it to make the new world a better place for all of us.

She was an activist before the word was coined. She was active in the Rosary Society and the Catholic Daughters of Valley Stream where she organized neighborhood women to pray for peace. She was an elected member of the Board of National Council of Catholic Women. In 1952 Marguerite moved from Valley Stream to St. James where she resides today. She brought with her a concern for people. Discovering the Rosary Society defunct, she re-activated it. When her oldest daughter became a Daughter of Wisdom, she founded the St. James chapter of the St. Charles Hospital Auxiliary and with that group she co-founded the St. Charles Thrift shop whose proceeds have been a great benefit to the hospital. She was a member of the Smithtown Hospital Ethics Committee. She formed a chapter of SANE for the St. James-Smithtown area. Always a concerned citizen, she has worked hard to send responsible people to Washington.

But Marguerite did not just organize and activate. She also marched. She's a good marcher. When World War II began and men marched off to war, Marguerite marched down to the Red Cross to be a volunteer. At war's end she marched to the Veteran's Hospital to give what comfort she could to the returning wounded. Perhaps what she saw there determined her next long march—a march for peace and justice—a march that continues to this day. She has marched in New York, Chicago, and Washington, DC. She has marched for civil rights, for peace, for a nuclear free world and for the Equal Rights Amendment. She has stood vigil to oppose capital punishment. She has marched on Shoreham to oppose the opening of that nuclear power plant. On alternate Friday nights you can find Marguerite marching through the halls of Stony Brook University Hospital quietly fulfilling her duties as an extra-ordinary minister. The sparks from her marching feet will cast a warm glow long after Marguerite's flame has dimmed.

In the late 1950's Marguerite fulfilled a cherished dream. Unable as a young woman to complete high school, she studied for and earned her G.E.D. Marguerite is the mother of four, grandmother of eight, great-grandmother of five, and friend to thousands. She has served her family, her community and her country with love, dedication and much good humor.

On this the 80th anniversary of her birth we wish her peace, love, health and, should the need arise—bright sun for marching in. And, as a personal note, I am pleased to call "Peg" my friend.

PRESERVING THE JOYS OF YIDDISH

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. SOLARZ. Mr. Speaker, I would like to pay tribute to a truly outstanding institution, the Yivo Institute for Jewish Research. Based in New York City, Yivo is dedicated to the study and preservation of the Yiddish language and other aspects of the cultural heritage of East European Jews.

My district has a thriving and vibrant community of Jews of Eastern European descent. When I walk through the neighborhoods of Brighton Beach, Bensonhurst, Boro Park and Williamsburg, among others, the sights and sounds of the "Old Country" are everywhere. The most obvious and enchanting link to the past is the prevalance of Yiddish. On street signs, in newspapers, and in the spoken words of people of all generations, the Yiddish language provides living proof that the unique culture of Eastern European Jewry continues to flourish. With its emphasis on scholarship and research, the Yivo Institute also plays a vital role in the preservation of this remarkable heritage.

Yivo's history parallels that of America's Eastern European Jewish community. In 1925, Yivo was founded in Vilna, Poland—then the center of Jewish intellectual life. For 15 years, the institute built an impressive archive of books, periodicals, and other artifacts which were gathered from Jewish communities throughout the world. When the savage Nazi onslaught obliterated the Jews of Poland, Yivo's activities were brought to an abrupt halt. The Nazis razed Yivo's buildings and destroyed many of its holdings. Some artifacts, however, were preserved to be studied by Nazi "historians" who were researching "the Jewish Question." A small part of the collection was saved by Yivo workers who literally risked their lives by hiding documents in attics and burying them in milk cans. These treasures were discovered by the allies after the war.

Yivo officially relocated to New York in 1940. When the war ended, the institute recovered the remnants of the Vilna holdings and then proceeded painstakingly to amass what is today one of the most remarkable historical archives in the world. Yivo boasts a library of 300,000 volumes and an archive of 22,000,000 items, including over 10,000 musical recordings and 110,000 photographs. Yivo's collection has served as an invaluable resource for many of our country's most celebrated historians and authors including Irving Howe, Lucy Dawidowicz and Neil Simon. The institute also functions as a graduate school where 100 students a year take courses in Yiddish.

In 1939, Yiddish was spoken by over 11 million people. As a result of the Holocaust, the number of Yiddish speakers today is estimated at 4 million and the majority of these people are of older generations. However, the future of the Yiddish language, and other aspects of Eastern European Jewish heritage is bright, not bleak. In the crowded confines of Yivo's east side office, dedicated staff members—including Holocaust survivors and young people in their twenties—are working tirelessly to preserve this culture. And in the daily life of some very special neighborhoods of Brooklyn, the legacy of Eastern Europe's Jewish community lives on.

THE DOMESTIC FOOTWEAR TRADE RELIEF ACT OF 1987

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Ms. SNOWE. Mr. Speaker, today I am introducing legislation to provide relief to the domestic footwear industry. Given the 84-percent import penetration levels this industry now endures, as well as an earlier unanimous material injury finding under section 201 of our trade laws by the International Trade Commission [ITC], this legislation represents overdue and merited assistance.

The bill I am introducing today would set an annual global import level of 75 percent of estimated annual domestic consumption. This legislation would give this trade-beleaguered industry an opportunity to withstand the onrunning floodtide of shoe imports, which have been targeted on the United States marketplace, by Taiwan, South Korea, Brazil, and other countries.

The domestic footwear industry has suffered from 153-percent import growth since 1981, the year in which orderly marketing agreements for this industry were lifted. Since that time, in just 6 years import levels have gone from a level of half of U.S. market sales to an astounding current level of 84 percent.

It remains an absolute disgrace to footwear industry workers in my State to consider the President's decision in September 1985. At that time, the President opted to deny trade relief under section 201 of our U.S. trade laws relief for the domestic footwear industry. This denial was issued despite the industry's efforts to go through the established trade relief process, and despite their having earned a unanimous material injury finding, as well as a strong recommendation for trade relief, from the ITC.

Subsequent to this denial, a trade relief provision was added in November 1985 to H.R. 1562, the Textile and Apparel Trade Enforcement Act. The Congress adopted this legislation, but fell eight votes short in the House of overriding the President's veto of this bill in August 1986.

This spring, a new textile trade bill, H.R. 1154 has been introduced, which represents another worthy legislative effort to bring about a fair trade relief response for both the footwear and textile and apparel industries. H.R. 1154, which I generally support, provides a global quota level for footwear imports at a level of 81 percent anticipated annual domestic consumption. As I believe the footwear industry deserves an even better percentage of the U.S. marketplace, I am introducing this separate legislation for the consideration of the Congress.

At the time of the President's denial of the industry's trade petition in 1985, import levels had climbed to 75 percent of the domestic market. The relief recommended by the International Trade Commission would have allowed approximately 60 percent of the domestic market to imports over a temporary period, reflecting the fact that other competing nations were wasting no time to fashion concerted export strategies zeroed in on the wide open U.S. market.

The first textile/shoe bill, H.R. 1562, reflected a modification of the 60-percent import level recommendation of the ITC. This year's bill, H.R. 1154, does not, and calls for a permanent import level of 81 percent. As I believe the domestic footwear industry, if given a little more room to grow, can bounce back and remain internationally competitive, I am introducing this separate legislation today, calling for a 75-percent level.

Mr. Speaker, I want Members of the House to support the Textile and Apparel Trade Act of 1987, H.R. 1154, and I hope this legislation will continue to receive wide support as the earlier version of this legislation did during the 99th Congress. I offer this separate bill for the consideration of the Congress as a further and fairer trade relief response for the footwear industry, and as part of the legislative process leading to the enactment of the Textile and Apparel Trade Act of 1987.

IN RECOGNITION OF NATIONAL BARRIER AWARENESS DAY

HON. LAWRENCE J. SMITH

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 7, 1987

Mr. SMITH of Florida. Mr. Speaker, today I would like to reflect on the positive efforts made by our society to break down the barriers which inhibit the disabled from conducting their life in the fashion they deserve. It is comforting to see city buses equipped with lifts, parking places reserved for handicapped, ramps where stairs used to be commonplace and close captioned for the hearing impaired television viewer.

These adaptations represent the yielding to architectural, attitudinal and communication barriers that the disabled encounter daily. These steps have been taken to allow the disabled to continue in their daily life without irritating and psychologically disturbing impediments. Still, there is more we can do. By increasing awareness of the omnipresent barriers to the disabled, we will be compelled to improve the situation.

Today, May 7, 1987, is a special day, an opportunity to be aware—National Barrier Awareness Day. A day to think about and consciously observe the impediments which halt handicapped in their path. Florida is giving undivided attention to this important day. I am proud that Broward County, FL, located in my district, will observe National Barrier Awareness Day. In addition, Governor Bob Martinez has signed a petition in honor of this day.

In order to appreciate the emotional, physical, and psychological struggle each day presents for the disabled, the mayor of the city of Hollywood will carry on a routine workday with one added difference, she will confine herself to a wheelchair. Many people will assume a disability in order to experience the difficulties a day entails. These experiences will aid in developing a universal understanding of daily routines taken for granted by the nondisabled.

I would like to recognize the National Barrier Awareness Foundation for its efforts in educating our society about the barriers confronting our disabled. I urge my colleagues to join me in support of National Barrier Awareness Day and in pursuing efforts to break down all the barriers impeding our disabled.

A BILL TO AMEND THE CHRISTOPHER COLUMBUS QUINCENTENARY JUBILEE COMMISSION ACT

HON. RON de LUGO

OF THE VIRGIN ISLANDS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 7, 1987

Mr. DE LUGO. Mr. Speaker, it is with great pleasure that I introduce today a bill to amend the Christopher Columbus Quincentenary Jubilee Commission Act, and urge my colleagues to support this legislation which we hope can be expedited through both Houses of the Congress.

The proposed amendments are primarily technical in nature. In August 1984, the 98th Congress passed Public Law 98-375, to establish the Commission, which is composed of 30 members appointed by the President in consultation with both Houses of Congress. The year 1992 marks the 500th anniversary of the voyages of discovery by Christopher Columbus. The Commission is charged with the responsibility of preparing a comprehensive program for commemorating the voyages, and one of its goals is to create a strengthened awareness of our common history and heritage as American people by planning, encouraging and coordinating activities to observe the historic events associated with those voyages.

As the Commission began work in 1986, it became evident that technical changes to Public Law 98-375 would be required in order to provide more effective programs and activities in preparation for the quincentenary celebration.

The proposed technical amendments would: raise the limitation on individual and corporate donations to annual caps of $250,000 and $1 million, respectively; permit a broader and more effective use of the Commission's logo; provide a distinction between publically paid staff and staff paid from private donations; eliminate the ceiling placed on the number of detailees to the Commission from other Federal agencies; permit the payment of some Commission-related expenses for such expert advisors; permit an allowance of $7,500 for expenses relating to the hosting of representatives of foreign governments; and extend the life of the Commission to December 31, 1993 in order to allow for the appropriate celebration of the second voyage of Columbus.

This last provision is of particular importance to me, and to my colleague, the Resident Commissioner from the neighboring island of Puerto Rico, and indeed, to the United States. For it was on his second voyage that Columbus landed at two sites now under the American flag, one in Puerto Rico, and the other in Salt River, St. Croix, in my district of the U.S. Virgin Islands.

I was honored when Mr. John Goudie, the chairman of the National Columbus Commission, asked me to introduce this legislation, and pleased to acceed to his request and join with him in making certain that the significance and importance of these two landings by Columbus in Puerto Rico and the U.S. Virgin Islands are duly recognized. They are a link to the past, symbolic bridges that tie the old world to the new, located in islands rooted in both, yet uniquely different.

I commend Mr. Goudie and his staff for the excellent job they are doing in launching this tremendous effort. Though small in number at the moment, Mr. Goudie, his executive director, Mr. John Williams, and his assistant, Mr. Francisco Martinez, have forged ahead and I know that speedy passage of this legislation will enable them to secure the assistance they need to create an appropriate celebration of the anniversary of the Columbus voyages.

Those voyages, so courageous, so bold, set a tone—a standard, if you will—in the new world that was indispensible in engendering the United States of America. We embody the spirit of Columbus, and I look forward to a spirited American-style celebration of the anniversary of his triumphs, with Puerto Rico and the U.S. Virgin Islands, where Columbus actually landed, as proud centerpieces and participants.

TRIBUTE TO JACK BALLARD

HON. HAMILTON FISH, JR.

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 7, 1987

Mr. FISH. Mr. Speaker, I rise on this occasion to announce to this Chamber that a very fine mayor from my home district, Jack Ballard of Washingtonville, Orange County, NY, after 16 years as village mayor has decided not to run for another term. I am sure, however, that Jack will remain very involved in service to his community because his has been a lifetime of vigorous volunteering for his neighbors.

Jack's record of service to his village dates back to October 1954 when he ran and was elected to fill an 1-year unexpired term as village trustee. In March 1955, Jack ran and was elected to his trustee seat, a seat he maintained through successive elections through March 1971. Not the kind of man to spend time idly, Jack ran for mayor that same year and served as mayor of the village of Washingtonville until April 1987.

Another way Jack found to give of his time to others was membership to the Monell Engine Co. A member of the fire company for 35 years, he is still active with the company. Jack led the Monell Engine Co. as their president for 12 years.

This brings us to Jack's career with the Washingtonville School District. Jack was a bus driver and mechanic with the district for 27 years during which time he also ran his farm, which he continues to do.

Jack Ballard does not spend his time idly, nor does he use it sparingly toward good works. I know you will all join me in saluting him on this day.

EMIL MRAK COMMEMORATION

HON. VIC FAZIO

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 7, 1987

Mr. FAZIO. Mr. Speaker, it deeply saddens me to announce that Emil M. Mrak, a dear friend, beloved colleague, and gift to the fields of science and education, has recently passed away. Emil, 85, chancellor-emeritus of the University of California, Davis, died Thursday, April 9, at UC Davis Medical Center in Sacramento, of cardiac arrest.

Emil was born in San Francisco in 1901 and raised on a prune ranch in the Santa Clara Valley. He received his bachelor of science, master of science, and Ph.D. degrees from the University of California, Berkeley, and became an instructor of food technology in 1937. He became chair of the Department of Food Science and Technology at UC Berkeley in 1948 and held full professional rank from then on. He moved to the Davis campus with most of the departmental staff in 1951.

Since his earliest years with the university, he was interested in the preservation of fruits by drying and became increasingly concerned with world food problems, particularly in developing nations. During the World War II years of 1944 and 1945, Emil served as a civilian scientist with the U.S. Army, working on the development of food rations tolerable of extreme climates and the rigors of military handling. In 1969, he received the Outstanding Civilian Service Award from the Department of the Army in recognition of his meritorious public service.

Over the years, Emil received an unprecedented array of prestigious and well-deserved awards. The Institute of Food Technologists [IFT] awarded him the Nicholas Appert Medal in 1957, the Babcock-Hart Award in 1961, and the International Award in 1963; he was the first person to win all three. In 1970, he was elected a fellow of the IFT, and received the Distinguished Food Scientist of the Year Award from the New York section of IFT.

His many honors include the following: Honorary Fellow of the Institute of Food Science and Technology of Great Britain, 1970; the Spencer Award for outstanding achievement in agricultural chemistry from the American Chemical Society, 1973; Atwater Memorial Lecture from the USDA, 1976; and Fellow of the American Academy of Arts and Sciences, 1977.

Emil's achievements extended to unusually impressive lengths. The Secretary of the Department of Health, Education, and Welfare appointed him chair of the Secretary's Commission on Pesticides and Their Relationship to Environmental Health in 1969. He also served as chair of the Secretary's Pesticide Advisory Committee, chair of the Hazardous Materials Advisory Committee, and chair and member of the Science Advisory Board of the Environmental Protection Agency. In 1985, he was named chair of the Scientific Review Panel to review toxic air contaminants in the State of California.

Additionally, he served as a member of several committees of the National Research Council and the Steering Committee for the President's Food and Nutrition Study. He was also a member of the American Biology Council Task Force on the Contributions of Biology to Human Welfare, past president of the International Academy of Environmental Safety, and on the board of trustees of the Nutrition Foundation.

According to the Daily Democrat, Former students and colleagues called him tough, compassionate, forthright, determined, and beloved. And they praised him for leading the UCD campus into prominence as one of the leading agricultural institutions in the world. I would like to join them in their praise for this very dear man, one who found pleasure and happiness in becoming an outstanding member of our community. His great contributions will be long remembered and appreciated. I also express my most sincere regards and affection for his family. My thoughts are with them always.

SERIOUS LACK OF ORGAN DONORS

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BARTON of Texas. Mr. Speaker, it is a sad time in Jewett, TX. After a long and painful struggle, 6-year-old Myranda Murchinson died on May 2, 1987 of biliary atresia, an irreversible and fatal liver illness. Myranda has been awaiting a liver transplant that never happened.

The weeks which preceeded her death were marked by Myranda's brave struggle for life and the selfless outpouring from the people of the entire Leon County area. The people in that region, and all over the Sixth District, had voluntarily given more than $120,000 to go toward paying the medical bills for Myranda's liver transplant. From all over Texas, people who had never met this brave little girl turned out to contribute toward her medical care. It was an amazing effort which needs to be recognized. It is extremely sad that Myranda's amazing struggle didn't end as we had all hoped and prayed it would.

It is important that we in Congress recognize Myranda's struggle, and not forget the issues her death raises. We should discuss the plight of people in need of an organ transplant, and the serious lack of organ donors. I believe that if people around the United States understood the need for organ donors they would voluntarily become one. An organ donor may literally be giving someone, someday, like Myranda Murchinson and other needy recipients, the "gift of life."

ADDITIONAL SPONSORS TO H.R. 1717

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. JONES of North Carolina. Mr. Speaker, on March 19, of this year, along with 29 of my House colleagues, I introduced H.R. 1717, a bill to reauthorize and strengthen the National Sea Grant College Program.

Upon introduction of that bill, I indicated that the time has come to strengthen this essential program in order to foster both cooperation and competitiveness in marine science, oceanography, and other coastal and Great Lakes issues. More focus and accelerated work needs to be carried out in areas such as marine biotechnology, Great Lakes water levels, policy and technology for the exclusive economic zone, and estuarine and coastal ocean resource studies.

Sea grant has been a successful national experiment during its 20 years of operation. The network, of sea grant universities and institutions is an effective national instrument for environmental protection, scientific progress, technology transfer, economic competitiveness, and social progress. H.R. 1717 is an important legislative initiative to strengthen this program and to enhance the capabilities that have been nurtured over the years, but which have recently suffered alarming budgetary retrenchment.

As I noted above, 29 of my House colleagues joined with me in introducing H.R. 1717. Today, I am pleased to submit a listing of 75 additional sponsors to this important legislation. The total number of cosponsors for H.R. 1717 has now reached 105. I hope that this demonstration of support and commitment by the Congress will not go unheard at 1600 Pennsylvania Avenue.

SPONSORS OF H.R. 1717

Hockbrueckner, Blaz, Gordon, Fuster, Kleczka, Hayes of Illinois, Wortley, Guarini, Kastenmeier, Donnelly, St Germain, Bentley, Fauntroy, Mrazek, Wilson, Garcia, Gejdenson, Horton, Lehman of Florida, Gonzalez.

Neal, Gunderson, Hall of Texas, Chapman, Levin of Michigan, Porter, Murphy, Sensenbrenner, Henry, Towns, Vento, Bevill, Kildee, Price of Illinois, Biaggi, Sunia, Mineta, Lott, Traxler, Solarz.

Smith of Florida, Roe, Lancaster, Pepper, Grant, McCollum, Mavroules, Fish, Owens of New York, Dowdy of Mississippi, Nelson of Florida, Pashayan, Echart, Ireland, Pursell, Sikorski, Fascell, Kaptur, Pickle, Lewis of Florida.

Hertel, Frank, Rose, Cardin, Shaw, Livingston, Atkins, Martinez, Price of North Carolina, Badham, Akaka, Derrick, Spence, Schuette, Slaughter.

SISTER JEAN PATRICE HARRINGTON

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GRADISON. Mr. Speaker, on the occasion of her retirement, I rise today to honor a truly exceptional individual, Sister Jean Patrice Harrington. Sister Jean Patrice has been one of our Nation's most distinguished educators for the past 30 years. I would like to share with you some of her most noteworthy achievements.

Sister Jean Patrice began her eventful career in 1953 as principal of the St. Rose of Lima School in Denver. In 1956 she joined the Cathedral High School, also of Denver, as a teacher, and 2 years later became principal, a post which she held until 1964. In 1968 and 1969 Sister Jean Patrice served as Director of Institutional Research at the College of Mount St. Joseph in Cincinnati and then served on the Board of Sisters of Charity until her appointment as President of the College in 1977.

Sister Jean Patrice has served with great distinction on numerous committees, and has traveled to Asia, South America, Europe, the Caribbean, and the middle east in support of quality education. As a result, she has become renown for her personal attention to the human aspect of every situation. Sister Jean Patrice has also been honored as the Cincinnati Enquirer's Woman of the Year, awarded the Public Relation Society of America's Outstanding Citizen Award, the YMCA's Career Woman of Achievement Award, and an honorary Doctor of Humane Letters by Xavier University.

These significant honors, however, do not fully attest to her character. As one who has seen first hand the accomplishments and contributions of this remarkable person, I join in wishing Sister Patrice happiness and further success in her retirement.

FSLIC RECAPITALIZATION

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. SYNAR. Mr. Speaker, on Tuesday I voted to recapitalize the Federal Savings and Loan Insurance Corporation at $15 billion over a 5-year period. This was not the prevailing view. I'll admit that I had a tough time making this decision, but in the end, it seemed that all the facts pointed to this answer.

My first concern on this issue, is a safety and soundness of our system of insuring peoples' savings. As I listened to the debate, it became clear that $5 billion over 2 years would't do the job.

In October of last year, a $15 billion, 5 year recapitalization plan passed the House of Representatives by voice vote. We were aware last year of the scope of the problem, and there was little controversy in the House about taking the steps necessary to address it. Unfortunately, Congress didn't complete consideration of this plan before adjourning.

Earlier this year, the General Accounting Office sent a preliminary report to Congress that FSLIC was $3 billion in the red. This week, the GAO sent an update to the ranking minority member of the Banking Committee: as the audit nears completion, it is anticipated that FSLIC's accumulated deficit for 1986 will be close to $6 billion.

I don't believe that thrifts are in better shape now than they were last October. If a $15 billion, 5-year plan was needed last year, it is certainly needed this year.

Some Oklahomans expressed concern that FSLIC, if given the higher level of funding would have too free a hand in closing Oklahoma S&L's. H.R. 27, the measure reported by the House Banking Committee this year, included provision to address precisely this concern. The bill directs the Federal Home Loan Bank Board to adopt a policy of capital forbearance for savings and loans if their financial problems are the result of local economic conditions or due to loans issued in depressed regions, and if the institution submits an acceptable plan to improve its financial conditions. This policy should help Oklahoma thrifts weather our current economic downturn.

Congress is frequently criticized for choosing the short-term, easy "fix" rather than making politically tough decisions that will lead to real solutions. The $15 billion, 5-year recapitalization plan would have given FSLIC adequate funding and adequate time to do its job and close poorly managed, insolvent S&L's. By adopting the $5 billion, 2-year plan, we are making it more difficult for FSLIC to meet its mandate to protect depositors.

In spite of this, I voted for the bill on final passage. When an agency is facing a crisis, we must take action.

ROEBLING, NJ'S CONTRIBUTION TO THE GOLDEN GATE BRIDGE

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. SAXTON. Mr. Speaker, since May 27 will be the 50th anniversary of the opening of the Golden Gate Bridge, I would like to bring to the attention of Congress the invaluable contribution of many New Jerseyans to the building of the bridge.

Steel used in building the bridge was produced in the Roebling Mills in Roebling, NJ. There, the steel was poured into ingots, reduced to billets, then rods, and finally drawn to wire which was stranded and spun into the 36.5-inch cables that suspend the roadway and give the bridge its beauty.

John A. Roebling's Sons Co., signed the contract for the suspension systems after winning the prime bid at $5.9 million in October 1932. Despite being in the middle of the Depression, Roebling had 2,500 employees on its rolls at the Roebling and Trenton plants. For them, the award was a godsend.

The steel manufacturing commenced at Roebling in the summer of 1933. From there, the wire was shipped to the bridge site by boat from Trenton via the Panama Canal.

Roebling engineers and riggers prepared the wire for application, spinning the wire between the 75-story-high towers erected by others.

The Roebling Co. finished its job of spinning in May 1936, 2 months ahead of schedule, thanks to the ingenuity of Roebling engineers. There was 80,000 miles of wire used in the project with 27,572 wires threaded in 61 strands which make up the cable.

Mr. Speaker, many of the Roebling workers still live throughout the Delaware Valley, and they are in their seventies, eighties, and even nineties. Some come from my congressional district, including Southampton, Easthampton, Mount Holly, Long Beach Island, and Toms River.

This week, the Roebling Historical Society held a 2-day celebration to honor the workers and memorialize the anniversary of the opening.

Mr. Speaker, I, too, would like to join in honoring these workers. I am proud that New Jersey—a continent away from the Golden Gate Bridge—made such an important contribution to one of our Nation's most beautiful landmarks.

NEW EXXON CHEMICAL COMPANY PLANT IN BATON ROUGE

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BAKER. Mr. Speaker, recently one of the corporate residents of my district announced that it was going to expand its facilities and create vitally needed jobs for the residents of Louisiana.

The Exxon Chemical Co. will build a new methyl ethyl ketone (MEK) plant at the Baton Rouge, LA chemical plant. MEK is an industrial solvent used in surface coatings, adhesives, magnetic tape, and lube dewaxers.

The new facility in Baton Rouge will be one of the world's largest MEK plants and will initially manufacture 230 million pounds of MEK per year. Construction of this new plant will begin this year and it is expected to begin production late next year.

I am pleased to welcome this new facility to the State of Louisiana. It offers some hope of economic revitalization to an area of the country which is burdened with high unemployment.

It is also encouraging to see that Exxon Corp. recognizes the high quality of the employees already working at its facilities in Baton Rouge and in the future of Louisiana.

TRIBUTE TO WILLIAM CASEY

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BROOMFIELD. Mr. Speaker, I was saddened to hear yesterday of the death of William Casey, long-time public servant and former Director of Central Intelligence under President Reagan.

Bill Casey's service for this country stretched over the course of some 40 years, in which time he made many valuable contributions to the security and international stature of the United States.

Mr. Casey worked his way up from a junior officer with the Office of Strategic Services during World War II, to the position of Director of the Central Intelligence Agency for the Reagan administration. His career spanned five decades of American history which have seen numerous threats to world peace, democracy, and the security of the United States. His many contributions to the success of the United States in meeting the challenges of this era may never be publicly told, but his determination and ability in support of our Nation's security could never be concealed. Even Bill Casey's harshest critics respected his vast understanding of world events, his ability to access critical facts, and his tenacity in supporting causes that he felt were vital to national security in the face of adversity.

Bill Casey accepted the position of Director of Central Intelligence during a very trying period for the American intelligence services. The setbacks of the seventies had devastated the U.S. ability to conduct many necessary intelligence functions, however, Bill Casey rose to meet the challenge. As a result of his personal initiatives, the U.S. intelligence services received increased levels of funding, an influx of qualified personnel, and an improved morale and confidence befitting the intelligence service of a world superpower.

The travails and mistakes of recent administration policies in the Middle East and Central America cannot overshadow Bill Casey's service to the United States of America. Our Nation will be less for his passing. His dedication and professionalism in the service of this great country are truly a tribute to the spirit of America.

ARBITRATION DAY IN NEW YORK STATE

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GREEN. Mr. Speaker, I rise to commend the American Arbitration Association for its innovative work and continuing service in the field of voluntary dispute resolution, and to announce that New York State Gov. Mario Cuomo has proclaimed today "Arbitration Day in New York State."

In celebrating that event, the American Arbitration Association is holding an "Arbitration Day" conference today at the New York Hilton Hotel in New York City. Robert Coulson, AAA president, stated, "48 organizations from widely diverse fields are cosponsoring this event with American Arbitration Association. This demonstrates the growing importance and versatility of alternative dispute resolution. For 61 years the Association has said that people should have the right to resolve their own disputes in their own way. Arbitration and mediation are good examples of that private liberty in action."

The American Association is a national, nonprofit, private organization. It administers 47,000 cases annually, and offers hundreds of educational programs and publications. More than 60,000 arbitrators and mediators are available to serve on its impartial panels. Based in New York City, it has 32 offices located throughout the country.

The "Arbitration Day" conference spotlights the use of alternative dispute resolution in eight specialized areas. They are: Construction, consumer, insurance, international trade, private sector labor relations, interest arbitration, securities, and textile and apparel disputes.

On the occasion, two awards will be presented for exceptional service in the dispute resolution field.

Arbitrator George Niclau, chairman of Major League Baseball's tripartite arbitration panel and president-elect of the Society of Professionals in Dispute Resolution [SPIDR], will receive the Distinguished Service Award for the Arbitration of Labor-Management Disputes. He is also the impartial member of New York City's Office of Collective Bargaining.

James F. Henry, president and founder of the Center for Public Resources and its legal program, will receive the Whitney North Seymour Sr. Medal for his contribution to the responsible use of alternative dispute resolution. Previous recipients include Chief Justice Warren E. Burger, Griffin Bell and Eleanor Holmes Norton. The CPR Legal Program is a nonprofit initiative to develop private alternatives to the high costs of litigation.

Mr. Speaker, I ask that my colleagues join me in honoring the American Arbitration Association for its outstanding community work, and we congratulate those persons it is honoring. Best wishes for a most successful event.

ENVIRONMENTAL PROBLEMS FACING THE SOVIETS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BEREUTER. Mr. Speaker, a recent editorial in the Omaha World Herald called attention to the serious environmental problems in Eastern Europe. Specifically, the editorial focused on the role the Soviet Union could be playing closer to its borders.

I commend the editorial to my colleagues for the message is one that should not be ignored.

The editorial follows:

TWO ENVIRONMENTAL PROBLEMS ON WHICH SOVIETS COULD HELP

While Soviet scientists are gaining international good will by offering to help the United States fight deforestation in the tropics, major environmental problems exist closer to the Soviet borders. Eastern Europe has a growing air and water pollution problem and lacks the resources to finance a cleanup.

The situation was described Sunday in a New York Times article by James Bovard, who writes on environmental subjects. Environment-related illnesses such as cancers and skin and heart disease are rising in all Eastern bloc countries. In East Germany, 90 percent of the trees are sick, dead or dying. The Polish Academy of Sciences has estimated that pollution damage annually costs Poland the equivalent of 10 percent of its gross national product. In parts of Czechoslovakia, life expectancy is as much as 10 years less than elsewhere in the country.

One reason for the pollution is a cutback in Soviet oil deliveries to the Eastern bloc nations. More high-sulfur coal, which contributes to air pollution, is being used in old factories that lack pollution control equipment.

To concentrate on the pollution problem, Bovard said, would be to admit the failure of Marxism, which teaches that man and nature exist harmoniously under socialism.

The pollution is so bad, Bovard said, that some governments may eventually have to reduce living standards to make funds available for a cleanup. Dissident groups are putting pressure on officials in Poland, Hungary and East Germany to reduce the pollution, which Bovard called the Grim Reaper of the 1980s.

Several days ago, a group of Soviet scientists offered to work with the U.S. government and American environmental groups on an international project to halt the deforestation of tropical areas. Unless the pattern of deforestation is reversed, the Russians said, 1 billion people could starve to death in the tropics.

In a number of Third World countries, deforestation has caused erosion, reduced the productivity of the land and affected rainfall patterns, contributing to a cycle of drought and famine. A potential for disaster exists. International cooperation is warranted. No reason exists that the Soviets shouldn't be part of the effort.

Likewise, no reason exists that the Soviets shouldn't help their Eastern European allies with the environmental problems that the Soviets had a hand in bringing about. Environmental disasters don't stop at international borders, as the nuclear accident at Chernobyl demonstrated. If Eastern Europe's pollution isn't brought under control, it could eventually become a problem for the Soviet Union and Western Europe as well.

INTRODUCTION OF HOUSE JOINT RESOLUTION 273

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. SCHUMER. Mr. Speaker, we all know that "money talks." Unfortunately in 1976, in the case of Buckley versus Valeo, the Supreme Court took this saying literally. That decision held that key portions of the 1974 amendments to the Federal Election Campaign Act violated the first amendment to the Constitution. The provisions struck down included dollar limits on overall campaign expenditures, limits on how much of a candidate's own money could be spent, and limits on so-called independent expenditures.

The Court's opinion essentially equates spending money with speech. Somehow, if we say that a candidate can only spend money to broadcast the same political commercial 10 times, rather than 11, 12, or 100 times, we have deprived him of his free speech rights. Although I consider myself an ardent defender of the first amendment I simply do not agree with this analysis. It seems to me that expenditure restrictions are more akin to turning down the volume on the television set, not turning it off.

Since Buckley, the volume on the television set has reached ear shattering proportions. The cost of political campaigns continues to rise to new heights. In 1986, $194 million was spent in the general election for House seats and $179 million for Senate seats. Candidates for House seats spent an average of $244,000, while candidates for the Senate spent, on average, $2.6 million.

Of course, before we could spend this money we had to go out and raise it. All of us know what an arduous, time consuming, and potentially corrupting process this is. As my friend the Senator from South Carolina, FRITZ HOLLINGS, has said: "More and more our Congress is becoming, not a body of legislators, but a body of fundraisers."

While we all realize that reforms are needed in this area, we have been hamstrung by the Buckley decision. Because of Buckley, congressional proposals to reform campaign financing have been unable to confront the central issue—campaigns simply cost too much. Instead, we have been forced into legislative contortions in which we try to compensate for our inability to directly limit campaign spending. Even public financing proposals, which have great merit, cannot address the problem of the enormously wealthy candidate who is prepared to spend every penny of his fortune to gain election.

Today, Congressman VENTO and I are introducing a constitutional amendment that would overturn Buckley versus Valeo. The amendment simply states that:

> The Congress may enact laws regulating the amounts of contributions and expenditures intended to affect elections to Federal offices.

It is our hope that with the adoption of this amendment we can institute meaningful campaign financing reforms. Such reforms would reduce the compulsion many of us feel to raise more and more money. In addition, candidates not blessed with great personal wealth, or bulging campaign war chests, would no longer be at such a great disadvantage.

THE TACTILE CAPITOL

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. WILSON. Mr. Speaker, our nation's, capitol belongs to all U.S. citizens. It is for this reason that we take pride in the handsome buildings, beautiful landscaping and impressive monuments that make up Capitol Hill.

The city is full of visitors at this time of year. Most of us receive numerous requests for information on Washington as constituents plan visits to Capitol Hill—my office has been inundated this spring. Several of those requests have illustrated a lack, however, that I am now working with the National Institute on Disability and Rehabilitation Research to fill. George Covington, an expert on historic site accessibility and a member of the NIDRR staff on detail from the Department of the Interior, is the director of the project, entitled the "Tactile Capitol."

The question of accessibility—making accommodations for disabled visitors in public buildings and facilities—is a quiet issue. But again, because Capitol Hill belongs to all citizens, addressing the accessibility of these buildings and the entire "Hill" area makes it an important one as well. In addition, recognition of this project is especially fitting today as it is National Barrier Awareness Day. I therefore request that the attached description of the "Tactile Capitol" be entered in the RECORD, in order to inform my colleagues of this valuable project.

[From the National Institute on Disability and Rehabilitation Research]

THE TACTILE CAPITOL—A PERMANENT RESOURCE AND TRAVELING EXHIBIT

The Tactile Capitol will consist of a series of panels with three dimensional representations of key elements of the Nation's Capitol. While it will have braille components, it would be intended as an accessibility tool for a audience such as the mentally retarded, learning disabled, children, the visually impaired and the totally blind.

PROJECT'S TWO TYPES OF MAPS

There will be two types of maps involved in the project. The first will be panels of three dimensional representations of buildings that are of primary interest to tourists. These will include areas such as the Mall, the Capitol and surrounding House and Senate Offices, the Supreme Court and the Library of Congress. Other areas represented on the panels might include the relationship of the Potomac River to Arlington National Cemetary, Arlington House, and Mount Vernon. Additional panels could show the historical development of the Capitol.

The second type of map will be the raised line and braille kind. This map is intended for the blind and visually impaired constituents of members of Congress. These maps will be distributed to Congressmen for the use of blind and visually impaired visitors to Washington. These maps will show the floor plans of the Capitol Building, the outlines of the Capitol, the House and Senate buildings and their relationship to each other. Other panels will show the Mall and key historical monuments.

DISABLED CONSUMER INPUT

The exhibit will be designed by the disabled members of the Smithsonian Institution's Advisory Committee on Special Education Programs. This is a rare opportunity to allow disabled individuals to have input at the conceptual stages of an exhibit's development.

TRIBUTE TO DR. VINCENT REED

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. FAUNTROY. Mr. Speaker, I am delighted for the signal and treasured opportunity to rise in the hallowed precincts of this historic Chamber to salute one of the great citizens of our Nation's Capital, Dr. Vincent Reed, as his sterling, transcendent, and enduring contributions to our city and Nation are celebrated by the Shaw Community Food Committee.

Certainly, America is indebted to the hand of providence for the gift to every generation of those unique and talented individuals whose industry, vision, and unbending commitment to the promotion of the good, have contributed in fashioning a world of purpose, place and destiny. Dr. Vincent Reed is one such man.

As a distinguished educator, he confronted the great challenges of urban education with an excellence and precision that took him from classroom to the head of the DC school system as superintendent of schools. I am certain that many Members of this House remember with glad fondness, Vincent Reed's model administration at a very crucial time in our city's history.

Not content to just serve his city professionally, Dr. Reed after retirement from the school system, has championed the cause of the youth, senior citizens and the disadvantaged, as a businessman and civic leader. Regardless of the need, whether it be at a small community activity or a major philanthropic endeavor, Vincent Reed has been available and willing to share.

Finally, Mr. Speaker, in a time where it appears that the balance of compassion is weighted down by indifference and apathy, I am delighted to salute such an outstanding educator, civic activist, and leader of business as Dr. Vincent Reed, whose life and endeavors have done much to restore compassion to its proper place, and whose life has given flesh and sinew to the testimony of one man, who putting duty above complacency once declared: ". . . The woods are lovely dark and deep, but I have promises to keep and miles to go before I sleep—yes, miles to go before I sleep!"

Our city and Nation salutes you Dr. Reed for demonstrating the power and love of excellence and life lived for others!

U.S. NATIONAL SECURITY STRATEGY MUST GUIDE BUDGET PROCESS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BROOMFIELD. Mr. Speaker, the House of Representatives has begun the process of authorization and appropriation of funds for the diplomatic, military, and intelligence activities of the U.S. Government. Currently, the House is considering H.R. 1748, the National Defense Authorization Act.

In a few weeks, the House will consider H.R. 2112, the Intelligence Authorization Act, and H.R. 1777, the Foreign Relations Authorization Act. The House may also consider H.R. 1630, the International Security and Development Cooperation Act of 1987, although that remains uncertain.

The House also will consider, either independently or as part of an omnibus continuing resolution, appropriations bills corresponding to the diplomatic, military, and intelligence activities authorization bills. These bills provide the funding for U.S. Government activities designed to advance our national interests in relations with the rest of the world.

In making funding decisions, Members of the House should ensure that the legislation directly supports U.S. national security strategy. Because taxpayers' dollars are scarce and precious resources, Members of the House must make every dollar count. Every dollar must implement the national security strategy.

President Reagan submitted the National Security Strategy to the Congress in January 1987. The document is critical to understanding the purposes and objectives of U.S. diplomatic, military, and intelligence activities. I urge my colleagues to read the entire document.

The following excerpt from the National Security Strategy outlines in broad perspective what has happened to the national security position of the United States in the years since the Second World War:

U.S. SECURITY IN A COMPLEX AND CHANGING WORLD

In the years following World War II, the United States faced, for the first time, an inescapable responsibility for world affairs. No longer protected by nearly perfect fortresses of oceans, allied with countries devastated by war, and presented with irrefutable evidence of Soviet expansionist aspirations, the United States shouldered the dual burden of facilitating the restoration of a world economic order and arresting the spread of the Soviet Union's peculiar brand of totalitarianism and communism.

The United States responded to the threats posed by Moscow with a policy of containment. Containment, as a strategy for world peace, entailed three distinct elements.

The first element, U.S. defense policy, involved forward deployment of military forces as necessary to deter and contain Soviet military expansion. In practice, this meant keeping, for the first time in our history, large military formations on the soil of allies in Western Europe and East Asia. As Soviet nuclear weapons delivery systems grew, it also required a large strategic force, to augment the deterrence provided by the conventional forces of the United States and its allies. Thus our military security system rested primarily on two strategic zones, Europe and Asia, backed by our nuclear deterrent forces.

The second element, U.S. international economic policy, involved economic recovery programs for Western Europe and Japan. It also required U.S. leadership in establishing and managing the international monetary system, and encouraging regional and global free-trade agreements.

The third element, U.S. policy toward the Third World, included both economic and security assistance. It also had a profound political component: decolonization, self-determination, and support for the evolution toward democracy. The Soviet Union opposed us in the Third World with a policy of "wars of national liberation," through which they sought to exploit the instability of emerging nations to establish Marxist-Leninist regimes based on the Soviet model.

The three postwar decades witnessed important successes for our National Strategy. World war was avoided. Europe and Japan regained their prosperity, with the help of massive U.S. assistance, and most of the Third World was decolonized. Containment, however, was an expensive policy. But because the United States had the lion's share of the devoloped world's economic power, we could carry the burden.

The postwar era came to an end during the 1970s. The cause of its demise were threefold. First, the success of U.S. economic policies in Europe and Asia dramatically changed the distribution of wealth and power within our alliance systems. The United States no longer had an overwhelming economic position vis-a-vis Western Europe and the East Asia rimland. And our success in deterring Soviet military aggression in these two strategic zones created growing public belief that direct Soviet aggression in these two regions had become less likely.

Second, the Soviet military buildup and the projection of Soviet power into Cuba, Nicaragua, the Middle East, Southeast and Southwest Asia, and Africa required changes in strategy for implementing our containment policy. Particularly significant was the Soviet Union's attainment of strategic nulcear parity with the United States.

Third, the political awakening in the Third World created civil wars and regional conflicts that threatened to draw the United States and the Soviet Union into direct military confrontations. And economic developments, particularly in the energy area, contributed to political instability and caused destabilizing effects in the international monetary system.

In such a significantly different world, the foundations of strategic planning had to be reconsidered. U.S. military superiority in strategic forces no longer exists and the continued growth of Soviet military capabilities applicable to Europe, the Persian Gulf, and other important areas, pose a continuing threat to regional security.

Today it is more important than ever before that our National Security Strategy be based on a solid understanding of U.S. interests and objectives and a realistic approach to dealing with the Soviet Union and other threats to U.S. security.

ARTS AND HUMANITIES TAX REFORM

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GREEN. Mr. Speaker, I am pleased to have recently introduced the Arts and Humanities Tax Reform Act of 1987, legislation that would be a boon to artists, museums, and ultimately, an encouragement of creativity.

This legislation, H.R. 2239, would amend the Internal Revenue Code to disregard, in the valuation for estate tax purposes of certain items created by the decedent during his or her life, any amount which would have been ordinary income if the item had been sold at its fair market value; to allow a charitable deduction based on the fair market value of a creation; and to establish new guidelines for deducting the business use of a place of residence.

Under present law, an artist's heirs pay an estate tax on the decedent's creative property which is based on its fair market value. Unfortunately, an artist will frequently request that the family destroy works of art at the time of his or her death in order to protect the heirs from exorbitant estate tax charges. I believe this is a great loss to the Nation, its artists, scholars, and historians, and the decedent's heirs. Section 2 of my bill provides that, when an artist dies, the estate tax be based on the cost of the materials in the work and not the price at which the item could be sold.

I would add that a work or creative property may be defined as any copyright, musical or artisic composition, letter or memorandum, or any similar property which was in the decedent's possession at the time of his or her death, and was created through the efforts of the individual. Second, I would point out that creative work does not include any property which was held by a decedent who was at any time an officer or employee of the United States and which was created by the decedent in carrying out an official duty.

While, for estate tax purposes, works are valued at market price, a creative work is valued for charitable deduction purposes at the cost of materials in the work. Section 3 of my bill would allow artists to take a deduction for donations to nonprofit groups at the fair market value of the donated property.

In making these changes, we would promote rather than discourage creativity and advocate the sharing of artwork and creativity with the public. By providing a tax incentive for the contribution of works to nonprofit organizations—museums, libraries, and galleries—and a lighter estate tax charged an artist's family, we are encouraging wider distribution of artwork, development of artistic resources and individuals, and are recognizing the importance of preserving an artist's creation.

Section 4 addresses a problem which is voiced again and again by artists. Under current law, a taxpayer is allowed to deduct expenses attributable to the business use of his or her place of residence only when a portion of the home is used exclusively and on a regular basis as a place of business. Many artists and writers who seek to deduct expenses for the business use of their homes and live either in loft-type space or in small quarters have a difficult time providing exclusive use of a portion of their home when it is not separated from the remainder of the dwelling by a wall. My bill addresses this problem and would allow the deduction in cases in which a portion of the home is used to a substantial extent and on a regular basis for business purposes, thus allowing a part of a room, not necessarily a separate room, to be considered a workplace for tax purposes. Section 4 also directs the Secretary of the Treasury to promulgate regulations in order to implement the substantial extent provision within 90 days of enactment of the legislation. Within 120 days of enactment, the Treasury must recommend to the House Ways and Means and the Senate Finance Committees legislation which would provide statutory standards to replace the substantial extent provision.

This legislation is designed to allow the artistic community to develop without fear of the tax burden which being an artist presently creates. In light of the severe budget cuts in this area, I believe it is particularly important to provide these incentives to artists, and remove the disincentives to creativity which currently exist. I have submitted to the RECORD the text of my bill for review by my colleagues:

H.R. 2239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arts and Humanities Tax Reform Act of 1987".

SEC. 2. VALUATION OF CREATIVE PROPERTY FOR ESTATE TAX PURPOSES.

(a) IN GENERAL.—Part III of subchapter A of chapter 11 of the Internal Revenue Code of 1986 (relating to gross estate) is amended by inserting after section 2032A the following new section:

"SEC. 2032B. VALUATION OF CERTAIN ITEMS CREATED BY THE DECEDENT.

"(a) GENERAL RULE.—If the decedent was (at the time of his death) a citizen or resident of the United States, then, for purposes of this chapter, the value of qualified creative property shall be determined under subsection (b).

"(b) VALUE OF QUALIFIED CREATIVE PROPERTY.—For purposes of subsection (a), the value of qualified creative property of the decedent shall not include any amount which would have been ordinary income if such property had been sold by the decedent at its fair market value (determined at the time of the valuation of such property).

"(C) QUALIFIED CREATIVE PROPERTY DEFINED.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified creative property' means any copyright, any literary, musical, or artistic composition, any letter or memorandum, or any similar property—

"(A) which was held by the decedent at the time of his death, and

"(B) which was created by the personal efforts of the decedent.

"(2) CERTAIN PROPERTY EXCLUDED.—The term 'qualified creative property' does not include any property—

"(A) which was held by a decedent who was at any time an officer or employee of the United States or of any State or political subdivision of such State, and

"(B) Which was created by the decedent in carrying out his official duties as such an officer or employee."

(b) CLERICAL AMENDMENT.—The table of sections for such part III is amended by inserting after the item relating to section 2032A the following new item:

"Sec. 2032B. Valuation of certain items created by the decedent."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying on or after January 1, 1987.

SEC. 3. VALUATION OF CREATIVE PROPERTY FOR CHARITABILE DEDUCTION PURPOSES.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end thereof the following new paragraph:

"(6) SPECIAL RULE FOR CERTAIN PROPERTY CREATED BY THE TAXPAYER.—

"(A) IN GENERAL.—The reduction under paragraph (1)(A) shall not apply to any charitable contribution of property—

"(i) which is a copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property, and

"(ii) which is contributed by a taxpayer whose personal efforts created such property.

"(B) EXCEPTION.—Subparagraph (A) shall not apply to any property—

"(i) which is contributed by any officer or employee of the United States or of any State or political subdivision of such State whose personal efforts created such property, and

"(ii) which was so created by such officer or employee in carrying out his official duties."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to contributions made after December 31, 1986, in taxable years ending after such date.

SEC. 4. BUSINESS USE OF HOME.

(a) IN GENERAL.—Paragraph (1) of section 280A(c) of the Internal Revenue Code of 1986 (relating to exceptions for certain business or rental use; limitations on deductions for such use) is amended by striking out "exclusively used" and inserting in lieu thereof "used to a substantial extent and".

(b) REGULATIONS.—The Secretary of the Treasury or his delegate shall, not later than 90 days after the date of the enactment of this Act, prescribe regulations to carry out the amendment made by subsection (a).

(c) RECOMMENDATIONS FOR LEGISLATION.—The Secretary of the Treasury or his delegate shall, not later than 120 days after the date of the enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate recommendations for legislation which provide objective statutory standards for allowing deductions in cases where a portion of a dwelling unit is used for busines purposes on other than an exclusive basis.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1986.

COMMENDING THE UNITED STATES WHEAT SALE TO THE SOVIET UNION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. BEREUTER. Mr. Speaker, this Member would like to share with his colleagues an Omaha World-Herald editorial discussing the recent United States decision to sell wheat to the Soviet Union under the Export Enhancement Program. This editorial makes several good points in favor of the United States offer to sell wheat to the Soviet Union at price levels which match our competitors' subsidized rates. As this body considers measures to expand our exports, especially in the area of agriculture, it is important that we realize what actions are needed to remain competitive in the world grain market. The future of our farm sector depends on the fact that U.S. agricultural exports remain as competitive as they can be. I commend this editorial to the attention of my colleagues.

[From the Omaha World-Herald, May 7, 1987]

U.S. WASN'T OUT OF LINE IN SOVIET WHEAT DECISION

The European Community has no apology coming from the United States over U.S decision to subsidize the sale of 4 million metric tons of wheat to the Soviet Union. The United States merely matched the subsidy-sweetened deals that some of its competitors had offered to capture the Soviet Market.

Common Market agricultural officials condemned the decision. They said the reduced price quoted in the U.S.-Soviet transaction could undercut the world market and send prices plummeting. But perhaps their anger over the loss of a potential sale caused them to exaggerate. The price the Soviets agreed to pay, about $2.18 a bushel or $80 a ton, was in line with other offers the Soviet buyers had received. Albert Melnikov, the deputy Soviet trade representative, said several nations quoted a price of $80 a ton.

By lowering its price from about $102 a ton through an export enhancement program, consequently, the United States didn't undercut world prices. It merely matched them.

The reduction in price would be accomplished by giving surplus government wheat to exporting companies to make up the difference.

Without any subsidies, wheat sells for more than $100 a ton on the world market. European officials seem to want the United States to sell wheat at that price while the Europeans—who spent about $55 billion on agricultural subsidies last year—are free to sell wheat to traditional U.S. customers for considerably less.

The world doesn't work that way. Subsidized competiton begets subsidized competition. One trader's assault on the principles of free trade often provokes competitors to retaliate in the name of self-preservation. If one large supplier uses subsidies to offer grain at a substantially reduced price, that price becomes the standard that all serious competitors must meet.

For the Europeans to suggest that U.S. exporters should be tied to an uncompetitive price structure while their competitors step in with artificially lower prices is unrealistic.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1988

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. WALGREN. Mr. Speaker, today I am introducing the "National Science Foundation Authorization Act for Fiscal Year 1988." This bill authorizes the basic science and engineering research and education activities of the National Science Foundation [NSF].

The investment we make in basic research and education through the NSF is vital to our economy and national security. Future economic competitiveness of the United States in the world marketplace ultimately depends on new scientific knowledge. Through a strong investment in NSF we can begin to reverse our declining position in world trade.

In pursuit of this goal, the National Science Foundation funds university based research into basic problems in science and engineering and sponsors science and engineering education activities at all academic levels (primary, secondary, postsecondary, and graduate) that seek to improve the quality of science and engineering education. In the the process, NSF funding provides necessary training for students committed to science and engineering research as a career so that we have an adequate supply of scientists, engineers, and technicians to develop new ideas, apply them to commercial products, and produce manufactured goods through new technology.

The bill I introduce today is the product a of markup of the Subcommittee on Science, Research and Technology held April 9, 1987, and provides funding levels for the research and education activities as follows: Biological, Behavioral, and Social Sciences $294 million; Computer and Information Science and Engineering $146.5 million; Engineering $202.9 million; Geosciences $326.7 million; Mathematical and Physical Sciences $508.9 million; Scientific, Technological and International Affairs $51 million; Program Development and Management $95 million; Science and Engineering Education $150 million; and the U.S. Antarctic Program $118 million.

The total amount of funds authorized for fiscal year 1988 ($1.89 billion) is identical to the total proposed in the President's budget. This total is a 16.9 percent increase over fiscal year 1987. Within the administration recommendation, the subcommittee redirected $38.5 million from research activities and the U.S. Antarctic Program into the Supercomputer Center Program ($3.5 million) and the Science and Engineering Education Directorate ($35 million). Of the $35 million redirected into the Science and Engineering Education Directorate, $20 million would be added to Teacher Preparation and Enhancement, $13 million would be added to the Materials Development and Informal Education Program, and $2 million would be added to the College Science Instrumentation Program [CSIP].

We have seen for the past few years a steady stream of evidence documenting the sad state of pre-college education in the United States. The current situation regarding science and mathematics education is vividly revealed by the results of two recent studies on the performance of students in mathematics. Not only is the mathematics achievement of the top 5 percent of twelfth grade students lower in the United States than in all other industrialized nations, but also the average twelfth grade math student in Japan outperforms 95 percent of comparable U.S. students. These trends must be reversed. No less than the economic health and security of the Nation is at stake.

The administration has proposed $115 million for the Science and Engineering Education Directorate in fiscal year 1988, representing 6 percent of the total NSF budget. Compare this 6 percent with an average of 30 percent of the NSF budget devoted to science and engineering education activities from 1955 to 1970. During this period NSF was generally acknowledged to have active, effective programs that signaled to the science and education community the importance assigned to quality, innovative science education. We need that now more than ever.

Precollege education programs in the administration proposal were slated for $68.9 million, the smallest increase over fiscal year 1987 of any of the educational efforts of NSF. This does not represent an adequate response to the serious problems confronting precollege science and mathematics teachers and students. Therefore, the Scence, Research and Technology Subcommittee boosted the authorized funding levels for precollege activities by $35 million.

It is estimated that approximately 60,000 of 200,000 high school science and mathematics teachers are in desperate need of upgrading their teaching skills. In fiscal year 1986 NSF's level of support for summer training institutes could only accommodate 6,000 teachers. Because of the need so clearly evident in this area we nearly doubled the authorized funding level for this program from $22 million to $42 million. Although the problem will remain great, this increase will significantly increase the number of high school teachers reached by the National Science Foundation. Nothing could be more important. Those who fail to get a good start in science and math in high school can never catch up in the world of science.

The increase of $13 million for Materials Development and informal Education will provide a 60 percent boost in NSF efforts to develop new teaching techniques and materials to serve as models for school systems throughout the Nation.

Of equal importance, the informal science activities help develop educational television programs and support science museums and centers which play an important role in stimulating public interest in science and reaching young people with the importance of careers in science.

The bill increases the College Science Instrumentation Program by $2 million to $11.5 million. This program supports the purchase of instructional lab equipment at 4-year, undergraduate institutions in view of the serious deterioration of the lab resources critical to the education of undergraduates.

In addition to the increase for science education activities, this bill increases funding for the Computer and Information Science and Engineering Directorate by $3.5 million for a total of $48.5 million. This increase is specifically designated to support the anticipated shortfall in the NSF Supercomputer Centers Program in fiscal year 1988.

In order to provide for these increases without exceeding the total proposed by the administration, the subcommittee rejected the administration's proposed increase of $25 million in operations support for the U.S. Antarctic Research Program. The result is to effectively level-funds the operations support part of the Antarctic effort while preserving the $1 million increase requested for the research aspect of the program. While research in the Antarctic may be important, if anything can be increased, it should be the effort in science education here in American schools.

The remaining $13.5 million necessary to provide room for these increases in education comes from a 1-percent reduction of the administration's request for NSF's research directorates. It should be emphasized that, although this bill slightly reduces the proposed funding for these directorates for fiscal year 1988, these activities still receive substantial increases over the funding levels for fiscal year 1987.

This bill mandates that 50 percent of the funds authorized for new Engineering Research Centers must be used for centers focusing on manufacturing technologies. Also, at least one of the future Science and Technology Centers will be dedicated to the development and demonstration of model technician training programs for 2-year and community colleges in view of the critical need of technician training. Further, 2-year and community colleges will be eligible to participate in all programs that address undergraduate science and engineering education.

The plight of manufacturing industries in the United States has become a major public issue. NSF has responded to this problem by initiating programs that focus on important research relevant to manufacturing technologies, particularly in the Engineering and Computer and Information Science and Engineering Directorates. NSF has proposed that manufacturing related research will receive $51 million for fiscal year 1988, which is 3.6 percent of the budget for research and related activities. The need and potential importance for the Nation of new advances in manufacturing technologies are so great that we must launch a strong effort in this area. Although the amount of funds for an Engineering Research Center focused on manufacturing technologies would be only something in the range of $3 million, the establishment of such a center is an important step, and this would be required in the subcommittee bill.

In regard to Community Colleges, the bill approved by the subcommittee reflects a renewed recognition of the value of technical education at 2-year and community colleges. They are ideal places for training and retraining, offering low-cost programs with flexible scheduling. These factors are particularly important to dislocated workers. Fifty percent of the present community college population is of noncollege age. Community colleges can design programs with local industry specifically designed to meet local industry's needs. They can attract faculty from industry who work directly in the field they teach. Community colleges provide more adult literacy training than any other postsecondary institutions and, in fact, enroll over one half of all students starting college, yet they are conspicuously under-used in the Federal education programs. As we seek to raise the technical literacy of all citizens, community colleges are the best place to start. The bill approved by the Subcommittee would open up NSF programs for 2-year and community colleges.

The bill directs NSF to undertake two studies. By January 15 of each year NSF must submit to the Congress a report on the programs funded by the Foundation that support undergraduate science and engineering education. A one-time study, due January 15, 1988, is required that will include an assessment of the problems of 2-year and community colleges. The NSF Director must also report to the Congress by November 1, 1988 on the impact of salary levels on recruitment and retention of science and mathematics teachers at precollege levels.

Finally, this bill repeals section 15(c) of the National Science Foundation Act of 1950 (42 U.S.C. 1874 (c)), a technical change eliminating unnecessary administrative requirements now part of the Graduate Fellowship Program.

Mr. Speaker, the budget for the National Science Foundation authorized in this bill will make a strong contribution to the national effort to strengthen our research and education base. The time is now for decisive action. The National Science Foundation Authorization Act for Fiscal Year 1988 provides exactly that.

COMMEMORATING SMALL BUSINESS ADVOCACY IN ST. JOSEPH COUNTY, IN

HON. JOHN HILER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. HILER. Mr. Speaker, next Monday our country will begin celebrating National Small Business Week. In proclaiming this well deserved salute to America's biggest business—small business—President Reagan stated:

America's millions of small business men and women exemplify the freedoms we all have—the freedoms to produce and create wealth as we choose, to earn and save and invest, to make opportunities for ourselves and others. Our rights to life, liberty, and the pursuit of happiness include and presuppose these rights, and our system of limited constitutional government enshrines them and protects them equally for all.

As history and common sense teach us, however, freedoms, once created, must be defended if they are to remain vital and strong.

Our Nation's small business owners, in dedicating all their energy and talents to the creation of jobs, innovations, and wealth, do not have the time or the resources as individuals to be constantly vigilant to the spread of government into the free workings of their business. Too often, the interests of the most productive segment of our economy are overlooked because government is too busy to remember, and small business owners too busy to remind them.

While many of us here in Congress are especially tuned to the needs and concerns of the small business community and the people they employ, we cannot do the job alone. We require the ideas, dedication, and determination of small business organizations not only here in Washington, but in our States and districts as well.

And to some degree, it is the State and local organizations that better measure the concerns of small business. By working closely with the business owners who day in day out employ their skills to succeed, these organizations know the frustrations small businesses encounter, know what works and what does not, and know what must be done to create an economic climate in which small businesses can thrive.

In this context, I am pleased to bring to the attention of Congress the Small Business Advocacy Network of St. Joseph County, IN. These dedicated small business advocates work diligently to improve the public's awareness of the important role small business plays in the economy and to mold a government policy that promotes, rather than hinders, the growth and creation of small businesses. I can think of few worthier projects.

Mr. Speaker, Winston Churchill once noted that some see private enterprise as a predatory target to be shot, others as a cow to be milked, but few see it as a sturdy horse pulling the wagon. I think it is incumbent on Congress to see in small business a very sturdy horse and to do all we can to smooth the path the wagon rides on. With the help of groups like the Small Business Advocacy Network, we can do this, and I commend the Network for so willingly offering their invaluable assistance.

ARTS AND HUMANITIES IN THE SAN JOAQUIN VALLEY

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. LEHMAN of California. Mr. Speaker, as this House prepares to consider appropriation bills for fiscal year 1988, I would like to compliment the National Endowments for Arts and Humanities, the Institute of Museum Services, and the Historic Preservation Fund for their valuable contributions to our culture. As an executive member of the arts caucus and art enthusiast, I wish to elaborate on how our arts and humanities agencies have benefited my district.

The arts have multiple functions in our society. They challenge our perceptions and teach us to develop our creative resources. They bridge diversities in our culture introducing new understandings and perspectives. The arts archive historical and societal trends and interpret the relationship between our past, our present, and our future.

Mr. Speaker, I believe the arts can be an asset to any community. Businesses make location decisions based on the cultural offerings. Portions of my district in California are rural with limited cultural opportunities available. This does not suggest that my constituents or others living in rural areas are less interested in the arts but that they have fewer opportunities to enjoy them. Federal grants in rural areas like the ones I represent have helped integrate art into the community. Following are samples of how my constituents have benefited when the Institute of Museum Services and the National Endowment of the Arts were able to invest grant moneys in us.

In recent years the Fresno Metropolitan Museum has received grants from the Institute of Museum Services. With them the museum has worked to obtain and maintain a quality multidisciplinary regional museum for Fresno and the entire San Joaquin Valley. An education department was initiated to design programs relevant to the areas' youth, adults, and families. Clearly the residents are responding to this dynamic program because memberships and visitation rates are steadily increasing. Funds have also been used for evaluating the museum's collection of European landscape and portrait paintings and for structuring collection storage spaces with the necessary environmental controls.

Grants from the National Endowment of the Arts made it possible for Fresno's Free College Foundation to support a radio drama coproduction with West German radio. Marvelous literary works have been translated and exchanged between the countries bringing together two parts of the world. The college has also promoted keyboard concerts and chamber music featuring local talent and touring artists. NEA grants enabled the Fresno Philharmonic Association to hire an education director and sponsor a concert in rural Madera. And Radio Bilinque, Inc. recently received a grant to design an arts segment on the series "Noticiero Latino."

These projects are testament of the art talent and spirit in rural America and how invaluable Federal grants have been at cultivating them. In closing, I urge my colleagues to continue to support the National Endowments of the Arts and Humanities and the Institute of Museum Services.

FIFTIETH BIRTHDAY OF THE GOLDEN GATE BRIDGE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to call attention to the construction of one of America's most notable landmarks, the Golden Gate Bridge.

On Sunday, May 24, 1987, the city of San Francisco will pay tribute and celebrate the 50th birthday of the bridge that spans 1.7 miles and connects San Francisco with Marin County, CA. However, Mr. Speaker, it is important to note that San Francisco is not the only community which can take pride and rightfully celebrate the construction of a bridge that so many believed was impossible.

In fact, Mr. Speaker, 2,885 miles east of the San Francisco Bay lies the small community of Roebling, NJ. Now a village honored on the National Register of Historical Sites, Roebling at one time was home to the steelmills of John A. Roebling's Sons Co.—the company that played a key role in the construction of the Golden Gate Bridge.

While others participated in the mammoth project of bridge construction, the Roebling Co. won the prime contract for the suspension and cable design which still marks the skyline of the San Francisco Bay. Roebling's, with a fine reputation earned from its construction of the George Washington Bridge, the Brooklyn Bridge, Niagara Falls Bridge, just to name a few, acquired the $5.9 million contract after a long and fierce bidding process.

It was no secret, Mr. Speaker, that in the early 1930's, the Roebling plant had a lot going for it. Its workers were highly skilled, dedicated people who pioneered new procedures, techniques, and patents which clearly advanced the production of steel, wire, and suspension cables. In May 1936, 2 months ahead of schedule, the Roebling workers completed their task and shipped 80,000 miles of steel cable—enough to wrap around the Earth's equator three times—to the bridge site, via the Panama Canal.

Mr. Speaker, the contribution of Roebling employees to the construction of the bridge continued in San Francisco when the company transferred some employees and opened its own steelyard near the Marin County. Project engineer George Albin was quoted as saying "Roebling brought class to the job. They taught everybody else about safety."

Mr. Speaker, its no wonder that this year the retirees of John A. Roebling's Sons Co. still feel the pride they felt 50-years ago when the Golden Gate Bridge first opened. Many of these people, their relatives and their friends continue to live in Roebling, NJ—a small hamlet whose lifestyle has its origins, its character, and its traditions deeply rooted in the operation of the Roebling Mills.

After the Roebling company was firmly established on the Jersey banks of the Delaware River, it built one of America's first planned unit developments with 750 brick houses for the workers. Complete with school, theater, bank, bowling alleys, tennis courts, stores, restaurants, and a gymnasium the town provided refuge and work for thousands of immigrants in the early 20th century. The quality of life generated by the company was better than that of most company towns. The streets were tree lined and paved; there was central water and sewer, free gas, cheap rent, and later, even free electricity.

Today, Mr. Speaker, the community of Roebling continues to exude a spirit of pride which is both admirable and contagious. And while the homes, the stores, and the businesses no longer belong to the Roebling Co., its successful bridge-building history will always be celebrated, honored, and cherished by the people of the town that bears its name.

NATIONAL BARRIER AWARENESS DAY

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. SHAW. Mr. Speaker, today is Barrier Awareness Day and I would like to congratulate the National Barrier Awareness Foundation for their work and dedication on behalf of making the Nation barrier-free for our disabled. I particularly appreciate their efforts, because my home district of Broward County is very concerned about the difficulties faced by disabled people, and we are devoted to someday removing all of these obstacles.

In recognition of this special day, the Florida Barrier Awareness Foundation has planned many events at Broward Community College in Fort Lauderdale. Exhibits, presentations, and sports demonstrations will be held throughout the day. A wheelchair basketball game will be played this evening, and one of my staff members will be showing our solidarity with handicapped constituents by playing in the game.

Few of us realize how many obstructions the handicapped must overcome in public buildings, schools, theaters, and many other places. By recognizing that there are barriers to handicapped people, we are taking the first step in abolishing these impediments. Let us all make use of this day dedicated to barrier awareness to work together in recognizing and eliminating the barriers that disabled people encounter.

THE BICENTENNIAL OF THE CONSTITUTION

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. KOSTMAYER. Mr. Speaker, we've been eloquently reminded this week that there is a danger that the Bicentennial of the Constitution may become a cosmetic exercise so vapid in content as to more resemble a soft drink commercial than the epic of struggle, torment and courage over two centuries that it is today.

As Justice Marshall said earlier this week, "This is unfortunate—not the patriotism itself, but the tendency for the celebration to oversimplify, and overlook the many other events that have been instrumental to our achievements as a nation."

As the Justice points out, the document the Founding Fathers devised was defective in a number of ways. For as we proudly proclaim the document's opening words, "We the People," we fail to recall as our chests swell and flags unfurl that a good portion of the population, including blacks and woman, were excluded.

It took some doing against considerable resistance to get them included.

We have, as Justice Marshall says, undergone a bloody civil war as well as important social upheavals to guarantee the document's "respect for the individual freedoms and human rights we hold as fundamental today."

It wasn't easy, Mr. Speaker. There was a lot of resistance, a lot of struggle, a lot of courage, a lot of bloodshed.

Those who have sought throughout our history to give the document its true meaning are surely as much heroes as the Founding Fathers, whose vision we have suffered to protect.

"The Constitution" so easily invoked today, is not the work of the Founding Fathers alone.

"Thus," as Justice Marshall said, "in this bicentennial year, we may not all participate in the festivities with flag waving fervor. Some may more quietly commemorate the suffering, struggle and sacrifice that has triumphed along with the original document, and observe the anniversary with hopes not realized and promises not fulfilled

Justice Marshall's remarks follow:

Remarks of Thurgood Marshall at the Annual Seminar of the San Francisco Patent and Trademark Law Association in Maui, HI.

SALUTATION

1987 marks the 200th anniversary of the United States Constitution. A Commission has been established to coordinate the celebration. The official meetings, essay contests, and festivities have begun.

The planned commemoration will span three years, and I am told 1987 is "dedicated to the memory of the Founders and the document they drafted in Philadelphia."[1] We are to "recall the achievements of our Founders and the knowledge and experience that inspired them, the nature of the government they established, its origins, its character, and its ends, and the rights and privileges of citizenship, as well as its attendant responsibilities."[2]

Like many anniversary celebrations, the plan for 1987 takes particular events and holds them up as the source of all the very best that has followed. Patriotic feelings will surely swell, prompting proud proclamations of the wisdom, foresight, and sense of justice shared by the Framers and reflected in a written document now yellowed with age. This is unfortunate—not the patriotism itself, but the tendency for the celebration to oversimplify, and overlook the many other events that have been instrumental to our achievements as a nation.

The focus of this celebration invites a complacent belief that the vision of those who debated and compromised in Philadelphia yielded the "more perfect Union" it is said we now enjoy.

I cannot accept this invitation, for I do not believe that the meaning of the Constitution was forever "fixed" at the Philadelphia Convention. Nor do I find the wisdom, foresight, and sense of justice exhibited by the Framers particularly profound. To the contrary, the government they devised was defective from the start, requiring several amendments, a civil war, and momentous social transformation to attain the system of constitutional government, and its respect for the individual freedoms and human rights, we hold as fundamental today. When contemporary Americans cite "The Constitution," they invoke a concept that is vastly different from what the Framers barely began to construct two centuries ago.

For a sense of the evolving nature of the Constitution we need look no further than the first three words of the document's preamble: "We the People." When the Founding Fathers used this phrase in 1787, they did not have in mind the majority of America's citizens. "We the People" included, in the words of the Framers, "the whole Number of free Persons."[3] On a matter so basic as the right to vote, for example, Negro slaves were excluded, although they were counted for representational purposes—at three-fifths each. Women did not gain the right to vote for over a hundred and thirty years.[4]

These omissions were intentional. The record of the Framers' debates on the slave question is especially clear: The Southern States acceded to the demands of the New England States for giving Congress broad power to regulate commerce, in exchange for the right to continue the slave trade. The economic interests of the regions coalesced: New Englanders engaged in the "carrying trade" would profit from transporting slaves from Africa as well as goods produced in America by slave labor. The perpetuation of slavery ensured the primary source of wealth in the Southern States.

Despite this clear understanding of the role slavery would play in the new republic, use of the words "slaves" and "slavery" was carefully avoided in the original document. Political representation in the lower House of Congress was to be based on the population of "free Persons" in each State, plus three-fifths of all "other Persons."[5] Moral principles against slavery, for those who had them, were compromised, with no explanation of the conflicting principles for which the American Revolutionary War had ostensibly been fought: the self-evident truths "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."[6]

It was not the first such compromise. Even these ringing phrases from the Declaration of Independence are filled with irony, for an early draft of what became that Declaration assailed the King of England for suppressing legislative attempts to end the slave trade and for encouraging slave rebel-lions.[7] The final draft adopted in 1776 did not contain this criticism. And so again at the Constitutional Convention eloquent objections to the institution of slavery went unheeded, and its opponents eventually consented to a document which laid a foundation for the tragic events that were to follow.

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[1] Commission on the Bicentennial of the United States Constitution, First Full Year's Report, at 7 (September 1986).

[2] Commission on the Bicentennial of the United States Constitution, First Report, at 6 (September 17, 1985).

[3] United States Constitution, Art. 1, § 2 (Sept. 17, 1787).

[4] The 19th Amendment (ratified in 1920).

[5] United States Constitution, Art. 1, § 2 (Sept. 17, 1787).

[6] Declaration of Independence (July 4, 1776).

Pennsylvania's Gouverneur Morris provides an example. He opposed slavery and the counting of slaves in determining the basis for representation in Congress. At the Convention he objected that.

> "the inhabitant of Georgia [or] South Carolina who goes to the coast of Africa, and in defiance of the most sacred laws of humanity tears away his fellow creatures from their dearest connections and damns them to the most cruel bondages, shall have more votes in the most cruel bondages, shall have more votes in a Government instituted for protection of the rights of mankind, than the Citizen of Pennsylvania or New Jersey who views with a laudable horror, so nefarious a practice." [8]

And yet Gouverneur Morris eventually accepted the three-fifths accommodation. In fact, he wrote the final draft of the Constitution, the very document the bicentennial will commemorate.

As a result of compromise, the right of the Southern States to continue importing slaves was extended, officially, at least until 1808. We know that it actually lasted a good deal longer, as the Framers possessed no monopoly on the ability to trade moral principles for self-interest. But they nevertheless set an unfortunate example. Slaves could be imported, if the commercial interests of the North were protected. To make the compromise even more palatable, customs duties would be imposed at up to ten dollars per slave as a means of raising public revenues.[9]

No doubt it will be said, when the unpleasant truth of the history of slavery in America is mentioned during this bicentennial year, that the Constitution was a product of its times, and embodied a compromise which, under other circumstances, would not have been made. But the effects of the Framers' compromise have remained for generations. They arose from the contradiction between guaranteeing liberty and justice to all, and denying both to Negroes.

The original intent of the phrase, "We the People," was far too clear for any ameliorating construction. Writing for the Supreme Court in 1857, Chief Justice Taney penned the following passage in the Dred Scott case,[10] on the issue whether, in the eyes of the Framers, slaves were "constituent members of the sovereignty," and were to be included among "We the People":

> "We think they are not, and that they are not included, and were not intended to be included. * * * They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race. . .; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. * * * [A]ccordingly, a negro of the African race was regarded . . . as an article of property, and held, and bought and sold as such. . . . [N]o one seems to have doubted the correctness of the prevailing opinion of the time."

And so, nearly seven decades after the Constitutional Convention, the Supreme Court reaffirmed the prevailing opinion of the Framers regarding the rights of Negroes in America. It took a bloody civil war before the 13th Amendment could be adopted to abolish slavery, though not the consequences slavery would have for future Americans.

While the Union survived the civil war, the Constitution did not. In its place arose a new, more promising basis for justice and equality, the 14th Amendment, ensuring protection of the life, liberty, and property of all persons against deprivations without due process, and guaranteeing equal protection of the laws. And yet almost another century would pass before any significant recognition was obtained of the rights of black Americans to share equally even in such basic opportunities as education, housing, and employment, and to have their votes counted, and counted equally. In the meantime, blacks joined America's military to fight its wars and invested untold hours working in its factories and on its farms, contributing to the development of this country's magnificent wealth and waiting to share in this prosperity.

What is striking is the role legal principles have played throughout America's history in determining the condition of Negroes. They were enslaved by law, emancipated by law, disenfranchised and segregated by law; and, finally, they have begun to win equality by law. Along the way, new constitutional principles have emerged to meet the challenges of a changing society. The progress has been dramatic, and it will continue.

The men who gathered in Philadelphia in 1787 could not have envisioned these changes. They could not have imagined, nor would they have accepted, that the document they were drafting would one day be construed by a Supreme Court to which had been appointed a woman and the descendent of an African slave. "We the People" no longer enslaved, but the credit does not belong to the Framers. It belongs to those who refused to acquiesce in outdated notions of "liberty," "justice," and "equality," and who strive to better them.

And so we must be careful, when focusing on the events which took place in Philadelphia two centuries ago, that we not overlook the momentous events which followed, and thereby lose our proper sense of perspective. Otherwise, the odds are that for many Americans the bicentennial celebration will be little more than a blind pilgrimage to the shrine of the original document now stored in a vault in the National Archives. If we seek, instead, a senstitive understanding of the Constitution's inherent defects, and its promising evolution through 200 years of history, the celebration of the "Miracle at Philadelphia" [11] will, in my view, be a far more meaningful and humbling experience. We will see that the true miracle was not the birth of the Constitution, but its life, a life nurtured through two turbulent centuries of our own making, and a life embodying much good fortune that was not.

Thus, in this bicentennial year, we may not all participate in the festivities with flag-waving fervor. Some may more quietly commemorate the suffering, struggle, and sacrifice that has triumphed over much of what was wrong with the original document, and observe the anniversary with hopes not realized and promises not fulfilled. I plan to celebrate the bicentennial of the Constitution as a living document, including the Bill of Rights and the other amendments protecting individual freedoms and human rights.

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[7] See Becker, The Declaration of Independence: A Study in the History of Political Ideas 147 (1942).

[8] Farrand, ed., The Records of the Federal Convention of 1787, vol. II, 222 (New Haven, Conn., 1911).

[9] United States Constitution, Art. 1, §9 (Sept. 17, 1787).

[10] How. (60 U.S.) 393, 405, 407-408 (1857).

[11] Bowen, Miracle at Philadelphia: *The Story of the Constitutional Convention May to September 1787* (Boston 1966)

EDWIN MARKIEWICZ HONORED BY AMERICAN LEGION

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. KANJORSKI. Mr. Speaker, tomorrow night American Legion Post No. 350 of Nanticoke, PA, will honor a personal friend of mine for his many years of service in their organization. It is a great pleasure for me to join my friends in Nanticoke in honoring Edwin Markiewicz, current central vice commander for the American Legion in Pennsylvania.

To belong to the American Legion, one of the greatest veterans organizations in the country, is an honor; to belong for 40 years is the mark of a true patriot who remembers the importance of service to one's country.

Ed Markiewicz has been an active member during his long tenure as a Legionnaire. He has served as Post No. 350 adjutant and post commander for two terms, and is a member of the board of directors for the home association and is the current president. Ed was elected both deputy commander and commander for District 12, and has chaired the Americanism committee and membership committee for Luzerne County. For 3 years Ed Markiewicz was the assistant sergeant at arms and assisted State commanders. A regular participant in State and national conventions for nearly 20 years, at last year's convention in Pittsburgh, Ed was chosen vice commander, the first vice commander to come from Post No. 350.

We have been lucky in Nanticoke to have Ed Markiewicz as our neighbor, and the American Legion Post No. 350 has been lucky to have him as a leader for veterans in Luzerne County. Mr. Speaker, I am proud to draw your attention to my friend Edwin Markiewicz today. As long as America has great patriots like him, we will forever be able to defend the honor of our heritage.

INTRODUCTION OF THE DAVIS-BACON REFORM ACT OF 1987

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. STENHOLM. Mr. Speaker, along with my friend and colleague, Congressman ARLAN STANGELAND, I am pleased to be introducing once again legislation to make significant and reasonable revisions in the Davis-Bacon Act of 1931. In all, over 80 Members of the House are joining today as original sponsors of the Davis-Bacon Reform Act of 1987.

We have introduced similar legislation in the past two Congresses—H.R. 3846 in the 98th Congress and H.R. 472 in the 99th Congress. We have made changes in our bill this year to recognize and accommodate many concerns that have been raised with regard to previous efforts to revise the Davis-Bacon Act. Our new bill is a reasonable, responsible compromise. It would provide relief from the major problems that have arisen over the years because of Davis-Bacon, while preserving the basic worker protections intended by the act.

Davis-Bacon was enacted during the depths of the Great Depression, at a time when little construction was taking place outside of Federal public works projects. Reports were widespread that unscrupulous, fly-by-night construction firms were transporting gangs of "itinerant, cheap, bootleg labor" around the country, driving down local wages by underbidding local firms on Federal public works projects. The guiding intent of the Davis-Bacon Act was that wages on Federal construction, alteration, or repair contracts should simply mirror locally prevailing private sector wages and that the economic power of the government should not be used in a way that disrupted local economies and depressed local wage scales.

These goals remain valid and we strongly support them. However, a vastly changed national economy, subsequently-enacted labor laws—Davis-Bacon predated virtually all of today's basic worker protections, including the minimum wage, right to bargain collectively, and special construction industry rules, and the many problems that have developed under Davis-Bacon over the years all build a compelling case for meaningful reform. As it is currently constituted, the act frequently operates counter to its original purposes.

Davis-Bacon has added to construction costs by discouraging competition for Federal contracts, especially among small businesses, by the inefficient allocation of labor and scheduling of wages, and by imposing onerous paperwork requirements on those complying with it.

The Congressional Budget Office estimates that Davis-Bacon adds over $1 billion a year—more than 3 percent—to total Federal construction costs. The General Accounting Office, Department of Labor, Department of Defense, Grace Commission, and both an Interagency Review and the Council of Economic Advisors of the Carter administration have arrived at comparable figures. An Oregon State University study concluded that Davis-Bacon raises costs in rural areas by 26 to 38 percent.

Wasting billions of dollars because a single Federal law does not work right would be unconscionable at any time. it is intolerable at a time of $200 billion deficits. Our bill would save $3.4 billion in budget authority and $2.3 billion in outlays over 5 years, based on CBO estimates.

Simple, yet substantial dollar savings are not the only benefits to be realized from Davis-Bacon reform.

Our bill would enhance contracting opportunities for small firms that have been discouraged from or priced out of even bidding on Federal construction and repair contracts.

Our bill would require that those practices truly prevailing in a locality be followed more closely.

Our bill would provide training and entry-level work for those most in need of job opportunities: minorities, women, new entrants in the work force, the long-term unemployed, and other disadvantaged individuals.

I want to emphasize: Our bill is not repeal in disguise. It would revise and improve the Davis-Bacon Act in several ways. It would exempt from Davis-Bacon coverage only 12 percent of the total dollar volume of Federal construction, alteration, and repair contracts—only 12 percent of the actual work. But by exempting small contracts, wage rate surveys can be made more accurate and enforcement more vigorous on the large amount of work that remains covered by the act.

The Davis-Bacon Reform Act of 1987 addresses numerous problems without sacrificing worker protection or the quality of Federal construction. Moreover, it will restore Davis-Bacon to something much closer to its original intent.

I also submit for the RECORD the text of, and a summary of, our bill.

The material follows:

SUMMARY OF THE DAVIS-BACON REFORM ACT OF 1987

The Davis-Bacon Act (originally passed in 1931) requires that, for federal and federally-assisted construction, repair, and decorating projects, the Secretary of Labor determine what are the "locally prevailing wage rates" for each craft and classification of worker. These rates then become the minimum wages paid on such projects. As a practical matter, such rates have often been set much higher than those truly prevailing in a locality, semi-skilled workers have been shut out of working on Davis-Bacon jobs, and voluminous paperwork has been required of contractors. The result is that many small and minority-owned firms are discouraged from even bidding on federally-funded projects and, according to CBO, federal costs are increased by more than $1 billion a year.

In the last two Congresses, we introduced legislation to address these problems. Last year, 120 House Members co-sponsored HR 472, the Davis-Bacon Reform Act. We will soon introduce a similar bill, with some substantial revisions.

In the past, Davis-Bacon Reform has been supported by the National Association of Counties, National League of Cities, National Association of Minority Contractors, and National Center for Neighborhood Enterprise, as well as numerous other business and public interest groups.

Our Davis-Bacon Reform Act of 1987 reflects careful consideration of issues raised during House and Senate floor debates last year, as well as during hearings held (after years of effort on the part of reform supporters) last year by the Education and Labor Committee and this year by the Public Works and Transportation Committee. We have also consulted with a number of our colleagues and with the many associations actively working for reform.

The Davis-Bacon Reform Act of 1987 will save $3.4 billion in Budget Authority and $2.3 billion in outlays over five years, based on CBO estimates, and will include the following provisions:

THRESHOLD: $250,000

Since 1935, Davis-Bacon has applied to all construction, repair, and decorating contracts for $2,000 or more. In 1986, the Senate approved a $250,000 threshold for both DOD and highway construction, and had narrowly approved a $1 million DOD-Davis-Bacon threshold in 1985. The Administration continues to support a $1 million DOD threshold. The House defeat in 1986 of a $250,000 DOD threshold (the Dickinson-Stenholm amendment to HR 4428, the FY 1987 DOD Authorization) was clouded by the obviously strong and repeatedly stated desire to give the committee process a chance to consider reform on a government-wide basis this year.

HR 472 in the 99th Congress would have set a $1 million threshold, a level we continue to feel is reasonable and justified. As a practical matter, however, we have come reluctantly to conclude that $250,000 is a reasonable, realistic, compromise level to aggressively pursue in the 100th Congress, on a government-wide bill. A $250,000 threshold exempts only 12 percent of the total dollar volume of federal construction work, and 74.4 percent of the number of contracts, from Davis-Bacon coverage. Because a very small amount of work is taken up in a large number of very small contracts, our bill would still provide Davis-Bacon coverage for the vast majority of work and workers.

HELPERS

Despite widespread industry practice, DOL almost never recognizes a separate classification of unskilled and semi-skilled helpers. Thus, the lowest "prevailing" wage rates seldom fall below those of a skilled journeyman. Our bill recognizes this separate classification. "Helpers" will be carefully defined as semi-skilled workers assisting, and under the direction of, skilled journeymen, a definition carefully crafted to address concerns about ensuring a high quality of work and appropriate wages.

DEFINITION OF LOCALLY PREVAILING WAGES

Our new bill would simply codify DOL's current 50-percent-or-average rule. Thus, a wage rate would be deemed prevailing if paid to a majority of workers in a given worker classification. If a single rate does not so predominate, the weighted average would be used.

REQUIRE SEPARATE PREVAILING WAGE DETERMINATIONS FOR RURAL AND URBAN AREAS

This provision also codifies DOL regulations, to guarantee that wage rates from economically dissimilar areas are not "imported" from one to the other.

PROHIBIT INCLUDING PRIOR DAVIS-BACON WAGES IN THE DATABASE USED FOR COMPUTING LOCALLY PREVAILING WAGES

This is consistent with the original intent of the Act that wages on federal projects reflect local private sector wages. Our new bill would allow prior federal data to be included in local wage surveys if comparable private sector data simply is not available (for example, the private sector buys few highways or missile silos).

PAPERWORK

Some argue that payroll data needs to be available during the contract period, so that any underpayment of wages can be investigated while work is still in progress and funds are still available to compensate workers, if necessary. However, the currently-required weekly payroll reports produce such a mountain of paperwork that they are virtually never reviewed; DOL says most effective investigations involve on-site interviews based on complaints. Our bill balances these concerns by requiring THREE compliance reports over the life of the contact, one each at the beginning, midpoint, and end.

ANTI-CONTRACT-SPLITTING LANGUAGE

One reasonable concern is that a higher threshold could allow large contracts to be artificially broken up into many small contracts below the new threshold. We will include a provision to prohibit splitting that is intended to circumvent the law.

REPORTS

DOL and GAO will be required to submit to Congress annual reports on the implementation and impact of these reforms.

If you need further information, please do not hesitate to contact Damon Tobias (Stenholm, 5-6605) or Jim Hagedorn (Stangeland, 5-2165).

H.R. 2328

A BILL to amend the Davis-Bacon Act and the Copeland Act to provide new job opportunities, effect significant cost savings on Federal construction contracts, promote small business participation in Federal contracting, reduce unnecessary paperwork and reporting requirements, clarify the definition of prevailing wage, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Davis-Bacon Reform Act of 1987".

(b) REFERENCE.—Whenever in this Act (other than in section 10) an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Act of March 3, 1931 (commonly referred to as the "Davis-Bacon Act").

SEC. 2. INCREASE IN THRESHOLD AMOUNT.

Subsection (a) of the first section (40 U.S.C. 276a) is amended by striking out "$2,000" and inserting in lieu thereof "$250,000".

SEC. 3. APPROPRIATE CIVIL SUBDIVISION FOR COMPUTATION OF PREVAILING WAGE.

Subsection (a) of the first section is further amended by striking out "the city, town, village, or other civil subdivision of the State, in which the work is to be performed," and inserting in lieu thereof "the particular urban or rural subdivision (of the State) in which the work is to be performed,".

SEC. 4. DETERMINATION OF PREVAILING WAGE.

Subsection (a) of the first section is further amended by adding at the end thereof the following: "In determining the prevailing wage for a class of laborers, mechanics, or helpers where more than a single wage is being paid to the corresponding class of laborers, mechanics, or helpers, the Secretary shall establish as the prevailing wage—

"(1) wage paid to 50 percent or more of the corresponding class of laborers, mechanics, or helpers employed on private projects of a character similar to the contract work in the urban or rural subdivision of the State in which the work is to be performed, or in the District of Columbia if the work is to be performed there, or

"(2) if the same wage is not paid to 50 percent or more of the laborers, mechanics, or helpers in the corresponding class, the weighted average of the wages paid to the corresponding class of laborers, mechanics, or helpers employed on private industry projects of a character similar to the contract work in the urban or rural subdivision of the State in which the work is to be performed, or in the District of Columbia, if the work is to be performed there."

SEC. 5. EXCLUSION OF FEDERAL PROJECTS FROM PREVAILING WAGE COMPUTATION.

Subsection (b)(1) of the first section is amended by inserting before the semicolon the following: ", excluding the basic hourly rates of pay of individuals whose wages are established pursuant to the requirements of this Act, unless it is determined that there is insufficient wage data to determine the prevailing wages in the absence of data from such Federal or federally assisted projects; data from Federal or federally assisted projects may be used in compiling wage rate data for heavy and highway wage determinations".

SEC. 6. CLASSIFICATION OF HELPERS.

The first section is further amended by adding at the end thereof the following new subsection:

"(c)(1) For the purposes of this Act, helpers of a class of laborers or mechanics shall be considered as a separate class and prevailing wages for such helpers shall be determined on the basis of the corresponding class of helpers.

"(2) For purposes of this section, the term 'helper' means a semi-skilled worker (rather than a skilled journeyman mechanic) who—

"(A) works under the direction of and assists a journeyman,

"(B) under the direction and supervision of the journeyman, performs a variety of duties to assist the journeyman, such as—

"(i) preparing, carrying, and furnishing materials, tools, equipment, and supplies and maintaining them in order,

"(ii) cleaning and preparing work areas;

"(iii) lifting, positioning, and holding materials or tools, and

"(iv) other related semi-skilled tasks as directed by the journeyman, and

"(C) may use tools of the trade which are under the direction and supervision of the journeyman.

SEC. 7. PROHIBITION ON CONTRACT-SPLITTING.

The first section (as amended by section 6) further amended by adding at the end thereof the following new subsection:

"(d) Any person entering into a contract under which wages are to be determined in accordance with this Act shall not divide any project into contracts of $250,000 or less if the project would not have been so divided but for the purpose of avoiding application of this Act.".

SEC. 8. TECHNICAL.

(a) The following is inserted before the first section:

"SECTION 1. This Act may be cited as the 'Davis-Bacon Act'.

(b) The first section is amended by striking out "(a) That the" and inserting in lieu thereof "Sec. 2. (a) The".

(c) Sections 2 through 7 are redesignated as sections 3 through 8, respectively.

SEC. 9. REPORTS REQUIRED.

Beginning one year after the effective date of the amendments made by this Act, and at intervals of one year thereafter, the Secretary of Labor and the Comptroller General of the United States shall each prepare and transmit to the Congress a report describing the results of a review of the implementation, enforcement, administration, impact on local wages, and impact on local and national economies of the Act of March 3, 1931 (the Davis-Bacon Act), the Act of June 13, 1934 (the Copeland Act), and the amendments made by this Act during the preceding 12-month period, including recommendations for such further legislation as may be appropriate.

SEC. 10. COPELAND ACT PAPERWORK REDUCTION AMENDMENT.

Section 2 of the Act of June 13, 1934, entitled "An Act to effectuate the purpose of certain statutes concerning rates of pay for labor, by making it unlawful to prevent anyone from receiving the compensation contracted for thereunder, and for other purposes" (40 U.S.C. 276c) (commonly referred to as the Copeland Act) is amended by striking out "shall furnish weekly a statement with respect to the wages paid each employee during the preceding week" and inserting in lieu thereof "shall furnish, at the beginning, midpoint, and conclusion of the period covered by the contract, a statement with respect to the weekly wages paid each employee during such period".

SEC. 11. EFFECTIVE DATE.

The amendments made by this Act shall take effect 60 days after the date of enactment of this Act but shall not affect any contract in existence on that date or made pursuant to invitations for bids outstanding on that date.

LIST OF COSPONSORS

Mr. Stangeland, Mr. Valentine, Mr. Bartlett, Mr. Dickinson, Mr. DeLay, Mr. Archer, Mr. Armey, Mr. Badham, Mr. Barnard, Mr. Barton of Texas, Mr. Bereuter, Mr. Bilirakis, Mr. Blaz, Mr. Bliley, Mr. Boulter, Mr. Broomfield, Mr. Brown of Colorado, Mrs. Byron, Mr. Callahan, and Mr. Coble.

Mr. Combest, Mr. Craig, Mr. Crane, Mr. Daniel, Mr. Dannemeyer, Mr. Dornan of California, Mr. Dreier of California, Mr. Edwards of Oklahoma, Mr. Emerson, Mr. Fawell, Mr. Frenzel, Mr. Gingrich, Mr. Hall of Texas, Mr. Hammerschmidt, Mr. Hansen, Mr. Hefner, Mr. Henry, Mr. Hopkins, Mr. Hunter, and Mr. Hutto.

Mr. Ireland, Mr. Jones of North Carolina, Mr. Kolbe, Mr. Leath of Texas, Mr. Lewis of Florida, Mr. Lightfoot, Mr. Lungren, Mr. McCandless, Mr. McCollum, Mr. McMillan of North Carolina, Mr. Montgomery, Mr. Moorhead, Mr. Nielson of Utah, Mr. Oxley, Mr. Packard, Mr. Parris, Mr. Porter, Mr. Ray, Mr. Roberts, and Mr. Schaefer.

Mr. Shaw, Mr. Shumway, Mr. Skeen, Mr. Slaughter of Virginia, Mr. Denny Smith, Mr. Smith of New Hampshire, Mr. Robert F. Smith, Mrs. Smith of Nebraska, Mr. Spence, Mr. Stump, Mr. Sundquist, Mr. Sweeney, Mr. Swindall, Mr. Tauke, Mr. Vander Jagt, Mrs. Vucanovich, Mr. Walker, Mr. Weber, Mr. Whittaker, and Mr. Wolf.

THE 50TH ANNIVERSARY OF FLINT EMC

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. RAY. Mr. Speaker, I rise before you today to pay tribute to a group that has been instrumental in providing electric energy and growth to middle Georgia for the last 50 years.

The Flint Electric Membership Corp. was formed on April 23, 1937 in Reynolds, GA. This week they will celebrate their 50th anniversary of operation as a cooperative under the Rural Electrification Administration.

At the start of this century, when the industrial revolution was in full swing, the focus of the Nation was on the cities and their tremendous growth. Electricity was a major part of this boom, improving transportation, communication, and the standard of living. Rural America, however, operated as they always had and it was clear that due to cost and other factors, private utility companies were not willing to extend their lines to bring power to rural areas.

In 1935, President Roosevelt sat in his winter home in Warm Springs, GA, which today is at the heart of the Third District. Only 10 percent of the Nation had electricity, and he realized that in order for rural America to keep up, a method would be needed to bring electricity to all sections of our country.

By May 1935, President Roosevelt signed an Executive order creating the Rural Electrification Administration. This order released money that could be lent to the utility companies to bring electricity to farms. But it was the rural electric cooperatives that took the lead in the spread of electricity. Soon, cooperatives like Flint began to form all across the country to bring new energy to even the most remote areas of the country.

Mr. Speaker, it was the perseverance of Emory Parr, Leonard Cooper, F.C. Jarrell, George Z. Young, and Howard Neisler, the original founders of the Flint EMC in the Reynolds-Crowell area of Georgia, that brought middle Georgia out of the past and into the future.

Flint EMC affected me personally as I grew up. As a 10-year-old growing up on a farm in Crawford County, GA, I remember the first time I saw our house across the fields ablaze with lights. I stared in awe at this amazing sight.

Rural electrification changed our lives tremendously. It gave America's farmers the capability to go from little more than self-sufficiency to producing enough food to feed the entire world. It brought new industry and economic activity to small towns and communities. It allowed people to enjoy things that they never had the opportunity to before.

Today, Flint EMC serves 43,000 accounts in 15 counties of which the majority are in my district. When many of the early EMC's were running in the red, Flint ran a tight ship and continuously provided power to middle Georgians in an efficient and economical manner.

Under the direction of Chairman Cary Hays and General Manager Harold Smith, the 168 employees of Flint EMC maintain one of the top cooperatives in the State of Georgia and the country.

Mr. Speaker, I am proud today to pay a personal tribute to the Flint EMC as a strong example of government cooperating with private industry to better the lives of Americans.

SPENT FUEL CONTINGENCY ACT OF 1987

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GORDON. Mr. Speaker, I am pleased to join with my colleague, MARILYN LLOYD, today in introducing the Spent Fuel Contingency Act of 1987. This legislation requires the Department of Energy to develop and implement a contingency plan for the acceptance and storage of nuclear waste. The Nuclear Waste Policy Act of 1982 [NWPA] requires DOE to dispose of high-level waste in a permanent, deep geologic repository. But the Department has failed to meet the NWPA's schedule for the development of the repository.

DOE is also proposing to build a Monitored Retrievable Storage facility [MRS] to provide for the consolidation, repackaging, and temporary storage of nuclear waste before it is sent to the repository. The MRS, which will cost well over $3 billion, is also DOE's only contingency plan for the eventuality that the repository will not be ready by 1998, the year when DOE is legally obligated to begin disposing of waste. By DOE's own admission, that eventuality is now a certainty, and the Department now proposes to make the MRS an integral part of the waste system, in clear violation of Congress' intent as expressed in the NWPA.

The Spent Fuel Contingency Act of 1987 rejects the flawed, unnecessary MRS proposal, and sets forth in its place an alternative. My investigation of DOE's MRS plan has revealed that the Department did not thoroughly examine any alternatives to a waste system that includes an integral MRS. DOE has not developed a no-MRS system with anything approaching the rigor it has applied to its MRS proposal.

This bill directs DOE to develop just such a system, using such proven at-reactor technologies as rod consolidation, reracking, dry-cask storage, and others. The bill authorizes payments from the nuclear waste fund to reimburse utilities for the cost of undertaking this program.

I believe that this contingency plan provides a preferable alternative to an MRS. A proposal that have developed for a comprehensive, no-MRS system includes all of these elements, based on the activities of many nuclear utilities which already have projects underway to expand their at-reactor storage. My investigation has revealed that DOE has not made a serious effort to examine these options, even though these projects are already underway in the industry.

Mr. Speaker, it is time that the Congress took a critical look at the Department of Energy's conduct of the Nuclear Waste Program, which is funded by American electric ratepayers. The MRS proposal does not represent the best option for contingency storage of nuclear waste. The Spent Fuel Contingency Act of 1987 presents an effective, safe, viable, and less expensive alternative system, which will much better serve the ratepayers of America.

AIRPORT AND AIRWAY TRUST FUND REAUTHORIZATION BILL

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. MINETA. Mr. Speaker, today I am introducing legislation to reauthorize the programs supported by the Airport and Airway Trust Fund. These programs support the urgently needed capital development of our Nation's airport and air traffic control system. The authorizations in the trust fund expire at the end of the fiscal year on September 30, 1987. The legislation is cosponsored by the chairman of the Committee on Public Works and Transportation, JIM HOWARD, and the ranking Republican members of the full committee and the Aviation Subcommittee, JOHN PAUL HAMMERSCHMIDT and NEWT GINGRICH.

Since 1970, the Airport and Airway Trust Fund has been the mechanism for funding capital improvements for our air traffic control system and airports. The trust fund is supported by taxes contributed by users of the aviation system, including an 8 percent tax on airline passengers and a tax on the fuel used by general aviation. Through these taxes the users contribute more than $3 billon a year to the trust fund.

The trust fund was last reauthorized in 1982 for 6 fiscal years, following a 1-year extension for fiscal year 1981. During this 6-year period, ending in October 1987, the trust fund will have financed approximately $4.8 billion of improvements and development at the Nation's airports, $4.8 billion of capital equipment for the air traffic control system, and $1 billion for research and development by the Federal Aviation Administration. In addition, by the end of fiscal 1987, the trust fund will have underwritten approximately $4.2 billion of the costs of operating and maintaining the air traffic control system.

It is critically important to the future of our aviation system that we continue to fund capital development during the next 5 years. As a result of the success of airline deregulation and the failure of the administration to adequately rebuild the air traffic control system after the PATCO strike, airline schedule delays are now at record levels. Substantial capital development will be required if our aviation system is to be able to handle the increasing traffic demands created by deregulation.

The introduced bill establishes funding levels related to system needs. For the Airport Improvement Program, funding is established at approximately $1.7 billion per fiscal year. This funding level will make a substantial contribution to meeting the capital development needs which were discussed at the Aviation Subcommittee's recent hearings on reauthorization. At these hearings the Federal Aviation Administration submitted a draft national plan of integrated airport systems showing a national need for airport capital improvements of $20.4 billion from 1986 to 1995. Similar needs are indicated by studies by the Airport Operators Council International and American Road and Transportation Builders Association.

For capital development of the air traffic control system, under the Facilities and Equipment Program, the introduced bill establishes funding levels ranging from $1.5 to $2 billion a year. These authorization levels are based on FAA estimates of the funding needed to keep the national airspace system plan on track plus $92 million to fund the installation of additional instrument landing systems to resolve the problem created by delays in development and deployment of microwave landing systems. The funding levels in the introduced bill will permit FAA to go forward with many vitally needed safety and capacity improvements, including the Terminal Doppler Radar Program to permit advance detection of weather conditions, such as wind shear, which can result in fatal accidents.

For aviation research and development, the act authorizes $200 million a year, including $25 million specifically devoted to research and development on measures to enhance airport capacity.

The final major program funded is the authorization permitting use of the trust fund for a portion of the expenses of operating and maintaining the air traffic control system. The committee has always taken the position that funding of operations and maintenance is a secondary purpose of the trust fund and that trust fund user taxes should not be used for this program until the primary research and development and capital improvement programs have been adequately funded.

The introduced bill preserves this concept. It provides that the authorization for operations and maintenance from the trust fund will be 50 percent of the funds made available for the airport improvement, facilities and equipment, and research and development programs. In other words, funding for operations and maintenance will be continued at its historic level of approximately 33 percent of total trust fund spending. If actual spending for the capital development programs is increased, as contemplated by the introduced bill, then the authorization for operation and maintenance will also be higher than historic levels. However, if the capital development programs are underfunded, the authorization for operations and maintenance will also be reduced proportionately.

In addition, the introduced bill strengthens the 1982 penalty clause by providing that for every dollar by which funding for capital development programs falls short of the authorized levels, funding for the operations and maintenance program will be reduced by $3. The amount of any such reduction in the authorization for operations and maintenance will be added to the discretionary fund of the Airport Improvement Program.

The authorization levels established in the introduced bill will reduce the substantial surplus which accumulated in the trust fund because the revenues contributed by the users have not been fully spent. If the authorized programs in the introduced bill are fully funded, the trust fund surplus will be reduced gradually from the estimated level of $5.7 billion by the end of fiscal year 1987 to about $900 million by the end of fiscal 1992.

The surplus which has been permitted to develop in the trust fund has been highly inequitable for aviation users. When the trust fund programs were renewed in 1982, user taxes were increased substantially. The users supported these increases because they recognized that higher taxes were needed to support overall modernization of the air traffic control system and expansion of airport capacity. Regrettably, the programs established in the 1982 legislation have not been fully funded and the users have ended up paying considerably more into the trust fund than was permitted to be spent. Creation of this surplus has not only been highly unfair to the users but has also been a major contributing factor to the problem of flight delays which have been plaguing the aviation system in recent months.

The introduced bill establishes a program to reduce the surplus over the next 5 years. The incentives for Congress and the administration to fully fund these programs would be much greater if the trust fund was not included in the unified Presidential and congressional budgets. Inclusion of the trust fund in these budgets creates a temptation for the administration and the Budget and Appropriations Committees to have the trust fund spend less than it takes in. This surplus then goes to reduce the deficit in the remainder of the budget.

At the beginning of this Congress I introduced H.R. 8, which would remove the trust fund from the congressional and Presidential budgets and would also exempt the trust fund from across-the-board cuts in funding under Gramm-Rudman-Hollings. Removing the trust fund from the budget would eliminate the temptation to under-fund trust fund programs to reduce the overall budget deficit.

We have not included these off-budget provisions in the introduced bill because to do so would create problems of committee jurisdiction which could delay the vitally needed reauthorization legislation. However, I remain convinced that taking the trust fund off budget is the best approach to the surplus problem and we will continue to work to pass this legislation.

H.R. 8 included as another mechanism to encourage full funding of trust fund programs a tax trigger proposal. Under the trigger there would be an automatic reduction in user taxes if the trust fund programs were not adequately funded. A tax trigger provision is within the jurisdiction of the Ways and Means Committee. When the Committee on Public Works and Transportation reports legislation to reauthorize the trust fund programs, I will ask the committee to recommend to the Ways and Means Committee that they include a tax trigger in reauthorizing user taxes.

Before concluding, I want to make particular note of the fact that although this bill provides for a 5-year reauthorization of the airport and airways development programs, it is the intent of the Aviation Subcommittee to dedicate both time and resources in the second session of the 100th Congress to reviewing whether the Federal Aviation Administration's organization and structure is adequate to meet the rapidly changing demands of our aviation system and to assessing the recommendations of the Aviation Safety Commission which was established by Senate majority leader ROBERT C. BYRD'S amendment to House Joint Resolution 738, the fiscal year 1987 continuing resolution. The findings and the recommendations of the Byrd Commission are expected early in 1988. When our committee has the opportunity to fully consider and discuss the commission's findings as well as public comments on their recommendations, we will be best able to proceed ahead to not only act upon how to best organize the agency we charge with aviation safety and air traffic control responsibilities, but to also revisit some of the policy decisions reflected in this bill if such is needed.

The details of the introduced bill are set forth in a summary following this statement. I look forward to prompt action on the bill so that there will be no lapse in these important programs.

MAIN PROVISIONS IN AIRPORT AND AIRWAY TRUST FUND REAUTHORIZATION BILL

1. Programs are reauthorized for five years.

2. Amounts of reauthorization for major programs:

(a) Facilities and equipment: fiscal year 1987—$1.16 billion (existing law).

	Billion
FY 1988	$1.38
FY 1989	1.73
FY 1990	2.19
FY 1991	1.99
FY 1992	2.08
5 year total	9.326

(b) Airport improvement program: fiscal year 1987—$1.017 billion (existing law).

	Billion
FY 1988	$1.720
FY 1989	1.720
FY 1990	1.699
FY 1991	1.760
FY 1992	1.712
5 year total	8.611

(c) Research and development: fiscal year 1987—$193 million (existing law).

	Million
FY 1988	$200
FY 1989	200
FY 1990	200
FY 1991	200
FY 1992	200
5 year total	1,000

(d) Operation and maintenance from the trust fund: fiscal year 1987—1.36 billion (existing law).

	Million
FY 1988	$1.67
FY 1989	1.84
FY 1990	2.06
FY 1991	1.99
FY 1992	1.99
5 year total	9.54

The authorized funding for O&M is set at 50% of the funds actually appropriated in a fiscal year for the Facilities and Equipment, Airport Improvement and Research and Development Programs. The authorized funding for Operations and Maintenance is reduced by $3 for every $1 by which appropriations for the AIP, F&E, and R&D programs fall short of authorized funds. The amount by which the O&M authorization is reduced by this 3 for 1 "penalty" is added to the discretionary fund for the Airport Improvement program.

3. Breakout of Funds for Airport Improvement Program.

(1) Entitlement Funds.

(a) Primary Airports.

The bill continues current law in providing that primary airports (airports with more than .01% of total enplanements—about 260 largest airports) will receive entitlement funding based on a per passenger formula. The minimum and maximum annual entitlements are changed to $300,000 and $16 million. A new entitlement is established for airports receiving scheduled all-cargo service with an aggregate annual landed weight in excess of 500 million pounds. These airports will divide a $50 million allowance, with a maximum of $4,000,000. There will be a cap on the passenger and cargo entitlements of 48% of the AIP program.

(b) State entitlement.

The bill continues current law in requiring that 12% of the AIP program be allocated to general aviation airports in the States and territories, with the entitlement for airports in each state based on population/area ratios.

(2) Allocation of Funds after Entitlements.

The funds remaining after entitlements are a discretionary fund. However, the law will require specified minimum funding for various programs. These minimums may be satisfied from entitlement and/or discretionary funds.

(a) Set Asides (minimums).

(1) Noise abatement—at least 10% of AIP program.

(2) Reliever airports—at least 10% of program.

(3) System planning—at least .5% of program.

(4) Commercial service airports other than primary—at least 5.5% of program.

(b) Remaining Discretionary Fund.

Of the discretionary fund remaining after the set asides have been satisfied, 75% shall be used for preserving capacity, safety and security at primary airports and reliever airports, and for noise compatability planning and programs at such airports.

4. Changes in Airport Improvement Program.

(a) Advance funding—current law permits funding only for costs incurred after a grant is awarded. The bill would permit funding for work undertaken before a grant, if the Secretary issues a letter of intent to fund the project when funds become available, and if the Secretary finds that the project will significantly enhance system-wide airport capacity.

(b) Assurances.

The assurances required from AIP grantees are revised to clarify and strengthen existing assurances concerning non-discrimination against air carriers using the airport; closing the airport for non-aeronautical purposes; removal of hazards to navigation; and ensuring that revenues generated by the airport are spent for the airport. New statutory assurances (some of which are already required as a matter of administrative discretion) are added concerning the disposal of land purchased with a federal grant which is no longer needed for aeronautical purposes; the duty to maintain an airport layout plan and obtain the Secretary's approval for changes therein; and requiring airports to use qualifications-based procurement procedures in contracting for engineering and design services. The bill also clarifies the duty of an airport operator to consult with users of the airport before submitting an application for a grant.

The bill further requires that before the Secretary modifies an assurance required of grantees, the Secretary must publish notice of the proposed change in the Federal Register and provide an opportunity for comment.

(c) Procedures for Terminating Payments and Withholding Estimates.

The bill establishes procedures for the Secretary to follow in terminating a grant or withholding an entitlement on the ground that the grantee has violated an assurance. A grant payment cannot be withheld more than 60 days unless there has been a hearing and a finding that an assurance has been violated. An entitlement may not be withheld on the ground of violation of an assurance unless there has been a hearing and a finding of violation within 90 days after an application is filed.

5. Changes in Noise Program.

Under current law, the Secretary may not fund noise abatement projects until an airport has received approval for an overall noise abatement plan. The bill would modify the requirement for a previously approved plan. The bill provides that if the Secretary finds that an airport owner is not making reasonable progress towards developing an overall noise abatement plan, then 10 percent of the entitlement funds of the airport shall be made available to units of local government surrounding the airport for noise abatement projects. The bill further provides that in the absence of a plan funding is available for soundproofing of schools, if the school was included in an Environmental Impact Statement approved before the date of enactment.

The bill increases the federal share for noise development projects to not less than the federal share for the airport projects. The bill further requires a hearing before an overall noise abatement plan is adopted.

6. Facilities and Equipment Program.

The bill establishes a minimum level of funding for installation of Instrument Landing Systems: $27 million in Fiscal Year 1988, and $30 million in Fiscal Years 1989 and 1990. 75% of these amounts shall be used for funding ILS' at primary and reliever airports. The policy statement is amended to establish new goals for specific facilities and equipment.

7. Research and Development.

The $200 million annual authorization for R&D includes a new $25 million authorization for research to improve airport capacity.

8. Other Provisions.

(a) The authorization for DOT to reimburse NOAA for weather services provided to FAA is set at $30 million per Fiscal Year for Fiscal Years 1988 to 1992.

(b) Part-time Operation of Flight Service Stations.

The provision in the 1982 Act dealing with reducing the hours or closing Flight Service Stations is amended to provide that the Secretary shall not close or reduce the hours of operation of any Flight Service Station unless service will be provided by an automated Flight Service Station with Model 1 equipment or better.

(c) Explosive Detection K-9 Teams.

The authorization for this program is continued without a separate authorization for funding from the Trust Fund.

(d) Ceiling on Fees.

Section 334 of Title 49 U.S.C. prohibits the Federal Aviation Administration from charging fees which were not being charged on January 1, 1973 or which exceed the level of the fee in effect on that date. The bill would amend this ceiling to allow the fees which were is effect on January 1, 1973 to be adjusted for inflation according to the Consumer Price Index.

(e) Declaration of Policy.

A new section is added to the Declaration of Policy providing that artificial restrictions should not be imposed to alleviate air traffic delays unless less restrictive alternatives have first been explored. The bill also expresses the sense of Congress that the FAA high density rule limiting air carrier operations at National, O'Hare, LaGuardia and Kennedy Airports should be phased out and eliminated at the earliest practical date, consistent with safety.

In existing law, the policy statement establishes goals of installing specified safety equipment at commercial service airports. The bill amends this policy statement to add goals of vertical visual guidance systems on primary runways, distance to go signs on primary and secondary runways, surface movement radar systems at Category III airports, and a taxiway lighting and sign system.

(f) Study on Long-Term Capacity Needs.

This provision directs the Secretary of Transportation to conduct a study for developing an airport system plan through at least the year 2010 on the short and long-term availability of adequate airport system capacity. The Secretary is to file a report on this study not later than January 1, 1990. The provision also makes available $250,000 a year from the Airport and Airway Trust Fund for Fiscal Years 1988 and 1989.

EFFORTS BY TAIWAN TO CORRECT TRADE IMBALANCE

HON. MIKE ESPY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. ESPY. Mr. Speaker, I wish to point out to my colleagues that our trade policies, as written, interpreted, and enforced, must always allow for the efforts of our trading partners to reduce their trade surplus with us. Although we must take every fair and just action to ensure our stature in the world market, the United States must acknowledge and take into account the active polices of our surplus trading partners to help us correct our trade deficits.

Along with several of my colleagues, I recently visited the Republic of China on Taiwan, at the invitation of the Chinese Association of Industry and Commerce. While there, I was honored to meet with the President, Premier, Cabinet and sub-Cabinet level officials to discuss trade matters and to express my concern about the trade imbalance between our nations. My concerns were received with mutual concern and interest, and I believe sincere efforts are underway by the Republic of China to answer those concerns.

With the Republic of China committing to immediate tariff reductions averaging nearly 50 percent on 62 of the 66 agricultural and industrial products proposed by the United States, it appears that our trade alliance is garnered by the political and economic realities of global forces, and we must continue our healthy relationship. Among the 62 items with reduced tariffs, 6 will become duty free by the end of the year, offering considerable export possibilities for U.S. farmers and manufacturers.

Mr. Speaker, I believe these and other actions by the Republic of China reflect the seriousness of its efforts in correcting the trade imbalance between our nations, and bases on my meetings with leaders there, further discussions toward a fair and free trade policy will be fruitful.

In closing Mr. Speaker, I must assert that I voted in favor of the strongest possible provisions in our recently passed trade bill, and I believe it was the right thing to do. But I encourage my colleagues and the administration to take note and weigh the efforts of our trading partners like the Republic of China in our pursuit of a policy of cooperation and fairness in the world trade arena.

H.R. 3, OMNIBUS TRADE BILL OF 1987

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1987

Mr. GEPHARDT. Mr. Speaker. I would like to raise an issue related to H.R. 1160, a bill which I sponsored to improve the tariff treatment of lithotripters. This bill has been incorporated by the Ways and Means Committee into H.R. 3, the Omnibus Trade bill. The language in this committee report that corresponds to the lithotripter provisions needs to be clarified. In the committee report describing section 812, there is a description of lithotripter technology. While this description is accurate, it may be somewhat misleading in that it describes only one particular type of lithotripter. There are several other lithotripters that have the same medical purpose—use of shock waves to fragment stones within the body—but are configured differently.

For example, one type of machine does not require x-rays to locate the stones nor does it require the complete submersion of patients in a water bath during treatment. This particular device uses a diagnostic ultrasound scanner and only requires the patient's lumbar area to be in contact with water. I would simply like to point out that it is my understanding that it was not the committee's intent in adopting the lithotripter tariff provision to commercially endorse a particular product.

Furthermore, while lithotripters have been used in the past exclusively to disintegrate kidney stones, scientific advances soon may be forthcoming to allow this same technology—with only slight modifications—to be used to disintegrate gallstones as well. I would like to clarify that the description of the lithotripter should have recognized their use in the treatment of gallstones as well.

SENATE—*Friday, May 8, 1987*

(Legislative day of Tuesday, April 21, 1987)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable KENT CONRAD, a Senator from the State of North Dakota.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray this morning in the profound and familiar words of St. Francis of Assisi.

Lord, make me an instrument of Thy peace . . .
Where there is hatred, let me sow love;
Where there is injury, pardon;
Where there is doubt, faith;
Where there is despair, hope;
Where there is darkness, light;
And where there is sadness, joy.
O Divine Master, grant that I may not so much
Seek to be consoled as to console;
To be understood as to understand;
To be loved as to love;
For it is in giving that we receive;
It is in pardoning that we are pardoned;
And it is in dying that we are born to eternal life.

Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. STENNIS].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 8, 1987.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KENT CONRAD, a Senator from the State of North Dakota, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

Mr. CONRAD thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

FINANCIAL DISCLOSURE STATEMENTS DUE MAY 15, 1987

Mr. BYRD. Mr. President, financial disclosure reports required by the Ethics in Government Act of 1978 and Senate Rule 34 must be filed no later than close of business on Friday, May 15, 1987. The reports must be filed with the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510. The Public Records Office will be open from 8 a.m. until 9 p.m. for the purpose of accepting these filings. Written acknowledgement will be provided automatically for Senators' reports, and upon request for staff members. Any written request for an extension should be directed to the Select Committee on Ethics, 220 Hart Building, Washington, DC 20510.

All Senators' reports will be made available simultaneously on Tuesday, May 19. Advance written requests for copies of these reports are now being accepted by the Public Records Office. Any questions regarding the availability of reports or their purchase should be directed to that office—224-0322. Questions regarding interpretation of the Ethics in Government Act of 1978 should be directed to the Select Committee on Ethics—224-2981.

WORLD RECESSION MAY LOOM

Mr. BYRD. Mr. President, this week's column by Robert Samuelson underlines a point that deserves more attention as we discuss our trade problems. Surplus countries like Japan and Germany have been shirking their responsibilities to expand world trade and growth. This is a point that I stressed with Prime Minister Nakasone in our meeting last week.

While the United States does share much of the responsibility for the current world trade imbalance, so do the surplus countries. U.S. mismanagement—in both the public and private sector—account for the biggest part of our trade deficit. As I assured Prime Minister Nakasone, the Congress intends to step up to its responsibilities. As we work on the budget and on comprehensive trade and competitiveness legislation, we intend to make every effort to bring down our budget deficit and to assist private industry to become more competitive.

As we restore balance and competitiveness to our economy, our trade deficit will come down. However, world trade and growth can be sustained through this period only if the surplus countries correct the mismanagement of their own economies.

U.S. mismanagement simply does not account for the large trade surpluses of a few foreign countries. They have been mismanaging their own economies with reliance on export led growth and sluggish imports. In proportion to the size of their economies, Germany and Japan have even larger trade surpluses than the United States

NOTICE

On June 1, 1987, both the House and Senate Document Rooms will be open to the public for the free distribution of bills, reports, documents, and public laws. The House Document Room will distribute only House bills, reports, and documents to the public; and the Senate Document Room will provide only Senate items to the public. House and Senate Members, congressional staff, and accredited press representatives may obtain both House and Senate legislative materials at either location.

The general public may receive as many as six separate items, one copy of each, per request. Requests may be made in person or in writing. Information concerning availability of publications may be obtained by calling the Senate Document Room on (202) 224-7860; or the House Document Room on (202) 225-3456.

The document sales operation in the Senate Document Room will be closed. When legislative documents are expected to generate greater than normal public interest and demand, they will be sold in the Government Printing Office main bookstore.

Joint Committee on Printing

FRANK ANNUNZIO, *Chairman* WENDELL H. FORD, *Vice Chairman*

● **This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.**

trade deficit. Just last week Japan, with an economy that is roughly half the size of our economy, announced that it is running a $100 billion trade surplus.

The surplus countries must shift gears to expand their own demand and to buy far more imports. As the Congress develops trade legislation to expand trade and open markets, we should keep in mind the problem posed by the mercantilist countries. We have to do our part and better manage our domestic economy, but we can't, as Mr. Samuelson's column points out, allow the Japanese and the Germans to do nothing to spur their own domestic growth and increase imports.

Mr. President, I ask unanimous consent to include in the Record the article by Robert Samuelson that appeared in Wednesday's Washington Post.

There being no objection, the article was ordered to be printed in the Record, as follows:

Without Cooperation, World Recession May Loom

Tokyo.—One of today's maddening contradictions is this: nations' economies are increasingly interdependent, but politics and psychology remain highly nationalistic. If the world is drifting into recession—and it may be—the main cause lies in the inability of the United States, Japan and West Germany to agree on even modest coordination of their economic policies. A few weeks in Japan haven't made me more optimistic about the outlook.

Perhaps last week's meeting between President Reagan and Japanese Prime Minister Yasuhiro Nakasone will result, as they promised, in joint actions to avoid global recession and a trade war. But skepticism is warranted. At home, the Japanese blame their economic problems on the United States and, thereby, rationalize an unwillingness to make tough decisions to stimulate their economy. Likewise, the West Germans portray the United States as the villain and do little to spur growth.

No country, of course, has a monopoly on self-righteousness. Americans—witness last week's passage of tough trade legislation by the House of Representatives—are equally eager to find scapegoats. But all this recrimination doesn't address the basic imbalance in the world economy. Until recently, the United States was the world's main engine for growth. Now, the U.S. economy is slowing, and if other countries don't pick up the slack, the global economy could slip into recession.

Some numbers show the huge U.S. role. Remember, first, that the U.S. economy is more than twice the size of Japan's and about four times larger than West Germany's. Between 1983 and 1986, domestic spending in the United States grew 60 percent faster than in Japan and more than twice as fast as in Germany. About a quarter of the U.S. spending increase was satisfied by imports, boosting growth in other countries. We became addicted to imports, while they became just as addicted to export-led growth.

The pattern couldn't last, and its legacy is now our mutual problem. Sooner or later, foreigners were bound to tire of piling up the dollars we were spending abroad. And so they have. They've sold dollars, driving down the exchange rate. Other countries' exports (in dollars) are more expensive, threatening their economic growth. Meanwhile, higher-priced imports in the United States have increased inflation and prompted the Federal Reserve to raise interest rates. That may further slow the U.S. economy.

Little wonder that the world's stock, bond and foreign exchange markets are jittery. The talk of a "crash" is probably exaggerated, but the danger of global recession isn't. The International Monetary Fund recently cut its forecast of world economic growth for 1987 from 3.1 to 2.7 percent. The West Germans and Japanese have done little to brighten this outlook. The Germans have been timid in lowering interest rates. Both Germany and Japan have resisted greater government spending or tax cuts.

It's not that the Japanese and Germans are simply stubborn. Export-led growth has spared them the unpleasant choices needed to promote domestic growth. Last year, a Japanese government task force—directed by Haruo Maekawa, former head of the Bank of Japan—proposed deemphasizing exports and increasing domestic spending. One idea would reduce the protection for Japan's farmers and shift more agricultural land to housing. Naturally, Japan's powerful farm lobby is opposed. Little has been done. So far, the Maekawa report is a public relations exercise.

The reluctance to tackle these issues also reflects a belief—in Japan and elsewhere—that the United States is mainly to blame for the global imbalance. These self-serving views are increasingly illogical. In Japan, I have been told (often in the same breath) that the United States hurts the world economy both by its faltering economic growth and its huge budget deficits. Huh? Suppose the budget deficits miraculously vanished tomorrow. The first effect would be lower U.S. economic growth, either because government spending would be lower or taxes higher.

That's not an argument against reducing our budget deficits. As a nation, we've been spending beyond our means. Hence, our trade deficits. Reducing budget deficits is one way to stem excess national spending. We will have to export more, import less or, perhaps, both. But unless other countries raise domestic spending—importing more from us or offsetting lost exports—any slowdown of U.S. spending will push everyone closer to a slump.

Lopsided world growth doesn't stem primarily from U.S. budget deficits, but from the dollar's status as the major global currency. Successful U.S. anti-inflationary policies in the 1980s made dollar investments more appealing. Our trade deficits couldn't have mushroomed if international investors hadn't been so willing to hold dollars. In fact, their enthusiasm raised the dollar's exchange rate 60 percent between 1980 and 1985, increasing our imports and other countries' export dependence. But no one planned the dollar's appreciation. It resulted from investment decisions by banks, companies and individuals.

The debate over world economic growth has been about morality (Who's to blame?) when it should be about economics (What's to be done?). The decline of the dollar's exchange rate shifts the burden of higher domestic spending to other countries. To urge some international coordination doesn't mean that governments can instantly create a precise rate of economic growth, no matter how desirable. They can't. But they can adopt measures that will, broadly speaking, give their economies a general direction. The Germans and Japanese have resisted expansionary steps.

We all remain hostage to each other's politics and prejudices. The world won't be helped by an outburst of American protectionism. But neither will it be helped by German and Japanese passivity.

They've wanted it both ways: to criticize our budget and trade deficits while maintaining export-led growth. There are many people in Japan who see the inconsistency. They know that Japan needs to import more and to grow faster. But they are a small and, so far, unpersuasive minority. It's too bad.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TRADE BILL REPORTED

Mr. DOLE. Mr. President, the Senate Finance Committee reported a trade bill yesterday that is tough, but a lot more sensible than the Gephardt-ridden bill which the House passed recently.

First of all, it attacks the problems, not illusions.

It is not a free trader's dream, but it is not a protectionist nightmare either.

It has some problems. We still have time left on the floor and in conference to resolve them. And it may be a bill, depending on what all other committees do—and I think that is a big "if," what they may do—but if we keep the bill free from too many wayward amendments on the floor, it could be a bill the President can sign. And then if we go into conference and work out something with the House Members—and I think the House Members are pretty evenly divided on a lot of these issues—we could have a trade bill in 1987 rather than a trade issue in 1988.

The legislation from the Senate Finance Committee is a product of close bipartisan cooperation.

Senator Bentsen is to be congratulated for steering a careful course through the many interests represented in the Congress. And Senator Packwood is to be thanked for bringing many of the differences between the Congress on the one hand and the administration on the other. There is a lot of creative effort in the bill.

I joined in introducing the original bill, and although I expressed concern at the time about certain provisions, many of these concerns have been addressed.

But it is not a perfect bill. Not many perfect bills pass this Chamber. To take one example, it seems to me that the President is still not given sufficient discretion in deciding whether to impose recommendations of the International Trade Commission in what we call section 201 import relief cases. That is important because no one elects members of the ITC, and yet its decisions can have significant consequences. In other words, they are not elected. They are appointed. They do not have a constituency.

So I would hope we can continue to try to improve the bill on the floor, and take the best parts of each in conference, and maybe get a bill the President can sign sometime this year.

BICENTENNIAL MINUTE

MAY 8, 1884: HARRY TRUMAN'S BIRTHDAY

Mr. DOLE. Mr. President, on this day in 1884, 103 years ago, Harry S. Truman was born in Lamar, MO. From humble origins, as a farmer and a haberdasher, he rose to become President of the United States; and was called upon to make some of the most difficult and significant Presidential decisions in our history, determining this Nation's role in world affairs.

We remember Harry for many things, but we should not forget that before becoming Vice President and President, he spent what he called "the happiest 10 years" of his life as a U.S. Senator. Truman was elected Senator from Missouri in 1934. When he arrived as a freshman, somewhat intimidated by the famous names around him, he received some good advice from the Democratic whip, J. Hamilton Lewis:

> Don't start out with an inferiority complex. For the first 6 months you'll wonder how you got here; and after that, you'll wonder how the rest of us got here.

Harry Truman quickly learned that the real work of a Senator was done in committee, and he worked hard at his committee assignments. Later he wrote:

> I made it my business to master all of the details of any project confronting a committee of which I was a member.

Such dedication and hard work made Truman "a Senator's Senator;" well-liked, and respected by his colleagues in this Chamber.

It further aided him in 1941 when he became chairman of the Special Committee to Investigate the National Defense Program. His hard hitting, uncompromising investigations into defense contracting saved the Nation millions of dollars, protected servicemen from shoddy equipment, won Truman bipartisan praise, and propelled him into the Vice Presidency—which within months placed him in the White House. In Truman's case, good work had its reward. I am pleased to be able to honor his memory today.

MOTHER'S DAY

Mr. DOLE. Mr. President, Sunday is Mother's Day.

And I simply want to say "thank you" to the many mothers who have in the past, and now, love, support, and care about us. To our own mothers; to the grandmothers, daughters, aunts, cousins, and nieces and other family members who nurture and inspire us; to our friends who are mothers; and to our colleagues and employees who are mothers.

Special qualities seem to go along with motherhood—patience, warmth, understanding. And these qualities make all our lives better—fuller, richer, more complete. Thank you.

TAX RETURNS, 1986—SENATOR BOB DOLE

Mr. DOLE. Mr. President, as is my custom I am once again making public key information about my tax returns.

My income included a Senate salary of $85,000, honoraria of $119,575, income of $40,000 from a daily nationwide radio show, and $6,491 of interest income. Other items included rental income from my house in Russell, KS, and an advance royalty payment for a Dole biography to be published early in 1988.

I continued my policy of not accepting honoraria which might create the appearance of a conflict of interest either for myself or for my wife, Department of Transportation Secretary Dole. Therefore, of the $119,575 of honoraria received, $87,500, or 73.18%, I donated to charity. An itemized list of these charitable donations follows.

Together, Secretary Dole and I paid $149,161 in income taxes for 1986, including $133,856 in Federal and $15,305 in Kansas and North Carolina taxes. Joint 1986 income was higher than joint 1985 income principally as a result of the advance book royalties and trust capital gains.

ROBERT J. DOLE—SUMMARY OF INCOME TAX RETURN INFORMATION

	1986	1985
Senate salary	$85,000	$84,945
Honoraria	119,575	127,993
Less honoraria donated to charity	(87,500)	(106,618)
Net honoraria	32,075	21,375
Radio fees "Face Off"	40,000	50,176
Interest income	6,491	5,842
Book royalties	50,000	0
Miscellaneous (rental income, State tax refund, other)	9,257	11,951
Office account reimbursement	0	6,091
Total	222,823	180,380

1986 honoraria contributed to charity—Senator Bob Dole

Charity:	*Amount*
Kansas Special Olympics	$1,000
Kansas Masonic Home	1,000
Foundry Methodist Church	5,000
Lakemary Center	2,000
American Heart Association	2,000
Kansas Association for Mental Health	2,000
Kansas Comm. for Prevention of Child Abuse	1,500
Kansas Foundation for the Blind	2,000
Kansas Society for Crippled Children	2,000
Trinity United Methodist Church	2,000
National Kidney Foundation of Kansas and Western Missouri	2,000
Lakemary Center	3,000
Leukemia Society of America, Kansas Chapter	2,000
Institute of Logopedics	2,000
American Lung Association of Kansas	2,000
United Negro College Fund	2,000
Foundry Methodist Church	2,000
National Hispanic Scholarship Fund	2,000
Benedictine College	2,000
Academy of Mt. St. Scholastica	2,000
Foundry Method Church	2,000
American Heart Association, Kansas Affiliate	2,000
Kansas Comm. for Prevention of Child Abuse	1,000
Kansas Foundation for the Handicapped	2,000
Hutchinson Heights, Inc	1,000
National Society for Autistic Children	2,000
Marymount College of Kansas	1,000
Kansas Wesleyan College	1,000
United Negro College Fund	2,000
Kansas Association of the Deaf, Inc	2,000
Lakemary Center	2,000
Foundry Methodist Church	2,000
American Diabetes Association, Kansas Affiliate	1,000
American Cancer Society, Kansas Division	2,500
Huntingtons Disease Foundation of America	2,000
The Kansas Jaycees Cerebral Palsy Foundation	2,000
Goodwill Industries Easter Seal Society of Kansas, Inc	2,000
Cystic Fibrosis Foundation, Sunflower Chapter	2,000
The Congressional Award	2,000
National Hispanic Scholarship Fund	2,000
Donald R. Fortier Children's Fund	2,000
National Rehabilitation Hospital	1,000
U.S. Association of Former Members of Congress	1,500
Kansas 4-H Foundation, Inc	1,500
The Dole Foundation	2,000
Do	2,000
USO of Metropolitan Washington	500

Mr. President, I reserve the remainder of my time.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The ACTING PRESIDENT pro tempore. The Chair, in accordance with Public Law 93-618, on behalf of the President pro tempore and upon the recommendation of the chairman of the Committee on Finance, appoints the following Senators as official advisers to the U.S. delegation to international conferences, meetings, and negotiations sessions relating to trade agreements: The Senator from Texas [Mr. BENTSEN], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from New York [Mr. MOYNIHAN], the Senator from Oregon [Mr. PACKWOOD], and the Senator from Delaware [Mr. ROTH]; and as alternative official advisers to the above negotiations: the Senator from Montana [Mr. Baucus], the Senator from Oklahoma [Mr. Boren], the Senator from New Jersey [Mr. Bradley], the Senator from Maine [Mr. Mitchell], the Senator from Arkansas [Mr. Pryor], the Senator from Michigan [Mr. Riegle], the Senator from West Virginia [Mr. Rockefeller], the Senator from South Dakota [Mr. Daschle], the Senator from Kansas [Mr. Dole], the Senator from Missouri [Mr. Danforth], the Senator from Rhode Island [Mr. Chafee], the Senator from Pennsylvania [Mr. Heinz], the Senator from Wyoming [Mr. Wallop], the Senator from Minnesota [Mr. Durenberger], the Senator from Colorado [Mr. Armstrong].

The Senate will receive a message from the House of Representatives.

MESSAGES FROM THE HOUSE

A message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 161. Resolution relative to the death of the Honorable Stewart B. McKinney, a Representative from the State of Connecticut.

DEATH OF CONGRESSMAN STEWART B. McKINNEY

Mr. WEICKER. Mr. President, the Senate just received the formal notification of what is to myself and many others in the State of Connecticut a great personal loss, and a great personal tragedy, specifically the death of Congressman Stewart McKinney of the Fourth District of Connecticut.

These occasions sometimes require pro forma remarks by the colleagues, both in the House and the Senate. My remarks today are not pro forma. They are remarks about a man I considered my dearest friend in politics, in Connecticut politics.

I would like to address them to Lucie, his wife; to Stewart, Jr., Lucie, Jean, Libby, and John, his five children, because, in fact, this is their day.

As in the life of so many other figures, so few days belong to the children; so few days belong to the wife. It is ironic that when death comes everybody finally focuses on those that have had to stand in the shadow of the duties imposed upon those who serve in government.

Just prior to coming here, I was chairing the Appropriations Subcommittee on Labor, Health and Human Services. It is to this subcommittee that those who need our special care come seeking help from their government: Those who suffer from various ailments—cancer, heart disease, AIDS, diabetes, Alzheimer's; those who need some special opportunity in the sense of their poverty; those who seek some special opportunity in terms of their education.

And as I have said so many times before, indeed it is this committee that is charged with overseeing the business of life in these United States. And I cannot better describe the work of Stewart McKinney over the past 17 years than to say he also was involved in the business of life. That was Stewart.

I have to say that the focus of attention seems to be on the form of his death. Stewart died of complications from AIDS. I have to wonder, when I know all the things that Stewart has accomplished, where the headlines were during the past 16 years when he went to bat for every civil rights and civil liberties issue that has challenged our Nation.

Stewart's district, the Fourth District of Connecticut, which I represented before I came to the Senate, encompasses probably one of the most wealthy areas in the United States. And yet the man's career was not the reputation of the wealthy, but, diametrically the opposite, it was a voice for those who have absolutely no power, either in terms of their personal circumstance or their political numbers.

This piece of ground on which the Capitol sits is within the District of Columbia. The District of Columbia has eloquent spokesmen such as Walter Fauntroy. But it was Stewart McKinney, a white Congressman from a wealthy district, a Republican, who stood on the floor of the House and in every sense of the word tried to give representation as is called for in the Constitution of the United States to the people of the District. They were not just constituents. But they represented an opportunity, an ideal, that all Americans, whether they are from Connecticut, Wisconsin, wherever, should believe in, and the District today in many ways is better for the administrations of Stewart McKinney. And there was not one vote to be had for Stewart McKinney on that issue.

It is Stewart McKinney who led the charge for legislation from fair housing to Grove City—Grove City, that matter which sits even now before a committee of the Senate designed to bring equality to women, minorities, the elderly, and the handicapped. And whereas many voices in his party and mine decry the necessity for such legislation, Stewart did not sit by and see anything but the fullest opportunity come to those of presently lessened circumstance in this Nation.

One of the reasons he died in his weakened condition was that he was out there on a grate. He got his final pneumonia on behalf of the homeless of this Nation. There are not many homeless in Fairfield County. Yes, there are some in the city of Bridgeport, but in the main not many. But it was incomprehensible to Stewart in this wealthy Nation of ours that men and women should be sleeping on grates, a Nation that has such great abundance. All of us, this Senator included, walk down the street of the Nation's Capital, and we see it with our own eyes. Yet so little is done. They are still there. They were there last year, and they were there the year before.

It did not make any difference to Stewart McKinney that he was hardly in a physical shape to be sleeping on a grate. He wanted to dramatize, to make visual to the people of this country the necessity to address this sore on the escutcheon of this Nation.

Housing: No man in the House of Representatives did more for public housing in this Nation, a decent roof over every American's head. We made that commitment during Lyndon Johnson's day. We made the commitment, and we lived up to it for a while. Then we forgot about it.

I would suggest you look around the cities of this Nation and see whether there is a decent roof over every American's head. There are a lot of decent roofs in Fairfield County, in my hometown of Greenwich, and in Stewart's hometown of Westport. Believe me, there are decent roofs, many of them multimillion-dollar roofs. But it was that Congressman who came and spoke for a decent roof over the heads of all Americans.

We all understand the political realities of this business. When you are in the minority, your name does not go on the bill. The headline does not belong to you. That, I suppose, is what bothers me more than anything else because 16 years in the House of Representatives, whether it was South African legislation, homeless legislation, housing legislation, legislation for Amerasian children, whether it is Grove City, the leader in this fight has been Stewart McKinney. The political reality is such that the title does not belong to you. We understand that as Stewart understood. But today I want his wife and children to understand.

The ideal of America, that was Stewart McKinney. He tried to make it come true. He spent every minute of his time, every ounce of his power, not solely for the residents or the constituents of his district, but rather for all those who needed a special care. That is what this Nation is about.

This used to be a nation that lived for its children. It used to be a nation that lived for those who had no opportunity—now it is considered old-fashioned stuff that does not belong anymore. Well, it belonged to Stewart.

There are those who want to be preoccupied with the fashion or the form of his death. Why is that important? I have tried to talk about the things that should be important to his family and to those of my friends on this floor. Certainly his children know how he loved them. And his wife knows how he loved her. But what else is there in a man's life? The form of his dying? The form of his failings, or the form of his victory and the form of his life.

Well, I am sure that whatever I have said is not really up to the occasion. But he loved his Nation. And he gave the patriotism to his Nation that really makes the pledge and the National Anthem and the flag all come alive. Everything that happens from here on in will be ritual. But my remembrance of Stew McKinney will not come from the form of his death or the rituals of his death.

My memories will come from the richness of his life. God bless him.

Mr. President, I yield the floor.

The **PRESIDING OFFICER.** The remaining time of the leader will be preserved.

Mr. **PROXMIRE** addressed the Chair.

The **PRESIDING OFFICER.** The Senator from Wisconsin is recognized.

TRIBUTE TO STEWART McKINNEY

Mr. **PROXMIRE.** Mr. President, I was delighted, and I was privileged, to be on the floor when Senator Lowell Weicker delivered that marvelous statement about Stewart McKinney. Stewart McKinney was a wonderful, wonderful person. I happened to know him. He was in the other party. We disagreed on a few things. But I knew Stewart McKinney in the House Banking Committee. I knew what a remarkably fine Congressman he was. But he had the kind of courage that Lowell Weicker spoke of.

It is no accident that Lowell Weicker preceded him in the House in the exact district, because one of the best things I can say about Stewart McKinney was, he was a Lowell Weicker Republican. He was in the tradition of this remarkable man who has again and again demonstrated the kind of courage he has. And if there is a liberal in this body, it is not in my party. It is Lowell Weicker, a Republican.

SENATOR HART OUT—A SAD LOSS FOR THE COUNTRY

Mr. **PROXMIRE.** Mr. President, it is sad that Gary Hart has ended his campaign for the Presidency. He built his career in this body. He made a number of vital contributions as a Senator as well as a Presidential candidate. In a sense Senator Hart represented exactly the combination of understanding and experience we need in a President of the United States today. He clearly enunciated many causes and issues: He was a highly credible leader in the one issue that is far and away the most important confronting this country, and indeed the world today and for years to come.

That issue is arms control. Senator Hart brought to arms control special credibility because he had two vital qualifications.

First, he fully understood the urgency of bringing the nuclear and, indeed, the conventional arms race under control. Senator Hart has been and is a leading fervent, determined champion of peace.

Second, he brought to arms control a deep and thorough understanding of the critical importance of military strength. He especially understood the necessary dollar and cents limits that we must impose on any military buildup.

Senator Hart served for many years on the Armed Services Committee. His record shows how much he benefited from that experience. He knew that peace requires a strong American military force.

He knew our military strength also demands careful choices in procuring weapons that could do the job at a reasonable cost. Senator Gary Hart never forgot that the only purpose—I repeat, the only purpose—of a U.S. military force is to keep the peace and prevent the ultimate catastrophe of a nuclear war.

The withdrawal of Senator Hart from the Presidential race is unfortunate for our country and indeed for the world. It removes a former Senator who would have brought to the Presidential campaign, a person who could have carried to the country a strong case for resurrecting super power arms control from its present state of absolute collapse. Mr. President, the modest progress the superpowers made in arms control in the first 40 years of the nuclear age lies in a shambles. What has happened to our superpower arms control treaties? Over the years, the United States and the Soviet Union had negotiated three significant arms limitation treaties. First there was the limitation of nuclear weapons testing. The super powers had made minor progress in limiting testing to 150 kiloton explosions that were conducted underground. But most important, they had promised, pledged in a treaty ratified by this body, to negotiate a comprehensive, total ban on all nuclear weapons testing. As we know, the Soviet Union unilaterally suspended nuclear weapons testing for a year and a half. But the Reagan administration in effect said "no way." Second, there was an ABM Treaty, ratified by this body by an overwhelming 89 to 2 vote. That treaty pushed hard by previous administrations over the protestations of Soviet negotiators stopped the certainty of a defensive-offensive arms race that would certainly ensue from an SDI or star wars defense. What was the purpose of the ABM Treaty? It was to stop any SDI. What is the status of that treaty? It is the victim of the number one priority of the Reagan administration which is to build and deploy an American SDI. So what does that leave of arms control? It leaves to the second Strategic Arms Limitation Treaty, SALT II. SALT II limited offensive nuclear arms on both sides. Analysis by our own Joint Chiefs of Staff disclosed that the limitations imposed by SALT II on the Soviets were far more serious than limitations imposed on the United States. And SALT II worked. It arrested offensive nuclear arms race. But the administration permitted SALT II to expire last December 31. It made no attempt to extend or renegotiate it. It is dead. Now there is the possibility that the super powers may agree to withdraw intermediate range nuclear weapons from Europe. That would be welcome but it does not significantly inhibit an all-out superpower offensive-defensive arms race.

So we live in a nuclear weapons world with arms control virtually destroyed. It was made to order for a President with the background and experience of Senator Gary Hart. Now Senator Hart is no longer a candidate. But he has left a legacy of good sense for his country as it moves close to the 1988 Presidential campaign on the most vital issue that confronts this country. Of course there are other excellent candidates running, candidates with experience and a strong record in arms control and the relationship of military force and strength to arms control. But we will need that Hart arms control legacy in this campaign. The next President of the United States, whoever he is, and whatever party he represents, will be well served to study the Gary Hart position and record on keeping the peace in this nuclear world.

Let me just point out that Gary Hart created the military reform caucus; emphasized mobility, small units at lower costs, small aircraft carriers; and called for innovative thinking, tactical studies.

He led the fight against the MX missile in the Senate. He pointed out the vulnerability of MX, the lack of mobility, the use-lose it weapon.

He led the fight against Gramm-Hollings-Rudman. He felt strongly that this was wrong for the country and was no solution to our economic problems, that it would only hurt the poor.

He was a leader in economic thinking. He proposed reindustrialization of America, high technology solutions to current problems, better management.

He was an environmental leader. He was an Alaska lands bill leader and a nuclear nonproliferation spokesman.

Gary Hart accepted no PACS, in spite of the fact, of course, that money seems to spell the difference.

He was cool under fire and showed great intelligence.

I regret he is no longer a candidate.

Mr. President, I yield the floor.

STEWART B. McKINNEY NATIONAL WILDLIFE REFUGE DESIGNATION ACT OF 1987

Mr. WEICKER. Mr. President, I send a bill to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The bill will be read by title.

The assistant legislative clerk read as follows:

A bill (S. 1167) to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge."

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

Mr. BYRD. Mr. President, this bill has been cleared on this side of the aisle. There is no objection.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be considered as having been read the second time at length, and the Senate will proceed to its consideration.

The Senate proceeded to consider the bill.

Mr. WEICKER. Mr. President, very briefly, again I think that the proper way to recognize Congressman McKINNEY would not be with some inanimate bricks and mortar but, rather, in the life of the wildlife refuge which he set up by Federal legislation several years ago.

That refuge has been called the Connecticut Coastal National Wildlife Refuge. This legislation would now call it the Stewart B. McKinney National Wildlife Refuge.

I introduce this legislation on behalf of Senator CHRISTOPHER DODD of Connecticut. I know it has the unanimous backing of the Connecticut congressional delegation in the House and of the Governor of the State of Connecticut.

I would hope that this living tribute to a very alive person would be deliberated and passed by this body today.

Mr. President, I realize that this is an extraordinary measure, but then he was an extraordinary person.

The ACTING PRESIDENT pro tempore. The bill is before the Senate and open to amendment. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1167) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stewart B. McKinney National Wildlife Refuge Designation Act of 1987".

SEC. 2. NAME CHANGE OF THE REFUGE.

The Connecticut Coastal National Wildlife Refuge, as established by Public Law 98-548, is hereby redesignated as the "Stewart B. McKinney National Wildlife Rufuge".

SEC. 3. AUTHORIZATION TO THE SECRETARY.

In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such modifications to maps, signs, and other references and structures to properly reflect such redesignation.

SEC. 4. AUTHORIZATION TO ACCEPT FUTURE MEMORIALS.

The Secretary is authorized to accept future memorials to be placed in the Stewart B. McKinney National Wildlife Refuge describing the contributions of Stewart B. McKinney to the Nation.

SEC. 5. AUTHORIZATION OF FUNDS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SUPPLEMENTAL APPROPRIATIONS, 1987

The ACTING PRESIDENT pro tempore. The Senate will now resume consideration of H.R. 1827, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1827) making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes.

The Senate resumed consideration of the bill.

Mr. SIMPSON. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NEW GI BILL CONTINUATION ACT

Mr. BYRD. Mr. President, Mr. CRANSTON and Mr. MURKOWSKI are on their way to the floor to proceed with debate and action on S. 12. It is a bill to remove the expiration date for eligibility for the educational assistance program for veterans of the All-Volunteer Force.

I ask unanimous consent—and I have been authorized by the Republican leader to proceed to do this while he is momentarily off the floor—that the Senate proceed to the consideration of S. 12.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 12) to amend title 38, United States Code, to remove the expiration date for eligibility for the educational assistance program for veterans of the All-Volunteer Force, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 12

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "New GI Bill Continuation Act".

SEC. 2. CONTINUATION OF ALL-VOLUNTEER FORCE VETERANS' EDUCATIONAL ASSISTANCE UNDER THE NEW GI BILL PROGRAM.

(a) Section 1411(a)(1)(A) of title 38, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988," and inserting in lieu thereof "after June 30, 1985,".

(b) Section 1412(a)(1)(A) of title 38, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988," and inserting in lieu thereof "after June 30, 1985,".

SEC. 3. CONTINUATION OF EDUCATION ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE UNDER THE NEW GI BILL.

Section 2132(a)(1) of title 10, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988" and inserting in lieu thereof "after June 30, 1985".

SEC. 4. REVISION OF DECLARED PURPOSES.

Section 1401 of title 38, United States Code, is amended—

(1) by striking out "and" at the end of clause (2) and redesignating clauses (2) and (3) as clauses (4) and (5), respectively;

(2) by inserting after clause (1) the following new clauses (2) and (3):

"(2) to extend the benefits of a higher education to qualifying men and women who might not otherwise be able to afford such an education;

"(3) to provide for vocational readjustment and to restore lost educational opportunities to those service men and women who served on active duty after June 30, 1985;";

(3) by striking out the period at the end of clause (5), as redesignated by clause (1) of this section, and inserting in lieu thereof a semicolon and "and"; and

(4) by inserting at the end the following new clause:

"(6) to enhance our Nation's competitiveness through the development of a more highly educated and productive work force.".

And reported from the Committee on Armed Services, without amendment.

10-MINUTE RECESS

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess for 10 minutes, awaiting the arrival of the managers.

There being no objection, the Senate recessed until 10:42 a.m.; whereupon the Senate reassembled when called to order by the ACTING PRESIDENT pro tempore (Mr. Conrad).

The ACTING PRESIDENT pro tempore. The Senator from California.

Mr. CRANSTON. Mr. President, as chairman of the Committee on Veterans' Affairs, I rise to urge all of my colleagues to support passage of S. 12—the proposed New GI Bill Continuation Act—which I introduced on the very first day of the historic 100th Congress. As the author of this legislation, I was delighted to be joined in introducing this measure by the distinguished ranking minority member of the committee from Alaska [Mr. Murkowski], committee members Matsunaga, DeConcini, Mitchell, Rockefeller, and Graham, and by Senators Cohen and Hollings. Joining later as cosponsors of this historic bill were committee members Stafford and Specter and Senators Simon, Daschle, Lautenberg, Pressler, Melcher, Lugar, Shelby, Harkin, Sanford, Inouye, Heinz, Cochran, Thurmond, Boren, Reid, McCain, Sarbanes, Bingaman, Kerry, Dole, Durenberger, Wirth, Leahy, Evans, Kasten, Biden, Riegle, Byrd, Kennedy, Bradley, Pell, McConnell, Stevens, Simpson, Moynihan, Bentsen, Gore, Metzenbaum, Dodd, Chiles, Wilson, Armstrong, Warner, D'Amato, and Chafee.

Mr. President, this measure now has the strong bipartisan sponsorship of 59 Members of this body. Moreover, it has been favorably reported to the full Senate by two committees—in both cases unanimously—the Veterans' Affairs Committee on March 17 and the Armed Services Committee on April 30.

Mr. President, the House of Representatives has already passed similar legislation, H.R. 1085, to make the new GI bill permanent. My good friend, the chairman of our counterpart committee [Mr. Montgomery] introduced H.R. 1085 on February 11, 1987, and it was reported favorably by both the Veterans' Affairs and Armed Services Committees of the House of Representatives on March 11. The House passed the bill by a vote of 401 to 2 on March 17.

Working in a truly bipartisan spirit, I believe we have compiled a fine record for our Nation's veterans. It is thus fitting that we continue this tradition of bipartisanship by bringing the New GI Bill Continuation Act to the floor together.

Mr. President, before I speak to the specifics of our bill, I want to acknowledge the strong, effective efforts in 1984 of Senators Armstrong, Cohen, Matsunaga, and Hollings, along with Senators Bradley, DeConcini, Ford, Inouye, Kasten, Kennedy, and Pressler with whom we worked very closely that year in pursuing Senate passage and ultimately the enactment of a new GI bill for the all-volunteer force, which we now propose to continue indefinitely.

Mr. President, the New GI Bill Continuation Act would provide for the continuation—beyond the current June 30, 1988, new eligibility expiration date—of the programs of educational assistance for members of the All-Volunteer Force—under chapter 30 of Title 38—and the Selected Reserve—under chapter 106 of Title 10—together popularly known as the new GI bill. Our bill would provide for the indefinite continuation of those programs by simply eliminating the July 1, 1988, deadline on participation eligibility. Our bill also would add three new purpose clauses to the current declared purposes of the new GI bill chapter 30 program, as set forth in section 1401 of Title 38, United States Code. The new purposes would be: First, to extend the benefits of a higher education to qualifying men and women who might not otherwise be able to afford such an education; second, to provide for vocational readjustment and to restore lost educational opportunities to those service men and women who served on active duty after June 30, 1985; and third, to enhance our Nation's competitiveness through the development of a more highly educated and productive work force.

CURRENT PROGRAM

Mr. President, the Veterans' Educational Assistance Act of 1984, enacted in title VII of Public Law 98-525, established two new educational assistance programs, popularly known as the new GI bill, one under chapter 30 to title 38, United States Code, for new active-duty service personnel and the other under chapter 106 of title 10 for members of the Selected Reserve. The new GI bill was enacted for a 3-year period and replaced the Post-Vietnam Era Veterans Educational Assistance Program, known as VEAP, which was terminated by Public Law 99-576.

Under the chapter 30 program an individual who enters on active duty for the first time during the 3-year period from July 1, 1985, through June 30, 1988, and who does not, upon entering on active duty, decline to participate in the program is entitled to basic educational assistance benefits—generally $300 a month for 36 months for a total of $10,800—in exchange for completion of a 3-year period of active duty with honorable discharge. Alternatively, an individual who completes 2-year period of active duty with an honorable discharge and 4 years' service in the Selected Reserve is entitled to 36 months of basic educational assistance benefits at $250 a month. The basic pay of participating service members is reduced by $100 per month during the first 12 months of service. In addition, the service branches may offer recruits monthly benefit increases, known as "kickers," in order to enhance recruitment in critical skill areas as to encourage longer enlistments.

The basic benefits are paid for and administered by the Veterans' Administration. The supplemental benefits are also administered by the VA but are paid for by the individual service branch.

Under the chapter 106 program for the Selected Reserve, an individual who, during the test period, enlists, reenlists, or extends for a period of at least 6 years in the Selected Reserve is entitled to an educational benefit of up to $5,040 for undergraduate college education with no reduction in basic pay. These benefits are administered by the VA but paid for by the individual service branch.

The Veterans' Educational Assistance Act of 1984, in connection with establishing the new GI bill for a 3-year period, closed to new entrants during that same period the title 38 chapter 32 program—VEAP. VEAP was scheduled to be resumed on July 1, 1988, the day after the end of the 3-year new GI bill test period. However, last year, in section 309 of Public Law 99-576, Congress permanently closed VEAP to new enrollments. Congressional action, therefore, is necessary in order to avoid a hiatus in the availability of an educational assistance program for new entrants on active duty or into the Selected Reserve after June 30, 1988.

VALUE OF THE GI BILL PROGRAM

Mr. President, I have long believed that the original World War II GI bill of rights, signed into law on June 22, 1944, has had more impact on the American way of life than any law since the Homestead Act, which was enacted in 1862. The societal and economic value of that GI bill and its successors—the Korean conflict and post-Korean conflict and Vietnam era veterans' educational asisstance programs has been enormous. These GI bills may be the greatest investments our country has ever made. Under these measures, more than 18 million veterans have gained $60 billion worth of education and training since World War II in every field from aeronautics to zoology, from electrical engineering to plumbing, from auto mechanics to truck driving. GI bills have contributed immensely to a heathly economy through a more highly trained and productive work force, thus enhancing our Nation's economic growth. Making the new GI bill permanent is important not only because of the economic and societal benefits it, too, will bring to our Nation, but also because of its enormous value as a readjustment benefit for members of our All-Volunteer Force who elect to return to civilian life, and because of its cost-effective recruitment and retention value in attracting high-quality young men and women into our Armed Forces and their Reserve components.

Mr. President, there is no reason to perpetuate any uncertainty about the future of this program. I believe it would be very difficult to design a better, more cost-effective program than the new GI bill. It clearly should be made a part of the permanent framework of benefits for those who serve our Nation in our Armed Forces and be taken into consideration on a continuing basis as we invest in our Nation's human resources and global competitiveness and in the recruitment and retention needs of the All-Volunteer Force. The new GI bill has enormous value for our Nation in many respects.

SOCIETAL AND ECONOMIC VALUE

First is the societal and economic value. At our February 4 hearing, we received testimony from the Office of the Secretary of Defense and the personnel chiefs of the Army, Navy, Air Force, and Marine Corps, the Veterans' Administration, as well as organizations representing veterans, members of the Armed Forces and the selected Reserve, and the higher education community. Every witness, including those of the administration, testified in favor of making the new GI bill a permanent program, with the representatives of the uniformed services providing especially strong, enthusiastic support. A recurring theme expressed by virtually every witness was that the new GI bill should be continued indefinitely because of its great societal and economic value to our Nation.

The dividends our country has already reaped from past GI bills is so vast as to be virtually incalculable. However, it is widely accepted that for every dollar spent in GI bill benefits, the Nation is returned $3 to $6 in increased tax revenues. Not only will a permanent new GI bill produce a richer social fabric for our Nation, but the educational assistance made available under a permanent new GI bill program has the potential to contribute significantly to our vitality and strength as a world economic power by improving the access of service members and veterans to education. As such, the new GI bill constitutes a truly "blue-chip" investment in our Nation's human resources through a more highly trained, competitive, and productive work force.

The challenge to American world leadership has never been greater, and the new GI bill helps meet this challenge. Our competitive edge depends upon a skilled labor force. Critical, sophisticated new-growth industries—computers, robotics, and biotechnology to name a few—demand workers skilled in technology and a populace conversant with the rudiments of science. The speed and complexity of trade in the information age also requires workers—and management—versatility and a higher level of reasoning and analytical skills than that demanded by any other age in our history. Japan recognized the importance of education for its own future 25 years ago, when its economic council declared, "economic competition among nations is a technical competition that has become an educational competition."

Global economic leadership today demands managerial excellence, expert management of information and resources, foreign language skills, and a mastering of emerging technologies at every level. The challenge must be met through education and training, particularly—in view of the level of competency required—at the college and university level. The more Americans who desire the opportunity for a higher education and are given encouragement and access to pursue it through the new GI bill, the more effective will be America's response to the global challenge.

The active duty and Reserve members and veterans of the All-Volunteer Force who could be trained through the resources of the new GI bill can make an enormous contribution to our competitive effort to consolidate or achieve world leadership in science, engineering, mathematics, business management, and the full range of the arts and humanities. We cannot afford to have them undereducated, under-skilled, and underemployed.

Mr. President, in concluding my remarks on the importance of the societal and economic value of the new GI bill I would like to quote the distinguished Speaker of the House of Representatives JIM WRIGHT in nationally televised remarks earlier this year. Speaking in support of making the new GI bill permanent, the Speaker said:

> The very best financial investment this country has made was the GI bill of rights after World War II. It sent an entire generation of Americans to college, and our country has been reaping the dividends ever since.

VALUE AS READJUSTMENT BENEFIT

Mr. President, the second reason the new GI bill should be made permanent is it value as an educational and vocational readjustment mechanism for service members who elect to return to civilian life—in many cases providing educational opportunities to those who might not otherwise be able to afford them.

The new GI bill, as with past GI bills, provides veterans who return to civilian life an "earned" opportunity to catch up with their nonveteran peers—and to gain the skills and training needed to compete in the civilian job market at their most productive level. The transferability of peacetime military job skills is often lacking, particularly for service members of the Army and Marine Corps who are trained in the combat arms specialties. Even for those All-Volunteer Force service men and women who are trained to operate sophisticated weaponry and communications and other support equipment, their training and experience frequently are not enough to make them competitive in related fields in our increasingly technological society. The new GI bill provides educational assistance and training required to facilitate their successful transition to civilian life—a time-proven feature of GI bill programs.

As he signed the original GI bill in 1944, President Franklin D. Roosevelt said the legislation gave—

> Emphatic notice to the men and women of our Armed Forces that the American people do not intend to let them down.

In creating the new GI bill, we have sent that same message and made the same commitment to those volunteers who are choosing to protect our freedoms through service in our Armed Forces.

VALUE AS ARMED FORCES' RECRUITMENT DEVICE

Mr. President, the third reason the new GI bill needs to be made permanent is because of its cost-effectiveness as a tool for recruiting quality young people in the All-Volunteer Force. There is little doubt in my mind that the new GI bill and the high quality young people it recruits are playing a major role in saving the All-Volunteer Force.

Mr. President, the new GI bill was conceived and created in 1984 as a 3-year test program with the benefit of 40 years of experimental knowledge gained through the three previous GI bills and the Post-Vietnam-Era Veterans' Educational Assistance Program that preceded it. In my view, the new GI bill is based on the premise that initiative breeds opportunity. Unlike previous GI bills, participation in the new GI bill is the result of a voluntary choice. New recruits who do not wish to participate may opt out. Those who do participate incur a $100-per-month reduction in pay for their first 12 months of service in order to qualify for the basic educational benefits.

During fiscal year 1986, 64.7 percent of active-duty recruits in all four branches of military service chose to participate in the new GI bill. During the month of March 1987, 64.9 percent of all active-duty recruits chose to participate in the new GI bill, including 80.9 percent of Army recruits, 57.8 percent of Navy recruits, 44.5 percent of Air Force recruits, and 75.7 percent of Marine Corps recruits. At the end of

March 1987, 292,000 active duty recruits had been enrolled in the program.

Proof of the success of the new GI bill rests with 1987 statistics which show that the Army, for the first time in history, enlisted a higher percentage of high-quality recruits during the first 3 months of fiscal year 1987 than any of the other services. Why? Because the Army is aggressively promoting the new GI bill. Studies have shown that the prospect of college is now the number one reason young men and women enlist in the Army.

Mr. President, the new GI bill now gives our recruiters, for the first time, the tool required to penetrate the college-oriented market of young people that we need to operate our sophisticated weaponry and communications and other support equipment, and to enhance our preparedness for the complexities of modern warfare.

The new GI bill has contributed significantly to improvements in the quality of men and women in both the active-duty forces and the selected reserve. Let me cite just a few brief examples:

More than 90 percent of the Army's recruits are high school graduates, up from 54 percent in 1980. Secretary of the Army John Marsh stated the Army's position on the new GI bill very well in his October 22, 1986, letter to the Deputy Secretary of Defense, and I quote:

> It is clear the new GI bill is the best option for the Army. In recent years, the quality of Army recruits has improved in terms of education and armed forces qualification test scores. During the first 12 months of the new GI bill, the average monthly percentage of high quality graduate contracts written increased 14 percent compared to the last 12 months of VEAP. Contracts for I-IIIA recruits also increased 14 percent over the same period. Further, our most constrained market, high-quality, graduate males, has seen a 10 percent increase in contracts, 6,000 soldiers, as a result of the new GI bill.

Moreover, the Department of the Army tells us that the new GI bill, and the high quality young people it helps recruit, is contributing substantially to saving $234 million annually due to reduced attrition—approximately the personnel costs for recruiting and training one entire Army division.

The personnel chiefs of the Army, Navy, Air Force, and Marine Corps have testified before our committee and reported very favorable success with the new GI bill as a recruiting tool for the Active-Duty Forces. All four branches strongly support the new GI bill and testified that the quantity and quality of new recruits could suffer if the new GI bill were curtailed or were extended for only a limited number of years rather than being made permanent.

The new GI bill is already having an impact on the quality of recruits in the Selected Reserve because of the possibility of receiving up to $5,040 for undergraduate college education.

According to Dennis Shaw, Principal Deputy Assistant Secretary of Defense for Reserve Affairs, during fiscal year 1986, the first full year of the new GI bill, 5 percent more high school graduates—34,000—joined the Selected Reserve than in fiscal year 1984, the last full fiscal year preceding the effective date of the GI bill. This is, indeed, an encouraging sign.

The personnel chiefs for the individual uniformed services also testified before our committee as to the value of the new GI bill as a positive tool for recruiting and retaining reservists. For example, the Army Personnel Chief, General Elton, testified that, from July 1985 through July 1986, the Army Reserves realized an increase of 24 percent in the upper mental categories; high school graduates increased by 13 percent in the Army National Guard; and 6-year enlistments, which are very difficult but important to obtain, increased by 28 percent overall in the Army.

For the Air Force, General Hickey testified that the new GI bill is the No. 1 reason for joining the Air Force Reserve.

General Cheatham of the Marine Corps testified that the Marine Corps credits the new GI bill with an 18-percent increase in 6-year enlistments in the Marine Corps Selected Reserve, and that retention has improved by 8 percent from 1985 to 1986, saving the Marine Corps an estimated $37 million in training, transfer, and education costs.

Mr. President, I am very pleased and gratified that President Reagan supports making the new GI bill permanent. As the pool of 17- to 21-year-old males eligible for our Armed Forces shrinks from 9.1 million in 1987 to 7.8 million by 1995, the new GI bill will continue to be one of the best recruiting tools we possess. Within 3 years, the competition between private industry and our military for entry level jobholders will be intense, and without the new GI bill, the Pentagon will be hard pressed to meet its recruitment goals. So, in what we are doing this morning, the success and survival of the All-Volunteer Force are very much at stake.

While there has been a major emphasis on building a 600-ship Navy, for developing and acquiring the very best and fastest planes for our Air Force, and for purchasing the latest in high technology and weapons for our troops, we must not overlook the fact that we will always need to recruit the very best young men and women for positions of leadership and responsibility in our military in order to guarantee that America's defense of today and tomorrow will remain strong. A permanent new GI bill will help us maintain this strength to defend our shores as well as those of our allies throughout the free world.

COST EFFECTIVENESS

Mr. President, I also wish to note that the new GI bill deserves my colleagues' support because it is cost effective. First, if this bill were enacted, there would be no cost to the Federal Government until after the year 1992. This is because, according to the Congressional Budget Office, the reduction in pay of $100 a month for 12 months from the servicemember in order for the educational benefits to be provided—will offset the cost to the Government. Moreover, according to Dr. Neil Singer, Deputy Assistant Director of the National Security Division of the Congressional Budget Office [CBO], in his March 24, 1987 testimony before the Subcommittee on Manpower and Personnel of the Senate Armed Services Committee, the net cost of the basic program in years after fiscal year 1992 would be approximately $50 to $75 million a year, not very much money.

The new GI bill also contributes to savings because smart young people are easier to train and are more productive. Attrition is also reduced as brighter young people are recruited. As I stated earlier, the Army estimates it is achieving an annual cost avoidance of $234 million because they are now able to recruit smarter young men and women. It should also be pointed out that brighter, higher quality recruits do not cause as many discipline problems. Fewer drug problems and "AWOL's" save the Services money.

Longer enlistments in the Selected Reserve, which reduce recruiting and training costs, can also be attributed to the new GI bill. Army Reserve 6-year enlistments have increased 28 percent over the year prior to the enactment of the new GI bill. The Air Guard estimates fiscal year 1986 savings of at least $22.7 million because of increased 6-year enlistments. The Army National Guard has experienced an almost 500-percent increase in the ratio of 6-year extensions versus 3-year extensions since July 1983. The most significant upturn has been since July 1985 when the new GI bill was enacted. The Army National Guard estimates that it has saved $35 million in recruiting, retention, and training costs since the implementation of the GI bill.

Finally, the young people going to school under the new GI bill will pay more in taxes over their lifetimes because more education will increase their income. Veterans' Administration statistics show that in 1985, the median income for veterans with a high school diploma was $19,720. For veterans who were college graduates, the median income jumped to $35,800. This 83 percent increase in income associated with additional education results in significantly increased Federal, State, and local income taxes flowing to Government coffers.

CONCLUSION

Mr. President, in summary, there is no reason to perpetuate any further the uncertainty about the future of this program. Clearly, the new GI bill is accomplishing what we believed it would accomplish. As with earlier veterans' education programs, it has enormous societal and economic value as a "blue-chip investment" in our people and our competitiveness, it will serve as a valuable readjustment benefit for members of the All-Volunteer Force who elect to return to civilian life, it puts higher education and training within the grasp of many who might not otherwise be able to afford it, and it serves as a cost-effective recruitment and retention tool for the All-Volunteer Force.

Mr. President, I urge all of my colleagues to support this important measure and return it to the House of Representatives unanimously.

I yield at this time to my friend and coworker on these matters, Senator MURKOWSKI from Alaska.

Mr. MURKOWSKI. I thank the chairman and my good friend, the senior Senator from California, the chairman of the committee.

I would like at this time to acknowledge our leaders inquiry concerning a time for a vote. I have been advised that Senator DOLE is attempting to at this time contact two Senators who have asked for certain consideration around 11 o'clock. Senator DOLE suggested we proceed for 20 minutes or so, and he will come back to the majority leader.

Mr. BYRD. Very well. I thank the able Senator. I understand there will be a rollcall vote on final passage.

Mr. MURKOWSKI. That is correct. We feel sure that could be done prior to 11:40 a.m.

Mr. BYRD. Very well. I thank the Senator.

Mr. MURKOWSKI. I thank the leader.

Mr. President, again I would acknowledge the chairman, Senator CRANSTON.

Mr. President, I rise to ask my colleagues to make the current veterans' education benefits program, known as the new GI bill, a permanent program. Unless the Congress acts, there will be no veterans' education benefit for individuals who enter active duty after June 30, 1988. Experience suggests the Nation, the Armed Forces and individual service members will be best served if these benefits continue to be made available.

The ability and wisdom to learn from experience are qualities that distinguish a wise and mature society. I believe they also distinguish this Nation and this body. For over 40 years, we have been gaining experience in providing educational benefits to America's veterans. In looking back over that 40 years, I see many things we have learned.

We have learned that providing an opportunity for education can be one of the most successful veterans' readjustment programs imaginable. We have learned that veterans take advantage of that opportunity to provide themselves with the education and training they need to chart and sail a successful course through life.

Mr. President, speaking from my own experience, having had the opportunity to serve in the military in the U.S. Coast Guard after completing my college education. I found my service to be an opportunity to mature and gain a sense of responsibility. As a consequence I think military service affords the young people of the United States an extraordinary opportunity to focus on the direction of their lives. Fortunately, of course, we do not have a mandatory conscription system any more. We do not have the draft. So we do not have that opportunity for these young men and women to focus in, to get an opportunity to accept responsibility at an early age, and as a consequence to learn the principles of discipline.

As a consequence, when we look at the opportunities we can offer to America's young men and women the GI bill certainly plays a major role in offering them an opportunity not only to serve in the military; but after their service to proceed and achieve their goals and ambitions.

Wherever we go in America we see what happens when veterans are provided with an opportunity for education. In union halls and on shop floors, in corporate boardrooms and prestigious law firms, in professional associations and classrooms, in small town chambers of commerce, in farm bureaus and granges, wherever we look; even, or perhaps especially, in this body we find men and women who have served their country in uniform and who have used their veterans' education benefits to obtain an education and take advantage of the opportunities provided by our free market economy.

We have learned that veterans with an education are successful in life. It is estimated that for every dollar invested in veterans' education, the Treasury has received as much as $3 in creased tax receipts from more productive and more highly paid veterans. Some have estimated the pay-back has been as high as 20 to 1. Mr. President, that is a pretty good return on investment.

We have learned that education is the key resource in an information-based society and that by making that education available to all who serve—without regard to their position in the social spectrum—veterans benefits have assisted both the Nation and the individual. The individual veteran gains by receiving the tools needed to succeed. The educated veteran, in turn, becomes a resource for our economy.

We have learned that veterans' educational benefits serve as an important motivation for the bright college caliber young women and men we want to fill the ranks of our Armed Forces which are increasingly dependent upon high technology and very, very complex equipment as evidenced by materials that they work with.

We have learned that failure to recruit these bright college caliber men and women would impose an enormous penalty, in both cost and operational effectiveness, on our Armed Forces. For example, at a hearing this year before the Committee on Veterans' Affairs, the Army Deputy Chief of Staff for Personnel testified that increased quality of recruits enables the Army to save $234 million per year due to reduced attrition. This savings is due in part to the new GI bill.

The 40-year history of success written by veterans' education programs has taught us that veterans' education is an appropriate, cost-effective, efficient readjustment benefit.

It is really an investment, Mr. President, with the returns I have already described.

In addition, we have learned many lessons about which provisions work well and which do not. Those lessons are incorporated into the new GI bill.

The new GI bill is selective in the sense that only those service members who elect to participate will receive benefits.

The new GI bill requires a commitment from the service member who participates. The $1,200 pay reduction required for participation makes the benefit one of mutual commitment by both the service member and the Government.

The new GI bill encourages quality military service. To be eligible for the education benefit, a service member must receive an honorable discharge.

The new GI bill is proven. It builds on principles for course approval and benefit administration which have been tested in over 40 years of program administration.

Mr. President, this country takes pride in the fact that for over 200 years, those who have sought to live in a land of opportunity have come to our shores to fulfill their dreams.

This country also takes pride in the fact that for over 200 years, Americans have taken up arms when it became necessary to defend that dream and those opportunities. This country can also take pride in knowing that for over 40 years, it has provided an opportunity for education to those who defended their Nation and the dream it embodies. This opportunity for education should not be allowed to come to a close next year.

Mr. President, this legislation is evidence that the Nation's commitment to veterans will continue. Our commitment is not just to those who served in the past, but also to those who will serve in the future. This legislation, and that commitment, have been brought to life by the perseverance and determination of the chairman of the House Committee on Veterans' Affairs, Mr. SONNY MONTGOMERY, whose name has already been inscribed on the new bill through his indelible record of action, and with the input of many years by his colleague, on the minority Republican side, JOHN PAUL HAMMERSCHMIDT, and with the input of the now ranking member, GERRY SOLOMON.

Future veterans and Americans who reap the benefits of this legislation will also be indebted to the skill and statesmanship of the distinguished chairman of the Senate Veterans' Affairs Committee, the senior Senator from California, Senator CRANSTON.

I also wish to bring to the attention of the Senate the dedicated work of both the majority and Republican staff of the Senate Committee on Veterans' Affairs. Their hard work was necessary to turn the commitment of the members and leadership of the committee into the legislation we have before us today.

I want to thank the ladies and gentlemen of the staffs on both sides for a job well done. I particularly want to acknowledge the work of my chief counsel, who is with me today, Anthony Principi, and that of Chris Yoder, Cathy McTighe, and Annie Patterson of the Republican staff; as well as that of Jon Steinberg, Ed Scott, and Darryl Kehrer of the majority staff.

Mr. President, in summary, the new GI bill applies proven principles to implement a proven concept. We have learned a lot over the last 40 years and that knowledge leads to one inescapable conclusion. The time to make the new GI bill permanent is now. The vehicle to make the new bill permanent is S. 12. I urge my colleagues to join me in supporting this measure.

Mr. President, I ask unanimous consent to add as a cosponsor the Senator from Iowa, Senator GRASSLEY.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

Mr. MURKOWSKI. I yield to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, thank you very much.

The Committee on Armed Services reports, without amendment, S. 12, a bill to remove the expiration date for eligibility for the educational assistance programs for veterans of the All-Volunteer Force.

We asked for sequential referral of S. 12 following the unanimous passage by Senate Veterans' Affairs Committee and unanimous passage by House of a similar bill. The Senate Armed Services Committee also reported this out unanimously.

Now, as I said, the bill was sequentially referred to the committee on Armed Services because among the provisions that would be extended are ones that govern entitlements in the Reserve Forces and additional enhancements above the basic benefit for Active Duty Forces which also are paid for by the Department of Defense. Additionally, the bill is a targeted effort to assist the military services in acquiring high quality recruits, an area under the cognizance of the Committee on Armed Services, and, in particular, the Manpower Subcommittee, of which I am chairman.

Mr. President, there was no doubt about the merits of extending the expiration date of existing authority in the Committee on Armed Services. The only question that was raised was whether or not the extension should be for a specified period, such as 3 years. That is the only question I raised in the subcommittee. There was some sentiment, which I shared, that we should make sure we know the effect of the current test program regarding both retention and overall costs before we move to make the program permanent.

That is a big move. When we move to make something like this permanent, it becomes another entitlement program and it goes on into the years ahead. We have all decried the growth of entitlement programs in years past. We wanted to make sure that any new entitlement program was worthy of being included permanently in the budget of the United States of America. So we wanted to get a little more experience with this. That was the only reason we questioned whether this should go through or not.

I would like to take a few minutes to share with you our reservations because I believe it is important that we have all of the facts on the record. In testimony that we received from the Congressional Budget Office and from the Department of Defense, it is clear that the effect of the GI bill on the recruitment of high quality personnel for the military is inconclusive except for the Army where the benefit is supplemented by so-called kickers which add as much as one and a half times the value of the basic benefit for certain categories of skills, or up to $24,200 for a $1,200 investment. Given the results, it was not surprising that when I asked the service personnel chiefs whether or not they would support the programs if the paying for it had to come out of that service's budget and not from the Veterans' Administration which administers the program now, whether or not they would support the program if they had to pay for all of it, only the Army replied in the affirmative. The other services—the Marine Corps, the Air Force, and the Navy—said if they had to take it out of their own service budget, they did not feel it was doing them that much good. The fact is that there is considerable economic rent in this program—we are offering a very attractive benefit to many people in order to get a marginal return on high quality recruits.

I would submit also another item for the whole Senate that I mentioned in committee, and that was the fact that while the recruiting has been helped by the GI bill so far—I do not doubt that at all—I would question whether all of the recruiting benefits for this period of time have indeed come from the GI bill. Because through this same time period, we have varied up and down from about 7- to 8.5-percent unemployment as a nation. And historically when we have had high levels of unemployment for a period of time that has helped recruiting because people who might otherwise have been employed somewhere else find they cannot get a job and so they decide they will go into the military, at least for a period of time.

So unemployment rates may also affect enlistments during this period of time and give some benefit along with the GI bill.

The other thing that we are not sure about is the effect of the GI bill on retention. In fact, once the benefit is accrued, a member has to leave the service to take advantage of it. So they are getting in to get a benefit to get out. That is the way it is set up. I do not quarrel with that at all.

I think along with that, we may find the retention is benefited to some extent by the fact that once people get in, many of them find they like the military life, they are willing to sign up, they are liable to put their careers in the military instead of someone else and that is good. That is fine.

So while the program may help the services recruit higher quality personnel, it does not ncessarily help the services keep them—in fact just the opposite. In order to do that, the services will most likely have to offer offsetting bonuses or another proposal that is not part of this legislation but which we may want to make a part of at a later date. Say a person gets in under with GI bill benefits, that person may like the military, decide to stay in for a career, and then they might be able to, if we pass additional legislation, pass that benefit they earned on to a dependent, to a son or daughter for their educational benefit.

It seems to me if that was done, we might have a higher retention rate out of the GI bill than we are going to have the way it is set up right now. That is something we want to consider perhaps next year.

Since none of the participants in the program so far for the active forces have yet to be eligible to separate from the service to take advantage of the benefit we can only guess at what the rate of leaving will be. We do not really know that rate will be at this point. It is also likely the program will be quite expensive. We want to face that going in. It is an entitlement program.

The Congressional Budget Office has indicated that because of the absence of any data on the usage rates the estimates of costs are very uncertain. Nonetheless, using Vietnam-era GI bill usage rates the CBO estimates that the program is likely to level out somewhere between $300 million and $500 million annually once it is ramped up and has leveled off on a continuing basis.

So because of these uncertainties I was initially disposed in subcommittee toward putting a sunset on the extension of the current program so we could get a better handle on some of these concerns. We would know better where we are going. We would then be in a better position to decide if the program should be continued indefinitely or if it should be modified to make it more effective or even discontinued. I did not see that as a likely option, but that was one that would be held out there anyway.

However, after weighing these concerns and uncertainties against the broader context of the benefit to our population of young people as a whole, the Committee on Armed Services and the subcommittee I head decided to report out S. 12 without amendment. The feeling of the committee, which I shared, was that the program would undoubtedly help many young people get a college education that they would otherwise not have the opportunity to get.

Mr. President, one of the things I have decried through this administration, through the 6 years of it, is the cutback in funding for support for higher education. I will almost support any program where we can get some funding in to help support our young people a bit to get a college education.

I think this Nation became largely what it is through education and basic research. Education in this United States of America was not just for the kids from the castle or the politically advantaged or well connected or the economically well off. It was for every single young person.

In modern times, we have said that includes going on as far as their abilities will take them in school, too. We never in the elementary or secondary area have ever supported education above about the 7- to 9-percent level from the Federal Government. But what we have done is, particularly since World War II, we have supported higher education, Pell grants, educational help, GI bill—all of these are ways in which we have supported our young people's ability to get a higher education.

That support has come mainly from the Federal Government. But that support has not come from the States or from local communities as elementary and secondary education support has come. When this administration cuts back on support for higher education and it lessens the ability of our young people to go on to college, I think—well, that is a disaster for our country for the long haul as we see other nations beginning to move their funding into support for education and into support for basic research.

Mr. President, for that reason alone, I think we should support this, whether it helped in recruiting or not in the armed services. It is a way of getting some money into support for higher education in addition to doing a job and helping recruiting in the armed services.

So what we are talking about is a program which will allow a young person to contribute to his country, to his or her nation, both in terms of service to the country and in deductions from pay to earn the educational benefits this bill provides.

I do not know many who would argue against this, especially in light of what this administration has done to cut education. So it is on this basis that I was one who proposed the amendment on the floor of the Senate in 1984 that became the basis for much of the current GI bill that we are about to make permanent. It is the bill we worked on with Congressman SONNY MONTGOMERY over in the House who has done yeoman's service in this area, has been a proponent for this for a long time. We want to give him due credit because he has done a masterful job in that area.

I submitted that same legislation, amendment on the floor of the Senate in 1984. So I have been a supporter for this for a long time.

Let me go through the procedures of what happened in the Senate Armed Services Committee because I think that was somewhat misunderstood by our colleagues over in the House side. We reported it out of our subcommittee with a recommendation, with a unanimous vote, to the full committee that it be approved. We were aware that there had been a unanimous vote on the Veterans' Affairs Committee in the Senate, and a unanimous vote of the Veterans' Affairs Committee in the House to approve this extension of the GI bill. We approved it out of subcommittee with my vote in favor of it.

When it got to the actual committee one of our members objected basically on the grounds that maybe we needed more experience. That got some support. There was a considerable debate. We put off a final vote on that until another day. The objection that was raised in the first meeting was removed at the second meeting, and we voted out unanimously to approve this bill.

I am glad to be part of that support, the full support of the Committee on Armed Services for this bill on the floor today.

So I want to also express the appreciation of the Committee on Armed Services for the work that the Committee on Veterans' Affairs has done on this bill. And I know both committees share in the larger mutual perspective doing what is right both for this country, and for the individual service personnel regarding military education benefits.

I think we want to watch this bill and see how it works. Maybe we need to fine-tune it. Maybe we need to put this benefit, the capability of having the benefit passed on to a dependent, to a son or daughter who would get the educational benefits if a particular person comes in with a view of taking advantage of the GI bill but decides that person likes military service and wants to stay in. In that case, this bill would also help retention if that capability was put in because right now the bill I think will not only do little for retention, but it will actually work against retention. But that is another subject. We can address that at the proper time.

Mr. President, I urge my colleagues to vote for passage of this bill. I support in enthusiastically myself. I think it will do a lot of good for the service. It will do a lot of good for the country in that we are using this method also of supporting the means for which our young people are willing to give some service for their country and can also at the same time get a lifetime education benefit that benefits our whole Nation.

Mr. President, I also would be remiss if I did not give full credit, too, to members of the staff of our Manpower Subcommittee on the Armed Services Committee for the work they have done in this area: Fred Pang, majority staff member who has done the primary work in this area and who is with me on the floor today. I want to give Fred full credit and also thank David Lyles of the majority staff and Pat Tucker of the minority staff, both of whom have worked on this subject for many years. I want to give all three of them credit for the long hours they have put in in working out all details for this and for doing the work that went into conducting our hearings.

I am here to enthusiastically support passage of this bill today, and would urge all Senators to vote for it. I think one of the best things we can do is have a unanimous vote on this. Few things get unanimous around here. This is one that deserves it.

I am here to urge support. And thank my colleagues on the Veterans' Affairs Committee for the work they have done on this bill, and for the sequential referral that we have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I would like at this time to add Senator DOMENICI as an original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ARMSTRONG. Mr. President, there is an old saying around Congress that bad legislation can become law in a day, but to get a good bill to become law takes years of hard work. That perfectly summarizes the legislative history of the GI bill. It has taken 4 years of tireless work to sell Congress, the administration, and the Nation the simple notion that restoring the GI bill is good for America.

Today that work pays off. The Senate is about to pass legislation making the new GI bill permanent.

And well it should. The GI bill pays educational benefits to those serving the All-Volunteer Armed Forces. This is one of those rare pieces of legislation in which everybody wins—taxpayers, the military, and young service men and women, colleges, and the Nation. The GI bill saves the Federal Government money, encourages young Americans to serve their country through military service, makes All-Volunteer Armed Services a reality and improves the quality of military service.

Consider these facts:

The Congressional Budget Office reports that by making the GI bill permanent the Federal Government will save $377 million between 1988 and 1992.

Vice Adm. Dudley L. Carlson, Chief of Naval Personnel, says:

> We in the Navy totally endorse the new GI bill * * * we have seen our percentage of those signings up for the GI bill in our new recruits increase dramatically. The GI bill is a big recruiting incentive.

Gen. Thomas A. Hickey, Air Force Deputy Chief of Staff for Personnel, says:

> Over 60 percent of our new recruits specify education and further education as one of the two or three primary reasons * * * for reenlisting. Not only have we had a significant increase in participation of our new recruits, we have found that the vast majority of those who do participate are in the top two mental categories. So we are getting the kind of quality we are interested in.

This testimony from the committee report accompanying the bill underscores why the Senate should quickly pass the pending bill making the GI bill permanent. The GI bill is simple. The Federal Government pays $300 in educational assistance for each month up to 36 months of a soldier's military service. The program is voluntary. All that a soldier must do is to serve 3 years, be honorably discharged, and contribute $100 each month the first year. In return, the soldier receives up to $10,800 to pay college costs. A variation of this program is offered also to reservists. This GI bill was enacted in 1984, and is set to expire in 1988. The pending bill simply makes the program permanent.

The GI bill is a proven recruitment and retention tool, and the new GI bill particularly has proven to be enormously popular with college-bound young people. As the costs of education continue to climb, young people who want a college education and are concerned about costs find the GI bill meets their needs. More than 56 percent of the eligible recruits who have joined the military since July 1, 1985, have signed up for the program. In other words, more than half of those enlisting are doing so with an education in mind.

What does this mean for our Armed Forces? It means higher quality recruits. Higher quality recruiting means service personnel who are better able to perform the more highly technical tasks required in the increasingly sophisticated defense of this Nation.

The GI bill also provides a tremendous retention incentive. Many of those entering the military are doing so with the educational benefits of the GI bill in mind. The Army has found that the higher quality young people recruited by the GI bill contributes substantially to saving $234 million annually in reduced attrition—a significant amount of money that can be better spent elsewhere.

Besides being a fiscally sound program, the GI bill is an investment in a healthy, growing America. Those individuals who complete military service and then seek more advanced education are likely to enter the work force more skilled, more highly motivated, and with a greater breadth of life experience. These young people will be in a better position to participate more ably in the future of our country, whether they should choose government, business, education, or technical careers. America needs these young people in order to compete in the international arena today.

The first GI bill was adopted at the end of World War II with the idea that this Nation owed a tremendous debt to those who put their lives on the line. One way to repay that debt was by providing educational assistance to ease the readjustment to civilian life. Since that time, the original GI bill and its successors have helped to educate more than 18 million veterans. Moreover, the GI bill is extremely cost-effective. Since the first bill was passed, it is estimated that for each dollar spent in education benefits, the Federal Government has received from $3 to $6 in additional tax revenue from veterans whose education has given them increased earning capacity.

In what may rank as one of the worst military decisions ever made, the GI bill was terminated in 1976. Killing the GI bill created a mammoth military manpower crisis. By 1980, the number of Army recruits scoring in the highest mental category had plunged two-thirds, and the number of volunteers in the second highest category had dropped more than half. Although the Army suffered most, recruiting for all the other services also was severely impaired. The Navy reported that the termination of the GI bill reduced recruits by 17 percent; Marine recruits dropped 24 percent.

The picture was bleak. The Army Chief of Staff General Meyer said his was a "hollow Army," and the Navy actually was beaching ships for lack of skilled sailors to staff them.

This led to talk about reverting back to the draft, to universal conscription. There were even some Presidential candidates bandying this idea about as the way to save the military.

But then a few of us stepped in and said, "Wait a minute. There is a better idea. And that better idea is restoring the GI bill." At the beginning, there were just four Senators beside myself willing to step into the breach and fight for the All-Volunteer Army: Senator COHEN, Senator HOLLINGS, Senator MATSUNAGA, Senator CRANSTON.

I cannot begin to tell the Senate all the machinations, the parliamentary maneuvers, the hearings, the debate, the acrimony involved in getting the GI bill restored. Fortunately, the facts, the proven record and the inherent wisdom of the GI bill prevailed. In 1984, the new GI bill was restored. So it is with particular satisfaction that I applaud the Senate making permanent the GI bill.

● Mr. McCAIN. Mr. President, it is with great pride that I join my colleagues in supporting S. 12 and H.R. 1085, bills that will make permanent the new GI bill. These bills are, in large measure, the work of my good friends, Senators STROM THURMOND, TED KENNEDY, Representative SONNY MONTGOMERY, and many others to whom we owe a large debt of gratitude.

We are all well aware of the history of previous GI bills. For over 42 years our country has facilitated the smooth transition of veterans from military to civilian life by providing educational benefits and vocational training assistance. Since June 1944, over 18 million veterans and service personnel have utilized the educational benefits accorded to them under three GI bills. But it is vitally important that we continue these efforts by making permanent the provisions incorporated in the new GI bill.

As you may already know, all the evidence we have received indicates that the new GI bill is working extremely well. It is fulfilling the goals established by Congress, but perhaps more importantly, the new GI bill is one of many recruiting tools, all of which contribute to the maintenance of a high-quality volunteer force.

Participation rates in all branches of service confirm the new GI bill's value to the young people volunteering to serve in our country's Armed Forces. Statistics show that during January 1987, 80.9 percent of all new Army recruits chose to participate in the program. The Navy enrolled 57.7 percent of its recruits; 45.9 percent of the Air Force enlistees opted for the program; and the Marine Corps reported that 73.2 percent of its recruits enrolled in the new GI bill. Additionally, as of January 31, 1987, more than 46,000 members of the selected Reserve had applied to the Veterans Administration for education benefits under the program.

But there are many other auxiliary benefits that our Nation derives from veterans use of the new GI bill. It is widely accepted that for every dollar spent in GI bill benefits, the Nation is returned $3 to $6 in increased tax revenues. Moreover, utilization of benefits provided by the new GI bill enhance our Nation's competitiveness through the development of a more highly educated and productive work force.

The challenges to American economic world leadership has never been greater. Our competitive edge depends upon a skilled labor force. Global economic leadership today demands managerial excellence, expert management of information and resources, foreign language skills, and a mastering of emerging technologies at every level. These challenges must be met through education and training, and this is why we must make permanent the new GI bill. The more Americans who desire the opportunity for a higher education and are given encouragement and access to pursue it, the more effective will be America's response to the global challenge. We must make the new GI bill permanent and I implore this body to support S. 12 and H.R. 1085.

In closing, I once again want to recognize the significant efforts of Congressman SONNY MONTGOMERY who kept this measure alive. Marcus Aurelius once said that "a man's true greatness lies in the consciousness of an honest purpose in life and a steady obedience to the rule which he knows to be right." If this is the case, then my colleague and friend from Mississippi, SONNY MONTGOMERY, is truly a great man and our country has and will continue to be enriched by his work.●

Mr. MURKOWSKI. Mr. President, I now yield to the senior member of the Veterans Committee, Senator THURMOND, for his statement. Senator THURMOND has been a dedicated supporter of our efforts for veterans during my tenure and for many years before. He has provided valuable leadership for us all.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I thank the Senator for his kind words.

Mr. President, as a member of both the Veterans' Affairs and Armed Services Committees, I rise today as a cosponsor and strong supporter of S. 12, the New GI Bill Continuation Act. I commend both the chairman and ranking minority member of the Veterans' Affairs Committee for the able leadership they have provided on this important matter.

The current program of educational assistance for members of the All-Volunteer Force and Selected Reserve, popularly known as the new GI bill, was established as a 3-year test program. The 3-year test period began in July 1985, and will end in June 1988. Under the current program, a recruit entering active duty for the first time during the 3-year period from 1985 through 1988 is entitled to educational assistance benefits of $300 a month for 36 months. In exchange, the recruit must complete a 3-year tour of active duty. In addition, an individual who completes a 2-year tour of active duty and 4 years' service in the Selected Reserve is entitled to education benefits of $250 a month for 36 months.

This legislation would expand the current program by removing the 1988 expiration date and making the program permanent.

I would like to point out, however, that prior to World War II, there were no education assistance benefits. From the Revolutionary War through World War I, veterans' benefits consisted mainly of compensation for the service-connected disabled and pension benefits for needy war veterans. Following World War I, medical care, low-cost life insurance, and vocational rehabilitation for service-disabled were added. Then between 1940 and 1944, a whole series of laws were enacted to provide readjustment benefits to assist veterans in making up for lost educational opportunities while in service. Included in the readjustment benefits legislation was the first GI bill, enacted in 1944. Additional GI bills have provided educational assistance to Korean-era veterans, Vietnam-era veterans, and veterans of the All-Volunteer Force. More than $55 billion has been spent on GI bill education and training benefits for more than 18 million World War II, Korean conflict, post-Korea and Vietnam-era veterans. Mr. President, we have come a long way. I am pleased with this legislation and the benefits it will provide to both the veteran and this country.

Mr. President, I would like to quote a few words to show how much this is helping in recruitment today.

Lt. Gen. Robert M. Elton, Army Deputy Chief of Staff for Personnel, testified:

> We found that subsequent to the initiation of the (new) GI bill* * * we did in fact have major increases in the total quality of young men and women who enlisted in the U.S. Army.

Vice Adm. Dudley L. Carlson, Chief of Naval Personnel, stated:

> We in the Navy totally endorse the new GI bill.* * * We have seen our percentage of those signing up for the GI bill in our new recruits increase dramatically over time; and in December [1986], we were having new recruits signing up for the GI bill at 58 percent of those coming on board.* * * We don't think we have people join the Army or the Navy based on the benefits because they are largely the same; but they do play a very important role, and it is a * * * big recruiting incentive.

Lt. Gen. Thomas A. Hickey, Air Force Deputy Chief of Staff for Personnel, testified:

> We do, in fact see the new GI bill as a very potent recruiting tool. Over 60 percent of our new recruits specify education and further education as one of the two or three primary things they are interested in as one of their reasons for reenlisting.* * * Not only have we had a significant increase in participation of our new recruits, we have found that the majority of those who do participate are in the top two mental categories. So, we are getting the kinds of quality that we are interested in.

Lt. Gen. Ernest C. Cheatham, Marine Corps Deputy Chief of Staff for Personnel, stated:

> In excess of 65 percent of the people that come in now and are talking to us are talking about the GI bill. It brings people to us—good quality people. We support it, and we love it. It is a number one priority for our young people.

Mr. President, Colonel Lively, of the Reserve Officers Association, made this statement:

> The attractiveness of this program to the individual service member is clearly illustrated by the fact that in the active Army, during the period of July 1985 to September 1986, 74 percent of those eligible enrolled in the program. In the Army Reserve components, for the same time frame, over 21,000 applied for the new GI bill benefit. These were reserve component members who had entered a 6-year obligation and had completed 6 months service as well as their military skill training.

So, Mr. President, from the standpoint of recruitment, this new GI bill has done a great deal. We have the Army approving it, the Navy approving it, the Marine Corps approving it, and the Air Force approving it.

Mr. President, in addition to that, it has assisted in the education of thousands and thousands of young men and women who might not have gone to college and furthered their education. This, of course, brings economic benefits to the entire country.

I would hope this bill will be approved.

Mr. President, this bill was approved unanimously in the Veterans' Affairs Committee.

Mr. President, in the Armed Services Committee, consideration was given to maybe continuing it for 3 years and then taking a look. But since it has been so successful and has done so much for the armed services, and has done so much to help so many young people get an education, we think it is better to go ahead and approve the bill. That is the reason I made the motion in the Senate Armed Services Committee that it be approved.

Mr. President, I think this is a good bill. I think it is very helpful. I believe it benefits all concerned. Therefore, I hope our colleagues will pass this bill as it is now written.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I yield from the remaining time 5 minutes to my colleague from Pennsylvania, Senator SPECTER.

The PRESIDING OFFICER. The Senator has yielded 5 minutes to the Senator from Pennsylvania.

Mr. SPECTER. I thank the distinguished Senator from Alaska.

Mr. President, I am pleased to lend my voice in support of this important measure. As a member of the Veterans' Affairs Committee, I have been intimately connected with the bill as a cosponsor. I compliment the chairman of the committee, the distinguished Senator from California, and the ranking member, the distinguished Senator from Alaska [Mr. MURKOWSKI] for their very substantial contribution.

This is a very important measure. It contributes in many ways to the welfare of the country. There is a confluence of interests of defense, education, and veterans' benefits in assisting young people, which is what this bill does. The details have already been described at length on the floor this morning and I shall not repeat them.

I would note the enormous contribution made to the welfare of the United States by the GI Bill of Rights after World War II for college education. When I entered the University of Oklahoma in the fall of 1947, the campus was filled with returning GI's. When I transferred to the University of Pennsylvania in the fall of 1948, again that university was populated with students who had an opportunity for college education as a result of the GI bill from World War II, and that GI bill certainly provided for the college education of America and I think materially changed the educational and social structure of our Nation in providing educational opportunities at the college level for the first time for so many American soldiers, sailors and marines, air force men and women who had returned from the services.

I then was the beneficiary of the GI bill myself after service in the U.S. Air Force during the Korean emergency, so I can personally attest to the assistance of it as a line of compensation for military service.

Mr. President, the current bill is a very important response to enormous concern expressed by veterans' groups in this country, in a series of hearings that I have held around Pennsylvania where veterans have appeared, and in a major meeting of veterans 3 weeks ago in Philadelphia, about the reduction of their benefits. The passage of this bill would be very significant in saying to the veterans of America that the U.S. Congress and the U.S. Government appreciate the contributions which the veterans have made to the United States.

The benefits to the veterans, after all, are not grants or gifts. They are a return in a contractual commitment for services performed.

Although the veterans, who are really entitled to more than they are receiving at the present time, will not be direct beneficiaries of this new GI bill, which will apply to recruits, they are very appreciative of the action. This is high on the agenda of veterans service organizations.

Beyond the issue of benefits for veterans, we have the benefit expressed here today for defense of our country in recruiting young men and women and in retention, and that is very important for national security.

On the educational level, at a time when there are real problems about the adequacy of the Pell grants and guaranteed student loans, this new GI bill will be a stimulus to allow many young men and women to have a college education.

The benefits to the young people in our society are very important because, when we have so many demands upon our National Treasury, too little is really directed to the younger generation, the category which will be receiving these benefits. A program directed to this group is important in terms of being fair to them and, fundamentally, in terms of looking out for the future welfare of our country, to have an educated citizenry.

We talk about competitiveness, we talk about the challenge by many foreign competitors, and nothing can replace education.

I say that as a beneficiary of a first-rate educational opportunity myself and, by sharp contrast, the difficulties of my parents. My father came to these shores at the age of 18, in 1911, without the benefit of any education. My mother came with her parents in 1905 and had a limited education, to the eighth grade. The opportunities for advancements that I have had are the result of the education assistance afforded to me, in part by the GI bill.

So I am pleased to lend my voice in strong support. I hope our vote will be better than the House vote, where only 2 dissented, with more than 400 in favor. This is a great bill for the future of America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MURKOWSKI. Mr. President, as a manager of the bill, I thank the Senator from Pennsylvania for his supporting statement. I think he expressed himself in a very eloquent manner as to the significance of what the GI bill means.

At this time I yield to the junior Senator from California, the ranking minority member of the Subcommittee on Manpower and Personnel of the Committee on Armed Services, who has worked with great dedication on behalf of active duty personnel, reservists, and our veterans. His effort, I think, is second to none. I yield 2 minutes to the Senator from California [Mr. WILSON].

Mr. WILSON. I thank the Senator from Alaska for his generous comments as well as for his distinguished leadership, along with my colleague from California, Senator CRANSTON.

Mr. President, we are in a time of the All-Volunteer Force; and many who were skeptical that we could achieve the quality of young men and women required for the armed services have been more than pleasantly surprised—they have been astounded.

Over the past 6 years or so, we have had the highest quality of recruits in our history. The Army is now boasting better than 90 percent high school graduates, higher test scores than we have seen in a long time.

It is for that reason that the GI bill, with its offer of a first-rate education to those who complete a tour of military service, is so attractive as an incentive, because it brings to us precisely the kind of people we need in an increasingly technologically demanding modern Army, Navy, Air Force, and Marine Corps. For that reason, although this is a specific benefit, it is one that is earned by these young men and women. It is a primary tool for recruitment. We do not know what its effect on retention will be. But in a time of an All-Volunteer Force, there is no denying that it is a very sanguine and useful tool for recruitment.

Mr. President, I will not repeat what has already been said. I simply thank those who have given the leadership necessary to bring this to the floor.

I yield the floor.

Mr. CRANSTON. Mr. President, may we get the yeas and nays at this time? I ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection to ordering the yeas and nays at this time? The Chair hears none, and it is so ordered.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the name of Senator Wilson be added as a cosponsor of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COHEN. Mr. President, the legislation we are considering today is one of the most significant measures the Senate will act on in the 100th Congress. By approving the legislation to make the new GI bill permanent law, we are reaffirming our Government's commitment to the brave young men and women who are demonstrating their commitment to their Nation through their service in our Armed Forces.

This measure has been approved unanimously by the Veterans' Affairs Committee. The Armed Services Committee, on which I serve, approved it by voice vote. And the House of Representatives unanimously backed a companion bill introduced by Representative G.V. (Sonny) Montgomery on March 17. I am confident that the Senate today will show the same strong, bipartisan support that has been reflected in each of these bodies.

The overwhelming support this program has garnered is a direct result of the positive experience under the test program of GI bill educational benefits approved by Congress in 1984. This is truly a historic day, and it is all the more remarkable when we consider how difficult the journey has been as we have sought to restore GI bill benefits for those seeking to pursue higher education.

When I first introduced legislation in late 1979 to restore these benefits, our military services were facing serious problems, and both from the standpoint of quality and quantity, they were unable to recruit the people they needed. I will never forget the time when Adm. Tom Hayward, then the Navy's Chief of Staff, came before the Armed Services Committee and testified:

> We have got a desperate situation. We have a hemorrhage in the ranks of the Navy. We are losing good qualified people, and we cannot afford to do that.

Admiral Hayward's words were echoed by others. Secretary of the Navy John Lehman testified that if he had to choose between having new ships or having more and better qualified people, he would take the men and women each time. And the Army Chief of Staff, Gen. Edward (Shy) Meyer, told us of the "hollow Army" which was desperately in need of GI bill benefits to encourage educationally motivated young men and women to consider Army service.

Despite these calls for assistance, the fight to restore GI bill benefits was not an easy one. In 1983, Bill Armstrong and I stood on the floor, making what we felt was a persuasive case for these benefits, only to be narrowly defeated on procedural grounds. We were joined by Alan Cranston, Spark Matsunaga, and Fritz Hollings, both in that floor battle and in other legislative efforts to bring these much deserved benefits to service personnel.

Finally, in 1984, there was a breakthrough. Sonny Montgomery, who has really been the spearhead in this effort, won approval of his bill on the House side. We were not quite as successful here, but in the House-Senate conference on the defense authorization bill for fiscal year 1985, we were able to win approval of a test program of educational benefits.

The battle was not an easy one. It came down to the wee hours of the morning on the last day of the conference, and there were those who said they would close down the conference before they would agree to a GI bill provision. Sonny stood his ground, and the test program was accepted.

That test program has been incredibly successful. Over 90 percent of today's Army recruits are high school graduates, up from 54 percent in 1980. The percentage of Army recruits scoring in the upper half of the Armed Forces qualification test [AFQT] increased by 37 percent during the same period. During the first year of the new GI bill, quality male recruits increased 10 percent over the last 12 months of the Veterans Educational Assistance Program [VEAP], the Contributory Educational Assistance Program which it replaced.

In our Reserve Forces, the GI bill has shown similar positive impact. Army Reserve high quality recruits increased 24 percent, and 6-year enlistments increased 28 percent over the previous year.

The importance of this is clear. The new GI bill, simply, will result in a better force, while benefiting the Nation. The Armed Forces will have reduced costs through lower attrition rates and improved trainability, unit performance will be enhanced, and readiness will be improved.

One reflection of this was an Army recruiting command study which concluded that there is a direct link between a tank commander's mental aptitude and the performance of this tank crew during gunnery and simulated combat drills. The study found that a platoon of tanks commanded by mental category II tank commanders will have a combat exchange ratio of 7.45 enemy killed to one tank lost. The exchange ratio for tanks commanded by those in mental category IV is only 1.33 to 1 and 82 percent degradation in performance.

So, while reducing attrition, improving quality, and strengthening readiness, we can restore a benefit which recruiters repeatedly cite as perhaps the most important one for appealing to potential volunteers. And we can restore what once was the preeminent source of Federal educational assistance to those interested in pursuing higher education.

We should remember that when GI bill benefits were established in 1944, they were the initial step in the Federal provision of educational assistance. Until 1965, the GI bill stood virtually alone as a source of aid to postsecondary students. And as late as 1975, the Vietnam-era GI bill provided over 50 percent of all student aid to those in postsecondary schools.

It has been estimated that the old GI bill helped recruit between 25 and 36 percent of the volunteers entering the Armed Forces. In December 1976, the last month the Vietnam-era GI bill was in effect, a record 27,585 individuals enlisted in the Army alone. The approximately 100,000 youths who joined the uniformed services were about twice the normal first time enlistment.

Before closing, I want to address the cost question, which has been raised by those opposing a permanent GI bill. As I prepared my GI bill proposal in 1979, I went back to review the debate back in October 1975, when the House approved the bill ending the GI bill. Throughout the debate were repeated references to testimony from the Department of the Treasury and the Internal Revenue Service that for every $1 spent in educational assistance to veterans, from $3 to $6 is returned in the form of taxes paid due to higher wages and greater earning capability. Additional savings were cited from reduced unemployment benefits paid out to veterans who have taken advantage of the benefits.

In sum, Mr. President, I believe this is one of the most important measures we are considering this Congress. It is one which will have far reaching benefits, both for the men and women taking advantage of this program and for the Nation as a whole.

Mr. President, I have noted the important roles Sonny Montgomery, Bill Armstrong, Alan Cranston, and other of our colleagues have played in making a permanent GI bill a reality. There are some others whose role I should also note. These include Mack Fleming and Jill Cochran, who have done so much on Sonny Montgomery's House Veterans' Affairs Committee staff, to win broad support for this program. In the Senate, Jon Steinberg, the staff director of the Veterans' Affairs Committee, and Tony Principi, the minority staff director, have played invaluable roles. Two former Senate staff members, Mike Kelly and Babette Polzer, and Jim Dykstra of my own staff have done much in this effort.

A number of individuals and organizations have also been essential to this effort. I cannot name them all, but there are two I would like to pay special tribute to. The Non-Commissioned Officers Association has been perhaps the leading organization in this important effort. Through its Washington staff, Mack McKinney and Dick Johnson, in particular, it has done much of the behind-the-scenes work in bringing us to where we are today. The other organization is the National Association of State Approving Agencies, whose president, Don Sweeney, is a constituent, serving as coordinator of veterans' education programs for the State of Maine. Don has spent many, many hours working with me and my staff, and with the staffs of other Senate and House leaders, in this effort.

There are others, I know, who have been invaluable in making this a reality. It has been a unified effort, and we have the facts on our side.

It gives me great pleasure to see this once seemingly unattainable goal achieved today. The young men and women serving in our Armed Forces will not have this important benefit as a recognition of the great contributions they are making to their Nation through that service.

Mr. MURKOWSKI. Mr. President, Senator SIMPSON, I understand, is on his way to the floor from his office and would like to speak.

It will be my intention to yield the remainder of my time after Senator SIMPSON speaks.

Mr. CRANSTON. Mr. President, I yielded 1 minute to the distinguished Senator from Hawaii [Mr. MATSUNAGA]. He has played a major part in this legislation, and I am delighted that he is on the floor now.

The PRESIDING OFFICER. The Senator from Hawaii has been yielded 1 minute.

Mr. MATSUNAGA. I thank the Senator from California, the chairman of the Committee on Veterans' Affairs, for yielding time.

Mr. President, I rise in support of S. 12, a bill introduced by the senior Senator from California [Mr. CRANSTON], the chairman of the Senate Veterans' Affairs Committee, to indefinitely extend the various educational assistance programs authorized under titles 38 and 10 for members of the All-Volunteer Force and the Selected Reserve. I wish to thank the senior Senator from California and his counterpart in the House, Chairman MONTGOMERY, for their outstanding leadership in this matter. I also wish to commend the ranking minority members of the House and Senate committees, Senator MURKOWSKI and Congressman HAMMERSCHMIDT, for their part in this truly bipartisan endeavor. I am proud to say that, with the 1984 bill which created the new GI bill, I am an original cosponsor of this measure.

When the first GI bill was enacted in 1944, I don't believe anyone could have predicted how successful this legislation and its successors would be. Although the bill was originally intended as a readjustment aid for millions of returning war veterans, the benefits of the measure have expanded considerably beyond its original brief to include humanistic, social, economic, and military recruitment benefits as well. In fact, today, these incidental benefits may outweigh the bill's original purpose to help return soldiers to civilian life.

Mr. President, the first good reason to support S. 12 is that the GI bill in its five incarnations has contributed greatly to the humanistic enrichment of its many beneficiaries. It has provided unprecedented opportunities for millions of Americans to expand their personal horizons through the education and training which would otherwise have been beyond their means. I say this selfishly and from my own experience as a youthful veteran of the Afro-European campaign who was able to attend Harvard Law School through the financial assistance the GI bill afforded. I can say with certainty that I would not now be speaking on the floor of this Chamber, a Member of the greatest deliberative body in the world, if the GI bill had never been.

Another important aspect of the GI bill has been its contribution to the social and economic well-being of the Nation. Just as the GI bill has given millions of veterans the opportunity to better themselves as individuals through the broadening experience of education, it has given them the opportunity as citizens to make important contributions to society as a whole. In economic terms, although we have spent over $60 billion on the programs under the GI bill, it is estimated that the return on that considerable investment—in terms of increased tax revenues—is between three and six times that amount. Some say that over the life of the beneficiary that figure is closer to 20.

But tax revenues are not the only social and economic benefit of this measure. The GI bill has trained millions of workers in the skills necessary to run a modern economy, contributing greatly to America's postwar economic prosperity. In this day of fierce international competition and astronomical budget and trade deficits, the need for space-age technical expertise and management skills is paramount. In the words of one economist, we need once again to "produce the best goods at the best price," and we can only do that with a highly-qualified work force. As the chairman of the Trade Subcommittee of the Senate Finance Committee, I have been involved in efforts to encourage and legislate such training programs, but for a variety of reasons there has been some reluctance to implement them. In the GI bill, however, we have a wildly successful training program already at hand which has almost 43 years of history behind it. It would not do to let it slip out of existence.

Finally, Mr. President, the five GI educational assistance programs which Congress has enacted have also provided our military with an outstanding, cost-effective recruitment and retention tool. Now that we no longer have a draft, the new GI bill enacted in 1984 on a 3-year test basis has become especially important in this regard. When I chaired the hearing on the the New GI Bill Continuation Act in February of this year, the representatives of all four services who were invited to testify were unanimous in their assessment that the new GI bill has been an unqualified success in recruiting personnel, especially better qualified personnel. The Army has benefited in particular from the legislation: In 1980, the percentage of Army recruits with high school diplomas stood at only 54 percent; today, that figure is over 90 percent! In fact, the Army and the other services are now able to crack the hitherto difficult college market. As a side benefit, the Army has stated that the new GI bill is saving it about $234 million a year in personnel costs by attracting intelligent and highly motivated candidates who pose fewer disciplinary problems and are more likely to complete their initial obligation. Nothing could be more welcome in this era of advanced technology, a time when it is essential that the military is staffed with dedicated men and women who are qualified to operate the weapons systems characteristic of a modern defense.

Mr. President, I cannot emphasize how important it is to permanently authorize the new GI bill: it has provided us with an effective recruitment tool; it has injected billions of dollars into the economy; it has given millions of individuals the opportunity to reach their full potential, adding lustre and variety to America's social and cultural fabric. I urge my colleagues to adopt this important measure.

Mr. DOLE. Mr. President, I would like to add my voice today to those supporting S. 12, a bill that will make the new GI bill a permanent program.

Since its birth after World War II as a means of allowing returning veterans an effective readjustment tool, the GI bill has emerged as a principal incentive in attracting quality young people into our armed services. With enactment in July 1985, the new GI bill has produced solid results—almost 50 percent of our new recruits relate that the new GI bill played an important part in their enlistment decision. This is particularly noteworthy because today's recruits are higher quality than ever before.

This higher quality results in many pluses—analyses show that today's "smarter soldiers are better soldiers." Virtually every measure of performance from skill tests to promotions to discipline indicators supports this premise. Lt. Gen. Gerry Bartlett, commandant of Fort Leavenworth, recently related to me that today's force is the highest quality he has ever seen in his lengthy career. As a matter of fact, there are lower numbers of inmates in his well-known correctional activity due to the lack of disciplinary cases today.

And the benefits of this educational support do not only lie with the individual and the services. Our Nation is the big winner. This investment in human resources will no doubt pay big dividends in the future, providing for a more highly educated labor force.

Look around this Senate today, many of us here directly benefited from this important program. It was critically important to us and it will remain important in the future as the services compete for quality manpower in light of the decreasing numbers of eligible recruits. The new GI bill is a winner—let the Senate go on record as supporting this splendid program.

Mr. HOLLINGS. Mr. President, I am very pleased to be an original cosponsor of S. 12 that ensures the indefinite continuation of GI bill benefits beyond the present June 30, 1988, cutoff date.

Toward this goal, I have long believed that we must upgrade the quality of the Armed Forces and reward those that sacrifice for our national security. The GI bill is the most effective step we can take to improve the quality of recruits for our Armed Forces.

There is no question that the new GI bill passed in 1985 has been a success. Present DOD statistics indicate that there are over 200,000 active duty personnel and nearly 35,000 reservists participating in the program. I am particularly proud of the Reserve applicability provision of the progam because that is one of the two major sections of the law that I insisted be included in the new GI bill program.

The second major provision that I initiated, and that is included in the law, is that concerning transferability of benefits to dependents. There was resistance to this concept but it only makes sense that if a military member has earned—but unused benefits—he or she should be allowed to transfer these to a dependent.

I am grateful to the Veterans Committee for both the initiative in developing S. 12 and the expeditious action in bringing it to the floor. Chairman CRANSTON and the ranking minority member, Senator MURKOWSKI, deserve a great deal of credit for their outstanding performance in accomplishing this. Other members who have long been instrumental in supporting the new GI bill include Senators MATSUNAGA, COHEN, and ARMSTRONG.

The Congress has moved decisively in recent years to provide our military forces with the modern, high technology equipment they need to at least keep abreast of the Soviets from a weapon systems standpoint. We are at a point where we must continue to improve the quality of our military manpower. The new GI bill has been a major step in this direction. We must ensure its continuation. I am very pleased to join with my colleagues in introducing this vital legislation.

Mr. PRESSLER. Mr. President, as a cosponsor of S. 12, the New GI Bill Continuation Act, I strongly support this legislation and urge my colleagues to join me in voting for its passage. It is needed.

The new GI bill began in July 1985 and is overwhelmingly popular with members of the Armed Forces. Over 76 percent of eligible active duty soldiers have decided to participate. Reservists are enrolling in record numbers as well. According to the Veterans' Administration, 43,130 reservists have trained under the new GI bill-reserves. The new GI bill is a proven, effective recruitment tool and enables soldiers to better serve America by allowing them to continue their education.

Mr. President, I commend Senators CRANSTON and MURKOWSKI, and the other members of the Veterans' Affairs Committee, who have worked throughout the past several years on making a new GI bill possible.

I have one concern. Last year I introduced legislation to amend the new GI bill to expand the education programs for which members of the Selected Reserve may receive assistance. Many members of the Selected Reserve wish to attend a vocational/technical school. Since the term "institution of higher learning" excludes post-secondary vocational/technical schools in the reservists section of the new GI bill, reservists cannot use new GI bill assistance to attend vocational schools. I believe this is unfair.

Mr. President, I am not offering my legislation as an amendment today because of the need to quickly pass a clean extension bill. However, I hope that our colleagues on the Veterans' Affairs Committee will give this legislation every consideration during future committee action on the New GI Bill Continuation Act.

I am proud to be a cosponsor of the New GI Bill Continuation Act and am confident that the Senate will pass it today by an overwhelming vote.

Mr. STEVENS. Mr. President, I am proud to be a cosponsor of the New GI Bill Continuation Act, introduced by the chairman of the Veterans' Affairs Committee, ALAN CRANSTON, along with the ranking minority member and my colleague from Alaska, Senator FRANK MURKOWSKI.

Since World War II the opportunities for education provided by veterans' education programs have increased the attraction of military service to our young men and women. This new GI bill would continue as an effective tool for recruitment and retention in our All-Volunteer Force. It puts higher education and training in the grasp of many who would otherwise not be able to afford it.

The new GI bill also has enormous value as a human resources investment in the development of a highly trained and productive work force, which in turn enhances our Nation's economic competitiveness. It may well be the best investment our country has ever made. For every dollar spent on GI bill benefits, estimates indicate that between $3 and $6 are returned to the Nation in increased tax revenues.

This program has trained more than 18 million veterans since World War II. The new GI bill has the support of veterans' service organizations and the administration. Mr. President, I urge my colleagues to support this bill too.

Mr. CONRAD. Mr. President, I urge my colleagues to support S. 12, which would make the new GI bill, enacted 3 years ago, a permanent program.

The GI bill is widely—and rightly—regarded as one of the best investments that our country has ever made. Since established in 1944, the program has provided $60 billion in educational benefits and training for over 18 million veterans. According to estimates from the Veterans' Administration and others, for every dollar invested in the program, $3 to $6 has been returned to the country in increased revenues.

Under the most recent revisions in 1984, service members can participate in a voluntary program, taking reduced pay during their first year of service in order to earn additional readjustment benefits. Upon leaving the Armed Forces, service members may use these benefits to complete the education or training needed for a civilian career.

The emphasis of the GI bill on education and vocational training has been critical to its success. The educational opportunities offered by the bill are a major recruiting resource—possibly the major recruiting tool—for today's All-Volunteer Force. In testimony before the Veterans' Affairs

Committee, Lt. Ernest C. Cheatham, Marine Corps Deputy Chief of Staff for Personnel, claimed that, "In excess of 65 percent of the people coming in now * * * are talking about the GI bill. It brings people to us—good quality people * * * It is a No. 1 priority for our young people." The hearings found similar experiences in the other branches of the Armed Forces as well as the Reserves.

Military officials have valued the new GI bill as a means of retaining well-qualified men and women in the Armed Forces. The Department of the Army estimates that the combination of higher quality recruits attracted by the new program and reduced attrition rates saves $234 million annually—roughly the personnel costs for one Army division.

Further, the new GI bill signals a strong commitment to education and the importance of education to the individual and to society. Historically, this program has worked to extend the benefits of higher education to men and women who might not otherwise be able to afford it. Beyond the importance of these benefits to individual veterans, increasing the accessibility of education is a vital investment in our Nation's future. Our Nation suffers from a critical problem of economic competitiveness that demands emphasis on education. The new GI bill represents such a commitment through its investment in people—particularly in a group of people who otherwise would have received no higher education. Thus, the new GI bill contributes to our Nation's competitiveness—a critical factor in this time of increasingly competitive international markets.

Thus in its 3-year test, the new GI bill has proven to be an effective, efficient way to meet the needs of veterans, the military, and our Nation. I urge my colleagues to join me in supporting the continuation of this important program.

Mr. SANFORD. Mr. President. As a cosponsor of this bill I rise to express my tremendous support for it. As a veteran and as a former college president, I view the benefits of this legislation in two ways.

It is important for our young people to want to serve their country in the Armed Forces. While the very spirit of our service men and women should be rooted in the devotion of wanting to protect and defend our liberties and freedoms, we should not forget the sacrifice we ask them to make.

We all benefit from offering our youth an opportunity to continue their education. An educated work force is a productive work force. The new GI bill rewards service to country while improving our recruitment effort. According to the commander of the Army recruiting area that includes North Carolina, the overriding reason for the high numbers in recruiting is because of the new GI bill. My service in the Army during World War II was for love of my country, but it was good to know that service was appreciated by benefits such as the GI bill.

Having left Duke University recently as its president I know how the cost of a college education has increased. I made a commitment during my tenure at Duke to make sure that no student should ever leave for need of money. This bill permits me to continue that commitment, and I am proud to be able to do so.

Mr. DASCHLE. Mr. President, I rise to voice my enthusiastic support for Senator CRANSTON's bill to make the new GI bill a permanent Federal program. My good friend from California has been a leader on this issue and deserves a great deal of credit for making this program such an unqualified success.

During my tenure in the House of Representatives, I had the opportunity to take an active role in the establishment and refinement of the All-Volunteer Force Educational Assistance Program—the so-called new GI bill. The new GI bill replaced the Veterans' Educational Assistance Program [VEAP], a program that lured only about 35 percent of enlistees. A new recruitment tool was clearly needed to replace the largely ignored VEAP.

With the leadership of Senator CRANSTON and Congressman MONTGOMERY in the House, we were able to formulate an educational program for veterans that now provides educational benefits to well over half of the Army recruits. I am now convinced that we have the best qualified and most highly motivated recruits we have seen in years, and recruiters across the country tell me that the No. 1 reason for this fact is enactment of the new GI bill.

The legislation we are considering today will help keep American military forces strong and vital into the 1990's and beyond. The increased use of sophisticated weaponry and communications equipment requires that we have highly trained soldiers in the field. In 10 years, it is estimated that we will have to enlist one of every two 18-year-olds that do not immediately attend college. To meet that challenge, we will need this educational incentive to draw the best and the brightest young people into service in the Armed Forces.

In addition to the national security value of the legislation before us today, the new GI bill will pave the way for an enriched and productive life for American veterans. It is nothing short of a national tragedy that one of every three homeless males in this Nation is a veteran. The No. 1 reason for homelessness and unemployment among our veterans is lack of adequate education and training. The new GI bill seeks to address this leading cause of homelessness, unemployment, and underemployment of veterans.

Every year we spend approximately $7 billion on no-obligation educational assistance for college students. This, of course, is a worthy expenditure and a prudent investment in the future of our country. But we should not forget that it is also important that educational assistance be provided to those patriotic young people who have agreed to delay their education so that they can serve their country in a tour of military service.

When we talk about the cost of this program, we also should note that Army officials have stated that the new GI bill is saving taxpayers about $234 million per year in reduced military personnel costs. The kind of bright young people that the new GI bill attracts are less costly to train, more likely to reenlist, and present less disciplinary problems than other recruits. The cost of this model educational program is really minimal compared to the social and strategic benefits the Federal Government realizes from it.

The new GI bill is indeed a model educational program, but that is not to say that we cannot make it even better. I have introduced S. 820, which would allow veterans to use their educational benefits to obtain flight training. Commercial pilots are currently in demand in this country, but under the current bill, veterans—many of whom already have service-related aviation training—are not allowed to obtain the training necessary to obtain their commercial pilot's license. In addition to this important alteration in the current program, we also ought to strongly consider allowing veterans the option of using their educational benefits for use in vocational training schools.

I urge my good friends on the Senate Veterans' Affairs Committee to strongly consider these proposals and other proposed improvements to the new GI bill during this Congress. We can make an already exemplary veterans program even stronger with some modest but important modifications.

Again, I strongly urge my colleagues to support the permanent extension of one of the most valuable recruitment and educational tools we have for future generations of Americans—the new GI bill educational assistance program.

Mr. KERRY. Mr. President, I am pleased to be a cosponsor of S. 12, the New GI Bill Continuation Act, which passed the Senate unanimously on May 8, 1987. This legislation would extend and make permanent the educational assistance programs under the GI bill for veterans of the All-Volunteer Force. These educational assistance programs have been an effective tool for recruitment and retention in the All-Volunteer Armed Forces.

The GI bill has made an enormous contribution to our Nation in the past through the education and training of our citizenry, and through increased productivity, gross national product, and tax revenues. Almost 20 million veterans have trained under GI bill programs since World War II. Passage of the New GI Bill Continuation Act will extend these benefits into the future, and will enhance America's economic competitiveness.

The new GI bill is a powerful incentive to attract high quality people to our volunteer Armed Forces. This is very important if we are to avoid a return to the military draft and the divisiveness which the draft entailed in the Vietnam era. It is also an investment in America's human resources. Every dollar which is spent on the GI bill is returned two or three times to our Nation's economy.

I am delighted that the Senate has acted today to extend and make permanent the new GI bill. For all of us who are veterans, this is an important step forward.

VETERANS EDUCATION

Mr. KASTEN. Mr. President, I rise today as a cosponsor of Senate bill 12, the New GI Bill Continuation Act. I have always been a strong supporter of the GI bill. This legislation before us today will provide for the continuation of the programs of educational assistance for members of the All-Volunteer Force and the Selected Reserve.

Our country has tried to assist in the smooth transition of veterans from military to civilian life through educational and training assistance for over 42 years now. The GI bill has played a significant role. Since June 1944, the opportunities for education provided by veterans' programs have increased the attractiveness of military service. Under this act the GI bill will continue as an effective tool for recruitment and retention in the All-Volunteer Force. In addition, the new GI bill, as with earlier veterans' education programs, has enormous value as both a readjustment benefit for individual veterans and as a human resources investment in the development of a more highly trained and productive work force which will enhance our Nation's economic competitiveness.

Preliminary data from the uniformed services show that the new GI bill is a cost effective means of getting high quality young people to enlist in our Armed Forces and Reserves. The prospect of college is now the leading reason men and women enlist in the Army. The Army has found that the new GI bill, and the high quality young people it helps recruit, is contributing substantially to saving $234 million annually due to reduced attrition. That is the approximate personnel cost of one Army division.

The GI bill may be one of the best investments our country has made. It has trained more than 18 million veterans since World War II. This includes 7.8 million under the World War II GI bill, almost 2.4 million under the Korean conflict GI bill, and over 8 million trainees under the post-Korean Vietnam-era GI bill. All these programs operated in conjunction with the draft and afforded a readjustment opportunity for many people whose lives were involuntarily disrupted. The programs have taken place in classrooms, businesses, on farms, at schools of higher learning and even at elementary schools. In terms of content, they range from remedial mathematics to advanced calculus and everything in between.

For every dollar of the $60 billion spent on GI bill benefits, it is estimated the Nation is returned $3 to $6 in increased tax revenues.

Mr. President, the new GI bill will continue to contribute to our national defense, and to our vitality and strength as a world economic power, by substantially increasing access to education. I urge all of my colleagues to join me in voting for this bill here today.

Mr. MOYNIHAN. Mr. President, I am pleased that the Senate will today consider and doubtless pass the New GI Bill Continuation Act. As the bill's principal authors, the chairman of the Veterans' Affairs Committee, Senator CRANSTON, and the ranking minority member, Senator MURKOWSKI, can explain better than I, this legislation will extend eligibility for the new GI bill educational assistance programs for members and veterans of our armed services beyond the current expiration date of June 30, 1988. Specifically, the bill offers the young service member an opportunity to receive $300 a month for 36 months, or a total of $10,800 in educational benefits, in return for completing a 3-year period of active duty and a $100 monthly pay reduction for the first year of enlistment.

I am proud to be a cosponsor of this legislation. As a veteran myself, and one who benefited from the original GI bill—like so many of my colleagues on faculty at Harvard, I could not have afforded a graduate education otherwise—I know well what a tremendous educational opportunity this represents, and what a payoff to our Nation in productivity. Moreover, all our services have testified that the Educational Assistance Program is a tremendous boon to recruitment. There are but a few Members of this body today who are not veterans themselves, but in time, as the draft passes behind, fewer members of our society will have had the experience of wearing a uniform and all that that entails.

I commend the leadership of Senator CRANSTON and Senator MURKOWSKI on bringing this legislation to the floor, and urge its passage.

Mr. DURENBERGER. Mr. President, I would like to join the ranks of staunch supporters of S. 12, "The New GI Bill Continuation Act" introduced by Senator CRANSTON on January 6, 1987.

After reviewing and analyzing this proposed legislation, I added my name to the list of cosponsors of this bill on April 3, 1987.

My main reason for supporting this continuation of the existing new GI bill for the All-Volunteer Armed Forces centers around the crisis in education the United States now faces specifically by the middle-class college-bound student. With colleges and universities continually escalating costs on a yearly basis, the everyday, hard-working middle-class family, even with both parents in the work force, cannot meet the challenge of providing a college education for two or three children without incurring tremendous debt. This debt is more and more being passed on to the student whose after-college life is stressed and strained by this responsibility to pay back these Government/private loans.

To have a system available whereby college is a viable part of one's future life has proven very attractive and practical to this large segment of our population; 85 percent of new Army recruits are citing educational benefits as their reason for enlisting. These Army recruits are of a higher quality and are more motivated—and 90 percent of them are high school graduates. This potentially college-bound pool has not been tapped before and is proving to be a gold mine for military service recruiters. Approximately 240,000 service people were participating in this program in September 1986.

The first time active duty soldier/sailor/flyer and the Selected Reserve military person will benefit from this contribute-as-you-serve program which very generously matches and supplements the final figure for their education. The nonrefundable $100 monthly deduction gives the military person a reason to fulfill his/her obligation and also provides a sense of building for the future. For those who seek to serve in more critical areas, the kickers and enrichments offered make it possible for a higher quality education to be the final product—thus improving the quality of life all the way down the line.

I have supported the three previous bills dealing with educational benefits to the military—they have proved effective in the past and I look forward to an escalating level of quality in the American educational experience.

Mr. KENNEDY. Mr. President, it is an honor to join Senator CRANSTON and other colleagues in support of S. 12, which would make the new GI bill permanent. I am a cosponsor of this legislation and have supported it strongly in the Armed Services Committee.

It is not often that we have an opportunity to pass legislation that both assists directly in our national defense and increases our competitiveness in the world marketplace. With regard to defense concerns, the education benefits that the new GI bill provides are an essential part of the compensation package that enables the military services to attract high-quality recruits. These benefits are crucial to recruiting the type of "college-oriented" young people that we need to maintain and operate our increasingly sophisticated weapons and equipment. If we fail to attract high-quality recruits, we will not be able to sustain the All-Volunteer Force.

At the same time, the new GI bill offers substantial benefits to the Nation as a whole by increasing the overall education level of the citizenry. The dividends we reaped from the World War II GI bill fueled the rise of the United States to the world's greatest economic power. If we are to succeed in the increasingly competitive world marketplace, we must constantly strive to improve the level of education and training of our workers. The new GI bill does this in a cost-effective manner. Every dollar we spend on the new GI bill not only contributes to our national defense, but ultimately is returned many fold in the increased tax revenues paid by the program's more productive beneficiaries.

For those reasons, I urge my colleagues to vote to make this invaluable program permanent. There is no reason to perpetuate uncertainty about the program's future. It should be part of the bedrock of our recruiting package.

Mr. BYRD. Mr. President, I am a cosponsor of this bill to make the new GI bill permanent, and I am pleased that we are taking this action today.

This legislation will improve the access of veterans to higher education, and will be an incentive to attract high-quality young people to enlist in our All-Volunteer Force. This bill will also serve to extend the benefits of a higher education to qualifying men and women who might not otherwise be able to afford such an education.

Over 18 million veterans and service personnel have received educational assistance under three GI bills since 1944. The GI bill has served our Nation well and provided for many men and women opportunities which would not have otherwise been available to them.

I cannot let this opportunity pass without saying that, throughout its history, West Virginia has been one of the most patriotic States in the Nation—ranking fifth in the number of participants as a percentage of the male population in World War II, first in the Korean conflict, and second in the Vietnam war. West Virginia ranked first during the Vietnam and Korean conflicts in deaths as a percentage of the male population. West Virginians have traditionally served their country with pride in times of war and peace. That is a tradition that deserves recognition and respect. Those West Virginians who continue in that tradition of military service, likewise, deserve the GI benefits that their forebears received after World War II, the Korean conflict, and Vietnam. For that reason, among others, I am pleased to support this bill.

Mr. GLENN. Mr. President, I am prepared to yield back my time if others do the same here. I think we can move this along. I know we have a number of Members planning to leave by noon. So I am happy to yield back my time if others do.

I yield back my time.

Mr. MURKOWSKI. I am happy to yield 1 minute to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Alaska yields 1 minute to the Senator from Wyoming.

Mr. SIMPSON. Mr. President, I realize the pressure of time on some of our Members.

Mr. President, I am pleased to add my wholehearted support to that of my colleagues for the New GI Bill Continuation Act. This program offers members of the Armed Forces and Selected Reserve who choose to participate the opportunity to receive educational benefits after completing a service commitment and having been honorably discharged.

This bill provides for the indefinite continuation of a program slated to expire at the end of June next year. I believe it is important to this country, the Armed Forces, and future veterans that this program be continued. As a veteran, and former chairman of the Senate Committee on Veterans' Affairs, I appreciate the value of this measure to our Nation and its veterans. I certainly appreciated being able to receive benefits under the original GI bill, which enabled me to obtain my law degree at the University of Wyoming.

Testimony received by the Senate Veterans' Affairs Committee supported continuance of the new GI bill, clearly indicating that the program yields benefits in terms of its societal and economic value, its value as a veterans' readjustment aid, and its importance as a recruitment and retention tool.

In terms of the value of the program to our Nation, there was testimony that, for every dollar spent in GI bill benefits, the Nation's tax revenues are increased by $3 and $6. By assuring more highly-educated veterans, the benefit conferred by the program assures that they become more thoughtful participants in the fields of business, education, and Government.

Testimony from veterans' service organizations, the Veterans' Administration, active-duty service organizations, and the Department of Defense indicates that the new GI bill benefit eases the transition of veterans to civilian life by helping them prepare for new lines of work.

In addition to the value to veterans returning to civilian life, there is value in raising the caliber of those choosing to serve in the Active-duty Forces and Selected Reserve. The Army estimates that the new GI bill contributes to saving $234 million each year due to reduced attrition.

It is also entirely appropriate to continue administration of the program under the Veterans' Administration, which is charged with administering veterans' programs and benefits generally.

In urging passage of this bill, Mr. President, I wish to commend the efforts of Chairman SONNY MONTGOMERY of the House Committee on Veterans' Affairs, with whom I have always been proud to work, and whose tireless efforts on behalf of America's veterans have earned him the respect and admiration of his colleagues and veterans. The House of Representatives renamed this measure in honor of SONNY MONTGOMERY, and that is an entirely appropriate tribute to his dedication.

I would also like to commend the efforts of my friend JOHN PAUL HAMMERSCHMIDT, former ranking member of the House Committee on Veterans' Affairs, and the very able GERRY SOLOMON, current ranking member, as well as those of our own fine and steady leaders on the Senate Committee on Veterans' Affairs, Chairman ALAN CRANSTON and ranking member FRANK MURKOWSKI. And, it would be remiss of me to omit to add a word of thanks to those staff members who help us get our work accomplished—chief counsel for the majority, Jon Steinberg; chief counsel for the minority, Tony Principi; minority staff member Chris Yoder; and the very hard working and efficient Jo Sherman of my staff.

In short, Mr. President, this bill is one to which I am very proud to add my unqualified support, and I strongly urge my colleagues to support it as well.

The PRESIDING OFFICER. The Senator yielded the floor.

The Senator from California.

Mr. CRANSTON. I yield myself less than 1 minute and all time will then be yielded back. We can start the rollcall when I finish my remarks.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that Senator WARNER of Virginia be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, our discussion of the new GI bill would not be complete without giving enormous credit to my good friend, SONNY MONTGOMERY, chairman of the House Veterans' Affairs Committee, who has been an outspoken advocate and a tremendously effective leader both for establishing the new GI bill and for making it permanent. I also want to thank the House committee's chief counsel Mack Fleming, and his excellent staff, particularly Jill Cochran, for their diligent and effective work on the new GI bill, and the distinguished ranking minority member of the House Veterans' Affairs Committee, Jerry Solomon, as well as minority chief counsel Rufus Wilson and his fine staff, for their support.

In addition, I want to thank our committee's ranking minority member, Senator FRANK MURKOWSKI, for his very strong support on this bipartisan measure and to express appreciation to his very effective staff, especially Tony Principi and Chris Yoder, for their fine efforts and cooperation on this measure.

Of course, I also extend thanks to the committee's majority staff for their excellent work on this bill, especially Darryl Kehrer, who joined the committee staff in January and has made this a labor of love and done a truly outstanding job on S. 12, and to Jennifer McCarthy, Babette Polzer, who left the committee staff in January, Ed Scott, and Jon Steinberg.

I pay tribute to and extend warm thanks to Senators KENNEDY, MCCAIN, COHEN, and SHELBY for their great work in the Armed Services Committee and recognize Arnold Punaro, David Lyles, and Fred Pang of the Senate Armed Services Committee for their contributions.

Finally, I want to acknowledge the support of a number of organizations which worked especially hard on behalf of S. 12, including the Fleet Reserve Association, the Association of the U.S. Army, the Reserve Officers' Association, the American Association of Community and Junior Colleges, the Veterans of Foreign Wars, the AMVETS, the Disabled American Veterans, The American Legion, and the Paralyzed Veterans of America.

It has taken the combined efforts and very hard work of a great many individuals in and outside the Congress to bring us to this historic moment for America, and now it is time to take the climatic step of Senate passage as a prelude to final enactment, which should follow rapidly.

Mr. President, I yield back all time and ask that the rollcall commence.

Mr. MURKOWSKI. I wonder if Senator WARNER could make a brief statement.

The PRESIDING OFFICER. The Senator has yielded 1 minute to the Senator from Virginia.

Mr. WARNER. Mr. President, I rise in support of S. 12, which would make permanent the GI bill program.

I would like to commend the hard work and commitment of the chairman of the Veterans' Affairs Committee, Senator CRANSTON, and the ranking member, Senator MURKOWSKI.

At the same time, I applaud the same hard work and commitment of our Armed Services Manpower and Personnel Subcommittee chairman, Senator GLENN, and ranking member, Senator WILSON.

I would be remiss if I did not take this opportunity to recognize and commend the extensive efforts of my distinguished colleague from South Carolina, Senator STROM THURMOND, in furthering this measure as well a Congressman MONTGOMERY.

As a veteran of both World War II and Korea, I gained an education because of the GI bill which I otherwise may not have been able to attain. It laid a foundation, without which, it is unlikely I would have been able to serve in the U.S. Senate.

Thus, I can personally attest to the value of this program and the importance, not only to our veterans, but to Americans in general.

It is a low-cost and patriotic means for our Nation's youth, who may otherwise never be able to afford a higher education, to further their potential and contribute more effectively to society.

At the same time, there are numerous aspects of the program that underscore its value. For example:

First, the cost of the program is offset by reductions in the basic pay of participants.

Second, this reduction in basic pay already will save the Government $336 million plus the 6-percent interest the Government would pay if it had to borrow the money. This amount is based on those who have signed up to participate in the new GI bill as of February 28, 1987.

Third, longer enlistments in the selected Reserve, which reduce recruiting and trailing costs, can be attributed to the new bill.

Fourth, Army Reserve 6-year enlistmets have increased 28 percent over the year prior to the enactment of the new GI bill.

Fifth, Air Guard estimated fiscal year 1986 savings of at least $22.7 million because of increased 6-year enlistments.

Sixth, the Army National Guard has experienced an almost 500-percent increase in the ratio of 6-year extensions versus 3- to 7-year extensions since July 1983. The most significant upturn has been since July 1985. The Army National Guard estimates that it has saved $35 million in recruiting, retention, and training costs since the implementation of the new GI bill.

Seventh, statistics indicate that young people going to school under the new GI bill will pay more in taxes over their lifetimes because more education will increase their income. In the Commonwealth of Virginia, for example, studies show that, in 1985, the median income for veterans with a high school diploma was $19,720. For veterans who were college graduates, the median income jumped to $35,800. This 83-percent increase in income associated with additional eduation results in significantly increased Federal, State, and local income taxes flowing to government coffers.

Mr. President, I urge my colleagues to support this measure.

The PRESIDING OFFICER. The Senator from Virginia has yielded the floor.

The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent to add Senator D'AMATO and Senator CHAFEE as cosponsors and yield back the remaining time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to yielded back the time of the Senator from California?

Mr. CHAFEE. Might I have 50 seconds?

Mr. GRAHAM. Mr. President, the so-called new GI bill extends an important program of educational assistance to our veterans that has more than proven its worth. The program was established in 1985 as 3-year test of the recruitment and retention value of the Educational Assistance Program. The program has passed the test with flying colors and deserves to be extended.

The reason is simple. This program offers an attractive educational package which not only helps patriotic Americans gain an education but helps the country as well by improving the retention of personnel in the Armed Forces.

Benefits under the program are based upon service on active duty or a combination of service on active duty and in the Selected Reserve, including the National Guard.

Those who serve a 3-year tour of active duty are entitled to educational benefits of $300 a month for 36 months for a total of $10,800. Those who complete a 2-year tour of active duty without service in the selected Reserve are entitled to 36 months of educational assistance of $250 a month.

In return, those who sign up for the program agree to a $100 per month reduction in pay during the first 12 months of the service period.

Young Americans who volunteer for the Armed Forces deserve special recognition of their service. We can help them and as well as preserve the security of our country by providing this vitally important education package. I strongly support this legislation, and I urge the Senate to approve S. 12.

Mr. MURKOWSKI. I yield 30 seconds.

The PRESIDING OFFICER. The Senator from Alaska has yielded 30 seconds to the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I want to say I support this measure. Having been a beneficiary of the GI bill after World War II I appreciate what I received and hope future generations will receive the same.

I thank the Senator.

Mr. MURKOWSKI. I commend the chairman for the expedited process this morning. It has been a pleasure working with him.

The PRESIDING OFFICER. All time has now been yielded.

The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order the Senate will now proceed to the consideration of H.R. 1085 which the clerk will report by title.

The assistant clerk read as follows:

A bill (H.R. 1085) to amend title 38, United States Code, to make permanent the new GI bill educational assistance programs established by chapter 30 of such title, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the order, the text of S. 12, as amended, is inserted in lieu of the text of H.R. 1085.

The question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Texas [Mr. Bentsen], the Senator from Delaware [Mr. Biden], the Senator from New Mexico [Mr. Bingaman], the Senator from Illinois [Mr. Dixon], and the Senator from Tennessee [Mr. Gore] are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware [Mr. Biden], the Senator from New Mexico [Mr. Bingaman], and the Senator from Illinois [Mr. Dixon] would each vote "yea."

Mr. SIMPSON. I announce that the Senator from Minnesota [Mr. Durenberger], the Senator from Washington [Mr. Evans], the Senator from Texas [Mr. Gramm], the Senator from Oregon [Mr. Hatfield], the Senator from Nevada [Mr. Hecht], and the Senator from Arizona [Mr. McCain] are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona [Mr. McCain] and the Senator from Minnesota [Mr. Durenberger] would each vote "yea."

The PRESIDING OFFICER (Mr. Breaux). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—89

Adams
Armstrong
Baucus
Bond
Boren
Boschwitz
Bradley
Breaux
Bumpers
Burdick
Byrd
Chafee
Chiles
Cochran
Cohen
Conrad
Cranston
D'Amato
Danforth
Daschle
DeConcini
Dodd
Dole
Domenici
Exon
Ford
Fowler
Garn
Glenn
Graham
Grassley
Harkin
Hatch
Heflin
Heinz
Helms
Hollings
Humphrey
Inouye
Johnston
Karnes
Kassebaum
Kasten
Kennedy
Kerry
Lautenberg
Leahy
Levin
Lugar
Matsunaga
McClure
McConnell
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Murkowski
Nickles
Nunn
Packwood
Pell
Pressler
Proxmire
Pryor
Quayle
Reid
Riegle
Rockefeller
Roth
Rudman
Sanford
Sarbanes
Sasser
Shelby
Simon
Simpson
Specter
Stafford
Stennis
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson
Wirth

NOT VOTING—11

Bentsen
Biden
Bingaman
Dixon
Durenberger
Evans
Gore
Gramm
Hatfield
Hecht
McCain

So the bill (H.R. 1085), as amended, was passed.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed and, Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, S. 12 is indefinitely postponed.

SUPPLEMENTAL APPROPRIATIONS, 1987

Mr. BYRD. Mr. President, will the Chair state the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (H.R. 1827) making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes.

The Senate continued with consideration of the bill.

Mr. BYRD. Mr. President, I suggest the absence of a quorum while awaiting the arrival of Senators in the Chamber.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Mr. President, I ask unanimous consent that I may proceed as in morning business.

The PRESIDING OFFICER. Is there objection?

MORNING BUSINESS

Mr. BYRD. Mr. President, if the Senator will allow me, I ask unanimous consent that there now be a period for the transaction of morning business, not to extend beyond 10 minutes and that Senators may speak therein up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

(The remarks of Mr. Roth pertaining to the introduction of legislation will be found later in today's Record under Statements on Introduced Bills and Joint Resolutions.)

HONORABLE STEWART B. McKINNEY

The PRESIDING OFFICER. The Chair recognizes the Senator from Connecticut.

Mr. WEICKER. Mr. President, on behalf of myself and my distinguished colleague, Senator Dodd, I send a resolution to the desk.

The PRESIDING OFFICER. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 209) relative to the death of the Honorable Stewart B. McKinney, of Connecticut.

Mr. DODD. Mr. President, I want to first of all commend my colleague from Connecticut for his most eloquent statement this morning paying tribute to our deceased colleague, Stew McKinney, for the resolution just introduced, and also for a proposal to rename some small, tiny little islands off the coast of Connecticut. I do not think these islands even show up on most maps, except maybe the map of Connecticut, but STEW McKINNEY happened to have cared deeply about these islands. They are right off his district and they are sanctuaries for wildlife. He made it a major point over the last couple of years to see to it that they be protected. The notion of renaming those islands in his memory, I think, is a commendable and terrific idea that was proposed by my colleague from Connecticut, and I am honored to join him in that effort.

Mr. President, I rise, along with all the Members of the House and the Senate in grief today to pay tribute to a very, very special Member of the Congress, STEWART B. McKINNEY, who died yesterday in his ninth term as a Representative of the Fourth Congressional District in Connecticut.

STEW McKINNEY, Mr. President, was the rarest of public servants. His district was one of the most diverse in the United States. It stretched from the most affluent suburbs in America in Fairfield County to the hard-pressed inner city of Bridgeport, CT, one of the poorest cities in the United States; from the harbors of Southport and Norwalk and those islands that I mentioned a moment ago to the office towers of some of the most affluent and strongest corporations in the world. They were all part of STEW McKINNEY's district.

Mr. President, I do not exaggerate one iota when I tell you this morning that STEW McKINNEY was an advocate and a friend for, and loved by, the poor of Bridgeport, by the affluent of Greenwich, by the corporate executive at Xerox or Champion, and also by those who care deeply about this country and its future. He was an unusual figure. He was born to great wealth. He was educated at some of the best schools in this country, private universities. Despite the fact that he was born to wealth and educated, and had all of the things that many would seek and desire in this world, he spent a tremendous amount of his time caring about those people who had neither great wealth nor education. He cared for those who were completely left out.

It was only a couple of weeks ago—and I suspect now that STEW probably knew that he was dying—that STEW McKINNEY, at a time when we were trying to build up some interest and attention for the homeless in this country, spent a night on the city streets of this Capital trying to bring public attention to the plight of thousands and thousands of people who are the least fortunate in our society. Before speech writers and script writers discovered the issue of the homeless, he was writing legislation to provide funds for their shelter and so being out there he was not a Johnny-come-lately on the issue but, rather, one who had been in the forefront. At a time when many Americans and many of his colleagues here preferred to turn away from the misery of the aftermath of Vietnam, STEW McKINNEY took up the cause of the thousands of Amerasian children fathered by United States servicemen and left behind in Southeast Asia. That was his idea. You would not know it if you read the Washington Post this morning. You would not know that about STEW McKINNEY; it was hardly mentioned. He fought to make the homeless and Amerasians significant issues. A couple of reporters had to go around and find out his sexual preferences and then to call his widow and get her reaction less than 24 hours after he passed away—17 years of public service, a man who sat on the District of Columbia Committee, one of the least attractive positions, I might add, for a committee assignment. There are no political points to be scored in Connecticut or anywhere else in this country by serving on the D.C. Committee. Yet, on the front page of the Washington Post this morning, were they paying attention to him because of that contribution? No.

Rather, the question was whether or not he might be gay and then to call his widow to find out how she felt about it. It is a little disconcerting, Mr. President, when you consider how much someone has done, how much they cared for other people, that others can be so lacking in care, so lacking in affection and compassion at a time when a family is going through that kind of tragedy, that those are the kinds of questions that are raised. Those causes that he fought for, that he was a tireless proponent of, I mentioned a moment ago, the homeless and the Amerasian children; he was probably the most forceful and strongest advocate they ever had. Public housing: my God, you go back to some of the earliest days 15 years ago, STEW McKINNEY was one in the forefront, fighting for public housing in this country. And again, he came from a district where that was not necessarily a popular issue. I do not need to tell you there is not a great need for public housing in Greenwich, Westport, and Southport, where the bulk of his political support came from.

There was a great need for public housing in Bridgeport, and he rarely got votes there or in downtown Norwalk, CT, but that was the kind of person he was. Did that show up this morning? No, it really did not—another example of a person's contribution that will not be remembered. He will be defined by what a couple reporters decided they had to go out and discover from some undisclosed sources in town.

It was STEW McKINNEY's idealism and genuineness that made him so special to all of us in Connecticut, those of us who served with him. He was not of my party, but he was of my spirit. We shared common values. I could never campaign against him. His opponents knew it. I would show up at their events and I would say nice things about those opponents, but I could never and would never be critical of STEW McKINNEY. I could not be. He stood for too many of the same things about which I cared. He was nonpartisan; he was a gentleman, with a great wit and charm. In an age of slick politicians and empty promises, STEW was very real.

He cared about people, his constituents, his family. He cared deeply about this country. This institution will miss him, as I will.

Mr. PRYOR. Mr. President, I did not plan to make any remarks this afternoon about the late STEWART McKINNEY, but I must say that I was deeply moved by the remarks of Senator DODD and Senator WEICKER. I want to associate myself with their remarks and to add another caveat about the life of former Congressman McKINNEY. It is something that was not printed this morning in the Washington Post or even, perhaps, in the Connecticut press.

Back in the early 1970's, I had the privilege of serving in the other body with Congressman STEWART McKINNEY. During that period of time, when we were attempting in the House of Representatives to establish the House Committee on Aging, a committee that would become an advocate for the elderly of this country, the chief sponsor of that legislation on the so-called Republican side of the aisle—myself on the Democratic—was the late STEWART McKINNEY. We fought that battle, and we ultimately won that battle.

I commend my friend from Connecticut, Senator DODD, for bringing out the real STEWART McKINNEY in his life, bringing that to the forefront, where it should be. I would like to associate myself with his very eloquent remarks about our departed friend.

Mr. WEICKER. Mr. President, I ask for adoption of the resolution.

The PRESIDING OFFICER. Is there further debate on the resolution offered by the Senator from Connecticut? If not, the question is on agreeing to the resolution.

The resolution (S. Res. 209) was agreed to, as follows:

S. RES. 209

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Stewart B. McKinney, late a Representative from the State of Connecticut.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate recesses today, it recess as a further mark of respect to the memory of the deceased Representative.

The PRESIDING OFFICER. The Chair, pursuant to the resolution just agreed to, appoints the Senators from Connecticut, Messrs. WEICKER and DODD, as Senate members of the committee to attend the funeral.

Mr. MURKOWSKI. Last Friday, May 1, police backed by hoses and water cannons clubbed protesters and detained dozens of people in an exceptional show of force against opposition May Day demonstrators in cities around Poland.

In Gdansk, the leader of solidarity, Lech Walesa, along with 500 supporters gathering after mass accused the authorities of hiding behind brute force. Walesa said the government remains "fearful of society."

The significance of this harsh action by the government is that it marks the first time such strong repressive measures have been taken by the authorities since an amnesty freed political prisoners last September and General Jaruzelski launched a new policy of avoiding political jailings.

In reaction to that amnesty, the United States lifted the economic sanctions we had imposed in 1981 to protest Jaruzelski's imposition of martial law and his attempt to crush the free trade union "solidarity."

I supported that decision. The purpose of the sanctions was to pressure Jaruzelski into lifting martial law, releasing political prisoners, and allowing Poles some measure of freedom to express their views. They appeared to work. We lifted them in recognition that these things were being done.

It was our hope that we could enter a new period of dialog with Poland's leaders to expand these freedoms in an atmosphere of economic and political stability.

But to judge from Friday's action, the Polish Government remains unwilling to show the kind of tolerance shown by Hungary and Czechoslovakia, where opposition marches were allowed to be held this spring.

When one considers the strong support the Polish leadership has offered Gorbachev's new liberal policies on one hand, and the harsh reaction of authorities to the May Day demonstrations on the other, there is cause for grave concern.

I note that those arrested Friday were released, not jailed as they would have been 2 years ago. But the fact remains that their peaceful demonstration was broken up by brutal force.

This action demonstrates in no uncertain terms that the Polish Government cannot stand the peaceful public assembly of its people or the public gathering of supporters of the banned trade union solidarity.

Mr. President, as I say, I was a strong supporter last September of lifting sanctions. As I said on Polish television, I regarded that decision as a challenge to the Jaruzelski government to continue with the greater tolerance which we had seen and open a dialog about these issues.

That dialog can work. Stability will not collapse in Poland because its people gather after mass to express support for free labor unions. But I want to warn the government, as one who wants to see the dialog succeed: Brutal actions such as that on May Day jeopardize that dialog and jeopardize the continued lifting of trade sanctions.

In the last 40 years, the only democratic elections held in Poland were when solidarity freely elected its leaders.

Events of Friday show they still are under pressure.

I ask unanimous consent to add my name as a cosponsor of Senate Joint Resolution 115, a bill to provide $1 million to show our continued close attention to this issue and support for solidarity.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES ASSISTANCE TO PAKISTAN

Mr. GLENN. Mr. President, on March 23, 1987. I appeared before the Senate Foreign Relations Committee to present my views on the administration's proposal for an extension of economic and military assistance to Pakistan. I ask unanimous consent that my March 23 testimony be printed in the RECORD. In essence, I argued that the United States would be abandoning its historic commitment to nonproliferation if we failed to require new restrictions on Pakistan's Nuclear Weapons Program in return for extending our military assistance for 6 years. The Foreign Relations Committee did not accept this approach.

I want today to bring my colleagues' attention to some recent developments relating to Pakistan's pursuit of a nuclear weapons capability. The news provides further evidence that Pakistan is continuing its bomb program despite our quiet diplomatic protests, some of which have even been delivered at the Presidential level. Although the Foreign Relations Committee recently proposed extending our aid for 2 years without any new condition for nuclear restraint, new information has come to light since the committee's vote that requires us to reconsider the wisdom of that approach.

Though we are less than half way through 1987, this has been a busy year for Pakistan's Nuclear Weapons Program. Here is a sampling of the developments just from the last 4 months:

On January 28, Pakistan's top nuclear scientist gave an interview to Indian and Pakistani journalists in which he was reliably reported as saying:

> What the CIA has been saying about our possessing the bomb is correct and so is the speculation of some foreign newspapers.

On February 16, the United States Ambassador to Pakistan delivered a lengthy spech in Islamabad in which he noted that:

> There are developments in Pakistan's Nuclear Program which we see as inconsistent with a purely peaceful program.

On March 23, President Zia echoed the views of his top nuclear scientist, by boasting to a Time magazine interviewer that:

> Pakistan has the capability of building the bomb . . . you can write today that Pakistan can build a bomb whenever it wishes.

On April 27, shortly after the Foreign Relations Committee approved a Pakistan aid package that my colleague from California has called not only toothless, but gumless—the Indian Minister of Defense solemnly informed his lower House of Parliament that:

> The emerging nuclear threat to us from Pakistan is forcing us to review our options . . . [adding] I need not remind members [of] the manner in which the United States has chosen to ignore Pakistan's search for nuclear capability.

Although India had detonated a nuclear explosive in 1974, the country chose not to develop a nuclear weapons arsenal—this decision now appears to be under review.

That brings me to the month of May. West German authorities have just announced that a major criminal investigation is underway involving a large West German firm that is suspected of illegally exporting plans and equipment related to an expansion of Pakistan's uranium enrichment capability. The investigation will build upon information that was gathered during raids by West German customs agents on two factories and a private residence on April 27, and on information gathered by the Swiss during a raid of their own on another firm back in January 1986. I would like to submit for the RECORD an article from today's issue of Nucleonics Week on these events.

I am deeply concerned about the administration's failure to notify Congress about these most recent efforts by Pakistan to acquire supplies for its unsafeguarded Uranium Enrichment Program. The scale of the Swiss and West German investigations raises the now-familiar questions: What did the administration know, and when did they know it? If the illicit activities that inspired these investigations were known to the administration prior to April 23—when the vote in the Foreign Relations Committee took place—then the administration purposely withheld information that could have affected that vote. If the administration was not aware, this raises questions about how well we are monitoring Pakistan's secret nuclear supply network.

It is important to note that the West German firm that is the target of these investigations—Leybold Heraeus—pronounced: Lay-bold her-AY-us—was cited in the 1981 book, "The Islamic Bomb," as a major supplier of vacuum pumps and gas purification equipment to Pakistan's Uranium Enrichment Program. West German and American press reports have identified the same firm in subsequent nuclear dealings with Pakistan. Given the notoriety of this particular firm, I find it hard to believe that the administration was not aware of its continuing involvement with Pakistan's Nuclear Program.

After all that has occurred in 1987 alone, I shudder to think what the month of June has in store for us. But I will make at least two predictions: First, Pakistan's Nuclear Weapons Program will roll right along, unfettered by any new restraints from Washington. And second, the administration will earnestly maintain that its very, very quiet diplomacy with Pakistan is succeeding in persuading Pakistan to stop its efforts to acquire the bomb.

Now, I am well aware that our policy toward Pakistan is not entirely based upon our strategic interest in nuclear nonproliferation. Our interests also require Pakistan's assistance in opposing Soviet aggression in Afghanistan, and our objectives include the promotion of economic and political development as well as human rights. None of these objectives can be met. However, if the next months herald the start of a nuclear arms race in South Asia. Should that occur, we will be facing not only the prospect of another war between India and Pakistan, but the threat that President Zia made explicit in an interview with an Arabic newspaper in March 1986:

> And when we acquire this technology, the Islamic world will possess it with us.

We cannot use our diplomacy to resolve the deep-rooted mistrust that exists between India and Pakistan. Yet by using our diplomacy to encourage Pakistan to stop producing weapons-grade nuclear materials, we can stop this imminent nuclear arms race in South Asia before it escalates out of control. We must also encourage India to take positive steps in this direction by ending its stubborn and provocative refusal to adopt international safeguards at its own nuclear facilities. Over 130 nations have agreed to these safeguards, and it would well serve the security interests of both countries if they were applied to all nuclear facilities in South Asia.

I do not need to remind my colleagues that we are running out of time. Events are in the saddle. We cannot wish Pakistan's Nuclear Weapon Program out of existence. We cannot just cross our fingers that India and Pakistan will be able to avoid a nuclear arms race. Instead, we must do what our forefathers would have done: We must have the courage to take action to preserve our national interests and our national values. When the Pakistan aid package comes to the floor for your votes, I will offer an amendment requiring Pakistan to reaffirm its peaceful nuclear intentions by agreeing to stop production of weapon-grade nuclear materials. We cannot afford to drift along any farther with the administration's bland assurances on Pakistan's Nuclear Program. Who knows, after all, what July will bring?

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHN GLENN ON U.S. ASSISTANCE TO PAKISTAN

Thank you, Mr. Chairman, for this opportunity to discuss the administration's proposed aid package to Pakistan. Webster defines dilemma as: "A situation requiring a choice between equally undersirable alternatives". "Dilemma" perfectly describes the situation we are in with regard to the administration's proposed six year aid program to Pakistan.

Dilemma, in that we want to aid Pakistan. We share common objectives with Pakistan in the Asian sub-continent; limiting Soviet influence, encouraging political and economic development, and reducing prospects for another war between India and Pakistan.

Of course we understand their concerns about India.

Of course we share their concerns about the Soviet invasion of Afghanistan and whether that is but preface to even further Soviet moves into south Asia.

Of course we share their concern about the difficulties in coping with the more than three million Afghan refugees now in Pakistan.

And, of course, it is in our mutual interest to continue the arms flow to the "Mujaheddin," the Afghan freedom fighters trying to drive Soviet invaders from their homeland.

But those are current concerns. Much as we want and value all the above, there are longer term worldwide nuclear weapons proliferation considerations that must be carefully weighed, last short term considerations effectively wreck the Nonproliferation Treaty (NPT), the Nuclear Nonproliferation Act (NNPA), the provisions of the Foreign Assistance Act, and in the process encourage the spread of nuclear weaponry.

These are not easy decisions, and "horns-of-a-dilemma" well describes my view regarding approval or disapproval—"exigencies of the moment" versus the even greater potential of future nuclear holocaust. It's that stark.

To understand this fully, we need to briefly review what has happened with nuclear control efforts through the years.

The post WWII proposal of Baruch and Lilienthal to put all-things-nuclear under some form of international control did not materialize.

But in the ensuing years, if the U.S. was occasionally miguided and naive in its rush to spread nuclear technology for the benefit of mankind, we made up for it with our leadership in nuclear nonproliferation activities.

It was the United States that took up the challenge to create and bring into force the Nuclear Nonproliferation Treaty. More than 130 nonnuclear weapon states are now signatories to the treaty, which went into force in 1970. Nations around the world had become increasingly concerned that with the spread of nuclear technology and the very sophisticated equipment to excercise that technology, it would not be many years before small border conflicts that might have received comparatively little notice, might now involve such weapons of mass destruction that millions of lives could go in a flash, and the potential for escalation into nuclear WWIII would be enormously increased.

The NPT bargain simply put, was for nuclear weapons states to cooperate fully with nonweapons states in the peaceful uses of nuclear energy in return for the nonweapons state's agreement to give up any programs leading to nuclear weapon capability. The other part of the agreement requires the weapons states to negotiate in good faith to try to reduce existing weapons stockpiles, negotiations that have received far too little emphasis in the years since 1970.

In addition to the NPT, the global nonproliferation regime includes supplier agreements, safeguards arrangements through the IAEA, and national nuclear export laws like our own Nuclear Nonproliferation Act, and the Symington-Glenn amendments to the Foreign Assistance Act.

The Symington and Glenn amendments should be particularly noted, since their requirements are those which President Reagan seeks to waive. They basically provide that after enactment in 1976 and 1977, aid would be terminated to any nonnuclear weapons state that imported, without safeguards, enrichment or reprocessing equipment and technology. President Carter made his evaluation under those laws and cut off aid to Pakistan in 1979.

In the wake of the Soviet invasion of Afghanistan, President Reagan proposed fully repealing the amendments mainly so aid to Pakistan could resume. Congress refused the fully waiver, but gave a six year waiver for Pakistan only with certain conditions attached. At the moment these conditions are that the President must certify each year that (1) "Pakistan does not possess" an explosive nuclear device, and (2) that U.S. aid would help steer Pakistan away from pressing for the nuclear option.

While 132 nations have placed their interests under the umbrella of NPT, a number of countries of particular proliferation concern have refused to sign the NPT. Among these are Pakistan, India, South Africa, Israel, Argentina, Brazil.

U.S. policy decisions in the nuclear area, even when made in the context of one country such as Pakistan, have a serious ripple effect on the entire nonproliferation regime. The regime is fragile, and requires constant vigilance to keep it intact. There are signers of the NPT who, prior to last year's five year review of NPT were reported in the press to be openly wondering whether the bargain has been worth it. Any lack of resolve on the part of the United States toward preventing the spread of nuclear weapons—any relaxation of commitment by the world's nonproliferation leader—dangerously weakens the global regime. If the regime were to collapse, the hopes of mankind for a world without or even with few nuclear nations would collapse with it.

This is the prism through which one must view both facts and policy decisions about Pakistan. What are the facts?

Following the Indian "Peaceful nuclear explosion" (PNE) in 1974, Pakistan President Bhutto vowed Pakistanis "would eat grass" if necessary, to gain a similar capability, and their program was launched.

Through the years, Pakistani officials have repeatedly denied having a nuclear weapons program although available information indicated just the opposite. I personally received such assurances two years ago from Pakistan President Zia and other top officials during a visit to Pakistan.

Such assurances have been used by the administration to justify aid to Pakistan, even though such assurances were believed to be highly suspect by most interested observers.

But Presidential ability to honestly "certify" Pakistan's nonnuclear weapons condition is changing drastically.

In 1979, as a result of Pakistan's violation of the Symington-Glenn amendments to the Foreign Assistance Act, the Carter administration, as stated, halted economic and military assistance to Pakistan. Following the Soviet invasion of Afghanistan, the Reagan administration succeeded in convincing Congress to restore this aid as a quid pro quo for Pakistani cooperation in allowing weapons to be funneled to the Afghan rebels. But the administration failed at that time to pressure Mr. Zia into providing any guarantees that Pakistan would halt development of the bomb in return for the aid. Nonetheless, the administration led Congress to believe that nuclear restraint on the part of Pakistan would be a consequence of the U.S. aid program. In 1981, then Secretary of State Alexander Haig said, in a letter to then Senator Percy:

"By providing Pakistan with conventional military equipment in the framework of a bilateral relationship of confidence and mutual understanding, the United States will be in a better position to influence the shape and direction of Pakistan's nuclear program in the future."

Six years and more than $3 billion later, we see Pakistan poised at the nuclear threshold. Very credible press reports indicate that Pakistan is manufacturing and testing components for nuclear weapons. A newly released authoritative study by the Carnegie endowment—along with recently reported statements by Pakistan's President and its top nuclear scientist—suggest that Pakistan is now capable of manufacturing a nuclear explosive device. These are but two recent additions to the long history of Pakistan's pursuit of the bomb. I would like to submit for the record a 26 page chronology of these events that has been prepared by the Congressional Research Service, to appear at the end of my statement.

It is now amply clear that Pakistan gained the status of "Nuclear threshold State" during the period when U.S. assistance was at its highest level. The American taxpayer has a right to ask how much "Nuclear restraint" his previous tax dollars have purchased in Pakistan, before another four billion are provided.

Administration spokesmen point to Pakistan's failure to test a nuclear device as an indicator of the restraint that our aid has produced, which ignores numerous press reports that Pakistan has been working with a "proven" Chinese design. The administration has given indications of a willingness to bend over backwards to avoid an honest application of the test of "possession" of a nuclear device by Pakistan in order to keep the aid flowing. It is apparent by their refusal to give a clear interpretation of the meaning of "possession" that they would have us believe that a country does not possess nuclear weapons until it has assembled every last components in a bomb casing. Before we accept this curious definition, we would be well advised to recall that the entire United States nuclear arsenal in the 1940's and the early 1950's was stored in separate components. I would like to submit for the record an excerpt from a 1984 U.S. Army report on the safe storage of nuclear weapons. [Text submitted here.]

One of the fundamental problems in this affair is the complete lack of credibility of the Pakistani Government's repeated assurances about the nature of their nuclear program. More than a year ago, the President elicited additional assurances from Pakistan that they would not produce uranium enriched to more than 5 percent. By their own admission, they have now produced bomb grade uranium enriched to more than 90%. And America, the Nation that has supposedly been standing tall for the past six years, has let this mendacious behavior go unchallenged.

Why? Because the administration has made the decision that, as former Pakistan President Bhutto termed it, the "Islamic bomb" is less important to us than ensuring military assistance to the Afghan rebels. Much as I want to see assistance continue to the Afghans, that evaluation is wrong.

Let me give just one illustration.

To use President Bhutto's words again, an "Islamic bomb" is the ultimate threat to Israel's existence. Pakistani nuclear weapons production will sooner or later, whether by design or by espionage, result in the wider transfer of nuclear weapons technology to countries in the Middle East. Israel, regardless of the state of her own nuclear capabilities, will have her existence threatened. The flash point for nuclear war will be lowered through the combination of religiously-based conflict with the means for mass destruction.

Amazingly, however, it isn't only the Pakistani bomb the administration wants us to swallow in order to guarantee aid to the Afghan rebels through Pakistan. They want us also to continue—without any new nuclear restrictions—supplying Pakistan with F-16s and perhaps AWACS so that Pakistan will have what could be an American made nuclear weapons delivery system and an ability to protect her nuclear weapons facilities from raids by those who might not think an Islamic bomb is a benign development.

Mr. Chairman, in recent months we have seen what can happen when a nation forsakes an important global policy principle for narrow, illusory benefits. We sacrificed our global anti-terrorism policy in the hope that we could trade arms to Iran for American hostages. Now we are being asked to sacrifice our global nonproliferation policy in the hope that we can trade arms to Pakistan for Pakistani cooperation on Afghanistan and nuclear restraint. What do we then say to Argentina or Brazil or South Africa or the nations of the Far East or any of the 132 NPT signers about credibility of the United States and trust U.S. nuclear nonproliferation policy?

Mr. Chairman, I, like the President, want to aid the Afghans. Just as I, like the President, wished for the release of American hostages. But we cannot and should not allow ourselves to be blackmailed into making a deal that will do irreparable damage to our long term global efforts to stop the spread of nuclear arms. The basic objective of nuclear nonproliferation should not be so easily bargained away.

Accordingly, on March 5th, I urged President Reagan to suspend military aid to Pakistan pending a thorough review of the Pakistani nuclear program. I argued that this aid should not be resumed until we have obtained reliable assurances that Pakistan is no longer producing nuclear explosive materials.

My purpose here today, however, is to suggest legislative action on the proposed six-year aid package to Pakistan to begin in FY 88. The administration has requested approval of this package without any restrictions on Pakistani nuclear behavior. This is completely unacceptable. The question isn't "Should there be restrictions?", but "What should these restrictions be?"

Proposals to limit the amount of military assistance, or the length of the proposed aid program (e.g. two years instead of six years) simply fail to confront the ongoing progress of Pakistan's nuclear weapons program. In two years, we will be faced with the same tough choices between nonproliferation and other foreign policy interests that we are facing today. The only difference will be that Pakistan, as well as India, and probably Israel, will have proceeded even further down the nuclear path. With Pakistan now attempting to straddle the nuclear threshold, Congress cannot afford to defer—once again—our responsibility to make these choices.

I am proposing a six-year extension of the present waiver of section 669 of the Foreign Assistance Act to allow both economic and military assistance to Pakistan. Under current law, which I favor continuing, this assistance would cease if the President is unable to certify that Pakistan does not possess a nuclear explosive device. This condition should be supplemented with the following additional requirement: military assistance should not be provided unless the President is able to certify annually to Congress that he has received reliable assurances that Pakistan has ceased producing weapons-grade nuclear material.

By "reliable assurances," I mean a formal, written commitment by Pakistan's political leadership, verified by on-site inspections of relevant facilities by designated representatives of the United States or by any other technical means the U.S. finds acceptable.

In addition, I am proposing to amend section 670 of the same act to require that, in the event of a nuclear detonation by a non-nuclear-weapon state, funds provided under all U.S. legislation—rather than just the foreign assistance and arms export control acts—would be terminated. This would increase the cost of a nuclear test to all non-nuclear-weapon states, including India, not just those with which we have close military ties.

What is the likelihood of Pakistan accepting this new condition for continued U.S.

conventional military assistance? Islamabad is seeking our aid because it has sensibly determined that such assistance would serve its national security interests. Pakistan's security reward for truncating its production of nuclear explosive materials would be substantial; I am proposing not a scaled down or shortened aid package, but a full six-year, four billion dollar assistance program complete with a Presidential option to provide an airborne early warning system.

Under my proposal, Islamabad would have to decide between an extended security partnership with the United States and the production of nuclear weapons. The rational choice is obvious. Nuclear weapons will not settle border clashes between Pakistan and India any more than they did between China and the Soviet Union. Nor will they assure victory if a conventional war breaks out, as illustrated by the U.S. experience in Vietnam. They will, however, raise the prospect of a conventional conflict escalating to the level of mass, mutual destruction. Furthermore, by goading India into a nuclear arms race that Pakistan could not hope to win, a decision by Islamabad to pursue nuclear weapons would severely undercut Pakistan's national security.

Of course, I hasten to add, we cannot guarantee acceptance by the Pakistanis of this proposal. Should the condition on ceasing production of nuclear weapons materials, be spurned or violated by the Pakistanis, we must recognize at that point that no diplomatic action by the United States is likely to deter Pakistan from triggering a nuclear arms race in south Asia. In that case, we should reluctantly end our military assistance, including the sending of spare parts for the F-16s (those superb nuclear weapons platforms we have been providing to Pakistan for the past six years), and concentrate on diplomatic activities and on repairing our tattered nonproliferation policy as it applies to other countries of concern to us. For if we fail to take a stand on Pakistan, we will be on a slippery slope that will make it increasingly difficult for us to take a stand against any proliferator.

Both India and Pakistan are now just a step away from the ability to create Armageddon. As a friend of both nations, we must redouble our efforts to prevent this nuclear nightmare. Ultimately, we should seek a verifiable Indian commitment that it too is not producing nuclear materials—especially plutonium—for weapons purposes.

We should encourage Pakistan to place its current stocks of highly enriched uranium under multilateral auspices. Consideration should also be given to a joint pledge by the United States, Soviet Union, and China not to use, or threaten to use, nuclear weapons against India or Pakistan.

The course that I am proposing, though not an easy one, seems better oriented to our long-term national security interests in South Asia than is the current policy. We must never lose sight of our long-term national objectives in the region, which include limiting Soviet influence, and promoting the political stability, economic prosperity, and territorial integrity of all nations in South Asia. I cannot emphasize more strongly that a nuclear arms race in South Asia would endanger all of these objectives.

Mr. Chairman, our choice is not between Afghanistan and the Pakistani bomb—it is between accepting or relinquishing our great power responsibility to contain the threat of nuclear war. The time is running out. A choice must be made.

One last word, Mr. Chairman. The view of nonnuclear weapon nations that we have no right to pressure them not to strive for a nuclear capability that we and other nations already possess, is a valid one. It can only be answered by saying it is in the interests of all humanity to do our best to control the nuclear danger by not only preventing nuclear proliferation. The main theme of these remarks, but by also showing far more progress in scaling down existing nuclear weapons stockpiles of the superpowers. That was part of the NPT agreement with 132 nations. They will not be patient forever. Time is, indeed, running out.

[From Nucleonics Week, May 7, 1987]

Attempt Revealed To Export to Pakistan HEU-Capable Components

Thanks to "the help of friendly govenments," Swiss authorities are satisfied that components destined for Pakistan and seized last year by Swiss customs authorities were indeed designed to enrich uranium well above the 3% level, Nucleonics Week was told by a senior Swiss official. He declined to provide further details.

Centrifuge experts in Germany said that the question of whether the confiscated equipment was intended to enrich to bomb grade could be easily answered by examining desublimers, a key centrifuge component found during the search. The affair has come to light following a search last week by West German customs officials of the Cologne firm Leybold-Hereaus GmbH, said to have masterminded the attempt to export the components to Pakistan last year.

In January 1986, Swiss authorities found autoclaves, types 48-X steel containers, and type CB-AD-1 desublimers on the premises of a Swiss machinery maker, Metallwerke Buchs AG (MWB). They also found blueprints for Urenco's newest enrichment plant in Gronau, West Germany. Officials of Uranit GmbH, Urenco's German technical partner, have confirmed that their blueprints were stolen. They said May 1 that, pending the outcome of investigation by German federal prosecutors, Uranit will bring damage claims in civil courts against Leybold, a vacuum specialist which has produced enrichment plant equipment. Leybold, which was on the Urenco bidder list, is under investigation by German authorities following reports that Leybold officials in Switzerland aided the production of enrichment components for export to Pakistan (NuclearFuel, 4 May, 1).

The three autoclaves confiscated by Swiss customs officials, as well as the type 48-X steel containers, a German expert told Nucleonics Week, are "generic" components of an enrichment facility and as such provide no clue to the degree of enrichment intended by the client. The large autoclaves (about five meters wide and two meters long) are described by a Urenco official as "baking ovens." They hold the 48-X containers in which UF6 is heated to 80 degrees C under 1.8-bar pressure and are designed to prevent UF6 from leaking during the process.

Even a superficial examination of the confiscated desublimers, however, German centrifuge experts said, would indicate whether or not the equipment was intended to enrich uranium to bomb grade. The desublimers are cold traps used to pass UF6 into centrifuge cascades under conditions of 10 millibars of underpressure and then remove it after enrichment. For enrichment for power plant needs, one expert said, the three-to-four-meter-long tubular traps have a diameter of about 15 centimers. Because of criticality problems, however, for enrichment abovt 10-20% the desublimer tube diameter must be limited to about five cm, or else the tube must be flattened to limit throughput.

The configuration of the desublimers confiscated by Swiss authorities, one German expert said, "would be immediately apparent to any enrichment engineer who has a copy of a criticality handbook." Swiss authorities, another expert said, "would have been immediately tipped off about the nature of the enrichment project" by an inspection of the desublimers.

Both the autoclaves and desublimers have been on the IAEA's "trigger list" since 1983, Swiss officials said. The trigger list, of items whose export should "trigger" nuclear export controls, was made more precise following sale by Swiss companies to Pakistan in 1979 of equipment designed for use in a centrifuge plant. The stricter list was ratified by the Swiss government on January 18, 1984. After 1979, Swiss authorities, under pressure from the U.S. government to halt exports, argued that without a more detailed list, their efforts would meet resistance from Swiss industry, which in some cases would not be aware of nuclear-related uses.—Mark Hibbs, Bonn

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A TIMELY WARNING

Mr. PROXMIRE. Mr. President, the "Responsible Budget Group" recently sent a letter to Senators which deserves our attention. It concerns the supplemental appropriations bill now before the Senate. The group make a compelling point about this money bill, "The simple fact is: There is no money to pay for this bill."

Look at who serves on this group. Its cochairmen are Robert Giaimo, a Democrat who was chairman of the House Budget Committee, and John Rhodes, a Republican who was minority leader of the House. Others serving on this group include, but are not limited to Richard Bolling, Ed Muskie, James Lynn, and Peter Petersen. This group is obviously bipartisan. Moreover, as these names demonstrate, it is made up of well-known, moderate, and eminently pragmatic citizens.

As might be expected, they offer us emminently sound and pragmatic advice about this appropriations bill, "Congress, however, should find offsets to pay for those increases—given the fact that you already are over the budget." They had earlier pointed out that this bill increases the deficit by about $2.5 billion.

Mr. President, we often talk about reducing the deficit, about being fiscally responsible. But when it comes time to do something when it pinches—in an appropriations bill or a revenue bill—we too often find a reason to act the other way. We vote for a budget, and then violate it. We put a ceiling on spending and then breach it.

The time to put our rhetoric into action is now, not next year. I congratulate the "Responsible Budget Action Group" for pointing out this fact.

Mr. President, I ask unanimous consent that the group's letter be printed in the Record, and I commend it to my colleagues.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Responsible Budget Action Group,
Washington, DC, May 5, 1987.

Dear Senator: Do you think the supplemental appropriations bill is just business as usual? Do you think the only real issues at stake have to do with arms control? If so, maybe you ought to consider what the final results on the Gramm-Rudman-Hollings FY87 deficit target will be. The FY87 Supplemental Appropriations bill (H.R. 1827) is as clear a vote as you ever will face on fiscal responsibility.

The simple fact is: there is no money to pay for this bill. The CBO current status shows that even if Congress does not pass another spending bill this year, outlays will exceed the FY87 budget total by more than $13 billion. This bill would increase the overage by $2.5 billion.

We recognize that there may be high priority items for which you must pass a supplemental appropriations bill. This is not an argument for or against the specific spending items in this bill. Congress, however, should find offsets to pay for those increases—given the fact that you already are over the budget.

Early last year, the first and only sequester under G-R-H cut FY86 outlays by $11.4 billion. That action had an added benefit. It reduced this year's deficit by $16.3 billion. This supplemental, by contrast, would make the deficit problem worse next year. H.R. 1827 as reported would add at least half a billion dollars to FY88 outlays.

The Appropriations Committee assumes increased FY88 outlays from the supplemental will be off-set by REA refinancing. The revised Chiles package also assumes the savings from REA refinancing—but it does not take into account the increased outlays from this bill. You cannot spend the same money twice.

If you care about the size of next year's deficit, if you care about trying to live within the budget this year, you cannot ignore the impact of this bill. The amounts involved are not large in the context of total federal spending: less than 1% of total outlays controllable through appropriations actions; but they are significant as a measure of Congress' commitment to spending restraint. If reducing the deficit remains a high priority on your agenda, surely you can find off-sets for spending you believe to be necessary.

We urge you in the strongest possible terms to oppose any attempt to waive the Budget Act to permit the Senate to pass this budget-busting legislation without offsets to pay for any new spending at this time.

Sincerely,

Robert N. Giaimo,
John J. Rhodes.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Emery, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination, which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 161. Resolution relative to the death of the Honorable Stewart B. McKinney, a representative from the State of Connecticut.

At 1:58 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 558) to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children; it asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House:

From the Committee on Banking, Finance and Urban Affairs, for consideration of sections 1 and 2, title I (except sections 101 (a), (b), (h), and (i)), and title IV of the House bill and sections 1 through 3, title IV, and title X (except sections 1003 and 1005) of the Senate amendment, and modifications committed to conference: Mr. St Germain, Mr. Gonzalez, Mr. Fauntroy, Ms. Oakar, Mr. Vento, Mr. Garcia, Mr. Frank, Mr. Wylie, Mr. Wortley, Mrs. Roukema, and Mr. Ridge.

From the Committee on Banking, Finance and Urban Affairs, for consideration of title III (except section 302) and title VI of the House bill and title I, title III (parts A and B), and section 1005 of the Senate amendment, and modifications committed to conference: Mr. St Germain, Mr. Gonzalez, Mr. Vento, Mr. Wylie, and Mr. Ridge.

From the Committee on Energy and Commerce, for consideration of section 101 (a) and (b), title II, title III (except section 302), and title VI of the House bill and title I, title III (parts A and B), title V, and section 1005 of the Senate amendment, and modifications committed to conference: Mr. Dingell, Mr. Waxman, Mr. Leland, Mr. Lent, and Mr. Madigan.

From the Committee on Education and Labor, for consideration of section 101 (h) and (i) and title VI of the House bill and title III (part C), title VI, title VII, section 1003, and section 1005 of the Senate amendment, and modifications committed to conference: Mr. Hawkins, Mr. Ford of Michigan, Mr. Gaydos, Mr. Jeffords, and Mr. Goodling.

From the Committee on Agriculture, for consideration of title V of the House bill and title VIII of the Senate amendment, and modifications committed to conference: Mr. de la Garza, Mr. Panetta, Mr. Staggers, Mr. Emerson, and Mr. Lewis of Florida.

From the Committee on Government Operations, for consideration of section 302 of the House bill and title II of the Senate amendment, and modifications committed to conference: Mr. Brooks, Mrs. Collins, and Mr. Horton.

From the Committee on Veterans' Affairs, for consideration of title IX of the Senate amendment, and modifications committed to conference: Mr. Montgomery, Mr. Edwards of California, Ms. Kaptur, Mr. Dowdy of Mississippi, Mr. Solomon, and Mr. Hammerschmidt.

The message also announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No To Drugs Week."

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 52. Concurrent resolution to recognize and congratulate Ducks Unlimited, Incorporated, in honor of its 50th anniversary.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

S. 1118. A bill to help prevent rape and other sexual violence by prohibiting dial-a-porn operations;

H.R. 3. An act to enhance the competitiveness of American industry, and for other purposes; and

H.R. 1226. An act to amend the Federal Food, Drug, and Cosmetic Act to require the appointment of the Commissioner of Food and Drugs to be subject to Senate confirmation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1176. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended; to the

Committee on Environment and Public Works.

EC-1177. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to establish health insurance and payment verification procedures and requirements, and for other purposes; to the Committee on Finance.

EC-1178. A communication from the Acting Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the death of an American citizen in a guerrilla attack in Nicaragua; to the Committee on Foreign Relations.

EC-1179. A communication from the Assistant Secretary of State (Legislative and Intergovernmental Affairs), transmitting, pursuant to law, a recently issued travel advisory for Turkey; to the Committee on Foreign Relations.

EC-1180. A communication from the Assistant Secretary of State (Legislative and Intergovernmental Affairs), transmitting, pursuant to law, a recently issued travel advisory for Nicaragua; to the Committee on Foreign Relations.

EC-1181. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements, other than treaties, entered into by the United States in the sixty day period prior to April 24, 1987; to the Committee on Foreign Relations.

EC-1182. A communication from the Director of the Information Security Oversight Office, transmitting, pursuant to law, the annual report of the Office for fiscal year 1986; to the Committee on Governmental Affairs.

EC-1183. A communication from the Attorney General of the United States, transmitting, pursuant to law, a report on implementation of P.L. 99-578, authorizing the Attorney General to retain private counsel to collect government debts; to the Committee on Governmental Affairs.

EC-1184. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report on drug and alcohol abuse prevention, treatment, and rehabilitation programs and services for Federal civilian employees; to the Committee on Governmental Affairs.

EC-1185. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend title 39, United States Code, to provide a method not requiring appropriations to continue favored rates of postage for certain mail which affords public benefits, to curb the misuse of favored rates to mail advertising material, and for other purposes; to the Committee on Governmental Affairs.

EC-1186. A communication from the Assistant Secretary of the Interior (Indian Affairs), transmitting, pursuant to law, a report which recommends the closure of Phoenix Indian School in Phoenix, Arizona at the end of the 1987-88 school year; to the Select Committee on Indian Affairs.

EC-1187. A communication from the Secretary of Defense and the Acting Director of Central Intelligence, transmitting jointly, pursuant to law, an unclassified report on civilian personnel systems; to the Select Committee on Intelligence.

EC-1188. A communication from the Acting Executive Director of the White House Conference for a Drug Free America, transmitting, pursuant to law, a report on the progress of the Conference; to the Committee on the Judiciary.

EC-1189. A communication from the Director of the Administrative Office of the United States Courts, transmitting, pursuant to law, the annual report on applications for court orders made to federal and state courts to permit the interception of wire or oral communications during calendar year 1986; to the Committee on the Judiciary.

EC-1190. A communication from the Assistant Attorney General (Legislative and Intergovernmental Affairs), transmitting a draft of proposed legislation to reestablish constitutional procedures for the imposition of the death penalty in certain especially heinous Federal offenses; to the Committee on the Judiciary.

EC-1191. A communication from the Chief Judge of the United States Claims Court, transmitting, pursuant to law, copies of the Hearing Officer's reports and the report of the Review Panel in the case of Fulton Battise, Chief of the Tribal Council of the Alabama Coushatta Tribes of Texas, et al.; to the Committee on the Judiciary.

EC-1192. A communication from the Chairman of the Board of the United States Institute of Peace, transmitting, pursuant to law, the annual audit report of the Institute for fiscal year 1986; to the Committee on the Judiciary.

EC-1193. A communication from the Commissioner of the Immigration and Naturalization Service, transmitting, pursuant to law, copies of orders granting defector status to a certain alien; to the Committee on the Judiciary.

EC-1194. A communication from the Chairman of the United States Sentencing Commission, transmitting, pursuant to law, technical, conforming, and clarifying amendments to the previously submitted sentencing guidelines; to the Committee on the Judiciary.

EC-1195. A communication from the Chief Immigration Judge, Executive Office for Immigration Review, Department of Justice transmitting pursuant to law, orders for the suspension of deportation of certain aliens under section 244(a)(1) and section 244(a)(2) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC-1196. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting pursuant to law, the annual report of the Federal Open Market Committee of the Federal Reserve System covering the implementation of its administrative responsibilities during calendar year 1986; to the Committee on the Judiciary.

EC-1197. A communication from the Director of the Administrative Office of the United States Courts, transmitting pursuant to law, the annual report of the Office and the reports of the proceedings of the Judicial Conference of the United States for calendar year 1986; to the Committee on the Judiciary.

EC-1198. A communication from the Secretary of Education, transmitting pursuant to law, notice of final funding priorities for the Research and Demonstration Projects and Knowledge Dissemination and Utilization Projects Programs; to the Committee on Labor and Human Resources.

EC-1199. A communication from the Secretary of Labor, transmitting a draft of proposed legislation to extend the authorization for the Older American Community Service Employment Service Employment Program, and for other purposes; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

S. 1020. A bill to create the office of Librarian of Congress Emeritus (Rept. No. 100-54).

S. Con. Res. 53. Concurrent resolution to authorize the reprinting of Senate Report 100-9, 100th Congress, 1st Session (Rept. No. 100-55).

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

S. Res. 210: An original resolution authorizing supplemental expenditures for Senate committees (Rept. No. 100-56).

By Mr. NUNN, from the Committee on Armed Services, without amendment:

S. 1174. An original bill to authorize appropriations for fiscal years 1988 and 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes (Rept. No. 100-57).

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

H. Con. Res. 91. Concurrent resolution authorizing the 1987 Special Olympics Torch Relay to be run through the Capitol Grounds.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WEICKER (for himself and Mr. DODD):

S. 1167. A bill to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge"; considered and passed.

By Mr. SHELBY (for himself and Mr. HEFLIN):

S. 1168. A bill to designate the Aliceville Lock and Dam on the Tombigbee River in Pickens County, Alabama, and the resource management and visitor center at Aliceville Lake on the Tennessee-Tombigbee Waterway as the "Tom Bevill Lock and Dam" and the "Tom Bevill Resource Management and Visitor Center at Aliceville Lake on the Tennessee-Tombigbee Waterway", respectively; to the Committee on Environment and Public Works.

By Mr. MOYNIHAN (for himself and Mr. D'AMATO):

S. 1169. A bill to provide emergency relief for the replacement or repair of a bridge in New York; to the Committee on Environment and Public Works.

By Mr. ROTH:

S. 1170. A bill to establish the Bipartisan Commission on the Consolidation of Military Bases; to the Committee on Armed Services.

By Mr. HATFIELD:

S. 1171. A bill to establish a national population policy and to improve methods for correcting, analyzing, and employing natural resource, environmental, and demographic data; to the Committee on Governmental Affairs.

By Mr. PRYOR (for himself, Mr. Cochran, Mr. Exon, Mr. Grassley, Mr. Simpson, Mr. McClure, Mr. Baucus, Mr. Harkin, Mr. Symms, and Mr. Durenberger):

S. 1172. A bill to amend the Farm Credit Act of 1971 to provide a secondary market for agricultural mortgages, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. RIEGLE (by request):

S. 1173. A bill to authorize appropriations for the fiscal years 1988 and 1989 for the Office of Commercial Space Transportation of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

By Mr. NUNN, from the Committee on Armed Services:

S. 1174. An original bill to authorize appropriations for fiscal years 1988 and 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes; placed on the calendar.

By Mr. D'AMATO:

S. 1175. A bill to amend the Securities Exchange Act of 1934 to ensure that all participants in the Nation's securities markets are equally regulated, to promote fair competition among those providing essentially identical services, and to ensure adequate protection for all investors; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DANFORTH (for himself, Mr. Baucus, Mr. Durenberger, Mr. Heinz, Mr. Sanford, and Mr. Graham):

S. 1176. A bill to amend the Internal Revenue Code of 1986 to exclude research facility bonds from the volume cap for qualified 501(c)(3) bonds; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. Stevens):

S. 1177. A bill to amend title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the Thrift Savings Fund when restrictions on such investments and payments are caused by the statutory public debt limit.

By Mr. DOMENICI:

S. 1178. A bill to amend the continued vitality of various agricultural enterprises; to the Committee on the Judiciary.

By Mr. CONRAD:

S. 1179. A bill to amend the Consolidated Farm and Rural Development Act to improve the administration of Farmers Home Administration loans, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DeCONCINI:

S. 1180. A bill to amend the Christopher Columbus Quincentenary Jubilee Act; to the Committee on the Judiciary.

By Mr. PRYOR:

S. 1181. A bill to amend the Federal Salary Act of 1967 and title 5 of the United States Code to provide that the authority to determine levels of pay for administrative law judges be transferred to the Commissions on Executive, Legislative, and Judicial Salaries; to the Committee on Governmental Affairs.

By Mr. PACKWOOD (for himself and Mr. Wirth):

S.J. Res. 126. Joint resolution to designate March 16, 1988, as "Freedom of Information Day"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WEICKER (for himself and Mr. Dodd):

S. Res. 209. Resolution relative to the death of the Honorable Stewart B. McKinney, of Connecticut; considered and agreed to.

By Mr. FORD, from the Committee on Rules and Administration:

S. Res. 210. An original resolution authorizing supplemental expenditures for Senate committees; placed on the calendar.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WEICKER (for himself and Mr. Dodd):

S. 1167. A bill to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge"; considered and passed.

(The remarks of Mr. Weicker and the text of the legislation appear earlier in today's Record.)

By Mr. SHELBY (for himself and Mr. Heflin):

S. 1168. A bill to designate the Aliceville Lock and Dam on the Tombigbee River in Pickens County, AL, and the resource management and visitor center at Aliceville Lake on the Tennessee-Tombigbee Waterway as the "Tom Bevill Lock and Dam" and the "Tom Beville Resource Management and Visitor Center at Aliceville Lake on the Tennessee-Tombigbee Waterway," respectively; to the Committee on Environment and Public Works.

TOM BEVILLE LOCK AND DAM AND TOM BEVILL RESOURCE MANAGEMENT AND VISITOR CENTER AT ALICEVILLE LAKE ON THE TENNESSEE-TOMBIGBEE WATERWAY

● Mr. SHELBY. Mr. President, today I am introducing legislation to designate the Aliceville Lock and Dam on the Tombigbee River in Pickens County, AL, and the Resource Management and Visitor Center at Aliceville Lake on the Tennessee-Tombigbee Waterway, as the "Tom Bevill Lock and Dam" and the "Tom Bevill Resource Management and Visitor Center at Aliceville Lake on the Tennessee-Tombigbee Waterway," respectively.

My Alabama colleague and friend Tom Bevill, is certainly worthy of this recognition, and it is truly an honor for me to introduce this legislation in the U.S. Senate. The distinguished senior Senator from Alabama, Howell Heflin, joins me as an original cosponsor of this legislation.

Congressman Bevill, representing Alabama's Fourth Congressional District, was first elected to the U.S. House of Representatives in 1966, and has been reelected to each succeeding Congress.

He is a senior member of the House Appropriations Committee and chairman of its panel on Energy and Water Development. As one of the most powerful leaders in Congress, Congressman Bevill is responsible for legislation which funds the Nation's major energy research and all of America's water resource development projects. Through his chairmanship, Congressman Bevill led the drive to build the Tennessee-Tombigbee Waterway and open it 18 months ahead of schedule.

Under his leadership, Alabama's waterways and the Port of Mobile are being fully developed to help America increase its exports in the international marketplace. Congressman Bevill is currently working to deepen Mobile Harbor and to rebuild the old, worn-out Oliver Lock and Dam on the Black Warrior River to cut shipping costs.

Other programs under Congressman Bevill's committee include the Appalachian Regional Commission, the Tennessee Valley Authority, the Nuclear Regulatory Commission and the Department of Interior's Bureau of Reclamation.

A long-time supporter of a strong national defense, Congressman Bevill is a member of the Military Construction Appropriations Subcommittee. Through his role as a member of the Interior Appropriations Subcommittee, he has funded construction of the new Clear Creek Recreation Area on Smith Lake.

Mr. President, Congressman Tom Bevill is recognized as one of the most effective and respected Members of Congress. It is certainly fitting for the Aliceville Lock and Dam on the Tombigbee River in Pickens County, Alabama, and the Resource Management and Visitor Center at Aliceville Lake on the Tennessee-Tombigbee River, to be named in honor of this outstanding individual who has devoted his service to this country's public works projects.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lock and dam on the Tombigbee River in Pickens County, Alabama, commonly known as the Aliceville Lock and Dam, and the resource management and visitor center at Aliceville Lake on the Tennessee-Tombigbee Waterway shall hereafter be known and designated as the "Tom Bevill Lock and Dam" and the "Tom Bevill Resource Management and Visitor Center at Aliceville Lake on the Tennessee-Tombigbee Waterway", respectively. Any reference in a law, map, regulation, document, or paper of the United States to such lock and dam and any reference in a law, map, regulation, document, or paper of the United States to such resource management and visitor center shall be held to be a reference to the "Tom Bevill Lock and Dam" and the "Tom Bevill Resource Management and Visitor Center at Aliceville Lake on the Tennessee-Tombigbee Waterway", respectively.●

By Mr. MOYNIHAN (for himself and Mr. D'AMATO):

S. 1169. A bill to provide emergency relief for the replacement or repair of a bridge in New York; to the Committee on Environment and Public Works.

EMERGENCY RELIEF FOR BRIDGE REPLACEMENT

● Mr. MOYNIHAN. Mr. President, I rise to introduce legislation which will provide assistance to the State of New York in the wake of the tragic bridge collapse on the New York State Thruway. I am pleased to be joined in this effort by my colleague, Mr. D'AMATO.

I recently held a hearing of the Water Resource, Transportation and Infrastructure Subcommittee in the community of Amsterdam, NY, which is only a few miles from the bridge site. There I heard, first hand, of the personal suffering and economic loss realized by the people who live in the area. The cost to the regional and state economy is also staggering.

The Montgomery County Chamber of Commerce estimates tourism losses alone for the area to be $66 million. The cost of doing business in the region is affected; a survey conducted by the State motor truck association has indicated that freight costs across upstate New York were up by half a million dollars per week as a result of the thruway being severed. Until an adequate and safe detour which can accommodate tandem trucks is established, this cost will continue to be borne by the household budgets in the Northeast.

The Federal Highway Administration has determined that the collapsed Schoharie Creek Bridge is ineligible for emergency highway relief funds authorized by section 125 of title 23 United States Code, because it is part of a tolled highway. This is despite the fact that the State has agreed to remove all tolls in 1996, when the outstanding debt of the thruway is paid off.

New York State built the first segment of the Interstate System which we call the Thomas E. Dewey Thruway.

An inspired civil engineer, Bert Tallamy, constructed the first segment exactly along the routes as had been anticipated. In 1956, he came to Washington to head the Bureau of Public Roads and designed the rest of the system exactly to the model set by the thruway.

When we built that road by ourselves we did finance it with tolls, and when the time came to start a national system it would have been element for Congress and for the New York State delegation to ask that this first segment be made toll free as payments were made from the highway trust fund. It was, after all the first segment completed. This was not done.

It could have been easily enough done—it was not—much the same way we built the Erie Canal in 1825. That was a toll canal built without Federal assistance.

However, in 1978, Congress did provide that the New York State Thruway and New York State would undertake to eliminate tolls. It took the New York State Thruway 4 years to reach an agreement—such is the entrenched attachment of a sure, clear source of revenue—but it was signed in 1982, which allows the thruway to receive the so-called 4-R funds for reconstruction, resurfacing, restoration, and rehabilitation of the system.

I was advised by Mr. Al Levine, executive director of the Thruway Authority, at our hearing in New York, that on July 1, 1996, the thruway bonds will have been paid off and the tolls removed.

By that time, the State will have received some $538 million in Federal moneys that otherwise would not have been forthcoming.

For 30 years—at this point, almost 40—New York State has been paying tolls to drive on its segment of the interstate or a principal segment, and paying taxes to build free roads of identical design elsewhere in the country, and I cannot but suppose it has had consequences in our economy.

For all intents the thruway is an integral part of the Interstate System, now receiving Federal assistance and with a commitment to remove its tolls on schedule. The proposed legislation recognizes this fact by treating the Schoharie Creek Bridge in the same manner as would a similar bridge on any other part of the Interstate Highway System.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, the Secretary of Transportation shall provide such funds out of the emergency relief fund authorized under section 125 of title 23, United States Code, as may be necessary to pay the expenses incurred in the reconstruction or repair of the bridge over Schoharie Creek in the State of New York that is on Interstate Route 90, including any expenses incurring in conducting the investigation of the cause of the collapse of the bridge and the expenses incurred in detouring traffic around the site of the bridge until the reconstruction or repair is completed.

(b) No payment of an expense may be made by reason of subsection (a) if such expense is paid or reimbursed—

(1) under any Federal program other than section 125 of title 23, United States Code,

(2) under any insurance policy covering the bridges described in subsection (a), or

(3) from any source other than the Federal Government.

(c) The provisions of section 125 of title 23, United States Code, and any regulations prescribed under such section, regarding the expenditure of funds provided under such section shall apply to any funds provided by reason of subsection (a) to the extent such provisions and regulations are consistent with the provisions and purposes of this Act.●

By Mr. ROTH:

S. 1170. A bill to establish the Bipartisan Commission on the Consolidation of Military Bases; to the Committee on Armed Services.

DEFENSE SAVINGS ACT

Mr. ROTH. Mr. President, so far in this 100th Congress, there's been a great deal of talk about the budget deficit. With the 1987 figure reaching $171 billion, there's good reason why the deficit's on our minds.

However, while much is being said, it appears that little is being done. Like Mark Twain said about the weather: "Everybody talks about it, but nobody seems to do anything."

Well, Mr. President, while there are still tough decisions that need to be made concerning big-spending bills, there are many other courses we can pursue to chip away at the dangerous mountain of debt that economists are predicting may crumble at any time.

One course that could save between $2.5 and $5 billion a year, is the Defense Savings Act, a bill I'm introducing today that would allow our country to pinpoint and close down obsolete military bases that not only drain our precious financial resources, but weaken the strength and integrity of our Nation's defense.

There's no question but that we have many military installations that are no longer effective and no longer needed. Many of these were built as far back as 1945 when—at war—we had to house 12 million Americans under arms. Today we are more sophisticated. Our services are more strategic. Our defense system should be leaner.

According to a study by the Grace Commission on Government waste, based on information supplied by the Defense Department, at least 30 bases contribute little or nothing to our national security. Many of these could be consolidated, and the savings could reach as high as $5 billion annually.

In short, this bill would establish a bipartisan commission on the consolidation of military bases, manned by a staff of 12 commissioners representing the executive and legislative branches of government and both political parties. These 12 commissioners would serve a one-time, 6-month term to determine how our military could be made more cost effective and efficient through the closing and consolidation of bases and installations.

Any recommendations made by this bipartisan committee could then be carried out by the Department of Defense.

Mr. President, you can see how simple and straightforward this bill is. I believe it should have little trouble finding support in this distinguished body, especially at this time when America can no longer afford to finance waste and inefficiency.

I ask unanimous consent that a copy of the bill be printed in the Congressional Record, as well as a copy of an opinion editorial written by former Senator Barry Goldwater and Congressman Dick Armey.

There being no objection, the bill and editorial were ordered to be printed in the Record, as follow:

S. 1170

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Defense Savings Act."

SEC. 2. FINDINGS.

The Congress finds that—

(1) it is essential to the security of the United States and to the public's confidence in our Armed Forces that the enormous resources necessarily devoted to the task of national defense are wisely dispersed;

(2) a substantial part of such resources is not directed toward maintaining and improving the military capabilities of the United States but to maintaining certain military installations which have little or no military value; and

(3) since past efforts to eliminate such installations have been frustrated by various private interests, a bipartisan commission should be established to identify installations suitable for closure or realignment according to objective criteria described in section 4; and

(4) in the interests of national security and the efficient use of Federal revenue, the Secretary of Defense should be granted the authority to close or realign such installations without regard to other provisions of law which would otherwise delay or prevent such closings.

SEC. 3. ESTABLISHMENT.

There is established the Bipartisan Commission on the Consolidation of Military Bases (hereinafter in this Act referred to as the "Commission").

SEC. 4. DUTIES OF COMMISSION.

The Commission shall—

(1) review the military importance of all major military installations; and

(2) identify which of such installations can be closed or realigned without impairing the security of the United States.

SEC. 5. MEMBERSHIP.

(a) Number and Appointment.—The Commission shall be composed of 12 members appointed within 30 days after the date of the enactment of this Act as follows:

(1) Two members appointed by the President in consultation with the Secretary of Defense from among persons who are either private citizens or employees of the executive branch.

(2) Three members appointed by the Speaker of the House of Representatives in consultation with the ranking members of the Armed Services Committee of the House of Representatives from among persons who are either private citizens or Members of the House of Representatives.

(3) Two members appointed by the minority leader of the House of Representatives in consulation with the ranking members of the Armed Services Committee of the House of Representatives from among persons who are either private citizens or Members of the House of Representatives.

(4) Three members appointed by the majority leader of the Senate Armed in consultation with the ranking members of the Senate Armed Services Committee of the Senate from among persons who are either private citizens or Members of the Senate.

(5) Two members appointed by the minority leader of the Senate in consultation with the ranking members of the Armed Services Committee of the Senate from among persons who are either private citizens or Members of the Senate.

Appointments under this section may be made without regard to section 5311(b) of title 5, United States Code.

(b) Vacancies.—A vacancy on the Commission shall be filled in the manner in which the original appointment was made.

(c) Terms.—Members shall be appointed for the life of the Commission.

(d) Basic Pay.—Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) Members of the Commission who are not officers or employees of the Federal Government shall be paid travel and transportation expenses in the same manner as an employee serving intermittently in the Government service under section 5703 of title 5, United States Code, while away from their home or regular place of business in performance of duties for the Commission.

SEC. 6. MEETINGS.

(a) In General.—The Commission shall meet at the call of the Chairman or a majority of its members.

(b) Chairman.—The President shall designate a Chairman from among the members of the Commission.

(c) Quorum.—Seven members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(d) Voting.—Decisions of the Commission shall be according to the vote of a majority of its members present at a properly called meeting.

SEC. 7. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) Director.—The Chairman shall, without regard to section 5311(b) of title 5, United States Code, appoint a person to serve as Staff Director of the Commission.

(b) Staff.—With the approval of the Commission and without regard to section 5311(b) of title 5, United States Code, the Chairman may appoint and fix the pay of such personnel as the Chairman considers appropriate.

(c) Staff of Federal Agencies.—Upon request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this Act.

(d) Experts and Consultants.—With the approval of the Commission, the Chairman may procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code.

(e) Limitation on Pay.—Persons appointed under subsection (a) or (b) may not be paid at a rate exceeding the rate of basic pay payable under section 5316 of title 5, United States Code.

SEC. 8. POWERS OF COMMISSION.

(a) Hearings and Sessions.—The Commission may, for the purpose of carrying out this Act, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate.

(b) Powers of Members and Agents.—Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) Obtaining Official Data.—(1) Notwithstanding any other provision of law, the Commission may secure directly from any department or agency of the United States any information necessary to enable it to carry out this Act.

(2) Upon request of the Chairman of the Commission the head of a department or agency shall furnish such information to the Commission.

(d) Mails.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) Administrative Support Services.—The Administrator of General Service shall provide to the Commission on a reimbursable basis such administrative support services as the Commission many request.

SEC. 9. REPORT.

The Commission shall transmit to the President, the Secretary of Defense, and each House of the Congress not later than 180 days after the enactment of this Act a final report which contains a detailed statement of the findings and conclusions of the Commission and such recommendations as it considers appropriate.

SEC. 10. TERMINATION

The Commission shall cease to exist 30 days after submitting its final report under section 9.

SEC. 11. IMPLEMENTATION OF RECOMMENDATIONS.

Notwithstanding any other provision of law, the Secretary of Defense may—

(1) carry out closure or realignment of any military installations recommended for closure or realignment by the Commission in the report transmitted under section 9—

(A) without regard to any provision of law which would prevent or delay such closure or realignment, including laws restricting—

(i) the disposal of real property; or

(ii) the use of funds for closure or realignment of military installations included in annual appropriations Acts; and

(B) without complying with—

(i) the procedures set forth in sections 2662 and 2687 of title 10, United States Code; and

(ii) the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190; 42 U.S.C. 4321 et seq.); and

(2) using funds appropriated for military construction, design and construct such facilities as the Secretary deems necessary to accomplish the closure or realignment of any military installations under this Act.

SEC. 12. DEFINITION.

For purposes of this Act, the terms "military installation" and "realignment" have the meanings given such terms in section 2687(e)(1) and (3), respectively, of title 10, United States Code.

CLOSE THE OBSOLETE MILITARY BASES AND SAVE $2.5 BILLION A YEAR

(By Dick Armey and Barry Goldwater)

When discussing ways to cut and reform government spending, conservatives usually limit their discussion to social programs, but we could be saving as much as $2.5 billion a year in defense spending if obsolete military bases could be closed down. In Congress, where representatives and senators take pride in protecting their turf, trying to close down bases is not just a job, it's an adventure.

Since the United States became a major military power, many legislators have looked at defense appropriations bills primarily as a source of pork. No fights on Capitol Hill are as heated as the ones over whose districts get which defense dollars. Liberals and conservatives, hawks and doves, Democrats and Republicans all join the fray.

Last fall we saw two New York senators, one from each party, argue rabidly for a little plane called the T-46, which the Air Force says it does not want or need, but which is manufactured on Long Island. A few months earlier a liberal congressman offered an amendment to spend $1.5 billion more than requested by the Defense Department for the Trident submarine. Given the fact that he had voted to cut funding for the missiles that go inside the Trident, his amendment was a little puzzling. Puzzling until it was pointed out that this congressman's district is home to the shipyard that builds the Trident submarine.

These members of Congress had obviously placed political interest above the national interest. Matters of military preparedness had nothing to do with their efforts for defense spending. They were looking to bring a slice of the federal pie back home. Fortunately, in many instances Congress rebuffs such flagrant attempts to place parochial interests above the national interest. But while that may apply to holding back new spending it is not true of scaling back current, wasteful spending in the form of existing but needless military bases.

Few would deny we have numerous obsolete bases. Bases needed to house the 12 million Americans under arms in 1945 are simply no longer necessary for the leaner military of 1987. In fact, the Grace Commission on Government Waste and the Defense Department have said that at least 30 bases contribute little or nothing to our national security and could be consolidated. Doing so could save between $2 billion and $5 billion annually. Despite the pressure Gramm-Rudman has placed on Congress to save tax dollars, this option has been ignored.

Turf battles surrounding base closings not only involve congressional districts and states, but also branches of the government, specifically the executive and legislative branches.

In 1964 Secretary of Defense Robert S. McNamara announced plans to close nearly 95 military bases, one of which was an Air Force base in Georgia. The chairman of the Senate Armed Services Committee at the time, Richard B. Russell of Georgia, felt such a proposal was "totally unjustified," as did House Armed Services Committee Chairman L. Mendel Rivers of South Carolina, who asserted Congress' responsibility "to act as a full-fledged partner with the president" on military matters. Congress could not be, said Rivers, "fully conversant in matters of national security if bases which we have authorized and approved . . . are closed without the Congress having any prior knowledge of these matters."

Thus began a long series of bills that have so effectively hamstrung the Department of Defense's prerogative to close down obsolete bases that virtually no closures have taken place since 1977. Until 10 years ago, Congress did what it could do to prevent an administration from closing bases by refusing to provide the funds needed to close bases or by passing laws requiring the Department of Defense to give Congress advance notice of upcoming closures (thus ensuring enough time to rally opposition).

It was in 1977 that Congress finally found a way effectively to prevent base closures completely. By passing a law requiring expensive and time-consuming environmental impact studies prior to the closing of a base, Congress made keeping an obsolete base open cheaper than closing it in the short run.

Putting total authority back in the hands of the executive branch would be difficult, however. Congressmen are leery that a forceful president would use the closing of bases as a political weapon. It's conceivable that a president, facing a close vote, could tell a member of Congress, "If you don't vote with me on this legislation, I'll close down that Air Force base in your district."

Though it's recognized as a difficult problem, we've been too slow to address it in Congress. The time has come to create a bipartisan commission appointed by Congress and the president to recommend the closing of bases on military, rather than political or institutional, criteria. The commission's recommendations could then be enacted with a waiver of the standard congressionally erected roadblocks.

A bill pending in this Congress, the Defense Savings Act of 1987, would provide for such a commission, with two members of the commission appointed by the president, three by the Senate majority leader, two by the Senate minority leader, three by the speaker of the House and two by the House minority leader. These 12 commissioners would serve a one-time, six-month term. Any recommendations they make for base closings could be carried out by the Department of Defense without meeting the stringent and costly procedures currently in place.

Parochial interests would be suspended, presidential retribution would be removed as a possibility, the national interest would be served and money would be saved.

By Mr. HATFIELD:

S. 1171. A bill to establish a national population policy and to improve methods for correcting, analyzing, and employing natural resource, environmental, and demographic data; to the Committee on Governmental Affairs.

GLOBAL RESOURCES, ENVIRONMENT, AND POPULATION ACT

● Mr. HATFIELD. Mr. President, today I rise to offer, as I have for the past four Congresses, the Global Resources, Environment, and Population Act of 1987. This legislation seeks to coordinate efforts to assess the balance—or lack of balance—between world population and resources. I am pleased to note that Congressman BUDDY MCKAY of Florida also has introduced this measure.

The Global Resources, Environment, and Population Act would supply the necessary tools for global foresight. Conservationists, economists, and social policymakers all recognize the value of careful stewardship and utilization of the Earth's fragile resources. By guarding our environment and using resources wisely we protect the standard of living here in the United States and enhance that standard in many of the world's poorer countries.

It does not make sense to ignore demographic shifts and the ramifications of the current population explosion. Technological breakthroughs and the wise use of resources cannot be expected to compensate for the exponential population increase now seen in many areas of the world. Stabilization of the global population, estimated at 5 billion, is a laudible goal that can be achieved.

The strain on our available raw materials is apparent as the population shifts and grows. In a recent report, the National Governors Conference, expressing its concern about global natural resources, highlighted the potentially disastrous loss of crop and grazing land, forest resources, and biological diversity. Damage caused by society has been revealed in studies of the cleanliness of the air and marine environment, further underscoring the seriousness of the problem.

Despite increased knowledge and sophistication about important resource and environmental issues, our Nation's efforts to gather complete information are stymied. Studies heaped upon studies lie dormant in agencies at the local, State, and Federal level. They are useless to experts and policymakers, because the information is inaccessible or incompatible with other sources. The Federal Government has made limited attempts at information coordination. A particularly revealing example of disjointed policy formulation can be found in our Federal water policy. In defiance of the threats posed by pollution, urban growth and increased consumption, the responsibility for our Nation's fresh water supply is scattered among no fewer than five agencies, with little interaction between these agencies of jurisdiction. If we are to ensure an adequate water supply for all States at a reasonable cost, there must be greater coordination.

Under this legislation, the President's Council on Environmental Quality [CEQ] would be required to improve foresight capability through the publication of reports compiled every 3 years after the bill's enactment. The CEQ would evaluate both long-term and short-term impacts of population size and age structure, and the effects of population on the availability of natural resources and on environmental change. Further, the report would include a review of the laws, regulations, and programs with regard to national and global population stabilization.

Mr. President, we all realize that we benefit personally and economically from a healthy environment. In fact, we depend upon it. I urge my colleagues to recognize this and join me in calling for an improved system of information gathering, so that we, as legislators, can make well-informed decisions about the Nation's and the world's future.●

By Mr. PRYOR (for himself, Mr. COCHRAN, Mr. EXON, Mr. GRASSLEY, Mr. SIMPSON, Mr. MCCLURE, Mr. BAUCUS, Mr. HARKIN, Mr. SYMMS, and Mr. DURENBERGER):

S. 1172. A bill to amend the Farm Credit Act of 1971 to provide a secondary market for agricultural mortgages, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

AGRICULTURAL MORTGAGE MARKETING ACT

Mr. PRYOR. Mr. President, today, on behalf of myself and Mr. COCHRAN, Mr. EXON, Mr. GRASSLEY, Mr. SIMPSON, Mr. MCCLURE, Mr. BAUCUS, Mr. HARKIN, Mr. SYMMS, and Mr. DURENBERGER, I am introducing legislation that authorizes a secondary market for agricultural real estate affiliated with the Farm Credit System. This legislation follows very closely the bill that Senators EXON and Mr. GRASSLEY previously introduced on secondary markets. I applaud these two Senators who, early on, recognized the need for this secondary market for agricultural real estate. I am also pleased to have them join with me in offering this new compromise that we hope will receive broad-based support.

For farmers and ranchers, a secondary market will increase the availability of mortgages, permit lenders to offer fixed rate farm mortgages, lower interest rates and result in better service. Commercial banks, insurance companies, the Farm Credit System and other lenders will all be able to provide these benefits to their farm borrowers through the operation of a secondary market.

The existence of a secondary market allows even the smallest lender to become a participant in the larger financial community. For example, with access to this new source of funds, a rural bank no longer would have to depend solely upon its local deposit base to provide funds for its borrowers' long-term investments in farm land. It would bring outside capital from the financial markets back to rural areas for investment in local farm land.

The secondary market that I am proposing today will also benefit the Farm Credit System. The Farm Credit System will receive fee income from selling its credit enhancement. The System will also be able to offer farmers a new product that they need—fixed rate mortgages. Finally, the System will be able to better match its long-term lending with long-term mortgage-backed securities.

The structure of this secondary market entity that I am introducing today will be small and limited to directing and monitoring a workable, efficient and cost effective secondary market that maximizes the advantages of competition between multiple poolers of agricultural mortgages and multiple loan originators. The goal of this legislation is to bring the same advantages of a secondary market that are now being experienced by home buyers to farmers who wish to buy farm land. Properly structured, this secondary market for farm mortgages will enhance competition, lower interest rates for borrowers, shove up farm land values, and provide liquidity for farm mortgage lenders. It will assure a diversified source of funds for long-term farm and ranch lending.

We must not only deal with the problems that are facing the agricultural economy today, but we must also prepare for the opportunities of tomorrow. The development of a workable secondary market for farm mortgages today will provide benefits to farmers over the long term. As we respond to immediate crises, this body can also prepare for the future. I ask support for this legislation designed to provide the benefits of a secondary market to the farmers and ranchers of this country.

Mr. President, I sent the bill to the desk at this time, and I ask unanimous consent that a description of the operation of the secondary market established by the Agricultural Mortgage Marketing Act of 1987 be printed in the RECORD following the text of the bill. I also ask unanimous consent to have printed in the RECORD a section-by-section analysis of this measure.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Agricultural Mortgage Marketing Act of 1987."

SEC. 2. PURPOSE.

The purposes of this Act are—

(1) to establish a corporation chartered by the Federal Government,

(2) to authorize the certification of agricultural mortgage marketing facilities by the corporation referred to in paragraph (1); and

(3) to provide for a secondary marketing arrangement for farm real estate mortgages to—

(a) increase the availability of long-term credit for farmers at stable interest rates;

(b) provide a greater liquidity and lending capacity in extending credit to farmers; and

(c) provide an arrangement to facilitate capital market investments in providing long-term agricultural funding, including funds at fixed rates of interest.

SEC. 3. AGRICULTURAL MORTGAGE SECONDARY MARKET.

Title V of the Farm Credit Act of 1971 (7 U.S.C. 2221 et seq.) is amended by adding at the end thereof the following new part:

"PART E—AGRICULTURAL MORTGAGE SECONDARY MARKET

"SEC. 5.50 DEFINITIONS.

"As used in this part:

"(a) AGRICULTURAL MORTGAGE LOAN ORIGINATOR.—The term 'agricultural mortgage loan originator' means any Farm Credit System institution, bank, insurance company, business and industrial development company, savings and loan association, commercial finance company, trust company, credit union, or other entity that originates and services agricultural mortgage loans.

"(b) AGRICULTURAL REAL ESTATE.—The term 'agricultural real estate' means a parcel or parcels of land—

"(1) used for the production of one or more agricultural commodities or products; and

"(2) consisting of a minimum acreage or producing minimum annual receipts as determined by the Corporation.

"(c) CERTIFIED AGRICULTURAL MORTGAGE MARKETING FACILITY.—The term 'certified agricultural mortgage marketing facility' means a secondary marketing agricultural loan facility that is certified under section 5.53.

"(d) CREDIT ENHANCEMENT.—The term 'credit enhancement' means the assurance of timely payment of the principal and interest on securities representing interests in, or obligations backed by, pools of qualified agricultural mortgage loans.

"(e) CORPORATION.—The term 'Corporation' means the Federal Agricultural Mortgage Corporation established under section 5.51.

"(f) FUNDING CORPORATION.—The term 'Funding Corporation' means the Federal Farm Credit Banks Funding Corporation.

"(g) QUALIFIED AGRICULTURAL MORTGAGE LOAN.—The term 'qualified agricultural mortgage loan' means an obligation that—

"(1) is secured by a fee-simple or leasehold mortgage with status as a first lien on agricultural real estate located in the United States;

"(2) is approved by a certified agricultural mortgage marketing entity as meeting the standards established by the Corporation pursuant to section 5.56;

"(3) is an obligation of—

"(A) a person who is a citizen of the United States; or

"(B) a private corporation or partnership whose members, stockholders, or partners hold a majority interest in the corporation or partnership and who are citizens of the United States; and

"(4) is an obligation of a person, corporation, or partnership that has training or farming experience that, under criteria established by the Corporation, is sufficient to assure a reasonable likelihood that such loan will be repaid according to its terms.

"SEC. 5.51 FEDERAL AGRICULTURAL MORTGAGE CORPORATION.

"(a) ESTABLISHMENT.—

"(1) CHARTER.—There is created the Federal Agricultural Mortgage Corporation, which shall be a body corporate and shall be under the direction of a Board of Directors and which, subject only to the provisions of this Act, shall be a federally chartered instrumentality of the United States and shall be deemed to be an institution of the Farm Credit System. The Corporation shall have succession until dissolved by Act of Congress.

"(2) Liability.—The Corporation shall not be liable for any of the debts or obligations of any other institution of the Farm Credit System.

"(b) Duties.—The Corporation shall—

"(1) in consultation with agricultural mortgage loan originators, develop uniform underwriting, security appraisal, and repayment standards for qualified agricultural mortgage loans;

"(2) determine the eligibility of agricultural mortgage marketing facilities to contract with the Corporation for credit enhancement of specific mortgage pools; and

"(3) provide credit enhancement for the repayment of principal and interest on pools or qualified agricultural mortgage loans by agreement with the Funding Corporation.

"(c) Board of Directors.—

"(1) Interim board of directors.—Within 60 days of the enactment of this Act, an interim Board of Directors shall be appointed by the President, one of whom he shall designate as interim Chairman. The interim Board shall consist of nine members, three of whom shall be representative of banks, other financial institutions or insurance companies, three of whom shall be representative of the Farm Credit System institutions, two of whom shall be farmers and one of whom shall be representative of the general public. The interim Board shall arrange for an ititial offering of voting common stock and shall take whatever other actions are necessary to proceed with the operations of the Corporation. The voting common stock shall be offered to banks, other financial institutions, life insurance companies and members of the Farm Credit System under such terms and conditions as the interim Board of Directors may adopt, provided, however, that such voting common stock is fairly and broadly offered to assure that no institution or institutions acquire a disproportionate amount of the total amount of voting common stock outstanding and that capital contributions and issuances of voting common stock therefor are equally divided between member institutions of the Farm Credit System and nonmember institutions.

"(2) Permanent board of directors.—The Corporation shall have a permanent Board of Directors which shall consist of fifteen persons. When banks or other financial institutions, insurance companies and Farm Credit System institutions have purchased and fully paid for $20 million of common stock of the Corporation, the Corporation shall arrange for the election and appointment of the permanent Board of Directors. The holders of common stock which are insurance companies, banks or other financial institutions shall elect six members of the Board of Directors and the holders of common stock which are Farm Credit System institutions shall elect six members. The President shall appoint the remaining three directors, two of whom shall be farmers and one of whom shall be representative of the general public.

"(3) Term of directors.—At the time the events described in paragraph (2) have occurred, the interim Board shall turn over the affairs of the Corporation to the permanent Board so elected and appointed. The directors appointed by the President shall serve at the pleasure of the President and until their successors have been appointed and have qualified. The remaining directors shall each be elected for a term ending on the date of the next annual meeting of the common stockholders of the Corporation, and shall serve until their successors have been elected and have qualified. Any seat on the Board which becomes vacant after the annual election of the directors shall be filled by the Board, but only for the unexpired portion of the term.

"(4) Provide credit enhancement.—After the permanent Board of Directors has been duly constituted, the Corporation is authorized, subject to the provisions of this section, pursuant to commitments or otherwise, to provide the credit enhancement of the Funding Corporation on terms and conditions determined by the Corporation and the Funding Corporation as hereinafter provided, to securities issued on the security of or in participations in pooled interests in qualified agricultural loans.

"(5) General corporate powers.—The Board shall determine the general policies which shall govern the operations of the Corporation. The Board shall select, appoint and compensate qualified persons to fill the offices as may be provided for in the bylaws, with such executive functions, powers and duties as may be prescribed by the bylaws or by the Board of Directors, and such persons shall be the executive officers of the Corporation and shall discharge all such executive functions, powers and duties. The Corporation shall be a body corporate and, shall have the power to—

"(A) operate under the direction of its Board of Directors;

"(B) adopt, alter and use the corporate seal, which shall be judicially noted;

"(C) provide for a president, one or more vice presidents, secretary, treasurer and such other officers, employees and agents, as may be necessary, define their duties, and require surety bonds or make other provisions against losses occasioned by acts of such persons;

"(D) prescribe by its Board of Directors its bylaws, not inconsistent with law, which shall provide for the classes of its stock and the manner which its stock shall be issued, transferred and retired; the manner in which its officers, employees and agents are selected; its property is acquired, held, and transferred; its commitments and other financial assistance are made; its general business is conducted; and the privileges granted by law are exercised and enjoyed;

"(E) prescribe such standards as may be necessary to carry out this part;

"(F) enter into contracts and make advance, progress or other payments with respect to such contracts;

"(G) make and perform contracts, agreements and commitments with persons and entities both inside and outside of the Farm Credit System;

"(H) sue and be sued in its corporate name and complain and defend in a court of competent jurisdiction, State or Federal;

"(I) acquire, hold, lease, mortgage or dispose of, at public or private sale, real and personal property, and provide credit enhancement, sell or exchange any securities or obligations, and otherwise exercise all the usual incidence of ownership of property necessary and convenient to its business;

The Corporation shall have such other incidental powers as are necessary to carry out its powers, duties and functions in accordance with this Act.

"SEC. 5.52. COMMON STOCK.

"(a) Common Stock.—

"(1) Classes of stock.—The Corporation shall have common stock having such par value as may be fixed by its Board of Directors from time to time which may be issued only to agricultural mortgage loan originators and certified agricultural mortgage marketing facilities. Each share of common stock shall be entitled to one vote with rights of cumulative voting at all elections of directors. Voting shall be by classes as described in subsection 5.51(c)(2).

"(2) Maximum number of shares of common stock.—The maximum number of shares of common stock that the Corporation may issue and have outstanding at any one time shall be fixed by the Board of Directors from time to time. Any common share issued shall be fully transferable, except that, as to the Corporation, it shall be transferable only on the books of the Corporation and except as the Corporation may restrict in its bylaws.

"(3) Capital contributions.—The Corporation may require each agricultural mortgage loan originator and each certified mortgage marketing facility to make, or commit to make, nonrefundable capital contributions to the Corporation where such capital contributions are reasonable and necessary to carry out the purposes of this Act. The Corporation, from time to time, shall issue to each agricultural mortgage loan originator or certified agricultural mortgage marketing facility voting common stock evidencing any capital contributions made pursuant to this subsection.

"(4) Dividends on common stock.—Such dividends as may be declared by the Board of Directors in its discretion shall be paid by the Corporation to the holders of its common stock.

"SEC. 5.53. CERTIFICATION OF AGRICULTURAL MORTGAGE MARKETING FACILITIES.

"(a) Standards.—

"(1) Issuance.—Not later than 120 days after the appointment and election of the permanent Board of Directors of the Corporation, the Corporation shall issue standards for certification of agricultural mortgage marketing facilities, including eligibility standards in accordance with paragraph (2).

"(2) Eligibility.—To be eligible to be certified under the standards referred to in paragraph (1), an agricultural mortgage marketing entity shall—

"(A) be an affiliate of an institution of the Farm Credit System or a corporation, association, or trust organized under the laws of any State or the District of Columbia;

"(B) have adequate capitalization;

"(C) have as one of its purposes the sale or resale of securities representing interests in, or obligations backed by, pools of qualified agricultural mortgage loans which have been provided credit enhancement by the Corporation;

"(D) demonstrate acceptable managerial ability with respect to agricultural mortgage loan underwriting, servicing, and marketing and the issuance of securities representing interests in mortgage loans;

"(E) adopt appropriate agricultural mortgage loan underwriting, appraisal, and servicing standards and procedures, in conformity with the uniform standards established by the Corporation; and

"(F) permit the Corporation to examine the entity's books, records and loan files with respect to its operations and its enhancement of pools.

"(3) Nondiscrimination.—The standards referred to in paragraph (1) shall not discriminate between or against Farm Credit System and non-Farm Credit System applicants.

"(b) Certification.—Within 60 days after receiving an application for certification under this section, the Corporation shall certify the entity if its application meets the standards referred to in subsection (a)(1).

"(c) Term.—Any certification by the Corporation of an agricultural mortgage marketing entity shall be effective for a period determined by the Corporation of not to exceed five years.

"(d) Revocation.—

"(1) In general.—After notice and an opportunity for a hearing, the Corporation may revoke the certification of an agricultural mortgage marketing facility if the Corporation determined that the facility no longer meets the standards referred to in subsection (a)(1).

"(2) Effect of revocation.—Revocation of certification shall not affect any pool credit enhancement that has been issued by the Corporation.

"SEC. 5.54. CREDIT ENHANCEMENT OF QUALIFIED AGRICULTURAL MORTGAGE LOANS.

"(a) In General.—The Corporation is authorized, upon such terms and conditions as it agrees upon with the Funding Corporation, to provide credit enhancement of the Funding Corporation for the timely payment of principal of and interest on securities representing interests in, or obligations backed by, pools of qualified agricultural mortgage loans.

"(b) Limitations.—With respect to any pools referred to in subsection (a) of this section the Corporation shall—

"(1) provide such credit enhancement only with respect to an individual pool of qualified agricultural mortgage loans pursuant to the application of a certified agricultural mortgage marketing facility;

"(2) provide such credit enhancement only where a reserve in an amount equal to 10 percent of the principal amount of the loans constituting the pool has been established, as hereinafter provided;

"(3) where an agricultural mortgage loan originator has agreed to contribute to a reserve as provided in section 5.55, require the certified agricultural mortgage marketing facility to establish a reserve in United States Treasury securities or other securities issued, guaranteed or insured by an agency of the United States Government in an amount equal to 10 percent of the principal amount of the loans constituting the pool;

"(4) where an agricultural mortgage loan originator has not agreed to contribute to a reserve as provided in section 5.55, require the certified mortgage marketing facility to establish a reserve in an amount equal to 10 percent of the principal amount of the loans constituting the pool in such manner as the Corporation deems appropriate;

"(5) require that the certified agricultural mortgage marketing facility cause such reserve, exclusive of the earnings thereon, to be held for the benefit of the holders of securities evidencing an interest in such pool to assure the timely receipt of principal and interest due to such security holders;

"(6) require that such reserve referred to in paragraphs (2), (3) and (4) must be first exhausted before any demand be made by the certified agricultural mortgage marketing facility with respect to the Corporation's credit enhancement;

"(7) assure the timely receipt of principal and interest due to security holders only after exhaustion of the reserve required by Section 5.54(b) (2), (3) and (4);

"(8) require that a certified agricultural mortgage marketing facility act in accordance with the standards of a prudent institutional lender to resolve loan defaults;

"(9) provide that, to the extent that the certified agricultural mortgage marketing facility receives proceeds of collateral, judgments, settlements or guarantees with respect to a loan in the pool, such proceeds shall be first applied, after payment of costs of collection, to reimburse the Funding Corporation the amount of credit enhancement payments made with respect to such pool by the Funding Corporation;

"(10) permit the reserve to be reduced at certain times to provide for the distribution of earnings to agricultural mortgage loan originators required by section 5.55, subject to the limitation provided in such section;

"(11) not provide credit enhancement with respect to any pool if such pool contains any single loan the principal amount of which exceeds five percent of the total principal amount of the pool at the time the application for credit enhancement is submitted;

"(12) in the case of each loan originated for a pool, provide credit enhancement only if the agricultural mortgage loan originator may retain the servicing of the mortgage in connection with the farm borrower; and,

"(13) provide credit enhancement only if each qualified agricultural mortgage loan has been sold to the certified agricultural mortgage marketing facility without recourse to the agricultural mortgage loan originator.

"SEC. 5.55. RESERVE OF AGRICULTURE MORTGAGE MARKETING ENTITIES.

"(a) Contributions.—For each pool of loans, the certified agricultural mortgage marketing facility and the participating agricultural mortgage loan originators may each contribute a share of the 10 percent reserve required under section 5.54(b)(2).

"(b) Distributions.—In the case of each applicable loan pool a certified agricultural mortgage marketing facility shall:

"(1) distribute to agricultural mortgage loan originators at least semiannually, any earnings on their contributions to the reserve as required, except that such distributions shall not cause the reserve to fall below 10 percent of the outstanding aggregate principal and accrued interest of the loans then remaining the pool;

"(2) maintain separate loan loss accounting for each loan in the pool in those pools in which the agricultural mortgage loan originator has contributed to the reserve.

"(c) Losses.—Except for that portion of losses absorbed by a certified agricultural mortgage marketing facility's contribution to the reserve as provided in subsection (a) of this section, each agricultural mortgage loan originator participating in the pool shall absorb any losses on loans it has originated up to the total amount it has contributed to the reserve before such losses are absorbed by the contributions of other originators who are participating in the pool.

"SEC. 5.56. STANDARDS FOR QUALIFIED AGRICULTURAL MORTGAGE LOANS.

"(a) Standards.—Not later than 120 days after the appointment and election of the permanent Board of Directors of the Corporation, the Corporation, in consultation with agricultural mortgage loan originators, shall establish uniform underwriting, security appraisal, and repayment standards for qualified agricultural mortgage loans.

"(b) Small Loans or Originators.—The standards referred to in subsection (a) shall not discriminate against small agricultural mortgage loan originators or small agricultural mortgage loans that are at least $50,000.

"SEC. 5.57. AUTHORITY OF FUNDING CORPORATION TO PROVIDE CREDIT ENHANCEMENT FOR SECURITIES BACKED BY POOLS OF AGRICULTURAL LOANS.

"(a) Credit Enhancement.—The Funding Corporation shall provide credit enhancement for securities based on or secured by pools or trusts of qualified agricultural mortgage loans through commitments issued by the Corporation providing for such credit enhancement.

"(b) Credit Enhancement Fees.—At the time a Funding Corporation credit enhancement is issued by the Corporation, the Corporation shall assess the certified agricultural mortgage marketing facility a fee not greater than one half of one percent of the amount of the Funding Corporation's credit enhancement with respect to the initial principal amount of securities backed by each pool of qualified agricultural mortgage loans.

"(c) Corporation Fees.—The Corporation may impose charges or fees in reasonable amounts in connection with the administration of its activities under this Act to recover its costs for performing such administration.

"(d) Limitation of Liability.—The agreements between the Funding Corporation and the Corporation to provide credit enhancement shall provide that the maximum liability of the Funding Corporation to provide credit enhancement shall not exceed a total aggregate amount of $500,000,000. All such credit enhancement agreements and securities representing an interest in a pool of qualified agricultural mortgage loans shall clearly state such limitation of the Funding Corporation liability.

"SEC. 5.58. REGULATION, EXAMINATION, AND REPORT OF CONDITION.

"(a) Regulation.—Notwithstanding any other provisions of the Farm Credit Act, the regulatory authority of the Farm Credit Administration with respect to the Corporation shall be confined to providing for the examination of the condition of, and the general regulation of the safe and sound performance of the powers, functions and duties vested in the Corporation by this Act. In exercising its authority pursuant to section 5.58, the Farm Credit Administration shall consider the purposes for which the Corporation was created, the practices appropriate to the conduct of secondary markets in agricultural loans and the reduced levels of risk associated with appropriately structured secondary market transactions.

"(e) Examination.—The financial transactions of the Corporation shall be examined and audited by Farm Credit Administration examiners in accordance with the principles and procedures applicable to commercial corporate transactions under such rules and regulations as may be prescribed by the Farm Credit Administration. Such examinations shall take place at such times as the Chairman of the Farm Credit Administration Board may determine, but in no event less than once each year. The examiners shall have access to all books, accounts, financial records, reports, files and all other papers, things or property belonging to or in use by the Corporation and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with certified agricultural mortgage marketing facilities and other entities with whom the Corporation conducts transactions. For the purposes of this Act, examiners of the Farm Credit Administration shall be subject to the same requirements, responsibilities, and penalties as are applicable to examiners under the National Bank Act, the Federal Reserve Act, and Federal Deposit Insurance Act, and other provisions of law and shall have the same powers and privileges as are vested in such examiners by law.

"(f) ANNUAL REPORT OF CONDITION.—The Corporation shall make and publish an annual report of condition as prescribed by the Farm Credit Administration. Each such report shall contain financial statements prepared in accordance with generally accepted accounting principles and contain such additional information as the Farm Credit Administration by regulation may prescribe. The financial statements of the Corporation shall be audited by an independent public accountant.

"SEC. 5.59. SECURITIES IN CREDIT ENHANCED POOLS.

"(a) FEDERAL LAW.—

"(1) EXEMPTION FROM FEDERAL SECURITIES LAWS.—Notwithstanding any other provision of law, securities representing an interest in a pool of qualified agricultural mortgage loans for which credit enhancement has been provided by the Funding Corporation shall be exempt from the laws administered by the Securities and Exchange Commission to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States.

"(2) NONFEDERAL OBLIGATION.—The securities shall clearly indicate that the securities, together with the interest thereon, are not guaranteed by the United States or constitute a debt or obligation of the United States or of any agency or instrumentality thereof.

"(b) STATE SECURITIES LAW.—

"(1) EXEMPTION FROM STATE LAW.—Any security that is offered evidencing an interest in a pool of qualified agricultural mortgage loans which has been provided credit enhancement by the Funding Corporation, shall be exempt from any law of any state with respect to or requiring registration or qualification of securities or real estate to the same extent as any obligation issued by or guaranteed as to principal and interest by the United States or any agency or instrumentality thereof.

"(2) SUBSEQUENT STATE LAW.—Prior to the expiration of 3 years after the date of enactment of this part, any State may enact a law that specifically refers to this section and requires registration or qualification of any such security on terms that differ from those applicable to any obligation issued by the United States, and upon the effective date of such a law, paragraph (1) shall cease to apply to securities offered in that State.

"(c) AUTHORIZED INVESTMENTS.—

"(1) SECURITIES REQUIREMENTS.—Securities representing an interest in pools of qualified agricultural loans on which the Funding Corporation has provided credit enhancement shall be authorized investments of any person, trust, corporation, partnership, association, business trust, or business entity created pursuant to or existing under the laws of the United States or any State to the same extent that such person, trust, corporation, partnership, association, business trust, or business entity is authorized under any applicable law to purchase, hold or invest in obligations issued by or guaranteed as to principal and interest by the United States or any agency or instrumentality thereof and shall be eligible for unlimited purchase, sale and underwriting by national banks. Where state law limits the purchase, holding, or investment in obligations issued by the United States by such person, trust, corporation, partnership, association, business trust, or business entity, securities of an approved agricultural loan facility issued on a pool of loans on which the Funding Corporation has provided credit enhancement, shall be considered to be obligations issued by the United States for purposes of the limitation.

"(2) In order to facilitate the orderly and necessary flow of long-term loans and funds from agricultural lenders and certified agricultural mortgage marketing facilities for agricultural loans, the provisions of the Constitution or the laws of any State expressly limiting the rate or amount of interest, discount points, finance charges or other charges which may be charged, taken, received, or reserved by agricultural lenders or certified agricultural mortgage market facilities shall not apply to any agricultural loan made by an agricultural mortgage loan originator or a certified agricultural mortgage market facility pursuant to provisions of this Act.

"(3) NONAPPLICABILITY OF PROVISIONS.—

"(A) SUBSEQUENT STATE LAW.—Paragraphs (1) and (2) shall not apply with respect to a particular person, trust, corporation, partnership, association, business trust, or business entity or class thereof in any State that, prior to the expiration of three years after the date of enactment of this part, enacts a law that specifically refers to this section and either prohibits or provides for a more limited authority to purchase, hold, or invest in such securities by any person, trust, corporation, partnership, association, business trust or business entity or class thereof than is provided in paragraph (1).

"(B) EFFECT OF SUBSEQUENT STATE LAW.—The enactment by any State of any law of the type described in the preceding subparagraph (A) shall not affect the validity of any contractual commitment to purchase, hold, or invest that was made prior thereto and shall not require the sale or other disposition of any securities acquired prior thereto.

DESCRIPTION OF THE OPERATION OF THE SECONDARY MARKET ESTABLISHED BY THE AGRICULTURAL MORTGAGE MARKETING ACT OF 1987

Farmers and ranchers apply to local lenders for loans to buy farmland.

Lenders (loan originators), following the underwriting standards established by the governing body of the secondary market (the Federal Agricultural Mortgage Corporation), check with various certified poolers of farm mortgages to get the best terms for their qualified borrowers. The loan originators then sell the loans to the loan pooler who offers the best terms while retaining the right to service the loans and maintain their relationship with the farm borrowers.

These poolers of farm mortgages will be insurance companies, commercial banks, Farm Credit System institutions or any other entities that meet the certification standards of the secondary market governing body, the Federal Agricultural Mortgage Corporation. The mortgage poolers will:

Purchase loans on a non-recourse basis from loan originators and package loans into loan "pools" to serve as collateral backing securities to be sold to investors.

Establish a 10% reserve against losses for each pool of loans. This reserve must be depleted before any claim can be made by a pooler against the credit enhancement purchased from the Farm Credit System and authorized by the Federal Agricultural Mortgage Corporation.

Apply to the Federal Agricultural Mortgage Corporation for approval of the credit enhancement which will give the securities issued by the poolers the same "agency status" as the securities issued by the Farm Credit System.

Sell securities backed by the approved pools of farm mortgages to investors.

The Federal Agricultural Mortgage Corporation will direct and monitor the secondary market in agricultural real estate. The permanent board of this entity will have equal representation from the Farm Credit System (6 members) and non-Farm Credit System lenders (6 members). These directors will be elected by the purchasers of an initial offering of $20 million in stock with the System voting for its directors and non-System lenders voting for theirs. The swing votes, two farmers and one representative of the general public, will be appointed by the President. The authority of the Federal Agricultural Mortgage Corporation will be limited to specific activities to prevent it from developing into a large, centralized entity. This governing body will:

Adopt underwriting standards for farm real estate loans that can be sold in the secondary market.

Adopt certification standards and then certify loan poolers.

Authorize the Farm Credit System's credit enhancement for qualifying pools of farm mortgages.

Pay the Farm Credit System's Funding Corporation a fee of up to .5% of the amount of each pool for the credit enhancement which assures timely payment of principal and interest on securities backed by the farm mortgages.

The Farm Credit Administration will regulate the Federal Agricultural Mortgage Corporation.

SECTION-BY-SECTION ANALYSIS

SECTION 1

This section provides that the title of the bill is the Agricultural Mortgage Marketing Act of 1987.

SECTION 2

This section contains the congressional findings regarding the need for this legislation.

SECTION 3

This section amends the Farm Credit Act of 1971 ("Farm Credit Act") by adding a new Part E to the Farm Credit Act to provide for the establishment of an agricultural mortgage secondary market.

Section 5.50—Definitions. This section of the legislation sets forth a series of definitions for use in Part E.

Paragraph (a)—Definition of agricultural mortgage loan originator. The term "agricultural mortgage loan originator" means any Farm Credit System institution, any bank, insurance company, business and industrial development company, savings and loan association, commercial finance company, trust company, credit union or other entity that originates and services agricultural mortgage loans. This definition is intended to be broad enough to encompass all present and prospective participants in the agricultural mortgage loan market and to encompass both Farm Credit System institutions and institutions not affiliated with the Farm Credit System.

Paragraph (b)—Definition of agricultural real estate. The term "agricultural real estate" means a parcel or parcels of land that is used for the production of one or more agricultural commodities or products and consists of a Federal Agricultural Mortgage Corporation determined minimum acreage or annual receipts.

Paragraph (c)—Definition of certified agricultural mortgage marketing facility. The term "certified agricultural mortgage marketing facility" means a secondary marketing agricultural loan facility certified under section 5.53 of this Part E.

Paragraph (d)—Definition of credit enhancement. The term "credit enhancement" means the assurance of timely payment of the principal and interest on securities representing an interest in, or obligations backed by, pools of qualified agricultural mortgage loans as defined herein.

Paragraph (e)—Definition of corporation. The term "corporation" means the Federal Agricultural Mortgage Corporation established under Section 5.51 of this Part E.

Paragraph (f)—Definition of funding corporation. The term "funding corporation" means the Federal Farm Credit Banks Funding Corporation.

Paragraph (g)—Definition of qualified agricultural mortgage loan. The term "qualified agricultural mortgage loan" means an obligation: (1) secured by a fee-simple or leasehold mortgage with status as a first lien on agricultural real estate in the United States; (2) approved by a certified agricultural mortgage marketing entity as meeting the standards established pursuant to Section 5.56 of this Part E; (3) of a United States citizen or a private corporation or partnership so long as a majority interest of the corporation or partnership is held by United States citizens; and (4) of a person, corporation or partnership that has the training or farming experience that is sufficient to assure a reasonable likelihood that such loan will be repaid according to its terms.

Section 5.51. This section provides for the establishment and sets forth the structure of the Federal Agricultural Mortgage Corporation.

Paragraph (a)—Charter. This paragraph charters the Federal Agricultural Mortgage Corporation as a federally chartered instrumentality of the United States with succession until dissolved by a subsequent Act of Congress. While the Federal Agricultural Mortgage Corporation is deemed to be an institution of the Farm Credit System, this section makes clear that it shall not be liable for any debts or obligations of any institution that is a part of the Farm Credit System or of the Farm Credit System as a whole. This is intended to insulate the Corporation financially completely from losses associated with the Farm Credit System and covers prior as well as prospective obligations of the Farm Credit System and any other institutions in the Farm Credit System.

Paragraph (b)—Duties. The Federal Agricultural Mortgage Corporation is empowered to perform three duties. These duties consist of: (1) developing uniform underwriting, security appraisal and repayment standards for qualified agricultural mortgage loans in consultation with originators of such loans; (2) determining the eligibility of agricultural mortgage marketing facilities to contract with the Federal Agricultural Mortgage Corporation for credit enhancement of specific mortgage pools; and (3) providing credit enhancement through agreement with the Federal Farm Credit Banks Funding Corporation.

Paragraph (c)—Board of Directors. Within 60 days of this Act becoming law, the President shall appoint a nine member interim board of directors and designate one of the nine interim directors as interim Chairman. Of the nine interim directors, three shall be representatives of banks, insurance companies and other financial institutions, three shall be representatives of the Farm Credit System, two shall be farmers and one shall be representative of the general public. The interim board's primary duty is to arrange for an initial offering of the Corporation's voting stock. The stock shall be offered, on an equitable and non-discriminatory basis so that no institution or group of institutions acquire a disproportionate amount of voting common stock, to banks, life insurance companies, other financial institutions and members of the Farm Credit System. The voting common stock shall be divided between member institutions of the Farm Credit System and non-member institutions. The interim board is also authorized to take whatever actions are necessary in order for the Corporation to become operational. While no timetable is set forth in the Act, Congress intends the interim board to proceed as expeditiously as possible in establishing the Corporation.

After $20 million of voting common stock has been purchased and fully paid for by banks, insurance companies, other financial institutions and Farm Credit System institutions, permanent directors shall be elected and appointed. The permanent board of directors shall consist of 15 members. Six members shall be elected by banks, insurance companies and other financial institutions, six members shall be elected by Farm Credit System institutions and three shall be appointed by the President. Two of the Presidentially appointed directors shall be farmers and one shall be a representative of the general public.

The directors appointed by the President shall serve at the pleasure of the President and until their successors have been appointed and qualified. The other twelve directors shall be elected for a term expiring on the date of the next annual meeting and shall serve until their successors have been elected and qualified. Congress intends that at all times six directors shall be elected by banks, insurance companies and other financial institutions and six directors shall be elected by Farm Credit System institutions. If the seat of any elected director becomes vacant after the annual election of directors, the remaining directors shall fill the vacancy for the unexpired portion of the term. In filling vacancies, the Board is expected to preserve the equal representation of institutions that are not members of the Farm Credit System with institutions that are part of the Farm Credit System.

Once the permanent Board of Directors has been duly constituted, the Federal Agricultural Mortgage Corporation is authorized, subject to the provisions of this Part, to provide the credit enhancement of the Funding Corporation to securities issued on the security of, or in participations in pooled interests in, qualified agricultural laws.

The permanent Board of Directors shall determine the general policies of the corporation adopt bylaws and select, appoint and compensate qualified persons to fill the senior officers of the Corporation. The Corporation has the power to:

(1) operate under the direction of its Board of Directors;

(2) adopt, alter and use a corporate seal that shall be judicially noted;

(3) provide for such officers, agents and employees as may be necessary, define their duties as appropriate, and makes provisions against losses caused by the acts of such persons;

(4) prescribe bylaws;

(5) prescribe standards in order to carry out the provisions of this Part;

(6) to enter into contracts and make advance, progress or other payments with respect to such contracts;

(7) enter into contracts, agreements and commitments with persons and entities both inside and outside the Farm Credit System;

(8) sue and be sued; and

(9) acquire, hold, lease, mortgage or dispose of real and personal property, provide credit enhancement, sell or exchange any securities or obligations and exercise all the usual incidence of ownership of property necessary or conductive to its business.

Section 5.52—Common Stock. This section sets forth provisions relating to the common stock of the Federal Agricultural Mortgage Corporation.

Paragraph (a)—Classes of Stock. The Corporation is authorized to have common stock in such amounts and with such par value as its Board of Directors determines. The stock may be issued only to agricultural mortgage loan originators and certified agricultural mortgage marketing facilities. Each share of stock shall have one vote. There shall be cumulative voting but only with respect to the class of directors the holder is authorized to vote for. Shares of common stock are transferable subject to such limitations as shall be adopted by the Board of Directors. Congress anticipates that the Board will restrict the transferability of the stock so as to preserve the equal representation of Farm Credit System and non-Farm Credit System institutions. The Corporation is authorized to require agricultural mortgage loan originators and certified mortgage marketing facilities to make non-refundable capital contributions and to issue its common stock to such entities.

Section 5.53—Certification of Agricultural Mortgage Marketing Facilities. This section sets forth certain general provisions with respect to the certification of agricultural mortgage marketing facilities.

Paragraph (a)—Standards. The Corporation shall not discriminate between Farm Credit System institutions and non-Farm Credit System organizations and shall, within 120 days of the appointment or election of its Board of Directors, issue standards with respect to the certification of agricultural mortgage marketing facilities. These standards shall not discriminate between Farm Credit System institutions and non-Farm Credit System organizations or to exclude any group of such organizations and shall provide that such entity:

(1) must either be a member of the Farm Credit System or a corporation, association or trust organized under the laws of any state or the District of Columbia;

(2) have adequate capitalization (as determined by the Corporation);

(3) have as one of its purposes the sale or resale of securities representing interests in, or obligations backed by, pools of qualified agricultural mortgage loans with credit enhancement provided by the Corporation;

(4) demonstrate acceptable managerial ability with respect to agricultural loan underwriting and with respect to the servicing, marketing and issuance of securities representing interests in mortgage loans;

(5) adopt appropriate agricultural mortgage loan underwriting, appraisal and servicing standards and procedures in conformity with the uniform standards established by the Corporation; and

(6) permit the Corporation to examine its books, records and loan files with respect to its operations and the enhancement provided by the Corporation for pools of securities.

Paragraph (b)—Certification. If an entity meet the standards set forth above, the Corporation shall certify the entity within 60 days of receipt of its application for certification.

Paragraph (c)—Term. Any certification shall be effective for a period determined by the Corporation not to exceed five years.

Paragraph (d)—Revocation. After notice and hearing, the Corporation may revoke its certification of a facility as an agricultural mortgage marketing facility if the facility does not meet the standards, required for certification. No such revocation shall affect any pool credit enhancement previously issued by the Corporation.

Section 5.54—Credit Enhancement of Qualified Agricultural Mortgage Loans. This section set forth provisions related to the credit enhancement of qualified agricultural mortgage loans.

Paragraph (a)—General. Subject to the limitations set forth in paragraph (b), the Corporation is authorized to provide credit enhancements for the timely payment of principal and interest of securities representing interests in, or obligations backed by, pools of qualified agricultural mortgage loans. The Corporation and Funding Corporation jointly shall shall determine the terms and conditions of the credit enhancement, subject to the limitations of paragraph (b).

Paragraph (b)—Limitations. In providing credit enhancement for pools of qualified agricultural loans, the Corporation shall ensure the following limitations are satisfied. Credit enhancement shall be provided only:

(1) with respect to an individual pool of qualified mortgage loans pursuant to the application of a certified agricultural mortgage marketing facility;

(2) where a reserve in an amount equal to 10 percent of the principal amount of the loans has been established by either an agricultural mortgage loan originator or certified mortgage marketing facility;

(3) the reserve consists of either United States Treasury issued securities or securities issued, guaranteed or insured by an agency of the United States;

(4) if the certified agricultural mortgage marketing facility has arranged for the reserve (exclusive of earnings thereon) to be held for the benefit of the holders of the securities evidencing an interest in such pool;

(5) when the 10 percent reserve first has been exhausted before any demand is made by the certified agricultural mortgage marketing facility with respect to the credit enhancement provided by the Corporation;

(6) where the certified agricultural mortgage marketing facility has agreed to act as a prudent institutional lender to resolve loan default;

(7) where the certified agricultural mortgage marketing facility has agreed that the proceeds of collateral, judgments, settlements or guarantees with respect to a loan in the pool shall be applied first (after payment of the costs of collection) to reimburse the provider of the credit enhancement up to the amount of such credit enhancement payments;

(8) where the principal amount of the largest loan in the pool does not exceed five percent of the initial total principal amount of the pool;

(9) where the agricultural mortgage loan originator retains the servicing of the mortgage;

(10) where the loan has been sold to the certified agricultural mortgage marketing facility without recourse to the agricultural mortgage loan originator; and

(11) where payments that reduce the reserve conform to Section 5.55 hereof.

Section 5.55—Reserve of Agricultural Mortgage Marketing Entities. This section sets forth certain provisions concerning the operation of the 10 percent reserve required by Section 5.54(b)(2).

Paragraph (a)—Contributions. The certified agricultural mortgage marketing facility and the participating agricultural mortgage loan originators each may contribute a share of the 10 percent reserve.

Paragraph (b)—Distributions. With respect to each loan pool the certified agricultural mortgage marketing facility shall distribute at least semiannually to each agricultural mortgage loan originators any earnings on their contributions to the reserve provided that the reserve shall not be reduced to less than 10 percent of the aggregate principal and accrued interest of the loans remaining in the pool and shall maintain separate loan loss accounting for each loan in those pools in which the agricultural mortgage loan originator has contributed to the reserve.

Paragraph (c)—Losses. Losses attributed to an agricultural mortgage loan originator shall be absorbed by that originator's contribution to the reserve before the contributions of others to the reserve shall be used.

Section 5.56—Standards for Qualified Agricultural Mortgage Loans. This section authorizes the Board of Directors to establish non-discriminatory, uniform underwriting, security appraisal and repayment standards for qualified agricultural mortgage loans of at least $50,000.

Section 5.57—Authority of Funding Corporation to Provide Credit Enhancement for Securities Backed by Pools of Agricultural Loans. This section authorized the Funding corporation to provide for credit enhancement of securities backed by pools of agricultural loans.

Paragraph (a)—Credit Enhancement. The paragraph authorizes the Funding Corporation to provide credit enhancement for securities based on or secured by pools or trusts of qualified agricultural mortgage loans.

Paragraph (b)—Credit Enhancement Fees. The Corporation is directed to charge the agricultural mortgage marketing facility a fee of one-half of one percent of the amount of the Funding Corporation's credit enhancement by and on the initial aggregate face amount of securities backed by the pool of qualified agricultural mortgage loans. This fee shall be paid to the Funding Corporation. A similar fee (not to exceed one half of one percent) shall be charged for credit enhancement provided by entities other than the Funding Corporation.

Paragraph (c)—Corporation Fees. In addition to the fee described in paragraph (b) of this section, the Corporation may charge such additional fees as it determines is necessary to recover its costs of administration.

Paragraph (d)—Limitation of Liability. The maximum aggregate amounts of credit enhancement provided by the Funding Corporation shall not exceed $500 million and such limitation shall be clearly set forth in all credit enhancement agreements and in all securities (or confirmations therefor if issued in book-entry form) backed by such credit enhancements.

Section 5.58—Regulation, Examination and Report of Condition. This section sets forth certain general provisions with respect to the regulation and examination of the Federal Agricultural Mortgage Corporation.

Paragraph (a)—Regulation. This paragraph sets forth the scope of the regulatory authority of the Farm Credit Administration over the Corporation. This is a limited grant of regulatory power and is limited to the examination of the condition of, and the general regulation of the safe and sound performance of the powers, formations and duties vested in the Corporation. In particular, the Farm Credit Administration is instructed to consider the reduced levels of risk associated with appropriately structured secondary market transactions.

Paragraph (b)—Examination. In accordance with the principles and procedures applicable to commercial corporate transactions, and under rules and regulations prescribed by the Farm Credit Administration, Farm Credit Administration examiners shall examine and audit the financial transactions of the Corporation at least annually. Such examiners shall have access to all of the Corporation's books and records, shall have the same powers and privileges and shall have the same requirements, responsibilities and be subject to the same penalties as examiners under the National Bank Act, Federal Reserve Act and Federal Deposit Insurance Act.

Paragraph (c)—Annual Report of Condition. Pursuant to Farm Credit Administration direction, the Corporation shall prepare and publish an annual report. The report shall include financial statements prepared in accordance with generally accepted accounting principles and shall be audited by an independent public accountant.

Section 5.59—Securities in Credit Enhanced Pools. This section sets forth certain general provisions with respect to securities representing an interest in a pool of qualified agricultural mortgage loans that have received credit enhancement from the Corporation.

Paragraph (a)—Federal Securities Law. Securities representing an interest in a pool of qualified agricultural mortgage loans that have received credit enhancement from the Corporation shall be exempt from the laws of the Securities and Exchange Commission to the same extent as securities which are direct obligations of, or obligations guaranteed as to principal or interest by, the United States. Accordingly, for example, such securities shall be exempt from the registration requirements of the Securities Act of 1933 as well as regulation under the Investment Company Act of 1940. Such securities and interest thereon, however, are not guaranteed by the United States, do not constitute a debt or obligation of the United States or of any agency or instrumentality thereof, and the securities (or confirmations if the securities are issued in book-entry form) shall so state.

Paragraph (b)—State Securities Law. Unless a state, by specific reference to this section, passes legislation within three years of the enactment of this Act, securities evidencing an interest in a pool of qualified agricultural mortgage loans that have obtained credit enhancement from the Corporation shall be exempt from state laws with respect to or requiring registration or qualification of securities or real estate to the same extent as securities issued or guaranteed as to principal and interest, by the United States or any agency or instrumentality thereof.

Paragraph (c)—Authorized Investments. Securities representing an interest in pools of qualified agricultural loans that have received credit enhancement from the Corporation shall be authorized investments of any person, trust, corporation, partnership, association, business trust or business entity created pursuant to or existing under the laws of the United States or any state to the same extent such organization is authorized to purchase, hold or invest in obligations issued by or guaranteed as to principal and interest by the United States or any agency or instrumentality thereof. The section also is intended to ensure that such securities shall receive treatment under ERISA as if they were United States securities. Such securities also shall be eligible for unlimited purchase, sale and underwriting by national banks.

Unless a state passes a law within three years of the enactment of this Act that specifically refers to this section, no state constitution or law limiting the rate or amount of interest, discount points, finance charges or other charges shall apply to any agricultural loan made by an agricultural mortgage loan originator or a certified agricultural mortgage market facility. If a state passes such a law, it shall not effect the validity of any contractual commitment to purchase, hold or invest made prior thereto and shall not require the sale, redemption or other disposition of securities or loans acquired prior thereto.

Mr. COCHRAN. Mr. President, I am pleased to join with Senator PRYOR in sponsoring legislation establishing a secondary market for agricultural mortgages. As U.S. agriculture strives to improve its ability to compete effectively in an international marketing environment, farmers and ranchers need the benefit of every available option to reduce production cost. Improved cost-price margin, or marketplace derived profit, for commodities is the most efficient way to assure the long-run survival and economic health of U.S. agriculture.

With agriculture being a highly capitalized industry, profit is extremely sensitive to interest rates. Given this relationship, farmers and ranchers need a competitive mortgage credit supply system. Provisions in this bill, creating a secondary market affiliated with the Farm Credit System, will increase the competitiveness of the current long-term credit supply system.

Mr. President, after many months in development, this legislation is endorsed by the American Bankers Association, the American Council of Life Insurance, and the Independent Bankers Association of America. The concept of creating a secondary market for agricultural mortgages is supported by most farm organizations, and is included in most proposals to further amend the Farm Credit Act of 1971, including the Farm Credit System's legislative proposal.

When fully implemented, this bill can provide farmers and ranchers with reasonable fixed interest rate mortgages from a variety of financial sources. Further, it facilitates for insurance, banking, and the Farm Credit System a new financial product for their farm customers. Farmers and ranchers need loan alternatives to the current variable and often high cost agricultural real estate funds.

Mr. President, this legislation and the concept of a secondary market for agricultural mortgages warrants the consideration and support of Congress because it potentially can: First, preserve or stabilize the value of farmland and other assets; second, reduce interest rates; and third, modernize agricultural lending by accessing investment markets. However, in creating this credit funding mechanism, two fundamental policy questions must be resolved: Control of the board membership and the structure and authority of the new entity.

This bill provides for equal representation from FCS and non-FCS institutions with public members representing farmers and the general public to provide a margin of difference. Such a board membership could adequately guarantee equal access and fair pricing in the secondary market. I recognize that today there is a difference of opinion about what constitutes an appropriate board, but I believe the differences can and will be worked out.

Finally, Mr. President, I recognize this legislation is not a panacea for the current financial condition confronting some farmers and ranchers. It does, however, establish a credit resource for agriculture that has demonstrated a significant measure of success in the housing mortgage market.

Mr. EXON. Mr. President, I am pleased to join in cosponsoring this bill. Back in March of this year, I introduced, with Senator GRASSLEY as my cosponsor, a bill to create a secondary mortgage market for agricultural loans. At that time, I indicated that the creation of such a market would benefit our Nation's farmers by providing long-term agricultural loans at stable interest rates. I still hold that belief.

This bill contains many of the provisions suggested in my earlier bill. More importantly, the overall goal of establishing a secondary market is maintained. The Senate needs to move forward to reach that goal as we have an obligation to assist our farmers in every way possible. This bill does indeed head in the right direction.

Legislation of this type has seen many compromises and many more are forthcoming before acceptance by the full Senate. Several trade organizations have endorsed this proposal. We must continue to seek consensus and I am sure that my colleagues on the Senate Agricultural Committee and I will do so. We should seek a solution that will allow all our credit institutions to participate in the secondary market as fully as possible. However, we should not lose sight of our duty to our Nation's farmers whose interests, and those of our Nation's citizens, should be foremost in our minds.

Mr. GRASSLEY. Mr. President, I am cosponsoring this bill, but not necessarily because I endorse this particular plan for a secondary market of farm mortgages over any other plan that has been submitted by myself, or by Senator EXON, or by the Farm Credit System itself. I am consponsoring this bill because of my firm commitment to farmer borrowers. I am committed to ensuring that any plan we adopt in the U.S. Senate is a plan that is designed to assist farmers, not a plan that simply protects another Government bureaucracy or gives bankers and insurance companies another investment opportunity.

As we develop any legislation which addresses the Farm Credit System, we must remember that the original purpose of the system was to provide credit to farmers. We structured the system to be owned and operated by farmers, so that its mission would not be lost in the bureaucracy. I agree that farmers should have access to state-of-art financial resources, particular in this age of high finance. However, we cannot get carried away with the sophistication of this plan or be excessively impressed that it is a compromise between the major players. Actually, the major players that we should be concerned about are farmers, not banks or insurance companies.

Nevertheless, I do appreciate the compromise that this bill represents. This compromise makes me optimistic that the Senate will debate and pass legislation to authorize a secondary market for agricultural loans. The focus of this legislation has to be making more credit available to farmers for producing their crops and making that credit less costly. When I go back to Iowa and talk with farmers, their first concern is the availability of money for their crop and livestock production. Their second concern is the cost of that money.

Mr. President, even though I am cosponsoring this bill, I would also like to draw the attention of my colleagues to two other bills which I have introduced. I am cosponsoring legislation with Senator EXON, S. 848, which would allow investors the opportunity to purchase farm mortgages, much in the same way they can invest in home mortgages through Fannie Mae. Senator EXON and I agreed to introduce this legislation under the encouragement of the Independent Bankers Association of America. Mr. President, I would also like to draw the attention of my Senate colleagues to a bill which

I introduced in the first weeks of this session. That bill, S. 427, would also create a secondary market for agricultural loans. So you can see that I have been very active and interested in this issue for quite awhile.

I am cosponsoring this legislation because I believe that it will assist farmers acquire long-term credit, at a more reasonable interest cost. Accessible, low-cost credit will help farmers, small town banks, and rural America.

Mr. McCLURE. Mr. President, I rise in support of this bill which will create a secondary mortgage market for farm real estate mortgages. This is an integral part of the overall plan to help agriculture recover from the serious problems it is now facing. This is not the total answer but one step toward bringing the agriculture industry back.

I spoke before the Subcommittee on Agricultural Credit of the Committee on Agriculture, Nutrition, and Forestry on March 26, 1987. At that hearing I stressed that there were six areas which must be addressed in any legislation involving Federal funds directed to the Farm Credit System. One of these was help for those farmers who borrow outside of the Farm Credit System. The creation of a secondary market for commercial banks and insurance companies is a part of what I envision for providing this help.

The Farm Credit System embodied in the Federal land bank, dominates the long-term farm real estate market today. This is in part because commercial banks do not have the depository instruments to lend funds for a 20- to 30-year period. For banks to enter the farm mortgage field in a meaningful way, they must have a secondary market in which to sell the loans they originate. Such a market permits loan originators to avoid the threat to the safety and soundness of their institutions which occurs when there is a mismatch between long-term loans and short-term deposits. A secondary market would permit banks to become much more competitive in farm mortgage lending, and in the long run, I believe will create and maintain downward pressure on interest rates in agriculture lending.

A secondary market links primary mortgage lenders with capital markets. Mortgages are sold by their originators to poolers, who package them as "mortgage-backed securities" for sale to investors. By selling mortgages in a secondary market, primary mortgage lenders "reliquefy" and can use the proceeds of the sale to make additional mortgage loans.

The existence of a secondary market allows even the smallest lender to become a participant in the larger financial community. With access to a new source of long-term funds, a rural bank no longer has to depend solely upon its local deposit base to provide funds for its borrowers' long-term investments in farmland.

For farmers and ranchers, the advantages of a secondary market include:

First. increased availability of mortgages. With access to new sources of funds through the secondary markets, mortgage availability is increased regardless of local or national credit market conditions.

Second. Fixed rate mortgages would return. Since lenders can sell mortgages into the secondary market, they will be able to offer farmers long-term fixed-rate mortgages.

Third. Lower rates would result in the long term. A greater funds availability, borrowers will pay lower, competitive rates.

Fourth. Better service would result for farmers. With more competition from increased funds and lower rates, lenders' services will also be more competitive.

The secondary market proposed by this bill would be housed in and be a part of the Farm Credit System. This is critically important to the health of the system. As we all know, the Farm Credit System is in serious financial difficulties. The causes are numerous and the answers complex. I support this bill because there are certain advantages to providing a secondary market which accrue not only to the farmers and ranchers but to the Farm Credit System. These advantages are:

First. The Farm Credit System would be able to earn fee income from selling the credit enhancement associated with its agency status.

Second. The System would be able to offer a new product to farmers, fixed-rate mortgages, which result from the ability to sell mortgages into the secondary market.

Third. A secondary market would enable the System to match its long-term lending directly with long-term mortgage-backed securities.

In closing I would like to discuss briefly the concerns expressed by the Farm Credit System as to the control of the secondary market. According to this bill the permanent Board of Directors would consist of 15 members. Six directors appointed by corporation stockholders which are banks, insurance companies, or other financial institutions; six directors appointed by corporation stockholders which are Farm Credit System institutions; and three directors appointed by the President.

The Board of Directors would establish by laws; determine corporate operations; arrange for local servicing and administration of agricultural mortgages; authorize issuance and sale of corporate stock; and commit Farm Credit System funding corporate credit enhancement or other credit enhancement to mortgage-backed securities backed by qualified agricultural loans. In essence the Board would control the secondary market corporation.

The concern raised by members of the System, specifically comments made recently in the 12th district concerning the control of the secondary market, was that the System should have absolute control of the Secondary Market Corporation by having a controlling majority of the Board of Directors elected by the System. I understand the concerns of the System members as it relates to this matter but consider that the secondary market consists of many diverse interests beside the System and that for the secondary mortgage market to run efficiently and smoothly for all participants it needs to have a balance on the Board of Directors. This balance is achieved by the six, six, and three make up of this package.

Under this arrangement, neither the banks, insurance industry, other financial institutions, nor the System banks will be able to detrimentally effect the ability of the others to access the secondary market. In addition it will allow all sides to be heard equally on issues such as the amount of fees charged. This is a fair and equitable way to settle these disputes. It will encourage cooperation and I expect will provide balance to decisions which will greatly effect credit availability to farmers and ranchers.

There are many other issues which this relates to which will be discussed in the near future as we progress toward legislation on further changes to the Farm Credit System. For the secondary market to succeed without damages to the Federal land banks, there will need to be further changes to the Farm Credit Act. I will review proposed legislation, especially the proposal submitted by the Farm Credit System, to find ways to protect the System from failure as well as to provide better credit availability to our farmers and ranchers.

By Mr. RIEGLE (by request):

S. 1173. A bill to authorize appropriations for the fiscal years 1988 and 1989 for the Office of Commercial Space Transportation of the Department of Transportation; to the Committee on Commerce, Science, and Transportation.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION AUTHORIZATION

● Mr. RIEGLE. Mr. President, at the request of the Secretary of the Department of Transportation, I am introducing the administration's fiscal year 1988 authorization bill for the Office of Commercial Space Transportation of the Department of Commerce.

Next week, the Senate Commerce Committee is scheduled to mark up this measure and the administration's bill serve as the basis for the committee's consideration.

I would also note that there will now be a separate authorization bill submitted each year for the Office of Commercial Space Transportation of the Department of Transportation.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 24 of the Commerical Space Launch Act (Public Law 98-575) (49 App. U.S.C. 2623) is amended to read as follows:

"SEC. 24. There are authorized to be appropriated for the purpose of carrying out this Act $4,550,000 for fiscal year 1988 and such sums as are necessary for fiscal year 1989. Sums appropriated for research and development shall remain available until expended.".●

By Mr. D'AMATO:

S. 1175. A bill to amend the Securities Exchange Act of 1934 to ensure that all participants in the Nation's securities markets are equally regulated, to promote fair competition among those providing essentially identical services, and to ensure adequate protection for all investors; to the Committee on Banking, Housing, and Urban Affairs.

SECURITIES EXCHANGE ACT AMENDMENTS

Mr. D'AMATO. Mr. President, I am introducing an amendment to the Securities Exchange Act of 1934—Exchange Act—which resolves the critical question of whether the Securities and Exchange Commission has the authority, under the Exchange Act, to regulate banks engaging in the securities brokerage business as broker dealers. This legislation, initiated by and having the full support of the SEC, has been necessitated by: First, a decision by the U.S. Court of Appeals for the District of Columbia; and second, the increasing blurring by Federal regulators of the barriers, erected by the Glass-Steagall Act, separating investment and commercial banking.

This legislation is not a radical departure from the current system of Federal securities regulation. Rather, it is an attempt to streamline the regulatory process in a manner consistent with the concept of functional regulation.

As noted above, the legislation was precipitated by D.C. Circuit Court of Appeals decision in *American Bankers Association* v. *Securities and Exchange Commission,* 804 F.2d 739 (D.C. Cir. 1986). The decision in this case was the culmination of a long process which initially began during the debates regarding the Security Acts Amendments of 1975 and which ultimately led to a proposal introduced in a November 8, 1983 Securities Act release issued by the SEC. In this notice of proposed rulemaking, the SEC solicited comment on a proposed rule 3b-9 which provided that a bank could not rely on the bank broker-dealer exemption under section 3(a) (4) and (5) of the Exchange Act where a bank: First, publicly solicits brokerage business; second, receives transaction-related compensation for providing brokerage services for trust, managing agency or other accounts to which the banks provide advice; or third, deals in or underwrites—on either a firm commitment or best efforts basis—securities other than exempted securities or municipal securities—banks that deal in municipal securities are already subject to registration under section 15B(a) of the Exchange Act.

I believe that the Commission was correct in proposing and promulgating rule 3b-9—the SEC adopted rule 3b-9 on July 1, 1985—pursuant to its congressional mandate to assure adequate investor protection, reasonably complete and effective regulation of the securities markets and the maintenance of fair and orderly securities markets. Neither the Commission, through the promulgation of rule 3b-9, nor I, through the introduction of this legislation, seek to regulate the nonsecurities activities of banks. The SEC and I are only concerned with SEC regulation of certain bank securities activities which are articulated in greater detail below.

Unfortunately, the D.C. Circuit Court of Appeals did not agree with the SEC or the Federal district court in finding that the SEC lacked sufficient regulatory authority to extend its jurisdiction over banking institutions that are entrusted to the oversight of other Federal regulators. In its decision, the U.S. Circuit Court of Appeals noted that Congress should be left to determine whether a bank, which maintains subdivisions operating as a broker-dealer, should be regulated as a broker-dealer. The irony of this decision is, that in striking down rule 3b-9 because that court believed the SEC overstepped its bounds, the same court has consistently upheld the unilateral regulatory decisions of the Federal Reserve Board. Further, the Federal Reserve Board continues to usurp congressional authority by upholding unilateral FED interpretations of the Glass-Steagall Act in a manner clearly beyond the plain meaning of the statute that confers regulatory authority upon these regulators. If the SEC overstepped its bounds in promulgating rule 3b-9, then I find it hard to comprehend how the court can fail to conclude that the Federal Reserve Board has similarly overstepped its bounds and requires specific congressional authority to permit certain bank securities activities which have been the subject of the FED's most recent pronouncements.

As noted above, I am introducing this legislation which, as submitted to me by the SEC, proposes amendments to the definitions of broker and dealer contained in sections 3(a)(4) and 3(a)(5) of the Exchange Act. The proposed amendments are necessary to address the increased involvement of banks in the securities business. Absent these amendments, banks which are engaged in securities activities which are indistinguishable from those of brokers and dealers will remain outside of the Commission's regulatory jurisdiction. These amendments are designed to achieve regulation by function rather than by outmoded industry classification. The proposed amendments will ensure that all entities engaged in the securities business will be subject to the regulatory scheme for broker-dealers that Congress has established and charged the Commission with administering. I believe that these amendments are necessary to maintain the SEC's ability to meet its statutory responsibilities of ensuring fair competition among participants in the securities business and the maintenance of fair and honest securities markets.

The proposed amendment to section 3(a)(4) of the act would modify the blanket exception for banks from the definition of broker. Similarly, the proposed amendment to section 3(a)(5) would modify the blanket exception for banks from the definition of dealer. Banks that: First, publicly solicit brokerage business; second, receive transaction related compensation for providing brokerage services to advised accounts; or third, deal in or underwrite securities, would no longer be exempt from the definitions of broker or dealer. However, a bank would retain an exception from the definitions if it limited its securities activities to transactions in exempted securities. The amendments would require banks that fall within the definitions of broker or dealer, to establish separate entities registered as broker-dealers with the Commission, through which securities activities would be carried out.

A new section to the Securities Exchange Act is also proposed. Section 3(e) would provide the Commission with authority to exempt banks, by rule or by order, from the definitions of broker or dealer, where the Commission determines that such an exemption is consistent with the public interest.

Under the current statute, banks are expressly excluded from the definitions of broker and dealer. The exceptions in sections 3(a)(4) and 3(a)(5) of the Exchange act thus permit banks to engage in both agency and principal securities transactions with customers to whatever extent is permitted by banking law without registering with the Commission as brokers or dealers.

The exceptions for banks in sections 3(a)(4) and 3(a)(5) were introduced in the original bill proposing regulation of the Nation's securities markets in order to reduce, as much as possible, the impact of the bill upon the Nation's banks, which were expected to be foreclosed from the majority of the securities business very soon thereafter. Under the initial interpretations of the Glass-Steagall Act, which became effective just after enactment of the Exchange Act, banks were limited to securities activities carried out without recourse to the bank and for or on the order of customers only. Congress excepted banks from the definitions of broker and dealer because it concluded that the de minimis accommodation services provided at the time by a limited number of banks were insignificant in the greater scheme of the Nation's securities markets.

Banks have engaged in limited securities activities since the Glass-Steagall Act, enacted in 1933, strictly limited the extent to which single or related entities could engage in commercial banking and securities underwriting simultaneously. However, since 1982, the barriers to concurrent commercial banking and securities activities have been significantly eroded as a result of new interpretations of the Glass-Steagall Act by Federal banking regulators. Securities brokerage services provided on a retail basis are now commonplace in commercial banks, or through their affiliates. More recently, the provision of brokerage services coupled with investment advisory services through a single commercial bank-affiliated entity has been approved by both the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency.

The staff of the Board of Governors of the Federal Reserve System has also approved the sale by a securities affiliate of a bank holding company of its customer list to the underwriter of a newly organized closed-end mutual fund in exchange for a fixed fee. Recently, the Board of Governors of the Federal Reserve System also approved an application by a bank holding company to permit its bank subsidiary to engage in commercial paper placement activity.

Both the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency had conditioned most of their recent decisions expanding banks' securities activities on the conduct of those activities in entities registered with the Commission. Absent enactment of the proposed legislation, however, there can be no assurance that widespread securities activities will be effected through registered broker-dealers only.

The Commission observed in 1985 that "bank brokerage activities and related promotional efforts have changed substantially since 1977." The Commission noted that bank employees were taking orders and forwarding them to clearing brokers in exchange for part of the commission paid by the customer. Also, banks were soliciting members of the public to become brokerage customers of the bank through extensive and aggressive advertising campaigns.

The Commission concluded that banks were no longer merely providing accommodation services to existing customers, but instead, were promoting services that were "functionally indistinguishable from those offered by registered broker-dealers." The Commission also noted that the number of banks engaging in these activities had increased substantially since 1977.

In July 1985, the Commission adopted rule 3b-9, a rule intended to ensure adequate and consistent regulation of securities activities of banks. This rule required any bank engaged in the business of effecting brokerage transactions, or dealing in or underwriting nonexempted securities as defined in the Exchange Act, to either register as a broker-dealer or enter into a contractual or other relationship under which a registered broker-dealer would in fact be the provider of such services. In response to the Commission's request for comments on proposed rule 3b-9, 61 of the 186 banks that commented on the rule indicated that they were engaged in brokerage business to some extent. Following the Commission's adoption of rule 3b-9 on July 1, 1985, at least 170 banks and bank holding companies have now established registered broker-dealer subsidiaries. Also, a substantial additional number of banks have chosen to enter into contractual arrangements with independent broker-dealers in order to offer securities services to the public.

In American Bankers Association versus SEC, the Court of Appeals for the District of Columbia Circuit held on November 4, 1986, that the Commission did not have authority to promulgate rule 3b-9. The court of appeals was sympathetic to goals which the Commission was seeking to achieve and suggested that the appropriate course would be for Congress to address the issue. Both the Commission and I continue to believe that, consistent with the statutory objective of ensuring fair competition among participants in the securities markets, all entities engaged in the securities business should be subject to the same regulatory scheme that Congress established for broker-dealers and charged the Commission with administering.

Further, the active securities business now occurring in banks beyond the Commission's statutory jurisdiction raises substantial investor protection concerns. The Commission administers a coordinated system of regulation of securities activities that is designed specifically to assure that investors are adequately protected through full disclosure and the prevention of unfair and inequitable practices in the securities markets. Broker-dealer registration is an important element of this regulatory system. As banks expand both the volume and range of their securities activities, the absence of a requirement that their securities activities be carried out in a registered broker-dealer substantially undermines the Commission's regulatory system and creates regulatory disparities. The regulation of bank securities activities under federal banking law is an inadequate substitute for Commission regulation. Federal banking law has as its primary purposes the protection of depositors and preservation of the financial soundness of the banks, not the protection of investors and fairness of securities markets. Thus bank securities activities must be brought within the structure of laws, rules, and regulations designed by Congress, the Commission and the self-regulatory organizations to ensure complete and effective regulation of the securities markets, investor protection, and the maintenance of fair and orderly markets.

Regulations by function would ensure that all participants in the securities markets would be subject to the regulatory system, established by Congress and implemented by the Commission and the self-regulatory organizations, which the Commission considers to be the best mode of regulation for the securities activities of financial institutions. Regulation by function also will help ensure fair competition among banks and broker-dealers. Congress has implemented several joint regulatory systems, including trading in municipal and Government securities, where the Commission and the bank regulators share inspection and enforcement authority; however, in each of these systems registration standards and rulemaking are not shared but are centrally located. Broker-dealer registration, and the regulation that follows, should be uniformly applied to all entities engaged in securities activities, whether banks or nonbanks, on a central basis by the Commission in order to further the implementation of regulation by function.

In order to bring bank securities activities within the established system of regulation for such activities, and to ensure that the securities activities of all financial institutions are regulated consistently, the proposed legislation would modify the exceptions for banks currently found in the definitions of broker and dealer in sections 3(a)(4) and 3(a)(5) of the Exchange Act. The effect of modifying this exception will be to include banks engaged in first, publicly soliciting brokerage business; second, receiving transaction-related compensation for brokerage services provided to advised accounts; or third, dealing in or underwriting securities, in the group of entities that are subject to the definitions of broker and dealer.

This proposed legislation embodies the general concepts of rule 3b-9. Rule 3b-9 contained the basic provisions proposed for inclusion in sections 3(a)(4) and 3(a)(5) of the Securities Exchange Act. Exemptive authority similar to that proposed as section 3(e) was also in rule 3b-9. Rule 3b-9, however, also included numerous express exceptions that the proposed legislation does not include. During the time that rule 3b-9 was in effect, the Commission received many requests for exemptions for activities the scope of which went beyond the express exceptions. The Commission considers the inclusion of express exceptions in the proposed legislation unnecessary. The proposed legislation, however, would introduce section 3(e) of the Exchange Act, empowering the Commission to exempt banks by rule, regulation, or order, from the definitions of broker or dealer, either unconditionally or subject to certain terms or conditions. The Commission would also retain the authority to exempt banks from the requirements of section 15(a) of the Exchange Act. The authority in these provisions should be sufficient to ensure that activities that might fall within the terms of the statutory provisions, but are more appropriately exempted from Commission oversight as traditional banking activities, are adequately protected from unnecessary regulation.

The proposed legislation would continue to include express exceptions in sections 3(a)(4) and 3(a)(5) for banks that limit their securities brokerage and dealing business to transactions in exempted securities, as defined in the Exchange Act. These exceptions will allow banks that limit their securities activities to transactions in exempted securities such as municipal or Government securities, which are already subject to a statutory scheme of regulation and specialized dealer registration, to remain outside of the body of persons defined as brokers and dealers.

The proposed legislation would also amend section 15(a) of the Exchange Act to require that banks establish separate entities to engage in securities activities in order to ensure that a bank's securities activities, and the Commission's regulation of those activities, do not interfere with the operation and regulation of the bank's banking activities. Absent such a requirement, a bank could theoretically register itself with the Commission as a broker-dealer. At least two significant regulatory conflicts might then arise: First, a bank would be required to comply with the financial requirements contained in the Commission's net capital rule, which differ, in both the level of capital required to be maintained, and the permissible assets that may be included in computing capital, from those imposed by banking regulators; and second, in the event of a liquidation of the bank, SIPC and the Federal Deposit Insurance Corporation [FDIC] might find themselves charged with liquidating the same entity. Mandatory isolation of securities activities in a separate corporate entity that is regulated by the Commission would eliminate these conflicts. Such separation would also significantly insulate the safety and soundness of the bank from potential downturns in the securities affiliate's business. In addition, the insurance provided by SIPC to a registered broker-dealer subsidiary or affiliate would protect the Federal bank insurance funds from claims arising from securities activities.

Proposed section 15(a)(2) furthers the goals of functional regulation without imposing additional regulatory burdens on banks and are already extensively regulated from the prospective of safety and soundness. If the proposed amendments are enacted, Congress expects that the SEC cooperates with the banking regulators to minimize duplicative oversight and regulation of bank securities affiliates by developing procedures for the sharing of regulatory information to maximize the safety and soundness of parent financial institutions, protection of securities entities' customers, and the integrity of their activities in the securities markets.

I ask unanimous consent to include the legislation, a section-by-section analysis of the legislation, and the D.C. Circuit Court of Appeals decision in American Bankers Association versus SEC, the case which precipitated this legislation, in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—DEFINITIONS OF BROKER AND DEALER

SEC. 101. DEFINITION OF BROKER.

Section 3(a)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(4)) is amended to read as follows:

"(4)(A) the term 'broker' means any person engaged in the business of effecting transactions in securities for the account of others, but such term does not include a bank except as provided in subparagraph (B) of this paragraph.

"(B) The term 'broker' includes any bank that (i) publicly solicits brokerage business, (ii) receives transaction-related compensation for brokerage services provided to trust, managing agency, or other advised accounts, or (iii) underwrites securities on an agency basis, except that a bank is not a broker if it restricts its activities to transactions in exempted securities.".

SEC. 102. DEFINITION OF DEALER.

Section 3(a)(5) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(5)) is amended to read as follows:

"(5)(A) The term 'dealer' means any person engaged in the business of purchasing and selling securities for his own account, through a broker or otherwise, but such term does not include a bank, except as provided in subparagraph (B) of this paragraph, or any person insofar as he buys or sells securities for his own account, either individually or in some fiduciary capacity, but not as part of a regular business.

"(B) The term 'dealer' includes any bank that (i) publicly solicits securities transactions to be effected on a principal basis, whether in a riskless principal capacity or otherwise, (ii) receives transaction-related compensation for effecting transactions in securities on a principal basis for trust, managing agency, or other advised accounts, or (iii) deals in or underwrites securities, except that a bank is not a dealer if it restricts its activities to transactions in exempted securities.".

SEC. 103. POWER TO EXEMPT FROM THE DEFINITIONS OF BROKER AND DEALER.

Section 3 of the securities Exchange Act of 1934 (15 U.S.C. 78(c)) is amended by adding at the end thereof the following:

"(e) The Commission, by rule or order, upon its own motion or upon application, may conditionally or unconditionally exempt banks from the definitions of 'broker' or 'dealer' if the Commission finds that such exemption is consistent with the public interest, the protection of investors, or the purposes of this title.".

SEC. 104. REQUIREMENT THAT BANKS FALLING WITHIN THE DEFINITIONS OF BROKER OR DEALER PLACE THEIR SECURITIES ACTIVITIES IN A SEPARATE CORPORATE ENTITY.

Section 15(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78) is amended to read as follows:

"Sec. 15. (a)(1) It shall be unlawful for any broker or dealer that is either a person other than a natural person or a natural person not associated with a broker or dealer that is a person other than a natural person (other than such a broker or dealer whose business is exclusively intrastate and who does not make use of any facility of a national securities exchange) to make use of the mails or any means or instrumentality of interstate commerce to effect any transactions in, or to induce or attempt to induce the purchase or sale of, any security (other than an exempted security or commercial paper, bankers' acceptances, or commercial bills) unless such broker or dealer is registered in accordance with subsection (b) of this section.

"(2) It shall be unlawful for any bank to act as a broker or dealer, except on an exclusively intrastate basis or in transactions in exempted securities, municipal securities, or commercial paper, bankers' acceptances, or commercial bills. This section does not preclude a bank subsidiary or bank holding company affiliate, which is separate from the bank and is registered in accordance with subsection (b) of this section, from engaging in securities activities to any extent otherwise permissible by law.

"(3) The Commission, by rule or order, as it deems consistent with the public interest and the protection of investors, may conditionally or unconditionally exempt from paragraphs (1) and (2) of this subsection any broker or dealer or class of broker or dealer specified in such rule or order.".

TITLE II—SAVINGS PROVISIONS AND EFFECTIVE DATES

SEC. 201. JURISDICTION OF FEDERAL BANKING REGULATORS.

Nothing in this Act affects the statutory provisions of the Act known as the Glass-Steagall Act, 1933 (12 U.S.C. 24, 377, 378, 78) or the jurisdiction of the Office of the Comptroller of the Currency or the Board of Governors of the Federal Reserve System to enforce the provisions of such Act.

SEC. 202. GENERAL EFFECTIVE DATES.

This Act shall take effect 180 days after the date of enactment of this Act.

SECTION-BY-SECTION ANALYSIS

SECTION 101

This section would amend the definition of broker in section 3(a)(4) of the Securities Exchange Act of 1934 (the "Exchange Act") to eliminate the exception for banks from the definition of broker for any bank that (1) publicly solicits brokerage business; (2) receives transaction-related compensation for providing brokerage services to trust, managed-agency or other advised accounts; or (3) underwrites securities on an agency basis. This would be achieved by adding a new paragraph (b) to section 3(a)(4), enumerating the conditions under which a bank would be deemed a "broker." This section would, however, except from the definition of broker any bank that limits its securities activities to transactions in exempted securities.

SECTION 102

This section would amend the definition of "dealer" as found in section 3(a)(5) of the Exchange Act to eliminate the exception for banks that engage in securities dealings or underwriting activities. New paragraph (b) would be added to section 3(a)(5) deeming a bank to be a dealer if it (1) publicly solicits securities transactions to be effected on a principal basis whether as riskless principal or otherwise; (2) receives transaction-related compensation for securities transactions effected on a principal basis for trust, managed agency or other advised accounts; or (3) deals in or underwrites securities. An exception would be added, however, for banks that limit their securities activities to transactions in exempted securities.

SECTION 103

This section would empower the Securities and Exchange Commission to exempt banks by rule, regulation or order, from the definitions of "broker" or "dealer," either unconditionally, or subject to specific terms or conditions, if the Commission finds that such an exemption is consistent with the public interest, the protection of investors, or the purposes of the Exchange Act.

SECTION 104

This section would amend section 15(a) to require banks that fall within the definitions of broker or dealer to place their securities activities in entities registered as broker-dealers that are separate from the bank. Section 15(a)(2) would become section 15(a)(3), and a new section 15(a)(2) would be added. New section 15(a)(2) would make it unlawful for a bank that is a broker or dealer engaged in interstate securities activities to continue those activities unless they occurred in a subsidiary of the bank or a bank holding company affiliate, separate from the bank that is registered in accordance with subsection (b) of section 15 of the Exchange Act.

SECTION 201

This section would ensure that the provisions of the Glass-Steagall Act remain intact after enactment of this Act. The Glass-Steagall Act permits banks to underwrite and deal in certain enumerated securities. This Act is not intended to override the provisions of the Glass-Steagall Act.

SECTION 202

This section would require banks to comply with the provisions of this Act within 180 days of the Act's enactment.

[U.S. Court of Appeals, District of Columbia Circuit]

AMERICAN BANKERS ASSOCIATION, APPELLANT, V. SECURITIES AND EXCHANGE COMMISSION, ET AL. No. 85-6055

Argued Sept. 10, 1986.

Decided Nov. 4, 1986.

As Amended Nov. 4 and Nov. 17, 1986.

Bankers association sought declaratory judgment to invalidate Securities and Exchange Commission rule requiring banks engaging in securities brokerage business for profit to register as broker-dealers, and injunction prohibiting SEC from enforcing such rule against members banks. The United States District Court for the District of Columbia, Gerhard A. Gesell, J., dismissed complaint, and association appealed. The Court of Appeals, Wald, Chief Judge, held that SEC had no authority to regulate banks as broker-dealers.

Reversed.

1. Securities Regulation 🔑40.12

Securities and Exchange Commission had no authority, under Securities Exchange Act of 1934, to regulate banks as broker-dealers. Securities Exchange Act of 1934, § 3, as amended, 15 U.S.C.A. § 78c.

2. Securities Regulation 🔑40.12

Securities and Exchange Commission by itself cannot extend its jurisdiction over institutions expressly entrusted to oversight of Comptroller, Board of Governors, FDIC, and others. Securities Exchange Act of 1934, § 1 et seq., as amended, 15 U.S.C.A. § 78a et seq.

Appeal from the United States District Court for the District of Columbia (Civil Action No. 85-02482).

Michael F. Crotty, with whom John J. Gill, III, Washington, D.C., was on the brief, for appellant.

Paul Gonson, Sol., S.E.C., with whom Linda D. Fienberg, Associate Gen. Counsel, Larry R. Lavoie, Anne E. Chafter, Asst. Gen Counsels, John E. Birkenheier and Batya Roth, Attys., S.E.C., Washington D.C., were on the brief, for appellees.

Michael S. Helfer, David M. Becker and Kerry W. Kircher, Washington, D.C., were on the brief, for amici curiae, urging reversal.

Before WALD, Chief Judge, MIKVA, Circuit Judge, and LEIGHTON,* Senior District Judge.

Opinion for the Court filed by Chief Judge WALD.

WALD, Chief Judge:

This appeal involves the single critical question of whether the Securities and Exchange Commission (SEC) has authority under the Securities Exchange Act of 1934 (1934 Act) to regulate banks as "broker dealers." After instituting notice and comment rulemaking procedures, the SEC adopted Rule 3b-9 which requires banks engaging in the securities brokerage business for profit to register as broker-dealers under the 1934 Act. *See* Securities Exchange Act Release No. 34-22205, 50 Fed. Reg. 28,385 (July 12, 1985).

In this action, the American Bankers Association (ABA) seeks a declaratory judgement that Rule 3b-9 is invalid under the 1934 Act and an injunction prohibiting the SEC from enforcing the Rule against its member banks. On cross-motions from summary judgement, the United States District Court for the District of Columbia ruled for the defendant and dismissed the ABA's complaint. This appeal followed. Because Rule 3b-9 contravenes the intent of Congress, unambiguously expressed in the language of the 1934 Act, and confirmed in the Act's legislative history, we reverse the decision of the District Court and order it to declare Rule 3b-9 unlawful and to enjoin the Rule's operation against the member banks.

I. BACKGROUND OF THE SEC'S DECISION TO REGULATE BANKS

The current controversy arises over fifty years after Congress passed the Securities Exchange Act because of a change in the administrative interpretation of the Banking Act of 1933, commonly referred to as the Glass-Steagall Act. Section 16 of the Glass-Steagall Act curtailed the corporate powers of national banks.[1] In relevant part, § 16 provides:

"The business of dealing in securities and stock by the [national bank] shall be limited to purchasing and selling such securities and stock without recourse, solely upon the order, and for the account of, customers, and in no case for its own account, and the [national bank] shall not underwrite any issue of securities or stock: *Provided?* That the [national bank] may purchase for its own account investment securities under such limitations and restrictions as the Comptroller of the Currency may by regulation prescribe."

12 U.S.C. § 24 (Seventh).[2] Section 21 of the Glass-Steagall Act delineated the general boundary between commercial and investment banking activities:

"[I]t shall be unlawful . . . for any person, firm, corporation, association, business trust, or similar organization, engaged in the business of issuing, underwriting, selling, or distributing, at wholesale or retail, or through syndicate participation, stocks, bonds, debentures, notes, or other securities, to engage at the same time to any extent whatever in the business of receiving deposits subject to check or to repayment upon presentation of a passbook, certificate of deposit, or other evidence of debit, or upon request of the depositor: *Provided,* that the provisions of this paragraph shall not prohibit national banks or State banks or trust companies (whether or not members of the Federal Reserve System) or other financial institutions or private bankers from dealing in, underwriting, purchasing and selling investment securities, or issuing securities, to the extent permitted to national banking associations by the provisions of section 24 of this title. . . .

12 U.S.C. § 378(a)(1)[3]

Footnotes at end of article.

The Comptroller of the Currency charged with the duty of regulating the corporate powers of national banks, took the lead in interpreting these provisions of the Glass-Steagall Act for enforcement purposes. In 1936, the Comptroller construed the Glass-Steagall Act to limit brokerage activities by national banks to purchase and sale transactions for "actual customers of the bank, which customer relationship exists independently and apart from the particular transaction in which the bank buys or sells upon the order and for the account of such 'customer.'" 1 Bulletin of the Comptroller of the Currency ¶ 36 (October 26, 1936). The Comptroller also ruled that a national bank "is not authorized to retain any commission, rebate, or discount obtained from others in purchasing for a customer [securities or stock] unless it does not exceed the cost of handling the transaction." *Id.* ¶ 10. The Comptroller justified limiting the charge for brokering a customer's securities or stock on the grounds that the purpose of § 16 of the Glass-Steagall Act was "to prevent national banks from engaging in the brokerage business for profit." *Id.* Thus, under the Comptroller's original interpretation of the Glass-Steagall Act, a national bank could engage in brokerage activities only as "an accommodation agent" for the convenience of existing customers of the bank's traditional banking services. *Id.* ¶ 35. For example, a bank could purchase or sell securities for a trust account that it managed, but it could not make any money on its trades for that account.

This original administrative construction of the Glass-Steagall Act has been dismantled piecemeal over the last fifty years. First, in 1957, the Comptroller repudiated the requirement that national banks receive no profit from the brokerage transactions that they perform for the convenience of their customers. *See* Digest of Opinions of the Comptroller of the Currency ¶ 220A (August 1957 Edition) (quoted in [1973-1978 Transfer Binder] Fed. Banking L.Rep. (CCH) ¶ 96.272 at 81.357). Nevertheless, at that time, the Comptroller retained the notion that banks could not perform "functions [that] would amount to engaging in the brokerage . . . business . . . beyond the permissible scope of limited accommodation services." *Id.* Moreover, the Comptroller in 1957 explicitly reiterated its earlier requirement that bank brokerage services "must be limited to actual customers of the bank—that is, the customer relationship must exist independently of the particular securities transaction." *Id.*

Then, in 1974, the Comptroller interpreted Glass-Steagall to allow banks to offer and advertise computer-assisted stock purchasing services. *See* Comptroller of the Currency Opinion Letter (June 10, 1974), *reprinted in* [1973-1978 Transfer Binder] Fed. Banking L.Rep. (CCH) ¶ 96,272 at 81,353. Answering the argument that these services, and in particular, dissemination of advertising about them, controverted the concept of "limited accommodation services," the Comptroller noted that "the 'accommodation' concept is not contained in the statute." *Id.* at 81,360. Because, however, the automatic investment service was limited to customers of the bank's checking accounts, the Comptroller did not explicity address whether bank could offer and advertise brokerage services for nonbanking customers.

Finally, in 1982, the Comptroller abandoned its interpretation that § 16 of the Glass-Steagall Act limited bank brokerage activities to customers of traditional banking services by allowing a national bank to establish a subsidiary to offer retail discount brokerage services, to banking and nonbanking customers alike, at branch offices of the bank. *See In re Security Pacific National Bank* (August 26, 1982), *reprinted in* [1982-1983 Transfer Binder] Fed. Banking L.Rep. (CCH) ¶ 99,284 at 86,255.[4] The Comptroller has subsequently made clear that its new interpretation of § 16 applies to the brokerage activities of a bank itself in addition to those of a bank subsidiary. *See, e.g.,* Comptroller of the Currency Opinion Letter No. 363 (May 23, 1986); *see also* 50 Fed. Reg. 31,605 (August 5, 1985); (withdrawing proposed rule which would require national banks engaging in discount brokerage services to do so through a nonbanking subsidiary). Both the Board of Governors of the Federal Reserve Board and the Federal Deposit Insurance Corporation, acting pursuant to their respective authority to interpret the Glass-Steagall Act, have also recently interpreted §§ 16 and 21 to allow banks to engage in brokerage services for nonbanking customers. *See* Federal Reserve Board's Statement Concerning Applicability of the Glass-Steagall Act to the Commercial Paper Placement Activities of Bankers Trust Company (June 4, 1985);[5] FIDC General Counsel's Opinion No. 6, 48 Fed. Reg. 22,989 (May 23, 1983).

The SEC never attempted to apply its broker-dealer regulations to banks that engaged in profitless accommodation transactions. Nor did the SEC attempt to regulate banks as broker-dealers after either the 1957 or the 1974 revisions in the Comptroller's interpretation. The dramatic surge of banks into the discount brokerage business, resulting from the post-1980 administrative reinterpretations of Glass-Steagall, however, prompted the SEC to subject banks engaging in brokerage business to the same broker-dealer regulation as nonbank brokers.[6]

Thus, in 1985, the SEC issued Rule 3b-9. The Rule regulates as a broker-dealer a bank that either "[p]ublicly solicits brokerage business for which it receives transaction-related compensation" or "receives transaction-related compensation for providing brokerage services for trust, managing agency or other accounts to which the bank provides advice." 17 C.F.R. § 240.3b-9(a)(1)(2) (1986). The Rule goes on the define "transaction-related compensation" to "mean monetary profit to the bank in excess of cost recovery for providing brokerage execution services." *Id.* § 240.3b-9(d). In other words, the SEC Rule does not reach banks which engage only in the profitless accommodation brokerage service permitted by the Comptroller's original 1936 ruling. But it does cover banks that seek profit from their brokerage business, whether that business was generated from public solicitation or from their existing banking customers.[7]

Rule 3b-9 proceeds on the premise that regulatory authority should be divided among government agencies according to the different financial functions performed by the regulated entity, and not according to the species of financial institution it is (as defined by its charter or even its *primary* function). While this regulatory philosophy enjoys favor in many circles and has received the endorsement of a special task force established to conduct a comprehensive evaluation of federal financial regulation,[8] it is, unfortunately, not the approach taken by the 73rd Congress, which enacted the Securities Exchange Act of 1934. In that Act, as we shall see, Congress explicitly excluded banks from the rules governing brokers and dealers.

[1] The District Court recognized that the definitions of "broker," "dealer," and "bank" contained in the 1934 Act, by themselves, unambiguously exclude ABA member banks from SEC broker-dealer regulation. *See* Joint Appendix (J.A.) at 93. Nevertheless, the District Court upheld the validity of Rule 3b-9 because it found two other sources of authority in the same Act for the SEC to redefine these terms to accommodate changing conditions in the banking field. For reasons to be discussed, we find these statutory sections on which the District Court relied inadequate to support the SEC's attempt to amend by regulation the explicit statutory provisions that govern the division of responsibility and jurisdiction between the SEC and banking regulatory agencies. Whatever regulatory coherence Rule 3b-9 would bring to the field of securities brokerage, we conclude the SEC has no authority to regulate banks as broker-dealers, and Rule 3b-9 is invalid.

II. THE 1934 ACT DEFINITIONS OF "BROKER" "DEALER" AND "BANK"

A. The Statutory Language

Section 3 of the 1934 Act excludes banks from the statutory definitions of "broker" and "dealer." The Act states that "[t]he term 'broker' means any person engaging in the business of effecting transactions in securities for the account of others, *but does not include a bank.*" 15 U.S.C. § 78c(a)(4) (emphasis supplied). Similarly, the statute states that "[t]he term 'dealer' means any person engaged in the business of buying or selling securities for his own account . . . *but does not include a bank* . . ." 15 U.S.C. § 78c(a)(5) (emphasis supplied).

In order to subject banks engaging in profit-seeking brokerage business to broker-dealer regulation, the SEC had to draft Rule 3b-9 to redefine the term "bank." It did so by excluding banks engaging in brokerage business for profit from the meaning of "bank" in §§ 3(a)(4) and (5) of the 1934 Act, thus recapturing such banks into the statutory definition of "broker" and "dealer." Thus Rule 3b-9 reads, in relevant part:

"The term 'bank' as used in the definition of 'broker' and 'dealer' in sections 3(a)(4) and (5) of the Act does not include a bank that:

"(1) Publicly solicits brokerage business for which it receives transaction-related compensation . . .;

"(2) Directly or indirectly receives transaction-related compensation for providing brokerage services for trust, managing agency, or other accounts to which the bank provides advice. . . ."

17 CFR § 240.3b-9(a)(1)(2) (1986). [9]

A crucial problem with the SEC's new rule defining "bank," however, is that the 1934 Act already contains a definition of the term "bank." Indeed, the Act's definition of "bank" immediately follows its definitions of "broker" and dealer."

"The term 'bank' means (A) a banking institution organized under the laws of the United States, (B) a member bank of the Federal Reserve System, (C) any other banking institution, whether incorporated or not, doing business under the laws of any State or of the United States, a substantial portion of the business of which consists of receiving deposits or exercising fiduciary powers similar to those permitted to national banks under section 11(k) of the Federal

Reserve Act, as amended, and which is supervised and examined by State or Federal authority having supervision over banks and which is not operated for the purpose of evading the provisions of this chapter. . ."

15 U.S.C. § 78c(a)(6). This definition notably does not contain any exception for a bank that "[p]ublicly solicits brokerage business for which it receives transaction-related compensation" or that "directly or indirectly receives transaction-related compensation for providing brokerage service for . . . accounts to which the bank provides advice." In sum, the statutory definition of bank contains no exception for banks engaging in brokerage activities for profit; [10] there is no ambiguity or imprecision on this point.[11] As far as the statutory definition of bank is concerned, then, Rule 3b-9 directly conflicts with the language of the 1934 Act.

B. Congressional Intent

The manner in which Congress defined "broker," "dealer," and "bank" in the 1934 Act reflects a purposeful decision on its part that the SEC should not have oversight jurisdiction with respect to banks, because banks were already subject to a complex scheme of administrative regulation at the federal and state level. In the 1934 Act, Congress defined "bank" essentially as an institution subject to at least one of several existing banking regulators: the federal Comptroller of the Currency (for all nationally chartered banks), the Board of Governors of the Federal Reserve System (for all member banks), or any other "State or Federal authority having supervision over banks." Thus, the exemption from SEC broker-dealer regulation is available only to banking institutions regulated by some other government authority.

1. *Evidence of Congress' Intent Not to Impose Additional Government Supervision Upon Banks*

Relevant legislative history confirms that Congress intended to preclude SEC regulation of institutions meeting the statutory definition of "bank" in order to avoid duplicative regulation. The Senate Committee Report accompanying S. 3420 stated that most of the definitions in the bill were "self-explanatory." S. Rep. No. 792, 73d Cong., 2d Sess. 14 (1934). Nevertheless, the Report did comment on the definitions of "broker," and "dealer," definitions the Committee considered to be "the most important . . . since many of the provisions of the act apply only to members of exchanges and brokers and dealers who do business through them." *Id.* Expressly recognizing, then, that institutions excluded from the definitions of "broker" and "dealer" would not be subject to many of the Act's important regulatory provisions, the Report unambiguously stated that "banks are expressly exempted from the definitions of 'broker' and 'dealer.'" *Id.* Finally, in summarizing the definition of "bank," the Report highlights its critical essence as including "any . . . bank performing normal banking functions, which is subject to supervision and examination by State and Federal authorities." *Id.* The necessary implication of the Senate Report was that any bank already subject to administrative oversight need not be subjected to the new regulatory regime that the bill established for nonbank brokers and dealers.[12]

In 1934, nonbank stockbrokers and securities traders, unlike banks, were not subject to any nationwide, systematic regulation or oversight by federal or state government authorities. The purpose of the 1934 Act was to bring *these* previously unregulated participants in financial markets under a regime of government supervision and examination analogous to that which the Glass-Steagall Act had already mandated for banks.[13] Indeed, one purpose of the 1934 Act's regulation of securities exchanges and broker-dealers was to protect America's banking system.[14] Pre-1929 overextended margin accounts and unwise extensions of credit to brokers by banks had contributed to bank failures: financially precarious banks often could not collect on the loans made to brokers for margin purchases by the brokers' customers.[15] As a result, some of the 1934 Act's most significant provisions regulate margin lending by brokers and control the credit that brokers can receive from banks. *See* 15 U.S.C. §§ 78g, 78h. Because these banking-related provisions implicated the stability of the banking system, the 1934 Act entrusted the Board of Governors of the Federal Reserve System with their administration. Although Congress decided to delegate the supervision and examination of exchanges and broker-dealers to a new agency, there is no indication that in 1934 Congress wanted this new agency, created for a particular specialization, to regulate the banks.[16]

To the contrary, there is much evidence in the Act's legislative history that Congress decided to exempt banks from the broker-dealer jurisdiction of the SEC because they were already subject to systematic government oversight. The original House and Senate bills did not expressly exclude banks from the definitions of "broker" and "dealer." At the hearings, a prominent New York banker, William Potter, Chairman of the Guaranty Trust Company, complained before the Senate Committee on Banking and Currency that the definitions of "broker" and "dealer," as they then stood, would cover some securities services already being performed by banks:

"[B]anks of this country do not confine their activities solely to banking. . . . A very large proportion of the people of this country turn to their bankers for advice with respect to their investments and the purchase and sale of securities.

"Furthermore, banks are called upon constantly to act as the agent of others in the care and custody of securities, the placing of orders for their purchase and sale and in the completion of such transactions, including the receipt or delivery of securities against payment or receipt of the purchase price, and in the safe transmittal of such securities. Many people are utterly unfamiliar with the manner in which such transactions should be carried on . . . and turn to the bankers in recognition of their experience and expertise in such matters. . . ."

Stock Exchange Practices: Hearings Before the Senate Comm. on Banking and Currency, Part 15, 73d Cong., 1st Sess. 7222 (1934) [hereinafter cited as "Senate Hearings"]. After describing how banks engaged in activities that fit the then definitions of "broker" and "dealer," Potter went on to advocate that banks should nevertheless not be subjected to the new regulation proposed for nonbank brokers and dealers:

"Permit me to indulge in a further general observation. It seems to me that the regulation of the banks, so far as the National Government is concerned, should be confined to the Comptroller of the Currency, the Federal Reserve Board, and other agencies within the Federal Reserve System. I doubt the wisdom of divided responsibility with respect to such matters, and it seems to me obvious that the banks should not be subjected to the jurisdiction of two arms of the Government whose purposes and policies might at times conflict."

Id. Potter then specifically recommended that the bill be amended to exclude banks from the definiton of "broker" and "dealer": "I submit that these definitions should be changed, or that some specific statement should be made that banks are not included in such definition." *Id.*

At this point Ferdinand Pecora, the counsel to the Senate Committee and a draftsman of the 1934 Act, interrupted to say that he agreed that the bill should not include banks within the definitions of "broker" and "dealer." *Id.* When the bill was reported out of the Senate Committee, it contained the new clauses excluding banks from the "broker" and "dealer" definitions, as well as a definition of "bank." The House version, ultimately enacted into law, was similarly amended in Committee to exclude banks from the definition of "broker" and "dealer" and to add a definition of "bank." While the House and Senate bills used somewhat different language in defining "bank," both versions were identical in defining banks in terms of the government agencies that regulated them.[17]

Since the 1934 Act, Congress has repeatedly exempted banks from the jurisdiction of the SEC, and defined banks in precisely the same way. In 1940, when Congress enacted the Investment Company and Investment Advisers Acts, Congress repeated the same bank exemption from the definitions of "broker" and "dealer," and also from the crucial definitions of "investment company" and "investment adviser" in these Acts. *See* 54 Stat. 791, 792, 798, 848; 15 U.S.C. §§ 80a-2(a)(6), (11), -3(c)(3), 80b-2(a)(3), (7), (11). Moreover, in these Acts Congress again defined banks in terms of the government agencies that regulated them. *See* 54 Stat. 791, 848; 15 U.S.C. §§ 80a-2(a)(5), 80b-2(a)(2). Thus, the definitions in the 1934 Act are but one part of a consistent congressional policy of keeping oversight of the banking system separate from the SEC's oversight of the securities trading and investment industries.

2. *The Special Problem Posed by the Changing Interpretation of the Glass-Steagall Act*

The SEC contends that when Congress exempted banks from SEC broker-dealer regulation in 1934, it was acting under the impresssion that the Glass-Steagall Act of 1933 precluded banks from brokering securities for a profit or for nonbanking customers. As evidence of this congressional understanding, the SEC points to the testimony of Thomas Corcoran before both the House and Senate Committees that considered the legislation. Corcoran, at the time, was counsel to the Reconstruction Finance Corporation, and an active participant in the drafting of the 1934 Act. Corcoran, too, argued vigorously that the original bill should be amended to exempt banks from broker-dealer regulation. In making his point to the Senate Committee, Corcoran referred extensively to his reading of the Glass-Steagall Act as barring retail brokerage activities by banks:

"Of course under the Glass-Steagall bill a bank can no longer peddle securities at retail. It can do two things: it can buy securities for its own account, for its own investment; and it can act as agent to transmit to a broker an order to purchase or sell securities, given to it by one of the bank's customers.

"Certainly we had no conception when we drafted the language of this bill that it would be said that if a bank bought securities for its bond account, or merely transmitted, for a service charge, an order from a customer to a broker (because very often customers of banks do not know whom to go to for brokerage service), that operations of that kind on the part of a bank constituted transacting a business in securities.

"And I might say that if there is any difficulty with that language, or any conception that it does cover a bank, acting as banks may act under the Glass-Steagall Act, then the language should be changed so that banks so acting are not within the scope of the language. . . ."

Senate Hearings, *supra*, at 6470.

Similarly, in his testimony before the House Committee, Corcoran pleaded, "the bill needs to be clarified, so that a bank which just acts for you in passing on an order to a broker . . . does not come within that sort of provision," referring specifically to the bill's restrictions on borrowing by brokers. *Stock Exchange Regulation: Hearings on H.R. 7852 and H.R. 8270 Before the House Comm. on Interstate and Foreign Commerce*, 73d Cong., 2d Sess. 86 (1934). When asked by Representative Edward Kenney why banks should be exempted from these control-of-credit provisions, Corcoran responded: "Because there are plenty of other limitations on the banks. A bank cannot normally go in the business, like a broker, of dealing in securities." When the Congressman interrupted to protest that banks do act like a broker, Corcoran answered, "They are not allowed to do those things any longer, under the Glass-Steagall bill." *Id.* Pressing Corcoran again on exactly what business banks were excluded from, the Congressman was sidestepped: "You may be able to answer that better than I can," said Corcoran. *Id.*

The SEC uses the Corcoran testimony to make the following argument: Congress, in enacting the 1934 Act, adopted Corcoran's understanding that the Glass-Steagall Act precluded banks from engaging in brokerage activities for nonbanking customers. If it turns out that the Glass-Steagall Act in fact does not preclude these activities, then it follows that the SEC must be allowed to advance congressional intent by regulating these new retail brokerage activities of banks. It is not an illogical argument, but it does raise basic issues about the role of courts in construing legislation.

Initially, we emphasize that we do not and need not rule today whether, in fact, the Glass-Steagall Act permits a bank, as opposed to a nonbanking subsidiary of a bank or a bank holding company, to engage in discount brokerage services for members of the general public who do not use the bank's banking services.[18] An argument certainly could be made that a bank can do just that under the reasoning of *Securities Industry Association v. Comptroller of the Currency*, 577 F.Supp. 252 (D.D.C.1983) (upholding the Comptroller's 1982 decision).[19] In any event, the question whether a bank itself can broker securities for nonbanking customers is squarely presented in a different case before this court, *Securities Industry Association v. Board of Governors*, Nos. 86-5089 et al. (oral argument held April 4, 1986) and we do not predict or rely on any particular outcome in that case to decide this case.

We will assume that Corcoran was incorrect in telling the 1934 Congress that the Glass-Steagall Act precluded banks from acting like other brokers. It still does not necessarily follow that we should attribute Corcoran's erroneous belief to Congress. A court must assure itself of strong evidence of congressional misapprehension before it goes on to decide what Congress would have done, if Congress had known the "truth." Indeed, there is a legitimate question whether a court should ever engage in such surrogate behavior. Here, the conclusion that Congress misinterpreted its own statute, enacted only a year before, in a crucial jurisdictional matter, required a stronger evidentiary base than the SEC has offered. The end of the exchange between Corcoran and Representative Kenney suggests that Corcoran himself may have been less than totally sure about the effect of Glass-Steagall, since even he ultimately deferred to the legislators' greater familiarity with Glass-Steagall's scope. Corcoran's testimony as a whole may also reasonably be read as an advocate's argument that however Glass-Steagall limits banks, they should be exempted from the definitions of "broker" and "dealer." This interpretation of Corcoran's testimony would line up with the earlier recounted dialogue between Pecora, the Senate Committee counsel, and Potter, the New York banker, *see supra*, as further evidence that Congress' primary reason for exempting banks from SEC broker-dealer regulation was that banks were already extensively regulated by other federal and state agencies.

The SEC, however, calls our attention to the fact that Corcoran's interpretation of the Glass-Steagall Act as precluding profit brokerage echoed that of the then Comptroller of the Currency, an official enforcer of the Act. Actually the Comptroller's first official interpretation of the Glass-Steagall Act did not occur until after Congress passed the 1934 Exchange Act.[20] But even if we credit the SEC's argument that it corroborates some common understanding among significant outside participants in the process that the Act limited banks to accommodation brokerage transactions, we are still hesitant to conclude without more direct evidence from congressional sources themselves, *i.e.*, reports or member statements, that Congress itself not only misunderstood the thrust of its own Glass-Steagall offspring, but proceeded to enact further legislation based primarily on that misconception.

Finally, even if we did accept the SEC's assumption that Congress, when enacting the Securities Exchange Act in 1934, acted on an erroneous premise that Glass-Steagall precluded retail bank brokerage activities, SEC's Rule 3b-9 still could not stand. Yet another assumption is essential to its validity: that if Congress had only known how the Comptroller and the courts were going to interpret the Glass-Steagall Act, Congress would not have exempted banks from the SEC's broker-dealer regulation. There is absolutely no evidence in the legislative history supporting (or negating) this assumption. It is entirely possible—though admittedly speculative—that had Congress anticipated a more liberal interpretation of the Glass-Steagall Act, it would still have decided to leave banks in the hands of bank regulators alone, so as not to subject banks to the double-whammy of additional federal oversight. The contrary prediction may be just as plausible—and just as speculative. It comes down to this: It is not the job of courts to play the game of "what if" in predicting congressional reactions to hypothetical circumstances. Absent an express delegation to the SEC to take account of future changes in banking practices and/or banking regulatory activities, we must give effect to the unambiguous language of the statute itself. *Board of Governors v. Dimension Financial Corporation*, — U.S. —, 106 S.Ct. 681, 88 L.Ed.2d 691 (1986). Our review of the legislative history of the 1934 Act does reveal some ambiguities in it—but these ambiguities cannot serve to erode the unambiguous language of the Act. There is no clear congressional intent to direct otherwise.

C. The 1975 Amendments

We find in post-1934 events yet another reason to honor the clear statutory language in this case. Whatever Congress' understanding of the Glass-Steagall Act during the passage of the Securities Exchange Act in 1934, forty years later Congress reaffirmed the basic regulatory structure set up in the 1934 Act: banks are to be supervised exclusively by banking regulators and not by the SEC.

In 1975, a year after the then Comptroller of the Currency issued his opinion letter repudiating the accommodation concept, Congress enacted a comprehensive set of amendments to the Securities Exchange Act of 1934. The House-passed version contained a provision that directed the SEC "to make a study of the securities activities conducted by persons who are not brokers or dealers . . . to determine . . . whether the exclusion from the definition of broker and dealer are necessary and appropriate for the protection of investors and to achieve the purposes of this title." H.R. 4111, § 20A(j)(1). The Report of the House Committee on Interstate and Foreign Commerce accompanying H.R. 4111 showed an awareness that the interpretation of the Glass-Steagall Act was changing, and that banks were becoming increasingly involved in brokerage business: "Since 1934, banks have been excluded from the definition of 'broker' and 'dealer' under the Securities Exchange Act. It had been thought that the Glass-Steagall Act had effectively removed banks from the securities business. In recent time, however, banks have undertaken a host of securities related activities." H.R.Rep. No. 123 94th Cong., 1st Sess. 93 (1975).

The Senate bill did not contain a similar study provision, but the Conference Committee picked up the House provision. The Conference Report, however, tempered the House Report's reference to the original understanding of the Glass-Steagall Act: "These provisions do not authorize the Commission to study or make recommendations with respect to whether these activities are or should remain permissible under the Banking Act of 1933. This matter is the subject of a planned investigation by the Senate Committee on Banking, Housing, and Urban Affairs." H.R.Conf.Rep. No. 229, 94th Cong., 1st Sess. 111 (1975), U.S.Code Cong. & Admin.News 1975, pp. 179, 342. With that caution, and some slight modification in language, the House-originated study provision was enacted into law. Act of June 4, 1975, Pub.L. No. 94-29, 89 Stat. 111.

Thus, both Houses of Congress were aware as late as 1975 that the administrative interpretations of the Glass-Steagall Act was undergoing considerable revision and that new interpretation of the Glass-Steagall Act might well bring banks actively into the retail brokerage business. Congress, moreover, was sufficiently concerned about the implications of this development to direct the SEC study. Nevertheless, Congress did not see fit then or since to amend the 1934 Act's definitions of "broker" and "dealer" to include banks. Furthermore, rather than authorize appropriate rulemaking if, in its expertise, the SEC concluded that banks should be subject to broker-dealer regulation, Congress directed the agency to report back to Congress "with *recommendations for legislation* as it deems advisable." 15 U.S.C. § 78k-1(e) (emphasis supplied).[21]

Thus, in a new statute passed forty years after the Exchange Act, Congress determined not to amend the definitions of "broker" "dealer" or "bank" to authorize the SEC to regulate banks as broker-dealers without further congressional consideration. Especially in light of such recent action (or purposeful inaction), this court cannot now find authority for the SEC to amend the 1934 statutory definitions by administrative regulation, much as we might sympathize with the SEC's motivation for and the public interest in such regulation. That is a move that Congress alone can make. So far it has not chosen to do so.

D. Relevant Caselaw

The SEC cites the Supreme Court's decision in *SEC v. Variable Annuity Life Insurance Co. of America (VALIC)*, 359 U.S. 65 79 S.Ct. 618, 3 L.Ed.2d 640 (1959), for the proposition that courts need not always feel bound by the literal language of exceptions to definitions in statutes enforced by the SEC. In *VALIC* the issues were whether a variable annuity contract was a "security" within the definition of that term in the Securities Act of 1933 and whether a company offering these variable annuity contracts was an "investment company" within the definition of that term in the Investment Company Act of 1940.

As the Supreme Court stated, the 1933 Act explicitly exempted "insurance" or "annuity" contracts from the definition of "security," and the 1940 Act explicitly exempted an institution which met the definition of "an insurance company" from the definition of "an investment company." Except for the exemptions, the variable annuity contract and the companies that offered them would fall within the 1933 Act definition of "security" and the 1940 Act definition of "investment company."

The Investment Company Act defined an exempted "insurance company" as "a company . . . whose primary and predominant business activity is the writing of insurance or the reinsuring of risks underwritten by insurance companies and which is subject to supervision by the insurance commissioner or a similar official or agency of a State. . . ." 15 U.S.C. § 80a-2(a)(17).

The 1933 Securities Act did not actually contain a definition of "insurance" or "annuity contract." The statute merely stated that its provisions "shall not apply to . . . any insurance . . . or annuity contract, issued by a corporation subject to the supervision of the insurance commissioner, bank commissioner, or any agency or officer performing like functions, of any State. . . ." 15 U.S.C. § 77c(a)(8).

The SEC points out the similarity between the exemptions in *VALIC* and those in this case; like the 1934 Act exemption for banks, the exemptions for annuities and insurance companies in *VALIC* were structured in terms of existing supervision by other agencies. The Supreme Court in *VALIC*, however, held that variable annuity contracts and the companies that offered them were not exempt from the statutory definitions of "security" and "investment company" and hence were subject to SEC regulation.

Despite surface similarity, we find crucial distinctions between *VALIC* and this case. The decision in *VALIC* turned on the fact that a variable annuity contract contained markedly distinct features from a traditional fixed-dollar annuity contract. A "recent development" in 1959, a variable annuity paid out in "fluctuating amounts, measured ultimately by the company's success in investing the premium payments received from annuitants." 359 U.S. at 95, 79 S.Ct. at 634 (Harlan, Jr., J., dissenting). Accordingly, the holder of a variable annuity, as opposed to a fixed annuity, "participates on an 'equity' basis in the investment experience of the enterprise," just like the owner of a share of company stock or a mutual fund does. 359 U.S. at 79, 79 S.Ct. at 626 (Brennan, J., concurring). Thus, although a variable annuity contract by name might fit a literal reading of "any insurance . . . or annuity contract," the Supreme Court concluded that Congress, in exempting insurance-type contracts from SEC regulation, did not intend to exempt what were essentially equity shares, however labelled:

> "[A]bsent some guarantee of fixed income, the variable annuity places all the investment risks on the annuitant, none on the company. The holder gets only a *pro rata* share of what the portfolio of equity interests reflects—which may be a lot, a little, or nothing. We realize that life insurance is an evolving institution. . . . But we conclude that the concept of "insurance" involves some risk-taking on the part of the company."

359 U.S. at 71, 79 S.Ct. at 621 (footnote omitted). And, since variable annuity contracts were not "insurance" for the purposes of SEC regulation, a company that was organized to offer only variable annuities was not a company "whose primary and predominant business activity is the writing of insurance."

In contrast, here there is no issue about whether members of the American Bankers Association meet the statutory definition of "bank" in 15 U.S.C. § 78c(a)(6). While it is true that some such institutions are actively brokering securities and stock, the fact remains that a "substantial" portion of the business of these institutions consists of traditional banking services.[22] This is not then the analogue to *VALIC* where an institution calls itself a bank, but the substantial portion of its business does not consist of traditional banking services.

In *VALIC* the Supreme Court found sufficient imprecision in the statutory term "insurance" to permit it to decide that a variable annuity did not fit that term. The Supreme Court did not conclude that although variable annuities concededly fell within the insurance exemption, sound regulatory policy required SEC oversight of these contracts (and the companies that offered them). Here, on the other hand, there is no question that the 15 U.S.C. § 78c(a)(6) definition of "bank" encompasses ABA members. Therefore, a validation of Rule 3b-9 would require this court to override unambiguous statutory language and to determine, for policy reasons, that SEC should be allowed to impose additional government oversight upon banks that engage in nonaccommodation brokerage activities. If nothing else, the Supreme Court's decision in *Board of Governors v. Dimension Financial, supra*, precludes such a course.

Dimension Financial was a case involving institutions whose only "banking" services were offering "negotiable order of withdrawal" or NOW accounts. The Bank Holding Company Act defined "bank" for the purposes of its operative provisions as including any institution "which . . . accepts deposits that the depositor has a legal right to withdraw on demand." *See* 106 S.Ct. at 683. Although NOW accounts did not give depositors the legal right to withdraw upon demand, the Board of Governors of the Federal Reserve System considered NOW accounts as the functional equivalent of traditional checking accounts and attempted to regulate institutions which offered them as banks. Therefore, despite the unambiguous statutory language, the Board of Governors issued a regulation that defined "banks" under the Bank Holding Company Act as including "any institution that . . . accepts deposits that 'as a matter of practice' are payable on demand." *See id.* In invalidating the Board's regulation, the Supreme Court stated:

> "Without doubt there is much to be said for regulating financial institutions that are the functional equivalent of banks. NOW accounts have much in common with traditional payment-on-demand checking accounts; indeed we recognize that they generally serve the same purpose. Rather than defining 'bank' as an institution that offers the functional equivalent of banking services, however, Congress defined with specificity certain transactions that constitute banking subject to regulation. The statute may be imperfect, but the Board has no power to correct flaws that it perceives in the statute it is empowered to administer. Its rulemaking power is limited to adopting regulations to carry into effect the will of Congress as expressed in the statute."

Id. at 689 (footnote omitted). Here, as in *Dimension Financial*, the 1934 Act may be imperfect in not allowing SEC regulation of banks that engage in discount brokerage activities, but here, as in *Dimension Financial*, the Statutory definition of "bank" precludes the agency from issuing a regulation fundamentally altering that imperfect definition.

Thus, *Dimension Financial* and not *VALIC* controls our statutory interpretation in this case. We note as well that, in contrast to the congressional decision in 1975 to leave the bank exclusion intact, in *VALIC* there was no legislative reaffirmation of the exemptions after Congress became aware of the problem of variable annuities.

III. THE "CONTEXT CLAUSE" AND THE SEC'S AUTHORITY TO DEFINE THE ACT'S "TERMS"

The upholding the validity of Rule 3b-9, the District Court relied on the clause "unless the context otherwise requires," which precedes all forty definitions contained in the 15 U.S.C. § 78c. The District Court held that the existence of this "context" clause rendered the statutory definitions of "broker," "dealer," and "bank" imprecise, thereby triggering judicial deference to a reasonable agency interpretation of these terms under *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837, 104 S.Ct. 2778, 81 L.Ed.2d 694 (1984). The Court found Rule 3b-9 to represent a reasonable interpretation of "bank" because "the services now promoted by the bank[s] are functionally indistinguishable from those offered by registered brokers," a change from the circumstances in which banks "merely provid[ed] accommodation services to existing customers." J.A. at 97.

For the same reasons, the District Court held that the SEC's redefinition of "bank" fell within the delegation that "[t]he Commission and the Board of Governors of the Federal Reserve System, as to matters within their respective jurisdictions, shall have power by rules and regulations to define technical, trade, accounting, and other terms used in this chapter, consistently with the provisions and purposes of this chapter." 15 U.S.C. § 78c(b). The SEC now argues that we should affirm the judgment of the District Court on one or both of these bases.

A. The Context Clause

First and foremost, we do not accept the major premise of the SEC's context clause argument: that the phrase "unless the context otherwise requires" refers to out-of-Act market or regulatory circumstances as well as in-Act textual contexts. We read the context clause as meaning only that if in the case of a frequently occurring statutory term, its immediate context suggests that a literal application of the statutory definition would produce absurd consequences or run counter to the obvious thrust of the section, the agency may appropriately modify the definition. *See SEC v. National Securities, Inc.*, 393 U.S. 453, 466, 89 S.Ct. 564, 571, 21 L.Ed.2d 668 (1969) ("Congress itself has cautioned that the same words may take on a different coloration in different sections of the securities laws.").

It is true that the Supreme Court in *Marine Bank v. Weaver,* 455 U.S. 551, 102 S.Ct. 1220, 71 L.Ed.2d 409 (1928), suggests that the context clause may authorize an agency or court to take account of outside circumstances in construing a term defined in the 1934 Act. That observation was however, both unnecessary to the Court's holding [23] and proffered only in a passing reference with no explanation or discussion.[24] We are convinced by the more elaborately reasoned, post-*Marine Bank* decision in *Ruefenacht v. O'Holloran,* 737 F.2d 320 (3d Cir.1984), *aff'd sub. nom. Gould v. Ruefenacht,* 471 U.S. 701, 105 S.Ct. 2308, 85 L.Ed.2d 708 (1985), that the context clause does not confer such a broad license upon courts and the SEC to change basic decisions made by Congress. We will not repeat here Judge Gibbons' persuasive opinion in *Ruefenacht,* but only briefly summarize its discussion of the context clause's legislative history to explain why we conclude that "context" refers only to in-Act textual context.

The context clause in the 1934 Act had its original in an identical clause which preceded all the definitions in the 1933 Securities Act. The Senate and House versions of the 1933 Act contained different versions of this prefatory clause. The House version contained the clause "unless the *context* otherwise required." The Senate version simply read "unless the *text* otherwise indicates." Although the Conference Committee adopted the House version, the Conference Report makes no mention of any difference between these prefatory clauses. The Third Circuit inferred from the absence of any discussion that the distinction between "text" and "context" had no particular significance. We reach the same conclusion that "Congress did not intend the context clause as a font of authority" for the SEC to alter definitions in the 1934 Act "when the underlying facts may seem to warrant." 737 F.2d at 331.

Even if we agreed that the context clause permits more input than is found inside the four walls of the statute, there would remain a serious question about when factual "context" actually "requires" deviation from the statutory definition. Specifically, if Congress exempted banks from SEC broker-dealer regulation to avoid imposing on banks additional government oversight regardless of precisely what bank brokerage activities Glass-Steagall allowed, can it reasonably be said that the relevant "context" has changed simply because banking regulators have now liberalized their interpretations of Glass-Steagall strictures? It sounds farfetched. But it illustrates the point that giving such sail to the context clause would embroil courts in constant controversies as to whether the context that had changed was really relevant at all. According wide deference to agency judgment on the relevance of the context could of course minimize judicial review responsibilities, but it would also revolutionize current rules of statutory construction and doctrines of plain meaning and congressional intent. It is too big a step to take on the basis of a rote phrase embedded in a definition section of a complex statute.

In closing out this discussion, we stress that even if the context clause on some other occasion might justify interpreting a statutory definition in light of changing market conditions, it cannot carry the weight of Rule 3b-9. Here, the unambiguous language that Congress chose for the statutory definitions of "broker," "dealer," and "bank" (formulations that Congress repeated in the 1940 Investment Company and Investment Advisers Acts) expresses a congressional delineation of the jurisdictional boundaries between the SEC and banking regulators. A universal clause preceding every definition in the statute, which states only "unless the context otherwise requires," cannot provide the authority for one of the agencies whose jurisdictional boundaries are defined in the statute to alter by administrative regulation those very jurisdictional boundaries. To suggest otherwise is to sanction administrative autonomy beyond the control of either Congress or the courts.

B. 15 U.S.C. § 78c(b)

Section 78c(b), on which the District Court also relied, gives the SEC authority to define technical, trade, accounting, and other terms only with respect to "matters within [its] jurisdiction []." The whole point of the bank exclusion clauses in the definitions of "broker" and "dealer" is to place banks outside the broker-dealer jurisdiction of the SEC and leave them to the jurisdiction of banking regulators alone. The SEC cannot use its definitional authority to expand its own jurisdiction and to invade the jurisdiction of other agencies including the Board of Governors. Such use of § 78c(b) would not be "consistent[] with the provisions and purposes of this chapter." *Cf. FAIC Securities, Inc. v. United States,* 768 F.2d 352, 362 (D.C.Cir. 1985) (holding that a similar grant of definitional authority to the FDIC did not allow the agency to expand its jurisdiction by redefining terms already defined by statute).

Indeed, the very language of § 78c(b) reminds us that Congress delegated to the Board of Governors, and not the SEC, the authority to enforce certain provisions of the 1934 Act and so to define terms fully within its enforcement authority. Thus, even if it could be shown that Congress intended to delegate the authority to redefine "bank" so as to bring banks back within the definition of "broker" and "dealer," we would have no statutory basis for deciding which agency Congress chose for this delegation. Contrary to the SEC's assumption that it would be the only logical choice, we think the fact that an institution meets the statutory definition of "bank" simply by being within the jurisdiction of the Federal Reserve System suggests that the Board of Governors might be the more likely candidate. At base, however, we cannot read the 1934 Act as granting either agency the authority to redetermine jurisdictional boundaries laid down in the 1934 Act.[25] Under the law as presently written, that is a task that Congress has reserved for itself.

CONCLUSION

[2] In the end, all of the SEC's efforts to avoid the "plain meaning" of the definitions of "broker," "dealer" and "bank" fail. We give effect to the statutory language not simply because its meaning is as "plain" as can be, but because it reflects a basic decision by Congress on how to allocate responsibility among different federal agencies for regulating financial institutions and markets. Rule 3b-9, whatever its beneficial purpose or the regulatory need for some such authority, still represents an attempt by one federal agency to reallocate, on its own initiative, the regulatory responsibilities Congress has purposefully divided among several different agencies. It is tantamount to one of the regulatory players unilaterally changing the rules of the game. The SEC by itself cannot extend its jurisdiction over institutions expressly entrusted to the oversight of the Comptroller, the Board of Governors, the FDIC, and others.

Given the dramatic changes in the nature of financial institutions and market practices in the last fifty years, Congress might do well to undertake a comprehensive reexamination of the Glass-Steagall Act and the Securities Acts. Indeed, it might well determine from such a reexamination that banks should be allowed to engage in brokerage business like any other broker, but that banks should be regulated by the SEC like any other broker. Until that day, however, the SEC operates under the limited authority of the 1934 Act and must refrain from regulating banks as broker-dealers. The judgment of the District Court is

Reversed.

FOOTNOTES

[*] Of the United States District Court for the Northern District of Illinois, sitting by designation pursuant to 28 U.S.C. § 294(d).

[1] National banks are banks chartered under the laws of the United States. *See* 12 U.S.C. § 21.

[2] The original version of § 16 did not include the word "stock," suggesting that national banks could not purchase or sell corporate stock even "without recourse" and "solely upon the order, and for the account of, customers." *See* 48 Stat. 184-85 (1933). In 1935, Congress amended § 16 to correct this omission. *See* 49 Stat. —— (1935).

[3] The original version of § 21 did not contain the proviso at the end. *See* 48 Stat. 189 (1931). The proviso was added by the 1935 clarifying amendments. *See* 49 Stat. 707 (1935).

[4] The Comptroller's decision was upheld in *Securities Industry Ass'n* v. *Board of Governors,* 577 F.Supp. 252 (D.D.C.1983), *aff'd,* 758 F.2d 739 (D.C.Cir.1985) (per curiam), *cert. denied,* —— U.S.——, 106 S.CT. 790, 88 L.ED.2d 768 (1986); *cert. granted* on other grounds sub nom. *Clarke* v. *Securities Industries, Ass'n,* —— U.S. ——, 106 S.Ct. 1259, 89 L.Ed.2d 569 (1986).

[5] The validity of the Federal Reserve Board's interpretation is currently at issue in *Securities Industry Ass'n* v. *Board of Governors,* Nos. 86-5089 et al. (oral argument held April 4, 1986).

[6] In 1977 (after the Comptroller's 1974 reinterpretation but before the 1980s reinterpretations), the SEC knew of only a single bank that engaged in profit-seeking, nonaccommodation brokerage business comparable to nonbank brokers. *See Reports on Bank Securities Activities of the Securities and*

Exchange Commission for the Senate Comm. on Banking, Housing, and Urban Affairs, 95th Cong., 1st Sess. 86, 97–98 (Comm.Print 1977). In contrast, by December 1983 the ABA itself stated that there were as many as 1,000 banks engaging in discount retail brokerage services and that the number was growing rapidly. Administrative Record at 41.

[7] In addition to requiring banks to register with the SEC as broker-dealers, Rule 3b–9 would subject banks to additional specific regulations. First, under current SEC rules, persons associated with broker-dealers must pass SEC examinations before they can sell securities or become involved in the management of a securities firm. *See* 50 Fed. Reg. 28,385, 28,387. Second, the 1934 Exchange Act itself imposes on broker-dealers an affirmative duty to adequately supervise its employees in order to prevent violations of federal securities laws. *Id.* at 28,388. Third, the SEC has adopted rules prohibiting broker-dealers from engaging in abusive sales practices, such as "churning" customer accounts in order to increase brokerage commissions. *Id.* at 28,388, 28,390. Fourth, broker-dealers must comply with specific guidelines concerning the content and review of advertisements. *Id.* at 28,388. Fifth, the SEC administers periodic examinations and inspections of broker-dealers as part of its supervisory authority to ensure compliance with the securities laws. *Id.* Sixth, brokers are required by statute to become members of the Securities Investor Protection Corporation, an entity with potentially conflicting authority with the Federal Deposit Insurance corporation which now regulates banks. *See* Appellant's Brief at 37–38; Administrative Record at 521–22. Finally, the SEC sets capital requirements for broker-dealers, which allegedly could conflict with the capital requirements set for banks by appropriate banking regulators. *See* Appellees' Brief at 61 n. 76.

[8] *See* Blue Print for Reform: Report of the Task Group on Regulation of Financial Services 39–41 (1984) ("The Bush Report") (recommending a "mix of institutional and functional regulatory programs").

[9] Rule. 3b–9 exempts a bank that publicly solicits brokerage business from broker-dealer regulation if the bank itself does not perform the brokerage services but instead contracts with a registered broker-dealer to perform the brokerage services. Similarly, a bank receiving commissions for brokerage services for its trust accounts need not register as a broker-dealer if "the bank executes the transactions through a registered broker-dealer and. . . each account independently chooses the broker-dealer through which execution is effected." 17 C.F.R. § 240.3b–9(a)(2)(i) (1986). Rule 3b–9, however, also requires a bank to register with the SEC as a broker-dealer if it "deals in. . . securities," *id.* § 240.3b–9(a)(3), even though § 16 of the Glass-Steagall Act provides that a national bank "may purchase for its own account investment securities under such limitations and restrictions as the Comptroller of the Currency may by regulation prescribe." 12 U.S.C. § 24 (Seventh). Rule 3b–9 also exempts from SEC broker-dealer regulation a bank that effects each year no more than 1,000 transactions of the type that would bring the bank within the Rule. *id.* § 240.3b–9(b)(2).

[10] Counsel for the SEC stated at oral argument that the clause excluding from the bank exemption institutions that "are operated for the purpose of evading the provisions [of the 1934 Act]" does not apply to ABA members, who are bona fide banks. Transcript of Oral Argument at 29.

[11] The only imprecise element in the statutory definition of bank is the word "substantial" in the third of the three enumerated means by which an institution can qualify as a bank for the purposes of the Exchange Act, *i.e.,* if it is "a banking institution. . . a *substantial* portion of the business of which consists of receiving deposits or exercising fiduciary powers similar to those permitted to national banks. . . and which is supervised by State or Federal authority having supervision over banks." But the content of "substantial" is not at issue in this case. An institution qualifies as a bank under 15 U.S.C. § 78c(a)(6) simply because it has a national charter or because it is a member of the Federal Reserve System; for these institutions there is no inquiry as to whether a "substantial portion of [their] business" consists of exercising traditional banking functions. Additionally, no claim has been made even for those members of the ABA that must qualify under the third prong, that despite their increased brokerage business, "a substantial portion of [their] business [does not] consist of receiving deposits or exercising fiduciary powers similar to national banks." Only if a state-chartered banking institution that was not a member of the Federal Reserve System were to become so engrossed with the business of brokering securities that receiving deposits or exercising fiduciary powers became an *insubstantial* portion of its business would it fail to qualify as a "bank," and hence meet the statutory definition of "broker" or "dealer," subjecting it to broker-dealer regulation under the 1934 Act. Rule 3b–9, of course, does not purport to turn on the meaning of "substantial," but rather attempts to reach banks which clearly satisfy all three alternatives set forth in the statutory definition of bank.

[12] *See also* H. Rep. No. 1383, 73d Cong., 2d Sess. 17 (language similar to Senate Report).

[13] *See* 12 U.S.C. § 378(a)(2) (requiring any person or institution "in the business of receiving deposits subject to check or to repayment upon presentation of a passbook" to be subject to regulation and periodic examination by banking regulators).

[14] Among the reasons for legislation enumerated in § 2 of the Securities Exchange Act, Congress specifically cited the need "to protect and make more effective the national banking system and the Federal Reserve System." 15 U.S.C. § 78b.

[15] The Senate Report states in detail:

> The evidence submitted to the committee by experts on the staff of the Federal Reserve Board has indicated that uncontrolled speculation on security markets was an important cause of the credit inflation which led to the collaspe of 1929 and the subsequent depression. Banks diverted their credit from agriculture, commerce and industry to the stock market, where it contributed to the over expansion of big enterprises, largely engaged in interstate commerce. Corporations took advantage of the abnormal demand for securities by raising new capital, which was not necessary for plant expansion, but which they loaned in the call-money market, thus encouraging further speculation. When the crash finally came, brokers' loans were called, causing greater depreciation in the value of securities, including those held in bank portfolios. This contributed largely to the widespread bank failures, which imperiled the national banking structure. . . .
>
> S. Rep. No. 792. 73d Cong., 2d Sess. 3 (1934).

[16] Congress considered two alternatives before it decided to create the SEC. One plan was to have all the provisions of the statute administered by the Board of Governors. 78 Cong. Rec. 8162 (1934). The other proposal was that the Board of Governors should administer only those provisions affecting banks and banking, and that the Federal Trade Commission should administer the exchanges and broker-dealers. *Id.* Congress rejected these alternatives because it did not want existing agencies directly involved with the oversight of exchanges and broker-dealers. Congress wanted a new commission to handle this specialty, but Congress also limited the new commission to this specialty. Congress did not intend the new commission to involve itself with the Federal Reserve System. *See Id.* at 8161–63.

[17] The Senate and House bills both had identical exemptions for "a banking institution organized under the laws of the United States" and for "a member bank of the Federal Reserve System." The Senate bill additionally included in its definition "a banking institution . . . the business of which includes banking and/or the administration of trusts and/or other functions normally performed by banks, which is supervised or examined by State or Federal banking authority, and which does not normally and customarily rehypothecate securites hypothecated with it." S. 3420, 73d Cong., 2d Sess. § 3(a)(6). Insofar as the House version, which did not contain the additional condition concerning hypothecation of securities, was adopted by Congress, the legislative history reinforces the conclusion that Congress did not intend the exemption for banks from the definitions of "broker" and "dealer" to depend in any way on the securities activities of banking institutions under banking regulation.

[18] The Supreme Court has held that a nonbanking subsidiary of a bank holding company may operate a discount brokerage business. *Securities Industry Ass'n v. Board of Governors,* 468 U.S. 207, 104 S.Ct 3003, 82 L.Ed2d 158 (1984). The Court, however, expressly left open the question whether a bank itself could engage in discount brokerage activities for nonbanking customers. *Id.* at 219 n. 20, 104 S.Ct. at 3011 n. 20.

[19] *See supra* n. 4 and accompanying text.

[20] Because Congress delayed for a year the operation of §§ 16 and 21 of the Glass-Steagall Act, they did not even go into effect until June 16, 1934, ten days after the enactment of the Securities Exchange Act. Thus, the Comptroller had no occasion to officially apply these sections until after Congress passed the 1934 Act. Moreover, during that year, the meaning of §§ 16 and 21 was anything but settled. The Comptroller believed that the language of § 16, as originally enacted, absolutely prohibited banks from brokering *stocks* even if "without recourse" and only "upon the order, and for the account of, customers." *See, supra,* n. 2. Yet, because he did not believe that Congress intended to reach this result, the Comptroller was urging Congress to amend Glass-Steagall to explicitly allow these bank brokerage activities. *See* Kress, The Banking Act of 1935, 34 Mich.L. Rev. 155, 177–78 **(1935) (citing 1933 Annual Report of the Comptroller of the Currency).**

[21] In its response to Congress directive, the SEC concluded that the exclusion of banks in the definitions of "broker" and "dealer" should not be eliminated, saying that the imposition of its broker-dealer regulation on banks would result in "duplicative and burdensome regulation." *Reports on Bank Securities Activities of the Securities and Exchange Commission, S. Comm, on Banking, Housing, and Urban Affairs,* 95th Cong., 1st Sess. 305 (Comm.Print 1977). Instead, to the extent that bank brokerage activities needed additional regulation in order to "assure adequate investor protection," the SEC recommended that Congress require federal banking regulators to promulgate such rules. *Id.* at 305–08.

[22] *See, supra,* n. 11.

[23] The issue in *Marine Bank* was whether a bank certificate of deposit was a "security" for the purposes of the 1933 Securities Act. Although the Supreme Court acknowledged that the statutory definition of "security" was sufficiently broad to cover a bank certificate of deposit, the inherent nature and function of the instrument was such that it did not make sense to classify it as a "security" for purposes of the 1933 Act. *Marine Bank* holds only that in order to determine whether a particular financial instrument is a security, one must examine the underlying economic realities. A more recent Supreme Court decision, *Landreth Time Company v. Landreth,* 471 U.S. 681, 105, S.Ct. 2297, 85 L.Ed.2d 692 (1985), also supports reading *Marine Bank* as a case stressing the need to consider the underlying economic realities in charting inherently imprecise contours of the term "security." *See id.* at 2304 & n. 4. Even without a context clause, the Court would have done the same thing and arrived at the same conclusion. Thus, because the 1933 Act definition of "security," unlike the 1934 Act definition of "bank" often requires an independent examination of factual circumstances, it would go too far to infer from *Marine Bank* a general interpretation of the "context" clause allowing some kind of economic realities test for all forty definitions in the Securities Exchange Act.

[24] The opinion simply stated: "The definition of 'security' in the 1934 Act provides that an instrument which seems to fall within the broad sweep of the Act is not to be considered a security if the context otherwise requires." 455 U.S. at 558–59, 102 S.Ct. 1224–25.

[25] As part of the 1975 amendments to the 1934 Act, Congress added "other" terms to the list of generic definitions contained in § 78c(b). According to the Senate Report the purpose of this amendment was "to broaden the authority of the Commission and the Board of Governors of the Federal Reserve System to make clear that they may define any term used in the Exchange Act, whether or not it is already defined in the title." S.Rep. No. 94–75, 94th Cong., 1st Sess. 94 (1975), U.S. Code Cong. & Admin. News 1975, 272. This language does not alter our determination that the SEC cannot redefine a statutory term if doing so would encroach on the jurisdiction of the Board of Governors. We note further that the amendment to the SEC's definitional authority appears in the same statute that directed the SEC to make recommendations for *legislation* concerning whether the Exchange Act should be amended to include banks within the definitions of broker and dealer. *See, supra,* Part II.C. It seems highly unlikely that in the same Act, the legislators would direct the SEC to make a *study* of the precise question here and recommended legislation on it, and also authorize the SEC to decide that very same question any way it chose.

By Mr. DANFORTH (for himself, Mr. BAUCUS, Mr. DURENBERGER, Mr. HEINZ, Mr. SANFORD, and Mr. GRAHAM):

S. 1176. A bill to amend the Internal Revenue Code of 1986 to exclude research facility bonds from the volume cap for qualified 501(c)(3) bonds; to the Committee on Finance.

TAX TREATMENT OF CERTAIN RESEARCH FACILITY BONDS

- Mr. DANFORTH. Mr. President, today I am introducing legislation to assist our major colleges and universities in their efforts to expand and improve their basic research facilities.

Last year, as part of the Tax Reform Act of 1986, Congress placed a cap on the amount of tax-exempt bonds that can be issued by organizations such as private colleges and universities. Under the new law, private colleges and universities may not have outstanding more than $150 million of tax-exempt obligations. The $150 million cap does not apply to bonds the proceeds of which are to be used with respect to a hospital. My bill adds one more exception to the $150 million cap—namely, bonds the proceeds of which are to be used by a college or university with respect to a research facility or to provide research equipment. Simply put, my bill will permit private colleges and universities to issue tax-exempt bonds without limitation for the purpose of building, expanding, and improving their research facilities and equipment. It is my intention that for purposes of this exception funds will be considered to be used with respect to a research facility if they are applied toward the acquisition, construction, reconstruction, modernization, or rehabilitation of facilities substantially all of which are devoted to the conduct of research or experimentation, or research training or education in the physical, engineering, mathematical, biological, biomedical, or computer sciences.

Mr. President, the idea for my bill has an interesting genesis. I was not approached by lobbyists for Harvard, Cornell, MIT, Washington University, or Stanford, even though each of these excellent research universities are likely to benefit from the legislation. The fact is that the idea for this exception came on April 3, 1987, during a hearing held by the Subcommittee on Taxation and Debt Management of the Committee on Finance. One of the witnesses at the hearing was Dr. Hans Mark, chancellor of the University of Texas System. In his written testimony, Chancellor Mark stated:

> The other major tax provision I wish to discuss has to do with the financing of university research facilities. In recent years, the tax exempt securities market has become an important source of funds for building new laboratories. Last year under the Tax Reform Act, Congress imposed a $150 million limit on the tax exempt financing of private non-profit institutions. Although this provision does not affect public universities like the ones in The University of Texas System, it will affect many of our nation's foremost research universities, and for that reason we should all be concerned. I hope that Congress will create a special category of research facilities and see to it that their construction can be financed under favorable tax exempt terms. Just as in the case of the basic research tax credit, there is no doubt that such a provision is, indeed, good public policy.

I found this proposal to be remarkable because Chancellor Mark presides over a public system of higher education which stands to benefit not one iota by the proposal. The University of Texas System is not subject to the $150 million cap on tax-exempt bonds and can issue tax-exempt bonds without limitation and use the proceeds thereof for any purpose in furtherance of its educational objectives. Notwithstanding this fact, Chancellor Mark advocated an exemption from the $150 million cap for some of its principal competitors because he recognizes that the basic research conducted by our leading universities and colleges, regardless of whether they are public or private institutions, is critical to maintaining our Nation's leadership position in a world where new technologies and new knowledge become outdated and superseded virtually overnight.

Every day those of us in public life make speeches lamenting our Nation's eroding competitive edge. Japan produces more engineers and scientists per capita than the United States produces. Japan, West Germany, and several other countries spend a higher portion of their gross national products on civilian research than the United States does. Our heavy industries are closing their doors because they cannot compete with goods produced in Japan, Korea, Taiwan, Brazil and elsewhere.

This all makes for interesting rhetoric, but what concrete steps do we take? Unfortunately, our actions belie our words. Instead of addressing our problems through encouraging research and development, we cut our spending on R&D, and we cut the R&D tax credit. Instead of encouraging more students to continue their educations, we cut back on Federal assistance to higher education, we tax students on their scholarships, and we eliminate the tax deductibility of interest paid on student loans. Instead of working with higher education and industry to develop a joint government-education-industry partnership to get America back on its feet, we raise business taxes, increase the cost of capital, limit incentives for private individuals to make gifts to colleges and universities, and increase the costs of research activities conducted on the campuses of our major private research colleges and universities.

My bill won't redress all of these misdirections, but it does solve one small problem. My bill says that public and private universities shall be treated the same when raising funds for research facilities and equipment. My bill recognizes that the basic research conducted by universities is one component of a complex solution to our lagging competitiveness.

I am not alone in this conclusion. In early 1986 the White House Science Council Panel on the Health of U.S. Colleges and Universities submitted its report, "A Renewed Partnership," to the President of the United States. This report unequivocally concludes that increased Federal support for research by our Nation's universities is critical to the overall health of our economy. The report states:

> We are certainly not alone in recognizing that science and technology are critical to our future. Nations everywhere are investing in these capabilities. We conclude that we must rethink and, in many ways, rebuild the critically important interaction between universities, government, and industry that have served this Nation so well in the past. The federal government-university relationship is too fundamental to the maintenance of our national science and technology base to be taken for granted, and the industry-university partnership is emerging as critical to exploiting that base in order to compete in the world marketplace.
>
> One conclusion is clear: our universities today simply cannot respond to society's expectations for them or discharge their national responsibilities in research and education without substantially increased support.
>
> * * * * *
>
> The strength of the nation in trade, defense, and health has been directly related to past investments in science and technology. Our future position in global markets will similarly depend on our willingness to respond to opportunity and to mobilize our strengths today. To this end, we must promote a broad interdisciplinary approach to problem-solving by focusing on university-based centers that will improve cooperative linkages between scientists, engineers, and industry.

My bill represents one small step on a long journey toward achieving the objectives set forth in "A Renewed Partnership"; but even one small step, if taken in the right direction, is a good start.

Mr. President, I hope the Senate will act quickly to pass my bill. I ask unanimous consent that the full text of my bill be included in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESEARCH FACILITY BONDS EXCLUDED FROM QUALIFIED 501(c)(3) BOND VOLUME CAP.

(a) IN GENERAL.—Paragraph (1) of section 145(b) of the Internal Revenue Code of 1986 (relating to $150,000,000 limitation on bonds other than hospital bonds) is amended—

(1) by inserting "or a qualified research facility bond" after "a qualified hospital bond", and

(2) by inserting "and nonresearch facility" after "nonhospital".

(b) QUALIFIED RESEARCH FACILITY BOND DEFINED.—Section 145 of the Internal Revenue Code of 1986 (relating to qualified 501(c)(3) bond) is amended by redesigning subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"(d) QUALIFIED RESEARCH FACILITY BOND.—For purposes of this section, the term 'qualified research facility bond' means any bond issued as part of an issue 95 percent or more of the net proceeds of which are to be used—

"(1) with respect to a research facility, or

"(2) to provide research equipment.".

(c) CONFORMING AMENDMENTS.—

(1) The heading for subsection (b) of section 145 of the Internal Revenue Code of 1986 is amended by inserting "AND RESEARCH FACILITY" after "HOSPITAL".

(2) Paragraph (2) of section 145(b) of such Code is amended—

(A) by inserting "AND NONRESEARCH FACILITY" after "NONHOSPITAL" in the heading thereof,

(B) by inserting "and nonresearch facility" after "nonhospital" in subparagraph (A),

(C) by inserting "or a qualified research facility bond" after "a qualified hospital bond" in subparagraph (B)(i),

(D) by inserting "AND NONRESEARCH FACILITY " AFTER "NONHOSPITAL" in the heading for subparagraph (C), and

(E) by inserting "or a research facility or to provide research equipment" after "hospital" each place it appears in subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendment made by section 1301(b) of the Tax Reform Act of 1986.●

By Mr. PRYOR (for himself and Mr. STEVENS):

S. 1177. A bill to amend title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the thrift savings fund when restrictions on such investments and payments are caused by the statutory public debt limit; ordered placed on the calendar by unanimous consent.

THRIFT SAVINGS FUND INVESTMENT

● Mr. PRYOR. Mr. President, today I am introducing legislation to ensure the integrity of the Federal employees retirement system's thrift savings plan. The Federal Employees Retirement System Act of 1986 created a new retirement system for Federal employees, integrating Social Security with a defined benefit and a thrift savings plan. For the first year of operation, the thrift savings plan was required by Congress to be invested solely in special Government securities issued by the Department of the Treasury. Unfortunately, the legislation made no provision for the investment of this money when the debt limit ceiling is reached.

On May 15, the current temporary increase in the debt limit, contained in the Omnibus Budget Reconciliation Act of 1986, will expire. While the Department of Treasury has stated that it will have sufficient funds to continue Government operations until May 28, it will stop issuing Government securities to the thrift savings plan on May 15. This means that, as of May 15, employee contributions to their thrift savings plan cannot be invested as required by law. The legislation I am introducing today is intended to correct this catch-22 situation. It ensures that once Congress acts on the debt limit, the employee accounts in the thrift savings plan will be credited with the interest that would have accrued had the money been invested as required by law.

Similar action has been taken to protect the Social Security and civil service retirement trust funds in the past. This legislation introduced today does not create a new benefit. It simply ensures fair treatment for Federal employees covered by the Federal employees retirement system.●

By Mr. DOMENICI:

S. 1178. A bill to permit the continued vitality of various agricultural enterprises; to the Committee on the Judiciary.

AGRICULTURAL WORKERS

Mr. DOMENICI. Mr. President, last year I refused to support the Immigration Reform and Control Act for several reasons. Although I did not support the act, it is now the law of the land. However, there are areas where the bill needs to be corrected.

One area that needs to be corrected is the special agricultural workers provision. I am introducing a bill which would clarify the scope of that provision.

My bill would ensure that all fruits, vegetables, grains, cereals, and nuts are covered under the special agricultural workers provision.

The bill also includes temporary ranch labor under the Special Agricultural Worker Program. The drafters of the act neglected to include temporary ranch labor under the Special Agricultural Worker Program. This omission has grave consequences for many ranches in the West. Just as many crops are produced and harvested by illegal aliens working as temporary labor, so too are many livestock products produced using this labor pool.

The Immigration Reform and Control Act makes it illegal for employers to hire illegal aliens and imposes stiff penalties on employers who violate the act. The purpose of this provision is to halt the flow of illegal aliens into the United States by reducing the incentive of employment.

In the Immigration Act, however, Congress recognized that many of the crops of this country are grown and harvested by illegal aliens. To assure that American consumers will continue to be provided with those crops and to guarantee that our Nation's agricultural enterprises will be able to obtain the labor that they need, Congress set up the Special Agricultural Workers Program.

The Special Agricultural Workers Program allows illegal aliens who have resided in the United States and worked for set periods in jobs defined as "seasonal agricultural services" to remain in the United States and become legal residents, even though they are not eligible for their regular amnesty. This provision is intended to assure that an adequate number of agricultural workers remain in this country.

In addition, in order to replace those agricultural workers who move on to other jobs after they obtain legal status, the Special Agricultural Workers Program provided for the admittance of "replenishment workers" to the United States. In order for replenishment workers to be admitted to the United States, there must be a shortage of workers available to perform seasonal agricultural services. These workers would be admitted as temporary residents and would have to work in seasonal agriculture for set periods in order to be awarded permanent resident status.

These special agricultural workers are needed to produce the crops of this country. Without these workers, agricultural products that we find in our supermarkets will become either unavailable or far more expensive.

Under the Immigration Act, the Department of Agriculture is to determine what are "seasonal agricultural services." On April 22, the Department issued its draft regulations defining "seasonal agricultural services." If adopted, these regulations would destroy many agricultural enterprises in New Mexico and throughout the West. The proposed regulations are unreasonable and vague and fail to include many of the crops that the Special Agricultural Workers Program was intended to cover.

The proposed rules make arbitrary distinctions as to what is and what is not a "seasonal agricultural service." For instance, the harvesting of Christmas trees is, but the harvesting of alfalfa is not. The harvesting of hops is, but the harvesting of hay is not. These are distinctions without differences.

Furthermore, the proposed regulations are vague. In reviewing the regulations, it is unclear whether pecans, peanuts, silage corn, chile peppers, and other agricultural commodities produced in New Mexico are covered under the definitions of "fruits, vegetables, and other perishable commodities."

On April 23, I wrote to the Secretary of Agriculture and informed him of my concerns about these proposed regulations. I suggested to him that the proposed regulations be withdrawn and that the Department start from scratch in drafting new regulations. It is my hope that a new set of regulations would take into account the intent of Congress in adopting the Special Agricultural Workers Program.

Failing that, the Department should assure that crops that were intended to be included under the Special Agricultural Workers Program, such as alfalfa, barley, hay, oats, rye, and wheat, are in fact included. The Department also needs to clarify whether other crops, such as pecans, peanuts, silage corn, chili peppers, are included under the provision.

However, Mr. President, I am not optimistic that the Department will change its position. Therefore, I am introducing this bill today. This bill will ensure that American consumers will continue to obtain the crops that they desire and that the agricultural enterprises of this Nation will be able to hire the workers that they need.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1178

Be it enacted by the Senate and the House of Representatives of the United States in Congress assembled,

Subsection (h) of section 210 of chapter 1 of title II of the Immigration and Nationality Act is amended to read as follows:

"(h) Seasonal Agricultural Services Defined.—In this section, the term 'seasonal agricultural services' means the performance of field work related to planting, cultural practices, cultivating, growing, and harvesting of fruits, nuts, cereals, grains, and vegetables of every kind and other perishable commodities as defined in regulations by the Secretary of Agriculture, or related to the breeding, raising, grazing, and preparation for market of poultry and livestock of all kinds including animal specialties."

By Mr. PRYOR:

S. 1181. A bill to amend the Federal Salary Act of 1967 and title 5 of the United States Code to provide that the authority to determine levels of pay for administrative law judges be transferred to the Commission on Executive, Legislative, and Judicial Salaries; to the Committee on Governmental Affairs.

DETERMINATION OF SALARIES FOR ADMINISTRATIVE LAW JUDGES

● Mr. PRYOR. Mr. President, I rise today to introduce legislation to transfer authority for determining the salaries of Administrative Law Judges [ALJ] from the Office of Personnel Management [OPM] to the Commission on Executive, Legislative, and Judicial Salaries. Representative Mary Rose Oakar has authored and introduced H.R. 385—an identical bill—in the House of Representatives.

Absolute impartiality in the administrative process is the motivating factor in my introducing this legislation. There are over 1,000 ALJ's in 29 Federal agencies who must be free from pressures which might be brought to bear on them as they carry out their duties under the Administrative Procedure Act [APA] and other Federal statutes. This bill fosters such impartiality by removing the Federal Government from the process of setting ALJ salaries.

In the Civil Service Reform Act of 1978, Congress properly excluded ALJ's from the Senior Executive Service [SES] and precluded them from receiving bonuses or pay for performance evaluations. In doing so, Congress separated ALJ's from influences which could diminish their independence from the agency to which they are attached. If this were not the case, for example, an ALJ might hesitate to reverse an agency decision against a claimant, knowing that an agency official would later assess the ALJ's performance.

Unfortunately, complete independence is still lacking under current law, since ALJ's are classified as General Schedule [GS] Federal employees. Such a classification leaves open a scenario whereby ALJ decisional independence is threatened, since ALJ's remain subject to real or perceived pressure by OPM, as that agency administers ALJ pay levels.

Mr. President, ALJ's and Federal judges are governed by different pay setting processes for no apparent reason. Federal judges are insulated from influence since the Commission has responsibility for their salaries. In contrast, ALJ's must look to OPM for salary determinations. I believe this distinction is inconsistent, since ALJ's and Federal judges are both charged with conducting fair and impartial judicial proceedings and rendering decisions supported by facts and law. Furthermore, it makes little sense to have the APA on one hand, with important provisions of that statute assuring the independence of ALJ's from outside influence, and the Federal Salary Act on the other, perpetuating a pay-setting structure which allows at least the possibility that influence can be exerted on ALJ's.

Mr. President, ALJ's need the full measure of independence which Federal judges enjoy. To conclude otherwise, would be to determine that parties in administrative proceedings deserve a lesser standard of justice than their counterparts before the Federal courts. This bill provides critical independence by removing OPM from the ALJ pay setting process.

I urge my colleagues to give serious consideration to this legislation. I'm hopeful it will be enacted into law so that the administrative process can more fairly serve both citizens and Government, as well as resolve disputes in a manner in which we all can have confidence and pride.●

By Mr. PACKWOOD (for himself and Mr. Wirth):

S.J. Res. 126. Joint resolution to designate March 16, 1988, as "Freedom of Information Day"; to the Committee on the Judiciary.

FREEDOM OF INFORMATION DAY

● Mr. PACKWOOD. Mr. President, I rise today to introduce a joint resolution which authorizes the President to proclaim March 16, 1988, as national "Freedom of Information Day."

March 16 marks the 237th anniversary of James Madison's birthday. Mr. Madison, our fourth President and father of the Bill of Rights, is the American most responsible for many of the constitutional freedoms we enjoy today, in particular, freedom of speech and the press.

James Madison is considered the architect of our Bill of Rights, yet his contribution to our democratic society is all too often overlooked. Mr. Madison understood the importance of free speech and a free press to a democratic government. He knew intuitively that if the American people had access to information about their Government, that Government would be more responsive to their desires. His vision of a society where everyone could openly express their thoughts has helped preserve the other freedoms guaranteed by the Constitution.

Thanks to the efforts of Mr. Madison and others like him, Americans can speak their convictions without fear of censure. A national Freedom of Information Day will remind the American people and the rest of the world that our freedom of expression plays a vital role in both shaping our country and preserving our liberties.

By proclaiming Madison's birthday as national Freedom of Information Day we will reaffirm the significance we attach to our most precious liberties. I urge my colleagues to join me in honoring Madison and the principles for which he stood.●

● Mr. WIRTH. Mr. President, I am pleased to join as an original cosponsor of this resolution introduced by my esteemed colleague from Oregon, Senator Packwood, to designate March 16, 1988, as national "Freedom of Information Day."

March 16, 1751, was the birthdate of our fourth President and father of the Bill of Rights, James Madison. In a year in which we are celebrating the bicentennial of our Constitution, the men who crafted the delicate balance of governing with protecting basic human rights deserve our attention as well. America's traditions of a free press and open debate have become two precious legacies left to us by Mr. Madison. These two constitutionally guaranteed rights set us apart from those societies that do not permit citizens a voice in government. These rights define our Nation as a democracy.

As our country was being formed, Mr. Madison envisioned a new society led by a govenment open and accessible to the people that it served. He wanted Americans to enjoy what he called a peculiar freedom to scrutinize their Government. This freedom could only be exercised when the people had access to information about what their Government was doing—access to the truth. The ability to readily obtain and disseminate information is what Mr. Madison secured for us through the Bill of Rights. Freedom of information would ensure that the United States remained forever by and for the people, as the Constitution states. Our citizens, empowered with information, can hold officials accountable for their actions and make electoral decisions based on honest and open debate. James Madison recognized that a government, faced with an informed society and an active press, must be responsive to its citizens.

More than 200 years ago, these ideas were considered radical. Yet today most Americans take these freedoms—the freedom to ask questions and receive an honest answer, the freedom to hold Government officials up to public scrutiny—for granted. And we strongly condemn the lack of these freedoms in other societies. Yet, we sometimes forget that the freedom of information and the opportunity to openly exchange ideas form a foundation for most of our other constitutional freedoms.

A national "Freedom of Information Day" in 1988 would once again serve to remind Americans and the rest of the world of the vital role these liberties have played in shaping this country. It would honor the most fundamental right of an American—the right to a free and robust marketplace of diverse ideas. An editorial, written by Jean Otto of the Rocky Mountain News on March 16 of this year, clearly expresses the importance of Mr. Madison's ideas and why it is equally important to nationally recognize the impact of his contributions; and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Rocky Mountain News, Mar. 16, 1987]

MADISON LAID FOUNDATION OF LIBERTY

(By Jean Otto)

A few months ago a front-page story in the Wall Street Journal lamented that James Madison, who built the framework of our Constitution, goes largely unsung. That's not quite true. No one who studies or gives a speech on this nation's precepts or its guaranteed freedoms can ignore Madison's part in fastening them to the Constitution through the Bill of Rights.

Today, March 16, is the 236th anniversary of Madison's birth. For the second consecutive year, it is being observed nationally, by resolution of the Congress and the president's signature. Public Law 99-539 designates Madison's birth date as "Freedom of Information Day" and urges that all federal, state and local government agencies and the American people observe the day with appropriate programs, ceremonies and activities.

Without the fine hand of Madison in its creation, our government likely would not have reconciled the seemingly contradictory principles of order and freedom. This was the work of the scholar Madison, whose essays in the Federalist Papers helped persuade Americans to ratify the Constitution.

Thomas Jefferson said Madison provided "the best commentary on the principles of government that has ever been written." For example: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself." He understood that "all men having power ought to be distrusted."

The countervailing weight to power, put Madison into in the hands of the people, was information. People who have information, he said, have the means to keep freedom.

So it is appropriate that Madison's birthday be observed as Freedom of Information Day. The observance, celebrated informally for a half-dozen years or so by journalists and some others, became official in 1986 when Tim Wirth, then in the House of Representatives, and Bob Packwood and Bill Proxmire in the Senate led the effort. They did it again for 1987, and the resolution passed last Oct. 27 says, in part:

"Whereas the freedoms we cherish as Americans are fostered by free access to information;" and "Whereas many Americans, because they have never known any other way of life, take for granted the guarantee of free access to information that derives from the First Amendment to the Constitution of the United States," March 16 should be set aside to honor Madison.

In times when the freedom that comes from information is curtailed in so many parts of the world, Madison's uncommon legacy deserves to be recognized. He was no idealistic dreamer. He never believed that a free press was risk free. But he knew that only by guaranteeing all ideas, all arguments, all information access to the marketplace could people freely make choices. "To the press alone, checkered as it is with abuses, the world is indebted for all the triumphs . . . gained by reason and humanity over error and oppression."

Madison deserves this nation's salute.●

ADDITIONAL COSPONSORS

S. 10

At the request of Mr. CRANSTON, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of S. 10, a bill to amend the Public Health Service Act to improve emergency medical services and trauma care; and for other purposes.

S. 12

At the request of Mr. GLENN, his name was added as a cosponsor of S. 12, a bill to amend title 38, United States Code, to remove the expiration date for eligibility for the educational assistance programs for veterans of the All-Volunteer Force; and for other purposes.

At the request of Mr. CRANSTON, the names of the Senator from Connecticut [Mr. DODD], the Senator from Ohio [Mr. METZENBAUM], the Senator from Colorado [Mr. ARMSTRONG], the Senator from Missouri [Mr. BOND], and the Senator from Florida [Mr. CHILES] were added as cosponsors of S. 12, supra.

At the request of Mr. MURKOWSKI, the names of the Senator from California [Mr. WILSON], the Senator from New Mexico [Mr. DOMENICI], the Senator from Iowa [Mr. GRASSLEY], the Senator from Virginia [Mr. WARNER], the Senator from New York [Mr. D'AMATO], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of S. 12, supra.

S. 332

At the request of Mr. DECONCINI, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 332, a bill to provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans; and for other purposes.

S. 407

At the request of Mr. GARN, the names of the Senator from Kansas [Mr. DOLE] and the Senator from Tennessee [Mr. GORE] were added as cosponsors of S. 407, a bill to grant a Federal charter to the Challenger Center; and for other purposes.

S. 538

At the request of Mr. METZENBAUM, the names of the Senator from West Virginia [Mr. ROCKEFELLER] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 538, a bill to implement the recommendations of the Secretary of Labor's Task Force on Economic Adjustment and Worker Dislocation; and for other purposes.

S. 567

At the request of Mr. DeConcini, the names of the Senator from Iowa [Mr. Grassley], the Senator from Michigan [Mr. Riegle], and the Senator from Nevada [Mr. Hecht] were added as cosponsors of S. 567, a bill to clarify the circumstances under which territorial provisions in licenses to distribute and sell trademarked malt beverage products are unlawful under the antitrust laws.

S. 604

At the request of Mr. Pryor, the name of the Senator from Utah [Mr. Garn] was added as a cosponsor of S. 604, a bill to promote and protect taxpayer rights; and for other purposes.

S. 780

At the request of Mr. Reid, the name of the Senator from Georgia [Mr. Fowler] was added as a cosponsor of S. 780, a bill to amend the enforcement provisions of the Federal Election Campaign Act of 1971.

S. 842

At the request of Mr. Cranston, the name of the Senator from Connecticut [Mr. Weicker] was added as a cosponsor of S. 842, a bill to amend the Peace Corps Act to authorize appropriations for fiscal years 1988 and 1989, to authorize the encouraging of contributions to the Peace Corps, and to provide for activities to promote Americans' understanding of other peoples.

S. 997

At the request of Mr. Pell, the name of the Senator from New York [Mr. Moynihan] was added as a cosponsor of S. 997, a bill to require the Director of the National Institute on Aging to provide for the conduct of clinical trials on the efficacy of the use of tetrahydroaminoacidine in the treatment of Alzheimer's disease.

S. 1020

At the request of Mr. Moynihan, the name of the Senator from Idaho [Mr. McClure] was added as a cosponsor of S. 1020, a bill to create the office of Librarian of Congress Emeritus.

S. 1080

At the request of Mr. Boschwitz, the name of the Senator from North Dakota [Mr. Burdick] was added as a cosponsor of S. 1080, a bill to amend the Automobile Information Disclosure Act to provide information as to whether or not certain motor vehicles are capable of using gasohol.

SENATE JOINT RESOLUTION 86

At the request of Mr. DeConcini, the name of the Senator from New Jersey [Mr. Lautenberg] was added as a cosponsor of Senate Joint Resolution 86, a joint resolution to designate October 28, 1987, as "National Immigrants Day."

SENATE JOINT RESOLUTION 87

At the request of Mr. Riegle, the names of the Senator from Minnesota [Mr. Durenberger], the Senator from North Dakota [Mr. Burdick], the Senator from Illinois [Mr. Dixon], the Senator from New Jersey [Mr. Lautenberg], the Senator from Georgia [Mr. Nunn], the Senator from West Virginia [Mr. Rockefeller], and the Senator from Idaho [Mr. McClure] were added as cosponsors of Senate Joint Resolution 87, a joint resolution to designate November 17, 1987, as "National Community Education Day."

SENATE JOINT RESOLUTION 99

At the request of Mr. DeConcini, the names of the Senator from Rhode Island [Mr. Chafee], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. McCain], and the Senator from New York [Mr. Moynihan] were added as cosponsors of Senate Joint Resolution 99, a joint resolution to express the sense of the Congress that the Special Supplemental Food Program for Women, Infants, and Children should receive increasing amounts of appropriations in fiscal year 1988 and succeeding fiscal years.

SENATE JOINT RESOLUTION 115

At the request of Mr. Murkowski, his name was added as a cosponsor of Senate Joint Resolution 115, a joint resolution making an urgent supplemental appropriation for emergency assistance to the Polish independent trade union organization NSZZ "Solidarnosc" for the fiscal year ending September 30, 1987; and for other purposes.

SENATE JOINT RESOLUTION 125

At the request of Mr. Roth, the name of the Senator from Rhode Island [Mr. Chafee] was added as a cosponsor of Senate Joint Resolution 125, a joint resolution to designate the period commencing on May 9, 1988, and ending on May 15, 1988, as "National Stuttering Awareness Week."

SENATE CONCURRENT RESOLUTION 15

At the request of Mr. Heflin, the names of the Senator from Idaho [Mr. Symms] and the Senator from North Dakota [Mr. Burdick] were added as cosponsors of Senate Concurrent Resolution 15, a concurrent resolution expressing the sense of the Congress that no major change in the payment methodology for physicians' services, including services furnished to hospital inpatients, under the Medicare Program should be made until reports required by the 99th Congress have been received and evaluated.

SENATE CONCURRENT RESOLUTION 29

At the request of Mr. DeConcini, the names of the Senator from Connecticut [Mr. Dodd] and the Senator from Maine [Mr. Cohen] were added as cosponsors of Senate Concurrent Resolution 29, a concurrent resolution expressing the sense of Congress regarding the inability of American citizens to maintain regular contact with relatives in the Soviet Union.

SENATE RESOLUTION 174

At the request of Mr. DeConcini, the names of the Senator from New York [Mr. D'Amato], the Senator from South Dakota [Mr. Pressler], the Senator from Florida [Mr. Graham], the Senator from North Carolina [Mr. Helms], and the Senator from Idaho [Mr. Symms] were added as cosponsors of Senate Resolution 174, a resolution expressing the sense of the Senate condemning the Soviet-Cuban buildup in Angola and the severe human rights violations of the Marxist regime in Angola.

SENATE RESOLUTION 209—RELATIVE TO THE DEATH OF THE HONORABLE STEWART B. McKINNEY, OF CONNECTICUT

Mr. WEICKER (for himself and Mr. Dodd) submitted the following resolution; which was considered and agreed to:

S. Res. 209

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Stewart B. McKinney, late a Representative from the State of Connecticut.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate recesses today, it recess as a further mark of respect to the memory of the deceased Representative.

SENATE RESOLUTION 210—ORIGINAL RESOLUTION REPORTED AUTHORIZING SUPPLEMENTAL EXPENDITURES FOR SENATE COMMITTEES

Mr. FORD, from the Committee on Rules and Administration, reported the following original resolution; which was placed on the calendar:

S. Res. 210

Resolved, That this resolution may be cited as the "Supplemental Committee Funding Resolution of 1987".

Sec. 2. Section 2(a) of Senate Resolution 80, agreed to January 28, 1987 (hereafter in this resolution referred to as the "Resolution") is amended by striking out "$45,087,512" and inserting in lieu thereof "$45,879,819".

Sec. 3. Section 5(b) of the Resolution is amended by striking out "$2,167,877" and inserting in lieu thereof "$2,447,184".

Sec. 4. Section 11(b) of the Resolution is amended by striking out "$2,223,333" and inserting in lieu thereof "$2,458,333".

Sec. 5. Section 14(b) of the Resolution is amended by striking out "$4,262,841" and inserting in lieu thereof "$4,412,841".

Sec. 6. Section 16(b) of the Resolution is amended by striking out "$1,231,058" and inserting in lieu thereof "$1,326,058".

SEC. 7. Section 18(b) of the Resolution is amended by striking out "$907,901" and inserting in lieu thereof "$960,901".

SEC. 8. Section 20(b) of the Resolution is amended by striking out "$1,926,804" and inserting in lieu thereof "$1,906,804".

SEC. 9. Section 9(b) of the Resolution is amended by inserting after the words "of which amount" the following: "(1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2)".

SEC. 10. (a) Section 2(a) of Senate Resolution 353, 99th Congress, is amended by striking out "$43,597,366" and inserting in lieu thereof "$43,617,366".

(b) Section 20(b) of Senate Resolution 353, 99th Congress, 2nd Session, as amended, be amended by striking out "$1,864,131" and inserting in lieu thereof "$1,884,131".

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for the public that an oversight hearing has been scheduled before the full Committee on Energy and Natural Resources on the President's report to the Congress on energy security. That report was submitted yesterday.

The hearing will take place on Wednesday, May 20, 1987, at 2 p.m. in room SD-366 of the Dirksen Senate Office Building. The witness at the hearing will be the Honorable William F. Martin, Deputy Secretary of Energy.

By way of background, section 3102(a) of the Omnibus Budget and Reconciliation Act of 1986 required the Secretary of Energy to prepare a study of:

> Domestic crude oil production and petroleum refining capacity and the effects of imports thereon in order to assist the Congress and the President in determining whether such production and capacity are adequate to protect the national security.

The Secretary's report, entitled "Energy Security" was submitted to the President and to the Congress on March 17, 1987.

Section 3102(d) also required the President, within 45 days after receiving the Secretary's report, to:

> Report his views concerning the levels at which imports of crude oil and refined petroleum products become a threat to the national security and advise the Congress concerning his views of the legislative or administrative action, or both, that will be required to prevent imports of crude oil and refined petroleum products from exceeding those import levels that threaten our national security.

The hearing will examine the Energy Security Report, and the President's report.

I will be frank to admit that I am extremely disappointed by the lack of substance in the President's report. Perhaps he and his aides did not feel it was necessary to pay attention to the statutory requirement for him to report on the "levels at which imports of crude oil and refined petroleum products become a threat to the national security" because he did not deal with that issue. Nor did he identify the legislative or administrative action, or both, that will be required to prevent import levels that threaten our national security. Instead, he reiterated an old laundry list of "significant steps on which the Congress has failed to act" implying that action on those items would be sufficient to make our domestic oil industry healthy again. I find this particular statement ironic given the fact that two of his proposals—the 5-year Outer Contintental Shelf leasing plan and the report on the Arctic National Wildlife Refuge—have been before this Congress less than 30 days. On yet another recommendation, that concerning nuclear power, several committees of Congress are even now making significant progress. But none of these are the issue, for none of these approach in scope the magnitude of the problem we see before us.

The Energy Security Report to the President paints a sobering picture. It shows a domestic oil industry on the decline, imports increasing to more than 50 percent of our supplies in the early 1990's under even the best case scenario, and increasing dependence on Persian Gulf countries for vital world oil supplies.

Even if all the President's laundry list were enacted, it would not reverse that trend. I am disappointed that he ignored any initiatives that would realistically address the problem.

We will ask Secretary Martin about the President's report, and about the DOE report. I hope that he will be able to shed some light on why the President chose to ignore the statutory requirement to identify what level of oil imports constitutes a security threat to this Nation, and to prescribe some suggested solutions to that problem.

Questions concerning the hearing should be addressed to Betsy Moler, senior counsel to the committee, at 224-0612.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. LEVIN. Mr. President, I would like to announce that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, will hold a hearing on Friday, May 15, 1987, at 9:30 a.m. in room 342 of the Dirksen Senate Office Building, on Investigation into Food Safety and Inspection Service [FSIS] Inspection Activities.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, May 8, 1987, to hold open hearings on trade issues that fall under the jurisdiction of the committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Energy Research and Development of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Friday, May 8, 1987, to continue hearings concerning proposals to restructure the Department of Energy's Uranium Enrichment Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

WORK-RELATED PROGRAMS FOR WELFARE RECIPIENTS

● Mr. CHILES. Mr. President, a major challenge facing the Congress is to develop appropriate policies to ensure that employable welfare recipients find jobs in the regular economy. Last year, Senator DOMENICI and I had requested that the Congressional Budget Office prepare a study which reviewed evidence about the effectiveness of work-related programs for welfare recipients and which examined a number of Federal policy options in this area.

The Congressional Budget Office has just issued its report and I am releasing it today. I want to compliment the authors on the professional analysis they have prepared. The findings support my decision to include funds for job training of welfare recipients in the budget for each of the next 4 years.

The Congressional Budget Office found that programs such as job search assistance and job training were moderately effective in increasing the average earnings and employment of economically disadvantaged female welfare recipients. For example, in four recent demonstration programs, the number of participants with jobs increased by between 3 and 6 percentage points. Moreover, the results are strongest for those who lacked much previous work experience. For the first time, there is some hope of reaching those who have the most severely disadvantaged employment history.

These results are encouraging. They suggest that programs which provide job training or job search assistance to welfare recipients can increase their employment and earnings compared with the results which would occur in the absence of any program. Increased earnings can mean reduced need for welfare payments and increased tax revenues for all levels of government, both of which can offset some or all of the costs of the work program. However, the CBO report also helps keep these achievements in perspective. The increase in employment rates—mentioned earlier—ranged from 3 to 6 percentage points. The work, programs evaluated to date will not move massive numbers of recipients off the rolls. These programs are not a panacea for overall welfare dependency.

The CBO findings reinforce the argument for providing funds to further States' abilities to implement work-related programs. Also, such funding will allow more types of programs to be tried and this will generate information as to which approaches work best. To this end, as I noted earlier, I have provided room in the budget for Federal funds to support the implementation of these programs.

Although I do not expect to see welfare disappear as a result of this new funding, I feel that the results attained thus far suggest that positive results should probably be forthcoming from the expenditure of the new funds set-aside in the budget.●

ESSAY CONTEST WINNERS

● Mr. LUGAR. Mr. President, today I would like to introduce my colleagues to a group of Indiana students who have distinguished themselves and their State. This group of young Hoosiers last year participated in the second annual Eighth Grade Youth Essay Contest, which I sponsor in association with Bank One of Indianapolis. I submit their names for the RECORD today because they stand as representatives of our State and show the capabilities of our students.

The theme each of the students wrote about was: "Good Food From Indiana: From Our Farms To Our Tables." I also submit for the RECORD the winning essays of Toanh Nguyen of Bartholomew County and Shannon Barr of Cass County.

The material follows:

SENATOR LUGAR'S ESSAY CONTEST

DISTRICT WINNERS

District 1:
Chad Barney, Laurie Jana.
District 2:
Tim Lemper, Julie Malcolm.
District 3:
Shannon Barr, Amy Hunter.
District 4:
Douglas Marshall, Sandie Colclesser.
District 5:
Rischi Sharma, Sherri Trumble.
District 6:
Chris Stringer, Chrissy Barker.
District 7:
Daniel Antes, Penny Young.
District 8:
Eric Weaver, Toanh Nguyen.
District 9:
Mark Kluemper, Robin Higgs.
District 10:
Matt Zimmerman, Tricia Turpen.

COUNTY WINNERS

Lake County:
Mike Kros, Debbie Sabo.
Pulaski County:
Samuel Butwein, April Amen.
St. Joseph County:
Joel Smith, Leslie Lawson.
Porter County:
Chad Barney, Tina Sutton.
Fulton County:
Lauri Jana.
Marshall County:
Christine Voreis.
Whitley County:
Todd Alan Naragon, Heather Workman.
Noble County:
Doug Cartbaugh, Jessica Gabet.
Steuben County:
Jennifer Marshall.
Dekalb County:
Tim Lemper, Julie Malcolm.
Allen County:
Chad Timmerman, Pam Fordham.
Benton County:
Brian McCabe, Amy Hunter.
Clinton County:
Gary Kingery, Lesley Gilbert.
Cass County:
Shannon Barr, Paula Kiser.
Jasper County:
Amy Dunlop.
Newton County:
John Haney, Stephanie Frischie.
Adams County:
Brian Brewster, Dawn Cummings.
Blackford County:
Douglas Marshall.
Grant County:
Teresa Corey.
Jay County:
Brant Bergdoll, Tonya Jo Cline.
Howard County:
Matthew Bilodeau, Kristi Suffield.
Miami County:
Tina Wooten.
Wabash County:
Chris Morningstar, Michelle Blair.
Huntington County:
Sandie Colclesser.
Morgan County:
Damian Nonte, Lisa Everroad.
Warren County:
Rischi Sharma, Sherri Trumble.
Boone County:
Eric Fleck, Sasha Carter.
Delaware County:
Chad Beehler, Ivy Hart.
Hamilton County:
Mike Musselman, Chrissy Barker.
Henry County:
Steven Batchfield, Kim Weaver.
Marion County:
Chris Stringer, Anissa Buerge.
Madison County:
Lynn Tuer.
Martin County:
Will Walker, Nikki Wagler.
Sullivan County:
Kristal Richard.
Virgo County:
Daniel Antee, Penny Young.
Clay County:
Bryann Fagg, Darlene Swim.
Knox County:
Troy Roark.
Greene County:
Keith Kimmel, Heather Halt.
Posey County:
Robin Higgs.
Spencer County:
Jennifer Hammond.
Dubois County:
Mark Kluemper, Amy Erny.
Gibson County:
Chuck Epperson, Katie Betz.
Pike County:
Neil Broeker, Jerri Kirby.
Warrick County:
Scott Murphy, Sarah Ferguson.
Vanderburgh County:
Tyrone Taylor, Leslie Bidwell.
Orange County:
Justin Morgan.
Floyd County:
Matt Zimmerman, Rosalou Schmitt.
Harrison County:
Nathaniel Blessett, Candi Mathews.
Jefferson County:
Clint Schultz, Jennifer Smith.
Clark County:
Carolyn Stephens.
Ripley County:
Bob Erins, Julie Pulskamp.
Switzerland County:
Lesley Jones, Malinda Bishop.
Washington County:
Tom McDaniel.
Ohio County:
Chuck Dugle, Katrina Roberts.
Bartholomew County:
Eric Weaver, Toanh Nguyen.
Decatur County:
Randall Gallbraith, Nita Hensley.
Franklin County:
Doug Walter, Carrie Ritz.
Union County:
Jenny Pohler.

CENTRAL MIDDLE SCHOOL—BARTHOLOMEW COUNTY

[Good Foods From Indiana: From Our Farm To Our Tables]

Amanda Lisp and Amy Blume live in Covington, Indiana. They are walking home after a long day of school.

"My stomach hurts so bad," groans Amanda, "it's been hurting for the past few weeks."

"Why don't you go to the doctor," inquired Amy.

"I did, and he said my body lacks the right nutrients for it to work right. I have no idea what to eat to get the nutrients I need," said Amanda sullenly.

"Maybe I can help you. We're studying about nutrition in health class . . . Let me get my notes out. Okay, it says that meat and poultry, fruits and vegetables, cereal, and milk are the four food groups. You need two servings of meat and cereal, four servings of fruits and vegetables, and three glasses of milk daily."

"That doesn't sound very hard," interrupted Amanda.

"Mr. Zetterberg, my health teacher, said another important thing in gaining good health are the following six nutrients: carbohydrates, proteins, minerals, vitamins, water and fats. They help make your bones and organs stronger, and it helps get rid of your wastes," said Amy.

"Gosh, I'm learning a lot!" exclaimed Amanda.

"We're very lucky to be living in Indiana. It grows and raises most of the food in the four food groups. Indiana is the sixth most important farm state in the union!

"One of the most valuable crops is corn. We grow wheat, corn, and soybeans. Hogs, cattle, and chickens are most of what we raise," said Amy, intelligently.

"Now I know what they mean when they say 'Good food from Indiana. From our farms to our tables,' " replied Amanda.

"I hope what I've told you helps you to choose the right foods for your body," said Amy.

"It does; my stomach feels better already!" exclaimed Amanda.

DISTRICT 3 WINNER—SHANNON BARR PIONEER JR-SR HIGH SCHOOL—CASS COUNTY

Lights flashed through my bedroom window, and I could hear the growling noise of the combine. It was late, but I lay wondering just what products do Indiana farmers produce and how much of these products do we need for our four basic food groups?

I woke up the next morning and started eating breakfast. I was eating cereal when I noticed that it was made of corn, soybean oil and wheat. Then I realized the milk and sausage probably came from an Indiana farm. Then I decided to do further research on the foods that come from Indiana farms.

From my research I found out that dairy farms in Indiana produce our milk, cheese, butter, ice cream, and other products made with milk. I also found out to stay healthy one needs two to four servings a day for strong, healthy and flexible bones and teeth.

We also get our meats and eggs from Indiana farms, as well. These all come from beef cattle, hogs, sheep, and poultry that are raised. From meats and eggs we get protein, and we need two servings of meat a day to build up strong muscles.

Likewise, our breads and cereals come from the grains farmers produce. Such grains as corn, soybeans, wheat and oats are raised in abundance. One needs four servings of breads and cereals to be broken down into sugars for energy.

The last products Indiana farmers produce are fruits and vegetables. Indiana farmers produce many different kinds of fruits and vegetables. Some of these are watermelons, cantaloupe, tomatoes, pumpkins, squash, green beans and many others. To stay healthy, one needs four servings of fruits and vegetables daily.

Finally, I've learned from my research that the Indiana farmers have a very important job to do. They provide us with some of our basic food needs.●

PAY RETENTION FOR FEDERAL WAGE GRADE EMPLOYEES IN THE TUCSON, AZ, WAGE GRADE AREA

● Mr. DECONCINI. Mr. President, I am pleased that my colleagues yesterday passed the bill I authorized to provide pay retention for Federal wage grade employees in the Tucson wage grade area. I want to particularly thank the majority and minority leaders, and the chairmen and subcommittee chairmen and ranking minority members of the Senate Government Affairs and Budget Committees for their invaluable assistance and swift action on this most important legislation.

Mr. President, S. 942 removes the hardship imposed on many dedicated Federal employees who have suffered wage reductions as a result of a wage survey conducted in 1986. In the wake of a severe local economic recession in the Tucson, AZ, wage area, a salary review and adjustment was conducted pursuant to subchapter IV of chapter 53 of title 5, United States Code. Due to numerous copper mine closures, and their direct effect upon the supporting industries, the prevailing wages in five Arizona counties plummeted. The mine closures forced hundreds of low-income wage employees into the local labor market. In turn, this caused a temporary, but dramatic deflation in the prevailing wages of these "blue collar" wage employees in the affected communities.

At the same time, other factors were influencing the computation of the prevailing wage standards of many of these same Federal employees. It appears that for some time, the Monroney amendment, which authorizes pay retention when there are insufficient number of comparable skilled employees for which to base the wage scale, had been used to adjust the annual wage system survey for the Tucson wage area. Therefore, the Office of Personnel Management surveyed the nearest similar labor market—Phoenix—for comparable skills. Since the wage levels for these skills, particularly aircraft mechanics, did not exceed the wage levels in the Tucson labor market, the Monroney amendment was not applied at that time. The Monroney amendment has since been repealed by the Gramm amendment; however, the pay differential for Tucson and Phoenix markets has reversed itself. In other words, because of the onset of the depression in the Tucson market, Tucson wage employees salaries were cut because they could no longer use the Phoenix wage levels which now exceeded the Tucson levels. The combined effect of the repeal and the local economic recession which occurred subsequent to the repeal resulted in severe wage reductions for those "blue collar" Department of Defense employees who can least afford to absorb these drastic cuts.

Mr. President, I continue to be an ardent supporter of wage grade surveys. The intent of Congress when it passed this legislation in 1972 was not to take advantage of market anomalies and return a windfall to the Federal Government at the expense of these devoted Federal employees without the financial standing to withstand such cuts. Beginning March 1, 1987, several hundred lower end wage employees, grades 1-8, in the Tucson wage grade area, have been subjected to salary cuts as much as $2,600 annually. The overall annual salary reduction will total over $741,000, or an average of nearly $1,000 per employee. In the lowest five grades, the result is a startling loss of almost $1,500 per employee. And these employees have made long-term commitments such as mortgages, car loans, et cetera, based on the wages they were receiving prior to the 1986 survey.

The Department of Defense appealed to the Office of Personnel Management to give pay retention to the wage employees affected by the repeal of the Monroney amendment. The Office of Personnel Management denied the Department of Defense request and implemented the pay reductions.

Mr. President, last session, I was successful in including a similar provision in the Consolidated Budget Reconciliation Act of 1985, Public Law 99-272. The 99th Congress recognized the need to exempt this wage grade area from such a harsh application of the wage review laws, and authorized this pay retention for 1 year. The current bill, S. 942, will permit those employees who are currently suffering pay reductions resulting from that wage survey to receive their former salary levels until a new survey is conducted. Local economic conditions have improved significantly, and future wage surveys will reflect these economic corrections. I reiterate that this bill does not alter the pay reductions for any new wage grade employees, and further that all employees will be subject to pay reductions or increases as a result of future wage surveys.

Mr. President, S. 942, is a compassionate response to a serious and unique problem.

Mr. President, on behalf of the many hard-working Federal employees and their families affected by this bill, I again wish to thank the majority and minority leaders, the chairmen and ranking minority members of the Governmental Affairs and Budget Committees for their efforts in expediting action on this bill.●

"PEACE ON EARTH" ESSAYS

● Mr. GRASSLEY. Mr. President, I was recently presented a beautiful compilation of "Peace on Earth" essays from Mrs. Hornby's sixth grade class at the Malcolm Price Laboratory School in Cedar Falls, IA. Jason Lee was the fine young man who presented the booklet on behalf of his classmates: Larry Alexander, Lee Baker, Gina Bussey, Amy Caldwell, Craig Carpenter, Joel Congdon, Brian Dedrick, Damian Gilbert, Theresa Girsch, Nina Hamer, Jay Hankins, Matt Kamienski, Alisha King, Liz Kinne, Kasey Kleeman, Andrea Mallinger, Max Ostby, Kim Riehle, Nathan Sawyer, Nell Schmitts and Lian Fay Lee

The booklet was appropriately dedicated to the leaders of today from the leaders of tomorrow. Although we may not always heed our younger Americans, they often have insights that could benefit us all. You see, these individuals are not burdened with the politics of an issue. They see the problem in its clearest form and see the solution just as clearly.

I wish I could read all of the essays because they were all very special. I will read some of the passages of the essays.

> Peace is very important to our world. If we have another war we might blow up our world. In World Wars I and II, we damaged a lot of land. Some people tried to rebuild it, but all of this nuclear stuff might damage the land and we can't just replace it.—Amy Caldwell
>
> I think peace is when there isn't any cruel things like strikes or terrorism. Also weapons like long range nuke missiles. Instead, I think we should work with other countries to pursue peace.—Joel Congdon
>
> Thinking back to the (Nagasaki) Museum, I know that no one should have to go through that ever again. So Reagan and Gorbachev need to get their act together and start talking, or the world will no longer exist.—Kim Riehle

Children's definition of peace is the same as yours and mine, but they always seem to say it so much more eloquently.

> I think peace is love. I think peace is someone being kind. I think peace is someone who cares.—Damion Gilbert
>
> Peace is a life with no drugs or alcohol or cheating, nobody gets hurt in any way. Peace is a life that is worthwhile. Peace is what I want out of life from beginning to end.—Liz Kinne
>
> Peace is not someone or something. It is the spirit of one's heart and in one's nation. Without peace I doubt the world would be here. So I should not and do not take peace for granted.—Nathan Sawyer

Jason Lee has an idea about peace that I particularly enjoyed. He said, "Peace is the Hawkeyes (University of Iowa) going to the Rose Bowl * * *."

Again, I wish that I could share all of the essays because every one of the essays is meaningful. I would like to close with one essay by Nina Hamer.

> Peace is the agreement between people from here and there and everywhere. Peace is also like a rainbow; it has its ups and downs, but it is beautiful any way you look at it * * * peace begins in the thoughts and hearts of the people.●

THE BUDGET

● Mr. SASSER. Mr. President, I rise today to congratulate the Senator from Florida, the distinguished chairman of the Senate Budget Committee, on the consensus budget package before us today.

The development of a consensus budget package, given the philosophical diversity of the Members involved and the severe budgetary constraints under which we are operating, is truly a remarkable feat.

What has made the development of an effective deficit reduction effort all the more difficult is the lack of leadership from the White House.

The President's fiscal year 1988 budget, submitted to Congress some 3 months ago, clearly disregarded the deficit mandates established under the Gramm-Rudman-Hollings balanced budget legislation. According to the Congressional Budget Office, the President's budget did not meet one of the deficit targets in any of the next 4 years.

In fact, even using the President's own office of management and budget economic projections, the President's budget missed the Gramm-Rudman-Hollings deficit target in fiscal year 1989 by more than $20 billion. In fiscal year 1990, it missed the target by more than $23 billion, and in fiscal year 1991 it missed the target by more than $21 billion.

Thus, over the next 4 years, the President's budget misses the deficit targets established under law by more than $64 billion.

This neither adheres to the spirit or the letter of the law. The consensus budget package under consideration here today does fulfill the deficit requirements of the Gramm-Rudman-Hollings legislation and actually produces a balanced budget in 1991.

And it does so in a way in which many of the policy priorities so crucial to the continued growth and competitiveness of the American economy are addressed.

This includes provision for an adequate defense of the Nation, increased funding for education, increased funding for technological innovation and development, and protection of many of the domestic programs which provide a safety net for our underprivileged citizens.

What is equally important, however, is that the budget plan before us today sets out a balanced and effective blueprint for attacking the structural deficit which so ominously threatens our future economic growth potential.

The package is the essence of compromise. Indeed, there are provisions in this budget which I would have dealt with differently. One issue is the level of spending for community development. The Community Development Block Grant Program was originally slated for a 25-percent reduction. The chairman has accommodated my concerns to the extent that the CDBG Program is now slated for a 10-percent reduction. The chairman has assured me that in conference with the House we will work to get funding back to a freeze level.

Also, it is important that the Appropriations Committee have full discretion in allocating the funds within function 150. The House-passed budget has assumed $700 million for the Export-Import Bank's direct loan program. I hope that the Members of the Senate will support this program which is an essential tool in our efforts to reduce the trade deficit and restore our international competitiveness.

Finally, I think it is important to note that there are no references in this budget to the imposition of meat and poultry inspection user fees. I applaud this deletion and will work to see that such assumptions are not contained in a budget conference agreement.

Once again, I would like to congratulate the chairman for his efforts and look forward to working with him when we go to conference with the House.●

HELSINKI COMMISSION

● Mr. D'AMATO. Mr. President, I rise to continue my series of remarks on the Helsinki Commission and United States policy in the Helsinki process. Today, I will discuss recent developments in the Soviet Union and what they mean for United States policy.

I will begin by placing these developments in the context of the Helsinki process. I will then discuss in detail the major areas of change in the Soviet Union, examining what is going on, attempting to explain why the process is underway, and making some educated guesses regarding both the future direction and ultimate destination of this process of change.

"Glasnost," the word for "openness" in Russian, is a Soviet slogan we now hear whenever Soviet questions are discussed. "Perestroika," the word for "restructuring" in Russian, is the other major Soviet slogan, less heard but very important. They are key elements of General Secretary Gorbachev's "new thinking" about the future policies of the Soviet Union.

I will tell you what I think these slogans mean, ideologically and in practice. I will summarize the Soviet's actions to date and plans for the future. I will also link these actions and plans with their cultural and political context and their Marxist-Leninist ideological foundation.

In conclusion, I will tie these developments to U.S. policy and recommend how we should respond. While there is a measurable chance that this process of change in the Soviet Union could lead them in the direction we in the West have always wanted them to go—toward democracy and freedom, toward peace and cooperation, and toward respect for human rights and fundamental freedoms—I will explain why I believe the Soviet Union is driving for greater discipline and efficiency in a Marxist-Leninist context and why we should be worried about both the process and its outcome.

I will spell out specific steps I believe we must take—proceeding at the fastest prudent pace with the strategic defense initiative, for example—and those we must not take—making substantive concessions with lasting economic or security effects on us or our allies in an attempt to encourage Soviet reform. In sum, I do not believe that the Soviet bear, red in tooth and claw from decades of savagery against both its own people and its neighbors, can or will change its basic habits, guiding ideology, or ultimate goal—world domination—and, as a result, I strongly believe that we must abide by our fundamental principles, keep the key to our security in our own hands, and avoid becoming beguiled by and ensnared in the glittering web of Soviet propaganda about their internal reforms.

As I said in my initial remarks on the Helsinki Commission on March 13, 1987, the central problem in the Helsinki process today is violations by Warsaw Pact signatory states of their Helsinki promises. While all pact states, as a matter of state policy, are to some degree a violation of their Helsinki obligations, the worst violator and the center of resistance to faithful implementation of the provisions of the Helsinki accords and the Madrid Concluding Document is the Soviet Union.

Also, the Soviet Union, by virtue of its military and economic dominance over its Eastern European satellites and its position as the arbiter of Communist ideological orthodoxy, is the source of much of the support for these violations. According to the published reports, the East bloc regimes' principal tools of repression, their secret services and internal security organizations, to a greater or lesser degree, are under the control of the Soviet KGB. The methods they employ and the attitudes they harbor are, in no small part, a result of Soviet training and influence.

Moreover, the Soviet Union has historically taken direct and indirect military action to retain control over its Eastern European satellites. It has repeatedly acted to suppress attempts by East bloc states to secure a measure of independence.

In its Eastern European sphere of influence, the Soviet imperial record is long and bloody. It begins in East Germany, travels through Hungary and Czechoslovakia, and most recently stops in Poland with the suppression of solidarity. Soviet primacy in Eastern Europe is established and maintained by the sword of Soviet military garrisons, the dagger of KGB covert activities, and the leash of economic dependence.

Before continuing, it is important to note that the local Communist Parties in these Eastern European states would not rush to comply with their Helsinki human rights promises even if Soviet domination were to disappear tomorrow. The unlimited exercise of state power is both a primary ideological tenet of modern communism and the principal method these Communist regimes employ to control restive populations, populations which have Western traditions and values.

Where these Eastern European regimes choose to abide more closely by the provisions of the Final Act and the Madrid Concluding Document, they do so for their own purposes, often in response to domestic pressures. But free from the shadow of Soviet power, it is reasonable to believe that such pressure would build and compliance, though grudging, would also increase.

Since the Soviet invasion of Afghanistan in 1979 and the destruction of détente, the Soviet Union's human rights record reflects a deliberate increase in conditions of internal repression unparalleled since the death of Stalin. An entire range of practices were resumed or initiated which violated Soviet Helsinki promises.

Political dissent was thoroughly suppressed. Cultural freedom evaporated. Unofficial religious activity was sharply curtailed. Emigration was practically halted. Jamming of Western radio broadcasts was reinstituted and improved. Written and telephonic communications between Soviet citizens and persons and organizations in the West vigorously blocked, delayed, censored, monitored, and discouraged. And persons who neither kept silent about their views nor restricted themselves to activities under official sponsorship conforming with the Soviet line were vigorously persecuted and suppressed.

Dissidents of all sorts were variously harassed, beaten, fired from their employment, found to be insane and confined to special psychiatric hospitals where some were subjected to thinly disguised torture, or arrested as criminals and sentenced to terms in prison, labor camps, or internal exile. Some families were subjected to parallel measures, evicted from their homes, fired from jobs, dismissed from universities, or denied admission in the first place.

Now, the Soviet Union's new General Secretary, Mikhail Gorbachev, who came to power on March 11, 1985, has begun making internal changes. Even in their beginning stages, these developments in the Soviet Union, known by their Russian names as "glasnost" and "perestroika," "openness" and "restructuring" when translated into English, have affected those areas the Commission watches most closely. So far, the effects in those areas have been positive, marking a possible beginning of efforts to alleviate some of the abuses I have just cataloged.

Specifically, reportedly as many as 116 of the first group of 140 Soviet political prisoners whose cases were reviewed have been released and another group of 140 cases—of an estimated 4,000 or more—are under review. Emigration numbers are dramatically ahead of their 1986 pace, building on official Soviet statements made in January and February that many applications were being reviewed. Much wider latitude is being granted in cultural fields in the Soviet Union and jamming of the BBC's Russian language broadcasts has ceased.

In the arms control and foreign affairs fields, the Soviets have again decoupled the possibility of an intermediate-range nuclear forces [INF] agreement on the basis of the United States 1981 zero option proposal from their demand for limits on SDI research and development, renewing hope for quick agreement in Geneva. They have accepted onsite verification, at least in principle, in the INF talks and chemical weapons talks.

The Soviets have hinted at new flexibility on timetables for withdrawal from Afghanistan. They have even suggested that the Mujihadeen, the Afghan freedom fighters, might be included in a post-withdrawal Afghanistan Government. Their Vietnamese allies have declared an intention to withdraw their troops from Kampuchea by 1990, something which could not have occurred without Soviet involvement.

The Soviet Union has not been bashful about taking credit for these developments. General Secretary Mikhail Gorbachev appeared before a February 14–16 Moscow forum entitled "For a Nuclear-Free World and For the Survival of Humanity." To attend this forum, the Soviet Government invited prominent people from all over the world, including the United States. In his address to this forum, Gorbachev said that:

> Essentially revolutionary changes are underway here. They are of immense significance for our society, for socialism as a whole, and for the entire world.

He continued:

> In brief, we want a broad democratization of all society. Further democratization is also the main guarantee of the irreversible nature of the ongoing processes.

How should we react to these changes in the Soviet Union? What do they mean for U.S. policy? These are the key questions we face. Gorbachev provided us with the correct starting points from which to seek the answers in this very same speech.

He said:

> It is only by understanding their [these changes'] content, meaning, and aims that one can form a correct opinion about our international policy. Before my people, before you and before the whole world, I state with full responsibility that our international policy is more than ever determined by domestic policy, by our interest in concentrating on constructive endeavors to improve our country.

Later, he said:

> To preclude any idle talk and speculation, I wish to emphasize that we are going about our reforms in accordance with our own socialist choice, on the basis of our notions about social values, and are guided by criteria of the Soviet way of life.

If we take him at his word, rather than supposing that these Soviet actions are motivated by external forces, especially a desire to respond to Western appeals for reform, then we have to look in detail at the content, meaning and aims of his policies in order to judge their purposes and plan accurate responses. Let us begin by listing the major components of Gorbachev's domestic program, as we understand them.

Gorbachev's political program begins with the process of establishing his own unchallenged leadership of the Communist Party of the Soviet Union and therefore of the Soviet Union itself. He has replaced most of the members of the Politburo, the highest body of the party, with his own allies. He has done much the same with the Central Committee. He has made parallel changes in the Government of the Soviet Union, in the Council of Ministers and the Supreme Soviet.

This is a standard practice when a new Soviet leader comes to power. Some of the methods Gorbachev is employing in the course of this consolidation of power, however, have attracted the fascinated attention of Western leaders and media because they differ dramatically from recent standard Soviet practices. The major method is known as "glasnost" or "openness."

Under "glasnost," persons or institutions are subjected to open criticism in the Soviet media. Shortcomings and failures are discussed in public fora. Disasters, such as the Chernobyl reactor explosion and fire, are revealed to the public—even if belatedly—and officials are held responsible. Selected abuses of power by the KGB and the MVC have been revealed and criticized.

How does "glasnost" differ from past Soviet practices? Historically, Soviet media were used to send messages to the public defining approved and forbidden behavior. Arrests and convictions were reported as were instances of abuses of economic or political power. What has changed and what does it mean?

In the March 22, 1987, edition of the Washington Post, in a column titled "'Glasnost': Lenin Loved It Too," George Will quoted Vassily Aksyonov on glasnost. Aksyonov is a leading modern Soviet writer who was forced to emigrate in 1980. He now lives in the Washington, DC, area, and has appeared before the Commission as a witness on the issue of Soviet cultural repression. His views on glasnost should help put this Soviet slogan and its implementation into better perspective.

Aksyonov is quoted as saying:

> What's new? Can I distinguish today's Soviet papers from those of yesteryear, which made me instantly nauseous? Yes, there are some things that are new: the mention of some previously taboo problems, a certain critical intonation borrowed from dissident groups of the '60s, some steaming rebukes to the bureaucracy. But . . . should I state it openly? The papers still make me nauseous.

Aksyonov continued:

> The first thaw, back in the '60s, produced a group of people with a penchant for winking. Those who went beyond winking and dared to call a spade a spade were brutally kicked out of the country. Apparently those winking liberals are going to be in fashion again, with all of their paraphernalia of euphemisms, hints, vague allusions and ideological duplicity.

George Will commented,

> He [Aksyonov] cites as a current example a piece of "glasnost" journalism in a Soviet literary publication. The article concerns a French novelist with a Russian background. The novelist's mother was Christian, and the father "belonged to another religion." Aksyonov notes that under "glasnost," as usual, "the mention of Judaism in a positive mode is considered inappropriate."

The point is that glasnost is not free speech. The Communist Party of the Soviet Union, the CPSU, and the policies of its leadership, are sacred. None of them may be criticized in any way. The Soviet media remain exclusively under state ownership and control, assuring that glasnost operates strictly within the limits set by the party.

Also, the persons or institutions under criticism aren't allowed to defend themselves. Criticism is only initiated under the party's policy direction, supporting and advancing that policy. Where public opinion is sounded, the comments chosen are carefully selected to illustrate and support some aspect of party policy, not to provide a forum for free expression of personal opinions.

Commentary on glasnost has included Soviet relaxation of censorship and restrictions on cultural and scientific activity as a part of this policy. In fact, this relaxation has many purposes. Peter Reddaway, director of the Kennan Institute for Advanced Russian Studies, sees the broader picture.

In a February 12, 1987, column entitled "Mr. Gorbachev's Gambit," he writes:

> Central to Mr. Gorbachev's strategy is a thinly disguised "Soviet nationalism," or even Russian nationalism, which puts more stress than in the past on national goals and less on international ones. Intellectuals and other cultural figures are good candidates for mobilization, since the leadership needs new ideas and the Soviet people need an injection of self-esteem. Mobilizing these groups costs nothing in economic terms. Hence the greater openness in many areas of Soviet culture, including the attempts to persuade the theater director, Yuri Lyubimov, and other defectors and emigres to return home.

Philip Taubman summarized the breadth of these changes in a New York Times article entitled "Gorbachev's Gambit." He writes:

> The most obvious change [in the Soviet Union] has been in the arts and literature, where the heavy hand of censorship has been lightened, and, in some cases, lifted. Long-suppressed works such as Boris Pasternak's Dr. Zhivago and Anatoly Rybakov's Children of the Arbat, an unflinching look at Stalin's terror, are to be published this year. The novels of Vladimir Nabokov and the poetry of Nikolai S. Gumilev, who was shot for anti-Soviet activity in 1921, have also begun to appear.
>
> A rebellion among directors that threw out the leadership of the main filmmakers' union also touched off a reassessment of previously banned movies. "Repentance," the first film to deal honestly with Stalin's purges and their chilling legacy, opened to the public last month. "Is It Easy to Be Young?" a powerful film about disaffected young people and troubled Afghanistan veterans, is another current hit.
>
> Movement has come more slowly in other areas, but there are signs of a new tolerance for dissonant music, abstract art and experimental theater. Famous emigres, who were once condemned, are now in demand. The Bolshoi Ballet recently invited Mikhail Baryshnikov and Natalia Makarova to perform in Moscow.

The release of political prisoners is an integral part of the relaxation of controls on culture. These steps are directly related because article 70 of the Soviet criminal code, making anti-Soviet agitation and propaganda a crime, is the article under which attempts to exercise freedom of expression, whether for political or cultural purposes, are usually prosecuted. It is possible that the crimes for which most of these prisoners were convicted and incarcerated are no longer, under cultural glasnost, crimes. Therefore, it was logical to release persons imprisoned for speech and conduct of the same sort as Gorbachev is now trying to encourage.

This new cultural thaw is important for another reason. In Soviet society, cultural figures play a larger and far different role than they do in American society. Writers, especially, are viewed as the conscience of the nation. Gorbachev, by seeking to mobilize, in Reddaway's words, the intellectuals of the Soviet Union, is attempting to harness to his drive for change the traditional engines of moral leadership and authority in secular matters. He is seeking legitimacy for his program in the eyes of the public, a legitimacy only this cultural elite can confer.

The Soviet Union kept one imperial Russian institution after the October Revolution—the Academy of Sciences. The academy was originally founded in 1725 by Tsar Peter the Great as a major component in his efforts to westernize and modernize feudal Russia. Now, persons are elected to the academy for life, where they form the elite of Soviet science. They enjoy income, recognition, power, and privileges, and even a certain degree of independence as a result of this election. This is illustrated by the fact that Dr. Andrei Sakharov, vilified and illegally banished to the closed city of Gorky, was not stripped of his membership in the academy or its privileges.

In parallel with the relaxation of official cultural restrictions, Gorbachev is attempting to reinvigorate the academy. He has proposed that all heads of scientific research institutes be removed when they reach age 65 and that new members be elected to the academy every time a full member reaches the age of 75 or a corresponding member reaches the age of 70. The older members would still retain their membership and its privileges until death. These measures are thought to affect as many as two-thirds of the academy's present members.

Relaxing controls on the intellectual elite in both the cultural and scientific worlds has broad economic implications as well. I will discuss this aspect of Gorbachev's program later in these remarks.

Now, let us examine the other major tool in Gorbachev's political program—democratization. In his speech on January 27, 1987, to the CPSU's Central Committee Plenum, he said, according to a Tass translation:

> The Politburo considers the perfection of the Soviet election system to be one of the main avenues in democratizing our life.
>
> Most [reform] proposals suggest that voters at meetings, in work collectives and at the places of residence, as well as at election meetings, discuss, as a rule, several candidacies, that elections be held in larger electoral districts, and that several deputies be elected from each of them. People believe that this would enable each citizen to express his or her attitude to a broader circle of candidates and will enable party and local government bodies to get to know better the sentiments and will of the population.
>
> The implementation of these proposals would be the first important step towards further democratization of the process of forming the bodies of state power and of their functioning. But obviously, it is also necessary to consider deeper changes and further steps in this direction.
>
> To begin with, the formation of elective bodies in the primary party organization. The gist of most proposals on this core is to give full scope to the expression of the will of all Communists without exception during the election of secretaries of party bureaus and party committees and in raising their accountability to those who elect them.
>
> There is also a need to think of changing the procedure for the election of secretaries of [various province, region and district] committees of the party, and the central committees of the Communist parties of the union republics. Here, comrades suggest that secretaries, including first secretaries, could be elected by secret ballot at plenary sessions of the respective party committees. In that case, the members of the party committee would have the right to enter any number of candidacies in the voting list.
>
> Such measures should seriously raise the responsibility of secretaries to the party committees that elected them, give them more confidence in their work, and make it possible to determine more accurately the degree of their prestige.
>
> Of course, the principle of the party rules, under which the decisions of higher bodies are compulsory for all lower party committees, including those on personnel matters, should remain unshakable in the party.
>
> The Politburo's opinion is that further democratization should also apply to the formation of the central leading bodies of the party. I think this is quite logical. It would seem logical to democratize the elections of leading bodies in other public organizations as well.

Speaking again on this topic to a labor convention on February 25, 1987, Gorbachev further clarified his view of democratization. He said:

> Democracy is not the opposite of order. It is order of a higher degree, based not on implicit obedience and mindless execution of instructions, but on full-fledged, active participation by all of society in its affairs.
>
> Democracy is not the opposite of discipline. It is a conscious discipline and organization of the working people based on a sense of really being master of the country, on collectivism, and on a solidarity of interests and efforts by all citizens.
>
> Democracy is not the antithesis of responsibility. It does not mean absence of control. It does not imply a mentality that anything goes.

Gorbachev added:

> I have already said recently that we need democracy not to show off and not to play democracy. We need democracy to rearrange many things in our life, to give greater scope to the creativity of people, to new ideas and initiatives.

What is going on here, with this talk about multiple candidates for office and secret ballot elections? While these ideas have yet to be implemented, clues about how they will be implemented are clear in Gorbachev's own words. The principle of top-down party control is repeatedly cited and the question of who selects these candidates is not discussed at all. It appears likely that this democratization process in the party serves two parallel purposes: it is a mechanism to allow Gorbachev and his allies to complete their purge of holdovers from the Brezhnev period from positions of leadership, while it simultaneously invigorates people at lower party levels and involves them in party affairs.

In short, Soviet democratization is simply "democratic centralism" restored and revitalized, not the development of any form of pluralist representative democracy. Without freedom of speech, freedom of assembly, and the right to organize opposition political parties and carry on political activity, the Soviet Union cannot develop anything remotely resembling what any American would recognize as democracy.

Now, let us look at Gorbachev's economic program. This program is generally known under the slogan of "perestroika," or restructuring. While this program has only been partly implemented, tremendous changes are promised and some major effects can already be seen. The basic wage structure and working hours in manufacturing have been changed. The way firms will manage their business will be changed. The role of labor unions will be changed. And there is a tremendous push on to increase productivity and improve economic discipline, which began with Gorbachev's famous antialcohol campaign and continues with imposition of stringent quality control standards.

According to a Los Angeles Times story, Gorbachev has ordered that:

> Factories that have been working a single shift will switch to two or three shifts a day. Night-shift pay will be raised 20 percent, . . . and workers on the overnight shift will receive an additional 30 percent or 40 percent premium. Also, . . . store hours and transportation schedules will have to be changed to accommodate those working evening and overnight hours. As a sweetener, he [Gorbachev] promised that savings from two-shift and three-shift regimens would be channeled into additional housing to remedy a chronic shortage of apartments.

The story, "Gorbachev Begins 3rd Year; No Turning Back," by William J. Eaton, published on March 9, 1987, continued:

> Gorbachev is relying heavily on younger Soviet industrial managers who made their reputations in defense work where quality standards are said to be higher than in factories producing for the civilian market * * * It was disclosed recently that the defense plants have been ordered to manufacture equipment to help improve the quality of consumer goods, including food products.

More detail about changes in the Soviet wage structure was provided by a February 17, 1987, Pravda interview with Leonid A. Kostin, first deputy chairman of the State Committee for Labor and Social Issues, the agency responsible for job placement, social security, working conditions and wages. As summarized by Theodore Shabad in a New York Times article entitled "Soviet Moves to Pay More to Better Workers," published on March 8, 1987:

> Mr. Kostin said that monthly wages last affixed by the Government in 1972 to 1975 were not sufficiently differentiated by skill levels, and that a complex superstructure of wage increments, bonuses and other supplementals further obscured differences between manual workers and highly trained specialists.
>
> In the machine-manufacturing industries, for example, the difference between wage group 2 and group 6, the highest, has been reduced to 46 rubles a month, Mr. Kostin said. The average monthly wage of Soviet industrial workers is now about 215 rubles, or $330. "Obviously, this does nothing to stimulate the professional improvement of workers," the Soviet official said, "even though the nature of production and the requirements of scientific and technical progress call for people with the highest qualifications." Mr. Kostin said the leveling of wage rates among workers had become

> even more pronounced between workers and engineers. He said the difference between the average wage of workers and the average salary of engineers in 1986 was only 10 percent, down from 46 percent 20 years ago.

The story continued:

> The official said that the actual application of the new wage policy would no longer be centrally determined, but would be left to the individual factories and other enterprises. They would have the right to set aside a portion of any increased revenue for distribution as wages. In an effort to widen the wage spread among skill levels, Mr. Kostin said, the difference between the lowest and the highest wage groups is to be increased to 80 percent, from the present 58 percent. Quality work is to be encouraged by a newly introduced wage differential of up to 24 percent for the highest quality. According to Mr. Kostin, another wage differential, of up to 12 percent of the basic wage, is being introduced to encourage an increase in productivity—for example, by having assembly workers along a conveyor belt work at a more rapid rate, or by making machine operators responsible for more machines.
>
> Engineers and technicians are to be paid considerably more than factory workers under the new system, with the salaries of design engineers, in particular, being raised by up to 45 percent compared with a rise of up to 25 percent in industrial wages. A multiplicity of wage supplements now in existence is to be abolished. Only two types will be retained, for particularly excellent performance and for the execution of unusually important work, and any supplement will be limited to 50 percent of the basic wage.

The article concluded.

These changes are roughly the equivalent of renegotiating every major labor contract in the United States, changing all of the work rules, and also changing the hours of operation of retail services and stores the workers and their families patronize. These changes are estimated to affect the majority of the 140 million Soviet workers.

These changes in wages and work rules have already been tested. The results of the tests have apparently been satisfactory. One of the tests has been underway for 2 years at the giant Frunze machinery manufacturing complex in the city of Sumy. Its results are described in detail in an article by Bill Keller entitled "For the Workers, a Profit System that Works," which appeared in the New York Times.

The February plenum of the Central Committee of the CPSU approved a new draft law expanding and changing existing regulations of cooperatives, one of the main forms of economic organization in the Soviet Union. This law took effect on May 1, 1987. In a February 8, 1987, Washington Post article by Gary Lee, entitled "Soviet Law Would Free Up Collectives," the main features of the draft law were summarized as follows:

> "The director of the collective and all other managers would be elected by a general meeting or conference of collective members. Directors' terms are for five years while subordinate managers serve for two or three years. The collectives would pay salaries and research and development costs for production from a fund created by the collective using its profits. Soviet enterprises and groups would be allowed to develop direct ties with firms from capitalist and developing countries to create joint enterprises and encourage technology transfer. The new law should also give a group of private citizens the right to start and manage a factory or enterprise. After nationwide discussion, the law is expected to be put before the Supreme Soviet at its next session.

This new law represents a major step away from centrally controlled economic activity. Soviet use of the concept of profit as a measure of the success of an economic activity is revolutionary—a use which the Soviets legitimize through reference to Lenin's "New Economic Policy." The NEP briefly encouraged small-scale private enterprise in the early 1920's, saving the young Soviet regime from economic collapse, only to be stamped out by Stalin after it had bought time for the Bolsheviks to secure their political control. There can be no assurance that these new Soviet economic arrangements will not suffer a similar fate.

Gorbachev is building new tools for use by the CPSU leadership to monitor and criticize economic performance by management and by the service sector. According to an article by Antero Pietila in the March 11, 1987, edition of the Baltimore Sun, entitled "Gorbachev offers reforms for women and unions, seeking to build alliance," in February Gorbachev—

> told the nation-wide labor union congress that he wants to make unions a "counterbalance to technocratic aspirations in the economy." He said they had been too complacent and should be stronger in factories and more active in improving workers' lives, particularly in housing. Earlier, a similar Kremlin mandate was given to the Soviet Women's Committee, a toady organization whose representative once seriously proclaimed that "our women haven't had any problems since the revolution." That committee has now been overhauled. Its focus has been shifted from peace and solidarity work to lobbying for internal changes.

Do not mistake these actions for official Soviet approval for anything approaching independent trade unions on the Solidarity model, or for the formation of a Soviet equivalent of our National Organization for Women. Pietila's interpretation—that these changes are intended to give women and unions "* * * some real say in the way things are done in the Soviet Union"—is wrong. It is wrong because this is top-down reform, in which the leadership of these unions and women's organizations will be appointed and controlled from above. Once a toady organization, always a toady organization.

The new quality control and productivity enhancing measures I mentioned in connection with the new wage rates have had an impact already. Again quoting Pietila:

> . . . output in machine building, an important economic industry, fell by 7.9 percent in January. The decrease is largely attributed to new quality-control measures that were introduced at 1,500 key factories late last year. Whatever the reason, 60 percent of the machine-building plants failed to meet January production quotas, according to official figures. In Kazahkstan, one tractor factory worked the whole month without producing a single acceptable unit. Eventually, the new quality-control measures are supposed to make everybody happy and enable the Soviet Union to earn foreign exchange through increased exports. But for the time being, many workers have lost up to one-third of their monthly income because, under a new Gorbachev policy, pay is now directly linked to performance. The situation, predictably, has led to much grumbling. 'Stormy protests' and illegal work stoppages have been reported in many plants, including a giant truck factory in the city of Brezhnev.

These new quality control measures and productivity enhancements are expected to force layoffs of as many as 10 million Soviet workers over the coming years. Dr. Vladimir G. Kostakov, an economist writing in the Soviet ideological journal Kommunist, discussed this situation. His article was translated and quoted in part in a January 31, 1987, Los Angeles Times article entitled "Soviets May Face Mass Layoffs," by William J. Eaton.

In this article, Eaton quotes Kostakov, who is deputy director of an economic institute in the State Planning Agency, as saying that:

> ". . . the national economy is oversaturated with manpower and uses it extremely inefficiently." Two and three people are employed in factories and offices where one could do all the work, Kostakov said, and they do not work hard enough. "A significant part of the redundant workers can be released from the national economy in the nearest future," he said. "Even my conservative estimate shows that this surplus within reach, lying on the surface, amounts to at least 10 million people of 130 million employed. Up to now, full employment in this country was achieved automatically because our economy was expanding faster than our workforce."
>
> Social legislation, including a reduction in the workweek and time off for nursing mothers, has increased the demand for workers. Kostakov said, but new guidelines issued by Soviet leader Mikhail S. Gorbachev provide for labor productivity to increase faster than economic growth. "If we fulfill the plans, industrial production will be squeezing out redundant workers," Kostakov said. "Of course, we'll have to provide for this contingency and see to it that full employment, as one of our social achievements is preserved. Currently, neither in economic nor in social nor psychological aspects are we prepared for the radical changes."
>
> His article, intended mainly for party activists, said the projected increase in labor productivity means that the number of industrial workers would drop by 13 percent to 20 percent in the 15-year period ending in 1996. This means that from 13 million to 19 million people would lose their jobs in what

> Kostakov termed 'an unprecedented phenomenon' for the Soviet economy. These terms will be accelerated, he suggested, under new management rules that provide for factories to be self-financing by the end of this year. In other words, they will have to show a profit in order to stay in business.

The article continues:

> "We are (already) experiencing difficulties with reemployment of the released work force," Kostakov said, "and this applies the brakes to any significant increase in labor productivity." Describing how the Soviets will cope with this problem, "First we must inject manpower resources into services," Kostakov recommended, with higher wages and new service facilities to soak up some of the jobless pool. "One of the key requirements is the creation of a special fund . . . that would provide material assistance for the release work force for the period of its retaining and reemployment," he said.

Taken together, these Soviet measures are far more than propaganda intended for foreign consumption. Recall Gorbachev's own words, which I quoted at the beginning of my remarks, "* * * I state with full responsibility that our international policy is more than ever determined by domestic policy. * * *" Having now looked in detail at the "content, meaning and aims" of Gorbachev's program, to the extent that it is known to us, where does it fit and how should it be understood in the context of Soviet history, culture, ideology, and prospects for future development?

U.S. commentary is beginning to converge on a general view of Gorbachev's program. In a Washington Post article entitled "Opposition Blunts Gorbachev's Efforts," published in the April 8, 1987 edition, Gary Lee writes:

> Despite its economic innovations, the reform program Gorbachev has built rests on an intractable dedication to two of the key tenets of a Marxist-Leninist-inspired economy: central planning and state ownership of industrial plants. Signalling that his reforms would stop short of Hungarian-style decentralization, Gorbachev told auto workers in May of 'the enormous advantages of a centrally planned economy,' adding, 'Comrades, we will even have to strengthen the principal of centralization, where necessary.' Gorbachev has also resigned the U.S.S.R. to the legacy of collectivization, Stalin's forced marshaling of factories and farms under state control that remains the most controversial saga in Soviet economic history.

I strongly believe that Gorbachev and his allies are not reformers in any Western sense. They are not seeking to democratize the Soviet Union or to create centers of power independent of the CPSU's central control. There will be no pluralism here. Democratic centralism is the theme and the object of the exercise is to take Lenin's view of how a pragmatic socialist regime should operate and install that structure in a mature Soviet industrial economy.

This is a very interesting evolution. It is entirely consistent with orthodox Soviet Marxist-Leninist ideology. The notion of worker Soviets actually operating the economy, while radical when seen against the Stalinist model of rigid hierarchical control of all economic activity, is actually a return to the Leninist roots of the Soviet Union.

In parallel with economic restructuring, if the CPSU follows its past patterns, there will be a Soviet ideological renaissance, in which the new openness becomes a vehicle for developing and purifying the new ideological orthodoxy. Following the well-traveled road of Marxist philosophy, this will occur through the process of the dialectic.

When this new synthesis is achieved, I believe that the Soviet Union will remain true to its absolutist political and cultural heritage. Gorbachev and the CPSU leadership will make only those changes they feel are necessary to improve efficiency and discipline in the society and the economy and they will ruthlessly attempt to suppress those who oppose them, either on the right or the left.

We are now in the period in which the Soviet leadership is attempting to incorporate into their social, political, and economic structure those changes they feed are necessary to make the Soviet Union fully competitive as a superpower in the 21st century. They desire to build a post-industrial economy in a Marxist-Leninist context.

Gorbachev and his allies are seeking to create an environment which will foster the mobilization of human intellectual power in support of the CPSU's program and goals. To achieve the integration of this element of power into Soviet ideology, economy, and society, they must, to a degree, recognize its inherently individual nature. To enhance its role, they must provide greater freedom for individual initiative and room for individual creativity. This is what these changes in current Soviet policy and practice are designed to accomplish, all without surrendering the party's dominance.

So far, in the military sector of their economy, the Soviets have been able to buy and steal enough Western technology and produce enough homegrown scientific and technical advances to sustain their power. But the west is reaching the post-industrial take-off point—the point where the combination of political, economic, and social freedom with wide-spread use and understanding of computers and almost universal access to a reliable, high-capacity advanced electronic communications network will have lasting, economy-wide synergistic effects.

Soviet leaders fear that, once these effects take hold, the heroic sacrifices they have demanded of their people—annually spending 15 to 17 percent of their GNP on their military sector—will be for naught. The free market economies of the West will simply pull away from the Soviets at increasing growth rates. Worse, these Western growth rates will be highest in the new post-industrial economic areas which will produce the key military technologies of the 21st century. But worst of all, the traditional collectivist method of throwing massive amounts of resources at economic problems—supposing that these additional resources could be wrung from the Soviet people—won't solve this problem.

The Stakhanovite model of economic performance, in which work brigades storm a project—constructing a dam or a railroad, or operating a steel mill or a coal mine—simply does not work when applied, for example, to writing software. The totalitarian or collectivist model of economic organization, while inefficient and wasteful, was an effective means of applying human labor to industrial economic development. It is almost completely ineffective when applied to postindustrial economic development. At gun point, you can compel a person to dig coal, chop wood, or do heavy construction work. You cannot compel a person to design microcircuits, write complex software, integrate electro-optical systems—or take the personal risks involved in pushing an innovative and perhaps radical scientific or technical solution to a problem.

Progress and development in a post-industrial economy will depend upon the most rapid and efficient application of human intellectual power, not human muscle power, to economic affairs. You have to motivate a person to want to use his or her mind—to want to create, invent, and initiate. Such motivation can be sustained when the individual perceives that the risks are acceptable and the rewards for success are attainable. You have to protect a person when he uses his or her mind. Such protection must be sustained through the development of an effective legal system which recognizes and respects individual rights and freedoms—starting with the Final Act's human rights and fundamental freedoms.

Gorbachev and his allies are in the process of introducing into the Soviet system what they believe will be a large enough element of individual freedom to allow them to compete with the United States, primarily in the military aspect of post-industrial economic activity, but also on a broader front. They believe they can find a Marxist-Leninist path to accomplish this end. They do not, as I have said, have any intention of abandoning the dominant role of the CPSU or the principle of "democratic centralism," that is, totalitarian absolutism operated, maintained, and enforced from above.

They do not recognize the inherent conflict between the individual citizen's need for durable and lasting assurance of protection for his or her individual rights and freedoms from capricious and arbitrary state actions and their Marxist-Leninist ideological orthodoxy. A political system which protects individual rights gives rise to a sphere of privacy which provides the individual citizen with the psychological confidence necessary to the full exercise of his or her creative and productive genius, without fear of the arbitrary exercise of state power. The essence of the continued dominance of the CPSU over all aspects of Soviet life, however, is the ability to arbitrarily exercise state power.

From this conflict will come the next freeze in Soviet domestic policy after the Gorbachev thaw. From it will come the next masses of faceless "z eks"—Russian slang for political prisoners—heading into the gulag. And from it will come internal turmoil in the Soviet Union which will make the whole world hold its breath.

This is our challenge. This is what "glasnost," "perestroika," and their allied slogans hold for the United States, the West, and the cause of human rights. Let us get as many people out of the Soviet Union as we can. Let us encourage, without making substantive concessions that undermine our security or help the Soviet economy, those domestic Soviet changes which move in the direction of greater individual freedom and respect for human rights.

But let us not deceive ourselves—the millennium in United States-Soviet relations has not arrived and there are grave crises ahead. We must maintain strong defenses and press ahead at the fastest prudent pace with SDI. We must keep the key to our securities in our own hands, not entrust it to international agreements signed by a smiling Gorbachev who faces major domestic problems in the future.●

ON THE FIRST ANNIVERSARY OF CHERNOBYL

● Mr. SARBANES. Mr. President, it has now been more than a year since the tragic incident in Chernobyl, in which at least 31 people died of acute radiation illness and hundreds of others were treated for immediate injuries. Yet we still lack a complete understanding of the total human costs of the explosion—the number of cancer deaths which may result in the future, the ultimate impact on livestock and agriculture throughout Europe, the effects on the next generation. While estimates, for example, of related cancer deaths in the future range from hundreds to hundreds of thousands, these answers we cannot predict with any certainty, and in fact may never know.

This catastrophe has been devastating to an enormous region of Ukraine and to the Ukrainian people in particular, who have suffered not only the physical effects of the radiation, but the outrage of not being informed of radiation danger in a timely manner. In addition, Ukrainians have been subjected to the agony of evacuation and resettlement, incomplete or inadequate medical care, restricted communication with relatives and friends abroad, and intensified food shortages. Perhaps worst of all, they suffer the uncertainty of not knowing what will happen to them, their children, and their children's children in the years to come.

What we do know is that we must do everything we can to prevent a repeat of the Chernobyl experience. "Nuclear safety" may well be a contradiction in terms, but for as long as we live in a nuclear world it is essential that adequate safeguards are taken against the possibility of another nuclear disaster occurring—either by accident or by design.

Mr. President, as we reflect upon this unhappy anniversary, our thoughts are with those who were most directly affected by the tragedy. Knowing that their terrible ordeal is not yet over, I would urge that our country continue to offer them whatever assistance is necessary in terms of medical care, food and water, clothing, cleanup of contaminated areas, and communication with friends and relatives abroad.●

COMMON SENSE ON CAMPAIGN FINANCE REFORM

● Mr. ARMSTRONG. Mr. President, last week the Senate Rules Committee reported a package of campaign finance reform proposals, including partial taxpayer financing of Senate campaigns and stricter limitations on the freedom of political action committees. In due course, that measure will be before the Senate for what promises to be a thorough and, hopefully, illuminating debate.

As my colleagues prepare for the main event, I hope they take time to review an excellent analysis of the proposed Senate legislation, and of campaign finance issues in general, which appeared in the Washington Post written by Republican National Committee Chairman Frank Fahrenkopf, Jr.

Mr. Fahrenkopf correctly suggests that any public financing scheme should be entered into with great trepidation, and that the best way to lessen the role of special interests in campaigns is to strengthen the role of political parties and enhance existing disclosure laws. I think my colleagues will find this essay to be a succinct and cogent analysis of the issue, and I commend it to their attention.

I ask that the article be printed in the Record.

The article follows:

[From the Washington Post, Apr. 30, 1987]

The Campaign Finance System Isn't Sick

(By Frank J. Fahrenkopf, Jr.)

A blizzard of newspaper editorials (The Post's among them), Common Cause appeals and legislative proposals decries the ills of our "sick system" of financing campaigns. But before devising cures, let's question the diagnosis.

The physicians of reform say that (1) campaigns are too expensive; (2) candidates and officeholders spend too much time and effort raising funds; and (3) special-interest groups have too much influence. None of these allegations stands up to rigorous analysis.

Is too much money being spent on political campaigns in the United States? Too much in comparison to what? Simply citing a gross dollar amount is much too simplistic. If you compare U.S. campaign spending with other countries' on a per-voter basis, we spend much less in the United States than in many, if not most, other Western democracies.

In America, millions more are spent on advertising pet food than are spent by all the House and Senate campaigns combined. Should we spend more money discussing dog food than discussing who will lead our nation politically into the next decade and century? Politics is the art of communication, and it is the cost of communication (television, radio, newspaper ads, direct mail, etc.) that has generated the need for increased campaign fund raising.

Is too much time and effort being spent raising funds? Many members of Congress complain bitterly about fund raising. In the past, it was possible to raise campaign funds more quickly than today, but ease of fund raising is not necessarily a virtue. The physicians of reform should review past campaign finance practices. Fund raising now consumes more time precisely because of public disclosure and tight limits.

Are special interests too powerful in the financing of our campaigns? Concerns over special-interest groups are not new. In The Federalist, James Madison repeatedly recognized the dangers of conflict between special interests, but conceded the inevitability of such strife. He knew a democracy must deal with competing factions; it cannot be neat or tidy.

But we should trust the intelligence of the American people. Time and again, from Adlai Stevenson to Walter Mondale, the voters have rejected politicians they recognized as beholden to special interests. And I am confident they will continue to do so, as long as we have public disclosure and accountability.

Congressional prescriptions for the ills of our campaign financing process, like the Boren-Byrd "public-financing" bill, are much more dangerous than the alleged disease.

Our present system of funding congressional elections is public financing. The public voluntarily decides who will receive its financial support. What Sens. Robert Byrd and David Boren are now proposing is to force the taxpayers to finance their campaigns.

As former Senator Eugene McCarthy said in testimony against public financing before a Senate Committee: "The isolation of political leaders from influences of individuals and groups sounds like, and is, totalitarianism."

Taxpayer financing, like so many other well-intentioned government spending programs, also involves the government precisely in an arena it should venture into only with great trepidation—regulating the political debate. The proponents of taxpayer financing would turn the government, in a sense, into a monolithic political committee.

Our doctors of reform also argue that all candidates would get equal funding, and that equal funding is equal treatment. But what they would really give us would be "The Congressional Incumbent Protection Act of 1987."

Incumbents already have the advantages of free media coverage, millions of dollars of sophisticated franked mailings that often look more like political advertising than informational newsletters, and official travel funds. Challengers have to spend more time and more money to have anything approximating equal visibility and political impact in their campaigns. "Equal treatment" would move members of Congress that much closer to becoming life peers. America does not need a House of Lords.

Any taxpayer-financing system would also inevitably erode our two-party system, supplanting one of the principal functions of political parties: providing political and financial support to party candidates. Additionally, it would seriously endanger the traditional two-party political process by providing a taxpayer-financed incentive for creating splinter political campaigns.

For any taxpayer-financing system to be constitutional, it would have to permit reasonable and attainable access to federal financing by third-party and independent congressional candidates. It would encourage candidates to run for office to push their particular issues or cause without any actual intention to hold office. Federal funding in 1980 and 1984 of Lyndon LaRouche's "campaigns" for president is a prime example of this aberration of the public financing system.

If Congress believes it must apply some treatment, two areas should be examined: (1) strengthening political parties, and (2) strengthening the disclosure requirements of our present law.

The notion that party support corrupts candidates runs counter to nearly every theory of a political party's function in the United States. Simply stated, there is no reason to restrict the support that political candidates may receive from their party organizations. The present law permits the United Auto Workers or the National Conservative Political Action Committee to make unlimited independent expenditures on behalf of any candidate for federal office, but does not permit the Republican National Committee or the Democratic National Committee the same treatment. There is no rationale for this discrimination. The Boren-Byrd bill would further reduce party support of its federal candidates.

The often-expressed concern about the level of financial support candidates receive from PACs can be addressed by increasing the amount of party funding available for campaigns.

In the area of disclosure, our present law works admirably, except in one particualr area: "soft dollars" raised by national political party committees for campaign activities. "Soft dollars" are funds raised outside the limitations and restrictions of the Federal Election Campaign Act. The Republican National Committee alone voluntarily discloses this information, but the American electorate has the right to know the names of the financial supporters of both national political parties.

More than 50 years ago Will Rogers observed, "Politics has got so expensive that it takes lots of money to even get beat with." Campaign financing is not a new issue. The financing of campaigns is important, but our discussions of this issue should not obscure the fact that party, candidates and issues are still the dominant factors in deciding election results—not money.●

THE PRESIDENT'S RIGHT TO INTERPRET AND ACT ON TREATIES

● Mr. QUAYLE. Mr. President, on the eve of the bicentennial of our Constitution, it is disturbing that Congress is poised to undermine one of its cornerstones—the President's right to interpret and act on treaties.

In a few days or weeks, the Senate may be asked to decide whether to hold the President's strategic defense initiative hostage to a narrow interpretation of the ABM Treaty. Critics of SDI apparently think this is a grand idea.

What those proposing such a scheme have failed to consider, however, are the constitutional implications of what they are trying to accomplish.

Specifically, they have failed to recognize that the President has a constitutional duty to interpret treaties. This executive authority is, in fact, a natural outgrowth of its power not only to make treaties, but to implement them and all other laws.

Congress has no business trying to intimidate the executive branch in carrying out such a duty. It can use its legislative power to enact new laws and cutoff funding after the President has interpreted a treaty and implemented it—but not before.

By trying to tie future SDI funding to both a narrow interpretation of the ABM Treaty and a joint congressional resolution of approval, the Senate is on the verge of seriously damaging the constitutional separation of powers.

The Senate is indirectly trying to do what it knows it cannot do directly—violate those separation of powers by invading what are clearly exclusive powers of the Presidency.

Those who support this measure, of course, will argue that it allows the President to decide whether to conduct SDI under a broad interpretation and, once he acts, that they'll put the matter to a vote.

Before any money is spent to implement this future decision by the President, these SDI critics argue, he should know whether such a move has congressional support.

Well, you can call it anything you like. It is still a fiscal threat and the Constitution does not give the Senate the authority to make those kinds of threats when it comes to treaty interpretation.

Consider, for instance, what the outcry would be if Congress tried something similar with the Supreme Court.

Imagine what every lawyer in this country would say if the Senate decided that it would no longer pay the Justices' salaries until they agreed to consider only certain cases.

Or imagine what the public would think if Congress passed a law telling the High Court—"you can consider these controversial cases, but only if you first notify Congress and secure a joint congressional resolution of approval."

In fact, the Senate is leaning towards this kind of thinking right now as it considers a fateful plunge into unconstitutional waters by tying the President's hands on ABM Treaty interpretation.

Perhaps the real intent here, though, is to reduce the President's power and make it easier for Congress to overrule his decisions.

Right now, the President can move forward with SDI research under a broad interpretation of the treaty. He has the constitutional authority to construe the treaty in this fashion.

Congress can block such a move only by enacting a law preventing him from spending money for this purpose. This, however, would first require a majority vote in both Houses and —if the President vetoed the spending bill—a two-thirds majority in both to override the veto.

Under this new scheme, however, no new law would be needed. If the President is forced to seek a joint resolution of approval from Congress before he implements a treaty, it would shift the balance of powers.

It would, in fact, mean that a simple majority of only one House could block the President's interpretation or implementation of a treaty. And that would clearly be a substantial erosion of the powers the executive branch now enjoys.

Why should we care whether Congress shifts power away from the executive branch in this manner?

For the same reason why our Founding Fathers gave the President the lead in foreign policy matters and made no provision for legislative vetoes over legal or treaty matters.

The framers of the Constitution were anxious to prevent foreign intrigue from infecting our legislative body and to make sure that the country enjoyed strong, clear execution of the law.

If the Senate tells the President that he will not be able to move forward with a strategic defense program unless he adheres to a narrow interpretation of the ABM Treaty, it will perhaps irreparably damage our ability to make binding pacts with other nations.

It will also undermine our Constitution, cripple our SDI effort, hurt our space and defense negotiations in Geneva and weaken the Presidency.

If the Senate wants to uphold the integrity of the Constitution, it will hold off on this debate and give the President a chance to interpret the ABM Treaty without a legal ax hanging over his head.●

RECESS FOR 30 MINUTES

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess for 30 minutes.

There being no objection, the Senate, at 12:59 p.m., recessed until 1:29 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. BYRD].

The PRESIDING OFFICER. The Chair notes the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. DODD assumed the chair.)

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The time for morning business has expired but the period for morning business has not been closed.

Mr. BYRD. Mr. President, will the Chair close morning business?

The PRESIDING OFFICER. If there is no further business, morning business is closed.

Mr. BYRD. Mr. President, I thank the Chair.

SUPPLEMENTAL APPROPRIATIONS, 1987

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (H.R. 1827) making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes.

The Senate continued with consideration of the bill.

SUPPLEMENTAL APPROPRIATIONS, 1987

Mr. BYRD. Mr. President, for the information of all Senators, there will be no rollcall votes today. The Senate will not be in on Monday. And when the Senate returns on Tuesday, we will take up the matter then of the waiver, on which a vote was had yesterday.

The waiver did not receive the necessary 60 votes, and so that waiver will be still be pending before the Senate. The matter that will be immediately pending will be the motion to reconsider.

I do not believe I have entered that motion yet, have I?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. Mr. President, I am just debating within my own mind as to whether or not I will even move to reconsider, but I will have more to say about that a little later today.

I observe today that on yesterday—and I observed it then without saying so much in words—that it appears that some of us want to eat our cake and have it, too. It is quite an easy matter to stand off and vote against the waiver motion and then point the finger at Democrats who for the most part were trying to get the waiver motion adopted and get on with the supplemental appropriations bill and deal with the emergency items that are within that appropriation bill.

Not all of the items in the bill are emergency items. We Democrats recognize that the Democrats are in control of the Senate, and we have the responsibility of pressing forward with the appropriations bill, the legislation that is necessary to deal with the overriding issues of the day—we have that responsibility and we will fulfill it, but the supplemental appropriations bill, is not a Democratic bill. It is not a Republican bill. There are items in that bill that are important to country and, I would think to both Republicans and Democrats.

Only nine Republican Senators voted yesterday for the waiver motion. I am sure there are other Senators on the other side of the aisle who are interested in the items that are covered by this bill.

So it seems to me that if we are going to play games here, we ought to know about it. If we are going to play games and vote against the waivers and have the Democrats belly up to the voting booth and vote the waivers—that is the hard vote—and then if our Republican friends sit back and point the finger at Democrats for moving to waive the Budget Act, they are having it both ways. Not all Republicans voted against it. There were nine Republicans who voted to waive. But if they can sit back and make the Democrats do all the voting on the waivers while Republicans sit back and get the items in the bill that they want, then we better find out; if that is the game that is going to be played, why, let us let the people of the country know about it.

There are some items in the bill, some that I do not care too much about, but the administration wants them. The administration wants $154 million for what I would call foreign aid. The administration wants $300 million, as I understand it, for Central America. The administration wants $768 million for defense. I do not take a back seat to anyone when it comes to supporting appropriations for defense, but $768 million is in this supplemental appropriations bill for defense.

Now, I guess it does not have to be appropriated at this time, but where are the Senators who have been saying we are not appropriating enough money for defense? Where are they? And then there is money for adding air traffic controllers in this bill. It seems to me that that is an emergency item. The margin of safety in flying is becoming smaller and smaller. More air traffic controllers are needed.

Then the farmers need to know who is holding up the bill. Commodity Credit Corporation moneys, moneys for increasing salaries for Federal workers, retirement pensions, these are items that are in the bill. Some of these are emergency moneys. Some are needed now. Some can wait. But if we are going to support these bills in the Appropriations Committee and then vote against the motion to waive the Budget Act, let us let all be a party to it. And if we have to send the bill back and strip it, then we will do it.

Mr. President, there will not be any more rollcall votes today and we will be back on this matter on Tuesday. For the benefit of Senators who are trying to plan their schedules for next week, it had been my plan to proceed with the Department of Defense authorization bill next Wednesday. That is still my plan.

I had hoped to finish the supplemental appropriations bill yesterday, possibly be out of session today, and possibly have no rollcall votes today. But we did not finish the supplemental yesterday. It had been my plan to try to complete it today, if not yesterday. I have had second thoughts, after the vote on yesterday, and seeing how our Republican friends produced only nine votes for the waiver, I have had thoughts overnight that perhaps we ought to just wait until next Tuesday and let all Senators have more time to rethink their position. Some, of course, were in important committee meetings yesterday, and they were not in the Chamber to hear the debate before the vote; perhaps they did not know the issues as they might have known them had they been able to study the matter a little more before coming in to vote. Committees do have to proceed with their oversight meetings, markup meetings, hearings, and so on.

Obviously, some Senators would vote differently, I am sure, after knowing, as they know now, what is involved. We will talk about these matters in our party caucuses on Tuesday.

If we are not going to waive the Budget Act, the Appropriations Committee will have to strip down the bill.

It is not a partisan bill. The waiver was not a partisan motion. This appropriation bill is not a Republican bill. National defense is not partisan. Money for air traffic controllers is not partisan. Money for Commodity Credit Corporation payments is not partisan. The funding for pensions is not partisan. The funding to provide pay increases for Federal workers is not partisan. The distinguished ranking manager of the bill, Mr. HATFIELD, supported the motion. Farmers and all others who are involved might have an opportunity to talk with their elected Representatives over the weekend, and I would hope that we would have bipartisan support for the motion next Tuesday.

Mr. EXON. Mr. President, before the majority leader leaves the floor, I should like to ask him a question.

I listened to the comments by the majority leader yesterday, which I though were directly on point.

I am very much concerned about the fact that most of the money in this supplemental bill—almost $7 billion, if I remember the figures correctly—about $6.7 billion of the roughly $9 billion total, has to do with the Commodity Credit Corporation in the Department of Agriculture, which pays for the farm program that we have enacted here. It is a contract that we have made with the farmers. The money has been authorized previously for expenditures. The contracts have been made with the farmers, and the money has to come from somewhere.

A week or so ago, I called this to the attention of both the majority leader and the minority leader, in the form of a letter, suggesting that of all the urgencies connected with the supplemental, the matter of keeping the commitments we have made to the farmers in the agriculture portion of the bill are by far more important, so far as this Senator is concerned. I think no one on either side of the aisle could argue with the fact that this is an obligation that has to be met.

In view of my views, which I think would be generally shared by most, I am wondering whether or not it would be appropriate to consider at this juncture, or on Tuesday, a division of the motion before us, to consider going ahead with the required appropriation for the Commodity Credit Corporation, and let the rest of the supplemental stand on its own.

So I would like to pose the question to the majority leader, if I can have his attention at this time, as to what he might do and how he might think it would be possible for us to divide the issue, to address what this body has already authorized in Commodity Credit Corporation funding—how it would be best to handle that.

Would we divide the issue now, or would it best be divided with the possibility of sending this matter back to the committee with instructions to bring forth a stripped-down bill, with possibly the Commodity Credit Corporation appropriation standing alone? Obviously, we have to come up with that money.

I would like the advice of the majority leader, who has had vast experience in these matters.

Mr. BYRD. Mr. President, I appreciate the observations of the distinguished Senator from Nebraska.

I do not think it will be very practical to attempt to simply amend this bill on the floor to provide only the funding for the Commodity Credit Corporation. There are other items involved that are emergency items, and there are other items involved that are not of an emergency nature.

If the vote on the waiver fails, of course the measure will have to go back to the calendar, and there is nothing to keep the majority leader from trying to call it up again and moving again to waive. It may be that the motion to reconsider will carry, in which case we will have the vote again on the motion to waive. If the motion to waive were adopted, then, by a majority of 60 votes, the Senate would then proceed with the further consideration of the supplemental appropriation bill.

However, if it is the Senate's decision that it does not want to proceed with this bill, then it can again reject the waiver motion. If it does that, I cannot move to reconsider a second time on this particular motion. In that case, I think I just would expect the Appropriations Committee to take the matter up again and strip the measure down to the bare essentials or bring it into compliance with the budget requirements, and we could have another go at it.

Mr. EXON. I thank the majority leader.

Mr. BYRD. Until the waiver is approved, the Senate will not be able to amend this bill.

Mr. EXON. If the question is put to the Senate on reconsideration and if that reconsideration should fail, what would be then the posture of the bill? Would it automatically be referred back to the Appropriations Committee for further action or would there have to be a motion to that effect?

Mr. BYRD. The bill is back on the calendar.

The PRESIDING OFFICER. The bill would go back on the calendar, I would say to the majority leader, if the point of order is raised and the Chair rules it is well taken.

Mr. BYRD. I asked the distinquished Senator from Texas [Mr. GRAMM] yesterday if it was his plan to make such a point of order and he indicated that he intended to do that.

If he makes that point of order, I think the Chair would have to rule that the point of order is well taken, and I would not want to see the Senate overrule that point of order by majority vote, which it could, and I hope we will not get to that point. If we want to change the budget process, let us change it up front so that everybody knows what we are doing and not have a waiver that requires 60 votes and then have a point of order and have the Chair rule that the point of order is well taken and then overrule the Chair by a bare majority.

It seems to me that circumvents the budget process. We all had a part in establishing the process, even though it was one of the Senators who voted against Gramm-Rudman in 1985.

Mr. EXON. I thank the majority leader for his consideration.

I wish to make the point again that the Commodity Credit Corporation funds have been approved for expenditure, and I would hope that partisanship, at least on that part of the issue, could be laid aside on Tuesday next and that through some mechanism we can vote that money out. It is badly needed and it has been committed to, and I think at least in that regard the Senate Democrats and Republicans all together should keep their commitment to the American farmer.

I thank the majority leader for his consideration.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Nebraska. As he has well said, he expressed the hope that partisanship could be at least removed from this vote on the waiver motion.

The waiver motion requires 60 votes. Fifty-one Senators yesterday voted to waive. Nine Republicans voted to waive. Forty-two Democrats voted to waive.

If every one of the 54 Senate Democrats had voted to waive. Nine Republicans voted to waive, that motion would have been rejected.

The Democrats cannot produce 60 votes to waive. We have to have some help from the other side of the aisle. We did not get much help yesterday.

If we do not get enough help out on the other side, the motion to waive is going to go down again on Tuesday.

I want Senators on both sides to have an opportunity to think about that over the weekend.

Perhaps next Tuesday, Senators will decide to reconsider the vote on the motion to waive and they may decide that they want to waive the provisions of the Budget Act and get on with the bill or they may decide that they do not.

But I am not going to try to march 54 Democrats down there on a waiver if we are not going to get help from the other side. We Democrats cannot produce 60 votes in the Senate. If we are not going to get help from the other side, let us forget about motions to waive because it is too easy to sit back and point the finger at those who move to waive the Budget Act. It is easy to sit back several miles back from the front line and from the fire of battle, and where the injuries and the slaughter are occurring and still get everything they want that is in the bill.

I am sure there are more than nine Senators on the other side of the aisle who want this bill. Where are those Senators on the other side who are farm State Senators? What about those Senators on the other side who support national defense?

But it is one thing to sit back and say let the Democrats vote for the waiver and take the shot and shell and ride into the valley of death like the Charge of the Light Brigade.

We cannot have our cake and eat it, too. Not all of us can sit back and say we will let someone else vote to waive the Budget Act, and use that against him at election time.

Mr. EXON. If the leader will yield, I have one more comment to make. I think he has made a very strong and pointed case on holding back the troops, way, way behind the firing line for another day.

There have been an awful lot of important battles that have been lost by those who should come forward, those troops who should come forward into the front line and join in the fighting, and we may be at a place here where those on that side of the aisle might agree to come forward because this is such an important matter.

I thank the majority leader.

Mr. BYRD. I thank the distinguished Senator.

Senators will make the decision next week. If it is their decision to send the bill back, pare it down, streamline it, that is all right with me. But let us all eat our cake at the same time or let us all have it at the same time, but we cannot all have our cake and eat it, too.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BYRD. I yield the floor.

Mr. STENNIS. Mr. President, I commend the Senator from West Virginia, our floor leader, for the very fine help and assistance that he has rendered in the preparation of this bill for presentation on the floor and his help was very effective and was given without any special reference to party. But the bill presented problems of presentation that we are not so experienced in, having not practiced heretofore, and it takes leadership there that is exactly what the Senator from West Virginia is, an unusual and extraordinarily effective leader on the floor of the Senate.

It was presented here. The House worked on the bill first and they did some good work.

It has been worked on a great deal here in the Senate committee system. I say "system" because there are elements in the bill that were passed on by those beyond the ones that handle it, the major items here, as a part of one major subcommittee.

This matter covers the whole waterfront to a degree; not the amount, but the different items. And it has been considered by a number of our subcommittees and the Senate Appropriations Committee in the meeting of the full committee, wherein all the subcommittee chairmen were present as well as the chairman of the committee, and staffs were available and discussion was had. It brings up new questions, this procedure does. We do not have full precedents for all of them.

But you have to find your own way, so to speak, which emphasizes the problem and also the need for the leader to get into the presentation of the matter. So I thank him. I think I have seen a gradual increase in the understanding of the Membership as to what is involved procedurally with reference to this bill and I have tried to improve my own knowledge some.

And I have taken satisfaction in seeing how the presentation of it the other day brought it to the attention of all Members of the body. And they followed it with anxious concern, following all of the new methods and new problems presented. Certainly the floor leader, as well as some others, were well prepared already.

So I am looking forward to it. I think strength and effectiveness can follow if we properly developed this new way of considering, to a degree—not anything like all of the budget—but to a degree major parts of it. I will not attempt now to make a speech on the procedure and all. It has been well presented by the leader and we profit by it when we take this matter up which is now tentatively expected to be next Tuesday.

I thank the Senator for yielding to me. I wanted to cover something on the outlook, as well as to thank him for his interest and his services.

And the former chairman of the Appropriations Committee of the Senate, the Senator from Oregon [Mr. HATFIELD], has done a wonderful job and was very effective, as he always is, in the new problem of the procedure and the content of the bill, too. So I think we are going to make a step forward here next week.

I thank the Senator again for yielding.

Mr. BYRD. Mr. President, I thank the distinguished chairman of the Appropriations Committee. I will not belabor the point. I will take another 2 or 3 minutes to point out that this supplemental appropriations bill had a total request by the President of $12,004,054,000—$12 billion, that was the President's request. The Senate's recommendation was $9.4 billion. In other words, the Senate was $2½ billion under the President's request in the bill overall.

In the DOD, military items, the President's request was $2,792,600,000; in other words, $2.7 billion. The Senate bill provides $768 million. The Senate bill is under the President's request by $2 billion on the military in this bill.

Foreign assistance, the President's request was for $1,050,000,000—$1 billion let us say. The Senate's recommendation was $154 million. So that was $896 million under the President's request.

But I take it the President wants that $154 million for foreign assistance. I take it that the President, who is very strong on national defense—that is what I have been hearing for a long, long time—I take it he would like to have the $2 billion, the $2.7 billion. He is not getting all of that, but the Senate was at least providing $768 million. I take it if he cannot get a full loaf, he would take a fourth of a loaf.

For nondefense domestic items, well, money for air traffic controllers is a nondefense domestic item. Senators might contemplate the need for more air traffic controllers as they fly out of town this weekend.

The homeless relief legislation, we have put in the money for that, at least some of it, $135 million.

Overall, as I say, the President's request was $12 billion; the Senate recommendation was $9.4 billion, which was $2.5 billion under the President's request, to round off the numbers.

Well, so much for that.

Mr. President, do I have the understanding of the chairman, then, that the Senate should not proceed further on this matter today?

Mr. STENNIS. Yes.

Mr. BYRD. Very well. The chairman has indicated that that is his understanding, also.

I yield the floor.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER (Mr. DASCHLE). The Senator from North Carolina.

Mr. HELMS. Mr. President, I have a feeling the distinguished majority leader is in the mood to wind up the affairs for the day, and I will not prolong that. But he and the distinguished Senator from Nebraska alluded a number of times to the "other side," and right now I am the "other side" in terms of those present.

Mr. BYRD. The other side is very well represented, may I say.

Mr. HELMS. I thank the Senator.

But I will say, Mr. President, that while I do not speak for all the "other side," I will speak for myself and explain just for the record my position on the Chiles budget.

First of all, we started off this year with three budget busters, enormous bills—the water bill, the highway bill, and the housing bill—adding, those and other things, a total of $45 billion in additional domestic spending.

Bear in mind now, Mr. President—and I am speaking only for myself—that there were two unanimous votes in and by the Senate that any spending would be budget neutral. Well, as we see, the vehicle is anything but budget neutral, because it involves a $125 billion tax increase. And that made my position fairly simple in terms of what I should do.

Now I think the majority leader does have a problem. The majority always has a problem. I have agonized a little bit in the past 6 years. Not that I was in the upper echelons of the leadership on my side; I was chairman of a committee and now ranking member of one. But there are two sides to it. And I understand the frustration of the majority because I have been there myself.

And, as my good friend from West Virginia knows, I want to help any way I can, but there are certain facts that have to be resolved before I am in a position to do that. But I want him to know that I admire him and respect him nonetheless.

I thank the Senator and yield the floor.

Mr. BYRD. I thank the distinguished Senator.

THE CALENDAR

Mr. BYRD. Mr. President, may I ask the distinguished acting Republican leader if the following measures have been cleared on his side of the aisle: Calendar Orders Nos. 107, 108, and 109.

Mr. HELMS. Mr. President, I say to the distinguished majority leader that they indeed have been cleared.

Mr. BYRD. I thank my friend, Mr. HELMS.

Mr. President, I ask unanimous consent that the Senate proceed immediately to the consideration of those three calendar items en bloc, that they be agreed to en bloc, and that the motions to reconsider and lay on the table be agreed to en bloc.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RELIEF OF NABIL YALDO

The bill (S. 392) for the relief of Nabil Yaldo, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 392

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, the provisions of section 204(c) of that Act shall be inapplicable in the case of Nabil Yaldo.

RELIEF OF EMILIE SANTOS

The bill (S. 393) for the relief of Emilie Santos, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Emilie Santos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by the proper number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas which are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas which are made available to natives of the country or the alien's birth under section 202(e) of such Act.

RELIEF OF KIL JOON YU CALLAHAN

The Senate proceeded to consider the bill (S. 423) for the relief of Kil Joon Yu Callahan.

Mr. KENNEDY. Mr. President, I want to express my strong support for S. 423, a private relief measure introduced by my distinguished colleague from Massachusetts [Mr. KERRY], and recently reported from the Senate Judiciary Committee.

S. 423 would allow Kil Joon Yu Callahan, a resident and citizen of Korea, to immigrate to the United States with her United States citizen husband and 5-year-old son. David Callahan, a former resident of Hudson, MA, and Kil Joon Yu met while he was teaching at Yonsei University in Seoul, Korea. They were married in 1979 in Seoul and their son, Alexander was born in April 1982. However, when the Callahans attempted to return to the United States, Mrs. Callahan's visa request was denied due to a conviction for possession of a small amount of marijuana that occurred in 1976. Although Mrs. Callahan has served out her sentence of probation and the Korean Government has expunged the offense from her record, subsequent appeals on her behalf have been denied and all existing administrative remedies available to Mrs. Callahan have been exhausted.

For many years Mr. Callahan has sought to bring his wife and child back to his home in Massachusetts, but because of the rigidity of the immigration exclusion provisions of the law has been unable to do so.

Mr. President, the Senate passed this bill in the 99th Congress, and rarely have I known of a case that merits private legislation as this bill for the relief of Kil Joon Yu Callahan. I urge my colleagues to read the report filed by the Senate Judiciary Committee outlining the merits of this case and I hope the House Judiciary Committee will finally give it the consideration it deserves.

The bill (S. 423) was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

S. 423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 212(a)(23) of the Immigration and Nationality Act, Kil Joon Yu Callahan may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the Act.

SEC. 2. The foregoing exemption shall apply only to grounds for exclusion of which the Department of State or Department of Justice had knowledge prior to the enactment of this Act.

ADJOURNMENT

Mr. BYRD. Mr. President, I am about to ask unanimous consent that the Senate adjourn for a minute so as to qualify some of the measures that are on the calendar for action in some form down the road. They have not been cleared under the 1-day rule. The Senate is still in the legislative day of April 21, and the calendar day of May 8.

NO RESOLUTIONS OR MOTIONS OVER, UNDER THE RULE

Mr. BYRD. Mr. President, I ask unanimous consent that, when the Senate reconvenes after adjournment, no resolutions or motions come over, under the rule, and that the call of the calendar be waived.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

BILL PLACED ON THE CALENDAR

Mr. BYRD. Before the Senate adjourns, Mr. President, on behalf of Mr. PRYOR—I understand this has been cleared—I ask unanimous consent that a bill introduced by Mr. PRYOR on behalf of himself and Mr. STEVENS be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that a statement by Mr. PRYOR in relation to the bill that has just been introduced and placed on the calendar be included in the Record at the appropriate place as though given.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate stand in adjournment for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, at 2:14 p.m. on Friday, May 8, 1987, the Senate adjourned until 2:15 p.m. the same day.

The PRESIDING OFFICER. The Chair recognize the majority leader.

THE JOURNAL

Mr. BYRD. Mr. President, I ask unanimous consent that the Journal of proceedings be approved to date.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS PLACED ON THE CALENDAR

S. 1118

The PRESIDING OFFICER. The clerk will read S. 1118 for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1118) to help prevent rape and other sexual violence by prohibiting dial-a-porn operations.

Mr. BYRD. Mr. President, I object to any further proceedings on the bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

H.R. 3

The PRESIDING OFFICER. The clerk will now report H.R. 3 for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to enhance the competitiveness of American industry, and for other purposes.

Mr. HELMS. Mr. President, I object to any further proceedings on H.R. 3.

The PRESIDING OFFICER. The bill will be placed on the calendar.

H.R. 1226

The PRESIDING OFFICER. The clerk will now report H.R. 1226.

The assistant legislative clerk read as follows:

A bill (H.R. 1226) to amend the Federal Food, Drug, and Cosmetic Act, and to require the appointment of the Commissioner of the Food and Drug Administration to be subject to Senate confirmation.

Mr. HELMS. Mr. President, I object to any further proceedings on H.R. 1226.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. BYRD. Mr. President, the distinguished Senator from North Carolina and I have placed our actions appropriately here in accordance with rule XIV so as to force these items on to the calendar, and the objections were made notwithstanding the position that either of us takes on the matters to which we were objecting.

Our objections were for procedural purposes, parliamentary purposes, and not indicative of whether or not we support the measure.

WAIVER OF LEADER TIME

Mr. BYRD. Mr. President, I ask unanimous consent that the time for the two leaders under the standing order be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Will the majority leader yield?

Mr. BYRD. Yes.

APPOINTMENT OF SENATOR STEVENS AS VICE CHAIRMAN OF A SENATE DELEGATION

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to title 22 U.S.C. 276(d)-276(g), as amended, appoints the Senator from Alaska, Mr. Stevens, as Vice Chairman of the Senate Delegation to the Canadian-United States Interparliamentary Group during the 100th Congress.

SENATE PROCEEDING UNDER RULE VII

Mr. BYRD. Mr. President, I suggest that the Senate proceed under rule VII since the Senate is now in a new legislative day.

Mr. President, as I had indicated earlier, I would like the Senate to proceed now on the new legislative day under rule VII. The Senate is so unaccustomed to using this rule, I think we should have an exercise in proceeding under it.

I ask that we proceed under rule VII, with, for example, the Chair asking for the presentation of petitions and memorials, reports of committees, the introduction of bills and joint resolutions, the submission of other resolutions, and so on.

The PRESIDING OFFICER. If the Senator will suspend, the materials will be gathered and they will be laid before the Senate.

Mr. BYRD. I thank the Chair. In the meantime, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that during morning business, Senators be permitted to speak for not to exceed 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina.

Mr. HOLLINGS. I thank the distinguished Chair and I thank the distinguished majority leader.

THE SECURITY OF THE AMERICAN EMBASSY IN MOSCOW

Mr. HOLLINGS. Mr. President, for some time now I have been concerned about the security of the American Embassy in Moscow. It has become apparent to all of us from recent news reports that there has been a general breakdown in discipline regarding the security of the Embassy. This problem has been an ongoing one for a period of several years during the tenure of Ambassador Hartman in Moscow.

Mr. President, I have been involved in intelligence work in one way or another for over 30 years. I understand the security respect and the confidentiality of the investigation now underway of those stationed in Moscow. I emphasize this point because I have received a letter from the Director of the Federal Bureau of Investigation pursuant to the necessity of conducting a classified investigation of this critical matter. I had previously spoken to the Director of the FBI, Judge Webster, in both private and open sessions, asking that a thorough and vigorous investigation be made of civilian employees in the Moscow Embassy as well as the military personnel who have been investigated. The investigation is being conducted by the Naval Intelligence Service.

I have also spoken with the Attorney General, both in private and on the record, and received assurances from him that investigations of State Department employees would occur. Nevertheless, I keep reading that there is no investigation of civilians employed by the State Department but only of the marines. One press report was to the effect that the Justice Department believed that Naval Intelligence had conducted an ineffective investigation of the marines and—in the process—had destroyed any chance of convictions.

The day before yesterday, at the hearing before the Appropriations Subcommittee of State, Justice, and Commerce, which I chair, I asked the Assistant Director of the FBI, John Glover, about the Justice Department's investigation, of civilians—wanting to be assured that it was a very vigorous and thorough one—with an assignment of an agency task force to investigate these employees.

I was told there was a protocol whereby the Pentagon would look into it. After further questioning, Mr. Glover said, "We will monitor."

I am not looking for monitors. I am not looking for a protocol. I am looking for an appropriate investigation of all civilian employees stationed in Moscow. The security violations that occurred there are a terrible smear on the reputation of our security and intelligence forces and they must not occur again.

It was not the policy enunciated by the FBI so much that disturbed me the day before yesterday. It was their failure, with all the top level assistants present, to have any knowledge of the investigation.

I have now met with Judge Webster. I have tremendous confidence in him and in his leadership. I voted for him, as a member of the Intelligence Committee, to become the new Director of the Central Intelligence Agency.

I am assured now, after our meeting, that there will be a thorough investigation and that there will be cooperation of all relevant agencies without the executive branch. Judge Webster has written to me and cited in his letter his assurance that "own Deputy Secretary, John Whitehead, at the State Department, continues to cooperate to the fullest extent."

I believe this is the kind of investigation that is needed. If there is culpability, particularly under title XVIII, section 793(f), whereby secure matters, those affecting the Department of Defense, fall into the hands of unauthorized personnel due to the gross negligence, it is essential, that this statute be fully pursued and enforced.

The officer in charge of the marines in Moscow is not a lieutenant, a captain, a major, or a marine. The officer in charge of the marines is the regional security officer who is under the direction of the Ambassador himself. We have direct evidence now, and yesterday I put a statement in the RECORD by Marine Corporal Parks, to the **effect that security was totally lax for quite a period of time. And this is just not in the last security officer's tour of duty, but perhaps the previous one's also. That is why a thorough investigation is warranted.**

Since I have been assured by Judge Webster personally and by his letter that a thorough investigation is underway, I want to thank the distinguished majority leader who broached this subject with the Director of the FBI last evening. I am sure that the leader has assisted us all in receiving this letter and these assurances today.

I also want to note, that the Secretary of the Navy, Secretary Webb, has correctly put his finger on the situation. As I have emphasized, the officer in charge is not the Secretary of the Navy or the Marines Corps Commandant but, rather, the Ambassador and the regional security officer there.

So it is with appreciation for the cooperation of our distinguished leader, Senator BYRD, that I ask unanimous consent that the letter from Judge Webster dated May 8, 1987, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, DC, May 8, 1987.

Hon. EARNEST F. HOLLINGS
Chairman, Subcommittee on Commerce, Justice, State and Judiciary, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Executive Assistant Director John Glover briefed me following his appearance before your Subcommittee, and I want to follow up on your question about the Bureau's involvement in the investigation into the Moscow Embassy security breach. Since our investigation is ongoing and the information concerning the case is classified, I thought I could elaborate to a greater extent on information furnished you by Mr. Glover. I understand your desire to see this important matter properly investigated and hope to alleviate your concerns.

The FBI has been investigating a number of current and former Department of State and other U.S. Government employees in connection with the U.S. Embassy Moscow situation. I do not believe the names of all employees would be of particular assistance to you, but all of these investigations are being conducted in a timely and thorough manner and will examine all possible violations of Federal statutes, to include Title 18, U.S. Code, Section 793 (f), as pertains to "gross negligence." I hope that you will understand that our reluctance to reveal this specific information in the hearing was based upon our standing, and I believe appropriate, policy not to discuss pending investigations in an open session.

We have met with and have received the full cooperation of high-level officials from the White House, Department of State and other agencies as appropriate. Following the hearing, I have had further contact with Deputy Secretary John Whitehead at the State Department, who continues to cooperate to the fullest extent. Throughout the conduct of these investigations, we have been pursuing and will continue to pursue all investigative leads.

I am available to discuss these matters further with you if you so desire.

Sincerely yours,
WILLIAM H. WEBSTER,
Director.

Mr. HOLLINGS. I want to thank Judge Webster for his prompt and cooperative response. I yield the floor.

Mr. BYRD. Mr. President, before the Senator yields the floor, will he yield to me?

Mr. HOLLINGS. I yield.

Mr. BYRD. Mr. President, I want to congratulate the Senator from South Carolina on the course that he has taken in the performance of his duties.

It is not always an easy course. One does not have to wonder where the Senator from South Carolina stands on anything. The Senator has certainly fulfilled his duties in this instance, and I am glad Judge Webster responded promptly.

I thank Judge Webster on the record for doing that.

I commend the Senator from South Carolina. He indicated that he wanted some time, he wanted some information, and that he did not think the nomination should be called up until he, the Senator from South Carolina, secured the information he wanted. I relayed the importance of that request to Judge Webster last evening. I am happy that the distinguished Senator from South Carolina is getting some cooperation, cooperation he needed, wanted, and deserved.

Mr. HOLLINGS. I thank the distinguished majority leader. The majority leader helped me very much.

EXTENSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, how much time remains under morning business, which was provided under the order?

The PRESIDING OFFICER. Two minutes remain.

Mr. BYRD. Mr. President, I ask that the morning business period be extended for an additional 8 minutes under the same conditions as previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I ask unanimous consent that if any Senator wishes to speak during morning business until the Chair has formally closed morning business under rule VII, that any Senator may be permitted to speak up to 2 minutes each. In the meantime, I withdraw my demand that any undisposed communications from the heads of departments or other communications addressed to the Senate that were left over from yesterday's session be laid before the Senate.

The PRESIDING OFFICER. The Chair would inquire as to the intent of any Senator in presenting petitions or memorials?

The Chair would inquire if there are any reports of committees to be presented?

The Chair would inquire if there are any bills or resolutions to be printed?

The Chair would inquire as to whether there are any Senate or concurrent resolutions to be presented?

CONCLUSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

Mr. BYRD. Mr. President, if it is agreeable to my colleagues, I would like to speak on the history of the U.S. Senate, and I contemplate that I would require about 1 hour. This would be with the understanding that if any Senator on either side of the aisle comes to the floor and wishes to have recognition from the Chair, I will be happy to yield the floor at that time for such Senator.

I ask unanimous consent that I be permitted to do that, that I be permitted to speak out of order in this new legislative day not to exceed 1 hour and that, if other Senators seek recognition and I yield the floor, my statement in the Record will not show an interruption.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, so that other Senators will not have me impose their endurance, I ask unanimous consent that when I have completed this statement, if it is agreeable then with the distinguished Republican leader that the Senate go out and go over until Tuesday next, under the order previously entered, that the Chair recess the Senate over. Just before I terminate my speech, I will inquire as to whether or not the Republican leader or any other Senator wishes to come to the floor to speak. In that case, I will change the order, so that such Senators may speak or we may transact business if that is necessary.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. I thank the acting leader, Mr. Helms; I thank all Senators; I thank the Chair; and I thank the Parliamentarian.

With that understanding, Mr. President, I shall begin.

Mr. President, for the information of those who may be listening, this will be the 93d speech I have made on the history of the U.S. Senate. That series of statements began on March 21, 1980, and consequently the series has continued over a period of 7 years.

Mr. President, I recall that I have a gentleman constituent waiting in my office, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I am going to have to be tied up in my office off the floor for quite awhile yet this afternoon. Therefore, I will be unable at this time to proceed with the speech on the history of the Senate. But inasmuch as the series has continued, 7 years and more, I suppose we can wait a few days for the next installment in the series.

So, I will ask that our staff contact the other side to see if the Republican leader has any business he wishes to transact or if any other Senators on either side wish to speak or transact any business. Otherwise, the Senate will go over until next Tuesday.

ORDERS FOR TUESDAY, MAY 12, 1987

RECESS UNTIL 2 P.M.

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 2 o'clock on Tuesday next.

The PRESIDING OFFICER. Is there any objection? Hearing none, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that on Tuesday next, after the two leaders or their designees have been recognized under the standing order, there be a period for the transaction of morning business not to extend beyond 2:30 p.m.; that Senators be permitted to speak therein up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESUMPTION OF UNFINISHED BUSINESS

Mr. BYRD. Now, Mr. President, I ask unanimous consent that at 2:30 p.m. on Tuesday next, the Senate resume consideration of what will then be the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. The unfinished business at that time, Mr. President, will be the supplemental appropriations bill; am I correct?

The PRESIDING OFFICER. The majority leader is correct.

AUTHORITY FOR COMMITTEES TO FILE REPORTS

Mr. BYRD. Mr. President, I ask unanimous consent that the committees may have between the hours of 10 a.m. and 3 p.m. on Monday next in which to file reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BYRD. Mr. President, on Tuesday next there will be rollcall votes—I think this will be almost a certainty—by virtue of the fact that the supplemental appropriations bill will be the pending unfinished business early in that afternoon.

The two party conferences will meet as regularly scheduled. The Senate will make its decision as to whether or not to waive the Budget Act in connection with the supplemental appropriations bill.

So I urge that Senators be present because rollcall votes may occur as early as 2:30 or 3 p.m. It may very well be that a live quorum call would be needed in order to have Senators come to the floor and discuss the waiver. I say this on the Record so that Senators will not be taken by surprise if there is a rollcall vote which may occur as early as 2:30 or 3 o'clock on Tuesday afternoon next.

RECESS UNTIL TUESDAY, MAY 12, 1987, AT 2 P.M.

Mr. BYRD. Mr. President, if there be no further business—and I know of none—to come before the Senate, I move, in accordance with the previous order and pursuant to the provisions of Senate Resolution 209, that the Senate now stand in recess out of further respect to the memory of our late departed colleague, late a Member of the House of Representatives, Stewart B. McKinney, until Tuesday next at 2 p.m.

The motion was agreed to, and at 2:54 p.m., the Senate recessed until Tuesday May 12, 1987, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate May 8, 1987:

ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT

Denis Lamb, of Virginia, a career member of the Senior Foreign Service, class of Minister-Counselor, to be the Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador.

HOUSE OF REPRESENTATIVES—*Friday, May 8, 1987*

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we view our world and our lives, O God, with all our divisions, we long to sense that reality that brings us together and gives purpose to living. In spite of the pressures that pull us apart, we hunger for unity and meaning, we search for that fellowship that marks our common humanity. In this our prayer, gracious God, we celebrate that spirit that makes us one people, one human family, one nation under Your providence. We thank You, O Creator, that we have been given that tie that truly binds us together and makes us one people. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MARLENEE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MARLENEE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 250, nays 99, not voting 83, as follows:

[Roll No. 96]

YEAS—250

Ackerman
Akaka
Anderson
Andrews
Anthony
Applegate
Archer
Aspin
Atkins
AuCoin
Barnard
Bateman
Beilenson
Bennett
Bereuter
Berman
Biaggi
Bilbray
Boggs
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brown (CA)
Bruce
Bustamante
Callahan
Campbell
Cardin
Carper
Carr
Chapman
Chappell
Clarke
Clinger
Coelho
Coleman (TX)
Collins
Coyne
Crockett
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
DeWine
Dicks
Dowdy
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Flippo
Foglietta
Ford (MI)
Frank
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Grant
Green
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Herger
Hertel
Hochbrueckner
Holloway
Horton
Houghton
Howard
Hoyer
Huckaby
Hughes
Hutto
Jeffords
Johnson (CT)
Johnson (SD)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lowry (WA)
Lujan
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McCurdy
McDade
McEwen
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Miller (WA)
Mineta
Moakley
Mollohan
Montgomery
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Myers
Natcher
Nelson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Panetta
Patterson
Pease
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Rinaldo
Ritter
Robinson
Roe
Rose
Rostenkowski
Roth
Rowland (GA)
Russo
Saiki
Sawyer
Scheuer
Schulze
Schumer
Sharp
Shaw
Shumway
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stenholm
Stratton
Studds
Tallon
Tauke
Taylor
Thomas (GA)
Torres
Torricelli
Traficant
Traxler
Udall
Vander Jagt
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whitten
Wilson
Wise
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron

NAYS—99

Armey
Ballenger
Barton
Bentley
Bilirakis
Bliley
Boehlert
Boulter
Brown (CO)
Buechner
Bunning
Burton
Chandler
Coats
Coble
Coleman (MO)
Courter
Craig
Crane
Davis (IL)
Dickinson
DioGuardi
Dreier
Edwards (OK)
Emerson
Fields
Frenzel
Gallegly
Gallo
Gekas
Gingrich
Goodling
Grandy
Gregg
Hastert
Hefley
Henry
Hiler
Hopkins
Hunter
Jacobs
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Leach (IA)
Lewis (FL)
Lightfoot
Lloyd
Lowery (CA)
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCandless
McGrath
Michel
Miller (OH)
Molinari
Nielson
Packard
Parris
Pashayan
Penny
Quillen
Ridge
Roberts
Rogers
Roukema
Rowland (CT)
Saxton
Schaefer
Schroeder
Schuette
Sensenbrenner
Sikorski
Skeen
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Stangeland
Stump
Sundquist
Swindall
Synar
Thomas (CA)
Upton
Vucanovich
Walker
Weber
Whittaker
Wolf
Young (AK)
Young (FL)

NOT VOTING—83

Alexander
Annunzio
Badham
Baker
Bartlett
Bates
Bevill
Boland
Boner (TN)
Brooks
Broomfield
Bryant
Byron
Cheney
Clay
Combest
Conte
Conyers
Cooper
Coughlin
Daniel
Dannemeyer
Daub
DeLay
Dingell
Dixon
Donnelly
Dorgan (ND)
Dornan (CA)
Downey
Dymally
Dyson
Florio
Foley
Ford (TN)
Frost
Garcia
Gephardt
Gradison
Gray (IL)
Gray (PA)
Hall (OH)
Hansen
Hubbard
Hyde
Inhofe
Ireland
Jenkins
Jones (NC)
Jones (TN)
Kasich
Kemp
Kleczka
Lehman (FL)
Lewis (CA)
Livingston
Lott
Mazzoli
McCollum
Miller (CA)
Moody
Moorhead
Murphy
Nagle
Neal
Nichols
Rahall
Rodino
Roemer
Roybal
Sabo
Savage
Schneider
Shuster
Smith (FL)
Stark
Stokes
Sweeney
Swift
Tauzin
Towns
Valentine
Williams

☐ 1020

So the Journal was approved.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Due to an extraordinary amount of business pending today and the short time allowed for it, the Chair will announce his intention to dispense with 1-minute speeches until after the completion of the day's legislative schedule.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

JUST SAY NO TO DRUGS WEEK

Mr. LELAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 124) designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I do not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

□ 1030

Mr. Speaker, further reserving the right to object, I rise in strong support of Senate Joint Resolution 124, which is identical to House Joint Resolution 108 which passed the House on April 22, 1987. The House designated the week of May 17, 1987, through May 23, 1987, and Senate Joint Resolution 124 designates the week beginning May 10, 1987. The White House is expected to conduct appropriate activities and ceremonies regarding "Just Say No to Drugs Week." I urge my colleagues to support this important piece of legislation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 124

Whereas America's youth are our Nation's most precious resource;

Whereas young people are contributing to drug abuse prevention by starting "Just Say No" clubs and saying "no" to drugs;

Whereas America's youth should be recognized and encouraged for their efforts in the fight against drug abuse: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of this Nation's young people to publicly fight drug abuse by just saying "no" to drugs and thereby contributing to the end of drug abuse in America, the President is directed to issue a proclamation designating the week of May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week", and calling on the people of the United States to observe this week with appropriate programs, ceremonies, and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONGRATULATING DUCKS UNLIMITED, INC., ON ITS 50TH ANNIVERSARY

Mr. LELAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 52) to recognize and congratulate Ducks Unlimited, Inc., in honor of its 50th anniversary, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I do not object but simply would like to inform the House that the minority has no objections to the legislation now being considered.

Mr. Speaker, further reserving the right to object, I rise in support of Senate Concurrent Resolution 52, which is identical to House Joint Resolution 106, with several minor changes, which passed the House on April 22, 1987. I ask my colleagues to support this bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 52

Whereas Ducks Unlimited, Incorporated, is one of the largest and most successful private wetlands and waterfowl conservation organizations in the world, having raised nearly $400,000,000 and conserved more than 4,000,000 acres of wetlands throughout North America;

Whereas wetlands play an integral role in maintaining the quality of life through material contributions to our national economy, food supply, water quality and supply, flood control, and fish, wildlife, and plant resources, and thus to the health, safety, recreation, and economic well-being of all citizens;

Whereas wetlands constitute only a small percentage of the land area of North America, are estimated to have been reduced by half in the contiguous States, and continue to disappear at the rate of nearly 700,000 acres each year;

Whereas governments alone cannot adequately protect valuable wetlands without help from private organizations;

Whereas the members, volunteers, and staff of Ducks Unlimited have given generously of their time, energy, and financial resources to achieve outstanding conservation objectives;

Whereas Ducks Unlimited has established and maintained a singleness of purpose for the protection and enhancement of waterfowl habitats that is a standard other organizations have sought to achieve; and

Whereas January 29, 1987, was the 50th anniversary of the founding of Ducks Unlimited and its pioneering leadership in continent-wide waterfowl conservation programs: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognizes and congratulates Ducks Unlimited, Incorporated, for its 50 years of unprecedented accomplishments in the protection and enhancement of wetlands waterfowl habitat.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LELAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate resolutions just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 558, URGENT RELIEF FOR THE HOMELESS ACT

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 558) to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, and families with children, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

MOTION OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. MICHEL moves that the Managers on the part of the House, at the Conference on the disagreeing votes of the two Houses on the bill H.R. 558, be instructed to agree to section 1001 of the Senate amendment:

"SEC. 1001. Appropriations made pursuant to this authorization shall be made in accordance with the provisions of the Congressional Budget and Impoundment Control Act, as amended, which prohibits the consideration of any bill which would cause the deficit to exceed the levels established by the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings)."

The SPEAKER. The gentleman from Illinois [Mr. MICHEL] is recognized for 1 hour.

Mr. MICHEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, what I am attempting to do here is to instruct the conferees on the bill with respect to assistance for the homeless.

My colleagues will recall that when this measure was considered here on the House side that the gentleman from Illinois had offered an amendment that would have provided that, since it was a new program, it would be funded from existing appropriations or from programs for which we had previously appropriated funds. There would not be any new money involved here.

I cannot recall specifically, but I think it was a handful—we lost that amendment by a handful of votes, 4, 5, or 6, something of that nature. I was very encouraged when the other body took up this measure on April 9, and at that time, the distinguished majority leader in the Senate, Mr. BYRD, offered an amendment which takes the same form and language as my motion to instruct today.

In other words, it is not quite as strong as what I would have liked to have had in final language to conform with the amendment we offered here in the House. Nevertheless, it is a significant improvement, and at that time, when the distinguished Senator introduced the amendment—if I might just paraphrase some of the argument that was used over in the other body. It follows:

> When the process prohibits the consideration of any bill or amendment that would cause the deficit to exceed the amount established in the Gramm-Rudman law, this prohibition forces the Congress to try to find offsetting reductions in spending, such that any subsequent appropriations will not increase the deficit, that in accordance with the current budget process.

So frankly, that is the kind of argument, in essence, that was made on the other side of the Capitol, frankly, sentiments which conform to the views of the gentleman from Illinois. That is why I have offered this motion to instruct the conferees to adopt that language which will agree to section 1001 of the Senate amendment, as was read by the Clerk.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Speaker, I say to the gentleman that the problem that we have on this side is, quite frankly, not looking at the debate or colloquy in the other body, but looking at the very language of this section, when our staff has met with and checked with staff on the other side, both sides of the aisle, nobody really knows what this means or says.

Will the gentleman be kind enough to tell us what, in his opinion, this verbiage contained in his motion means. What is the impact of it?

Mr. MICHEL. Mr. Speaker, it will certainly conform—if the amendment is adopted, in my judgment, it conforms more perfectly with the budget resolution and does not provide for an additional new appropriation of funds, but frankly, a reallocation of preappropriated funds more in line with what this legislation calls for.

Mr. PANETTA. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from California.

□ 1040

Mr. PANETTA. Mr. Speaker, I thank the gentleman for yielding so that I can get a specific interpretation of the language here.

When we adopted the supplemental, the overall supplemental met the levels within the budget resolution targeted for fiscal year 1987. It did, however, allow for funding of the homeless bill, but the overall supplemental met the budget resolution levels. Is that the intent of this language, that we stay within the budget levels?

Mr. MICHEL. That would call for waiving of the Budget Act, would it not?

Mr. PANETTA. The supplemental as it was adopted on the House side, according to House scorekeeping, met our levels.

Mr. MICHEL. But when we considered the supplemental on the floor of the House, we did waive the provisions of the Budget Act.

Mr. PANETTA. Regardless of waiving the provisions of the Budget Act, let me address the specific question. If we stay within the levels in the budget resolution for fiscal year 1987, even though it may provide for additional funding for homeless, but if the overall levels meet the 1987 budget resolution levels—is that what this language asks for?

Mr. MICHEL. In my judgment, it does; yes.

Mr. PANETTA. Mr. Speaker, I thank the gentleman because I think our intent is that that bill stay within the 1987 budget levels, even though we do want to provide the funding for homeless, as we did in the supplemental on the House side. Our goal is to stay within those overall ceilings.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to my friend, the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

The way in which they went about getting the supplemental down to the budget levels they are describing, though, was with the McKay amendment, which cut the budget across the board 20 percent and then exempted the homeless provision and cut other programs more in order to exempt the homeless.

That is what they are talking about ratifying here. The question will then become, if that supplemental goes forward, whether or not we stick with that language. Our understanding was that that supplemental is probably going to die. Having agreed here, what we want to make certain of is the fact that the conformity that would be required under Gramm-Rudman-Hollings in fact would obligate any future supplemental, regardless of those cuts, to take the cuts even for the homeless across the board, it seems to me.

Mr. MICHEL. And the gentleman's intention here, of course, is, if we have a Budget Act and we also have to conform with Gramm-Rudman-Hollings, we had better stick with what we said we were going to do. That is the intention of our motion, and, frankly, I think the sentiment prevails over in the other body to do that, too.

Mr. PANETTA. Mr. Speaker, if the gentleman will yield further, adhering to Gramm-Rudman-Hollings is adhering to the 1987 budget resolution levels. If the goal here is to ensure that whatever is finally adopted stays within those 1987 budget resolution levels overall, then this gentleman has no concern with the instructions provided. Is that correct?

Mr. MICHEL. That is correct.

Mr. PANETTA. Mr. Speaker, I thank the gentleman.

Mr. MICHEL. Mr. Speaker, I appreciate the gentleman's acquiescence. I might add to the distinguished gentleman from Rhode Island [Mr. ST GERMAIN] if he takes the same view as that of the gentleman from California, there would not be any need for a rollcall vote, we could assume that it would be agreed upon, and we could move along expeditiously.

Mr. ST GERMAIN. Mr. Speaker, I must say one thing to the gentleman from Illinois, repeating what I said initially, if the gentleman will yield.

Mr. MICHEL. I am happy to yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Again I have consulted with our staffs, both here and in the Senate. There is a great deal of misunderstanding or lack of understanding as to the import and the impact of the content of the gentleman's motion, to wit, the Senate amendment that he is asking us to instruct the conferees to agree to. Under the circumstances, I shall have no alternative but to object to the motion and to ask for a vote.

Mr. MICHEL. Mr. Speaker, do I understand the gentleman to say that he is not of a mind to complying with the restrictions of Gramm-Rudman-Hollings?

Mr. ST GERMAIN. The gentleman is saying that he and no one else has been able at this point to give us a clear interpretation and explanation of what this amendment says, and I think it is not proper to instruct conferees to accept language that nobody really understands.

Mr. MICHEL. Mr. Speaker, I appreciate the gentleman's comments. If we were given time, I am sure we could very well read at length some of the arguments made over in the other body by the distinguished majority leader of the gentleman's own party, who seems to be convinced that what he proposed was good and valid and did the kind of things that we want done. If the gentleman is questioning his interpretation of what it is all about, of course, that is the gentleman's prerogative.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield further?

Mr. MICHEL. I am happy to yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Speaker, as the chairman of the House conferees on this particular title, I would reassure the gentleman that certainly if the interpretations that have been given here today in the colloquy between the gentleman from California [Mr. PANETTA] and himself, we would have no problem with it. The problem is whether or not that is the case.

Under the circumstances, I would say to the gentleman that I do not see any need for the motion because if indeed that is the impact of this amendment, we would have no problem with it.

Mr. MICHEL. Mr. Speaker, as the gentleman well knows around here, if we are not specific from time to time, things do fall between the cracks.

Mr. ST GERMAIN. Mr. Speaker, if the gentleman will yield further, sometimes specificity on that which one does not really understand could be dangerous.

Mrs. ROUKEMA. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the gentlewoman from New Jersey.

Mrs. ROUKEMA. Mr. Speaker, I want to say that I think it is unfortunate now if we do not have bipartisan support on this since we have enjoyed such bipartisan support on the subject of the homeless, especially in light of the observations of the gentleman from California, who, I think, does very well understand the meaning of the budget process and the meaning of this specific language and the fact that there should be a bipartisan commitment to keep within the language. As a member of the conference committee, I would hope that we would have the support of the chairman of the committee on this particular issue. Specificity is important here.

Mr. GILMAN. Mr. Speaker, I rise in reluctant support of the motion to instruct the conferees on H.R. 558, the Urgent Relief for the Homeless Act. this motion instructs the House conferees to adopt language which would ensure that the funds authorized under the legislation do not result in increased appropriations in fiscal year 1987.

While I am acutely aware of the need to reduce our deficit, I do believe that the problem of the homeless is of such magnitude that we must act without further delay. Our Nation's homeless should be one of our top priorities, and the funds necessary to assist them should be expeditiously made available.

I would also like to take this opportunity to bring to the attention of the conferees a matter which is of great concern to myself and many other Members. I refer to the question of vendor payments. The House language provides that payments made to a third-party, such as the owner of a motel, should not be counted as income to a homeless family housed in a shelter without cooking or storage facilities. Currently, the Department of Agriculture does calculate such third-party or vendor payments as income of the homeless family, and reduces their food stamp benefits accordingly.

I strongly believe that this policy is inhumane and senseless. As a member of the Select Committee on Hunger, I am outraged that the nutritional well-being of many homeless families is being threatened by such a misguided policy. The House language solves this problem in a straightforward manner, and explicitly states the will of Congress. Accordingly, I urge the conferees to adopt the House language in regard to vendor payments, and I invite my colleagues to join in urging the Conferees to adopt such language.

Mr. MICHEL. Mr. Speaker, if there are no requests for time, I move the previous question on the motion.

The previous question was ordered.

The **SPEAKER.** The question is on the motion offered by the gentleman from Illinois [Mr. MICHEL].

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 342, nays 26, not voting 64, as follows:

[Roll No. 97]

YEAS—342

Akaka
Alexander
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Baker
Ballenger
Barnard
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Boucher
Boulter
Boxer
Brennan
Brooks
Brown (CA)
Brown (CO)
Bruce
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coelho
Coleman (TX)
Collins
Coughlin
Courter
Coyne
Craig
Crane
Daniel
Darden
Davis (IL)
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
DeWine
Dickinson
DioGuardi
Dixon
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Florio
Foley
Ford (MI)
Frenzel
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Grandy
Grant
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Howard
Hoyer
Huckaby
Hughes
Hunter
Hutto
Inhofe
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Leland
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Markey
Marlenee
Martin (NY)
Martinez
Matsui
Mavroules
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Morella
Morrison (WA)
Mrazek
Murtha
Myers
Nagle
Nelson
Nielson
Nowak
Oakar
Oberstar
Olin
Ortiz
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (GA)
Russo
Saiki
Sawyer
Saxton
Schaefer
Scheuer
Schroeder
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shumway
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Spratt
Staggers
Stallings
Stangeland
Stenholm
Stokes
Stratton
Studds
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Traficant
Traxler
Udall
Upton
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yatron
Young (FL)

NAYS—26

Ackerman
Anderson
Berman
Crockett
Dicks
Foglietta
Frank
Garcia
Levine (CA)
Lowry (WA)
Manton
Morrison (CT)
Natcher
Obey
Owens (NY)
Perkins
Rangel
Sabo
Schumer
Sikorski
Smith (IA)
Solarz
St Germain
Vento
Waxman
Yates

NOT VOTING—64

Annunzio
Badham
Bartlett
Bates
Bevill
Boner (TN)
Bosco
Broomfield
Bryant
Carr
Clay
Coleman (MO)
Combest
Conte
Conyers
Cooper
Dannemeyer
Daub
DeLay
Dingell
Donnelly
Dymally
Dyson
Fascell
Ford (TN)
Frost
Gephardt
Gradison
Gray (IL)
Gray (PA)
Hubbard
Hyde
Ireland
Jones (NC)
Jones (TN)
Kemp
Kleczka
Latta
Lehman (FL)
Livingston
Lott
Martin (IL)
Mazzoli
Miller (CA)
Moody
Moorhead
Murphy
Neal
Nichols
Pepper
Rahall
Rodino
Roemer
Rowland (CT)
Roybal
Savage
Schneider
Shuster
Smith (FL)
Stark
Tauzin
Towns
Valentine
Young (AK)

□ 1100

Messrs. OWENS of New York, OBEY, SABO, SIKORSKI, and RANGEL changed their votes from "yea" to "nay."

So the motion was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER. The Chair appoints the following conferees:

From the Committee on Banking, Finance and Urban Affairs, for consideration of sections 1 and 2, title I (except sections 101 (a), (b), (h), and (i)), and title IV of the House bill and sections 1 through 3, title IV, and title X (except sections 1003 and 1005) of the Senate amendment, and modifications committed to conference: Messrs. St Germain, Gonzalez, and Fauntroy, Ms. Oakar, Messrs. Vento, Garcia, Frank, Wylie, and Wortley, Mrs. Roukema, and Mr. Ridge.

From the Committee on Banking, Finance and Urban Affairs, for consideration of title III (except section 302) and title VI of the House bill and title I, title III (parts A and B), and section 1005 of the Senate amendment, and modifications committed to conference: Messrs. St Germain, Gonzalez, Vento, Wylie, and Ridge.

From the Committee on Energy and Commerce, for consideration of section 101(a) and (b), title II, title III (except section 302), and title VI of the House bill and title I, title III (parts A and B), title V, and section 1005 of the Senate amendment, and modifications committed to conference: Messrs. Dingell, Waxman, Leland, Lent, and Madigan.

From the Committee on Education and Labor, for consideration of section 101(h) and (i) and title VI of the House bill and title III (part C), title VI, title VII, section 1003, and section 1005 of the Senate amendment, and modifications committed to conference: Messrs. Hawkins, Ford of Michigan, Gaydos, Jeffords, and Goodling.

From the Committee on Agriculture, for consideration of title V of the House bill and title VIII of the Senate amendment, and modifications committed to conference: Messrs. de la Garza, Panetta, Staggers, Emerson, and Lewis of Florida.

From the Committee on Government Operations, for consideration of section 302 of the House bill and title II of the Senate amendment, and modifications committed to conference: Mr. Brooks, Mrs. Collins, and Mr. Horton.

From the Committee on Veterans' Affairs, for consideration of title IX of the Senate amendment, and modifications committed to conference: Mr. Montgomery, Edwards of California, Ms. Kaptur, and Messrs. Dowdy of Mississippi, Solomon, and Hammerschmidt.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1167. An act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge".

RECOGNIZING THE 125TH ANNIVERSARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 270) to recognize the 125th anniversary of the U.S. Department of Agriculture.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 270

Whereas President Abraham Lincoln recognized the importance of the Nation's agricultural community by recommending the establishment of a Federal agriculture agency and subsequently signing the bill establishing the United States Department of Agriculture on May 15, 1862;

Whereas the importance of the United States farmer was further recognized by the adoption of the Homestead Act on May 20, 1862, and the Land-Grant College Act on July 2, 1862;

Whereas the Department of Agriculture has worked with farmers to provide a steady supply of food to the people of the United States and those in less fortunate areas of the world;

Whereas the Department of Agriculture, during the past century and a quarter, has facilitated the work of the world's foremost agricultural scientists to research and solve problems faced by United States farmers, discover and develop new and improved plant varieties, and assist farmers in achieving extraordinary gains in production yields and quality;

Whereas the Department of Agriculture, through its extension activities, has reached homes and classrooms throughout the Nation to develop and foster an understanding, among the people and particularly the youth of the United States, of the virtues and importance of our agricultural heritage and future;

Whereas the Department of Agriculture has invested resources and technology into the development of rural United States;

Whereas the Department of Agriculture has worked with farmers and conservationists to preserve the Nation's fertile topsoils;

Whereas the Department of Agriculture has acted to protect our borders from introduction of pests and diseases that might harm the health and well-being of the people and agricultural industries of the United States;

Whereas the Department of Agriculture has endeavored to ensure that all the people of the United States have a safe and wholesome food supply and have the opportunity to receive nutritionally well-balanced meals;

Whereas the Department of Agriculture has sought to open and maintain foreign markets for United States agricultural goods and has represented United States farmers in foreign affairs; and

Whereas the first Commissioner of Agriculture Isaac Newton stated in the first annual report to the President of the United States, "I hardly deem it necessary to attempt to convince our intelligent countrymen of the vast importance of such a department, inasmuch as whatever improves the condition and character of the farmer feeds the lifesprings of national character, wealth, and power," words that still ring true: Now, therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that the United States Department of Agriculture, on the event of its one hundred and twenty-fifth anniversary, be commended for its outstanding contributions and wished a happy 125th anniversary, and such anniversary be commemorated by the Agencies of the Federal Government and the citizens of the United States.

Sec. 2. The President is authorized and requested to issue a proclamation commemorating the one hundred and twenty-fifth anniversary of the United States Department of Agriculture, and the substantial contributions made by the Department of Agriculture to the well-being of the people of the United States.

Mr. de la GARZA. Mr. Speaker, 125 years ago, on May 15, 1862, President Abraham Lincoln signed into law the bill that created the U.S. Department of Agriculture.

Congress has passed a lot of legislation in the succeeding 125 years. But I believe there have been few laws whose anniversaries are more worthy of commemoration.

The law was passed because the Congress and the President recognized that agriculture was the foundation of our national welfare and because they recognized a century and a quarter ago that Government had a responsibility to promote progress in agriculture both for the benefit of farmers and for the benefit of the entire national population.

Since the day President Lincoln created the Department of Agriculture, that Agency has been working with farmers to provide a full and reasonably priced supply of food and fiber to American consumers, and to consumers in may other parts of the world.

The Department's achievements over these years have been too many to list completely in these brief remarks. But we should put on record just a few.

During the past century and a quarter, the Agriculture Department's research workers, and the scientists it has helped in other institutions, have discovered new and improved plant varieties and improved livestock. And these researchers have helped farmers make amazing gains in production yields and in the quality of their products.

The Department's extension programs have brought the lessons of agriculture and knowledge about agriculture, home economics and many allied areas, into homes and classrooms all over the Nation.

The Department has worked with farmers, ranchers, and conservationists to preserve the Nation's topsoils and its water resources. It has helped communities develop their resources, and it has helped local people protect their localities against floods and erosion.

The Department has been the custodian of our great national forests, managing them for all the many uses the American people expect in those forests, everything from timber production and grazing to outdoor recreation and wilderness preservation.

The Department has acted to protect our borders from pests and diseases that could harm the health and well-being of the people and agricultural industries.

The Department has carried on, at the direction of Congress, a wide variety of food assistance and nutrition programs to help needy people in this country and abroad. And through its inspection and grading services, it has helped guarantee the safety and quality of our farm products.

The Department has worked to open and maintain foreign markets for our farm products.

And the Agriculture Department has, under the direction of the law made by Congress, been responsible for farm income and supply stabilization and credit programs that we have designed to help farmers survive economic storms.

This is a summary, Mr. Speaker, not a complete list by any means. But it should be enough to underline the importance of the U.S. Department of Agriculture. It should be enough to indicate why I now offer my personal best wishes to Secretary Richard E. Lyng and his distinguished predecessors in that office, and why I now ask the House to pass House Joint Resolution 70 offering our congratulations on the USDA's 125th anniversary, and urging the President to issue a proclamation commemorating the 125th anniversary of the Department.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO CHANGE ORDER OF CONSIDERATION OF AMENDMENTS TO H.R. 1748, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

Mr. ASPIN. Mr. Speaker, I ask unanimous consent that amendments No. 4, 5, and 18 in section 3 of the Report No. 100-84 making in order amendments to H.R. 1748 be moved to the end of the list of amendments in section 3 of the report in the following order: No. 18, No. 4, and No. 5.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. RAVENEL. Mr. Speaker, we have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER. Pursuant to House Resolution 60 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

□ 1110

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, May 7, 1987, amendments made in order under House Resolution 156 had been completed.

Pursuant to House Resolution 160, no further amendments to the bill or the amendment in the nature of a substitute, as modified, are in order except the amendments designated in section 2 of House Resolution 160 and in House Report 100-84. Said amendments shall be considered only in the order specified, subject to modifications which may be made in the specified order pursuant to paragraphs (6), (7), and (8) of section 2 of House Resolution 160 and subject to the order of the House of May 7, 1987, relating to the order of amendments in section 3 of House Report 100-84, and in the manner specified. Said amendments may be offered only by the Member designated in House Resolution 160 or House Report 100-84, and shall be considered as having been read when offered. No amendments, except for amendments printed in section 3 of House Report 100-84 are subject to amendment—except as specified in House Resolution 160 or House Report 100-84—or to a demand for a division of the question. Debate time specified for each amendment shall be equally divided and controlled by the proponent of the amendment and a Member opposed thereto; debate on any amendment offered to amendments designated in section 3 of House Report 100-84 are limited to 10 minutes, equally divided and controlled by the proponent of the amendment and a Member opposed thereto; and general debate specified in House Resolution 160 for debate on each issue will be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

It is now in order for the gentleman from Wisconsin [Mr. ASPIN] to offer his amendment relating to the advanced technology bomber printed in section 1 of House Report 100-84.

AMENDMENT OFFERED BY MR. ASPIN

Mr. ASPIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ASPIN: At the end of title I of division A (page 21, after line 15), insert the following new section:

SEC. 114. TREATMENT OF CERTAIN SPECIAL ACCESS PROGRAMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress—

(1) that the Advanced Technology Bomber program, the Advanced Cruise Missile program, and the Advanced Tactical Aircraft program involve the development and production of new advanced technologies that are critical to United States national security;

(2) that, in conjunction with the national security interest, it is appropriate and necessary that certain information involving the technological characteristics and performance of those systems remain classified; and

(3) that it would be consistent with the public interest and would not jeopardize the national security for the Secretary of Defense to disclose, in a nonclassified form, information about each of those systems with respect to total program cost, the amount of the annual program budget request, and a general description of program schedule.

(b) COMPETITION INITIATIVE FOR ATB PROGRAM.—(1) The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, shall establish a means to provide ongoing competition for production of the Advanced Technology Bomber.

(2) Among the options to be considered by the Under Secretary of Defense for Acquisition in carrying out paragraph (1) are the following:

(A) Contracting for a production-management study of the Advanced Technology Bomber program to be conducted by one or more contractors which are experienced in the field of aircraft production and which are selected for such study through the use of competitive procedures.

(B) Initiation of a competition for total system integration, final assembly, and check-out of aircraft systems.

(C) Releasing a solicitation for proposals for establishing a second production source for the Advanced Technology Bomber.

(3) Of the funds provided for procurement of aircraft for the Air Force for fiscal year 1988, $100,000,000 shall be made available directly to the Under Secretary of Defense for Acquisition only for the purposes of paragraph (1). If the competition initiative required by paragraph (1) is not implemented by October 1, 1988, no funds may be obligated for the Advanced Technology Bomber program after October 1, 1988, until the competition initiative is implemented.

(4) Not later than April 1, 1988, the Secretary of Defense shall submit to Congress a report on the competition initiative required by paragraph (1). The report shall include a description of the steps taken to that time to implement such initiative and the steps planned to be taken.

(c) REPORT ON IOC CAPABILITIES FOR ATB.—(1) The Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a classified report on the expected capabilities of the Advanced Technology Bomber when it achieves initial operational capability. The report shall be prepared in consultation with the Under Secretary of Defense for Acquisition.

(2) The report shall include a description of—

(A) the performance of the aircraft and its subsystems,

(B) expected mission capability,

(C) required maintenance and logistical standards,

(D) expected levels of crew training and performance, and

(E) product improvements that are planned before the initial operational capability of the aircraft to be made after the initial operational capability of the aircraft.

(3) Such report shall be submitted not later than 90 days after the date of the enactment of this Act.

(d) ANNUAL REPORTS ON ATB TESTING.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives an annual report on developmental testing, and an annual report on operational testing, with respect to the Advanced Technology Bomber. Each such report with respect to developmental testing shall be prepared through the Under Secretary of Defense for Acquisition, and each such report with respect to operational testing shall be prepared through the Director of Operational Test and Evaluation.

(e) SELECTED ACQUISITION REPORTS.—In the case of each program referred to in subsection (a)(1), the Secretary of Defense shall submit a Selected Acquisition Report, with appropriate classification, twice each year, notwithstanding that such program is not otherwise subject to requirements for the submission of Selected Acquisition Reports.

(f) GAO REPORT ON CRITERIA FOR DESIGNATING SPECIAL ACCESS PROGRAMS.—The Comptroller General shall study the criteria used by the Secretary of Defense in determining whether to designate a program as a special access program and shall submit a report on such study to the Committees on Armed Services of the Senate and House of Representatives not later than February 1, 1988.

(g) STRATEGIC BOMBER FORCE COMPOSITION.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report updating the 1986 Strategic Bomber Force Study. The report shall include—

(1) the total number of advanced technology bombers required for the strategic bomber force;

(2) the Secretary's assessment of the effect of potential arms control developments on the bomber force;

(3) a description of any current plans for the use of the B-1B aircraft as a dedicated stand-off mission aircraft;

(4) a description of plans for retirement of the current B-52 fleet; and

(5) an assessment as to the potential for changes in the Soviet threat and other factors that may affect the capabilities of the strategic bomber force to penetrate Soviet air defenses.

The report shall be submitted with the budget of the President submitted for fiscal year 1989.

The CHAIRMAN. Under the rule, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 10 minutes and a Member opposed will be recognized for 10 minutes.

Mr. ASPIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is not a controversial amendment. I think the gentleman from Alabama [Mr. DICKINSON], who had to go to another meeting, is in support of it. It is not an amendment that has a lot of opposition, but there are a number of people who would want to say a few words about it.

Therefore, I would like to speak for a couple of minutes and then yield to the other side for some Members to speak to it.

Let me briefly explain the amendment. What the amendment does is deal with the ATB Program, the Stealth bomber. It deals with it in three ways.

What it does, first of all, is say that more information about black programs ought to be made public. Sure, there is some technology and other problems.

Mr. Chairman, this is an amendment that has been offered by the gentleman from New York [Mr. STRATTON], and myself, and what we are doing here is essentially three things with the Stealth Program.

No. 1, we are saying that more of this information ought to be made public, and there is a sense of Congress, part of it that says at least the dollars, the program costs, and the schedule ought to be made public.

The second thing it does, it says there ought to be more competition in the program. It clearly does not mandate what type of competition that ought to be, but it suggests several alternatives, maybe a paper competition with some other contractor coming in and doing a should-cost analysis, maybe a competition on the assembly, a competition for some of the spares, subcomponents, and maybe if we go to a much bigger Stealth Program, maybe another whole producer of Stealth aircraft, but probably not with the number of 132. It would be an uneconomical number.

The third thing it does is get some program accountability to Congress in this. Because it is a black program, we do not have SAR reports. GAO does not review the program on a regular basis. This says we need some more reports. We are asking for them. They would have to have SAR reports. There would have to be GAO reports.

We need some reports on flight tests and performance, these kinds of things, all of them classified. This would not be public reports, they would be classified, not unclassified information, but terribly important for Congress to oversee this program and make sure that we do not have the same problems on the Stealth program, the ATB program, that we did on the B-1.

Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman from Wisconsin [Mr. ASPIN] has consumed 3 minutes.

Is any Member opposed to the amendment?

Is the gentleman from Illinois [Mr. DAVIS] opposed to the amendment?

Mr. DAVIS of Illinois. No, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. ASPIN] yield to the gentleman from Illinois [Mr. DAVIS]?

Mr. ASPIN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois.

Mr. DAVIS of Illinois. Mr. Chairman, if I just might, on behalf of the gentleman from Alabama [Mr. DICKINSON], the ranking member on our side of the aisle, we are in agreement with the amendment. We thank the gentleman from Wisconsin [Mr. ASPIN], the distinguished chairman, and the gentleman from New York [Mr. STRATTON] for bringing this to our attention.

We are delighted that the amendment was brought to our attention, and we agree with it as long as the security of this program is inviolate. We certainly are for competition on our side of the aisle on all facets of defense procurement, and we agree wholeheartedly and think the amendment should be agreed upon by the whole House.

Mr. ASPIN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. STRATTON], the cosponsor of the amendment.

Mr. STRATTON. Mr. Chairman, as the original cosponsor of the ATB amendment, I want to again comment on it. Last week, on April 27, I discussed the amendment in some detail. Today, I want to explain the basis for it.

Few amendments are as important as this one. Few programs are as important as the ATB. It is essential, therefore, that every effort is made to ensure the program's development and production in the most cost effective and disciplined manner possible.

We all recognize that $36.6 billion—the projected cost of the ATB Program—in whatever year dollars we are talking about—represents a significant commitment of scarce financial resources. As important as the ATB is, we must make certain that the program is both credible and accountable.

The Air Force, the Department of Defense, the Congress and the American taxpayer, in particular, cannot afford another B-1B episode. The ATB is far too important; it is a national asset.

The ATB amendment has been carefully and thoughtfully crafted. It reflects the lessons learned from the B-1B study that the special House Armed Services Committee panel prepared.

In particular, the panel determined that the management structure of the B-1B Program, the lack of accountability and the absence of clearly stated schedule and performance goals led to the delivery of a B-1B that does not meet requirements, faces extensive rework, and will cost undetermined amounts to fix.

Unfortunately, Congress did not become fully aware of these problems until after the fact; that is, we bought and paid for all the B-1B's before we learned the real story. We simply cannot allow that to happen again.

As I indicated, I do not intend to discuss the amendment in great depth; my previous discussion that appears in the April 27 issue of the Congressional Record provides the details. Suffice it to say that the amendment is designed to enhance both the credibility and the accountability of the ATB Program, in particular, and special access programs in general.

The centerpiece of the amendment is that it provides for competition for the ATB Program. While competition may not ensure a lower costing program, it would be difficult to accept the premise that competitive pressures would not produce greater cost discipline and program oversight.

I want to make it clear that the amendment does not affect the current schedule of the ATB Program. If anything, it is designed to strengthen the program by ensuring that cost discipline, realistic schedule and performance goals are achieved through competition and effective program oversight.

Also, I want it made abundantly clear that the amendment does not mandate the type or form of competition that would be undertaken. The Secretary of Defense has 1 year to plan, conduct and implement the most appropriate competition.

Some $100 million is made available directly to the Secretary of Defense for the competition. If this amount of funding is in excess of that required, the funds can be put back into the program.

As the sponsor of last year's provision that required the Secretary of Defense to report to the Congress on an acquisition strategy for the ATB, including an assessment of competitive acquisition, I strongly believe that the provision represents a logical step forward. Unfortunately, that report did not reach our hands until late last week.

With the shrinking defense dollar, particularly because of overall budget conditions, it is in the Pentagon's best interest to obtain as much leverage for its funds as possible. Affordability becomes even more critical—even for high priority programs like the ATB.

Because of these critical budget constraints, Congress cannot be expected to blithefully support programs that are kept in the dark.

My record on defense speaks for itself. I have strongly supported the defense build up. In doing so, however, I recognize that Congress must be assured that all reasonable and prudent efforts are being made to have programs that are accountable, well managed and reflect effective cost discipline. The ATB is no exception.

The amendment, therefore, is designed to achieve these objectives. It calls for public disclosure, consistent with national security requirements, of basic budget and schedule information on the ATB; it provides for competition and it establishes reporting requirements for the ATB Program and other special access programs so that the Congress will have the necessary information to make informed decisions on programs that are essential to our national security posture.

[From the Washington Post, May 2, 1987]

"STEALTH" COSTS EXCEEDING ESTIMATES

(By Molly Moore)

Early development costs of the secret "stealth" bomber have been higher than expected, prompting the Air Force to shift money from production to an earlier phase of program, according to the Air Force's chief of staff.

Gen. Larry Welch said the Air Force expects to recoup the money once the high-technology bomber goes into production, but he added, "I'm, not going to tell you we understand all the costs and risks of the ATB [advanced technical bomber] program."

Welch, in some of the Air Force's most candid public statements yet on the secret program, told reporters at a breakfast yesterday, "There are some increased costs in the development program, but it has to do with increased front-end investment in production capabilities that we expect to gain back in production."

The four-star general said that "so far as we know at this point" there is no overall cost increase in the bomber program.

House Armed Services Committee Chairman Les Aspin (D-Wis.), after participating in a subcommittee investigation of the Pentagon's "black," or secret, ATB program this week, said, "While I cannot discuss the specifics of ATB cost growth, it is an area of concern."

The Pentagon program to develop a bomber sophisticated enough to evade detection by radar is one of the military's most closely guarded programs. Unclassified documents have shown that the Air Force plans to build 132 of the bombers at a cost of $36.6 billion in 1981 dollars. Details of the development and production costs remain classified.

Welch repeated yesterday that the Air Force plans to begin operation of the aircraft in the early 1990s.

Aspin initiated an investigation of the ATB program after another subcommitte probe found major problems in the production and development of the B1 bomber, which went into operation last October.

Aspin and Rep. Samuel S. Stratton (D-N.Y.) last week proposed that the Pentagon open production of the Stealth bomber to competition rather than assign the contract to a single defense company.

"I favor competitive production if it's economic," Welch said. "The investment will be very substantial to produce a second set of tooling for a large aircraft like that."

The bomber is being developed with Northrop Corp.

□ 1120

Mr. ASPIN. Mr. Chairman, I would like the record to show, just in case this becomes a controversial issue with the other body, that nobody in the House stood to get recognition in opposition, and in fact there is no opposition to this amendment in the House.

Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. Synar].

The CHAIRMAN. The gentleman from Wisconsin [Mr. Aspin] has 3 minutes remaining and he yields 1 minute to the gentleman from Oklahoma [Mr. Synar].

Mr. SYNAR. Mr. Speaker, my colleagues and the American public, in the next couple of days we are going to vote on a variety of amendments, all of which will probably have more significance in the newspapers across the country than this one. This amendment may in the long run be the most important amendment that we pass in this whole bill, for two reasons. First of all, as colleagues and as Members of the Congress we must put on record that we are not going to allow the black programs of this country to grow and to allow the building of defense programs without our close scrutiny both technologically as well as financially.

Second, we are in the midst of developing what could become, in history, the most expensive weapons system in our country and that it would be improper for us to allow this project to continue and not to represent the people at home without the type of information this amendment grants us to see.

I think it is important to point out that not one person stood up on the floor of the House in opposition to this amendment and I think that points clearly to the opportunity which is available to us today with the passage of this amendment.

Mr. ASPIN. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I rise in support of this. I am pleased to hear the chairman speak of the type of competition which, of course, will, in all probability, be for the component parts. But let me at this time express a concern which I have on this amendment dealing with the three areas of disclosure which, by the way, makes sense, the total program cost, the annual budget request and general schedule for these programs.

I am concerned about premature disclosure of technical items which might be, and I say might be, of use to the Soviet Union or other foreign countries. So I would address the question to the chairman regarding this, along with my concern.

Mr. ASPIN. Mr. Chairman, I would like to strike the last word.

The CHAIRMAN. The gentleman from Wisconsin [Mr. ASPIN] has 1 minute remaining.

Mr. ASPIN. Mr. Chairman, I would like to strike the requisite number of words at the proper point in order to get another 5 minutes of debate. I have a few more Members who want to speak.

The CHAIRMAN. The Chair would point out to the gentleman from Wisconsin that he has 1 minute remaining. Then the gentleman may strike the last word and he has 5 minutes under the rule.

Mr. ASPIN. I thank the Chair. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I would like to discuss several elements of the ATB amendment that provide for institutional accountability in special access programs.

It is appropriate that accurate records of the ATB, the advanced cruise missile, and the advanced tactical aircraft programs be available for subsequent reviews of these programs.

The amendment requires that the Department of Defense provide the following information to Congress.

First, annual updates on the status of the developmental and operational testing of the ATB. These updates will alert us to potential areas of concern.

Second, it is necessary that the Air Force explain their expectation of the ATB performance at its initial operational capability. This definition is important and must include the performance of the aircraft and its subsystems, expected mission capability, required maintenance and logistical standards, proposed levels of crew training and performance, and product improvements that are planned for the program after the IOC.

This information on IOC is important for future evaluation. Defining these issues now will prevent a repeat of the B-1 experience, when aircraft were deployed without a clear baseline of expected initial capabilities.

Third, the amendment requires that selected acquisition reports for the advanced technology bomber, the advanced cruise missile, and the advanced tactical aircraft be provided on a semiannual basis. These selection acquisition reports, which provide a complete record of program cost and schedule, are valuable tools for monitoring full scale development and production programs. As certain special access programs transition from development to production, these records become particularly important. Special access programs are currently exempt from the requirement that selection acquisition reports be available for all major programs. We need the information; DOD needs the discipline. This amendment addresses those needs.

For these reasons, I would join in urging that the amendment be adopted.

Mr. ASPIN. Mr. Chairman, I renew my request to strike the last word.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman. the advanced technology bomber is an extremely important program for the continued viability of the strategic TRIAD. It is also important that the program be well managed, to date, I believe the program has been proceeding well. But in light of the problems we encountered on the B-1B, I can understand the desire to be certain that we do not run into problems down the line.

The Aspin amendment can provide some positive steps toward that end. I agree that we have reached a point where it is appropriate to have out in the open information with respect to total program cost, the amount of the annual program budget request, and a general description of program schedule. This information can help ensure an informed debate without compromising security requirements.

I also agree that it is appropriate for the GAO to study the criteria used by the Secretary of Defense to determine whether to designate a program special access. This is a very sensitive area. We don't want to jeopardize legitimate security issues. On the other hand we don't want the Pentagon to hide behind the cloak of special access to avoid public debate on major defense programs. A respected, independent source, like GAO can provide us with an objective evaluation of the current situation and is a better approach than an effort to legislate by fiat on this issue.

The update of the bomber study will also be timely for looking at our ultimate requirement and what impact that will have on the overall program direction.

Finally, if properly applied, the call for a study on competition in this amendment could prove positive. It should be made very clear that the amendment does not mandate any particular approach to competition. And it is also important to note that the program already has considerable competition at the subcontractor level. The options suggested in the amendment are certainly not exclusive. What we really need to know is whether, and to what extent, competition can really produce positive economies and efficiencies for the program.

Frankly, given the planned acquisition, I am skeptical whether second sourcing would be cost effective. But we will be in a better position to intelligently assess this and other options following the detailed study required by the amendment to be submitted by April 1, 1988.

Competition is an American as mom and apple pie. But if we sat down and ate seven apple pies we would get awfully sick. I hope the committee will carefully weigh the cost of options such as setting up a second source to be certain it would save money. The threat of competition can often produce a better response from the incumbent team by itself. I hope this amendment will give us guidance in applying the right dose to ATB. And it will if we are smart and review the facts carefully before reaching a premature conclusion.

The CHAIRMAN. The Chair will caution the gentleman from Wisconsin. The gentleman now has the time on his pro forma amendment and he may yield to another member but not specific time.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. I thank the Chairman for yielding.

I want to associate myself with the amendment offered by the chairman and the subcommittee chairman, Mr. STRATTON and also with the remarks of my colleague from Washington State because I think his statement was extremely eloquent and very well defined. The point of concern that I have had, that many have had, is that this amendment would not interfere with the first flight, which is a critical event. I have been assured that that would not occur.

Secondly, I too, share some concern of whether or not a dual source would in fact actually save money. But I think it is important that we have the complete review of those options and that those be reported to us in the Congress.

I also share some of the concerns of my colleague from Missouri that we not unnecessarily reveal information. I think that, too, is something that can be worked out and I am sure that throughout this process and certainly throughout the conference we will emerge from this debate with a much more secure and safer package and one that is certainly going to protect the viability of this extremely important national security program.

Mr. DICKS. Mr. Chairman, will the gentleman yield.

Mr. ASPIN. I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. I thank the gentleman for yielding.

Mr. Chairman, I want to make certain that the chairman agrees with the gentleman from Oklahoma that this amendment is not aimed at interfering with the first flight of the ATB?

Mr. ASPIN. Absolutely, absolutely.

And the chairman also would like to state that he agrees with the gentleman from Missouri on what kind of information we think ought to be made public about this thing. We are simply limiting it to cost items, the program cost, the schedule and not, clearly not anything that is in the area of the technology of the plane.

Mr. DICKS. That technology we want to keep in the flat.

Mr. ASPIN. Absolutely.

Mr. SKELTON. Mr. Chairman, will the gentleman yield.

Mr. ASPIN. I yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman for yielding.

Mr. Chairman, on the second point I appreciate the comments of the gentleman from Wisconsin. I think we should have a strong record here that we do not intend for there to be any slippage in the area of technology to technology transfer. These series of programs are some of the most important of national security interest that we have. Any type of vital information going to the Soviet Union or anywhere else would of course be very counterproductive. I want to ask the chairman's assurance that throughout the conference with the Senate that we will do our best to shore up every bit of the technology protection that we can.

Mr. ASPIN. The gentleman is absolutely correct and that is exactly what we intend to do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. ASPIN].

The amendment was agreed to.

The CHAIRMAN. Under the rule it is now in order to debate the question of burdensharing.

The gentleman from Wisconsin [Mr. ASPIN] will be recognized for 20 minutes and the gentleman from Arizona [Mr. KYL] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

□ 1130

Mr. ASPIN. Mr. Chairman, I yield 6 minutes to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Chairman, as we debate allied defense burdensharing, Mr. Chairman, you will hear a number of charges made by those who seek to punish our allies for perceived inadequacies in defense contributions. You will also hear how the United States allegedly ties its hands by having large numbers of troops forward deployed and how overseas troop withdrawals would save money.

Let me take this opportunity to dispel these arguments, Mr. Chairman. First, let's look at the charge that the NATO allies, Japan, and even Korea are not contributing their fair share to the common defense, and if the United States would contribute less, the allies would do more. I don't think there's any Member of Congress who would not want to see the allies do more for defense. I certainly believe that consistent real increases in defense spending are a must for all of our allies—as well as for the United States—if we are to keep pace with the threats we face around the world. Having said this, however, we must remember two key points: First, both the Department of Defense and the Congressional Budget Office have concluded that the allies, on the whole, are contributing roughly their fair share to the common defense; second, the United States is about to face the third straight year of real decline in defense spending because of political and fiscal constraints. Europe, Japan, and Korea are no different—they also face political and budgetary problems that prohibit them from devoting adequate resources to defense. It is especially hypocritical, Mr. Chairman, to be bashing the allies on their defense records in a year when our own record is so questionable.

Turning to the issue "if we do less, they will do more," I would ask my colleagues on what basis they make this judgment. Certainly not on history. I would remind you that the NATO allies in the aggregate have modestly increased defense spending since the 1970's. We, on the other hand, have a history of wild fluctuations since the 1970's and most defense experts agree that the inconsistency in U.S. defense spending is far more unhealthy than the modest increases realized by the allies.

Turning to the Far East, Japan—on a percentage basis—has increased defense spending in recent years substantially more than domestic spending. Although I share the belief that Japan should spend more on defense, decreasing our commitment to the Far East is not the way to force the Japanese to do better. If we do less, we will not succeed in forcing or punishing Japan and other countries into doing more; rather, we will play into the hands of those who seek to divide us from our friends and hurt our worldwide interests. We ought not be in the business of shooting ourselves in the foot with this kind of policy, Mr. Chairman.

During the course of today's debate, you will also hear that Uncle Sam is really "Uncle Sucker"; that the allies' economic and military strength is far greater than when large contingents of U.S. troops were first stationed overseas and that the allies don't need the United States like they used to. In addition, the argument goes, because the allies do not contribute adequately to defense, they have more to contribute to internal concerns, and as a result, some of the allies are beating us on the trade front.

This line of reasoning is very misguided, Mr. Chairman. True, the allies are far better off now than they were following World War II. And if you look at the statistics, you will find that the United States has already reduced our troops overseas in light of these circumstances. As far as the allies "not needing the United States like they used to," let me remind my colleagues that our military is not forward deployed for reasons of charity. Rather, we are forward deployed because it is in our own best interest to be near the likely site of future conflicts. If we pull back, not only will we be sending a terrible political signal, we will also be hurting our military capability to respond in a crisis. And as far as the trade argument is concerned, the national defense is too important to hold hostage to trade concerns. Trade issues are properly debated—and have been debated—as part of a trade bill, not as part of the defense authorization bill.

Lastly, Mr. Chairman, you will likely hear that bringing home the troops will save money. This assertion is completely false, unless you reduce overall force structure—and, fortunately, none of the amendments before us would do that. The Congressional Budget Office recently estimated that withdrawing 100,000 troops from Europe, relocating them and their families in the United States and prepositioning adequate equipment would cost in excess of $11.5 billion. Even if you don't preposition equipment, withdrawing 100,000 military personnel from Europe would still cost $5.8 billion.

Let me conclude, Mr. Chairman, by saying that the issue of defense burdensharing is an extremely tough nut to crack. Many defense contributions are hard to quantify and the current mechanism does not count all kinds of contributions. To complicate the matter even more, some contributions—like the political courage displayed by the Europeans in deploying intermediate nuclear forces—defy quantification altogther. True, the United States contributes more dollars to defense than any of its allies, but remember—the United States is the leader of the free world and freedom can't be bought "on the cheap." We're not just responsible for supporting Europe, the Far East, the Persian Gulf, or any one particular region, we're responsible for supporting all of it. And if we terminate or reduce that support—especially at a time when we may withdraw intermediate nuclear forces from Europe—we are, indeed, inviting disaster.

As former chairman of the Arms Control and Disarmament Panel and the current chairman of the Military Personnel and Compensation Subcommittee, I can assure you that the worst possible way to negotiate conventional arms reductions is by making unilateral concessions. We should withdraw troops only if it makes good strategic sense and only if our adversaries do likewise. Because our adversaries have made no such commitments and because we have yet to pursue this very important issue in hearings, I urge my colleagues to vote down this amendment.

The CHAIRMAN. The gentleman from Arizona [Mr. KYL] is recognized for 20 minutes.

Mr. KYL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, criticizing the allies is a lot like motherhood and apple pie; easy to support and the folks back home love it. The people of Western Europe, Japan, and Korea don't vote, but their security depends upon what we do here today; as does our own.

The Congress has been debating this issue since our decision to base troops overseas after World War II. In the early years, we were willing to accept the price of peace; our allies were shattered by the war and simply could not contribute very much. As their economies began to grow, so did their defense budgets. During this period, the Soviet threat to Western Europe increased, as did our commitments in the Third World. Given our worldwide commitments as opposed to their regional commitments, our defense budget had to grow even more than those of our allies.

Despite these facts, Mr. Chairman, problems of perception persist. We have become fixated on the idea that the defense spending of our allies should increase by some percentage of real growth and when that doesn't happen, we scream "foul." If we looked instead at increased capability and increased cooperation, the view would be quite different. The NATO allies in particular have agreed to direct their acquisition of weapon systems and munitions toward those that fit in the collective strategy and fulfill critical shortfalls for the defense of Europe. And Japan has a record of increased defense spending during the 1980's that far outstrips our own.

I would ask that the Members of this body to be more sensitive to the political difficulties experienced by our allies when we indiscriminately accuse them of not doing enough. The United States has asked that our friends implement some very unpopular policies, such as the basing of Intermediate Nuclear Forces, in the face of overwhelming popular opposition. Most of Europe must draft its young men to maintain its standing armies.

Mr. Chairman, amendments designed to force the allies to increase defense spending are particularly unfair this year because we are not willing to increase ourselves. We have been grappling with huge budget and trade deficits, and as a result, there has been no real growth in our own defense budget. How can we condition, as one of the amendments before us would do, our continued presence in a country on a criterion we cannot meet?

Mr. Chairman, since we are laboring to provide the best possible defense within severe fiscal constraints, we should ask a basic question of these amendments, "Will they save us any money?" No, they don't. In fact, troop withdrawals are very expensive. You are taking troops and their families out of existing facilities overseas and bringing them home. Not only would we have to build housing for them, we would also have to pre-position their equipment. We have over 320,000 troops in Europe, 49,000 troops in Japan, and 43,000 troops in Korea, If half of those forces were relocated to the United States, we would be faced with immense outlays. The Congressional Budget Office estimates that it would cost $11.5 billion to relocate 100,000 troops from Europe to the United States. The cost to relocate troops from the Pacific would likely be even more. If we don't have that kind of money now, how do we expect to have it in the future?

My greatest worry over this issue is that by showing a willingness to abandon our allies if their defense policies don't suit us in the short term, we will encourage the Soviet Union to become more aggressive both in Europe and around the world. Because our allies would be unable to assume the additional burden our withdrawal would create, the Soviets could seize the opportunity to achieve their political goals either through intimidation or through war.

In the end, Mr. Chairman, the proposed amendments achieve no good purpose. Our allies around the world are sharing the defense burden. They might not always agree with us, and may not support us on every issue, but we are an alliance of democracies. We must recognize that our allies are sovereign nations and we cannot expect to control them like the Soviet Union and its satellites. Our allies are not irresponsible, but we are if we vote for any drastic troop withdrawal amendments.

I approach this issue strictly from the standpoint of what is in the best interests of the U.S.A. A forward defense is preferable to an isolated America. It is in our interest to be able to deter aggression in Europe. That is what our presence does. I urge my colleagues to oppose amendments which would unnecessarily remove our flexibility to deploy troops in Europe as the President deems necessary.

□ 1140

Mrs. BYRON. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, the gentleman from New York [Mr. MRAZEK] is supporting a nonbinding amendment that recommends that the President develop a 5-year plan for the reduction of United States troops in Korea. He points out that the South Korean economy is more than four times larger than the North Korean economy, that there are 50 percent more people in South Korea than there are in North Korea, and that in 1986 South Korea had a $16 billion trade surplus with the United States, representing 410 percent more exports than imports. He said also that since 1950 the United States has contributed $42 billion to South Korea in foreign aid, excluding the cost of maintaining the United States troop force, and he points out that the United States maintains more than 40,000 troops in South Korea, whereas the Soviet Union has no troops in North Korea.

But the gentleman from New York, I think, has not studied the recent military history of Korea. Back in 1978 the House Armed Services Committee had a delegation that went to Korea to determine whether as President Carter proposed, it was necessary for us as President Carter had suggested, to pull out the 2d Division from Korea. But those are the troops that are not only defending our interests in Korea and defending the Korean people, and behind which the Korean economy has been able to grow in such remarkable fashion. But most of all, that 2nd U.S. Division has prevented North Korea from trying to make another strike as it did twice in the 1950's.

But the point is that North Korea is still a very dicey kind of situation. Those who have been to Korea have probably seen the maze of tunnels, for example, under the so-called demilitarized zone. The North Koreans have built these tunnels which in a few minutes, can permit an entire regiment to leave from North Korea and end up in South Korea without any warning. They would leave the demilitarized zone and walk quietly into South Korea. It was only a few years ago that the leader of North Korea, Kim Il Sung, was responsible for a bombing of most of the leadership of South Korea when the president of South Korea was visiting in Burma. And Kim Il Sung was responsible for killing American soldiers at Panmunjom when they were only trimming a tree.

I think we have got to recognize that it is not a question of the number of American troops that are in South Korea, it is the presence of the United States Army and the United States military machine that has provided the protection for Korea, and we would be wise indeed to maintain that protection.

I say to the gentleman from New York [Mr. MRAZEK] the issue is not what the economy of South Korea is; it is a question of what we need to do to prevent a third Communist invasion of South Korea.

President Carter finally learned that lesson and took the advice of Senator HUMPHREY, Senator GLENN, Senator NUNN, and decided to keep the 2d Division in Korea.

Mr. KYL. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I thank the gentleman from Arizona for yielding time to me.

Mr. Chairman, it is very popular these days all throughout the United States to bash our European and our Pacific Rim allies and tell them that they are not doing enough for defense, that they must do more for defense, and that we are tired of carrying the world's burden on our shoulders. While there is a great deal of charm and a great deal of feeling for that argument throughout the congressional districts of America, we simply have to look at the history of burden-sharing to realize that the NATO allies in particular and certainly the Pacific Rim allies are each year systematically increasing their share of the burden of defending themselves and the free world while ours is a checkered history at best from the end of the Vietnam conflict until now. We are on a roller coaster in our defense posture, and currently if this bill passes, certainly we will have effected our third straight year of negative growth, for a total of almost 14 percent negative growth in the last 3 years of the United States defense budget. So our allies do not always believe what we say to them.

I think one must always keep in mind, particularly in NATO, that when you are staring at 90 divisions of Soviet armor across the wire in East Germany and you are a West German or you are a Frenchman or a Belgian or an Englishman, the battle, including a potential nuclear battle with artillery and short-range nuclear armaments, despite what happens in the INF, will be fought on German soil, on French soil, on the soil of Holland, and in England.

For 40 years NATO has preserved the peace of the world in general for the first time in the history of Europe. In that length of time there has been peace in the world in general because the conflicts almost always start in Europe.

So consequently, should we be defending the United States in Germany, or should we be defending the United States in New Jersey? Is that really not the argument?

There is some charm in saying, "If you don't take a bigger share, because of the trade differentials today, maybe we should put some trade barriers on your imports into our country that is causing us currency value problems and deficit problems," and with that I might agree. But, Mr. Chairman, the troops of the United States are a stabilizing factor in world peace that keeps the Soviet bear as best they can inside its borders, inside the borders of the Soviet Union, in spite of the events currently going on in Central America, Angola, and other places around the world.

Mr. Chairman, it just seems to me that it is important that we are going to have hearings. I sit on the Personnel and Compensation Subcommittee of the Committee on Armed Services chaired by the distinguished gentlewoman from Maryland [Mrs. BYRON], and she has agreed to have hearings this summer on how to make those adjustments so everybody's house is in order and no one's ox is being gored.

So I think, on the subject of burden-sharing, Mr. Chairman, that we should reject this group of amendments.

Mrs. BYRON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I rise in support of forcing our allies to do more for their own defense. Japan, Germany, and other allies have kept their own defense spending low and have relied on Uncle Sam to protect their territory and their lanes of transportation. As I have said before, we spend billions of dollars protecting shipping lanes from Japan so they can sell Subarus to our ski team.

In past years I have offered essentially the same amendment that Mr. GREGG is offering this year. It mandates the phased withdrawal of half of our NATO troops over the next decade. The purpose of this amendment is not to punish our allies for beating us in trade or for being cheap in paying for defense. Rather, the purpose of the amendment is to say that our allies should have the primary responsibility for their own territorial defense. There is no reason for Germany or other European nations to create large standing armies when we are glad to deploy a quarter of a million troops to protect them. The Gregg amendment does not beg the allies to do more; it merely assigns responsibility for ground defense where it belongs.

I decided not to offer my amendment this year because of the seeming progress on the LRINF talks. Our European allies are incredibly nervous at the moment, fearing that the United States is weakening its commitment to stem Soviet aggression in Western Europe. I am not terribly comfortable with the INF talks myself, but for another reason. Just transferring warheads from medium-range ballistic missiles to short range and intercontinental ballistic missiles hardly seems like a major step toward arms control. The real goal should be to reduce the military buildup, both conventional and nuclear, on both sides in Europe.

I really do not think our allies have any reason to be afraid about diminished American resolve in the face of Soviet expansion in Europe. Still, I understand European anxiety and did not want to increase it by offering my own amendment this year. Since Mr. GREGG is offering the amendment, I am glad to support it.

Frankly, the amendment I think makes the most sense is the one I tried to offer to the trade bill. It creates a defense protection fee to be assessed on the goods from all foreign countries coming into the United States. On our allies, the fee would be the difference between the percent of GNP we spend on defense and the percent of GNP they spend on defense. On neutrals, the fee would equal the percent of GNP we spend on defense, which is now about 6.6 percent. And, on adversaries and countries which sponsor state terrorism, the fee would be 10 percent. While this plan would only raise about $15 billion a year, it would help support American defense spending for the protection of our allies. Obviously, this proposal looks like a tariff and so would not be germane to this bill. I will be introducing my defense protection fee proposal as separate legislation in the near future and will be asking my colleagues for cosponsorship and support.

One last point. I have asked Chairman ASPIN to appoint a panel of the Armed Services Committee to examine American military commitments abroad. I would hope that this panel, like the one on defense acquisition chaired by Mr. MAVROULES, could have adjunct members who are not Armed Services Committee members serve on it. In this way, a variety of members who are concerned about this issue can participate in examining burdensharing. This panel could have hearings, meet with American and allied leaders, and develop a clear, workable plan to move away from the post-World War II Army of occupation which still exists in Germany and Japan and toward a new and fairer division of responsibility between the United States and its allies.

While I will support the burdensharing amendments today, the real answer lies in some hard work by the Congress is developing a new model for burdensharing into the 21st century.

□ 1150

Mr. KYL. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. SWEENEY].

Mr. SWEENEY. I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to say to the gentleman from Arizona as well as the gentlewoman from Maryland that this argument surely has a lot of political appeal. The argument of bringing our boys home conjures up images of 1945 VE Day celebrations.

Seriously, who could doubt the appeal of bringing our boys home from foreign shores? Who would want to vote against ticker tape parades for our American GI's? Who would want to vote against the idea of flag waving ceremonies as our boys deboard?

That is precisely the wrong reason for voting for these so-called burdensharing amendments today. Surely, they have political appeal, but this is not a vote about bringing our boys home. It is, instead, a vote about withdrawing our troops from places around the world where they are necessary and adopting an isolationist attitude at a time in the world when tensions could not be greater.

In fact, withdrawing our troops at this point would, in many ways, make the gains which we have achieved in world conflicts almost go for naught or at least be less sustainable.

The question instead today is a quite simple one. It is one of whether we want to assume the full responsibilities assigned to being a superpower. I guess the best way of taking a look at that question in a different context is to ask that question of the Soviet Union. I wonder how they would answer that question.

The Soviet Union already has answered that question. Today they have over 5 million troops in foreign countries. Five million troops in over 37 foreign countries. By contrast, we have somewhere around 2 million troops in right around 30 countries. From Senegal to Burma to Afghanistan to Central America to Cambodia to Bulgaria to Peru; all over the world there are Soviet troops. Yet, we are standing here today talking withdrawing American troops as if we have no responsibilities as a superpower.

I would say very simply why not get something in return? SAM NUNN has said, Mr. MRAZEK, our chairman of the Senate Armed Services Committee, it is time we begin to "Link between completing the withdrawal of INF missiles from Europe, link that to separate progress in reducing conventional forces." Why not get something in return?

Mr. MRAZEK. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from New York.

Mr. MRAZEK. Does the gentleman know how many Soviet troops are presently deployed in North Korea?

Mr. SWEENEY. I know, as I said, there are over 5 million Soviet troops around the world.

Mr. MRAZEK. Well, no, my question specifically related to how many Soviet troops are deployed in North Korea. Does the gentleman know the answer?

Mr. SWEENEY. Please enlighten our chamber with the answer.

Mr. MRAZEK. According to this report, which is a classified report requested last year by the DOD on mutual military force capabilities, there are no Soviet troops in North Korea.

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I thank the gentleman.

You know, the most vicious Communist state in the world are the North Koreans. They attacked American officers several years ago and killed them with axes. I do not apologize for having American troops in South Korea.

Mr. MRAZEK. If the gentleman will yield, I will state for the record that I will take second place to no one in my denunciation of those activities by the North Koreans.

Mr. SWEENEY. If I may reclaim my time, I think the issues remains, Mr. MRAZEK. I think the issue remains as we have done with missiles, so we can do with troops. You are asking unilaterally for this country to begin withdrawing troops from foreign counties; unilaterally.

Mr. MRAZEK. I would like to state for the record that that is incorrect and the gentleman is incorrect in suggesting that.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from New York.

Mr. STRATTON. I thank the gentleman.

The gentleman from New York says that there are no Soviet troops. There were not any Soviet troops when the North Koreans attacked South Korea, but that whole operation was done by the Soviet Union. They do not have to be sitting around North Korea to be a menace.

Mr. SWEENEY. They are supported by the Soviet Union; they are using Soviet arms. Whether they are using Soviet troops or not I think is a fine debating point.

Again, the idea is not to reduce our commitments to troops overseas.

Mrs. BYRON. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. I thank the gentlewoman for yielding me this time.

Mr. Chairman, I rise in opposition to the Mrazek and also the Brown amendments. I would like to talk about the logistics of these two amendments and point out that it would be very, very expensive to our Government if we started moving troops around and bringing them home, bringing their equipment home, bringing the pre-positioned equipment home. We just really only have 50 percent of the airlift capabilities that we need now. So we really cannot even get them home. We need to work on improving our airlift capabilities.

Take the amendment of the gentleman from New York. Five years from now some President implements that and starts bringing the troops home from Korea. Then we have an emergency and we bring them home from Korea and also Europe. Let me point out, and this is a real important point I would like to make here; 73 percent of all the infantry battalions in the Army are now in the Army National Guard. These infantry battalions are in 50 States of our Union. It would almost be impossible within a 30-day mobilization period to get these troops, get them to Korea or get them to Europe. So you have to keep some Americans on the ground in these different hot spots.

Let me say in closing that North Korea is probably the most vicious, cruelest Communist state in the world. If I were going to withdraw American troops, I would certainly not withdraw them for South Korea.

Mr. KYL. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. Bereuter].

Mr. BEREUTER. I thank the gentleman for yielding me this time.

Mr. Chairman, this Member serves on the Europe and Middle East Subcommittee of the Committee on Foreign Affairs and pays quite a bit of attention to matters related to the NATO Alliance. Accordingly, I will focus my comments on the burden-sharing requirements of the amendments that relate to NATO.

I want to express my strong opposition to the Gregg and the Bryant amendments for several reasons if those amendments are offered. I have, myself, on the floor of this House in previous years expressed the view that it is appropriate to begin to phase down American manpower commitments to NATO. But, I want to say quite clearly that this is not the year to make such a statement or decision.

The gentlewoman from Colorado made the point a few minutes ago, I think very validly, that with the current proposals to reduce our intermediate nuclear force, both the short-range and the longer range missiles, that certainly would place more reliance on our conventional force capabilities where NATO is at a disadvantage.

□ 1200

Therefore, an amendment to reduce American personnel for NATO commitment would certainly send the wrong message. It would be the wrong time. The Europeans clearly need to do more in their own defense, but that does not imply that this is the time to reduce our personnel commitments in Western Europe.

It is not at this time a matter of shifting burdens. It is a matter of them doing more in their own defense.

In 1950 the French called for the European Defense Community, but later withdrew their support for that initiative even though Europeans together; at least it was contemplated they had gained the support of other West European natives. They probably ought to reexamine the appropriateness of that proposal today.

Second, I also want to inform my colleagues that there is something that is ongoing now, something called the NATO two thousand study which is just now getting underway. It will involve 11 parliamentarians from the NATO countries under the leadership of North Atlantic Alliance. Four Members will come from the Congress of the United States, two from this body, the gentleman from New Mexico, [Mr. Richardson] and this Member. It will be examining the NATO defense requirements for the next 20 years.

I think, therefore, that it is appropriate that this body stay any action to reduce troops levels in Europe. Give this North Atlantic Assembly Alliance study committee an opportunity to take a very careful look at the future requirements and directives of NATO before making precipitous changes.

So for those two reasons, because of the missile arms reduction negotiations underway with the recent dramatic INF force reduction proposals, and because of the NATO 2000 study, I strongly suggest a vote against the Gregg and Bryant amendments to reduce American personnel commitments to NATO.

Mrs. BYRON. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. Skelton].

Mr. SKELTON. Mr. Chairman, here we debate once again the imposition of reductions, some draconian reductions, in the number of U.S. troops stationed abroad.

I am concerned about this. I am concerned about the debate. The only amendment that is worthwhile of consideration is the one offered by the gentleman from New Mexico [Mr. Richardson], for which I compliment him, by the way, which calls for no reductions of our troops overseas.

But it is a situation where we are victims of our own success, Mr. Chairman. The American troops have through NATO in Europe, through our presence in South Korea, have kept the peace.

The fact that someone does not need to use an insurance policy for 40 years does not cause them to want to discard and cancel that insurance policy, and that is what our troops are.

The U.S. troops stationed abroad are an effective way to address our defense concerns throughout this world.

Mr. Chairman, the large scale troop withdrawal amendments will present poor public policy. I am amazed that the proponents of troop withdrawal seem to assume that the U.S. presence overseas serves only to help a bunch of ungrateful allies and that our country would be much better off if we gathered up our marbles and went home. Nothing would be further from the truth. This position that they maintain could not be more misinformed. That position flagrantly ignores that the United States maintains a significant military presence overseas in order to protect our own strategic, our own political, and our own trade interests.

It is important, Mr. Chairman, that we realize that a retreat from our overseas commitment represents poor diplomacy and poor public policy.

Mr. KYL. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. Bateman].

Mr. BATEMAN. Mr. Chairman, it is vitally important that we explore allied commitments to the common defense as we make decisions on our own defense spending. Nonetheless, indiscriminate threats to reduce our physical presence around the world are a bad way to spark debate.

The question of whether or not our allies, both in Europe and in the Pacific, are doing their fair share toward our common security has been debated by this body for many years. We can all agree that they could do more, but disagree on how much more and how to encourage them to do it. The amendments we have before us are in the tradition of that disagreement.

Massive troop reductions, or the threat of those reductions, seem to be an easy way to quote encourage our allies to do more. However, in the current international climate they may only encourage our adversaries. Have our international commitments lessened? Have our international responsibilities declined? Has the Soviet Union limited its efforts to expand its influence around the world? Since we all know, Mr. Chairman, that the answer to these questions is "No," we will be signaling the Soviets and their clients that the field is clear for their adventurism. And our allies will feel that they have been left high and dry.

Our relationship with our European allies has not always been easy, but our continued unwillingness to recognize their contribution makes the situation more difficult. The pattern of military spending in Europe has changed over time; as the economic situation has improved, spending has increased. NATO infrastructure agreements in the early fifties and the offset agreements negotiated during the Kennedy administration established direct European contributions to support U.S. defense spending, in addition to the money spent on the military forces of each country. The total cost of supporting our troops, especially in West Germany's case, is often undervalued.

When taken as a group, including Japan, our allies are assuming a more fair share of the burden. Their total contribution is still less than that of the United States, but we have interests beyond regional security that must be supported. As individual nations, some of our allies have been more responsible than others. Japan has often been accused of unwillingness to substantially increase its defense budget. That has not been true in the 1980's; Tokyo has had the highest percentage increases in defense spending of any country for the past several years. Prime Minister Nakasone has also agreed to exceed the 1 percent of GNP cap on defense spending, ensuring that Japan will meet its commitment to secure its sea lanes for 1,000 miles by the early 1990's.

We cannot continue to fool ourselves with the idea that the United States is increasing its defense spending while our allies are not. Rather, we must realize that we are asking our allies to do something that we are incapable of and unwilling to do: provide for real growth in defense budgets. Remember: the allies are just as susceptible to the economic ills that afflict this country. We are now debating a budget for fiscal year 1988 that is nearly $23 billion less than the administration requested. This follows on the heels of last year's defense budget, which didn't even cover inflation. Can we look our allies in the eyes and say, "You must increase your defense spending by 1 percent over inflation or we are leaving?" Hardly. World peace is not a baseball game; we can't take our ball and go home if we don't like the rules.

We have continually asked our allies to implement politically unpopular policies for the greater good of regional security. West Germany has a peacetime draft to support a large standing army. Would we be willing to institute one in the face of widespread opposition? The decision to base cruise and Pershing missiles continues to face well-organized and vocal opposition. Given the time we have spent debating nuclear weapons issues just this week, can you doubt the political will necessary to support that NATO policy?

Mr. Chairman, we are all aware of the huge conventional advantage enjoyed by the Soviet Union in central Europe. Deterrence in Europe has tangible benefits for our allies; their homes would be the battleground if it fails. We don't need to "encourage" our allies to do more by abandoning them. We must recognize the true value of their contributions; we must work to strengthen our ties; we must not allow differences of opinion in areas such as trade to affect our judgment on defense.

In closing, I urge my colleagues to vote no on the four burden-sharing amendments before us. They are bad for our alliances in Europe and the Pacific; they are bad for our national security. They are just plain bad policy.

Mrs. BYRON. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. MRAZEK].

□ 1210

Mr. MRAZEK. Mr. Chairman, the issue is not the vicious intentions or past actions of the North Korean Government. No one, least of all myself, is attempting to underestimate the dangers posed by North Korea to that region of the world. Further, no one, least of all myself, is attempting to undercut our continuing resolve to protect the sovereignty of South Korea. The issue is that we are spending $150 billion this year in support of our national security interests in Western Europe, and we are spending several billions of dollars this year to defend our interests as they are perceived in South Korea.

We have a $150 to $180 billion deficit. Our bridges are falling down in this country. It costs $16,000 to go to college, and hundreds of thousands of kids cannot get low-interest loans because they are not provided in the budget.

Do you want to know something? South Korea has a budget surplus this year, a budget surplus, not a budget deficit. They are laughing at us across this world. We are patsies for too many nations which are annihilating us in the international marketplace.

We are simply asking in this amendment for a nonbinding resolution that recommends to the President of the United States that he come up with a plan for some type of reduction, orderly reduction, in our troop commitments in South Korea. You know why? Because South Korea has 50 percent more people than the North. They have a gross national product four times the size of the North.

I am suggesting that over 5 years they ought to be able to pick up a greater share of the burden of defending themselves on the ground. That does not mean we are going to remove the 5th Air Force, our Tactical Air Command; it does not mean we are going to remove the support facilities that we have there. What it does mean is that we are simply asking the South Koreans to take on a greater share of their own responsibility for defending themselves, and I think that that is a fair and reasonable approach to follow.

Mrs. BYRON. Mr. Chairman, will the gentleman yield?

Mr. MRAZEK. I yield to the gentlewoman from Maryland.

Mrs. BYRON. Mr. Chairman, I think in the earlier debate that we talked about the cost of withdrawing troops from overseas deployment. If we want to bring those troops home, we are still going to have to fund them. We are still going to have to build facilities to house them, and those troops will be a part of our end strength, because the gentleman's amendment does not address reducing end strength.

We were talking about reducing 160,000 troops from Europe at a cost of $11 billion. The 40,000 troops withdrawn from Korea would be at a cost of about $3 billion. So I have some problems with the gentleman's logic on the cost aspect.

Mr. MRAZEK. Again, I am not attempting to impose any determination on this administration. I am suggesting that in this Congress we should recommend to the President that he come up with a plan which would allow the Koreans to defend themselves.

Mr. KYL. Mr. Chairman, do I have 30 seconds remaining?

The CHAIRMAN pro tempore. The gentleman is correct.

Mr. KYL. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, to summarize, I compliment the speakers on both sides for their addressing of this issue in a very nonpartisan way, and I think that that kind of debate should characterize our discussion of all of these important issues. I appreciate the opportunity to engage in that kind of bipartisan discussion.

I am struck by the fact that there is very strong support for a strong U.S. presence around this world, both in support of our allies and in support of the United States of America, and that is the point that I was making earlier, that our presence in Europe supports a strong United States.

Mrs. BYRON. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. I thank the gentlewoman for yielding time to me.

Mr. Chairman, I would like to associate myself with the remarks made by my colleagues, the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Arizona [Mr. KYL]. I think that it is critically important that we reinforce the American commitment in NATO during critical negotiations on the INF Treaty. It is essential that during the negotiations for a treaty the alliance enjoy above all stability in every aspect of its relationship. Any kind of reduction during this period, however small, would receive publicity far in excess of any real strategic or tactical importance. It would rattle those European allies who are our best supporters.

Having recently returned from Europe with my colleague, Mr. BEREUTER, I can attest to the fact that our European allies are extremely jittery. They are jittery about the INF negotiations, about short, medium, and intermediate missiles, and I believe that sending them a signal of reduction or any kind of negative change would be a bad move.

I will be offering an amendment shortly that basically achieves what most of my colleagues here are proposing, and that is stability in the relationship, a status quo.

The CHAIRMAN pro tempore (Mr. RUSSO). It is now in order to consider the amendments relating to defense burdensharing contained in section 1 of House Report 100-84, by, and if offered by, the following Members, or their designees, which shall be considered in the following order only: (a) by Representative GREGG; (b) by Representative RICHARDSON; (c) by Representative BRYANT; and (d) by Representative MRAZEK.

AMENDMENT OFFERED BY MR. RICHARDSON

Mr. RICHARDSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. RICHARDSON: Insert the following at the end of division A (page 117, after line 25):

SEC. 812. UNITED STATES MILITARY PERSONNEL IN NATO COUNTRIES.

None of the funds appropriated pursuant to the authorizations in this division may be used during fiscal year 1988 to take any action which would result in the number of United States military personnel stationed in countries which are members of the North Atlantic Treaty Organization being reduced below the number of such personnel stationed in such countries at the end of fiscal year 1987.

The CHAIRMAN pro tempore. Under the rule, the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment at the desk seeks to prohibit the withdrawal of U.S. military personnel stationed in NATO countries below fiscal year 1987 levels during fiscal year 1988. During these times of arms control talks, the United States needs to send a strong message to our European allies that the United States is committed to their safety and well being. As you know, an important success in political burden sharing is the unity and resolve the European allies have shown in staying on course for the deployment of longer range intermediate range nuclear forces in the absence of an arms control agreement obviating the need for such deployment.

There have been encouraging recent developments pertaining to allied conventional defense efforts. At the December 1984 ministerial meeting, defense ministers made some positive decisions that will have a significant impact on future allied defense capability. NATO ministers agreed on a significantly increased funding level for the infrastructure program. The level for the 6-year period 1985-90 will be approximately $8.5 billion, which is more than double the funding agreed to in the previous 5-year period. Responding to Secretary Weinberger's December 1983 initiative, the NATO ministers committed their nations to expanding existing plans for the procurement of specific critical munitions and to increasing their efforts to meet the force goals that call for augmented war reserve stocks of ammunition. The NATO ministers also agreed to reaffirm the need for continuing improvement of NATO's conventional defense capabilities. Their cooperation should not go unnoticed.

Additionally, we continue to share with our allies a common perception of the threat that the Soviet Union and its military buildup poses to alliance security. Sometimes it is easy for the United States to forget the necessity for a strong commitment to our NATO allies because it is not our homeland which is the potential battlefield. The European countries sense about the risks of conflict is more immediate than our own, and the public desire for an easing of East-West tensions is more widespread.

Mr. Chairman, my amendment simply sends a message to the European alliance that the United States is behind them, and that we will not withdraw U.S. military troops during fiscal year 1988. I urge my colleagues to support this amendment.

Simply put, Mr. Chairman, my amendment would prohibit the withdrawal of any troops from Europe for a period of 1 year.

It would reinforce the American commitment during a period of critical negotiations on the INF Treaty.

It is essential that during the negotiations for a INF Treaty the alliance enjoy stability in every other aspect of its relationships.

Any kind of a reduction during this period, however small, would receive publicity far in excess of any real strategic or tactical importance.

It would rattle those European allies who are our best supporters.

It would give encouragement to Soviet efforts to reduce European confidence in the reliability of the American guarantee.

It would resurrect neutralism and the fears of some in Europe that in time of crisis the United States can not be relied on.

Europeans provide 90 percent of the ground forces and 80 percent of the combat aircraft in Europe.

I believe, as many here do believe the European contribution to NATO can be improved, but let's do that as allies and friends. We must not create an adversarial relationship with those countries that support us the most in the United Nations.

Avoid the bitterness that derives from unilateral withdrawal and threats of withdrawal.

Finally, troop withdrawal is an expensive proposition.

Restationing in the United States is also expensive.

In sum, the economic costs of withdrawal are high, the political disadvantages are great, and the military benefits—nonexistent.

Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. BEREUTER], who serves with me on the NATO 200 group along with the gentleman from Georgia and the gentleman from Delaware in the other body.

Mr. BEREUTER. Mr. Chairman, I rise in strong support of the Richardson amendment. What it does, is to focus the attention of the world and especially the Europeans, Warsaw Pact and our NATO allies, that the Congress of the United States, through action here in the House, has considered this issue of American personnel commitments to NATO and has taken a positive stand to reemphasize that we are committed to maintain our fiscal year 1987 existing troop levels for fiscal year 1988.

This is not a policy matter that we ought to leave in doubt when we have the delicate situation that we do today with the proposals about dramatically reducing or eliminating INF forces in Europe. Clearly such reductions would place greater burdens on the conventional force capabilities of the United States and our Western European NATO allies. Clearly we now face a severe imbalance. Clearly we ought to send a clear message to the Warsaw Pact, especially the Soviet Union, that we will not be reducing our conventional force capabilities during this crucial period of time—so that we can have leverage to push for reductions in the conventional force capabilities of the Warsaw Pact in Central and Eastern Europe.

For that reason, an affirmative message from the House by adapting the Richardson amendment, giving it a strong vote, is essential. Any administrative problems that this amendment might create for our Pentagon are minor compared to the positive features and accomplishments of the Richardson amendment.

I will say this in conclusion. We need to send this clear message about our resolve to reduce not increase the conventional force imbalance in Europe. Support the Richardson amendment.

Mrs. BYRON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentlewoman from Maryland [Mrs. BYRON] is recognized for 5 minutes.

Mrs. BYRON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I fully agree with the position of the gentleman from New Mexico [Mr. RICHARDSON]; namely, that we must not decrease our conventional capability in Europe at the same time we are discussing reducing our nuclear forces, and I have problems with the necessity of this amendment. I do commend the gentleman for offering this amendment, but I question this amendment because of its administrative burden in nature.

I want to assure my friend from New Mexico, however, that I fully respect, I agree with the spirit, and I agree with the intention that drove him to offer this proposal.

I, too, have recently talked to our colleagues in Europe, at a conference in Berlin over the Easter break, at which time, time and time again, the German representatives came to me and were concerned about the mood of our country on talking about troop withdrawals.

We have seen on the Senate side this year that the new chairman of the Senate Armed Services Committee, who originally was in favor of troop withdrawals, has now stated that he is very pleased with the arrangement and seeing that the Europeans are beginning to make some progress in that area. I question the necessity of this amendment at this time.

Mr. Chairman, I reserve the balance of my time.

□ 1220

Mr. RICHARDSON. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding me this time.

Mr. Chairman, I hope my colleagues will support the Richardson amendment. I think it is a good amendment. I agree with the gentleman from Nebraska [Mr. Bereuter] that it serves a very important purpose.

I think every Member of the House, regardless of party affiliation, wants this administration to be able to successfully conclude a Euro-missile treaty dealing with the Soviet and Western missiles that are now stationed in Europe. Everyone knows, however, that a concern that has been expressed is where that will leave some of the NATO allies, and in the mind of the NATO allies whether such a treaty could conceivably leave them in a decoupled position in terms of their defense. This is not time, I would submit, for us to send anything other than a very strong signal that the U.S. Congress recognizes that we need, particularly if we succeed in achieving the treaty on theater nuclear arms, we need to bolster our conventional capability on a NATO-wide basis, and that America needs to make its contribution to that.

We stipulate, I stipulate, I think the gentleman from New Mexico [Mr. Richardson] who offers the amendment stipulates that NATO itself is going to have to bolster conventional forces as well; but we need to do our share, particularly in order to make this missile agreement stick.

Mrs. BYRON. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. Bateman].

Mr. BATEMAN. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I appreciate what the gentleman is trying to accomplish with his amendment. He is trying to prevent the wholesale decimation of our presence in Europe, as would happen under other amendments offered on this issue today. However, I oppose passage, not because I object to the spirit in which this amendment is offered, but because it makes bad policy in the name of a good cause.

The amendment before us would prohibit the use of any funds to reduce the number of troops stationed in Europe below the 1987 level. As of December 31, 1986, we had just over 321,000 members of our Armed Forces stationed there. Now, the Secretary of Defense already operates under the European troop strength ceiling of 326,414. By going ahead and establishing a 321,000-man floor, we will be just about eliminating whatever management flexibility the Secretary of Defense has left. We would be asking him to respond to a shifting Warsaw Pact threat with 5,000 troops.

If, for example, the Soviets began a major shift of their assets toward Southwest Asia and Iran, the Secretary would be unable to redeploy troops already planned and trained for that area from Europe to reinforce those already sent from the United States. There might be other scenarios in which those troops already stationed in Europe should be the first on the scene, before they could be replaced from home.

This amendment, Mr. Chairman, not only limits the flexibility of our military experts, it once again puts the Congress in the business of micromanaging how the Pentagon deploys its forces. But most important, it lacks an escape clause. We must not make bad policy in pursuit of good intentions. I urge my colleagues to vote against this amendment.

Mrs. BYRON. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. RICHARDSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, having introduced this amendment, I would hope we do not reject it for what I simply hear are technical or administrative reasons. This is a pro-U.S.-NATO alliance amendment.

It says, do not meddle with reducing troops for the year that the INF negotiations are going on. It is the kind of amendment that, contrary to some reports, some administration officials that have talked to me are very strongly in support of.

I would hope that we are working cooperatively, that we accepted that positive message by supporting this amendment.

I am for the NATO alliance. This is a pro-NATO alliance amendment.

The CHAIRMAN pro tempore (Mr. Russo). The question is on the amendment offered by the gentleman from New Mexico [Mr. Richardson].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MRAZEK

Mr. MRAZEK. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Mrazek: Insert the following at the end of division A (page 117, after line 25):

SEC. 812. PLAN FOR REDUCTION OF FORCES IN KOREA.

(a) Findings.—The Congress finds that—

(1) the United States is committed to maintain its continuing resolve to protect the sovereignty of the Republic of Korea;

(2) increasing pressure brought about by the deficit and competing priorities in the defense budget, as well as in the overall budget of the Federal Government, requires the funding of essential military priorities before the funding of secondary commitments;

(3) the Republic of Korea does not need to maintain military parity with the Democratic Peoples Republic of Korea since the Republic of Korea needs only the military strength to repel an attack;

(4) the Republic of South Korea has one of the most dynamic economies in the world, with its gross national product being four times larger than the Democratic Peoples Republic of Korea, its being in 20th place in the world in terms of gross national product, and its being the 12th largest trading nation; and

(5) the obligation of the United States to the Republic of Korea is to provide deterrence against an attack by hostile forces, not to provide the defense of the Republic of Korea from the Democratic Peoples Republic of Korea.

(b) Plan.—The Congress recommends that the President shall develop a plan for the orderly reduction of United States military personnel and activities in the Republic of Korea during fiscal years 1988 through 1992. Such plan shall provide for the following kinds of continued United States military assistance for the Republic of Korea (hereafter referred to in this section as the "Republic") after fiscal year 1992:

(1) Training and technical support for the military forces of the Republic.

(2) Material and support facilities positioned in such a manner that would allow United States military personnel to be deployed quickly in the Republic in the event of an invasion.

(3) Maintenance of tactical air forces in the Republic at levels sufficient to assist the military forces of the Republic to meet any threat posed by hostile air forces.

(4) Deployment of surveillance technology, including early warning satellites and other advanced detection systems, to the extent necessary to provide a maximum degree of security in monitoring the movements of hostile armed forces.

(5) Planning by the Department of Defense for the deployment of defensive weapons which might be necessary along the 38th parallel to repel an invasion force and to destroy hardened underground facilities that may be utilized by such invasion force.

The CHAIRMAN pro tempore. Under the rule, the gentleman from New York [Mr. Mrazek] will be recognized for 5 minutes and a Member opposed to the amendment will be recognized for 5 minutes.

Mr. MRAZEK. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, since 1950 this Nation has spent $42 billion in foreign assistance to protect the sovereignty of South Korea, as well as our own national security interests in that region.

As Army Brig. Gen. John Bahnsen wrote in November 1985, he supports a continued military presence in Korea, but the "wisdom of maintaining any U.S. infantry in a country so rich in manpower is purely political. And with 40 million people in South Korea opposing 20 million in the North, even the political wisdom of supporting the current design of the 2d Infantry Division is wearing thin * * *."

I submit that this is not micromanagement, Mr. Chairman, of our commitments overseas. What it simply asks in a nonbinding resolution is that the President develop a plan for an orderly reduction in our commitments there over the next 5 years. What does that mean?

It does not mean from 40,000 to zero, because the amendment specifically suggests that we maintain our tactical air forces in the Republic at levels sufficient to assist the military forces of the Republic to meet any threat posed by hostile air forces.

We have 11,000 Air Force personnel in South Korea already committed to this task. My amendment specifically suggests in terms of a recommendation to the President, that we continue training and technical support, and provide materiel and support facilities in such a manner that would allow the U.S. military personnel to be deployed quickly in the event of difficulties.

It calls for the deployment of surveillance technology, including early warning satellites and other advance detection systems to the extent necessary to provide a maximum degree of security in monitoring the movement of hostile armed forces.

Finally, it calls for planning by the Department of defensive weapons which might be necessary along the 38th parallel to repel an invasion force and to destroy hardened underground facilities that may be utilized by an invasion force.

This year our western Pacific commitment is about $47 billion. I am not suggesting we eliminate unilaterally our forces there. We have a lot of additional forces in the region already.

We have 48,000 troops in Japan. We have the 3d Marine Division with 23,000 marines in Japan.

We have the 5th Air Force Division with 17,000 Air Force personnel. We have the new 7th Light Infantry Division that is in Korea right now for the Team Spirit exercises.

We have got a lot of commitments there. All I am suggesting is that within 5 years, the South Koreans ought to be able to handle the ground commitment themselves.

The CHAIRMAN pro tempore. Is the gentlewoman from Maryland [Mrs. BYRON] opposed to the amendment?

Mrs. BYRON. Mr. Chairman, I am.

The CHAIRMAN pro tempore. The gentlewoman from Maryland [Mrs. BYRON] is recognized for 5 minutes.

Mrs. BYRON. Mr. Chairman, I yield myself such time as I may consume, and I rise in strong opposition to the Mrazek amendment.

If this proposal becomes law, Mr. Chairman, it would devastate U.S. security interests and credibility in the Pacific, undermine our ability to encourage the continued development of democratic institutions in Korea and shed doubt on our Pacific obligations at the very time the Soviets have begun a new diplomatic offensive in the region. It would tell Korea, Japan, and other nations in that area of the world that they are "secondary commitments" to the United States. In short, if we pass this amendment, we can kiss deterrence on the Korea Peninsula and in the Far East goodbye.

As I understand the gentleman from New York, he believes that most American troops are no longer needed in South Korea because the South Korean economy is strong and the South Koreans are now able to defend themselves. He claims that he does not seek to abandon our historic commitment to Korea, but rather to revise it in such a way as to withdraw most of the American presence there.

I would ask the gentleman how he can be sure that the precipitous steps he proposes are best for the country and best for our worldwide interests. Does he serve on the Armed Services Committee or on the Foreign Affairs Committee? Has he held hearings to explore the military and foreign policy implications of a large scale American troop withdrawal from Korea? The answer to these questions are no, Mr. Chairman. And I would urge my colleagues to vote against this measure precisely because it has not been adequately researched and considered.

Let me now turn to the burdensharing question, Mr. Chairman, and speak to whether South Korea contributes its fair share to the common defense. By the most quoted measure of burdensharing—the percentage of GNP a country spends on defense—Korea is neck and neck with the United States in its defense contributions at 6 percent of GNP. Korean defense contributions, in other words, compare very favorably with those of the United States and are better than most of our other major allies. Certainly, there can be no burdensharing complaint here.

Although South Korean defense expenditures have been increasing in recent years, this does not mean that the South Koreans can now go it alone. We must not lose sight of the fact that North Korea devotes a whopping 20 percent of GNP to defense. Moreover, because of greater personnel costs and procurement lag times in the South, it will be at least several more years before the gap in military capabilities between North and South can be closed sufficiently to allow the South to repel a North Korean attack without United States ground reinforcement. Let me make this point loud and clear, Mr. Chairman—if we withdraw troops before the South can defend itself without United States ground troops, and if the North invades, the Korea we have supported and bolstered for 25 years will surely fall.

This amendment is a bad idea and, like the other troop withdrawal amendments debated earlier, it would be extremely costly to implement. Congress should not recommend anything as drastic as pulling back from Korea before thorough hearings have taken place and then, only if our military and foreign policy experts agree that it is in our best interests. I urge a no vote on this measure.

□ 1230

The CHAIRMAN pro tempore (Mr. RUSSO). The gentlewoman from Maryland [Mrs. BYRON] has 3 minutes remaining and the gentleman from New York [Mr. MRAZEK] has 2 minutes remaining.

PARLIAMENTARY INQUIRY

Mr. BATEMAN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. BATEMAN. Mr. Chairman, who has the right to close debate on this amendment?

The CHAIRMAN pro tempore. The managing committee has the right to close the debate on this amendment. The gentlewoman from Maryland [Mrs. BYRON] has the right to close.

Mrs. BYRON. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, there is an irony here this morning. There are folks who have been wanting to reduce our commitments to Korea for years. The idea was first floated in the Carter days.

The irony is they are now using the notion of a budget deficit and a trade deficit to essentially hold our national defense hostage.

So in a sense the same folks that brought you the trade deficit and the same folks that brought you the budget deficit are now wanting to bring you further reductions in our national defense commitments.

I would only ask them if they understand how much of a Soviet presence there already is in Southeast Asia, in Burma, in Cambodia, in Laos, in Vietnam? In fact, some of our own bases which were built during the Vietnam era, at Camranh Bay, Da Nang, several facilities now occupied by, essentially owned by, the Soviet forces where they base most of their southeast Pacific and Indian Ocean fleets. The question is, I guess, where do you stop? Today South Korea, tomorrow perhaps the gentleman from New York will be talking about withdrawing troops from the Philippines or advisors from the Philippines, perhaps withdrawing our support from Japan. Where do you stop? Perhaps at the shores of California?

We have in South Korea a country struggling to become a more democratic nation. We have in South Korea a nation struggling to become a more free people, to have free elections, to enjoy some of the freedoms that democratic countries often enjoy.

The Committee on Armed Services, as the gentlewoman from Maryland [Mrs. BYRON] pointed out, has studied this issue. We do not feel this amendment is in order. We do not feel there is any need to be slapping down the South Koreans as they are reaching out to try to become a more democratic nation.

I urge you to vote down the Mrazek amendment.

Mr. MRAZEK. Mr. Chairman, I yield 1½ minutes to my distinguished colleague, the gentleman from Georgia [Mr. DARDEN], a member of the Committee on Armed Services.

Mr. DARDEN. I thank our colleague from New York for yielding.

As a member of the Committee on Armed Services I want to express my support and my appreciation for the gentleman from New York bringing this very timely amendment. I think before anybody in this House starts mischaracterizing his amendment, they at least ought to read it. It is a very simple amendment. It does nothing that he has been accused of doing before. It simply makes a recommendation that the President look at, look at this issue and if the President decides not to, that is just fine.

But again it starts off by saying "the Congress finds that the United States is committed to maintain a continuing resolve to protect the sovereignty of the Republic of Korea." But why can we not, as a Congress, at least recommend and say that we ought to look at the situation more carefully?

Mr. Chairman, the United States of America can no longer afford to be banker, policeman, and Santa Claus for the whole world. So it is about time we look at this a little more carefully and at least give some congressional input into our administration about our future foreign policy.

The CHAIRMAN pro tempore. The gentlewoman from Maryland [Mrs. BYRON] has 1 minute remaining and the gentleman from New York [Mr. MRAZEK] has half a minute remaining.

Mrs. BYRON. Mr. Chairman, it is my understanding we have the opportunity to close.

The CHAIRMAN pro tempore. The gentlewoman is correct.

Mr. MRAZEK. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, I simply want to say in conclusion that fundamental and basic common sense tells us that South Korea, a country with the most dynamic growth in its economy in the world today, a nation with a budget surplus, ought to be taking on a greater share of the responsibility in maintaining its own national security interests while we complement their deterrence capability in the future. But if we are going to be the ones that have to carry so much of the burden in the future, we will not maintain our own national security and our own strength.

Mrs. BYRON. Mr. Chairman, for the purpose of closing debate, I yield 1 minute to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. I yield to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. MONTGOMERY. Mr. Chairman, I yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I rise in strong opposition to the amendment by the gentleman from New York [Mr. MRAZEK].

Mr. Chairman, when President Carter proposed to reduce American troops in South Korea early in his administration, he met a storm of protest and provoked serious shock waves in United States-South Korean relations. It was a proposal that was ill-conceived, ill-timed, and ill-advised. President Carter ultimately had to decide against reducing U.S. troops there. Nothing has changed in the past 10 years to make those troop reductions any more appropriate.

The overall balance of forces on the Korean peninsula greatly favors the North Koreans. South Korean and United States forces serve as a defensive shield. A reduction of United States forces at this time does nothing to increase either South Korean or United States security interests.

To even suggest a lessening of American commitment to the security of South Korea at the moment when the 1988 summer Olympics are to be held is an irresponsible invitation to North Korea to carry out some provocative act. There must be no signal given to the North Koreans that in the coming 2 years—a delicate stage in the security relationship between South Korea and the United States—that the United States commitment is any less strong or any less sincere.

I urge my colleagues to reject this unwise amendment.

Mr. MONTGOMERY. Mr. Chairman, the gentleman from Georgia said that this amendment does nothing. I partially agree with him, but it sends out the wrong signs; we ought to make it clear that the North Koreans have the third largest army in the world, the South Koreans do not have a chance if the North Koreans come over the 38th parallel and they do not have a chance if you start withdrawing American troops within 5 years from now back to this country.

The amendment is not going to save any money whatsoever. It costs a lot of bucks for the taxpayers to move these units around. We are positioned in places in South Korea, let us leave the Americans there.

Mr. Chairman, let me close by saying if we want to continue to be a world power we are going to have to have American troops overseas whether we like it or not.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. MRAZEK].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. MRAZEK. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 64, noes 311, not voting 57, as follows:

[Roll No. 98]

AYES—64

Anderson
Applegate
Beilenson
Bonior (MI)
Bruce
Carper
Carr
Collins
Crockett
Darden
Davis (IL)
DeFazio
Dellums
Dixon
Dorgan (ND)
Durbin
Edwards (CA)
Erdreich
Evans
Fazio
Flippo
Ford (MI)
Gregg
Hall (TX)
Hawkins
Hayes (IL)
Hefner
Hochbrueckner
Jacobs
Jenkins
Jontz
Kastenmeier
Kennedy
Kildee
Kleczka
Leland
Lewis (GA)
Lipinski
Lowry (WA)
MacKay
Manton
Markey
Martinez
Mfume
Mrazek
Owens (NY)
Owens (UT)
Patterson
Perkins
Petri
Pickett
Rangel
Savage
Scheuer
Schroeder
Sikorski
Staggers
Stokes
Swift
Tallon
Traficant
Vento
Wheat
Yates

NOES—311

Ackerman
Akaka
Andrews
Anthony
Archer
Armey
Aspin
Atkins
AuCoin
Baker
Ballenger
Barnard
Barton
Bateman
Bennett
Bentley
Bereuter
Berman
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brennan
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Byron
Callahan
Campbell
Cardin
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Coughlin
Courter
Coyne
Craig
Crane
Daniel
Davis (MI)
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Dwyer
Dyson
Eckart
Edwards (OK)
Emerson
English
Espy
Fascell
Fawell
Feighan

Fields
Fish
Flake
Florio
Foglietta
Foley
Frank
Frenzel
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Grandy
Grant
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Henry
Herger
Hertel
Hiler
Holloway
Hopkins
Houghton
Howard
Hoyer
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Jeffords
Johnson (CT)
Johnson (SD)
Kanjorski
Kaptur
Kasich
Kennelly
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lloyd
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Matsui
Mavroules
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Murtha
Myers
Nagle
Natcher
Nelson
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Oxley
Packard
Panetta
Parris
Pashayan
Pease
Penny
Pepper
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Ravenel
Ray
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Russo
Sabo
Saiki
Sawyer
Saxton
Schaefer
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Stallings
Stenholm
Stratton
Studds
Stump
Sundquist
Sweeney
Swindall
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traxler
Udall
Upton
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Watkins
Waxman
Weber
Weiss
Weldon
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—57

Alexander
Annunzio
Badham
Bartlett
Bates
Bevill
Boner (TN)
Brooks
Brown (CA)
Bryant
Bustamante
Clay
Combest
Conte
Conyers
Cooper
Dannemeyer
Daub
Dingell
Donnelly
Dymally
Early
Ford (TN)
Frost
Gephardt
Gradison
Gray (IL)
Gray (PA)
Horton
Hubbard
Ireland
Jones (NC)
Jones (TN)
Kemp
Lehman (FL)
Livingston
Lott
Mazzoli
Miller (CA)
Moorhead
Murphy
Neal
Nichols
Rahall
Rodino
Roemer
Roybal
Schneider
Skeen
Smith (FL)
Smith, Denny (OR)
Stangeland
Stark
Synar
Tauke
Tauzin
Valentine

□ 1250

The Clerk announced the following pairs:

On this vote:

Mr. Rahall for, with Mr. Nichols against.

Mr. Dymally for, with Mr. Lehman of Florida against.

Mr. HOYER and Mr. SCHUMER changed their votes from "aye" to "no."

Mr. LELAND and Mr. DURBIN changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. Murtha] having assumed the chair, Mr. Russo, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

STEWART B. McKINNEY NATIONAL WILDLIFE REFUGE

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from further consideration of the bill (H.R. 2334) to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge," and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. MORRISON of Connecticut. Mr. Speaker, reserving the right to object, first let me thank the House for its indulgence in breaking into the schedule for us to take care of the pending bill.

Further reserving the right to object, Mr. Speaker, I will not object, and I take this time only to describe very briefly to the House the bill before us. This legislation, which was introduced today by all the members of the Connecticut delegation, renames the Connecticut Coastal National Wildlife Refuge for Stewart B. McKinney, our deceased colleague. This is one of the most appropriate memorials that we can make to Stewart McKinney.

It is because of Stewart McKinney that this wildlife refuge exists. He conceived of it, and he introduced the legislation to get it done. He fought for the money to pay for it, and within a 3-year period, unprecedented in the creation of such refuges, he brought it together.

When we dedicated the last piece of land that became part of this refuge, Stewart spoke with great pride about this accomplishment, and he said something that has always stuck with me. He said, "In public life there is little that one can do that is lasting."

But today we preserve forever a piece of America and a piece of Connecticut as a national wildlife refuge, and today this House can join the Senate, which has already acted, in order to preserve Stewart B. McKinney's memory with this piece of America that he preserved for all time.

Mr. Speaker, I know that many Members would like to speak on this matter, and I hope they will take the opportunity to revise and extend their remarks in the Record in support of this action which is so appropriate, but because of the time constraints, we can only have one other speaker on the matter, and I am proud to yield to my colleague, the gentlewoman from Connecticut [Mrs. Johnson].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank my colleague for yielding, and I rise in support of this legislation on behalf of myself and other Members of the Connecticut delegation.

Stewart McKinney spent 7 years introducing and carrying the legislation that created this wildlife refuge through this House of Representatives because he knew how important it was to have a place where people could renew their spirit, renew their connection with the natural world, and draw strength and inspiration from nature.

The renaming of the Connecticut Coastal National Wildlife Refuge is indeed a fitting tribute to a great Member of this body and a beloved Congressman from Connecticut.

Mr. GILMAN. Mr. Speaker, I rise in strong support of this legislation, H.R. 2334/S.1167 to rename the Connecticut Coastal National Wildlife Refuge the Stewart B. McKinney National Wildlife Refuge. I thank the Members of the Connecticut delegation for introducing this timely measure honoring our beloved colleague Stew McKinney.

Mr. Speaker, as we support this measure, I join with my colleagues in mourning the passing of one of this body's most distinguished Members, the gentleman from Connecticut, the Honorable Stewart B. McKinney and in expressing our condolences to his devoted wife and to his family.

The Congress and the Nation has lost a great public servant. Heaven's gain is most assuredly our loss. I know that I will sorely miss Stew McKinney's leadership and counsel. He was a Member with whom I saw eye to eye on many important issues and was always available for help on any matter. Stew McKinney and I worked very closely on many issues and I consider my relationship with him to be one of the highlights of my congressional career.

Mr. Speaker, Representative McKinney's wish that the cause of his death be made public in hopes of raising the public's consciousness regarding AIDS is indicative of his courageous character, his dedication to public service and to his fellow man.

I know that my colleagues are in full agreement when I say that Stew's courage is indeed an inspiration to us all. We will miss Stewart McKinney's wisdom as we attempt to resolve the many problems confronting a nation that Stewart loved and to which he dedicated his life. Let us take this solemn occasion as an opportunity to rededicate ourselves to the cause which Stewart B. McKinney so nobly and ably embodied, the service of our Nation and its people.

Mr. ROWLAND of Connecticut. Mr. Speaker, I rise in support of H.R. 2334, a bill to change the name of the Connecticut Coastal National Wildlife Refuge, to the Stewart B. McKinney National Wildlife Refuge.

Perhaps Stew McKinney's most lasting achievement was his successful fight to create the Connecticut Coastal National Wildlife Refuge, preserving some of the last unspoiled coastline along the Connecticut shore. I believe that this legislation not only exemplifies Stew's commitment to the environment, but also his commitment to those who are less fortunate, and his dedication to creating a better quality of life for everyone. This legislation is a small token of our appreciation and recognition of the many great achievements of Stewart McKinney.

Stew was a man of absolute compassion who lived a full life of achievement for our Nation. His leadership on the Banking Committee was critical in developing the Federal rescue packages that saved New York and the Chrysler Corp. He was a tireless fighter for the disadvantaged, from his efforts to assist the mentally ill, to his work for providing housing for all Americans.

I will always treasure Stew's friendship and generosity; he always went out of his way and extended himself to others. He was not just a friend however, he was a teacher. He lent me his advice on how to deal with constituents, colleagues, and how to set up the office. He showed me the ropes and what it means to be a truly effective Congressman.

Perhaps Stew's greatest lesson was how to deal with people. It did not matter if a person was a Republican, Democrat, or Independent. Stew was not one to let a difference of opinion affect his opinion of others. He respected the views of all and always debated the issues fairly and responsibly.

I would like to express my deepest condolence to Stewart's wife Lucie and their children. I hope that it gives them strength in knowing that the Nation will also suffer in the loss of a great leader and compassionate teacher. We thank you, and we will miss you.

Mrs. KENNELLY. Mr. Speaker, I would like to join with my colleagues from Connecticut in support of H.R. 2334, a bill to rename the Connnecticut Coastal National Wildlife Refuge to honor Stewart B. McKinney, our beloved colleague

Stewart McKinney's dedicated advocacy for the homeless and his enduring compassion were well known. Today, however, we honor Stewart McKinney's concern for the environment and recognize his effectiveness as a skillful negotiator on a wide range of causes. The Stewart B. McKinney National Wildlife Refuge, in southwestern Connecticut, is a major breeding ground for many rare species of birds and Stewart successfully led a 3-year fight to preserve this area.

I feel it is appropriate to pay homage to this compassionate, hard-working Representative by renaming the Coastal National Wildlife Refuge for Stewart McKinney. His memory will be preserved as a symbol of his dedication to the beauty and sanctity of our environment.

Mr. MORRISON of Connecticut. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2334

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stewart B. McKinney National Wildlife Refuge Designation Act of 1987".

SEC. 2. NAME CHANGE OF THE REFUGE.

The Connecticut Coastal National Wildlife Refuge, as established by Public Law 98-548, is hereby redesignated as the "Stewart B. McKinney National Wildlife Refuge".

SEC. 3. AUTHORIZATION TO THE SECRETARY.

In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such modifications to maps, signs, and other references and structures to properly reflect such redesignation.

SEC. 4. AUTHORIZATION TO ACCEPT FUTURE MEMORIALS.

The Secretary is authorized to accept future memorials to be placed in the Stewart B. McKinney National Wildlife Refuge describing the contributions of Stewart B. McKinney to the Nation.

SEC. 5. AUTHORIZATION OF FUNDS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1300

Mr. STUDDS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1167) to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge," and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. Murtha). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stewart B. McKinney National Wildlife Refuge Designation Act of 1987".

SEC. 2. NAME CHANGE OF THE REFUGE.

The Connecticut Coastal National Wildlife Refuge, as established by Public Law 98-548, is hereby redesignated as the "Stewart B. McKinney National Wildlife Refuge".

SEC. 3. AUTHORIZATION TO THE SECRETARY.

In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such modifications to maps, signs, and other references and structures to properly reflect such redesignation.

SEC. 4. AUTHORIZATION TO ACCEPT FUTURE MEMORIALS.

The Secretary is authorized to accept future memorials to be placed in the Stewart B. McKinney National Wildlife Refuge describing the contributions of Stewart B. McKinney to the Nation.

SEC. 5. AUTHORIZATION OF FUNDS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 2334) was laid on the table.

GENERAL LEAVE

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bills just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER pro tempore. Pursuant to House Resolution 160 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendments made in order by paragraph (2) of section 2 of House Resolution 160 had been completed.

As the Committee proceeds through the consideration of section 3 amendments, the Chair will call the number of the amendment and the name of its sponsor in order to give notice to the Committee of the Whole as to the order of recognition.

It is now in order to consider amendment No. 1 printed in section 3 of House Report 100-84.

Mr. LEATH of Texas. Mr. Chairman, I withdraw amendment No. 1 and will proceed to amendment No. 2.

AMENDMENT OFFERED BY MR. LEATH OF TEXAS

Mr. LEATH of Texas. Mr. Chairman, I offer an amendmant.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LEATH of Texas:

Page 13, after line 23, add the following:

(4) Of the funds appropriated or otherwise made available for procurement of tactical and support vehicles for the Army for fiscal year 1988, $239,297,000 shall be available only for procurement of 1,388 HEMTT vehicles. Of the vehicles procured with such funds—

(A) 159 shall be designated for the Army National Guard,

(B) 141 shall be designated for the Army Reserve, and

(C) not more than 200 may be equipped with a palletized loading system.

The amount provided in section 101(a)(5) for tactical and support vehicles is hereby increased by $58,000,000.

(e) MISSION ESSENTIAL EQUIPMENT PROGRAM.—None of the funds appropriated or otherwise made available for procurement for the Army for fiscal year 1988 may be obligated or expended for the Mission Essential Equipment Program. The amount provided in section 101(a)(5) for other support equipment is hereby reduced by $58,000,000.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. LEATH] will be recognized for 10 minutes and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Texas [Mr. LEATH].

Mr. LEATH of Texas. Mr. Chairman, I do not think this will take but just a few minutes. I think we have reached an agreement on this amendment with both the chairman and the vice chairman of the committee.

Mr. Chairman, 6 years ago, the Army had no truck program. Today, the Army has the finest trucks in our history—the 10-ton HEMTT. As one who has been deeply involved in the Army truck program, I wish to take this opportunity to thank the gentleman from Wisconsin [Mr. ASPIN] for his strong support for this program during the last 6 years. Mr. Chairman, I thank you, but more importantly, the troops thank you for your continuing support of this essential program. I look forward to working with the chairman in the development of a new line of light and medium trucks, and in the development of a viable pallet loading system. Further enhancing the Army's ability to perform its mission.

AMENDMENT OFFERED BY MR. ASPIN AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. LEATH OF TEXAS

Mr. ASPIN. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPIN as a substitute for the amendment offered by Mr. LEATH of Texas: Page 13, after line 23, add the following:

(4) Of the funds appropriated or otherwise made available for procurement of tactical and support vehicles for the Army for fiscal year 1988, $239,297,000 shall be available only for procurement of 1,388 HEMTT vehicles. Of the vehicles procured with such funds—

(A) 159 shall be designated for the Army National Guard,

(B) 141 shall be designated for the Army Reserve, and

(C) not more than 200 may be equipped with a palletized loading system.

The amount provided in section 101(a)(5) for tactical and support vehicles is hereby increased by $58,000,000.

(e) The amount provided in section 101(a)(5) for other procurement, Army is hereby reduced by $58,000,000.

Mr. ASPIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASPIN. Mr. Chairman, I would like to enter into a colloquy with my colleague from Texas.

Essentially what we have agreed to is a little revision of this amendment in the sense that we are adding money for the trucks that the original amendment of the gentleman from Texas has in it, but we are changing the place where the money was taken out to, in effect, an undesignated reduction.

I yield to the gentleman from Texas [Mr. LEATH].

Mr. LEATH of Texas. I thank the gentleman for yielding.

Mr. Chairman, I totally accept this. I think what Chairman ASPIN has done strengthens my amendment. I would much rather see the reduction come from a cut like this than the one that I originally had in my amendment.

I accept the amendment and thank the gentleman for offering it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. ASPIN] as a substitute for the amendment offered by the gentleman from Texas [Mr. LEATH].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment, as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. Amendment No. 6 is now in order.

AMENDMENT OFFERED BY MR. BENNETT

Mr. BENNETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BENNETT: At the end of title III of division A (page 60, after line 11), add the following new section:

SEC. 315. ALTERATION, OVERHAUL, AND REPAIR OF NAVAL VESSELS AND AIRCRAFT IN PUBLIC AND PRIVATE FACILITIES.

The proviso beginning with "Provided further" and ending with "Circular A-76" in the paragraph with the heading "Operation and Maintenance, Navy" in title II of the Department of Defense Appropriations Act, 1987 (as contained in identical form in section 101(c) of Public Law 99-500 and section 101(c) of Public Law 99-591), is repealed.

Mr. BENNETT. Mr. Chairman, this amendment is before us because the Appropriations Committee put language into a recent bill which required, as a matter of statute, some competition in naval repair work on planes and on ships that the Seapower Subcommittee, upon studying, felt was an order by law for competition which is really not practical.

By that I mean there is no real way in which you can make an even playing field in all these areas, particularly with regard to the repair of naval airplanes. There is not just a possibility of doing. You can try, but the legislation passed by the Appropriations Committee directed that it be done. It is sort of like directing somebody to run a mile in a short period of time; it cannot be done by humankind.

It is not a proper thing to do and, therefore, we have introduced this amendment for the purpose of striking this language. This does not mean that the Navy cannot continue to try to compete; not at all. We encourage the Navy to try to compete if it can. But to put a statute on the books that says they must compete when things really are not the same between private and public yards, particularly with regard to the repair of naval airplanes, we have asked that this amendment be approved so that you can go back and try to get what competition we can. But they will not be directed by law to do something that, as a practical matter, is not feasible to be done.

That is the essence of the amendment. I think Mr. AuCoin has a suggestion for change which we probably will agree to.

AMENDMENT OFFERED BY MR. AU COIN AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. BENNETT

Mr. AuCOIN. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. AuCoin as a substitute for the amendment offered by Mr. Bennett: At the end of title III of division A (page 60, after line 11), add the following new section:

SEC. 315. ALTERATION, OVERHAUL, AND REPAIR OF NAVAL VESSELS IN PUBLIC AND PRIVATE FACILITIES.

The proviso beginning with "*Provided further*" and ending with "Circular A-76" in the paragraph with the heading "Operation and Maintenance, Navy" in title II of the Department of Defense Appropriations Act, 1987 (as contained in identical form in section 101(c) of Public Law 99-500 and section 101(c) of Public Law 99-591) is amended by—

(1) striking out "and aircraft" after "repair of naval vessels"; and

(2) striking out "and air rework facilities" each place it appears.

Mr. AuCOIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. AuCOIN. Mr. Chairman, I believe this amendment, which is a substitute amendment to the Bennett amendment is agreeable to my friend, the gentleman from Florida.

Mr. Chairman, 2 years ago we started a competition between public and private shipyards for ship repair contracts. It saved $200 million already. The Navy supports that ship competition. My amendment makes clear that Mr. Bennett's concerns, which resolve around air rework facilities, are exempt from this competition. That is my intent and was the intent of the competition. So I offer the amendment for that purpose.

□ 1310

So I offer the amendment for the purpose, for the purpose of that clarification.

Mr. Chairman, I reserve the balance of whatever time I have.

Mr. BENNETT. Mr. Chairman, the amendment as described leaves the NARFS Naval Air Rework Facilities out of this legislation and leaves ships in is agreeable to us.

Mr. BATEMAN. Mr. Chairman, I rise to speak in opposition to the substitute amendment that has just been introduced.

The CHAIRMAN. Does the gentleman from Oregon yield back his time?

Mr. AuCOIN. I reserve my time.

The CHAIRMAN. The gentleman must yield his time, according to the 5-minute rule, or use it.

PARLIAMENTARY INQUIRIES

Mr. AuCOIN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. AuCOIN. Mr. Chairman, I apologize for not understanding that provision of the rule. How much time do I have left?

The CHAIRMAN. Under the 5-minute rule, the gentleman from Oregon must use his time or lose it.

Mr. AuCOIN. Mr. Chairman, how much time have I used of the 5 minutes?

The CHAIRMAN. The gentleman has used 1 minute.

Mr. AuCOIN. How much time, Mr. Chairman, does the gentleman from Florida have?

The CHAIRMAN. The gentleman from Florida has 8 minutes and may yield or reserve portions thereof.

Mr. BENNETT. Mr. Chairman, I yield to the gentleman from Virginia.

The CHAIRMAN. The gentleman from Virginia is opposed to the substitute amendment.

Mr. ASPIN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ASPIN. Mr. Chairman, is there any Member who has risen in opposition to the amendment and claimed the 10 minutes time?

Mr. BATEMAN. Mr. Chairman, I rise in opposition to the substitute offered for the Bennett amendment.

Mr. ASPIN. Mr. Chairman, has any Member risen in opposition to the Bennett amendment?

The CHAIRMAN. No.

Mr. ASPIN. Let me do that, Mr. Chairman, and claim the time, if I could.

The CHAIRMAN. The gentleman will have 10 minutes under the rule, portions of which he may yield or reserve.

Mr. BATEMAN. Mr. Chairman, I rise in opposition to the substitute, which would by its terms leave in the statute a mandate on the Navy for a competition between public and private naval shipyards with reference to the repair and conversion of naval ships.

The substitute, while deleting such competition requirements as to naval aircraft repair, would continue the mandated competition.

I do not rise against work being assigned to naval shipyards, the public shipyards. They are an incredibly important part of our shipbuilding mobilization capability. We must have them. They must be viable. I represent thousands of people who commute to their jobs in a public naval shipyard called the Norfolk Naval Shipyard in Portsmouth, VA, so certainly I want those shipyards intact, viable entities.

I do not, however, representing a private shipyard, want a competition which is not on a level playing field and I have concerns about whether or not the playing field has been leveled under the terms of this competition.

I do not ask that the Navy be barred from conducting the competition. I would ask that in light of the way the competition has been conducted to date that they not be mandated by statute to do it, but simply be permitted to go forward with competition in the allocation of work between public and private shipyards in order to assure that the naval shipbuilding and repair capability of the Nation is viable in both the public sector and in the private sector.

I would not be able to rise and accept the substitute. I do not plan on asking for a recorded vote. I would hope that if the substitute is adopted that I might discuss this matter with the gentleman from Oregon, the chairman of our committee, and that we might find something that indeed was agreeable to all parties concerned.

I did not know of the substitute until just this morning. I have had no opportunity to consult with them; so I must rise to express a concern and a desire to work with the gentleman to see if an equitable solution that everyone can agree to cannot be reached before this matter is finally addressed in this session.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BATEMAN. I am happy to yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I appreciate my friend from Virginia yielding.

Can the gentleman tell me exactly what the scope of the AuCoin amendment would be?

Mr. BATEMAN. The scope of the AuCoin amendment would be to leave the language in the statute mandating competition in naval ship repair between public and private yards, but not mandating on the Navy that competition as it relates to naval aircraft repair work.

Mr. DICKS. It was my understanding that the Armed Services Committee had recommended withdrawing the entire provision of the law; is that correct?

Mr. BATEMAN. That was the consensus arrived at in an informal meeting of the Seapower Subcommittee, one in which I was willing to and did join.

Mr. DICKS. Now, if I could ask the gentleman from Oregon to explain, if that is possible, the intent of his amendment, because this is something the gentleman from Washington is very interested in, as the gentleman from Oregon knows. I would like to understand from the gentleman from Oregon what the intent of this amendment is, if the gentleman from Virginia would yield for that purpose.

Mr. BATEMAN. Mr. Chairman, I yield to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding.

I would say to the gentleman from Virginia that I appreciate the tone and the content of the remarks the gentleman made and the cooperative statement of intent that the gentleman expressed. I would certainly accept that and I appreciate it very much.

I would say to the gentleman from Washington that he should be very familiar with the public-private competition, because it is one that is now in its second year. It is one that has come before both the Authorization Committee and our Defense Appropriations Committee.

Secretary Pyatt this year told our committee the following, and the gentleman was there at that hearing, that the public-private competition, which is Navy policy, he says we absolutely must have.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. ASPIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding.

Secretary Pyatt said that it is competition that the Navy believes it simply must have, and why they feel that way is that the Navy under this program is able to take a small fraction of the work that is put out for bid and subject it to public-private competition. The Navy has stated, if the gentleman from Washington would listen to me——

Mr. DICKS. I am listening.

Mr. AuCOIN. The Navy has stated that already this program, because of increased competition which does not mandate work to either public or private yards, but allows greater competition between all yards for a small portion of the work that is done, has saved the Navy and the taxpayers $200 million.

The Navy's policy is that it works. The Navy supports the competition. The Navy has asked the Congress to help them continue the competition.

The gentleman from Virginia said he is not opposed to the competition, but he just does not want the competition mandated.

I would explain to my colleagues that what we have here at this point is contradictory legislative direction to the Navy. The Appropriations Committee said the public-private competition should go forward. Last year the Authorization Committee said it should not, so now they are sitting here with two contradictory directives.

The amendment of the gentleman from Florida would strike the Appropriations Committee directive to continue the competition, so we would have then the effect of stopping the competition. It would not be neutral. It would stop the competition, the competition the Navy says it needs and saves the taxpayers $200 million.

Mr. DICKS. Mr. Chairman, will the gentleman from Oregon explain to me why we have to waive the A-76 procedures for contracting out? Why does that have to be waived? This is a policy that was adopted to try to protect the Federal Government and to make it fair and to make this an even playing field, and yet this amendment, as I understand it, would waive A-76. I do not think that is in our best interests to waive A-76.

Mr. AuCOIN. Mr. Chairman, I would ask the Chair whether I have the time or whether the gentleman from Wisconsin has the time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. Aspin] has the time, but he has yielded to the gentleman from Oregon [Mr. AuCoin].

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Oregon.

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding to me.

The gentleman from Washington asked why we should do this and why it is in our interest to waive the A-76 provision.

I quote from Secretary Pyatt, who testified before the Defense Appropriations Committee, of which the gentleman is a member and I am a member. He said the following:

> The Navy absolutely must have this authorization that you have given us. Without it there is no way to conduct the private-public competition which we support. We need the A-76 exemption.

He went on to say that it has already saved the Navy and the taxpayers $200 million.

Mr. DICKS. Mr. Chairman, if the gentleman will yield further, if the gentleman is so interested in competition, why does the gentleman not want to have competition on naval air work facilities as well?

□ 1320

Mr. AuCOIN. Because the intent of the public-private competition was for ship-repair work.

Mr. DICKS. If we are going to have competition, why do we not have it on both areas in both categories. That is what I do not understand.

Mr. AuCOIN. Unfortunately the legislative situation that we are in is one in which we cannot reach a vote on that question.

The amendment of the gentleman from Florida [Mr. Bennett] would strike that and competition for ships. My amendment at least preserves it for ships, at least gives the opportunity for the taxpayers——

Mr. DICKS. Why does the gentleman not want to preserve it for other facilities as well?

Mr. ASPIN. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. Bateman].

Mr. BATEMAN. I thank the gentleman for yielding time to me.

Mr. Chairman, I simply want to point out two things. First, the Navy can go forward with competition without this amendment or the substitute. By my point of view and that which was the consensus of the Seapower Subcommittee is that all of this language should be taken out, leaving the Navy unfettered to go forward with competition if it chose to do so in the allocation of work between private and public yards.

Second, it is important that the committee know that the General Accounting Office at other Members' and my request is doing an indepth study of the competition which has been ongoing in order that we, the Navy, everyone, may focus on the fairest way in which that competition can be conducted.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BATEMAN. I yield to the gentleman from Washington.

Mr. DICKS. Does the gentleman not believe as I do that this is premature, to try to set in policy what private-public competition is, until we get this study? I am all in favor of competition. Competition can save us money. But when we have to waive the very important A-76 contracting-out procedures to give them this authority, and they have said that they have the authority to do it anyway, I think that we should wait before Congress blesses this whole process and get back the reports from the committee and from the GAO and everyone else who is studying it.

Let us find out if it does make any sense and what the playing rules should be on public-private competition. I represent a public yard. The gentleman from Oregon represents private yards. I can certainly understand what he is attempting to do. But I would like to make certain that those public shipyards that are vital to the security of this country are also protected.

Mr. BATEMAN. I share the point of view that the gentleman just recited. I think that that is the legislative conclusion that we should come to.

Mr. ASPIN. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, I would just say that we are not through the AuCoin amendment to the Bennett amendment doing anything new. We are preserving a Navy policy that the gentleman from Washington knows full well has existed for 2 years. The Navy wants this program to go forward because it has produced through increased competition for a small portion of the work that it has done $200 million already in taxpayer savings to the Navy.

Second, I want to explain the situation. It is perfectly proper for me to offer this amendment now, because if the Bennett amendment passes as is, it would strike the appropriations language that permitted the competition to go forward from last year, leaving in place contradictory language that said it should not go forward, and that came from the authorization committees. Strike my language and you kill the competition, and I do not think that that serves the Navy or the taxpayers one whit.

Mr. ASPIN. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, would the chairman of the Seapower Subcommittee answer a question? Is it the chairman's view that competition can be conducted on ship overhauls without the Appropriations Committee language based on what he has been told by the Navy?

Mr. BENNETT. Would the gentleman yield?

Mr. DICKS. I yield to the gentleman from Florida.

Mr. BENNETT. Mr. Chairman, everybody advises me that the competition can take place without this language. I was very offended by the Appropriations Committee's putting this language in the bill without giving any notice that they were putting it in there, compelling by law a new wrinkle on NARS, Naval Air Rework Facilities. That is what stirred me up. I do not have either a public or a private yard with regard to ships, but when they compel by law without notifying the authorizing committee, that raised my antagonism. So I struck it all out.

Mr. DICKS. Mr. Chairman, I want to say that I support the Bennett amendment as it came to the floor. I think that the Appropriations Committee, where I opposed this language by the way—the Navy has the authority. They do not need the AuCoin amendment.

Mr. ASPIN. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. Wyden].

Mr. WYDEN. Mr. Chairman, it just seems to me that we have to have the AuCoin amendment in order to have real competition, and without the AuCoin amendment we are going to be stuck with the authorization language from last year that is not going to permit the public-private competition that we ought to have. For the life of me I just cannot figure out why we are going to pull the rug out from the Navy when they are starting to make real progress in holding the costs down.

I hope that my colleagues will support the AuCoin amendment, because every dollar that we save in this program is a dollar that we can put toward rebuilding our fleet, which is something in the interest of our country.

Mr. ASPIN. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Wisconsin [Mr. Aspin] has 1 minute remaining.

Mr. ASPIN. Mr. Chairman, I yield my remaining minute to the gentleman from Virginia [Mr. Sisisky].

Mr. SISISKY. Mr. Chairman, let us understand what the issue is. If we defeat the amendment by the gentleman from Oregon, we will not impair the competitiveness, the bidding process, of the Navy one iota. It seems ridiculous to me that the gentleman from Oregon is interested in competition when the amendment takes out the Naval Air Rework Facility, which is a big money thing. If we are interested in competition, then we should be interested in the whole and total naval industrial facilities.

I would ask that the substitute be defeated and the Bennett amendment passed.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. SISISKY. I yield to the gentleman from Washington.

Mr. DICKS. As the chairman says, the gentleman is a very senior member of the Seapower Subcommittee. Is it his judgment that competition can go forward without the AuCoin amendment.

Mr. SISISKY. Absolutely.

Mr. DICKS. So there is no necessity for the AuCoin amendment.

The CHAIRMAN. The gentleman from Florida has 8 minutes remaining.

Mr. BENNETT. Mr. Chairman, I will not use all of the 8 minutes, but I will explain the procedure, what happened.

Without a really formal meeting, but an informal meeting, I think that everybody was there, the Seapower Subcommittee, we addressed this amendment, which had not therefore come to my attention, put on by the Appropriations Committee last year, which said that there had to be competition between naval air rework facilities for work on planes and there had to be competition in the shipyard working on ships, both private and public, and between private and public, four-way type of competition.

Well, we never had any hearings on it. We never had anybody testify on it. I did not even know that it was the law, and suddenly they decide that they are going to have this competition take place.

Well, it is a very strange sort of thing when you have invested almost $2 billion in naval rework facility equipment and we have hundreds of millions of dollars in new equipment going into naval rework facilities, all that money being spent, and then you are going to say private enterprise is compelled to compete this between the two after all that tremendous investment without any hearings as to whether it is wise or logical or whether you can have a free flat service or not, and then in the process of moving toward the floor Mr. AuCoin told me that there was a problem on the west coast with regard to his problems out there, and I was primarily interested in naval air rework facilities, which had never been given any notice.

Actually the shipbuilders had been in competition for a year between private and public, so that has worked, to a degree, at least, and so I said, "Well, since it has worked to a degree at least and this law does not really do anything much more as I see it with regard to the shipyard, that I would agree to Mr. AuCoin's removing NARF from it and letting the rest of it go through, because what I was really interested in doing is not having a statute which compelled competition in an area in which I did not think competition could be worked out.

Mr. AuCOIN. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Oregon.

Mr. AuCOIN. I appreciate the gentleman's yielding.

Mr. Chairman, I want to call the Members' attention to the testimony in the hearing on March 17 of this year by Secretary Everett Pyatt, the Assistant Secretary of the Navy for Shipbuilding and Logistics.

□ 1330

Before the House Authorization Committee, the Seapower and Strategic and Critical Materials Subcommittee and the Readiness Subcommittee, Secretary Pyatt said this, "These competitions have yielded estimated savings of $200 million compared to our previous cost experience with both public and private sectors."

He went on to say he endorsed the plan. There were hearings; he made this testimony.

I would just like to ask the chairman of the Committee on Armed Services if he does not support the AuCoin amendment?

Mr. ASPIN. If the gentleman will yield, the gentleman is correct, the chairman is supporting the amendment of the gentleman from Oregon.

Mr. AuCOIN. I appreciate the support of the gentleman and the cooperation of the gentleman from Florida [Mr. Bennett].

Mr. ROBERT F. SMITH. Mr. Chairman, I rise in opposition to the amendment offered by our colleague from Florida and I urge that each of you examine this issue closely and carefully before casting your votes.

Mr. BENNETT's amendment, and at least five others expected during the subsequent debate on this authorization bill, seeks to prohibit the use of "contracting-out" in our Department of Defense.

This amendment specifically calls for the Navy to terminate its program of competition between public and private providers of ship repair, a change which could cost my home State hundreds of jobs, and millions of dollars.

But my appeal to you isn't limited only to the impending problems of the city of Portland or the State of Oregon. There are very good national reasons—economic, political and logical reasons—for you to join me in stopping this amendment and others like it.

By far, the most sweeping reason for rejecting this amendment is the economical nonsense it represents. Former Navy Secretary John Lehman testified that the Navy's competitive program has saved the taxpayers more than $100 million while delivering quality repairs.

And I assure you that the Navy's $100 million savings from this one program is merely the tip of the iceberg; it represents a small fraction of the total savings we achieve every single year by creating a competition between government and private business work forces—competitions which are threatened here today with shortsighted, unnecessarily protective amendments like this one.

With my good friend and colleague from Texas, Mr. STENHOLM, I introduced legislation in the last Congress to broaden this very kind of competition.

After our introduction of that bill, we asked the General Accounting Office to give us a straightforward examination of the entire issue of public and private sector competition for work needed by the Federal Government.

It took GAO 9 months to finish that analysis, but their findings deserve an integral part of this discussion.

They found that the use of greater competition between public and private providers could save this Government and its taxpayers $3 billion annually, while preserving programs which would be otherwise threatened by budget reduction extinction.

In reality, they offered two potential savings figures. The first, $3 billion figure, was an estimate of the savings possible from right now, today, just by expanding competition.

The second figure, $4.6 billion, could be achieved if we eliminated the prohibitions on contract competitions which we've already enacted, prohibitions just like the one before us today.

In other words, today we're paying $1.6 billion more for Government's goods and services than we need to be paying, just because we've said "yes" to these kinds of amendments.

There are very powerful economic reasons to say "no," starting right now. And there are some very powerful noneconomic reasons for saying no, reasons that go right to the heart of the attempted prohibition: the Federal employee.

There is always a tremendous hue and cry from the Federal employee with any mention of "competition," "contracting-out," or "A-76." Very frequently, the result of that hue and cry is another new prohibition, precisely like this one.

There is certainly nothing wrong with protecting your constituents, regardless of their place of employment. But make that protection count. Protect the constituent who needs to be protected, and strong evidence shows us that it isn't the Federal employee who needs protection.

In the first place, history shows us that fully 50 percent of the competitions which takes place result in the Federal employee winning that contract. As such, half of the people being shielded by this kind of prohibition clearly don't need to be shielded.

What about the other half? The GAO did its own study to answer that very question: what happens to the defense employee whose job is lost to a private contractor?

GAO studied a random sample of 31 Department of Defense functions which were contracted out in fiscal year 1983, affecting 2,535 Federal employees. Their report indicated that 1,881, or 74 percent of those employees found other Federal jobs.

The remaining 654 persons fell into four categories: those who voluntarily resigned, those who retired, those who went to work for the contractor who won the competition and, finally, those who were involuntarily separated.

The total number of Federal employees who were "put on the street" amounted to 129, less than 5 percent of the displaced Federal work force of more than 2,500.

If we assume that these 31 competitions won by private business represent only half of the competitions, then we can also demonstrate that only 129 Federal jobs were lost out of a possible 5,070, a job loss rate of less than 2.5 percent.

But it didn't end there. GAO went back to those 129 with questionnaires to find out just what happened to them. They received responses from 94 of the 129, and found that 53 of them actually drew unemployment and/or public assistance payments which amounted to a total taxpayer cost of $215,000.

A comparison of cost versus savings is dramatic. Competition—the very competition to be killed by this amendment—cost the taxpayers $215,000 out-of-pocket.

But that competition brought back a phenomenal DOD savings of $65.5 million in these 31 functions. That's an investment of three-tenths of 1 cent for a dollar return.

I agree entirely with those who offer amendments similar to this in order to be responsive to the anguish of unemployment. But keeping that in perspective is critical to our success. It just isn't good policy to trade $65.5 million savings for 215,000 dollars' worth of transfer costs.

Nor, in my opinion, is it good policy or even good politics to penalize a majority of our constituencies for a minority.

I defy any voting Member of this House of Representatives—including my valued friends and colleagues from nearby Virginia and Maryland—to demonstrate to me today that his or her congressional district contains more Federal employees than private business employees.

And if we establish the fact that the overwhelming majority of our constituents work for private business and whose association with the Federal Government comes mainly on April 15 every year, then we should also establish a list of winners and losers from the kind of prohibition being sought in this amendment.

The winners are the Federal employees who—we've already seen—stand only a 1 in 20 threat of job loss from competition. Arbitrary prohibitions spare them the uncertainty of that 1 in 20 threat, and spares them the need to prove in open competition that they are best for the job.

The losers are the private businesses in our congressional districts, largely small businesses, who would compete for the work.

And we certainly can count the taxpayer in the losers category. Department of Defense today assigns a near-automatic 30-percent cost savings on every single competition held, regardless of winner.

Take note of that: Whether Federal in-house costs are driven down to realistic figures by open competition or a private business takes it over, the competition itself leads to an average 30-percent savings over precompetition costs for the work done.

Count also on the losing side the U.S. Treasury. Federal and private employees pay the same income tax on the dollar they earn from Uncle Sam, but private contractors pay business taxes.

Every Federal dollar we spend on a private contract brings a little more back into the kitty.

Let me conclude, Mr. Chairman, by refreshing my plea that my colleagues join with me in rejecting this amendment, and the amendments like it which will follow and ask for prohibitions on competition and contracting out at depots, on other installations, throughout the Department of Defense.

And allow me to offer instead, hard, statistical proof of the value of competition to products and sevices of this Government, to the Treasury and the taxpayers of this Government, and to this Congress.

Mr. Chairman, competition is the cornerstone of the free enterprise system which made this Nation great. Prohibiting competition to protect a few members of the Federal family who clearly don't need it is amoral, even if it isn't unconstitutional.

I urge you to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. AUCOIN] as a substitute for the amendment offered by the gentleman from Florida [Mr. BENNETT].

The question was taken; and on a division (demanded by Mr. DICKS) there were—ayes 17, noes 30.

RECORDED VOTE

Mr. AUCOIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 90, noes 271, not voting 71, as follows:

[Roll No. 99]

AYES—90

Aspin
AuCoin
Beilenson
Bennett
Biaggi
Bruce
Campbell
Carper
Carr

Collins
Crockett
DeFazio
Dellums
Dorgan (ND)
Downey
Durbin
Dwyer
Edwards (CA)
Evans
Fawell
Fish
Garcia
Gejdenson
Gibbons
Gonzalez
Hall (OH)
Hayes (IL)
Hayes (LA)
Howard
Jeffords
Johnson (CT)
Johnson (SD)
Kastenmeier
Kennedy
Kildee
Konnyu
Lancaster
Leath (TX)
Leland
Levine (CA)
Lewis (GA)
Mavroules
McCandless
McEwen
McHugh
Mica
Montgomery
Moody
Oakar
Oberstar
Obey
Owens (NY)
Owens (UT)
Patterson
Pease
Pepper
Perkins
Price (NC)
Rangel
Roe
Rose
Roukema
Russo
Savage
Sawyer
Schumer
Sensenbrenner
Sharp
Sikorski
Skaggs
Slattery
Slaughter (NY)
Smith, Denny (OR)
Smith, Robert (OR)
Snowe
Spratt
Stokes
Torricelli
Towns
Traxler
Vento
Weiss
Wheat
Whitten
Wilson
Wise
Wolpe
Wyden
Yates
Young (FL)

NOES—271

Akaka
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Atkins
Baker
Ballenger
Barnard
Barton
Bateman
Bentley
Bereuter
Berman
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brennan
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Cardin
Chandler
Chapman
Cheney
Clarke
Clinger
Coats
Coble
Coelho
Coleman (TX)
Coughlin
Courter
Coyne
Crane
Daniel
Darden
Davis (IL)
Davis (MI)
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dixon
Dornan (CA)
Dreier
Duncan
Dyson
Eckart
Emerson
English
Erdreich
Espy
Fascell
Fazio
Feighan
Fields
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Goodling
Gordon
Grandy
Grant
Gray (PA)
Green
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Houghton
Hoyer
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Jacobs
Jenkins
Jontz
Kanjorski
Kaptur
Kasich
Kennelly
Kleczka
Kolbe
Kolter
Kostmayer
Kyl
LaFalce
Lagomarsino
Lantos
Latta
Leach (IA)
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Matsui
McCloskey
McCollum
McCurdy
McDade
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Michel
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Myers
Nagle
Natcher
Nelson
Nielson
Nowak
Olin
Ortiz
Oxley
Packard
Panetta
Parris
Pashayan
Penny
Petri
Pickett
Pickle
Porter
Price (IL)
Pursell
Quillen
Ravenel
Ray
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rogers
Rostenkowski
Roth
Rowland (CT)
Rowland (GA)
Sabo
Saiki
Saxton
Scheuer
Schroeder
Schuette
Schulze
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Solarz
Solomon
Spence
St Germain
Staggers
Stallings
Stenholm
Stratton
Stump
Sweeney
Swift
Swindall
Tallon
Taylor
Thomas (CA)
Thomas (GA)
Torres
Traficant
Upton
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Weber
Weldon
Whittaker
Williams
Wolf
Wortley
Wylie
Yatron
Young (AK)

NOT VOTING—71

Ackerman
Alexander
Annunzio
Badham
Bartlett
Bates
Bevill
Boner (TN)
Brooks
Brown (CA)
Bryant
Chappell
Clay
Coleman (MO)
Combest
Conte
Conyers
Cooper
Craig
Dannemeyer
Daub
Dingell
Donnelly
Dowdy
Dymally
Early
Edwards (OK)
Ford (TN)
Frost
Gephardt
Glickman
Gradison
Gray (IL)
Gregg
Horton
Hubbard
Ireland
Jones (NC)
Jones (TN)
Kemp
Lehman (FL)
Livingston
Lloyd
Lott
Martinez
Mazzoli
Miller (CA)
Moorhead
Murphy
Neal
Nichols
Rahall
Richardson
Rodino
Roemer
Roybal
Schaefer
Schneider
Smith (FL)
Smith (IA)
Stangeland
Stark
Studds
Sundquist
Synar
Tauke
Tauzin
Udall
Valentine
Watkins
Waxman

☐ 1340

The Clerk announced the following pair:

On this vote:

Miss Schneider for, with Mr. Daub against.

Messrs. WORTLEY, DAVIS of Illinois, BONIOR of Michigan, MARLENEE, SCHEUER, and PRICE of Illinois changed their votes from "aye" to "no."

Messrs. STOKES, RANGEL, and SPRATT changed their votes from "no" to "aye."

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above-recorded.

☐ 1350

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MONTGOMERY

Mr. MONTGOMERY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MONTGOMERY: On line 18, strike out "319,378" and insert in lieu thereof "327,645".

On line 19, strike out "149,486" and insert in lieu thereof "155,404".

In section 412 of title IV of division A (page 64):

On line 11, strike out "25,060" and insert in lieu thereof "25,725".

On line 12, strike out "12,407" and insert in lieu thereof "13,329".

The CHAIRMAN. The gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 10 minutes and a Member opposed to the amendment will be recognized for 10 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, what the amendment would do for the selected reserve, the amendment would increase the Army Reserve and Navy Reserve selected reserve in strength by 75 percent of the requested growth from the Defense Department.

Also, for full-time manning, the amendment would increase the Army Reserve and the Army National Guard.

Mr. Chairman, now the reserves are a total force concept with active units being unable to deploy without the reserve forces. Sixty-six percent of all the separate brigades in the Army; 74 percent of the infantry battalions are in the Army National Guard.

This amendment has merit to it and I would hope that the chairman of the full committee would accept the amendment, as well as the ranking minority member.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, I rise in support of the Montgomery amendment. I think that if we are looking at a few places which really could make a difference, the gentleman from Mississippi has come upon the exact point that we ought to be putting some money in.

I support the gentleman's amendment.

Mr. PENNY. Mr. Chairman, I rise in strong support of the amendment to H.R. 1748, offered by Mr. MONTGOMERY. The amendment would increase the strength of our Nation's Reserve Forces. These Reserve units provide the backbone of the U.S. defense and are increasingly being relied on for combat training in addition to local responsibilities.

In these times of tight budgets it makes good sense to provide for our Nation's strength in a most cost-effective way. I am proud of our Nation's Guard and Reserve forces and I believe that this Congress should demonstrate our recognition of the contribution of these citizen soldiers by adopting the Montgomery amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. MONTGOMERY].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LUNGREN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 350, noes 0, not voting 82, as follows:

[Roll No. 100]

AYES—350

Akaka
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Baker
Ballenger
Barnard
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Boucher
Boulter
Brennan
Broomfield
Brown (CO)
Bruce
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coleman (TX)
Collins
Coughlin
Courter
Coyne
Crane
Crockett
Daniel
Darden
Davis (IL)
Davis (MI)
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dixon
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Durbin
Dwyer
Dyson
Eckart
Edwards (CA)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gibbons
Gilman
Gingrich
Gonzalez
Gordon
Grandy
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Houghton
Howard
Hoyer
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jontz
Kanjorski
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Myers
Nagle
Natcher
Nelson
Nielson
Nowak
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rangel
Ravenel
Ray
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Russo
Saiki
Savage
Sawyer
Saxton
Scheuer
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stenholm
Stokes
Stratton
Stump
Sweeney
Swift
Swindall
Tallon
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Upton
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NOT VOTING—82

Ackerman
Alexander
Annunzio
Badham
Bartlett
Bates
Bevill
Boner (TN)
Bosco
Boxer
Brooks
Brown (CA)
Bryant
Clay
Coelho
Coleman (MO)
Combest
Conte
Conyers
Cooper
Craig
Dannemeyer
Daub
Dingell
Donnelly
Dowdy
Duncan
Dymally
Early
Edwards (OK)
Ford (TN)
Frost
Gephardt
Glickman
Goodling
Gradison
Grant
Gray (IL)
Gregg
Horton
Hubbard
Ireland
Jones (NC)
Jones (TN)
Kaptur
Kemp
Lehman (FL)
Livingston
Lloyd
Lott
Lukens, Donald
Mazzoli
Michel
Miller (CA)
Moorhead
Murphy
Neal
Nichols
Oakar
Rahall
Richardson
Rodino
Roemer
Roybal
Sabo
Schaefer
Schneider
Sharp
Smith (FL)
Smith (IA)
St Germain
Stangeland
Stark
Studds
Sundquist
Synar
Tauke
Tauzin
Valentine
Watkins
Waxman
Williams

□ 1410

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. SCHROEDER: At the end of title V of division A (page 70, after line 3) add the following new section:

SEC. 509. WEARING OF RELIGIOUS APPAREL BY MEMBERS OF THE ARMED FORCES WHILE IN UNIFORM.

(a) IN GENERAL.—Chapter 45 of title 10, United States Code, is amended—

(1) by redesignating section 774 as section 775; and

(2) by inserting after section 773 the following new section 774:

"§ 774. Religious apparel: wearing while in uniform

"(a) GENERAL RULE.—Except as provided under subsection (b), a member of the armed forces may wear an item of religious apparel while wearing the uniform of the member's armed force.

"(b) EXCEPTIONS.—The Secretary concerned may prohibit the wearing of an item of religious apparel—

"(1) in circumstances with respect to which the Secretary determines that the wearing of the item would interfere with the performance of the member's military duties; or

"(2) if the Secretary determines, under regulations under subsection (c), that the item of apparel is not neat and conservative.

"(c) REGULATIONS.—The Secretary concerned shall prescribe regulations concerning the wearing of religious apparel by members of the armed forces under the Secretary's jurisdiction while the members are wearing the uniform. Such regulations shall be consistent with subsections (a) and (b).

"(d) RELIGIOUS APPAREL DEFINED.—In this section, the term 'religious apparel' means apparel the wearing of which is part of the observance of the religious faith practiced by the member.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking out the item relating to section 774 and inserting in lieu thereof the following:

"774. Religious apparel: wearing while in uniform.

"775. Applicability of chapter.".

(c) REGULATIONS.—The secretary concerned shall prescribe the regulations required by section 774(c) of title 10, United States Code, as added by subsection (a), not later than the end of the 120-day period beginning on the date of the enactment of this Act.

The CHAIRMAN. The gentlewoman from Colorado [Mrs. SCHROEDER] will be recognized for 10 minutes and a Member opposed to the amendment will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment permits the wearing of "neat and conservative" religious apparel—that is, Jewish yarmulkes and Sikh turbans—so long as the apparel does not interfere with the performance of military duties.

The "neat and conservative" standard was drawn from existing Air Force regulations, which use that term to define what jewelry members of the military may wear.

The military services have opposed any such legislation.

The Army—but not the other services—accepted Sikhs with turbans from the late 1940's to the early 1960's. When they stopped accepting Sikhs, they grandfathered those then in service. At least one Sikh remains on active duty. As near as can be learned from the limited records, the Army ceased accepting Sikhs when it was told it must either accept all nonuniform religious apparel—turbans, yarmulkes, saffron robes, dreadlocks, etc.—or none, but could not pick and choose among religious faiths.

Yarmulkes have never been formally permitted—although some have been worn without objection over the years. In the early 1980's, action was taken against an Air Force captain for wearing a yarmulke after he had worn it for 5 years without objection. The complaint was initiated by an Air Force lawyer after the Jewish captain testified for the opposing side in one of the lawyer's cases. The Supreme Court ruled that the military was sufficiently different to permit it to apply rules that might be considered discriminatory in the civilian world.

The amendment arises out of the concerns of Sikhs and Jews resulting from the above two actions.

This year's amendment is identical to language included in the committee-reported bill last year. The same language lost by two votes in the Senate last year and was dropped in conference.

Mr. Chairman, I yield 30 seconds to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. I thank the gentlewoman for yielding me this time.

Mr. Chairman, I rise in support of the Schroeder amendment. The fact that we have already permitted religious groups such as the Sikhs to wear religious headgear in the Armed Forces seems to me that this is a proper amendment.

We will merely be permitting other groups such as the Orthodox Jews to have the same privileges. I support the gentlewoman from Colorado in her amendment.

Mr. DICKINSON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore (Mr. RUSSO). The gentleman from Alabama [Mr. DICKINSON] is recognized for 10 minutes.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

□ 1420

Mr. DORNAN of California. Mr. Chairman, I rise in support of this amendment.

I cannot think of any religious devotion more unobtrusive than wearing a yarmulke. There are people who have more hair, times 10, than a tiny little skull cap and it can be worn under jet fighter helmets, under garrison hats, under helmets, it can even be worn under a regular flight cap.

I am receiving mail, I have received six letters just within the last 2 weeks, from Americans of Sikh heritage. It is their religious devotion not to ever cut any of their bodily hair. Those beards we see are probably 2 feet long wound up and inside that turban is as much hair as they can grow. They point out how honorably they have served the British Empire, that at one time as 4 percent of the population, they were more than 35 percent of the officer and NCO corps in the British Indian Army and that percentage is still 10 times higher than their numbers in India now. This is in spite of some religious conflict.

Is there some specificity in this where it leaves—I would like to ask the gentlewoman to respond—where it leaves the military some leeway, Rastafarian hair or something, but where we can be specific in our legislative dialog that this has nothing to do with restricting something as precious, but as tiny and small, as the wearing of a yarmulke by orthodox people?

I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman and I am very honored that the gentleman is backing this amendment.

Yes, indeed, what we are saying here is that the Secretary concerned may prohibit the wearing of any item of religious apparel if the circumstancs are that the Secretary determines that the wearing of the item would interfere with the performance of the Member's military duties.

I think if they say it interferes and could make that case, yes; so if some one appeared saying they wanted to say wear a robe and fly an airplane and you could be concerned about getting the robe caught up in the puddles, yes; outside of that, a yarmulke, no.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding, and I want to commend the gentlewoman from Colorado for bringing this measure to the floor at this time and the gentleman from New York for being highly supportive of the measure in the past.

I thank the gentleman from California [Mr. DORNAN] for his supportive remarks.

To deny religious individuals the opportunity to serve because of the necessity of wearing an unobstrusive part of their apparel would be a disservice to so many loyal, patriotic Americans.

I merely want to urge my colleagues to be supportive, to give religious orthodox Jews an opportunity to serve by wearing a very small unobstrusive skull cap as part of their military attire.

Mrs. SCHROEDER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. SOLARZ], the distinguished author of this amendment and the one who has carried it in prior sessions.

Mr. SOLARZ. Mr. Chairman, I thank the gentlewoman for yielding.

The only really serious concerns that have been expressed about this amendment have to do with the extent to which they might permit members of the armed forces to wear bizarre forms of apparel that could undermine military discipline.

I think it is important for the Members to know that the armed forces of Canada, the armed forces of the United Kingdom, the armed forces of New Zealand, all permit people in their military not only to wear yarmulkes, but also, if they are Sikhs, to wear turbans.

I need hardly remind you that the most effective military force in the Middle East, the Israel Defense Forces, permits its members to wear yarmulkes. I do not think it has handicapped their ability to overcome their enemies in battle.

The truth is that for the last several years, we have had Sikhs in the American Armed Forces who have been permitted to wear their turbins because they do not interfere with the performance of their duties.

Indeed, it is well-known that Sikhs are a martial class. Probably the best thing we could do to redress the conventional imbalance of power with the Soviet Union would be to recruit a few Sikh divisions and put them into the field to close the gap in Europe.

It is one of the main functions of our military to defend the religious freedoms of the American people. It would be somewhat odd if we denied people in the military the right to wear religious symbols. After all, these people are presumably prepared to lay down their lives in order to make it possible for other Americans to enjoy our way of life.

Finally, let me say that there is a need for this amendment only because 2 years ago the Supreme Court in a 5-to-4 decision upheld the right of the Air Force to deny someone the right to wear a yarmulke. If that case came up today it would be a 5-to-4 decision in favor of the right to wear a yarmulke, because Justice Burger, who voted against the right to wear a yarmulke, has left, and Justice Scalia, who voted at the appellate division for the right to wear a yarmulke is now on the Court. There is a 5-to-4 majority in the Court in favor of this right now, but there is no need to wait several years for litigation to work its way up to the Supreme Court.

We ought to stand up for religious liberty. It is a very simple amendment. The Secretary of Defense can prescribe any item of religious apparel which he believes is neither neat nor conservative, but which interferes in the performance of someones official duties as a member of the armed services.

So I strongly support the gentlewoman's amendment. I would simply say that any amendment which is supported by the gentlewoman from Colorado [Mrs. SCHROEDER] and by the gentleman from California [Mr. DORAN] must have something going for it.

Mr. DICKINSON. Mr. Chairman, let me say for the benefit of those who are within sound of my voice that the parliamentary situation is such that in order to preserve the time for this side of the aisle on this issue, one must be in opposition to it. I rose in opposition to it and I am representing the positon, as I understand it to be that of the Department of Defense, that I do my best to represent here and the administration; but as for my personal preference, I see no objection to an unobstrusive adornment being worn under a hat or without a hat and certainly the Secretary has the right to prescribe what may or may not be worn by the language of the amendment being offered.

Saying that, I was on the floor last year and before when the issue came up. It passed by a very large preponderance of the vote. It is not my intention even though I stood in opposition to it to ask for a vote. I am simply stating the position of the Department of Defense and representing the other side of this amendment.

Having said that, Mr. Chairman, I yield back the balance of my time.

Mrs. SCHROEDER. Mr. Chairman, I yield back the balance of my time.

Mr. PORTER. Mr. Chairman, I rise in strong support for this amendment, offered by Mr. SOLARZ, which allows the wearing of religious apparel as long as it is neat and conservative and does not interfere with the duties of armed services personnel. It is my understanding that this amendment would allow the wearing of yarmulkes and turbans.

Last year Ravneet (Ravi), a constituent of mine attempted to enroll in at Marmion Military Academy in Aurora, IL. He was told, however, that he would not be able to wear Army ROTC uniform with his turban. It seems that the Department of Defense prohibits the wearing of an incomplete uniform, and that absence of a standard issue hat or cap is considered an incomplete uniform and, therefore, prohibited.

Ravi is a natural born U.S. citizen, and he and his parents are practicing Sikhs. The Sikh religion was founded in India in late 1400 A.D. and was one of the first religions there to express a faith in one god. As a practicing Sikh, Ravi is prohibited from cutting his hair and is required to wear a turban.

Mr. Chairman, we must closely question a regulation that prohibits U.S. citizens from wearing unobtrusive, inoffensive religious apparel during their service. This Nation was founded on the principle of free religious expression. It is sadly ironic that we forbid those willing to fight for our Constitution, the right to practice the religious freedom which that Constitution provides.

For this reason I introduced legislation which permit members of the Armed Forces to wear, under certain circumstances, items of apparel not part of the official uniform. This bill, which closely mirrors the Solarz amendment, would allow the wearing of turbans and yarmulkes.

It is unconscionable that we are presently closing the door on U.S. citizens who, but for their religious headgear, are willing and able to fight for the freedoms and privileges our Constitution provides. For this reason I am pleased to vote in favor of the Solarz amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. BYRON

Mrs. BYRON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. BYRON: In section 634 of division A (page 81) strike out subsection (b) (page 81, line 23 through page 82, line 6) and redesignate subsection (c) as subsection (b).

The CHAIRMAN. The gentlewoman from Maryland [Mrs. BYRON] is recognized for 10 minutes.

Mrs. BYRON. Mr. Chairman, my amendment would restore the authorization for the temporary lodging expense [TLE] for all members of the Armed Forces during fiscal year 1988. TLE is a payment made to service members for their out-of-pocket expenses incurred during a permanent change of station move. Under current law, a maximum of $110 per day is authorized for a maximum of 4 days to pay the cost of food and lodging while the military member and his or her family are waiting for housing at the new duty assignment.

Last year, the continuing appropriation resolution funded TLE only for those in pay grade E-4 and below with dependents. In the remark of H.R. 1748 to meet the budget resolution number, the Subcommittee on Military Personnel and Compensation very reluctantly took similar action by deauthorizing the program during fiscal year 1988 for anyone above pay grade E-4 or without dependents.

Repeated surveys of active duty personnel show that they are often inadequately reimbursed for the costs of their moves made on Government orders, particularly when compared to the level of reimbursement provided by private sector employers and the Federal Government for Federal civilian employees. Over the past few years, we have made progress in addressing this inequity—and I want to take this opportunity to compliment the gentlewoman from Colorado [Mrs. SCHROEDER] for the work she has done in this area—but more remains to be done. TLE is a critical part of the permanent change of station reimbursement package. Clearly, the greatest need is for those in the lowest pay grades, but I do not feel that we should deny this reimbursement for expenses incurred pursuant to Government orders to any service member.

The cost of my amendment is $39.5 million and I ask my colleagues' favorable consideration.

□ 1430

The CHAIRMAN pro tempore (Mr. RUSSO). Is any Member opposed to this amendment.

Mrs. BYRON. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, let me say to the gentlewoman that I think that this amendment that she is offering and the one that she is offering next are very, very important and worthwhile amendments. I think that if we have any chance to improve this bill in a very significant way, the gentlewoman's amendments here which deal with personnel issues, which is our top priority, would be the thing that we ought to be doing. I think that it is very important that we pass both this amendment and the second amendment that the gentlewoman is going to introduce.

Mrs. BYRON. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I rise in support of the amendment. It is something that addresses a definite shortfall in quality-of-life issues for our enlisted personnel. It is a very worthwhile amendment, I hope that it will be adopted very quickly.

Mrs. BYRON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Maryland [Mrs. BYRON].

The amendment was agreed to.

AMENDMENT AS MODIFIED, OFFERED BY MRS. BYRON

Mrs. BYRON. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment as modified.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will designate the amendment, as modified.

The text of the amendment, as modified, is as follows:

Amendment offered by Mrs. BYRON, as modified: In section 721 of part B of title VII of division A (page 95, after line 17), insert the following new paragraph (and insert "(1)" on line 11 after "IN GENERAL.—"):

(2) Section 1086(b) of such title is amended by adding at the end the following new paragraph:

"(4) A member or former member of a uniformed service covered by this section by reason of section 1074(b) of this title may not be required to pay a total of more than $3,000 for health care in any fiscal year under a plan contracted for under section 1079(a) of this title.".

Page 95, line 10, strike out "FOR ACTIVE-DUTY DEPENDENTS".

Page 95, line 19, insert the following after "United States Code,": "and paragraph (4) of section 1086(b) of such title,".

The CHAIRMAN. The gentlewoman from Maryland [Mrs. BYRON] is recognized for 5 minutes.

Mrs. BYRON. Mr. Chairman, H.R. 1748 includes a $1,000 cap on out-of-pocket expenses for copayments and deductibles under the Civilian Health and Medical Program of the Uniformed Services [CHAMPUS] for active duty families. The purpose of the cap is to ensure that no service member's family would be wiped out financially by a long and costly illness. Catastrophic coverage is included in the vast majority of private sector plans, and both Congress and the administration are grappling this year with the best way to face this issue in the Medicare program. I believe it is time to add catastrophic protection to CHAMPUS as well.

Two years ago, the House-passed version of the Defense Authorization Act included catastrophic coverage for both active duty dependents and retirees. Unfortunately, this provision was ultimately dropped in conference with the Senate.

During our markup this year, the Subcommittee on Military Personnel and Compensation would like to have provided catastrophic coverage for both active duty families and retirees. Unfortunately, the dollars simply were not there, and we dealt with what we felt to be the most urgent need—active duty families who have no recourse when assigned on Government orders to areas with little or no medical care available in military hospitals.

My amendment would place a $3,000 cap on out-of-pocket CHAMPUS expenses for retirees and their dependents and survivors. That is not as generous a plan as many provided in the private sector or in the Federal Employees' Health Benefits Program where catastrophic protection generally ranges from a $1,000 to a $2,500 cap. Given fiscal constraints, however, it would certainly be a major step toward ensuring that no retiree or his family is destroyed financially because of a lengthy illness.

Many Members of this body with substantial retiree constituencies have talked with me in recent months about the impact of large cutbacks in the availability of medical care at military hospitals, particularly Navy facilities over the past year and the financial hardship this has imposed on many older retirees. This is an area of great concern to the subcommittee, and we intend to focus our attention on military medical care issues this year once the authorization cycle is completed. My amendment will not solve this problem, but it will go a long way toward providing a safety net for those older retirees who might otherwise be wiped out by a long hospitalization.

I urge my colleagues' support of the amendment.

The CHAIRMAN pro tempore. Does any Member rise in opposition to the amendment?

Mrs. BYRON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Maryland [Mrs. BYRON], as modified.

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of New Jersey: At the end of title VII of division A (page 105, after line 22), add the following new section:

SEC. 735. ELIGIBILITY OF CERTAIN INSTITUTIONS THAT PROVIDE TREATMENT FOR HEART AND LUNG CONDITIONS TO RECEIVE REIMBURSEMENT UNDER CHAMPUS.

(a) IN GENERAL.—

(1) ACTIVE-DUTY DEPENDENTS.—Section 1079 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(l) Notwithstanding subsection (j), a hospital that obtains 6 percent or more of its operating funds from contributions and that limits the care it provides to the treatment of heart and lung conditions may not be denied payment for a charge for services for which a claim is submitted under a plan contracted for under subsection (a) solely on the basis that such hospital does not impose a legal obligation on patients to pay for such services.".

(2) CERTAIN MEMBERS, FORMER MEMBERS, AND THEIR DEPENDENTS.—Section 1086 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) Notwithstanding subsection (d) or any other provision of this chapter, a hospital that obtains 6 percent or more of its operating funds from contributions and that limits the care it provides to the treatment of heart and lung conditions may not be denied payment for a charge for services for which a claim is submitted under a plan contracted for under subsection (a) solely on the basis that such hospital does not impose a legal obligation on patients to pay for such services.".

(b) EFFECTIVE DATE.—Section 1079(l) of title 10, United States Code (as added by subsection (a)(1)), and section 1086 of such title (as added by subsection (a)(2)) shall apply with respect to medical care received after September 30, 1987.

MODIFICATION OF AMENDMENT OFFERED BY MR. SMITH

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent that the committee consider a modification of my amendment.

The CHAIRMAN pro tempore. Is there objection to the modification?

Mr. ASPIN. Mr. Chairman, I reserve the right to object.

Mr. DICKINSON. Mr. Chairman, I reserve the right to object.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, this modification would provide a 1-year continuation of reimbursement under the CHAMPUS Program for Deborah Heart and Lung. It is a very important institution right outside my district. Unfortunately, because of a glitch in CHAMPUS regulations, it would not be reimbursed, because they never charge any of their patients for the services provided. They are the only hospital in the United States that is in this predicament, and it is my feeling that at least a 1-year continuation of current law, which was put into the CR last year, is a very advisable thing.

The amendment, also at the request of the chairwoman, provides for a GAO study to determine the practices of CHAMPUS relative to those institutions that do not bill. So it is a modification of my original amendment.

Mr. ASPIN. Mr. Chairman, I withdraw my reservation of objection.

Mr. DICKINSON. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The text of the amendment, as modified, is as follows:

Amendment offered by Mr. SMITH of New Jersey, as modified: At the end of title VII of division A (page 105, after line 22), add the following new sections:

SEC. 735. ELIGIBILITY OF CERTAIN INSTITUTIONS THAT PROVIDE TREATMENT FOR HEART AND LUNG CONDITIONS TO RECEIVE REIMBURSEMENT UNDER CHAMPUS.

(a) IN GENERAL.—

(1) ACTIVE-DUTY DEPENDENTS.—Section 1079 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(l) A hospital that obtains 6 percent or more of its operating funds from contributions and that limits the care it provides to the treatment of heart and lung conditions may not be denied payment for a charge for services for which a claim is submitted under a plan contracted for under subsection (a) solely on the basis that such hospital does not impose a legal obligation on patients to pay for such services.".

(2) CERTAIN MEMBERS, FORMER MEMBERS, AND THEIR DEPENDENTS.—Section 1086 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) A hospital that obtains 6 percent or more of its operating funds from contributions and that limits the care it provides to the treatment of heart and lung conditions may not be denied payment for a charge for services for which a claim is submitted under a plan contracted for under subsection (a) solely on the basis that such hospital does not impose a legal obligation on patients to pay for such services.".

(b) EFFECTIVE DATE.—Section 1079(1) of title 10, United States Code (as added by subsection (a)(1)), and section 1086 of such title (as added by subsection (a)(2)) shall apply with respect to medical care received after September 30, 1987, and before October 1, 1988.

SEC. 736. GAO REPORT ON PAYMENT ON CERTAIN MEDICAL EXPENSES.

(a) REVIEW.—The Comptroller General shall review and evaluate the practices under various insurance plans with respect to payments to hospitals for charges for medical services in cases where the hospital does not impose a legal obligation on patients to pay for such services. In the review, the Comptroller General shall—

(1) look at the practices with respect to such payments of private sector insurance plans, including self-insured plans, as well as federally sponsored or funded programs, including Medicare, Medicaid, and the Federal Employees' Health Benefit Plan; and

(2) provide an assessment and comparison of the practices with respect to such payments under regulations of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), along with any recommendations for changing such practices in CHAMPUS and an analysis of the costs involved.

(b) REPORT.—Not later than December 31, 1987, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the review described in subsection (a).

The CHAIRMAN pro tempore. The gentleman from New Jersey [Mr. SMITH] is recognized for 5 minutes.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, I would like to ask a couple of questions, because on the surface at least it would seem that this amendment is basically a private bill disguised as an amendment to permanent law, and I realize that the gentleman has had a lot of discussion with staff on this, but as presently drafted the amendment raises substantial policy questions that I think perhaps the gentleman can answer.

Why should it be limited only to heart and lung institutions? Why not, say, children's hospitals and lung centers and things like that?

Mr. SMITH of New Jersey. The hospitals that the gentleman is referring to do bill their patients. Deborah was founded back in 1922 under a very unique type of philanthropic mode, and that is that they never bill any patient, whether it be a young person, old person, an indigent person, and they do have a network of some 70,000 people who do provide the fundraising apparatus, and they do do substantial fundraising that pays for many of these procedures. They also receive payment from Medicare.

Mr. DICKINSON. I understand the gentleman to say that if this were a normal hospital they would already have been billing.

Mr. SMITH of New Jersey. That is correct.

Mr. DICKINSON. And they have not been billing, but they worked out an agreement with DOD whereby they—

Mr. SMITH of New Jersey. The point is that they are not billing now, and their charter precludes that.

Mr. DICKINSON. They are not now, but it is my further understanding that this would allow them to bill for a year.

Mr. SMITH of New Jersey. One year.

Mr. DICKINSON. One year. And this requires GAO to make a study, and this is not put into permanent law.

Mr. SMITH of New Jersey. That is correct. My original amendment would have put it into permanent law, but at the request of the chairwoman—

Mr. DICKINSON. So this is a 1-year exception as a trial and then we make a final decision.

Mr. SMITH of New Jersey. That is right. And let me just point out to the gentleman that current law as put into the CR last year was a 1-year continuation, so we are just continuing an additional year during the time the GAO will investigate the matter.

Mrs. BYRON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentlewoman from Maryland.

Mrs. BYRON. Mr. Chairman, let me say first of all that I, as the gentleman well knows, had grave concerns and reservations about this amendment. I do not want to see it go into permanent legislation. I question the narrowness of one specific hospital. I question why one specific hospital should be permitted not to bill when the rest of the world bills, which is why we have worked out this compromise in the language that will be enabling this legislation for 1 year specifically, and then we are going to take a look at it next year when we mark in committee.

Mr. SAXTON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey.

Mr. SAXTON. Mr. Chairman, I would like to thank the gentleman from New Jersey [Mr. SMITH] for his hard and diligent work and to thank the chairwoman, who I know had misgivings about the amendment, for her support and for her suggestion that a GAO study accompany this amendment, and also to say to the chairman of the committee that I believe that we are all in accord now, and we appreciate his support, too.

Mr. Chairman, I rise in strong support of this amendment.

For 65 years, Deborah Heart and Lung Center has provided vital, lifesaving care to thousands of individuals—at no cost to the patient. Deborah is a unique, nonprofit hospital which offers such vital care as open-heart surgery. Furthermore, Deborah offers this care regardless of a person's race, creed, or ability to pay. Without Deborah, many poor and uninsured persons would have to forgo or delay vital medical attention.

Deborah will accept and is offered reimbursement from Medicare, Medicaid, Commercial insurance carriers, and HMO's. Only CHAMPUS refuses to reimburse Deborah for care given to its beneficiaries.

CHAMPUS regulations say that if a beneficiary has no legal obligation to pay, CHAMPUS has no legal obligation to pay. CHAMPUS believes that if they reimbursed Deborah, then an abuse of service would result. This is not a valid argument. Deborah does not provide frivolous care, but serious, expensive, lifesaving care like open-heart surgery.

This amendment is further made necessary by the location of Deborah. This impressive hospital is located near three military facilities and is in an area of high concentration of military retirees. I am sure that CHAMPUS beneficiaries are shocked to learn that their insurance policy will reimburse just about any hospital except a highly regarded and philanthropic hospital located near them.

Mr. Chairman, the refusal of CHAMPUS to reimburse Deborah means that genuinely deserving charity patients may not receive needed medical attention. This is not a big ticket item, but it is very important to Deborah, other charitable hospitals like it, and the patients they serve.

And lastly, I would like to thank my colleague and good friend, Mr. SMITH, for his hard and fast action on this amendment. I urge its passage.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Chairman, I congratulate the gentleman for his amendment, and I rise in support of the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, Deborah Heart and Lung Center in Browns Mills, NJ, is one of the finest hospitals in the world, providing specialty care in cardiac and pulmonary procedures. Deborah Hospital is, as you may know, a philanthropic institution—not requiring patients to pay for their care if they are unable to, thus providing a healthcare safety net for the underprivileged and indigent. But this humanitarian policy has been turned against Deborah and used by the Civilian Health and Medical Program of the Uniformed Services [CHAMPUS] as grounds for refusal of reimbursement for care provided to CHAMPUS-eligible patients.

While other third-party payors, including Blue Cross, Medicare, Medicaid, various HMO's, and other commercial insurers regularly reimburse Deborah, current CHAMPUS regulations require patients to be billed and to be under a "legal obligation" to share the burden of their surgery.

According to CHAMPUS sources, Mr. Chairman, the policy was instituted to discourage abuse of the system by beneficiaries. Cost sharing is used as an incentive to beneficiaries not to seek medical treatment lightheartedly and without true need for such treatment. Certainly, the policy has merit in that context but in the case of Deborah that reasoning seems somewhat trite and simply is not persuasive.

After all, heart surgery and lung surgery—Deborah's stock in trade—is not the type of medical treatment which is likely to be requested by a patient or prescribed by a physician absent the compelling necessity for such surgery. Still further and I believe this to be significant, CHAMPUS routinely reimbursed Deborah until January 1985 at which time CHAMPUS suddenly determined that due to its philanthropic nature the heart and lung center was no longer eligible to receive payment.

It is important also to note that Deborah is located adjacent or in close proximity to three military installations—Maguire AFB, Fort Dix, and Lakehurst Naval Air Engineering Center. Thus it comes as no surprise that over the years, thousands of military dependents and retirees have been treated at Deborah on both an inpatient and outpatient basis. Yet, if CHAMPUS continues to refuse reimbursement, Deborah may have to cease providing care for CHAMPUS-eligible patients. It is evident, therefore, that a change must be effected to allow service dependents and retirees to receive the excellent care afforded them at Deborah—care not available at nearby military medical facilities.

Mr. Chairman, you may well remember that last year I offered a similar amendment on the House floor during consideration of the fiscal year 1987 DOD authorization. While my amendment passed in the House it was excluded from final House-Senate conference language. As a result, we had to obtain a 1-year continuation of reimbursement by amending the continuing resolution making appropriations for fiscal year 1987 to allow CHAMPUS to reimburse Deborah during that fiscal year. I believe it is necessary to continue that reimbursement policy.

Mr. Chairman, our President described the spirit and work of Deborah Heart and Lung Center by saying:

> Over the years, I have witnessed many times the greatness of the American spirit. Compassion for others, creativity in meeting the challenges, and determination to accomplish our goals are significant attributes of our people. One evidence of this spirit is the vitality of organizations such as Deborah Hospital.
>
> I am pleased to extend my personal congratulations and commendation to you for your generous volunteering contributions to your community. Your involvement exemplifies the highest tradition of service to others and enhances the lives of all our citizens.

On behalf of the thousands of Deborah volunteers who spend untold time and effort making sure that health care can be provided the truly needy, I urge my colleagues to support this legislative initiative.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH], as modified.

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LUNGREN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 335, noes 1, not voting 96, as follows:

[Roll No. 101]

AYES—335

Akaka
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Atkins
Baker
Ballenger
Barnard
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Biaggi
Bilbray
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Boucher
Boulter
Brennan
Broomfield
Brown (CO)
Bruce
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coleman (TX)
Collins
Coughlin
Courter
Coyne
Crane
Crockett
Daniel
Darden
Davis (IL)
Davis (MI)
de la Garza
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dixon
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Durbin
Dwyer
Dyson
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gilman
Gingrich
Gonzalez
Gordon
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Houghton
Howard
Hoyer
Huckaby
Hughes
Hunter
Hutto
Inhofe
Jacobs
Jenkins
Johnson (CT)
Johnson (SD)
Jontz
Kanjorski
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Leland
Lent
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murtha
Myers
Nagle
Natcher
Nelson
Nielson
Nowak
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Quillen
Rangel
Ravenel
Ray
Regula
Rhodes
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Scheuer
Schroeder
Schuette
Schulze
Schumer
Sharp
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stenholm
Stokes
Stratton
Stump
Sweeney
Swift
Swindall
Tallon
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Udall
Upton
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Walker
Waxman
Weber
Weiss
Weldon
Wheat
Whittaker
Whitten
Wilson
Wise
Wolf
Wortley
Wyden
Wylie
Yates
Yatron
Young (AK)

NOES—1

AuCoin

NOT VOTING—96

Ackerman
Alexander
Annunzio
Badham
Bartlett
Bates
Bevill
Bilirakis
Boner (TN)
Bosco
Boxer
Brooks
Brown (CA)
Bryant
Clay
Coelho
Coleman (MO)
Combest
Conte
Conyers
Cooper
Craig
Dannemeyer
Daub
Dingell
Donnelly
Dowdy
Duncan
Dymally
Early
Florio
Ford (TN)
Frost
Garcia
Gephardt
Gibbons
Glickman
Goodling
Gradison
Grant
Gray (IL)
Gray (PA)
Gregg
Hatcher
Hawkins
Horton
Hubbard
Hyde
Ireland
Jeffords
Jones (NC)
Jones (TN)
Kaptur
Kemp
LaFalce
Lehman (FL)
Levin (MI)
Livingston
Lloyd
Lott
Mazzoli
Michel
Miller (CA)
Moody
Moorhead
Murphy
Neal
Nichols
Oakar
Pursell
Rahall
Richardson
Ridge
Rodino
Roemer
Roybal
Schaefer
Schneider
Sensenbrenner
Smith (FL)
Smith (IA)
St Germain
Stangeland
Stark
Studds
Sundquist
Synar
Tauke
Tauzin
Traxler
Valentine
Vander Jagt
Watkins
Williams
Wolpe
Young (FL)

□ 1450

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

Mr. ASPIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this gentleman would like to talk to the gentleman on this side and make an announcement to all of the Members about what the schedule looks like for Monday.

The program on Monday is that we are due to come in at 12. We do not have on the schedule as far as the defense issues go, the first issue before us, the contracting-out issues for which there is a general debate of 20 minutes. Then there are three, 10-minute amendments, one by Mr. Nichols, one by Mr. Hutto, and one by Mr. Matsui.

When we finish the contracting-out issue it would be the intention of the Committee on Armed Services to go back to the list of amendments that we were working on today and hopefully come pretty close to the close of those amendments which have been printed in the Record.

Members should be on notice that late in the day it is the plan of the Chair to call up the amendment on the C-17. We have committed to the people who are sponsoring the amendment, and the opponents of that amendment that we would do it late in the day, no sooner than 4 in the afternoon because some of the proponents and opponents would not be here until that time.

So it would be the intention of the chairman to do first the contracting-out issues, second back to the general amendments, continue the list of general amendments we were doing today and then late in the afternoon do the C-17 amendment.

Mr. HUNTER. Mr. Chairman, will the gentleman yield.

Mr. ASPIN. I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding.

So as I understand it there is a possibility that there would be a vote on C-17 late in the day on Monday.

Mr. ASPIN. I think we could anticipate a vote on the C-17 late in the day on Monday.

Mr. HUNTER. And what time would we be finishing on Monday?

Mr. ASPIN. Well, that is up to the leadership. I think we had anticipated at one point that we would have a fairly reasonable hour. But I am a little bit disturbed at the progress we have made today because of the insistence on having votes. If the people are going to insist that because we are being called here on Monday, when we are not usually here on Monday that we are going to make sure we have a lot of votes on Monday, I do not know, all bets could be off as to the time at which we end. It was our anticipation then but if we are going to continue to call for votes on things that pass unanimously here, I think we cannot make any commitment about the time.

Mr. HUNTER. Let me reiterate briefly then. We will go in at 12 with the contracting-out issue first, that should take a couple of hours perhaps and then we are going to go to the housekeeping amendments or to the general amendment.

Mr. ASPIN. Let me correct the gentleman. The contracting-out would take less than 2 hours, the contracting-out would take I would think maybe an hour and 15 minutes, an hour and a half at the most. And then we would go the general amendments and we would like to finish those general amendments. We would like to finish that program on Monday. If we do not have a lot of votes on senseless amendments we could finish at 6.

☐ 1500

If we have senseless votes on amendments, then we might go longer.

Mr. LUNGREN. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from California.

Mr. LUNGREN. Mr. Chairman, with respect to votes on senseless amendments, I can assure the gentleman that if we have some assurance as to the nature of amemdments that are going to be brought up, and we know the seriousness of those amendments, maybe different decisions will be made on calling votes.

The point some of us are making is that when we are given every indication that important substantive amendments will be on the floor that we are required to be here for, and that changes two or three times, and Members who have commitments in their district have already made changes and can no longer make those commitments in their district, at that point in time, votes may very well be called on what the gentleman refers to as less important or less controversial amendments.

Mr. ASPIN. Mr. Chairman, I can only say to the gentleman from California [Mr. Lungren] that it was always the intention of us to try and schedule on Mondays and Fridays issues that were of lesser importance to try and keep the major amendments to the Tuesday, Wednesday, and Thursday schedule.

Mr. LUNGREN. Mr. Chairman, as of 2:45 yesterday afternoon, the major question on the carriers was to be taken care of today.

Mr. ASPIN. I understand.

Mr. LUNGREN. Within less than 40 minutes, that was changed. I am talking about the sense of assurance that Members have with respect to what is going to be considered.

It is more difficult for some of us on the west coast to take care of our responsibilities to our constituents than it is for other Members who can get home within an hour or so.

The CHAIRMAN pro tempore (Mr. Frank). The time of the gentleman from Wisconsin [Mr. Frank] has expired.

(By unanimous consent, Mr. Aspin was allowed to proceed for 2 additional minutes.)

Mr. ASPIN. Mr. Chairman, let me just respond to the gentleman from California by saying that we have a certain amount of sympathy and I understand his position. It has been a very difficult time, but the leadership did have to change the order of those votes because we ran into problems that we did not anticipate in the Committee on Rules with the rule that we were drafting yesterday. I am sorry that that happened, but I think it was not the leadership's fault on this side, so much as we got cross wires and we almost had a rule that came out that would have been a very bad rule. We had to go back and straighten it out.

The gentleman, I think, has a pretty good look at the schedule for next week as far as what time we are going to be finishing on each of the nights. We will try and accommodate the gentleman with a firm schedule as far in advance as we can on votes. We will go through another colloquy on Monday and talk about the votes on Tuesday and Wednesday and the balance of the week. We will try to do the best we can and I do not anticipate anything happening like the rule getting crossed yesterday that caused us to change the vote on the carrier.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, just to reiterate for the benefit of Members and for those proponents and opponents of the C-17 amendment which is going to be a very major amendment, they can expect that there probably will be a vote late in the day on Monday and should accommodate their schedules for that.

Mr. ASPIN. Absolutely.

Mr. Chairman, I yield back the balance of my time.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. Ray] having assumed the chair, Mr. Frank, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. COMBEST. Mr. Speaker, because of an injury that required a brief hospitalization, I was unable to attend the session of the House on Friday, May 8.

If I had been present:

On rollcall No. 96, I would have voted "yea."

On rollcall No. 97, I would have voted "yea."

On rollcall No. 98, I would have voted "nay."

On rollcall No. 99, I would have voted "nay."

On rollcall No. 100, I would have voted "yea."

On rollcall No. 101, I would have voted "yea."

COAST GUARD AUTHORIZATION BILL FOR FISCAL YEAR 1988 INTRODUCED

(Mr. HUTTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTTO. Mr. Speaker, it is my pleasure today to introduce, as chairman of the Subcommittee on Coast Guard and Navigation of the House Merchant Marine and Fisheries Committee, a bill to authorize funds for the Coast Guard for fiscal year 1988. The distinguished chairman of our full committee, Mr. Jones of North Carolina, and the ranking minority member of both our full committee and our Coast Guard Subcommittee, Mr. Davis of Michigan, are joining me as sponsors of this legislation.

Mr. Speaker, in the past several years, administration efforts to increase defense spending and improve our national defense posture have been successful but, at the same time, the Coast Guard has been shortchanged in administration budget requests and in congressional appropriations because of soaring deficits and budget constraints.

Although Coast Guard's missions have increased with additional responsibilities under the Maritime Defense Zones Agreement and in our Nation's war against drugs, Coast Guard's budget has not increased proportionately. In fact, in constant dollar terms, there has been no growth in the Coast Guard budget over the last 5 years.

As a result, Congress has deemed it necessary to allocate additional funds to the Coast Guard from defense appropriations. For example, in fiscal year 1987, Coast Guard received $200 million from defense for the Coast Guard Augmentation Program. In addition, Coast Guard received $89 million from the omnibus drug legislation passed by Congress late last year to purchase additional equipment for use in drug interdiction.

However, provision must be made for the personnel to operate and maintain the new equipment, as well as for items such as spare parts and fuel.

And there is no guarantee that the Coast Guard will continue to receive funds from other sources to support the new missions being assigned to them by both Congress and the administration.

In the authorization bill we are introducing today, we are incorporating into Coast Guard's operating expense base a portion of the funds Coast Guard has previously received as reimbursement for its defense and law enforcement activities. This must be done to improve the predictability of its funding, and I hope we can count on the support of this body in providing the Coast Guard with the funds necessary to perform its many critical missions.

BIG BEND NATIONAL PARK IN TEXAS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, yesterday I introduced legislation to authorize the addition of 67,000 acres to the Big Bend National Park in Texas. The bill would authorize the National Park Service to accept the land as a donation from the Texas Nature Conservancy.

This property, known as the Harte Ranch or North Rosillas Mountains Preserve, was given to the Nature Conservancy by Ed and Houston Harte in the hope that it would be retained in its natural state. The preserve is an area of astonishing natural diversity which is home to more than one-third of the rare and endangered plants and animals that exist in Texas.

Thanks to the generosity of the Harte brothers and the Texas Nature Conservancy, we have an excellent opportunity to acquire this land at no cost to the taxpayers, and to preserve an important part of our natural heritage for future generations.

IN RECOGNITION OF THE COMPASSION OF STEWART MCKINNEY

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, yesterday, the House received the news of the death of our distinguished colleague, the gentleman from Connecticut, Mr. McKinney. Many of us expressed our praise and support for him and our affection for him yesterday.

Today, the House and Senate have taken action to recognize by naming a fish and wildlife area off the coast of Connecticut in his honor. That is appropriate because he championed that issue as a single issue.

Mr. Speaker, I have talked to my colleagues on the Committee on Banking, Finance and Urban Affairs who have been associated with the issue dealing with the homeless and the policies and grants programs that we have had.

During the upcoming conference on that issue, we hope to identify the homeless issue as the the McKinney grant or acts because Stewart's close association and concern and compassion that he espoused and reflected throughout his service in this Congress.

We hope to further honor and recognize his work, his intensity, and his concern and compassion by naming this program, which he worked with us for so long on, in his honor.

□ 1510

Mr. Speaker, I hope that all of our colleagues will support this effort and will work with us to provide recognition to a Member who has done so much in this body and has attained the type of leadership which will be much missed in future years.

THE WELDON AMENDMENT TO THE DEFENSE AUTHORIZATION BILL

(Mr. HUNTER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HUNTER. Mr. Speaker, I just want to set the record straight. Yesterday a brilliant amendment authored by the gentleman from Pennsylvania. Mr. Curt Weldon, was offered in the House of Representatives. It passed overwhelmingly. It was an amendment that for the first time put this House of Representatives on record as finding that the Krasnoyarsk radar installed by the Soviet Union was a violation of the ABM Treaty.

I offered the amendment purely as Mr. Weldon's designee because time ran out and he had to leave just before the close of the session. I want to make it absolutely clear that it is not the Hunter amendment; it is the Weldon amendment, and it should be so regarded.

THE McKINNEY ACT, LEGISLATION FOR THE HOMELESS

(Mr. LOWRY of Washington asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. LOWRY of Washington. Mr. Speaker, I want to follow our colleague, the gentleman from Minnesota [Mr. Vento] to the podium to also call for the naming of the homeless legislation as the McKinney Act.

I think we all recognize what a tremendous contribution to that really significant legislation STEWART McKINNEY made. When we started this effort in January, STEW was frankly the first Member I went to on the Republican side of the aisle because of the tremendous work he has put in over the years on the need for housing for low-income people, on addressing problems of the homeless, and on the attention he specifically supplied to the problems of deinstitutionalization related to the homeless. And, of course, STEW McKINNEY responded just exactly the way he always did. He said, "Yes," and he was a total, driving force all the time, along with other Members from both sides of the aisle who worked so hard for the homeless legislation.

So, Mr. Speaker, as we go to conference and are able to bring this bill out of conference in the near future, I think all of us in this House agree that this is exactly the right tribute to the great guy STEW McKINNEY was, to name this legislation the McKinney Homeless Act.

A TRIBUTE TO THE LATE HONORABLE STEWART McKINNEY

(Mr. DELLUMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELLUMS. Mr. Speaker, I take the well today with a sense of profound personal loss—the loss of a dear friend and colleague, STEWART McKINNEY.

Though we sat on opposite sides of the aisle, STEW and I were never adversaries. Partisanship was never a characteristic of our personal or political relationship. Occasional disagreement over details never provoked a departure from ideals that we shared and struggled for together. We were truly partners in the struggle for social justice and equality of opportunity for all in this society.

His compassion and tireless advocacy for those less advantaged guided his legislative energies, from his efforts to assist the homeless, the mentally ill, and the disadvantaged, to the desire for a District of Columbia free from the colonial yoke of congressional control. STEW was in the vanguard of these efforts and so many more.

I served with STEW on the House District of Columbia Committee during his entire period of service in the Congress. He was a champion of full self-determination for the people of the District, one who worked tirelessly on their behalf to make this dream a reality. For the past 8 years, I as the Chair, and he as the ranking Republican, worked together in a most effective manner to improve the quality of life for all residents of the District.

His dedication to a common cause was reflected in the air of bipartisan collegiality that he sought to achieve and maintain from the outset of his service on that committee. He consistently sought out staff members from both sides of the aisle to expand his awareness in order to argue more effectively the case for the District in committee and on the House floor.

STEW was, in the best sense of the term, a legislative statesman. His conscience preempted his party affiliation when it came to matters that he knew would have a decisive impact upon the welfare of the disadvantaged or the safety of the planet. Thus he argued passionately for improved health care, housing, and educational benefits. He argued with equal passion against aid to the Contras, SDI, and the escalating threat of the nuclear arms race.

STEW McKINNEY was truly a representative of all the people, because he made it his business to be one of the people. He was one Member of Congress who constantly sought to reach out to everyone, regardless of class, gender, economic status, or political preference. He was a legend on the Hill for his courteous treatment of staff and strangers alike, and for his deep personal interest in, and assistance to, so many who sought him out.

The passing of STEW McKINNEY is a tragic loss for the people of the Fourth Congressional District in Connecticut. But, in a very real sense, it is a tragic loss for the Nation as well, because STEW McKINNEY represented the best that this Nation has to offer in service to all the people.

The members and staff of the District of Columbia Committee have lost an invaluable and trusted colleague—one whose sense of decency, integrity, and compassion will be long remembered. Vaya con Dios, my colleague, my friend, my brother. We will miss you, terribly.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1561

Mr. PRICE of North Carolina. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1561.

The SPEAKER pro tempore (Mr. HARRIS). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

THE LATEST IN SANDINISTA HUMAN RIGHTS ABUSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. LUNGREN] is recognized for 5 minutes.

Mr. LUNGREN. Mr. Speaker, as the debate over assistance to the freedom fighters in Nicaragua continues, I hope that my colleagues on both sides of the aisle will ponder a shocking new wave of Sandinista human rights abuses reported in the April 5 edition of the New York Times. Directed not at the so-called Contras, supposed saboteurs or alleged CIA operatives but rather at the mothers of political prisoners locked up by the Sandinistas, this campaign of repression adds a new moral dimension to United States policy options in Central America.

According to the Times, the Movement of Mothers of Political Prisoners puts the number of political detainees in Nicaragua at 10,000. The new group, formed in January of this year, has written letters to the Organization of American States and the United Nations calling the Nicaraguan prison system "unjust and cruel, despite official propaganda to the contrary." And they staged a protest on International Women's Day to urge the release of those incarcerated for their opinions. In response, the Sandinistas have threatened the women and intimated that their sons and daughters would face more difficult conditions if their demonstrations continued.

In a sense, the severity of the Sandinista answer to the mothers should not surprise anyone. "When [Interior Minister] Thomas Borge and other Sandinistas were imprisoned in the 1970's," The Times notes, "relatives and supporters staged hunger strikes and other public campaigns on their behalf. Recalling the political success of those demonstrations, the Sandinistas, now in power, are anxious to assure that the same tactic not be used against them." In other words, the Managua regime has become so jealous of absolute power that it will not even permit the small ration of liberty once tolerated by Anastasio Somoza.

Thomas Borge, not surpisingly, denies that the Sandinistas have imprisoned anyone on account of his or her beliefs. "Who is more interested in prison conditions than we are?" he asks. Unfortunately, a 1986 review of Sandinista prison conditions by the State Department suggests that the Nicaraguan secret police and its 200 Cuban advisers take an excessive interest in prison conditions. The Sandinistas have chosen to remodel the secret police facility once employed by the government of Anastasio Somoza. Bar-type cell doors have been replaced by solid metal plate doors. Cells receive ventilation through a narrow air tube. Cells are brightly lighted or totally dark. And between interrogation sessions, prisoners may find themselves in cubicles too small to rest, stand, or sit.

Nicaraguan refugees report that the Sandinistas use sleep deprivation, physical beatings, attacks by trained dogs, and placement in neck-deep sewage pits as methods in the program of torture they inflict on many political prisoners. One former prisoner, still in Nicaragua, has provided an excruciating account of how these methods are implemented in a clandestine facility operated by the secret police.

> [The prison guards] lined us up in the back of the yard right next to the swimming pool. Our hands were tied behind our backs and they would walk by and push us into the pool one by one. They would let us start drowning and then they would pull us out of the water and make us confess our "counterrevolutionary" activities as we gasped for breath.

Of course, drastic measures such as these are not always necessary. According to defectors, some 35,000 individuals have passed in and out of the Nicaraguan prison system since 1979. According to the Department of State, this large total of arrests apparently arises from the use of repeated short-term incarceration for political ends. The omnipresent fear of a return to prison can generate intimidation or even cooperation in providing information on one's neighbors. While repeated confinement involves relatively little physical discomfort, it creates a climate of terror in which even those who have not been arrested find themselves asking, "Will I be the next to go?" Ismael Reyes, former President of Nicaragua's Red Cross, may have been correct when he stated: "In the American continent, there is no regime more barbaric and sanguinary, no regime that violates human rights in a manner more constant and permanent, than the Sandinista regime."

Mr. Speaker, I find it remarkable that despite the fact that the Sandinistas have made it clear that they will commit any crime and violate every standard of morality to maintain complete control over Nicaragua, certain Members of Congress continue to insist that these same dictators will freely and of their own volition negotiate to permit the free elections and free speech that they now torture people to prevent. It's high time that Representatives and Senators recognize that the Sandinistas have committed both their hearts and minds to Leninism—an ideology that by its very nature, its understanding of history and its view of the nature of man can brook no compromise with the supposedly "reactionary" forces of capitalism. Continued support for the freedom fighters in Nicaragua flows inevitably from a reappraisal of the ultimate motives and capabilities of the Sandinistas that Members of Congress must begin immediately.

□ 1520

Mr. DORNAN of California. Mr. Speaker, will the gentleman yield?

Mr. LUNGREN. I yield to the gentleman from California.

Mr. DORNAN of California. I thank the gentleman.

Mr. Speaker, I would ask the gentleman was the figure that my friend and colleague from California used from the mothers of sons in captivity? Was it 10,000?

Mr. LUNGREN. The statement was that some 35,000 individuals have passed in and out of the Nicaraguan prison system since 1979.

A 65-MILLION-YEAR-OLD APOCALYPSE HAS A MESSAGE FOR MANKIND

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHEUER. Mr. Speaker, it seems ironic that even as this body debates the Defense authorization bill and the potentially apocalyptical consequences of the nuclear arms race, the Washington Post today ran a story dealing with another apocalypse which occurred 65 million years ago.

Scientists now believe that a globe-girdling, sky-darkening dust cloud brought about the mass extinction of dinosaurs and most other animal and plant life at that time.

That conflagration, caused by a large comet or asteroid crashing into the Earth, was very similar to the so-called nuclear winter that scientists believe would envelope the Earth in the aftermath of a nuclear attack.

The fiery aftermath would send plumes of smoke, soot, and dust from burning cities, industrial sites, and forests lofting high into the atmosphere, enveloping the Earth, blocking out sunlight and drastically reducing land temperatures.

Rivers and lakes would freeze over, plant life would wither, and food production would be virtually eliminated in the ghoulish season of nuclear winter.

Mr. Speaker, unless the United States and the Soviet Union achieve a consensus on eliminating the threat of nuclear holocaust, we might be faced with the supreme irony of scientists, 60 million years from now, finding that an ancient species of homo sapiens had suffered a fate similar to that of the dinosaurs.

Of course, they would no doubt note one important difference between the fate of the dinosaurs and the fate of 20th-century man—the dinosaurs were rendered extinct by a natural phenomenon, while mankind was annihilated through a similar catastrophe—but of its own design and execution.

MEMBERS SHOULD VOTE "NO" ON THE DARDEN AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. RAY] is recognized for 5 minutes.

Mr. RAY. Mr. Speaker, inasmuch as I will not be able to be here on Monday, I want to discuss an amendment which will come before the House of Representatives on Monday, May 11. It will be the Darden amendment to delete $1.9 billion from the Defense authorization bill which would complete the research and development and build two C-17 airlifters.

These two would be the first of 210 C-17's which we plan to build over the next few years. First, let me give just a brief history of the C-5, a very fine airplane built by Lockheed in Georgia who is not protesting the C-17 airlifter.

Many will remember that this was a troubled airlifter from the beginning. Senator PROXMIRE ran his campaign along with other critics on the problems and cost overruns. Once the airplane was up and flying, it was discovered that the wings were not sufficient to support a heavy load. As a result, it has taken years and millions of dollars to rework the wings making them substantial enough to bear that load it is projected to carry.

In 1983, I traveled to our NATO bases in Europe on a C-5 transporting a partial load because this particular plane was not certified to carry the weight that it was designed for.

During the years the C-5 has been flying, many of these flights have been with less than full loads. According to the supporters of the Darden amendment, these problems have been resolved. I do not intend to unjustly criticize the rebuilt C-5A's which will have to serve our military well into the future. I believe, ladies and gentlemen, that it will serve us well.

I do want to make a specific point. The point being that the C-17 design has taken advantage of the C-5 problems which cost so many millions to correct. The design of the C-17, which has been perfected after over 9 years of engineering, will complement the C-5 leaving it to a mission which it is needed for. A mission which the C-5 cannot fill.

The C-17 will take on an expanded role worldwide. A worldwide function which only it can fulfill economically and efficiently. Let me refer to the history and the commitment which encouraged McDonnell Douglas to begin the design of the C-17 and which persuaded the House and the Senate Armed Services Committee to fund over $1.2 billion during the last several years to research and development on the C-17.

In 1983, the Congress agreed to open the C-5 line to build 50 additional airlifters which would be known as the C-5B. There were a number of promises, commitments and agreements among all parties, including the Secretary of Defense and the Lockheed Co. in the last order of 50 C-5B's so it said would close the line.

□ 1530

Based on the belief that this was an honest agreement, McDonnell Douglas and the Congress has moved forward with confidence that the C-17, fully supported by the Department of Defense, would be the airlifter of the future.

One final point that I want to raise, Mr. Speaker, is the importance of the C-17 to our effectiveness in NATO during wartime. At this time, in peacetime, there are only two airfields in Western Europe which we would consider safe enough from Spetznatz and terrorists to land the C-5, and this is in peacetime. Now, these two bases, the two aerial ports are Ramstein and Rhein-Main in Germany, and they are our most prominent ports which would be most likely closed first in the event of an attack.

Now, the C-17 eliminates this important flaw in our airlift capability during wartime that the C-5 has. It is capable of landing and manuevering on smaller airports and airstrips, tremendously expanding the fields and airstrips we can use in Germany and in Western Europe and elsewhere in the world.

It is for these reasons, Mr. Speaker, that I encourage my colleagues to live up to the commitment we have made to develop and deploy the C-17, and I urge that you vote "no" on Monday, May 11, when the Darden amendment comes to the floor.

ORDER OF BUSINESS

Mrs. BOGGS. Mr. Speaker, I ask unanimous consent to proceed with my special order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Louisiana?

There was no objection.

HUMAN RIGHTS AND THE MOTHERS OF POLITICAL PRISONERS

(The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Louisiana [Mrs. BOGGS] is recognized for 10 minutes.)

Mrs. BOGGS. Mr. Speaker, I wish to take this opportunity to raise a matter of extreme importance to me as a mother and grandmother and as a Member of this body long interested in the field of human rights, namely, the courageous activity of a women's group to which the gentleman from California [Mr. LUNGREN] has referred, that I visited in Managua when I traveled there to attend the 77th session of the Interparliamentary Union and the meeting of its Women's Section.

As many of you know, the mothers initially came together in January of this year when the U.N. Secretary-General, Mr. Perez de Cuellar, made a visit to Managua. They joined in writing a letter to the U.N. Secretary-General as well as the Secretary-General of the OAS to provide them with clear facts and information about the violations of their husbands, children, and other loved ones. On Sunday morning, before the opening of the meeting of the Women's Section of the IPU, I had a chance to meet with some of the mothers in a neighborhood not far from the Olaf Palme Conference Center. Among the 50-plus mothers in attendance, 10 came forward to tell their personal stories of the imprisonment and sometimes disappearance of their husbands, children, brothers, or sisters, aunts or uncles. It was a very moving and sorrowful experience. I can tell you that the mothers are a very impressive and very serious group of women, devoid, as far as I could tell, of any political motivations, except to express a passion for freedom and for a fair society. They are faced with what must seem an insurmountable task—finding ways to save the lives of their loved ones whom they claim were sent to prison without trial, without legal assistance and often without record.

In their letters to the U.N. Secretary-General and to the OAS Director-General, they report that among the prisoners are young boys and girls, middle-aged and elderly women and men, many of whom are confined to punishment cells where they cannot bathe or brush their teeth for days, even weeks, and cannot obtain proper food or medical help when they need it, and that they are suffering terrible personal misery. They also claimed that many had been beaten, tortured and subjected to cruel and inhumane treatment.

The Universal Declaration on Human Rights inspired by our great woman leader, Eleanor Roosevelt, and adopted by the United Nations in 1948, now has the status of international customary law. All countries of the world are obliged to uphold its provisions, among which are several cardinal ones: namely, everyone has the right to life, liberty and security of the person; another: no one shall be subject to torture or to cruel, inhuman or degrading treatment or punishment; and still another: no one shall be subject to arbitrary arrest or detention. These human rights standards are not intended for citizens in only a few countries to enjoy; they are international standards to be respected by all countries in the world.

Besides the universal declaration, humanitarian conventions provide that the International Committee of the Red Cross is authorized to have free and open access to prisoners. The mothers claim that under the present circumstances, the ICRC may only visit prisoners when accompanied by government and/or security authorities and that ICRS may not visit prisoners in predetention centers.

The mothers who have demonstrated steadfast courage symbolize the intense conflict in Managua and dramatize the desperate need for a negotiated resolution of that conflict and the equally desperate need for the restoration of human rights and fundamental freedoms.

Yet, because they have asserted themselves, the mothers of political prisoners reported to us that they are now being harassed by security and government forces. They claim that their rice ration cards are taken away and that they are threatened by officials with jail and/or with keeping their loved ones for longer periods of incarceration. Meanwhile, Nicaraguan officials have denied that prisoners are physically abused.

Today, I have been informed, that one of the mothers who shared her family story with our group has been detained and interrogated by agents of State Security [DGSE]. She reports that she was warned in the interest of her imprisoned sons and her own welfare against further involvement with the mothers movement.

Mr. Speaker, the meeting with the mothers of political prisoners was held out of compassion for them and had no political overtones from this Member who has consistently advocated a negotiated Central American solution for political and economic stability. I should like to again express compassion for the mothers of political prisoners and to remind the Nicaraguan Government of the desirability and practicability of permitting the International Committee of the Red Cross to carry out its proper role, namely, to make regular and periodic visits to all prisoners wherever they may be and to be permitted to visit all those in predetention facilities; to call on the government to expedited the release of those political prisoners who are innocent; and to safeguard and protect the mothers who have committed themselves to an end to bloodshed and abuse.

INTRODUCTION OF BILL TO REAUTHORIZE THE ESSENTIAL AIR SERVICE PROGRAM FOR ANOTHER 10 YEARS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. HAMMERSCHMIDT] is recognized for 20 minutes.

Mr. HAMMERSCHMIDT. Mr. Speaker, The Essential Air Service [EAS] Program is scheduled to expire on October 23, 1988. Today I am introducing a bill that would extend this program for another 10 years and make important changes that would improve it.

When Congress passed the Airline Deregulation Act in 1978, there was concern about the effect that this legislation would have on the small communities of this Nation. Some feared that airlines would use their new freedom under deregulation to abandon airports in small communities. That is why Congress included the Essential Air Service Program in the Deregulation Act. This program was designed to ensure that small communities retained air service, with Federal subsidy if necessary.

Currently, the air service of more than 500 communities in almost every State in the Nation is protected by this program, although only about 150 communities actually need a Federal subsidy. The cost to the Federal Government is quite low, less than $30 million per year, and it has been steadily decreasing.

The protections provided by the EAS Program have provided significant economic benefits to communities at a relatively low cost. Therefore, I believe the program should be retained. At the same time, however, the EAS Program has not always lived up to our hopes and expectations. For that reason, the bill I am introducing today makes important changes in it. When Congress enacted deregulation and the EAS Program back in 1978, nobody could be sure what effect they would have. As it turned out, in many instances, the airlines serving the small communities were replaced by commuter carriers. These commuters frequently used smaller aircraft that passengers found uncomfortable. As a result, ridership decreased as many travelers preferred to drive rather than fly in the small aircraft. The Civil Aeronautics Board [CAB] and later the Department of Transportation [DOT], the agencies that administer this program, reacted to the decrease in ridership levels by lowering the guaranteed service levels, allowing even smaller aircraft to be used, and reducing the Federal subsidy. This frequently caused further decreases in ridership levels. The result was a downward spiral where deteriorating service led to deteriorating ridership levels which in turn led to further deterioration in service and so on.

I believe it is possible to break this downward spiral. Part of the original problem was that very few comfortable commuter aircraft were even available back in 1978. More than 50 percent of the commuter aircraft in 1978 were of the less than 15-seat variety. Very few were in the 30-seat and larger class. Now, however, the less than 15-seat aircraft make up only 36 percent of the commuter fleet. The largest group are in the 15- 19-seat class. By 1998, the Federal Aviation Administration [FAA] projects that the less than 15-seat aircraft will make up only 9 percent of the fleet. By then, fully one-quarter will be larger than 40 seats.

Clearly the trend is toward larger and more comfortable commuter aircraft. This trend began to accelerate only recently with the introduction of several new and larger aircraft types. This bodes well for the future of the EAS Program. It is incumbent upon Congress to take advantage of these changes in the marketplace and not abandon the EAS Program when there now exists an environment so much more favorable to its success.

The bill I am introducing takes advantage of and encourages these recent changes. It guarantees a minimum level of service that is better than is guaranteed under current law. It generally ensures service with 15-seat or larger aircraft where that is justified.

The bill also provides an opportunity for communities, willing to put up some of their own money, to get even better air service. By sharing the subsidy costs with DOT, a communtity could get more flights, flights with larger aircraft, or other enhancements in their service.

In addition, the bill provides an opportunity to communities, not now eligible for guaranteed Essential Air Service, to benefit from the service and subsidy guarantees of this program. These communities would be able to apply to the Secretary for an agreed-on level of subsidized air service for a 2-year test period. If it showed promise, the community could continue to receive that service.

A more detailed section-by-section summary of this bill follows below.

I urge my colleagues to support this bill and invite them to join me as a cosponsor.

SECTION-BY-SECTION SUMMARY OF THE ESSENTIAL AIR SERVICE ACT OF 1987

The bill amends Section 419 of the Federal Aviation Act to establish the new essential air service program.

Subsection (a) creates the minimum essential air service guarantee. It is similar to, but slightly better than, the current essential air transportation guarantee.

Paragraph (a)(1) defines which communities are eligible points. It defines them as any non-hub that is an eligible point under current law and that is not close to alternate air service. Non-hubs within 35 miles of a hub airport would be excluded as would those within 35 miles of another non-hub where the Secretary determines that significant scheduled air service is available.

Paragraph (a)(2) requires the Secretary to establish a minimum essential air service level for eligible points within 6 months. The level established must be based on the definition of minimum essential air service in paragraph (h)(1) below. Eligible points would continue to be guaranteed their current essential air transportation until the new minimum essential air service level was established under this paragraph.

Paragraph (a)(3) requires a carrier to give 90 days notice before terminating service at an eligible point or reducing it below the minimum essential air service level.

Paragraph (a)(4) directs the Secretary to select a carrier to provide minimum essential air service with subsidy where necessary. Subparagraph (B) of this paragraph lists several factors that the Secretary should consider in making the selection. These include the applicant's service reputation, the preferences of the community concerned, and the existence of a code-sharing or other marketing arrangement between the applicant and a larger carrier.

Paragraph (a)(5) directs the Secretary to pay subsidy to a carrier to provide minimum essential air service as long as necessary to maintain that service.

Paragraph (a)(6) directs the Secretary to prohibit a carrier from terminating service or reducing it below the minimum essential air service level until a replacement is found.

Paragraph (a)(7) directs the Secretary to compensate a carrier that is required to continue service under paragraph (a)(6) above.

Paragraph (a)(8) requires the Secretary to make diligent efforts to find a replacement carrier when the incumbent carrier wants to end service to a community.

Paragraph (a)(9) addresses a potential problem that could arise where a small eligible point has never had an essential air transportation determination under existing law because it has always been served by at least 2 certificated air carriers. During the 6-month period before its minimum essential air service determination is issued under this bill, this paragraph will protect it from significant reductions in service.

Subsection (b) creates a new enhanced essential air service option. This would be a higher level of service than the minimum essential air service level guaranteed under subsection (a) above.

Paragraph (b)(1) defines which communities would be eligible to receive this enhanced service. They would be the same communities that are defined as eligible points under subsection (a) above.

Paragraph (b)(2) permits a community to submit a proposal for enhanced essential air service to the Secretary. The community must agree to pay 50 percent of the cost of the enhancement. The Secretary could establish this enhanced level as the service that must be provided to that point. The enhancement could take the form of more flights, larger aircraft or other improvements that the community desires.

Paragraph (b)(3) requires a carrier providing the enhanced essential air service to provide 30 days notice before terminating or reducing that service. After the 30 days expired, the Secretary would not have the authority to require that carrier to continue the enhanced level of service. If, however, the carrier wanted to reduce service below the minimum essential air service level in subsection (a), it would still be subject to the notice and hold-in requirements of paragraphs (a)(3) and (a)(6) above.

Paragraph (b)(4) requires the Secretary to pay subsidy to the carrier providing enhanced essential air service as long as (1) the carrier provides the enhanced level of service, (2) the community pays its share, and (3) the Secretary determines the subsidy is needed in order for the carrier to maintain that service.

Paragraph (b)(5) permits the Secretary to require advance payment from the community for its share of the subsidy.

Subsection (c) creates a program whereby communities that are not eligible for guaranteed minimum essential air service under subsection (a) above can apply for alternate service guarantees that are described below.

Paragraph (c)(1) permits any community to apply for this guaranteed air service. Communities excluded under paragraph (a)(1) above also could apply for air service under this paragraph.

Paragraph (c)(2) sets forth the factors the Secretary would consider in deciding whether to extend the air service guarantee to a community. The primary, but not necessarily decisive, factor would be the willingness of the community to put up some of its own money to help pay the carrier's subsidy. Other factors would include the number of potential passengers, the subsidy cost, and the distance of the community from alternate air service. Subparagraph (c)(2)(B) would permit the Secretary to withdraw the community's air service guarantee after 2 years if it was not working out.

Paragraph (c)(3) directs the Secretary to establish the level of air service that will guaranteed after considering the views of the community and anyone else contributing to the non-Federal share of the subsidy. The level could be different than the minimum air service level required for eligible points under subsection (a).

Paragraph (c)(4) sets forth the factors that the Secretary should consider in selecting an applicant to provide the guaranteed air service.

Paragraph (c)(5) requires the carrier providing the guaranteed service to give 30 days notice before terminating or reducing that service. The carrier could not be required to continue beyond the 30-day period.

Paragraph (c)(6) directs the Secretary to pay subsidy to the carrier to provide the guaranteed air service.

Subsection (d) would prevent a carrier from providing air service under this bill unless it was found fit by the Secretary to do so.

Subsection (e) directs the Secretary to establish guidelines for calculating the subsidy to be paid carriers. The guidelines must recognize the importance of advertising and promotion of the service to its ultimate success.

Subsection (f) requires the carrier to comply with DOT rules on insurance. This is the same as current law.

Subsection (g) is an attempt to get at the situation where a larger carrier allows a smaller one to use its computer code and paints its name on the smaller carrier's aircraft but refuse to take any responsibility when a passenger has a problem with the service. This subsection would encourage major carriers to assume some responsibility for the quality of service provided by their regional partners.

Subsection (h) defines several terms. Minimum essential air service is defined as 2 flights per day, 6 days per week, with no more than one stop, to a medium or large hub at reasonable times and fares. Service is required to a medium or large hub because airports there will offer good connections to passengers from the small communities. These hubs are listed in the joint DOT/FAA publication named Airport Activity Statistics.

Subparagraph (h)(1)(C) generally requires the use of 15 seat or larger aircraft at eligible points. There are, however, three exceptions to the 15-seat aircraft rule. Smaller aircraft could be used where passenger traffic levels do not justify larger aircraft. In recognition of the fact that deteriorating service has caused low passenger levels recently, this subparagraph requires that both pre-deregulation (1978) data and the most recent (1985) data be used in establishing passenger traffic levels. Secondly, smaller aircraft could continue to be used at communities where service with small aircraft is now successful (i.e., unsubsidized) but where a larger aircraft requirement would force the Federal Government to step in and pay a subsidy. Finally, smaller aircraft could be used where the community agrees to it.

Subsection (i) authorizes the Trust Fund to be used for the subsidy payments.

Subsection (j) states that the program created by this bill would expire on December 31, 1998. It would commence on October 24, 1988, at the same time the current program expires.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Jones of North Carolina (at the request of Mr. Foley), for May 7 and May 8, on account of official business.

Mr. Combest of Texas (at the request of Mr. Michel), for May 7, on account of injury.

Mr. Bryant (at the request of Mr. Foley), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Grandy) to revise and extend their remarks and include extraneous material:)

Mr. Swindall, for 60 minutes, on May 11, 12, 13, and 14.

Mr. Parris, for 5 minutes, today.

Mr. Hammerschmidt, for 20 minutes, today.

Mr. Burton of Indiana, for 60 minutes, on May 11.

Mr. Burton of Indiana, for 5 minutes, on May 12.

Mr. Lungren, for 5 minutes, today.

Mr. Wortley, for 60 minutes, on May 11.

Mr. Inhofe, for 60 minutes, on May 12.

(The following Members (at the request of Mrs. Boggs) to revise and extend their remarks and include extraneous material:)

Mr. Panetta, for 5 minutes, today.

Mrs. Boggs, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Penny, prior to the vote on the Montgomery amendment, in the Committee of the Whole, today.

(The following Members (at the request of Mr. Grandy) and to include extraneous matter:)

Mr. Lujan.
Mr. Dannemeyer.
Mr. Gunderson in two instances.
Mr. Sundquist.
Mr. Gingrich.
Mr. Porter.
Mr. Lent.
Mr. Courter in two instances.
Mr. Coleman of Missouri.
Mr. McEwen.
Mr. Donald E. Lukens.
Ms. Snowe in two instances.
Mr. Pursell.
Mr. Daub.

(The following Members (at the request of Mrs. Boggs) and to include extraneous matter:)

Mr. Smith of Florida in two instances.
Mr. Fazio.
Mr. Beilenson.
Mr. Hochbrueckner.
Mr. Murtha.
Mr. Solarz.
Mr. Schumer.
Mr. Annunzio.
Mr. Garcia.
Mr. Miller of California.
Mr. Durbin in three instances.
Mr. Jones of North Carolina.
Mr. Kostmayer.
Mr. Gordon.
Mr. Lehman of California.
Mr. Kanjorski.
Mr. Skelton.
Mr. Torres.
Mr. Coelho in two instances.
Mr. Jacobs.
Mrs. Boxer.
Mr. Miller of California.
Mr. Hertel.
Mr. Florio.
Mr. Wolpe.
Mr. Solarz.
Mr. Guarini.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week."

ADJOURNMENT

Mrs. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. Accordingly, the motion is agreed to, and the House adjourns to Monday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1363. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting notification of a proposed transaction involving U.S. exports to Japan, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

1364. A letter from the Director, Office of Management and Budget, transmitting to authorize appropriations for the Office of Federal Procurement Policy for an additional four fiscal years, pursuant to 31 U.S.C. 1110; to the Committee on Government Operations.

1365. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to amend title 28, United States Code, to make certain improvements with respect to the Federal Court Interpreter Program, and for other purposes; to the Committee on the Judiciary.

1366. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to amend title 18 and title 28, United States Code, to make certain improvements with respect to the Federal judiciary, and for other purposes; to the Committee on the Judiciary.

1367. A letter from the Director, Judicial Conference of the United States, transmitting a draft of proposed legislation to amend title 28 of the United States Code to authorize the appointment of one additional bankruptcy judge for the district of Colorado, pursuant to 28 U.S.C. 152(b)(2); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. de la GARZA: Committee on Agriculture. H.R. 1004. A bill to direct the Secretary of Agriculture to convey certain National Forest System lands to Unicoi County, Tennessee, and for other purposes; with an amendment (Rept. 100-87). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MORRISON of Connecticut (for himself, Mr. Gejdenson, Mrs. Kennelly, Mrs. Johnson of Connecticut and Mr. Rowland of Connecticut):

H.R. 2334. A bill to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge"; to the Committee on Merchant Marine and Fisheries.

By Mr. ACKERMAN:

H.R. 2335. A bill to amend title 18, United States Code, to extend special forfeiture of collateral profits of crimes to crimes other than crimes resulting in physical harm to the victims; to the Committee on the Judiciary.

By Mr. AKAKA (for himself and Mr. Frenzel):

H.R. 2336. A bill to amend the Tariff Act of 1930 regarding the customs administration of duty free sales enterprises; to the Committee on Ways and Means.

By Mr. BOEHLERT (for himself and Mr. Stratton):

H.R. 2337. A bill to provide emergency relief for the replacement or repair of a bridge in New York; to the Committee on Public Works and Transportation.

By Mr. BONKER:

H.R. 2338. A bill to prohibit the imposition of excessive customs fees for foreign trade zone services, and for other purposes; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 2339. A bill to extend duty-free treatment to 4-chloro-3-methylphenol (CAS No. 59-50-7); to the Committee on Ways and Means.

By Mr. DORGAN of North Dakota (for himself, Mr. Marlenee, Mr. Penny, Mr. Johnson of South Dakota, Mr. Jeffords, Mr. McDade, Mr. Stallings, Mr. Sikorski, Mr. Sabo, Mr. Fauntroy, Mr. Glickman, Mr. Kastenmeier, Mr. Gephardt, Mr. Espy, Mr. Lancaster, Mr. Evans, Mr. Thomas of Georgia, Mr. Jontz, and Mr. Nagle):

H.R. 2340. A bill to improve the administration of the Consolidated Farm and Rural Development Act; to the Committee on Agriculture.

By Mr. FAUNTROY:

H.R. 2341. A bill to amend title 5, United States Code, to provide that a Federal employee who participates in the Government's health benefits program for a continuous period of 20 years or longer shall be eligible to continue enrollment as an annuitant, without regard to an interruption of less than 1 year during the 5-year period before separation; to the Committee on Post Office and Civil Service.

By Mr. HUTTO (for himself, Mr. Jones of North Carolina, and Mr. Davis of Michigan):

H.R. 2342. A bill to authorize appropriations for the Coast Guard for fiscal year 1988, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LUJAN (for himself, Mr. Lagomarsino, Mr. Skeen, Mr. Gejdenson, Mr. Garcia, Mr. Ackerman, Mr. McDade, Mr. Dymally, Mr. Richardson, Mr. Atkins, Mr. Owens of New York, Mr. Solarz, Mr. Bustamante, and Mr. Fuster):

H.R. 2343. A bill to amend the Immigration and Nationality Act to modify the requirement for naturalization of an understanding of the English language; to the Committee on the Judiciary.

By Mr. MONTGOMERY (by request):

H.R. 2344. A bill to provide military commissary and exchange privileges to the surviving spouses of veterans dying from a service-connected disability; to the Committee on Armed Services.

By Mr. MONTGOMERY (for himself, and Mr. Solomon) (both by request).

H.R. 2345. A bill to amend title 38, United States Code, to include Lupus erythematosis among the chronic diseases that are presumed to be service-connected for purposes of veterans compensation if occurring within one year from a veteran's discharge from active service; to the Committee on Veterans' Affairs.

H.R. 2346. A bill to amend title 38, United States Code, to authorize the Administrator of Veterans' Affairs to furnish to veterans prescription drugs prescribed by private physicians in connection with the treatment of a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 2347. A bill to amend section 110 of title 38, United States Code, to liberalize the standard for preservation of disability evaluations for compensation purposes; to the Committee on Veterans' Affairs.

H.R. 2348. A bill to amend title 38, United States Code, to extend from 1 year to 2 years the period during which veterans with service-connected disabilities may apply for National Service Life Insurance; to the Committee on Veterans' Affairs.

H.R. 2349. A bill to amend title 38, United States Code, to repeal the requirement that a chronic disease becoming manifest in a veteran within 1 year of the veteran's discharge from military service must be at least 10 percent disabling in order to be presumed to be service-connected for purposes of veterans' benefits; to the Committee on Veterans' Affairs.

H.R. 2350. A bill to amend title 38, United States Code, to provide that for purposes of veterans' compensation, service-connected total deafness shall be rated as a 100-percent disability; to the Committee on Veterans' Affairs.

H.R. 2351. A bill to amend title 38, United States Code, to standardize the length of marriage criteria for receipt of dependency and indemnity compensation for survivors of certain veterans; to the Committee on Veterans' Affairs.

H.R. 2352. A bill to amend title 38, United States Code to permit certain eligible veterans to purchase up to $20,000 of National Service Life Insurance; to the Committee on Veterans' Affairs.

H.R. 2353. A bill to amend title 38, United States Code, to provide that former prisoners of war are eligible for reimbursement for emergency medical expenses on the same basis as veterans with total permanent service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 2354. A bill to amend title 38, United States Code, to revise the formula for the payment of dependency and indemnity compensation [DIC] to the surviving spouses of veterans who die on active duty or from service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. SCHEUER:

H.R. 2355. A bill to authorize appropriations for environmental research, development, and demonstration for the fiscal years 1988 and 1989, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. SENSENBRENNER:

H.R. 2356. A bill to amend the Internal Revenue Code of 1986 to allow individuals to exclude from gross income payments received under State programs to replace contaminated private water supplies or to replace or rehabilitate private sewage systems; to the Committee on Ways and Means.

By Mr. SKELTON:

H.R. 2357. A bill to replace the Travel and Tourism Advisory Board with a private, nonprofit corporation in order to better coordinate and implement national efforts to encourage foreigners to visit, and United States residents to travel throughout, the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MARTIN of Illinois (for herself and Mr. Carper):

H. Con. Res. 119. Concurrent resolution establishing procedures for expedited consideration by the Congress of certain bills and joint resolutions submitted by the President; jointly, to the Committees on Government Operations and Rules.

By Ms. SNOWE (for herself, Ms. Oakar, Mrs. Martin of Illinois, Mr. Jeffords, Mrs. Schroeder, Mr. Lewis of California, Miss Schneider, Mr. Frank, Mr. Dicks, Mr. Green, Mr. Rodino, Mrs. Collins, Ms. Kaptur, Mrs. Kennelly, Mrs. Boxer, and Mrs. Morella):

H. Con. Res. 120. Concurrent resolution establishing a commission to study compensation and other personnel policies and practices in the legislative branch; to the Committee on House Administration.

By Mr. WOLPE:

H. Con. Res. 121. Concurrent resolution expressing the sense of Congress on United States policy toward South Africa; to the Committee on Foreign Affairs.

By Mr. COELHO (for himself, Mr. Waxman, Mr. Stark, Mr. Lantos, Mrs. Boxer, Mr. Miller of California, Mr. Fazio, Mr. Frank, Mr. St Germain, Mr. Ackerman, Mr.

AuCoin, Mr. Bliley, Mr. Boland, Mr. Bruce, Mr. Bryant, Mr. Downey of New York, Mr. Fish, Mr. Frenzel, Mr. Green, Mr. Horton, Mr. Lagomarsino, Mr. Lehman of Florida, Mr. Manton, Mr. Morrison of Connecticut, Mr. Oberstar, Mr. Robinson, Mr. Roe, Mr. Savage, Mr. Towns, Mr. Udall, Mr. Martinez, Mr. Lipinski, Mr. Crockett, Mr. Schumer, Mr. Burton of Indiana, Mr. Sunia, Mr. Atkins, Mr. Levin of Michigan, Mr. Panetta, and Mr. Pashayan):

H. Res. 162. Resolution paying special tribute to Portuguese diplomat Dr. de Sousa Mendes for his extraordinary acts of mercy and justice during World War II; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H. Res. 163. Resolution calling on the House of Representatives to resist all attempts to deny the home mortgage interest deduction to any taxpayer whose home is a boat; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

Mr. HALL of Texas introduced a bill (H.R. 2358) for the relief of Samuel O. Johnson; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 308: Mr. English.

H.R. 543: Mr. DioGuardi.

H.R. 625: Mr. Oxley, Mr. Combest, Mr. Nagle, Mr. de la Garza, Mr. Stangeland, Mr. Johnson of South Dakota, Mr. Huckaby, Mr. Lancaster, Mr. Wolpe, Mr. Holloway, and Mr. Penny.

H.R. 922: Mr. Skelton.

H.R. 954: Mr. Valentine.

H.R. 1115: Mrs. Martin of Illinois, Mr. Packard, Mr. Schuette, and Mr. Gallegly.

H.R. 1214: Mr. Davis of Michigan, Mr. Dyson, Mr. Gephardt, Mr. Gilman, Mr. Lehman of California, Mr. McMillen of Maryland, Mr. Robinson, Mr. St Germain, Mr. Traxler, and Mr. Wolpe.

H.R. 1483: Mr. Vento and Mr. Martinez.

H.R. 1504: Mr. Burton of Indiana and Mr. Davis of Michigan.

H.R. 1513: Mr. Young of Florida.

H.R. 1546: Mr. DioGuardi.

H.R. 1606: Mr. Dornan of California, Mr. Gibbons, Mr. Latta, Mr. Holloway, and Mr. Whittaker.

H.R. 1699: Mr. Levine of California, Mr. Moorhead, Mr. Torres, Mr. Stark, Mr. Gallegly, Mr. Lantos, Mr. Edwards of California, Mr. Beilenson, Mr. McCandless, Mr. Brown of California, Mr. Konnyu, Mr. Anderson, and Mr. Dymally.

H.R. 1808: Mr. Fauntroy, Mr. Walgren, Mr. Oberstar, Mr. Owens of New York, Mr. St Germain, Mr. Gordon, and Mr. LaFalce.

H.R. 1823: Mr. Kolter, Mr. Rhodes, and Mr. Bonior of Michigan.

H.R. 1834: Mr. Torres, Mr. Kleczka, Mr. Dwyer of New Jersey, Mr. Roybal, Mr. Hoyer, Mr. Foglietta, and Mrs. Boxer.

H.R. 8143: Mr. Stokes.

H.R. 1955: Mr. Bilirakis, Mr. Coats, Mr. Nielson of Utah, and Mr. Schuette.

H.R. 2052: Mr. Atkins, Mr. Emerson, Mr. Gray of Illinois, Mr. Jontz, Mr. Kolter, Mr. Lipinski, Mr. Porter, and Mr. Wolpe.

H.R. 2103: Mr. Lagomarsino, Mr. Wilson, and Mr. McCollum.

H.R. 2163: Mr. Richardson.

H.R. 2200: Mrs. Boggs.

H.R. 2204: Mr. Penny.

H.R. 2248: Mr. Davis of Michigan and Mrs. Boxer.

H.R. 2323: Mr. Lightfoot, Mr. Tauke, and Mr. Brown of Colorado.

H.J. Res. 17: Mrs. Vucanovich, Mr. Sunia, Mr. Foley, Mr. Walgren, Mr. Tauke, Mr. Wilson, Ms. Oakar, Mr. Panetta, Mr. Pashayan, Mr. Petri, Mr. Price of Illinois, Mr. Traficant, Mr. Ravenel, Mr. Rodino, Mr. Rowland of Georgia, Mr. Chappell, Mr. Savage, Mr. Latta, Mr. Leland, Mr. Smith of Florida, Mr. Solarz, Mr. Spence, Mr. Skeen, Mr. Stokes, Mr. Sweeney, Mr. Lewis of Georgia, Mrs. Lloyd, Mr. McEwen, Mr. McHugh, Mr. Martin of New York, Mr. Kemp, Mr. Miller of Washington, Mr. Moakley, Mr. Murphy, Mr. Lehman of California, Mr. Hayes of Louisiana, Mr. Howard, Mr. Gray of Pennsylvania, and Mr. McDade.

H.J. Res. 132: Mr. Packard, Mr. Hunter, Mr. Russo, and Mr. Schumer.

H.J. Res. 154: Mr. Skelton and Mr. Watkins.

H.J. Res. 159: Mr. Ritter, Mr. Manton, Mr. Wortley, Mr. Morrison of Connecticut, Mr. Lowery of California, Mr. Carper, Mr. Annunzio, Mr. Fawell, Mr. Burton of Indiana, Mr. Young of Florida, Mr. Miller of Washington, Mr. Hoyer, Mr. Gilman, Mr. Broomfield, Mr. Frank, Mr. Wolf, Mr. McHugh, Mr. Gibbons, Mr. Lipinski, Mr. Bonior of Michigan, Mr. Fauntroy, Mr. Bereuter, Mr. Dornan of California, Mr. Lowry of Washington, Mr. Scheuer, Mr. Rinaldo, Mr. Henry, Mr. DioGuardi, Ms. Slaughter of New York, Mr. Udall, Mr. Savage, Mr. Traficant, Mr. Moakley, Mr. Dingell, Mr. Wilson, Mr. Smith of Florida, Mr. Bliley, Mr. Fazio, Mr. Porter, and Mr. Stratton.

H.J. Res. 207: Mr. Evans, Mr. Burton of Indiana, Mr. Jones of North Carolina, Mr. Rahall, Mrs. Patterson, Mr. Dyson, Mr. Ravenel, Mr. Gephardt, Mr. Gonzalez, Mr. Coelho, Mr. Atkins, Mr. Udall, Mr. Sawyer, Ms. Oakar, Mr. Panetta, Mr. Borski, Mr. Miller of California, Mr. Pashayan, and Mr. Ackerman.

H.J. Res. 229: Mr. Hayes of Illinois.

H. Con. Res. 15: Mr. Wolf, Mr. Schuette, Mr. Owens of New York, and Mr. Fawell.

H. Con. Res. 30: Mr. Cooper, Mr. Carper, Mr. Burton of Indiana, Mr. Jontz, Mr. Hawkins, Mr. DeFazio, Mrs. Collins, Mr. Sikorski, Mr. Wise, Mr. Morrison of Washington, Mr. Sharp, Mr. Yatron, Mr. Ortiz, Mr. McCloskey, Mr. Stokes, Mr. Pease, and Mr. Clinger.

H. Con. Res. 41: Mr. Livingston.

H. Con. Res. 62: Mr. McCollum.

H. Con. Res. 63: Mr. Wolpe.

H. Con. Res. 87: Mr. McGrath, Mr. Wilson, Mr. Tallon, Mr. Anderson, Mr. Traxler, Mr. Lagomarsino, Mr. Fazio, Mr. Fish, Mr. Eckart, Mr. Neal, Mr. Mineta, and Mr. Conte.

H. Con. Res. 113: Mr. Udall, Mr. Clinger, Mr. Frank, Mr. Wortley, Mr. Solarz, Mr. Frenzel, Mr. Regula, and Mr. Beilenson.

H. Res. 137: Mr. Kastenmeier, Mr. Espy, Mr. Edwards of Oklahoma, and Mr. Holloway.

H. Res. 145: Mr. Owens of New York and Mr. Lipinski.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1561: Mr. Price of North Carolina.

EXTENSIONS OF REMARKS

U.S. TRADE PROBLEMS WON'T BE SOLVED BY BLAMING OTHERS—WE MUST PUT OUR OWN FISCAL HOUSE IN ORDER

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. BEILENSON. Mr. Speaker, in the recent House debates on U.S. international trade policy, a number of important deficiencies in our current trade laws have come to light: the absence of a procedure through which a genuinely national, coordinated trade policy can be formulated; the ad hoc division of U.S. trade negotiating authority; the laxity of enforcement mechanisms for existing trade agreements; and the sluggishness of measures to open foreign markets to U.S. products. But the legislation recently passed by the House, especially as modified by the Gephardt amendment, goes far beyond the measures necessary to correct these deficiencies, and proposes a policy which will actually prove counterproductive to American trade interests.

The primary goal of the Gephardt amendment is the reduction of foreign market barriers to U.S. products—an important and legitimate American concern, which should be included in any trade legislation. The problem with the amendment, however, is not its goal, but rather the mechanism through which this goal is to be achieved.

If Mr. GEPHARDT's amendment were to become law, nations with large trade surpluses with the United States would be required to cease unfair trading practices or face American retaliation. But rather than imposing a prudent dollar-for-dollar response to each of these unfair practices, the Gephardt plan mandates further retaliatory measures to reduce the offending nation's trade surplus with the United States. And, most importantly, the stipulated amount by which these trade surpluses must be reduced is an arbitrary 10 percent—a figure which is in no way tied to the specific magnitude of the offending nation's unfair practices.

In other words, the American retaliatory response to unfair trading practices will not be calculated in proportion to foreign infractions, but will be arbitrarily set in advance. Under such circumstances, it is quite likely that, in defiance of our own international agreements, we should end up punishing even the legitimate and fair trading practices of other nations. And the response which such an arbitrary and punitive policy will draw from our trading partners is not difficult to imagine.

The resulting acts of retaliation will surely have adverse effects on America's international trading position. They will reduce U.S. industrial and agricultural exports, increase prices on consumer goods, penalize American companies that export to surplus nations and, perhaps most importantly, cost American jobs. And what is most ironic about this situation is the fact that unfair trading practices—the evils for whose elimination these costs will be incurred—account for only a tiny fraction of our Nation's trade difficulties. In short, we have passed a punitive trade bill which will not only cost us heavily at home, but will have no appreciative effect on our huge trade deficit abroad.

How could this unwise measure have been approved by the House? Apparently, there remains a considerable amount of confusion among our colleagues about the actual causes of our current trade dilemma. If the passage of the Gephardt amendment is any indication, many Members of this body continue to believe that the root cause of our trade difficulties is the slant of the international "playing field"—that is, the relative "openness" of foreign markets to U.S. goods.

But Mr. Speaker, our huge trade deficit and our declining international competitiveness were not caused by deficiencies in the enforcement of our trade regulations, nor are they the result of a sudden increase in the unfair practices of our international trading partners—our difficulties are much closer to home than that. If we were to trace these problems to the genuine source, we would discover their cause not in bad trade laws but in the irresponsible fiscal policies which have created and sustained our own oversized domestic budget deficit.

Until we put our own fiscal house in order—that is, until we address our growing tendency to spend too much, borrow too much, save too little, and postpone investment in our Nation's productive future—even the wisest adjustments in our trade legislation will be ineffective in addressing the problems we face. And imprudent, retaliatory adjustments like those contained in the Gephardt amendment are doubly unwise—for not only will they ultimately worsen our trading position, they foster the misconception that the root cause of America's trade problems is to be found in the unfair behavior of other nations. Blaming our trading partners may be easier than facing up to our own fiscal disarray, but the need for a scapegoat is no replacement for sound economic judgment.

A GREAT MAN IS LEADING PORTUGAL

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. COELHO. Mr. Speaker, later this month, President Mario Soares of Portugal will visit Washington. Although his visit is a private one, he will be joining us for a congressional breakfast during that visit.

President Soares is a man of courage whose work as an advocate of democracy deserves the commendation of all of us who cherish freedom.

I want to take this opportunity to share with my colleagues the remarkable accomplishments of Dr. Soares, as recounted in the following article which appeared earlier this year in the Modesto Bee in my district:

A GREAT MAN IS LEADING PORTUGAL

(By Georgie Anne Geyer)

LISBON.—When I asked my old friend Mario Soares where his beautiful country is going he answered with practical words: "We are in a new phase of our historic life."

I visited this remarkable president of Portugal in the exquisite presidential palace. He said, "We have liquidated the cycle of imperialism and we are now integrated into Europe. We have finished with wars in Africa. And now we have great relations with all the African countries.

Portugal is reconstituting its economic establishment and integrating its economy into Europe's—and "all without blood and revolution."

Such calm statements are exactly what we need in the world.

Now the communists are so minor they stay in the background which the two democratic parties fight for the vote and for the solutions.

I remember Mario Soares when, as head of the Socialist Party in 1975 and '76, he was fighting communists in the Lisbon streets. Many people had already given Portugal up to communism. I sat with him in August 1979 in Managua when he already was expressing the unfashionable fear that the Sandinistas were Marxist. I saw him during 1975 to '85, which were the years of construction of the democratic Portuguese state, when he was its first brilliant prime minister. And now I sat with him as president of a Portugal that has "made it" in the world.

The Socialists are not in power; the Social Democrats are. And the Social Democrats tend to be technicians, economists and pragmatists, which is quite all right, because that is the necessary stage for the new Portugal. As opposed to the high drama years of 1974-'76, when it was a fight to the death over the very future of the country, these are years of consolidation.

Portugal, like all Latin and Catholic countries, has to try to deal with and emerge from a tradition of statism and of nationalized industries. This it is slowly doing.

I am moved to see this fine man, an intellect of great courage, and a true democrat. His Social Democrat opponents sometimes criticize Soares, an elegant man, as the "socialist who would be king." This misses the point.

There is a crucial difference between Soares and the old dictators of the right, and between him and the new caudillos, or charismatic spooks of the new left, whom he relieved of power. Those like Soares—such as Felipe Gonzalez of Spain, Jose Napoleon Duarte of El Salvador and others who are insufficiently noticed in the world—want to empower their people. The caudillos use and manipulate the people to empower themselves.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Dictators and strong men such as Gadhafi, Khomeini and Castro get all the attention. Leaders such as Soares, who empower themselves basically to empower their people and who then step out when the people so decide, are not nearly enough known, appreciated or revered.

There is still another factor about the democrats of the world. Soares' message differs today from 1975. Democrats encourage and create the conditions for their peoples to change, to develop, to grow. They are vehicles for that growth.

The messages of caudillos remain always almost the same. This is because those messages revolve around the caudillo and his eternal need for power. The people remain forever children.

SURVEY OF TREMPEALEAU COUNTY ON ARMS SALES TO IRAN, CENTRAL AMERICA, AND ABORTION

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. GUNDERSON. Mr. Speaker, all of us here in Congress are fully aware of the importance of keeping in touch with our constituents. With frequent trips to our districts, meetings with visitors from back home, and the daily mail, a great deal of our time and effort is invested in learning how to better represent those we serve. Without that knowledge, it would be impossible to do our jobs.

That's why I'm pleased to submit to my colleagues the results of surveys taken by three eighth-grade students from the Blair School in Blair, WI. Through procedures similar to those used by professional pollsters, Gene Simmons, Travis Matejka, and Steve Doerr have compiled data on the views of their Trempealeau County neighbors regarding United States arms sales to Iran, Central America, and abortion.

I want to commend these students for their hard work and imagination in preparing and executing these surveys. I know their efforts have already helped me represent the Third District more effectively, and I'm confident that they will also help my colleagues assess the views of rural America more accurately.

The results:

SIMMONS. A number of congressional, judicial, and executive investigations are now taking place concerning the Iran arms sales. Would you support the concept of trading arms for hostages?

	Percent
Yes	12
No	64
Don't know	24

MATEJKA. Do you agree that the Soviets are trying to establish a Communist base in Central America?

	Percent
Strongly agree	48
Agree	22
Disagree	0
Strongly disagree	24
Undecided	6

DOERR. There has been question about the abortion issue ever since 1973 when the Supreme Court passed a law saying abortion is legal. Do you agree that abortion should be legal?

	Percent
Strongly agree	22
Agree	6
Disagree	18
Strongly disagree	34
Undecided	20

BREINDEL CITES SHARANSKY ON GLASNOST

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. COURTER. Mr. Speaker, on March 31, the day we received news of the possible release of 11,000 Soviet Jews, I felt compelled to tell the House of how Natan Sharansky had warned this might happen. He had predicted that the release of several thousand would become a cover for the barrier that would still block hundreds of thousands of others from exercising their natural right to emigrate from the country of their birth. Sharansky explained further how a recent change in Soviet regulations actually decreases the categories of persons able to leave.

I am very pleased to see that Mr. Eric Breindel has written about Sharansky's views on this matter, and written so well. His reminder to us about how little the announcement may actually mean must be headed so that no one expects too much of Gorbachev's new style.

Mr. Breindel's excellent column appeared in the New York Post on May 2, and I commend it to my colleagues:

SHARANSKY: BEWARE LIBERAL GORBACHEV

A year has passed since Natan Sharansky—newly released after eight years in the gulag—was welcomed as a hero by hundreds of thousands at rally near the UN. The symbol of the Jewish dissident movement in the Soviet Union, Sharansky—by his mere presence in New York—represented a moment of triumph in the history of the Soviet Jewry movement.

But few indeed were those at that rally who saw in the release of Sharansky any promise of fundamental change on the part of the Kremlin.

At the time, Jewish emigration from the Soviet Union was barely even a trickle. Despite the Helsinki accords, despite the passing of Brezhnev and the advent of Gorbachev, there was no indication whatever that Moscow was planning to let Soviet Jews leave in significant numbers.

Concerned Americans, therefore, had no choice but to keep the pressure on—by continuing the demonstrations and protests, and by maintaining support for human rights legislation such as the Jackson-Vanik amendment, which links preferential trade status for the Soviet Union to Jewish emigration.

Now, however—as Natan Sharansky returns to New York, and as thousands again prepare to rally for Soviet Jewry outside the UN—some see changes of great magnitude on the horizon. And the reason, of course, is glasnost.

Just last month, in the midst of the excitement over Gorbachev and glasnost, two American Jewish leaders—Morris Abram, the organizational head of the American Jewish community, and Seagrams chairman Edgar Bronfman, the president of the World Jewish Congress—returned from Moscow with the clear impression that some 11,000 longstanding Jewish "refuseniks" (applicants who've been refused exit visas) were about to be granted permission to leave.

Also in the last couple of months, Israeli diplomats have come out of meetings with Soviet officials persuaded that "direct flights" for Jewish emigrants—Moscow-to-Bucharest-to-Tel Aviv—are a real possibility.

And, of course, a number of well-known dissidents—among them refusenik Josef Begun and Ukrainian human rights activist Anatoly Koryagin—have been released from prison in recent months and promised permission to emigrate.

Not surprisingly, there are those who insist that it's time to show the Soviets that they will reap tangible rewards for opening the gates.

In the current issue of Moment magazine, well-known Sovietologist Marshall Goldman sums up this view: "If there was ever a time to be flexible and responsive, this seems to be it. Gorbachev needs to be encouraged."

Goldman goes on to make it plain that he means "a reconsideration of support for Jackson-Vanik."

This analysis distresses Natan Sharansky—to put it mildly. In a discussion with New York Post editors yesterday morning, Sharansky explained that he sees on the horizon not progress, but potential disaster for the Soviet Jewry struggle.

Sharansky contends that recent changes in the Soviet emigration law—instituted by "Gorbachev the liberal"—could very well mean the 11,000 refuseniks will be "not the first [of many Jewish emigrants] to go, but the last."

The Soviets, he points out, have long claimed that the purpose of almost all Jewish emigration is "family reunification." No other reason for leaving the Socialist paradise is admissible.

Moscow has now redefined "family," as used in this context, to mean only siblings, parents and children. Moreover, beyond an invitation from an immediate relative abroad, the would-be emigrant is now required to secure the blessing of brothers and sisters and parents remaining behind.

Given the jobless purgatory into which exit visa applicants and their relatives are often consigned, the difficulty of securing the blessing of non-departing brothers and sisters can't be overestimated.

Also redefined and enlarged under Gorbachev is the "security risk" category. Sharansky explains that even the widow of, say, a pilot or an army engineer may now be refused permission to leave—due to knowledge of "state secrets."

In the end, Sharansky fears, the 11,000 core-refuseniks may be allowed to leave, after which most everyone else will be rendered ineligible for one "legal" reason or another. Visa applications from ineligibles won't even be accepted. And Gorbachev will be able to turn to a trusting world and proclaim: "The problem has been solved. All those who wanted to leave are gone."

Sad to say, this isn't pessimism, it's realism. Natan Sharansky is no pessimist—he's a beacon of hope. When he warns of a great Gorbachev hoax—and insists that Jackson-Vanik not be touched until emigrations back up to the 1970s rate of 50,000 a year—that's a warning to heed.

$9,132 PER SECOND IN PENTAGON SPENDING

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. BONKER. Mr. Speaker, over the past 7 years, we have witnessed explosive growth in Pentagon spending. While many critical domestic programs have been cut or frozen, military outlays have doubled, from $134 billion in 1980 to $282 billion in the current fiscal year.

It's no coincidence that during the period of this massive military buildup, our Federal budget deficit has ballooned from $74 billion to well over $200 billion. And it's no coincidence that over this same period the administration has failed to achieve any meaningful arms control agreements.

Recognizing the enormous growth in Pentagon spending and the need to control the Federal deficit, the House Budget Committee and the House Armed Services Committee have developed legislation that would slow the growth in military spending, yet still provide for America's vital defense needs. The proposal before us today calls for $288.7 billion in defense-related spending in fiscal year 1988—more than 25 percent of the total Federal budget.

In fact, when you exclude interest on the national debt and the Social Security trust funds, fully 38.7 percent of our entire Federal budget will go for military programs under this plan.

Yet there are still those in the administration and Congress who feel that spending nearly $300 billion on military hardware and personnel is not enough.

As we debate this massive Defense authorization bill, Mr. Speaker, I think it is important to keep a sense of perspective. I recently came across an interesting analysis which may help Members to understand the enormity of the military programs contained in this legislation.

In a letter to the editor of the New York Times, Dorothy Morrell from my home State of Washington offers a very graphic illustration of the sheer magnitude of the billion- and trillion-dollar sums Congress routinely allocates for military spending.

To make sense of our Nation's $2 trillion debt, Mrs. Morrell calculated just how long one trillion seconds would be. The answer may surprise my colleagues. One trillion seconds equals nearly 32,000 years.

Now consider the committee-reported Defense bill, which allocates "only" $288 billion for military programs next year. Using Mrs. Morrell's analysis, 288 billion seconds would last some 9,132 years.

Put another way, this legislation would allow the Pentagon to spend $9,132.40 per second, 24 hours a day, 365 days a year.

I hope my colleagues will keep these sobering facts in mind as they consider whether this package is "soft" on defense. Our Nation's true security can not be measured by how quickly we spend money for military hardware, but by our economic strength, our global leadership, and our efforts to control and reduce the nuclear arms race.

The article follows:

[From the New York Times, Sept. 28, 1986]

JUST HOW LONG IS A TRILLION SECONDS?

To the Editor:

It occurred to me, reading Joseph Sawyer's letter on the national debt ceiling (Sept. 14), that I didn't know what $1 trillion is, let alone $2 trillion. Of course, I knew that a trillion is a thousand billion and that a billion is a thousand million. But I didn't really understand what that means. Knowing there are 12 zeros in a trillion didn't help much either.

Why not think of it in terms of seconds, I asked myself? A trillion seconds would have to be years, probably many years ago. I made a wild guess. As it turned out, I wasn't close.

I found that 1,000 seconds ago was equal to almost 17 minutes. It would take almost 12 days for a million seconds to elapse and 31.7 years for a billion seconds. Therefore, a trillion seconds would amount to no less than 31,709.8 years.

A trillion seconds ago, there was no written history. The pyramids had not yet been built. It would be 10,000 years before the cave paintings in France were begun, and saber-toothed tigers were still prowling the planet.

I was stunned. At first I thought I must have made a mistake, but a banker friend checked my figures and pronounced them accurate.

Was I alone in not knowing how long ago a trillion seconds was? I asked some of my neighbors what they would say if they were told they could have $1 trillion in one-dollar bills, so long as they agreed to initial each bill. Their answers were very similar. "No!" they said. When I asked why, they said, almost without exception, "Because it would take me the rest of my life!"

We must all of us, especially our elected officials, stop thinking of a trillion seconds as merely a long time ago and a trillion dollars as just a lot of money. The next time our senators and representatives consider the Federal deficit and the cost of the arms race, they should allow themselves briefly to think of seconds instead of dollars. They might then picture, if they would, prehistoric man hunched in a smoke-filled cave, gnawing at the bones of a woolly mammoth.

DOROTHY C. MORRELL.

SEATTLE, *September 18, 1986.*

KILDEE HONORS MR. JACK A. HAMADY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. KILDEE. Mr. Speaker, I rise today to urge the Members of this House to join me in honoring Mr. Jack A. Hamady, an immigrant and retired businessman who has served the people of Michigan and the Flint area for more than three decades with his generous philanthropy and civic contributions.

As we in the Seventh Congressional District well know, Mr. Hamady earned a reputation as a successful businessman in the Flint-based Hamady Bros. Food Markets from 1920 to 1977. He built on his childhood experience working in the family run grocery store in Lebanon, and was promoted over the years from supervisor, to board of directors, to senior vice president, to president and chief executive officer, and finally to chairman of the board of directors in 1969.

However, Mr. Hamady's achievements extend far beyond his work in the retail grocery business. His contributions to public service earned Mr. Hamady an entry in "Who's Who in America." In his statement, he listed the principles on which he bases his life:

> Belief in God and living by the Ten Commandments: reponsibility to my family; dedication to my vocation with commitment in my action to abide by the Golden Rule; and always being mindful of my obligation to my community and fellow man.

Beginning in 1949 as president of the PTA Council, he became a tireless figure in serving the people of Michigan. Most recently, Mr. Hamady was the first recipient of the International Institute Golden Door Award. The Golden Door is given annually to a foreign-born person who has contributed greatly toward making the community better. Mr. Hamady was cited for his volunteer activities with the International Institute, the Salvation Army, Goodwill Industries, Big Brothers, Urban Coalition of Greater Flint, and the Tall Pine Council of the Boy Scouts.

Due to Mr. Hamady's dedication, the Flint Rotary has designated May 15, 1987, as a day to honor Mr. Hamady for his 30 years of service and perfect attendance. He was awarded the prestigious C.S. Mott Citizen of the Year Award, and received the 1982 Michigan Week Volunteer Leadership Award. He earned the Distinguished Service Award from the Genesee Cooperative Extension Service, and the Salvation Army "Hands of Mercy" award for humanitarian purposes.

To promote cooperation and community spirit, Mr. Hamady has sponsored the Appreciate America writing contest since 1977. More than 25,000 students have participated in this contest. He has encouraged community involvement with his own example, by serving on the board of directors of such organizations as the Flint Environmental Action Team, the Flint Institute of Music, Junior Achievement, Mott Adult Education, the National Association of Businessmen, the Urban League of Flint, the Michigan United Fund, and the United Red Feather.

He was a founder of local junior achievement programs, which fits well into his convictions about the merit of free enterprise, private initiative, and the value of competition.

Mr. Hamady was born May 10, 1909, in Baakline, Lebanon, near Beirut. His father and two brothers emigrated to America, and were joined 8 years later by Mr. Hamady and his mother. He was educated in Flint schools, entering the first grade at age 11 and rapidly progressing through the grades by attending summer school. This example of determination has been revealed in his lifetime of contributions, and serves as inspiration to all Americans.

Mr. Speaker, I am pleased to have this opportunity to recognize the work of Mr. Jack A. Hamady. His efforts for the people of Michigan have established him as a community leader in a tradition that celebrates and reinforces our country's fine ethnic heritage. Mr. Jack A. Hamady has given of himself for the good of his fellow man, and I am honored to have the opportunity to pay tribute to him.

NATIONAL OLDER AMERICANS ABUSE PREVENTION WEEK

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Ms. SNOWE. Mr. Speaker, on April 27, 1987, the House of Representatives passed and cleared for the President's signature, Senate Joint Resolution 57, legislation which designates May 3 through May 10, 1987, as "National Older Americans Abuse Prevention Week." By establishing May 3 through May 10, 1987, as "National Older Americans Abuse Prevention Week," attention can be focused on the growing phenomenon of elder abuse.

Although domestic violence in general has decreased, the incidence of elder abuse has increased. Indeed, in a recent report published by the Council on Scientific Affairs of the American Medical Association, abuse of one type or another affects about 10 percent of Americans over 65 years of age; 4 percent of the elderly are victims of moderate to severe abuse. Such statistics reveal an increase of nearly 100,000 elder abuse cases since 1981. Based upon these estimates, older Americans are abused only slightly less than children.

For that reason, in addition to cosponsoring National Older Americans Abuse Prevention Week, I have introduced two bills dealing with the elderly when they are victims of neglect, abuse, and crime.

The Elder Abuse Information Act of 1987, H.R. 2019, amends the data-gathering procedure on elder abuse. During the 99th Congress, the Child Abuse Prevention and Treatment Act of 1986, sponsored by Congressman SIKORSKI and Senator HAWKINS, was signed into law to require the Attorney General to modify the Uniform Crime Reporting Program of the FBI to include more complete data for child abuse offenses. The data gathered must include the age of the victim, and the relationship, if any, of the victim to the offender. My bill would require that the same data be collected on elder abuse cases. This bill will address the poor quality of the data currently available on elder abuse and will serve to provide accurate information about the problem.

The second bill addresses older Americans who are victims of crime, although not necessarily victims of elder abuse. The Elderly Victims of Crime Act of 1987, H.R. 2018, will require that the elderly be included as one of the priority categories for State crime victim assistance programs. Crime victim assistance programs assist individuals in seeking victim compensation benefits and promote coordinated public and private services to aid crime victims. Currently, States must certify that priority for assistance shall be given to programs serving victims of sexual assault, spousal abuse, and child abuse. My bill would include elderly victims of crime as a priority category in recognition of the fact that most older Americans live on a fixed income and are particularly affected financially and psychologically by crime. In addition to the loss of money, the emotional and physical effect of crime can be great, leaving many elderly fearful of leaving their homes.

The incidence of elder abuse is increasing and demands greater public attention. "National Older Americans Abuse Prevention Week" promotes a heightened public awareness of the problems of the elderly when they are victims of neglect and abuse.

COMMENDATION TO EPA FOR ISSUING PROPOSED ASBESTOS REGULATIONS FOR SCHOOLS

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. LENT. Mr. Speaker, I would like to commend Lee Thomas, Administrator of the Environmental Protection Agency [EPA], and his staff, for their role in negotiating and issuing the proposed regulations required by the Asbestos Hazard Emergency Response Act of 1986. While issuance of the final regulations must await EPA's evaluation of public comments on the proposal, it is encouraging to see this timely response to our mandate that EPA address the asbestos problem in public and private schools.

Years ago, before the health hazards of asbestos were known, asbestos was used throughout school buildings because of its great insulating and acoustical properties. Unfortunately, it was only later that we confirmed that asbestos exposure was linked to cancer, and was thus harmful to our school children. Consequently, last year Congress enacted legislation that required EPA to establish asbestos standards for the protection of our children. EPA's recently proposed regulations represent a crucial first step in the implementation of this law.

When finalized, these regulations will require schools across the country to inspect for asbestos and to take the appropriate cleanup action. The law also requires EPA to establish a model contractor training program for States to adopt. This will help to ensure an adequate supply of trained asbestos cleanup contractors.

I would like to extend my particular appreciation to Ms. Susan Vogt, Acting Deputy Director of the Office of Toxic Substances at EPA, members of the Asbestos Action Program, and all others involved in the regulatory negotiation process responsible for producing the proposed regulations. This rulemaking illustrates the potential usefulness of bringing together interested parties outside the Government to negotiate and develop environmental regulations.

A DIFFERENT VIEW

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. GINGRICH. Mr. Speaker, the attached article reveals big labor's agenda which will strangle America's small businesses. Our entrepreneurial talent cannot be stifled by the attempts to "Europeanize" our economy. Hopefully, more organizations like the National Federation of Independent Business and men like John Sloan will resist this increasingly distressing trend.

The article follows:

[From the Wall Street Journal, May 5, 1987]

SMALL FIRMS BRACE FOR A LEGISLATIVE ATTACK

(By George Melloan)

John Sloan, a former Nashville banker, is president of the National Federation of Independent Business, which means he's chief lobbyist for Main Street, U.S.A. His constituents own and operate corner cafes, insurance agencies, hardware stores, medical and legal services, laundromats—you name it. Half employ 10 or fewer workers.

John Sloan's people are largely taken for granted, but as it happens they have been the stars of the American economy in the 1980s. As big corporations have laid off workers by the thousands to meet competitive pressures, small firms have more than cushioned the blow. They have created some 10 million new jobs since 1980, according to an estimate made at last year's White House Conference on Small Business. Moreover, equal opportunity is the rule, mainly because shall entrepreneurs make their own opportunties. By one estimate, women now account for half of new business start-ups in the U.S.

Backed by that kind of record, a half million NFIB members and 14 million small businesses overall, John Sloan should be lionized in Congress and state legislatures, or so you might think. But in fact he and his constituents have been having a hard time. It may get harder.

Congress last year stiff-armed small-business pleas for relief from its number-one problem, soaring cost of liability insurance. It seems that the plaintiffs bar, which sees damage suits and damage awards as it own version of free enterprise, has friends in Congress, too. Sen. Howard Metzenbaum waxed eloquent on the issue, saying "Congress has no right to put a price on human misery." The NFIB is having more success with tort reform in state legislatures, but nothing dramatic.

This year could be even worse. With Democrats in control of both houses of Congress, small business will be defending against the friends of organized labor. The battle will be over "mandated benefits," separate pieces of legislation requiring employers to pay a sharply higher minimum wage, provide workers of both sexes with "parental leave" if requested, provide group health insurance and comply with various other requirements.

Sen Edward M. Kennedy, head of the Senate Labor Committee, is the leading champion of mandated benefits. He apparently doesn't even want to know the economic costs. Last Friday, in a tumultuous session of his committee, he overrode Sen. Dan Quayle's proposals that the General Accounting Office be asked to appraise those costs.

The political reasons for Chairman Kennedy's single-mindedness are clear enough. Organized labor, a major Democratic constituency, has fallen on hard times as reflected in a decline in the unionized share of the U.S. work force. Democrats in Congress want to use political muscle to give labor things it now has difficulty winning at the bargaining table. Congress gets credit for doing something nice for labor and employers foot the bill.

That has a certain political beauty, but it raises, first of all, a legal issue. Common law has had short shrift from courts for some years now, but some modern legal scholars, are trying to rebuild this foundation of all law. They argue that mandated benefits are an unwarranted interference with "liberty of contract" between employer and employee and possibly even an unconstitutional "taking" of the employer's property without just compensation. Those arguments won't have much influence on congressmen who have been brought up to believe that the employer-employee balance is always tilted against the employee and Congress is entitled to correct it. But "liberty of contract" is not a negligible issue, wherever you stand on social policy.

The economic argument will cut more ice in Congress, but there is no assurance it will win the day for Mr. Sloan. The key difference from the legal argument is that economics makes its own laws. One is that if you legislate the cost of labor upward, less labor will be demanded. Those 10 million jobs could start evaporating. John Sloan puts it succinctly: "You can't have a fringe benefit until you have a job."

Mandated benefits may not have a major impact on big business, which already pays most workers above the minimum wage, usually has a health plan and has enough flexibility in managing large work forces to allow parental leave. But with small business, says Mr. Sloan, "we're talking about marginal employers picking up some marginal employees, all of which feeds this system positively. And you start heaping this on and start eliminating tens of thousands of jobs, the net effect on us all is a drag."

He tells about a TV host who replied to this that, "well, maybe some employers out there shouldn't be in business." So much for talk-show economics.

The NFIB head sees a danger of "Europeanizing" the American economy. European countries, at the behest of labor and socialist parties, have mandated more benefits than U.S or Pacific rim nations in the post-war era. In England, for example, the severance-pay obligation an employer takes on when he expands his work force is enough alone to deter expansion. Of course, there are other factors that deny Europe the kind of small-business growth the U.S. has enjoyed: High taxes; psychological remnants of class systems that discourage both upper and lower classes from leaving their "place"; state monopolies that crowd out opportunities. The results speak for themselves: no growth in European employment in the 1980s while the U.S. work force has been expanding rapidly.

Obviously, small businesses are faced with a number of powerful lobbies. But, as Mr. Sloan suggests when he notes that big business will often accept burdens that can be ruinous to small firms, big business is not always a friend either. Big firms often see no reason to shield upstart competitors from political assaults. Some small businesses, after all, are agile high-tech firms with potential for rapid growth and penetration into the markets of large companies.

Mr. Sloan says he would be happy to welcome General Motors to membership in the NFIB. But he doubts that GM's managers would be on easy terms with other NFIB members. "What we're really setting out to do is represent the owner-manager-risk taker," he says. "There's where the philosophical break comes, between that person and the professional manager. There's nothing more classic than the Roger Smith-Ross Perot conflict—two totally different mindsets. We are on the side of the entrepreneur."

Clearly the entrepreneur has made a comeback in the U.S., both philosophically and in terms of the bottom line. Not all entrepreneurs, farmers in particular, have fared well in the low-inflation 1980s, but the federal focus on reducing regulatory excesses and high marginal tax rates has aided entrepreneurship. There also have been signs of a generational revolt against bureaucracy and bigness, whether public or private, manifested in a renewed desire among young people to pursue the rewards and accept the risks of business ownership. The very independence-mindedness of Mr. Sloan's constituency probably complicates his role as a lobbyist. But he has some strengths as well, especially the strength of his Europeanization argument. The fight over "mandated benefits" could still become interesting.

TRIBUTE TO SISTER JEAN PATRICE HARRINGTON

HON. DONALD E. "BUZ" LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. DONALD E. LUKENS. Mr. Speaker, I am honored to participate in the tribute to Sister Jean Patrice Harrington for her outstanding service to the College of Mount St. Joseph.

Sister Jean Patrice's list of accomplishments would take far longer for me to mention than the short time that I have today. Behind those accomplishments are the spirit and determination of a woman who I'm sure will continue to affect in a positive way the lives of many more fortunate people.

Her spirit and determination were the driving force behind the new life she injected into Mount St. Joseph. Indeed the strong vibrant college that we see today is largely a product of the many talents that Sister Jean Patrice brought to the Mount 10 years ago.

Since 1977, enrollment at the Mount nearly doubled. New students came from the United States and throughout the world to an institution offering a solid course of study in a variety of fields.

Sister Jean Patrice was once referred to as a "financial and administrative wizard." With good reason. She took the college from financial debt to financial stability.

In addition to her many contributions to Mount St. Joseph, Sister Jean Patrice has also been a very active community leader. She serves on the board of directors of the Greater Cincinnati Chamber of Commerce, St. Rita's School for the Deaf, the First National Bank of Cincinnati, and the Cincinnati Telephone Co.

The State of Ohio is indeed indebted to Sister Jean Patrice for her great contributions. As she retires from Mount St. Joseph, I wish her much success and happiness in all her endeavors.

INVITING FOREIGN VISITORS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. SKELTON. Mr. Speaker, today I am introducing legislation that will help increase tourism within our country.

Recently this body has concentrated on finding ways to improve our trade deficit. As part of that effort, the members on the Small Business Subcommittee on Export, Tourism and Special Problems, which I chair, have dedicated much of their time to finding ways to encourage small businesses to enter export markets. Simultaneously, we have also addressed ways to encourage exporting a bit differently; namely, the importing of foreign travelers.

Inviting foreign visitors to our country is just like an export. While here foreign travelers spend money on lodging, restaurants, gifts, entertainment, and transportation just for starters. Last year 22 million foreign visitors spent $16 billion traveling through our Nation and consuming our products. While these expenditures bolster our businesses, the majority of which are small businesses, they also directly created 237,000 jobs, generated $1.6 billion in tax revenues and contributed to our balance of trade. This is just a tip of the iceberg.

This injection of new dollars provided by foreign visitors is in turn paid to suppliers and workers. The ripple of this multiplier effect spreads and results in a significant positive impact on our economy.

My interest in tourism is a natural one, reflecting my congressional district as well as the scenic State of Missouri with our historic sites, lake areas, and rolling hills. Mr. Speaker, each of our districts have attractions and features which make it unique. So, what are we as a Nation doing to invite potential foreign visitors to our beautiful countryside and to meet our friendly people?

Currently hidden within the Department of Commerce is the United States Travel and Tourism Administration [USTTA]. Its role is to implement tourism policy and programs, provide the catalyst necessary to coordinate private and public sector efforts to advertise in foreign markets, provide marketing and statistical information and negotiate to reduce trade barriers for free travel. This is a tall order on a budget of $11.5 million. I would take this opportunity to commend Under Secretary Donna Tuttle and her staff for the outstanding job they are doing in fulfilling their mandate and initiating and coordinating various programs with the tourism industry. However, as a result of our hearings I am convinced more is needed and that the results will be plentiful.

There are limited Federal resources, so we must leverage what little we have with other public and private funds. So, today I am introducing a proposal to build on USTAA's efforts, strengthening the market planning and implementation and do this by tapping into private sector dollars and talent. Within the USTTA there is a Travel and Tourism Advisory Board which is made up of representatives of the private sector. My proposal is to remove the Advisory Board and replace it with a federally chartered nonprofit organization like the Boy Scouts of America or the Corporation for Public Broadcasting. The organization, entitled "Tour USA Promotion Corporation" would not only advise the USTTA but it would also work in conjunction with the administration to implement marketing strategies. The key component of the Corporation is that its directors are experts in their field and are, therefore, uniquely qualified to fulfill the Corporation's main goal of promoting travel to the United States.

The organization would also increase facilitation services such as currency exchange and language translation. Finally, it would promote travel through the United States among American travelers in an effort to keep more dollars at home. The vital aspects of this Corporation is that it will allow more businesses and geographic areas to tap into foreign markets, yet we as a nation will benefit.

I propose a $1 million startup budget to establish and organize the Corporation. The funds needed to carry out the advertising program will be provided by the private sector and local and State governments. However, one of the first tasks will be to study and recommend ways that the Federal Government could raise revenue to provide matching grant money to the Corporation.

International tourism involves nearly 300 million people traveling abroad annually spending nearly $175 billion. As the international marketplace of travelers grows so will competition for their business from other countries. With increased competition comes the need for coordination of Government and private sector promotion efforts in foreign markets. This is the service which the Corporation, working with the USTTA can provide especially for small business—which make up 98 percent of the industry and smaller geographic areas, both of which on their own lack the resources to penetrate foreign markets.

Travel and tourism is a unique but diverse industry made up of so many components, that will only reach their full potential if they unite. As witnesses testified at our hearings: To successfully compete in the international marketplace the diverse segment of the industry must be well-coordinated. It truly requires a joint effort by business and Government to present the best case for seeing the real America. I believe the "Tour USA Promotion Corporation" can provide all participants with an equal opportunity to reap the economic benefits of tourism. First, we must recognize that all exports do not leave this country in ships or airplanes. Second, we must recognize the significant economic and social impact of tourism and finally, we must act and unite Government and private efforts and tap into this export market and invite international guests to come and visit.

NATIONAL PLAY-IT-SAFE MONTH

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. COELHO. Mr. Speaker, yesterday, I introduced a joint resolution declaring May 1987 as "National Play-it-Safe Month." I believe that this organization and occasion deserve to be recognized for its outstanding achievements.

Play-it-Safe International is a nonprofit organization designed to promote and educate the youth of this country about proper safety techniques and crime prevention. Each year hundreds of children are victims of senseless safety accidents, merely due to a lack of awareness of common accident prevention techniques. Through the efforts of the Play-it-Safe International Organization, the children of the United States as well as several countries throughout the world are made aware of potential safety hazards and how to avoid them.

In addition, I would like to recognize the efforts of those who have made the Play-it-Safe Program so successful. Mr. Eugene Junette has served as the chairman of Play-it-Safe International and is responsible for the organization and dissemination of all Play-it-Safe information programs. In addition, Mr. John Waihee, Governor of Hawaii and Mr. Charles Taguchi, superintendent of education, both have worked tirelessly to implement and disseminate the Play-it-Safe message. In addition, Governor Waihee has seen to it that the program receives the public and private support it so rightly deserves.

I believe that Play-it-Safe, in its third year as a public service organization, is well on the way to providing an important service to the children of this world. Please join me in expressing to the thousands of administrators and participants of this program our appreciation of their work through the support of this resolution.

H.R. 2183—RURAL LETTER CARRIERS TAX SIMPLIFICATION ACT

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. GUNDERSON. Mr. Speaker, it is a pleasure to join Mr. FLIPPO of Alabama and 81 of our distinguished colleagues in cosponsoring H.R. 2183, the Rural Letter Carriers Tax Simplification Act. I am an original cosponsor of this legislation because it corrects an inequity facing our future rural letter carriers in the taxation of equipment maintenance allowances [EMA], a situation which was resolved for our current rural letter carriers during the 99th Congress.

Representing western Wisconsin, which is 70-percent rural, this bill would provide future rural letter carriers relief from a potentially unfair application of an Internal Revenue Service [IRS] tax law pertaining to the use of their personal vehicles in the delivery of mail. In urban areas of the United States this is not a problem, as the U.S. Postal Service [USPS] maintains effective vehicle maintenance facilities for their own vehicles used in the delivery of mail. This, however, would not be the most cost-effective or efficient way to operate the USPS in rural regions, hence the need for this legislative remedy.

Since 1956, rural letter carriers filed their tax returns with the option of using an IRS form to calculate the operating costs of maintaining and operating their vehicles in the execution of USPS duties. An EMA contract between the USPS and rural letter carriers established the mileage amounts for the use of carrier vehicles for the delivery of mail. This calculation does not provide a profit for the rural letter carrier.

In 1984, a concern was raised after the IRS reversed a rule affecting the 1956–83 tax status of rural letter carriers. This reversal subjected many rural letter carriers to IRS audits for tax years prior to and including 1983. Even though rural letter carriers complied with IRS laws when filing their EMA, they faced IRS interest and penalty charges on alleged deficiencies. Unfortunately, this caused a great deal of unnecessary auditing, confusion and financial hardships for rural letter carriers. However, as a result congressional pressure during the 99th Congress, the IRS implemented fair changes resolving the immediate tax problems.

Of the 784,557 USPS employees in 1986, 66,596 served as rural delivery carriers, substitutes or reliefs. For this 8.4 percent of USPS employees serving rural areas of the United States, traveling an average route of 62 miles with 450 post box holders, fairness was restored in 1985 when a retroactive IRS ruling was reversed.

Today, in an effort to relieve potential problems for future rural letter carriers and the IRS, H.R. 2183 has been introduced to provide equitable and fair tax treatment. This is a sound piece of legislation, providing greater certainty to our tax laws as it relates to future USPS rural letter carriers, and I urge my colleagues to support it.

DAVID WOOD VIEWS THE IRON CURTAIN

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. COURTER. Mr. Speaker, Winston Churchill once wrote that the Berlin Wall was a very peculiar thing: First the Communists created the workers paradise, and then they felt it necessary to surround it with high walls topped by barbed wire entanglements to keep the cherubim and seraphim from escaping.

Perhaps we need much humor to deal with the grim ugliness of the Iron Curtain.

Newhouse News Service reporter David Wood has written a powerful report on his impressions of the wall, which he visited in West Germany last month. He was clearly moved—

as everyone who goes there is—by the bristle and ferocity of the Communists' creation. And he saw—as those who are observant do—that the wall's antipersonnel equipment is not directed outward at "Western terrorists," but inward, inward against the people consigned by fate to the eastern portion of Germany.

Members of Congress might well take a moment to read David Wood's report. It is the kind of thing which keeps us mindful of the luxury that is freedom:

IRON CURTAIN STANDS AS A BARRIER TO FREEDOM—AND WORLD PEACE

(By David Wood)

CHECKPOINT SADDLE, WEST GERMANY.—As the U.S. Army scout helicopter thwacks up over a heavily wooded hill in northern Bavaria, the reality of the Iron Curtain becomes sickeningly clear.

It stretches over the hilly, pastoral scene from horizon to horizon, an ugly, angry gash in the earth.

Here are the fine-mesh, 10-foot fences, the barbed wire, the vehicle barriers, the earth plowed and checked daily for telltale footprints, the trip-wires, hidden flares and guard towers mounted with floodlights—all erected and maintained by the Soviet Union and its East bloc allies.

It stretches with chilling cruelty between East and West Germany, bisecting the land as it saws through parks, roads, farms, villages and families.

The western side of the border, in sharp contrast, is marked only by the occasional sign and a series of widely spaced markers.

The talk from Soviet leader Mikhail Gorbachev may be of "glasnost," openness and human values. But some work will have to be done before that becomes a reality.

A bridge rises from a country lane and stops abruptly in mid-span, blown up on the East German side. The sloping fields adjacent to a red-tiled West German farmhouse are on the wrong side of the border and forever out of reach. And there is half of a wildlife sanctuary, darkly forested on the western side but axed down and plowed to make a free-fire zone on the eastern side.

On the east side of this monument to fear, it is said that the barrier is meant to keep Western terrorists out of Marxist East Germany.

That doesn't explain why the guard towers face inward, toward their own people, why the cement barriers are designed to prevent vehicles from crashing from East to West Germany or why the young and perhaps restless have been forcibly removed from all towns near the border, leaving only the elderly and the politically reliable.

Warrant Officer Scott Dillon, an Army helicopter pilot flying "trace" along the border, banks suddenly and points with a gloved finger. A Soviet M18 helicopter of the Red Army is floating along on its side of the border, watching as he is being watched.

The two vast armies encamped on each side of the border—some 10 million men with perhaps 40,000 tanks, 10,000 warplanes and some 15,000 nuclear warheads—seem aware that a spark could set them at each other's throats.

So the U.S. soldiers who provide security and early-warning reconnaissance along this sector of the border operate under strict rules. Observation is carried out by foot, jeep patrol and helicopter. Weapons are carried with ammunition, but not loaded. Tanks and armored personnel carriers rumble along roads parallel to but usually not in sight of the border.

Still, says a lanky young lieutenant, there is a place for what he calls "mind games."

The men at Observation Point Tennessee, a two-story bunker set on the brow of a hill and bristling with antennas, radar and chemical detectors, recently thought it a fine idea to lug a porcelain toilet bowl atop their bunker and wrap it in tinfoil.

The deed was done in darkness, but soon after sunup a Soviet helicopter was around to take pictures. The next night the Americans added some antennas, and the puzzled Russians came back again and again to check out this strange new spy installation. The Americans, meanwhile, had gotten many useful photographs of the Soviet combat helicopters.

But it is an uneven competition. Capt. Russ H. Berkoff, a cigar-chewing tank company commander whose unit does regular border duty, has come upon teams of **East German troops—called GAKs, for Grenz-AufKalrung—sneaking through the woods** on the western side of the border on reconnaissance.

"We were ready to lock 'n' load, but they melted away," he says.

"For the most part it's quiet here," he adds, "but we do hear shots."

At other U.S. observation posts, troopers tell of dark nights suddenly shattered by signal flares, searchlights and teams of dog handlers on the other side, evidence that yet another East bloc citizen has tried to run for freedom.

U.S. troops are allowed to use deadly force to protect themselves in such situations, but are prohibited from crossing or firing across the border.

Russians and East Germans operate under far different rules that allow them, for instance, to come across the border in hot pursuit of an escapee.

At one U.S. Army observation post earlier this year, the searchlights and sirens went on and shots rang out as a man scaled two East German fences and sprinted toward the final fence a few yards from the American outpost.

There he sprawled—unable to move, his blood seeping into the ground—while the East German GAKs frantically searched.

For hours, the American troopers dropped first aid, water and words of encouragement to the man tragically just beyond their reach, but in vain. The man died of his wounds, and in the morning the GAKs dragged his body away.

FOREIGN TRADE ZONES AND USER FEES

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. BONKER. Mr. Speaker, today I have reintroduced legislation to prevent the U.S. Customs Service from implementing a user fee structure on foreign trade zones that would destroy the operational and competitive advantages presently enjoyed by foreign trade zone users and operators.

Such an action runs directly counter to congressional intent. In 1934, when FTZ's were originally designed, they were to be secure areas within the United States considered outside the customs territory of the United States. Merchandise could be stored, inspected, assembled, and manufactured in these zones without prior payment of customs duties as a way to make U.S. products more competitive overseas, to retain U.S. manufacturing operations, and to stimulate greater export activity. Today, with our country facing a $170 billion trade deficit, the need to further encourage exports cannot be overstated.

Last spring, I first introduced legislation to prohibit the Customs Service from implementing any user fees on foreign trade zones that would destroy their competitive benefits. The Customs Service proposed a schedule of activation and operational fees in the Federal Register—51 FR 5040-5067, February 11, 1986—which went well beyond compensation for overtime, special audit inspection, and other legitimate commercial activities. It threatened to completely deny FTZ's the competitive privileges they were designed to enjoy.

Since that time, customs and the FTZ Association were able to work out a revised user fee schedule which was less burdensome and more fair. Although I remain deeply opposed in principle to any form of user fee, it is my understanding that this revised schedule represented an acceptable compromise for zones.

Foreign trade zones are now facing a more serious financial burden as a result of the merchandise import fee assessed under the Budget Reconciliation Act of 1986, Public Law 99-509. Without a change in the present fee structure, FTZ's would be required to pay twice for customs operations, a situation that is both unfair and that would certainly eliminate any competitive advantage FTZ's now enjoy.

A final decision on the actual structure for assessing foreign trade zones the two fees is still under review by the Customs Service following their request for public comment earlier this year. Fortunately, the Budget Reconciliation Act grants the Customs Service discretion to reduce fees in dases similar to that confronting FTZ's. Furthermore, I believe that the law and congressional intent make clear that the temporary merchandise import user fee should supersede, not run concurrent to, the annual operation fees assessed FTZ's.

I have introduced legislation again today, however, because of the uncertainty about how the Customs Service will implement the new import user fee. My bill would guarantee the continued competitiveness of FTZ's in two ways. First, to protect zones from double taxation, it would prohibit the Customs Service from implementing activation and operation fees during the period of time that the merchandise import user fee is in place. Second, it would protect zones in the future by prohibiting the Customs Service from putting into place any fee structure which would offset the operational benefits, negate the tariff benefits, inhibit new zone activation, or lessen the competitive export advantages of foreign trade zones.

Substituting the merchandise import fee for the activation and annual fees imposed on FTZ's is a fair solution that will guarantee the continued competitiveness of zones while providing Customs with adequate fees to cover monitoring costs for FTZ's. As the purpose of both fees is to raise revenues to cover the costs associated not only with the commercial operation of FTZ's but also for all other Customs Service operational costs, the present situation is clearly discriminatory and unacceptable.

Congressional intent, as described in last year's Budget Reconciliation Act, appears clear that the temporary customs import user fee was designed to take precedence over other customs under fees during the period it is in effect. In the case of FTZ's, this is both fair and equitable. The role of the U.S. Customs Service should be to facilitate our international trading system, not to impede it and inhibit our ability to compete effectively overseas.

Foreign trade zones provide companies doing business in the Unites States with the maximum possible flexibility in managing customs expenses. In many instances, zones provide the only alternative to locating facilities outside the United States for minimizing Customs costs. Zones continue to be a positive force for United States economic development and competitiveness. In fiscal year 1985, there were 1,409 firms using zones, employing 71,508 people. Their facilities received $30.8 billion in merchandise and exports amounted to $6.57 billion. The FTZ program has evolved from a few zones in major ports up to as late as the 1960's to over 140 general purpose zones and 100 subzones today.

Mr. Speaker, I believe it would be a serious mistake to let the foreign trade zone program become irrelevant because of punitive user fees. I remain hopeful that the U.S. Customs Service will come forward in the near future with a proposal for fees that will reflect the special competitive benefits which were part of foreign trade zones' original charter. But I also do not want to be in a position of having to respond after the fact to a crippling regulation. My bill is designed to resolve this issue fairly and I urge my colleagues, many of whom represent port districts that operate foreign trade zones and businesses located within FTZ's, to give this legislation their strong support.

H.R. 2338

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Trade Zone Fee Structure Act of 1987".

SEC. 2. FINDINGS AND PURPOSE.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) foreign trade zones established under the Act of June 18, 1934 (commonly known as the Foreign Trade Zones Act (19 U.S.C. 81a et seq.)) represent an important export promotion and economic development tool for industries, ports, and communities in the United States by—

(A) strengthening the competitive position of United States exports oveseas, preserving manufacturing jobs, and stimulating economic growth; and

(B) providing valuable competitive benefits, including simplified customs procedures, deferred payent of duties, and duty reductions for United States manufacturers in competition with foreign manufacturers;

(2) although foreign trade zones have experienced dramatic growth over the last 5 years in number and trade volume, foreign trade zones have yet to be utilized and developed to full advantage; and

(3) efforts by Congress and the Department of Commerce—

(A) to promote the fuller utilization of foreign trade zones,

(B) to increase United States exports, and

(C) to encourage United States manufacturers to preserve domestic operations,

may be threatened by proposals of the United States Customs Service to levy excessive fees in connection with foreign trade zone operations.

(b) STATEMENT OF PURPOSE.—It is the purpose of Congress, in establishing foreign trade zones and the Foreign Trade Zones Board, to provide for the creation and maintenance of operations in the United States which, for reasons of customs costs, would otherwise be carried out abroad. The Congress declares that it is contrary to this purpose for the Customs Service, or any other Federal agency, to impose fees in connection with foreign trade zone operations that—

(1) offset the competitive cost advantage enjoyed by foreign trade zone operators because the zones are not considered to be within the customs territory of the United States;

(2) offset the operational advantages and benefits that accrue with respect to merchandise entries into foreign trade zones; or

(3) demonstrably negate the tariff benefits afforded foreign trade zone users, inhibit the activation and utilization of new and existing foreign trade zones, or lessen the competitive advantages of exports from foreign trade zones.

SEC. 3. PROHIBITION OF EXCESSIVE CUSTOMS FEES.

(a) IN GENERAL.—The Commissioner of Customs may not implement—

(1) any fee related to activation or operation of a foreign trade zone or subzone for such period of time as a customs merchandise user fee or similar fee intended to fund commercial operations of the Customs Service is in effect; and

(2) any fee structure in connection with Customs Service supervision of foreign trade zones that conflicts with the congressional declaration stated in section 2(b) (1), (2), or (3).

(b) EFFECTIVE DATE.—If any fee referred to in subsection (a)(1) is implemented before the date of the enactment of this Act—

(1) that fee shall cease to have force and effect on and after such date of enactment; and

(2) any foreign trade zone operator which has paid such a fee covering any period of time after such date of enactment shall be entitled, upon application to the customs officer concerned within 90 days after such date of enactment, to a pro rata refund of the amount of the fee covering such period.

KILDEE HONORS MR. MICHAEL EVANOFF

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. KILDEE. Mr. Speaker, I rise today to urge the Members of this House to join me in honoring Mr. Michael Evanoff, a retired attorney and immigrant whose writings and civic contributions have chronicled and shaped the history of Michigan and the Flint area for more than five decades.

As we in the Seventh Congressional District well know, Mr. Evanoff has authored books that captured the depth and spirit of the working men and women of the east side of Flint. His confinement to a wheelchair in recent years did not deter him from researching and recording important parts of the city's history, its ethnic neighborhoods, churches, events, schools, and families in three intense volumes treasured by all who value the rich history of our community. But Mr. Evanoff's contributions extend far beyond his writings. His courageous work on the behalf of striking auto workers and their families during the famous sitdown strike of 50 years ago earned him the reputation as a people's advocate.

Mr. Evanoff was chairman of the Legal Aid Society and served on the YMCA board of directors. He also argued forcefully and effectively to promote credit unions, bringing his cause to the nation's capital so that average citizens could profit from low interest loans and other benefits.

Mr. Evanoff was born in Tetovo, Macedonia, outside the Yugoslavian border. His family came to Flint when he was a child and settled on the east side of the city among the hundreds of other brave and hopeful immigrants who sought opportunity and freedom in America.

A product of Flint schools, Mr. Evanoff used his talents and resources to the fullest, graduating from the University of Michigan Law School in 1937. He went on to work with the International Institute of Flint and encouraged other immigrants to take language classes and seek citizenship while urging the retention of ethnic cultures.

Mr. Speaker, I am pleased to have this opportunity to recognize the work of Mr. Michael Evanoff. His efforts for the people of Michigan have established him as a community leader in the tradition that exemplifies the essence of America's ethnic heritage. Mr. Michael Evanoff has given of himself for the good of his fellow man, and I am honored to have the opportunity to pay tribute to him.

LEGISLATIVE PAY EQUITY STUDY

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Ms. SNOWE. Mr. Speaker, today I am introducing legislation to establish a Commission on Employment Discrimination in the legislative branch. This bill, which I also introduced in the 99th Congress, would charge the Commission with the responsibility of identifying and making recommendations for the elimination of wage discrimination in the legislative branch.

The problem of sex-based wage discrimination is not new. More than 100 years ago, noted feminist and suffragist, Susan B. Anthony, observed:

> There are many women equally well qualified with men for principals and superin-

> tendents of schools, and yet while three-quarters of the teachers are women, nearly all of them are relegated to subordinate positions on one-half or at most two-thirds of the salaries paid to men * * * sex alone settles the question.

Unfortunately, the wage gap between men and women has remained virtually constant in recent years, with women continuing to earn less than two-thirds the wages paid to men. This is despite the passage of the Equal Pay Act of 1963, making it illegal to pay woman less than men for doing the same work, and title VII of the Civil Rights Act of 1964, which outlawed discrimination in employment and wages on the basis of sex, race, and national origin.

It is important to understand the relationship between these two laws, and sex-based wage discrimination. The Equal Pay Act guarantees women equal pay for equal work. However, the Equal Pay Act cannot begin to reach the wage discrimination that most women experience for a very simple reason. By and large, women do not work in the same jobs as men. As they did a century ago, most women remain segregated into a small number of low-paying, dead-end jobs.

The fact is that of the more than 36 million women employed in nonprofessional occupations in 1985, 67 percent worked in female-dominated jobs—jobs that are among the lowest paid in our society. And the pay they receive appears to have far less to do with the actual work they do than with the fact that they are women. Only title VII's broader prohibition of discrimination in employment and wages can reach these women.

In 1981, the Supreme Court made clear that the legal guarantees in title VII are broader than those in the Equal Pay Act, and indeed, extend to cases where the work being done by men and women is not exactly the same. The Court stated that limiting wage discrimination claims to equal pay for identical jobs would mean:

> That a woman who is discriminatorily underpaid could obtain no relief—no matter how egregious the discrimination might be—unless her employer also employed a man in an equal job in the same establishment, at a higher rate of pay.

The concept of pay equity recongizes simply that discrimination exists not only when people are paid differently for doing the same work but when they are paid differently by their employer for work of equal value—requiring similar skill, effort, responsibility and working conditions. This form of wage discrimination is illegal under title VII of the Civil Rights Act, and it is this type of discrimination I am attempting to address in the legislation I am introducing today.

The U.S. Congress has shown great skill over the past 20 years in passing laws barring discrimination. Unfortunately, the Congress has shown even greater skill in avoiding these same laws. The purpose of my legislation is twofold: one, to identify the existence of discriminatory wage-setting and personnel policies and practices within the legislative branch as a whole, and the Library of Congress specifically, and two, to develop a comprehensive plan for eliminating these inequities.

My legislation would establish a 13-member, bipartisan Commission comprised of Members of Congress, and labor and management representatives from the Library of Congress. The Commission will: One, hire an independent consultant to conduct a pilot study of compensation paid within and between job classifications in the Library of Congress, and analyze relevant personnel policies and practices; two, make specific recommendations for ensuring compliance with title VII and the policy objectives of the resolution; and three establish a comprehensive plan for implementing pay equity throughout the legislative branch.

I want to clarify several points about the scope of my legislation. The intention of the legislation is to address discriminatory wage-setting and related personnel policies and practices within the legislative branch as a whole. I believe it is important, however, to begin this effort with a well-constructed pilot study in one of our agencies—in this case, the Library of Congress—that can later be extended to other parts of the legislative branch.

Following completion of the Library of Congress study, the Commission is charged with the responsibility of developing a comprehensive plan for ensuring pay equity within the legislative branch, which would include congressional staff. I would expect that this plan would include a consideration of the feasibility of extending the model created by the pilot study to other legislative branch agencies. The Commission would have 18 months to complete its work.

The concept of my legislation is scarcely an original one. During hearings on this bill in the 98th Congress, Nina Rothchild, commissioner of the Minnesota Department of Employee Relations testified that 17 States had changed their fair employment practice laws to include the standard that men and women should be paid equally for work requiring comparable skill, effort, and responsibility. At the present time, 28 States have either completed or are in the process of completing, studies of the type proposed in my legislation; and, 17 States have actually appropriated funds to eliminate the pay inequities that had been identified. Over 100 State and local governments have undertaken pay equity initiatives, and the successful outcomes have been our best lobbying tool.

For example, in 1979, a State government job evaluation study performed in Minnesota found that jobs held predominantly by women were underpaid. In March 1982, a 4-year plan was enacted to rectify this problem at an estimated cost of 1 percent of the yearly payroll. In 1980, a job evaluation study performed in Colorado Springs revealed a wage disparity between female-dominated clerical jobs and male-dominated maintenance jobs which both received the same numerical rating. The city council adopted a 4-year plan to correct the wage differential at a projected cost of $1.7 million, which is 2.6 percent of the annual payroll. The conservative Republican mayor of Colorado Springs, Robert Issac, summarized their new pay equity policy by saying:

> We did something fair and just, and in return we got ourselves great employee morale, lower turnover and higher productivity. Isn't that what the private sector's always looking for?

We have made freedom from discrimination in employment the law of the land, and I believe it is the responsibility of this Congress to ensure that its own employees receive the compensation that is rightfully theirs. I encourage my colleagues to join me in this effort by cosponsoring this legislation to create a Commission on Employment Discrimination in the legislative branch.

SALT II PROVISIONS OF FISCAL YEAR 1988 DEFENSE AUTHORIZATIONS

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. FRENZEL. Mr. Speaker, I found this week's debate on mandating SALT II adherence an extremely awkward one. The treaty was never ratified. The Soviets have violated some of its central provisions, but have joined the United States in observing its numerical sublimits on nuclear weapon delivery systems.

I support resumed adherence to the SALT II Treaty's numerical sublimits, and I encourage the administration to observe those limits. I opposed last year's decision to add a 131st cruise missile-equipped heavy bomber, which breached one of the treaty's sublimits, and continue to believe that observing those sublimits would provide an atmosphere of restraint, within which current negotiations might better progress. I, therefore, support a return to that level before the United States and the Soviet Union resume a missile build-up.

I am also, however, extremely concerned by congressional attempts to mandate continued adherence to some of the treaty's terms, despite clear Soviet violations of other treaty provisions. I would prefer to allow the administration some flexibility in determining an appropriate response to Soviet noncompliance. Efforts to impose congressional will on the executive branch in treaty-making and foreign policy ought to take the form of resolutions not of law.

Because I believe continued adherence to SALT II's numerical sublimits will prevent a possible escalation in force levels, I voted in favor of the Dicks amendment to force compliance. To indicate my preference for administration discretion, and to indicate my indignation at Soviet noncompliance, I also voted in United States compliance only if the Soviets were in full compliance with the treaty's provisions. Full compliance is certainly the best condition.

The United States and the U.S.S.R. are in the midst of extremely promising negotiations. Restraint on the part of both nations, including continued adherence to SALT II force levels, would reduce the potential for increases in mistrust between our nations, and would provide a greater possibility for improvements in the stability of the United States-U.S.S.R. strategic balance.

In general, Congress is nobly motivated in its attempts to force the executive branch into what it conceives are worthy treaties, but even good advice to the executive becomes counterproductive when it raises barriers to negotiations, or reduces U.S. ability to negotiate effectively. Even though I have supported most of these congressional initiatives, I believe we have arrived at, or are closely approaching, the point of diminishing returns.

RAPE AWARENESS AND PREVENTION IN MAY

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. FLORIO. Mr. Speaker, in May we will be calling attention to the existence of a violent crime, rape, that in recent years has continued to grow unchecked. Across the country, women are being sexually abused in ever-increasing proportions. Each day, hundreds of helpless women become the victims of a merciless crime.

There has been an increase in the number of rape victims. From 1983 to 1985, forcible rape increased almost 10 percent. And only now is our society beginning to deal more consciously with a part of the problem that had remained unrecognized in the past—domestic rape.

For many, rape is a silent crime. Because of a lack of evidence, only one-sixth of those charged with rape are convicted. Even more disappointing is the fact that many more rape cases go unreported. Out of this feeling of futility, the victims do not know if the police will believe them. They do not know if there are any people who care about their situation.

Rape prevention programs throughout the country are attacking this silence. By informing the public that rape is a crime and that there is recourse to the law, these programs are dealing with rape at its root—the silence of it all.

Hotlines such as the one operated by the Women Against Rape in Collingswood, NJ, give comfort and information to women in need of friendship and advice in the wake of these crimes. This organization, its director, Joan McKenna, their volunteers and staff, and the many other groups dedicated to helping the victims of rape, provide volunteer escorts and counselors for the victimized women and their families, help develop rape prevention techniques for their communities, and involve the entire community through civic action groups, church associations, and school groups in order to stop rape.

In addition, they are a source of information for the many women and men who are interested in knowing how they can prevent the sexual abuse of their fellow citizens. Education is a small part, but an important part, in dealing with rape.

To deal with the punishment of those guilty of this crime and to deal with domestic rape are ways in which we in the Congress and the citizens in our districts can address the issue with an eye to prevention.

I commend the members of Women Against Rape for their efforts to increase the public's awareness of this problem. They are serving as an example to remember that rape is one of the most violent crimes against our citizens and that with education and awareness, we can remove at least a small part of that physical and emotional torment.

LEGISLATION CLARIFYING THE TREATMENT OF INTEREST ON SHORT-TERM LOANS

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. DAUB. Mr. Speaker, yesterday I introduced a bill, H.R. 2323, together with my colleagues, that is intended to resolve an issue that has arisen as the result of an interpretation of the Deficit Reduction Act of 1984 and the Tax Reform Act of 1986. The provision deals with the treatment of interest for tax purposes on certain short-term loans held by banking institutions.

This bill would clarify the rule, making it clear that banks that have been using a cash method of accounting for tax purposes would not have to deviate from that method with respect to stated interest earned on short-term loans maturing in 1 year or less, made in the normal course of business. The treatment of such loans has been clouded by a provision in the 1984 act, and later amended by the 1986 act, contained in section 1281 and 1282 of the Internal Revenue Code. Further complicating the matter was the retroactive nature of the amendment.

The original provision in the Deficit Reduction Act of 1984 was written to require the daily accrual and inclusion in income of the market discount on short-term obligations maturing in 1 year or less—for example, Treasury bills—that are normally sold at a market discount. The legislative background indicates that Congress was concerned that taxpayers using the accrual method of accounting ought to be required to accrue this income in light of the high interest rates at the time and the concern that taxpayers were making leveraged purchases of obligations eligible for the special rules at yearend to achieve tax deferral. Although great strides were taken to define "short-term obligations," at no time were loans specifically named even though the broad language used is being interpreted by some to include ordinary loans.

The amendment to this provision was broadened in the Tax Reform Act of 1986 to include interest on short-term obligations, irrespective of whether the interest is stated or is in the form of acquisition discount or when the interest is paid. Although the bill was not passed until October 22, 1986, this provision was made to apply retroactively by more than a year to September 27, 1985. A separate section of the act provides that banks and other entities with annual average gross receipts not exceeding $5 million may continue to use the cash method of accounting for tax purposes. Those entities forced to change to an accrual method were allowed to spread the additional income over a 4-year period and at the new lower rates to avoid a bunching of income in 1 year. Why is it that the small, agricultural banks, which make just these kinds of loans, were not provided with similar relief? Some of these banks have a majority of their loan portfolio tied up in loans like this, effectively converting them to an accrual method retroactively and without a provision to avoid the bunching of income problem.

Penalties and interest charges are already piling up, if indeed the statute is read in black and white as many of the Nation's largest accounting firms have only recently interpreted the provision's reading. Because of the retroactive nature of the law amended returns will be required for 1985 and 1986. Many of the banks have been urged to extend their 1986 tax returns and hope for guidance from the Congress. No one, to my knowledge, is in compliance with our recent interpretation. Obviously, the inconsistencies in the 1986 act make it clear that it was not completely thought through as to how this would apply to normal lending practices by the smaller banks that continue to use cash accounting for tax purposes. The effect on farm credit could be extraordinary without a clarification.

My bill allows banks otherwise eligible to use the cash method of accounting to continue to treat short-term loans made in the ordinary course of business to continue to treat these loans on a cash basis for tax purposes. At the same time, the bill defines such loans so as to enable the IRS to effectively administer the intent of the law as contained in the legislative history to the 1984 and 1986 tax acts.

This bill could serve several purposes, including:

First, resolving the conflict within the 1986 Tax Reform Act to permit the smaller banks to continue to use the cash basis of accounting. Without the provision, many small banks which we intended to exclude with a $5 million exception would be forced to change to the accrual method and at disadvantageous rates as compared to large banks.

Second, the abrupt change in the accounting procedure for small banks would not be needed, while the larger banks would continue their plans to comply with the 1986 Tax Reform Act. Since banks do not classify their loans based on a 1-year term or less the administrative burden of complying, retroactively to 1985, would be extraordinary. This bill would solve the compliance, penalty and interest problems of this provision, which is currently not being complied with now.

Third, it would remove other inconsistencies within the code. For example, without the change, loans which mature in 1 year or less would be treated differently from loans with a maturity longer than 1 year. This bill would also continue to treat all small businesses similarly, and not adversely affect the small business offering credit to our agricultural industry, which typically need this kind of loans.

Mr. Speaker, the resolution of a great deal of complexity and confusion will more than make up for the small revenue loss, and my cosponsors and I encourage our colleagues to join us.

GOOFY MARKETS AND MICKEY MOUSE BONDS

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. DANNEMEYER. Mr. Speaker, in the Wall Street Journal Charles N. Stabler is toying with the idea of using gold bonds to solve this Nation's deep-seated economic problems. Although it may not be clear to every reader of the article, more is involved than Mickey Mouse, Sneezy, Dopey, and other toys in the gold bond issue. U.S. Treasury gold bonds would do far more than awakening Sleeping Beauty—our monetary gold stocks lying idle since the 1971 closure of the gold window. They would abolish the depreciation premium so deeply entrenched in the U.S. interest rate structure. They would accomplish the magic of replacing short-term and high-yield debt with long-term and low-yield debt. They would phase out short-term government finance—the basic flaw of our fiscal policy and the chief cause of our losing control over the budget deficit—while phasing in long-term government finance—the foundation of responsible fiscal planning. They would reduce the budget deficit by reducing the cost of debt service. They would reduce the trade deficit by making foreigners ship gold, rather than finished goods, in payment for their investments in the United States. (The world still does, rightly or wrongly, record gold imports in the plus column, while recording the importation of finished goods in the minus column of trade accounts.) The gold bond issue would free the vast energy embodied by world gold, now sitting idle, and put it to work in financing world trade, which would become, from a zero-sum game, a positive-sum game once more. (Under the gold standard, to the extent of world gold production, every trading nation could in principle run a trade surplus).

Contrary to Mr. Stabler's opinion, the possibility of solving the underlying problem of impaired American competitiveness is no fairy tale. The cost of capital to American producers and exporters, presently bloated with the dollar-depreciation premium, would once more be the lowest available anywhere. Gold bonds, the quintessential instrument of fiscal rectitude as well as financial solidity and sobriety, have been absent from the scene for the past 50 years. If we want to get away from what Mr. Stabler calls goofy financing of our future, and if we want to resurrect confidence in our markets weary of Mickey Mouse bonds, then we must bring back those golden oldies, the gold bonds.

Mr. Stabler's article from the April 20th edition of the Wall Street Journal follows.

GOLD LURES INVESTORS AS A STORM SHELTER

(By Charles N. Stabler)

Disneyland begins issuing its own currency next month. Mickey Mouse money. Clearly it is a signal for prudent non-mice to consider gold.

Some grumpy investors are already ducking into this traditional haven from goofy financial markets. After several years of sleepy inattention, with its price bobbing around $350 an ounce, gold has moved steadily higher in recent months. During the first quarter this year, gold's price averaged more than $400 an ounce, up 40% from its low of two years ago, and it continues to move up. Last week the New York price hit a four-year high at $450.90, up 11% from $404.90 at the beginning of the year.

Interestingly, this increase is taking place despite rising supplies of the yellow metal and forecasts from professional analysts of more output gains, possibly even a gold glut.

"A record 62.4 million ounces flowed into the market (in 1986), marking a 16% increase from 53.8 million ounces in 1985," according to Jeffrey M. Christian, a consultant for Goldman, Sachs & Co. Supply is "continuing to enter the market at record levels this year," he says.

But for the time being investors don't care. They see gold as an alternative to declining bonds or risky stocks.

New York Stock Exchange prices have tripled in a bull market now approaching five years in duration. In Tokyo, where the market capitalization is now greater than New York, stocks are selling at an average 58 times earnings and up to a giddy 2,000 multiple. A happy investor might well take some profits at this point and willingly forego possible future gains. But this leaves the problem of finding a reinvestment home for the money.

The debt markets? Interest returns on money market investments at less than 6% are less than thrilling while prices of longer-term securities are headed south for now. Putting the money into a Van Gogh is a fantasy for most.

For many investors, the futures and options markets for commodities, interest rates and currencies are a risky unknown territory, requiring close attention, expertise and a guardian angel. Gold can also be risky but is a familiar investment. It has been for centuries.

Another reason for the interest in gold involves its traditional role as a vote of "no confidence" in governmental management of money and the international economy. Big debt, stubborn imbalances in international trade, rising commodity prices, a weak dollar in volatile exchange markets, the protectionist threat to world commerce, all fuel mistrust of paper money.

In this sense, the rising price of gold is sending a sneezy signal of discomfort to the monetary authorities and central bankers, not that they are dopey enough to need it. And this in turn suggests an interesting option. The U.S. could be less bashful about using its own official gold reserves.

All during the 1980s, as the U.S. balance of trade grew ever more steeply negative, government gold reserves have remained a sleeping beauty, some 264 million troy ounces in the vaults. A hundred years ago this would have been as incongruous as a talking animal. Persistent trade debts would have been settled by the timely transfer of the precious metal.

The world is long since off the gold standard but other uses for gold remain.

The U.S. is borrowing in order to live beyond its means and now owes foreign creditors over $200 billion net. In the big borrower league, we are number one. The debt, which is still climbing and headed toward $500 billion, can be met ultimately only by net sales of real goods and services, earning more than we spend in world markets. This means transforming our annual trade deficit of more than $100 billion into a $50 billion a year surplus, forcing a significant cut in the U.S. standard of living. When will that happen? When elephants fly.

But the burden of debt service could be eased by using official gold. U.S. bonds denominated in ounces of gold instead of dollars would no doubt be welcomed by foreign lenders. Such bonds would eliminate the interest-rate premium lenders now demand to cover the risk of future dollar depreciation which would dock the repayment value. The interest cost, just for the use of the money, would then be minimal, probably 3% or less, as against 8% or more for dollar-debt.

The underlying problem of regaining competitiveness in world markets would remain, of course. Using gold to back borrowing would only buy time to make fundamental economic improvements. But the threat that we might actually have to pay out gold if we didn't do so would provide a powerful incentive to end the fairy tale.

KILDEE HONORS TRUMAN HORTON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. KILDEE. Mr. Speaker, I rise today to honor Mr. Truman Horton, a man who has made significant contributions to the town of Oxford, MI, as a dedicated volunteer and a devoted public servant.

For 28 years, Mr. Horton has represented the town of Oxford as a respected symbol of the U.S. Postal Service. In addition to his work as a letter carrier and postmaster, Mr. Truman has generously given his time and energy to the Oxford community in a great number of ways which has made this proud town a better place to live. As a member of the Oxford Township Planning Commission, Mr. Horton contributed extensive personal time assisting in guiding the development of the Oxford area, making sure the community would be a safe, attractive, and healthy environment for our children, and our children's children.

What is more, Mr. Horton has served the Reorganized Church of Jesus Christ of Latter Day Saints as a dedicated minister for 37 years. I would add that Mr. Horton has given his unremunerated time as a servant of God while continuing to serve the town as postmaster.

As postmaster, Mr. Horton has toiled diligently to keep the town post office running smoothly and efficiently. Knowing the Michigan winters as I do, I am personally impressed and reminded of the famous axiom about the U.S. postman who perseveres through the worst that nature has to offer. As a minister, he has been a devoted man of the church displaying a sense of compassion for the people, a deep understanding of the community, and a genuine commitment to human dignity. The people of Oxford, and indeed all of us, are truly fortunate to have a man like Truman Horton in our presence.

Mr. Speaker, Mr. Horton is a glowing example of what individuals can contribute to their community through their work. I appreciate this opportunity to thank Mr. Horton for all he has done for the Oxford community, and to wish him well as he retires to Florida with his wife Joanne.

LEGISLATION TO AID ELDERLY NATURALIZATION CANDIDATES

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. LUJAN. Mr. Speaker, today I have introduced legislation, with bipartisan support, to increase the odds of elderly naturalization candidates realizing their often lifelong dreams of becoming American citizens. It allows persons who are at least 65 years old and have lived in the United States legally for 5 years, to take the naturalization examination in the language of their preference.

This is not a departure from the philosophy of our existing immigration and naturalization laws. Current law provides that this language waiver is available for persons who are 50 years of age or older and have lived in the United States 20 years or longer. In addition, the new immigration law provides this option for persons who are 65 years of age who apply for legal residency. For this reason, extending this choice to naturalization candidates of this age makes sense.

There are good reasons for requiring the majority of persons applying for U.S. citizenship to have more than a basic command of the English language. These reasons, though, don't really seem to apply in the case of these special candidates for U.S. citizenship.

Mr. Speaker, these persons would still have to meet all the requirements for U.S. citizenship. This legislation merely recognizes the fact that the ability to learn a new language at an advanced age diminishes. This bill shows compassion and understanding for those who wish to spend the golden years of their lives as Americans.

FIFTIETH ANNIVERSARY OF UNITED PAPERWORKERS INTERNATIONAL UNION, LOCAL 286

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. FOGLIETTA. Mr. Speaker, this May signifies a special occasion for the labor movement in Philadelphia. This month marks the 50th anniversary of the United Paperworkers International Union, Local 286. This local started in 1937 as a one-shop union with 35 members. In the last 50 years it has grown into the largest local in the United International Paperworkers Union, with over 4,500 members.

The United International Paperworkers Union is one of the largest unions in North America, with over 300,000 members. It has made numerous contributions to the labor movement in this country and around the world.

Local 286 has been one of the union's most important satellites. It is responsible for fighting for the rights of its members throughout the Delaware Valley, and throughout all of Pennsylvania, New Jersey, and Delaware. Local 286 has been responsible for winning for its members one of the most comprehensive benefit packages in the country. Its health care package provides everything from emergency care to preventive eyesight care and protects its members through a comprehensive catastrophic health care program.

Local 286's pension plan provides benefits for over 1,000 retirees, and has a reserve large enough to ensure that everyone of its workers will be cared for in their older years.

The contribution of this country's labor movement to the improvement of the quality of life for all Americans is without equal. The United States has become the industrial power it is today because of the men who fought for the rights of the workers. Not only has the labor movement contributed to the well being of the United States, but it has been a role model for similar movements around the world. These unions have worked to bring justice to a world where before the average person had little control over his or her destiny.

Without the labor movement, benefits we take for granted such as health care, Social Security, and occupational safety protection would still be dreams. Americans should never forget the contribution this movement has made. In this month in particular, the 50th anniversary of Local 286 of the United International Paperworkers Union, I would like to take the time to recognize the vital role this organization has played in the protection of this Nation's most valuable resource, its people.

A JOURNALIST'S JOURNALIST

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. McEWEN. Mr. Speaker, the true test of a person's success in their chosen field, is how they are viewed by their peers. If you can pass muster among your colleagues (who are usually our harshest critics), then you can consider yourself among the best.

David S. Broder, nationally syndicated columnist and chief political reporter for the Washington Post, is in a class all by himself. Respected by both his peers and those he covers, Broder is, as Cleveland Plain Dealer Washington Bureau Chief Thomas J. Brazaitis wrote, "the premier political reporter in the political capital of the world."

Mr. Brazaitis recent profile of Mr. Broder is worthwhile reading for all Members who want to better understand journalists.

[From the Cleveland Plain Dealer, May 5, 1987]

Journalist Broder Is Foremost of His Breed

(By Thomas J. Brazaitis)

Washington.—One night not long ago, at a Washington bookstore, dozens of men and women lined up to buy a new book and shake the author's hand. The line snaked its way between book-lined shelves from the back of the store, where the author stood, to the front, out the door and onto the sidewalk.

The odd thing about this line was that it was made up almost exclusively of reporters from the nation's bestknown newspapers and magazines. Many in the line—Lou Cannon of the Washington Post, Hedrick Smith of the New York Times, Jack Nelson of the Los Angeles Times, to name a few—had published books of their own. Others were columnists, White House reporters and bureau chiefs.

Like priests lined up at the Vatican to see the pope, they were there to pay tribute to the acknowledged authority of their profession.

At the head of the line, next to a rapidly dwindling stack of books, stood a man of average height with thinning gray hair and horn-rimmed glasses, as nondescript as the high school biology teacher whose name you can't remember.

He could walk down Euclid Avenue at lunch hour without anyone stopping him and saying, "Don't I know you from somewhere?" His name—David S. Broder—is hardly a household word. Yet, the book jacket describes him as "the most respected journalist in America."

"If you believe that, we've got some other stories to tell you," Broder said with typical modesty.

Yet, the long line of fellow journalists at the bookstore was testament that Broder, the national political correspondent for the Washington Post and a syndicated columnist is the unelected president of the political reporters' fraternity.

An admitted news junkie, Broder landed his first writing job in the fifth grade in Chicago Heights, ILL., when a friend got a mimeograph machine for Christmas and invited Broder to be a reporter on a neighborhood newspaper that sold for a penny a copy.

After college and a stint in the Army, Broder was hired by the Pantagraph, a daily newspaper in Bloomington, Ill. Soon after, he was lured to Washington, where for 30 years he has covered politics, first for the Congressional Quarterly, then the New York Times and, for the last 20 years, the Washington Post. He has won the Pulitzer Prize.

As the premier political reporter in the political capital of the world, Broder is read by politicians and fellow journalists alike for clues to who is in and who is out, or about to be. Presidential candidates live in fear of a bad review from Broder, who sets the tone for political discussion.

His fourth book, "Behind the Front Page: A Candid Look at How the News is Made" (Simon and Schuster, $18.95), is a detour from stictly political reporting. It looks at journalism from backstage, revealing mistakes by himself and other reporters. He documents errors of omission, such as missing the significance of the women's movement in the formative years, to errors of commission, such as reporter Janet Cooke's Pulitzer Prize-winning invention of an 8-year-old heroin addict.

In the book, Broder defines a newspaper as "a partial, hasty, incomplete, inevitably somewhat flawed and inaccurate rendering of some of the things we have heard about in the past 24 hours. . . ."

"If we labeled the product accurately," he says, "then we could immediately add: But it's the best we could do under the circumstances, and we will be back tomorrow with a corrected and updated version."

More often than not, he cites his own mistakes and those of his newspaper. But the book also criticizes other reporters and publications. Broder wonders how his colleagues will react to the book.

"I hope it stirs up some fights," he said. "I hope I've said some things that are going to make some people in our business mad. If it does that, it would please me a lot, particularly if it gets them thinking as well as gets them angry."

Broder said he also hopes the book helps stimulate a dialog between newspapers and their customers, so readers become participants in the news and not just passive consumers.

Meanwhile, Broder, who has been on the beat since Dwight D. Eisenhower was president, is preparing to cover yet another presidential campaign, his eighth. The morning he was interviewed, he stopped first to talk to Rep. Richard Gephardt, D-Mo., one of the contenders for the Democratic nomination.

When he called an editor to say what he was doing, Broder said he had been to see "President Gephardt."

Kidding aside, Broder talked about the 1988 election in the same authoritative tone that marks his columns.

Because there will be no incumbent, "nobody's going to win the nomination or the election without knowing that he's been in a fight," Broder said. Because President Reagan is the oldest president in history and the first in almost three decades likely to complete two full terms, "people are going to be looking for a change that is larger than usual dimensions," he said.

"If you put that together with changes that people perceive taking place in the economic world and the changes they perceive taking place in the leadership of the Soviet Union and China, I think there is a far stronger climate for people saying, 'Let's look around and see what we might do differently in this country,' " Broder said.

"I think it's going to be an election that is characterized by change rather than continuity. That doesn't mean automatically Democrat rather than Republican, but I think it means that those candidates who are perceived as offering something different are going to have an advantage."

This was not the voice of a pundit divining what the country thinks from his perch in Washington. Broder recently spent a week going door-to-door in Knox County, Tenn., interviewing voters for a mood-of-the-electorate story.

"The voters always have things to teach you," he said. "You always come back understanding something which you did not understand before. It is also fun. It is really fun. You don't know what you're going to find when you knock on a door."

At age 57, Broder admits he is getting a little old for the campaign trail. He said this will be his last campaign as the Post's chief political reporter. He wants to stay on as a columnist and to work on projects.

"I don't think it's a good idea for 60-year-old reporters to be chasing 35- and 40-year-old candidates," Broder said.

"Most sensible people will avoid journalism as a career," Broder says in the book. "A journalist's life is inherently disrupted and disorganized. We work to hard and we play too hard. And we tend to die before our time.

"The job is tougher on our families than on us. Divorce rates are high, and those who stay married still must contend with missed dinners, missed weekends, missed vacations. . ."

But Broder's words are belied by his own life. He and his wife, Ann, lived in Arlington, VA., a Washington suburb, where they have been finding more time lately to tend their flower garden. Their four sons are grown and off on their own careers, none in journalism.

The Broders shun the Washington dinner-party circuit, preferring the company of friends outside the politicians Broder covers.

Far from advising young people to avoid journalism as a career, Broder is one of the profession's staunchest advocates. At the book party, one man in line asked Broder to sign a book for his son, who, he said, is in college studying journalism "instead of learning how to make money."

"I hope you're not discouraging him," Broder admonished the man.

Peter Brown, politics writer for the Scripps-Howard newspaper chain, who was one of those in line, recalled that when he was in college in 1972, he heard Broder speak one night. Afterwards, Broder stayed to answer questions. He spent 40 minutes talking to Brown.

"That talk was the reason why I want into journalism," Brown said. "Years later, after I got to Washington, I told him about it. And I thanked him. He seemed a little embarrassed."

In a business that has come to be dominated by overinflated egos, Broder stands out. He doesn't mind not being recognized in a crowd. He thinks it's an asset.

U.S. POLICY TOWARD SOUTH AFRICA

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. WOLPE. Mr. Speaker, today I am introducing a concurrent resolution expressing the sense of the Congress regarding United States policy toward South Africa. An identical resolution was introduced in the Senate by the Africa Subcommittee chairman, PAUL SIMON.

The purpose of the resolution is to reiterate congressional intent that the comprehensive antiapartheid legislation passed last year be fully implemented. The act states that "international cooperation is a prerequisite to an effective antiapartheid policy." Only concerted international action will bring about the demise of apartheid. Quite simply, the resolution urges the President to work toward international support to end apartheid.

U.S. administration actions has yet to fully implement the intent of the antiapartheid law or the proposals of the Secretary of State's Advisory Committee on South Africa. A case in point is the U.S. veto in February, of the U.N. Security Council resolution which would have imposed mandatory international sanctions against South Africa, similar to those passed by the United States. The resolution urges the President to direct the U.S. Ambassador to the United Nations to propose a Security Council resolution to impose sanctions against South Africa for a 12-month period.

The report of the Secretary of State's Advisory Committee on South Africa, chaired by Frank T. Cary, the former head of IBM, and William T. Coleman, Jr., former Secretary of Transportation, recommended guidelines for United States policy toward South Africa. That panel encouraged the President to begin "urgent consultations" with U.S. allies to "enlist their support for a multilateral program of sanctions" drawn from measures in the Comprehensive Anti-Apartheid Act of 1986. The resolution urges that the President fully implement the advisory committee's measures.

Both the European Community and the British Commonwealth have adopted some sanctions. However, the European Community has failed to ban its coal imports from South Africa. The resolution urges the President to use every effort to press the European Community to ban the importation of South African coal.

The South Africa Advisory Committee "concluded that there is one overarching requirement for an effective United States policy toward South Africa: strong Presidential leadership." It recommended that the President take the lead in that effort. An uncommitted leader means an uncommitted policy. United States law and United States policy direction on South Africa are clear—the Congress has acted; the Secretary of State's Advisory Committee has made its recommendations; the President has declared his intention to implement the sanctions and has begun the process. Now the President must take the lead internationally to assure a strong effective policy toward South Africa, and full adherence to the Comprehensive Anti-Apartheid Act.

Global support to end apartheid is essential. This resolution represents a step toward that end.

H.R. 3, THE OMNIBUS TRADE ACT

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. WALGREN. Mr. Speaker, our country faces an unprecedented tragedy if we do not reduce the $170 billion foreign trade deficit. Between 1980 and 1986 America's trade deficit multiplied seven-fold. It is now so large, and its effects on the American economy so pervasive, that we tend to lose sight of the fact that as recently as 1980, the trade deficit was only $24 billion and we in fact enjoyed a surplus in foreign trade of manufactured goods.

This administration has simply refused to resist foreign imports. In case after case, the President has refused to take action, despite a rising number of petitions by U.S. firms seeking import relief. The administration now argues that the trade deficit will improve in response to the declining value of the dollar. But, although the relative buying power of the dollar has declined to a level more advantageous to U.S. exports than at any time in the last 6 years, last month's trade deficit increased by $2.7 billion—the largest monthly increase in more than a year.

The real crime in trade deficits is the elimination of American jobs. Over the last 6 years, America's trade balance in manufactured goods has gone from a surplus of $18.1 billion to a deficit of $151 billion. As a result, manufacturing sector employment from 1981 to

1986, fell by 1.1 million jobs. America's No. 1 export has now become jobs.

H.R. 3 attempts to reverse these trends by strengthening laws that protect against unfair trade practices. It is widely agreed that first, our current trade laws have not worked; and second, the executive branch has not effectively used the laws available to stop illegal imports.

H.R. 3 would transfer authority to determine whether a foreign trading practice is unfair under U.S. law from the President to the U.S. Trade Representative [USTR]. The USTR would first be required to negotiate with those foreign countries who have both an excess trade surplus with the United States and a pattern of unfair trade practices. If a satisfactory agreement eliminating unfair trade practices is not reached within 6 months, the USTR would be required to retaliate. By mandating action against unfair imports rather than leaving the decision to the President's discretion, this law would make the most significant change in laws to control imports since World War II.

Providing relief to firms and workers that have been injured by imports is a right recognized under international law. In the United States, however, when the International Trade Commission determines that an industry has been injured, the President often fails to act in response to ITC determinations.

The bill also provides new assistance for training and retraining American workers dislocated by foreign imports. H.R. 3 would make trade adjustment assistance benefits automatically available to workers and firms in industries determined by the International Trade Commission to have been adversely affected by a large increase in imports.

GEPHARDT AMENDMENT: ANOTHER TOUGH TOOL

I believe this is a good trade bill. It was made substantially better by the Gephardt amendment which I supported and which passed on a 218 to 214 vote. In all candor, the vote on this amendment should not even have been close. A story in one newspaper spoke volumes about our present trade laws when it reported that the Supreme Court had denied a petition for relief from imports that was filed 16 years ago; 16 years in the courts without a decision. The present laws simply fail to provide any effective protection for American workers.

Common sense tells us that foreign producers are not going to voluntarily withdraw from their massive penetration of the American market. America is the only large consuming market for many foreign producers. They have every incentive to sell as much as they possibly can in our market with no consideration of the fact that there is a limit to imbalance between imports and exports our economy can absorb without losing so much employment that our own economy is threatened.

Our country's landscape is littered with factories and communities that have been destroyed by foreign imports. From the steel industry to machine tool plants, industries critical to U.S. economic strength have been decimated. They have been destroyed under a law which leaves the worker saying, like the steelworker who handed President Reagan his résumé several years ago, "I'd like to reach out and punch someone, but I don't know who."

Foreign countries can erect trade barriers to U.S. exports faster than we can complain about them through negotiation. It only makes sense that fair trade is essentially 50-50. If trade with a foreign nation is so out of balance that the Gephardt 75 percent test would be triggered, certainly the burden should be on the foreign country to figure out how to increase the goods they take from us. Any other approach simply puts us in the position of continuing to import unemployment which we can no longer afford.

ACCESS TO COURTS

As an additional step toward strengthening existing trade law, I introduced H.R. 268 to give American industries and employees direct access to Federal courts to stop dumped and subsidized imports and customs fraud. We worked to have this approach included by the Ways and Means Committee in the omnibus trade bill—and it was. Providing access to courts who can grant immediate injunctions is particularly important because the administrative route of seeking relief from unfair imports has not worked.

Current procedures, as a practical matter, provide no remedy. Dumping cases take an average of 11 months. This means that the damage is done before there is even the prospect of a remedy. These lengthy proceedings give the foreign industry time to reap huge illegal profits, capturing new markets, with the only penalty to stop after the damage is done. Because of the time included, and the burden of proof required, no domestic plaintiff has ever recovered damages under U.S. trade law.

Present law is almost no deterrent against illegal trade practices. Dumpers are essentially in a riskfree situation. If caught, they just have to stop. This legislation would make it easier for U.S. parties to bring their cases before the courts by making importers subject to our court system.

In passing the trade bill, the House takes a major step toward stemming the flood of imports that has destroyed so many American jobs and so many American communities. I hope the Senate will follow suit.

P.L.O.'S TRUE COLORS ARE SHOWN AGAIN

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. SMITH of Florida. Mr. Speaker, last week the Palestine National Congress met in Algiers in a successful effort to bring unity to the ranks of the estranged factions of the PLO. From the perspective of the West, PLO unity was achieved at the expense of moderation.

In order to simply convene the Algiers conference, radical Palestinian forces demanded that the PLO accept a resolution abrogating the 1985 Amman accord. This accord provided for Jordanian/PLO diplomatic cooperation in producing non-PLO Palestinian leadership to negotiate peace with Israel. It was heralded as one of the few tangible signs of progress made toward a U.S. sponsored peace settlement. Furthermore, at Algiers, the PLO adopted a resolution calling for termination of relations with the moderate regime in Cairo due to its peace treaty with Israel.

Considering the movement taking place in the Middle East peace process, Arafat's annulment of the Amman accords is particularly ill-timed; yet, ironically, it is very telling. At a juncture in time when both elements in Israel and Jordan are using the phrase "historic opportunity" when referring to the peace process, the PLO, under Mr. Arafat's leadership, has chosen to lean toward violence and away from peace.

This news should surprise no one. Arafat over the years has proven himself to be nothing more than a cold-blooded terrorist. That he is the leader of a more radicalized PLO makes him and the PLO more dangerous than before.

It is no coincidence that PLO, specifically Fatah-instigated, terrorism against Israel increased dramatically during the course of the Algiers conference. Arafat had to prove to the ranks at Algiers that he continues to be committed to the "armed struggle" against Israel as opposed to any diplomatic solution. These vile acts are the stuff of PLO politics; politics at the lowest common denominator—politics of terror, politics of killing.

Mr. Speaker, the PNC meeting in Algiers has reaffirmed two important characteristics of the PLO: First, Arafat's personal continued commitment to armed violence to achieve his political objectives; and second, PLO unity necessarily implies a more radicalized terrorist organization with closer links to Moscow.

THE SERIOUSNESS OF PHOBIA IN AMERICA

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. PURSELL. Mr. Speaker, on May 5, 1987, the Labor, Health and Human Services, Education Appropriations Subcommittee had the opportunity to be fully informed of the seriousness of phobia in America by testimony given by Ms. Jerilyn Ross. Ms. Ross is the associate director of Roundhouse Square Psychiatric Center in Alexandria, VA, and the co-founder and president of the Phobia Society of America [PSA].

Ms. Ross testified to draw attention to the need for additional research to improve our ability to diagnose, treat, and prevent phobic disorders. She believes it is critical to educate both the medical community and the general public on this disorder.

With the advice and counsel of Dr. George Curtis of the University of Michigan, Ms. Ross gave a thorough and enlightening testimony. It is my pleasure to share that testimony with my colleagues in the U.S. House of Representatives:

STATEMENT BY MS. JERILYN ROSS

Mr. Chairman, Members of the Subcommittee, I am Jerilyn Ross, Associate Director of Roundhouse Square Psychiatric

Center in Alexandria, Virginia. I am also the co-founder and President of the Phobia Society of America ("PSA").

I appreciate having this opportunity to emphasize how important it is for Congress to maintain its commitment to funding research at the National Institute of Mental Health ("NIMH"). Any cutback in funding for NIMH will only slow our advances in understanding mental afflictions and treating and rehabilitating their victims. I am here today specifically to talk about the need for additional research to improve our ability to diagnose, treat and prevent phobic and panic disorders. Also, I believe it is critical to educate both the medical community and the general public on these disorders.

Since the 1950s, NIMH has been conducting a small amount of intramural and extramural research on phobias and panic disorders. Over the past decade, this research has highlighted the significance of these disorders to our society. Just recently, in fact, NIMH has documented that phobias and related anxiety disorders are the number one mental health problem in this country. To me, that is an alarming statistic; and it is one that is not widely known. It speaks of millions of damaged or wasted lives, widespread suffering by all affected, and billions of dollars of direct and indirect costs. Congress can continue to support the fight against phobias and panic disorder through its funding of the National Institute of Mental Health.

Already, research at NIMH has helped tens of thousands of people to overcome their phobic and anxiety-related problems. Many individuals that were once unable to hold steady jobs due to the severity of anxiety disorders now live full and productive lives. Many individuals that once received disability benefits now pay taxes and strengthen our country's economy. Many that once created hardship and heartache for their loved ones now are positive influences on their families and friends.

While NIMH can offer success stories, there are many who continue to suffer. For every person I know who has put his or her life back together, I know that there are probably four or five who have received no relief for their problems because they have not been able to get an accurate diagnosis or proper treatment. Phobic and panic disorders have only recently begun to receive the attention that is due them. Only with education and research can more people learn how to identify phobic and panic disorders. Only with education and research can treatments become better and more widespread.

To help you better understand the types of common anxiety disorders, I want to briefly define "phobia" and "Panic disorder," the most common anxiety disorders. My work at PSA brings me in contact with people suffering primarily from these disorders. Following these definitions. I will talk about the progress that has been made in this area and the challenge that remains. It is particularly important that you know NIMH's role in bringing about some truly phenomenal changes in the lives of thousands of people.

DEFINITIONS

A phobia is an irrational, persistent fear that is inappropriate to the situation and that results in a compelling desire to avoid specific objects, activities or situations, thus interfering with normal functioning. In most cases, phobias begin as a reaction to a panic attack and the fear that it will reoccur.

A panic attack is manifested by the sudden onset of intense apprehension, fear or terror, often associated with feelings of impending doom. The most common symptoms experienced during an attack are: heart palpitations, chest pain or discomfort; choking or smothering sensations; dizziness; feelings of unreality; hot and cold flashes; trembling or shaking; and fear of dying, going crazy, or losing control.

A person who experiences recurrent panic attacks that occur at times unpredictably and not necessarily precipitated by exposure to a phobic stimulus suffers from panic disorder. This condition often is the first step in the development of agoraphobia, the most complex and usually most crippling phobia. The individual fears and increasingly avoids situations in which he or she anticipates feeling trapped, having a panic attack, losing control, and not being able to get to safety—situations such as shopping centers, public transportation or church, for example. This cycle of fear and avoidant behavior increasingly constricts normal activity until it dominates the individual's life—often to the point that he or she is completely housebound.

PROGRESS OVER THE PAST DECADE

Over the past decade, a great amount of progress has been made in understanding and treating anxiety disorders. This progress has been made possible by efforts to educate the public and a steady increase in the amount of scientific research. Ten years ago, anxiety disorders such as phobias and panic disorder were regarded as trivial. Most were dismissed with such advice as "it's just nerves," or "What you really need is a long vacation," or the sufferers were handed a prescription for tranquilizers. Today, I am glad to say the overall attitude toward anxiety disorders is slowly beginning to change.

Unfortunately, however, the majority of people that discover they suffer from anxiety disorders still do not get this diagnosis from the medical community. Reading a magazine article or watching a television show remains the primary source for learning what is wrong and where to get help for overcoming a phobia or a panic disorder. One particular event that was instrumental in changing public opinion about phobias was a sequence on the television show, "60 Minutes". In 1977, the show portrayed the severe debilitating effect of agoraphobia. Millions of Americans saw and heard accounts of people who had not ventured out of their homes for periods of twenty years or more. Not only were people shocked that a phobia could be so debilitating, but it alerted them to the fact that phobias were much more commonplace than was traditionally assumed. Significantly, the show gave hope to thousands of people suffering from phobias that effective treatments were being developed.

To provide a clearinghouse for information on panic and phobic disorders, I cofounded the Phobia Society of America in 1980, the only non-profit organization dedicated to providing this type of assistance. Our original purpose was to reach out through the media to provide information to people with anxiety problems, enabling them to identify their condition and to find appropriate help toward overcoming it. Since 1980, PSA has reached millions of people, some 100,000 of whom have contacted us for information. A single newspaper mention by Ann Landers generated 15,000 letters to PSA. A second mention generated another 15,000 letters.

Today, seven years later, PSA continues to attract and serve members from all regions of the country. Our current membership includes some 5,000 people with panic and phobic disorders, their family members and over 1,000 investigators and clinicians who specialize in the disorders. And we are still young. The Phobia Society's educational efforts have achieved significant results. The stigma associated with phobias has been diminished and thousands of people have found the resources to help them resume normal lives. To further meet the needs of those suffering from anxiety disorders, we are in the process of developing a program through which PSA can facilitate community-based support and interaction among people with phobic and panic disorders. We are proud that the Public Welfare Foundation has granted us $48,000 to support this project. Without a doubt, much work remains to be done.

To be honest, though, our educational efforts would not be possible without the ongoing research that is aimed at understanding and treating anxiety disorders. It is the research breakthroughs that provide the basis for real help to people that are so desperately debilitated. PSA's effort to reach out and educate the public on phobias and anxiety disorders is only one avenue for disseminating these research advances. The National Institute of Mental Health, through its intramural and extramural research programs, will always be the cornerstone of this nation's effort to understand and treat anxiety disorders.

Let me give you an idea of just what advances have occurred at NIMH in the past few years. In the late 1970s, a major milestone was reached when anxiety disorders were broken down into discrete categories. For the first time, people suffering with symptoms of a hitherto undefined affliction had a name for their illness. This was important because sufferers realized that what they once believed to be their own unique problem was actually a problem shared with thousands if not millions of people. Once this classification of anxiety disorders occurred, NIMH was able to focus its research on understanding and treating specific disorders.

For instance, beginning in the late 1970s the Institute conducted extensive research into agoraphobia. This research is responsible for much of what is known about this disorder today, including how to treat it. A significant NIMH discovery is that agoraphobia may be associated with a biochemical abnormally in the nervous system which may be genetically based. This new view has important implications for treatment and research of disorders like agoraphobia, other phobias and panic disorder.

Another significant milestone in anxiety disorder research at NIMH was reached in the 1980s. The Epidemiological Catchment Area Study ("ECA") showed that phobias and related anxiety disorders are the most prevalent of all psychiatric disorders. The ECA study projected at 8.3% of the population, or over 14.4 million Americans, suffer from a phobic or related anxiety disorder during their lifetime. Mental health officials and scientists never imagined that anxiety disorders would rank ahead of depression, alcohol, drug abuse and schizophrenia. Among women it ranks as the number one psychiatric disorder in all age groups.

Subsequent studies stemming from the ECA study are now yielding further insights into anxiety disorders. Alcohol abuse is now being linked with phobic or panic disorders.

Alcohol is often used as a form of self-medication to temporarily bring relief to people with anxiety disorders. As many as 20% of those suffering from these phobic and panic disorders have a history of alcohol abuse. Additionally, other studies indicate that 30% of alcoholics meet the diagnostic criteria for phobic or panic disorder. These data not only provide clues to treating phobic and panic disorders, but they also provide insights into why some people may be prone to alcoholism.

Another significant finding that is beginning to attract a great deal of attention is the cost incurred by the government and individuals for faulty diagnosis of people with phobic and panic disorders. People suffering from phobic and panic disorders are heavy users of the general medical system. (As an addendum to this statement, I am including the results of a study that documents the repeated use of mental health services by people suffering from panic disorder.) In particular, they make up a sizable proportion of the patients seeking a cardiologist's care. They run from one physician to another, one test to another, and one diagnosis to another. In a study conducted at Massachusetts General Hospital, Dr. David Sheehan showed that over 95% of those in the study had consulted a psychiatrist and 70% had consulted physicians more than ten times for relief. Even more shocking, Sheehan showed that 98% of those in the study had been treated with often high doses of tranquilizers for up to fifteen years without noticeable improvement in their condition.

The cost to individuals and the health care system for faulty diagnosis is extremely high. Many patients have spent tens of thousands of dollars during their lifetime attempting unsuccessfully to have their condition accurately diagnosed. Millions of federal dollars are wasted on emergency room, hospital and doctor visits, unnecessary tests, and disability benefits. In all, the total dollar loss due to misdiagnosis of phobic and panic disorders is currently estimated to be in the billions. And there is evidence that the dollar loss is more accurately in the tens of billions.

The cost to the federal government and the private sector in lost productivity of its employees is also significant. Since these anxiety disorders primarily affect people in the 20 to 40 year age range, a loss of job income and decline in job performance is prevalent. For instance, the GAO has estimated that alcoholism may cost the federal government as much as $694 million a year in lost productivity. If, as referenced earlier, 30% of alcoholics are phobic or suffer from panic disorders, then the cost to the federal government of those individuals who cope with anxiety problems through alcohol is $208 million every year.

NEEDS

On October 11, 1987, I testified before the Congressman Henry Waxman's Energy and Commerce Subcommittee on Health and the Environment about the need for increased education and research in phobic and panic disorders. I was joined by officials from NIMH, broadcaster Willard Scott who overcame a phobia, and other former and current victims of anxiety disorders. These scientists and former and current patients requested that more research dollars be allocated to the NIMH to fund:

Laboratory tests that will help identify disorders more accurately;

scientifically precise methods to identify those at risk before the onset of symptoms and then to block the emergence of the symptoms;

quicker, safer and more easily administered treatments;

studies that will clarify the relatonship of anxiety disorders with other disorders (like alcoholism);

basic research into the physiological and neurochemical imbalances that may contribute to the development of phobic and panic disorders; and

the collection, organization and dissemination of useful information on diagnosis and treatment, both to practitioners who treat the disorder and to those who suffer from it.

Anxiety disorders today are analogous to high blood pressure in the early seventies. In the last decade, the United States death rate from strokes has plummeted 37% and from heart attacks 25%. Perhaps the most important explanation for this decline has been the aggressive campaign in research and education waged by the National Heart, Lung, and Blood Institute.

Like high blood pressure, phobic and panic disorders are treatable. Phobic Americans need to be taught the symptoms of phobias and panic disorder and where they can go for help. Doctors need to be educated about the symptoms of anxiety disorders so we can begin to save the billions of dollars misspent annually on misdiagnosis, unnecessary testing and inappropriate treatment. Research needs to be expanded to investigate how those at risk might be identified before the onset of symptoms. Research needs to be expanded to investigate the nature of the relationship between physiological and neurochemical imbalances and the development of phobic and panic disorders. NIMH has taken the first steps toward addressing these educational and research needs. If NIMH is to continue making improvements in these areas, as it has done in the past, it needs your continued support for its programs.

I thank you for the opportunity to appear before the Subcommittee today and for your taking the time to consider the plight of those suffering from phobic and panic disorders.

WILEY SCHOOL AND NATIONAL TEACHER APPRECIATION WEEK

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. PRICE of North Carolina. Mr. Speaker, May 4–8 is National Teacher Appreciation Week. This is the one week in the year we have to honor a profession which is molding the future of our children. I am grateful for and proud of these dedicated men and women.

I would like to recognize one group of the many gifted teachers in the Fourth District of North Carolina. At Wiley International Magnet School, teachers educate 340 students in grades kindergarten through fifth. Of these students, 67 children are from 27 foreign countries. These students come to Wiley Elementary with little or no knowledge of English. The task of integrating these students into the public school routine falls on Wiley's teachers. Thus, the teachers at Wiley not only have the overwhelming demands of teaching in the public school, but also, the challenge of providing these foreign students with their first introduction to the American education system.

Wiley International Magnet School is unique in other ways. Its language teachers provide students, beginning in kindergarten, with foreign language instruction. Students at Wiley can learn French, Spanish, Chinese, Japanese or German. Wiley teachers also offer instruction in photography and computer skills, science, social studies, math and language arts courses. Courses with appealing titles like "Digging for Dinosaurs" and "Spaceship Earth" are taught by Wiley's creative and enthusiastic teachers.

There has been a Wiley School for nearly 90 years. The present Wiley School building is over 65 years old, but the activities that go on within its walls are fresh and exciting every day. During this week, we should take the time to thank all the teachers who make Wiley International and other schools special.

THE ARLINGTON HEIGHTS WOMAN'S CLUB: CELEBRATING 100 YEARS OF COMMUNITY SERVICE

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. PORTER. Mr. Speaker, this year in the State of Illinois the Arlington Heights Woman's Club celebrates 100 years of outstanding service to the community, and I would like to take this opportunity to salute this fine organization and acknowledge its many contributions to the Arlington Heights area.

On January 16, 1887, Mrs. Amos Walker, wife of a local school principal, invited six of her friends to meet at her home to discuss forming the group that was to become the Arlington Heights Woman's Club. They named that the first group "The Chautauqua Circle," after the Chautauqua Movement, which provided home reading and study courses for men and women who lacked a college education but yearned for knowledge. In 1896, the group joined the Federal of Woman Club's, and changed its name to the Arlington Heights Woman's Club. Three years later, the group had 18 members, and by 1900 there were 60. Today, the club provides study and service groups and is active in serving the community's needs with approximately 200 members.

The list of the club's many accomplishments is truly remarkable. In 1926, the club raised money to pay the salary of the first public health nurse and supported dental and well-baby clinics. During the height of the Great Depression, members opened a community kitchen to feed mothers and children, and helped local churches to can produce, serve meals, and collect funds and clothing.

In 1934, the club organized the first "Cards for Scholars" party, a fundraising effort that continues to this day. Over the years, this activity has raised thousands of dollars for college scholarships and summer tuition payments for music and art studies.

More recently, the club supported and raised funds for the Kirk Garden for handicapped children. This garden provides a unique and wonderful experience for these children, offering an array of fragrant flowers and plants that are identified with braille signs. The flowerbeds are in built-up beds for easy access from a wheelchair, and low benches allow handicapped individuals to move from their wheelchair to a bench with ease. Further, the group raised $10,000 to benefit the blind from 1970 to 1975.

In 1980, the club started Project Able-Disabled, encouraging special parking areas for disabled persons, lowered curbs in Arlington Heights, and doors and restrooms facilities in public places to allow wheelchair access.

The members also conduct tours and dinners for high school exchange students to facilitate international friendship and understanding, and to allow these students from other nations to better experience their stay in the United States.

Among the club's many other good works, it continues to serve residents at local nursing homes with fashion shows, films, and recitations; members donate clothing, food, toys and books to the American Indian Center; and the club helps preserve the area's history through work for the Arlington Heights Historical Society.

Mr. Speaker, I join the entire community in thanking the club for the many essential activities and fundraising efforts it has conducted over the years. However, the contributions of the Arlington Heights Woman's Club cannot be measured in years or dollars alone. The common bond among these women is their selfless dedication to help others, the volunteer spirit that lies at the heart of America. They demonstrate that in this Nation, individuals banding together can make a difference, they can make our communities a better place to live. The Arlington Heights Women's Club has touched innumerable lives and is an integral part of the community history. So, as the club begins its second century, we say thank you for caring—and may you prosper during the next 100 years!

THE OSSINING HIGH SCHOOL

HON. JOSEPH J. DioGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. DIOGUARDI. Mr. Speaker, I rise today to salute the members and advisers of the Ossining High School mock trial team of Ossining, NY, who have won the New York State Mock Trial Championship and will now represent New York State in the National Bicentennial Trial Program Student Seminars on the Judiciary and Constitution competition here in Washington, DC.

The competition was intense with over 450 schools participating statewide. Regional winners gathered in Albany for the final rounds of competition with Ossining becoming the Champs!

I would like to congratulate the students and their teacher/legal advisers for the hours of hard work devoted to the preparation and presentation of their case and the New York Bar Association's Law, Youth ad Citizenship Program for sponsoring the competition.

I also wish them success in their quest to become the National Champions. Mr. Speaker, colleagues, please join me in congratulating these outstanding young adults.

HONORING THE EL RANCHO UNIFIED SCHOOL DISTRICT EMPLOYEES ON PICO RIVERA "DAY OF THE TEACHER", MAY 12, 1987

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. TORRES. Mr. Speaker, on Tuesday, May 12, 1987, at a special reception, the Pico Rivera Chamber of Commerce will honor the teaching staff of the El Rancho Unified School District. In addition, retiring teachers and those who have served the school district as loyal employees for 25 and 15 years will be honored with special awards.

These fine and dedicated people have served many years with distinction and are being honored for their outstanding public service by their peers, their school district, and their community.

Education is an extremely important subject to me. The people who educate and train our youth are very special. As we commend these individuals, let us also commend all those who serve in our educational system throughout the country.

I would like to point out that these employees have served in one of the finest school districts in the 34th Congressional District. The El Rancho Unified School District has an outstanding record of high educational quality.

Mr. Speaker, it is with great honor and pride that I rise to recognize the teachers of the El Rancho Unified School District on the floor of the U.S. House of Representatives. I ask my colleagues in the House to join me in extending best wishes and heartiest congratulations to all the teachers who have added so much to enhance this school district.

U.S. CHILDREN AND THEIR FAMILIES; CURRENT CONDITIONS AND RECENT TRENDS, 1987

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. MILLER of California. Mr. Speaker, in 1983, the Select Committee on Children, Youth, and Families which I chair, began an assessment of the conditions in which American children and their families live. Our first report portrayed in detail the social and economic circumstances of American families. Now, at the outset of the 100th Congress, we have updated that assessment with "U.S. Children and Their Families: Current Conditions and Recent Trends, 1987."

This is a report card on where we stand as a nation in terms of families' financial status, housing arrangements, and the educational and health status of our youth. Four years ago, we identified what appeared to be dramatic shifts in families' social and economic conditions and living arrangements. What this report demonstrates beyond a doubt is that these trends are not temporary phenomena. They have made a permanent imprint on the demographics of our society and they continue to create rigorous new challenges for American families. In some areas the pressures are intensifying.

The evidence of the past 4 years alone signals changing circumstances that demand intelligent and creative responses from families, institutions, and Government at all levels. We hope that this new report, which confirms profound changes in the lives of American families, will further enhance our ability to make sound policy choices.

Child Trends, a not-for-profit research organization dedicated to improving the scope, quality, and use of statistical information about children and families, assisted the committee in preparing this report.

Key findings from the report are summarized below:

POPULATION

The overall number of children declined during the 1970's and has remained relatively low—about 63 million—during the 1980's, compared to the large numbers of baby boom children who reached adulthood in the 1960's and 1970's. Children under 18 made up more than a third of the U.S. population in 1960; they now constitute just over a quarter of the population. Families with children, particularly married couples with children, represent a decreasing proportion of all households; and the proportion of adults in the labor force who have children at home has also declined.

In the coming years, the number of young children will begin to increase again, and the total number of children will rise to about 67 million by the year 2000. The child population in the year 2000 will not only be larger, it will also contain a larger proportion of minority youth. Black children, who now constitute 15 percent of the child population, will make up 17 percent of the populations in the year 2000. Hispanic children, now 10 percent of all children, will climb to 13 percent by the year 2000.

FAMILY ENVIRONMENT

During the last 25 years, there have been profound changes in the family situations in which American children are raised. In 1986, 23 million children—more than one third of all U.S. children under 18—were living in something other than a two-parent family in which both biological parents were present in the child's home. More than 13 million were living with their mothers only, 76 percent more than in 1970. Nearly 1.6 million were living with their fathers only, a doubling since 1970.

Childbearing and childrearing by unmarried women have increased substantially in the second half of the 20th century. In 1984, births to unmarried mothers accounted for 21 percent of all births, compared to 4 percent in 1950. Nearly 60 percent of all black births, 28 percent of Hispanic births, and 13 percent of white births in 1984 were to unmarried mothers.

The family circumstances of U.S. children have also been greatly affected by high rates of marital disruption. As of 1986, there were

5.4 million children under 18 living with their mothers only as a result of divorce, more than double since 1970. In addition, there were nearly 3 million children living with separated mothers in 1986, and 1.1 million living with their fathers only as a result of divorce or separation. The growth in the numbers of children living with divorced and separated mothers or fathers has slackened in the 1980's.

Children with working mothers: As of 1986, half of all children under 6, and more than 60 percent of those aged 6-17, had mothers who were working full or part time, or looking for work, outside the home. These proportions have increased dramatically since 1970.

It is still the case that a majority of mothers with children under 18 are not working full time at a given point in time. However, the proportion who are working full time grew from 29 percent in 1975 to 41 percent in 1986, with the greatest growth occurring among those whose youngest child was under 3. Fully half of married mothers with infants under 2 years of age were in the labor force in 1986, compared with less than a quarter in 1970.

As maternal employment has become more common, the need for substitute care provisions for the children of working mothers has grown. Although trend data on child care are inadequate, preschool enrollment figures demonstrate the growth in substitute care. The number of children enrolled in public and private nursery schools and kindergartens has grown from 4.3 million in 1970 to 6.3 million in 1986, and is projected to reach more than 7 million in the early 1990s.

Parent education: Some ways in which American families have been changing bode well for children. The proportion of elementary-school aged children for whom at least one parent had 12 years of education or more rose from 62 percent in 1970 to 78 percent in 1985. For black elementary schoolchildren, this proportion grew from 36 percent in 1970 to 67 percent in 1985. Although increases in black attainment have been particularly dramatic, black parents continue to lag behind white parents in average education. Hispanic parents, many of whom received their education in other countries, are even further behind. In 1985, only 41 percent of Hispanic schoolchildren had parents who had completed high school.

Adopted and foster care children: In 1981, the most recent year for which population-based data are available, there were nearly 1.3 million children—2 percent of the total child population under 18—living with adopted parents.

In 1984, there were over a quarter of a million children in State foster care systems. Turnover in foster care is high, with approximately equal numbers, about 180,000, entering and leaving care during the year. Children in foster care are disproportionately black; they are distributed throughout the range of ages, with more than 40 percent being adolescents or older teens.

INCOME, POVERTY, AND WELFARE

As far as real purchasing power is concerned, the last decade and a half has been a period of economic stagnation or decline for most American families with children. When corrected for inflation, the median family income for U.S. children under 18 changed relatively little during most of the 1970's, declined between 1979 and 1983, and recovered modestly from 1984 to the present. The median family income for children in 1985—$26,720—remained well below the high mark of $30,501—in 1985 dollars—recorded in 1973.

Children in husband-wife families, with a median family income of $31,451 in 1985, enjoy roughly three times the income of those in mothe-only families, whose median family income was $9,472 in the same year. The median family income of white children—$28,988—is half again as much as that of Hispanic children—$17,027, and nearly twice that of black children—$14,879.

In 1985, 20 percent of children under 18 were below the official poverty line. Black children and Hispanic children are especially likely to be living in poverty, with 1985 poverty rates of 43 and 40 percent, respectively. Poverty rates of children in mother-only families are especially high, ranging between 51 and 56 percent since 1970.

The proportion of children receiving Aid to Families With Dependent Children [AFDC] has stabilized at around 11 percent. Average monthly AFDC payments vary widely among the States, and benefit levels have generally not kept up with inflation. In constant dollars, the median benefit for a family of four with no other income declined by 36 percent between 1970 and 1984.

EDUCATION

The proportion of children who are enrolled in school by the time they are 3 to 4 years old nearly doubled between 1970 and 1985, from less than 21 percent to just over 39 percent. But less than three-quarters of all students graduate from high school on time, and this situation has shown virtually no improvement for a quarter of a century.

In 1982, average SAT scores turned up slightly for the first time since 1963. Further increases have occurred since 1982. However, average scores are still considerably below those of 25 years ago.

On the positive side, the National Assessment of Educational Progress has found that the reading proficiency and mathematics skills of black and Hispanic students have increased significantly in the last decade-and-a-half. Despite these gains, black and Hispanic children continue to trail nonminority children in virtually all achievement areas.

Also, nearly 4.4 million children, more than 11 percent of total public school enrollment, were receiving special education services during the 1984-85 school year. The number of children served under such programs has grown by 18 percent since 1976-77.

HEALTH AND HEALTH RELATED BEHAVIOR

The U.S. infant mortality rate in the mid-1980's, less than 11 infant deaths per 1,000 live births, was only about one third of what it was in 1950. Despite these gains, for one out of every 20 babies born in the United States in 1984, and 1 out of every 10 black or Hispanic babies, the mother obtained prenatal care only late in the pregnancy or not at all. This situation has shown virtually no improvement since the beginning of the decade.

Child abuse: Little progress is apparent in public efforts to combat child abuse. The total number of reports of child maltreatment nationwide rose sharply between 1980 and 1984, from nearly 1.15 million to 1.7 million per year. Part of this increase may be due to better reporting.

Cigarette, alcohol, and drug use: About a third of all teenagers aged 12 to 17 report alcohol use, 16 percent report cigarette use, and 12 percent, marijuana use during the past month. The prevalence of alcohol use by teens has fluctuated since the mid-1970's, while cigarette use has gradually declined. Marijuana use has declined from peak levels reached in the late 1970's, but has not returned to the early 1970's levels. Among high school seniors, two thirds report drinking alcohol and a quarter using marijuana in the past month; 1 in 15 reports using cocaine. The use of nearly all drugs has declined in the last few years, but the use of cocaine has continued to rise.

Health insurance coverage: The extent to which children are covered by some form of health insurance varies across income groups, with only about two-thirds of children from families below the poverty line having such coverage, compared to nearly 90-percent coverage among children in families with incomes of twice the poverty level and above. Health insurance coverage also varies by family type: more than 85 percent of those from two-parent families are covered, whereas less than 70 percent of those in mother-only families have such coverage.

BEHAVIOR AND ATTITUDES

In 1985, there were more than 100 arrests of teenagers aged 13 to 17 for every 1,000 teens in the population. In the decade between 1965 and 1975, the total teen arrest rate increased by 41 percent, and the arrest rate for violent crimes more than doubled. Since 1975, arrest rates have remained stable or declined slightly.

Between 1971 and 1982, there was more than a 50-percent increase in the proportion of never-married female teens aged 15 to 19 who reported that they had ever had sexual intercourse. There are indications that the growth in teen sexual activity has slowed or even reversed in recent years, but such activity remains more common than it was in the past.

The proportion of female high school seniors who planned to graduate from a 4-year college rose from 48 percent in 1976 to 63 percent in 1985; while the proportion planning to attend graduate or professional school went from 27 to 40 percent over the same interval. The proportion of male seniors planning to complete college and attend graduate school also rose during this period but not as sharply.

DUTY-FREE SALES ENTERPRISE ACT OF 1987

HON. DANIEL K. AKAKA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. AKAKA. Mr. Speaker, today, I am introducing the Duty-Free Sales Enterprise Act of 1987, legislation which, for the first time, will provide statutory guidelines for the regulation of duty-free stores. This bill is the product of many months of work. In particular, I want to recognize the contribution that the duty-free industry and the U.S. Customs Service have made to this process. While this legislation is of special significance to the State of Hawaii, it also will be of substantial benefit to the Nation as a whole. There are nearly 100 duty-free stores nationwide, including stores at every major international airport and major land border crossing.

This bill is particularly important because it will allow the Customs Service to propose regulations in the duty-free area. Pursuant to section 114 of Public Law 98-473, the Customs Service is currently prohibited from issuing regulations affecting duty-free stores until statutory standards are established. The prohibition in Public Law 98-473 was enacted in response to a July, 1983 proposed rulemaking by the Customs Service which considered, among other options, the abolition of duty-free stores.

The bill amends section 555 of the Tariff Act of 1930 which relates to customs bonded warehouses. Duty-free sales enterprises are bonded warehouses covered by special Customs procedures wherein merchandise is offered for sale to travelers leaving the United States without payment of U.S. duties and taxes. Because such enterprises operate as retail stores, the general statutory and regulatory provisions governing bonded warehouses are in many cases inappropriate. This bill establishes guidelines specifically designed to address the unique characteristics of duty-free sales enterprises.

Duty-free sales enterprises are authorized by section 205 of the Trade and Tariff Act of 1984. However, there are no statutory guidelines for the operation of such enterprise, nor are they provided for by regulation. Until now, duty-free sales enterprises have been administered through Customs' internal directives and circulars. Such an arrangement is undesirable because it provides an uncertain and inadequate foundation for the operation of duty-free stores.

Duty-free sales enterprises benefit the United States in a number of ways. They pay substantial concession fees to international airport operating authorities which constitute a significant percentages of total airport revenues. Duty-free operations located outside of airports pay substantial concession fees to local governmental entities. Duty-free enterprises also induce foreign visitors to increase their overall expenditures in the United States. This makes duty-free stores one of a decreasing number of U.S. businesses which make a positive contribution to the U.S. balance-of-payments. Moreover studies demonstrate that duty-free operations actually attract tourists to the United States, thereby benefiting other U.S. industries, including airlines, hotels and restaurants. This bill is designed to foster these benefits to the United States.

The bill sets forth various operating procedures for duty-free stores and authorizes the Secretary of the Treasury to promulgate regulations based on these guidelines. Duty-free stores, for the first time, will be specifically authorized to sell and deliver duty-free goods for exportation. The bill imposes several limitations on duty-free stores, including their location and the quantities of goods which may be sold to any one individual. It also will require that notices be posted to advise purchasers of duty-free merchandise of the United States and foreign customs law treatment of duty-free purchases. Finally, the bill also outlines the various means by which duty-free merchandise may be delivered to purchasers, and it requires that local governmental concessions be obtained when necessary.

I urge my colleagues to support this measure which will provide much needed legislative guidelines for the proper regulation of the duty-free industry, a valuable segment of the Hawaiian and national economy.

Duty-free stores are businesses which cater to the international pleasure and business traveler and which thus play an important role in the U.S. travel economy. More than 120 stores nationwide sell duty- and tax-free merchandise to departing international passengers at virtually every major U.S. international airport and border crossing. The legislation defines the terms "airport" and "border" duty-free store, among other things.

These stores benefit the United States in a number of ways. First, operators of these stores pay substantial concession fees to the State and local governmental authorities that operate airports, seaports, and other similar points of exit from the United States. In the case of airport stores, these concession fees account for a significant part of total airport operating revenues at locations such as Honolulu, San Francisco, New York, Anchorage and Los Angeles. Second, they induce foreign visitors to increase their expenditures for goods in the United States. Finally, it has been shown that duty-free stores actually attract tourists to the United States, thereby benefiting other U.S. industries, including airlines, hotels, and restaurants. This bill is designed to foster these benefits, while providing, for the first time, for the effective regulation of duty-free operations by the Customs Service.

The bill would amend section 555(b) of the Tariff Act of 1930 (19 U.S.C. 1555(b)) pursuant to which the Customs Service currently regulates "bonded warehouses." Duty-free sales enterprises are a special category of "bonded warehouses" and it is under the bonded warehouse provisions of section 555—and related sections—of the Tariff Act that they have been regulated.

Section 1 sets forth congressional findings which acknowledge the significant economic benefit derived from duty-free stores and the need to provide adequate statutory and regulatory recognition of, and consistent guidelines for, duty-free stores.

Section 2 of the bill amends subsection 555(b) of the Tariff Act of 1930 to provide statutory guidelines for the regulation of duty-free stores by the Customs Service.

Paragraph (1) authorizes duty-free stores to sell and deliver for export from the customs territory of the United States duty-free merchandise in accordance with the legislation and regulations which may be prescribed by the Secretary of the Treasury. In the past, the Customs Service has attempted to promulgate regulations to govern duty-free sales enterprises without the benefit of guidance from the Congress. In that instance, the Congress intervened to prohibit those regulations from being issued until the Congress had enacted legislation which would set forth the scope and bases for the regulation of duty-free sales enterprises. After enactment of this legislation, the Customs Service would be allowed to issue implementing regulations in accordance with the notice-and-comment rulemaking procedures of the Administrative Procedure Act.

Paragraph (2) sets forth certain limits on the location of duty-free stores. Under this paragraph, duty-free stores could be located anywhere within the same port of entry—the limits of which are set forth in Customs Service regulations and decisions—from which a purchaser of duty-free merchandise departs the United States, or anywhere within 25 statute miles of the exit point from which the purchaser will depart the customs territory; that is, specific airport, seaport, or border crossing. In some instances, a duty-free store may be located within 25 miles of several exit points, in which case delivery of merchandise to departing passengers, and subsequent exportation from the customs territory could occur through any of the exit points which are within 25 miles of the location of the duty-free store.

Aside from these restrictions, the distance between a duty-free store and an exit point is left to the discretion of the person which will operate the store and is not subject to regulation by the Customs Service. Under this provision, operators of duty-free stores will have sufficient flexibility with respect to the location of their stores to take advantage of business opportunities, while, at the same time, ensuring that the Customs Service has adequate control over the stores to ensure that they operate in accordance with the law and implementing regulations and, particularly, that the merchandise that is sold by them is exported from the United States or otherwise accounted for. Moreover, regardless of where a duty-free sales enterprise is located, delivery of merchandise to departing passengers would be allowed only in accordance with one of the specific methods specified in subparagraph (3E).

Paragraph (3) sets forth a number of specific requirements for duty-free stores:

Subparagraph (A) requires duty-free stores to establish procedures to provide reasonable assurance that duty-free merchandise sold by the store will be exported. This provision imposes a high standard on operators of duty-free stores to adopt appropriate procedures designed to satisfy the important requirement that duty-free merchandise be exported. The precise procedures which are needed will vary, depending on a number of factors, including the location of the store and physical and geographical surroundings. A duty-free operator is not required absolutely to guarantee exportation, but must implement reasonable measures within the operator's control to assure that exportation takes place. Because operators of duty-free stores are continuously subject to the requirements of a customs bond, the Customs Service always has adequate remedies in the event that exportation does not occur. Under long standing practice and under the terms of the bond, when exportation of an item cannot be established, an operator must pay the duty or tax on the item. Moreover, in appropriate cases, liquidated damages may be imposed.

Subparagraph (B) requires that duty-free stores establish and enforce limits on the quantity of goods sold to any one individual to quantities appropriate for personal use. As defined in subparagraph 8(G), personal use quantities means other than resale quantities, but includes quantities appropriate for household or family consumption as well as for gifts to others. Personal use quantities are not restricted to the quantities of merchandise that a departing passenger may bring into his or her destination country free of duty. Under this provision, the Customs Service would not be authorized to fix personal use quantities at specific levels, but only to issue guidelines to assist operators in establishing and enforcing the statutory requirement.

Subparagraph (C) requires duty-free stores to post signs in prominent places within their stores which state that the merchandise purchased has not been subject to U.S. duty or tax, that such merchandise must be declared and is subject to duty and tax if brought back to the United States, and that such merchandise is subject to the customs laws and regulations of foreign countries. This provision will help purchasers of duty-free merchandise to understand the laws and regulations which apply to those purchases. In order to preserve the value of duty-free merchandise, this subsection also provides, however, that duty-free stores may not be required to mark or otherwise place a distinguishing identifier on duty-free merchandise which would indicate that such merchandise was sold in a duty-free store.

Subparagraph (D) provides that duty-free merchandise may be unpacked into salable units without the necessity of further permits, such as a permit for manipulation. This provision will help to minimize the recordkeeping requirements imposed on operators of duty-free stores while also ensuring that the Customs Service has an adequate basis upon which to audit the operation of a duty-free store for compliance with the law and implementing regulations.

Subparagraph (E) concerns the way in which delivery of duty-free merchandise may be effected. The manner and location of the delivery of duty-free merchandise to the departing passenger is an important component of the operator's efforts to provide reasonable assurance that the merchandise is exported from the United States. The legislation thus prescribes certain methods of delivery which are the exclusive delivery methods that an operator of a duty-free store may employ to convey its merchandise to the departing passenger.

The legislation provides for delivery of duty-free merchandise at international airports in one of three designated ways. An operator may use one or more of the methods of delivery at a particular location at its option, but may not use any other method. The designated delivery methods for an airport duty-free store are as follows: First, to the purchaser of the merchandise—or to a family member or companion traveling with the purchaser—in an airport area restricted to departing international passengers, a so-called sterile area; or second, to the purchaser of the merchandise—or to a family member or companion traveling with the purchaser—at the exit point of a specific departing flight. As explained in the definition of exit point in subparagraph 8(G), exit point includes the gate holding area for a specific departing flight. Gate holding areas for international flights are ordinarily secure areas and the predominant mode of delivery of airport store duty-free merchandise is at the gate. The bill would not affect this practice; and, third, by delivering the merchandise to the purchaser by placing it within the aircraft on which the purchaser is departing from the United States for carriage by the airline as passenger baggage—as distinct from the other two permitted delivery methods where the purchaser carries the merchandise on board the aircraft.

Typically, merchandise is delivered to the baggage storage compartment of an airplane when the circumstances at a particular airport dictate or when compliance with Customs' requirements necessitates—as, for example, where an international flight leaving the United States makes an intermediate stop in another U.S. location. The requirement that the merchandise be delivered to the airplane for carriage as passenger baggage is intended to facilitate Customs' supervision and control over the export of duty-free merchandise and also to facilitate compliance with the Customs laws and regulations in the destination country. On occasion, however, an operator of a duty-free sales enterprise may be unable to effect delivery through one of these three methods—where, for example, the purchaser changes his travel plans and departs on an earlier flight but does not advise the operator.

When the operator has made a good faith effort to deliver merchandise to a departing passenger through one of the three designated delivery methods, but has been unable to do so in a specific instance—as in the example above—the operator would be allowed to make delivery through any other reasonable means, that is, by placing the merchandise on the next available flight to the purchaser's destination. An operator may not routinely deliver merchandise to departing passengers through any method other than the three which are set forth in the statute. Regardless of the delivery method used, the operator of the duty-free sales enterprise would be required to demonstrate that the merchandise had been exported from the United States.

Delivery of duty-free merchandise in the case of border stores would be permitted only at a merchandise storage location at or beyond the exit point. This limitation is necessary because unless duty-free merchandise is delivered at a point at which the departing purchaser has no alternative but to leave the United States, there is no feasible way to assure that the goods are exported. This delivery requirement would not affect, however, the delivery of duty-free merchandise at locations approved by the Secretary of the Treasury—through action or acquiescence of the Customs Service—before the enactment of the legislation, since delivery at such locations presumably now provides sufficient assurance of exportation.

Paragraph (4) closely follows current language in section 555(b) of the Tariff Act of 1930. It provides that if a State, local or other governmental authority, incident to its jurisdiction over an airport, seaport, or other exit facility requires that a concession or other form of approval be obtained for operation of a duty-free store—as is commonly the case, duty-free merchandise may not be withdrawn from a bonded warehouse and transferred to or through such facility unless the operator of the duty-free store demonstrates to the Customs Service that the required concession or approval has been obtained. When it enacted this provision several years ago, the Congress recognized the need to ensure that the interests of State and local governments are protected.

Paragraph (5) provides that merchandise other than duty-free merchandise may be sold in duty-free stores, except that such nonduty-free merchandise may not be commingled with duty-free merchandise in a bonded warehouse—that is, storage—facility other than a bonded facility at which retail sales are made. The requirement that non-duty-free merchandise not be commingled with duty-free merchandise during storage—unless the location of storage is a bonded duty-free sales enterprise at which retail sales are made—will ensure that the recordkeeping responsibilities of operators of duty-free stores are explicit and that the Customs Service is able to audit compliance with those requirements efficiently.

Paragraph (6) confirms current practice which prohibits duty-free merchandise from being brought back to the United States under the personal exemption. Duty-free merchandise may be purchased only for use outside the customs territory of the United States and a traveler who returns to the United States with merchandise purchased in a duty-free store located in the United States is obligated to declare such merchandise as if it had been acquired abroad—and, even then, the merchandise is not eligible for the personal exemption; that is, duty or tax must be paid on the merchandise.

Paragraph (7) establishes a separate class of bonded warehouses for duty-free stores. Under current regulations, duty-free stores are classified as class 8, class 2, or class 8-2 bonded warehouses. These classifications are inadequate because duty-free stores, unlike other bonded warehouses, are essentially retail operations. Accordingly, the legislation directs the Secretary of the Treasury to create a new class of bonded warehouses for duty-free stores as part of the regulations promulgated to implement the statute. In creating this new class of bonded warehouses—and in developing the implementing regulations generally—the Secretary is to take into account the unique characteristics of the different types of duty-free stores.

Paragraph (8) sets forth various definitions for terms used in the legislation, including for airport stores, border stores, customs territory, duty-free sales enterprises, duty-free merchandise, exit point, and personal use. "Airport stores" are defined as duty-free sales enterprises which deliver duty-free merchandise to or on behalf of individuals departing at international airports. "Border stores" are defined as duty-free sales enterprises which deliver duty-free merchandise to or on behalf of individuals departing through a land border. "Customs territory" is defined as the customs territory of the United States and foreign trade zones. The definition of the "duty-free sales enterprises" tracks current law, section 555(b) of the Tariff Act of 1930, which describes such enterprises as those which sell, for personal use while abroad, duty-free merchandise that is delivered from a bonded facility to an airport or other exit point for exportation by or on behalf of departing individuals. "Duty-free merchandise" is defined as merchandise in a duty-free store upon which neither Federal duty nor tax has been assessed. "Exit point" is defined as the area in close proximity to the actual exit for departure from the United States, including the gate holding area in the case of an airport where there is reasonable assurance that duty-free merchandise delivered at the gate holding area will be exported from the customs territory. In the vast majority of cases, the gate holding area of an international airport will now provide adequate assurance that the merchandise will be exported. Only rarely is it expected that changes to a specific gate holding area would be needed in order to provide the appropriate assurance of exportation. Finally, "personal use quantities" is defined as other than resale quantities, but specifically including quantities appropriate for household or family consumption as well as for gifts to others. The personal use limitation is not intended to affect the common practice of travelers from many nations of buying gifts in the United States to be given to others upon the travelers' return home.

Section 3 provides that the amendments to section 55(b) of the Tariff Act of 1930 effected by the legislation take effect 15 days after enactment.

CONTRIBUTION AT THE CHILLICOTHE, MO, SALVATION ARMY

HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. COLEMAN of Missouri. Mr. Speaker, this year marks the 100th anniversary of the Salvation Army's work in Chillicothe, MO. I am delighted to join with the people of that community in recognizing the tremendous contribution the Salvation Army has made over the past century. Both in good times and trying times, the Army has been there to help those in need. I think it is important to note that the first Salvation Army officer in Chillicothe was a woman, Captain Bennett. While it is unlikely that she would recognize the city of Chillicothe today, I am confident that the dedication and work of the current Chillicothe Corps officers—Captain and Mrs. Gary W. Lowder, with their daughter, Judith—would be very familiar to her.

I ask my colleagues to join me in congratulating Captain and Mrs. Lowder and, in doing so, recognizing the significant work and worthy tradition of the Salvation Army across the Nation.

THE "ENGLISH ONLY" MOVEMENT

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. RICHARDSON. Mr. Speaker, I would like to place in the RECORD two important articles on the absurdity of the monolingual or English only movement.

The first article, "Implications of Racism Surface in English Language Legislation," by J.D. Arnold clearly points out underlying tones of racism and the impracticality of limiting the American dream to those who only speak English. The second article, "Ordering a Blue Corn Flapjack Unsettling to Everyone Used to Speaking Spanish," by Edmundo Delgado, illustrates how such an amendment would impact our communities. I urge my colleagues to read these thoughtful and insightful words.

The articles follow:

IMPLICATIONS OF RACISM SURFACE IN ENGLISH LANGUAGE LEGISLATION

(By J.D. Arnold)

Everyone should oppose future attempts to impose an official language on the people. Besides the obvious implications of racism, several other aspects of the proposed legislation make it onerous.

Why should anyone be forced by law to speak a particular language? If a particular language provides such benefits to those that speak it, people will make their own efforts to learn it without coercion. English is the most widely spoken language in the world. In virtually every non-English speaking country in the world, English is the first language learned after the other tongue.

If the English-speaking community of this country cannot attract people to learn it, perhaps that community does not offer enough opportunities to either immigrants or native-born individuals with a different mother tongue.

Language is the primary currency of any culture. Multi-cultural nations and communities offer their citizens far more opportunities for enrichment and educational opportunity than their homogenous counterparts. One should observe the rich cultural fabric of Switzerland, Canada and the British Isles to understand the benefits. In those places where cultural divisions have caused civil strife, it is usually not language, but other differences which lead to the problems.

Even in cases where language differences have caused problems, it is precisely because of legislation mandating the use of one language or another that problems have occurred.

The notion that immigrants have special responsibility to learn the majority language of a country may have some merit, but what about those citizens whose forebears did not immigrate to the United States? Does anyone seriously believe that the French, Spanish and Native American people who one day found themselves under United States rule by conquest or land purchase without referendum are immigrants?

When promoters of English as an official language hear about attempts by the Soviet government in Moscow to impose the Russian language on the Baltic states or their other republics where Russian is not native, these cultural purists decry the lack of civil rights in the Soviet Union. Why should we not hold to the same standard?

Any time a "legal" language is adopted, we open a virtual Pandora's Box of linguistic totalitarianism. A language is not just vocabulary, but also grammar, syntax, definition, context and so on. Besides the danger of having government censors who would rule the use of some words illegal (as is the case in France), we might also see such bureaucrats taking positions on the grammar etc.

If it would be illegal for a member of the Legislature to speak on the floor in Spanish, could it not also be illegal for that person to use a poor choice of words in English or dangle a preposition?

As ludicrous as it may seem, adoption of any official language has the potential for this sort of tyranny. If the law can make the use of "adobe" and "santo" and "chile" in an official document illegal, so can it make the use of "ain't" and "right on" and "sure 'nouf" illegal in spoken testimony in court.

The founders of this republic debated the idea of adopting an official language at the Constitutional Convention two centuries ago. Many supporters of an official language at that time wanted German, in fact. Wisely these patriots decided to make no language official and to let the people make the choice.

This practice has worked well since then and the republic has survived to this day through waves of immigration and conquest of non-English speaking peoples. Today the most eloquent English spoken anywhere can be heard in our theaters and broadcast programs and even on the streets of Santa Fe. The promoters of forced English should learn the lessons of our founders and the history of the nation. Rather than bring us the language police reminiscent of George Orwell's 1984, they should work on the much more important problems of functional illiteracy among high school graduates in white, Anglo-Saxon communities or the inability of our university graduates to compete in the international business community where their lack of foreign-language ability costs United States-owned companies critical opportunities.

The use of English must flourish or diminish on its own merits. It cannot gain acceptance by coercion and legal, secondclass status of other tongues.

English will grow and change as a language only if it has the influence of foreign words and ideas and new usages just as it has grown from its Teutonic and Romance roots 1,500 years ago. Locking it up in Legislative constraints serves neither the future of the language or the welfare of those citizens who wish to speak and write from another perspective and different tradition.

ORDERING A BLUE CORN FLAPJACK UNSETTLING TO EVERYONE USED TO SPEAKING SPANISH

(By Edmundo Delgado)

I awakened in a cold seat the morning after House Joint Resolution 9 was introduced in the New Mexico House of Representatives proposing to make English the official language in the state. When I arrived at the office, I phoned my friend and author, Orlando Romero, at the Museum of New Mexico History Library to inquire how he felt about such a preposterous introduction.

"Can you imagine what effect it would have on a person with a name like Edmundo

Ricardo Delgado?" I asked. "Imagine what might happen if this proposal became a part of our constitution and we were placed in an "English only" mode. Edmund Richard Slender?"

Orlando, from Nambe, has often suggested that Don Juan de Onate is the father of our country, and says he grew up thinking the real American revolution began at San Juan Pueblo in 1680!

"Does the legislation suggest that everyone speak "our" language—the King's English or Henry Kissinger's?" he inquired. We both agreed we best begin practicing.

We continued speculating about the prospect over lunch. He ordered a blue corn flapjack with hot (Capiscum annuum) and a Two Exces beer. I did not know exactly how to order a guacamole salad so I called for a holymoly salad. I thought the waitress might be offended if I asked for a bottle of Coco-Cola (too Spanish sounding) so I asked for a Coke.

Just to be making small talk, we asked the waitress where she lived, and she told us she was from Cedar Crest in the Watermelon Mountains near the City of the Duke.

Orlando noted that the menu indicated the special for the day was stuffed little belts in a bread roll. Texans still call them fah-heetahs in a pe-tah because a copy of the proposed legislation hasn't been sent to Austin. I noted they had discontinued chimichangas and enchiladas because the University of New Mexico's computers is still searching for an appropriate translation. The computer was down and was having trouble with Schlotskys and Der Wiener Schnitzel.

Spaghetti and bar mitzvah have already blown four computer chips, which apparently have been back ordered from Mitsubishi. The buyers seem to be having difficulty in writing the correct Japanese address in the official language of the state.

I know Orlando likes to talk about construction on his home. "Are you still making a lot of mud blocks for your mud block home?" I inquired.

"Not this weekend. I drove my old Ford Pomegranate this last weekend up to The Popular National Laboratory to visit my friend, Charlie Cow Head. Before the law, he used his ancestral name Cabeza de Vaca," he told me.

By that time the waitress had overheard our conversation and she had to break in, adding her two cents. "My friend over in St. Michaels, Mulberry and Upper River Counties are concerned that the law may change the names of the little villages like Tecolote to Owl, El Cuervo to The Raven, and El Gobernador to The Governor," she said.

Part of our conversation suddenly shifted to our concern with what some of the civic groups were going to do about the special celebrations around town. Some of the concerns would have to be translations. We both agreed that La Fiesta de Santa Fe would certainly cause the ACLU some consternation when they suddenly figured out that it was really The Feast of the Holy Faith, and the Rodeo de Santa Fe stationery would, of necessity, have to be changed to Holy Faith Roundup.

What about the Santa Fe Opera? The Opera of the Holy Faith might just sound like another production. Then there's the Spanish Market with its artisans and all their unnamed (in the official language) crafts. Oh, and what tourist visiting the Indian Market is going to believe one of our Native Americans when he discloses that he is from St. Dominic, just north of the City of the Duke?

It is obvious, too, that the community at the base of the Sacrament Mountains in southeast New Mexico won't have The City of the Holy Faith's mayor to kick around any more when he makes remarks about the City of Large Cottonwoods—somehow it won't be insulting.

"There's one sure thing," Orlando stated. "I don't think our only Native American senator will like being called John Spotted."

Just as we were waiting for our check, in walked Johnny Flowers and Mary Jane Morningstar. "Did you hear?" boasted Johnny. "You can call us Juan Flores and Maria Juana Lucero again. The House of Representatives just blasted HJR 9 out of committee, made it the next order of business and defeated it 70-0."

Orlando and I smiled at one another, and Juan simply said, "Right on bro'! Later," in the language of the people.

RECOGNITION OF ARBITRATION DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. RANGEL. Mr. Speaker, today, in the city of New York, the American Arbitration Association is holding its annual "Arbitration Day" celebration. New York State Gov. Mario Cuomo and Mayor Ed Koch, respectively, proclaimed the day "Arbitration Day in New York State" and "Arbitration Day in New York City."

I am glad to see arbitration is receiving the recognition it deserves. Providing a method for voluntary conflict resolution is a welcome alternative to the formal, judicial process. Arbitration can establish a starting point and provide direction to arguments that have reached an impasse.

Forty-eight organizations from widely diverse fields are cosponsoring this event. The fact that arbitration is enjoying such widespread support shows the growing importance of alternative dispute resolution.

The American Arbitration Association is sponsoring a conference today, at the New York Hilton. The main topic will be the use of arbitration in eight specialized areas. They are: construction, consumer, insurance, international trade, private sector labor relations, interest arbitration, and securities and textile and apparel disputes. Also, various awards will be given to deserving recipients for their contributions to voluntary dispute resolution.

Finally, Mr. Speaker, I commend the American Arbitration Association for its fine work, and congratulate the persons being honored for their exemplary work.

TRIBUTE TO BROTHER GLENN NEINER

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. HERTEL. Mr. Speaker, I rise today to pay tribute to Brother Glenn Neiner, principal of Bishop Gallagher high school in Harper Woods, MI.

During the past 7 years, Brother Glenn has demonstrated outstanding service, commitment, and dedication to the young men and women of Harper Woods. In 7 years as principal of Bishop Gallagher, Brother Glenn has helped the school grow by expanding the curriculum, and by showing genuine concern for the education of the students.

Brother Glenn has also provided valuable assistance to myself by serving as chairman of the Academy Nomination Committee which recommends high school students for enrollment in our military academies. During this time he has provided outstanding leadership in establishing a system that allows objective review of all candidates.

Brother Glenn has touched all of the people in Harper Woods through his unselfish service to the community and his deep commitment to the young men and women of the community. He is a man who is very deserving of our thanks and our appreciation for all that he has accomplished.

FARMERS HOME ADMINISTRATION NEEDS REFORM

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. DORGAN of North Dakota. Mr. Speaker, I don't need to tell you that American agriculture has been going through a traumatic crisis the past few years. We have had many long debates here in Congress about how to address the problems of America's family farmers. Let me just say that problems continue. There is an income problem, and there is a debt problem, and of course they are related. But today I'd like to address the debt problem because it is the inability to repay loans that forces many farmers off the land.

One of the results of continued low prices for agricultural commodities is that a large number of farmers now find themselves unable to make payments on their loans. In normal times, the recourse for the lender when a borrower defaults is to foreclose the loan and take possession of the collateral. But these are not normal times, because the value of the collateral has also fallen dramatically. Lenders now face the fact that even foreclosure and sale of the collateral will not prevent substantial losses on these defaulted loans.

Mr Speaker, in my State of North Dakota, about 8,000 family farmers rely on the Farmers Home Administration for all or part of their credit needs. The seriousness of the crisis in our agricultural economy is demonstrated by the number of problem loans in FmHA's portfolio. In the last 2 years, FmHA has sent 2,100 of their North Dakota borrowers notices of intent to take adverse action, the precursor of foreclosure. Mr. Speaker, that is almost 10 percent of the farmers in my State.

CONGRESS CAN SAVE FARMERS AND MONEY

If we continue along our current path, it seems fairly certain that within 1 or 2 years North Dakota will lose a great many of these

2,500 farmers with FmHA problem loans. And there are tens of thousands more farmers around the country in the same situation. The point I want to emphasize today is, that doesn't need to happen. We here in Congress can do something about it, we can help these farmers stay on the land and continue farming, and we can save the Government money at the same time.

We can save money because helping these farmers restructure their debts is cheaper than foreclosing and taking their land, managing and ultimately disposing of the property. And who knows what the structure of land ownership will look like in 10 or 20 years if we continue to tacitly approve those foreclosures?

FMHA ADMENDMENTS OF 1987

Mr. Speaker, today I am introducing a bill that contains a package of reforms that will help Farmers Home help farmers repay their loans and stay in business. In writing this proposal, I have been working closely with three Congressmen who are members of the Committee on Agriculture. Some of the elements of our package will mandate that FmHA use some of the broad authority granted in the 1985 farm bill. Others are more technical corrections designed to allow FmHA the authority to use certain servicing options. I'd like to emphasize that each and every provision is fully in the spirit of the credit title of that law.

Joining me in sponsoring this legislation are Mr. MARLENEE of Montana, Mr. PENNY of Minnesota, Mr. JOHNSON of South Dakota, Mr. JEFFORDS of Vermont, Mr. MCDADE of Pennsylvania, Mr. STALLINGS of Idaho, Mr. SIKORSKI and Mr. SABO of Minnesota, Mr. FAUNTROY of the District of Columbia, Mr. GLICKMAN of Kansas, Mr. KASTENMEIER of Wisconsin, Mr. GEPHARDT of Missouri, Mr. ESPY of Mississippi, Mr. LANCASTER of North Carolina, Mr. EVANS of Illinois, Mr. THOMAS of Georgia, and Mr. JONTZ of Indiana.

DEBT SETTLEMENT

The first and main provision of our package deals with debt settlement, sometimes referred to as debt write downs. In section 1309 of the 1985 farm bill, Congress gave Farmers Home broad authority to compromise, reduce, adjust, and charge-off claims against borrowers. This section is very clear, and I think the Congress fully intended for Farmers Home to use it to help farmers restructure their debts.

Instead, Farmers Home has utilized this authority only in conjunction with foreclosure or other forms of liquidation of a borrower's farming operation. FmHA refuses to use debt settlement as a form of loan servicing to help farmers remain on the land and continue farming as FmHA borrowers.

Mr. Speaker, this is not good policy and it is not good business. For most borrowers who face liquidation by Farmers Home, the value of the collateral securing the loans has fallen well below the amount owed to FmHA. This means that if FmHA liquidates the borrower and sells the collateral property, or if the borrower declares bankruptcy, FmHA will still lose money.

EXAMPLE OF AN UNDERSECURED LOAN

For example, consider a farmer who now owes Farmers Home $300,000 on land that has declined in value to $200,000. If the farmer can't make payments on that $300,000, no matter what loan servicing options he tries, what should the Government do? If FmHA forecloses and sells the land, the Government will get $200,000, less substantial legal and management costs that will be incurred, maybe a net of $180,000.

Wouldn't it make a lot more sense to see whether the farmer who is currently on the land could make payments on his loan if it were reduced from $300,000. What if the farmer can repay a $250,000 loan? Or a $200,000 loan? Or even a loan reduced to $180,000, the amount the Government would get through a liquidation?

My colleagues and I maintain the Government should reduce the amount of the loan to the level the farmer can repay, as long as that amount is at least as much as the Government would get through liquidation. In many, if not most, cases, the Government will ultimately get more money back by keeping the present farmers on the land, because many of them can repay at a level in between the current loan amount and the liquidation value of the loan. At worst, the Government will break even, and think of the tragedy we will have averted out in the heartland. Family farmers will be able to stay on the land, contributing to the economies of their local communities, and the production of this country's food will remain in the hands of family farmers.

It is important that everyone realize that writing off debt will not cost the Government money, because the money is already gone, lost with the deflation of land values. If Farmers Home has been straightforward in its bookkeeping, these losses will have been written off already. If not, we may need to do some accounting to acknowledge that the losses have already been incurred. But make no mistake, the $100,000 from my example, and the millions of dollars of bad FmHA debt nationwide, is gone.

We must make the best of a bad situation by helping farmers restructure their debts, stay on the land, and pay what they can. In the process, the Government will recover more than it would through thousands and thousands of liquidations and bankruptcies.

Mr. Speaker, I believe that is what Congress intended Farmers Home to do when it passed the credit title of the 1985 farm bill. That's why my colleagues and I are introducing this legislation to get Farmers Home to use the authority we gave them.

About 2 months ago, I introduced H.R. 1050, The FmHA Leadership Act, to accomplish this purpose, to get Farmers Home to lead the way in helping farmers by restructuring agricultural debt. Since then, 25 of our colleagues, both Democrats and Republicans, and several members of the Agriculture Committee, have joined me by cosponsoring this bill. The package of reforms I am introducing today has as its centerpiece a similar proviision. I'm happy to say that with the help of my colleagues on the Agriculture Committee I'm introducing some more badly needed reforms of the Farmers Home Administration.

PROVISION ON DEBT SETTLEMENT

The debt settlement provision of our bill, quite simply, would require the Secretary, in cases where all other loan servicing options have failed to reestablish repayment ability, to write down the terms of the loan to the amount necessary to achieve repayability, as long as the Government will recover at least as much as it would through liquidation. The Secretary would not be able to terminate a borrower's eligibility for future credit as a result of the write down, nor would the Secretary be able to require liquidation as a condition for a write down, both of which are currently FmHA policies.

The bill would require the FmHA, if it calculated that the liquidation value of the collateral is greater than 70 percent of the total loan value, to provide independent support for such estimates. Quite frankly, this provision arises out of a lack of confidence in FmHA to make a fair assessment of the liquidation value of a loan. If FmHA doesn't want to do any write downs, they might try to overstate the value of the collateral to the point where the borrower couldn't make it cash-flow. I might add that the General Accounting Office has estimated that FmHA is recovering, on average, about 50 cents of the dollar when they foreclose on borrowers in default.

Another provision allows private lenders to come in and buy the loan at the calculated liquidation value if FmHA decides the borrower still can't repay a loan reduced to that level. This, too, is to provide a check on FmHA so they don't cook the numbers to prevent a deserving borrower from getting a write down.

ARGUMENTS FOR AND AGAINST DEBT SETTLEMENT

Mr. Speaker, there are some who will argue that the Government cannot start writing down this debt, saying that once you start it will never stop. They say, "If you write down the loans of those who can't pay, then the paying customers will resent it and stop making payments on their loans, and the Government will lose even more."

Let me say several things about that. First, as a representative of farmers, I am offended by the suggestion that large numbers of them are going to try to cheat the Government out of a lot of money. The vast majority of farmers are proud, hard-working, honest people who very much want to pay their bills.

Yes, there will be some who resent the fact that neighbors who are in deep trouble got some help, while they continue to make their payments. I say to them, "you'd better decide whether you want to have neighbors."

And, yes, there will be a few who will wonder if they couldn't get a write down if they stopped making payments on their debts. But consider the vise grip that Farmers Home has on these people. Every bushel of every crop is mortgaged to FmHA. There are farmers who can't get enough to pay living and operating expenses because FmFA won't release enough money from crop sales. I hardly think that some borrower is going to run off to Las Vegas with money he or she should be paying to Farmers Home.

Finally, plenty of private lenders are negotiating with farmers to bring nonpaying loans back on line, by writing down debt if necessary. These lenders understand that it makes good business sense to write down debt. The St. Paul district of Farm Credit Services is almost back to profitability this year because it has restructured almost one-half of its nonaccrual loans. If you ask them, I know they'll tell you that some of their borrowers have resented the assistance that others have received, but I also know they'll say they haven't a doubt that their restructuring campaign was a sound business decision.

It's time for the Farmers Home Administration to stop sitting on its hands as family farmers go under, and instead go out and lend a helping hand to get these folks making payments again on loans they can hope to pay off and continue their livelihood of farming.

Just briefly, Mr. Speaker, I'd like to describe to you the other major components of our package of amendments to remove any doubt concerning the credit provisions of the 1985 farm bill.

RELEASE OF LIVING AND OPERATING EXPENSES

The second major provision deals with the release of living and operating expenses, and requires the Secretary to continue to make these releases until such time as the borrower is actually dispossessed of the land and the Secretary has determined the borrower to be ineligible for the farmland lease-back program.

As currently written, the law requires releases only up to point of acceleration, and quite frankly, that's too soon. Even after acceleration, a farmer may be able to continue farming for a year or two as he or she goes through the liquidation process and the appeals process. It is only fair that FmHA not be allowed to force these borrowers to give up by starving them out. It may sound like an extreme accusation to say that FmHA does this, but in fact it happens all too often, as many former FmHA borrowers can attest.

This provision would not impede FmHA's debt collection efforts, but simply protect a family's living and operating expenses during the collection process, in the same way a bankruptcy court would protect income for those expenses.

PAYMENT TO GUARANTEED LENDERS

A third provision of the package deals with payments to lenders of losses on guaranteed loans. Currently, FmHA won't pay lenders for losses on guaranteed loans unless the lender forecloses on the loan and liquidates the security property. But, as I just explained, foreclosures are often in nobody's interest. In many cases, everyone would be better off if the debt were written down to a level the borrower can repay, saving the expense and trauma of foreclosure. Our bill would require FmHA to make payments on losses incurred when a guaranteed lender writes down a loan that meets the criteria of FmHA write-downs described above.

On a related matter, many lenders have expressed concern to us that they don't know when Farmers Home will pay on a guarantee if a borrower files a chapter 12 bankruptcy. I believe that Farmers Home may be working on this, but we'd like to assure lenders that they'll get paid on an estimate of the loss within a few months of a chapter 12 plan being approved.

It is my hope that, by allowing lenders to get payments on the guarantees without foreclosing, we'll see a lot fewer of these loans end up in bankruptcy court. If we can accomplish that, we'll save everyone time and money. It is my further hope that these provisions will build lender's confidence in the guaranteed loan program.

DISPOSAL OF INVENTORY PROPERTY

The fourth component is a resolution on the disposal of FmHA's inventory property. In Nebraska and Iowa, at least, Farmers Home has been accused of violating the legal requirement that, before it sells property to any willing buyer, it search for 3 years for a buyer who meets FmHA's "family farmer" criteria. Our bill contains a sense of Congress resolution stating that FmHA must declare "suitable" and make available for sale to these eligible buyers all inventory land unless it is unlikely that such farmers would be able to profitably farm the land.

IMPLEMENTATION OF NEW LOAN SERVICING PROCEDURES

Our fifth provision deals with the implementation of this package of reforms. If this bill is enacted into law, the current forms and collection procedures used by Farmers Home will be obsolete. In addition, all borrowers who are currently subject to adverse action would be eligible for new loan servicing options set forth in this bill.

So if we really want these reforms to benefit the 80,000 farmers out there who are in danger of adverse action being brought by FmHA, we need to provide them some breathing space until Farmers Home can get regulations out to implement these new loan servicing procedures. Therefore, the bill calls for the temporary suspension of all collection activities during the time it takes FmHA to implement the debt write-down procedures.

Without this provision, these reforms could be too late to help the 2,500 borrowers at risk in North Dakota and the tens of thousands of Farmers Home borrowers nationwide for whom foreclosure or liquidation is a very real danger. If we're going to enact these reforms, let's not do it and then watch as thousands and thousands of farmers go under while we wait for FmHA to implement new regulations. Let's make sure these farmers have a shot at working out their problems with the loan servicing options in this bill.

OTHER PROVISIONS

The bill contains several other provisions to improve loan services for Farmers Home borrowers. One provision strengthens the right of previous owners of land now in FmHA inventory to have the first chance at buying back their land. Another section would make more farmers eligible to rent back their homestead dwellings after they leave farming.

We have a section that makes deferral of principal and interest payments a more viable option for financially stressed farmers. Finally, there is a provision to allow borrowers who got out of emergency funds to get the same interest rates as borrowers who got loans for exactly the same purposes out of normal funds.

In conclusion, Mr. Speaker, I'd like to say that I agree wholeheartedly with the loan servicing policy this Congress put in place with the passage of the 1985 farm bill. Unfortunately, the Farmers Home Administration has done a woefully inadequate job with the implementation of that policy. The Administration leaves us no choice but to go back to the issue again, with legislation, to spell out very clearly what we expect them to do.

My colleagues and I ask for your support for this legislation, which would put the Farmers Home Administration back on the track that Congress intended, helping family farmers in times of difficulty. We hope that the Congress will agree with us and enact these very important reforms.

MILITARY AFFILIATE RADIO SYSTEM

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. SUNDQUIST. Mr. Speaker, I am proud to call the attention of my colleagues to the meritorious service one of my constituents, Harry Simpson, has provided the Military Affiliate Radio System [MARS] in Tennessee.

Mr. Simpson has volunteered his time and talent in radio communications to the MARS network almost continuously since the end of World War II. He is credited with building Tennessee's network of volunteer radio operators, who stand ready to assist military communications needs at a moment's notice. Mr. Simpson, I am told, is personally responsible for creating a system that is among the best and most extensive in the country. He recruited many of the volunteers who staff it, including his son, Wayne. He has been at it for 40 years and yet, even today, when his health is a consideration, Harry Simpson remains active and enthusiastic in his support for our military communications system. It is little wonder he has come to be recognized as one of the South's best known and best respected MARS leaders.

We in the Volunteer State believe strongly in the uniquely American spirit of voluntarism. You might say it is a way of life. I can think of no finer example of that spirit than Harry Simpson's 40 years of dedicated and unselfish service.

COMMEMORATING MARTI CORDOVA AND DAVID MILLETTI

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 8, 1987

Mr. BILBRAY. Mr. Speaker, I rise today to pay tribute to two fine young southern Nevadans, Marti Cordova and David Milletti. These two youths have been selected to participate in the USA Ambassador Baseball Program for 1987.

The USA Ambassador Baseball Program represents a regional effort to acknowledge the athletic and academic achievements of high school seniors who attend school in southern Nevada or southern California. The team is selected competitively, and membership is based upon scholastic aptitude as well as athletic abilities. Each member of the team, including Marti and David, must possess a minimum academic grade point average of 3.0 or greater and must further have been the recipient of at least three Honors Awards for their athletic abilities on the baseball diamond.

This year, the USA Ambassadors will visit nine European countries and compete against teams representing those nations. The trip will last the greater part of August.

Mr. Speaker, Marti and David represent the finest in the youth of our Nation. I am sure that our European friends will learn much from these two young Americans, and I take great pride in recognizing their achievements before my distinguished colleagues here today.

HOUSE OF REPRESENTATIVES—*Monday, May 11, 1987*

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Give us, O God, the spirit of perseverance and dedication to face the tasks that need to be done. Arm us, gracious God, with the willingness to work toward those goals that promote justice, respect the truth, and give solace to the needy and forgotten. May each of us use the abilities we have received as good stewards of Your abiding grace. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MARLENEE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MARLENEE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were yeas 225, nays 89, answered "present" 1, not voting 117, as follows:

[Roll No. 102]

YEAS—225

Ackerman
Anderson
Andrews
Applegate
Archer
Aspin
AuCoin
Baker
Bateman
Bates
Bennett
Berman
Bevill
Biaggi
Bilbray
Boland
Bonker
Borski
Bosco
Brooks
Broomfield
Brown (CA)
Bruce
Bunning
Byron
Campbell
Cardin
Carper
Carr
Chapman
Clarke
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
Daniel
Darden
Davis (MI)
DeFazio
Dellums
Derrick
DeWine
Dicks
Dingell
Dorgan (ND)
Dowdy
Downey
Duncan
Dwyer
Dymally
Eckart
Edwards (CA)
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Fish
Flippo
Ford (MI)
Frank
Gaydos
Gejdenson
Gilman
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Green
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hayes (LA)
Hefner
Herger
Hertel
Hochbrueckner
Horton
Houghton
Howard
Hubbard
Huckaby
Hughes
Hutto
Hyde
Johnson (SD)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kildee
Kleczka
Kolter
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lightfoot
Lipinski
Lowry (WA)
Luken, Thomas
Lungren
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McEwen
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Miller (CA)
Miller (WA)
Moakley
Mollohan
Montgomery
Morella
Morrison (WA)
Murphy
Murtha
Myers
Nagle
Natcher
Nelson
Nichols
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Owens (UT)
Oxley
Panetta
Perkins
Petri
Pickett
Pickle
Price (IL)
Price (NC)
Rahall
Rangel
Ravenel
Regula
Rhodes
Richardson
Rinaldo
Ritter
Robinson
Rodino
Rose
Rostenkowski
Rowland (CT)
Rowland (GA)
Sabo
Saiki
Sawyer
Scheuer
Schuette
Schulze
Schumer
Sharp
Shaw
Shumway
Shuster
Sisisky
Skaggs
Slattery
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Sweeney
Swift
Synar
Tallon
Tauke
Thomas (GA)
Towns
Traficant
Traxler
Valentine
Vander Jagt
Visclosky
Volkmer
Waxman
Wheat
Wilson
Wise
Wortley
Wyden
Yates
Yatron

NAYS—89

Armey
Ballenger
Bilirakis
Bliley
Boehlert
Boulter
Brown (CO)
Buechner
Burton
Callahan
Chandler
Cheney
Clay
Clinger
Coble
Courter
Craig
Dannemeyer
Daub
DeLay
Dickinson
DioGuardi
Dreier
Edwards (OK)
Fields
Frenzel
Gallegly
Gallo
Gekas
Grandy
Hansen
Hawkins
Hayes (IL)
Hefley
Henry
Hiler
Hopkins
Hunter
Inhofe
Ireland
Jacobs
Kolbe
Kyl
Lagomarsino
Latta
Leach (IA)
Lewis (CA)
Lewis (FL)
Lowery (CA)
Lukens, Donald
Mack
Madigan
Marlenee
Martin (IL)
McCandless
McCollum
Michel
Miller (OH)
Molinari
Moorhead
Packard
Parris
Pashayan
Penny
Ridge
Rogers
Roth
Roukema
Saxton
Schaefer
Schroeder
Sikorski
Skeen
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Stump
Swindall
Thomas (CA)
Upton
Vucanovich
Walker
Weber
Weldon
Wolf
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Vento

NOT VOTING—117

Akaka
Alexander
Annunzio
Anthony
Atkins
Badham
Barnard
Bartlett
Barton
Beilenson
Bentley
Bereuter
Boggs
Boner (TN)
Bonior (MI)
Boucher
Boxer
Brennan
Bryant
Bustamante
Chappell
Coats
Coleman (MO)
Combest
Coughlin
Crane
Davis (IL)
de la Garza
Dixon
Donnelly
Dornan (CA)
Durbin
Dyson
Early
Emerson
Feighan
Flake
Florio
Foglietta
Foley
Ford (TN)
Frost
Garcia
Gephardt
Gibbons
Gingrich
Goodling
Gradison
Gray (PA)
Gregg
Hall (OH)
Hastert
Holloway
Hoyer
Jeffords
Jenkins
Johnson (CT)
Jones (NC)
Jones (TN)
Kemp
Kennedy
Kennelly
Konnyu
Kostmayer
Leland
Livingston
Lloyd
Lott
Lujan
MacKay
Manton
Martin (NY)
McGrath
McHugh
Mineta
Moody
Morrison (CT)
Mrazek
Neal
Ortiz
Owens (NY)
Patterson
Pease
Pepper
Porter
Pursell
Quillen
Ray
Roberts
Roe
Roemer
Roybal
Russo
Savage
Schneider
Sensenbrenner
Skelton
Slaughter (NY)
Slaughter (VA)
Spence
St Germain
Stangeland
Studds
Sundquist
Tauzin
Taylor
Torres
Torricelli
Udall
Walgren
Watkins
Weiss
Whittaker
Whitten
Williams
Wolpe
Wylie

☐ 1215

Mr. BUECHNER changed his vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mrs. Emery, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 942. An act to amend title 5, United States Code, to extend the pay retention provisions of such title to certain prevailing rate employees in the Tucson wage area whose basic pay would otherwise be subject to reduction pursuant to a wage survey.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SUPPORT THE C-17

(Mr. ROWLAND of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND of Georgia. Mr. Speaker, today during our consideration of the DOD authorization bill we will be asked to delete all funding provided in the bill for the C-17 airlifter. The end result of this action would be to kill the C-17 in favor of the C-5, our current airlifter.

We have already invested over $1.2 billion on the C-17 which modernizes our airlift capabilities and does so in a cost effective manner. Let us not waste this money. The C-17 has been given the stamp of approval by the Chiefs of Staff of the Army, Air Force, and the Commandant of the Marines. GAO and CBO studies point to the C-17 as the best option for our airlift requirements. It will allow us to reach our airlift capability and goals while saving $16 billion. It is unquestionably the way to go.

Also, I am told by a representative of the manufacturer of the C-5, Lockheed, that they do not support nor are they lobbying for this amendment.

Obviously even Lockheed agrees the C-17 is the future for our airlifting requirements.

I urge my colleagues to vote for the C-17 and to vote against the Darden amendment.

BENEFICIARY TRAVEL BILL TO RESTORE VETERANS' TRAVEL BENEFITS

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, last Friday I introduced a beneficiary travel bill H.R. 2327 to restore travel benefits to many veterans who had them taken away when the Veterans' Administration recently changed its regulations governing such payments. SONNY MONTGOMERY, chairman of the Veterans' Affairs Committee, is cosponsoring this bipartisan bill and, due to the urgency of the travel situation faced by many service-connected and low-income veterans, and he has agreed to put the legislation on a fast track in the committee.

We are joined on the beneficiary travel bill by more than 120 original cosponsors who share our deep concern about travel reimbursement for deserving veterans.

I strongly believe that the Veterans' Administration should do what is right when it comes to veterans medical care. If a disabled or low-income veteran cannot get to a VA medical center, eligibility for the medical treatment doesn't mean much.

Mr. Speaker, the bill's cost will be less than the cost of the program prior to the April 13 regulation change. It is not a complete return to the old level of benefits, but it is crafted to ensure that service-connected and low-income veterans will be receiving the travel reimbursement they need.

The bill is supported by most major veterans organizations and we hope to bring the beneficiary travel bill to the floor very soon, and I urge my colleagues to cosponsor it and support it.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1930

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1930.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

THE SORCERER'S APPRENTICES

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, according to a familiar tale, the Sorcerer's apprentice grew tired of having to carry the bucket to keep the water-reservoir full. So he stole the Sorcerer's formula for opening the sluice gates, but forgot to learn the formula for closing them. Trouble followed when the water-reservoir overflowed, and the Sorcerer's palace was flooded.

In the real-life version of the story there are two apprentices: one at the Federal Reserve, and the other at the Treasury. In trying to solve the Nation's trade problems they discarded as old-fashioned the traditional virtues of working hard, saving hard, and living up to one's promises. Instead, they engineered the fall of the dollar, which duly fell from 263 yen in March 1986, to 150 yen just 2 years later. One of the apprentices, a veteran of the 1971-73 collapse of the dollar, got cold feet and cried: "Enough is enough!" but neither of them knew how to take the dollar out of the tailspin. The dollar was making new record lows in the market, hitting 137 yen at one point, incidentally demoralizing the bond market where the Treasury's 30-year 7½-percent bellwether issue fell from $1,000 to $880 in a few weeks.

Mr. Speaker, in this version of the tale Congress is the Sorcerer. How long will it let the apprentices pursue this course of monetary destruction, causing irreparable damage to the credit standing of this Nation?

U.S. BOXING COMMISSION LEGISLATION

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RICHARDSON. Mr. Speaker, Morris Jones, a professional boxer from Maryland, lies comatose at a Prince George's hospital after a devestating knockout last week. He has permanent brain damage and no medical insurance. The boxing promoter has not paid the $350 purse that was due Jones. There are allegations that the ring surface where Jones hit his head as he fell to the canvas was much too hard, and should have been checked before the fight. Mr. Speaker, not all boxing matches are showcases like the Sugar Ray Leonard and Marvin Hagler where the sport of boxing shines brightest. Mr. Speaker, the Morris Jones incident is the reason the gentleman from Montana, and I are introducing our bill that passed the House overwhelming last year, the U.S. Boxing Commission. Our bill sets up a federally chartered nonprofit corporation that sets up uniform health standards for all professional matches and a pension and management system for boxers. Ours does not rank fighters nor sanction fights. It simply sets up uniform standards for all State boxing commissions to follow.

Under the present system Morris Jones could have fought the next day in another State. That should not be allowed to happen. Mr. Speaker, this bill is long overdue. It passed the House last year and did not make it through the Senate because of time. We do not want to abolish boxing. Boxing can and should, however, be made safer. Most boxing people, including the electronic media and the State Association of Boxing Commissions, are supportive of this bill.

KNOCKOUT

Last month the ring victory of Sugar Ray Leonard gave the world a glimpse of how boxing can occasionally be elevated to something more than a brutal, brain-destroying blood sport. Last week the knockout of Morris Jones brought back to us the darker reality of the game.

Morris Jones, age 23, in the fourth round of his first professional fight, was hit squarely on the chin and went down hard. The referee started to count him out before he realized this was no ordinary knockdown. Mr. Jones regained consciousness for a moment. "At first he was trying to get up," said his manager. "He kind of had this look on his face that said, 'I know what's happening. I'm ready to go.' But the doctor told him to be cool and lay back. That's when he blacked out. . . ." Mr. Jones was taken from the fieldhouse at Prince George's Community College to Prince George's Hospital Center, where he underwent three hours of brain surgery.

A spokesman for the Maryland Athletic Commission said Morris Jones was the victim of "a freak injury," but in fact he was the victim of a perfect punch. His opponent achieved what every boxer tries to achieve: he deliverd a knockout blow to the chin. It was like a baseball batter connecting for a 500-foot home run.

Instead of a home run, however, a perfect punch to the chin may produce the following results, as described by Dr. Michael Dennis, a Washington neurologist (who is not involved in Morris Jones' case): "What can happen with a sudden blow is an acceleration of the skull backward. The brain is in a fluid-filled medium and doesn't accelerate initially. Under these circumstances a shearing effect can occur, tearing veins that bridge the gap between the brain and the lining of the skull."

Mr. Jones remained semi-comatose yesterday. No one in his family has medical insurance, and the insurance required for such boxing events will not begin to cover his medical costs. The game of boxing has never been very good at taking care of its fallen. Young men tempted to get into it should consider that fact—and should keep in mind also that for most of them, it will never amount to anything more than small crowds, small purses and a large chance of permanent brain damage. They should think not of Sugar Ray in his glory but of Morris Jones in his hospital bed.

TRIBUTE TO BRANDY BLY

(Mr. YOUNG of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, Brandy Bly died Saturday. For nearly half of her short 10 years of life Brandy was living in hospitals fighting the terrible cancer of leukemia. The irony of Brandy's story is that when her little body stopped functioning it was totally free of the terrible leukemia and had been for more than 100 days.

A relatively new procedure of transplanting bone marrow had worked. Unfortunately for Brandy, her bone marrow transplant came too late. Although it cleared the leukemia, the other medical procedures used to keep her alive until her marrow transplant could take place attacked the tissues of her body beyond repair. Brandy's marrow transplant was delayed because she had no sibling donor and a compatible nonsibling donor could not be found.

As a last resort her own bone marrow was removed, treated and returned to her body. By then, although it worked, her body was not able to repair itself from the massive doses of radiation, chemotherapy, and antibiotics.

I relate Brandy Bly's story to you today, Mr. Speaker, as further evidence of the need in our country for an adequate, effective bone marrow registry, something that many of us are working toward today.

□ 1230

FARM CREDIT SYSTEM

(Mr. JONTZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JONTZ. Mr. Speaker, today I rise to talk about the Farm Credit System, and the crisis facing many FCS borrowers.

As you know the Farm Credit System is in chaos. Wednesday, the FCS testified before our Subcommittee on Conservation, Credit, and Rural Development calling for a $6 billion Federal bailout to avoid collapse this year. Regrettably, what they did not provide were any specifics on how this bailout will help the farmer/borrowers the FCS was established to serve.

I am extremely disappointed that FCS seems more interested in saving the system then saving the farmer. Before the Congress approves legislation to address the problems of FCS we must insist that it includes restructuring of existing loans for farmers and an interest rate buydown. If we don't require that bailout legislation address the needs of FCS borrowers, I'm afraid that FCS will be right back here before too long asking for more money—with very little to show for what has already been spent.

Mr. Speaker, we must keep the farmer in mind when considering the problems facing the Farm Credit System.

H.R. 925, FAMILY AND MEDICAL LEAVE ACT OF 1987

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, I rise today in opposition to H.R. 925, the Family and Medical Leave Act of 1987.

The Committee on Education and Labor, of which I am fortunate to be a member, has spent many hours in hearings, trying to devise ways to improve the competitiveness of American industry.

Additionally, the Subcommittees on Labor-Management Relations and Labor Standards have spent several days in hearings on H.R. 925. We have listened to numerous witnesses on both sides of the issue.

I guess I shouldn't be amazed or surprised, Mr. Speaker, at the contradiction that all of this presents, but I am. I am utterly amazed that this House on the one hand works diligently to devise ways to improve our Nation's competitiveness and then, on the other hand, works to undermine that competitive edge with intentions to mandate benefits for American workers.

These mandated benefits will increase costs to employers—let no one tell you differently—and increasing costs of employers will lower productivity and competitiveness. It's as simple as that.

I guess, Mr. Speaker, it's a case of Congress giveth and Congress taketh away.

INTRODUCTION OF DAVIS-BACON REFORM ACT OF 1987

(Mr. STENHOLM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STENHOLM. Mr. Speaker, last Thursday my friend and colleague, Congressman ARLAN STANGELAND, and I introduced once again legislation to make significant and reasonable revisions in the Davis-Bacon Act of 1931. In all, over 80 Members of the House joined us as original sponsors of the Davis-Bacon Reform Act of 1987.

Davis-Bacon was enacted during the depths of the Great Depression. The guiding intent of the act was that wages on Federal construction contracts should simply mirror locally prevailing private sector wages and that Federal projects should not be bid in a way that disrupts local economies.

These goals remain valid and we strongly support them. However, a vastly changed national economy, subsequently enacted labor laws, and the many problems that have developed under Davis-Bacon over the years all build a compelling case for meaningful reform. As it is currently constituted, the act frequently operates counter to its original purposes.

I want to emphasize: Our bill is not repeal in disguise. It would reform and improve the Davis-Bacon Act by making several significant revisions. It would exempt from the act only 12 percent of total Federal construction, alteration, and repair work. It would also save $3.4 billion in budget authority and $2.3 billion in outlays over 5 years, based on CBO estimates.

We have made changes in our bill this year to address concerns that have been raised about previous reform efforts. The Davis-Bacon Reform Act of 1987 is a reasonable, responsible compromise. It would provide relief from the major problems that have arisen over the years because of Davis-Bacon, while preserving the basic worker protections intended by the act.

The text of the bill and the summary may be found in the CONGRESSIONAL RECORD of Thursday, May 7, 1987.

CONGRATULATIONS TO MAYOR JOHN SMITH

(Mr. CALLAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Speaker, I would like to take this opportunity to congratulate John Smith, a constituent of mine from Alabama's First Congressional District and the mayor of Prichard, AL. He was recently elected to serve as the new president of the National Conference of Black Mayors.

I am very proud of John, but am not in any way surprised by this latest accomplishment. John has been an achiever all of his life. He moved to Prichard, AL, as a youngster and graduated as a standout football player from Blount High School. He then attended Eastern Arizona College on an athletic scholarship and received an associate of arts degree. Afterward, John attended the University of Wisconsin and earned a bachelor of science degree in physical education and received honorable mention as an all-American football player in 1967. In 1969, in fact, he signed as a free agent with the Philadelphia Eagles. John has also earned a masters degree at the University of Wisconsin, and I understand that he is currently a candidate for a doctorate degree in ethnic mediation and environmental design.

John was elected mayor of Prichard in 1980 and was reelected in 1984. He was the past president of the Alabama Conference of Black Mayors and currently serves as secretary general of the World Conference of Mayors.

John and his wife, Barbara, are the parents of four children. I understand that he believes the National Conference of Black Mayors should increase its focus on the needs of children and families. In addition, he wants to improve their constituents' relations with State and Federal governments.

I think these are worthy objectives, and I am very confident that they will be met under John's direction. I look forward to doing what I can to help John with his new responsibilities as president of the National Conference of Black Mayors. For now, though, I just want to reiterate my congratulations to John and his family.

H.R. 905

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, today I rise to discuss a bill that I submitted some time ago, H.R. 905, that would allow a deduction on your State and local sales taxes on your Federal form for the purchase of an American-made automobile.

We just talked about the trade issue and carrying around this big stick. I believe that America can do a lot better job in helping to sell American products by offering the carrot and some incentives, rather than this big stick.

H.R. 905 would basically say that if you purchase an American car, made in America by American hands, with at least 65 percent domestic content, you would be able to deduct your State and local sales tax on your Federal form.

Mr. Speaker, I believe this is the way we should proceed. Failing to do this, we are in one big trouble. In October 1985, 31 percent of all new cars sold in America were made overseas.

In November 1985, 34.5 percent of all new cars sold in America were made overseas. We have a dinosaur on our hands that has taken place in the steel industry and we cannot only protect, but save that industry with the carrot, rather than the stick.

Look at H.R. 905.

MANUAL FOR COURTS MARTIAL

(Mr. McCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCOLLUM. Mr. Speaker, there are 14 crimes under the Uniform Code of Military Justice for which there are provisions for the death penalty.

In 1972, these provisions, along with all other death penalty provisions in the United States, were struck down by the U.S. Supreme Court on procedural grounds. Most of the States have reenacted laws and provisions that conform with the Supreme Court guidelines to reinstate the death penalty.

This Congress has never done that. We have only one act on the books today, under the Uniform Code of Military Justice that procedurally is correct with regard to the death penalty. We have, however, delegated to the President the authority under the Manual for Courts Martial by regulation to promulgate guidelines which he has done on the dealth penalty.

I personally think that power is sufficient to withstand a court test, but there are questions we do not know until the courts decide whether that is true.

I asked last week for permission under the rule on the Department of Defense authorization bill to be allowed to offer a legislative correction of this procedure following the President's guidelines in the manual.

I was denied that opportunity. I think it is wrong that we do not proceed legislatively. I think it is wrong that the Committee on Rules has denied us the opportunity once again to vote on the death penalty on the floor of this House, and if, in fact, the courts later find this to be an invalid procedure in the Uniform Code of Military Justice to impose the death penalty, I think that we are all going to regret the fact that we did not have the opportunity or take it when the Committee on Rules denied it to us, to vote on the legislative question involved.

I hope I am wrong and I hope I am right about the fact that the Manual for Courts Martial is good enough under the circumstances.

STRATEGIC MOBILITY IS CRITICAL IN U.S. MILITARY STRATEGY

(Mr. McCURDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, strategic mobility is a critical element in the U.S. military strategy, and this is provided in three ways. It is either by airlift, sealift, or prepositioning.

We in the Committee on Armed Services have been working to perfect this bill to protect the mobility issue. In 1981, as a result of a review of mobility requirements, the Department of Defense decided that we should have the capability to move 66 million tons per day by airlift. In 1983, we increased our airlift capability by adding 50 C-5-B's and 44 KC-10-A aircraft.

But this will only meet 73 percent of our long-term goal. To make our goal of strategic airlift capability, we need the C-17. The Air Force maintains, and I believe, that the C-17's will provide a qualitative improvement through the year 2000 by increasing our deliveries at busy airfields because it is much more capable and maneuverable than the C-5.

□ 1240

It minimizes the time spent in loading and unloading aircraft. It reduces the number of required flight crew. It only has three crew members, compared with 5.5 on the C-141 or 6.5 on the C-5. It is more fuel efficient than existing air lifters, and it reduces the life-cycle cost. This is a critical element in looking at the cost. It reduces the maintenance personnel in cost, thereby making it economical to operate in peacetime. It is the key to improving our airlift capabilities in the future.

Mr. Speaker, I urge my colleagues to oppose the Darden amendment to kill the C-17 today. We need this aircraft.

NEW ADVANCES IN SUPERCONDUCTOR TECHNOLOGY

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, the latest news in the world of superconductors has not come from Leonard Bernstein of the New York Philharmonic or Zubin Mehta of the Boston Symphony. The latest news comes from the IBM Research Center in Yorktown Heights, NY.

I would like to call the attention of my colleagues to the lead story in today's Washington Post which describes the IBM advance as yet another breakthrough in the unfolding high-technology drama of superconductors. A crucial obstacle, the amount of current that can be carried by superconductors, has been overcome in IBM reports that the new materials can conduct 100 times those previously reported currents.

Superconductivity, when electricity flows without resistance, has the potential to change the way we live by revolutionizing electronics, computers, transportation, and the storage and transmission of electricity.

According to the Post, an IBM spokesman characterized the recent advance as comparable to what breaking the sound barrier meant to aviation and what breaking through the atmosphere meant to space flight.

I would like to commend Dr. Praven Chadari and his group at Yorktown Heights for these achievements.

Mr. Speaker, on April 30, our House Republican Task Force on High Technology and Competitiveness held a conference where key players in the unfolding drama described the race between the United States and Japan. Given the aggressive actions of our competitors in this field, Mr. Speaker, the United States will need to make an active effort as a nation and as a team in order to win or even compete in this race so vital to the Nation's technological future and the Nation's competitiveness.

Mr. Speaker, this is the forefront of the battle in world technological competition and full world technological supremacy. We can afford no less than a powerful national effort.

Mr. Speaker, I include in the Record a press article summarizing the House Republician Task Force on High Technology and Competitiveness Conference on Superconductivity, held on April 30, and attended by scientists from industry, national laboratories and academe, plus Members of Congress. I also include the article from today's Washington Post.

[From the Washington Post, May 1, 1987]

Japan Could Win Superconductor Race With U.S., Scientists Warn

(By Michael Specter)

Scientists leading the intense effort to develop a new class of superconductors, which carry electricity without losing energy, warned yesterday that the United States must act quickly to compete with the strong national effort under way in Japan.

Speaking at a House forum on high-technology competitiveness, researchers from government, industry and the academic world expressed fear that American companies have not prepared for the fierce race to market the new ceramic materials used to make superconductors.

"Most of the fundamental knowledge has come out of U.S. labs," said Kent Bowen, professor of ceramics engineering at the Massachusetts Institute of Technology. "But the Japanese are already making devices. If we don't get our act together, we don't have a chance."

On almost the day that the new ceramics were devised, Japan's Trade Ministry organized a national consortium of experts to work on all aspects of development.

At the forum, several politicians called for creation of a similar U.S. national board to oversee superconductor research and help bring new products, such as wires and computer chips, to market.

Speakers repeatedly mentioned that, although the United States was first with color television and videocassette recorders (VCRs), those markets have been ceded almost completely to Japan.

"We go on inventing and they go on producing," Sen. David F. Durenberger (R-Minn.) said. "The stakes are just too high to let superconductivity go the way of the VCR industry."

The financial implications may be enormous. Superconductors that could transport electricity—whose power is not diminished by the customary resistance in transmission—would have a vast array of potential applications, from power lines to high-speed trains and powerful computers.

If scientists find materials that conduct electricity at room temperature with no loss of power, the discovery would transform electronic technology. Conventional superconductors must be cooled by liquid helium to hundreds of degrees below zero. Liquid helium is rare, expensive and difficult to handle.

Progress in the laboratory has moved at a blistering pace, but leading researchers have voiced increasing concern that, as in the past, the United States could yield to Japan in practically applying the new technology.

"It is very important to be the first with the results and the first to get a new material to market," said Robert Laudise of AT&T Bell Labs. Without both, one doesn't matter."

Laudise said one U.S. industrial weakness involves processing materials, "the art and science of making things," as he puts it.

"When you really try to cultivate process as science, things go well in manufacturing," he said. "When you don't, you lose the whole ball game."

All speakers said much remains to be learned about the new materials, their structure and how they work.

Scientists from several disciplines—among them physics, materials research and chemistry—have joined to try to determine how the new ceramics work and what might work better.

Laboratories nationwide have begun fabricating wires, tapes and thin films that could be deposited on computer chips. But, because the ceramic mixture is brittle and carries only light loads of electrical current, most devices are far from ready for commercial use.

Rep. Don Ritter (R-Pa), who organized the forum, said he has urged the White House to consider forming a task force to monitor the industry's growth and development.

To dramatize his point, Ritter released a report from Sumitomo Electric Industries, a major Japanese manufacturing firm, that revealed highly detailed concentration on commercial applications of new materials.

"One year in the past is one day now," the memo read. "We should seek for a newstyle management in order to conduct basic research and applied research simultaneously."

Conductor Technology Advances

(By Philip J. Hilts and Michael Specter)

IBM researchers said yesterday they have produced a new ceramic material able to handle 100 times more electrical current than any other of the new superconducing materials, overcoming the greatest single technical barrier to a new operation of compact high-speed computers, new medical instruments and efficient power generation and storage.

The announcement marks the most important step in the explosive development of superconducting materials since the discovery that some materials can carry electricity without resistance at temperatures considerably higher than previously thought possible.

Until now, these materials could handle only small amounts of electricity in laboratory experiments. As the current increased, these materials lost their superconductivity. The material developed at IBM's research center at Yorktown Heights, N.Y., will handle current as strong as that in major commercial use.

"Up to now, many applications were still at the level of fantasies," said Dr. Herbert Weinstock, head of the Air Force's Office of Scientific Research. "Now they are not fantasies. We can go into the labs and start making them." He said the advance might "unleash" the industrial laboratories, few of which have been willing to commit to major new programs on superconducting products for fear the full technology would not materialize.

The find is a significant practical advance. An IBM spokesman said it will mean to electricity what breaking the sound barrier meant to aviation, or what breaking out of the Earth's atmosphere meant to the space program.

The advance is expected to shorten considerably the time it will take to create a large array of electronic products that will be smaller and use less energy than current versions.

For example, the world's most powerful computers, now the size of several tall filing cabinets, could "come down to the size of a football, and probably operate 10 times faster as well," said Dr. Theodore Geballe, director of Stanford University's Center for Materials Research. "This means the marriage of superconductors and semiconductors."

"This is wonderful. I think it's very important news," Geballe said. It is the most significant advance in the field since the announcement that suggested superconductors could be made at temperatures warm enough to be of use in practical applications, he said.

That announcement set off an international race of historical proportions, with scores of laboratories in the United States, Japan and other countries running seven days a week to make the theoretical possibility real.

Leaps in the electrical technology have been recorded almost daily since the beginning of the year. Many materials, called conductors, can carry electrical current. Superconductors can pass current without offering any resistance or creating heat.

A major part of the cost of making and using electricity stems from resistance and heat, and major losses in the efficiency of tiny electrical circuits also come from the difficulties of passing electricity through normal conductors such as copper or aluminum. In computers, for example, operating time is doubled by problems associated with resistance.

Until recently, scientists believed that materials would be superconductors only near absolute zero—the temperature at which atomic motion ceases—about 460 degrees below zero Fahrenheit.

Superconducting devices have been impractical because they had to be refrigerated by expensive and difficult-to-handle liquid helium cooling.

The discovery of superconducting materials that can operate at relatively warm—though still quite cold—temperatures set off waves of speculation suggesting that if the materials could reach full theoretical potential, almost all uses of electricity would be altered. Everything from making and storing massive quantities of electrical power to consumer electronics, such as recorders and radios, could be made to work more cheaply, using less energy with greater efficiency.

But researchers faced two fundamental challenges. First, the new superconducting materials had to operate at relatively warm temperatures. Second, they had to carry high enough currents to make useful electrical devices.

The temperatures at which the superconducting materials work has been pushed steadily upward over recent months. First, researchers at IBM in Zurich reached 35 Kelvin (35 degrees above absolute zero). Then in December 1986, several labs announced jumps to 40 and 52 K, then early this year to 98 K. Promising but still unconfirmed reports have said superconductors have been developed at temperatures as high as 155 to 170 K.

Practically speaking, the first major threshold was 77 K, the temperature at which relatively inexpensive cooling by liquid nitrogen can be used. Liquid helium costs $11 per gallon and liquid nitrogen 22 cents per gallon. The next threshold is about 230 K, or about 50 degrees below zero Fahrenheit, the temperature reached by ordinary commercial freezers.

Until now, however, the amount of electricity carried by these refrigerated materials was small, about 100 amperes. The filament of a standard light bulb can carry 1,000 amps per square centimeter; some magnets and electronic devices use a current that is 1 million amps per square centimeter.

Some scientists said they feared that the new materials would never carry current as dense as 100,000 to 1 million amps.

"What we did here is show that the material is intrinsically capable of carrying the kind of current we need to make them useful." said Praveen Chaudari, director of research at IBM's Yorktown Heights research center, who led the team that made the discovery. Other leaders in the group are Robert Laibowitz and Roger Koch.

Chaudari said he is confident that both higher temperatures and higher currents will be achieved.

The method used by the IBM researchers was to vaporize one of the new materials—made of barium, yttrium and copper oxide. The vapor was made to settle onto a surface prepared with another material, strontium titanate, that helped the cooper oxide compound form into a crystal with a neat latice structure.

The "thin film" crystal was about an inch in diameter and one micron thick, about one one-hundredth of the thickness of a human hair. Such a thin film is used to make computer chips, and thus is immediately applicable to computer technology.

The next problem will be to make the superconducting materials into convenient shapes.

The new materials, for example, are quite brittle and cannot be made into wires. Also, experiments so far have shown that packing the new materials into wires instead of crystal films drastically cuts their power-carrying ability.

John Hulm, Westinghouse's director of research in this area, said that pressing these materials into many uses will be difficult, but the new finding "is very encouraging. It shows that the trouble with getting high currents is an artifact. The question now is how to make it in bulk."

SUPPORT FOR SCRAPPING THE C-17 AIRCRAFT

(Mr. DARDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DARDEN. Mr. Speaker, later on today I will offer an amendment to delete the funds for the C-17 aircraft. This amendment is very plain. It is very simple. It does not stretch out a program, it does not increase a program; it deletes a program. That is something this Congress has never had the guts to do before.

Mr. Speaker, the C-17 aircraft will be the most expensive program in the history of modern defense, more expensive than the MX, more expensive than the small ICBM, and more expensive than any other modern-day peacetime weapons system. It is fraught with pork barrel from 100 congressional districts and 27 different States.

There are many people, Mr. Speaker, who would tell us we need to bring about procurement reform. The Pentagon is masterful in being able to circumvent everything we do in the House, but here is one way we can get their attention. Let us cancel a program we do not need. Let us save $40 billion over the next 5 years. Let us do something meaningful in procurement reform in this Congress for a change.

NO NEW NATIONAL HOLIDAY

(Mr. FRENZEL asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. FRENZEL. Mr. Speaker, here we go again. Some geniuses on Capitol Hill have decided that we should have a new national holiday commemorating in 1 year only the anniversary of the Constitution and liberating a special privileged class of Federal employees for yet another day off with pay.

Sooner or later we are going to have to devise a new system where we will not have anybody working anymore. I do not mean to deprecate the efforts of Federal employees. I think they are necessary, and they ought to be at work at least a few days of the year.

I hope we will be able to invent some sort of national holiday to celebrate all the good things Members of Congress want to celebrate without sending everybody home with a day's pay with no work. This event might be a good precedent with which to begin such a policy.

A CHANGE FOR THE BETTER IN SCHEDULING

(Mr. BOEHLERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I take this opportunity to advise that there are a number of Members of the minority who appreciate the efforts of the majority leader to bring order out of chaos in our scheduling system. Up until this past week the scheduling and reporting system of the House could best be described as organized confusion.

It appears that the leadership now is making a conscientious effort to make a significant improvement in our scheduling that is long overdue. I appreciate them to keep up the good work.

PERSONAL EXPLANATION

Mr. DICKINSON. Mr. Speaker, on rollcall No. 90, on Wednesday, May 6, 1987, I inadvertently and mistakenly voted "no" when I intended to vote "yes."

Mr. Speaker, I ask unanimous consent that this statement be inserted in the permanent RECORD.

The SPEAKER pro tempore (Mr. GRAY of Illinois). Is there objection to the request of the gentleman from Alabama?

There was no objection.

ANNUAL REPORT OF THE UNITED STATES-JAPAN COOPERATIVE MEDICAL SCIENCE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

To the Congress of the United States:

In accordance with Section 5(h) of the International Health Research Act of 1960 (Public Law 86-610; 22 U.S.C. 2103(h)), I transmit herewith the Twentieth Annual Report of the United States-Japan Cooperative Medical Science Program for the period of July 1985 to July 1986.

RONALD REAGAN.

THE WHITE HOUSE, *May 11, 1987.*

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER pro tempore. Pursuant to House Resolution 152 and rule

XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

□ 1255

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Friday, May 8, 1987, the amendments designated 1, 2, and 6 through 11 in section 3 of House Report 100-84 had been disposed of.

Pursuant to House Resolution 160, it is now in order to debate the subject of contracting out for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the amendments relating to contracting out contained in section 1 of House Report 100-84, in the following order:

(a) By Representative NICHOLS, or his designee;

(b) By Representative HUTTO, or his designee; and

(c) By Representative MATSUI, or his designee.

Under the rule, the gentleman from Massachusetts [Mr. MAVROULES] will be recognized for 10 minutes and the gentleman from Alabama, [Mr. DICKINSON] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Chairman, to begin debate, I yield 3 minutes to the gentleman from Alabama [Mr. NICHOLS], chairman of the Investigations Subcommittee.

Mr. NICHOLS. Mr. Chairman, I believe it is very appropriate that the Department of Defense commercial activities/contracting out program should be subject to more extended debate this year. Indeed, 1987 may turn out to be a watershed year for that program. The reasons being growing concern that the program is not working and doubts about its continued value as a management tool.

The three pending amendments reflect that concern, but they are only part of the story. The House Government Operations Committee is planning to take a long hard look at contracting out and may consider comprehensive legislation to provide clear statutory guidelines for that program. Major legislation has also been introduced in the Senate. In short, this program is coming in for the most serious and comprehensive scrutiny it has ever received on Capitol Hill.

Admittedly, there is nothing new about congressional dissatisfaction with this program. What is new and perhaps even more significant is the level of concern and dissatisfaction within the Department of Defense itself. Indicative of this change is the number of major new initiatives being considered in the Pentagon that would fundamentally alter the character and implementation of the contracting out program. Equally important, it is becoming clear that the support for the contracting out program by senior military and civilian managers has seriously eroded over the past couple of years. My impression is that most would like to see it simplified with the emphasis on increasing efficiency rather than contracting out. Many would just like to see it go away.

Given the strident claims for the benefits on contracting out we have heard from the service contract community and the Department of Defense in past years, how can we account for this dramatic erosion of support? I would like to suggest a few reasons for this turnabout.

First of all, the easy and most appropriate functions have been reviewed and coverted to contract. While I have never been happy with the contracting out program, I have been willing to admit that it has served a useful purpose in reviewing and contracting out functions that could not be cost-effectively performed in-house. Here I am talking about groundskeeping, custodial, commissary shelf stocking, food service, and other rather mundane functions that can be performed as well by contractor personnel for less cost. This is where the real savings were.

But as we move into more complex functions, mission functions, and CORE logistics functions, the benefits of contracting out become more suspect. It is harder to quantify performance of these functions. Quality assurance and control may be more important than cost. Packaging the solicitation in a fashion that is consistent with mission requirements becomes more difficult. These functions also require a level and degree of contract administration that frequently exceeds in-house resources. Last, the General Accounting Office has just recently issued a report that raises serious questions about DOD practices in developing and administering service contracts of this kind.

A second reason may be the recognition that the purported savings from contracting out do not reflect the actual costs in that program in terms of dollars, management effort, political involvement. When we hear about savings from contracting out, we are really only talking about the "spread sheet savings" associated with the actual cost comparison. And I am willing to admit those savings are real and valid. But they are only part of the overall calculation of cost associated with the contracting out program. More and more DOD managers are becoming painfully aware of that reality.

No one captures the costs associated with lower productivity and efficiency that results from the anxiety and turbulence the work force experiences during a cost comparison and conversion to contractor performance. Yet, these costs are incurred and in some cases they have been significant in terms of dollars and degradation of mission performance.

No one captures the costs associated with the intensive management efforts that are required to conduct the cost comparison and to ensure that contract performance meets mission requirements. For example, the contracting out of the Hawthorne Army Ammunition Plant required several task forces and over a year of intensive management effort to come up with a contract that still did not meet the specifications of the original solicitation.

No one captures the costs associated with more intensive contract administration and the effort required to integrate functions performed by contractor and Government employees.

No one captures the increased costs associated with changes in the scope of work performed under contract. Yet I am well aware, as are many other Members, that significant expansions in the scope of work take place after contract conversion.

These increased costs are real and become more of a factor the larger, and more complex the function or functions involved. It is little wonder that DOD managers have come to suspect "spread sheet savings" as a basis for accelerating the pace or expanding the scope of contracting out.

Third, and most importantly, I believe there is increasing concern that the current contracting out program will end up impairing mission capability and degrading readiness. While Congress has attempted to address this concern through prohibitions on the contracting out of firefighters, CORE logistics functions, and security guards, many important and complex mission related functions still remain subject to review. Quality assurance, responsiveness, and control are essential in the performance of such functions. They are qualities that have to be instilled. They cannot be written into a contract.

I can understand and share these concerns, but I have one of my own.

I have been particularly troubled about how much contracting out is costing us and how many contract employees are involved. I find it ironic that DOD can tell us how much money they are saving through this process, but now how much is being spent and how many contract employees there are. Last year's authorization act contained a provision requiring the Department to provide this data but it has not yet been forthcoming. Aside from the fact that DOD should comply with the law, I am concerned about a program that has such poor visibility to Congress. How can we support such a program? How can we exercise effective oversight over such a program? Hearings should be held to get to the bottom of this matter and shed some light on this "shadow contract work force."

As I said earlier, I am glad the DOD contracting out program is being singled out for more intensive discussion and review. It certainly can do with more comprehensive oversight by Congress. It is clear that it is not "user friendly" and there is a growing belief in DOD circles that it is not working. It needs to be modified to make sure it does not adversely impact DOD operational capabilities or degrade readiness. An important first step in that direction would be the approval of the pending amendments and I urge the Members to do so.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very difficult issue to describe. It is a very difficult issue to define, and it is a very difficult issue to get unanimity of opinion on. What we are talking about is the Department of Defense authorizing the various services at its numerous bases across the country to begin to delegate and contract out to the civilian sector certain functions and activities that go on on the bases. There are many of these duties. If you have an airbase, those who take gasoline to the planes and pump gas, that is a contracting-out facility. The firefighters are a contracting-out facility. The security on the bases, quite often those are contracting-out activities. Laundries on the bases and telephone operators are other examples. The list just goes on and on.

So there is a real difference of opinion as to how far we should go in the contracting out. What is so important and what is so strategic to the welfare of the base and at the time of a real emergency that you cannot trust it to the civilian sector? And on another level, organized labor could come in and cripple something, if they should decide to strike, that would be absolutely essential on a SAC base so that they could not take off in a time of war.

□ 1255

So where do you draw the line? This has been an ongoing problem for many years. We have tried to resolve it for many years. There is no unanimity of opinion within the Department of Defense as to where the line should be drawn.

As the amendment which will be under discussion proposes, should we leave it up to the base commander as to what functions on that base may be contracted out and which are so essential to the operation of that base that they may not be contracted out? If we say that the base commander can do this, then what happens when they get a new base commander? Would the position be reversed? When you have several bases across the country—all Air Force, say—and they are all doing approximately the same thing, this one will contract out and this one will not contract out, depending on the whim of the base commander. So this is not a good thing, that we do not have any uniformity in it, but we cannot and have not been able to come up with one set of rules that would apply equally that all of the services agree, all of the service secretaries would agree, all of the military commanders on the base would agree, this is the best way to do it.

That is the reason that we are having the trouble now and why it comes up almost every year. There is a very strong feeling, for instance, that firefighters should not be contracted out. I happen to believe that. That is not a function, particularly where you are flying aircraft, that should be contracted out, because the work conditions are such and the effectiveness and the importance of it is such that if for any reason there was a work stoppage on the part of the firefighters, every aircraft on the whole base would have to be grounded and could not fly, because you must have firefighters in connection with the takeoff and landing of aircraft.

So what we are attempting to do today and what will be attempted when the amendments are offered is to come up with some solution or to put in place something that will at least give some breathing room for the services—the Army in particular—to try to work out a solution in the interim, and maybe by next year we can have—which I doubt—a solution.

That is an effort or an attempt to put in perspective what the problem is that we are attempting to deal with today, and I wish that someone were smart enough—and certainly I am not—to have the answer to all of the problems.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. ROBERT F. SMITH].

Mr. ROBERT F. SMITH. Mr. Chairman, I rise to urge my colleagues to carefully look at the proposed amendments coming forward. There will be at least four amendments during the subsequent debate on this authorization bill which will reduce or restrict contracting out as we know it today.

There are many good reasons that we should look carefully at these amendments. They are economic, they are political, and they are even logical.

By far, I think that the most sweeping reason for rejecting them is the economic loss that it represents. The Department's competition programs have saved the taxpayers hundreds of millions of dollars in the past, and the private forces in America are the recipients of those contracting-out opportunities.

At my request last year the General Accounting Office analyzed legislation which my colleague, the gentleman from Texas [Mr. STENHOLM], and I have introduced, and found that by expanding contracting out we could save this Government $3 billion in the first year.

Interestingly, they also analyzed what could be done by removing some of the restrictions that we already have on contracting out, and found that we could save $4.6 billion if we reduced the prohibitions against contracting out in this country.

The fact is that the overwhelming majority of our constituents work in the private sector. Of those, the only association that they have with the Federal Government comes April 15 every year when they pay their taxes. The losers in restricted contracting out are the taxpayers.

Also the losers are the private businesses in our congressional districts, largely small businesses, who would compete for the work and likely win some of it.

You can also count on the losing side the U.S. Treasury.

Every Federal dollar that we spend on private contracts brings a little more into the kitty.

Competition is the cornerstone of the free enterprise system which made this country great. Prohibiting competition to protect a few members of the Federal family clearly is unnecessary. It is too costly and it is inefficient.

I urge Members to carefully consider the four amendments which would restrict competition in America.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, one of the things that we on the Committee on Armed Services have been concerned about has been our defense base mobilization if we were ever required to meet another emergency such as erupted at Pearl Harbor. Few private companies can handle major defense production and even in our Defense Establishment, we have few installations, where we have genuine production facilities, as well as a trained base of employees.

However, one of them is the Watervliet Arsenal in Watervliet, NY, where all the guns that required for the Navy or the Air Force or the Army are built. The idea that we can improve our defense posture by putting this outstanding installation by trying to turn these skilled craftsmen over to a contracting process.

The mere threat of this action has put a chill over these fine dedicated employees. We can ill afford to put them at risk.

Over the years we have found that our friends and allies abroad are clamoring for the skills that Watervliet represents. Watervliet is in fact the jewel in the crown of American defense production!

It would be a damaging move to break up this great production team, which is why I am afraid that contracting out would be, the death knell for a major advance in defense production.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. Leach].

Mr. LEACH of Iowa. I thank the gentleman for yielding time to me.

Mr. Chairman, I would like to make several points.

First, we are dealing today with three amendments in the contracting-out area, and not a fourth that I had introduced but that the Committee on Rules had ruled out of order. Let me say that I support these three amendments. They are discreet, they are careful, and they are not comprehensive. The discreetness gives it a measure of positiveness; the noncomprehensiveness I have some difficulty with.

I might say that the more comprehensive approach that I had offered was rejected, perhaps because of the good-faith efforts that the administration has entered into to enter a 1-year moratorium on contracting out which hopefully will give them time to work with Congress for a longer term solution.

Mr. Chairman, let me say on the contracting-out issue that there are profound reasons to consider certain types of restraints. One is the question of whether we want to maintain a bare-bones arsenal system, both in the event of a surge capacity for national emergency, and, second, as a benchmark by which costs can be measured against the private sector. So arsenal systems have the advantage of being a bit of a luxury; they also have the advantage of holding down costs in the private sector.

Second, there is a problem when the ideological ax is always out there, both for recruitment and retrenchment of distinguished people within our munitions arsenal capacity systems, and representing one of the areas of the country with a large number of employees at the Rock Island Arsenal, all that I can say is that I know what a heartache it is for them to deal every day with the problem of wondering if they have a career that is going to end next week, next month, or next year.

□ 1305

I consider the three amendments before us to be very positive, a useful beginning and hopefully in the next year, as we look at the process that the administration has entered into a moratorium, we can also look at a more comprehensive approach to the issue.

The CHAIRMAN pro tempore. The time of the gentleman from Alablama [Mr. Dickinson] has expired.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. Stenholm].

Mr. STENHOLM. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I must rise to express my reservations about, and opposition to, the several amendments we are about to consider that would restrict DOD contracting out. I do so reluctantly, because of my respect for the Members offering these amendments. However, on the basis of economy, efficiency, fairness, and the buzzword of 1987, competitiveness, I must oppose these amendments.

Contracting out is not appropriate in all circumstances and I want to emphasize that I am by no means an absolutist on this issue. In the last Congress, I supported my friend, Bill Nichols, on his amendment to prevent contracting out of certain essential logistics functions. But I do feel compelled to express my concern about a trend we see accelerating with consideration of these anticontracting out amendments today.

First, let's be more specific. Most of the time, contracting out is preceded by an exhaustive cost comparison between an in-house government unit and a private contractor. I agree we need to improve and standardize some of the rules of this competition, but the basic concept is valid: When an activity is one commonly performed by the private sector and it is not essential to the national security or inherently governmental in nature, then the Government should contract with the private sector for performance of that activity unless the Government can perform that activity more economically. No one should be afraid of fair competition to see who does the job. In fact, in-house Federal employees already win about half of all such competitions.

There is no inherent reason why maintenance, manufacturing, or some security activities can't be procured from the private sector when that's the more efficient source. I am also concerned that delegating to base commanders the power to decide which functions should be cost-compared would result in geographic inconsistencies, abrupt policy changes when commanding officers change, and a frequent reluctance to risk impairing the working relationship with one's own subordinates by requiring a cost comparison that may not result in contracting out.

What's more, objective studies have shown repeatedly that contracting out not only results in real cost savings, but that the mere fact of participation by the Federal work force in the cost competitions improves in-house performance and efficiency when the in-house unit wins. Cost competitions can and should be used as a valuable management tool for improving Government operations.

Moreover, GAO and OMB, among others, estimate that a more consistent and widespread use of cost comparisons should save the Federal Government $2 to $3 billion a year when fully implemented.

The in-house unit already begins with a 10-percent advantage under OMB circular A-76 and sometimes a larger, statutory one. Rules governing indirect costs usually further favor keeping work in-house. I'm not sure this is the time to undermine the process further by adding to the patchwork of prohibitions on cost comparisons.

I understand why some Members have problems with contracting out. Many times Federal employees suffer anxiety and uncertainly about whether their jobs may be jeopardized and just what the ground rules are. There is a great need for more certainty in the process, which is one of the reasons Bob Smith of Oregon and I introduced H.R. 1606, the Competition Savings Act. But the basic concept of conducting cost comparisons is sound management and good economics and I simply question the wisdom of nibbling this program to death by adding to the dozens of already-existing prohibitions.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. Panetta].

Mr. PANETTA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Alabama, and I thank him for yielding.

The amendment offered by the gentleman is virtually identical to an amendment which I filed with the Rules Committee. In recognition of the gentleman's position on the Armed Services Committee, I withdrew my amendment and indicated that I would support his amendment instead. The gentleman's amendment is also virtually identical to legislation which I introduced recently, H.R. 2250, which would permanently transfer authority over the contracting out of commercial activities at military installations to base commanders.

Let me take a moment to review the provisions of the proposals which the gentleman and I have put forth. First, let me stress that the amendment, like my legislation, would not stop contracting out. It would not terminate the cost comparison program mandated by **OMB** circular **A-76**. It would ensure that the basic decisions about the implementation of any A-76 studies of commercial activities at a military base are made by those closest to the base and those who are most aware of its needs—the base commanders.

Under both the amendment offered by the gentlman from Alabama and the legislation which I have introduced, the commanding officer at each military installation would be given authority both to determine which of these activities would be subject to the cost comparison analysis provided for under **OMB** circular **A-76** and to conduct solicitations for any work selected for contracting out. If the base commander decided that certain activities were not appropriate for treatment as commercial activities, his decision would be final.

This amendment comes, in effect, as the product of frustration with the implementation of the A-76 process by the Department of Defense, in general, and by the Army, in particular. Members of the Armed Services Committee, Republican and Democratic Members of both the House and the Senate, the Office of Management and Budget and the General Accounting Office have all struggled to get the Defense Department and, again, particularly the Army, to abide by the requirements of OMB's regulations and by sound contracting principles in implementing the A-76 program. The gentleman from Alabama has been a leader in working to reform the Department's practices.

While there have recently been some signs that the Army is finally paying attention to the concerns which have been expressed, there is no guarantee that the Army and the Defense Department will continue to be responsive if Congress does not remain steadfast in insisting on a new approach to this problem and in mandating this new approach by law. That is why we must adopt the amendment of the gentleman from Alabama.

Members who have not followed this issue closely may be interested in knowing the kinds of problems which the Department's approach to contracting out commercial activities has engendered. In a review of the Defense Department's handling of the A-76 program which was released just 3 months ago, the General Accounting Office found a widespread failure by the Department to use proper contracting methods. In its study, "Opportunities to Use More Preferred Practices for Base Support Contracts," GAO found that DOD was using costing systems in contracts for routine base services which were better suited to development of advanced weapons systems than to the kinds of basic services needed to support a military installation. The result of these practices was to shift to the Government the responsibility for any cost overruns and to reward contractors for engaging in frequent and costly renegotiations over the terms of extremely simple and straightforward contracts.

The fundamental justification for solving this problem by leaving the key decisions about contracting out to base commanders, as required by the gentleman's amendment, is that it has been the base commanders who have objected most vociferously to the waste and abuse caused by unnecessary contracting out and by contracting out which is performed under improper cost guidelines. The commanding general at a base near Washington, for example, wrote to another senior Army official that:

> I believe strongly that the [Army] leadership needs to take some hard looks at some of the repeat mistakes we appear to be making in our CA [Commercial Activities] efforts.

In another letter, this officer wrote that:

> The issue of cost growth in our contracts is sure to be a subject that is going to cause the Army to come under heavy attack.

The general was concerned because cost overruns, stemming from improper costing procedures required by the Army, had caused the contract in question to grow from $5.2 million to $10.3 million in just 1 year.

This kind of cost growth is shocking. If this general and other commanders had been given the authority to run the A-76 programs at their installations as they saw fit, substantial cost savings might well have been achieved. Giving base commanders such authority might have prevented a situation in my home State of California, for example, in which the Army paid $2.8 million more than the estimated contract price for supply services, in order to save less than $500,000. It might have prevented a situation in the gentleman's home State of Alabama in which the Army, over the explicit opposition of the commanding officer awarded a contract for base services under which the Army paid $38 million more than the original contract price, in 2 years alone, for the purpose of saving less than $1 million over a 5-year period.

By giving base commanders the authority to operate the A-76 cost comparison process for commercial activities as they see fit, we may not be eliminating all the problems in this program. Past experience suggests, however, that we will be putting it in the hands of those individuals who best understand the flaws in the way the program is now run and who can give us the best help in reforming the program and avoiding wastes of taxpayers' funds. We will also be improving the responsiveness of the program by ensuring that those officers closest to the activities and the personnel in question have the authority to make the final decision on the issue of contracting out.

Mr. Chairman, I urge adoption of the amendment of the gentleman from Alabama.

Mr. MAVROULES. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. THOMAS] to close debate.

Mr. THOMAS of Georgia. Mr. Chairman, I rise in strong support of the amendment offered by my good friend from Alabama, and I ask to revise and extend my remarks.

Mr. Chairman, the issue of determining when the Government should contract out work to the private sector has been debated for over 50 years. We do not have the time during the short debate on this amendment today to discuss all of the factors, pro and con, on that issue.

Let me say, however, that there are several key issues which I feel have not been clearly addressed in any of the independent studies on contracting out.

For example, is the quality of work performed by private contractors comparable to that performed in-house by our Federal employees?

Is consideration given to the unique missions of our military installations in terms of work performance and work rules?

Do private contractors make "low ball" bids and then in later years raise their rates at a time when the Government has little choice but to stick with a contractor system?

Do the cost savings claimed by contractors take into account the economic losses to communities surrounding military installations when large numbers of Federal employees who reside in those communities suddenly find themselves unemployed or transferred?

In my judgment, these are issues that cannot always be measured in dollars and cents.

I am privileged to represent the First District of Georgia which includes the Fort Stewart/Hunter Army Airfield complex—the home of the 24th Infantry Division, Mechanized. According to the Department of the Army, there are 1,200 civil service jobs at Fort Stewart which can be contracted out to the private sector. Of those 1,200 jobs, 960 are currently being studied under the Army's commercial activities program for possible contracting out to the private sector over the next 2 years.

Mr. Chairman, I fully realize that our Federal employees have the opportunity to compete with the private sector to retain contractable functions in house, and I can say without reservation that our Federal employees at Fort Stewart have been working to reach optimum efficiency to help reduce their own costs. As a matter of fact, of the seven functions which have already been studied for contracting out at Fort Stewart between 1979 and 1986, four remained in-house.

So, I am not talking about a group of people who refuse to accept the fact that current budget constraints do warrant further Government efforts to reduce operating costs. I am talking about a group of people who are, for the most part, career Government employees who may face the loss of their jobs if they cannot be transferred to other jobs on base should these functions be contracted out to the private sector.

I am talking about a group of people who are dedicated to their work and who have established roots in the small communities surrounding Fort Stewart. And I am talking about a group of people who are genuinely concerned about their futures and the futures of their families.

It is not just the employees who stand to lose in the process, Mr. Chairman. Local jobs in the private sector that support the civil service community could be threatened. There would be tax revenue losses to city and county governments.

But most important, what is the impact on the quality of performance when job functions are contracted out? Can quality performance be assured without the use of experienced civil service employees?

I am convinced from the evidence that I have seen that quality of work performed is often an intangible factor that is not fully examined when a decision to contract out is made. In a great many cases, a contract employee is far less experienced than the civil service employee he or she replaces. In many jobs, that loss of experience means a loss of productivity and a loss of quality, and that means a loss to the taxpayer.

In addition, when you look at a military installation the size of Forts Stewart and Hunter, it is imperative that you look at the important functions performed at that installation in conjunction with its mission—to prepare the 24th Infantry Division as the heavy division of the Rapid Deployment Force.

Does contracting out effect our military readiness at some specific installations, and are we slowly moving toward an efficient peacetime force which cannot respond to wartime commitments? I think this is an extremely important issue, Mr. Chairman, and one that is not always taken into account when examining contracting out purely on the basis of projected cost savings.

Are there instances in which contract employees provide the same quality of work and fulfill the same requirements as do civil service employees? Yes, there certainly are those cases, and I support contracting out in those circumstances. But after many years of this review process, I believe we are reaching the point where those easy choices have all been made.

Now we must make the tough decisions on jobs that can effect work performance for critical military missions. This is one of the primary reasons I support the Nichols amendment to give the installation commander the authority to determine which job functions should be studied for contracting out. Clearly, the mission at each installation is unique, and it is the commander of that installation who is in the best position to determine his own readiness needs. I urge my colleague to vote "yea" on the amendment.

The CHAIRMAN pro tempore. All time has expired.

AMENDMENT OFFERED BY MR. NICHOLS

Mr. **NICHOLS**. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NICHOLS: At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. AUTHORITY OF COMMANDING OFFICERS OVER CONTRACTING FOR COMMERCIAL ACTIVITIES.

(a) AUTHORITY.—The Secretary of Defense shall direct that the commanding officer of each military installation (under regulations prescribed by the Secretary of Defense and subject to the authority, direction, and control of the Secretary) shall have the authority and the responsibility to carry out the following:

(1) Prepare an inventory each fiscal year of commercial activities carried out by Government personnel on the military installation.

(2) Decide which commercial activities shall be reviewed under the procedures and requirements of Office of Management and Budget Circular A-76 (or any successor administrative regulation or policy).

(3) Conduct a solicitation for contracts for those commercial activities selected for conversion to contractor performance under the Circular A-76 process.

(4) To the maximum extent practicable, find suitable employment for any employee of the Department of Defense who is displaced because of a contract entered into with the private sector for performance of a commercial activity on the military installation.

(b) DEADLINE FOR REGULATIONS.—The Secretary shall prescribe the regulations required by subsection (a) no later than 60 days after the date of the enactment of this Act.

(c) DEFINITION.—In this section, the term "military installation" means a base, camp, post, station, yard, center, or other activity under the jurisdiction of the Secretary of a military department which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or Guam.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Alabama [Mr. NICHOLS] will be recognized for 5 minutes, and a Member opposed to the amendment will be recognized for 5 minutes.

The Chair recognizes the gentleman from Alabama [Mr. NICHOLS].

Mr. **NICHOLS**. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to speak in support of my amendment.

Briefly, my amendment would require the Secretary of Defense to delegate the implementation of the commercial activities or contracting out program to base or installation commanders. My amendment would further require that regulations for this delegation be issued with 60 days after the enactment of this Act.

Although I strongly support this delegation of authority over the commercial acitivities program to base commanders, I can't take credit for this idea. Like the core logistics concept enacted 3 years ago, this delegation idea is a Pentagon initiative.

Late last year, or early this year, the Deputy Assistant Secretary of Defense (Installations) proposed a new draft instruction on the implementation of the commercial activities program that is carried out in accordance with Office of Management and Budget circular A-76. The most significant change in this instruction was the delegation of program implementation to the base commander.

The primary reason for this change was to bring the commercial activities program in line with the model installation program. The model installation program was established 3 years ago and has been highly successful in identifying and removing regulations and procedures that impair management and productivity at those installations. As a result, base commanders at those installations have been given wide latitude to exercise initiative in developing new and innovative management techniques. To date, base commanders have been allowed to waive over 20,000 regulations and devised many new ways to improve and streamline their operations. The lessons learned in this test program are being studied and applied across the board as part of a new graduate program. Needless to say, this program has been extremely popular in the field and shows great promise in producing even greater savings and efficiencies in the coming year.

In effect, DOD has finally discovered a fundamental management principle that business and many in Congress have known all along. You select the best people you can to command, you give them as much latitude as you can over methods and the application of resources to perform the mission, and you hold them accountable.

The new draft instruction merely applies this philosophy to the implementation of the commercial activities or contracting out program. Instead of being forced down his throat, irrespective of its impact on the base or its mission, the commercial activities program becomes another useful management tool that the base commander can selectively use to realize efficiencies and economies.

By the same token, however, this change does not mean that base commanders can ignore the commercial activities program. The base commander must still identify functions eligible for review cost comparisons and must maintain the inventory of such functions. Furthermore, the funding crunch in the coming years will force base commanders to aggressively explore all means to cut costs and improve work force productivity. Just because using the commercial activities program will be a hard choice for many base commanders does not mean that it should not be employed when it makes sense to do so. Base commanders are being paid to make hard choices, and they remain accountable for carrying out their missions as cost effectively as possible.

Nevertheless, this delegation provides a significant increase in management flexibility. Over the years, I have had many discussions with base commanders and I know of no other single program that has caused them more concern and difficulty than the commercial activities program. All too often, higher headquarters have dictated the pace and scope of cost comparisons to meet some arbitrary Pentagon deadlines. If the function was contracted out and contractor performance was not satisfactory, that was the base commander's problem. If contractor performance cost more than was projected, that was the base commander's problem. If contract conversion lowered productivity and efficiency, that was the base commander's problem. If mission performance suffers, that is the base commander's problem.

I believe that if we are going to hold the base commander responsible for the problems associated with contracting out through the commercial activities program, we should give him more control over the implementation of that program. That is precisely what the new instruction would do. My amendment helps this process along and insures that we have a commercial activities program that is consistent with the new management flexibility being given to base commanders.

I urge your support of my amendment.

Mr. MATSUI. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from California.

Mr. MATSUI. I thank the gentleman for yielding.

Mr. Chairman, first of all I would like to commend the gentleman for this very fine amendment and for all of the work he has been doing in trying to make some sense out of this very complex process. I support the gentleman's amendment because it is only right to give the commanding officer, the officer who is directly involved with the installation itself, the option of deciding whether or not contracting out should be implemented. He is the one who knows what is going on, and the amendment makes a lot of sense for that reason.

In addition to that, the whole issue of readiness and our surge capacity really depends upon troops that are under the control of the commanding officer, and also civilians that are under the commanding officer's control. So I commend the gentleman.

Mr. NICHOLS. I thank the gentleman from California for his comments.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, in the general debate I believe my remarks on the subject as a whole probably covered the problem we are dealing with in this particular amendment.

What the gentleman from Alabama [Mr. NICHOLS] has done and is seeking to do, the gentleman has met with the Secretary of the Army to try to work out a sensible arrangement and they are in that process. I do not know what the Army's position on this particular amendment is, but I know there are ongoing negotiations that the gentleman from Alabama [Mr. NICHOLS] is seeking to put into place with the concurrence and consent of the Army and perhaps the other services would be involved as well.

The Department of Defense per se does not favor this, even though I am told that originally the idea might have originated within the Department of Defense. So again it is a mixed bag, and I think I am representing the DOD when I say that they do not support it.

But, Mr. Chairman, I have no strong feelings against the amendment, and I yield back the balance of my time.

Mr. NICHOLS. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding.

Let me say that contracting out sounds good until you look at it closely. I have some things that I wanted to say, but we do not have the time.

Let me give my colleagues three examples.

Fort Belvoir: $5.2 million maintenance contract which wound up costing, after contracting out, $10.3 million. I do not know whether that example has been mentioned.

Red Stone Arsenal, a really very interesting example. A $27 million contract was contracted out for a $200,000 savings and ultimately cost the Government $48 million.

The last example, the Marine Corps at Beaufort, SC, had three different contracts for contracting out of housing maintenance. In 3 years, two of the contractors defaulted and the cost of the contract doubled.

Why does this happen? The reason it happens is because costs rise a lot faster in the private sector than they do in Government. That may shock my colleagues, but all they have to do is look at the cost-of-living adjustments or salary raises that the private sector receives versus the public sector. They always undervalue the service that is being performed and underestimate what the private sector is going to cost.

I think the gentleman's amendment is an excellent one and I rise in strong support, and indeed also for the other two amendments that will follow suit.

Mr. BONIOR of Michigan. Mr. Chairman, I rise today in support of the Nichols amendments to give base commanders the authority to decide which functions on their bases will be considered for possible contracting out. Not only is this sound financial management, Mr. Chairman, it preserves the integrity of the relationship between the military and its civilian employees.

My district is the home of the Selfridge Air National Guard Base. At Selfridge, contracted services have always been billed as cost-saving measures. In practice, contracting out has cost much more than amounts specified in original contracts. If the point of contracting out is to save money, then, at Selfridge, and I suspect elsewhere, it has had the opposite effect.

In these days of fiscal austerity, it behooves us in Congress to institute policies which further our effort to deal with our Nation's deficit problem. The Nichols amendment is one step we can take in this effort.

The other issue we have to address, Mr. Chairman, is how our Government is treating civilian employees on military bases. Nearly 600 civilian jobs at Selfridge Air National Guard Base, for example, stand to be affected by contracting out. Selfridge, like other U.S. bases, relies heavily on a loyal, skilled civilian work force.

The Government has made an investment in our civilian workers. Contracting out robs our military of valuable and seasoned civilian employees. They have experience in their jobs and the skill to do their job well.

Even if some of the employees are hired by contractors, we lose a carefully built organization and the money we have already spent to build an educated and skilled work force. Unfortutunately, many of these workers who are forced to leave Government service do not transfer to private contractors because salary and benefits are not adequate for them to support themselves and their families.

Contracing out also robs our base commanders of a measure of control. They become subject to the effectiveness or ineffectiveness of a contractor when mobilizing a base to ensure our Nation's security.

Civilian employees, like their military counterparts, feel a special allegiance to the United States. In many cases, these employees are members of the National Guard, former U.S. military or both. In their present positions, these men and women are directly responsible to the Government. They do not owe their livelihood to a contractor. We can count on their commitment to national security in a state of emergency.

I suggest that the men and women who manage our military bases are in a much better position to make determinations regarding contracting out than a bureaucrat at the Pentagon. We entrust our military bases to skilled managers and experienced military personnel. By supporting the Nichols amendment, Mr. Chairman, we allow base commanders to do the job that is expected of them.

Mr. McDADE. Mr. Chairman, I rise in strong support of the amendments being offered regarding contracting out, as well as the initiatives already in the committee bill directed at the depot maintenance area.

My colleagues, for some time now both the Committee on Armed Services, and the Appropriations Subcommittee on Defense on which I serve, have been concerned about both the management of and the resources being applied to the so-called readiness accounts—in particular, the repair and upkeep of the weapons systems and equipment that our forces in the field rely on. To meet these requirements, it is essential that each of the services maintains an organic, in-house depot maintenance capability which will meet peacetime needs, and the increased requirements which could result from any wartime scenario.

Unfortunately, what we have witnessed in recent years, especially by the Army, are efforts to reduce the overall capacity of the depot system to provide for critical maintenance needs. The Army has decided to increase the workload performed by the private sector in these areas, at the expense of the in-place capabilities of the depot system.

Has this decision been based on any objective evaluation of cost effectiveness? Has there been a systematic effort by the Army to evaluate whether increased reliance on the private sector makes sense—either in terms of saving dollars, or the impact on our mobilization base requirements? From my vantage point on the Defense Appropriations Subcommittee, I haven't seen any evidence that suggests these questions have been answered, or even asked by the Army.

And the Armed Services Committee agrees. In hearings this year, Chairman NICHOLS' subcommittee tried to find out what the basis was for shifting work from the depots to private industry. What did they find? Let me quote from the report accompanying this bill: This was "not due to cost considerations or unique contractor capabilities. Rather, it stemmed from an internal Army management decision to reduce the number of civilians involved in depot maintenance from 20,000 to 16,000."

Mr. Chairman, Army requirements for depot maintenance are not going down. Time and time again, Army officials have told me the exact opposite, in committee testimony—requirements are growing. That's to be expected, with the increased training levels and equipment this Congress has provided for over the past 7 years. Yet the Army plans to reduce the Government cadre responsible for maintaining this equipment by 25 percent.

This just doesn't make sense. And therefore I rise in full support of the amendments offered by Chairman NICHOLS and our colleague from California, Mr. MATSUI. These amendments would prevent the Army from contracting out maintenance functions, and would leave to the discretion of the individual facility commander as to whether commercial-type activities should be considered for performance by the private sector.

Moreover, the committee bill provides money above the budget request to redress a shortfall in maintenance funding. By providing an additional $150 million for Army depot maintenance this year, we will avoid the repair backlogs so commonplace in the 1970's and which we have worked so hard to correct. In particular, I would note this provision would build upon an amendment which I sponsored to last year's Defense Appropriations Act which provided an additional $75 million for Army depot maintenance.

Mr. Chairman, admittedly this area is not as high profile as other subjects in this bill, but upon reflection, I think we all would agree that the billions of dollars that this Congress has approved for defense aren't worth a nickel if the equipment our troops use is not adequately maintained.

Taken together, the amendments before you and the funding proposed by the committee will ensure continued stability for the work forces in the Army depot system and will make certain that our forces can rely on having equipment which will work. Again, I salute the leadership of Chairman NICHOLS in this area and urge all of you to support these amendments.

Mr. FAZIO. Mr. Chairman, I rise in support of Congressman BILL NICHOLS' amendment to the fiscal year 1988 Department of Defense authorization bill. Mr. NICHOLS' amendment will give the commanding officer at each military installation the option of which job functions to study for contracting out under the A-76 Program.

Over the years, I have become quite familiar with the problems of contracting out functions at military installations. I have two military bases within my district and more located near my district where a number of my constituents work. I am concerned that the one individual who is most qualified to determine which functions should be contracted out, is not consulted at all. I am, of course, referring to the base commanders.

Base commanders are ultimately responsible for all functions performed at their installation. The commander knows the needs of the base as well as of the local community. He can best determine which functions should remain in-house. An excellent example of the problems of the current system occurred very close to our Capitol. Last summer a general at a local military installation had to write to his superior to explain how a base maintenance contract let at $5.2 million wound up costing $10.3 million in the first year. In his letter, the general admitted that cost-plus contracts just don't work for base maintenance because the A-76 underestimates the work to be done. Perhaps if this commander had the authority to determine which functions should be studied for contracting out, this enormous waste of money would not have occurred.

As you well know, Mr. Chairman, when this administration came into office, Secretary of Defense, Caspar Weinberger announced that he was going to study 90 percent of the Department of Defense's civilian jobs with a goal of contracting out 50 percent. Then, the administration announced a bold plan to review 400,000 Federal jobs for contracting out. They called this program the cornerstone of their privatization policy. The administration was concerned with increasing efficiency and cutting costs. While I am a strong proponent of increased efficiency and reduced costs, their contracting out plan has neither saved time nor money.

At a time when Congress wages war on deficits, it is impossible for a Member to tolerate a project which is initially contracted out to save enormous sums of money, yet, over time turns into a budget busting project thanks to added expenditures. Contracting out has not contributed to deficit reduction.

I have worked with my good friend and colleague Mr. NICHOLS, on the issue of contracting out for a number of years. His efforts to ensure that the best job is done by the best people—our Federal work force—should be commended and supported. I believe this amendment takes another step forward in ensuring a good return on taxpayer dollars. I urge support for this amendment.

Thank you.

The CHAIRMAN pro tempore (Mr. MURTHA). The question is on the amendment offered by the gentleman from Alabama [Mr. NICHOLS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUTTO

Mr. HUTTO. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUTTO: At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. PROHIBITION ON CONTRACTS FOR PERFORMANCE OF SECURITY-GUARD FUNCTIONS

(a) IN GENERAL.—Section 2693 of title 10, United States Code, is amended in subsection (a) by inserting "or security-guard" after "firefighting".

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) Subsection (b) of such section is amended by striking out "the function" and inserting in lieu thereof "a function".

(2) The heading for such section is amended to read as follows:

"§ 2693. Prohibition on contracts for performance of firefighting or security-guard functions".

(3) The item relating to section 2693 in the table of sections at the beginning of chapter 159 of such title is amended to read as follows:

"2693. Prohibition on contracts for performance of firefighting or security-guard functions.".

The CHAIRMAN pro tempore. Under the rule, the gentleman from Florida [Mr. HUTTO] will be recognized for 5 minutes, and a Member opposed, the gentleman from Alabama [Mr. DICKINSON] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. HUTTO].

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Mr. HUTTO. I thank the Chairman. Mr. Chairman, I rise to speak in support of my amendment.

My amendment would permanently prohibit the contracting out of security guard functions at any military installation or facility that are now being performed by Government employees.

The issue of whether or not the Department of Defense should contract out security guards is not a new one. Congress first considered this question in 1982 and has been saying no ever since. Over the past 2 years, I have offered amendments to permanently prohibit the contracting out of security functions which have been debated and adopted by this body. The arguments for such a prohibition have not changed and circumstances make it imperative to resolve this issue once and for all.

We are all aware of the growing threat of terrorism to military personnel and installations at home and abroad. Recent bombing attacks in Europe have brought that painful reality home to us. It is equally clear that terrorism is no respector of international boundaries so similar attacks could take place in this country.

The upshot is that the importance of security at Department of Defense installations has never been greater. To meet this challenge the Department of Defense needs dedicated, responsive, and highly trained security guard personnel. In my opinion, the only way we can ensure the quality and maintain the control necessary to meet those high standards is to retain security functions in-house.

Over the past 2 years the Department of Defense has embarked on a major program to beef up security at its installations. This year the Army alone is requesting over $128 million for increased security. New standards and procedures are being developed and implemented to enhance the capabilities of security forces, including those performed by civilian employees.

Mr. GEKAS. Mr. Chairman, will the gentleman yield?

Mr. HUTTO. I would be pleased to yield to the gentleman from Pennsylvania.

Mr. GEKAS. I thank the gentleman for yielding. I have a question. I agree with the amendment of the gentleman and intend to support it but there is something that has been troubling me ever since we have been debating this issue. That is, are there any installations that do hire or have security guards that are not Government employees as of now?

Mr. HUTTO. Yes. I am glad the gentleman asked that question, because I intended to point that out that this does not include those who are now being contracted out. I thank the gentleman for asking that.

Mr. GEKAS. I needed to know that.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. HUTTO. I would be happy to yield to the gentlewoman from Ohio.

Ms. OAKAR. I thank the gentleman for yielding.

Mr. Chairman, I think the spirit of what the gentleman is trying to do is certainly the right thing. I was not clear whether these are Government employees that the gentleman is trying to contract out.

Mr. HUTTO. No. I am trying to oppose the contracting out of security guards to the private sector because I think it is very important that we keep them in-house where people have the proper clearance, the training and so forth.

Ms. OAKAR. Let me say to the gentleman I agree with that. I think there is too much contracting out right now with respect to security at various areas and I want to commend the gentleman for his amendment.

Mr. HUTTO. I thank the gentlewoman from Ohio.

Under the circumstances, it would be difficult, if not impossible to conduct realistic cost comparisons in accordance with Office of Management and Budget circular A-76. Attempting to make such comparisons against a moving baseline would, in all likelihood, only result in bad contracts or significant cost growth to meet emerging requirements that were not reflected in the original solicitation.

Even if we could overcome these difficulties and conversions to contract did take place, we would still be faced with the dilemma of possible strikes by contract security guards. Contract employees can strike and it is obvious that a security guard strike at a military installation would pose a serious threat to safety, military operations, and security. However remote, it is a risk I am not prepared to take.

While the Department of Defense has repeatedly given assurances that only less sensitive security guard functions would be contracted, I am not satisfied with these promises. In the first place, I am not sure I would agree to characterizing any security guard function as being mundane enough to risk contracting out. Secondly, I am concerned about the ability to effectively integrate and control mixed guard forces.

In sum, I am not willing to take the risk of contracting out security guard functions currently performed by Defense civilian employees. Our primary concern should be the upgrading of our existing security guard personnel, not cost comparisons in the face of emerging requirements. Any money we would save on the basis of such flawed cost comparisons would hardly justify risks we would be taking with the lives of Department of Defense personnel and the equipment and property at military installations.

I urge your support for my amendment.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, are there 2½ minutes per side or 5 minutes per side?

The CHAIRMAN pro tempore. Five minutes per side.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from the State of Washington.

Mr. SWIFT. I thank the gentleman for yielding.

Mr. Chairman, I just wanted to add to the comments of our colleague from Florida; not only in the security area but in so many of the other activities on military bases, contracting out seems to achieve purposes other than its intended goal.

I have been told by CO's who have been trying to operate bases effectively that whenever they are faced with the need to make an across-the-board cut in the costs of operating that base, by contracting out you are adding more uncontrollable costs to what he has to work with. In other words, if the base commander has control directly over personnel and there is a need for cost cutting, he has greater flexibility in dealing with that, whereas if you in fact have contracted it out and that is written in granite in a contract that is an additional item that is withdrawn from that CO's ability to be able to control the cost. That has just got to be paid.

So in many ways I find that this incredible insistence on the part of this administration to contract out everything in sight is in fact working at opposite purposes to what they claim is the value of contracting out.

And I thank the gentleman very, very much for yielding this time.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think I pretty well covered what I feel about this in my remarks during the general debate. There is a problem here as to contracting out. Putting forth the opinions of the Department of Defense, the report submitted by the Secretary of Defense in 1984 and in 1986 maintained that a blanket prohibition on contracting out security guard functions is unnecessary, as many functions currently being performed by Federal security guards could be contracted out without impairing security, readiness, and operational capabilities.

The Department of Defense feels that the Secretary of Defense can be relied upon not to contract out security guard functions such as security of nuclear and chemical weapons, among others, that would pose a serious threat to safety, readiness, and operational capability.

Contracting out some security guard functions could enhance productivity and save money while freeing up civilian personnel for higher priority missions. The Department of Defense contracting procedures are flexible enough to accommodate more stringent security requirements than would be developed during the course of an A-76 cost comparison. So as I pointed out earlier, there is no black and white line here; there is a big grey area.

It is a subject which has been dealt with for several years and still has not been resolved. The Department of Defense feels at this time it would not be wise to have a blanket prohibition on all security guards because they do not think it is necessary; they think there is discretion within the Department of Defense for the Secretary to make such determinations and for that reason they feel this amendment is not wise.

Ms. OAKAR. Mr. Chairman, will the gentleman yield.

Mr. DICKINSON. I would be pleased to yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, last year I had the pleasure of chairing a subcommittee relating to Government employees. One of the things that was interesting was that 88,000 Federal employees were transferred to Pentagon activities because they claimed they did not have enough help and based on the report that the gentleman just read it is almost the opposite of what they were telling our committee. As a matter of fact, they took them out of other important nonrelated jobs to do that. So I would suggest that on the one hand they are making a suggestion that they do not really need these employees and they are not necessary for security reasons; on the other hand, they are asking that they be transferred from other important activities.

So I really think there is a tremendous, dramatic inconsistency and I have to say that on the surface at least I wholeheartedly disagree with their report.

Mr. DICKINSON. Well, let me add that as I have stated it has been a matter of some ongoing concern for several years. The committee of the gentlewoman, the Committee on Post Office and Civil Serivce have looked into it, have had testimony and witnesses come before it. I understand the Committee on Government Operations is getting into this in a very big way. Governmentwide, not just dealing with DOD. DOD has been dealing with this for several years.

I have been involved as has Mr. Nichols and many of us. There has been no resolution, no firm policy that you could say is consistent and should apply universally. Hopefully, during the coming year we will all have an opportunity to perfect our hearings and come up with some definition, and some decision.

Mr. GEKAS. Mr. Chairman, will the gentleman yield.

Mr. DICKINSON. Yes; I would be pleased to yield to the gentleman from Pennsylvania.

Mr. GEKAS. I thank the gentleman for yielding.

Mr. Chairman, I just wanted to replace on the record part of the colloquy I had with the gentleman from Florida. That is that passage of this will not in any way alter the existing contracts where installations have had private security guards on board. And that should satisfy the Department of Defense on the question of the ongoing contracts already in existence. This patterns, does it not, the law that has been passed several years now dating back to 1982?

I think the record ought to be clear on that.

Mr. DICKINSON. It is my understanding that that is prospective in nature and does not affect those who are presently under contract.

Perhaps the gentleman who is offering the amendment can speak to that.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. Hutto].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MATSUI

Mr. MATSUI. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Matsui: At the end of title III of division A (page 60, after line 11), add the following new section:

SEC. 315. PROHIBITION ON CONTRACTS FOR PERFORMANCE OF MAINTENANCE FUNCTIONS AT CERTAIN ARMY DEPOTS.

(a) Prohibition.—Except as provided in subsection (b), funds appropriated to the Department of Defense may not be obligated or expended for the purpose of entering into a contract for the performance by contractor personnel of any maintenance function at the following Army depots:

(1) Anniston Army Depot, Anniston, Alabama.

(2) Corpus Christi Army Depot, Corpus Christi, Texas.

(3) Crane Army Ammunition Plant, Crane, Indiana.

(4) Fort Wingate Army Depot, Gallup, New Mexico.

(5) Letterkenny Army Depot, Letterkenny, Pennsylvania.

(6) Lexington-Blue Grass Army Depot, Lexington, Kentucky.

(7) McAlester Army Ammunition Plant, McAlester, Oklahoma.

(8) New Cumberland Army Depot, Harrisburg, Pennsylvania.

(9) Pueblo Army Depot, Pueblo, Colorado.

(10) Red River Army Depot, Texarkana, Texas.

(11) Rock Island Arsenal, Rock Island, Illinois.

(12) Watervliet Arsenal, Watervliet, New York.

(13) Sacramento Army Depot, Sacramento, California.

(14) Savanna Army Depot, Savanna, Illiois.

(15) Seneca Army Depot, Romulus, New York.

(16) Sharpe Army Depot, Stockton, California.

(17) Sierra Army Depot, Herlong, California.

(18) Tobyhanna Army Depot, Tobyhanna, Pennsylvania.

(19) Toole Army Depot, Toole, Utah.

(20) Umatilla Army Depot, Umatilla, Oregon.

(b) Exception—The prohibition in subsection (a) does not apply to a contract (or the renewal of a contract) for the performance of a function that on the date of the enactment of this Act is under contract for performance by contractor personnel.

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. Matsui] will be recognized for 5 minutes and a member opposed, the gentleman from Alabama [Mr. Dickinson], will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. Matsui].

Mr. MATSUI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, briefly, my amendment will prohibit the use of funds for any contract for performance of installation and depot maintenance functions by contractor personnel at specified Army depots under the A-76 program.

Over the past few months, Members with Army depots and arsenals have been meeting with the Under Secretary of the Army to discuss a proposal to contract out services under the A-76 program. I, personally, am deeply concerned about the potential loss of civilian jobs if this proposal is enacted.

I alone would stand to lose 300 jobs in my congressional district at the Sacramento Army Depot in Sacramento, CA. As I look around the floor, I see several Members who will be directly affected by the A-76 program and the potential loss of hundreds of jobs in their district.

More importantly, my amendment will not only save civilian jobs and talent but will help maintain our country's commitment to military readiness and mobilization capability. This amendment will also reduce friction in the community which is currently at a high level.

We should continue to encourage civilians to work in our military installations to help build on our Nation's defense. Contracting out will only hamper these efforts.

Specifically, my amendment will help: Anniston Army Depot, Anniston; Corpus Christi, Corpus Christi; Crane Ammunition Plant, IN; Fort Wingate, NM; Letterkenny, PA; Lexington-Blue Grass, KY; McAlester Ammunition Plant, OK; New Cumberland, PA; Pueblo, Co; Red River, Texarkana, TX; Rock Island Arsenal, IL; Watervliet Arsenal, NY; Sacramento Army Depot, Sacramento, CA; Savanna, IL; Seneca, NY; Sharpe, Stockton, CA; Sierra, Herlong, CA; Tobyhanna, PA; Toole, UT; and Umatilla, OR.

Mr. Chairman, I believe this amendment will best serve the interest of the American people and the military installations in our country. Military readiness and mobilization capability are the most important features of our Nation's defense. It is only proper that we allow the American people the right to work towards our Nation's defense.

I urge your support of my amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. NICHOLS].

Mr. NICHOLS. I thank the gentleman for yielding.

Mr. Chairman, I just want to say I have examined the amendment of the gentleman from California, I commend him on it, and I support it and urge its support.

Mr. MATSUI. Mr. Chairman, I yield such time as he may consume to the gentleman from New York.

Mr. STRATTON. I thank the gentleman for yielding.

Mr. Chairman, I think the gentleman from California has an excellent amendment. He has made it very clear the major damage that can be done to our defense installations in the Army, in particular. The same thing would be the case with the Air Force and the Navy. In the past few months we have passed legislation in this House which makes it possible in installations like the Watervliet Arsenal to make money for the Defense Establishment contracts of our allies in Europe and in Asia to utilize the special technology of the United States' major production arsenal. If this contracting-out, if this idea of contracting-out is sustained and if we are prevented from cutting off the funds for what we furnish to our allies, not only does this new procedure cut expenses in DOD but we can guarantee that our allies will be using in Europe and Asia the world's best defense technology that we ourselves have been using. This point has not been brought up in this important debate.

Mr. MATSUI. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois.

Mr. EVANS. I thank the gentleman for yielding. And I thank the gentleman for offering this amendment. I feel contracting-out weakens our combat readiness at these arsenals and depots and the people who work there are as much a part of our military strength as any other piece of hardware we are building. I can also tell you that as the Congressman representing the district that includes the Rock Island Army Arsenal, that it damages the morale of the workers and results in wasteful economic spending. Therefore we cannot and should not deprive our communities of the jobs that our arsenals provide through a process that serves no economic purpose and will weaken our national strength.

□ 1335

This amendment, combined with the Hutto and Nichols amendments, are steps in the right direction.

I urge full support for the amendment offered by the gentleman from California.

Mr. MATSUI. Mr. Chairman, I thank the gentleman from Illinois, and I assure the Members we certainly will work with the gentleman from Illinois in terms of perfecting the amendment even further to accommodate the concerns that others have had as well.

Mr. Chairman, I yield back the balance of my time.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my understanding that the Department of Defense is not in agreement with the proposed amendment simply because it changes the authority of the Secretary to waive, in certain instances where he feels it necessary, the requirements that are set out here.

This eliminates his right to waive. He has never exercised the right; it had never been abused, but he feels that he should have that right if he wants it. I do not think it is unreasonable to give the Secretary, in case of some unusual circumstance, the ability to waive it. I think since he has never used it, never abused it, he should retain the right.

It is for that reason that I would suggest that the amendment should not pass.

Mr. FAZIO. Mr. Chairman, I rise in support of Congressman BOB MATSUI'S amendment to the defense authorization bill of 1988. Mr. MATSUI'S amendment will prohibit the use of funds for any contract for performance of installation and depot maintenance functions by contractor personnel at specified Army depots under the A-76 program. I understand that the Army is discussing the possibility of contracting out certain jobs at depots across the country. I believe that these civilian maintenance jobs are inherently governmental activities and should not be contracted out. Specifically, as the Congressman from West Sacramento, I share Mr. MATSUI'S concern that over 300 jobs could be lost at the Sacramento Army Depot.

As you well know, Mr. Chairman, when this administration came into office, Secretary of Defense, Caspar Weinberger announced that he was going to study 90 percent of the Department of Defense's civilian jobs with a goal of contracting out 50 percent. Then, the administration announced a bold plan to review 400,000 Federal jobs for contracting out. They called this program the cornerstone of their privatization policy. The administration was concerned with increasng efficiency and cutting costs. While I am a strong proponent of increased efficiency and reduced costs, their contracting out plan has neither saved time nor money.

Last summer a general at a local military installation, had to write to his superior to explain how a base maintenance contract let at $5.2 million would up costing $10.3 million in the first year. In his letter, the general admitted that cost-plus contracts just don't work for base maintenance because the A-76 underestimates the work to be done.

At a time when Congress wages war on deficits, it is impossible for a Member to tolerate a project which is initially contracted out to save enormous sums of money, yet, over time turns into a budget busting project thanks to added expenditures. Contracting out has not contributed to deficit reduction.

I am firm in my belief that contracting out of inherently governmental activities is wrong. In order to maintain military readiness and mobilization, our Government must also have direct access to the people who are responsible for our readiness posture. Therefore, I urge support of Mr. MATSUI'S amendment to prohibit contracting out of depot maintenance functions.

Mr. ORTIZ. Mr. Chairman, I rise in strong support of the amendment proposed by my distinguished colleague from California, the Honorable ROBERT T. MATSUI. As has been discussed, this amendment, with one exception, would prohibit the obligation or expenditure of funds for contracting out of any maintenance function at certain Army depots, ammunition plants, and arsenals. The exception is that the prohibition would not apply to a contract or renewal of a contract which, on the date of the enactment of this act, is being performed by contractor personnel.

At a time when we are operating under fiscal constraints, contracting out is expensive. It is expensive in terms of total cost, its adverse effect on employee morale and efficiency, and its economic impact on the local community. Additionally, and even more importantly, is the potential adverse impact contracting out has on the readiness of our Armed Forces and on the logistical base to support these forces during mobilization and armed conflict. It is incumbent upon us to maintain the trained and qualified base to carry out the core logistical functions, if we are to have a mobilization surge capacity. These same qualified personnel are and would be used to train new employees and to perform technical inspections of contractor work, supplies, and materials when, in the event of mobilization, it becomes necessary to contract selected work out.

I believe it is possible for the Army to attain efficiencies of operation through reallocation of the workload and the manner in which the workload is managed within the Army's logistical support system. The net result of these actions could be the reduction of the cost of operations at these facilities by as much as 10 to 15 percent. Such action could help to alleviate the concern and moral problems faced by a large number of civilian employees at these facilities, as well as the need to contract out work.

Mr. WATKINS. Mr. Chairman, I rise to commend our colleagues on the Armed Services Committee for their leadership in conforming the problems with contracting out at our military installations, and to indicate my support of their efforts today to place limits on the contracting out of DOD activities.

We have experienced very real problems with the Pentagon's efforts to implement OMB circular A-76 at our Nation's military installations, including the McAlester Army Ammunition Plant, which is located in my congressional district. I believe that contracting out the core of our national defense program, including ammunition production and related activities, threatens our national security.

We have seen the Pentagon manage their programs by employee slots, rather than by wise allocation of resources; and we have seen Federal employees forced to conduct never-ending contracting out studies rather than their designated national defense responsibilities; and we have seen moral and productivity in the Federal sector plummet as a consequence.

We have had little support from the administration in resolving this issue, and it is high time we put an end to the battle over contracting out. National defense is a Federal responsibility, and national defense activities ought to remain in-house, Federal Government activities.

I support the committee's efforts to address the contracting out issue; I support Mr. Nichols', Mr. Hutto's, and Mr. Matsui's efforts today to further perfect that effort; and I urge my colleagues to do the same.

The CHAIRMAN pro tempore (Mr. Murtha). The question is on the amendment offered by the gentleman from California [Mr. Matsui].

The amendment was agreed to.

The CHAIRMAN. Pursuant to House Resolution 160, and the orders of the House of May 7 and May 8, 1987, changing the order of amendments numbered 3, 4, 5, and 18, it is now in order to resume consideration of the amendments contained in section 3 of House Report 100-84. As the committee proceeds through the consideration of section 3 amendments, the Chair will call the number of the amendment and the name of its sponsor in order to give notice to the Committee of the Whole as to the order of recognition.

It is now in order to consider the amendment numbered 12 by Representative Hunter or his designee.

AMENDMENT OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Hunter: In section 804 of title VIII of division A, strike out lines 18 through 22 on page 108 and insert in lieu thereof the following:

"(3) Paragraph (1) does not apply in the case of voyage repairs."

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. Hunter] will be recognized for 5 minutes, and a Member opposed, the gentleman from Oregon [Mr. AuCoin], will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. Hunter].

Mr. HUNTER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is an amendment that was contained in the House bill, and very simply, it is a people amendment. It is a provision that we inserted in the bill to benefit Navy families. It very simply is a quality-of-life issue.

What we are saying, and what we said in the House bill before the Aspin substitute struck it, was that for short-term repair work, we would do that work in the home ports of the vessels that are involved. That means, very simply, that if you have a vessel that is home ported in Long Beach or San Francisco or San Diego or Norfolk or another port, that you will not, as long as there is competition in that particular port, you will not tear the Navy families apart that are attached to that particular ship.

That means that after a sailor gets back from a 6-month cruise or an 8-month cruise, and many of these active-duty reserves have come back from very lengthy cruises, that you are not going to tell him that you are going to move him for 3 or 4 months, or even 2 months, 1,000 miles away from his family while you are repairing his ship.

It is very simple. While you have competition, we are not going to tear Navy families apart. The facts are that in the home ports, you have schools where the sailors are going while the ships are being repaired; their families are very often involved in jobs and community activities; and if they follow that particular sailor, whether he is a man or a woman, up to the new port while that ship is being repaired, you would be tearing families away or wives away from their second jobs. You would be taking, in some cases, kids out of school, and very basically, you would be disrupting the lives and the quality of life of the people who serve in our Armed Forces.

This is an amendment that the committee thought was appropriate. It was passed. It was in the bill and the Aspin substitute, I believe at the request of the gentleman from Oregon [Mr. AuCoin], struck this provision and we are simply putting it back in.

Mr. Chairman, I reserve the balance of my time.

Mr. AuCOIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose the Hunter amendment, and I hope my colleagues will defeat this amendment.

This is a ludicrous amendment on a subject that is very difficult for Members who are not representing coastal States to understand.

It is a ludicrous amendment, and the gentleman from California is wrong when he says that the issue here is one of separation of naval families. His amendment would strike out a small sliver of competition that now exists for small work projects on naval reserve ships. He wants all of the work on those reserve ships, in addition to the regular Navy ships, to be done exclusively within home port areas, absent any competition from shipyards outside those home port areas.

That is a constraint on competition. When he makes the argument that families are being separated, it might apply in regular Navy ships because you are dealing with large-sized crews, but as Secretary Pyatt of the Navy, who is in charge of the ship repair program, stated to the Congress: "These ships, naval reserve ships, can be treated differently because the family separation is less disruptive for these crews than it is for deploying ships."

That is because you are typically talking about maybe 30 people in a reserve crew.

So let me just focus for those Members who are listening and call their attention to the issue. The issue is competition at a time when defense dollars are short. The issue is competition at a time when we are trying to give a message to our armed services in procurement and contracting practices, that competition is good. It is good to reduce prices; good to reduce costs; good to reduce the burden on the taxpayer.

I will tell you what the issue in this amendment is all about and why it should be defeated. My colleague, the gentleman from California [Mr. Hunter], whom I fully respect, does a good job of representing his district. It is a home-port district. What Mr. Hunter wants is 100 percent of the ship repair work for the Navy. He wants 100 percent of it for home port shipyards.

He does not particularly care that shipyards that are fully capable of doing this work would be excluded from that competition, even though that competition could have the purpose of reducing bid costs to the Navy and the ultimate burden to the taxpayers.

He wants 100 percent of the work in the home port shipyards.

Last year, I was concerned about this problem because the work that we are talking about is called SRA work. That means just basically small work packages. More and more of the regular Navy work and more and more of the Navy reserve repair work is going to, not massive overhauls, but small work packages of the short-time duration.

With that trend, if you limit competition exclusively to home-port shipyards for the small work packages, it ultimately will mean that the home-port shipyards are the only ones that can compete.

I oppose the Hunter amendment, not because I want to guarantee any shipyard anywhere, I just want to propose and make it possible for nonhome port shipyards to be able to compete and to bring the prices down.

If they cannot submit a low bid and be the best qualified bidder, then they ought to be excluded. I would say to my friend, the gentleman from California, what is he afraid of? If his home-port shipyards against this kind of competition can outbid the nonhome port shipyards, then he has nothing to worry about. If they can be outbid by the nonhome port shipyards, then I can understand, but we should subject that competition to the marketplace, not restrict the competition by virtue of statutes.

Just for mathematics, let me say this, in any given year, the Navy has maybe 100 ship repair contracts on the west coast, 100. Mr. Hunter wants them all to go to home-port shipyards.

□ 1345

What I want by the defeat of the Hunter amendment is the continuation of a practice that might allow as many as 12 of those 100 to be bid on by nonhome port shipyards. Let us not make family arguments when the Navy itself says those do not pertain. Let us talk about competition, I say to the gentleman from California [Mr. Hunter]. He knows as well as I do that the increased competition costs go down. Why cannot nonhome port shipyards compete for at least 12 of the 100 that are bid on the west coast? I think they should, and the amendment should be defeated.

The CHAIRMAN pro tempore (Mr. Murtha). The time of the gentleman from Orgeon [Mr. AuCOIN] has expired.

Mr. HUNTER. Mr. Chairman, I yield myself 1 minute to respond briefly to the gentleman from Oregon [Mr. AuCoin] and then I will yield to the gentleman from Alabama.

The gentleman from Oregon asked, "What are you afraid of?" I want to tell him what I am afraid of.

I am afraid of having a family where a crew member has come in from a 6-month cruise, has not seen his family, and then is told that he is going to leave his wife and children and travel 1,000 miles for just a couple of weeks.

The gentleman from Oregon knows that long-term work is already bid coastwide. The big jobs are bid coastwide primarily. He knows that, and I know that. What he is talking about is short-term work.

Does it make any sense to pack up a Navy family and move them for a couple of weeks from their hometown, or does it make sense to move just an individual member? I know that individuals have come down from Mr. AuCoin's State and have said that they will take the kids to basketball games, that they will provide some fathering, and they will provide a Big Brother type of operation for those children whose fathers are perhaps off doing other things for the U.S. Navy. But I think that is a poor substitute.

The other important element to remember here is that this amendment only applies where there is adequate competition.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. Hunter] has expired.

Mr. HUNTER. Mr. Chairman, I yield myself 30 additional seconds, and, first, I would ask the Chair how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from California [Mr. Hunter] has 2 minutes remaining.

Mr. AuCOIN. Mr. Chairman, may I inquire, has the gentleman from Oregon consumed all of his time, or does he have some fraction of time remaining?

The CHAIRMAN pro tempore. The gentleman from Oregon [Mr. AuCoin] has consumed all of his time and the gentleman from California [Mr. Hunter] has 2 minutes remaining.

The Chair recognizes the gentleman from California [Mr. Hunter] for 1 minute.

Mr. HUNTER. Mr. Chairman, this provision only applies where there is adequate competition in the home port, where you can keep that family together and you can have competition. It has been looked at by the Navy and by the people who are concerned about the quality of life. It has been looked at by the Armed Services Committee, and I urge my colleagues to respect Navy families and support this amendment.

Mr. Chairman, I yield 1 minute to the ranking member, the gentleman from Alabama [Mr. Dickinson].

Mr. DICKINSON. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, if I could have the attention of the gentleman from Oregon for a question, let me say that I have no home porting interests in my State. I am purely approaching this from a position of ignorance, I guess I could say.

The Seapower Subcommittee went into this, and they had it in the bill. It has been since removed.

But I was wondering about this: It is my understanding that if we do not adopt this amendment, there would be a different situation appertaining to the east coast as distinguished from the west coast. Is that right? Would the gentleman comment on that?

Mr. AuCOIN. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Oregon.

Mr. AuCOIN. Mr. Chairman, the gentleman is correct. This would allow this kind of competition on the west coast, and I would tell the gentleman that the reason for that is, as the Navy attests, that the problem is on the west coast. The conflict is on the west coast, and that is why the Navy has supported a west coast approach to allow a certain amount of competition along the lines that now exist.

Mr. DICKINSON. Mr. Chairman, the second question I would ask of either gentleman who might care to respond is this: what is the definition of "short duration" versus "long duration," so we could get some feel for the length of time involved for the absence of a seaman from his family under one contract as opposed to the other?

Mr. HUNTER. Mr. Chairman, if the gentleman will yield, I would say 6 months or less.

Mr. AuCOIN. Mr. Chairman, if the gentleman will yield, I would say that is my understanding as well.

Mr. DICKINSON. So we are saying then that for under 6 months a person could have been at sea and come back and not be home-ported but go back out under this competitive system?

The CHAIRMAN pro tempore. The time of the gentleman from Alabama [Mr. Dickinson] has expired.

Mr. DICKINSON. Mr. Chairman, I thank the gentleman and I thank the Chair. I think that the equity lies on the side of the gentleman from California [Mr. Hunter].

The CHAIRMAN pro tempore. The gentleman from California, [Mr.

HUNTER], has one-half minute remaining.

Mr. HUNTER. Mr. Chairman, I yield 20 seconds to my friend, the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Chairman, I appreciate the gentleman's yielding me this time.

Mr. Chairman, I rise in strong support of the Hunter amendment.

Recognizing that in my district are many of the Navy families of those who serve on the ships home port in San Diego, certainly Navy life is very disrupting inherently for families, to inject one more disruption in family life would not be called for.

Mr. Chairman, I urge strong support for the amendment.

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I rise in support of the Hunter amendment. It is the position of the subcommittee and of the full committee, and I hope it will be the pleasure of the House to approve it.

The CHAIRMAN pro tempore. The gentleman from California [Mr. HUNTER] has 10 seconds remaining.

Mr. HUNTER. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I simply want to say to my colleagues that this is a position in favor of competition and in favor of Navy families. It has been scrubbed by the Navy and supported by the Armed Services Committee and the subcommittee. I urge a yes vote for the Hunter amendment.

Mr. ASPIN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. ASPIN] is recognized for 5 minutes.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I rise in very strong support of the position taken by my good friend and colleague, the gentleman from Oregon [Mr. AuCOIN].

What we are dealing with here are naval reserve ships. I am opposed to the Hunter amendment, and, as I say, what we are dealing with here are naval reserve ships.

POINT OF ORDER

Mr. DICKINSON. I have a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama [Mr. DICKINSON] will state his point of order.

Mr. DICKINSON. Mr. Chairman, we were in the midst of a debate when we had assigned time. My question is this: Is it in order to strike the requisite number of words and extend the time?

The CHAIRMAN pro tempore. Only the Chairman and the ranking Member may strike the last word and get additional time.

Mr. ASPIN. That is under the rule, Mr. Chairman.

The CHAIRMAN. Under the rule.

Mr. DICKINSON. It was such an unusual procedure that I had to raise the inquiry.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, I continue to yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, the point is the naval reserve ships do not deploy. If we were talking about ships that had been deployed, then there would be an appropriate argument about what this does to the crews, the families, et cetera. What this amendment does is preserve a monopoly by the home porters of all the overhaul and repair work on the west coast.

I want to join with my friend, the gentleman from Oregon, in pointing out to the House that this does not make sense. We have other shipyards on the west coast that should be able to compete for this reserve work, especially since it does not have a negative impact and influence on the crews of those ships.

So I want to thank the chairman of the committee for yielding, and I hope the House will reject the Hunter amendment and allow for more competition for this very important overhaul and repair work.

I know that there are other Members from Oregon to whom the chairman of the committee would like to yield.

Mr. WYDEN. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Oregon.

Mr. WYDEN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think my colleague, the gentleman from Oregon [Mr. AuCOIN] has summed it up very well.

The gentleman from San Diego has made mention of the families, and the fact is that we in Oregon have the finest program in the country in the "Welcome the Navy" and the Coast Guard programs where our businesses and voluntary associations have come together and donated thousands and thousands of dollars' worth of goods and services to the families simply to make them welcome.

So this argument that somehow if we do not go along with the gentleman from California, we are going to be shirking the families just is not right. The fact of the matter is that Oregon has laid out the red carpet for families, and that is another reason for supporting my colleague, the gentleman from Oregon, and rejecting the Hunter amendment.

Mr. DEFAZIO. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, what we are talking about is very simple. We are talking about competition, and I have heard so many times from the other side of the aisle about fiscal conservatism and saving money and competing and free enterprise. That is what we are talking about here, free enterprise and competition, and in fact these ships have come in through Portland 40 percent lower in price, with savings of 40 percent to taxpayers of the United States.

When every dollar and every penny is precious, we are saving hundreds of thousands and millions of dollars by having the competition from Portland. If it is all done in San Diego, there will be no effective competition. There will be two people competing as opposed to 12 or 14. And we certainly should not forget Seattle.

In relation to the families, let me say just one thing. There could be nothing more profamily than a recent repair done in my district at Reedsport on a Navy Reserve mine sweeper. There were eight marriages among the crew with young women in the community. We created eight new wonderful family units. That is how welcome they felt in our district, and I certainly encourage that sort of thing. And I might say these were previously unmarried sailors.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. ASPIN] has 1 minute remaining.

Mr. ASPIN. Mr. Chairman, I yield my 1 minute to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding this remaining time to me.

Mr. Chairman, let me make this point again to the gentleman from Alabama [Mr. DICKINSON] and to my colleagues concerning the argument that somehow these are different from active duty people and, therefore, they should not be given the consideration of staying with their families. The point is that these active reserve personnel are generally taken from major cruises where they have been out for 6 months, and they are put on the reserve ships so they can spend a little time with their families. So you have a sailor who comes back from a 6-month cruise in the Mediterranean; he comes back to his home port, he starts to get to know his wife and kids again, and he is told he is going to go up for 2 months to another port while the ship is getting repaired. The point is that you have exactly the same personnel problems there that you have with the so-called active ships. Whether or not the ship is considered active or reserve is irrelevant, because the family will want to spend some time together.

Mr. Chairman, I urge a yes vote on this amendment. Competition is directed; it is mandated. If there is competition, then it goes coastwide, and all the big repair jobs go coastwide. These are short-term repairs, and in these cases it does not make sense to tear the families apart. That was the consensus of the Armed Services Committee.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. Hunter].

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 18, noes 19.

RECORDED VOTE

Mr. DICKINSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 133, noes 234, answered "present" 1, not voting 64, as follows:

[Roll No. 103]

AYES—133

Akaka
Armey
Ballenger
Bateman
Bates
Bennett
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Buechner
Bunning
Burton
Callahan
Carr
Chappell
Cheney
Clinger
Coleman (MO)
Coughlin
Craig
Daniel
Dannemeyer
Daub
Davis (IL)
DeLay
Dickinson
DioGuardi
Dornan (CA)
Dreier
Emerson
Erdreich
Fields
Fish
Flippo
Gallegly
Gekas
Gilman
Gingrich
Goodling
Grandy
Gunderson
Hall (TX)
Hansen
Harris
Hefley
Henry
Hertel
Hiler
Holloway
Hunter
Inhofe
Ireland
Johnson (CT)
Kasich
Kyl
Lagomarsino
Latta
Lent
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Lukens, Donald
Mack
Markey
Marlenee
Martin (IL)
Mazzoli
McCollum
McEwen
McMillan (NC)
Meyers
Mica
Miller (OH)
Molinari
Moorhead
Myers
Nichols
Oakar
Oxley
Packard
Parris
Pashayan
Pickett
Pickle
Porter
Ravenel
Regula
Rhodes
Roberts
Robinson
Rowland (CT)
Saiki
Saxton
Schaefer
Schroeder
Schumer
Shaw
Shuster
Sisisky
Skeen
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Solomon
Spence
Spratt
Stallings
Stangeland
Stratton
Sundquist
Sweeney
Swindall
Tallon
Taylor
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Wolf
Wortley
Young (AK)
Young (FL)

NOES—234

Ackerman
Alexander
Anderson
Andrews
Applegate
Aspin
Atkins
AuCoin
Baker
Bentley
Bereuter
Berman
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brown (CA)
Brown (CO)
Bruce
Bustamante
Byron
Campbell
Cardin
Carper
Clarke
Clay
Coble
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Courter
Coyne
Crockett
Darden
Davis (MI)
DeFazio
Dellums
Derrick
DeWine
Dicks
Dingell
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
English
Espy
Evans
Fascell
Fawell
Fazio
Flake
Foglietta
Foley
Ford (MI)
Frank
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gibbons
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Guarini
Hamilton
Hammerschmidt
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Herger
Hochbrueckner
Hopkins
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Jacobs
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
LaFalce
Lancaster
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Lott
Lowry (WA)
Luken, Thomas
Lungren
MacKay
Madigan
Martinez
Matsui
Mavroules
McCandless
McCloskey
McCurdy
McDade
McMillen (MD)
Mfume
Miller (CA)
Miller (WA)
Mineta
Moakley
Mollohan
Montgomery
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal
Nelson
Nielson
Nowak
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Penny
Perkins
Petri
Price (IL)
Price (NC)
Rahall
Rangel
Richardson
Ridge
Rinaldo
Ritter
Rodino
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (GA)
Sabo
Savage
Sawyer
Scheuer
Schuette
Sharp
Shumway
Sikorski
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
St Germain
Staggers
Stenholm
Stokes
Stump
Swift
Synar
Tauke
Thomas (GA)
Towns
Traficant
Traxler
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

ANSWERED "PRESENT"—1

Green

NOT VOTING—64

Annunzio
Anthony
Archer
Badham
Barnard
Bartlett
Barton
Beilenson
Boner (TN)
Brennan
Brooks
Bryant
Chandler
Chapman
Coats
Combest
Crane
de la Garza
Dixon
Duncan
Dyson
Edwards (OK)
Feighan
Florio
Ford (TN)
Frenzel
Gephardt
Gradison
Gray (PA)
Gregg
Hall (OH)
Jeffords
Jenkins
Jones (NC)
Kemp
Livingston
Lujan
Manton
Martin (NY)
McGrath
McHugh
Michel
Moody
Pease
Pepper
Pursell
Quillen
Ray
Roe
Roemer
Roybal
Russo
Schneider
Schulze
Sensenbrenner
Stark
Studds
Tauzin
Thomas (CA)
Torres
Torricelli
Udall
Weiss
Wylie

□ 1415

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Miss Schneider against.

Messrs. GRANT, DELLUMS, MILLER of California, VOLKMER, GEJDENSON, FAZIO, STUMP, MONTGOMERY, HAMMERSCHMIDT, CARDIN, and LUNGREN changed their votes from "aye" to "no."

Mrs. JOHNSON of Connecticut and Mr. MICA changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GREEN. Mr. Chairman, I voted "present" on the Hunter amendment today because members of my family and I own stock in two shipyards which could be affected by the amendment.

AMENDMENT AS MODIFIED, OFFERED BY MR. BENNETT

Mr. BENNETT. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment as modified.

The CHAIRMAN pro tempore. (Mr. Murtha). The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment offered by Mr. Bennett, as modified: At the end of title VIII of division A (page 117, after line 25) add the following new sections:

SEC. 812. CONFLICT OF INTEREST IN DEFENSE PROCUREMENT.

Section 2397b(a)(1) of title 10, United States Code, is amended by striking out "acted as a primary representative" in subparagraph (C) and inserting in lieu thereof "acted as one of the primary representatives".

SEC. 813. LIMITATION ON COMPENSATION OF RETIRED MILITARY OFFICERS LIMITED TO TWO YEARS.

Section 281 of title 18, United States Code (to the extent that such section was not repealed by section 2 of Public Law 87-849 (76 Stat. 1126; approved October 23, 1962)), shall apply to a retired officer of the Armed Forces only for the two-year period beginning on the date on which the officer retires.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

ANNOUNCEMENT OF FUNERAL ARRANGEMENTS FOR HON. STEWART MC KINNEY

(By unanimous consent, Mrs. Johnson of Connecticut was allowed to speak out of order.)

Mrs. JOHNSON of Connecticut. Mr. Chairman, we are receiving many questions about the arrangements for Thursday, and I want to be certain that Members who would like to attend the funeral of Stewart McKinney on Thursday at 2 o'clock remember to speak to the Sergeant at Arms.

There are already at least three planes going. The airport is quite a ways distant from the church where the service will be held, so it will be an all-day affair. In the evening buses will go to New York for those Members attending the New York conference. Arrangements will be made as well for those Members returning to Washington. But it is important that Members know that they must indicate their interest in going to Connecticut to the Sergeant at Arms as soon as possible.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. Bennett] is recognized for 10 minutes.

Mr. BENNETT. Mr. Chairman, the purpose of this amendment is to correct a misinterpretation by the Department of Defense of the law passed last year by the Congress.

I offer a modification to my amendment which has been worked out with the gentleman from Alabama [Mr. Dickinson]. The modification would slightly change my original amendment and would add a partial repeal of section 281 of title 18, which for almost 100 years has barred retired military officers from selling to their former military department. Mr. Dickinson's change which is part of the modification I offer, would change this lifetime ban to a 2-year ban.

My amendment, as modified, would clarify chapter 141 of title 10, United States Code. This law now prevents defense contractors from hiring certain DOD officials with whom they did business, for a period of 2 years after these officials leave government service. This includes anyone who "acted as a primary representative of the United States in the negotiation of a Department of Defense contract in an amount in excess of $10 million."

The conferees spent many hours on this particular section and we specifically agreed to refer to "a" representative, not "the" representative. In the conference report accompanying the bill we said:

"By the terms 'primary representative' the conferees intend to describe an official who was an actual decisionmaker, even though without official responsibility for the negotiations."

For some reason, the Department of Defense regulations on this law describe a primary representative as "the officer supervising the governments effort" and further restricts the law by adding language beyond what is in the statute. My amendments simply clarifies what all members agreed to last year by changing the law to read: "one of the primary representatives." We are clear that this does not just mean an official who has technical or official responsibility for dealing with a contractor. For example, if an Assistant Secretary of a military department was not officially involved in a negotiation with a company, but made a deal or facilitated a deal with that contractor that settled a contract issue, that official would be covered by this law. The same would apply to the Secretary of the military department, the chief of staff, or the Secretary of Defense, for that matter, anyone who was an actual decisionmaker involved in discussions with the defense contractor concerning a contract worth $10 million or more.

Mr. MAVROULES. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Massachusetts.

Mr. MAVROULES. I thank the gentleman for yielding.

Mr. Chairman, the Bennett amendment as modified would strike the words "a primary representative" in the section stating that a person who acted as "a primary representative" of the Government in the negotiation or settlement of a contract would be precluded from receiving compensation from that company for 2 years, and insert in lieu thereof the words "acted as one of the primary representatives."

In addition, the modified amendment would amend 28 U.S.C. 281, to the extent that that section was not repealed, to conform the ban on retired military officers to last year's revolving-door provisions by limiting the ban to 2 years.

We have reviewed that, we have worked with the gentlemen from Florida, and we are in total agreement with the revision.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Florida [Mr. Bennett], as modified.

The amendment, as modified, was agreed to.

□ 1425

AMENDMENT OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. Murtha). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Hunter: At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. REPEAL OF PROHIBITION OF USE OF INTERPORT DIFFERENTIAL FOR CERTAIN SHIP MAINTENANCE CONTRACTS.

Section 9085 of the Department of Defense Appropriations Act, 1987 (as contained in identical form in section 101(c) of Public Law 99-500 and section 101(c) of Public Law 99-591), is repealed.

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. Hunter] will be recognized for 5 minutes and a Member opposed to the amendment will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. Hunter].

Mr. HUNTER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is an amendment that goes to competition that the gentleman from Oregon [Mr. AuCoin] was so interested in.

It refers to interport differential, and it is already the system that is used on the east coast of the United States, and it should be applied to both coasts.

It says that if you compete a ship between two homeports, or between two companies in different homeports, and the taxpayers are going to have to pay to move that ship up the coast, should one company win it over the other one, that you take into consideration in the competition the cost of moving the ship. In other words, if it is going to cost the taxpayers $1 million in fuel and other considerations to move a ship from point A to point B, should it be repaired at point B, that you consider in the competition and in the contract price that cost of moving, what the taxpayers ultimately are going to pay.

That is what interport differential means. It is already the system that is utilized on the east coast. It means that the taxpayers are going to have a better idea of what they have to pay for a specific service, and I would urge all Members to support this amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. Is there a Member of the committee opposed to the amendment?

Does the gentleman from Oregon [Mr. AuCoin] oppose the amendment?

Mr. AuCOIN. Mr. Chairman, I do oppose the amendment.

The CHAIRMAN pro tempore. The gentleman from Oregon [Mr. AuCoin] is recognized for 5 minutes.

Mr. AuCOIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would say to my colleagues who may be listening that this, I think, is the last technical amendment dealing with the question of increased competition for Navy ship repair work.

I know this is an extremely complex and arcane subject, but it is vitally important in terms of setting a sensible policy to maintain our mobilization base, so that we have adequate facilities in both home-port areas, and non-home-port areas to handle ship repair work in the future.

Our research capacity and our industrial base is critical to be maintained for security reasons.

The interport differential which the gentleman from California [Mr. Hunter] seeks by his amendment to impose would impose on non-home-port yards a cost of transporting the Navy ship to those non-home-port yards where the work would be done, if those non-home-port yards win a bid on a fair bidding competition basis.

Mr. Chairman, I submit that it is wrong to impose that cost on non-home-port yards for this reason: Though it may mean a certain amount of extra small expense to get that ship to a non-home-port yard, if a non-home-port yard can prove that on the basis of the work it does, it can do quality work on a least-cost basis, the dollars saved through that competition can amount to millions of dollars, far offsetting the small amount of dollars that it would take to get the ship to the non-home-port yard.

What we have here again is a situation in which non-home-port yards which do not have ships assigned to them simply want to have a change to compete based on the cost of their work against the cost of the work of the home-port yard.

The gentleman from California [Mr. HUNTER] will say well, this is a subsidy to relieve the non-home-port yard from the cost of the transporting of those ships to those yards. I would have to say to the gentleman from California that is an interesting argument, but the gentleman knows full well that home-port yards have the benefit of all of the Navy investments in drydocks, other facilities, none of the costs of which are borne in the bids by the home-port shipyard bidders, and so the gentleman cannot make that argument one way without also subjecting himself to the vulnerability of that same argument in the case of the home-port yards.

The Members have already talked about the limits on competiton that already exists. The Members talked about that in the previous amendment by the gentleman from California that the House wisely rejected.

Out of 100 bidding opportunities on the west coast, all we are trying to seek through these amendments is a possibility of perhaps 12 opportunities, no guarantees, but 12 opportunities out of 100, for non-home-port shipyards to go head to head against the home-port shipyards.

I think it is interesting that when you get out of Navy competition and deal with the ability of non-home-port yards and home-port yards to compete in commercial work, it is very interesting to me that in the commercial world on the west coast, non-home-port shipyards, such as those I represent, win 95 percent of the work that is competed, 95 percent; but because of rules that limit competition for Navy work, 90 percent of the work goes to the yards in San Diego.

I will talk in a few minutes later about the practice of low-balling, coming in deliberately low where the GAO has already announced and come out with findings on some of these home-port yards where competition has been limited. I will not speak to that at this point, but it sets up an incestuous situation where non-home-ports protected from competition can low-ball their bids, buy into those contracts, end up with cost adjustments well in excess of what the real costs ought to be, and the taxpayer is the stooge, the chump, the loser.

I think the Hunter amendment ought to be defeated, because it is a restraint on competition, and I urge my colleagues to defeat this amendment too as the previous Hunter amendment was defeated.

Mr. HUNTER. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, let me tell the gentleman from Oregon [Mr. AUCOIN], my friend, that the shoe is on the competition foot, on the other foot, on this amendment because this is an amendment that says that all costs of that overhaul, including transportation, have to be included. This is the procompetition amendment.

My friend says we are going to save a lot of money anyway by Oregon making extremely low bids on these jobs. If they make extremely low bids, then they are going to win the jobs because, hopefully, their bid will be that much lower than any other yards, that the cost of moving that ship up the coast, that 1,000 miles, 2,000 miles or 3,000 miles will not be enough to make up for the disparity in price and, therefore, the Oregon yard will win the bid if it truly is a very low bid.

But the idea one is not supposed to consider all of the costs to the taxpayer is repugnant to the idea of competition. This is competition, and this says not only will we consider the cost of repairing ships, we are going to consider the cost of moving the ships. It is a commonsense argument.

Let me just say that the interport differential already applies to the east coast. The Navy and the Congress have said it applies to the east coast, and it makes common sense. It does not make common sense to charge the taxpayers for unseen costs on the west coast when we are not charging them for unseen costs on the east coast.

The logic in this debate is toward competition, and it is toward the passage of this amendment.

If the chairman of the committee is going to take out time, then I would be happy to yield to the gentleman from Oregon on that particular time.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. HUNTER] has expired, and the gentleman has 2 minutes remaining. The gentleman from Oregon [Mr. AUCOIN] has no time remaining.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I thank the gentleman from California for yielding me this time.

Mr. Chairman, the gentleman from Oregon [Mr. AUCOIN] is an outstanding advocate of his position, of his district and of his State. For that, I congratulate him.

I do not have a homeport and I wish I did, in my district or in my State. I do not have a repair facility and I wish I did.

But if my colleagues thought the last amendment was defeated because it was stifling competition, then they should vote for this amendment because it increases competition. The gentleman from California [Mr. HUNTER] is absolutely correct. If one is going to talk about a more level playing field, then they should talk about including the obvious costs of transporting a vessel with fuel, with food, with all of the other costs, transporting a vessel from one point 800, 1,000 miles, and then returning it, with the added costs of keeping a crew offshore with the discomfit to the crew and with all of those things. Those should be factored into the costs of the facility in each place.

If the shipyards of the gentleman from Oregon are that much better, the gentleman from California is correct, they ought to bid low enough to take that into account as they do on the east coast.

Mr. HUNTER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from California [Mr. HUNTER] has 1 minute remaining.

Mr. AUCOIN. Mr. Chairman, will the gentleman yield for just 15 seconds?

Mr. HUNTER. I yield briefly to the gentleman from Oregon.

Mr. AUCOIN. Mr. Chairman, I appreciate the gentleman yielding. I would just point out to the gentleman, as I think he knows, the Secretary of the Navy has advocated the elimination of the interport differential on the west coast. In a letter to the Congress he said:

> Historically, the Navy and GAO have not been able to estimate accurately what these costs in the interport differential are.

So, we end up decreasing competition and could lose millions of dollars of cost savings to the taxpayer.

Mr. HUNTER. Let me simply say, in the least the Navy can add the cost of fuel, which is very basic and very easy to ascertain, and there are a number of other costs. That is not a problem.

Let me simply say that the gentleman from Oregon is saying not to count all of the costs in this competition. If it costs the taxpayers $1 million to move a ship, we do not want to count that in the competition. This is common sense, and this is a protaxpayer amendment and a procompetition amendment. If Oregon thinks they can win these competitions, let them compete. This is a procompetition amendment, and I urge support for the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. HUNTER].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 155, answered "present" 1, not voting 47, as follows:

[Roll No. 104]

AYES—229

Ackerman
Akaka
Andrews
Applegate
Archer
Armey
Baker
Ballenger
Bateman
Bates
Bennett
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Bosco
Boucher
Boulter
Boxer
Bruce
Buechner
Bunning
Burton
Byron
Callahan
Campbell
Carper
Carr
Chappell
Cheney
Coble
Coleman (MO)
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
DeLay
Dellums
Derrick
DeWine
Dickinson
DioGuardi
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dymally
Eckart
Edwards (OK)
Emerson
Erdreich
Fawell
Fields
Fish
Flippo
Frost
Gallegly
Gallo
Garcia
Gekas
Gibbons
Gilman
Gingrich
Glickman
Goodling
Grandy
Grant
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hefley
Henry
Herger
Hertel
Hiler
Holloway
Hopkins
Houghton
Hubbard
Huckaby
Hunter
Inhofe
Ireland
Jacobs
Johnson (CT)
Jones (TN)
Kaptur
Kasich
Kennelly
Kolbe
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lowery (CA)
Luken, Thomas
Lukens, Donald
Mack
Madigan
Manton
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCloskey
McCollum
McDade
McEwen
McHugh
McMillan (NC)
Mica
Michel
Miller (CA)
Miller (OH)
Molinari
Mollohan
Montgomery
Moorhead
Morrison (CT)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nichols
Nielson
Olin
Ortiz
Owens (NY)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pickett
Pickle
Porter
Price (NC)
Pursell
Rahall
Ravenel
Regula
Rhodes
Ritter
Roberts
Robinson
Rogers
Rostenkowski
Roth
Roukema
Rowland (CT)
Saxton
Schaefer
Schroeder
Schuette
Schumer
Shaw
Shumway
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Slattery
Slaughter (VA)
Smith (FL)
Smith (NE)
Smith (NJ)
Smith (TX)
Solomon
Spence
Spratt
St Germain
Stallings
Stangeland
Stenholm
Stokes
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Traxler
Udall
Upton
Vander Jagt
Volkmer
Vucanovich
Walker
Waxman
Weber
Wheat
Whittaker
Wise
Wolf
Wolpe
Wortley
Young (FL)

NOES—155

Alexander
Anderson
Aspin
Atkins
AuCoin
Bentley
Biaggi
Boggs
Boland
Bonior (MI)
Bonker
Borski
Brooks
Broomfield
Brown (CA)
Brown (CO)
Bustamante
Cardin
Chandler
Clarke
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
Darden
DeFazio
Dicks
Dingell
Donnelly
Dorgan (ND)
Dowdy
Dwyer
Dyson
Early
Edwards (CA)
English
Espy
Evans
Fascell
Fazio
Flake
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Gaydos
Gejdenson
Gonzalez
Gordon
Gray (IL)
Guarini
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hochbrueckner
Horton
Howard
Hoyer
Hughes
Hutto
Hyde
Jeffords
Johnson (SD)
Jontz
Kanjorski
Kastenmeier
Kennedy
Kildee
Kleczka
Kolter
Konnyu
Kostmayer
Lehman (FL)
Leland
Lewis (GA)
Lloyd
Lott
Lowry (WA)
Lungren
MacKay
Markey
Martinez
Matsui
Mavroules
McCandless
McCurdy
McMillen (MD)
Meyers
Mfume
Miller (WA)
Mineta
Moakley
Morella
Morrison (WA)
Nagle
Nelson
Nowak
Oakar
Oberstar
Obey
Owens (UT)
Penny
Perkins
Petri
Price (IL)
Rangel
Richardson
Ridge
Rinaldo
Rodino
Roe
Rowland (GA)
Sabo
Saiki
Savage
Sawyer
Scheuer
Schulze
Sharp
Skelton
Slaughter (NY)
Smith (IA)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Staggers
Swift
Synar
Towns
Traficant
Valentine
Vento
Visclosky
Walgren
Watkins
Weldon
Whitten
Williams
Wilson
Wyden
Yates
Yatron
Young (AK)

ANSWERED "PRESENT"—1

Green

NOT VOTING—47

Annunzio
Anthony
Badham
Barnard
Bartlett
Barton
Beilenson
Boner (TN)
Brennan
Bryant
Chapman
Coats
Combest
Davis (MI)
de la Garza
Dixon
Feighan
Florio
Ford (TN)
Gephardt
Gradison
Gray (PA)
Hall (OH)
Jenkins
Jones (NC)
Kemp
Livingston
Lujan
McGrath
Moody
Pease
Pepper
Quillen
Ray
Roemer
Rose
Roybal
Russo
Schneider
Sensenbrenner
Stark
Studds
Tauzin
Torres
Torricelli
Weiss
Wylie

☐ 1440

The Clerk announced the following pair:

On this vote:

Mr. Pepper for, with Mr. Torricelli against.

Mr. DYSON, Mrs. BENTLEY, and **Mr. HUGHES** changed their votes from "aye" to "no."

Messrs. PANETTA, LANCASTER, WISE, and **OLIN** changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above-recorded.

PERSONAL EXPLANATION

Mr. GREEN. Mr. Chairman, I voted "present" on this Hunter amendment for the same reason I did on the previous Hunter amendment.

☐ 1455

PERSONAL EXPLANATION

Mr. MAVROULES. Mr. Chairman, had I been here, I would have voted against the Hunter amendment, and I would have voted for the Weldon amendment, which took place last Wednesday, May 6, 1987.

AMENDMENT AS MODIFIED, OFFERED BY MR. HUTTO

Mr. HUTTO. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment as modified.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment offered by Mr. HUTTO, as modified: At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. IMPLEMENTATION OF SPECIAL OPERATIONS FORCES REORGANIZATION.

(a) DIRECTION TO SECRETARY OF DEFENSE.—Upon the establishment of the unified combatant command for special operations forces under section 167 of title 10, United States Code, the Secretary of Defense shall ensure that all necessary measures are taken to provide adequate and sufficient resources for the commander of the command to discharge his responsibilities under such section, including particularly his responsibilities involving development and acquisition of special operations-peculiar equipment and in management of all resources for special operations as a separate budget activity.

(b) APPOINTMENT OF CIVILIAN PERSONNEL TO HEADQUARTERS STAFF; ACQUISITION AUTHORITY.—Subsection (e) of section 167 of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(3) The Secretary of Defense shall establish not to exceed 120 civilian personnel positions as part of the headquarters staff of the special operations command. Personnel in such positions shall assist the commander of the command in carrying out the functions of the commander under paragraph (1).

"(4) Within the civilian positions provided under paragraph (3), the Secretary of Defense may establish—

"(A) professional engineering positions primarily concerned with research and development of special operations-peculiar equipment;

"(B) professional scientific positions in the physical and natural sciences, medicine, communications, electronics, and aviation; and

(C) professional management positions in program management, administration, contracting, warehousing and depot operations, testing, procurement, and financial, budgeting and automation systems.

"(5) Subject to the authority, direction, and control of the Secretary of Defense, the commander of the command (in carrying out his functions and exercising his authority under paragraph (1)(G) to develop and acquire special operations-peculiar equipment and acquire special operations-peculiar material, supplies, and services) shall have authority to exercise the functions of the head of an agency under chapter 137 of this title. The commander may conduct internal audits and inspections of purchasing and contracting actions through the inspector general of the special operations command.".

(c) Assistant Secretary of Defense For Special Operations and Low Intensity Conflict.—Section 136(b)(4) is amended by adding at the end the following new sentences: "The Assistant Secretary is the principal advisor to the Secretary of Defense on special operations and low intensity conflict matters and is the principal special operations and low intensity conflict official within the senior management of the Department of Defense. That authority, direction, control, and supervision of special operations and low-intensity conflict matters (including activities of the commander of the special operations command under section 167(e) of this title) exercised by the Secretary of Defense through the Office of the Secretary of Defense shall be exercised through the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict.".

(d) Resources and Programming.—Section 1311(c) of the Department of Defense Authorization Act, 1987 (Public Law 99-661), is amended by adding at the end the following new sentence: "Activities described in subsection (e) of section 167 of title 10, United States Code, shall be programmed, and resources for such activities shall be provided, through such major force program category and in accordance with customary defense resource allocation policies.".

Mr. HUTTO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the Record.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida that the amendment be modified?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. Hutto] is recognized for 10 minutes.

Mr. HUTTO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the members of the committee are aware, implementation of our special operations legislation which we passed last year has been bitterly opposed in some quarters in the Pentagon. A new Assistant Secretary has yet to be confirmed, or the Commander in Chief or the unified command put in place. When these matters are settled this summer, we can expect more foot dragging and delay unless the letter and intent of the implementation is made perfectly clear to DOD and the services.

Our legislation last year specified that the new CINC be given control over "special operations-peculiar" research, development and acquisition, and over the SOF budget, to be managed in a new major force program. I have introduced an amendment which gives the new CINC up to 120 personnel spaces to carry out those required duties, which are unique to his unified command. Without this specific authorization and listing of the CINC's responsibilities, I can foresee another wasted year while the arguments and obstructionism continue.

I urge the committee's support for this amendment, which can give the new CINC the muscle to get an early and successful start for the new SOF command. Without it, I'm afraid that we'll be discussing the exact same problems this same time next year.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. HUTTO. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, the committee accepts the Hutto amendment, as modified. I understand that the amendment, as modified, is fully consistent with the special operators legislation passed last year.

I also understand that the modification of the amendment eliminates some concerns that I had with the original wording.

The chain of authority from the Secretary of Defense to the SOF commander is now clear. The military chain of command would be the same as for any other unified or specified commander—that is, from the President to the Secretary of Defense and directly to the special operations commander. Any of his authority, direction, control or supervision of special operations matters that the Secretary of Defense exercised through the Office of the Secretary of Defense [OSD] would be exercised through the assistant Secretary of Defense for special operations and low-intensity conflict.

Also, the wording in the modified amendment is intended to make it clear that the new major force program category 11 for special operations is not immune from the same competition for resources within the Pentagon that the other 10 original force packages undergo.

Mr. HUTTO. Mr. Chairman, I reserve the balance of my time.

Mr. KASICH. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. Kasich] is recognized for 10 minutes.

Mr. KASICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend the gentleman from Florida [Mr. Hutto] and the very distinguished chairman of the Subcommittee on Readiness, the gentleman from Virginia [Mr. Daniel], for their unfledging loyalty and devotion to this issue.

What we are trying to do in this amendment is really tell the Pentagon that we do not want them to make interpretations of our legislation in a way that, in our view, waters down the legislation that we passed here in the last session.

The people who have studied this issue on both sides of the aisle firmly believe that the future threat, the real future threat to this United States, lies in the problem of low-intensity conflict. What we clearly need to do is take a number of steps to beef up our ability to have effective special forces operation in this country. We have all felt as if the Pentagon has been less than fully supportive of the legislative efforts to beef up special forces the way that we think it ought to be beefed up.

The gentleman from Virginia [Mr. Daniel] has been an integral part of the amendment, along with the gentleman from Florida [Mr. Hutto], and what we are really saying is let us determine what equipment is needed; let us line it out in the budget; let us make sure that the people who are in charge of this whole operation, the commanders in chief, the CINC's in the field, the Assistant Secretary of Defense, are going to have enough authority to carry out their responsibilities.

This is a very curious debate, and the reason is that there are a number of people in the Pentagon who recognize the need to do what we want to do within this legislation. Unfortunately, there are a lot of people over there, a lot of bureaucrats over there who do not want to do what has to be done to special forces for a variety of reasons, most of which do not make much sense.

What Earl Hutto is trying to do here is, again, to reemphasize the importance of special forces. He does it with the support of the gentleman from Virginia [Mr. Daniel], and with my strong support.

I look forward to the passage of this amendment and its incorporation in the overall defense bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HUTTO. Mr. Chairman, I want to thank the gentleman from Ohio [Mr. Kasich], the ranking minority member on the Special Operations Forces Panel, as well as on the Subcommittee on Readiness, for the good work that he has done and for his support of this.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Florida [Mr. HUTTO].

The amendment, as modified, was agreed to.

AMENDMENT AS MODIFIED, OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment, as modified.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT, as modified:

At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. PREFERENCES IN AWARDING DEFENSE CONTRACTS.

(a) PREFERENCE.—The Secretary of Defense or Secretary of the military department concerned shall award a contract for procurement of any manufactured product in accordance with this section. In evaluating bids or proposals to determine the lowest responsible offeror for such a contract, the Secretary shall increase by 50 percent the amount proposed in a bid or offer from any firm proposing to provide a product other than a qualifying country product. In evaluating such bids or proposals after adding such price differential, the Secretary shall give special consideration to a domestic firm if the product, if awarded to that firm, would be manufactured in an area with a surplus of labor, as determined by the President.

(b) QUALIFYING COUNTRY PRODUCT.—(1) A product is a qualifying country product for purposes of this section if the product will be manufactured substantially all from articles, materials, and supplies mined, produced, or manufactured in the United States or any other qualifying country.

(2) For purposes of paragraph (1), a manufactured product shall be considered to be manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States or another qualifying country if at least 50 percent by value of the constituent elements in the product are mined, produced, or manufactured (as the case may be) in the United States or such other country.

(c) QUALIFYING COUNTRIES.—A country is a qualifying country for purposes of subsection (b) if—

(1) the country is a member of the North Atlantic Treaty Organization; or

(2) the country is designated as a major non-NATO ally for purposes of section 1105 of the Department of Defense Authorization Act, 1987 (division A of Public Law 99-661).

(d) EXCEPTIONS.—This section does not apply—(1) if the Secretary of Defense or Secretary of the military department concerned determines that the application of this section to a contract or product would be inconsistent with the public interest;

(2) if the products to be procured are for use outside the United States; or

(3) if products of the class or kind to be procured, or the articles, materials, or supplies from which they are manufactured, are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

(e) DEFINITION.—For purposes of this section, the term "product" includes articles, materials, and supplies.

(f) EFFECTIVE DATE.—This section applies with respect to contracts awarded pursuant to solicitations issued after the end of the 90-day period beginning on the date of the enactment of this Act.

(g) FURTHER EXCEPTION.—Notwithstanding any other provisions of this section, after a mutual defense cooperative agreement between a qualifying country and the United States that is in effect on the date of the enactment of this Act expires or is renewed or extended, the United States shall require that any new agreement with such country (or such agreement as is revised or extended) shall provide that is there is a bid or proposal from a firm described in the third sentence of subsection (a), 5 percent shall be added to each bid or proposal from a firm proposing to manufacture substantially all (as determined under subsection (b)(2) of such product in such country.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. TRAFICANT] is recognized for 10 minutes.

□ 1505

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I had an amendment placed before this House that met with some opposition from the Department of Defense, the Pentagon, and some of the leaders of the House. It would have called for a straight 10 percent advantage to an American firm when bidding against a foreign corporation or firm. With that in mind and after having discussed the process here and the issue with the subcommittee chairman, the gentleman from Massachusetts [Mr. MAVROULES] and the committee chairman, the gentleman from Wisconsin [Mr. ASPIN] I have agreed to a modification for several reasons.

No. 1, it is not my intent to, first of all, violate the law or, second of all, to create a piece of legislation that will not hold in conference. I do have an agreement that the language that has been presented in the modification can be presented. It would basically exempt any NATO nation or major non-NATO ally, and it would provide for a 50-percent loaded advantage for those firms not exempted. I know there are some Members who are looking at it in that regard. Basically the amendment would say that once the memorandums of understanding are completed and the new agreements are taking place, the same countries that are so exempted now under this legislation would continue to be exempt except for one factor: there would be a 5-percent advantage for a product manufactured in America if from a labor-surplus area.

I do not believe that is too difficult an amendment for us to accept here. Specifically, it would offer areas of the country that have high unemployment an opportunity to become involved in the defense industry and, second of all, I think it would send a signal that we have been fair in mutually agreeing to certain agreements on tariffs and trade and that some other countries have not necessarily been as fair to us as we have been to them.

So specifically, Mr. Chairman, that is the modification language.

Mr. MAVROULES. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the subcommittee chairman, the gentleman from Massachusetts.

Mr. MAVROULES. Mr. Chairman, I thank the gentleman for yielding.

We have looked over the modification, Mr. Chairman, and we have been able to work it out with the author of the amendment.

I just want to assure all the Members of the House that we will continue having hearings on this particular issue. It is a piece of legislation which I do not find objectionable, and it is something that hopefully we can work out in conference to make it a better bill.

So, Mr. Chairman, I thank the gentleman for yielding, I accept the gentleman's version of it by his modification, and I assure the Members as we will continue to have hearings.

Mr. TRAFICANT. Mr. Chairman, if the gentleman would agree to engage in just a brief colloquy, let me ask this:

It is our understanding, with the modification language, that once the current contracts expire, the new memorandums of understanding in all new developments that will take place will be listing that 5-percent advantage if a product is made from a labor-surplus area in America?

Mr. MAVROULES. Mr. Chairman, if the gentleman will yield, that is correct.

Mr. TRAFICANT. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. MURTHA). Does any Member rise in opposition to the amendment?

The question is on the amendment, as modified, offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate amendment No. 17.

The text of the amendment is as follows:

Amendment offered by Mr. Young of Florida:

At the end of title VIII of division A (page 117, after line 25), add the following new section:

SEC. 812. LIMITED COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

(a) The Secretary of Defense is authorized and directed to institute a program of counterintelligence polygraph examinations for military, civilian and contractor personnel of the Department of Defense, military departments, and the armed forces whose duties involve access to classified information.

(b) The program instituted pursuant to subsection (a) shall provide that, in the case of such individuals whose duties involve access to classified information within special access programs established pursuant to section 4.2(a) of Executive Order 12356, a counterintelligence polygraph examination shall be required prior to granting access to such information and periodically thereafter at random while such individuals have access to such information.

(c) In the case of individuals whose duties involve access to classified information other than that information covered in subsection (b) of this section, a counterintelligence polygraph examination may be required prior to granting access to such information and aperiodically thereafter at random while such individuals have access to such information.

(d) A counterintelligence polygraph examination conducted pursuant to this section shall be limited to technical questions necessary to the polygraph technique and questions directly related to espionage, sabotage, terrorism and unauthorized disclosures of classified information.

(e) The authority of the Secretary of Defense under this section to provide for the use of polygraph examinations shall be in addition to any other authority the Secretary possesses on the date of enactment of this act to provide for such examinations under applicable laws and regulations.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. Young] is recognized for 10 minutes.

Mr. YOUNG of Florida. Mr. Chairman, the amendment that I offer today is identical to one that this House approved in the last Congress by a vote of 333 to 71. It deals with the question of the use of counterintelligence polygraphs to attack those people who would go into business for themselves to sell information to a hostile nation, thus making it very difficult for us to provide for our own Nation's security.

The vote was so overwhelming in the last Congress that I thought there would not be too much need to take a lot of time to debate this today, and I will not do that. But I would like to make just a couple of points.

First, if we are really concerned about how much it costs to provide for our national defense, if we are concerned about how many hundreds of billions of dollars have to be appropriated to provide for our national defense, it is important to know that much of that expense is because he Soviets either buy or steal technology that we have developed, that we have created, and because of someone like John Walker or Christopher Boyce or Ronald Pelton, or some of the other names we are very familiar with, the technology we create goes to the Soviets and it enables them to, in effect, nullify what we have done.

I think the people of America are outraged that we have not done enough to stop the flow of American intelligence and American national defense secrets outside our country.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I am happy to yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, I commend the gentleman for offering this amendment. I hope that all the Members of the House will vote for it. It makes eminent sense, and I am sure that if the people of the United States were asked the question, they would vote almost unanimously for the amendment themselves.

Mr. Chairman, I rise in support of the amendment offered by my good friend from Florida, Bill Young, that would establish a permanent counterintelligence polygraph program. This measure is an important weapon in our war on anti-American espionage.

Our Nation's top counterintelligence experts say that this program is one of the most effective tools they could have to counter the threat of espionage. In fact, a number of convicted spies themselves acknowledge that this program would be a serious deterrent to potential spies.

The 2-year-test polygraph program being administered by the Department of Defense will soon end. This limited program has become a crucial component of our Nation's counterintelligence program and over the past 2 years has been administered in an effective manner that respects the rights of all involved.

The effectiveness of this polygraph program has already been proven. A routine polygraph exam given to a CIA employee led to the investigation and arrests of this employee and a spy ring in Ghana. A Department of Defense report concerning convicted spy John Walker noted, "Walker has stated subsequent to his conviction that had a counterintelligence type polygraph program existed during the sixties and seventies, he would never have become involved in espionage. In fact, he claims it was the fear of being polygraphed that resulted in his leaving the military in 1975." Before the Senate Governmental Affairs Committee, convicted spy Christopher Boyce admitted, "If I had known this polygraph program existed I would never have considered an act of espionage * * *. I knew I could not pass a polygraph and greatly feared it * * * This policy, distasteful as it is, should be considered one of the best deterrents to those toying with the thought of espionage."

I urge my colleagues to support the Young amendment to make this counterintelligence polygraph program permanent and protect our important national security interests.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from California [Mr. Lagomarsino].

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman for offering what may be one of the most important amendments to come before the House this year, and I just wish to remind our colleagues that recently, because of disclosures that were made by Americans to the Soviet Union, the Soviet Union has managed to quiet their submarine force.

As a member of the Seapower Subcommittee, let me say that I think we will have to spend perhaps upward of $30 billion to put ourselves in the same situation we were in vis-a-vis the Soviet Union before that happened.

Mr. Chairman, this is critical to national security, and I recommend that the gentleman's amendment be adopted.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for his confidence.

As the Members will recall, we put this program in effect 2 years ago, and we required the Department of Defense to report on how well the program was working. Their report strongly supports the use of counterintelligence polygraphs. Their report emphasizes the effectiveness of the program, and the acceptance of this program by those who have been polygraphed for counterintelligence reasons is unbelievable. It is just a very positive story.

The amendment we adopted 2 years ago expires at the end of this fiscal year. That is why we offer the amendment again. It was only a 2-year program, it expires now, and so we offer the program again to keep our people in the business of using counterintelligence polygraphs.

Let me make one more point, and then I will reserve the balance of my time.

We have given certain people the responsibility for our Nation's security, and it is those very people who, after the Walker spy case became public, lined up before our respective committees, one after another, and said, "If we can have just one single tool, to counter espionage it would be a counterintelligence polygraph program."

Mr. Chairman, that is what we have given them, and let us make that program permanent today.

Mr. Chairman, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Chairman, this amendment would allow the Department of Defense to require as many as 20,000 people per year to submit to a so-called lie detector test.

Assuming, and it is a large assumption, that the accuracy rate of the lie detector gadget is 85 percent, one finds the following situation:

Ten percent or 2,000 of all those to undergo the test are guilty. The test will correctly identify 1,700 of those 2,000; but in doing so it will also incorrectly identify 2,700 other innocent people. Thus, an 85 percent accuracy rate means that 61 percent of those labeled as "guilty" or "suspect" by the lie detector are in fact innocent.

I urge my colleagues to oppose this indiscriminate gadget.

AMENDMENT OFFERED BY MR. NICHOLS TO THE AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. NICHOLS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Nichols to the amendment offered by Mr. Young of Florida:

At the end of subsection (a) insert the new subsection (b):

LIMITATION ON NUMBER OF POLYGRAPH EXAMINATIONS

Subsection (b) of such section is amended to read as follows:

"(b) Limitation on Number of Examinations.—The number of persons required to take a counterintelligence polygraph examination under this section—

"(1) may not exceed 20,000 during each of fiscal years 1988, 1989 and 1990; and

"(2) may not exceed 10,000 during any fiscal year after fiscal year 1990 for which Congress has not otherwise authorized a specific number by law."

Renumber the subsections (b), (c), (d), and (e) to read (c), (d), (e), and (f) and add the new subsections:

(g) Nonapplication of Section.—This section does not apply—

(1) to an individual assigned or detailed to the Central Intelligence Agency or to any expert or consultant under a contract with the Central Intelligence Agency;

(2) to (A) an individual employed by or assigned or detailed to the National Security Agency, (B) an expert or consultant under a contract to the National Security Agency, (C) an employee of a contractor of the National Security Agency, or (D) an individual applying for a position in the National Security Agency; or

(3) to an individual assigned to a space where sensitive cryptologic information is produced, processed, or stored."

(h) Annual Report.—Subsection (c) (2) of section 1221 of the Department of Defense Authorization Act, 1985 (Public Law 99-125) is amended by striking out"December 31, 1986" and inserting in lieu "December 31 of each year" and striking out "fiscal year 1986" and inserting in lieu "the previous fiscal year".

Mr. NICHOLS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the Record.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. Nichols] is recognized for 5 minutes.

Mr. NICHOLS. Mr. Chairman, let me say to the Members of the House that I, too, rise in support of the gentleman's amendment. I think it is a good amendment, and I intend to support it in its entirety. I do have some concerns or some degree of concern with it, in that the amendment is somewhat open-ended.

There are those in this body who feel there ought to be some minimal constraints placed on the number of polygraphs you do for people in a given year. For that reason, there are two sections to this amendment that I offer.

The first would place a limit of 20,000 tests per year for 1988, for 1989, and for 1990. The purpose of this is to keep the Department of Defense somewhat on a leash, to close what some people are concerned about, a broad policy in which they could and might under some circumstances polygraph everybody and anybody for any particular reason.

The polygraph program, I say to the gentleman from Florida, has been a great success. We are thankful for the gentleman's interest in it. It has been a success a hundred percent, in part because we have kept a leash on it. We have kept a close watch on it.

So point No. 1 is that I would propose to place a limit of 20,000 tests a year.

Let me say, Mr. Chairman, that this figure is up from 7,000 that we have at the current time. I am advised that that 20,000 limit would be sufficient to polygraph the people in the Defense Department that we intend to cover in these years.

The second point I would make is simply that we have added the reporting requirements that are in the current bill. I think we would want to keep these restraints on it and have some degree of requirement for reporting back to the Congress.

Mr. Chairman, that in fact is my amendment, and I ask that the House support it.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding, and I appreciate the comments he has made on this very important issue.

Mr. Chairman, I would like to say that I support the gentleman's amendment. I think it is probably a good idea to place a number in this bill. I do have an idea that the other body is probably going to reduce that number somewhat, and if they do not get too ambitious or rambunctious, I think we have a good workable program.

I believe the gentleman's amendment is a positive amendment. I think it actually strengthens the amendment I offered, and I am happy to rise in support of it.

Mr. NICHOLS. Mr. Chairman, I thank the gentleman for his support.

Mr. CHAIRMAN pro tempore. Is there opposition to the amendment offered by the gentleman from Alabama [Mr. Nichols] to the amendment?

The question is on the amendment offered by the gentleman from Alabama [Mr. Nichols] to the amendment offered by the gentleman from Florida [Mr. Young].

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida [Mr. Young], as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 345, noes 44, not voting 43, as follows:

[Roll No. 105]

AYES—345

Alexander
Anderson
Andrews
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Badham
Baker
Ballenger
Bartlett
Bateman
Bates
Bennett
Bentley
Bereuter
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boggs
Boland
Bonker
Borski
Bosco
Boucher
Boulter
Boxer
Brennan
Broomfield
Brown (CA)
Brown (CO)
Bruce
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conte
Cooper
Coughlin
Courter
Coyne
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
DeLay
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Downey
Dreier
Duncan
Durbin
Dwyer
Dyson
Early
Eckart
Edwards (OK)
Emerson
English
Erdreich
Espy
Fascell
Fawell
Fazio
Fields
Fish
Flake
Flippo
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gilman
Gingrich
Goodling
Gordon
Grandy
Grant
Gray (IL)
Gregg
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Howard
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Johnson (CT)
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Konnyu
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta

Leath (TX)
Lehman (CA)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lloyd
Lott
Lowery (CA)
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Nelson
Nichols
Nielson
Oakar
Obey
Olin
Ortiz
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Penny
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Rahall
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Sabo
Saiki
Sawyer
Saxton
Schaefer
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
St Germain
Staggers
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swift
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Traficant
Traxler
Udall
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walgren
Walker
Watkins
Weber
Weldon
Whittaker
Whitten
Wilson
Wise
Wolf
Wortley
Wyden
Yatron
Young (AK)
Young (FL)

NOES—44

Ackerman
Akaka
Berman
Boehlert
Bonior (MI)
Brooks
Clay
Conyers
Crockett
DeFazio
Dellums
Dingell
Dymally
Edwards (CA)
Evans
Gibbons
Glickman
Gonzalez
Green
Hawkins
Hayes (IL)
Hertel
Hoyer
Kastenmeier
Leach (IA)
Lehman (FL)
Lewis (GA)
Lowry (WA)
Neal
Oberstar
Owens (NY)
Rangel
Savage
Scheuer
Sikorski
Stokes
Towns
Vento
Visclosky
Waxman
Wheat
Williams
Wolpe
Yates

NOT VOTING—43

Annunzio
Anthony
Barnard
Barton
Beilenson
Boner (TN)
Bryant
Chapman
Combest
Davis (MI)
de la Garza
Dixon
Feighan
Florio
Ford (TN)
Gephardt
Gradison
Gray (PA)
Hall (OH)
Jenkins
Jones (NC)
Kemp
Leland
Livingston
Lujan
McGrath
Moody
Nowak
Pease
Pepper
Quillen
Ray
Roemer
Roybal
Russo
Schneider
Stark
Studds
Tauzin
Torres
Torricelli
Weiss
Wylie

□ 1520

Messrs. BONIOR of Michigan, VENTO, WHEAT, CROCKETT, HERTEL, NEAL, LEACH of Iowa, HAYES of Illinois, WAXMAN, AKAKA, SIKORSKI, and EVANS changed their votes from "aye" to "no."

Mr. MILLER of Washington changed his vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

□ 1535

The CHAIRMAN pro tempore (Mr. MURTHA). The next eligible amendment is No. 19, to be offered by the gentelman from New York [Mr. FISH] or his designee.

The next eligible amendment is No. 20, to be offered by the gentleman from Virginia [Mr. BATEMAN] or his designee.

The next eligible amendment is No. 21, to be offered by the gentleman from Massachusetts [Mr. FRANK] or his designee.

The next eligible amendment is No. 22, to be offered by the gentleman from Indiana [Mr. McCLOSKEY] or his designee.

AMENDMENT OFFERED BY MR. MC CLOSSKEY

Mr. McCLOSKEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. McCLOSKEY: Page 139, line 19, strike out "$6,720,000" and insert in lieu thereof "$8,290,000".

Page 147, line 2, insert before "as follows" the following: ", plus $1,570,000,".

Page 147, line 5, insert before the period the following: ", plus $1,570,000".

Mr. McCLOSKEY. Mr. Chairman, the amendment that I am proposing is a very reasonable and economical item which is very important for national security, in that the Crane Naval Weapons Support Center has some major innovations going as to counterterrorism devices and night-vision techniques.

It was dropped in the second round from the Milcon budget-cutting process, but I have been assured after some conversation with the distinguished chairman of the Milcon subcommittee, the gentleman from California, [Mr. DELLUMS], and also the gentleman from Wisconsin [Mr. ASPIN], that if I were to withdraw this amemdment that it could probably be worked out in conference with the other Chamber, as this project is in the other bill.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from Wisconsin.

Mr. ASPIN. I thank the gentleman for yielding.

Mr. Chairman, let me just endorse the comments of the gentleman from Indiana. The issue that he deals with is clearly justified. We think that it is a very good program.

This is something that we believe ought to be funded. We did not have it in our bill, but it is in the Senate bill, and I certainly would look on it favorably when we get to conference.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. McCLOSKEY. I yield to the gentleman from California, the distinguished chairman of the Subcommittee on Military Installations and Facilities.

Mr. DELLUMS. Mr. Chairman, the gentleman by his amendment seeks to add $1.57 million which was part of the administration's request. The subcommittee had a $1.8 billion bogey to meet, and without prejudice, simply on the basis of lack of funds, was not able to fund this part of the program. It is a conferenceable item in the Senate, and the subcommittee chairman, as the full committee chairman, assumes that when we go into conference that there will be some degree of flexibility, and we think that we may be able to accommodate the gentleman in the conference.

Mr. McCLOSKEY. Mr. Chairman, I would like to thank the gentleman from Wisconsin [Mr. ASPIN] and the gentleman from California [Mr. DELLUMS], and note as to this project that without implementation the Navy would have no night-vision testing techniques in antiterrorist activities, so it is again very economical and very important.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AMENDMENT OFFERED BY MR. HAMMERSCHMIDT

Mr. HAMMERSCHMIDT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HAMMERSCHMIDT: In section 2301 of division B (page 148), insert the following after line 9: "Fort Smith Municipal Airport, Arkansas, $3,742,000, for the construction of an apron and taxiway."

Mr. HAMMERSCHMIDT. Mr. Chairman, may ammendment provides funds for constructing an area at the Fort Smith Airport which will permit the maneuvering of large wide-body civilian and military aircraft which frequently utilize this airport in connection with on-going and planned training activities at Fort Chaffee.

Under present Army plans use of Fort Chaffee for training purposes is expected to increase significantly in the next few years and the improvements which would be provided at the Fort Smith Airport by the amendment would aid significantly in transporting troops to and from Fort Chaffee.

These upgrades are needed to support the Joint Readiness Training Center at Fort Chaffee and for other purposes. However, since there is some confusion over commitments made by the city of Fort Smith to the Army, I will ask unanimous consent to withdraw my amendment, but I believe that the project is needed and should be supported by the Army.

I am hoping that my colleagues on the committee will work with me and the Army to resolve this issue by next year.

Mr. MARTIN of New York. Mr. Chairman, will the gentleman yield?

Mr. HAMMERSCHMIDT. I yield to the gentleman from New York, a member of the subcommittee.

Mr. MARTIN of New York. I thank the gentleman for yielding.

Mr. Chairman, I certainly understand the gentleman's concern, and I can assure him that I will work with him to try to resolve this matter prior to our bringing the budget to the floor next year.

It is my feeling, not only with some confusion that exists, but also dealing with the Army, to ensure that this is necessary, that it is included in their budget request. I can assure the gentleman that I will work closely with him.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. HAMMERSCHMIDT. I yield to the gentleman from California.

□ 1545

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding.

As the gentleman knows, we worked very diligently to try to accommodate my colleague and work this matter out. There appears to be some discrepancy with respect to who funded the project. We will work very closely with the gentleman to try to resolve this matter in the budget for the next fiscal year.

Mr. HAMMERSCHMIDT. Mr. Chairman, I thank the gentleman for his response and for his cooperation.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Arkansas to withdraw his amendment?

There was no objection.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of Texas: In division B, strike out section 2408 (page 175, line 15 through page 176, line 11).

The CHAIRMAN pro tempore. Under the rule, the gentleman from Texas [Mr. SMITH] will be recognized for 5 minutes and a Member opposed to the amendment will be recognized for 5 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of the amendment.

PERFECTING AMENDMENT OFFERED BY MR. GONZALEZ

Mr. GONZALEZ. Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. GONZALEZ: Strike out section 2408 (page 175, line 15, through page 176, line 11) and insert in lieu thereof the following:

SEC. 2408. BROOKE ARMY MEDICAL CENTER.

(a) REPORT.—The Secretary of Defense shall, not later than March 1, 1988, transmit a report to the Committee on Armed Services of the Senate and the House of Representatives containing—

(1) a cost estimate for the construction of the medical facility authorized by section 2401 of the Military Construction Authorization Act, 1987, at Brooke Army Medical Center, San Antonio, Texas, with space for 450 beds;

(2) a cost estimate for the construction of such medical facility with space for 200 beds, and an estimate of the costs likely to be incurred as a result of the transfer of services from Brooke Army Medical Center to Wilford Hall Air Force Hospital; and

(3) a cost estimate of the expansion of such medical facility from 200 to 450 beds.

(b) REPEAL.—Section 2403(a) of the Military Construction Authorization Act, 1987 (division B of Public Law 99-661), is repealed.

Mr. GONZALEZ (during the reading). Mr. Chairman, I ask unanimous consent that the perfecting amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Chairman, I would like to say for the record that the gentleman from Texas [Mr. SMITH] has worked very diligently in a very difficult situation.

The gentleman and I have worked out an acceptable language that is acceptable to not only both of us, but to the Committee on Armed Services and the subcommittees of the Committee on Armed Services.

It has to do, of course, with the replacement hospital, and I think the gentleman from Texas [Mr. SMITH] and I are in complete accord as to what it is our objective should be; and that is, a suitable replacement, so that the thousands of eligible retirees who have served our country honorably will receive and continue to receive first-quality medical and hospital care, and the active duty servicemen in the fifth Army service area as well as their beloved.

Mr. Chairman, I want to commend the gentleman from Texas [Mr. SMITH] for his perspicacity and for his very restrained judgment on these matters under very difficult and emotional circumstances.

I think that there is absolutely no opposition to this. I want to commend, as I repeat, the gentleman from Texas [Mr. SMITH] for his very diligent work in this respect.

Mr. Chairman, as the committee knows, Congress in 1984, pursuant to an agreement with the Department of Defense, ordered the planning of a replacement hospital at Brooke Army Medical Center. This was to be a facility of 450 beds, expandable to 690 beds. Last year, with the design 35 percent complete, the Department changed its mind and moved to reduce the facility to 150 beds, later revised it to 200 beds, and still later added numerous enhancements. In the 1986 Defense Authorization Act, $135 million was provided for this revised version of the project. It turns out that the budget estimate was erroneous, and that the project will cost $277 to $300 million.

In light of all this, I requested, and Chairman ASPIN agreed, that language be added to the bill prohibiting any construction contract at Brooke during fiscal 1987 or 1988 and requiring firm information about the options available, and the cost of each option. I felt this was necessary because of the illogic and confusion surrounding the actions of Assistant Secretary of Defense for Health Affairs.

Even though the language in subsection (a) of section 2408 of the bill would not have affected any contracting schedule on the project, the Assistant Secretary used it as an excuse to order a halt to all planning. In light of that, and in agreement with my colleague LAMAR SMITH, I suggested this amendment, striking the language fencing off construction contracting authority on the Brooke project. Mr. SMITH supports this substitute, as I am sure he will affirm.

I remain convinced that constructing a 450-bed Brooke Army Medical Center is the only plan that makes sense; its cost probably will be little if any greater than the current proposal. I intend to continue pursuing that objective. But I am in agreement with changing the language, to keep the planning process in motion.

I commend the gentleman from Texas [Mr. SMITH] for his consideration and cooperation in resolving this matter. He has been most helpful and constructive. I want to extend my special thanks to the gentleman from Wisconsin [Mr. ASPIN], who has been most patient, courteous and considerate in this matter, which is of the greatest importance to the soldiers, retirees, and their families who rely on Brooke.

The CHAIRMAN pro tempore. Is there opposition to the perfecting amendment offered by the gentleman from Texas [Mr. GONZALEZ]?

Mr. SMITH of Texas. Mr. Chairman, I move to strike the last word, and I rise in support of the perfecting amendment offered by the gentleman from Texas [Mr. GONZALEZ].

Mr. Chairman, the gentleman from Texas [Mr. GONZALEZ] and I are in agreement on compromise language that we feel will indicate to the Department of Defense Congress' continued support for this project.

I wish to thank the gentleman from Texas [Mr. GONZALEZ], my colleague from San Antonio, for his cooperation in working out this resolution and for his longstanding, active support for the Brooke Army Medical Center.

The CHAIRMAN pro tempore. The question is on the perfecting amendment offered by the gentleman from Texas [Mr. GONZALEZ].

The perfecting amendment was agreed to.

The CHAIRMAN pro tempore. Under the precedents, the Smith of Texas amendment to strike falls and is not voted on.

AMENDMENT OFFERED BY MR. BUSTAMANTE

Mr. BUSTAMANTE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BUSTAMANTE: Page 176, after line 11, insert the following:

(d) FUNDS ALREADY AUTHORIZED AND APPROPRIATED.—Subsection (a) shall not apply to activities carried out with funds authorized and appropriated before the date of enactment of this Act for the medical facility described in such subsection. The Secretary of Defense shall continue to carry out design activities with respect to such medical facility.

The CHAIRMAN pro tempore. Under the rule the gentleman from Texas [Mr. BUSTAMANTE] will be recognized for 5 minutes, and a Member opposed to the amendment will be recognized for 5 minutes.

The gentleman from Texas [Mr. BUSTAMANTE] is recognized for 5 minutes.

Mr. BUSTAMANTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to engage the gentleman from Wisconsin [Mr. ASPIN] in a colloquy in reference to the language as just adopted in the Smith amendment.

Let me ask the gentleman, and I would like to inquire as to section 2408, because that might address my concerns.

If the gentleman from Wisconsin [Mr. ASPIN] addresses that concern, then I withdraw my amendment.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. BUSTAMANTE. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, let me say that section 2408 prohibits only the obligation or expenditure of funds for fiscal years 1987 and 1988 for actual construction of the replacement facilities.

Both site preparation work and design activities are permitted.

Mr. BUSTAMANTE. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Texas to withdraw his amendment?

There was no objection.

AMENDMENT OFFERED BY MR. CLARKE

Mr. CLARKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CLARKE: Page 177, line 22, insert ", plus $602,000" before the semicolon.

The CHAIRMAN pro tempore. Under the rule, the gentleman from North Carolina [Mr. CLARKE] will be recognized for 5 minutes and a Member opposed to the amendment will be recognized for 5 minutes.

The gentleman from North Carolina [Mr. CLARKE] is recognized for 5 minutes.

Mr. CLARKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment adds $602,000 to the military construction authorization of the Army National Guard for construction of a National Guard armory in Marion, NC. It simply moves up construction of this armory by 1 year.

Construction of the Marion National Guard Armory was originally scheduled for 1989 but since all planning and design work for the building have been completed, and the land has been deeded by the county commissioners, it is practical and highly desirable to speed up construction of the armory by a year.

Mr. Chairman, I yield the gentleman from Wisconsin, chairman of the Armed Services Committee, such time as he may require.

Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ASPIN], the chairman of the Committee on Armed Services.

Mr. ASPIN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, let me say that I think that the gentleman's amendment is one that we really ought to approve here.

It is a facility that, unlike the other facilities, we have no chance to deal with in this conference.

It is an issue in which, unfortunately, is in neither body; and what it is is a very, very good amendment.

Had we had this amendment earlier in the process, there is no question that amendment would have been in our bill, and for that reason, I urge the House to approve the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from North Carolina [Mr. CLARKE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ARMEY:

PART E—BIPARTISAN COMMISSION ON CONSOLIDATION OF MILITARY BASES

SEC. 2751. FINDINGS.

The Congress finds that—

(1) it is essential to the security of the United States and to the public's confidence in our Armed Forces that the enormous resources necessarily devoted to the task of national defense are wisely dispersed;

(2) a substantial part of such resources is not directed toward maintaining and improving the military capabilities of the United States but to maintaining certain military installations which have little or no military value;

(3) since past efforts to eliminate such installations have been frustrated by various private interests, a bipartisan commission should be established to identify installations suitable for closure or realignment according to objective criteria; and

(4) in the interests of national security and the efficient use of Federal revenue, the Secretary of Defense should be granted the authority to close or realign such installations without regard to other provisions of law which would otherwise delay or prevent such closings.

SEC. 2752. ESTABLISHMENT; DUTIES.

(a) ESTABLISHMENT.—There is established the Bipartisan Commission on the Consolidation of Military Bases (hereinafter in this part referred to as the "Commission").

(b) DUTIES.—The Commission shall—

(1) review the military importance of all major military installations; and

(2) identify which of such installations can be closed or realigned without impairing the security of the United States.

SEC. 2753. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 12 members appointed within 30 days after the date of the enactment of this part as follows:

(1) Two members appointed by the President in consultation with the Secretary of Defense from among persons who are either private citizens or employees of the executive branch.

(2) Three members appointed by the Speaker of the House of Representatives in consultation with the ranking members of the Armed Services Committee of the House of Representatives from among persons who are either private citizens or Members of the House of Representatives.

(3) Two members appointed by the minority leader of the House of Representatives in consultation with the ranking members of the Armed Services Committee of the House of Representatives from among per-

sons who are either private citizens or Members of the House of Representatives.

(4) Three members appointed by the majority leader of the Senate in consultation with the ranking members of the Senate Armed Services Committee of the Senate from among persons who are either private citizens or Members of the Senate.

(5) Two members appointed by the minority leader of the Senate in consultation with the ranking members of the Armed Services Committee of the Senate from among persons who are either private citizens or Members of the Senate.

Appointments under this section may be made without regard to section 5311(b) of title 5, United States Code.

(b) Vacancies.—A vacancy on the Commission shall be filled in the manner in which the original appointment was made.

(c) Terms.—Members shall be appointed for the life of the Commission.

(d) Basic Pay.—

(1) Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) Members of the Commission who are not officers or employees of the Federal Government shall be paid travel and transportation expenses in the same manner as an employee serving intermittently in the Government service under section 5703 of title, 5, United States Code, while away from their home or regular place of business in performance of duties for the Commission.

SEC. 2754. MEETINGS.

(a) In General.—The Commission shall meet at the call of the Chairman or a majority of its members.

(b) Chairman.—The President shall designate a Chairman from among the members of the Commission.

(c) Quorum.—Seven members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(d) Voting.—Decisions of the Commission shall be according to the vote of a majority of its members present at a properly called meeting.

SEC. 2755. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

(a) Director.—The Chairman shall, without regard to section 5311(b) of title 5, United States Code, appoint a person to serve as staff director of the Commission.

(b) Staff.—With the approval of the Commission and without regard to section 5311(b) of title 5, United States Code, the Chairman may appoint and fix the pay of such personnel as the Chairman considers appropriate.

(c) Staff of Federal Agencies.—Upon request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this part.

(d) Experts and Consultants.—With the approval of the Commission, the Chairman may procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code.

(e) Limitation on Pay.—Persons appointed under subsection (a) or (b) may not be paid at a rate exceeding the rate of basic pay payable under section 5316 of title 5, United States Code.

SEC. 2756. POWERS.

(a) Hearings and Sessions.—The Commission may, for the purpose of carrying out this part, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate.

(b) Members and Agents.—Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) Obtaining Official Data.—

(1) Notwithstanding any other provision of law, the Commission may secure directly from any department or agency of the United States any information necessary to enable it to carry out this part.

(2) Upon request of the Chairman of the Commission the head of a department or agency shall furnish such information to the Commission.

(d) Mails.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) Administrative Support Services.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

SEC. 2757. REPORT; IMPLEMENTATION OF RECOMMENDATIONS.

(a) Report.—The Commission shall transmit to the President, the Secretary of Defense, and each House of the Congress not later than 180 days after the enactment of this part a final report which contains a detailed statement of the findings and conclusions of the Commission and such recommendations as it considers appropriate.

(b) Implementation of Recommendations.—Notwithstanding any other provision of law, the Secretary of Defense may—

(1) carry out closure or realignment of any military installations recommended for closure or realignment by the Commission in the report transmitted under subsection (a)—

(A) without regard to any provision of law which would prevent or delay such closure or realignment, including laws restricting—

(i) the disposal of real property; or

(ii) the use of funds for closure or realignment of military installations included in annual appropriations Acts; and

(B) without complying with—

(i) the procedures set forth in sections 2662 and 2687 of title 10, United States Code; and

(ii) the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190; 42 U.S.C. 4321 et seq.); and

(2) using funds appropriated for military construction, design and construct such facilities as the Secretary deems necessary to accomplish the closure or realignment of any military installations under this part.

SEC. 2758. TERMINATION.

The Commission shall cease to exist 30 days after submitting its final report under section 2757(a).

SEC. 2759. DEFINITION.

For purposes of this part, the terms "military installation" and "realignment" have the meanings given such terms in section 2687(e)(1) and (3), respectively, of title 10, United States Code.

The CHAIRMAN pro tempore. The gentleman from Texas [Mr. Armey] will be recognized for 5 minutes and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Texas [Mr. Armey].

Mr. ARMEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, this amendment is very simple.

As my colleagues know, we have had an enduring problem in Congress over the years with trying to maintain a state of defense preparedness by way of keeping the most important and strategic bases to our national defense on line, and making room for them within a limited defense budget by closing or consolidating bases of less strategic or even in some cases no strategic significance to our national defense. Historically, this has been a politically charged base issue that has made it very difficult to eliminate this kind of needless waste in the defense budget.

My amendment establishes a commission that is bipartisan in nature, the majority members being appointed by the Congress and appointed for the express purpose of examining bases on a defense-preparedness basis only, recommending and facilitating the closure of bases that are not strategic to our defense.

I think this will save, in the studies I have seen by OMB and DOD, or have the capacity to save as much as $5 billion each year after it is enacted. Certainly the ranges of estimates are from $2.5 billion to $5 billion.

It eliminates waste, cuts the redtape from base closing and allows the process to go forward without fear of political reprisals and based only on defense preparedness.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. Is there a Member in opposition to the amendment?

The gentleman from California [Mr. Dellums] is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, I do rise in opposition to the amendment, and yield 2 minutes to my distinguished colleague, the gentleman from Missouri [Mr. Skelton].

Mr. SKELTON. Mr. Chairman, the amendment before us which would establish a commission composed of 12 members to review military bases, which of course are not limited to the continental United States, but all over the world, allows them to recommend closure or realignment notwithstanding any other provision of law. What this does, Mr. Chairman, is strike at the very heart of representational government. It strikes at the heart of the Constitution which states that the role of Congress is to raise and maintain the military forces of our country. It actually allows Congress to abdicate its responsibility to base the American forces here in this country and throughout the world to a 12-man commission which is not bound to provide and live up to any other law in the law in the land, including the environmental policy law of our country.

Mr. Chairman, we just visited this issue last year, revised and rewrote a very good law which authorizes an examination and approval or disapproval procedure for Congress. It replaces all of this and wipes it out and places a 12-man commission or 12-man group that in essence would have the reign of a group of czars.

What if it had come up with a realigning of an Army base into a Navy base? We know this Congress has the expertise among ourselves and our staffs on the various subcommittees, and we would just be abdicating all of this to this 12-man commission.

I certainly think it is a mistake to even consider an amendment such as this. We are giving up in Congress what is so very important, our role to raise and maintain the forces and their base procedures throughout our country and throughout the world. It is just a wrong amendment.

Mr. DELLUMS. Mr. Chairman, I reserve the balance of my time.

Mr. ARMEY. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, I rise in support of this amendment.

I know this is somewhat a heretical comment, but I think, ladies and gentlemen, the time has come. We have done this with salary increases for Members of Congress, we have done it with reapportionment by the State legislatures. We have to face that we are facing declining defense budgets each and every year.

As the chairman of the Subcommittee on Military Installations and Facilities so aptly stated today on the floor, we are in a situation where we just by the sake of affordability cannot do some meaningful projects.

So if we cannot address the problem of having bases that are in existence solely for political reasons because they occur in one district or another, I think we are missing the boat.

I know this is a stern measure and I know it is a measure that will cause great anguish, but I think the time has come when we have to address this issue for the simple reason that it is not being addressed and we are now talking about stretching out programs, ending programs, ill-equipping our troops, nonequipping our troops, on the basis of affordability, and we are talking about next year cutting troops strength. We cannot do that unless we at least look into the situation of basing and base requirements.

Mr. DELLUMS. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, if I might direct a couple of questions to the sponsor of the amendment, when the gentleman from Texas [Mr. ARMEY] mentioned to me establishing a commission, I assumed that this was a study commission. I told him I thought it was a good idea because it had been almost impossible in years past to bring about a closing of a base due to the political impact, and it could forever draw on and drag out the economic impact and environmental impact statements. But I did not understand that this was to be a commission set in place to start doing it this year.

Let me ask the gentleman, how would the commission be established?

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, the commission will be appointed. There will be 12 members and 10 will be appointed by the Congress. The Speaker of the House and the majority leader in the Senate each will nominate three people. In conference with the chairman of the Defense Committee, the minority leaders would offer two and the President will offer two.

Mr. DELLUMS. Mr. Chairman, I yield myself the final 2 minutes to close debate on this side in opposition.

□ 1600

Mr. Chairman, the important point it seems to me that we must focus upon is that the amendment before the body waives all laws, including the Environmental Policy Act of 1969 and permits the Secretary of Defense, upon recommendation of this commission, to implement closures without regard to the wishes of the Members of Congress. I might remind my distinguished colleagues that 2 years ago the subcommittee that this gentleman chaired on Military Installations and Facilities held a number of hearings and made efforts to amend the base closing legislation in order to restructure this issue; went into the conference 3 years ago with the other party and negotiated very strongly a restructuring of legislation dealing with the issue of base closure. We worked out these amendments and we put them into law.

I find it very interesting, Mr. Chairman, that at this very moment the administration in submitting its last four potential base closures did not adhere to the rule of the law that was restructured.

What we are saying here is that the administration has more than ample opportunity to close bases. We removed a number of restrictions. If they want to use the law to close those bases it can be done. Under the Armey amendment the Commission would make recommendations directly to the Secretary of Defense notwithstanding any other law or any other act of any committee in the entire U.S. Congress, that base closure could go forward. One of the reasons why Members of Congress have been concerned about the issue of base closure has been the possibility of utilizing base closures as a way to intimidate or otherwise challenge Members of Congress. And so in the comity between the legislative branch and the executive branch on the basis of the fragile and delicate nature of checks and balances, certainly on the issue of base closure this gentleman believes that we ought to oppose the Armey amendment and stick to the rule of law as it has been restructured.

Mr. ARMEY. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Chairman, "Scoop" Jackson said "the best politics is no politics in matters of national security."

I think the chairman and Mr. MARTIN have done a great job of separating local interests from the national interests on our Subcommittee on the Committee on Armed Services. But I think if this commission is truly a blue ribbon commission, if it is set up appropriately could take away the intimidation factor, the political factor and we could put together some decisions that are based solely on the national interest.

For that reason I support the Armey amendment.

Mr. ARMEY. Mr. Chairman, I yield 30 seconds to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, Congress is directly responsible for $2 to $5 billion in annual defense expenditure waste that nothing has yet been done about. I am referring to expenditures for unnecessary military bases. Congress has frustrated many of DOD's attempts to close bases for two main reasons: First, individual Members have fought to keep open bases in their district with little or no military value; and second, Members fear that an administration would use the power to close bases as a political weapon. The Armey amendment would eliminate the second concern. Selection of bases for closure would be undertaken by a bipartisan commission that would be free of political pressure and could choose bases for closure according to purely objective military criteria. I call on my colleagues, in this time of dangerous budget deficits, to rise above their district interests and vote for this amendment which would save our country so much money. This amendment is both good government and prodefense, allowing us to focus those precious defense dollars where they are truly needed.

Mr. ARMEY. Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, let me say that I agree with the gentleman from California on the other side of the aisle and the gentleman from Missouri that we ought to try lots of different approaches to solving this problem, this problem of military base closing. In fact, that is what explains the purpose for this amendment today, the fact that we have tried so many approaches and most of those approaches have failed.

I say give this amendment a chance. We ought to be welcoming this amendment by Mr. ARMEY as opposed to quibbling over the details and the technicalities of it. If it holds any potential for closing military bases I think we should pass it, clean it up at conference and give it a chance to work.

Mr. ARMEY. I thank the gentleman from Texas.

Mr. Chairman, this is really a cut and dried issue: If you oppose waste in the defense budget then vote "yes" on the Armey amendment. If you oppose needless red tape that obstructs the achievement of greater efficiency in our national defense, vote "yes" on the Armey amendment; if you oppose political boondoggling and political blackmail vote "yes" on the Armey amendment.

This gives us a chance to have professional decisions made that will allow for the smooth, orderly and necessary closure of bases that exist today only for the purposes of political pork.

These bases then can be closed and our resources can be reallocated to an effective defense in the public interest at minimal cost to the taxpayers.

If you want less waste, greater efficiency, better defense preparedness, vote "yes" on the Armey amendment.

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. I thank the gentleman for yielding.

Mr. Chairman, maybe we can slow down, Mr. Chairman, 2 minutes is very, very difficult.

First of all, I say to my distinguished colleagues that those of you who talk in support of this amendment I am simply saying that 2 years ago we walked around this barn. We negotiated very powerfully and very strongly some important base closure legislation that removed a number of the restrictions.

I might add just one other comment before there is a rush to judgment.

A number of my colleagues who support this particular amendment support home porting, a program that I think is an incredible, expensive boondoggle developing additional military bases and at the same time they want to talk about saving money.

The Home Porting Program is going to cost this country megabillions of dollars when you finish up with the bottom line. You cannot straddle the fence and walk both sides of the street simultaneously. You cannot talk about closing bases on the one with some innocuous commission and on the other hand put your vote where billions of dollars reside in establishing a Home Porting Program that expand the number of military facilities, not restrict them.

Mr. Chairman, if you go back and look at the legislation, we did remove a number of factors but I do not think you ever want to establish a commission that would restrict all provisions of law. The environmental protection, the Environmental Policy Act of 1969 is an extremely important factor. It guarantees and protects not only Members of Congress but American citizens and I do not think you ought to even be passing amendments that waive all points of law as significant as that particular law is.

If you want to save money I can tell you how to save money. You do not have to talk about establishing a commission, just vote against policies that develop a proliferation of facilities and begin to restrict. You can talk about saving billions of dollars in a very specific and overt way. This is a very indirect way to deal with it.

Again, I summarize: 2 years ago the subcommittee sat down with members in the other body on the other side of the aisle and negotiated powerfully to try to preserve the prerogatives of the administration in closing bases. This gentleman has been a critic of the Pentagon. I think we ought to stop spending $300 billion a year or near that. So I have no problem. If you want to close a base, close it and close it on the efficacy of the economics and the strategic issues involved. But let us not do it on political grounds.

One of the reasons why Members of Congress supported the amendments that were worked out in conference, because it did give them that final measure of protection against political intrusion; you take that out of the hands of Members of Congress then where are you?

I would argue just the reverse to those who argue in support of this particular amendment. You do not walk further down the road toward integrity and strength, it seems to me you weaken your hand.

I thank my colleague for yielding.

Mr. BADHAM. Mr. Chairman, will the gentleman yield.

Mr. ASPIN. I yield to the gentleman from California.

Mr. BADHAM. I thank the gentleman for yielding.

Mr. Chairman, although the situations are somewhat the same the politics of the matter is a different matter. I would just say to the gentleman, as he knows, that I voted against home porting and I am going to vote for this amendment because I think stern measure have to be taken. If that is the only way we can get to it, that is the only way we can do it.

Mr. DELLUMS. I appreciate the gentleman's comment. All I am saying simply is that all of us want to make sure that those bases that have no tactical or strategic value should be closed; that have no relevant mission, should be closed; that are not cost effective, should be closed. The only reason that we kept in the provision that we did was that one tiny little aspect here and that is the prerogative of the legislative branch to review decisions on the part of the administration that in any way would appear to have a political thrust to them. Why are Members of Congress nervous about base closures? Because too often, in too many situations in the past the administration has used base closure as a way of intimidating Members of Congress. The only way they have to come back with that is to have laws that provide this institution with the right to look into those matters. This gentleman will always vote to close a base even in the gentleman's district because I am not a parochial person. You cannot buy me for some pork barrel. That is not why I came here. But if you are going to do it, do it on integrity, do it on the efficacy of the economics, you do it on tactical issues, you do it on strategic issues, you do it on the merit, or the lack thereof, of a mission. You do not play political games, Democrat/Republican, liberal/conservative.

Those kinds of things have no value.

Mr. DICKINSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in the interest of equity and comity I yield to the gentleman from Texas to respond.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Chairman, I will keep my response brief.

I appreciate the remarks by the gentleman from California. I listened to his remarks very carefully and I do not know anyone who could have stood on this floor and more eloquently made the case for a "yes" vote on this amendment, because this amendment does take the politics out of it, it does establish an objective bipartisan Commission that studies the issue from the point of view of defense preparedness and then for those bases as selected by this Commission it waives the redtape that is now in place under current law. Under current law anybody in this body or even indeed somebody outside of this body can use the redtape in place to obstruct the closing of the most obsolete and useless base for an indefinite period of time. Does a body have its jurisdiction overruled? Not at all. If this Commission should report to the Defense Department that a base in someone's district is slated for closure or is appropriate for closure, if the DOD should announce that they will close that base, the gentleman will have ample time to come to this floor with a bill that will allow for the continued operation of that base, the difference being now that you will have to make the case for continued operation on its merits on the floor with respect to your colleagues.

You will not be able to go through the courts and in other ways exercise the redtape to stop the will of the Commission, to stop the will of the Department of Defense and to stop the will of the Congress, which appoints this Commission. All but two Members are appointed out of the Congress. If you want scientific objective evaluation of the relevant contribution a base makes to the defense, and if you want then for closures to go forward on the basis of subjective criteria without political haggling then you ought to vote "yes" on this amendment.

Mr. DICKINSON. Let me reclaim my time and let me ask the gentleman from Texas if he understood me that I was committed in support of his amendment? Did I make a commitment to you? We discussed it and I do not want to mislead the gentleman.

Mr. ARMEY. I understood that you were supportive of me. You just explained on the floor that you did not understand.

Mr. DICKINSON. Well, I would not want to give the gentleman my word and then backup. I understood the gentleman meant a study Commission or a review board. I did not realize the gentleman was putting it in. If the gentleman wants to hold me to it I will stay with it.

Let me just say that the Secretary of Defense feels very strongly that this is not a good idea.

Let me yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman for yielding.

Mr. Chairman, I might point out at this time that in order for a base to be opened it must be by an act of Congress within the military construction authorization, or by the bill itself. And to undo a base we have a procedure set forth in the law which comes about as a result of a recommendation from the Department of Defense. And then we in Congress, following the law that was worked on extensively last year, follow through as a congressional body. This keeps the checks and balances proper. If it is a wrong base we will knock it out, but I think that you are going to replace 12 people who have this expertise that you have in this subcommittee and the other subcommittees of the Armed Services Committee as well as the general wisdom of this body.

□ 1615

Mr. DICKINSON. Mr. Chairman, let me reclaim my time and ask the gentleman from Texas [Mr. ARMEY], is there any way that I can assure myself of being on this Commission?

Mr. ARMEY. I would think that the gentleman would be in a pretty good position, since the minority leader in the House would have 2 people to appoint, and he would do that by consulting with you.

Mr. DICKINSON. You cannot lean on that.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, we are simply talking here about checks and balances. I do not believe you remove the politics. If you read the bill, it says:

> IMPLEMENTATION OF RECOMMENDATIONS.—Notwithstanding any other provision of law, the Secretary of Defense may—
>
> (1) carry out closure or realignment of any military installations recommended for closure or realignment by the Commission in the report transmitted under subsection (a)—
>
> (A) without regard to any provision of law which would prevent or delay.

The CHAIRMAN pro tempore. (Mr. MURTHA). All time has expired.

The question is on the amendment offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ARMEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 199, not voting 41, as follows:

[Roll No. 106]

AYES—192

Andrews
Applegate
Archer
Armey
AuCoin
Badham
Baker
Ballenger
Bartlett
Bates
Beilenson
Bereuter
Berman
Biaggi
Bilirakis
Bliley
Bosco
Brennan
Brooks
Broomfield
Brown (CO)
Buechner
Bunning
Callahan
Campbell
Carper
Carr
Chandler
Cheney
Clarke
Clinger
Coats
Coble
Coleman (MO)
Conte
Cooper
Coughlin
Craig
Crane
Dannemeyer
Daub
DeFazio
DeLay
DeWine
DioGuardi
Dornan (CA)
Downey
Dreier
Dwyer
Erdreich
Fawell
Fields
Fish
Flippo
Frank
Frenzel
Gallegly
Gallo
Gibbons
Gilman
Goodling
Gordon
Grandy
Green
Gregg
Gunderson
Hall (TX)
Hansen
Harris
Hastert
Hefley
Hefner
Henry
Herger
Hiler
Holloway
Hopkins
Houghton
Hubbard
Huckaby
Hughes
Hunter
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Johnson (CT)
Kasich
Kastenmeier
Kennedy
Kolbe
Konnyu
Kostmayer
Kyl
Lagomarsino
Latta
Leach (IA)
Lent
Lewis (GA)
Lightfoot
Lott
Lowery (CA)
Lowry (WA)
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Martin (IL)
McCandless
McCollum
McDade
McEwen
McHugh
McMillan (NC)
Meyers
Michel
Miller (CA)
Miller (WA)
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Neal
Nielson
Nowak
Obey
Oxley
Packard
Penny
Petri
Porter
Price (NC)
Pursell
Rahall
Regula
Rhodes
Rinaldo
Ritter
Roberts
Rogers
Roth
Roukema
Rowland (CT)
Sabo
Saiki
Saxton
Scheuer
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Sikorski
Skaggs
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solarz
Staggers
Stallings
Stangeland
Stenholm
Stump
Sundquist
Sweeney
Swindall
Tauke
Thomas (CA)
Udall
Upton
Vander Jagt
Walker
Waxman
Weber
Whittaker
Wilson
Wise
Wolf
Wyden
Yatron

NOES—199

Ackerman
Akaka
Alexander
Anderson
Aspin
Atkins
Bateman
Bennett
Bentley
Bevill
Bilbray
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Boucher
Boulter
Boxer
Brown (CA)
Bruce
Burton
Bustamante
Byron
Cardin
Chappell
Clay
Coelho
Coleman (TX)
Collins
Conyers
Coyne
Crockett
Daniel
Darden
Davis (IL)
Dellums
Derrick
Dickinson
Dicks
Dingell
Donnelly
Dorgan (ND)
Dowdy
Duncan
Durbin
Dymally
Dyson
Early
Eckart
Edwards (CA)
Edwards (OK)
Emerson
English
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Foley
Ford (MI)
Frost
Garcia
Gaydos
Gejdenson
Gekas
Glickman
Gonzalez
Grant
Gray (IL)
Guarini
Hamilton
Hammerschmidt
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hertel
Hochbrueckner
Horton
Howard
Hoyer
Hutto
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kennelly
Kildee
Kleczka
Kolter
LaFalce
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lipinski
Lloyd
Madigan
Manton
Markey
Marlenee
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McGrath
McMillen (MD)
Mfume
Mica
Miller (OH)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nagle
Natcher
Nelson
Nichols
Oberstar
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Parris
Pashayan
Patterson
Perkins
Pickett
Pickle
Price (IL)
Rangel

Ravenel
Richardson
Ridge
Robinson
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Savage
Sawyer
Schaefer
Schroeder
Shuster
Sisisky
Skeen
Skelton
Smith (FL)
Snowe
Solomon
Spence
Spratt
St Germain
Stokes
Stratton
Swift
Synar
Tallon
Taylor
Thomas (GA)
Towns
Traficant
Traxler
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walgren
Watkins
Weldon
Wheat
Whitten
Williams
Wolpe
Wortley
Yates
Young (AK)
Young (FL)

NOT VOTING—41

Annunzio
Anthony
Barnard
Barton
Boner (TN)
Bryant
Chapman
Combest
Courter
Davis (MI)
de la Garza
Dixon
Florio
Ford (TN)
Gephardt
Gingrich
Gradison
Gray (PA)
Hall (OH)
Jenkins
Jones (NC)
Kemp
Livingston
Lujan
Moody
Oakar
Pease
Pepper
Quillen
Ray
Roemer
Roybal
Russo
Schneider
Stark
Studds
Tauzin
Torres
Torricelli
Weiss
Wylie

□ 1625

The Clerk announced the following pairs:

On this vote:

Miss Schneider for, with Mr. Quillen against.

Mr. Gingrich for, with Mr. Pepper against.

Messrs. MOLINARI, VOLKMER, SYNAR, and GUARINI, Mrs. LLOYD and Messrs. COYNE, WHEAT, PARRIS, and PASHAYAN changed their votes from "aye" to "no."

Messrs. WYDEN, DeFAZIO, HUGHES, LOWERY of California, YATRON, and McCOLLUM changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. DICKINSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore (Mr. MURTHA). The gentleman from Alabama [Mr. DICKINSON] is recognized for 5 minutes.

□ 1640

Mr. DICKINSON. Mr. Chairman, I take this opportunity to try to put some clarity into the program for the rest of the day.

It is my recollection, Mr. Chairman, that we set up a schedule which we would attempt to follow. On Friday we had a series of amendments that were offered, when no votes were asked for on some, and one of our Members on this side demanded some votes. He was descended upon by quite a few of his colleagues asking, "Why are you trying to draw this thing out and extend it?"

"I will just ask the committee to rise if you are going to draw out the time on this thing."

We had scheduled to go until Thursday at 3 o'clock as of yesterday. We would not finish at that time, but almost. We could finish if enough Members would withdraw or otherwise settle their amendments.

Now this morning it was announced, and I certainly have no objection to this, that instead of a legislative schedule on Thursday, there would be no legislative schedule on Thursday because of the Memorial Service for our former colleague, Congressman Stewart McKinney of Connecticut, so there will be no legislative schedule on Thursday, which means that cuts off an entire day from this schedule.

Now a rumor has just reached me, and I have had no consultation with our chairman of the committee, but a rumor has just reached me that the next amendment on the printed list, which is a very important amendment on the C-17, will not be offered today because one Member of this entire body is in an airplane someplace. He had not noticed that we were going to have it today, but that the committee would not offer it.

I suppose then that if nothing else is scheduled, the committee would rise and we would kill the rest of the day.

Now, my chairman is on his feet, let me ask if I might, and yield to the gentleman, are we going to take up the next amendment or not?

Mr. ASPIN. Mr. Chairman, I am sorry, what did the gentleman ask?

Mr. DICKINSON. Are we going to take up the next amendment that is printed on this list, or not, and if not, why not?

Mr. ASPIN. It is the intention of the chairman of the committee not to take up the C-17 amendment.

Mr. DICKINSON. I wonder if the gentleman could give us a reason.

Mr. ASPIN. Well, the gentleman has already stated it. We try to accommodate to every degree possible when a person has a very strong interest in a particular amendment to try to accommodate our schedule to that person's schedule.

Mr. DICKINSON. All right, now, this is not the author of the amendment, right?

Mr. ASPIN. It would be the author of the amendment were he on the Armed Services Committee, but he is not.

Mr. DICKINSON. He is not, and it is not printed on the RECORD and he did not offer the amendment and he will not be the author of the amendment.

Mr. ASPIN. The author of the amendment is a person from the Armed Services Committee.

Mr. DICKINSON. I understand that, but anybody could have had it printed in the RECORD and been the author if they had wanted to; so we have scheduled this, we are up against a time problem.

I would like to be accommodative to any Member, but we have one Member out of this entire body, and he knew this amendment was scheduled today and the fact that he did not care enough, if he got an honorarium or some other speaking engagement, I do not know why he is not here, but he could get here if he wanted to, like I could get here if I wanted to. I know that it is scheduled, or else he could have made some other arrangements.

Mr. ASPIN. Oh, no, if the gentleman will yield further, in this case it was a case of one of his children attending a graduation and he was at a graduation, so it is not something he could change.

Mr. DICKINSON. Oh, well, that is different.

Mr. ASPIN. Let me just point out something to the gentleman from Alabama.

Mr. DICKINSON. Please do.

Mr. ASPIN. We have been trying to accommodate, and we do accommodate Members on the gentleman's side, as we did the gentleman from California [Mr. BADHAM] in putting his amendment at the end of the list, so we are trying when we can to accommodate the schedule for the help of the individual.

Mr. DICKINSON. Let me reply to that, let me reclaim my time.

When I came over and asked the gentleman, Mr. Chairman, and made him aware of the problem of the gentleman from California, could we make some accommodation, and the gentleman said, "Well, wait a minute. I have a Member, maybe we can make a trade." We could not do it for a Member, but if we can make a trade, OK, so we made the trade, and that is the way when you see you cannot make a schedule, you try to work it out.

Now when we were expecting to work late, everybody is in place ready to go forward with this, we have one Member who is not here, so we are going to cut it off.

Mr. ASPIN. Mr. Chairman, if the gentleman will yield further, we are talking here not about an amendment that is going to take a lot of time. The time for debate that is allowed for the C-17 amendment in the rule is 20 minutes, 10 minutes on a side and a vote. We are talking about if we allow the whole thing to take place, 35 minutes. If we put it off from today until another day, it is not going to mess up the schedule.

Mr. DICKINSON. All right, I was under the impression that if it was rescheduled, it will have to be after some consultation with this side; is that correct?

Mr. ASPIN. Correct.

Mr. DICKINSON. Well, since there was no consultation on pulling it, will there in fact be a consultation when it is rescheduled?

Mr. ASPIN. Absolutely.

Mr. DICKINSON. Well, I did not mean to be facetious. I am sure a graduation is very important to a Member, but I do not think it is so important that 434 other Members have to be importuned when you have a printed amendment that is important, we knew it was going to be today, and I for one resent it.

The CHAIRMAN pro tempore. The time of the gentleman from Alabama [Mr. Dickinson] has expired.

Mr. ASPIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to enter into a dialog with the gentleman from Alabama about the schedule for tomorrow.

As I understand from the leadership, and the leadership is here to correct it if it is not true, but it is our intention to come in at 10 o'clock tomorrow, as I believe, and to try to run—we have a commitment to quit at a reasonable hour by 6 o'clock tonight and we are going to do that ahead of time, but we do have a commitment to go a little later tomorrow night.

It is our intention, and this is in consultation I think with the gentleman from Alabama, at least through his staff people, we would do first thing tomorrow morning when we come in the Davis-Bacon amendment.

The second item after the Davis-Bacon is the dollars on the SDI.

The third item on the schedule tomorrow is SDI language.

Now, if we do all three of those things, that is a long day, if we do all three of those things we would be running a program that could go 9 or 10 hours.

Now, depending upon how fast we move it, we could be finished I would think anywhere tomorrow night between 8 and 10 o'clock if we do those three things.

What happened today was that there was enormous cooperation on all sides. We had votes only where a vote was justified by the fact that the issue was one that required a vote. We did not have meaningless votes on issues for which there was no disagreement, but just to have a vote. If we have that kind of cooperation tomorrow, the kind of cooperation we have had today, we could be finished early tomorrow night, too, earlier than we anticipate.

So the question is, how well we handle it tomorrow, but I am looking for an evening that could go as late as 10, but much more likely if we could have the cooperation we had today, we could be finished by about 8 o'clock tomorrow night.

Mr. DICKINSON. Well, Mr. Chairman, if the gentleman will yield, I had a discussion with the majority leader. He explained this is the plan. He did consult with me. I told him that was certainly fine with this side, with this Member on this side of the aisle. If there were going to be a late night this week, I would prefer, and I think the Members would prefer, that it be on Tuesday evening, rather than Wednesday evening, and that was the choice.

Does the gentleman want to yield to the majority leader on that?

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the distinguished majority leader.

Mr. FOLEY. Mr. Chairman, I thank the gentleman for yielding.

I do not want to confuse the Members. I hope we will be able to do as the chairman of the committee and the ranking member discussed and complete the schedule tomorrow and end before very late in the evening.

We would also hope that we would get similar cooperation so that it would be possible to conclude the work on Wednesday night by approximately 8 p.m., no later than 8 p.m., if possible, so that those who can catch aircraft that leave about 9 o'clock would be able to do so in both directions, leaving in both directions.

It has been announced by the whip organizations on both sides of the aisle, but for Members who have not heard the announcement, the House will convene at 10 a.m. on Thursday and adjourn immediately out of respect to the late Stewart McKinney. A memorial service will be conducted in Connecticut at 2 p.m. in the afternoon on Thursday. Those who are to be part of that delegation on both sides of the aisle would probably have to leave by 10:30 or 11 o'clock to attend that, so there will be no votes on Thursday or Friday and the House will then convene at noon on Monday.

Mr. DICKINSON. Mr. Chairman, if the gentleman will yield further, we will meet the following Monday and continue on the Defense bill on Monday?

Mr. FOLEY. On Monday until 6 p.m. and on Tuesday, Wednesday, and Thursday, we will seek to come in at 10 a.m.

Mr. DICKINSON. But continue to work on this bill?

Mr. FOLEY. Until concluded, until it is concluded, at the end of the business next week.

Mr. DICKINSON. Mr. Chairman, I thank the majority leader.

Mr. FOLEY. Mr. Chairman, if the gentleman will yield and indulge me for one more moment, we will divert from the Department of Defense authorization bill on Wednesday morning to consider the rule and proposals to extend the debt ceiling, which we will try to conclude this week. Other than that, the sole business for the week will be the continuation of this bill.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Georgia [Mr. Darden].

Mr. DARDEN. Mr. Chairman, I thank my distinguished chairman for yielding.

The first thing I want to do in front of this entire body is before the distinguished former judge from Alabama enter a plea of guilty as being one of these people who have caused us to be delayed for a certain period of time.

I would further state, Mr. Chairman, however, that my distinguished colleague, the gentleman from Georgia [Mr. Jenkins], who is a coauthor with me and one of the principal sponsors of this amendment is somewhere circling around Washington, DC, right now. He is expected to land momentarily. Perhaps we could continue to yield to various people on the floor and maybe the gentleman might be here in another 20 minutes; however, it was a totally unanticipated situation, Mr. Chairman. I regret that it happened and I appreciate very much the understanding of my chairman to permit it to come up at a later time.

The CHAIRMAN pro tempore. The time of the gentleman from Wisconsin has expired.

(By unanimous consent, Mr. Aspin was allowed to proceed for 2 additional minutes.)

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from California [Mr. Badham].

Mr. BADHAM. Mr. Chairman, I thank the chairman for yielding.

I was referenced in this debate. I would like to say that last Thursday afternoon when the word was that I received that instead of doing less controversial amendments on Friday we were going to do others. I talked to the offerers and the opposition of two amendments in which I was particularly interested and I received their acquiescence and I asked for unanimous consent on the floor that those were done.

I will have to say, I can understand the pique and the ire of the gentleman from Alabama, the ranking minority member, because everyone there did know that late on this day, on Monday, we would take up the C-17 amendment. I regret that it has not been taken up.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I would also like to express my concern, reflecting on last Friday and the concern that was expressed when some votes were called on the floor on what seemed to be items of not great import. There was some consultation. The distinguished majority leader came over this side and explained to us that he was trying to give as much consultation, as much information in advance as possible.

We understand the problems of scheduling around this body. We did have an understanding that we would have this C-17 up today. Everybody in this body knew it was going to be up today. We agreed we were going to work until 6 o'clock. We agreed that tomorrow we were going to work late, and now it seems that it is impossible for us to go on and carry this debate on tonight.

I just think this is the kind of thing that causes Members to get upset and call votes needlessly on amendments that perhaps they would not otherwise call votes on. I would just ask the leadership on that side of the aisle to try to keep to a schedule as much as possible.

□ 1655

Mr. ASPIN. To respond to the gentleman, we will do the best that we can.

Mr. LUNGREN. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from California.

Mr. LUNGREN. I would just like to have a clarification. As I understand it, there will be no votes on Thursday or Friday of this week. We will have votes next Monday——

Mr. ASPIN. The leadership says yes.

Mr. LUNGREN. Tuesday, Wednesday, and Thursday. The question that I then have, since we for many different reasons rose at 6:30 last Wednesday, rose at 6 last Thursday, rose at 3 on Friday—we are rising at 5 now—there was a suggestion of the possibility of us being in session a week from Friday with votes, which I think Members at least ought to have a clarification on, because I know that a number of Members have made plans for being in their districts, since that is the Memorial Day weekend, or with their families.

Does the change that we have here on the C-17 or these other days place us in jeopardy for a week from this Friday?

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Washington.

Mr. FOLEY. I think the only thing that would put that in jeopardy would be very unforeseen and frankly dilatory practices such as the calling of unnecessary votes on fairly unanimously agreed amendments, which could put us in jeopardy of next Friday. But absent such tactics by Members I think that it is pretty clear that we can finish on Thursday next and not interrupt the recess.

Mr. LUNGREN. I appreciate the gentleman's response.

Mr. FOLEY. The only condition that I would make is that the return to such dilatory practices could endanger the recess.

(By unanimous consent, Mr. Aspin was allowed to proceed for 2 additional minutes.)

Mr. ASPIN. Mr. Chairman, let me respond to the gentleman about where we are with the defense bill. Basically we are in pretty good shape as far as being able to finish it on time. If we had 3 very good days left, we could get it done. We are not going to get 3 very good days, because we are going to lose part of Wednesday because of needing to do the debt ceiling, and we are going to lose part of Monday because we are not going to come in until noon, but parts of days will be OK.

It will not be the defense bill that is going to cause us problems. There is no need to run and keep Members late.

Mr. LUNGREN. If the gentleman will yield further, I appreciate the gentleman's remarks, but just apropos of today, the C-17 is an amendment that is important to the author of the amendment, and it also happens to be important to me, since the C-17 will be built in my district. I would appreciate being notified by the gentleman if and when he plans to bring it up, since some of the rest of us are attempting to follow the schedule as best given to us at the least possible moment.

Mr. ASPIN. We will be happy to do that.

Mr. Chairman, I would like to announce at this point that there is no more need for any more votes, and we will have no more votes on the Defense bill tonight. I do need to take a little time; we want to enter into some colloquies and get them out of the way. As long as we have some time, we might as well use it.

Mr. HUTTO. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Florida.

Mr. HUTTO. I thank the gentleman for yielding.

Mr. Chairman, in my capacity as acting chairman of the Readiness Subcommittee, I have been asked to enter into a colloquy with the gentleman from Indiana [Mr. McCloskey].

Mr. McCLOSKEY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Indiana.

MR. McCLOSKEY. I thank the gentleman for yielding.

Mr. Chairman, I wish to commend the gentleman for the attention paid by the readiness subcommittee to what seems to be a recurring problem at naval facilities throughout the country which perform valuable depot maintenance functions. The purpose of my remarks is twofold. First, I wish to obtain clarification as to whether the committee report language on depot level maintenance activities was also intended to include naval weapons support centers. Also, along with the gentleman from Indiana [Mr. Jacobs], I want to inquire as to whether the language will also cover such important facilities as avionics centers at which tremendously important engineering acquisition work goes on.

Mr. HUTTO. Yes, the intent of committee was to include all such activities—in addition naval shipyards and naval air rework facilities mentioned on page 173 of the committee report.

Mr. McCLOSKEY. I thank the gentleman and wish to obtain further elaboration on the concerns which prompted the committee to insert this very important language. As my colleague from Florida knows, we share a great concern about maintaining the integrity of the in-house Department of Defense industrial base. However, it seems that the administration is determined to contract-out jobs which really is not helpful in this regard. Recently, we heard of a new management initiative being undertaken by the Navy called manage to payroll. The idea behind managing to payroll is to allow managers to decide whether work can be performed better through expansion of the in-house work force or by imploying contractor personnel. I have written a letter to the Undersecretary of the Navy setting my specific concerns about this. It seems to me that if there is validated work—which has already been funded—those facilities ought to be allowed to increase the size of the in-house work force to get the job done. This philosophy has been underscored in section 308 of the bill recommending the elimination of ceiling control or related methodologies. Would not the gentleman agree?

Mr. HUTTO. I certainly do, and I think the committee language and provisions of the bill are sending a very clear message to the Navy that we expect to see a strengthening of the in-house CORE logistics base. I will certainly keep my colleague from Indiana informed as to whether and when the subcommittee plans to undertake the oversight hearings mentioned in the committee report.

Mr. McCLOSKEY. I thank the gentleman.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Indiana.

Mr. JACOBS. I thank the gentleman for yielding.

Mr. Chairman, I wish to express my gratitude to the gentleman from Florida for his responses to this colloquy and incorporate by reference the remarks of the gentleman from Indiana [Mr. McCloskey].

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I thank the gentleman for yielding.

Mr. Chairman, I would like to engage in a colloquy with the gentlewoman from Maryland [Mrs. BYRON], who is chairman of the Subcommittee on Military Personnel and Compensation.

As the gentlelady knows, during the week of April 11, I, along with other members of the Committee on Veterans' Affairs, visited the Philippines to make a site visit to Corregidor. The committee had received numerous reports on the deterioration of the memorial and the old barracks, gun emplacements, museum and other structures remaining on the island. Corregidor was described in an official document of the Philippine Government as "a symbol of utter neglect."

The old World War II mile-long barracks at topside and those at middleside were completely overgrown with vegetation. The barracks and buildings located around the island are being reduced to ruins by scrappers using high explosives to separate the reinforcing steel bars from the concrete structures.

Scrapping of the historic 12-inch guns and mortars has been rampant for years. Fort Drum has been destroyed; Fort Frank has been stripped completely; and now Corregidor is well on its way to the same fate.

I believe the gentlelady would agree with me that Corregidor should be saved. A lot of our history is on that island.

What we saw made a sad and lasting impression, but it is an impression we intend to work to correct. We met with President Corazon Aquino and we believe her government is anxious to work with us in helping to restore this historic site.

The DAV has agreed to make a $100,000 donation to this project provided the American battle monuments commission is allowed to operate and maintain the memorial. We will be having further discussions with the Philippine Government to do what is necessary to restore the island.

But we must act now. We cannot wait any longer. I have asked the Secretary of Defense to permit a Seabee detachment to be assigned to Corregidor to help repair roads, clear vegetation from all historical sites and to begin to rebuild the infrastructure necessary to restore the area.

On our return from Corregidor we visited the base camp of a Seabee 13-member civic action team assigned to Palau for 1 year to undertake various public works projects—including maintenance on four existing war memorials located on the island.

I believe a similar detachment or unit, with the approval of the Philippine Government, should be assigned a training mission on Corregidor. Such an assignment would allow us to begin immediately some of the basic work necessary to restore Corregidor.

We cannot afford to wait to begin this work, and a Seabee unit such as I have described could be assigned to begin work within a short time. Would the gentlelady support such an effort with the approval of Mrs. Aquino and her government?

Mrs. BYRON. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentlewoman from Maryland.

Mrs. BYRON. I thank the gentleman for yielding.

Mr. Chairman, I thank the gentleman for bringing this to our attention. I agree with the gentleman that Corregidor is a vital part of our Nation's history and the monuments there should be restored and maintained in tribute to the thousands of Americans and Filipinos who fought and died on the island in defense of freedom.

I commend the distinguished gentleman for taking the time to visit Corregidor and for the effort he is making to get our Government and the Government of the Philippines to work as partners in restoring the monuments on the island.

The gentleman has informed me of his communications with the Secretaries of State and Defense and I support his efforts in asking that a civil action team of Navy Seabees be assigned to Corregidor to help restore the monuments and other historical sites with the approval of the Philippine Government. I agree with the approach the gentleman has suggested and will be delighted to work with my committee colleague in this regard.

I also want to commend the Disabled American Veterans, and the other national service organizations who are concerned about the condition of the Pacific War Memorial and who have made commitments to contribute to the restoration effort. They are to be commended for bringing this matter to our attention.

□ 1705

Mr. Chairman, this is one Member that will see what she can do to make sure those historic monuments are restored and protected.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentlewoman for her comments, and repeat again that the disabled American veterans, the VFW and the American Legion, and other groups will put up funding; but we have to have a vehicle to get the money over there.

You cannot go over there and give the money to somebody, so time is running short. We really have no choice. It is kind of like seeing at Arlington Cemetery the markers, the memorials knocked down and destroyed, and paint thrown on the Iwo Jima statue.

Even though these great shrines are thousands of miles away from home, a number of Americans gave their lives and fought the wars, and something has to be done.

Mrs. BYRON. Mr. Chairman, there are very few people that have studied their histories that are not well aware of the march on Corregidor, and General MacArthur leaving that part of the Philippines.

Mr. MONTGOMERY. Let me take one more moment to tell a story about Corregidor.

We had an American citizen who lived in Corregidor. He told us that General MacArthur left from the north pier, taking his family off of Corregidor and later flying to Australia.

There was an individual American who was a prisoner of war during Corregidor; and he said, "That is not correct; General MacArthur left from the south pier," so we need to get that information correct and have a proper history, restore that pier, whichever one it might be.

I appreciate the gentlewoman from Maryland listening.

Mrs. BYRON. Mr. Chairman, I commend the gentleman from Alabama [Mr. MONTGOMERY] for his efforts.

Mr. ASPIN. Mr. Chairman, I ask unanimous consent for 5 additional minutes to engage in some more colloquies.

The CHAIRMAN pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASPIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I thank the gentleman for yielding.

I would ask the gentlewoman from Maryland [Mrs. BYRON], the chairman of the Subcommittee on Military Personnel and Compensation, to engage in a colloquy regarding the Department of Defense's proposed acquisition of the Composite Health Care System.

Mrs. BYRON. If the gentleman will yield, I will be happy to do so.

Mr. BATEMAN. I thank the gentlewoman and would like to ask her a few questions about the intent of section 734 of H.R. 1748.

Is it the gentlewoman's understanding that the intent of section 734 is to require the Department to conduct a full 9-month operational test of equipment for the Composite Health Care System [CHCS] that would begin after development of the software and complete installation of equipment by all four vendors involved in the CHCS procurement?

Mrs. BYRON. The gentleman is absolutely correct. The committee views an actual operational test of the vendor's equipment and software to be the most important and informative test in the procurement process. The committee has specified that this critical operational test is to begin after the vendors have developed and installed all software and hardware. An accurate, safe, and thorough analysis of the bidders' systems requires that each bidder be given the opportunity and be required to test its equipment for a 9-month period.

Mr. BATEMAN. It is my understanding that the Department intends to conduct an abbreviated operational test and then select two vendors for a more extensive test.

Is it the gentlelady's understanding that the Department may run the CHCS procurement in such a manner?

Mrs. BYRON. Although DOD has indicated such an intention, section 743 provides very specific guidance to the Secretary of Defense on this matter. Under section 734, the Department would be prohibited from removing any vendor, who has met contract obligations, from the procurement process until they have conducted a full 9-month operational test. I would point out to the gentleman that civilian hospitals generally conduct at least a year long operational test before selection. However, since the committee feels that this procurement must move forward and can do so in a safe and reliable manner in 9 months after development and complete installation, we are so requiring a 9-month operational test.

Mr. BATEMAN. I thank the gentlewoman and appreciate her explanation.

Mr. ASPIN. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. PANETTA] to engage in a dialog with the gentleman from California [Mr. DELLUMS].

Mr. PANETTA. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from California [Mr. DELLUMS] the chairman of the House Armed Services Subcommittee on Military Installations and Facilities.

During consideration of the Department of Defense authorization bill, the committee agreed to include a provision which would require the Secretary of Defense to lease to the city and county of San Francisco the facilities at the Presidio of San Francisco which are now used as a satellite school by the Defense Language Institute.

I am interested in this proposal because the main campus of the Defense Language Institute is located in Monterey, CA, in my congressional district.

My concern, Mr. Chairman, is to ensure that some provision is made for the relocation of the students at the San Francisco facility who will be displaced by the conversion of the facility at the Presidio. The bill does not make any specific provision for such relocation; and it also requires that the lease be executed no later than 6 months after enactment of the bill and that the building be immediately occupied by the city and county of San Francisco at that time. Because the bill makes no specific provision for relocation and because it requires the school to vacate the facility, I think it is important to look ahead as to what options might be available.

There are several possible courses of action, Mr. Chairman, The Defense Department can seek alternative office and dormitory space somewhere in the San Francisco area or rehabilitate some other property owned by the Department or one of the services.

Or, it could relocate the students to the main DLI campus at Monterey. This indeed is the basis of the master plan of the Defense Language Institute, which would be to ultimately center all activities of the Defense Language Institute at the Presidio.

To do that, of course, would require some acceleration in the construction program that is already planned for Monterey.

So, because of those various options, I would like to direct a question to the chairman and seek the assistance for the gentleman from California [Mr. DELLUMS], in working out a solution to this problem. I would stress again that because of the highly unusual timetable set forth in the bill for evacuation of the San Francisco facility, time is of the essence. I would ask the gentleman, is he aware of this problem and is there some assistance that can be forthcoming on this issue?

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, first let me say to my colleague that I appreciate him raising this particular issue. My colleague well knows the purpose to which the conversation is addressed is a meritorious one, and it does have the potential for dislocating students at the Defense Language Institute. That is a very real need, so on the one hand we have a meritorious purpose for the conversion and on the other hand we have a very real and significant need for additional space on the part of those students who are studying at the Defense Language Institute.

When this gentleman offered the amendment in the subcommittee that was acquiesced in by the full committee, and is in the bill coming to the floor, we stated that where there was any need to address this problem of relocating the Defense Language Institute students that we would be more than happy to attempt to resolve that problem. So let me assure my colleague very strongly that we will make every effort to resolve this matter, if it can be worked out in conference, to provide available space, and we will do it.

As I understand it, the headquarters of the Defense Language Institute is in the facility that resides in the district of my distinguished colleague. It would seem to me off the top, at this point, that that may very well be an appropriate resolution of this problem, and that is to take those students who are presently studying at the San Francisco location and consolidate them in the facility that resides in the district of my distinguished colleague. I certainly would be more than pleased to do that. If it takes additional resources to do it and we have the necessary flexibility in the conference, we will be more than happy to resolve it.

The CHAIRMAN pro tempore. Without objection, the gentleman from Wisconsin [Mr. ASPIN] is recognized for 5 additional minutes.

There was no objection.

Mr. ASPIN. Mr. Chairman, I continue to yield such time as he may consume to the gentleman from California [Mr. PANETTA].

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from California.

Mr. DELLUMS. Let me reassure my colleague that we will make every effort to address this problem as rapidly as we can.

I think the gentleman's point about time being of the essence is very well taken and very genuine.

Mr. PANETTA. I thank the gentleman very much for his consideration. I think he has seen the problem, and I do look forward to the problem hopefully being addressed in conference in a way that I think will not only assist those students but will also promote the basic mission which I think is a very important mission of the Defense Language Institute, which is to provide that language education to students so that it is provided on an uninterrupted basis.

I thank the gentleman for his assistance in this matter.

Mr. DELLUMS. I thank my colleague. He has raised a number of important issues. The suggestions the gentleman offers are very significant, and we will work very diligently in the conference to resolve these matters.

Mr. PANETTA. I thank the gentleman.

Mr. ASPIN. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. DYMALLY].

The CHAIRMAN pro tempore. The gentleman from California [Mr. DYMALLY] is recognized for 4 minutes.

Mr. DYMALLY. Mr. Chairman, before I begin my remarks on UNIVOX, let me say that the chairman of the Armed Services Committee has gone as far as any chairman can go, any Member in this Congress can go, in helping another Member with a problem in his district. So nothing I say here is designed to reflect on his previous commitment and his assistance in trying to resolve this problem.

Basically what we have here, in my judgment, is an injustice imposed by the Department of Defense upon the largest minority contractor in the United States. For Members who are new and who do not understand what Mo-base means, let me take a minute to explain what Mo-base is.

As I understand it, what mobilization base means is that that particular piece of hardware is essential for national security and, therefore, the Department of Defense can do a sole-source contract, they can negotiate in private, they can do as they see fit for national security.

Examples of Mo-base, I suspect, would be the F-16, the B-1 bomber, the stealth bomber, the MX, SDI. These are pieces of hardware that the Department of Defense negotiated with contractors.

In this case UNIVOX had what was the only portable water purifier being manufactured for the Department of Defense at that time in the entire country. They had a perfect delivery record, quality control was perfect, no problems at all.

The Department of Defense made an arbitrary decision to put this item out for lease, and in so doing violated their own internal memo which said they cannot do this because there was an agreement that this was set aside, a minority set-aside. There was an agreement with the Small Business Administration that this particular portable equipment, which incidentally was used in the aborted attempt in Iran to rescue our hostages, which was used in the controversial rescue in Grenada, so it had been proven to be a very useful piece of hardware, and the Army made this arbitrary decision to put this out for bid, and so a small minority contractor, even though relatively speaking it was the largest in the country, lost the contract to a major prime contractor.

But under the Mo-base system, a contractor gears up his entire system, his entire manufacturing operation to meet any emergency that may arise, and so did this small, progressive company employing 200 people in the south central part of Los Angeles.

Just prior to doing that, I might add, when they knew the Army was going to expand this contract form x number of dollars to y number of dollars, the company sought a loan from the Department of Commerce and did, in fact, secure that loan to tool up for what they hoped would be a larger piece of the pie. When the Army arbitrarily withdrew this contract and put it out to bid, and they lost, they were stuck with this loan, and obviously everything began crumbling.

□ 1720

So what is at stake here in my judgment is the failure of the Department of Defense to live up to their own agreement with the SBA. There may be a great deal of reasons why they sought to go out to bid, but there was an agreement, an internal agreement between these two agencies that they would keep UNIVOX with this contract.

So what we have now, from the largest minority defense contractor in the country to zero.

I believe that this is a matter that needs to be brought to the Members of the House. Let me tell you why I brought it today: the Committee on Armed Services and the Committee on Rules in their judgment, in their wisdom chose not to take my amendment to bring this matter to the floor. I was not there, I was not informed that they were not going to do it but they did it. I understand how they operate. I would want to in the coming days of debate on this Defense bill to ask the Committee on Armed Services, the chairman of the committee, the Committee on Rules, the chairman of the Rules Committee and the leadership to give me an opportunity to sink or swim on the floor because I believe this issue is so meritorious that the Members of this House need to make a decision which obviously I would abide by, because I think this was a tremendous injustice.

And as they usually do, once they begin to put a small business, a small minority contractor out of business then they begin leaking misinformation to the media "he drives a Cadillac," "he has a race horse," "he has a boat," as if this is relevant to someone's contract.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The time of the gentleman has expired.

Mr. ASPIN. Mr. Chairman, I seek an additional 5 minutes.

The CHAIRMAN pro tempore. Without objection the gentleman is recognized for 5 additional minutes.

There was no objection.

Mr. ASPIN. I yield to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Let me draw an analogy: Taking away this small business contract from UNIVOX would be like saying we are going to take the F-16 from General Dynamics and move it to Alaska, Hawaii, Wisconsin, anyplace, just arbitrarily decide to do that. Well, we could not do that because the F-16 is being manufactured by one manufacturer. But we did it in the case of this small minority manufacturer. It was a small item, but the injustice is just as bad. The analogy ought to be taken seriously because one would not arbitrarily move the Stealth bomber from the manufacturer whoever is making it, and it is a big secret, or take the B-1 bomber from Rockwell, because those are Mo-base items, but we took a procurement away from this small manufacturer and then leaked information which discredited him.

So today we have no portable water purifier being manufactured by this minority contractor. He has lost the contract. Two hundred people are out of work in south central Los Angeles.

I would like for the Committee on Armed Services and the Committee on Rules to rethink their decision of last week and give me an opportunity to bring an amendment back here for the Members of this House to make a determination on whether the UNIVOX company ought to have this contract.

Mr. ASPIN. Let me just say that I appreciate the comments of the gentleman in the well and the gentleman can count on whatever we can do to help him to get this issue resolved in order to help him.

Mr. DYMALLY. I thank the gentleman for his consideration.

Mr. ASPIN. Mr. Chairman, for purposes of a colloquy I yield first to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, section 705(c) of last year's National Defense Authorization Act restricted the use of information obtained during epidemiologic assessment interviews conducted with members of the service who tested positive as having being exposed to the AIDS virus, known as HIV. Specifically, the provision prohibited the use of information obtained from such an interview for the purpose of an adverse personnel action.

Obviously, our purpose in enacting this legislation was to serve public health. We can only stop the spread of this fatal disease by identifying those with whom HIV positive individuals may have exchanged bodily fluids. But this poses a problem. Homosexual relations and sharing of intravenous syringes are two of the most common ways to spread the disease. Yet, both homosexuality and drug use can serve as grounds to punish, remove, or cause the reassignment of a member of the military. If we allow use of information from medical interviews to be used to the detriment of those being interviewed, they will not admit to anything. And, if they do not admit to anything, efforts to isolate the disease will fail.

Does the chairman agree with me that this was our purpose in enacting the provision last year?

Mr. ASPIN. I do. Because of the nearly always fatal nature of AIDS, the goal of preventing its spread must be paramount. Military personnel constitute a unique "test cell" that could provide an invaluable body of knowledge on the transmission of this deadly disease. While the military discipline system is also important, public health must take precedence in the case of AIDS.

Mr. WAXMAN. The provision enacted last year listed some illustrative adverse personnel actions. Was this list meant to be inclusive?

Mr. ASPIN. By no means. Our intent was to permit the HIV positive service member to speak freely in the medical interview without any fear of adverse consequences. In this regard, the epidemiologic interview was supposed to be similar to the investigation after an airplane crash. In order to ensure completely candid discussion by those involved in the crash, anything those individuals say is absolutely protected. The ground rules for epidemiologic interviews also have a precedent in counterintelligence polygraphs. If a subject of a polygraph admits to drug use or homosexuality during the exam, this information will not be used against him or her. The point is that there are higher, competing objectives in each case. Because we want to know why the plane crashed to prevent its reoccurrence, we are willing to protect information provided in a safety interview. Because we want to weed out spies, we are willing to protect other information from a polygraph examination. That's what section 705(c) was supposed to do in the case of interviews with those who test positive to exposure to the HIV virus.

Mr. WAXMAN. On April 20 the Secretary of Defense issued a policy memorandum saying that the results of an epidemiologic assessment interview could be used for a whole variety of purposes, including reassignment, denial, suspension, or revocation of a security clearance, and suspension or termination of access to classified information. I regard each of these actions as punitive. I, therefore, believe the memorandum violates the purpose of section 705(c) of the fiscal year 1987 National Defense Authorization Act. Does the chairman agree?

Mr. ASPIN. I certainly do. In permitting information gained in an epidemiologic interview to be used to the detriment of a service member, the April 20 memorandum clearly violates the purpose of the law. Public health goals have been subordinated to permit strict enforcement of personal conduct regulations against members of the military. I think this is legally suspect and bad policy.

Mr. WAXMAN. I thank the gentleman.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the Chairman for yielding.

Mr. Chairman, I would ask the gentleman from Mississippi [Mr. MONTGOMERY] the ranking majority member on the Subcommittee on Military Personnel and Compensation of the Committee on Armed Services to engage in a colloquy regarding volunteer services on military installations.

Mr. MONTGOMERY. If the gentleman will yield, I would be happy to do so.

Mr. HUNTER. Mr. Chairman, section 1266 of the fiscal year 1984 Defense Authorization Act, Public Law 98-94, authorized the military services to accept the services of volunteers to work in military museums and in family support programs. I served on the subcommittee at that time, and it is my recollection that this was not meant to be an all-inclusive list that would bar the acceptance of any other volunteer services. I recently visited the Marine Corps Base at Quantico, VA, where volunteers provide a great deal of assistance in maintaining the ranges there. They provide a valuable service that enhances the quality of life for military personnel on that base, and I would like to clarify that there is no statutory bar to the continued utilization of these volunteers.

Mr. MONTGOMERY. I concur with the gentleman's interpretation that the authority to accept volunteer services was not meant to be all inclusive. Congress instead wanted to make certain that there was no problem with respect to family support programs which were growing rapidly in conjunction with service efforts to upgrade the quality of life for military personnel and their families.

Mr. HUNTER. I thank the gentleman for his assistance.

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McCLOSKEY] having assumed the chair, Mr. GRAY of Illinois, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. COMBEST. Mr. Speaker, because of an injury that required a brief hospitalization and period of home convalescence, I was unable to attend the session of the House on Monday, May 11.

If I had ben present:

On rollcall No. 102, I would have voted "yea."

On rollcall No. 103, I would have voted "yea."

On rollcall No. 104, I would have voted "yea."

On rollcall No. 105, I would have voted "yea."

On rollcall No. 106, I would have voted "yea."

GENERAL LEAVE

Mr. ASPIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill H.R. 1748.

The SPEAKER pro tempore (Mr. McCLOSKEY). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 93. Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, and 1990.

The message also announced that the Senate insists upon its amendments to the concurrent resolution (H. Con. Res. 93) "Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, and 1990," and requests a conference with the House on the disagreeing votes of the two Houses thereon.

PERMISSION FOR SUBCOMMITTEE ON AVIATION OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT ON TUESDAY, MAY 12, 1987, DURING THE 5-MINUTE RULE

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the Subcommittee on Aviation of the Committee on Public Works and Transportation be permitted to sit on Tuesday, May 12, 1987, while the House is reading bills under the 5-minute rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON SPACE SCIENCE AND APPLICATIONS OF COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY TO SIT TUESDAY, MAY 12, 1987, DURING THE 5-MINUTE RULE

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the Subcommittee on Space Science and Applications of the Committee on Science, Space, and Technology be permitted to sit Tuesday, May 12, 1987, in order to mark up the fiscal year 1988 NASA authorization bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL HOME REMODELING MONTH

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 163) designating May 1987 as "National Home Remodeling Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I do not object but simply would like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I yield to the gentleman from Kentucky [Mr. HUBBARD] who is the chief sponsor of House Joint Resolution 163 designating May 1987 as National Home Remodeling Month.

Mr. HUBBARD. I thank the gentlewoman from Maryland.

Mr. Speaker, I am proud to sponsor and speak for and on behalf of House Joint Resolution 163, which would designate the month of May 1987 as "National Home Remodeling Month."

The United States of America is a nation steeped in traditional values. One of these fundamental values is the pride taken in individual home ownership. A source of both personal and national pride, it is the realization of the American dream.

As we strive to provide shelter for every American, let us not forget however the importance of maintaining and preserving our existing housing stock. The members of the National Association of the Remodeling Industry, in their role as leaders of the industry, are to be commended for the part they play in upgrading of our Nation's housing.

The National Association of the Remodeling Industry is committed exclusively to the service of the professional remodeling industry. In addition to improving the homes of America, the professional remodeling industry is a source of great economic strength as a provider of jobs to hundreds of thousands of skilled workers in over 40,000 small businesses across our country. In my home State of Kentucky, there are 80 remodeling businesses which are members of the National Association of the Remodeling Industry and collectively employ thousands of people doing several million dollars' worth of business per year.

In commemorating May 1987 as "National Home Remodeling Month," we praise an industry that indeed deserves our recognition and respect.

Mr. Speaker, I would especially like to thank Representative MERVYN DYMALLY and Representative CONNIE MORELLA for their cosponsorship and support of this measure. I would also like to thank my many colleagues who expressed their support through their cosponsorship of House Joint Resolution 163, and I urge my colleagues to recognize this month as "National Home Remodeling Month." House Joint Resolution 163 has a total of 207 cosponsors.

Again, Mr. Speaker, I ask my colleagues to join me in the House passage of House Joint Resolution 163.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I would like to thank the gentleman from Kentucky [Mr. HUBBARD] for sponsoring this important legislation.

Mr. Speaker, we as a nation have always been proud to be homeowners. Presently, there are an estimated 56 million owner-occupied homes. In recent years, because of the high cost of obtaining money, more homeowners have opted to remain in their homes and remodel them to fit their life styles. In 1986 the annual rate of home improvements was up to $54.2 billion. It is estimated, that because of the availability of home equity loans there will be a 14-percent annual growth for remodeling by 1990, bringing the amount up $65.4 billion.

Extending the life of our homes by improving, upgrading and remodeling and, by living in these homes for longer periods of time, we become part of a community and establish stable relationships with neighbors and friends. There was a time when we moved out to move up. Now we stay and elevate.

Our historic homes would have become rubble decades ago except for remodeling and conservation. These are not only tourist attractions but privately owned homes that have all the amenities of modern homes without detracting from their historic appeal.

We are becoming more energy conscious. The remodeling industry has made great advancement in building materials which help to conserve energy.

Mr. Speaker, not only is remodeling good for the industry but it is good for the value of the property, the community and for one's spirit.

I am a cosponsor of this resolution. Mr. Speaker, I encourage our colleagues to join the 207 Members who have cosponsored House Joint Resolution 163, designating May 1987 as "National Home Remodeling Month."

□ 1735

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER** pro tempore (Mr. MCCLOSKEY). Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 163

Whereas home remodeling improves the structure, appearance, and usefulness of an existing home, and thereby enhances its value;

Whereas home remodeling extends the life of an older home, and thereby helps protect the existing housing stock in the United States from decay;

Whereas homeowners can help conserve energy by increasing insulation, upgrading windows and doors, and modernizing kitchens and baths in their homes;

Whereas homeowners throughout the United States are increasingly willing to protect and improve their homes through remodeling; and

Whereas the National Association of the Remodeling Industry is a national membership organization comprised of professional remodeling contractors, suppliers, and manufacturers and cooperates in the development of industry standards to improve the home remodeling industry and protect homeowners who deal with the home remodeling industry: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 1987 is designated as "National Home Remodeling Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate programs and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CATFISH DAY

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 178) designating April 4, 1987, as "National Catfish Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I do not object, but simply would like the House to know that the minority has no objections to the legislation now being considered.

Mr. Speaker, further reserving the right to object, I yield to the chief sponsor, the gentleman from Mississippi [Mr. Espy].

Mr. ESPY. Mr. Speaker, I appreciate the opportunity to speak in support of House Joint Resolution 178, a resolution I introduced which would designate June 25, 1987, as "National Catfish Day" a special day to recognize a new and developing industry in our country. The farm-raised catfish industry now employs more than 25,000 people nationwide, with about 16,000 of those workers in my district. These workers perform jobs in production, processing, shipping, and a number of complementary or supplementary jobs.

National Catfish Day is not simply a ceremonial or commemorative bill, but a small part of a bigger picture for me and my district. Since my district, the Second District of Mississippi, produces nearly 85 percent of the U.S. domestic market, this alternative crop is especially important. Our faltering farm economy requires us to develop new agricultural products that fit our abundant resources of land and water. And when the national unemployment rate stands at 6.3 percent, my district suffers from an unemployment rate of more than 17 percent. In the longer text, National Catfish Day means jobs.

Mr. Speaker, we have now converted more than 80,000 acres of land into catfish ponds in Mississippi, and nationwide more than 1 million acres have been converted. I believe we are creating permanent new jobs in the catfish industry and many more are around the corner. In 1970, Mississippi led the Nation with an annual harvest of 5.7 million pounds of farm-raised catfish, and this year during the week of April 18, Mississippi produced 6.2 million pounds.

In 1985 when Mississippi catfish farmers grossed $140 million on the sale of whole, live catfish, and the State's processors packaged nearly 200 million pounds of catfish, the industry generated more than $125 million in revenues for the State.

Mr. Speaker, I believe National Catfish Day will bring due recognition to the new image of catfish and the growing industry of farm-raised catfish. The farm-raised catfish is not a bottom dweller as was its ancestors, but a superior fish, fed soybean meal, corn, fish meal, vitamins, and minerals in clean, freshwater ponds. It is the third highest volume finned fish consumed in the United States. Any only last week I spoke with Secretary of the Army John Marsh who reported that the Army had purchased 90,000 pounds of catfish in the past 3 months, compared to a Department of Defense annual purchase of 109,000 pounds last year.

I must thank 220 of my colleagues who have joined me on this resolution to help highlight the growing popularity of the superior farm-raised catfish, and the rediscovery of a true American delicacy that will generate thousands of new jobs in the years ahead.

Mr. Speaker, I am appreciative of the assistance provided to me by the gentleman from California and the gentlewoman from Maryland, on this important resolution designating June 25, 1987, as National Catfish Day.

Mrs. MORELLA. Mr. Speaker, further reserving the right to object, I would like to compliment the prime sponsor of the resolution and tell the gentleman that I learned a great deal about catfish that I did not know before and that I will remember.

I yield to the chairman of my subcommittee, the distinguished member, the gentleman from California [Mr. Dymally].

Mr. DYMALLY. Mr. Speaker, I trust the gentlewoman from Maryland has given me the distinction of having to support my friend, the gentleman from Mississippi [Mr. Espy].

Mr. Speaker, at first glance, some Members thought this was a frivolous resolution, but as the gentleman from Mississippi has stated, it is a very important resolution, and it focuses on the question, not only of a very edible product, but jobs for the people of the Second District of Mississippi in particular, and the State of Mississippi in general, and indeed, across the country.

There are a number of reasons why this resolution should be taken very seriously. I compliment the gentleman from Mississippi for his perseverance, his commitment in gathering these 220 signatures of Members of the House who support him in his effort to focus attention on this very important product.

I have learned, since he has been here, of the importance of catfish, and I am prepared now, Mr. Speaker, to come out of the closet and state that I do eat catfish.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 178

Whereas catfish comprised the third highest volume of finned fish consumed in the United States in 1986;

Whereas 99 percent of all catfish consumed in the United States are now farm-raised catfish;

Whereas the farm-raised catfish is not like its bottom-feeding ancestors, but is surface-fed soybean meal, corn, fish meal, vitamins, and minerals in clean freshwater ponds;

Whereas the farm-raised catfish is the product of state-of-the-art methods in aquaculture;

Whereas the production of farm-raised catfish increased by 1200 percent between 1975 and 1985 and is expected to continue to increase in 1987;

Whereas the accompanying growth of the catfish processing industry creates thousands of permanent year-round jobs;

Whereas the cost of producing farm-raised catfish is very stable and averaged only 65 cents per pound over the past eight years;

Whereas catfish is an American delicacy and can be cooked in many delicious ways, and consumption of catfish is growing in popularity; and

Whereas farm-raised catfish do not contain cholesterol, are a low-calorie source of protein, and are a nutritious addition to the general diet of the people of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That April 4, 1987, is designated as "National Catfish Day", and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such day with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Dymally: Page 2, line 3, strike "April 4" and insert "June 25".

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. Dymally].

The amendment was agreed to.

The joint resolution was ordered to be engrossed.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. Dymally: Page 2, in the last clause of the preamble, strike "do not contain" and insert "are low in".

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from California [Mr. Dymally].

The amendment to the preamble was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. DYMALLY

Mr. DYMALLY. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. Dymally: Amend the title to read as follows: "Joint resolution designating June 25, 1987, as 'National Catfish Day'.".

The SPEAKER pro tempore. The question is on the amendment to the title offered by the gentleman from California [Mr. Dymally].

The title amendment was agreed to.

A motion to reconsider was laid on the table.

□ 1745

GENERAL LEAVE

Mr. DYMALLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolutions just passed.

The SPEAKER pro tempore. (Mr. McCloskey). Is there objection to the request of the gentleman from California?

There was no objection.

PROPOSAL TO ESTABLISH AN INDUSTRIAL COMPETITIVENESS DIVISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. Ritter] is recognized for 5 minutes.

Mr. RITTER. Mr. Speaker, I am pleased to provide my colleagues with the following materials regarding my proposal (H.R. 2068) to establish an Industrial Competitiveness Division within the Department of Commerce's National Bureau of Standards and rename the bureau the National Bureau of Standards and Industrial Competitiveness [NBSIC]. Enclosed you will find a "Dear Colleague," and a statement regarding the proposal:

House of Representatives,
Washington, DC., May 7, 1987.

Help American Industry Get Out From Behind the Eight Ball—Cosponsor H.R. 2068 to Establish the National Bureau of Standards and Industrial Competitiveness

Dear Colleague: Manufacturing is still critical to our nation's economy and will continue to be critical to future economic success and stability. America's industries are confronting strong competition in both domestic and world markets. If this nation does not significantly improve its competitive ability to develop and manufacture innovative, quality, and consumer desired products, we cannot help but witness a decline in the American standard of living. Recent studies link the best of the service jobs with our manufacturing base.

H.R. 2068 will help American manufacturing industries' ability to compete worldwide. The bill would establish an Industrial Competitiveness Division within the Department of Commerce's National Bureau of Standards and rename the bureau the National Bureau of Standards and Industrial Competitiveness (NBSIC).

The bill is designed to focus the federal government's efforts on the issue of industrial competitiveness in a cost-effective way by better utilizing and expanding the horizons of this nation's preeminent industrial national laboratory, the National Bureau of Standards (NBS).

It is a modest but meaningful effort to deal with opportunities in science and technology which do not, and perhaps should not, be included within the confines of DoD, DoE, etc. It does not entail the kind of major bureaucratic reorganization which often is a cure worse than the disease.

Of all the government's laboratories, NBS has the most experience in pooling industry resources to solve problems and meet new technological challenges. NBS has been a flagship laboratory for America, but in recent years has run aground on budget rocks.

This new division would:

(1) Promote collaborative private sector initiatives to capitalize on advanced technology;

(2) Identify government-sponsored R&D efforts which offer the potential of industrial applications;

(3) Promote, through cooperative efforts between industries, universities, and government laboratories, the most promising R&D products, which can be optimized for commercial and industrial applications; and

(4) Promote shared risks, accelerated development, commercialization time, and pooling of skills to strengthen manufacturing industries.

NBSIC will be guided by an Advisory Board composed of 3 government and 7 industry and private sector representatives. The Board will review and approve programs, budgets, and operations of the Bureau's Industrial Competitiveness Division, similar to the authority and functions of the National Science Board in relation to the National Science Foundation.

It is expected that this effort will be successful and will contribute to improved U.S. industrial competitiveness. The proceeds derived from royalties and other income generated from NBSIC will be placed in a trust fund to make the Industrial Competitiveness operation as self-supporting as possible. To provide a strong foundation for this program, funds are authorized at $20 million for the first year, $30 million for each of the next two fiscal years, and $50 million for each of the following five years.

Join with me and Congressmen Walgren, Boehlert, Brown (CA), Glickman, and Morrison (WA) in helping to keep America's manufacturing industries competitive. If you would like to cosponsor this bill or have any questions about it, please contact Beth Fisher or Brent Rosenkranz in my office at #5-6411.

Sincerely,

Don Ritter,
Member of Congress.

Mr. Speaker, this past week I testified before the Subcommittee on Science, Research and Technology of the Committee on Science, Space and Technology regarding legislation I recently introduced to establish an Industrial Competitiveness Division within the National Bureau of Standards. I wish to include for the Record the body of my testimony and the text of H.R. 2068, the National Bureau of Standards and Industrial Competitiveness:

H.R. 2068—The National Bureau of Standards and Industrial Competitiveness—May 6, 1987

Mr. Chairman, I am pleased to testify today before the Subcommittee on Science, Research and Technology regarding legislation recently introduced by myself as well as you (Congressman Walgren), and Congressman Boehlert, Brown (CA), Glickman, and Morrison (WA) entitled the National Bureau of Standards and Industrial Competitiveness.

I believe that manufacturing is still the foundation of our nation's economy and will continue to be critical to future economic success and stability. If this nation cannot significantly improve its ability to develop and manufacture innovative and quality products, we cannot help but witness a decline in the American standard of living.

In the past, America's greatest strength was derived from our ability to take research results and produce innovative technological products for the world. Over the last few years, however, the rest of the industrial world has learned how to capitalize on our government's and private sector's R&D investment for new product development—in many cases faster and better than us.

America's ability to compete on an unlevel playing field has been the banner waved on international trade issues, but in too many industries we are just not winning the race to commercialize our own scientific innovations. The U.S. requires 3 to 5 years to commercialize developments that only take 2 to 3 years in Europe, and 1 to 2 years in Japan. VCR's were invented here, but developed to commercial dominance in Japan, as were just about all the major innovations in consumer electronics. We've seen what has happened to large scale semiconductors. Will biotechnology and superconductivity be next? The race is already on to develop superconducting materials and products. The Japanese MITI (Ministry of International Trade and Industry) coalition met 8 days after researchers at the University of Houston announced their breakthrough on superconductivity, and began formulating strategies for applying this science to new products.

To address this problem of the American manufacturing industry's ability to compete worldwide, I have introduced H.R. 2068. The bill is designed to focus the federal government's efforts on the issue of industrial competitiveness in a cost effective way by better utilizing and expanding the horizons of this nation's preeminent industrial national laboratory, the National Bureau of Standards (NBS).

Of all the government laboratories, NBS has the most experience in pooling industry resources to solve problems and meet new technological challenges. NBS has been a flagship laboratory for America and leads in such important fields as manufacturing automation, robotics, and materials development.

The bill would establish an Industrial Competitiveness Division within the Department of Commerce's National Bureau of Standards and redesignate the Bureau as the National Bureau of Standards and Industrial Competitiveness (NBSIC).

This division would: act as the Government's focal point for industrial competitiveness programs; evaluate, on a continuing basis, the long-term impact of Government-sponsored research and development investments on industrial competitiveness; with the assistance of other agencies, promote the most promising research and development which can be optimized for industrial applications; encourage and participate in cooperative programs, with industry, universities and other Government laboratories, which are designed to transfer advanced technology to small business and industry engaged in production and manufacturing; stimulate the development of proprietary products and processes that will expand industrial competitiveness in the U.S.; provide seed funds to further the formation of cooperative programs; support and encourage the adoption of advanced and flexible manufacturing concepts by American industry; create a national clearinghouse of "best practice" information and techniques for continuous improvement of industrial quality and productivity, including those successful quality improvement strategies and programs that have received special government or industry recognition; (Legislation has been introduced to create a "Deming" Quality Award to recognize successful strategies and programs which private industry has implemented to improve product quality.) identify regulatory and other barriers to increased productivity, product commercialization and competitiveness; and initiate work on the concept of Competitiveness Impact Statements, which could serve as an additional tool to study the potential impact major actions of federal agencies have on international trade and the ability of U.S. firms to compete in domestic and foreign markets. (The Energy and Commerce Committee approved an amendment offered by Congressman Florio and myself to the Trade Bill to devise a way in which such a concept can be initiated.)

To ensure a responsive and effective program, the Industrial Competitiveness effort at NBS would be guided by an Industrial Competitiveness Board. The advisory board would be composed of 3 government representatives and 7 members from the private sector representing a cross-section of America's industrial base, including small business. Industry is best able to know what it needs, therefore an industry oriented Board is most appropriate. The Board would review and approve programs, budgets, and operations of the Bureau's Industrial Competitiveness Division, similar to the authority and functions of the National Science Board in relation to the National Science Foundation.

It is expected that this effort will be successful and will contribute to improved U.S. industrial competitiveness. The proceeds derived from royalties and other income generated by NBSIC will be placed in a trust fund to make the Industrial Competitiveness operation as self-supporting as possible. To provide a strong foundation for this program, funds are authorized at $20 million for the first year of operation, $30 million for the next two fiscal years, and $50 million for the following five fiscal years.

In the past, research and development sponsored by the Department of Defense has often served as a catalyst for advances in private sector manufacturing such as those witnessed in semiconductors, and computers, and aerospace. But, as MIT's Charles Ferguson notes, "commercial markets for semiconductors outpaced military demand, which became financially less important and lagged behind commercial technology".

Given the pace of technological advances, this secnario has probably been repeated in many other industries. Yet because of funding inadequacies, we are still willing to let DOD take the initiative concerning many commercial technologies. This is apparent with the Defense Science Board's recommendation to establish a semiconductor manufacturing institute. By not having a focal point for non-defense industrial technology. we will continue to see this void filled by DOD, which does have a legitimate interest in a strong manufacturing base. However, DOD's needs are clearly different than those of the commercial marketplace. I, along with Congressman Florio, sponsored an amendment to fund the semiconductor industry's Sematech proposal through the Department of Commerce primarily because I believe it is appropriate to have an emphasis on private sector needs.

Further, high technology has become interdisciplinary, with scientific advances applying to product development in many fields and industries. This is another reason to provide a focal point for coordinating and promoting new technological developments with potential industrial applications. For example, the Department of Energy has primary authority over superconducting materials research. Does DOE have the ability to help industries formulate strategies for applying recent breakthrough in superconductivity to new products?

While our federal research and development organization has worked effectively in the past, it is evident that it is not sufficiently responsive to the private sector's needs. With the advent of a new global economy, it is necessary for us to fine-tune the federal government's role in advising and assisting private industry to help it endure this economic transition.

I believe my approach to better utilize the existing, and successful, entity of the NBS in addressing our nation's manufacturing problems is a modest, cost-effective and responsive approach. NBS has a good track record, but budget cuts and a lack of federal recognition of the importance of manufacturing to the American economy has resulted in our virtually ignoring perhaps the best federal resource which could contribute to improved industrial competitiveness. Some of the other bills introduced to address the problems facing American industry create new and large bureaucracies which could conceivably require years to organize and respond effectively to American's need. I believe my legislation could provide an appropriate and rapid response to the new global challenge.

THE MOTHER'S DAY PROTEST AT THE SOUTH AFRICAN EMBASSY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS. Mr. Speaker, yesterday's third annual Mother's Day protest at the South African Embassy here in Washington illustrates the need for a change in our foreign policy toward South Africa—a government which jails and tortures children.

As I watched the televised report of this protest yesterday, I couldn't help but admire the 12-year-old boy, I believe his name is Carrington, who chose to be arrested in order to dramatize the plight of thousands of black children in South Africa who are incarcerated.

I recently introduced legislation, House Resolution 141, which will send a clear signal to Pretoria that the United States does not condone this brutality.

More than 25,000 people have been detained under South Africa's state of emergency since June 12, 1986. According to the Detainees' Parents' Support Committee of South Africa, 40 percent of these are children, some younger than 10 years old.

Many of these 10,000 children have been subjected to extreme abuse. Black Sash, a human rights monitoring organization in South Africa, has documented cases of children being beaten, whipped, threatened, and subjected to electric shock while in the custody of security forces.

The International Commission of Jurists reported recently that South African "children are being subjected to widespread physical abuse and torture." They stated that electric shocks and tear gas were being used and that some children had been "seriously injured and have died as a result."

In many cases, parents of the detained children are kept totally ignorant of their fate and are often not even informed of their whereabouts.

No nation has the right to abuse children. Pretoria's actions violate the most basic standards of human rights and dignity.

My resolution calls on South Africa to immediately release all children detained under the state of emergency. Pending this release, it calls for parental access to the jailed children, publication of the children's names, providing them with adequate food and clothing, and international verification of their health and safety.

I want to take this opportunity to thank Senator MIKULSKI for introducing companion legislation in the Senate. She has always stood in the forefront of the fight for justice and human rights, and I am pleased to have worked with her on this important resolution.

Mr. Speaker, Congress must demonstrate, in no uncertain terms, its abhorrence at the torture of children. As a nation we must state, clearly and emphatically, that we will not stand silently while this barbarity continues. My resolution sends a clear signal to Pretoria and I urge my colleagues to support it.

RULE ON H.R. 2360—PUBLIC DEBT LIMIT EXTENSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, I wish to serve notice to my colleagues that, pursuant to the rules of the Democratic Caucus, I have been instructed by the Committee on Ways and Means to seek less than an open rule for the consideration by the House of Representatives of H.R. 2360, to provide for a temporary increase in the public debt limit.

TEXAS CITY DISASTER RECALLED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DE LA GARZA] is recognized for 5 minutes.

Mr. DE LA GARZA. Mr. Speaker, few Texans will ever forget the morning of April 16, 1947, when a freighter loaded with 2,300 tons of ammonium nitrate caught fire and touched off one of the single most disastrous events in U.S. history.

As you remember, this took place at the huge petrochemical refining port in Texas City, TX. The survivors still talk of the magnitude of this catastrophe, and one of my constituents—now living in the Washington area—has reminded me that his mother was among the survivors that day—and that she still grieves for the loss of her husband on that fateful day.

In the memory of Genaro Garza, I would like to share with my colleagues an article written for the McAllen Monitor newspaper in my congressional district. The article tells the story of Genaro's work for Monsanto Chemical Co. and the day on which his wife, Maria Collegio Garza, bid her 33-year-old husband a last farewell as he went off to work on the morning of April 16, 1947.

The article follows:

[From the Valley Monitor, Apr. 12, 1987]

TEXAS CITY DISASTER IS RECALLED BY SURVIVOR

(By Patty Sandoval Bazzani)

Maria Collegio Garza welcomed the morning of April 16, 1947, just as she had welcomed every morning during the previous five months.

The post-World War II economy in Texas City was thriving and her 33-year-old husband, Genaro, was working as a shipping hand on the Monsanto Chemical Co. docks.

On that particular Wednesday morning, breakfast had been served and her husband had already gone to work.

It was 8:45 a.m.

A dark cloud of smoke was visible from the direction of the docks, causing Mrs. Garza to start worrying.

As if he sensed her concern, her husband came home to reassure his family. He told his wife "not to worry . . . it's only a fire on one of the boats."

This act of compassion would be his last.

Forty years of painful recollection dance in the eyes of Mrs. Garza, a 73-year-old McAllen woman, as she spoke about what some have called the worst disaster in the history of the nation.

On the morning of April 16, the French freighter *Grand Camp* loaded with 2,300 tons of ammonium nitrate fertilizer caught fire. Amid innocent spectators, including a number of school children, the vessel exploded at 9:12 a.m. with a force later described as worse than the atomic bomb dropped on Nagasaki, Japan, prior to the end of World War II.

Buildings and homes within a radius of a mile were instantly flattened and windows were shattered as far as 250 miles away.

The official tally was 576 dead with another 178 reported missing. Approximately 4,000 people were injured and total property damage was estimated at between $50 and $67 million.

The misery of that day 40 years ago and its aftermath still tug at Mrs. Garza's heartstrings. In her modest home in northwest McAllen, she recalled the ordeal that not only claimed her husband's life, but threatened her with the loss of her children—and her very sanity.

Speaking only in Spanish, Mrs. Garza said her last glimpse of her husband alive was at the end of the road that morning. "I saw him walking back to the docks. And then I saw the stove fall over. I heard nothing. My first thought was the children," she said.

Three-year-old Holga was at the piano when the first of two explosions hit. Her right hand was severely injured by a torpedo-like steel rod.

Little Abiel, who was only 21-months-old, was playing next to a window. He and his sister were pelted with broken glass.

In an adjacent room, two-month Oziel lay asleep. A steel beam had ripped through the ceiling, coming within inches of his tiny body.

Miraculously, he was only slightly cut by the glass.

"I ran to get Oziel. He was covered with blood and glass. When I went back into the main room, two neighbors had come inside. . . . One had picked Holga up and the other had Abiel. Abiel had a large gash right above his left knee and all the skin on his leg had been scraped off. I was in a daze. My children were all so bloody," she said.

Once Mrs. Garza and her two neighbors escaped from the pile of rubble that had once been her home, she saw that the woman who had been holding Holga had fallen.

"I turned back and noticed Louisa was not there. I went back and picked Holga up and now I had both Oziel (two-month-old) and Holga in my arms . . . I turned back again, but I couldn't see my other neighbor. I went back and they (neighbor and Abiel) were not there. She had been carrying my son," said Mrs. Garza as she struggled to recount the details.

With two bleeding children in her arms and no way of knowing the fate of her husband or their first son, Mrs. Garza, who didn't speak English, made her way through the twisted wreckage and past mangled bodies as she sought help.

She vividly recalled seeing the body of a small child she had noticed shortly before the explosion.

"She had been drawing on the ground . . . Then I saw what was left after the iron rod fell on her," said Mrs. Garza. "Many people died that way and worse."

Holga was running a high fever and both children were covered with glass fragments.

When Mrs. Garza arrived at a pasture that was being used for an infirmary, she finally found someone to help her with the children.

"A man came up and gave me some fresh milk for the baby and helped me make the children more comfortable. I don't know who he was but I still remember him," she said.

After a few hours of waiting, a Red Cross unit arrived and immediately cleaned up Oziel. The paramedics could not treat Holga's injuries at the site because of the risk of infection.

For three days following the explosion, Mrs. Garza heard rumors a baby boy had been taken to John Sealy Hospital and efforts were being made to contact his mother or father.

"I just knew it was Abiel," she said. "Fifteen other people had come before me to claim him but the doctors required papers. I walked in with Holga at my side and the moment she saw Abiel, she said, 'Oh mama, it's Abiel.' The doctor knew I was his mother," she said.

Mrs. Garza sobbed silently as she described how she felt some 40 years ago upon seeing her son alive. She wiped the tears from her face and said, "What can a mother say she feels about her children . . . it was my son . . . my little boy."

Following the three-day ordeal of getting treatment and locating her third child, Mrs. Garza began the quest to determine her husband's fate.

She was taken to the home of a Galveston woman and then was later told of her husband's death by a relative who had been trying desperately to contact her.

Mrs. Garza acknowledged that at least she knew what had happened to her husband. Many others were not that lucky.

"There were many people who were never found," she said. "When they buried some people, they took parts that would make up a body and bury them together. They would take a head, an arm and a body and bury it. People gathered at the large funerals to pay their respects just in case one of their lost ones was there. No one knew."

Her husband had been mortally wounded in the explosion and had subsequently died in a nearby hospital. She only vaguely remembers what he looked like at the funeral although she did see his face.

"I was so dazed by the pills the Red Cross had given me," she said. "But I just had to see his face and I did. It was him."

The Red Cross had treated her with tranquilizers and because of the effects of the pills, some of the human services organization representatives tried to talk her into giving up her children for adoption.

Mrs. Garza said the supervisors felt she could not maintain a family in her condition, especially because she could not speak English and because she was extremely nervous.

"I fought for my children," she said, "Just to think about giving them up made me change the way I had been before the explosion. I was very naive and quiet but God makes things happen for a reason. My need was to follow His orders . . . something would come from this."

As Texas City citizens began to rebuild their lives and restart businesses, Mrs. Garza said many men came to court the widows, hoping to marry and squander the financial aid given to them by the chemical company and the government.

Although she never remarried, Mrs. Garza said many women were fooled by these fortune hunters. "I could see right through it . . . Anyway, I had no business having a boyfriend with three children to care for," she said.

Although the small baby sustained no serious physical injury at the time of the disaster, two months later he had to be hospitalized for blisters and boils caused by exposure to the chemicals.

Through the years that followed, Mrs. Garza worked 16-hour days to support her three children. When she moved to the Valley in 1955, she worked as a babysitter/housekeeper for many years, doing sewing jobs at night.

She also suffered a stroke and was temporarily paralysed.

Throughout her life, Mrs. Garza said she kept the Word of the Lord and fulfilled her life-long goal of seeing her children graduate from college.

Unlike most other disaster survivors, Mrs. Garza placed the $15,000 company compensation in three separate savings accounts to help pay for the college education of her children.

All three graduated from North Texas State University in Denton and all three now have successful careers.

"What's most important to me is that my children love each other," she said. "We must pass on to each generation the love we have and our faith in the Lord because in the end, nothing else matters."

A NEW REPORT ON THE ACQUIRED IMMUNE DEFICIENCY SYNDROME [AIDS]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, this will be our weekly or biweekly report on the AIDS virus or epidemic. My colleague, the gentleman from California [Mr. DANNEMEYER], I anticipate, will be here very shortly, and we will discuss in some detail some of the problems we are facing with the AIDS virus.

To bring my colleagues up to date, we have somewhere between 2 million and 4 million to 6 million people who have the AIDS virus in the United States today, and that number is doubling every 10 to 12 months. Without accurate testing of the entire population, we do not really know exactly how many people have the virus, but the figure we have heard is 1.5 million to 2 million, and the highest figure is up to 6 million to 8 million. But I think it is safe to guess that we have approximately 4 million people anyhow who have the AIDS virus, and according to scientific research and scientists' views around the country, approximately half of those people are definitely going to get full-blown AIDS and die.

That means that the United States of America very likely has 2 million people who in the next 10 years or so will end up with the full-blown AIDS disease and die from it.

The cost for each person who gets the AIDS virus, the full-blown AIDS virus, and lives for a period of 1 to 2 years is approximately $147,000 in medical bills. Now, by 1991 they estimate we will have approximately 300,000 people dying of AIDS in the United States of America. That translates into at least $40 to $60 billion in health care costs, not to mention the tremendous load it is going to put on our health care facilities. We have 1.3 million hospital beds in the United States of America, and by 1991 about one-fourth of those are going to be filled with AIDS patients, and some people feel it will be a great many more.

Today we have over 32,000 or 34,000 people dying from the AIDS virus, and we have approximately 10 times that number suffering from the AIDS-related complex, or ARC, and some of those diseases that are AIDS-related are dementia. The AIDS virus gets into every body fluid in the human being's body, and one of the first areas it attacks is the brain. It is believed by many scientists that Alzheimer's disease, which is very common among older Americans, is exacerbated or the figures are exacerbated by the AIDS-related diseases. Many people believe that some of the individuals who are dying from what is believed to be Alzheimer's disease are not really dying from that at all but from AIDS-related diseases of the brain.

The problem we have with the AIDS virus is that well over 90 percent, probably more like 97 percent or 98 percent, of the people who have the virus do not know they have it, and they continue to spread it. So we have 2 to 4 million people who have the virus today, and that means we have somewhere between 1.8 million and 3.5 to 4 million people that have the virus who are actually continuing on their same path throughout life and giving it to a lot of unsuspecting human beings.

That is why I have introduced legislation to mandate that everybody be tested for the AIDS virus, because until we know who has it we cannot adopt the battle plan that will deal with this virus. If we have 4 million people with the AIDS virus and 3.7 million of them do not know they have the virus and they are spreading it because they continue to go through life without changing their ways, then there is an awful lot of innocent people being killed each day in the United States.

In fact, the figures that we have right now is that if we have 2 million AIDS patients or people with the AIDS virus, that means we are getting 5,000 new people infected a day, and if we have 4 million people with the virus, we have 10,000 people being infected per day.

Here in Washington, DC, according to a Howard University study that is still going on, so far they have been testing the prostitutes on a voluntary basis to find out how many have the virus, and to date of those that have been tested approximately 50 percent have the virus. That is true in other cities in this country. I think it is true in Miami, FL, in New York City, and elsewhere.

In the gay community the figures range anywhere from 40 percent up to 70 percent of the population in various cities of this country.

So the problem we have is that we have a virus that is lethal, a virus that is spreading very rapidly throughout the population, and most of the people who have it, well over 90 percent who have it, do not know they have it, and they continue to contaminate other human beings.

That is not all of it. We have, according to many scientists, problems with the way the disease is communicated. It has been believed and it has been stated by the Centers for Disease Control in Atlanta, GA, that it is being communicated through blood contact, through needles, through sexual contact, and through hemophiliacs getting it through blood transfusions, but that has been reduced dramatically since they started testing the blood supply and blood donors before they gave blood to various blood banks around the country.

One of the things that concerns me and, I think, my colleague, the gentleman from California [Mr. DANNEMEYER], who just walked into the Chamber, is that many scientists, as I said before, believe it can be communicated in other ways.

There is a book that has been published by Ignatius Press, and the author is a man named Gene Antonio. Everything in the book is documented by scientific explanation by scientists and doctors. It is not some book that has been conjured up in some person's mind to scare the population. There is documented evidence in fact behind everything that is said in this book.

I started reading it about 3 or 4 weeks ago, and I became very concerned about some of the various passages in the book. So I called the scientists who were quoted in this book, and on a periodic basis the gentleman from California [Mr. DANNEMEYER] and I and others will be relating to our colleagues in the Chamber and our friends around the country what we found from these statements and these reports.

On page 105 of this book they talk about insect transmission of hepatitis B and A, and I would like to just briefly read that to the Members so they will understand what I am talking about.

> A 1984 study published by the American Society of Tropical Medicine explains the prevalence of hepatitis B infection in northern Zaire in Africa. It states that in addition to other means, factors of the high incidence of hepatitis B infection there include common practices of traditional healers using scarification of the skin for treatment of all kinds of pain. The instruments used for the scarification, mostly razor blades, are cleaned with water but never sterilized in any way.

So they cut each other in these tribal functions over there, and the diseases spread through unclean razor blades.

> No. 2, the high promiscuity in polygamy. In recent years polygamy has been generally advocated and is practiced throughout the country of Zaire.

But No. 3 is the thing that disturbed me the most. It said this:

> The enormous abundance of blood-sucking anthropods, insects. It has been discussed that blood-sucking anthropods may

transmit hepatitis B infection. The fact that malaria is wholly endemic throughout the region and the spleen index in the population is well above 75 percent gives support to this assumption.

But then comes the quote in this book that concerned me the most:

These latter findings support the contention of Dr. Mark Whiteside and Dr. Caroline McLeod, researchers at the Institute of Tropical Medicine in Miami, FL, that mosquitoes appear to be a vector in the outbreak of AIDS in the impoverished community of Belle Glade, FL.

After I read that, I called Dr. Whiteside and had a conversation with him, and he said that he believed indeed that mosquitoes were a contributing factor to the spread of the virus in Belle Glade, FL, and in order communities, including Little Haiti in Miami, FL.

I would like to read to the Members a statement or an opinion paper that he sent to me.

Mr. DANNEMEYER. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. DANNEMEYER. Mr. Speaker, I want to commend my colleague, the gentleman from Indiana, for taking this special order. The possibility of the transmissibility of the virus AIDS by insects such as mosquitoes is something that should be talked about in the country.

Mr. BURTON of Indiana. Certainly.

Mr. DANNEMEYER. This Dr. Whiteside is one reputable scientist who suggests that as a real possibility, and the larger picture is that of the 35,000 cases of AIDS in America, there is 3 to 4 percent of them, according to the CDC in Atlanta, that the CDC, the Centers for Disease Control, cannot tell the American people what the source of the virus that led to the AIDS and the death of the person was. They do not know. That main sources are three in number: sex, blood, and intravenous drug use. But in the category of "don't know," that is a lot of people.

Mr. BURTON of Indiana. That is right.

Mr. DANNEMEYER. And it is appropriate to talk about this because too many public health officials in America are saying to the people of our country that the only means of transmissibility are sex, blood, and drugs.

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The fair way to say it is the main means of transmissibility is sex, blood, and drugs, but there may be other means that we really do not know about.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for his comments.

Abraham Lincoln said, "Let the people know the facts and the country will be saved," but there seems to be a move on the part of some health officials to keep some of these opinions and facts under wraps.

Let me just read to you what Dr. Whiteside had to say. This is a letter that he wrote to Kenneth Robin regarding proposition 64 in California, the gentleman's home State:

INSTITUTE OF TROPICAL MEDICINE,
INTERNATIONAL HEALTH RESEARCH
FOUNDATION, INC.,
Miami, FL, August 4, 1986.

KENNETH ROBIN, Esq.,
San Francisco, CA.

DEAR MR. ROBIN: I, Mark Whiteside, M.D. hereby declare that although I do not endorse California Proposition 64, I do feel obligated to express my opinion about the role of environmental factors in transmission of the Acquired Immunodeficiency Syndrome (AIDS). I personally believe that AIDS is an environmental (probably insect-transmitted) disease in the tropics with secondary transmission by other blood mechanisms; i.e. transfusion, contaminated needles, and sexual practice that leads to breaks in skin or mucosa. The role of environmental factors, e.g. blood-sucking insects, sores rubbing together in crowded places, etc. has been unfortunately neglected. These issues have great significance for prevention and control of AIDS.

AIDS is becoming a world-wide disease, with an increase in Africa, the Caribbean, South America (e.g. Brazil), and among persons with a risk factor for blood contamination in the United States and Europe. The national figures on the breakdown of AIDS by "risk group" are not applicable to the State of Florida. The percentage of "unknowns," or no-identifiable risk (NIR) AIDS ranges from 22% of cases in Florida to 30% of cases in Miami to 50% of cases in Belle Glade, Florida.

Now, what my colleague from California pointed out a moment ago was 2 to 4 percent of the people of this country that have the AIDS virus are not in any high-risk group. They do not know how they got it, but in Florida, Dr. Whiteside says that 22 percent of the people who are infected with the AIDS virus in Florida do not know how they got it. In Miami it is 30 percent, and in Belle Glade, FL, it is 50 percent; 50 percent of the people in Belle Glade, FL, according to this research, are not prostitutes, intravenous drug users or people who got it from blood transfusions, such as a hemophiliac. This is very distressing.

He goes on to say:

In this subtropical environment we are seeing men and women, heterosexuals, without the usual risk factors associated with AIDS. It is my opinion that most of the NIR-AIDS is not explained by sexual contact with members of high risk groups.

Now, I am not going to read all this, but I would like to read a couple more paragraphs:

AIDS corresponds to the insect belt in many parts of the world. Before modern-day AIDS, the region of greatest density of Kaposi's sarcoma (a tumor associated with AIDS) was on the border of Zaire and Uganda. Such tropical tumors as Kaposi's sarcoma and Burkitt's lymphoma were always linked to environmental conditions of climate, rainfall, and altitude. The distribution of these tumors correlated with malaria and the insect-borne virus (arbovirus) infections. Even more recent studies show a correlation of antibodies to HTLV-111/LAV (HIV)—

That is the AIDS virus—

and antibodies to malaria.

Today AIDS is increasing in men and women in Central Africa with some spread to both East and West Africa. Potential cofactors in African AIDS include malaria infection parasites, malnutrition, genetic factors, poor sanitation, and hepatitis B. Many scientists accept hepatitis B (serum hepatitis) as a model or transmission of AIDS. Several studies suggest insect transmission (mosquitoes, bedbugs) of Hepatitis B in the tropics. A significant pecentage (15-22%) of AIDS is Africa is found in children. How can this possibly be called a sexually transmitted disease?

You are talking about kids and 15 to 22 percent of them have it.

The introduction of AIDS into the Caribbean in the late seventies corresponded with epidemics of mosquito-transmitted virus infections. For example, Dengue Type 1 (mosquito virus) was introduced for the first time in 1977, causing hundreds of thousands of people to get sick and in 1981-82 several hundred people died from Dengue Hemorrhagic Fever. There is every indication that AIDS has a broad base in the Caribbean, from Cuba on over to Puerto Rico. AIDS was never limited to Haiti, although Haiti happens to be the poorest country in the Caribbean.

Several years ago we began to see Haitian patients at Jackson Memorial Hospital in Miami with unusual tropical diseases. Many people had never heard of these unusual parasitic infections, but they are all described in textbooks of Tropical Medicine. Studies showed Haitians were heterosexual, with relatively few lifetime sexual partners, and no obvious means of acquisition of AIDS. We noticed that most of the Haitians we interviewed come from poor conditions in their own country to poor conditions in the United States. We visited the homes of our patients in Little Haiti (in Miami) and documented serious public health problems, e.g. inadequate housing, overcrowding, open wastes, and high mosquito and rat populations. We conducted our first environmental survey in Miami and brought this technique with us to Belle Glade, Florida.

Belle Glade is the best example of the tropical pattern of AIDS in the U.S. Belle Glade has the highest rate of AIDS in the U.S. (2.5/1000 population). Over one-half of the AIDS in Belle Glade is in men and women born in the U.S. (20%) or the Caribbean (30%) who do not fit into the usual risk groups.

That is a total of 50 percent that do not fit into the usual AIDS groups—

The final striking observation is that nearly all persons with AIDS and persons with tuberculosis lived in the central economically depressed (slum) sections of Belle Glade. An untreatable sexually-transmitted disease (like Herpes) does not confine itself to a single poor neighborhood.

There are more than 50 confirmed AIDS cases in Belle Glade, but because of lack of diagnostic facilities and few autopsies in the past, AIDS is assumed to be under-reported by a factor of 3:1. We will know what the "iceberg" is in Belle Glade since we are

> keeping track of persons with AIDS, ARC (AIDS-related illness or complex), and who are sick with HTLV-111/LAV antibody positive individuals. Independent surveys (by the CDC and Institute of Tropical Medicine) have documented a 9-11% seroprevalence of antibodies to HTLV-111/LAV—

That is AIDS—

> Among a largely heterosexual control population living in one of two centrally depressed neighborhoods in Belle Glade. The majority (60-70%) of these antibody positive individuals did not have an identifiable "risk factor" for AIDS. Results of studies in Belle Glade will affect all communities in South Florida and hopefully will be used to help prevent the disease.

I could go on and on and read the rest of this, but I think that most of my colleagues who are paying attention to this get the message.

Mr. DANNEMEYER. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to my colleague from California.

Mr. DANNEMEYER. Mr. Speaker, I think probably the most important fact to bring to the attention of our colleagues in the House and to the American people about this whole issue is the fact that the gentleman is a Member from the State of Indiana, I am a Member from the State of California. We are elected Representatives pursuing congressional responsibilities.

This system of ours in America for controlling public health has been in existence for decades and the power that we have delegated to public health officials all over the country—the only word to describe it is awesome.

For instance, in my State of California under existing law, any county health officer can quarantine any person that he chooses to do so, or she chooses to do so, for 58 reportable diseases. That power is there. It is not used often, but the power is there.

The reason I think it is appropriate for us to put this issue in perspective is why is it that elected Members of Congress of the United States are talking about controlling a communicable disease, why?

The answer is that so far as we have been able to determine, this is the first politically protected venereal disease in the history of this Republic.

Mr. BURTON of Indiana. And it is deadly.

Mr. DANNEMEYER. I will repeat that. The first politically protective venereal disease in the history of our country. The actions that we are receiving, we American citizens, from the collective group of public health officials in America is absolutely reprehensible. They have permitted a small group of people in our society who happen to represent the large group of those with the virus, male homosexuals, to literally turn the public health care system of this country on its head in order to avoid pursuing normal customary routine responses for controlling communicable disease, and because our public health officials have not been pursuing normal routine customary practices, such as reportability of those with the virus, because of that elected officials, like the gentleman and I, have to take on the task of bringing this issue to the attention of the American public and in effect kicking some people in the fanny who ought to know better.

I want to commend my colleague, the gentleman from Indiana, for taking this special order and bringing this issue to the Members of Congress, because like all of us, we are busy with many issues. We have heard a lot about this issue. We would like to know more, but we are just delighted for this opportunity of sharing some light on this important issue today.

Mr. BURTON of Indiana. Well, there is nothing more important than this virus because it threatens every man, woman, and child in the country.

I would like to ask the gentleman just to point out, because I thought the gentleman was going to do that, how communicable diseases in California, such as syphilis, have to be reported by public health agencies, but AIDS does not have to. I wish the gentleman would just elaborate on that point.

I yield to my colleague, the gentleman from California, to elaborate on that.

Mr. DANNEMEYER. Mr. Speaker, I thank my colleague from Indiana [Mr. BURTON] for yielding.

I think this issue can be described best by just relating to our colleagues what practice exists in the law for controlling communicable disease in America. When any of us complain of symptoms, we go to our family physician and that family physician, frankly, is the first line of defense to control communicable disease in the country, because when the doctor listens to us, he or she may prescribe medicine, an operation or what have you, and incidentally, this relationship between a doctor and a patient is confidential. What we tell our doctor cannot even be extracted from that doctor in a court of law except for very limited circumstances, generally speaking almost not at all. In other words, it is a confidential relationship, and it should be. It is just nobody else's business, except whenever that doctor encounters a patient with a communicable disease, by law that doctor is required to report it to public health authorities. Now, that is also in confidence, as it should be, and the doctor reports the name of the patient to the public health authorities.

In order to control communicable disease, public health officials sometimes conduct contact tracing to find out with whom a particular person with a communicable disease has had contact. That is done in confidence, but as you can see, we do breach that confidential relationship between the patient and the doctor for good public policy reasons; namely, to control communicable disease.

Now, my State of California which happens to have 22 percent of the national total of America's AIDS cases, we have a list of reportable disease, 58 in number. Included in that 58 are 6 venereal diseases. Among those six are syphilis and gonorrhea. AIDS itself has been a reportable disease since March 1983, but not the virus for AIDS.

So when you contrast where we are, you can describe it this way. When a doctor in California or any place in the country encounters a communicable disease in a patient, that doctor is required by law to report it to public health authorities, that is, a curable communicable venereal disease, such as syphilis or gonorrhea.

□ 1815

But on the other hand if that doctor encounters a case of a noncurable communicable venereal diseases such as the virus for AIDS, the doctor is not required to report it except in eight States of the Union that require reportability. And if you can believe this amazing statement, in my State of California, by a special act of the legislature called A.B. 403, in the spring of 1985, those with the virus, male homosexuals, have such tremendous political clout that they got the legislature to adopt and the Governor of California to sign a bill which gives that group nonaccountability to the public health care system at all, because if that doctor would report a person with the virus for AIDS in California, he or she commits a crime.

I will put the contrast again. If a doctor in California encounters a case of a curable communicable venereal disease, the doctor is required by law to report it.

Mr. BURTON of Indiana. Such as syphilis.

Mr. DANNEMEYER. Correct, syphilis or gonorrhea.

If on the other hand the doctor encounters a case of a noncurable communicable venereal disease such as the virus for AIDS, if the doctor reports it, he commits a crime.

Now when people hear that, they scratch their heads and say, "How can that be? Who in the world could possibly justify that?"

Well, believe it or not, we have some people in California today who enjoy the reputation of being responsible public health officials who at this late date are still attempting to defend nonreportability for the virus for AIDS. But let me say, Mr. Speaker, that is changing. The pendulum is swinging back to the center of treating this issue as a public health issue rather than a civil rights issue, and I am happy to see that that action is taking place.

Surgeon General Koop of the United States, who is the chief health officer of the Federal Government, in a report to the President last October, in his report defended nonreportability of those with the virus, but now Dr. Koop is changing his tune. Dr. Koop, in a hearing before the Health and Environment Subcommittee a week ago Friday here in Washington said that if we had confidentiality and counseling for those with the virus he, Koop, would support reportability for this virus, and I believe that it is a normal routine, customary response that we have not been pursuing at the Federal level. Forty-two States of the Union do not require it. Those States should require it, and I think what my colleague from Indiana is doing today in this special order is raising the attention level of our colleagues in Congress to this whole issue whereby we should be adopting a public health response to this AIDS epidemic rather than treating it as a civil rights issue.

Mr. BURTON of Indiana. I thank my colleague.

Mr. Speaker, the bottom line is that the epidemic is spreading virtually unchecked. The Center for Disease Control in Atlanta, GA, maintains that it cannot be communicated through casual contact, and yet they sent out a litany of 10 things that should be done by any medical professional dealing with an AIDS patient, including wearing masks, gloves, outerwear, if they just go into the room where an AIDS patient is. But they tell us that it cannot be communicated through casual contact.

They tell us that it cannot be communicated through insect vectors such as mosquitoes, and yet Dr. Whiteside of the Center for Tropical Diseases in Miami, FL, says that 50 percent of the people in Belle Glade, FL, are not from any high-risk group, and he is convinced, along with his colleague down there, Dr. MacLeod, that it is communicated in that manner.

These are things that we need to find out. Maybe the doctor is wrong in Florida. Maybe the Center for Disease Control is wrong in Atlanta. But the fact of the matter is that there is a great deal of doubt, and every day that we linger on this issue and are consumed with inaction in this body, another 5,000 to 10,000 people are infected, and at least one-half of them are going to die. And it is doubling every 10 to 12 months.

If this continues from now through the end of 1991 and we only have 2 million today, that means that we will have 4 million, 8 million, 16 million, 32 million infected with the disease or the virus by 1991. And today if we have 4 million, that means 1 in every 60 Americans has the virus and they do not even know it.

Mr. DANNEMEYER. Mr. Speaker, if the gentleman would yield further, to interject the fact that nobody knows in his country how many people have the virus, the reason that we do not know is because we have not been reporting those with the virus to public health authorities as routinely we should have been at least the last 3 or 4 years. And because we do not know, we make estimates. The estimates are between 1 and 4 million people, take your pick.

A year ago public health authorities would tell us that of those with the virus, 20 percent would go to develop AIDS and die. Today the current estimate is 50 to 60 percent, and some researchers are saying that that percentage is as high as 70 to 80 percent who will get AIDS and die.

What is even more disturbing about this whole thing is that it is estimated that 90 percent of those with the virus do not know that they have it—90 percent do not know that they have it.

I believe that it is important for all of us that those who have the virus know that they have it, because I believe that a lot of people who have the virus, although that is a terrifying thought to contemplate, I believe that most people will act responsibly and avoid transferring bodily fluids to other humans so that they do not transfer that fatal virus to another human.

But right now our society has not even mustered the political courage to say as a matter of law that any person with the virus with knowledge of that fact who knowingly transfers the virus to another human through a transfer of bodily fluids commits a crime or a criminal offense. I believe that we should say that as a matter of statement, a standard that we ask our citizens to observe.

We have not done that yet, and I will draw the contrast to California, my State, again. In California we have a law which says that if you have a venereal disease—which has been on the books since 1957—if you have knowledge of that fact, when it is in an infectious state, you commit a criminal offense to have sexual relations—that is, if you have syphilis or gonorrhea. Those two are among the six defined as venereal diseases.

Would you believe that in March of 1983 when the chief health officer of California added those with AIDS to the list of reportable diseases, that health officer did not recommend to the legislature that we modify the definition of venereal disease to include AIDS? So get this. If you have a curable communicable venereal disease in California, it is a crime for you to have sexual relations with another human. If on the other hand you have a noncurable communicable venereal disease, such as the virus for AIDS, or even AIDS, there is no proscription on your conduct at all.

I believe that when the public figures this out, they are going to be outraged at this irresponsibility on the part of our public health officials, because—I will say this again, I think, because it needs saying, that a lot of us believe that if 73 percent of the people in this country who have the virus for AIDS had gray eyes or brown eyes, a group of highly disorganized people in America, our public health officials would probably have quarantined that group 2 years ago. But because 73 percent of the AIDS cases come from one special-interest group in America, male homosexuals, that group has been successful in intimidating public health officials from taking the action that they routinely, normally have taken to control communicable disease in America.

That is a message that I think we should get across to the people of this country, because certain public health officials in America should begin treating it as a public health issue rather than as a civil rights issue.

Mr. BURTON of Indiana. I thank the gentleman for those remarks.

I would just like to followup. The gentleman mentioned California. There was an article in the Boston Globe about 3 or 4 weeks ago about a police officer who at 2 o'clock in the morning arrested a lady of the evening getting into a Mercedes Benz, and he took her down to the station house to book her, and when he was booking her—this is a true story—when he was booking her, he noticed that she had a plastic band on her wrist.

He asked the lady, "What's the plastic band?"

She said, "Well, I was in the hospital and I just walked out."

The officer said, "Well, what were you in the hospital for?"

She said, "Well, I have AIDS."

He said, "My gosh, don't you realize that you could kill somebody?"

She said, "I don't care; I needed a fix."

Well, I will not go into the sordid details, but she did not just have the AIDS virus, she had full-blown AIDS with open lesions that were draining on her legs, and made one of the officers so sick that he vomited. This lady was booked and she was taken before the judge the next day, was released on $250 bond, and went right back to the red-light district and probably killed some other human beings.

That is intolerable. If that woman had taken a gun and shot somebody, they would have put her in jail for murder. But she goes out and infects a man who may go home and take it to his wife or his girlfriend or somebody else and kill more than one individual, and we do not do anything about it.

The gentleman is right. The health system is turned on its head, and our legal system is turned on its head, when people can knowingly commit murder and get away with it, and many of these people are doing just that, knowing full well that they have the AIDS virus.

If we have 50 percent of the prostitutes in Washington, DC, with the AIDS virus and they continue plying their trade down on 14th Street, 14th and K and that area, what are they doing? They are infecting people and killing them.

I want to tell a real quick story. I was in a restaurant here in Washington, DC, the day that that Howard University study hit the front page of the Washington Post, and about three tables away from me in a restaurant where I was eating I heard this fellow make a comment about some activity that he had been involved in the night before with a lady here in Washington.

□ 1825

He said to this fellow, "I really feel bad about that. I haven't been married that long. I really love my wife and I feel kind of guilty." The other fellow says, "Well, you're only young once. Sow your wild oats."

I was thinking to myself, I hope that guy did not go down to 14th Street, because he may have been infected with AIDS the night before. And as the conversation progressed—normally I do not eavesdrop—but as the conservation progressed, there came to my attention that the young man had been down on 14th and K Streets, and this was a lady-of-the-evening pickup. If those statistics were borne out, he had a 50-50 chance that the prostitute had the AIDS virus, and this was a newly married young man, and if he did contract it, then he probably went home and infected his wife.

We cannot allow these things to go on, and yet it is going on in the Nation's Capital, it is going on in California, it is going on in Boston, MA, and New York City and elsewhere, and that is why this body needs to come to grips with this legislation, to deal with people who knowingly transmit or have sexual contact with people who do not have the AIDS virus. It is extremely important.

I would just like to comment on the fact that my colleague has five bills pending before the Congress that he cannot even get a hearing on that would deal with this problem. I have one that would mandate blood testing so we can find out who has the virus and let them know they have it, and get the body of evidence necessary to deal with this problem on a nationwide basis, and we cannot even get a hearing on these bills because the committee chairmen do not agree with our position.

All I can say is if we are correct, then it is criminal what these people are doing. And if we are not correct, at the very least it ought to be investigated. We ought to have hearings on it and get the people in, the scientists in who have varying points of view on the subject.

I am happy to yield to my colleague from California.

Mr. DANNEMEYER. If the gentleman will yield on that point, some people, when they hear the story of this tragic epidemic in our society and in the world ask themselves if they are a member of this special interest group and what are their chances of getting AIDS or the virus from AIDS. If any of our colleagues here in the House of Representatives believe that since they are not an intravenous drug user, and they are not homosexual, and they did not get any blood as a result of transfusions from a blood bank, that they are home free, they can forget that. The reason is that the growth curve of the incidence of AIDS in the heterosexual community in America today is about where that growth curve was 4 years ago with the homosexual community. The reason is because it takes a certain latent period in which the virus works to destroy the immune system so as to manifest itself into a case of AIDS. And the genesis of the disease, and I think this is an important fact to bring out, is promiscuous or perverse sex. Anyone in our society who is engaging in promiscuous or perverse sex, heterosexual, homosexual, is at increased risk for AIDS.

This Member from California has introduced H.R. 338 which makes it a Federal crime to knowingly donate blood, semen, or organs which was referred to the Committee on Energy and Commerce;

H.R. 339, which requires States receiving Federal funds for education, treatment, or counseling of AIDS victims to institute programs for tracing and counseling, which was referred to the Committee on Energy and Commerce;

H.R. 334, which requires the Federal Government to institute mandatory testing for immigrants and Federal prisoners, which was referred to the Judiciary Committee;

H.R. 345, which makes it a Federal crime for a person with AIDS or one who tests positive to knowingly transfer body fluids, which was referred to three committees, the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee Post Office and Civil Service;

House Joint Resolution 16, a D.C. resolution of disapproval which was referred to the District of Columbia Committee; and House Concurrent Resolution 8, which is an omnibus bill that relates to certain steps that States should be taking on this issue.

These bills were introduced earlier in this year, and would you believe that none of them have been set for hearing by any of the committees to which they have been referred. This Member has written to the chairmen of those committees and, frankly, we are being stonewalled. They do not want to hold any hearings on these bills at all.

It is a tragedy that the many witnesses around this country working in public health jobs, State public health positions, county public health positions, members of academia, professors of university medical schools who have called our offices and called me, and they say, Congressman, when will we have an opportunity to come to Washington and testify about the magnitude of this risk and the failure of the American Government to take action to deal with this as a public health issue. When they call and ask me about that, I can just refer them to the fact that we do not control the agenda in the House of Representatives. Our Democrat colleagues do. They run the shop, they are the ones that decide when, if ever, these bills will be heard. I only hope that by the pressure that we can generate through a special order such as we are doing today that we can increase the awareness of our Democrat colleagues who run the House of Representatives and set the agenda for when these bills will be heard, that they will be willing to at least give us a hearing on it.

Mr. BURTON of Indiana. I am glad the gentleman mentioned that. In fact, I am confident that most of my colleagues on both sides of the aisle, Democrat and Republican, if these bills were to get to the floor would be voting in favor of them because they realize the magnitude of the problem.

But in order to educate our colleagues even more, these special orders will continue. We are going to use the Chinese water torture method and bring these facts to the floor as frequently as possible. I know the gentleman from California [Mr. DANNEMEYER] will continue to do that, and we are trying to figure out a way to get this book, "The AIDS Cover-Up," by Gene Antonio, which has documented evidence regarding conclusions drawn by various scientists and doctors as respects the spread of the AIDS virus around the country, we are going to try to get a copy of this to every Member of the House. I know we have an enormous amount of reading material that we have to deal with in the Congress of the United States. But I submit to my colleagues that there is nothing more important to this Nation, and yes, to the whole world than this AIDS virus epidemic, and we must come to grips with it.

If my colleagues have any doubts about what the gentleman from California [Mr. DANNEMEYER] or I have said tonight, I hope they will take a look at this book when we send it to their offices and just scan it. I am confident if they scan it they will start reading. If my colleagues start reading, the hair on the back of your necks will stand up and you will decide that the actions are warranted and we will get down to the nitty-gritty of getting some legislation passed to deal with this.

The problem is growing very rapidly. We have an invisible force fire spreading across this country. Hospital officials and health officials are saying there is such a thing as safe sex when it does not exist. These devices they are talking about using, and they are telling young people to use to keep them from getting the AIDS virus may cut down their risk, but it will not eliminate the risk. They will be playing Russian roulette with maybe one fewer bullet in the chamber.

Mr. DANNEMEYER. On that point, I want to share with my colleagues what we have experienced in this country in terms of bringing sex education to the people of America as it relates to reducing the incidence of pregnancy and reducing abortions in our country. It is relevant because Surgeon General Koop, his main thrust up until now of dealing with this epidemic is education. That is how we are going to educate the American public to reduce the incidence of AIDS. Dr. Koop is essentially rejecting any public health options or policy alternatives that he should be pursuing.

But on the point of what experience we have had and the money we have spent on family planning, in 1971 we spent about $80 million on family planning activities and the incidence of pregnancies per 1,000 in women 15 to 19 was 64. By 1980, that sum for family planning had increased by almost a factor of four, a little less than $300 million. Would my colleagues believe that the pregnancies per 1,000 in the age group 15 to 19 went up from 64 to 95? In other words we quadrupled the expenditures for family planning, and we increased by a factor of 50 percent the incidence of pregnancies in teenagers in the group 15 to 19.

On the growth of abortions in that same age group, 15 to 19 per 1,000, it went from 19 to 42. In other words the more money the Federal Government spent for sex education, and family planning in America, the more was the increase in the incidence of abortions and pregnancies in teenage children in America.

I cite that as relevant to the suggestion that we can control the AIDS epidemic by just spending hundreds of millions of dollars to educate the American public as to the problem and danger of irresponsible sex, as a means of showing that those who engage in irresponsible sex are increasing their risk of getting AIDS.

□ 1835

I think it will have just the opposite effect. The more money the Government spends for sex education, the more sexual promiscuity we are going to have in our society and increased chances we are going to have of people getting AIDS. The tragedy of the irresponsible approach that Dr. Koop has taken is this idea that there is such a thing as safe sex; it is fair to say that there may be safer sex but a condom used in anal intercourse has a very high failure rate, some researchers say 40 to 50 percent, and even in vaginal intercourse a failure rate of 6 to 10 percent.

So the suggestion that if we only arm ourselves with condoms we Americans can avoid AIDS is the height of irresponsibility.

Another feature about the deficiency of Dr. Koop's report is the tragedy of the chief health officer of this Nation failing to recognize and affirm the inseparable link between human sexuality and morality and ethics. That is a tragic failure on the part of Dr. Koop.

Dr. Koop recognized that from the standpoint of the family influence on the issue but Dr. Koop ignored totally, when he released his report to the Nation last October, that inseparable relation between human sexuality, morality, and ethics. I think that was a basic defect in his approach.

My concern is that if we pursue this course of so-called spending hundreds of millions of dollars for education and not at the same time talk about affirming the heterosexual ethic as a foundation of our Western civilization, that the ideal in our society of human sexuality as expressed within the confines of a marriage between a man and a woman, that is the ideal and we should not apologize to anyone in America for affirming that as the ideal. But some of our chief officials at the Federal level, Dr. Koop for one, and others in State governments around the country are not willing to affirm that basis today. And it is a tragedy as a part of the overall approach which is needed by this Nation to deal with this epidemic.

I thank my colleague from California.

Mr. BURTON of Indiana. I thank my colleague for his comments.

Let me end up by saying that we need, as a nation, to declare war on AIDS. Some of my colleagues believe that education is the tool we should employ. Well, so be it.

Some of my colleagues believe that we should have laws that would condemn and even put people in jail who knowingly infect another person. Like my colleague from California, I cosponsored that legislation. Some people believe we should have massive testing of everybody so we find out who has the virus, inform them they have it so they will not spread it any further and then get the body of evidence necessary to come up with programs to deal with it. To find out how it is spreading, where it is spreading, who is spreading it and then we will have some idea of where we are going.

We need to declare war on this terrible plague facing not only America but the world.

Now 40 million people in this country have genital herpes. I remember just a few years ago, 10, 12, 14 years ago you never had heard of that. We started an education program when that first came to light and everybody said "we are going to be careful, we are going to take a different tack in dealing with sex because genital herpes is going to be with you forever if you get it." Yet today we have 40 million. So if that same line of thinking prevails as far as AIDS is concerned and we get 40 million people infected with AIDS we are going to have a major catastrophe, healthwise, economic-wise, and in every way you can conceive.

So it is extremely important that we come to grips with this problem and come to grips with it very, very rapidly because as we speak other people are being infected with this virus. It is not going to go away. The Congress of the United States, the health agencies of this country need to declare war on this virus and get on with it, not wait any longer.

Mr. SPEAKER, I yield back the balance of my time.

WILLIAM J. CASEY: A REMARKABLE LIFE OF SERVICE AND ACHIEVEMENT

The SPEAKER pro tempore. (Mr. McCLOSKEY). Under a previous order of the House the gentleman from New York [Mr. WORTLEY] is recognized for 60 minutes.

Mr. WORTLEY. Mr. Speaker, over the past weekend, in the quiet town of Roslyn Harbor, NY, the life and memory of William Joseph Casey were celebrated. Bill Casey was a good friend, a person devoted to his family, a distinguished public servant, a believing and practicing Roman Catholic, a man of remarkable achievement.

We remember Bill with amazement for his wide and varied accomplishments and interests in law, business, history, religion, and politics. Although the scope of his activities seem unlimited, he was remarkably proficient in each.

But his leadership and enthusiasm did not end with the things of this world. He was also a steadfast and respected member of his church and his family, and he was a friend to many. Bill was a good and benevolent individual.

Bill was not afraid to commit himself to a course of action that he believe was correct. He was a patriot who felt no apologies were necessary when it came to encouraging the preservation of American ideals, values and institutions.

He wanted to promote our Nation's founding principles around the world while there was yet time to fend off the sterile wasteland produced by totalitarian regimes. Unlike a majority of politicians past and present who merely point in whatever direction the political winds happen to be blowing, Bill was not afraid to sail straight into the winds if that was where he was convinced the proper course lay. He knew instinctively that sooner or later those winds were going to change.

He was bold and firm in his resolve, a tenacious fighter for the causes he believed in. He has been aptly and accurately remembered by his President as having a "passionate commitment to the cause of freedom and an unhesitating willingness to make personal sacrifices for the sake of that cause and his country."

Mr. Speaker, does the gentleman from New York [Mr. LENT] who has been a long and dear friend wish me to yield to him?

Mr. LENT. Yes.

Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I join my colleagues today in mourning the death of William Joseph Casey of Roslyn Harbor, NY, Director of the Central Intelligence Agency. Bill Casey and I were friends—we both came from Nassau County, NY—and I deeply regret the loss of this man whose passionate dedication to the good of our country guided his illustrious career. Bill Casey was noted for his analytical mind, tenacious will and a capacity to generate high morale among his staff. He used these skills consistently throughout his long and distinguished career in law and government.

Throughout his lifetime, Bill Casey was a regular supporter of the Nassau County Republican Party. In 1966, he suspended his thriving law practice to run for the House of Representatives. This was possibly the only time during a long and successful career that he was unsuccessful in his objective, although he waged a spirited campaign.

In 1971 Bill was appointed by President Richard Nixon as chairman of the Securities Exchange Commission and was credited with many innovations and improvements in the workings of the Commission, particularly tightening enforcement procedures. He also served in the Nixon administration as Under Secretary of State for Economic Affairs and was president of the Export-Import Bank before returning to New York to resume the practice of law.

In 1981, President Ronald Reagan called upon Bill to take over the reign of the Central Intelligence Agency.

Bill Casey is credited with restoring the vitality and effectiveness of our intelligence capability. His significant contributions to the restoration of America's national security stands as a monument to his leadership and integrity.

It has been said that "only by a deep patriotic devotion to one's country can there be a hope of the kind of protection of the whole planet, which is necessary for the survival of the people of other countries * * *." If this is true—and I believe that it is—then Bill Casey did much in his lifetime to promote the protection of our world. We pay tribute to Bill Casey's spirit of patriotism. We remember him for his efforts on our behalf and give our condolences to his wonderful wife, Sophia, who shared her life with him, and to his talented and lovely daughter, Bernadette.

Mr. WORTLEY. I thank the gentleman from New York, who has been a long and dear friend of Director Casey, for sharing in this special order today.

Mr. Speaker, former United Nations Ambassador Jeane Kirkpatrick remembered her friend during services this last weekend as a man who had "lived his life to the hilt and left it in the spirit of man who was ready * * * he was a bold, committed man in an age of controversy."

Bill's long tenure as 13th Director of the Central Intelligence Agency gave him a window to the world and clear view of the dangers and threats challenging the United States and its allies. He was keen in his preception and understanding of the key drama of this century, the struggle between democracy and totalitarianism. He had the facts and he had the determination to act. In 1985 he noted in Time magazine that some 80 terrorist operations were preempted because of his Agency's work.

It says a lot about Bill that he had the complete trust and confidence of the President he served. Bill enjoyed almost unprecedented access to the President as an adviser on matters concerning national security. He was, in fact, the first Director of Central Intelligence to be given Cabinet rank.

Bill's accomplishments span the decades. Born in New York City on March 13, 1913, Bill graduated from Fordham University in 1934 and received a law degree from St. John's University in 1937. A large part of his subsequent fortune was created through his publication of books on taxes, real estate, law and business, and his earnings as a practicing attorney and educator. "A lawyer has a ringside seat at the human comedy," he once said.

□ 1845

Ultimately, he was the distinguished author of over 40 books, including a notable history of the American revolution.

From 1941 to 1946, Mr. Casey served with the Army Intelligence and the Office of Strategic Services. His direct responsibility involved penetrating Nazi Germany with secret agents who served the allies and helped bring a victorious end to that conflict. For his service he won the Bronze Star.

Looking back, Bill humorously remarked that "All we could do was pop a guy into Germany with a radio and hope to hear from him." Historian Joseph Persico wrote of him during this period that, "In Casey, OSS had a man with an analytical mind, tenacious will, and a capacity to generate high morale among his staff." After the war, he became associate general counsel at European headquarters of the Marshall plan during the rebuilding of Europe.

Bill's first major entrance into politics was in 1940 when he wrote speeches for Wendell Wilkie, the Republican Presidential candidate for that year. Since then, Bill was a top adviser to each Republican Presidential candidate culminating in the position of President Reagan's campaign manager in 1980.

Following a stint as a member of the advisory council of the Arms Control and Disarmament Agency, Bill headed the Securities and Exchange Commission from 1971 to 1973. An economics writer for the New York Times, described Casey's leadership as including "much toughness * * * he has forced stockbrokers to live by somewhat stricter rules than many of them really wanted."

Bill's next step was to the State Department where he served as Under Secretary. Bill then moved on to head the Export-Import Bank where he invigorated and expanded its role in facilitating exports of American goods and services.

Bill's last public service position at the CIA, which only a few weeks ago he had to relinquish because of his fatal illness, is noted for a restoration and professionalism that was trampled during the previous decade. Morale and funds both were significantly increased. Intelligence collection and analysis have improved as a result. His scholarly curiosity and imposing intellect led him to play an integral, hands-on role in the CIA as he actively edited and directed the Agency's intelligence reports and activities.

Bill's passionate stands on various issues did encounter their share of controversy, and no man is cut from the cloth of infallibility. But Bill was above all a premier patriot who kept his sights on the really important matters of faith and family. The world is less now that we are missing Bill's company and talents, and the cause of freedom has truly lost a champion.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. WORTLEY. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I thank my fellow New Yorker for yielding, and I also thank him for taking this special order this evening.

The gentleman in the well has never been one who would turn tail and run, who would hide or otherwise avoid what could be construed as a controversial issue, and certainly our good friend, Bill Casey, having served in the capacity he has in recent years, could be considered as controversial.

Mr. Speaker, our hearts go out to the family of a great patriot who has passed from the American scene. In a sense, I'm almost relieved that William J. Casey will no longer be around to witness the ongoing assault on the foreign policy of the country he loved and served so long, and so well.

Although Bill Casey had a lifetime of public service behind him when President Reagan brought him back to Washington in 1981, he was relatively unknown to the general public. His dedication to public service included no hunger for fame. He was the ideal choice to resurrect the Central Intelligence Agency, which had undergone a destructive decade of self-doubt throughout most of 1970's.

By the time Bill Casey took over the reins of the CIA, things had deteriorated so badly that few foreign intelligence officials would even talk to us. And no wonder. No secret, no matter how sensitive, could be kept off the front page of the next morning's Washington Post. A misplaced zeal for total disclosure gave this body excessive oversight privileges that were translated into instant leaks. Our covert operations ability was mired in a mindset that set unrealistic standards no great nation could or would want to meet. As a result, when the shah of Iran fell, we were unprepared. When the Soviet Union invaded Afghanistan, we were unprepared. And so it went, all over the world. This great country, the hope of the rest of the free world, was acting like a giant determined to pluck out his own eyes.

And that's what we were with a blinded CIA, a giant stumbling about in confusion.

When a nation suffers so many self-inflicted wounds, it takes a man like Bill Casey to heal those wounds. Mr. Speaker, only in the fever swamps of the blame America first crowd is the CIA still blamed for all the problems of the world. We have Bill Casey to thank for that.

In 1981 I authored an amendment to the Intelligence Identities Protection Act. That overall act made it a felony to expose the names of our CIA agents throughout the world. I'll always value the thank you letter I received afterwards from Bill Casey. As gracious as he was tough minded, as farseeing as he was patriotic, he recognized the need to call treason by its proper name.

He was a scholar, an attorney, an investment expert, an author, a war hero, and a dedicated civil servant, in the best, most self-sacrificing sense of that term. Rarely have we seen a man who so easily combined the best parts of man of vision and man of action.

And above all, he was an anti-Communist to the bone, a great American who would never let his country down, no matter what!

And now Bill Casey is gone. We won't see his equal again soon.

Mr. WORTLEY. Mr. Speaker, the gentleman from New York [Mr. SOLOMON] has said it so well.

To Sophia, Bill Casey's loving wife, and to Bernadette, his admiring daughter, and to the other members of Bill Casey's family, we extend our profound sympathies.

☐ 1855

Mr. Speaker, I and many of my colleagues have lost a friend. America has lost an able and dedicated public servant. May he rest in peace.

Mr. McGRATH. Mr. Speaker, I would like to take a few moments to memorialize the late William Casey, a good friend of 20 years and leader, whose life spanned some of the most turbulent periods in history. Bill was never a spectator in his 74 years. From his younger days when he was given the nickname "Cyclone," through his service to our Nation during World War II and his most recent work as Director of the Central Intelligence Agency, Bill spent every moment at the center of the arena of our national life.

Bill Casey earned the trust and admiration of everyone with whom he dealt, whether in business or government. He was far more than a tough corporate attorney, financier, and self-made millionaire. Bill was a man who sought challenges at every point in his life and overcame obstacles to achieve success that most of us cannot imagine. Whether he was planning missions behind the lines in Nazi Germany or raising funds for a local hospital four decades later, Bill worked tirelessly to meet the demands of his day.

I know that a biographer will some day reveal the true scope of activity and energy that Bill displayed each and every day. I am honored to have known a man with the fortitude and spirit of William Casey. His legacy of service to others will stand next to many of history's great leaders who never tired or gave up in the crucible of public life. His belief in human freedom and his efforts to ensure the rights of residents of every corner of the globe will remain a symbol of the finest tradition of American political courage.

I know Bill will be missed in Nassau County where he taught me many valuable lessons in politics. Perhaps most important, I know he will be missed as a loving father and husband, and I extend my deepest condolences to his wife, Sophie, and his daughter and son-in-law. I hope every Member of this body will spend a moment of prayer and reflection on the meaning of service to others and the example which Bill Casey set for all of us.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BRENNAN (at the request of Mr. FOLEY), for today, on account of illness in the family.

Mr. COMBEST (at the request of Mr. MICHEL), for today, on account of injury.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. RITTER, for 5 minutes, today.

(The following Members (at the request of Mr. ESPY) to revise and extend their remarks and include extraneous material:)

Mrs. COLLINS, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. BROWN of California, for 60 minutes, on May 18.

Mr. BROWN of California, for 60 minutes, on May 12.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BONIOR of Michigan, prior to the vote on the Nichols amendment on contracting out in the Committee of the Whole, today.

Mr. WILLIAMS, immediately preceding the vote on the Young of Florida amendment in the Committee of the Whole today.

(The following Members (at the request of Mr. BURTON of Indiana) and to include extraneous matter:)

Mr. YOUNG of Alaska.

Mr. HYDE.

Mr. DORNAN of California in two instances.

Mr. RHODES in two instances.

Mr. PURSELL.

Mr. SOLOMON.

Mr. KONNYU.

Mr. GREEN in two instances.

Mr. SWINDALL.

Mr. CRANE.

Mr. ROWLAND of Connecticut.

Mr. JEFFORDS.

Mrs. JOHNSON of Connecticut.

(The following Members (at the request of Mr. ESPY) and to include extraneous matter:)

Mr. NELSON of Florida.

Mr. SOLARZ in two instances.

Mr. PANETTA.

Mr. STARK.

Mr. FRANK.

Mr. GUARINI.

Mr. ROE.

Mr. FROST in three instances.

Mrs. COLLINS.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. DYMALLY.

Mr. TRAFICANT.

Mr. WYDEN.

Mr. COLEMAN of Texas.

Mrs. BOXER.

Mr. LANTOS.

Mr. KOLTER.

Mr. TOWNS.

Mr. RAHALL.

Mr. RODINO.

Mr. MAZZOLI.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978, and

H.J. Res. 67. Joint Resolution to authorize and request the President to issue a proclamation designating May 3 through May 10, 1987, as "Jewish Heritage Week."

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1167. An act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge."

ADJOURNMENT

Mr. WORTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 12, 1987, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1368. A letter from the Acting Secretary, Department of Agriculture, transmitting the annual report on the enforcement and administration of the Animal Welfare Act, fiscal year 1986, pursuant to 7 U.S.C. 2155; to the Committee on Agriculture.

1369. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 7-19, "Constitution for the State of New Columbia Approval Act of 1987," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1370. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 7-20, "D.C. Income and Franchise Tax Conformity and Inheritance and Estate Tax Revision Act of 1986 Amendment Act of 1987," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1371. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 7-21, "D.C. Statehood Constitutional Convention Initiative of 1979 Amendment Act of 1987," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1372. A letter from the Administrator, Environmental Protection Agency, transmitting the ninth annual report of the Agency's activities on information gathering, new chemicals, and existing chemicals under the Toxic Substances Control Act, pursuant to 15 U.S.C. 2608(d); to the Committee on Energy and Commerce.

1373. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Denis Lamb, of Virginia, Ambassador-designate as the Representative to the Organization for Economic Cooperation and Development [OECD], and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1374. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1375. A letter from the Chairman, Federal Election Commission, transmitting a copy of the Commission's annual report for calendar years 1985 and 1986 on its activities under the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1376. A letter from the Chairman, National Labor Relations Board, transmitting a report of the Board's activities under the Freedom of Information Act during calendar year 1986, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1377. A letter from the Assistant Administrator, Administration and Resources Management, Environmental Protection Agency, transmitting notification of a proposed new Federal records system, puruant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1378. A letter from the Records Officer, U.S. Postal Service, transmitting notification of a proposed new computer matching program between the Postal Service and the State of Utah Department of Social Services, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1379. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the decision granting defector status in the case of Momcilo Vladeta Selic, pursuant to 8 U.S.C. 1182(a)(28)(i); to the Committee on the Judiciary.

1380. A letter from the Attorney General of the United States, transmitting notice of certification of the region specified in paragraph 581(a)(12) of title 28, United States Code, comprised of the Federal judicial districts for the States of Minnesota, Iowa, North Dakota, and South Dakota to the Circuit Court of Appeals for the Eighth Circuit, pursuant to Public Law 99-554; to the Committee on the Judiciary.

1381. A letter from the Executive Director, Naval Sea Cadet Corps, transmitting the annual audit report of the Corps for the year ended December 31, 1986, pursuant to 36 U.S.C. 1101(39), 1103; to the Committee on the Judiciary.

1382. A letter from the Administrator of Veterans' Affairs, Veterans' Administration, transmitting a copy of the report on the age 65 presumption, pursuant to Public Law 98-543, section 302(a) (98 Stat. 2747); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calandar, as follows:

Mr. ROSTENKOWSKI: Committee on Ways and Means, H.R. 2360. A bill to provide for a temporary increase in the public debt limit. (Rept. 100-88). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARMEY:

H.R. 2359. A bill to repeal the provisions of the Tax Reform Act of 1986 which limit the deductibility of contributions to individual retirement accounts and to allow the deduction for such contributions to be computed for married individuals on the basis of their combined compensation; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI (for himself and Mr. DUNCAN):

H.R. 2360. A bill to provide for a temporary increase in the public debt limit; to the Committee on Ways and Means.

By Mrs. BYRON:

H.R. 2361. A bill to amend the Internal Revenue Code of 1986 to reinstate the exclusion for qualified transportation provided by employers; to the Committee on Ways and Means.

By Mr. CARPER:

H.R. 2362. A bill to extend the temporary duty suspension on O-Benzyl-p-chlorophenol; to the Committee on Ways and Means.

By Mr. CHANDLER (for himself, Mr. Stenholm, Mr. Morrison of Washington, Mr. Roemer, and Mr. Miller of Washington):

H.R. 2363. A bill to provide that during a 2-year period each item of any joint resolution making continuing appropriations that is agreed to by both Houses of the Congress in the same form shall be enrolled as a separate joint resolution for presentation to the President; to the Committee on Rules.

By Mr. FRENZEL:

H.R. 2364. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to exempt from preemption under such title any provision of law of the State of Minnesota which requires employers to provide health coverage for employees and which is not inconsistent with the requirements of such title; to the Committee on Education and Labor.

By Mr. FRENZEL (by request):

H.R. 2365. A bill to amend the foster care and adoption assistance programs under part E of title IV of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. GREEN:

H.R. 2366. A bill to require the Federal Deposit Insurance Corporation to pay interest on certain certificates issued by the Golden Pacific National Bank of New York, NY, which have been determined to be insured deposits in any judicial action or agency proceeding; to the Committee on Banking, Finance and Urban Affairs.

By Mr. KASICH:

H.R. 2367. A bill to extend for 2 years the authority of the Internal Revenue Service to offset against tax refunds the amount of certain debts owed the Government; to the Committee on Ways and Means.

By Mrs. LLOYD (for herself, Mr. Scheuer, and Mr. McCurdy):

H.R. 2368. A bill to authorize appropriations to the Department of Energy for civilian energy research and development programs for fiscal year 1988; to the Committee on Science, Space, and Technology.

H.R. 2369. A bill to authorize appropriations to the Department of Energy for civilian energy programs for fiscal year 1988; jointly, to the Committees on Energy and Commerce; Interior and Insular Affairs; and Science, Space, and Technology.

By Mr. OWENS of Utah (for himself and Mr. Hansen):

H.R. 2370. A bill to provide for the establishment of an economic development plan for, and Federal services and assistance to, the Northwestern Band of the Shoshoni Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAXTON:

H.R. 2371. A bill to amend Public Law 874 of the 81st Congress relating to entitlement to impact aid payments; to the Committee on Education and Labor.

By Mr. SHARP:

H.R. 2372. A bill to exempt natural gas liquids from the minimum price requirement for petroleum produced from the naval petroleum reserves; jointly, to the Committees on Energy and Commerce and Armed Services.

By Mrs. VUCANOVICH (for herself, Mr. Dornan of California, Mr. Lagomarsino, Mr. Stump, and Mr. Gray of Pennsylvania):

H.R. 2373. A bill to amend the Federal Mine Safety and Health Act of 1977 to permit State administration and enforcement of Federal mine safety and health standards, and for other purposes; to the Committee on Education and Labor.

By Mr. YOUNG of Alaska:

H.R. 2374. A bill to provide relocation assistance to certain Coast Guard employees; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of New Jersey (for himself, Mr. Garcia, Mr. Bliley, Mr. Anderson, Mr. Anthony, Mr. Badham, Mr. Bateman, Mr. Bennett, Mrs. Bentley, Mr. Berman, Mr. Bevill, Mr. Blaz, Mr. Boner of Tennessee, Mr. Bonior of Michigan, Mr. Borski, Mr. Boucher, Mr. Boulter, Mrs. Boxer, Mr. Brooks, Mr. Burton of Indiana, Mr. Bustamante, Mr. Callahan, Mr. Carper, Mr. Chandler, Mr. Coelho, Mrs. Collins, Mr. Conte, Mr. Conyers, Mr. Crockett, Mr. Daniel, Mr. Daub, Mr. de la Garza, Mr. de Lugo, Mr. DeWine, Mr. DioGuardi, Mr. Dornan of California, Mr. Dowdy of Mississippi, Mr. Dwyer of New Jersey, Mr. Dymally, Mr. Dyson, Mr. Evans, Mr. Fazio, Mr. Feighan, Mr. Flippo, Mr. Foley, Mr. Frenzel, Mr. Frost, Mr. Gallo, Mr. Gilman, Mr. Goodling, Mr. Gray of Illinois, Mr. Hall of Texas, Mr. Hammerschmidt, Mr. Hansen, Mr. Hatcher, Mr. Hefner, Mr. Henry, Mr. Horton, Mr. Howard, Mr. Hughes, Mr. Hunter, Mr. Hutto, Mr. Hyde, Mr. Ireland, Mr. Kastenmeier, Mr. LaFalce, Mr. Lagomarsino, Mr. Lantos, Mr. Leach of Iowa, Mr. Lehman of Florida, Mr. Lewis of Florida, Mr. Lightfoot, Mr. Livingston, Mrs. Lloyd, Mr. Lowry of Washington, Mr. Lungren, Mr. McDade, Mr. McEwen, Mr. McGrath, Mr. McHugh, Mr. Martin of New York, Mr. Martinez, Mr. Matsui, Mr. Mineta, Mr. Molinari, Mr. Moorhead, Mr. Mrazek, Mr. Oberstar, Mr. Pashayan, Mr. Perkins, Mr. Rinaldo, Mr. Ritter, Mr. Rodino, Mr. Roe, Mr. Saxton, Mr. Shaw, Mr. Shumway, Mr. Sikorski, Mr. Skeen, Mr. Solarz, Mr. Spence, Mr. Stallings, Mr. Stokes, Mr. Sunia, Mr. Sweeney, Mr. Tallon, Mr. Towns, Mr. Traficant, Mr. Traxler, Mrs. Vucanovich, Mr. Watkins, Mr. Weber, Mr. Wolf, Mr. Wortley, Mr. Yates, and Mr. Yatron):

H.J. Res. 274. Joint resolution to designate the week beginning November 22, 1987, through November 28, 1987, as "National Adoption Week"; to the Committee on Post Office and Civil Service.

By Mr. GREEN:

H. Res. 164. Resolution expressing the sense of the House of Representatives that the NASA Distinguished Service Medal should be taken away from Arthur Rudolph; to the Committee on Science, Space, and Technology.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

65. By the SPEAKER: Memorial of the Legislature of the State of South Carolina, relative to the National Agricultural Pesticide Impact Assessment Program [NAPIAP] and the Interregional Project 4 [IR-4] Program; to the Committee on Agriculture.

66. Also, memorial of the Senate of the State of Alaska, relative to Canadian development of oil reserves in the Arctic; to the Committee on Foreign Affairs.

67. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to a memorial for the soldiers who served during the Korean war; to the Committee on House Administration.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. Jeffords, Mr. Penny, Mr. St Germain, Mr. Moody, Mr. Anderson, Mr. Howard, Mr. de Lugo, Mr. Ford of Michigan, Mr. Solarz, Mr. Mfume, Mr. Tallon, Mr. Akaka, Mr. Fauntroy, Mr. Dwyer of New Jersey, Mr. Boucher, Ms. Kaptur, Mr. Levin of Michigan, Mr. Walgren, Mr. Kleczka, Mr. Stark, Mr. Biaggi, Mr. Johnson of South Dakota, Mr. Sikorski, Mr. Fazio, Mr. Hughes, Mr. Sabo, Mr. de la Garza, Mr. Durbin, Ms. Oakar, Mr. Mrazek, Mr. Blaz, Mr. Frank, Mr. Towns, Mr. Schuette, Mr. Brown of California, Mr. Gunderson, Mr. Morrison of Connecticut, Mr. Ortiz, Mr. Ackerman, Mr. Clarke, Mr. Fish, Mr. Levine of California, and Mr. Foglietta.

H.R. 20: Mr. Coleman of Texas, Mr. Sikorski, Mr. Martinez, Mr. Gonzalez, Mr. Vento, Mr. Morrison of Connecticut, Mr. Sisisky, Mr. Biaggi, Mr. Edwards of California, Mr. Brown of California, and Mr. McCloskey.

H.R. 21: Mr. Coleman of Texas, Mr. Sikorski, Mr. Martinez, Mr. Gonzalez, Mr. Vento, Mr. Morrison of Connecticut, Mr. Biaggi, Mr. Edwards of California, Mr. Brown of California, and Mr. McCloskey.

H.R. 38: Ms. Oakar, Mr. Dellums, and Mr. Kleczka.

H.R. 107: Mr. Archer and Mr. Craig.

H.R. 267: Mr. Bilbray.

H.R. 281: Mr. Guarini, Mr. Pashayan, Mr. Kostmayer, Mr. Smith of New Jersey, Mr. Smith of Florida, Mr. Atkins, and Mr. Wilson.

H.R. 401: Mr. Skeen.

H.R. 544: Mr. Rowland of Georgia, Mr. Towns, Mr. Schuette, Mr. Durbin, Mr. Pepper, and Mr. Horton.

H.R. 567: Mr. Thomas of California, Mr. Crane, Mr. Herger, Mr. McEwen, Mrs. Smith of Nebraska, Mr. Jontz, Mr. Kolter, Mr. Fields, Mr. Skeen, Mr. Hall of Texas, Mr. McCloskey, Mr. Hertel, Mr. Marlenee, and Mr. Wise.

H.R. 603: Mr. Gonzalez, Mr. Stratton, Mrs. Byron, Mr. Erdreich, Mr. Mrazek, Mr. Skeen, Mr. Hansen, Mr. Hochbrueckner, and Miss Schneider.

H.R. 618: Mr. Cardin.

H.R. 810: Mr. Marlenee.

H.R. 918: Mr. Crockett, Mr. Solarz, Mr. Fauntroy, Mr. Garcia, Mr. Gray of Illinois, Mr. Crane, Mr. Lehman of Florida, Mr. Owens of New York, Mr. Dellums, Mr. Ackerman, and Mr. Towns.

H.R. 925: Mr. Matsui, Mr. Studds, and Mr. Kennedy.

H.R. 956: Mr. Gonzalez.

H.R. 1101: Mr. Price of Illinois, Mr. Swindall, Mr. Ford of Michigan, and Mr. Swift.

H.R. 1195: Mr. Hammerschmidt, Mr. Ravenel, Mr. Nowak, Mr. Morrison of Washington, Mr. Edwards of Oklahoma, Ms. Snowe, Mr. Rowland of Georgia, Mr. Spence, and Mr. Martinez.

H.R. 1201: Mr. Hochbrueckner, Mr. Jontz, Mr. Martinez, and Mr. Williams.

H.R. 1280: Mr. Mineta, Mr. Tallon, Mr. Moakley, Mr. Foglietta, Miss Schneider, and Mr. Akaka.

H.R. 1281: Mr. Mineta, Mr. Tallon, Mr. Moakley, Mr. Foglietta, Miss Schneider, and Mr. Akaka.

H.R. 1313: Mr. Edwards of Oklahoma, Mr. Armey, Mr. Ravenel, Mr. Synar, Mr. Barton of Texas, and Mr. Yates.

H.R. 1352: Mr. Owens of New York, Mr. Weber, Mr. Ray, and Mr. LaFalce.

H.R. 1393: Mr. Lewis of Florida, Mr. Oberstar, Mr. Fazio, Mr. Kleczka, Mr. Leach of Iowa, and Mr. Smith of Iowa.

H.R. 1413: Mr. Chapman, Mr. Clinger, Mr. Towns, Mr. Jontz, Mr. Schuette, Mr. Daub, Mr. Espy, and Mr. Emerson.

H.R. 1451: Mr. Roth, Mr. Guarini, and Mr. Davis of Michigan.

H.R. 1504: Mr. Brown of California.

H.R. 1566: Mr. Martinez and Mr. McMillan of North Carolina.

H.R. 1582: Mr. Crockett.

H.R. 1619: Mr. Hochbrueckner.

H.R. 1620: Mr. DioGuardi.

H.R. 1678: Mr. Towns.

H.R. 1697: Mr. Sikorski, Mr. Hall of Ohio, and Mr. Obey.

H.R. 1729: Mr. McCollum, Mr. Saxton, Mr. Denny Smith, Mr. Young of Alaska, Mr. Weldon, Mr. Edwards of Oklahoma, Mr. McGrath, and Mr. Rinaldo.

H.R. 1801: Mr. Burton of Indiana, Mr. Visclosky, Mr. Dwyer of New Jersey, Mr. Pursell, Mr. Bonior of Michigan, Mr. Mavroules, Mr. Smith of Florida, Mr. Buechner, Mr. Jeffords, Mr. Guarini, Mr. Wolpe, and Mr. Huckaby.

H.R. 1823: Mr. Cardin.

H.R. 1885: Mrs. Byron.

H.R. 1936: Mr. Regula, Mr. Lagomarsino, Mr. Frenzel, Mrs. Johnson of Connecticut, Mr. Badham, and Mr. Smith of New Jersey.

H.R. 1966: Mr. Studds, Mr. Kolter, and Mr. Gilman.

H.R. 1986: Mr. Owens of Utah, Mr. Bustamante, and Mr. Towns.

H.R. 1994: Mr. Lehman of California and Mr. Darden.

H.R. 2038: Mr. Ford of Michigan.

H.R. 2057: Mr. Tauke, Mr. Bryant, Mr. Fazio, Mr. Weber, Mr. Owens of Utah, Mr. Vento, and Mr. Glickman.

H.R. 2114: Mr. Vander Jagt.

H.R. 2120: Mr. Glickman.

H.R. 2200: Mr. Inhofe and Mr. English.

H.R. 2284: Mr. Fawell.

H.R. 2310: Mr. Bustamante.

H.R. 2312: Mr. DeFazio, Mr. Atkins, and Mr. Edwards of California.

H.R. 2320: Mr. Lewis of Georgia and Mr. Morrison of Connecticut.

H.J. Res. 13: Mr. Edwards of Oklahoma.

H.J. Res. 40: Mr. Kolter, Mr. Guarini, Mr. Spence, Mr. Hammerschmidt, Mr. McMillen of Maryland, Mr. Bilbray, Mr. Petri, Mr. Mfume, Mr. Morrison of Washington, Mr. McHugh, Mr. Tauke, Mr. Gekas, Mr. Smith of New Jersey, Mr. Hansen, Mr. Lewis of California, Mr. Lewis of Florida, Mr. Miller of California, Mr. Buechner, Mr. Anderson, Mr. Kennedy, Mr. Kemp, Mr. Kastenmeier, Mr. DeFazio, Mr. Erdreich, Mr. Brown of California, Mr. Conyers, Mr. LaFalce, Mr. McCollum, Ms. Oakar, Mr. Tallon, Mr. English, and Mr. Hochbrueckner.

H.J. Res. 48: Mr. Smith of New Jersey and Mr. Schuette.

H.J. Res. 50: Mr. Roemer, Mr. Huckaby, Mr. Obey, Mr. Kleczka, Mr. Kolter, Mr. Goodling, Mr. Holloway, and Mr. Bates.

H.J. Res. 90: Mr. Durbin.

H.J. Res. 106: Mr. McCollum, Mr. Green, Mr. Gilman, Mr. Berman, Mr. Blaz, Mr. Jones of North Carolina, Mr. Kasich, Mr. Fuster, Mr. Young of Alaska, Ms. Oakar, Mr. Pepper, Mr. Perkins, Mr. Miller of Ohio, Mr. Tallon, Mr. Traficant, Mr. Borski, Mr. Gephardt, and Mr. Tauke.

H.J. Res. 143: Mr. Craig.

H.J. Res. 163: Mr. Scheuer, Mr. Skelton, Mr. Moakley, Mr. Huckaby, Mr. Moody, Mr. Skeen, Mr. Broomfield, Mr. Donald E. Lukens, Mr. Hunter, Mr. Packard, Mr. Parris, Mr. Slaughter of Virginia, Mr. Gray of Pennsylvania, Mr. Dannemeyer, Mr. Morrison of Connecticut, Mr. Burton of Indiana, Mr. Gilman, Mr. Stangeland, Mr. Rangel, Mr. Tauke, Mrs. Bentley, Mrs. Boxer, Mr. Gingrich, Mr. Coyne, Mr. Shuster, Mr. McCloskey, Mr. Sawyer, Mr. Hastert, Mr. Cheney, Mrs. Martin of Illinois, Mr. Ford of Michigan, and Mr. Hammerschmidt.

H.J. Res. 176: Mr. Panetta and Mr. Jontz.

H.J. Res. 180: Mr. McCloskey, Mr. Schuette, Mr. Roth, Mr. Kolter, and Mr. Lujan.

H.J. Res. 207: Mr. Visclosky, Mr. Hefner, Mr. Hutto, Mr. Stratton, Mr. Natcher, Mr. Russo, Mr. MacKay, Mr. Bilbray, Mr. Obey, Mr. Durbin, Mr. Hayes of Illinois, Mr. Lewis of Georgia, Mr. Scheuer, Mr. Slattery, Ms. Slaughter of New York, Mr. Pickle, Mr. Smith of Iowa, Mr. Nagle, Mr. DeWine, Mr. Matsui, Mr. Gunderson, Mr. Mack, Mr. Bunning, Mr. DioGuardi, Mr. Roth, Mr. Nielson of Utah, Mr. Spence, Mr. Robert F. Smith, Mr. Petri, Mr. Roberts, Mr. Young of Alaska, Mr. Holloway, Mr. Fish, Mr. Crane, Mr. DeLay, Mr. Sweeney, Mr. Hunter, Mr. Coble, Mr. Emerson, Mr. Stump, Mr. Clinger, Mr. Ballenger, Mr. Callahan, Mr. Fields, Mr. Lungren, Mr. English, Mr. Garcia, Mr. Towns, Mr. Mfume, Mrs. Collins, Mr. AuCoin, Mr. Leland, Mr. Murtha, Mr. Kolter, Mr. Horton, Mr. Howard, Mr. Crockett, Mr. Moakley, Mr. LaFalce, Mr. Dingell, Mr. Biaggi, Mr. Cardin, Mr. Donald E. Lukens, Mr. Lantos, Mr. Dorgan of North Dakota, Mr. Dellums, Mr. Levine of California, Mrs. Meyers of Kansas, Mr. Leach of Iowa, Mr. Dannemeyer, Mr. Ireland, Mr. Tauke, Mr. St Germain, Mr. Bonior of Michigan, Mr. Flippo, Mr. McHugh, Mrs. Kennelly, Mr. Morrison of Connecticut, Mr. Foglietta, Mr. Kanjorski, Mr. Vander Jagt, Mr. Porter, Mr. Ritter, Mr. Packard, Mr. Hastert, Mr. Buechner, Mr. Kolbe, Mr. Thomas of California, Mr. Miller of Washington, Mr. Craig, Mr. Walgren, Mr. Price of Illinois, Mr. Richardson, Mrs. Morella, Mr. Neal, Mr. Boehlert, and Mr. Thomas A. Luken.

H.J Res. 224: Mr. McGrath, Mr. DeWine, Mr. Martinez, Mr. Shumway, Mrs. Kennelly, and Mr. Johnson of South Dakota.

H. Con. Res. 5: Mr. Sawyer.

H. Con. Res. 6: Mr. Gunderson.

H. Con. Res. 57: Mr. Dyson, Mr. Frost, Mr. Goodling Mr. Lewis of Georgia, Mr. Roe, Mr. Evans, Mr. Aspin, Mr. Garcia, Mr. Lancaster, Mr. Rahall, Mr. DeFazio, Mr. Boucher, Mr. Traxler, Mr. Boland, Mr. Barnard, and Mr. Green.

H. Res. 141: Mr. Bliley, Mr. Martinez, Ms. Kaptur, Mr. Vento, Mr. Wise, Mr. Lehman of California, Mr. Frank, Mr. Moody, Mr. Leland, Mr. Lewis of Georgia, Mr. Neal, Mr. Kostmayer, Mr. Kastenmeier, Mr. Sunia, Mr. Levine of California, Mr. Porter, Mr. Foglietta, Mr. Frost, Mr. Hochbrueckner, and Mr. Atkins.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R 1930: Mr. Perkins.

EXTENSIONS OF REMARKS

MARIEL CUBANS DETAINED IN THE UNITED STATES

HON. PATRICK L. SWINDALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SWINDALL. Mr. Speaker, yesterday, the Atlanta Journal/Constitution newspaper ran an editorial I wrote about the 3,000 Mariel Cubans being detained in the United States.

As the ranking minority member of the Subcommittee on Immigration, Refugees, and International Law, I have investigated this matter and believe it deserves action by Congress.

Thus, I commend this editorial to my colleagues and urge them to cosponsor House Concurrent Resolution 112 which demands that Cuba accept their citizens being kept in our detention facilities.

The editorial follows:

CASTRO IS REAL CULPRIT IN CUBAN DETAINEE CRISIS

(By Congressman Pat Swindall)

We Americans frequently display a remarkable and somewhat perplexing propensity to blame ourselves first for circumstances for which we bear little, if any, responsibility.

Certainly this is the case with the roughly, 3,000 detainees from the 1980 Mariel Cuban boatlift who are now held at the Atlanta Federal Penitentiary and other U.S. prison facilities.

Recently, there has been an avalanche of criticism focused on the way the situation has been handled by the Reagan Administration in general and the Immigration and Naturalization Service (INS) in particular. Those same critics have failed to level any blame or criticism at the real culprit in this case—Fidel Castro.

When 129,000 refugees fled from the Cuban port of Mariel and landed in South Florida in 1980, President Jimmy Carter responded by making all of them "temporary residents" eligible, after meeting certain requirements, to become U.S. citizens.

More than 97 percent of these individuals have been law-abiding citizens and, to date, over 90,000 have adjusted their legal status to that of legal residents. In the next several months, another 10,000 are expected to adjust their status under the provisions of the new immigration control law passed by Congress last year. Only 3,000—less than 3 percent of those who came in the 1980 boatlift—are being held in U.S. prisons and halfway house facilities. Roughly 1,500 of those are being kept in the Federal penitentiary here in Atlanta.

The prison population in Atlanta is constantly changing. Approximately 50 Cuban detainees are being added each month as a result of parole violations, and an equal number, based on INS reviews, are being rereleased into our society.

U.S. taxpayers have already spent over $240 million to house the prisoners in Atlanta with annual costs hovering around $40 million.

None of the Mariel Cubans brought with them records that would disclose their past histories. Despite this and the challenge of processing 129,000 unexpected immigrants, with hardened criminals and mental patients mixed in, the INS has responded with exceptional efficiency, fairness, and expertise.

All 129,000 Mariel Cubans have been screened and processed by the INS, resulting in an extraordinarily small number—212 to be exact—having been continuously detained. Of those, more than two-thirds have histories of serious mental illness.

With the exception of these 212, all of the present detainees have at some time been released into American society and been given a chance to stay here. They are now locked up not because of government recalcitrance but because of crimes they have committed in this country. These Cubans are charged with an assortment of offenses; 993 are detained because of drug abuse and trafficking, 529 because of murder, 504 because of robbery, 326 because of assault, 185 because of sex-related crimes, and the rest for a number of other charges ranging from damaged property to weapons offenses. It is these individuals who are deportable under current immigration laws because they have violated the terms of their conditional acceptance into this country and because their re-release would pose a serious threat to the safety of law-abiding American citizens.

U.S. law requires the federal government to deport the detainees to Cuba, but Castro refuses to accept them in spite of an agreement he signed on December 14, 1984 to take back all the deportation agreement, approximately 200 Mariel Cuban detainees were returned to Cuba, but the transfers ceased in May 1985 after Castro suddenly broke off the agreement. His reason for that action was the commencement of our Radio Marta broadcasts into Cuba, but Castro knew those broadcasts were to begin when he originally signed the deportation agreement.

In a nut shell, Castro has been playing politics with these detainees and it is he, rather than the United States government, that has been guilty of bad faith.

Rather than blame ourselves for this situation, Congress and the American people should state explicitly our belief that Castro should live up to the promises he made in the deportation agreement he signed with the Reagan Administration. That message is not getting through to the Cuban government, in part because of many individuals who choose to blame America first.

As the ranking Republican member on the House Judiciary Subcommittee on Immigration, I have offered a resolution in the House expressing the sense of Congress that Castro bares ultimate responsibility for the Mariel Cuban detainees and that we expect him to abide by the agreement which he signed in December, 1984.

We know from Castro's history that he pays close attention to American public opinion and the actions of Congress. By passing my resolution, Congress will increase pressure on Castro to solve this problem by taking back the Mariel detainees. There are those who believe it is unrealistic to think that Castro could be pressured into taking back the Cuban prisoners. High-ranking State diplomats have told me that this resolution will help them immensely, and that the worst thing we can do is to send Castro a message that we accept responsibility for these citizens of his country.

As a result of a request I made in January of this year, the Immigration Subcommittee will soon hold hearings on this issue. Paramount in our considerations will be maintaining pressure on Castro to live up to the 1984 deportation agreement, the safety of law-abiding citizens in this country, and fundamental fairness in processing alien criminals. We must also avoid any action which would encourage other third world countries to view America as an international jailhouse for their most dangerous criminals.

The American public should know that their government is working diligently to treat the Mariel Cubans fairly and to end any injustices which may exist at the Atlanta Federal Penitentiary and other immigration detention centers holding Cuban prisoners. They should also know that the real injustice respecting the Mariel Cubans is being perpetrated not by anyone in Washington but by the cigar-chomping communist dictator in Havana who created this mess in the first place.

CONGRESSIONAL SALUTE TO C. JUSTIN HILL

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. JONES of Tennessee. Mr. Speaker, I would like to take this opportunity to recognize a well respected and highly regarded citizen of Oklahoma, Mr. Justin Hill, who is retiring after 22 years as executive director of the Oklahoma Restaurant Association. A man of great wisdom, wide experience, personal warmth, good humor, and strong leadership skills, Mr. Hill has distinguished himself as one of the premier authorities and advocates of the hospitality industry in the Sooner State.

Justin began his career as manager of the Lido Cafeteria in Little Rock, AR, in 1950. After making a name for himself there, he went on to become the director of the Arkansas Restaurant Association. In 1960, he became deputy executive director of the Oklahoma Restaurant Association, and then, in 1965, he assumed the responsibilities of the executive director.

During his tenure as executive director, Justin helped build the Oklahoma Restaurant Association into the dynamic organization that it is today. To his credit, the association has become an influential force in the State's capital. Because of his tireless efforts on behalf of the hospitality industry, the association has never lost a legislative issue directed specifically to the food service or hospitality industries.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Among his many accomplishments, Justin has helped establish national criteria for food service certification and helped create a nationally recognized restaurant site evaluation program. He is a recipient of Hospitality magazine's Hall of Fame Award and an honorary member of the Oklahoma State University's College of Home Economics.

Justin has also served as president of the International Society of Restaurant Association Executives and president of the Oklahoma State Association Executives. He has also been active in National Restaurant Association activities, as well as chamber of commerce matters.

I wish only the best for Justin as he enters his retirement. He has done a superlative job representing the interests of restaurant operators in Oklahoma and I wish him the best in future endeavors. He has been an inspiration to all of us who have known him.

MANAGUA CRACKS DOWN ON MOTHER'S GROUP

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DORNAN of California. Mr. Speaker, I rise today to offer credible evidence that the Sandinista regime in Nicaragua is engaged in the systematic violation of human rights as standard government policy. For years the Nicaraguan Communists have enjoyed the benefit of the doubt by liberals and appeasement minded individuals who refuse to believe that the Sandinistas hold thousands of political prisoners.

I am sure, Mr. Speaker that there will always be disputes about the number of Nicaraguan citizens imprisoned in their growing gulag archipelago but it is now very difficult to deny their existence. Groups like Amnesty International, Nicaragua's Permanent Commission on Human Rights and the International League for Human Rights—in existence since 1942 and operating in a consultative status with UNESCO—have all documented extrajudicial or summary executions, torture, religious intolerance and suspensions of civil and human liberties.

Today Mr. Speaker, I offer another piece of evidence to this growing list of Sandinista inspired atrocities. I believe that this effort is important because of the need to clarify that United States policy in Nicaragua is motivated not only by our national security interests but also out of a moral obligation to oppose human rights violations wherever they may occur. A New York Times newspaper article dated April 5, 1987, effectively articulates some of the realities of life under the Nicaraguan Sandinista regime. This article provides some insight for doubting Thomases' in this country about the systematic persecution of an organization called the "January 22 Movement of Mothers of Political Prisoners." I commend it to your attention, Mr. Speaker, and offer it as a small contribution to an accurate accounting of Nicaraguan history.

MANAGUA CRACKS DOWN ON GROUP THAT PRESSES FOR PRISONERS' RIGHTS

(By Stephen Kinzer)

MANAGUA, NICARAGUA, April 4.—On Tuesday afternoon, calmly and quietly, Concepción Salazar González sat with this reporter explaining the new movement she and other relatives of prisoners have recently formed.

Mrs. Salazar talked of her imprisoned son, Domingo, and complained that the security police were harassing her and other activist mothers of detainees.

Suddenly, as Mrs. Salazar was speaking, her pregnant daughter, Neira, 23 years old, burst through the door in hysterics.

After being calmed by her mother and others, Neira Salazar began to blurt out her story.

"The security, they came back to the house," she said between heaving sobs. "They took Fanor away, threw him on the floor of their jeep. I was holding on to him and yelling why don't they just kill the whole family at once and get it over with."

Fanor de los Angeles Salazar, 21 years old, was apparently the latest victim of a police crackdown on the two-month-old movement for amnesty and prisoners' rights.

When Mrs. Salazar went to inquire about her newly arrested son on Wednesday, she said the next day, the police told her she would never see either Fanor or Domingo again unless she stopped her activity in the movement and signed a confession admitting to collaborating with rebels. She refused and was released several hours later.

THREATS AND PUNISHMENT

Other founders of the movement said in interviews that they had been harassed and threatened. They also said their activism had led to punishment for their imprisoned relatives.

At a news conference today, Interior Minister Tomás Borge said the new movement "does not represent the will of family members." He said most relatives of prisoners considered the Sandinista Government to be a protector, not an adversary.

"Who is more interested in prison conditions that we are?" he asked. "There has been an effort by a group of politicos to form this organization, but it has not received real support from the relatives."

More than 1,500 Nicaraguans have joined the new movement. Most have relatives jailed on charges of collaborating with rebel groups. The movement's leaders said they met each other while waiting in lines to see imprisoned relatives or Interior Ministry officials.

The Government has not faced a challenge of this nature since 1984, when parents of draftees and draft evaders tried to organize. Police actions in many communities prevented them from carrying out major protests, and no mass anti-draft movement materialized.

In interviews and printed statements, the relatives of prisoners say they will risk reprisal to organize themselves into local and regional chapters.

Since a state of emergency was imposed here five years ago, hundreds and perhaps thousands of Nicaraguans have been jailed for violating security laws. Advocates for those who have been jailed say the state of emergency is unconstitutional and charge that the people's tribunal that has sentenced many of the prisoners is illegally constituted.

EMERGENCY IS REIMPOSED

Debate over the state of emergency continued in the National Assembly on Tuesday, when a measure was introduced to designate Jan. 9, the day the new Nicaraguan Constitution was promulgated, as Constitution Day. Several hours after signing the Constitution that day, President Daniel Ortega Saavedra reimposed the state of emergency, which suspends many of its guarantees.

"On Jan. 9 itself, the Constitution was violated by the imposition of the state of emergency," said Rafael Cordova Rivas, a prominent conservative legislator.

Joaquin Mejia of the Independent Liberal Party said, "It would be better to declare a day of mourning for the Constitution."

A Sandinista legislator, Orlando Pineda, rejected such statements as "disrespectful to the heroism and struggle of our people."

BORGE DEFENDS JAILINGS

In an interview last month, Interior Administer Borge said the state of emergency "is not felt by anyone except those who violate revolutionary laws."

"There are no strictly political detainees," Mr. Borge said. "No one is in jail for holding a point of view. A prioner may be a labor union member or part of the Social Christian Party, but he is a prisoner because he broke the law in one way or another."

Mr. Borge said that there were 9,691 prison inmates in Nicaragua and that only 109 were being held in security prisons where access is restricted.

For the first time, Mr. Borge indicated that he was considering reversing his policy of keeping the most disreputable prison, El Chipote in Managua, off limits to investigators. He said he might agree to allow an inspection by the International Committee of the Red Cross.

One of the activist mothers, who asked that her name not be used, said in an interview this week that on Feb. 11 she was taken to El Chipote, held in a closed cell for eight hours and then interrogated about the new organization. She said interrogators wanted to know names of its leaders and other information about it.

REBELS ATTACK POWER LINES

Since the beginning of 1987, rebels backed by the United States have begun a campaign of economic sabotage by blowing up power lines in several parts of the country. There was a failed attempt to destroy an electric tower in Managua on March 16, the first such attack ever.

Mr. Borge said the day after the Managua blast that he interpreted it as "an alarm bell telling us we have to intensify our work." It is not known, however, if increased vigilance resulting from the blasts is directly related to the campaign against the newly organized relatives of prisoners.

When Mr. Borge and other Sandinistas were imprisoned in the 1970's, relatives and supporters staged hunger strikes and other public campaigns on their behalf. Recalling the political succees of those demonstrations, the Sandinistas, now in power, are anxious to assure that the same tactic not be used against them.

"A hunger strike of 200 mothers in a church would be really great," an organizer of the new movement said this week. "That's what the Sandinistas want to prevent."

DETAINEES PUT AT 10,000

Members of the organization, which is called the Jan. 22 Movement Mothers of Political Prisoners, put the number of political detainees in Nicaragua at about 10,000. They include in that number all prisoners convicted of collaborating with rebels and several thousand former members of the deposed National Guard.

Mothers of prisoners first joined together at the beginning of this year to draw up a letter addressed to the Secretaries General of the United Nations and the Organization of American States, who visited Managua on Jan. 19. The letter, carrying 96 signatures, said the Nicaraguan prison system was "unjust and cruel, despite official propaganda to the contrary."

Three days later, the signers and others drew up a charter for the new movement. It is not legally recognized, however.

In their letter and in other statements, the mothers have asked for a general amnesty, something diplomats consider highly unrealistic, especially as long as war continues here.

On March 8, International Women's Day, several hundred mothers assembled at the headquarters of the Social Christian Party and planned to march through the nearby streets carrying placards. But the police arrived and told them such a march would not be tolerated.

AGENTS VISIT AN ORGANIZER

According to a complaint filed in a Managua court last week, security agents visited one of the group's organizers, Silvia Alemán Meja, at her home in Ticuantepe on March 21.

Mrs. Alemán said in her complaint that the agents came "to threaten and intimidate me into stopping my participation in the activities of the Jan. 22 Movement of Mothers of Political Prisoners, or else I would be arrested."

"They also told me that in compliance with higher orders, they were warning me not to attend meetings of the committee," she said.

Several of the movement's organizers are members of the Social Christian Party, which opposes Sandinista rule and refused to take part in the 1984 national election. They say they want to keep the movement nonpartisan, but some members fear the party is trying to use it for political ends.

One of the group's principal legal advisers is Enrique Sotelo Borgen, an outspoken anti-Sandinista lawyer who is a member of the National Assembly representing the Conservative Party. He has defended many prisoners accused of working with rebels, including Eugene Hasenfus, the American air cargo handler who was captured in October while on a clandestine supply mission and who was later convicted, pardoned and released.

During the Hasenfus trial, President Ortega siad he believed that Mr. Sotelo was connected to American intelligence agencies.

COULD BECOME "VERY IMPORTANT"

Mr. Sotelo said this week that the movement of prisoners' relatives "could suddenly explode into something very important in this country." He said mothers who gathered at prisons on visiting days were being warned not to take part in the movement if they wanted to assure good treatment of their jailed sons.

Several mothers said in interviews that they believed their sons had been singled out for harsher treatment in jail because news of the movement's activities had reached jailers. The movement is preparing a list of cases, which it says will also include "names of some of the prison authorities who take cruel reprisals in the jails."

Nicaraguan officials have denied that prisoners are physically abused, and Mr. Borge said last month that cells like the tiny one in El Chipote where he was once kept chained to the floor were no longer in use.

DISTINGUISHED SERVICE MEDAL SHOULD BE TAKEN AWAY FROM ARTHUR RUDOLPH

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. GREEN. Mr. Speaker, today in France an historic trial is beginning—the trial of Klaus Barbie, a former Nazi SS lieutenant known as the Butcher of Lyons. It is fitting then that today I am introducing a resolution expressing the sense of the House that the NASA Distinguished Service Medal should be taken away from Arthur Rudolph.

For those who are not familiar with the case of Arthur Rudolph, in the fall of 1984, Rudolph, developer of the Saturn V rocket for NASA, renounced his American citizenship and returned to his native West Germany rather than face deportation charges stemming from allegations of the Office of Special Investigations.

The Justice Department charged that Arthur Rudolph was responsible for working thousands of slave laborers to death while supervising the production of V2 missiles for the Nazis during World War II. This is the same Arthur Rudolph who in 1969 was awarded the National Aeronautics and Space Administration's Distinguished Medal for his Saturn V work.

Despite the revelations of Rudolph's dark past, NASA has refused to revoke his medal saying "to rescind the medal would serve no useful purpose since it has nothing in common with the allegations against him." I strongly disagree. It would serve a useful purpose for the families of those who perished and it would be an important affirmation by the United States and its agencies that moral outrages shall not go unpunished.

One additional point: I had introduced a similar resolution in the 99th Congress but was mistakenly led to believe that a Justice Department agreement with Rudolph provided that no action would be taken against Rudolph should he leave the United States and renounce his citizenship. I now have a copy of this agreement and it states only that in return for his departure, there will be no action taken to limit his "receipt of federal retirement, health care, and/or Social Security benefits." It does not mandate that he be allowed to keep his Distinguished Service Medal and I believe that allowing him to do so soils this award.

I am, therefore, reintroducing this resolution, expressing the sense of the House of Representatives that the NASA Distinguished Service Medal be taken away from Arthur Rudolph. It is one more important portion of a message to the world that the Arthur Rudolphs and the Klaus Barbies and the Karl Linnases will not go unpunished.

WILLIAM H. WILSON: SMALL BUSINESS LEADER

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. NEAL. Mr. Speaker, to observe Small Business Week, the U.S. Small Business Administration today is honoring an outstanding small business entrepreneur from every State. One of those honored is my constituent, William H. Wilson, who is North Carolina's "Small Business Person of the Year."

Mr. Wilson is president and founder of the Pioneer/Eclipse Corp. in Sparta, NC, which produces some of our Nation's most advanced and efficient high-speed floor cleaning and buffing equipment. Mr. Wilson's accomplishment in the floor-care industry and his contributions to his community have been impressive; furthermore, at age 36, he is just getting started.

At this point, I would like to share with my colleagues a summary of Mr. Wilson's career that appears in "Small Business: America's Growth Industry," published by the SBA. The article says:

> William Wilson started his first company, a floor care service, in 1971, when he was 20. Five years later, after moving to Sparta from West Virginia, Wilson developed a high-speed system of floor cleaning, using specialized buffers and chemicals. He reorganized and renamed his company as Pioneer/Eclipse in 1981, to concentrate on producing and distributing his unique products which have significantly changed the floor-care industry.
>
> Sales in 1980 totaled $360,000; last year sales topped $16 million. Pioneer/Eclipse employs about 145 persons, including sales representatives around the country. Wilson recently started another firm to produce and market a new electric hair dryer. Last June, Wilson started construction of a new factory and office complex four times as large as the present facilities. Those facilities include a solar-heated office building.
>
> Wilson has contributed funds for a county industrial loan program and has funded a scholarship awarded annually to an outstanding student of business education.

Mr. Speaker, small businesses create two of every three new jobs in the United States. At a time when our Nation's ingenuity and competitiveness are being severely tested, small businesses are creating some of our most innovative and useful products. At Pioneer/Eclipse, William Wilson provides a good example of what a hard-working, imaginative businessman can do. We are extremely proud of this young man and his employees.

TRIBUTE TO ALAN AND JEAN KAHN

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. COLEMAN of Texas. Mr. Speaker, on May 12, 1987, the National Jewish Center for Immunology and Respiratory Medicine will honor two of west Texas' leading citizens, Alan and Jean Kahn of El Paso.

Between the two of them, they have been involved in the Chamber of Commerce, the Armed Services YMCA, the National Conference of Christians and Jews, the United Way, Renaissance El Paso, and a host of other civic and charitable organizations.

Alan Kahn is a prominent businessman and a former president of the El Paso Chamber of Commerce, and he is credited with revitalizing the chamber and its role as the representative of the business community. Last year, he served as the chairman of the capital fund drive of the Armed Services YMCA, and he is a national trustee of the National Jewish Hospital-National Asthma Center in Denver.

Jean Kahn is the president of the Independent Management Corp., which specializes in research and development and public relations. She was recognized as the Woman of the Year in Health by the El Paso Womens Political Caucus, and served on the Governor's Commission on Human Relations. She is a member of Leadership Texas, serves on the board of the National Conference of Christians and Jews, and was the chairman of the board of the Greater El Paso Civic, Convention, and Tourist Center.

As a friend of the family for many years, though, I would also like to point out the universal thread of these accomplishments, and that is the compassion and concern by Alan and Jean Kahn for their fellow human beings. It has marked and inspired their involvement in these myriad activities, and El Paso can only benefit from their future involvement.

Mr. Speaker, it is this unique human element that distinguishes this couple. They are invloved in activities and civic concerns that benefit everyone, rich and poor, Anglo and Hispanic alike. It is this kind of selfless generosity that has marked the contributions of Alan and Jean Kahn and have so improved our daily lives in El Paso.

Mr. Speaker, I am proud to bring their accomplishments to the attention of my colleagues here in this House to commemorate their honor for outstanding community service by the National Jewish Center for Immunology and Respiratory Medicine on May 12.

A BILL TO PROVIDE RELOCATION ASSISTANCE TO CERTAIN COAST GUARD EMPLOYEES

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. YOUNG of Alaska. Mr. Speaker, the bill I am introducing today would allow certain Coast Guard employees who must relocate as a result of the Coast Guard's recent realignment initiative to receive governmental assistance when they sell their homes. The bill also ensures that jobs created by Coast Guard contracts carried out in States where the unemployment rate exceeds the national average will go to qualified local workers.

Section 2 of this bill would extend the coverage of a Department of Defense housing relocation assistance program to include certain Coast Guard employees. Under the Department of Defense program, if the Secretary of Defense determines that, as a result of a military base closing or a reduction in scope of operations at a base, there is no present market value for the sale of property in the area on reasonable terms and conditions, the Secretary may give assistance to DOD employees who sell their homes in order to relocate as a result of a job transfer. The Secretary may compensate those employees for certain losses they incur when they sell their homes, purchase the employees' homes under certain conditions, or pay the amount owing as the result of a foreclosure.

Section 3 of this bill would require the Coast Guard to hire qualified local workers, if available, when carrying out contracts in States where the unemployment rate exceeds the national average. This section will ensure that Coast Guard personnel whose jobs are lost in the Coast Guard realignment process will be able to take advantage of any new Coast Guard job opportunities created locally.

Early enactment of this bill is necessary to minimize the hardships experienced by Coast Guard employees who must change jobs or residences as a result of the Coast Guard's upcoming realignment of operations.

CONGRESSIONAL SALUTE TO DONALD QUINN

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. JONES of Tennessee. Mr. Speaker, I would like to bring to the attention of my colleagues an outstanding member of the Denver community, Mr. Donald Quinn, who is retiring from his position as executive director of the Colorado-Wyoming Restaurant Association. Don's knowledge of the restaurant and hospitality industry and his high standards of professionalism have earned him respect throughout the community, and we certainly wish the best for him during his retirement.

Under his leadership, the Colorado-Wyoming Restaurant Association [CWRA] doubled its membership, increased its budget fourfold and saw its annual convention become a major regional food industry trade show. More importantly, CWRA expanded its professional service to its members and grew in influence among the business community, government agencies, allied associations, the news media and the public.

One of the most notable accomplishments on behalf of the restaurant and hospitality industry has been the major gains CWRA has earned in the Colorado and Wyoming Legislatures due to Mr. Quinn's tireless efforts and political skills. His dedication to building CWRA's leadership role was recognized in 1986 by the association's board of directors when they presented him with a special bridge builder award.

In 1981, he was chosen Man of the Year by the Colorado Chefs de Cuisine Association. And, in January of this year, he was inducted into CWRA's Food Service Hall of Fame, which recognizes individuals who have made outstanding contributions of the food service industry and their communities.

Mr. Quinn is also a past president of the International Society of Restaurant Association Executives and an active member of numerous professional associations.

Before his association work, he had a distinguished career in journalism as a reporter, writer and editor for the Associated Press, the Washington Post, the St. Louis Review and other newspapers where he earned many awards.

Mr. Speaker, I want to express my gratitude for all of the contributions Mr. Quinn has made to our community. His retirement is well-earned, and we thank him for a job well done.

POLICE MEMORIAL DAY

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DORNAN of California. Mr. Speaker, I have proudly and gratefully spoken many times of those select few who serve in the Armed Forces protecting this country. But that term, pride and gratitude applies to another group which also protects this country—our men and women in blue on the front lines of our communities.

By an act of Congress, Friday, May 15, has been designated Police Memorial Day—a day to remember and honor these men and women who have given their lives in the line of duty. These men and women have made the ultimate sacrifice in their unending effort to protect and serve the people of our great Nation. They deserve all our prayers and our undying gratitude.

I know that I am particularly proud of my district's police forces in Santa Ana, Buena Park, Garden Grove, Anaheim, Westminister, Stanton, and those in the Orange County Deputy Sheriffs, Los Angeles County Deputy Sheriffs and Latino Police Officers Association. It has been an honor to come to know so many of these men and women personally. Day in and day out they put up with it, all of it, the darkest side of human nature. And they do so, honorably, bravely, patiently and courteously. They are our friends and protectors—the thin blue line that very often means the difference between civility and anarchy.

Since 1960, Mr. Speaker, more than 2,600 police officers have died in the line of duty serving their communities. This is testimony to the bravery and dedication that our police officers bring to their work daily.

It is therefore very important that we here in Congress work with the police to make their job safer and their work more effective. After all, an attack on a police officer is an attack on all of us. Congress must recognize this and pass laws that provide our police with adequate tools to fight crime. We must also enact laws that enable us to put criminals away with speed and certainty.

I urge all my colleagues to join me in observing Police Memorial Day this May 15. A policeman's lot is often a thankless one. Recognizing their fallen comrades will bring an enhanced appreciation to the tremendous job they do for all of us.

TENANT TAX EQUITY ACT OF 1987

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. GREEN. Mr. Speaker, according to the Bureau of the Census, over 35 percent of households nationwide rent housing; and with some counties in urban areas the figure for renter-occupied housing is as high as 90 percent. For that reason, I thought that my colleagues might be interested in knowing about legislation that I recently introduced that would greatly benefit their constituents who rent housing.

One of the major tasks of the 99th Congress was to reform the current Tax Code in an effort to make our tax system more equitable. A major example of discrimination in the Internal Revenue Code is that homeowners are allowed to deduct real estate taxes and mortgage interest paid during the taxable year in determining their taxable income, but renters, who pay a portion of the local and/or State real estate taxes indirectly through rent, are not allowed to receive any tax benefits for having paid their proportionate share of the same expenses allowed to homeowners. This discrimination was continued in the Tax Reform Act of 1986 by limiting tax benefits previously available for construction of new rental housing and denying to renters certain deductions granted to homeowners. For example, under the new tax law, homeowners can deduct the interest on loans secured against the equity in their home to pay expenses for health care and education—a deduction denied nonhomeowners who borrow directly for identical purposes.

For those reasons, Mr. Speaker, I recently introduced the Tenant Tax Equity Act of 1987—legislation that is designed to correct in part that inequity by amending the Internal Revenue Code of 1986 to permit tenants to take a tax deduction for real estate taxes they now pay indirectly through their rent. If State or local law provides that the landlord is the real estate collection agent for his or her tenants, then this legislation would allow the deduction above the line, that is, as a deduction from gross income in determining adjusted gross income as opposed to itemizing the deduction. This would benefit those tenants who do not itemize their deductions as well as those who do.

Passage of the Tenant Tax Equity Act of 1987 would make our current tax system more equitable for a greater number of taxpayers. For example, my legislation would reduce the tax burden on low-income taxpayers. According to the Department of Housing and Urban Development, in 1983 over two-thirds of all household rental units were occupied by families with incomes of under $20,000. Clearly, passage of this legislation would be a welcome relief to those low- and middle-income taxpayers.

In addition, passage of this legislation would enable individuals to decide whether to purchase or rent housing without undue economic bias. The current preferential tax treatment of homeowners distorts the individual's choice between buying a home and renting housing. This bias constitutes clear interference with economic efficiency.

These advantages would make it easier for individuals to live in rental housing and, to some degree, mitigate the need for housing subsidies. Just as important, the correction of this inequity would help stem the flight of families to the suburbs—a trend which is responsible, in part, for the economic deterioration of our major urban centers.

I urge the Committee on Ways and Means to hold hearings on the Tenant Tax Equity Act of 1987 as soon as possible, and I also urge my colleagues to cosponsor this important legislation. Below, I have submitted the text of my bill in the RECORD for review by my colleagues:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tenant Tax Equity Act of 1987".

SEC. 2. TENANT OF RESIDENTIAL RENTAL PROPERTY ALLOWED DEDUCTION FOR CERTAIN REAL PROPERTY TAXES.

(a) IN GENERAL.—Section 164 of the Internal Revenue Code of 1986 (relating to deduction for taxes) is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

"(g) REAL PROPERTY TAXES IMPOSED ON TENANTS.—

"(1) IN GENERAL.—If under any State law—

"(A) a person (hereinafter in this subsection referred to as the 'tenant') renting residential real property from another person (hereinafter in this subsection referred to as the 'landlord') is treated as having an interest in real property,

"(B) a tax is impose on such interest based on the assessed value of the residential real property being rented,

"(C) the tenant is personally liable for the tax imposed on such interest, and

"(D) the landlord is treated as an agent of the State or local government for purposes of collecting the tax imposed on the interest of the tenant,

then such tax collected from the tenant in accordance with such State law shall be allowable as a deduction under subsection (a) to the tenant.

"(2) TREATMENT OF LANDLORD.—In any case to which paragraph (1) applies, no amount shall be included in the gross income of the landlord by reason of any taxes collected by the landlord as an agent of the State or local government."

(b) DEDUCTION ALLOWED IN COMPUTING ADJUSTED GROSS INCOME.—Subsection (a) of section 62 of such Code (defining adjusted gross income) is amended by adding after paragraph (12) the following new paragraph:

"(13) REAL PROPERTY TAXES IMPOSED ON TENANTS.—The deduction allowed by section 164(a) to the extent attributable to section 164(g)."

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply to taxable years ending after the date of the enactment of this Act.

FLAYING ABOUT ON TRADE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. FRANK. Mr. Speaker, there has been a good deal of very loose talk about the Gephardt amendment adopted by the House, which talk has very little in fact to do with the Gephardt amendment. Particularly in vogue these days have been wholly in opposite comparisons between some of our recent actions and the Smoot-Halley tariff.

The following article from the Boston Globe by Dean Lester Thurow of the Sloane School of Management at MIT very effectively points out the error of many of these arguments. I voted for the Gephardt amendment, and I therefore do not agree with everything Dean Thurow says. But the general thrust of his article is excellently reasoned and not only rebutts many of the somewhat shrill anti-Gephardt amendment arguments, but also makes very clear why someone ever thought it was absolutely necessary for the amendment to pass.

As Les Thurow points out in this article, had Ronald Reagan been doing the job he ought to have been doing as President of the United States with regard to international economic affairs, the Gephardt amendment would not only not have been passed, it would not have been offered. Our colleague Mr. GEPHARDT responded because the President of the United States has failed to fulfill his responsibilities to our economy in this regard.

FLAYING ABOUT ON TRADE

(By Lester C. Thurow)

With the passage of the Gephardt amendment in the US House, charges of protectionism are in the air. To drive that charge home, the Gephardt amendment is frequently compared with the Smoot-Hawley tariff of the 1930s. Since that comparison is so frequently made, it is necessary to clear out the Smoot-Hawley underbrush.

Whatever it is, good or bad, the Gephardt amendment is not another Smoot-Hawley tariff. The Smoot-Hawley measure, enacted in June 1930, was a tariff placed on imports by a country that had the world's largest balance of payment surplus—exports exceeded imports by more than 20 percent in 1929 and 1930. In contrast, the Gephardt amendment threatens to tax foreign exports into the American market if foreign countries do not expand their imports. The Gephardt amendment is primarily an effort to expand world trade, although it secondarily threatens to contract it if the rest of the world does not respond in a positive way.

In 1987 the United States is running the world's largest trade deficit. It could not "do a Smoot-Hawley" if it wanted to. If Japan, the world's largest net surplus nation, were to enact a tariff keeping imports out, it would be "doing a Smoot-Hawley." But as a trade deficit nation the United States doesn't have the right circumstances to do a Smoot-Hawley.

Efforts by a deficit nation to control its balance of payments are not equivalent to efforts by a surplus nation to reduce imports. If anything designed to reduce imports is Smoot-Hawley protectionism, then a falling dollar, for example, is Smoot-Hawley protectionism since it, too, is designed to reduce imports by making them more expensive for Americans to buy. All policies to correct the U.S. balance of payments become "Smoot-Hawley" protectionism, since all of them will reduce U.S. imports.

What is wrong with the Gephardt amendment is not to be found in the amendment itself, but in the very fact that it is needed. If the Reagan Administration had been doing its job in international trade, the American balance of payments would not have gotten so massively out of balance in the first place and the Reagan Administration would be aggressively working to open foreign markets without having to be prodded by a blunderbuss from Congress. Congress cannot carry out foreign policy in a subtle way. The Gephardt amendment is not subtle. It is the job of the president of the United States, however, to be diplomatically subtle, but he is unwilling or unable to act.

One can rightly charge that the Gephardt amendment is a crude instrument for obtaining a legitimate end, but it is then the responsibility of those that make such charges to design and enact less-crude instruments. What is their solution to the problem?

To just allow the American balance of payments deficit to drag on is to let the United States fall into international debt to an extent that will be far worse for both the United States and the rest of the world than any damage caused by the Gephardt amendment. As a huge debtor nation, the United States will have to run very large trade surpluses to earn the money to pay those debts. The rest of the world will, as a consequence, either have to adjust their economies to accept those exports or watch us default on what we owe to their citizens. Small changes in trading patterns are now much better than massive changes in the future.

It is important, however, that Americans understand that when the words "open markets" are used they are not being used in an American context. In America markets are closed by identifiable laws—tariffs, quotas, marketing restrictions. Abroad, foreign markets are often closed by culture and social organization. Close semi-ownership relations between Japanese producers and their suppliers, for example, make it virtually impossible for American parts suppliers to break into the Japanese market. The big Japanese makers of semiconductors also just happen to be the big users of semiconductors. Japanese cars are sold by company-employed door-to-door salesmen and not by auto dealers. Finding American dealers to sell their cars is easy for Japanese auto companies. Setting up national door-to-door sales networks in Japan is almost impossible for foreign car manufacturers.

There is a problem of openness in Japan, not because they have more legal restrictions on imports than we do—they don't, but in the fact that no one—even—the world's very best exporters such as the Germans or the Koreans—can crack the Japanese market. No manufacturing nation exports successfully to Japan. As a recent article in the Korean Business World put it. "Selling to Japan: It Ain't Easy."

Hopefully, the Japanese would have recognized that to sell, they must buy and it would not be necessary to hit them over the head. But they, and they are not the only ones, have not done so. Hopefully, the president of the United States would have entered into subtle international negotiations to obtain what must be obtained. But he has not done so. Given both of these failures, Congress has stepped into the fray and is admittedly flaying about. But what would one expect, given these circumstances?

(Lester C. Thurow is the Gordon Y. Billard professor of economics and management at MIT. His column appears monthly on this page.)

LINE-ITEM VETO

HON. ROD CHANDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. CHANDLER. Mr. Speaker, it was Charles Dudley Warner, and not Mark Twain, who noted that "everybody talks about the weather, but nobody does anything about it."

With that observation in mind, I am pleased to introduce legislation today to give line-item veto authority to the President of the United States when continuing resolutions are presented for his signature.

This proposal is identical to a bill offered in the other body by the distinguished senior Senator from Washington State, DANIEL J. EVANS.

The need for this measure is obvious. Last year, Congress failed to enact any of the 13 regular appropriation bills and instead rolled them into a single, half trillion dollar continuing resolution.

Had this measure been in effect then, the President could have vetoed individual line items, without jeopardizing the Government's ability to keep operating.

This proposal would apply only to continuing resolutions consisting of two or more appropriation bills and it would be implemented only on 2-year trial basis.

Our increasing reliance on continuing resolutions to keep the Government in operation has diminished the accountability of both Congress and the President. A line-item veto would restore a good deal of that accountability.

More importantly, however, the proposal is needed to help us put the brakes on a Federal budget that's produced an ocean of red link. A line-item veto, of course, would not cure the problem of overspending by itself, but no one can doubt that it would help. It would be a tool for deleting excessive and unnecessary spending items from an overblown budget.

Some of my colleagues have expressed reservations about the effect that an unlimited line-item veto would have on the separation of powers, and I understand their reservations. A strength of this proposal is that Congress can make sure the President never has the chance to use the line-item veto. All we have to do is pass the appropriations bills on time.

I would suggest that it is the current state of affairs—rolling appropriations into one mammonth resolution and playing "chicken" with the White House as the Government is about to shut down—that represents a perversion of the separation of powers. The public is tired of rhetoric about the need for fiscal austerity in Government. Maybe we can't do anything about the weather, but we can do something about the way we spend the taxpayers' money. And giving the President authority to veto line items in continuing appropriations would be a pretty good place to start.

Mr. Speaker, I would like to insert the text of the bill at this point in the RECORD.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ENROLLMENT OF CERTAIN JOINT RESOLUTIONS.

(a) IN GENERAL.—

(1) Notwithstanding any other provision of law, when any joint resolution making continuing appropriations is agreed to by both Houses of the Congress in the same form, the Secretary of the Senate (in the case of a joint resolution originating in the Senate) or the Clerk of the House of Representatives (in the case of a joint resolution originating in the House of Representatives) shall cause the enrolling clerk of such House to enroll each item of such joint resolution as a separate joint resolution.

(2) A joint resolution that is required to be enrolled pursuant to paragraph (1)—

(A) shall be enrolled without substantive revision,

(B) shall conform in style and form to the applicable provisions of chapter 2 of title 1, United States Code (as such provisions are in effect on the date of the enactment of this section), and

(C) shall bear the designation of the measure of which it was an item prior to such enrollment, together with such other designation as may be necessary to distinguish such joint resolution from other joint resolutions enrolled pursuant to paragraph (1) with respect to the same measure.

(b) PROCEDURES.—A joint resolution enrolled pursuant to paragraph (1) of subsection (a) with respect to an item shall be deemed to be a bill under Clauses 2 and 3 of Section 7 of Article 1 of the Constitution of the United States and shall be signed by the presiding officers of both Houses of the Congress and presented to the President for approval or disapproval (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

(c) DEFINITION.—For purposes of this section, the term "item" means any numbered section and any unnumbered paragraph of any joint resolution making continuing appropriations.

(d) APPLICATION.—The provisions of this section shall apply to joint resolutions agreed to by the Congress during the two-calendar-year period beginning with the date of the enactment of this section.

SANCTIONS ONLY LEAD TO TRAGEDY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. CRANE. Mr. Speaker, I would like to call your attention to a recent article, "Sanctions Only Add to Tragedy," by Alan C. Brownfeld. Half a year ago, Congress debated the issue of sanctions toward the South African Government. I was directly opposed to these sanctions due to my fear that they would have a negative effect on the very people that the sanctions were supposed to help. It now appears that my fears may be substantiated.

In the above-mentioned article, a black Episcopal bishop of Washington, DC, John Walker, is currently trying to persuade United States corporations to remain in South Africa. He believes that U.S. companies, rather than pulling out, should stay and provide more training for their black employees. He also pointed out that many American firms have had a very positive effect, and a beneficial influence in South Africa.

Instead of placing sanctions against the very people we are trying to assist, we must recognize the power of example. When American firms are able to provide a harmonious and prosperous work environment, they can alleviate some of the major problems the average black South African faces. It is far more beneficial to the black South African to set a positive example than it is to try and assert pressure by means of sanctions.

Congress needs to reevaluate the implications and net impact of imposing economic sanctions upon the black South African. Reverend Gugucha, director of a private black religious outreach program in South Africa, predicted: "As soon as the American people impose sanctions, they will pat themselves on the back and turn their attention to other trouble spots in the world, and blacks in South Africa will be left to pick up the pieces." Let's remove the sanctions against South Africa before it is too late.

I urge my colleagues to read Mr. Brownfeld's article. The article is as follows:

SANCTIONS ONLY ADD TO TRAGEDY

(By Allan C. Brownfeld)

Now that sanctions have been imposed upon South Africa, a number of spokesmen, both black and white, have started to express skepticism about their impact upon conditions in that country.

The Episcopal Bishop of Washington, D.C., John Walker, who is black, is trying to persuade U.S. corporations to remain in South Africa. He believes that U.S. companies, rather than pulling out of Africa, should provide more training for their black employees. He states: "I don't see why liberals think there's only one way of going about accomplishing what you want to accomplish."

Bishop Walker, pointing out that many American firms have had a beneficial influence in South Africa by providing integrated workplaces and by training and promoting black employees, states: "If the alternative is to simply pull out and turn over their operations to the South African government or someone who is not in concert with the notion of the destruction of apartheid, then I'd say I'd rather have them stay because we can work with you."

The respected black columnist of *The Washington Post*, William Raspberry, notes that, "General Motors' pullout from South Africa, widely hailed by anti-apartheid activists here might end up doing more harm than good. . . . Actions undertaken with the goal of hurting white South Africans do not necessarily help black South Africans and may turn out to do them unintended harm."

Raspberry laments that, "There was a time when serious efforts by the South African government to improve the lot of blacks—improved education, better job opportunities, equal pay for equal work, a limited franchise—would have been embraced as important steps. Now anything short of one-man/one-vote is kissed off as 'merely cosmetic.' There was a time when a serious effort at integrating blacks into the then-booming economy, leaving implicit the promise of full citizenship rights, would have had us flashing the triumphant 'V.' Now the acceptance of black labor unions, of black workers in supervisory positions, of desegregated restaurants, hotels, movie houses and sports competition are ridiculed as too little, too late. American influence on developments in South Africa would be painfully limited, even if we could agree on what we want. But as long as we still have some influence, doesn't it make sense to spend some time on the obvious questions: What do we want? How can we help it to happen?"

Sanctions and U.S. business withdrawal from South Africa have made things worse, not better, for black South Africans. On his recent visit to the U.S., Zulu leader Mangosuthu Gatsha Buthelezi reported that these economic measures have reduced income to black workers and farmers. "There was great anxiety when the sanctions were announced," he said. "Now black people are losing more and more jobs. The sanctions have been devastating."

The departure of U.S. companies from South Africa means, in many cases, that they are selling out either to their South African managers or to South African companies. Thus, controls shifts to white South African hands. In fact, black workers in General Motors's assembly plant in South Africa reacted to GM's pullout by going on strike, demanding "severance" benefits, pension-fund payouts, and a say on the new management board. Incidentally, GM's new South African management has indicated that it will no longer feel constrained by a U.S. presidential order that barred sales of its vehicles to the South African government, police, or military.

Other U.S. departures have meant an end to the companies's social-aid programs. Marriott Corporation has recently turned over its airline-catering business to the South African Fedics Company. Marriott, says a Fedics official, has given a leave of absence to allow one of its American executives to stay behind and help run things. When asked about the company's commitment to the Sullivan Code of fair employment-practice principles, the Fedics official replied: "I don't think this really applies to us."

Those who truly seek a more equitable society in South Africa recognize sanctions and disinvestment will lead in an opposite direction. On a recent visit to the U.S., Alan Paton, the 83-year-old writer who for more than 40 years has opposed apartheid, reiterated his opposition to sanctions.

Paton, who came to the U.S. to receive an honorary degree from LaSalle University in Philadelphia, told the awards ceremony that, "The idea of putting people out of work, making their wives and children go hungry, my Christian morality just simply does not allow that." It is Paton's view that President P.W. Botha "was and is sincere in his desire to redress back grievances."

The advocates of sanctions in the U.S. know very well that the economic isolation of South Africa will make life more difficult for blacks. That, after all, is their goal—to radicalize blacks and drive them into the arms of the pro-Soviet terrorists of the African National Congress (ANC).

In a recent lecture at the University of Houston, Randall Robinson, leader of TransAfrica, the militant lobbying group that led the campaign for sanctions, admitted that the economic isolation of South Africa would "cause widespread turmoil and bloodshed, but it is the only hope to change the country."

It may be the only way to "change" South Africa in the direction of Marxism-Leninism, which seems to be Robinson's goal. As it is, South Africa is in the midst of dramatic change—with blacks having seen a host of racial barriers crumble. Finally, blacks can join labor unions, own property in the urban areas, hold any job for which they are qualified and marry across racial lines. Hotels, restaurants and other public places are integrated. Thousands of blacks now attend universities which were once reserved for whites. Although there is much that remains to be done in South Africa, it is clear that reform is now under way.

Black economist Thomas Sowell places all of this much-needed perspective: "The West has no more right to encourage futile uprising in South Africa today than in Hungary 30 years ago. Having largely ignored apartheid at its worst, Western intellectuals and the media have now become aroused about it only after it has been visibly eroding and starting to crumble in recent years."

What will promote progress is more not less U.S. economic involvement in South Africa. Before we go too far down the road of sanctions and disinvestment, let us turn back and become a force for progress—not violent upheaval.

THE 1987 BISHOP O'CONNELL HIGH SCHOOL FRESHMEN GIRLS SOFTBALL TEAM

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. HYDE. Mr. Speaker, Bishop Denis J. O'Connell High School in Arlington, VA, freshmen girls softball team has just completed a very successful season. The team played 11 games against Washington area high schools and came away with 8 victories. With spirit, enthusiasm and a determined drive to succeed, these young women proved that they are valuable assets to their families and school. The future for these young women will no doubt be bright.

The 1987 Bishop O'Connell High School freshmen girls softball team: Kathy Bishop, Debbie Brosnihan, Laurel Burney, Jenny Carrier, Jenny Coleman, Kelly Collins, Colette Crottean, Melissa Czarnelki, Marta Fernández, Colleen Hatch, Joan Heishman, Patti Horan, Gina Leitzinger, Terri Maxon, Jean Tegtmeyer, Coach Jim O'Donnell, Coach Leo Cabralas, Coach Anthony Hyde.

THE RELIGIOUS APPAREL AMENDMENT

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SOLARZ. Mr. Speaker, I rise to offer an amendment to the Defense Department authorization bill which would ensure that members of the Armed Forces will not be forced to choose between their sincere religious beliefs and a desire to serve their country.

I am offering this amendment with my esteemed colleague from Colorado, PAT SCHROEDER, chairwoman of the Armed Services Subcommittee on Military Personnel.

Our amendment would allow a member of the Armed Forces to wear religious apparel while in uniform provided that the apparel is neat and conservative and that is not interfere with the performance of the member's military duties. This is identical to the amendment which passed the House last Congress as part of the 1987 Defense Authorization Act. A similar measure—sponsored by Senators LAUTENBERG and D'AMATO—is pending in the Senate.

The need for congressional action rose in response to the case of Capt. Simcha Goldman. An orthodox rabbi, he was disciplined for wearing his yarmulke while on duty because it was a violation of the Air Force dress code. That code prohibits the wearing of headgear while indoors. Orthodox Jews, by the dictates of their religion, are required to cover their heads at all times. Rabbi Goldman did not want to choose between his religious convictions and the desires to serve his country, so he appealed the judgment against him. Although the district court found in his favor, the U.S. Court of Appeals and the Supreme Court ruled against him. The Supreme Court's decision—by the narrowest of margins, 5 to 4—ruled that the Air Force's perceived need for uniformed dress overrode Goldman's first amendment right. It is worth noting that the 5 to 4 decision would have been the reverse if the case had been heard after Justice Anton Scalia joined the Court. While sitting on the court of appeals, Scalia voted to uphold Captain Goldman's right to wear his yarmulke.

Opponents of this amendment argue that it would threaten uniformity and reduce military cohesion. But there are many precedents which undermine that position. The Air Force regulations themselves explicitly state:

> Neither the Air Force nor the public expects absolute uniformity in appearance * * *. Each Member has the right, within limits, to express individuality * * *. However, the image of a disciplined service member who can be relied on to do his or her job excludes the extreme, the unusual, and the fad.

A yarmulke is a symbol of religious conviction. It is not extreme, is not unusual, and is certainly not a fad. Air force regulations, while disallowing the wearing of a yarmulke, permit individuality in the wearing of up to three rings and one identification bracelet of nonuniform design. These items can be worn if they are "neat and conservative." We are asking that these exact standards be applied to the wearing of religious apparel as well.

In addition to cases of jewelry, there are numerous other examples of exceptions to uniformity. The 22d Bomb Wing, stationed at March Air Force Base in California—the same base as Simcha Goldman—set a record in 1981 for on-time takeoffs of airplanes. The crew chief of this operation wore a lucky green and white garter during every launch, with, obviously, no adverse effect on the mission at hand. If the military tolerates this type of superstition, it should tolerate a sincerely held religious belief.

The Air Force has argued that wearing of religious apparel would diminish discipline and thus have an adverse affect on the morale and fighting spirit of our Armed Forces. I can point to examples where the exact opposite has occurred.

Jacob Goldstein, an Othodox Jewish chaplain serving in the National Guard—and a resident of my district in Brooklyn—was sent to Grenada while our forces were engaged in hostilities there. Had Rabbi Goldstein—who wore his yarmulke at all times—undermined military discipline, he surely would not have received a citation from the Department of the Army which praised him for "meritorious achievement" and "unique dedication to duty."

In his dissent to the Supreme Court ruling, Justice Brennan stated: "a yarmulke worn with a U.S. military uniform is an eloquent reminder that the shared and proud identity of U.S. servicemen embraces and unites religious and ethnic pluralism." I can think of no finer illustration of the Justice's words than an event that occurred in the wake of the tragic destruction of our Marine barracks in Beirut. Lt. Comdr. Arnold Resnicoff, a Navy chaplain, was present at that disaster. Allow me to read you a portion of his account:

> Working with the wounded—sometimes comforting, and simply letting them know help was on the way, sometimes trying to pull and carry those whose injuries appeared less dangerous than the approaching fire or the smothering smoke—my kippa (the Hebrew word for yarmulke) was lost. The last I remember it, I had used it to mop someone's brow. Father Pucciarelli, the Catholic chaplain, cut a circle out of his cap which would become my temporary head covering. Somehow we wanted those marines to know not just that we were chaplains, but that he was Christian and that I was Jewish. Somehow, we both wanted to shout the message in a land where people were killing each other based on the differences in religion among them that we Americans still believed that we could be proud of our particular religions, and yet work side by side when the time came to help others, to comfort, and to ease pain.

President Reagan, and Marine Commandant P.X. Kelly—two men who have strong feelings about military discipline—have publically commended Rabbi Resnicoff for his bravery. Kelly often uses this example as the textbook case of military cohesiveness under fire—a direct rebuttal of the Air Force's argument.

Rabbi Resnicoff is an active chaplain. Just 2 weeks ago, he officiated in a ceremony in the Capitol rotunda, a ceremony attended by many of the distinguished Members of this body. In his full uniform, and wearing his yarmulke, Rabbi Resnicoff delivered the benediction at the National Civic Commemoration of the Days of Remembrance—the official Holocaust memorial ceremony of the U.S. Congress.

Mr. Speaker, I have described these examples in detail because I believe that they clearly show that permitting the men and women of our Armed Forces to wear religious apparel that does not interfere with their duties will not lessen the effectiveness of our military. Let me further add that the United States would not be alone if we adopted this amendment. In Canada, New Zealand and in India, Sikh and Jewish soldiers are permitted to wear religious headgear. In the United Kingdom, the regulations of the Royal Air Force, which require all personnel to remove their headgear before a judge or magistrate, specifically exempts members of the Jewish faith or other religions which require the head to be covered. And finally, the Israeli defense forces have employed thousands of soldiers who have distinguished themselves in battle while wearing religious apparel. The IDF—universally regarded as one of the finest armed forces in the world—has certainly not been adversely affected by this practice.

In conclusion, Mr. Speaker, let me say that our amendment will not in any way hinder the effectiveness of our military. The Secretary of Defense would be fully empowered to forbid the wearing of any apparel which he felt would reduce a member's military capabilities. Furthermore, this amendment goes beyond the tenets of any one religion. It concerns the right of people of all faiths to serve their country without having to forsake their religious beliefs. That is what this country is all about. I strongly urge my colleagues to approve this amendment.

LeVANIEL WOOTEN CELEBRATES HIS RETIREMENT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. TOWNS. Mr. Speaker, I wish to call the attention of my colleagues to one of my constituents, Mr. LeVaniel Wooten, who is retiring after 25 years of employment with the New York Metropolitan Transit Authority.

Mr. LeVaniel Wooten was born to Mr. and Mrs. Ezechial Wooten on October 28, 1918. He was orphaned by the age of 2, his mother having passed away when he was only 8 months old, and his father having been killed by the Klu Klux Klan shortly thereafter.

Mr. Wooten was raised by various relatives until he joined the U.S. Army in 1937, where he served for a period of 16 years. In addition to being a veteran of two wars, World War II and the Korean war, Mr. Wooten is also a past prisoner-of-war as well as a survivor of a Sherman Tank explosion.

The occasion of Mr. Wooten's retirement is being celebrated at a retirement party being given by his six children on Saturday, May 9, 1987 at his home.

Finally, Mr. Speaker, I am certain that my colleagues will want to join me in congratulating Mr. Wooten on his courage in the face of adversity and for reaching yet another great milestone in his life—the celebration of his retirement.

RICK HALBERSTEIN: EXTRAORDINARY CITIZEN-LAWYER

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. STARK. Mr. Speaker, the May 1 issue of the Hill Rag carries a report on Mr. Rick Halberstein, one of the most public-spirited individuals I have ever had the pleasure to know.

The article does an excellent job of explaining what a very special citizen Rick Helberstein is. I first met Rick when he worked for a fellow member of the Ways and Means Committee. We have become good friends over the years and I always stand in awe of Rick's sense of "giving" to those less fortunate and capable.

For those who do not yet have the good fortune of knowing Rick, I commend the following article:

[From the Washington, DC, Hill Rag, May 1, 1987]

RICK HALBERSTEIN—AN UNSELFISH LAWYER WHO IS NOT ONLY AFTER THE BUCKS

(By Maura Shannon)

When you think of Washington lawyers, do you think of K Street? Power lunches? Expense accounts? Many people on Capitol Hill think of Rick Halberstein, a city lawyer, whose success has not gotten in the way of small-town values.

Soft-spoken, with thick, white hair falling over his collar, Halberstein practices tax and real estate law from his office near Eastern Market. His townhouse is modest, but cozy, furnished with an odd assortment of antiques and oriental throw rugs that give it the look and feel of a turn-of-the-century law office.

His Office is definitely not the sumptuous surroundings of a modern Washington firm. Rather, it evokes an earlier, simpler time, when most lawyers worked for their neighbors and friends, handling the everyday legal matters of making a will, buying a business, or selling a home.

Indeed, the modest surroundings provide a perfect clue to a man who has quietly and diligently worked for his neighbors and friends on Capitol Hill for the last ten years. And Halberstein takes his neighborhood duties very seriously. In fact, in a city where it is often easy to shirk community work, Halberstein takes on much more then this share.

His clients are generally not wealthy. Many are small-business owners who are just starting out. He also spends nearly half his time doing free legal work or volunteering in the community. During tax season he spends two nights a week helping low-income people fill out their tax returns through a program sponsored by the Group Ministry, an association of churches on Capitol Hill.

Mr. Halberstein is also on the board of directors of Friendship House, a non-profit, social service agency located on D Street, SE, which serves elderly and low-income residents. His activities include organizing building repairs and tutoring children. He thinks it is a nice way to live and he wishes more young lawyers would do the same.

"I think it is a good way to practive law. I like to encourage young lawyers just starting out that they can make a living and help other people at the same time. I tell them not to be afraid to do it. I think every professional should spend part of their time working for people who can't afford their services."

Rick Halberstein is also quick to point out that not all lawyers can spend the amount of time in the community that he can. But because he does not have a family to support or the rental of a downtown office, he is able to five more. "It's fun," he says. "I think most lawyers would do the same thing, but they can't afford it."

In his professional life, Rick Halberstein's specialties are taxes, real estate and probate. Although the three pose different problems, he enjoys all three for the same reason—he has the chance to help people with seemingly impossible bureaucratic problems. "I like helping people cut through red tape, whether it's with banks, big companies, or the government," he says. "Many clients, even extremely intelligent ones, can have a difficult time. I can get them out of trouble, or pull together loose ends, or save them some money."

Originally from Ohio, Rick Halberstein received his law degree from the University of Michigan at Ann Arbor in 1967, then clerked at the US Court of Appeals in Cincinnati, Ohio, for two consecutive chief justices, first a Democrat, and then a Republican. "I liked being exposed to two viewpoints," he says. "They were both good at what they did."

While in Cincinnati, he found himself meeting a lot of lawyers from Washington and he became interested in federal government work. So, in 1971, he came to DC as a tax attorney for the Justice Department, eventually moving to Capitol Hill when he worked for Rep. Joseph E. Karth (D-MN), of the staff of the Ways and Means Committee. During this time, he got a masters degree in tax law from Gerogetown University.

Although he is no longer involved in tax legislation, he has carefully looked over the new tax reform bill and is afraid that middle-income people are being misled. "I think a lot of people are going to find their taxes are going to go up and they've been led to believe that they're not. I think we're going to be seeing a lot of angry people."

Mr. Halberstein says he has enjoyed each of his jobs, but he never really considered any of them in terms of a permanent career until he started working for himself. Although he does not make as much money as his fellow lawyers on K Street, he does not regret his decision. On the contrary, he has found many tradeoffs: he makes his own hours and he has the luxury of choosing his own clients.

"I don't work for dishonest people," he says. "You have to be very careful about that, especially in the tax area. I usually make a judgment to work for someone based on their motives. I think it's okay to disagree with a client, but as long as I think their motives are good, I will work for them."

In 1971, he moved from Cincinnati to DC. He has had his practice on the Hill for ten years. He was initially attracted to the integrated neighborhoods, the small-town atmosphere, and the convenience to the city—the same reasons he started his practice here.

"I like being close to the Capitol and downtown. But it's also a very comfortable neighborhood. I like the attitude of the people here," he says.

Once, years ago, Rick Halberstein was offered a lucrative position in a large, downtown firm. Does he ever have second thoughts about refusing it? "I would have never fit in," he says "This is exactly where I want to be."

TRIBUTE TO DAVID S. HOUCK, OHIO'S SMALL BUSINESSMAN OF THE YEAR

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. TRAFICANT. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to an outstanding individual who runs a steel company in my congressional district, Mr. David S. Houck.

Mr. Houck is the president and founder of the McDonald Steel Corp., located in McDonald, OH. Mr. Houck was recently named Ohio's Small Businessman of the Year by the Small Business Administration [SBA]. He will be in Washington this week to represent Ohio at a White House ceremony on May 13 honoring National Small Business Week. This high honor is the most recent of a string of honors this remarkable businessman has received. Last year he was named Mahoning Valley Businessman of the Year.

In 1979, United States Steel shut down its plant in McDonald, OH. At the time, Mr. Houck was superintendent of four hot-rolled bar mills and in charge of 32 supervisors and 800 hourly workers. With a never-say-die attitude, David went ahead with a bold business plan to revive the plant, getting financial backing from local investors. Houck's plan called for utilizing the best of the old technology and melding it with new, emerging technologies.

Mr. Houck made use of modern production techniques, installed computer-aided designs and used all of his business savvy to launch a new business enterprise that is the envy of many in the State. McDonald Steel has branched out to meet new market demands and is still looking for new markets to enter. The plant now employs 137 workers and produces approximately 240 unusual steel bar shapes.

Mr. Houck is especially proud of the fact that he started his venture without any financial assistance from Government agencies. Despite the tough times facing the Mahoning Valley and the steel industry, David Houck has made McDonald Steel into a thriving small business. His operation is widely admired throughout the small business community and I'm sure a lot of small businessman can learn a lot from examining how David Houck has made McDonald Steel a viable enterprise.

Mr. Speaker, tough time has hit the steel industry and no where has the decline of the steel industry been felt more than the Mahoning Valley. But the successes of David Houck and his willingness to stay in the valley and tough it out serve as an inspiration to all of us. I am honored to pay tribute to David Houck and I congratulate him on being named SBA's Small Businessman of the Year in Ohio.

TRIBUTE TO BOB O'CONNOR, ASSISTANT DISTRICT MANAGER, SOCIAL SECURITY OFFICE, PASSAIC, NJ

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. ROE. Mr. Speaker, this Nation's Social Security Offices are one of the most vital and direct links between the American people and their Government. For countless millions of those who receive regular Social Security benefits, an efficiently run Social Security office is absolutely critical to their very survival.

In this regard, the people of my Eighth Congressional District in New Jersey in particular, and of the northern New Jersey-New York metropolitan area in general, have been indeed fortunate to have Robert Thomas O'Connor as a manager with the Social Security Administration, an institution he served for 25 years, the last six as assistant district manager of the SSA office in Passaic, NJ.

Mr. Speaker, during his quarter of a century of service to the people of this Nation through his work and leadership with the Social Security Administration, Bob O'Connor proved himself time and time again to be an outstanding manager who cares deeply both about the people who work for him and the vast population he served in such exemplary fashion. Every office in which he served was much the better for him having worked there, and the entire system benefited enormously.

On April 30, 1987, Mr. O'Connor officially retired. His quarter century of outstanding service to the people of this Nation will be recognized with a dinner in his honor on Friday, May 15, 1987, at the Sevilla in Passaic, NJ.

Robert Thomas O'Connor was born in Brooklyn, NY, on December 26, 1931. He graduated Alexander Hamilton High School in January 1950. In 1952 he enlisted in the U.S. Marine Corps, where he received training as a control tower operator—air traffic controller—and served in this capacity until his honorable discharge in January 1954. His college studies began at Pratt Institute in Brooklyn in 1955 and he graduated with a bachelor of arts degree from St. John's University in June 1961, having studied at night for 5 years.

Bob began his career with the Social Security Administration in the Boro Hall District Office on January 22, 1962, as a claims representative trainee. He subsequently served with distinction as a claims representative in the Bushwich, Newark and Passaic district offices. In January 1967, Bob was promoted to the field representative position in the downtown, New York district office. He was shortly thereafter promoted to operations supervisor and served exemplary tours of duty in the uptown, New York and Hackensack, NJ, district offices.

As recognition for his innovative and humane management practices which were very effective in achieving high levels of quality and production while at the same time maintaining very excellent employee morale, Robert T. O'Connor was promoted in 1974 to assistant district manager in the Morristown district office. In July 1981 Bob was reassigned to the Passaic district office and continued his fine record of achievement there until his retirement from the Federal service on April 30, 1987.

Commissioner of Social Security Dorcas Hardy in a recent letter stated that Bob should be proud of his career and especially his record of accomplishments. She said that people like Bob "has given the Social Security Administration a fine reputation as an organization and as a place to work." Regional Commissioner Peter P. DiSturco has stated that Bob's "dedication and commitment to SSA through the years have been of great value to the region" and that "the kind of managerial abilities Bob has consistently demonstrated have helped SSA discharge its responsibilities to the public."

During his quarter of a century of exemplary service with the Social Security Administration, Bob O'Connor received numerous awards. Included among those were the Sustained Superior Performance Award in 1985 and the High Quality Increase Award in 1986.

In his long career Mr. O'Connor had the opportunity to counsel and guide many talented employees up the promotional ladder to rewarding Government careers in positions of trust and responsibility. He personally possesses the highest level of integrity, dedication, administrative ability and leadership, and is a perfect example of the ideal public servant who has spent the greater portion of his life in helping to meet some of the most vital needs of the American people.

Bob O'Connor and his wife, Mary Lou, have three children, Robert J., Suzanne, and Matthew Sean, and reside in Gladestone, NJ.

I would like to take this opportunity to wish Robert Thomas O'Connor all the best in his future endeavors, and to commend him in the highest terms for an outstanding career during which he has rendered an invaluable service to his community, his State and his Nation.

LEGISLATION PROVIDING A FEDERAL CHARTER TO THE NON COMMISSIONED OFFICERS ASSOCIATION, MAY 12, 1987

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SOLOMON. Mr. Speaker, I was pleased to join the chairman of the Veterans' Affairs Committee in introducing legislation providing a Federal charter to the Non Commissioned Officers Association of the U.S.A.

NCOA has distinguished itself as a fine professional organization for noncommissioned and petty officers in the Nation's Armed Forces. Throughout its long history, NCOA's patriotic, fraternal, and benevolent efforts have lacked the recognition they truly deserve.

In 1987, more than 15,000 service members and veterans will participate in NCOA's Employment Assistance Program, and thousands of other veterans will be assisted by NCOA veterans' service officers in obtaining services and benefits from the Veterans' Administration. Moreover, neither of these programs require the veterans to be members of NCOA to obtain benefits or employment assistance.

Over the past few years hundreds of children of noncommissioned and petty officers have benefited from NCOA scholarships. And, NCOA has long been a supporter of the Special Olympics Program at both the national and chapter levels.

Mr. Speaker, almost 80 percent of NCOA members are on active duty in the Armed Forces. They are the professional enlisted community of the services. They are the people who train the new recruits; who serve as instructors in the technical schools important to military training; who keep our ships afloat; and, who keep our aircraft flying. They man the line units in Korea, Germany, Panama, and hundreds of other locations throughout the world to insure the security of our Nation. They deserve this recognition.

I urge other of my colleagues to join as cosponsors of the bill.

THE FACTS ABOUT THE BRADLEY

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. WYDEN. Mr. Speaker, over the last few days there has been a great deal of discussion about the Bradley fighting vehicle. To insure that the members have access to all appropriate information before this week's vote on the Bradley, I made available last week some previously unreleased documents regarding the Bradley's performance.

For me, the information contained in these documents was stunning to say the least. An article in today's addition of Defense Week (May 11, 1987) summarizes several of the key documents in succinct fashion, and I would like to share it with my colleagues.

Moreover, I invite my colleagues who would like to see these documents in full to contact my office at their convenience.

FMC SOUGHT TO DELETE BRADLEY SWIM REQUIREMENT

(By Paul Bedard)

The maker of the troubled Bradley, after deciding that the personnel carrier could not safely ford waterways, asked the Army nearly two years ago to kill the requirement that the vehicle be able to "swim," according to newly released documents.

Since the request was made, several Bradley's have sunk and, in a recent accident, one soldier drowned in a submerged Bradley Fighting Vehicle.

FMC Corp., the maker of the $1 million Bradley, recommended during a July 1985 "critical design review" that the swim requirement be eliminated, according to internal company documents, released last week by Rep. Ron Wyden (D-Ore.).

Under a section of the review titled "Buoyancy," FMC asked the Army to "consider deletion of [the] swim capability." Such a move would save money, simplify maintenance and allow for the enhancement of armor on the front and sides of the vehicles, according to the documents.

The Army rejected FMC's recommendation and kept the swim capability requirement. However, in light of the recent Bradley sinkings, the Army is reviewing the vehicle's swim specifications.

FMC spokesman Bill Highlander said the documents were only providing one of several proposed changes to the Bradley.

The Bradley has been attacked by members of Congress who claim the vehicle is not safe. Wyden is one of a handful of Democratic legislators who this week are expected to ask the House to halt further funding of the Bradley until the Army fixes the problem-plagued vehicle. "At this point in its development, the Bradley is hell on wheels," Wyden said of the tracked vehicle. "Congress must act to force the Army to make the Bradley safe and workable."

The documents released by Wyden also point to other problems with the Bradley. For example, an FMC safety official said the vehicle should not cross streams at speeds above 2 mph—even though the Army requires it to go twice that speed, according to the documents. "It is the opinion of the [Bradley Fighting Vehicle Safety Review Board], that water operation in stream speeds above 2 mph constitutes a very hazardous situation," wrote then board-chairman Keith Baker.

Meanwhile, the Army itself has issued at least nine safety notices over the past 17 months to soldiers who ride in Bradleys, the Army's front-line personnel carrier—including one limiting the swim speed to 2 mph.

According to the most recent issue of the Army's "Countermeasure" safety magazine, soldiers have encountered many new problems with the Bradley. For example:

Soldiers have been warned that a bracket on the vehicle's parking brake "may break." The safety warning blames poor welding techniques. Should the bracket break, "This will be obvious when the parking brake is applied. The actuating lever will be loose and the brake pedal will not remain depressed." The magazine encourages soldiers to park Bradleys with broken parking brakes "on flat ground with the tracks blocked."

When operating the vehicle's turret in "high temperatures or for extended periods, excessive heat builds up within the traverse motor. As a result, a screw loosens and allows an open electric connection, overloading and burning out" an electrical device. That could lead to a "runaway turret."

Vibration in the Bradley's engine can induce cracking of the oil cooler. The coolers are being replaced.

The Army magazine also described a recent Bradley fire caused by chafing wires. The wire in the vehicle's power unit chafed and shorted, "igniting diesel fuel in the bottom of the power unit compartment." The fire department had to be called in to extinguish the fire.

THE SALT RIVER PROJECT

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RHODES. Mr. Speaker, the phenomenal growth and prosperity of central Arizona would not have been possible if it were not for the vision and foresight of the pioneers in Arizona who created the Salt River project, and for the continuing vision and foresight of those who have carried on the work of those pioneers in the development and growth of that project. One of the persons who had dramatically contributed to the growth and development of the project, and, consequently, of central Arizona has been Reid W. Teeples. In 1948, following his service in the U.S. Navy during the war, and after completion of his education, Mr. Teeples went to work for the project as an engineer. During a remarkable 39 year career with the project, he retired in 1987 having risen to the position of associate general manager for water, responsible directly to the general manager in that extremely important function of developing and preserving Arizonas water resources.

In addition to his responsibilities and activities within the organization, Mr. Teeples has been extremely active in other organizations and associations which have had dramatic impact on Arizona and the West. He has been an officer and director of the Agri-Business Council of Arizona, and the National Water Resources Association, as well as serving in advisory capacities to the Arizona Irrigation District, in the Maricopa County Flood Control District.

In addition to his tireless devotion to the Salt River project and to the development of our resources, Mr. Teeples and his wife Sue have raised a family of five children, and contributed many hours and years of selfless work in their community and their church.

It is difficult to measure the impact of a single individual on the growth of a dynamic area such as central Arizona, but there is no question in the minds of anybody who has been associated with that growth, and with Mr. Teeples that his dedication to his profession and his love for Arizona and the West, have an immeasurable impact on the growth and prosperity of our home, and our region. It is my privilege and pleasure to join with countless others to wish Reid a happy and prosperous retirement in the community which he has helped to build.

BILL AMOS—A GREAT LABOR LEADER

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. PANETTA. Mr. Speaker, I would like to bring to the attention of my colleagues an upcoming dinner in my district honoring Clarence William Amos—Bill Amos—who is president of local 839 of the United Food and Commercial Workers Union.

Bill is leaving our area for Chicago, where his wife, Sarah, is working for the UFCW International Union, and his friends and colleagues are paying him this tribute for his many years of dedicated service to his fellow workers. I certainly hope I will be able to attend the dinner, but in any event, I want to help the tribute along through this statement to my colleagues in the House.

Bill was born in Indiana in 1937 and came to California as a boy. For a number of years, he worked for several food outlets in the Monterey County area—Seaside Market, Kilpatrick's Bakery, and Montemar Market.

In 1963, Bill was hired as an organizer by local 839. In 1964, he was hired as an organizer by the Retail Clerks Organizing Committee, and in 1966, he became an organizer for the UFCW International Union. Then, in 1971, Bill became the business representative of local 839, and in 1977, he was elected president of local 839. He has remained president to this day.

Along with his other union work, Bill has been a member of the Valley Clerks Joint Council since February 1977; has served as special representative to the UFCW International Union for the past 8 years; and has served as a drug trustee, a specialty store trustee, and a food pension trustee to the northern California retail clerks pension funds.

Bill and Sarah Amos have four children. My wife, Sylvia, and I have had the pleasure of knowing Bill and Sarah for more than 10 years. Their friendship means a great deal to us, and we share the sorrow of their other friends and colleagues over their impending departure for Chicago.

Bill plans on retiring when he moves to Chicago, and Sylvia and I certainly wish him the best of luck in whatever he chooses to do.

Thank you, Mr. Speaker, for this opportunity to say a few words about a wonderful man.

PERSONAL EXPLANATION

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RAHALL. Mr. Speaker, on Friday, May 8, 1987, I missed six votes on the floor of the House due to my attendance of an economic development seminar in Bluefield, WV, which had been on my schedule for 6 months. Due to the amount of planning that went into this seminar, which I organized and sponsored in my congressional district, it was not possible for me to reschedule or forego this event.

Had I been present, I would have voted "yea" on rollcall votes 96, 97, 98, 100, and 101, and "no" on rollcall vote 99.

SAMUEL W. McALLISTER, A CAREER OF SERVICE TO LABOR

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DYMALLY. Mr. Speaker, on April first of this year Samuel McAllister retired from Teamsters Union Local 572 after 28 years of service within the Teamsters organization. I want to take a moment and inform my colleagues about the long and distinguished service of this outstanding individual who has done so much for organized labor in southern California.

Sam was born in Panama City in the Republic of Panama on January 21, 1927. His working life began there when he went to work for the U.S. Air Force as a publication clerk. He migrated to Los Angeles in 1959 and by April of that year had joined Teamsters

Local 357 and had begun working for Southern California Freight Lines, which now is known as O.N.C. Freight Lines. Within 3 years of his joining the union, his leadership abilities had been recognized by his fellow workers. They elected him chief steward at O.N.C. Freight Lines in May 1962.

It was not long afterward that Sam met his wife to be, AnnaLou. They were married in February 1965 and in the ensuing years have built a beautiful family of five children. They in turn have given Sam and AnnaLou seven grandchildren in whom they take constant joy.

Sam did such a sterling job as chief steward that he came to the notice of the late Barney Volkoff, who was at that time secretary-treasurer of local 357. Volkoff appointed him business representative for the local. With that appointment, Sam was officially into his career in labor relations.

Sam was interested not just in doing the job but in knowing something about its formal aspect. He wanted to be as good at what he did as he possibly could. So, he enrolled at UCLA and through extension work was formally trained in labor relations. After his graduation in June 1968, Sam began working for Jim Peck, public relations director of Joint Council 42. Through that work, Sam became well known to the major figures in California politics as he worked in the election campaigns of Mayor Tom Bradley, Governor Pat Brown, Vice President Humphrey, State Treasurer Jesse Unruh, Assemblyman Curtiss Tucker, to mention just a few. I personally owe Sam a debt of gratitude for the help he has given me over the years.

In May 1972 Sam began to work for Teamsters Local No. 572. For 15 years now he has done what needs to be done. He is an organizer par exellence, a tough contract negotiator, and above all he is a totally dedicated representative of working men and women. This working for the people that is part and parcel of Sam's life is not confined to his professional life. He has given willingly of himself for a myriad of community enterprises. He is a member of the Urban League, the NAACP, the Frontier Democratic Club, the Crenshaw Neighborhood Association. He is president of the Leimert Park Block Association and president of the Los Angeles chapter of the A. Phillip Randolph Institute. Organized labor is losing a seasoned champion. But none of us expects Sam to fade into the background. We look forward to Sam lending his great leadership to the many civic organizations that have just been waiting for him to retire so he can get to work for them. Sam, your friends wish you the best, and we look forward to all our future opportunities to continue working with you.

THE BENEDETTO CROCE EDUCATIONAL SOCIETY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RODINO. Mr. Speaker, this Friday it will be my great privilege to be the recipient of the Benedetto Croce Educational Society Outstanding National Leadership Award, presented to me at the society's annual dinner at Biase's Restaurant in Newark.

This award means a great deal to me because it is bestowed by an organization that has stood at the forefront in championing the rights of immigrants, an organization I have been privileged to work with closely over many years. This honor is also gratifying because I have devoted my career to helping make the American dream a reality for new immigrants and their families.

Mr. Speaker, I would like to take this opportunity to give a word of special thanks and recognition to the officers of the Benedetto Croce Educational Society: Mr. Arthur Cafaro, president; Mr. Frank DeMaria, president elect; Pat Raimondo, vice president; Mr. John Lupo, treasurer; and Mr. Vance Melillo, secretary. Their great dedication to making the transition to American life smoother for immigrants enriches our community many times over.

The Benedetto Croce Educational Society was founded in 1931 to assist Italian immigrants in the Newark area assimilate into the American mainstream. For over 50 years the society has recognized that education plays a vital role in that effort, and today the society consists of educators from throughout Essex County who are committed to the improvement of not only Italian Americans, but all individuals through education.

Once again, I salute my good friends at the Benedetto Croce Educational Society and the fine work they have done to assist immigrants. I am truly honored to receive the Outstanding National Leadership Award, and I look forward to continuing my work in Congress and in New Jersey on behalf of our Nation's newest Americans in the many years to come.

OUR COMPETITIVE DISADVANTAGE

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. RHODES. Mr. Speaker, in the continuing debate over American trade deficits, and productivity, we all too frequently forget to ask ourselves the following question: "How many overseas producers spend money for clean air, clean water, water treatment, waste control, waste disposal, OSHA training, fume abatement, ear and eye protection, fire extinguishers, respirators, chemical handling safety equipment, self-contained breathing apparati, evacuation route signs, emergency exits, wheelchair bathrooms, emergency lighting, safety showers, ground fault detection, audible back-up signals, and caution-danger warning-hazard signs by the carload?"

In the backs of all of our minds we know that, out of concern for the safety, well being, comfort and financial stability of our work force, we have imposed overhead costs on American producers which put them at a first-stage competitive disadvantage with their overseas competition. These are social decisions that have been made over the course of time, and which contribute to the American quality of life, but which also contribute directly to the cost of all goods produced in this country, and which contribute significantly to our competitive disadvantage in the international marketplace.

I have recently come across an eloquent reminder of these elements of industrial overhead in an editorial by Michael O. Flatt, chairman of the board of Continental Circuits Corp. in Phoenix, AZ. I am including a copy of this comment in the RECORD at this point.

I am pleased to share his observations with my colleagues, and commend his thoughts to them:

HOW MANY OVERSEAS PCB PRODUCERS HAVE TO SPEND MONEY FOR CLEAN AIR AND WATER, HAVE TO COMPILE ANNUAL ACCIDENT REPORTS, AND HAVE TO PAY SOCIAL SECURITY, REAL ESTATE AND PERSONAL PROPERTY TAXES?

I recently heard a Federal bureaucrat pontificating on the sorry state of American industry, and he, in essence, was saying that all of our collective ills would be magically cured if we (industry) would only wise up, improve productivity, and (you guessed it) automate.

As one industrialist, I'm getting very tired of shouldering the bulk of the responsibility for the trade deficit, the loss of American jobs, the image deterioration, and all the other attendant negatives that come with this particular territory.

One hand of the government seems to be waving the "Automation-is-Wonderful" banner, while the other hand is deleting the Investment Tax Credit, thus creating a deincentive to spend the dollars to automate. It makes me wonder. . . .

I wonder if the people in government who are enamored with using industry as the national whipping boy have stopped to consider some of the "invisible" items that put our particular industry between the proverbial rock and the hard place when it comes to competing with overseas producers.

For instance, I wonder how many overseas producers of printed circuit boards spend money for clean air, clean water, water treatment, waste control, waste disposal, OSHA training, fume abatement, ear and eye protection, fire extinguishers, respirators, chemical handling safety equipment, self-contained breathing apparatus, evacuation route signs, emergency exits, wheelchair bathrooms, emergency lighting, safety showers, ground fault detection, audible backup signals, and caution-danger warning-hazard signs by the carload.

I wonder how many overseas producers of printed circuit boards have to record every accident, compile annual accident reports, prepare hazardous waste manifests, report yearly hazardous waste activity, prepare safety training, keep training records, file Affirmative Action Plans, prepare Emergency Contingency Plans, maintain effluent records, and respond to a myriad of federal, state and municipal information requests.

I wonder how many overseas producers of printed circuit boards pay unemployment insurance, industrial accident insurance, social security, real estate taxes, personal property taxes, municipal effluent testing fees, county air quality equipment use fees, air emissions testing fees, not to mention liability insurance premiums and federal, state and city income taxes (should there happen to be any "income").

I wonder how many of the rock-throwing, finger-pointing, nay-saying bureaucrats and law makers have taken an introspective, responsible look at how much of American industry's income dollars go for mandated entities.

I personally believe the vast majority of the required spending is well justified and well intentioned; I do, however, have a problem with people who overlook these mandated costs and throw the blame for national economic woes at our feet and proclaim self-righteously that we should be able to do as well or better than the overseas competitors by automating and (thus) improving our productivity.

I wonder how we've managed to come as far as we have.

FATHER JERZY POPIELUSZKO—A MODERN DAY MARTYR

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SOLARZ. Mr. Speaker, it is not often that I have the privilege of paying tribute to a man as beloved as Father Jerzy Popieluszko. Father Popieluszko, murdered by the Polish Secret Police on October 19, 1984, has become a symbol of the Polish people's struggle for national liberation.

As the first chaplain of the Huta Steelworks near Warsaw, he provided guidance and leadership during the birth and development of the Solidarity Labor Union. He later became an honorary member of the Solidarity presidium.

As a priest at St. Stanislaw Kostka Church in the Zoliborz section of Warsaw, he celebrated a monthly "Mass for the Homeland" which was dedicated to those who were imprisoned or driven underground by the Polish military regime. Thousands of people from all over Poland came to hear Father Popieluszko condemn the acts of oppression by the Government and encourage the Polish people to stand firm in their commitment to justice and truth.

Today, nearly 3 years after his death, Father Popieluszko remains as a shining example for people everywhere who yearn to know freedom. In the Greenpoint section of my district, thousands of Polish-Americans witnessed the dedication of Father Jerzy Popieluszko Square on October 19, 1986. The square has become a gathering place for families and individuals who go there to remember the valiant struggle that Father Popieluszko waged during his life, and to pray for those that continue to battle for peace in Poland. The square will become a cultural center devoted to good will and harmony among all community residents and a place honoring those committed to protecting human rights. It will forever be a monument to a man who was killed for expressing his beliefs.

St. Stanislaus Kostka Church in Greenpoint, the namesake to Father Popieluszko's church in Poland, has the largest Polish congregation in Brooklyn. The church has long been in the forefront of spiritual and community activities in Greenpoint, and has become a driving force behind keeping Father Popieluszko's legacy alive.

Father Popieluszko's lifelong work continues to teach people forgiveness instead of hatred and the importance of courage and truth, even years after his death. Shortly before he was killed, Father Popieluszko observed that "Hope can never be killed." The hope that one day every person will be able to live free of persecution is one that Father Popieluszko gave his life trying to protect.

It is with deep respect and humility that I offer this tribute to Father Popieluszko, and to those that are working to keep his memory alive.

PERSONAL EXPLANATION

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SYNAR. Mr. Speaker, I was unavoidably absent on Friday, May 8, and as a result missed four rollcall votes on amendments offered to H.R. 1748, the 1988 Defense authorization bill. Had I been present, I would have voted "no" on the Mrazek amendment, roll No. 98; "no" on the AuCoin amendment, roll No. 99; "aye" on the Montgomery amendment, roll No. 100; and "aye" on the Smith amendment, roll No. 101.

DR. JANET L. NORWOOD RENOMINATED TO HEAD LABOR STATISTICS BUREAU

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. JEFFORDS. Mr. Speaker, I rise today to honor Dr. Janet L. Norwood, who has recently been renominated by the President to her third consecutive 4-year term as Commissioner of Labor Statistics.

By retaining Dr. Norwood as only the 10th Commissioner in the 102-year history of the Bureau of Labor Statistics [BLS], the President has assured the Nation that he intends to preserve and continue the high standards of professionalism, ability, and integrity which have been the hallmark of and distinguished Dr. Norwood's tenure in that key office.

Dr. Norwood's distinguished career in BLS began in 1963, when she went to work as an economist in the Bureau's Office of Foreign Labor and Trade. As she progressed through various assignments, her excellence was steadily recognized, first with the Secretary of Labor's Award for Distinguished Achievement in 1972, then with a Secretarial Special Commendation in 1977 when she was already serving as Deputy Commissioner, and finally in 1979 with the Philip Arnow Award, the Department of Labor's highest award for a career employee.

I should add that the recognition conferred by her agency has been echoed by numerous professional organizations in the United States and abroad. In 1982, the National Capital Area Chapter of the American Society for Public Administration selected her to receive the prestigious Elmer B. Staats Award for Outstanding Public Service, and later that same year her professional colleagues around the world extended her the signal honor of unanimously electing her to chair the 13th International Conference of Labor Statisticians.

It would be unfair to me to list her accomplishments without adding a word about the fact that Dr. Norwood recently celebrated the arrival of her first grandchild. To have a successful professional and personal life deserves admiration and respect.

Those of us in this body both sides of the aisle who have had the privilege of knowing and working with Dr. Norwood join Secretary of Labor Brock in praising this renomination and in congratulating her for a job extraordinarily well done.

REV. MSGR. GEORGE A. O'GORMAN CELEBRATES 50 YEARS OF ORDINATION

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. GUARINI. Mr. Speaker, this month an outstanding servant of God and man, Rev. Msgr. George A. O'Gorman will celebrate his 50th year of ordination as a Roman Catholic priest.

Because of Monsignor O'Gorman's community service during the years of war and peace America has been involved in, a testimonial dinner in his honor is being tendered on Saturday, May 16, 1987, at 6:30 p.m. at Schuetzen Park, North Bergen, NJ.

Helen Gonyou, Ruth Matash, and Janet Benzoni are members of the dinner committee that have invited Archbishop of Newark Theodore McCarrick and Archbishop Emeritus of Newark Peter L. Gerity and Msgr. Franklyn Casale, as well as relatives and community groups. In addition, Monsignor O'Gorman will be given a special salute by veterans' groups for his service as a chaplain in the U.S. Army, having retired with the rank of colonel from the U.S. Army Reserves just a few years ago.

Born in Jersey City, NJ, Monsignor O'Gorman was ordinated into the priesthood on May 22, 1937, after his education at Seton Hall University and Immaculate Conception Seminary, two great institutions of higher learning in the Garden State. After his ordination he was assigned to St. Brigid's Parish in North Bergen where he also served as chaplain for the township police and fire departments.

When World War II came upon us, Monsignor O'Gorman answered the call and enlisted in the U.S. Army as a chaplain. Because of his tremendous courage and leadership on the fields of battle, Monsignor O'Gorman earned the nickname of "Beachhead" O'Gorman. His involvement in the invasions of Leyte and Okinawa earned him five battle stars. After his release as a major in 1946, Monsignor O'Gorman continued to serve New Jersey and his Nation as a chaplain in the Army Reserves until his retirement.

In 1946 Monsignor O'Gorman resumed his religious duties at All Saints Parish in Jersey City where he remained until 1963. It was in that year that the late Archbishop Thomas A. Boland assigned Monsignor O'Gorman to

North Bergen to erect a church and found the parish of Our Lady of Fatima.

Over the years, Monsignor O'Gorman has served with distinction on the military staff of two Governors of New Jersey, as State Chaplain of the Veterans of Foreign Wars, moderator for the South Hudson and North Hudson Councils of Catholic men, a member of the Planning Board of North Bergen, and as Chaplain of Pope John XXIII Knights of Columbus. Monsignor O'Gorman was also a member of the Advisory Board of the Military Ordinate to which he was appointed by the late Terrance Cardinal Cooke, a member of the U.S. Council on Aging, Washington, DC, and a member of the Edward McDowell Post, Veterans of Foreign Wars, North Bergen, NJ. He was also appointed to the Building and Site Committee of the Archdiocese of Newark of Archbishop Emeritus Peter L. Gerety.

On May 21, 1986, he was made a prelate of honor of his holiness at the Cathedral of the Sacred Heart, Newark, NJ. Monsignor O'Gorman resides at the St. John Vianney Residence for Retired Priests in Rutherford, NJ. Monsignor O'Gorman continues to help out at various parishes in the Diocese when needed.

Monsignor O'Gorman's sister, Mrs. Kermit Sidle, resides in Westerly, RI. His nephew John lives in Grand Island, NE, and his nephew William resides in Columbus, OH, with his wife, Philomena.

Monsignor O'Gorman's life work echoes the words of His Holiness, Pope John Paul II when he visited Philadephia on October 4, 1979, and said in his homily to those priests in attendance: "The priesthood is not really a task which has been assigned; it is a vocation, to be heard again and again. To hear this call and to respond generously to what this call entails is a task for each priest." Monsignor O'Gorman's career exemplifies: "Tu es sacerdos in aeternun—Priesthood is forever. We do not return the gift once given. It cannot be that God who gave the impulse to say "yes" now wishes to hear "no."

According to Helen Gonyou, past New Jersey President of the Ladies' Auxilliary of the Veterans of Foreign Wars, and a members of the dinner committee:

> This year during the 200th anniversary of the Constitution of the United States this golden anniversary celebration of Monsignor O'Gorman's ordination is extra significant. His entire life has been dedicated to the freedom of spirit and religion and opportunity which our forefathers outlined so carefully in the priceless document which is the envy of the entire world.
>
> Let us not rest all our hopes on parchment and on paper. Let us strive to build peace, a desire for peace, a willingness to work for peace, in the hearts and minds of all our people. I believe that we can. I believe the problems of human destiny are not beyond the reach of human beings.
>
> Monsignor O'Gorman has been a leader all his life, leading his religious flock, leading the community in all causes just, tending to and leading the men who served him in battle. Those who were with him in the dark days of World War II speak of his tremendous stamina, faith, and courage.

One former serviceman quoted the following in describing "Beachhead" O'Gorman's combat leadership, a statement often expressed by President John F. Kennedy: "Without belittling the courage for which men have died, we should not forget those acts of courage for which men have lived."

Monsignor O'Gorman's life should inspire all of us who must be reminded that the cost of freedom has always been expensive. Monsignor O'Gorman's life echoes these words:

> For of those to whom much is given, much is required. And when at some future date the high court of history sits in judgement on each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage? Second, were we truly men of judgement? Third, were we truly men of integrity? Finally, were we truly men of dedication?

Monsignor O'Gorman's life befits the October 6 message delivered by Pope John Paul II when speaking about our Nation and the people who made it great and what we stand for:

> It is also a country marked by deep veneration for those values without which no society can prosper: love of freedom, cultural creativity, and the conviction that common endeavors for the good of society must be guided by a true moral sense. My own spiritual and religious mission impels me to be the messenger of peace and brotherhood, and to witness the true greatness of every human person. This greatness derives from the love of God, who created us in his own likeness and gave us an eternal destiny. It is in this dignity of the human person that I see the meaning of history, and that I find the principle that gives sense to the role which every human being has to assume for his or her own advancement and for the well-being of the society to which he or she belongs. It is with these sentiments that I greet in you the whole American people, a people that bases its whole concept of life on spiritual and moral values, or a deep religious sense, on respect for duty and on generosity in the service of humanity—noble traits which are embodied in a particular way in the nations' capitol, with its monuments dedicated to such outstanding national figures as George Washington, Abraham Lincoln and Thomas Jefferson.

I am certain that my colleagues here in the House of Representatives wish to join me in this salute to Monsignor George O'Gorman—a great priest—a great American.

MERIDIAN HOUSE—GATEWAY TO AMERICA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. LANTOS. Mr. Speaker, it gives me great pleasure today to recognize Meridian House International [MHI] here in Washington, DC. Founded in 1960, Meridian House is dedicated to promoting international understanding. They welcome visitors from countries throughout the world and are, in the words of their President John Jova, "a Gateway to America."

Meridian House International offers a range of activities. In Washington the staff coordinates a wide variety of programs for the international community. Seminars provide a chance for an indepth examination of American society and, for U.S. citizens, an introduction to other cultures. MHI also has five affiliated organizations providing a variety of services from a language bank staffed by volunteer interpreters to orientation programs for foreign visitors to the United States.

I would like to pay a special tribute to one of these affiliates, the National Council for International Visitors [NCIV] comprising 92 local volunteer groups in communities throughout the United States. They provide hospitality to an estimated half million foreign visitors each year. Although these trips are Government sponsored, they are free of Government influence. They provide a unique insight into the United States and visitors return to their homelands with impressions of the United States which may endure for a lifetime. This is a valuable way of introducing influential foreigners to our country. The State Department estimates that 44 current foreign heads of state or government came to the United States under the auspices of this program since 1960.

I believe that programs such as the NCIV play a significant role in countering anti-Americanism that is found in many parts of the world. Another function served by NICV is to help educate Americans about foreign countries and cultures. We live in an insular environment, and organizations such as MHI broaden our horizons—they should have our full support in their objectives.

CHURCH OF THE ASCENSION SERVING GOD AND MAN FOR 140 YEARS

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. SOLARZ. Mr. Speaker, I would like to pay tribute to the Church of the Ascension, located in the Greenpoint section of my district, which is currently celebrating its 140th anniversary. The Church of the Ascension has long been in the forefront of spiritual and community activities since its founding in 1846.

The church has been located on several different sites during the past century, but has always been a gathering place for religious, cultural, and civic groups. The Reverend Walter Bentley, the church rector from 1905 to 1920, founded the Church Actor's Alliance, one of the finest groups in the country to minister to the theatrical community. Among the church's more prominent members was Thomas Fitch Rowland, one of the founders of the Green Point Savings Bank and the owner of the Continental Iron Works, where the iron-clad warship the *Monitor* was built.

The church continues to be a center of activity in the thriving Greenpoint area it serves. Despite having been ravaged by a fire nearly 2 years ago, the church has continued to provide leadership and guidance to hundreds of parishioners. In the true spirit of commitment and determination, the Reverend Walter E. Hartlove is leading the drive to restore the church to its original beauty. Father Hartlove has also played a major role in planning the redevelopment of the Greenpoint waterfront, and protecting the Greenpoint area from the damaging effects of pollution caused by neighborhood businesses and traffic congestion.

The Church of the Ascension has long held the philosophy that community service goes hand-in-hand with religious service. It has established a tradition of community involvement that will continue to benefit Greenpoint residents for decades to come. Today, Ascension Day, May 28, 1987, I am proud to honor the Church of the Ascension as one of the finest religious and community organizations in my district.

DRUG AWARENESS DAY AND THE CITIZENS OF NEW BRITAIN, CT

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mrs. JOHNSON of Connecticut. Mr. Speaker, I would like to take this time to congratulate the citizens of New Britain, CT, for undertaking the tremendous and admirable task of putting together a citywide effort to combat substance abuse, and proclaiming May 13, "Drug Awareness Day."

This week's communitywide drug fair will feature guest speakers, poster contests, display, and health advisories on the subject of substance abuse. Students from 19 schools in the city as well as 10 community organizations have given their time and talents to make this event a success.

Lonise Bias, the mother of the late basketball star Len Bias, and "Rob the Drummer" Gottfried, a dynamic antisubstance abuse performer, are both scheduled to make appearance at the fair during the day.

Substance abuse is a nationwide epidemic, and one of the causes is the unfortunate fact that many people are completely unaware of the risks involved in using, and abusing drugs and alcohol. The only way to remedy this situation is to raise the awareness of people through education.

Therefore, I commend Mayor William McNamara, his 21-member task force on substance abuse, the students and all of the citizens of New Britain for taking steps to educate their community about the dangers of drugs, and by doing so, bringing this Nation a little bit closer to solving the deadly problem of substance abuse and teaching our children to "just say no."

RESULTS ON STRATEGIC DEFENSE INITIATIVE POLL

HON. ERNEST L. KONNYU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. KONNYU. Mr. Speaker, since coming to serve in this body, I have heard much conflicting information and observed great misunderstanding regarding the strategic defense initiative and the public's support for SDI. I would like to begin to correct this situation and would like to submit for the record the results of a national poll conducted by Penn & Schoen Associates during the period of April 3 through April 5 of this year.

This survey shows that the American people are very informed on some issues and want to be better informed on others, but do not have access to the same information we do. I hope that my colleagues will keep these facts in mind as we continue to discuss and debate this important issue of strategic defense and arms control. I would like the RECORD to include the following summary of the poll.

To: The Committee on the Present Danger.
From: Penn & Schoen Associates, Inc.
Re: National Poll on Arms Control.
Date: April 17, 1987.

This memo summarizes the highlights of a national poll conducted by Penn and Schoen Associates Inc., for the Committee on the Present Danger. The 1004-interview poll was conducted on April 3rd through April 5th at our telephone interviewing facility in New York City.

Overall, the poll shows that the public:

(1) Continues to strongly favor the development of the Strategic Defense Initiative;

(2) Believes now that the Soviet Union is spending more on its arms than the United States and that the Soviet Union has a stronger military than the U.S.

(3) Continues to overestimate expenditures on defense and the growth in defense equipment. Almost always, the public presumes the U.S. has defenses and capabilities that are not necessarily in place.

(4) Does not support cuts in the defense budget. Most would either increase it or keep defense spending the same.

DETAILED DISCUSSION OF QUESTIONS

Support for SDI

The public is firm in its support for the concept of the Strategic Defense Initiative. By 77% to 20%, the respondents said that they favor "a research program to develop a system to destroy incoming nuclear missiles before they reach their targets."

Furthermore, if such a system could be developed, by 74% to 19%, the public sampled would favor setting up the system in the United States.

People do *not* see the SDI as a new weapon, but rather as a way to limit the usefulness of nuclear weapons. In a question on this, 29% said that they see the system as a new weapon while 60% saw it as a way to counter other weapons.

It is precisely because they see it as defensive that the public overwhelmingly supports SDI. They also believe that SDI will make the world safer. By 49% to 8%, the public overwhelmingly said that SDI will make the world safer rather than less safe. Forty per cent, however, said it would not make much difference in world safety.

Who has a stronger defense?

The public now believes that the USSR has a stronger military and a stronger nuclear force than the United States. They also believe that the Soviets are continuing to spend more on their military forces than we do in this country.

Fifty per cent said that the Soviets have a stronger military than the U.S. while 36% said this country's military was stronger. Fourteen per cent were unsure.

There were some clear differences on this issue by education and age. Younger people and lower educated respondents said that the U.S. has a stronger military than the Soviets. In contrast, by 27-56%, college educated Americans said they believed in Soviet military superiority.

When asked about nuclear forces, the public gave similar answers, but was less certain. Forty-four per cent said the U.S. has stronger nuclear forces while 37% said U.S. forces are stronger. Nineteen per cent expressed no opinion.

True/false: What does the public know about defense?

In order to gauge whether the public tends to overestimate or underestimate the U.S. defense capabilities, we asked the sample a series of true/false questions.

The public's score on defense knowledge was limited.

For example, 64% said it was true that the U.S. currently has a system to defend against nuclear missile attack. In truth, the U.S. relies on deterrence and does not now have any such system in place.

People overwhelmingly believed that the U.S. has more nuclear weapons today than 20 years ago, and that the nuclear weapons we have today have more explosive power than U.S. weapons 20 years ago. About 90% agreed with each of these statements.

According to CPD research, neither of these statements is true.

Most people also overestimated the percentage of the country's total economic output that goes to defense. In fact, less than 10% of total output goes to defense while 87% of those sampled estimated the figure at over 10%.

The public, however, was very uncertain as to how much of the federal budget now goes to defense. Twenty-three per cent got the right answer—21-30%, while 26% underestimated it and 41% overestimated the figure.

The public did get right three questions about the Soviets. By 33% to 56%, the public rejected the proposition that the U.S. spends more on strategic defense than the Soviets. They also correctly guessed that the Soviets have not pulled their troops out of Afghanistan. By 8% to 86%, they rejected as false the statement that the Soviets had pulled out of that country. Sixty-seven per cent thought that the Soviets now have a system to defend against nuclear attack. According to CPD, the Soviets do have a system which protects Moscow and the capitol region.

Overview of the project/methodology

Penn and Schoen was commissioned to undertake a national poll of 1004 U.S. residents on attitudes toward defense, the SDI and related issues. The firm drew a national, random probability sample of U.S. households in the continental United States and conducted the detailed survey by telephone. The questionnaire was designed in conjunction with the Committee on the Present Danger to cover a wide range of areas fully and fairly. All interviewing was done by our professional interviewers out of our offices in New York between April 3rd and April 5th, 1987.

The results have an overall statistical accuracy of plus or minus three percentage points at the 95% confidence interval. The exact text of the questions asked and their full results accompany this report.

GENERAL SUMMARY CPD NATIONAL—No. 1063

Question 1. Now I would like to ask you some questions about defense. I would like you to tell me if you think the statement is true or false: The United States currently has a system to defend against nuclear missile attack. Do you think that is true or false?

True	64
False	31
Don't know	5

Question 2. The Soviet Union currently has a system to defend against nuclear missile attack. Do you think that is true or false?

True	67
False	29
Don't know	4

Question 3. The United States spends more on strategic defense than the Soviet Union. Do you think that is true or false?

True	33
False	56
Don't know	11

Question 4. The Soviets have pulled their troops out of Afghanistan. Do you think that is true or false?

True	8
False	86
Don't know	6

Question 5. The United States has more nuclear weapons today than it did 20 years ago. Do you think that is true or false?

True	89
False	8
Don't know	3

Question 6. The U.S. nuclear arsenal has more explosive power than 20 years ago. Do you think that is true or false?

True	91
False	6
Don't know	2

Question 7. Who has the stronger nuclear force—the United States or the Soviet Union?

U.S.	37
U.S.S.R.	44
Don't know	19

Question 8. Which country spends more on its military forces today—the United States or the Soviet Union?

U.S.	31
U.S.S.R.	59
Don't know	10

Question 9. Who has a stronger military right now—the United States or the Soviet Union?

U.S.	36
U.S.S.R.	50
Don't know	14

Question 10. What percentage of this country's total economic output do you think now goes to national defense—under 10%, 10 to 20%, 21 to 30%, 31 to 40%, 41 to 50%, or over 50%?

<10 percent	5
10 to 20 percent	23
21 to 30 percent	24
31 to 40 percent	18
41 to 50 percent	10
Over 50 percent	12
Don't know	7

(The correct answer is: <10 percent.)

Question 11. What percentage of every dollar the Federal government spends goes to defense—under 10%, 10 to 20%, 21 to 30%, 31 to 40%, 41 to 50%, 51 to 60%, 61 to 70% or over 70%?

<10 percent	6
10 to 20 percent	20
21 to 30 percent	23
31 to 40 percent	18
41 to 50 percent	12
51 to 60 percent	6
61 to 70 percent	3
Over 70 percent	2
Don't know	10

(The correct answer is: 21 to 30%.)

Question 12. In general, do you think that spending on defense should be increased, decreased or kept the same?

Increased	27
Decreased	31
Kept same	39
Don't know	3

Question 13. The Strategic Defense Initiative, or SDI, is a research program to develop a system to destroy incoming nuclear missiles before they reach their targets. Do you favor or oppose the U.S. going ahead with the research and development phases of the SDI?

Favor	77
Oppose	20
Don't know	3

Question 14. If such a system could be developed, would you favor or oppose setting up the SDI system in the United States?

Favor	74
Oppose	19
Don't know	7

Question 15. Do you see the SDI as a new weapon or as a way to limit the usefulness of nuclear weapons?

New weapon	29
Limit	60
Don't know	11

Question 16. Do you think that the SDI should be used primarily to protect cities from attack, primarily to protect our missiles from attack or for both purposes equally?

Cities	16
Missiles	4
Both	75
Don't know	6

Question 17. In general, do you think the Strategic Defense Initiative would make the world safer, less safe, or would it not make much difference?

Safer	49
Less safe	8
No difference	40
Don't know	3

NOTE.—Penn & Schoen Associates is a leading, independent, national polling organization which has conducted polls for, among others, former Vice President Walter Mondale, Senator Edward Kennedy of Massachusetts, Senator Frank Lautenberg of New Jersey, Mayor Edward Koch of New York City and Mayor Marion Barry of the District of Columbia, as well as a broad spectrum of corporate clients and public interest groups.

PERSONAL EXPLANATION

HON. BILL NELSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. NELSON of Florida. Mr. Speaker, I was unavoidably absent for rollcall vote No. 92 on Thursday, May 7, 1987. Had I been present, I would have voted "aye" to agree to the Hunter amendment that expressed the sense of Congress that the Krasnoyarsk radar in the Soviet Union is in violation of the ABM Treaty.

TRIBUTE TO GENEVIEVE MARINO

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. KOLTER. Mr. Speaker, today I rise to pay tribute to a constituent of the Fourth District of Pennsylvania who has been very active in community service.

Genevieve Marino was honored as the First Lady of New Castle at a recognition dinner for the 40th annual event. Mrs. Marino was honored by her friends and coworkers for her volunteer work and contributions to the community.

The recognition dinner was given by Xi Gamma Psi Chapter of Beta Sigma Phi and was held at the New Englander in New Castle. There were 16 former First Ladies in attendance.

Mrs. Marino commented, "If you're not a volunteer, you're not alive."

She has been described by her friends and colleagues as someone who loves people and communicates this by her actions. She has been further described as an enthusiastic person who is an achiever.

Mrs. Marino has made outstanding contributions to the New Castle area through her volunteer work and community service. I am proud to share with my colleagues the contributions of Genevieve Marino.

THE NORTHWESTERN BAND OF THE SHOSHONI NATION AT WASHAKIE, UT

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. OWENS of Utah. Mr. Speaker, today I am introducing a bill on behalf of the Northwestern Band of the Shoshoni Nation of Washakie, UT. The purpose of the legislation is to authorize the Secretary of the Interior to undertake a feasibility study for the formulation of an economic development plan. The proposed legislation requires the Secretary to consult with State and local officials in order to assure that State and local interests are not prejudiced by the plan. The Secretary would have 2 years from the enactment of the legislation to develop a plan, and to submit it to Congress.

The band is a party to two treaties with the United States. The Treaty of Box Elder of 1863 was entered into to secure the peace and friendship of the Northwestern Band after the Bear River massacre wherein approximately 250 Indians, more than in any other battle in U.S. history, were killed by troops under the command of Col. Patrick Connor. In 1868, the band was party to the treaty of Fort Bridger wherein title to vast acres of lands, was extinguished by the United States.

After losing all their land to the settlers in the 1800's, the Northwestern Band received 40 homestead patents for a total of approximately 4,800 acres of land. All but four remain in Indian ownership as the rest were sold for taxes by the county or in anticipation of a tax sale.

The band has approximately 300 members, most of whom live in northern Utah and southern Idaho. The tribe is governed by a tribal council elected by the tribal membership. Most members originally resided at Washakie, UT, on a church farm. In, the 1950's most left the area to look for work. In 1984, 184 acres of land, which was returned to the Northwestern Band of the Shoshoni by the Church of Jesus Christ of Latter-Day Saints, was placed in trust for the band by the United States. This land is currently leased to a local Box Elder County farmer.

Historically, the band has not received significant Federal services such as have been available to other tribes. The United States did not establish a reservation for the Western Band of the Shoshoni and it is only in the last few years that the Bureau of Indian Affairs has provided services to the band. Like many Native Americans, the Northwestern Band of the Shoshoni members suffer from high unemployment. Because funds have not been available, the health needs of the band are undoubtedly not being met; no housing is available on the land of the Washakie.

Because the tribal council has determined that the band wishes to reside at Washakie and many of the tribal members live in my district it is appropriate to introduce legislation which will authorize the Secretary of the Interior to formulate an economic development plan for the tribe to the Congress, including a review of Federal services being provided to the tribe.

H.R. 2370

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Economic Development Plan for the Northwestern Band of the Shoshoni Nation Act".

SEC. 2. ECONOMIC DEVELOPMENT.

(a) Plan for Economic Development.—The Secretary shall—

(1)(A) enter into negotiations with the tribal council with respect to establishing a plan for economic development for the tribe, including (but not limited to) the provision of Federal services to the tribe; and

(B) in accordance with this section and not later than 2 years after the date of the enactment of this Act, develop such a plan; and

(2) upon the approval of such plan by the tribal council (and after consultation with the State and local officials pursuant to subsection (b)), the Secretary shall submit such plan to the Congress.

(b) Consultation With State and Local Officials Required.—To assure that legitimate State and local interests are not prejudiced by the proposed economic development plan, the Secretary shall notify and consult with the appropriate officials of the State and all appropriate local governmental officials in the State. The Secretary shall provide complete information on the proposed plan to such officials, including the restrictions on such proposed plan imposed by subsection (c). During any consultation by the Secretary under this subsection, the Secretary shall provide such information as the Secretary may possess, and shall request comments and additional information on the extent of any State or local service to the tribe.

(c) Restrictions To Be Contained in Plan.—Any plan developed by the Secretary by the Secretary under subsection (a) shall provide that—

(1) any real property transferred by the tribe or any member to the Secretary shall be taken and held in the name of the United States in trust for the benefit of the tribe;

(2) any real property taken in trust by the Secretary pursuant to such plan shall be subject to—

(A) all legal rights and interests in such land existing at the time of the acquisition of such land by the Secretary, including any lien, mortgage, or previously levied and outstanding State or local tax; and

(B) foreclosure or sale in accordance with the laws of the State pursuant to the terms of any valid obligation in existence at the time of the acquisition of such land by the Secretary;

(3) any real property transferred pursuant to such plan shall be exempt from Federal, State, and local taxation of any kind; and

(4) the territorial jurisdiction of the tribe shall be limited to real property taken or held in trust by the Secretary for the tribe or individual members of the tribe.

(d) Appendix To Plan Submitted to the Congress.—The Secretary shall append to the plan submitted to the Congress under subsection (a) a detailed statement—

(1) naming each individual and official consulted in accordance with subsection (b);

(2) summarizing the testimony received by the Secretary pursuant to any such consultation; and

(3) including any written comments or reports submitted to the Secretary by any party named in paragraph (1).

SEC. 3. DEFINITIONS.

For the purposes of this Act the following definitions apply:

(1) The term "Constitution" means the Constitution and Bylaws of the Northwestern Band of the Shoshoni Nation in effect on the date of the enactment of this Act.

(2) The term "member" means those persons eligible for enrollment under the Constitution of the Northwestern Band of the Shoshoni Nation.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "State" means the State of Utah.

(5) The term "tribe" means the Northwestern Band of the Shoshoni Nation.

PRAISE FOR BELLFLOWER MAYOR JOSEPH E. CVETKO AS HE ENDS HIS TERM AS MAYOR OF THE CITY OF BELLFLOWER

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DYMALLY. Mr. Speaker, each year in the city of Bellflower, as in other local governments, the city council reorganizes to appoint a new mayor and mayor pro tem.

Mayor Joseph E. Cvetko was first elected to the Bellflower City Council in April 1984. In April 1985, Joseph E. Cvetko was honored by his city council colleagues and appointed as mayor pro tem of the "friendly city of Bellflower."

In April 1986, Joseph E. Cvetko was selected to serve as mayor. During his tenure, he has fought vigorously to maintain and improve the beauty of the friendly city of Bellflower. Close to his heart is a proposed program to improve the Southern Pacific Railroad right-of-way with trees and shrubbery along the entire stretch of track through the city of Bellflower.

Another one of Mayor Cvetko's programs was to assist local youngsters to have the willpower and knowledge to say no to drugs. Bellflower's Red Ribbon Week reached thousands of youngsters that hopefully now have the courage and the determination to resist the perils of drug abuse.

Mayor Cvetko opens each city council meeting with the phrase, "We are glad you are able to attend this evening's meeting. This is your city council meeting." Mayor Cvetko truly believes this and is always available to meet with residents to discuss matters of mutual concern whether it be in city hall or at that person's house at virtually any time of day. Mayor Cvetko is a man that truly believes in a representative government and maintains an open door policy which has become a trademark of the friendly city of Bellflower.

Mayor Cvetko has been married to his wife Marie for 40 years. The couple celebrated their 40th wedding anniversary at a gala celebration on Sunday, March 12, at the Bellflower Women's Club.

On April 13, 1987, Joseph E. Cvetko concluded his term as mayor of the city of Bellflower. I wish to join his city council colleagues, his family, and the residents of the city of Bellflower and congratulate him on his successful term as mayor and wish him the best of luck with the future.

CONGRATULATIONS TO THE B.C.C. B.P.W.

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mrs. MORELLA. Mr. Speaker, I am proud to honor the Bethesda-Chevy Chase Business and Professional Women as they celebrate their fifth year. These women are entrepreneurs, managers, and leaders. They began as the "nontraditional," but increasingly became the "traditional" in our work force.

Five years ago, these business and professional leaders came together as "women helping women." Now they are working together to bring improvements to the community and to the lives of other women. As part of both a State and a national organization, they increasingly communicate with those of us in government, and we are hearing from them just as we hear from the chamber of commerce, the AFL-CIO, the National Federation of Independent Business, and the Sierra Club.

I congratulate the members, the past officers, and the new officers led by Pat Cornish. May they continue to "reach out and make a difference."

The BPW is truly making a contribution to the welfare of all of us. I wish them a future that will meet their highest expectations.

TRIBUTE TO ARTHUR M. WALTERS

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. MAZZOLI. Mr. Speaker, on May 14, 1987 the people of Louisville and Jefferson County will celebrate "Arthur M. Walters Day" to honor one of our most outstanding citizens for his lifetime of commitment to public service.

Arthur Walters is stepping down as executive director of the Louisville Urban League after nearly 25 years of distinguished service with the organization, which was preceded by 20 years of service in the U.S. Army, retiring at the rank of lieutenant colonel.

During his tenure with the Urban League, Arthur has earned many accolades from civic and professional groups for his work on behalf of disadvantaged residents of Louisville and Jefferson County. These awards are testament to the respect and admiration we all hold for him as an individual and for his contributions to our community.

I commend to the attention of my colleagues the accompanying news article and editorial which appeared recently in the Courier-Journal about Arthur Walters' remarkable career.

We know that Arthur's retirement will not really end his very active involvement in our community's activities. But this occasion affords us all an opportunity to say thanks and to offer our appreciation. If the measure of a community's spirit and pride in itself can be reflected in the leadership qualities, integrity, and willingness of its people to become involved citizens, then we have an outstanding model in Arthur.

I join with Arthur's many friends and colleagues in congratulating him for his outstanding record of service to his country, our community and its people. And, I wish Arthur, and his wife Noralee, much health and happiness in the years ahead.

WALTERS PASSING BATON OF LEADERSHIP AT URBAN LEAGUE

(By Everett J. Mitchell II)

Art Walters has been a long-distance runner in the race for racial justice.

On May 31, after 24 years with the Louisville Urban League, the past 17 as executive director, Walters will pass the baton of leadership.

In honor of his achievements, next Thursday has been deemed "Art Walters Day" in Louisville.

Activities will include a parade, luncheon and recognition programs sponsored by government and civic groups. Robert Tinnin, director of the Minority Business Development Agency in Louisville, described Walters as "one of the most resourceful, quiet diplomats."

"He doesn't necessarily have to stand up on a soapbox and stomp to get people's attention, to let them know what course he would suggest for them to follow," Tinnin said.

Walters, 68, who is married and has two daughters and one son, was born in Magnolia, Ky., in LaRue County.

Though diminutive in stature, Walters is tough, according to the Rev. Louis Coleman, who worked under Walters at the Urban League from 1970 to 1978.

Coleman, now executive director of the Presbyterian Community Center, said that, as an administrator, Walters is "tops in the whole Urban League movement."

"He is strictly a business person. . . . He is firm, fair and doesn't play favorites," Coleman said.

Betty Fox, director of the Kentuckiana Minority Suppliers Development Council, praised Walters' support of blacks in business.

"He has been the liaison person needed for the black entrepreneur in Louisville," she said. "He is the type to not close his door if you need some type of assistance to enhance your personal business growth."

Art Walters' leadership style is quiet, philosophical and analytical. He often works behind the scenes.

His style was evident 16 years ago during an Urban League forum at Grace Presbyterian Community Center to discuss allegations of racism and brutality toward blacks by members of the Louisville Police Department.

A news account described the meeting as heated and one during which "younger and more vocal" blacks "battled for control."

But Walters prevailed.

"What we need to do here tonight is to make an effort to recruit blacks for the force. . . . Let's go away from here tonight with some understanding and some plans for positive, progressive change."

Walters has been a catalyst, an organizer and an initiator of programs designed to improve the quality of life for black Louisvillians.

During the 1960s, he helped open doors for blacks to get skilled jobs. He designed Kentucky's first federally funded, on-the-job training program. He helped lay the foundation for the integration of local labor unions and initiated programs to help reduce the number of youths dropping out of school.

Walters experienced discrimination firsthand. He was drafted into a segregated U.S. Army, where he served 20 years and was active in World War II and the Korean war.

Walters, who rose to the rank of lieutenant colonel, played a crucial role in helping to desegregate the U.S. armed forces.

"After two wars of putting my life on the line trying to make the world safe for democracy, I came back to Louisville and was refused service in 60 percent of the public accommodations," Walters said last week.

He joined the Urban League in 1963, seeing it as yet another way to continue his efforts to dismantle racism and segregation.

In his first job as industrial-relations secretary, Walters said, "I had people seeking jobs who didn't have anything to sell, who didn't have a marketable talent. Yet they were persons who had financial obligations, who were heads of households.

"These people could not afford to sit in a classroom and do without an income while they learned as skill that was not going to pay them much of an income even after they learned it."

Those experiences were what caused Walters to develop the on-the-job training program.

After seven years, Walters was named the league's executive director.

In the top spot, Walters said, he found "a broader opportunity to put my own style and thoughts about how you proceed. . . .

"I don't believe that the soapbox is necessarily the answer to how you solve things. The squeaking wheel gets grease, but there must be the ability to move beyond the agitation and to sit in the boardroom and talk about policy, not just in solving the particular issue at hand, but issues that are correlated."

Walters' successor is expected to be named early next week. His admirers say his shoes will be tough to fill. But, Walters said:

"Nobody should be looking for an Art Walters. Whoever replaces me stands on a platform and rung that Art Walters put on the ladder."

"Art Walters Day" acitivities will include a parade at 8 a.m. from Urban League headquarters at 2600 Broadway to Plymouth Congregational Church at 1630 W. Chestnut St.; a government program at 10:30 a.m. in the Fiscal Court Room at the Jefferson County Courthouse; a noon luncheon in the Archibald Cochran Room at the Galt House, and a civic recognition program at 2 p.m. in the Bomhard Theater at the Kentucky Center for the Arts.

BRIDGE-BUILDER

(By Clarence Matthews)

Arthur M. Walters remembers white children aboard school buses shouting racial insults at him, his brother and sister as they walked eight miles each day from their farm home near Magnolia to a segregated black school in Buffalo, KY.

There was no local high school for black students. So Walters later moved in with relatives to attend all-black Bond-Washington High School in Elizabethtown.

Like many blacks who grew up under similar conditions in the South, Walters persevered. He went on to earn degrees from Colorado College and the University of Louisville. He also served as an Army officer in World War II, the Korean conflict and peacetime duty in Europe.

But nothing had changed years later when retired Lt. Col. Walters—fresh out of uniform—returned to Kentucky in the midst of the 1960's civil-rights movement. He was denied service at Louisville restaurants, theaters and lunch counters.

Walters could have become bitter. Instead, he became a bridge-builder among ethnic, racial and religious groups as executive director of the Louisville Urban League and one of Kentucky's best known and respected civil-rights leaders.

Now Walters will retire May 31, ending 24 years service with the agency, the last 17 as executive director. Community leaders and organizations last month began a series of tributes to him in recognition of his work on behalf of minorities and the disadvantaged.

"He listens carefully and knows how to treat people," said the Rev. Edgar S. Goins, president of the Interdenominational Ministerial Coalition, at last month's monthly meeting of the influential religious organization.

Similar praise by officials of the National Urban League, local government and civil-rights leaders is expected at receptions and programs planned in honor of Walters later this month.

The tributes are well deserved, but they probably will fall short of reflecting Walters' achievements or his importance to the community, black and white.

Besides working to bring ethnic, religious and racial groups together, Walters has been the chief architect of Urban League job training, employment and educational programs that have helped minorities and the disadvantaged to better their lives.

He has not done it alone. The league's board, staff and volunteers, plus funds from Metro United Way, government, memberships and private sources have contributed in major ways.

But it has been Walters' calm, straightforward leadership style, coupled with a common-sense approach to problem-solving, that propelled the local league from an anemic agency to an efficient social-service organization that has been held up as a model by the league's national leaders.

When Walters joined the league as industrial relations secretary in 1963, the organization had a staff of five—three professionals, a secretary-receptionist and a part-time secretary—and an annual budget of about $55,000.

These numbers were about the same in 1970 when Walters became executive director. The agency also was under fire from the National Urban League for failing to meet standards set by the parent organization. Walters set out to involve more of the community, black and white, in the resurgence of the league.

It worked.

The league staff has since grown to 25, including 19 professionals, and the annual budget has soared to more than $900,000. Meantime, the agency now offers a variety of assistance through its divisions of education and youth, economic development and employment, housing and family services.

More than 5,000 people were helped last year by the league. Persons hired after receiving assistance from the agency's job training programs added $4.3 million in purchasing power to the local community and $315,600 in new tax revenue, according to the league's annual report.

"I'm extremely proud of the distance we have come," Walters says. "Our expanded resources have meant more money for staff and diversified services, such as educational assistance for disadvantaged students, money to help families threatened with foreclosures, and economic development."

What will Walters do in retirement?

"I'm not the type to just sit in a rocking chair," he says. Indeed, he already has committed himself to consulting and volunteer work in several local educational programs for disadvantaged youths.

Walters says he also might write a book based on his Army and league experiences.

"I might call it 'Making the World Safe for Democracy: In Search of Equal Opportunity,'" he says. "But I will always be an Urban leaguer."

FIRST PRESBYTERIAN CHURCH OF JAMAICA CELEBRATES 325TH ANNIVERSARY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. ACKERMAN. Mr. Speaker, on May 15, the congregation of the First Presbyterian Church of Jamaica, in Queens County, NY, will gather to recall the past and to celebrate the future. The purpose of this get-together is to commemorate the 325th anniversary the oldest continuously worshiping Presbyterian congregation in the United States.

This church was established in 1662, but did not have a place to call home until 1699, when the first building was erected. In 1813, a new structure was built on the same site, which today is known as Jamaica Avenue. In 1920, the entire building was lifted from its foundation and moved to where it presently sits on 164th Street in Jamaica. The worshiper here are certainly proud of the history of their church, and they remember the past. A plaque bearing the name of every minister to have served this congregation rests inside the building! This represents a living link to years gone by.

For over three centuries, the First Presbyterian Church of Jamaica has been serving the needs of the Queens community. The church has programs to meet the needs of all, from juveniles to senior citizens. the youth program encourages adolescents to become involved in their commundity, and to take an active interest in affairs that concern them. Adults have the opportunity to learn such diverse skills as Spanish, oil painting or sewing. The Jamaica Service Program for Older Adults, one of the most prominent and respected senior citizen organizations in the State, was founded at this church. First Presbyterian also plays a very active role in the Greater Jamaica Improvement Association.

The First Presbyterian Church of Jamaica, under the able leadership of the Reverend Raymond E. Swartzback, serves as a role model for peace, love, and understanding. This church is a microcosm of the melting pot that is New York. The members of this congregation come from all over the globe, 32 nations in all. These worshipers speak 14 languages, yet there is harmony within the congregation. If the rest of the world could cooperate like these people do, this would be a much healthier planet.

I am sure that this outstanding institution will be around for generations to come, making the Jamaica of the future an even better community, just as the church has made all of Queens a better place today.

Mr. Speaker, I call on all of my colleagues in the U.S. House of Representatives to join me in celebrating this joyous and historic occasion, the 325th anniversary of the First Presbyterian Church of Jamaica.

TRIBUTE TO SHELL'S WILMINGTON MANUFACTURING COMPLEX

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. ANDERSON. Mr. Speaker, it is an honor for me to pay tribute to the Shell Oil Co.'s manufacturing complex in Wilmington.

The Shell Oil Co.'s manufacturing complex has something to be very proud of. The 700 employees of the complex set an all-time manufacturing location record of the most consecutive hours worked without a lost time injury, namely 6,687,758 hours.

The Wilmington complex's incredible safety record began on November 18, 1982, and has continued since then to the present day. This comes out to 1,625 consecutive flawless days.

Because of the commitment and hard work demonstrated by both management and labor at the Shell manufacturing complex in achieving a high level of safety, the complex recently received for the second consecutive year, Shell's Prestigious Products Safety Award. This award recognizes the complex's excellent health and safety performance, as well as being the safest refinery in the Shell system.

A commitment to safety is nothing new for the Wilmington Shell manufacturing complex. In 1985, it received the National Safety Council's highest commendation, the Award of Honor. Additionally, the National Petroleum Refiners Association awarded the Shell manufacturing complex in Wilmington with the Distinguished Safety Award, a highly respectable award that was given to three refineries in the entire country.

It is with great pride that I pay tribute to the Shell Oil Co.'s Wilmington manufacturing complex. Its safety record is no doubt something it should be proud of. I am confident that the complex will keep up the good work.

RALPH BUSTRUM RECOGNIZED FOR 50 YEARS OF SERVICE TO THE BOY SCOUTS OF AMERICA

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. DYMALLY. Mr. Speaker, on Monday, March 9, 1987, members of the Bellflower City Council honored Bellflower resident Ralph Bustrum for 50 years of service to the Boy Scouts of America. During this 50 years, Mr. Bustrum received the coveted Bellflower-Somerset District Scouters Award and the prestigious Silver Beaver Award presented by the National Council of the Boy Scouts of America.

Mr. Bustrum, a Bellflower resident since 1924, recently retired after 33 successful years as supervisor of patient accounts at Rancho Los Amigos Hospital in Downey, CA.

For the last 2 years, Mr. Bustrum has been a member of the Bellflower Planning Commission.

It gives me great honor to join with members of the Bellflower City Council in honoring Ralph Bustrum for his many years of outstanding service to the local Bellflower youth through the Boy Scouts of America.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, May 12, 1987, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 13

9:30 a.m.

Banking, Housing, and Urban Affairs
Securities Subcommittee
To hold oversight hearings to review the proposed budget request for the Securities and Exchange Commission.
SD-538

Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on proposed legislation authorizing funds for the Consumer Product Safety Commission.
SR-253

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Environment and Public Works
Environmental Protection Subcommittee
Hazardous Wastes and Toxic Substances Subcommittee
To continue joint hearings to examine stratospheric ozone depletion and substitutes for ozone depleting chemicals.
SD-406

Judiciary
Patents, Copyrights and Trademarks Subcommittee
Business meeting, to mark up S. 568 and S. 573, bills to protect patent owners from importation into the United States of goods made overseas by use of a United States patented process.
SD-562

10:00 a.m.

Appropriations
Legislative Branch Subcommittee
To hold closed hearings on proposed budget estimates for fiscal year 1988 for the Legislative Branch.
SD-124

Appropriations
Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988, to receive public testimony on certain programs of the Departments of Commerce, Justice, State, the Judiciary, and related agencies.
S-146, Capitol

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Transportaton and related agencies.
SD-138

Judiciary
To hold hearings on drug testing issues.
SD-226

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
2172 Rayburn Building

2:00 p.m.

Commerce, Science, and Transportation
To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration, focusing on ocean and coastal programs.
SR-253

Governmental Affairs
Business meeting, to discuss certain trade proposals.
SD-342

Judiciary
Antitrust, Monopolies and Business Rights Subcommittee
To hold hearings on S. 443, to provide that rail common carriers shall not be immune from private suits for damages or injunctive relief under the antitrust laws.
SD-562

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
2172 Rayburn Building

2:30 p.m.

Judiciary
To hold hearings on pending nominations.
SD-226

MAY 14

8:00 a.m.

Judiciary
Constitution Subcommittee
Business meeting, to mark up S. 558, to revise the procedures for the enforcement of fair housing under title VIII of the Civil Rights Act of 1968.
SD-226

9:00 a.m.

Governmental Affairs
Federal Services, Post Office, and Civil Service Subcommittee
To hold joint hearings with the House Committee on the Post Office and Civil Service's Subcommittee on Census and Population to review the 1990 census questionnaire.
SD-342

Rules and Administration
To consider a request from the Committee on Agriculture, Nutrition, and Forestry for supplemental funds for the fiscal year ending September 30, 1987, and to hold hearings on an alternative to the Senate subway system.
SR-301

9:30 a.m.

Agriculture, Nutrition, and Forestry
To resume markup of S. 512, to promote the export of U.S. agricultural commodities.
SR-332

10:00 a.m.

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Transportation and related agencies.
SD-138

Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.
SR-253

Environment and Public Works
Environmental Protection Subcommittee
Hazardous Wastes and Toxic Substances Subcommittee
To continue joint hearings to examine stratospheric ozone depletion and substitutes for ozone depleting chemicals.
SD-406

Judiciary
To hold joint hearings with the House Select Committee on Narcotics Abuse and Control on S. 789, to provide the framework necessary to pursue a coordinated and effective national and international narcotics control policy.
SD-226

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
To resume hearings on S. 373, authorizing funds for programs of the Elementary and Secondary Education Act.
SD-430

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
2172 Rayburn Building

10:15 a.m.

Veterans' Affairs
Business meeting, to consider proposed legislation providing employment assistance to veterans, and proposed legislation relating to VA construction.
SR-418

1:00 p.m.

Judiciary
Courts and Administrative Practice Subcommittee
Business meeting, to mark up S. 548, Retiree Benefits Security Act.
SD-106

2:00 p.m.

Environment and Public Works
Nuclear Regulation Subcommittee
To hold hearings to review allegations of improper influence on the Nuclear Regulatory Commission's Shoreham adjudicatory licensing proceeding.
SD-406

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
2172 Rayburn Building

MAY 15

9:00 a.m.

Agriculture, Nutrition, and Forestry
To hold hearings on S. 970, authorizing funds for a research program for the modification of plants and plant mate-

rials to develop new marketable industrial and commercial products.

SR-332

9:30 a.m.

Commerce, Science, and Transportation

Communications Subcommittee

To hold hearings on S. 506, Digital Audio Recorder Act.

SR-253

Governmental Affairs

Oversight of Government Management Subcommittee

To hold hearings to examine activities of the Food Safety and Inspection Service of the Department of Agriculture.

SD-342

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Housing and Urban Development, and independent agencies.

SD-124

Labor and Human Resources

Business meeting, to resume consideration of S. 538, to implement the recommendations of the Secretary of Labor's Task Force on Economic Adjustment and Worker Dislocation, and other pending calendar business.

SD-430

2:00 p.m.

Labor and Human Resources

To resume hearings to review Federal efforts in AIDS research.

SD-430

MAY 18

10:00 a.m.

Finance

Private Retirement Plans and Oversight of the Internal Revenue Service Subcommittee

To hold hearings on the status of the Pension Benefit Guaranty Corporation (PBGC), and on proposals to increase the PBGC premium and to change the rules governing minimum plan funding.

SD-215

2:00 p.m.

Commerce, Science, and Transportation

To hold hearings on pending nominations for the Board of Directors of the Corporation for Public Broadcasting.

SR-253

Energy and Natural Resources

To hold hearings on proposed legislation to expand the clean coal technology program.

SD-366

MAY 19

10:00 a.m.

Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration, focusing on atmosphere and satellite programs.

SR-253

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 1145 and H.R. 278, bills to provide Alaska Natives with certain options for the continued ownership of lands and corporate shares received pursuant to the Alaska Native Claims Settlement Act.

SD-366

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

2:00 p.m.

Commerce, Science, and Transportation

To resume hearings on S. 907, to further United States technological leadership by providing for support by the Department of Commerce of cooperative centers for the transfer of research in manufacturing.

SR-253

Governmental Affairs

Business meeting, to consider S. 328, Prompt Payment Act Amendments of 1987, the nomination of Norma Pace, of Connecticut, to be a Governor of the U.S. Postal Service, and proposed trade legislation.

SD-342

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 20

9:30 a.m.

Agriculture, Nutrition, and Forestry

To resume oversight hearings on the implementation of the Federal Insecticide, Fungcide, and Rodenticide Act, focusing on pesticide residues in domestic and imported food.

SR-332

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Governmental Affairs

Business meeting, to continue markup of trade legislation.

SD-342

10:00 a.m.

Appropriations

Military Construction Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for Army military construction programs.

SD-192

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for the Judicial Conference, Commission on the Bicentennial of the Constitution, U.S. Sentencing Commission, and the State Justice Institute.

S-146, Capitol

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

2:00 p.m.

Energy and Natural Resources

To hold oversight hearings to review energy security issues.

SD-366

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 21

8:45 a.m.

*Veterans' Affairs

To hold hearings on S. 6, Veterans' Health Care Improvement Act, S. 216, to increase the per diem rates paid to States for providing care to veterans in State homes, S. 631, to improve the procedures for the procurement of medical and pharmaceutical supplies by the VA, S. 713, to facilitate the recruitment of registered nurses by the VA, proposed Veterans Administration Health Care Personnel Act of 1987, and other related proposals, and proposed legislation approving VA construction of major medical facilities.

SR-418

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaragian Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

1:15 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on H.R. 799, to designate a segment of the Kings River, California, as a wild and scenic river, and H.R. 626, to convey certain Federal public lands in Cherokee, DeKalb and Etowah Counties, Alabama, to any trustee who will convey such lands to the current owners of record.

SD-366

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 27

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 28

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 29

10:00 a.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

JUNE 2

9:30 a.m.

Energy and Natural Resources

To hold hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 4

9:00 a.m.

Office of Technology Assessment

The Board, to meet to consider pending business.

EF-100, Capitol

9:30 a.m.

Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

SR-253

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 5

9:30 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on current water-related programs of the U.S. Geological Survey, focusing on quantification and analysis of groundwater resources.

SD-366

JUNE 8

9:30 a.m.

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 10

9:30 a.m.

Veterans' Affairs

To hold hearings on S. 9, Service-Disabled Veterans' Benefits Improvement Act, S. 453, to improve the standards for determining whether a radiation-related disease is service-connected, and other related proposals.

SR-418

JUNE 11

9:30 a.m.

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 17

10:00 a.m.

Veterans' Affairs

To hold oversight hearings on the implementation of the Veterans Administration loan guaranty program, and on proposed legislation relating to the VA loan guaranty program.

SR-418

JUNE 18

9:30 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To resume hearings on current water-related programs of the U.S. Geological Survey, focusing on quantification and analysis of groundwater resources.

SD-366

JUNE 30

9:30 a.m.

Veterans' Affairs

Business meeting, to consider S. 6, Veterans Health Care Improvement Act, S. 9, Service-Disabled Veterans Benefits Improvement Act, proposals providing VA compensation, pension, education assistance, home loan, and other related benefits, and proposed legislation providing for disability payments based on nuclear-detonation radiation exposure.

SR-418

CANCELLATIONS

MAY 12

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for certain export financing programs.

S-126, Capitol

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 84, authorizing funds for the Land and Water Conservation fund, and S. 735, relating to the distribution of revenues received under the Land and Water Conservation Fund Act.

SD-366

MAY 13

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1988 for foreign assistance programs.

S-126, Capitol

JUNE 23

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings to review proposed budget estimates for fiscal year 1988 for the Department of State.

SD-192

SENATE—*Tuesday, May 12, 1987*

(Legislative day of Tuesday, April 21, 1987)

The Senate met at 2 p.m., on the expiration of the recess, and was called to order by the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

There is a way which seemeth right unto a man; but the end thereof are the ways of death.—Proverbs 14: 12.

Righteousness exalteth a nation: but sin is a reproach to any people.—Proverbs 14: 34.

Eternal Father, God of truth, and righteousness, and justice, what do people do when their leaders fall? Where do they look for models? Who do they trust? Open our eyes to see and our ears to hear Your word through Moses. Therefore a man shall leave his father and mother and shall cleave into his wife and they shall become one flesh.—Genesis 2: 24. And the prophet, Malachi: *The Lord was witness to the covenant between you and the wife of your youth * * * she is your companion and wife by covenant. Let none be faithless to the wife of his youth for I hate divorce says the Lord, the God of Israel.*—Malachi 2: 14-16.

Strengthen our leaders, mighty God. Protect them against all that would defeat and destroy. Deepen their sense of profound responsibility—not only to themselves and their loved ones—but the people who trusted them—the youth who look to them—and to You.

My heart is heavy as I pray, patient Father, for I am a sinner. But for Your grace I would be a fallen one. Help us Lord. Forgive us Lord. Renew us before it is too late. I pray in the name of Him whose destiny in history was to save the sinner. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. STENNIS].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 12, 1987.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

Mr. BINGAMAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

Mr. President, I ask unanimous consent that my leadership time may be reserved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BICENTENNIAL MINUTE

MAY 12, 1954: DEATH OF SENATOR CLYDE HOEY

Mr. DOLE. Mr. President, on the afternoon of May 12, 1954, 33 years ago today, Senators on the floor were shocked and saddened by the announcement that one of their number, Senator Clyde Hoey of North Carolina, had died at his desk in the Senate Office Building across the street. He had just been on the floor among them that morning. The Senate immediately adjourned until noon the next day, as did the House, where Hoey had once been a Member. The 76-year-old Democrat had come to the Senate in 1945, and made a name for himself as head of the Subcommittee on Investigations, a position he held until 1953.

Clyde Hoey was born in 1877 in the North Carolina foothills, the son of a Confederate Army captain. To help pay off family debts, he quit school at the age of 12 and became a printer's devil at the local newspaper. His education came chiefly from the dictionary he always carried, and from the stories he set in type. Hoey studied law on his own and at the age of 20 was elected to the North Carolina House of Representatives. He turned 21, the legal age for service, just before it was time to be sworn-in. For the next 55 years, Hoey's life was one of public service, as State legislator, Governor, Member of the U.S. House of Representatives, and finally as Senator.

Hoey's death marked the passing of an era in the Senate. In both appearance and manner, he recalled an earlier age. The tall, white-maned Senator, a slightly stooped man with sharp features, was always a conspicuous figure on the floor in his cutaway morning coat of Confederate gray, his high stiff collar, high-topped shoes, old-fashioned string ties, and red carnation in his lapel. Those persons privileged to witness his old-time courtliness, and flavorful, flowery oratory never forgot the experience.

PUERTO RICAN STATEHOOD REFERENDUM

Mr. DOLE. Mr. President, this year we are celebrating the 200th anniversary of our Constitution. It is a celebration not only of this historic document, but also a celebration of our 50-State Union.

It is a time for reflection on just how far this country—and its 50 States—have come in that short time; and how

NOTICE

Effective May 18, 1987, the subscription price of the Congressional Record will be increased to $225.00 per year or $112.50 for six months. Individual issues may be purchased for $1.50 per copy. The cost for the microfiche edition remains the same, $118.00 per year, or $1.50 per issue.

This price increase is necessary to meet current production and distribution costs in order for the Record subscription program to be self-sustaining.

By order of the Joint Committee on Printing.

FRANK ANNUNZIO, *Chairman.*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

much further they can go in the years ahead. So in that bicentennial spirit, I believe it is proper to consider if our flag should add one more star before the end of this century. Specifically, Mr. President, it is time to give the citizens of Puerto Rico the opportunity to vote on statehood.

There is one thread weaving through the rich history of the island of Puerto Rico, from 1897 when autonomy was granted from Spain, to today—Puerto Rico's unsettled political status.

Only 1 year after obtaining autonomy, the island was taken by 16,000 U.S. troops during the Spanish-American War; an action which began the long and unique relationship that Puerto Rico and the United States have shared for almost a century.

While our relationship is one of friendship and partnership, the ultimate status of Puerto Rico has, in effect, remained unsettled.

Since gaining commonwealth status, nine bills attempting to grant statehood to Puerto Rico have been introduced in the U.S. Congress, yet none has prevailed and the issue remains open.

Of greatest importance to me is that, since 1917 when the Jones Act granted U.S. citizenship to Puerto Rican residents, these U.S. citizens—citizens of the most prominent democracy in the world—have been allowed to vote on the issue of statehood on only one occasion—in 1967.

However, even the results of that election—or "plebiscite"—were distorted because it was officially boycotted by the political party representing statehood and the party favoring independence.

The right of the people of Puerto Rico to speak on this matter should not be hindered and should not be ignored. President Gerald Ford, who headed the 1976 Republican ticket when I proudly served as his running mate, proposed a referendum and process for statehood in 1976.

And, in 1979, when efforts were being made in the United Nations to call for independence for Puerto Rico, I joined in the introduction and passage of a resolution clearly stating that this was an issue for Puerto Rico and its people to decide.

In the past several months, more than one quarter of a million Puerto Ricans have signed a petition for statehood, calling for action by the Congress. But the clear majority of Puerto Ricans must speak, must desire statehood, as has been the tradition for all States granted admission to the Union by the Congress.

Therefore, today I am introducing a bill to facilitate the democratic proposition of allowing the people of Puerto Rico to decide whether they wish to join their colleagues—the U.S. citizens in the 50 United States—as the 51st partner in the Union.

The bill would provide for a referendum on the question "Should Puerto Rico be admitted into the Union as a State?" The referendum would be held between January 1, 1989, and December 31, 1994, if the Governor of the Commonwealth of Puerto Rico requested the referendum. The direct costs of conducting the referendum would be paid by the United States; and the Governor would inform the President, and the Congress, should the people of Puerto Rico desire to become a State.

Statehood, independence or any status cannot and should not be forced on the island and the U.S. citizens who reside there. The decision must be made first by its people, and then by the Congress of the United States.

It was not so long ago that Hawaii and Alaska were viewed as distant, exotic lands. In fact, by the turn of the century, the United States meant 45 States.

Mr. President, in this year of bicentennial celebration, I can think of no better way to honor the dreams of our Founding Fathers than to give our citizens in the Caribbean the opportunity to vote on statehood.

I send to the desk and ask for its proper referral a bill that I am introducing for myself, the distinguished Senator from New York [Mr. D'AMATO], and the distinguished Senator from Illinois [Mr. SIMON].

Mr. MATSUNAGA. Mr. President, will the distinguished Senator yield?

Mr. DOLE. I will be happy to yield.

Mr. MATSUNAGA. I deem it a great honor if I may be added as a cosponsor of the measure.

Mr. DOLE. I thank the distinguished Senator from Hawaii. I ask unanimous consent to add the name of the Senator from Hawaii.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I ask unanimous consent that the text of the bill may be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1182

Be it enacted by the Senate and House of Represenatatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) States have been admitted to the Union only after residents of the proposed States have requested statehood;

(2) residents of Puerto Rico have been given only one opportunity, in 1967, to determine for themselves whether they wish Puerto Rico to be admitted to the Union as a State; and

(3) as citizens of the United States, residents of Puerto Rico should be allowed to express themselves once again on being admitted to the Union.

SEC. 2. REFERENDUM.

(a) Upon the call of the Governor of Puerto Rico, an islandwide referendum shall be held in Puerto Rico in order to enable the qualified voters of the Commonwealth of Puerto Rico to vote for admission of Puerto Rico into the Union. The referendum shall occur no earlier than January 1, 1989, and not later than December 31, 1994. In the referendum the qualified electors of the Commonwealth of Puerto Rico shall vote for the adoption or rejection of the following proposition: "Shall Puerto Rico be admitted into the Union as a State?".

(b) The returns of the referendum held under this Act shall be made to the Governor of Puerto Rico, who shall cause them to be canvassed in the manner provided by law for the canvass of votes cast in general elections in the Commonwealth of Puerto Rico. If a majority of the qualified voters voting in a referendum under this Act vote in favor of admission into the Union, the Governor shall certify to the President and the Congress of the United States the decision of the people of Puerto Rico.

(c) The election laws of the Commonwealth of Puerto Rico shall apply to the referendum held under this Act. The Governor of Puerto Rico shall prescribe such regulations governing the conduct of the referendum under this Act as may be necessary to supplement such laws in order to carry out this Act.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary for defraying the direct costs of conducting the referendum provided for in this Act.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to extend beyond the hour of 2:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes.

WILLIAM J. CASEY

Mr. HECHT. Mr. President, a great American patriot, a dedicated public servant, died last Wednesday morning. Bill Casey was a man of keen intellect, strong, steady courage, and complete devotion to the interests of this Republic. The record of his achievements, in both public and private capacities, is extraordinary. Time and again he demonstrated the breadth of his talent and wisdom, moving between the finance, economics, national security, and political fields with exceptional effectiveness in all. To friends, opponents, and foes, he was universally recognized as "one of a kind."

Among United States and allied intelligence professionals, he is highly respected for the many positive contributions he made to our intelligence programs, beginning in World War II when he served in a key position in the American Office of Strategic Services, and throughout his recent service as Director of Central Intelligence. There are those who take exception to some of Bill Casey's decisions and actions—strong men of principle and courage who undertake to lead always run this risk.

For my part, I shall always be indebted to Bill Casey for his service to his country, and his efforts to keep it free and strong for the rest of us and our children. Bill Casey's contributions to America are great, Mr. President, he will be missed.

Mr. President, I ask unanimous consent that a list of his accomplishments be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WILLIAM J. CASEY

Born 13 March 1913, New York City.

1919-30: Public and parochial schools, New York City and Long Island.

1934: Fordham University, B.S.

1935: Catholic University of America—Social Work.

1936-37: New York City Welfare Department—Social Worker.

1938: St. John's Law School, J.D.

1938: Research Institute of America—Editor of Federal Tax Coordinator.

1939-40: In Washington working on pre-World War II industrial mobilization; assisted Leo Cherne on book, Adjusting Your Business to War.

1940: Research for Tom Dewey—preconvention Dewey for President.

1940: Research, speechwriting—Wilkie campaign.

1940-41: Research Institute of America—chairman, Board of editors.

1941-42: Set up Washington Office for Research Institute, edited Business and Defense Coordinator, War Research Report.

1941: Army and Navy Munitions Board—consultant.

1942: Consultant, Board of Economic Warfare—preemptive buying of strategic materials.

1943-45: Office of Strategic Services—first as naval lieutenant and later as civilian; Special Assistant to General W.J. Donovan, Washington, DC; Aide to David Bruce, London; Chief, Secretariat, London—received Bronze Star for coordinating support and operations of French Resistance in support of Normandy landings and liberation of France.

1944-45: Chief, OSS Intelligence, European Theatre.

1946-51: Chairman, Board of Editors, Research Institute of America.

1948: Founder, later Chairman, American Friends of Russian Freedom.

1948: Research, Delegate Hunter, Dewey for President.

1948: Associate General Counsel, European Headquarters, Marshall Plan.

1951-71: Founder, in collaboration with Prentice-Hall, editor and chief executive of Institute of Business Planning, a publisher of business, financial and legal information services and books—created and earned royalties on seven or eight loose-leaf services and some 30 books in this capacity.

1951-71: Venture capitalist—participated in founding and developing some 25 enterprises (see disclosure to Senate Banking Committee at 1971 confirmation hearing).

1952: Research and speechwriting—Taft for Presidential nomination.

1952: Research and speechwriting—Eisenhower election campaign.

1952-71: Partner, law firm of Hall, Casey, Dickler and Howley, and predecessors.

1953-54: Assistant to Leonard Hall, chairman of the Republican National Committee.

1954-71: Cofounder and director, Capital Cities Communities.

1956: Assistant to Leonard Hall, campaign manager, Eisenhower for President.

1958: Founding director, National Strategy Information Center.

1959-60: Assistant to campaign manager, preconvention and election, Nixon for President.

1960: Founding director, National Strategy Information Center—stimulated course and chairs for national security studies on some 20 campuses.

1964: Executor of the estate of the owner of Human Events, ran it for close to a year, and worked out plans to turn it over to the writers who are still the owners.

1964: Worked with Leonard Hall and Fred Scribner on possible Romney and Scranton candidates and ran Nixon primary campaign in Oregon.

1965: Founding director, Center for Study of the Presidency.

1966: Primary candidate for Republican nomination for Congress on Long Island.

1966-71: Chairman, executive committee and then president, International Rescue Committee.

1968: Romney and Nixon preconvention, Nixon election campaign.

1968-71: President and then chairman, Long Island Association.

1969: Presidential Task Force on International Development with David Rockefeller, Cardinal Cooke, Earl Butz, and Rudy Peterson.

1970: General Advisory Committee on Arms Control with John McCloy, Dean Rusk, Cy Vance, Harold Brown, and Doug Dillon.

1971-73: Chairman, Securities and Exchange Commission.

1973-74: Under Secretary of State for Economic Affairs.

1974-76: Chairman and President, Export-Import Bank of the United States.

1976: President's Foreign Intelligence Advisory Board.

1976-77: Chairman, Task Force on Capital for Small and Growing Businesses, Ford administration.

1976-80: Founder, Center for International Economic Policy Studies—now Manhattan Institute.

1976-81: Counsel, Rogers and Wells.

1976-81: Director, Capital Cities Communications.

1977: Chairman, Blue Ribbon Panel on Governance of American Stock Exchange.

1977-79: Cochairman, Citizens Commission on Indo-Chinese Refugees.

1977-81: Chairman of Executive Committee, Long Island Trust Co.

1979-80: Vice chairman and then chairman, Reagan Presidential Kick-Off Drive.

1980: Campaign director, Reagan for President primary and election campaign.

1980-81: Chairman, Reagan transition.

1980-81: Chairman, Interim Foreign Policy Assessment Board.

1981-present: Director of Central Intelligence.

Books: Numerous books on legal and financial subjects, American Tour of the American Revolution.

Awards: William J. Donovan Award, St. John's Gold Medal.

Honorary degrees: Fordham University, St. John's University, Chung Ang University, New York Law School, Molloy College, Adelphi University, Polytechnic Institute of New York, Westminster College, Bryant College, Long Island University.

BIOGRAPHY OF WILLIAM J. CASEY

William Joseph Casey was sworn in as Director of Central Intelligence (DCI) on 28 January 1981. In this position he heads the Intelligence Community (all foreign intelligence agencies of the United States) and directs the Central Intelligence Agency. He is the first DCI to be designated by the President as a Cabinet officer.

Mr. Casey grew up in Long Island, New York, and graduated from Fordham University and St. John's University School of Law. He was then admitted to the New York Bar.

Following law school, he joined the Research Institute of America, rising to become chairman of the Institute's board of editors. He was commissioned in the U.S. Naval Reserve in 1943, joining the wartime staff of William J. Donovan, founder of the Office of Strategic Services. Assigned to the European Theater, Mr. Casey received the Bronze Star for his work in coordinating French Resistance forces in support of the invasion of Normandy and liberation of France. Later, in 1944, he became Chief of American Secret Intelligence operations in Europe.

In 1948 he served as Associate General Counsel at the European Headquarters of the Marshall Plan. Between 1949 and 1971 he practiced law and engaged in various publishing and entrepreneurial activities in New York City.

In April 1971 Mr. Casey was designated Chairman of the Securities and Exchange Commission where he served until February 1973. He subsequently became Under Secretary of State for Economic Affairs and President and Chairman of the Export-Import Bank of the United States. Returning to private life, he became Counsel to the New York and Washington law firm of Rogers and Wells.

During 1980 Mr. Casey managed the successful primary and election campaigns of President Ronald Reagan.

Mr. Casey has authored a number of books on legal and financial subjects, as well as a history of the American Revolution.

In October 1983, Mr. Casey received the Distinguished Intelligence Medal.

He has received the William J. Donovan Award and honorary degrees from Fordham University, St. John's University, Chung Ang University, New York Law School, Molloy College, Adelphi University, Polytechnic Institute of New York, Bryant College, and Westminster College.

Mr. Casey and his wife Sophia (nee Kurz) have one daughter, Bernadette Casey Smith.

WILLIAM CASEY—BIBLIOGRAPHY

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Mr. HECHT. Mr. President, my wife, Gail, and I want to express our condolences again to the family of Bill Casey, a man who will be missed greatly by all who knew him, both in and out of Government service. His many contributions to this country he loved so much will be with us forever.

At the request of Bill's family, Gail and I will make a donation to the Nicaraguan freedom fighters in lieu of sending flowers. It is only fitting that even in death, this great patriot's fight for freedom continues.

JAMES JESUS ANGLETON

Mr. SYMMS. Mr. President, the death of James Angleton yesterday was the loss of far more than a pioneer of counterintelligence strategy in the United States; it was the loss of a great American patriot.

Jim Angleton was a fellow Idahoan and a good friend that I was privileged to know. Members of his family still live in Boise, ID, where he was born in 1917. That was the year of the Bolshevik revolution. But no one knew then that he would spend much of his life contending with the heirs of bolshevism, the Soviet Communists.

Jim's contribution to American freedom—the freedom of the Western World, in fact—has affected the course of history. His work in developing and operating the counterintelligence division of the CIA was essential to counter the rise of Soviet espionage in the United States.

His accomplishments include routing many a Soviet agent—which he called "moles"—from the ranks of United States intelligence. He also discovered agents in West Germany and France, gained access to secret Soviet documents, and through relationships developed with the Israeli Mossad, he gathered critical intelligence about the Soviet military buildup.

While we know of many of his successes, it is impossible to know of the security calamities that were avoided because of his unceasing efforts to maintain the integrity of our national security. I wish the same could be said for our security operations today.

And I know of no one who has been proven more right and who has been more vindicated from personal attack than Jim Angleton. With all the recent problems the United States has had in national security, I think the error in dismantling the CIA division he built has been made clear. Cutting his staff from 300 back to 80 was a tragedy. I know that he knew that, and I talked with him about it during the past year. I know that at least he had the satisfaction of knowing that his work was on the right track in view of the adversary that the United States faces today.

Jim's successes were not a result of mere expertise in counterintelligence or of preoccupation with the exhilarating lifestyle of a spy. His success was a result of a commitment to freedom and an unwavering patriotism to the United States.

Unlike the treasonous few that have been overcome with intrigue and the temptation to enrich themselves at the expense of national security, Jim did not seek glory or personal gain. He was totally committed to the preservation of liberty in the Western World.

Even when he was confronted with the détente-at-any-cost mentality of newcomers in the 1970's, he avoided confrontation and exposure, choosing instead to act in the best interest of national security.

And without a doubt, Mr. President, the events surrounding the U.S. Embassy in Moscow have vindicated him—not that he sought vindication, but only that if his kind of commitment was present in our national security agencies, the fiasco in Moscow would likely have never happened.

And I might note that Jim opposed the decision to give the Soviets their Mt. Alto embassy site. He viewed it as diametrically opposed to the simplest of national security strategies—and he was right. The current mentality—primarily in the State Department—is bordering on foreign policy lunacy. They could have used a few lessons from Jim Angleton.

Mr. President, I ask for unanimous consent that these newspaper articles from the Washington Times, the New York Times and Washington Post about Mr. Angleton follow my comments in the Record, and I urge my colleagues, our national security leaders, and all Americans to review the life of James Jesus Angleton the American, and learn a lesson in commitment to the principles that have given us the freedom we all enjoy today.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 10, 1987]

Assessing Intelligence Breaches

(By David Binder)

Washington, April 9.—He shuns the word "vindication" and is too much the patrician to say, "I told you so," but James J. Angleton, who directed United States counterespionage efforts for two decades, is mightily stirred by the latest disclosures of breaches in the defenses of American intelligence operations.

Mr. Angleton, who turned 69 last December, the month he was diagnosed as having lung cancer, refuses to give interviews on intelligence matters.

But he is quietly telling old friends these days that many of the problems of the moment—Americans selling secrets to the Russians, the Russians gaining access to off-limit areas of the American Embassy in Moscow, the Central Intelligence Agency losing a Soviet defector—have their origins in disputes in the intelligence community going back a quarter of a century or longer.

THE RUSSIANS' NEW EMBASSY

For instance, he says that from the beginning he and other senior American intelligence officials opposed allowing the Soviet Government to build its new embassy in Washington on the elevation known as Mount Alto because it would greatly enhance the Russians' electronic eavesdropping abilities in the capital.

In a conversation with a friend he said a key decision to allow the Russians to build at Mount Alto was made in 1966 by McGeorge Bundy, President Johnson's special assistant for national security affairs. "Bundy had the final word," he said. (Mr. Bundy, reached by telephone and asked about the decision, said, "I don't remember it.")

Mr. Angleton said recent setbacks involving defectors, signals intelligence and double agents could be attributed in part to the devastating cutbacks made in 1973 and 1974 in the Central Intelligence Agency's counterintelligence service. He headed that service "under a heavy cloak of anonymity," in his words, until forced to resign in December 1974.

The trauma of that episode, which pitted him against the newly installed Director of Central Intelligence, William E. Colby, has never receded for Mr. Angleton, mainly because he was forced to preside over the dismantling of his own creation.

Counterespionage, sometimes called a "hall of mirrors," is the most arcane branch of intelligence work, aimed ultimately, as Mr. Angleton has said, at "penetrating the other side." It includes turning enemy agents around and getting them to work against their former employers, misleading opponents with false information and apprehending hostile intelligence operatives.

NEVER BUILT UP AGAIN

At its peak in the 1960's, he tells friends, the counterintelligence directorate had a staff of 300. In the reductions sought by Mr. Colby, the staff went from 280 to 80, terminating many of its operations and virtually paralyzing those remaining. "It's never been built up again," he said.

He sees now that he had become "odd man out" in a huge bureaucratic struggle growing out of the Watergate scandals that involved disclosures to Congressional panels of such past domestic intelligence practices as opening suspect mail.

"If you're the odd man out, you're out," he said and, answering a question as to why no one high in the government had sought to protect the counterintelligence directorate, he replied: "That isn't the way Government works. If I had wanted to intrigue I could have, but I wasn't brought up that way."

At the time, he said, the C.I.A. was pursuing "four or five leads of penetration of the agency" by Soviet operatives.

In one case the operative had started out very young as a counterintelligence trainee in the Soviet Army. In an elaborate ruse in World War II he was parachuted behind German lines and then identified by a radio message to the Nazi Security Service. The Germans picked him up and made him into a double agent. But his true loyalty had remained with the Russians. After the war he was employed by the C.I.A., working under cover in Soviet émigré organizations based in Berlin, and was eventually taken on "as a full-fledged intelligence officer."

Although fragments of suspicious information about the man had surfaced over the years, it was not until a high-level K.G.B. official defected and provided a new clue that American counterintelligence officers became convinced that the operative was a Soviet agent. Even as the shadow fell on him he was wily enough to deflect attention by casting suspicion on another Soviet émigré. Ultimately, through a number of clumsy bureaucratic actions, the suspect was able to avoid prosecution and, as far as Mr. Angleton knew, lived quietly in the Washington area. "The man was a genius," Mr. Angleton recalled with genuine professional respect.

The lesson he coldly draws from this and the current cases involving people named Howard, Walker and Pelton is that "there will always be penetrations" of the Government and its intelligence services by Soviet agents. "It is a way of life," he said. "It should never be thought of as an aberration. Anyone who gets flustered by it is in the wrong business."

"The ultimate," he added, "is to break down the other man's signals security. That is the function, to protect your own signals and penetrate the other guy's signals security." That apparently is what the K.G.B. accomplished when it planted monitoring devices in recent years at the United States Embassy in Moscow.

Achieving such access to secret communications, he explained, "allows them to go backward and forward, recreating what our situation was at one time."

"Then comes imagination, how to enlarge that little penetration into something more dynamic. It could give wide oversight into our methodology, weaknesses and how we would respond to a situation."

WAITING TO BE CALLED

Mr. Angleton tells his friends he is hoping the latest intelligence setbacks will prompt the White House or Congress to ask him and his former deputies to step forward and testify on the weaknesses of American counterintelligence "going back to 1961 and leading up to the Church committee"—the panel headed by Senator Frank Church, Democrat of Idaho, that investigated the intelligence agencies in the mid-1970's.

"I don't like the word 'vindication,'" Mr. Angleton said, but he would also like to see a special committee appointed to investigate the competence of the current C.I.A. counterintelligence directorate.

But he will remain silent until he receives executive permission to speak out on these matters, not only because of the oath he took as an intelligence officer to protect Government secrets but also because they would "cause great pain."

"Meanwhile, he is contending with his own pain. Bent by disease short of breath and experiencing difficulty walking, Mr. Angleton is uncomplaining. Asked if his physician attributed his illness to smoking with a filter cigarette in his hand he replied, "Yeah, that and fatigue."

"I burned the candle at both ends," he added, laughing softly.

[From the Washington Times, Apr. 13, 1987]

The Angelton Perspective

Vindication of sorts finally has caught up with James J. Angleton, former chief of counterintelligence at the CIA and spook extraordinaire. Dismissed in 1974 for what was seen as a paranoid obsession with Soviet espionage, he looks better and better.

The contrast between Mr. Angleton and former Ambassador Arthur Hartman is especially striking. In a secret 1984 cable, Mr. Hartman expressed concern that "right wing" anti-spy programs might sour U.S.-Soviet relations. He warned that "overt and covert" counterespionage might make it "impossible" for our embassy in Moscow to carry out its diplomatic mission—just the sort of analysis that Mr. Angleton would have repudiated.

When many were peddling detente, celebrating termination of the Cold War, and scuttling the nation's intelligence and internal security apparatus, Mr. Angleton demurred—and not always politely. A lifetime of immersion in the dark intricacies of espionage, hostile and "friendly," had taught him not to underestimate the extent of covert deception or the capacity for self-delusion.

Like everyone, Mr. Angleton had his blind spots. He long maintained that the Sino-Soviet split was only disinformation. Still, it seems unlikely that, had he prevailed, U.S. Marines would have been acting as lookouts for KGB agents or that Ambassador Hartman would have been deemed "ruthless [on security]"—his characterization of himself—at an embassy so leaky that George Shultz and staff, in Moscow for arms talks, must confer off premises so as not to be overheard.

The virtue of Mr. Angleton was that he harbored no illusions about the will and capacity of the Soviets for making mischief and, unlike the technocrats at Langley, never failed to weigh in the human factor that remains invisible to high-flying satellites and state-of-art gadgetry. "There will always be penetrations" of government and intelligence agencies, he recently told The New York Times. "It is a way of life."

As the Politburo moves against our agents—agents exposed by ineptitude and worse—and assimilates the mountain of data its spies have stolen, Mr. Angleton's reputation gains renewed respect.

[From the Washington Times, May 12, 1987]

JAMES J. ANGLETON

The deaths of living legends are always occasions for reflection, and the death yesterday at Sibley Hospital of one whose passion for anonymity did not prevent his transformation into a legend comes at a time strangely, and disturbingly, appropriate. James J. Angleton, former chief of counterintelligence for the CIA, became a character in at least four spy novels during his long career and, depending on which ones you read, epitomized either all that was best or all that was worst in the American intelligence community.

Mr. Angleton cut his teeth in tradecraft during World War II, when he worked for the counter-intelligence branch of the Office of Strategic Services and, after the war, set up its successor within the CIA as a highly compartmentalized and (some would say) virtually autonomous unit. Among his greatest coups in his early years was the pilfering of Nikita Khrushchev's secret speech denouncing Stalin to the Soviet Communist Party in 1956. But by the early 1970s, his habitual distrust of the Soviets—and of Westerners who gurgled over them—was out of step with the times.

His insistence on the need for the secret arts of the spy became famous, and indeed despised, in many quarters, and in 1974 he was forced to resign from the CIA after witnessing the evisceration of his counter-intelligence staff. Not until the Reagan administration began to reconsider the need for counter-intelligence and the imperative for covert action in the early 1980s did the CIA again redevelop the capacity that Angleton's skills had constructed, and even today it still lacks what the United States should have in this respect.

Mr. Angleton, to be sure, was not without flaw, and the suspicion and secrecy that he deliberately cultivated, and which go with the profession he had chosen, alienated and frightened many who knew less but talked more than the cryptic spymaster—who did not write his memoirs, did not appear on television, and who cultivated his orchids in very private retirement.

Yet Congress even now is trying to crank up the high dudgeon of a weary nation for yet another inquisition into the intelligence community. Last week Gen. Richard Secord, asked how he thought the world was reacting to the hearings in which he was the first witness, frankly stated his opinion in the laconic style he affected throughout the week. The world, he said, "is laughing at us," and other countries cannot take seriously a nation that periodically hauls its own secrets before national television to wallow in an odd synthesis of guilt and glamor. What ally now would take the chance of sharing intelligence or cooperating in counter-intelligence operations when the prospect is appallingly good that in a year or two years, a congressional committee will broadcast every jot and tittle to a bemused world?

James Angleton would have understood what Gen. Secord meant. It is tragic that more congressmen do not.

[From the New York Times, May 12, 1987]

JAMES ANGLETON, COUNTERINTELLIGENCE FIGURE, DIES

(By Stephen Engelberg)

WASHINGTON, May 11.—James Angleton, the erudite Central Intelligence Agency officer whose search for Soviet agents inside the Government stirred an uproar in the murky worlds of intelligence for a generation, died here this morning of lung cancer. He was 69 years old.

Mr Angleton, who joined the C.I.A. at its inception in 1947, served for more than 20 years as head of its counterintelligence office. He was forced to resign his post in 1974 by William E. Colby, then Director of Central Intelligence, who had become convinced that Mr. Angleton's efforts were harming the agency.

The tall, donnish intelligence official remains one of the most fascinating figures in the history of the C.I.A. His counterintelligence office was considered one of the most secret in the agency, and the problems it analyzed resembled the multidimensional chess games depicted in the best espionage fiction.

With his departure, the agency cut the counterintelligence staff to 80 from 300, and turned away from some of the techniques he had pioneered. Today, some intelligence officials and members of Congress say this may have been an overreaction. They say that the recent disclosures about highly damaging Soviet espionage operations suggest that Mr. Angleton was more accurate in his suspicions than was once believed.

DISTRUST OF SOVIET MOTIVES

Counterintelligence is one of the most thankless jobs in spy craft. Its practitioners think the unthinkable, examining each operation, recruit or defector for the possibility that it may be a deception. Counterintelligence agents also try to recruit agents who work for hostile intelligence services, hoping to confuse opponents with cleverly packaged false information.

Friends and associates agree that Mr. Angleton, who wore glasses and had a pronounced stoop, was ideally suited for his life's work. His view of the world was characterized by an abiding suspicion—opponents called it paranoia—about the Soviet Union's motives and maneuvers.

When the Soviet Union and China split in the early 1960's, Mr. Angleton remained convinced that the widely reported antagonism was a ruse concocted by the two Communist powers.

The defection of Yuri Nosenko from the Soviet Union in January 1964 prompted a prolonged investigation by Mr. Angleton and his staff. Mr. Nosenko insisted that he had been the Soviet case officer for Lee Harvey Oswald, the assassin of President Kennedy.

Mr. Angleton was inclinced to doubt Mr. Nosenko's insistence that the Soviet security agency, the K.G.B., had no connection to the attack on the President. Mr. Nosenko was released after being interrogated for more than three years, and the consensus at the C.I.A. was that he had been a legitimate defector. Mr. Nosenko was subsequently hired as a lecturer at courses given by the agency.

POWERFUL ROLE IN AGENCY

Mr. Angleton may have lost the battle over Mr. Nosenko, but he wielded great power inside the agency for decades. His section had access to more information than virtually any other because it was permitted to examine virtually all C.I.A. operations. The counterintelligence staff under Mr. Angleton could and did effectively end the careers of C.I.A. officers suspected of working for the Soviet Union. He often declined to explain why a particular officer had fallen under suspicion.

In addition, Mr. Angleton handled one of the agency's most sensitive relationships with an allied intelligence service, its ties to the Israelis. Mr. Angleton handled "the Israeli account" as it was termed in C.I.A. argot, for more than a decade. Indeed, Mr. Colby, the agency director who forced his resignation, earlier insisted that Mr. Angleton relinquish his control over Israeli matters.

Even with the passage of decades, it is difficult to compile a reasonably certain account of Mr. Angleton's espionage successes, which remain classified. For instance, by one account he was instrumental in obtaining, the text of Nikita S. Khrushchev's secret denunciation of Stalin in 1956.

He was also said to have been deeply involved in the unmasking of Kim Philby, the British double agent. Others say that for a time, at least, Mr. Angleton was deceived by Mr. Philby a man who had come to be his friend.

James Jesus Angleton was born in 1917, the year of the Russian Revolution, in Boise, Idaho. His father worked for the National Cash Register Company in Italy, and James Angleton spent summers in Italy while attending Malvern College in England. In 1937, he entered Yale University, where he roomed with E. Reed Whittemore Jr., the poet. The two founded a literary magazine, reflecting what would be Mr. Angleton's lifelong interest in the letters. His favorite poets, friends say, were T.S. Eliot and E.E. Cummings, and in Washington he was often found at lectures on the writings of James Joyce.

Two years after being graduated from Yale, he was recruited by a professor into the Office of Strategic Services, the World War II intelligence agency and forerunner to the C.I.A.

Senator Malcolm Wallop, Wyoming Republican who was a strong defender of Mr. Angleton, said in a statement today: "James Angleton lived long enough to serve his country before, during and after World War II. He was the architect of the best counterintelligence the United States ever had. In the mid-1970's, Angleton went out of fashion, but he lived long enough to see time and events vindicate him and show how little his accusers understood of the difficult and inherently thankless business of counterintelligence."

In World War II Mr. Angleton directed agents working against Nazi Germany. In 1944 he traveled to Rome where he worked on operations aimed at the Italian Fascist intelligence service. After the war, he worked closely with Italian counterintelligence to uncover reams of data about Soviet operations.

When he returned to the United States, he began to specialize in studying the K.G.B. Mr. Angleton built huge files on the espionage operations of the Russians, and was authorized in 1954 by Allen W. Dulles, then the director of agency, to set up its first counterintelligence staff.

In 1975 Mr. Angleton was awarded the C.I.A.'s highest award, the Distinguished Intelligence Medal.

Mr. Angleton has been sharply criticized in recent years in the memoirs of some intelligence officials, including Adm. Stansfield Turner, the director of Central Intelligence under President Carter. Admiral Turner wrote that he had got Congress to appropriate money to compensate officers whose careers had been ruined because they had come under the suspicion of Mr. Angleton.

"He was truly a Renaissance man," said N. Scott Miler, the chief of operations under Mr. Angleton. "He had a remarkable amount of knowledge about world events, art, literature, most remarkable people I have ever known."

Mr. Angleton is survived by his wife, Cicely d'Autremont; a son, James Charles Angleton, of Los Angeles, and two daughters, Guru Sangat Kaur, of Great Falls, Va., and Lucy d'Autremont Angleton, of New Mexico. He also leaves a brother, Hugh Angleton of Boise, and two sisters, Carmen Mercedes Angleton of Rome and Delores Guarnieri of Florence, Italy.

Services will be held Friday, at Rock Springs Church in Arlington, Va., and the family asks that a donation to be made to the American Cancer Society in lieu of flowers.

[From the Washington Post, May 12, 1987]

James Angleton, Ex-Chief Of Counterintelligence, Dies

(By Richard Pearson)

James J. Angleton, 69, a retired head of counterintelligence at the CIA, where he gained a reputation as a brilliant, tireless, single-minded, and, even by agency standards, mysterious guardian of the nation's secrets, died of cancer yesterday at Sibley Memorial Hospital.

Mr. Angleton joined the CIA shortly after it was formed in 1947 and he helped organize its clandestine side—the part that spies as distinct from the part that gathers intelligence from published sources or by other overt means. In 1954, he was named head of counterintelligence—the part that protects the organization and all its works from hostile services. He held that job until early 1975, when he was forced to resign.

In the course of his career, Mr. Angleton became one of the most celebrated intelligence officers of his time. Stooped, lean, professional and chain-smoking, he wrote poetry and grew orchids for relaxation. And though his detractors were numerous, no one denied that the accomplishments of this secretive man were extraordinary.

In the end, however, there were those who despite his achievements, appeared to believe that he was becoming something of a liability to the agency to which he was so clearly devoted. Intelligence work is secret and so are attempts to find out about it. It was Mr. Angleton's task to expose what is in a certain sense unknowable. If he uncovered many enemy spies—and he did that—he could never be certain that another had not escaped him. His efforts to pierce this enigma eventually caused such disruption in the CIA that he fell from grace.

Mr. Angleton began to make his reputation while he was still an Army major serving in Italy in World War II with the Office of Strategic Services, the predecessor of the CIA. He was credited with helping to establish what came to be the CIA's "special relationship" with Israel's secret service, the Mossad, that resulted in the United States' obtaining vast quantities of data on Soviet military hardware and on conditions in the Soviet Union.

He was credited by some with helping expose Kim Philby, the former high official of Britain's MI6 (Secret Service) who fled to Moscow in 1963. Philby spied for the Soviet Union for 30 years and he was a colleague of Donald Maclean and Guy Burgess, the famous Soviet spies who fled the West in the early 1950s.

Mr. Angleton helped develop the trail that led to Rudolf Abel, the KGB colonel who was a major Soviet spy in the United States in the 1950s. Abel was traded in 1961 for Francis Gary Powers, the American U2 pilot who had been shot down while flying a spy plane mission over the Soviet Union in May 1960.

And he helped uncover Soviet spies who had penetrated intelligence or security agencies in France and West Germany.

Perhaps his best-known feat was obtaining a copy of Soviet Premier Nikita S. Khrushchev's secret speech to the 20th Congress of the Communist Party of the Soviet Union in 1956. In that speech, Khrushchev denounced the late dictator Josef Stalin. Almost a decade earlier, Mr. Angleton obtained correspondence between Yugoslav leader Josip Broz Tito and Stalin that foreshadowed Yugoslavia's defection from Moscow in 1948, the first historic rift in the communist world.

Tom Braden, a journalist and former senior CIA official, wrote in 1974 that the CIA is the only major intelligence service in the world that has never employed a "mole," as deep-penetration agents were dubbed by John Le Carre. High officials in the intelligence community believe this is still true. This is a measure of what Mr. Angleton accomplished.

But some thought the price was too high. As Mr. Angleton cast a wider and wider net of suspicion, brilliant careers in the CIA itself were blighted, according to former high officials.

A famous incident involved Anatoli Golitsin, a Soviet defector who in 1962 told Mr. Angleton that a Soviet "mole" had infiltrated the CIA and that a "false" defector would soon arrive to discredit what Golitsin had said. A year later, Yuri Nosenko defected from the Soviets and told the CIA that Golitsin could not be trusted. Mr. Angleton chose to believe Golitsin and so he kept Nosenko in jail for three years while he frantically and fruitlessly searched for the "mole." Nosenko's release finally was ordered by CIA director Richard Helms.

Mr. Angleton's critics cited this incident as an example of what they believed to be counterproductive in his work. There even were stories that the counterintelligence chief had been investigated as a possible "mole" himself.

The criticism came to a head after William E. Colby, another career officer of achievement, became director of central intelligence in 1973. In his memoirs, "Honorable Men," Colby wrote that after he took office he "looked in vain for some tangible results in the counterintelligence field, and found little or none. I did not suspect Angleton and his staff of engaging in improper activities. I just could not figure out what they were all doing."

So Colby offered Mr. Angleton a new job writing a manual on counterintelligence work. Mr. Angleton refused and his resignation followed.

James Jesus Angleton was born in Boise, Idaho. His father, James Hugh Angleton, had chased Pancho Villa into Mexico with Gen. John J. (Black Jack) Pershing, and while in Mexico, he had married a 17-year-old woman. The Angleton family traveled to Europe in the 1920s, where the elder Angleton became head of National Cash Register's operations on that continent.

James Angleton was educated in England. He then entered Yale University where he became a scholar of Italian literature, specializing in Dante, and gained a great reputation as a poet. He also was a fan of horse-racing, a competent poker player and an omnivorous reader.

He and his roommate, the poet Reed Whittemore, founded the poetry quarterly "Furioso" while still undergraduates. In addition to their own work, the magazine published poems by such figures as Ezra Pound, e.e. cummings, Archibald MacLeish and William Carlos Williams. After Yale, Mr. Angleton went to Harvard University, where he studied law and business. In 1943, he went into the Army for World War II service.

In his service in Italy, his intelligence skills and distinctive airs made an impression. Gen. William (Wild Bill) Donovan, the head of the OSS, called him the OSS's "most professional counterintelligence officer." Others told of coming upon Mr. Angleton late at night reading and writing poetry.

After the war, Mr. Angleton stayed in the Army, attaining the rank of major. He helped the Italian Christian Democratic Party of Alcide de Gasperi turn back the communists at the polls in 1948 in what became known as "the miracle of '48." It was during this period that he made contacts with the Israelis that later became a special intelligence relationship. He then joined the CIA.

Mr. Angleton, who lived in Arlington, is survived by his wife, Cicely d'Autremont Angleton; three children, James Charles Angleton of Los Angeles, Guru Sangat Kaur of Great Falls, Va., and Lucy d'Autremont Angleton of Albuquerque; one brother, Hugh Angleton of Boise, Idaho; two sisters, Carmen Angleton of Rome, and Delores Guarnieri of Florence, and two grandchildren.

[From the Washington Times, May 12, 1987]

LEGENDARY CIA COUNTERSPY JAMES JESUS ANGLETON DIES

(By Bill Gertz)

James Jesus Angleton, celebrated CIA masterspy and one of the most colorful figures in U.S. intelligence, died yesterday at Sibley Memorial Hospital. He was 69.

Mr. Angleton, the first U.S. intelligence official to reveal the Soviets' use of strategic deception and "disinformation," died at 10:23 a.m., according to his daughter, Lucy Angleton. The death was attributed to lung cancer, she said.

Mr. Angleton developed and later ran the CIA's counterintelligence section between 1954 and 1973, at a time when counterintelligence—detecting and exploiting enemy spies—played a major role in U.S. intelligence.

Former CIA Director Richard Helms, who worked alongside Mr. Angleton for many years, yesterday praised the counterspy chief as "a great patriot" who played a pivotal role in the developing CIA capabilities against hostile spying.

"James Angleton was to American counterespionage what Thomas Edison was to the development of electricity," Mr. Helms said.

At the CIA, agency spokeswoman Kathy Pherson issued a statement calling Mr. Angleton "a longtime intelligence professional, who gave many years of service to his country."

"We regret his passing," Ms. Pherson said.

N. Scot Miler, an Angleton protege at the CIA until 1974, praised his former boss as a "renaissance man" who attempted to build a national counterintelligence program in the face of rigid bureaucratic resistance.

"He was a global thinker, who was the first to recognize the dangers of Soviet disinformation," Mr. Miler said in an interview. "From about 1965 on, he tried to educate people to the fact that disinformation was more than just propaganda: It is part and parcel of the communist program of political, strategic and military subversion of the West."

A major character in both contemporary spy fiction and non-fiction, Mr. Angleton coined the term "wilderness of mirrors" in describing the business of spy vs. spy, where perceptions and deceptions were not be accepted at face value.

Tall and angular, Mr. Angleton departed from the the agency in December 1974 following a clash with William Colby, who was then director of the CIA, over policies and efforts to root out Soviet spies within the agency and among Soviet bloc defectors.

Mr. Angleton became the target of agency opponents and critics who opposed his counterintelligence methods. He was investigated and later cleared by the Senate Intelligence Committee that probed CIA activities in the mid-1970s.

Within a year of his departure from the CIA, the counterintelligence staff he built had been drastically reduced from about 300 specialists to about 80. According to some intelligence professionals, the reductions led to a government-wide backlash against counterintelligence that persists to this day.

Sen. Malcolm Wallop, Wyoming Republican, called Mr. Angleton "the architect of the best counterintelligence program the United States ever had."

"In the mid-1970s, Mr. Angleton went out of fashion, but he lived long enough to see time and events vindicate him and how little his accusers understood the difficult and inherently thankless business of counterintelligence," Mr. Wallop said. "Today we can be grateful for the lessons of skepticism and intellectual honesty for which James Angleton should always be remembered."

Mr. Angleton told friends privately that the current Moscow embassy scandal, involving U.S Marine guards charged with allowing Soviet agents inside secret sections of the U.S. Embassy in Moscow, was a vindication of sorts since he believed it was a direct result of the counterintelligence cutbacks of the late 1970s.

He once described penetration agents—"moles," spying covertly for the Soviet Union from within the U.S. Government—as "a way of life" for Soviet intelligence activities directed against the West. He believed five such moles were left in place when he left the CIA.

He was born in Boise, Idaho, on Dec. 9, 1917, and grew up in Milan, Italy, where his father, Hugh Angleton, was a representative of the National Cash Register Co. He received his early education at Malvern College in England before attending Yale University, where he graduated in 1941.

At Yale, Mr. Angleton edited a literary journal Furioso, that was known for publishing such poets as Ezra Pound, William Carlos Williams, e.e. cummings and Archibald MacLeish. Through his interest in poetry he also came to know the British poet T.S. Eliot.

He attended Harvard University law school, was drafted into the Army in 1943 and joined the Office of Strategic Services, the wartime predecessor of the CIA.

With the OSS, Mr. Angleton learned the difficult task of counterintelligence, once described by a practitioner "as the most difficult intelligence area since it deals with the dark side of human nature—betrayal, revenge and lust."

He learned the counterspy business in London under the Soviet mole in British intelligence, H.A.R. "Kim" Philby, who spied secretly for the Soviets in Britain until he defected to the Soviet Union in 1963. As a second lieutenant, Mr. Angleton was placed in charge of OSS counterintelligence in Italy, where he succeeded in exposing a double agent spying inside the Vatican.

After the war, he continued in intelligence work as an operations executive until the CIA was formed in 1947, when he went to work in the agency's counterintelligence section.

Mr. Angleton spent his last years in retirement defending former intelligence agents who were persecuted by the U.S. Government during the anti-intelligence backlash of the late 1970s. Along with other former CIA officials, he established the Security and Intelligence Fund, initially a legal defense fund that became the Security and Intelligence Foundation.

At his Northern Virginia home, Mr. Angleton raised orchids and harvested honey from a bee hive. He was also known as a master fly fisherman and an avid duck hunter.

He is survivied by his wife, Cicely d'Autremont Angleton of Arlington, a son, James Charles Angleton of Los Angeles; two daughters, Guru Sangat Kaur of Great Falls, Va., and Lucy Angleton of New Mexico.

Funeral services will be held Friday at 1:30 p.m. at Rock Springs United Church of Christ, 5010 Little Falls Road, Arlington. The family asks that expressions of sympathy be in the form of contributions to the American Cancer Society.

Mr. SYMMS. Mr. President, I also extend my sympathies to the Angleton family for the loss of a great member of their family. He was a great friend of all of us, and a great American.

THE FARM ECONOMY

Mr. SYMMS. Mr. President, I would like to read into the RECORD a letter from one of my constituents living in Preston, ID. Her name is Lee Ann Gilbert and her letter reads as follows:

APRIL 30, 1987.

DEAR SENATOR SYMMS, One of the earliest questions I asked as a child living on a farm was "Why aren't we growing anything on this field?" I remember how dishonest I felt when I was told our family got paid to not plant crops. Now it's 30 years later and I still feel dishonest when my husband and I consider accepting farm subsidies.

There must be another way to help farmers. Subsidies hurt the economy by taking away the profits of the businesses that service farmers—business such as equipment dealers, fertilizer suppliers, and fuel dealers.

Please help us get back to an honest economy.

Sincerely,

LEE ANN GILBERT.

As you know, Mr. President, Idaho is fourth among all the States in being dependent on its agriculture industry. And Mrs. Gilbert comes from one of the most agriculturally depressed areas in my State. In Preston, there are few, if any, crops other than wheat that are grown commercially. And as we are all aware, wheat farmers qualify for many Government subsidies.

The point of my bringing Mrs. Gilbert's letter to the attention of this legislative body is that perhaps we, as lawmakers, should question whether we are in step in the desires of those Americans we are desperately trying to help. And I use the word "help" very loosely, Mr. President.

Here is a woman in a situation that epitomizes the reasoning behind the evolution of many of our agricultural programs. She and her husband have more reasons than most to benefit from the subsidies we labored long hours to create. But instead, she simply asks, in essence, to be allowed to function in a market free from Government intervention, free from Government regulation, and most of all, free from Government handouts. It seems all Mrs. Gilbert wants is for us to allow her family farm to either experience success or failure, which is no different than what any risk-taking entrepreneur must face. To me, Mr. President, she deserves applause.

Thank you, Mr. President.

Mr. President, I yield the floor.

Mr. PROXMIRE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

THE SHINING ARMS CONTROL SUCCESS

Mr. PROXMIRE. Mr. President, so yes there have been failures. In fact arms control is near death in this most dangerous era since civilization emerged on the planet. How can we save it? Five suggestions:

First, negotiate a mutual verifiable agreement with the Soviet Union to stop testing all nuclear weapons.

Second, negotiate a comprehensive, across-the-board, all-inclusive end to further deployment of all nuclear weapons, that is, the freeze—a smashing popular success.

Third, negotiate a mutual, verifiable reduction in nuclear weapons with special concentration on the least stable, that is, the use it or lose it most vulnerable nuclear weapons.

Fourth, negotiate a corresponding verifiable limit on conventional weapons.

Fifth, reinforce and strengthen the nonproliferation treaty.

Much criticism of the current status and the dreary record of arms control in the past 8 years gives too discouraging a picture.

Can we succeed? Can arms control win? Yes, we can take realistic comfort in the one shining success of arms control.

Where is this arms control success? Let me tell you. I recall the Senate debates of 20 or 25 years ago on the future prospect of avoiding a nuclear war. What was the overwhelming consensus in the early 1960's about nuclear proliferation? What did we believe would face the world in the mid-1980's? Answer: Even among the optimists we believed that at least 25 countries would have nuclear arsenals by say 1987, and that we would be on our way to much wider proliferation in coming years.

So what has happened. We were—thank the Good Lord—wrong. Today there are still the same five acknowledged superpowers there were 25 years ago—the United States, the Soviet Union, the United Kingdom, France, and China, period. Now it is true that India, Pakistan, Israel possibly Brazil, Argentina, and South Africa may have obtained some nuclear capability although most of them deny having it. The feared proliferation that would have made near term nuclear war a virtual certainty has not materialized.

Why? Two reasons. First the nonproliferation treaty has been a smashing, shining arms control success. The NPT signatories now include not all but the great majority of the world's nations including most of those who would be capable of developing a nuclear arsenal. And most of these nations have signed pledges on the dotted line not to build nuclear weapons and not to transfer to another country, or use for weapons purposes, weapons grade processed uranium or plutonium used in the production of energy. What is more, they have agreed to unannounced international inspection of their facilities to assure compliance with the pledge.

The second reason the terrible cancer of nuclear proliferation has not spread is that, to date, the nuclear powers, including especially the superpowers, have not yet—I stress yet—tested and developed in their laboratories nuclear weapons cheap enough to be affordable on a major scale by the Syrias and Libyas and North Koreas of the world.

So what can we learn from this great success? We can learn that those who believe in arms control have on their side the great majority of the world's governments. We have learned that nations recognize that whatever the quick and massive military power nuclear arms can bring, governments overwhelmingly believe its not worth the likelihood of nuclear retaliation that the possession of a nuclear arsenal also brings. Is this right? Yes, it is. But it's right only under present economic circumstances. Give the superpowers another 10 or 20 years to come on with the weapons testing of cheaper, more devastating nuclear warheads with many times more bang for the buck per pound—something like the antimatter bomb—and you can kiss this civilization good bye. So the lesson of our success in stopping proliferation—gives us two messages—first we can negotiate agreements that are winners with most of the countries in the world given the present technological status of nuclear weapons. Second we have another excellent reason to strive to negotiate a comprehensive, verifiable test ban treaty with the Soviet Union and other nuclear weapons nations.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GOLDEN FLEECE FOR MAY

Mr. PROXMIRE. Mr. President, today I am awarding my Golden Fleece for May to the U.S. Navy for throwing away more than $88,000 of taxpayer's money on a bloodmobile so poorly designed and so badly built that the vehicle cannot be operated safely, has numerous defects and has been gathering dust in a Bethesda Naval Hospital garage for the last 3 years.

The purchase has turned out to be one big bloody mess for the Navy and for the taxpayers. There is no way they will collect a pint of anything, except for taxpayer's tears, in this ridiculously built rolling rickety riot of a ride.

Like a big, sick elephant a heartbeat away from demise, this monstrosity is shedding parts all over the place. It has more component pieces missing than a tiger has stripes and drags its big rear across the road like a bear with no hind legs. When you apply the brakes after backing, the front wheels leave the ground like a bucking horse. This thing would probably lead to more bloodshed than blood collection.

That is not all. Space was not even provided for two important laboratory-style blood separation units. That is like building a house without a doorway. As a white elephant, this jalopy fits the bill.

The poor taxpayer, weary from years of irresponsible Government spending, will need a transfusion of the pocketbook when the final numbers are in. If the Navy buys submarines this way, we are sunk.

The Navy's problems with this purchase go back to the very beginning when a firm that had never built a bloodmobile got the contract. From the first inspection of the product up until final delivery, defects were discovered, but the critically ill vehicle was accepted. Despite the injection of more Government money and time in the vehicle's veins to get it going, the poor patient never registered more than a faint pulse.

The Navy says some of the blame goes to the Defense Department's contracting arm in Indianapolis, which handled the solicitation. In describing its own role in the debacle, the Navy says it was "penny wise, and pound foolish." I find it hard to see any wisdom, even a penny's worth. But there is more than a pound's worth of foolishness to go around. It seems elementary that somebody would have checked to make sure all the bidders were qualified.

When you look at some of the 23 deficiencies found on the first inspection in September 1983, right after this $88,328 "doom buggy" limped off the assembly line, you could sense trouble:

Markings were smudged with white paint, fuel gauges were unidentified, weight was improperly distributed—a safety hazard, cabinet doors would not stay shut while the vehicle was in operation, a ceiling storage cabinet was missing, fans and mufflers were missing, water leakage occured at all windows and doors, the sink and drain tank leaked, the toilet was installed to close to the sink.

More deficiencies turned up after delivery to the Bethesda Naval Medical

Center. But the Navy still accepted this "junkmobile":

Hydraulic jacks would not reach the ground, brake lines were poorly routed, the rear springs were collapsed, wiring did not match manufacturer's schematics, water collected on the roof because of faulty design, the rear tires were overloaded, troublesome main and auxiliary generators, including faulty wiring.

When the Navy pulled the sputtering machine from service in March 1984, 5 months after delivery to Bethesda, the vehicle had made only test runs. They ought to shoot the thing and take it out of its misery.

The Navy says it is now investigating the matter and is pursuing legal action. A day late and a dollar short they are now reviewing their procedures.

The Navy wants to convert the truck portion of the bloodmobile into a flatbed and snow removal vehicle. That would be quite appropriate and useful. After all, they are going to need something to dig the taxpayers out from under this latest snow job.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BREAUX). Without objection, it is so ordered.

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed for an additional 5 minutes in morning business, under the conditions previously entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDING PARAGRAPHS 2 AND 3(a) OF RULE XXV

Mr. BYRD. Mr. President, I send to the desk a resolution which provides for certain changes in the sizes of committees, so as to permit appointments thereto, and I ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 211) amending paragraphs 2 and 3(a) of rule XXV.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

S. RES. 211

Resolved, That paragraph 2 of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Agriculture, Nutrition, and Forestry" and insert in lieu thereof "19".

Strike "18" after "Banking, Housing, and Urban Affairs" and insert in lieu thereof "20".

Strike "20" after "Foreign Relations" and insert in lieu thereof "19".

SEC. 2. Paragraph 3(a) of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Small Business" and insert in lieu thereof "19".

SEC. 3. Paragraph 4(h) of rule XXV is amended for the 100th Congress by adding at the end the following new paragraphs:

"(37) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works and may, during the Hundredth Congress, also serve as a member of the Committee on Agriculture, Nutrition, and Forestry so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragraph 2.

"(38) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Armed Services and Energy and Natural Resources and may, during the Hundredth Congress, also serve as a member of the Committee on Banking, Housing, and Urban Affairs so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragraph 2."

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMITTEE APPOINTMENTS

Mr. BYRD. Mr. President, I send to the desk a Senate resolution making additional majority appointments, and I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read as follows:

A resolution (S. Res. 212) making additional majority appointments to the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Banking, Housing, and Urban Affairs.

Resolved, That the Senator from Louisiana [Mr. BREAUX] is hereby appointed to serve as a member on the Committee on Agriculture, Nutrition, and Forestry, and the Senator from Colorado [Mr. WIRTH] is hereby appointed to serve as a member of the Committee on Banking, Housing, and Urban Affairs for the 100th Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMITTEE APPOINTMENTS

Mr. DOLE. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read as follows:

A resolution (S. Res. 213) making Republican appointments to the Committee on Agriculture, Nutrition, and Forestry, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Small Business.

Resolved, That the Senator from Nebraska [Mr. KARNES] is hereby appointed to serve as a member on the Committee on Agriculture, Nutrition, and Forestry, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Small Business for the 100th Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DOLE. Mr. President, I am very pleased that with the action taken on the resolutions just agreed to by the Senate, we have finally secured the committee assignments for our colleague, Senator DAVID KARNES.

I want to thank the distinguished majority leader for his assistance.

We, as Republicans, have asked that the committee ratios be consistent as possible with the ratios in 1981, 1983, and 1986, when the Republicans controlled the Senate. In 1981, at 54 Republicans and 46 Democrats, there were only five "A" committees with two seat margins. In 1983, with 55 Republicans and 45 Democrats, there were again five "A" committees with two seat margins. Also, in 1986, with 53 Republicans and 47 Democrats, there were only four "A" committees with two seat margins. In the 3 years just mentioned, all other "A" committees had a one-seat margin.

As we started the 100th Congress, with 55 Democrats and 45 Republicans, there was but one committee with a one-seat margin, that being the Energy Committee. Now, after negotiating for the two "A" committee seats for Senator KARNES, we have three committees with a one-seat margin. Eight other committees have a two-seat margin and Appropriations Committee has a three-seat margin.

The numerical bases has been increased from 224 at the beginning of the 100th Congress, to 226 with the present ratio of 54 Democrats and 46

Republicans. The Democrats now control 124 "A" committee seats and the Republicans 102. The numerical break-down is 54 percent of 226 is 122.04 and 46 percent is 103.96. Therefore, the Democrats have two more seats than they are entitled to numerically and the Republicans have two less than we deserve.

The discrepency in numbers is in part because of the choice of committees by Senator KARNES. The Agriculture Committee with a new Republican seat would have put the committee numbers at a deadeven 9 to 9. Thus, an additional Democratic seat was necessary to retain majority status. The new committee ratio is 10 to 9.

The new ratio on the Banking Committee is 11 to 9. Senator KARNES was added to the committee and the Democrats asked for an additional seat to maintain the two seat margin.

This appears to be the best solution that could be reached under the circumstances. The increase in Democratic seats on an individual committee basis result in ratios that are consistent with the 54-to-46 ratio. However, in the aggregate they result in the Democrats having the advantage.

Again, I want to thank the distinguished majority leader for his assistance.

SENATOR KARNES AND COMMITTEE ASSIGNMENTS

Mr. DOLE. Mr. President, I want to take just a moment to congratulate our newest Member—Senator DAVE KARNES of Nebraska—for his new committee assignments. I would also like to thank him for the extraordinary patience he displayed during the long and frustrating period it took to secure his committee seats.

I am confident that he will do an outstanding job on the Agriculture, Banking, and Small Business Committees. These were the committee assignments he requested, and these were the assignments we were determined to obtain.

As we all know, DAVE came to Capitol Hill under very difficult and sad circumstances: the death of our beloved colleague Ed Zorinsky. I said at the time that DAVE had some very big shoes to fill, especially on agriculture issues where Senator Zorinsky was a powerful voice for the American farmer, and that is exactly why DAVE KARNES was a natural for the Agriculture Committee.

He understands the needs of rural America and has had the hands-on experience to make a difference in Washington. As far as I'm concerned, a Nebraska Senator and a seat on the Agriculture Committee go together like Nebraska and Cornhusker football.

Mr. President, it was a long time coming, but I am glad we were able to finally work out a committee agreement with the distinguished majority leader.

I look forward to working with DAVE KARNES and will welcome his input on the tough issues that lie ahead.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 213) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REPRINTING OF DOCUMENT ENTITLED "CREATION OF THE SENATE: PROCEEDINGS IN THE CONSTITUTIONAL CONVENTION OF 1787"

Mr. BYRD. Mr. President, on behalf of Mr. DOLE and myself, I send to the desk a Senate resolution that authorizes the reprinting of the manuscript entitled "Creation of the Senate: Proceedings in the Constitutional Convention of 1787," prepared by Dr. George Schulz in 1937.

The PRESIDING OFFICER. The clerk will state the resolution.

The assistant legislative clerk read as follows:

Resolution (S. Res. 214) to authorize the reprinting of the manuscript entitled "Creation of the Senate", prepared by Dr. George J. Schulz in 1937.

Resolved, That the manuscript entitled "Creation of the Senate", prepared by Dr. George J. Schulz, Director of the Legislative Reference Service, Library of Congress, and originally ordered printed as a Senate document in the 75th Congress in 1937, shall be reprinted as a Senate document.

SEC. 2. Such document shall include a suitable cover commemorating the Bicentennial of the Senate and a new preface to be prepared by the Majority Leader and the Minority Leader.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, 50 years ago Dr. George J. Schulz, Director of the Library of Congress' Legislative Reference Service, prepared a remarkable study entitled "Creation of the Senate: Proceedings in the Constitutional Convention of 1787." This study was first published by the Senate in March 1937 on the eve of the Constitutional Convention's 150th anniversary and 2 years before the Senate's own sesquicentennial. It consists of a chronological account, drawn from James Madison's Notes of Debates in the Federal Convention, of the convention's secret deliberations related to the establishment of the Senate.

Among the several delegates who kept notes during the course of the convention, between May and September 1787, James Madison was the most diligent and accurate. He deliberately selected a seat in front of the presiding officer. As he wrote later, "in this favorable position for hearing all that passed, I noted * * * what was read from the chair or spoken by the members; and losing not a moment unnecessarily between the adjournment and reassembling of the Convention I was enabled to write out my daily notes during the session or within a few finishing days after its close * * *"

Catherine Drinker Bowen in her magnificent account of the convention, "Miracle At Philadelphia," paints this picture of Madison as reporter. "In the front row near the desk, James Madison sat bowed over his tablet, writing steadily. His eyes were blue, his face ruddy. He did not have the scholar's pallor. His figure was well-knit and muscular, and he carried his clothes with style. Though he usually wore black, he had also been described as handsomely dressed in blue and buff, with ruffles at breast and wrist. Already, at age 36, he was growing bald and brushed his hair down to hide it. He wore a queue, pigtail, and powder. He walked with the quick, bouncing step that sometimes characterized men of remarkable energy."

As we know, Madison was more than a diligent reporter of convention proceedings. He was no less than the Constitution's principal architect. Consequently, his notes are of particular value as a source of his own enormously influential views. Without his record, we would have today only a sketchy and incomplete knowledge of what went on behind the convention's closed doors. This is particularly true with regard to what the framers intended the Senate to be.

Mr. President, it is most appropriate that we republish the Schulz edition of Madison's notes on the "Creation of the Senate." May 14 marks the 200th anniversary of the date the Constitutional Convention was scheduled to convene. Lacking the necessary quorum, that body finally got underway on May 25. Four days later, on May 29, Edmund Randolph introduced his "Virginia Plan"—a discussion draft prepared largely by Madison. The fifth section of that resolution provided for the creation of a Senate, whose members were to be selected by House members based on nominations from individual State legislatures.

As part of the forthcoming commemoration of the Senate's bicentennial, I am pleased to support reprinting of this important volume, which has been unavailable for many years. Through its pages Senators and all Americans can read James Madison's first-hand account of how the convention proceeded from this springtime beginning, through the hot Philadelphia summer, to create the Senate provided for in the Constitution of September 17, 1787.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 214) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INDEFINITE POSTPONEMENT

Mr. BYRD. Mr. President, while awaiting further information via the hotline, the cloakroom line—and the distinguished Republican leader and I have agreed on this one—I ask unanimous consent that Calendar Order No. 89, S. 643, amending the Surface Mining Control and Reclamation Act, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. BYRD. Mr. President, I inquire of the distinguished Republican leader if the leader has any objection to our proceeding with the consideration immediately of Calendar Orders Nos. 116, 117, 119, and 121?

Mr. DOLE. I have no objection.

Mr. BYRD. Mr. President, I thank the Republican leader.

I ask unanimous consent that the Senate proceed to the immediate consideration of those four items en bloc, that they be considered en bloc, agreed to en bloc, and the motion to reconsider en bloc be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The measures are as follows:)

OFFICE OF LIBRARIAN OF CONGRESS EMERITUS

The bill (S. 1020) to create the Office of Librarian of Congress Emeritus, was considered.

PASSAGE OF S. 1020, A BILL TO CREATE THE POSITION OF LIBRARIAN OF CONGRESS EMERITUS

Mr. MOYNIHAN. Mr. President, I rise today to note the passage of S. 1020, a bill to create the Office of Librarian of Congress Emeritus.

On April 10, 1987, Senator HATFIELD and I introduced S. 1020, a bill to create the Office of Librarian of Congress Emeritus. Cosponsors of this bill include Senators FORD, STEVENS, PELL, DECONCINI, DODD, MCCLURE, INOUYE, and BINGAMAN. S. 1020 creates only the Office—it does not require any funds. The Library of Congress will provide office space, a parking space and any staff or materials which might be required.

The Librarian of Congress serves in an office of great distinction in this country. Since January 29, 1802, when President Jefferson appointed the first Librarian of Congress, John J. Beckley, there have only been 11 other such appointments.

The history of the Library of Congress is filled with some rather delightful stories. The early days of the Library were turbulent, to say the least. During Napoleonic wars, the United States sided with the French and in 1813, American troops burned the Parliament House and the Library of Canada in present day Toronto. Seeking revenge, a year later British troops stormed into Washington, burned the White House and the Capitol, and within the Capitol, destroyed the original Library of Congress. Recognizing that this national treasure must be restored, the then retired Jefferson offered his personal library at Monticello as a replacement.

After these shaky beginnings, the Library of Congress survived and prospered. Much of that prosperity must be credited to the Librarian of Congress—an individual who is vested with tremendous responsibilities. Today, the Library of Congress is a great institution, indeed a world renowned repository of books and ideas. The Library operates with a staff of over 5,200, and a budget of $235 million. It has 535 miles of shelves filled with the largest collection of books in the world. Indeed, the Library of Congress is larger than many major corporations in this country.

Not just anyone can be entrusted with the keep of such a vital national resource. In the words of Justice Felix Frankfurter:

> What is wanted in the directing head of a great library are imaginative energy and vision. He should be a man who knows books, loves books and makes books . . . only a scholarly man of letters can make a great national library a general place of habitation for scholars.

The present Librarian of Congress, Daniel J. Boorstin, is such a man.

Dr. Boorstin's tenure began on November 12, 1975. Within 2 months of taking Office, he initiated a year-long study of the Library, the result of which was a major reorganization of the Library in 1978.

In 1977, with private donations, Dr. Boorstin established the "Center for the Book," which sponsors studies, symposia and publications designed to stimulate interest in books and the printed word. In addition, in 1980, he set up the Council of Scholars, which advises the Library on its collections and services. The Council has met twice a year since its inception to keep the Library abreast of book collections available throughout the world, as well as new changes and trends in library services.

In addition, with his usual creativity and ingenuity, Dr. Boorstin initiated "hero luncheons," where the careers and lives of famous people are discussed by friends and colleagues and recorded and placed in the collection of the Library for future use. Some who have been honored in this way are Margaret Mead, Charles Lindbergh, Samuel Eliot Morison, and Richard Rodgers.

Under his watch, the new third Library of Congress Building, the James Madison Memorial Building was completed and occupied, and with the aid of the Architect of the Capitol and funding from Congress, renovation and restoration of the Jefferson and Adams Buildings were undertaken.

Yet, more than these contributions, Daniel Boorstin will be remembered for the type of man he is. A Pulitzer Prize-winning historian, he is a scholar with great vision. After announcing his retirement, Boorstin and his wife donated $100,000 to create the Daniel J. and Ruth F. Boorstin Publication Fund in the Center for the Book. This act demonstrates the commitment and dedication of Daniel J. Boorstin to the Library of Congress.

By making him the Librarian of Congress Emeritus upon his retirement in June, we in Congress can only begin to repay his dedication and great works on behalf of the Library and the country.

I thank my colleagues for their support.

The bill was ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1020

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each Librarian of Congress appointed by authority of the first undesignated paragraph under the center heading "Library of Congress" in the first section of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", approved February 19, 1897 (29 Stat. 546; 2 U.S.C. 136) shall upon retirement be designated Librarian of Congress Emeritus. The Librarian of Congress is authorized to make necessary administrative arrangements for any individual who holds the Office of Librarian of Congress Emeritus.

REPRINTING OF A SENATE REPORT

The concurrent resolution (S. Con. Res. 53) to authorize the reprinting of Senate Report No. 100-9, 100th Congress, first session, was considered, and agreed to as follows.

S. CON. RES. 53

Resolved by the Senate (the House of Representatives concurring), That the Senate Report 100-9, 100th Congress, 1st Session, entitled "Developments in Aging", be reprinted as a Senate document and that there shall be printed an addition 1,500 copies of Volume 1 and an additional 500 copies of Volume 2. All additional copies shall be for the use of the Special Committee on Aging.

AUTHORIZING THE SPECIAL OLYMPICS TORCH RELAY TO BE RUN THROUGH THE CAPITOL GROUNDS

The concurrent resolution (H. Con. Res. 91) authorizing the 1987 "Special Olympics Torch Relay" to be run through the Capitol Grounds, was considered, and agreed to.

THRIFT SAVINGS FUND INVESTMENT ACT

The bill (S. 1177) to amend title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the thrift savings fund when restrictions on such investments and payments are caused by the statutory public debt limit, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Thrift Savings Fund Investment Act of 1987".

SEC. 2. THRIFT SAVINGS INVESTMENT.

(a) INVESTMENT AND RESTORATION OF THE FUND.—Section 8438 of title 5, United States Code, is amended by adding at the end the following new subsection:

"(h)(1) Notwithstanding subsection (f) of this section, the Secretary of the Treasury may suspend the issuance of additional amounts of obligations of the United States, if such issuances could not be made without causing the public debt of the United States to exceed the public debt limit, as determined by the Secretary of the Treasury.

"(2) Any issuances of obligations to the Government Securities Investment Fund which, solely by reason of the public debt limit are not issued, shall be issued under subsection (f) by the Secretary of the Treasury as soon as such issuances can be issued without exceeding the public debt limit.

"(3) Upon expiration of the debt issuance suspension period, the Secretary of the Treasury shall immediately issue to the Government Securities Investment Fund obligations under chapter 31 of title 31 that (notwithstanding subsection (f)(2) of this section) bear such interest rates and maturity dates as are necessary to ensure that, after such obligations are issued, the holdings of obligations of the United States by the Government Securities Investment Fund will replicate the obligations that would then be held by the Government Securities Investment Fund under the procedure set forth in paragraph (5), if the suspension of issuances under paragraph (1) of this subsection had not occurred.

"(4) On the first business day after the expiration of any debt issuance suspension period, the Secretary of the Treasury shall pay to the Government Securities Investment Fund, from amounts in the general fund of the Treasury of the United States not otherwise appropriated, an amount equal to the excess of the net amount of interest that would have been earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period if—

"(A) amounts in the Government Securities Investment Fund that were available for investment in obligations of the United States and were not invested during such debt issuance suspension period solely by reason of the public debt limit had been invested under the procedure set forth in paragraph (5), over

"(B) the net amount of interest actually earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period.

"(5) On each business day during the debt limit suspension period, the Executive Director shall notify the Secretary of the Treasury of the amounts, by maturity, that would have been invested or redeemed each day had the debt issuance suspension period not occurred.

"(6) For purposes of this subsection and subsection (i) of this section—

"(A) the term 'public debt limit' means the limitation imposed by section 3101(b) of title 31; and

"(B) the term 'debt issuance suspension period' means any period for which the Secretary of the Treasury determines for purposes of this subsection that the issuance of obligations of the United States may not be made without exceeding the public debt limit.".

(b) REPORTS REGARDING THE OPERATION AND STATUS OF THE FUND.—Section 8438 of title 5, United States Code, as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(i)(1) The Secretary of the Treasury shall report to Congress on the operation and status of the Thrift Savings Fund during each debt issuance suspension period for which the Secretary is required to take action under paragraph (3) or (4) of subsection (h) of this section. The report shall be submitted as soon as possible after the expiration of such period, but not later than 30 days after the first business day after the expiration of such period. The Secretary shall concurrently transmit a copy of such report to the Executive Director and the Comptroller General of the United States.

"(2) Whenever the Secretary of the Treasury determines that, by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of subsection (f) of this section, the Secretary shall immediately notify Congress and the Executive Director of the determination. The notification shall be made in writing.".

CONFEREES ON THE CONCURRENT RESOLUTION ON THE BUDGET

The PRESIDING OFFICER. Pursuant to authority granted on May 7, 1987, the Chair has been granted authority to name Senators to serve on the committee of the conference on the disagreeing votes of the two Houses on House Concurrent Resolution 93 on behalf of the Senate.

The Chair appoints the following Senators:

Senators CHILES, HOLLINGS, JOHNSTON, SASSER, RIEGLE, and EXON.

Senators DOMENICI, ARMSTRONG, KASSEBAUM, and BOSCHWITZ.

EXTENSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that the period for morning business be extended an additional 10 minutes under the same understanding as heretofore entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS FOR 15 MINUTES

Mr. BYRD. Mr. President, I am awaiting word to see if we could proceed to take up the FSLIC measure this afternoon. That measure has been cleared on this side of the aisle. I am hoping we might be able to proceed to it, H.R. 27, Calendar Order No. 115.

Rather than a quorum call going on for another 15 minutes, I ask unanimous consent that the Senate stand in recess for 15 minutes.

There being no objection, the Senate, at 3:06 p.m., recessed until 3:21 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. BREAUX].

The PRESIDING OFFICER. The Chair recognizes the majority leader.

EXTENSION OF MORNING BUSINESS

Mr. BYRD. Mr. President, I thank the Chair.

Mr. President, I ask unanimous consent that the period for morning business be extended for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATIONS, 1987

Mr. BYRD. Mr. President, I should indicate what the state of play is here while we are in morning business.

The Senate, once morning business is closed, is to resume consideration of the unfinished business, which is H.R. 1827, Calendar Order No. 105, an act making supplemental appropriations for fiscal year ending September 30, and for other purposes.

Mr. President, we were last on this measure Friday. On the preceding day I had moved to waive the Budget Act, the purpose being that, in certain respects the appropriations bill exceeds the outlay figures and for other reasons a point of order would lie against the bill.

The waiver was rejected. I did not enter a motion to reconsider, nor did I move to reconsider. Today is the last day in which I can move to reconsider or enter a motion to reconsider. I do not plan to move to reconsider, nor do I plan to enter a motion to reconsider.

So when the Senate goes back on that bill today, it will be in a situation in which the waiver motion was rejected. The waiver motion requires 60 votes in order to carry. Fifty-one Senators voted to waive the appropriate provisions of the Budget Act, and that was nine votes short.

The bill, as reported by the Senate Appropriations Committee, is $2.570 billion under the President's request. The President's request was for slightly over $12 billion, and that $12 billion would be broken down in part as follows: The President requested almost $2.8 billion for DOD, military items, the Senate Appropriations Committee recommends $768 million; the President had requested slightly over $1 billion in foreign assistance items, the Senate Appropriations Committee recommends $154 million; the President's budget requested $6.9 billion in nondefense, domestic items, of which $6.7 billion is for the Commodity Credit Corporation, and the Senate Appropriations Committee is recommending $6.8 billion, which would be $128 million under the President's request; the President's request was for $1.2 billion for pay and retirement costs, and the Senate Committee is recommending $1.5 billion. This is because we have to fund some programs which the President had not anticipated, so that in addition to the items that I have mentioned there would be a little over $130 million for the homeless relief initiative. The overall as I have indicated, would amount to something like $12 billion in the President's request, about $9.4 billion of which the Senate Appropriations Committee recommends.

Now, with the waiver's having been rejected, because it did not command a 60-vote supermajority, the Senate can still proceed with this appropriations bill until and unless a point of order is raised against it.

The distinguished Senator from Texas [Mr. GRAMM] had indicated last week, when we were debating the bill, that he planned to raise such a point of order would in all likelihood be sustained by the Chair, in which case the bill would go back on the calendar and would stay there unless and until it is called up again.

Mr. President, in view of the fact that the administration wants this bill, I think the administration ought to help us get some votes from the other side of the aisle. Forty-two Democrats voted for the waiver, and 9 Republicans voted for the waiver. I believe there are five Republicans and three Democrats on the Appropriations Committee who did not vote for the waiver.

Mr. President, We can debate this quite at length, but I do not see any reason for saying much more except to say that if the point of order is made and the Chair sustains the point of order, I am inclined to just let the bill go back on the calendar and let the administration help to resuscitate it by breathing a little new life into it.

As far as I am concerned, it is my hope that we can go to the DOD authorization bill tomorrow. I do not know whether the President is aware of it or not, but this supplemental appropriations bill has money in it for DOD, military, and I note that the committee has recommended $131 million of the $500 million SDI supplemental specifically associated with research into advanced technologies for an Advanced Launch System.

"The committee also directs"—I am reading from page 35 of the committee report—"that $38 million of these funds be transferred to the National Aeronautics and Space Administration to supplement its fiscal 1987 activities in the ALS program with respect to advanced engine and booster development." So there is money that I am sure the President wants under the strategic defense initiative.

As to foreign assistance items, I was talking today with the Secretary of State, Mr. George Shultz, and he is interested in the $154 million in foreign assistance items the Senate is recommending. Out of the request from the President of over $1 billion, $300 million is in the bill by transfer for Central America.

And so I appeal to the President; if the administration wants to save this bill, now is a good time to put its shoulder to the wheel. Inasmuch as a supermajority is required to waive the provision of the Budget Act, it seems to me that Senate Democrats should not have to shoulder the overwhelming portion of the votes to waive this act, because the Republican administration wants this bill, the Republican President wants this bill, the Republican Secretary of State wants this bill. I am sure that the nine brave Members on the other side of the aisle who voted for the waiver on last Thursday were not the only Members on the other side of the aisle who want this bill. I do not think we can have our cake and eat it, too. It seems to me that our Republican friends ought to belly up to the ballot box and cast a vote for the waiver; they want what is in the bill.

So I will not move to reconsider the vote. I will keep morning business going for a little while. I would expect at an early point today to let the Senate get on the bill and then let the Senate work its will on the bill. If a point of order is raised against it, then I may or may not move to waive again and see what happens.

I say that just by way of explanation so those who may be listening to or viewing the deliberations can understand why they do not see anything happening at the moment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is noted. The clerk will please call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, is is so ordered.

Mr. BYRD. Mr. President, shortly I will ask the Chair to close morning business, and at this time the unfinished business will come back before the Senate.

The supplemental appropriations bill is the unfinished business. That will be the matter before the Senate, and it is my understanding Mr. GRAMM of Texas will make a point of order against the bill for the reasons which he will state.

I will ask that the Chair state the unfinished business, and then I will put in another quorum call.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

SUPPLEMENTAL APPROPRIATIONS, 1987

The PRESIDING OFFICER. The clerk will state the unfinished business.

The bill clerk read as follows:

A bill (H.R. 1827) making supplemental appropriations for the fiscal year ending September 30, 1987, and for other purposes.

The Senate resumed consideration of the bill.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. BYRD. Mr. President, I understand that Mr. GRAMM will shortly make a point of order, and he may wish to debate the matter before he makes his point of order. I think this whole matter is sufficiently important that we ought to have more extensive attendance. I, therefore, suggest the absence of a quorum, and that it be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum Vote No. 15]

Byrd
Dole
Fowler
Gramm
Hatfield
Stennis

The PRESIDING OFFICER. A quorum is not present. The clerk will call the names of absent Senators.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia. On this question, the yeas and nays were ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Hawaii [Mr. INOUYE], the Senator from New York [Mr. MOYNIHAN] and the Senator from Maryland [Mr. SARBANES] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from Maryland [Mr. SARBANES] are absent because of questioning of witnesses during the Iran-Contra hearing.

Mr. SIMPSON. I announce that the Senator from Idaho [Mr. MCCLURE] and the Senator from New Hampshire [Mr. RUDMAN] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 89, nays 5, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—89

Adams
Armstrong
Baucus
Bentsen
Biden
Bingaman
Boren
Boschwitz
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Cochran
Cohen
Conrad
Cranston
D'Amato
Danforth
Daschle
DeConcini
Dixon
Dodd
Dole
Domenici
Durenberger
Evans
Exon
Ford
Fowler
Garn
Glenn
Graham
Gramm
Grassley
Harkin
Hatch
Hatfield
Hecht
Heflin
Heinz
Helms
Hollings
Humphrey
Johnston
Karnes
Kassebaum
Kasten
Kennedy
Kerry
Lautenberg
Leahy
Levin
Lugar
Matsunaga
McCain
McConnell
Melcher
Metzenbaum
Mikulski
Mitchell
Murkowski
Nickles
Nunn
Packwood
Pell
Pressler
Proxmire
Pryor
Reid
Riegle
Rockefeller
Roth
Sanford
Sasser
Shelby
Simon
Simpson
Specter
Stafford
Stennis
Stevens
Symms
Thurmond
Trible
Warner
Wilson
Wirth

NAYS—5

Bond
Chafee
Quayle
Wallop
Weicker

NOT VOTING—6

Gore
Inouye
McClure
Moynihan
Rudman
Sarbanes

So the motion to instruct was agreed to.

The PRESIDING OFFICER. A quorum is present.

Mr. BYRD. Mr. President, may we have order in the Senate. The distinguished Senator from Texas [Mr. GRAMM] wishes to address the Senate.

The PRESIDING OFFICER. The Senate is not in order. Senators will please take their seats.

SUPPLEMENTAL APPROPRIATIONS, 1987

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas [Mr. GRAMM].

Mr. GRAMM. Mr. President, we are again on the matter of the supplemental appropriations. There are many worthy programs in the supplemental appropriations, many programs that are not subject to a point of order. Highest on that list is the refunding of CCC. The funds for the Commodity Credit Corporation are already built into the baseline, already in the deficit, so we are simply engaging in an accounting transaction by providing the budget authority for outlays that are already built into the budget baseline. So whether one thinks that we should do the budget different than we do it now, the bottom line is that while many people have been saying we have to waive the Budget Act in order to refund CCC, the fact that there is no budget point of order against CCC.

We have had arguments made today by various people on Capitol Hill that there are $300 million of funds for the Central American countries that are facing a Communist threat from Nicaragua. But I remind my colleagues that there is an offset for that funding, and therefore those $300 million are not subject to a point of order, because there is an offset for $300 million.

What is at issue here is not the makeup of programs that are present in the supplemental appropriation. One can be for those programs, against them, or neutral. What is at issue is: Are we going to waive the Budget Act in such a way as to raise the deficit by $2.6 billion?

I would like to make reference to two specific programs to make it clear that Congress has spoken very clearly on these issues.

I remind my colleagues that when we voted on the homeless assistance bill, an amendment was offered that said we will not fund any appropriations under this authorization bill in such a way as to raise the deficit. That amendment was offered, the yeas and nays were ordered, and we voted, and we voted by 100 to 0 in saying that any appropriation bill that was adopted pursuant to the authorization bill for the homeless should not raise the deficit. Every Member of the U.S. Senate was present, and every Member voted in a provision of that authorization bill that said that when it came time to actually spend money, we would not raise the deficit.

Yet, I ask my colleagues to look at the fact that we provide $138 million worth of budget authority for fiscal year 1987 and $97.5 million in outlays, and there is no offset. Either we meant it when we voted on that provision or we do not mean it now. We cannot have it both ways.

I remind my colleagues that when we voted on the Agriculture Disaster Payment Authorization Act, an amendment was offered, exactly the same amendment, that said that when it came time to pay the bills and provide the appropriations, none of the funds that were authorized in that bill would be provided in such a way as to raise the deficit. The yeas and nays were ordered. Ninety-six Members of the Senate voted, saying that when we funded the agriculture disaster payments, we would not do it in such a way as to raise the deficit. Zero voted against that amendment; it passed by a vote of 96 to 0.

Finally, Mr. President, a great point has been made of the fact that on this issue we are talking about urgent programs, programs that are critical. I should like to read to my colleagues some of these programs, and I should like them to listen to these programs and determine with me just how critical they are.

Should we vote to bust the budget by $2.6 billion to fund $8 million for construction of a weed, science, and technology center at North Dakota State University? Is there anyone here—and I will yield to them time to explain to me—who can state why, after millions of years of history with weeds, all of a sudden it is critically important that we waive the Budget Act and raise the deficit by $2.6 billion to fund the construction of a weed, science, and technology center at North Dakota State University, which, so far as I am aware, has never had any peer review, has never been selected by any selection committee based on its merits?

Yet, when we provide $135 million for disaster payments in this bill, we provide no offsets, we provide no revenues. We simply raise the deficit.

I remind my colleagues that when we voted on that issue, it was 96 to 0, saying we should not raise the deficit. Yet, here we are with a supplemental appropriation bill that raises the deficit. Either we did not mean it then or we are not carrying out the commitment we made when we cast those votes.

What we need to do, in my opinion, is to sustain the budget, to send this bill back to committee, to give them an opportunity to come up with offsets or to provide revenues. In any case, at this point, when the deficit is clearly in jeopardy, when interest rates are beginning to edge up, when inflation rates are edging up, we ought not be voting to set aside the Budget Act to raise the deficit by $2.6 billion. We have voted on this very issue, and the Senate refused to waive the Budget Act, and I urge those who voted to sustain the Budget Act at that time to stay with their vote.

If anyone would like to explain to me why that is so critical, that we ought to raise the deficit to pay for it, I will be glad to listen.

This bill provides $1.2 million for the establishment of an operational demonstration and research feed mill and Durham wheat flour mill. For 5,000 years, people have been milling wheat and making flour. All of a sudden, do we face a crisis whereby we ought to be raising the deficit to fund $1.2 million for the establishment of an operational demonstration and research feed mill? All of a sudden, after 5,000 years of doing it, do we face a crisis, in that people no longer know how to make flour? I submit that that is not a critical expenditure of money; nor, so far as I am aware, has any peer review of it occurred. Has any committee ever recommended the expenditure of that money?

We have $2 million for initial funding of an international trade division center in Iowa.

We have $15 million to be distributed among construction projects in 16 States at 26 different wildlife refuges and fish hatcheries.

We have $200,000 for staffing year-round operation of the Tern Island in Hawaii.

We have $100,000 for archeological work at the Stillwater National Wildlife Refuge.

I submit that all of these archeological finds—bones and pottery—have waited for thousands of years to be discovered. Yet, all of a sudden we have concluded that we should raise the deficit by $2.6 billion so that someone can rush out to Nevada on an emergency basis and dig up these bones and pottery. I submit that that is not an emergency use of funding.

I know that Members are fond of saying that they are against raising taxes. I do not believe you can be against raising taxes and be for raising the deficit by $2.6 billion. Somewhere we have to make a decision.

When we passed the Balanced Budget Emergency Deficit Control Act, we set out rules that said that if you are going to raise the deficit, you have to have 60 votes to do that, the idea being that it ought to be an extraordinary thing, after we have adopted a budget, that we later come back and change our mind, as we have here, by raising the deficit by $2.6 billion.

I believe the committee can do a better job. I believe that we should sustain the point of order on the budget; that we should vote not to riase the deficit by $2.6 billion; that we should send this back to committee; that archeological digging in Nevada can wait another year, perhaps longer; that we suddenly do not have to go back and teach people how to mill flour; that those are not emergency uses; that these items and many others can be dropped from this bill; that offsets can be found. I think it is vitally important that that occur.

This is an important vote because on this point, on vote after vote, we have voted to raise the deficit, we have adopted budgets calling for massive tax increases, on the argument that there is no other way to lower the deficit except by raising taxes, and here we are increasing the deficit by $2.6 billion—not next year, but this year.

So for these reasons and many more, Mr. President, I raise a point of order under section 311(a) of the Congressional Budget Act.

Mr. BYRD. Mr. President, will the distinguished Senator withhold making his point of order?

Mr. GRAMM. I am happy to withhold.

Mr. BYRD. There may be other Senators, if the Senator will allow, who would wish to speak to this point of order before it is made, if the Senator would indicate the point of order that he is going to make and then withhold that briefly.

Mr. GRAMM. I am happy to withhold.

Mr. BYRD. That is kind and good of the Senator, and I personally appreciate it. Maybe other Senators wish to speak.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. STENNIS] is recognized.

Mr. STENNIS. Mr. President, I do not know that I could add anything new to what has already been said.

I want to say with emphasis now that I think the Senator from Texas has rendered a fine service in the debate and writing this bill. He largely wrote this part of it, at least, and has made a contribution here.

That was shown by me when I voted for his bill the first time it came to a vote.

Now, it took a lot of different directions from there. Others offered amendments, and so forth. I did not vote with him all the time, but the initial one shows how he had impressed me.

But now we are up against the practical side of these things, I say to Members of the Senate. We have to do some things to put ourselves in order and in better order. You cannot do it all at once in one bill. I do not advocate willful noncompliance. But just as a practical matter you cannot do it all, as I have said, at one time.

So this proposal here about these amendments is in effect taking part of it at a time. It is trying to follow out the law that has been passed, including the elements of it that we do not particularly like, nevertheless, trying to carry out this law.

The Appropriations Committee and all of us considered to some extent these matters, the points involved, and we were trying to avoid actually increasing the amount of debt by taking the available funds here—$2.6 billion was the amount the Senator from Texas has given to us—and take that money which was already due and was beyond in a way the equitable ownership of the Federal Government because under the law it has accrued to these other individuals or companies, either, whichever it was, to that extent.

So when we put this amount of money in here to do this special service it was discharging an obligation for the same amount that had already accrued and was due. In fact, it is overdue now. The time is running and that money is not being paid.

I think May 1 is when that started.

As I understood it and understand it now, we can take that obligation and discharge and liquidate it so the Government will no longer owe it and take that amount then and put it for these other purposes.

It is certainly not established law that there is anything illegal about that, but we knew that something had to be done to rectify and we have this debt of this obligation, I like to call it, that the Government has. We are liquidating that and applying it to the debt that we owe.

Now, it is true the law provides that budget law that has been enacted. It has to be considered and it is a part of the picture and, as I said, we were meeting that. We were meeting that by obligations that we already had to these other people.

Now, the law has provided, and we know that, that it would be contrary to the budget law unless that is waived. Why did the Congress put those provisions in there about it being possible to waive certain amounts? It was because they recognized there would be a need for adjustments and changes and a great deal of reform that we were trying to enact them, but it left a hole there of power in the form of Congress having a chance to pass on the matter and waive that requirement if it was considered too severe and unworkable and thereby inapplicable in justice and fairness and right.

That is why I said this. That is one of the reasons at least. I am certainly no expert in this line in this field, but I am just talking common sense.

Here it is before us, the provision in this law that we use and put in this bill. The law I refer to is something already enacted, and in that way we try to do justice and at the same time reduce, as I understand it, at least, the part of the debt. I do not blame the Senator from Texas for challenging this and arguing to the effect that it is not a basis for a waiver, and he makes a good argument. He always does. But that is as far as his argument goes or can go in the procedure that we are in now, as I understand it.

Now, I have served here. I know most everyone here fairly well. I know this is a group of people with common sense who want to do justice and right because we promised the people. That is our wish and we know there is an hour of accountability, too. It is just human nature.

It seems to me we are on the right trail if we are willing to take a little more time here and maybe modify this situation some. If a mistake has been made or an error has been made, we want to rectify it.

So I think that is the immediate question before us, and I do not believe that we can solve it with the confusion and uncertainty here in the late part of the day. Personally, I think this bill should lay aside for a few days until the leadership and the membership can think it over and get into it a little deeper and a little further and come up with some kind of a change or modification, perhaps, and find a way to do what they want to do which is to do justice to all, to rectify things that are not of order, put them back in, find a clearer way to see what is the best way to go rather than be tied up here on these matters.

So, in effect, with all deference, just to say you are going to kill it all or all or nothing, that does not solve any problems and it does not help anyone. It is such a massive matter and amount of new law and new steps to take that it is going to take a little time, and to have a setback or two on it is not extraordinary. The leaders could suggest a time element.

But it seems to me we could take 5 days, 10 days, or a lesser time while we are attending other things, also, and that something could be worked out—it will have to be worked out—and we can move forward on that basis.

Well, those are my beliefs and my sentiments individually. I hope that we will do that.

The Senator from Oregon is here, who has handled these matters in such a fine way for the last several years, and I hope he will be asking for recognition.

Mr. President, I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I appreciate the comments made by the chairman of our committee. I certainly respect his judgment on matters of this type. I would certainly support whatever the chairman of the Appropriations Committee may seek to develop as the basic strategy at this moment.

But before we get into that kind of a decision, I would like to just say to my colleague and friend from Texas that I believe that this is a good bill. Ninety-five percent of this bill is what we would call mandated spending, not something the Appropriations Committee has developed as a program of its own. It has urgent items included in that—$6.7 billion is for the Commodity Credit Corporation, as the Senator has indicated, out of a total of a $9.4 billion supplemental. This is $2.7 billion less than the President asked for. It is $1.7. billion less than the House of Representatives, without the 21-percent across-the-board cut.

I am not going to get hung up on some of those items which the Senator from Texas used as an example about digging bones or about a North Dakota project or Louisiana project or an Iowa project which are included in this bill, which was by the decision of the committee.

Let me say to the Senator from Texas, it is probably less than one-half of 1 percent for the so-called special projects which he has enumerated out of a total of $9.4 billion. Let us not make a judgment on the basis of less than 0.5 percent. And I would say to the Senator from Texas, he has an opportunity to raise those issues in the consideration of this supplemental. I might even join him on a motion to delete bone-digging. But I do not think we have to bring the entire bill down in order to get to less than one-half of 1 percent of the total spending. I have not computed it out precisely, but I would guess it is probably less than $50 million out of $9.4 billion.

Let us move ahead with the Commodity Credit Corporation, as we will have to ultimately do on that. Let us move ahead with the $1.5 billion that we will have to do on Federal pay and retirement which is part of this bill. Let us move ahead with the $400 million that we will have to deal with ultimately on the Military Medical Care Program. Let us move ahead with the $300 million for the implementation of the new immigration law and some of these other spending programs that we have to deal with.

Let us raise these issues one by one through the amendment process and challenge the committee's inclusion of some of these items that the Senator from Texas finds objectionable. I feel that that way, if we must ultimately take action on some of these programs, why not now.

I would like to say, as one of the sponsors of the homeless bill, the Senator recalled today some history of the authorization debate. I would like to at least correct hopefully my misimpression of his statement that somehow we had voted 100 to nothing to keep it deficit neutral. I do not think the record will show that. I think the record will show that the Senator from West Virginia made an amendment to the Senator from Texas' motion to make it deficit neutral by saying keep it in compliance with the Budget Act.

As the Senator from Texas will recall, I rose on the floor at the time and said, "I think we ought to all be ready and willing to vote for a budget waiver if we are going to vote for the Homeless Act." There is nothing more cruel, in my opinion, than to raise the expectation that we are going to create a program, go through the authorization process, and then fail to fund it. And I called attention on the floor at that time to the Members that we cannot fund the homeless bill without, first of all, dealing with a budget waiver motion because we cannot even get the supplemental to consideration before we could even consider that without a budget waiver and that I was ready now and there at that time, I said, to vote for a budget waiver in order to get considaration of funding of the Homeless Act. That is also part of the history of this.

We have some $130 million for funding that Homeless Act in this bill.

Now, there are different strategies. We could vote this budget waiver motion down again. We could even vote to recommit the bill to the committee.

I think, again, beauty is in the eye of the beholder. The Senator from Texas feels offended by certain projects that I, again, am not going to stand here and defend on the merits of each and every one of those projects. The authors of those amendments can do that very well themselves.

Mr. BYRD. Mr. President, will the Senator yield?

(Mr. DASCHLE assumed the chair.)

Mr. HATFIELD. But let me say to the Senator from Texas, I find that the SDI of $131 million, that is not very beautiful in my eye, and that is in here; and $300 million for Central America is not very beautiful in my eye, and that is in here. I think both of those would be attractive, probably, in the eye of the Senator from Texas, as an interesting example of how beauty is in the eye of the beholder.

Yes, I yield to the majority leader.

Mr. BYRD. I thank the distinguished Senator from Oregon and I also thank the distinguished Senator from Texas for withholding his point of order.

Mr. President, the distinguished Senator from Texas has called attention to the provision in the committee report whereby there was mention of $100,000 for archeological work in Nevada to protect the largest and perhaps the most important Indian site in Nevada from destruction. He has mentioned other items that are in the bill to which he takes objection, and that is his right to do so.

But let me ask the distinguished Senator from Oregon a question. Would it not be possible, under the procedures of the Senate, for the distinguished Senator from Texas, if the motion to waive were made and adopted, or if the point of order were not raised and the Senate just proceeded with the bill, would it not be possible for the distinguished Senator from Texas to simply—let us take this one item, for example, the item which is for $100,000, which comes under the U.S. Fish and Wildlife Service, found on page 51; it is not a line item, but there is an amount there for resource management, $3,100,000—could not the Senator from Texas offer an amendment to strike $100,000 from that amount and add language putting a limitation to the effect that no moneys in this bill shall be utilized for the purpose of whatever it is he objects to? In this case, the surveying, cataloging, recovery and removable operations in Nevada having to do with the Indian site. He could very well move to strike that and provide against expenditures for such matters. And there may be other Senators in here who would support him. But I am simply saying that the Senate could get on—as the distinguished Senator from Oregon is urging—the bill, debate it, and adopt the other parts of it that provided for the retirement funds, the Federal employees pay increases, Commodity Credit Corporation moneys, the defense moneys, and the foreign operations moneys, unless some Senators wish to strike portions thereof.

The Senate could work its will on the bill, and eliminate, if it were the will of the Senate to do so, the items that the Senator from Texas has addressed himself to. He could offer the amendments, and let the Senate work its will without making a point of order against the bill and sending it all back to the calendar.

May I say—and then I will sit down—he certainly has the perfect right to make the point of order. If that point of order is made and the Chair upholds it, I will be opposed to appealing that point of order and overriding the Chair by a majority vote.

I am not saying that forever and a day I will take that position. But certainly on this bill and in this instance I will take that position.

I do not want to override the Chair with 51 votes or a majority vote on a matter which under the Budget Act requires, and under the law requires, a 60-vote supermajority to waive. I will move to something else, or I will take some action to prevent anyone else from appealing that point of order and overriding by a majority vote.

As I say, that is my inclination today. I will not take an oath today that that will always be my position, but that will be my position and intention today.

Mr. HATFIELD. I thank the Senator from West Virginia.

The majority leader underscores the point I am making of course, not only in the matter that any part of this appropriation supplemental is open to challenge through an amendment process, but any Senator could offer an amendment to delete the $131 million for SDI research or for any special project that may be listed.

Let me also say to the body again that the Appropriations Committee had $700 million of rescissions over previous years' authority that we incorporated in this supplemental. We had another $200 million that we racheted down on reductions in loan authority in this appropriations supplemental. We had another $800 million of cuts and transfers of previously appropriated funds, and we had about $1.3 billion in the absorption of the Federal pay.

All of this adds up, in effect, to what we could call real offsets of about $3 billion. This is not something we just threw together in the overnight session.

As I say, when we underappropriated the President's request level and went by 2.7, and when we underappropriated minus the 21 percent across the board of about $2 billion from the House bill, I think the Senate Appropriations Committee acted in a very serious and responsible manner.

So again I would appeal to the Senator from Texas to let us get on the business about an appropriation process that we have to undertake sooner or later, get it over with, and raise the questions. As I say, I might even vote with him on an amendment to delete this or that that he feels is not of an emergency character. But at the same time let the Senate work its will, and I would be hopeful that the Senators would vote for a budget waiver, and then let it work its will during the process of amendments that would follow.

I can assure the Senators—from my perspective, potentially once the bill gets on the floor as a comanager of the bill—that I certainly will entertain from my perspective any amendment that is offered by any Senator, and I am not going to try to clamp down and say no amendment policy or anything like that. We welcome it, open ourselves to the amendment process as we always have done. Sometimes it has taken us all night long to get that amendment process worked out. But we have stayed by the issue and we have stayed by the vehicle—Senator STENNIS, my chairman, and Senator JOHNSTON and other Members, Senator COCHRAN and other members of the Appropriations Committee—many hours on this floor and have not in any way ever tried to restrict any Member from offering an amendment to remold, to remake, to delete, to add, to whatever. We stand by that record where the Appropriations Committee has stood many, many times.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, very briefly, I would simply like to underscore the bipartisan nature of this bill. Our distinguished ranking minority member, former chairman of the committee, has just underscored that by his excellent speech in favor of waiving the Budget Act in this instance. But I simply would like to underline the fact that this bill originated with an administration request.

The President of the United States felt that there were some $12 billion worth of urgent items that needed taken care of. The Appropriations Committee responded. Our thought was that they were about 21 percent less or almost $3 billion less of an urgent nature that the President felt. Perhaps we were more concerned on the Appropriations Committee about the budget deficit—maybe not. Maybe we just had different priorities. In any event, it originated with the President and we lopped off more than $2 billion.

Then, Mr. President, we passed it by a bipartisan majority with an overwhelming majority in the Appropriations Committee.

I would like to mention one thing, Mr. President. During the consideration of the Bumpers amendment, which frankly I favor, the Bumpers amendment had to do with limiting any expenditure or purchases of any item which would violate the SALT II Treaty. Many of us feel that it would be a mistake at this time to exceed the SALT II limits or to maintain anything in the inventory that exceeds the SALT II limits. Many of us feel very strongly that that is a greater inhibition to the Soviet Union than it is to the United States.

We had quite a spirited debate on that subject in the Appropriations Committee. Senator BUMPERS on the one side in his inimitable style really made his case very strongly. Senator STEVENS on the other hand talked about violations of those treaties.

I was ready to go with Senator BUMPERS. But the message came down to me very strongly and very clearly from representatives of the administration who said, "Look, we need this urgent supplemental. The farmers are hurting very badly in this country. And the President has got to veto if the SALT II language is in there. Can you not, for the purpose of this urgent supplemental, withhold your vote from the Bumpers amendment at this time? Vote for it if you must later on some other vehicle but this is an urgent supplemental, and the President will veto it."

Mr. President, I found that logic very persuasive because it is indeed an urgent supplemental. The CCC is out of money right now as we speak. They have been out of money for almost 2 weeks. Now is a very crucial time.

The distinguished occupant of the chair was speaking earlier today about the crucial nature of the timing of the planting season.

There is a small window where farmers in the spring must get their money and must plant their crops. It would be quite easy for us to argue here for another 2 or 3 weeks, you know, trying to make little points about $100,000 in some archeological deal out in Nevada. I do not know a thing in the world about that. But I bet if we looked at it I bet we would find there are some bones that would get destroyed if we did not take care of them. I do not know. I am not a big archeologist, frankly.

But if all that is wrong with this bill is $100,000 for archeology in Nevada and $8 million for North Dakota, let me tell you things are tough in North Dakota right now. Senator CONRAD told me about that. While I have talked about Louisiana, and we have a small project in here, I can tell you we have the highest unemployment in the country, too. But collectively, those little projects are less than one-half of 1 percent of this bill.

You can go down the list and talk about these one-half of 1 percent which many of us feel are very important, and very vital. Frankly, if they are not on this bill they probably would not be on the next one. But you can talk about those projects. But really the thrust here is agriculture, and the fact that we need to get the planting started now. And the thrust is almost $9 billion worth of urgent items.

How bad are the little add-ons? I can tell you this: The President of the United States, Mr. Balanced Budget himself, if you would listen to his rhetoric, has said this bill is urgent as it passed the Senate Appropriations Committee, as it is right here, this bill with $100,000 for archeology, and all the other items that are in here. And there are not many of them, I can tell you. We did not put in one item for energy and water subcommittees.

As this bill is right here right now, the President of the United States wants it and the Republican Members, at least most of them on the Appropriations Committee, want it.

It is not a perfect bill, it really is not perfect. If it were, I would have a lot more projects in it. But it is not perfect. No bill that passes this body is ever perfect.

So for once this year, let us pull together in a spirit of bipartisanship and give one for the Gipper, do one for President Reagan. He has asked for it. Let us give him the waiver he is asking for. Really, he is asking for it. In a bipartisan spirit, let us give it to him because the country needs it.

There is really no humor in that at all, not if you are a farmer, and not if you are ready to go plant your crops now and you need your money now, today, and the Senate is fiddling around on whether or not $100,000 for some archeological project in Nevada is important or not.

I do not know whether it is important, but I can tell you it is in the national interest to get this bill done and get it done now. Let us join together and get it done.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, just a minute, if I might.

No Senator here is more committed to deficit control than is this Senator, because I do not think there is another Senator in this body who has taken the pledge that I have taken: To get the budget deficit under control or not run again. I do not think there is any other Senator who has taken that pledge. I hope other Senators will join me in that pledge. I feel very strongly about it. I think the deficit is undermining the economic security and strength of this country. That is why I have taken the pledge, and I intend to stick by it. I intend to be effective in achieving deficit reduction.

In this debate about the supplemental, the good Senator from Texas has made a comment about weeds. We have a technology project in North Dakota for weed control. It is easy to take a shot at weeds. Weeds do not have a lot of appeal. But let me share with this body that the project in North Dakota—this is not my amendment but I obviously support it—is for a plant biology and biochemistry technology center to explore the nonpolluting and nonchemical means of weed eradication and control. Is that an urgent matter? Absolutely. Absolutely that is an urgent matter, and the reason is very simple.

If you look at what is happening to the ground water supplies of this country—the pollution of the ground water supplies—and the threat to all of our health as a result, you would conclude that we must find a nonpolluting, nonchemcial means of weed control and weed eradication.

Believe me, other than water and oxygen there is no more fundamental, important resource that we have in this country than our soil. And if you would go out to our farm areas you would see what we are doing to the soil through the excess use of chemicals, you would conclude, as many have, that finding a nonpolluting, nonchemical means of controlling weeds is critical and is urgent.

Let me just say that an $8 million project out of a $9 billion supplemental is mighty small potatoes. It is critical. It is urgent.

I share the concern of the Senator from Texas about an increase in expenditures without offsets—and I feel very strongly about that. But I think we are going to have to correct the budget problems we face this year on the debt limit or through some other vehicle. This is not the time or the place.

The farmers of this country are waiting. They are waiting for the CCC payments. The clock is ticking. We cannot wait any more.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, if we are not going to deal with the deficit when we are voting on waiving the Budget Act to raise the deficit by $2.6 billion, when are we going to deal with the deficit?

Our distinguished colleague from North Dakota talks about the importance of weeds, and certainly they are important. But they are obviously not important enough that you are willing to pay for them. What you are doing here is voting to bust the budget to add on another project.

My colleagues have raised the point that apparently I object to all of these projects that are called emergency from weed sciences to digging up bones in Nevada. I do not object to weed science. I do not object to digging up bones in Nevada. I think they are wonderful. But I think if you think they are wonderful you ought to be willing to pay for them. That is something this bill does not do.

You cannot have it both ways. You cannot be conservative and fiscally responsible back home and yet come here and right out of the chute, day after day after day, vote to raise the Federal deficit. That is what we are doing here. We are voting to raise the deficit by $2.6 billion.

I do not object to all these programs. I am sure they are wonderful programs. I am sure there are people for them. Giving American money to assist Polish free trade unions. A wonderful idea. Is it an emergency? Maybe it is. If it is worth it, why do we not pay for it? If it is worth it, why do we not take the money away from some other project? If it is worth it, why not include it in the bill raising taxes? Maybe it is a good idea to have programs—I could go on and on—from Hawaii to Nevada to Louisiana. These are all great programs, but none of them are emergencies or at least they are not enough of an emergency concern, that out of a $1.1 trillion budget that there is not $8 million somewhere that is less urgent than studying weeds. In a budget of $1 trillion, is there not $8 million somewhere that we can eliminate to fund the study of weeds?

I submit we could.

People keep talking about the CCC. This issue of the budget waiver has absolutely nothing to do with the farmer. Commodity Credit Corporation is already built into the budget baseline. There is no point of order against CCC.

If you want to go ahead and give the farmer the money on CCC, and I am ready to do it, there is no budget point of order against it. Move it, bring it up. Even if I wanted to raise a point of order, I could not do it. That basically is a phony issue.

The issue is that we have $2.6 billion of add-on spending that there is no offset for, that is not built into the budget baseline, that is a direct addition to the deficit. CCC is not part of that. That is already part of the deficit.

Basically, our position is this: Are we going to raise the deficit? A big point was made that President Reagan proposed spending more money, and he did. But he also proposed to offset every dollar of that spending through rescission of other programs. The President's proposal was not subject to a point of order because it did not raise the deficit.

Obviously, the President believed in what he proposed because he was willing to pay for it. He was willing to take the money away from lower priority uses.

What I object to here is not all this funding for all of these objectives; it is that you want to fund them but in a trillion-dollar budget you cannot find some offset so that we do not raise the deficit.

So we are going to send the cost on to the working men and women of America and to our children in terms of higher debt.

I believe, Mr. President, that is a mistake.

I have been asked by the leadership while they are discussing this matter to not raise the point of order. There may be others here who wish to be heard and, awaiting further direction from the leadership, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, while we are waiting for the leadership to come back so that we might vote on this point of order, I thought my colleagues might like to know about one little tidbit in this emergency bill.

This little, sweet provision has to do with honey loans. You might ask, What is the emergency in honey loans? I was discussing this with the distinguished Senator from Indiana. Basically, we have $6 million in this emergency supplemental, and we have it to allow us to suspend a cap on deficiency payments on the Honey Loan Program, eliminating the cap, which is now $250,000 per beekeeper. By suspending that cap, we will provide $6 million to 20 beekeepers.

So I ask my colleagues, in looking at this provision, to recognize that one of these emergencies is that we are providing $6 million to allow us to suspend the $250,000 cap on payments to beekeepers, and there will be 20 beneficiaries of this Honey Loan Program.

I thought the distinguished Senator from Indiana might like to discuss this with us.

Mr. QUAYLE. Mr. President, I thank the Senator from Texas for zeroing in on some of the very important aspects of this emergency supplemental appropriation bill.

I do not think the Senator from Texas knows this, but about a year ago, the Senate went on record—about 63 Senators—by voting to eliminate the honey program altogether, not to spend an additional emergency $6 million, but to eliminate the whole program.

Once it got to conference, they said: "We can't be too greedy about this. There are only about 2,000 beekeepers on the program; yet, there are about 200,000 beekeepers in the country, and this is about 1 percent of them. So we will limit ourselves to only $250,000 per beekeeper." It applies to about 2,000 beekeepers in the country. So they were very reasonable in the conference.

However, during that debate, some Senators from bee-producing States got up and said: "The Senator from Indiana does not understand this program. This amendment is in the national security interests of this country."

I am not kidding the Senator from Texas. That is what we heard on the floor of the Senate: How this bee program was in the national security interests of this country because of lubrication, that that is very important to the national security interests of this country. It was not the pollination point of view. It was the lubrication point of view. I did not buy that, and I do not buy this here today.

This $6 million that is in this appropriations bill is an absolute ripoff, as the Senator from Texas pointed out, for 20 beekeepers. Twenty, count them—2-0, $6 million. That is not a bad day's work, even for bees. We know that bees are busy. We know they are important. We like those little critters. But in an emergency appropriations supplemental, to have to put in $6 million for 20 beekeepers is really nothing less than outrageous. This is a sweet little ripoff that has gotten in this bill, and there are probably others in this bill as well. That is probably the reason we are having a difficult time finding 60 Senators to waive a point of order to take care of 20 beekeepers. I am not going to vote for that.

Mr. GRAMM. Mr. President, will the Senator yield?

Mr. QUAYLE. I am glad to yield for a question.

Mr. GRAMM. When the national security argument for the honey program was raised, was it an argument that there was a honey gap with the Soviet Union?

Mr. QUAYLE. No.

Mr. GRAMM. Does the Soviet Union have a cap that is higher than $250,000 per beekeeper?

Mr. QUAYLE. I do not think so. I do not think they were even talking about a bee control program like arms control. They did not even talk about that. But it was of national security interest because we had to do this for national security interest to protect all of our beehives and beekeepers in this country.

I think those who want to vote for this and vote for this appropriations bill and vote for this honey program to raise the cap of $250,000 per beekeeper—think of that—$250,000 is not enough. You have to raise it—going to put in a little $6 million, a little sweet taxpayers' money to pay for these beekeepers. This is absolutely disgraceful.

I congratulate the Senator from Texas for pointing this out. I imagine there are probably a few other little sweet ripoffs in this bill just like this honey program that 63 Senators a year ago voted to eliminate the program. We will probably eliminate the program again today if we get it put back in conference.

People know this is not in the national security interest. We do not need to keep these beekeepers going particularly trying to get it down to 20.

I congratulate the Senator from Texas for pointing this out to the Senate and concur with the remarks that he has made.

I yield the floor.

UNANIMOUS CONSENT AGREEMENT—H.R. 27

Mr. BYRD. Mr. President, while the distinguished Republican leader is here at the moment, I am going to propound a unanimous consent request that has been cleared on both sides.

I ask unanimous consent that when the Senate considers H.R. 27, the FSLIC bill, it be considered under the following time limitations:

There be no time on the bill itself. There be 1 hour on a substitute amendment to be offered by Mr. PROXMIRE to change the text of S. 790 as passed by the Senate; there be 1 hour on an amendment by Mr. GARN to be offered if the Proxmire amendment is agreed to, which amendment would strike titles 1 and 2 of the Proxmire substitute.

Provided further, that no other amendment be in order; that there be 15 minutes on any debatable motion, appeal, or point of order if submitted by the Chair; that the time on such debatable motion or appeal or point of order be equally divided in accordance with the usual form; that no motions to recommit be in order, and no motion to recommit with instructions; and that the division of time overall on the amendments be in accordance with the usual form.

Provided, that the majority leader may proceed to call this measure up after consultation with the distinguished Republican leader but not prior to Thursday of this week.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, if the majority leader will yield I thank the majority leader and also the distinguished Senator from Utah, Senator GARN. I know the majority leader would like to take it up tomorrow morning but I think the Senator from Utah has been most cooperative and he has agreed to reduce the time if he would just wait until sometime Thursday.

So I hope that does not upset the plans of the majority leader for that day.

Mr. BYRD. Yes, I thank the Republican leader. I thank Mr. GARN.

The total time, if it is all used on the two amendments that have been mentioned, will be 2 hours. That would be 1 hour on each.

Mr. President, I thank all Senators.

The text of the agreement follows:

Ordered, That the majority leader be authorized, but not before Thursday, May 14, 1987, after consultation with the Republican leader, to proceed to the consideration of H.R. 27, an act to facilitate the provision of additional financial resources to the Federal Savings and Loan Insurance Corporation and, for purposes of strengthening the reserves of the Corporation, to establish a forbearance program for thrift institutions and to provide additional congressional oversight of the Federal Home Loan Bank Board and the Federal home loan bank system, and that there be no time on the bill.

Ordered further, That there be 1 hour debate on a Proxmire substitute amendment containing the text of S. 790, as passed by the Senate, with the time to be equally divided, and that there be 1 hour on a Garn amendment, to be offered if the Proxmire amendment is agreed to, to strike titles I and II, with the time to be equally divided: Provided, That no other amendments be in order.

Ordered further, that there be 15 minutes on any debatable motion, appeal, or point of order, if submitted by the Chair, with the time to be equally divided, and that no motions to recommit be in order.

SUPPLEMENTAL APPROPRIATIONS, 1987

The Senate resumed consideration of the bill.

Mr. GRAMM. Mr. President, I raise a point of order under section 311(a) of the Congressional Budget Act against H.R. 1827 on the basis that the outlays ceiling for fiscal year 1987 would be further exceeded by $2.6 billion.

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I will not move to waive pursuant to the point of order. It was my intention the other day to move to reconsider the vote on the previous waiver, but I will not do that.

If the point of order carries, it is my intention to go to something else or have morning business or some such. The measure will be returned to the calendar and can be motioned up at a later time. It will not be my desire or intention to move to bring the measure back up before the Senate until such time as I can see some support coming from the White House.

This is the President's request, and I would like to be assured of some support from the executive branch before I move again to waive the provisions of the law.

I thank the Senator.

The PRESIDING OFFICER. The bill as reported would result in an increase in outlays for fiscal year 1987 at a time when the appropriate level of such outlays set forth in the budget resolution for that fiscal year has already been exceeded and, therefore, violates section 311(a) of the Budget Act of 1974 as amended.

The point of order is sustained. The majority leader.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business for not to extend beyond 15 minutes and that Senators may be permitted to speak therein up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEW MEXICO SMALL BUSINESS PERSON OF THE YEAR

Mr. DOMENICI. Mr. President, in noting this week as National Small Business Week, I rise today to honor Larry Risley, New Mexico's Small Business Person of the Year.

As the president of Mesa Airlines, Larry has made some remarkable achievements. He has given great incentive to the airlines industry, as well as small businesses in New Mexico.

Mesa Airlines is a true success story. Mesa reported net earnings of $185,000 in fiscal 1985 and $742,000 in 1986. Its fleet has risen from three 14-passenger Beechcraft C-99's in 1984 to five C-99's and four 18-passenger Beech 1900's today. According to Mr. Risley, the net income is 10 percent of his airline's $14 million in annual ticket sales.

Literally a ma-and-pa operation when it started in 1982, the company now has a payroll of 182 people. It is currently in the process of offering common stock to the public. The proceeds will be used to finance new facilities and additional aircraft. Mesa will not buy larger aircraft or try to compete with the larger commercial airlines. Explains Mr. Risley, "Bigger isn't better, profits are better." Perhaps it is this attitude that has made Mesa Airlines the largest commuter airlines in the Southwest.

While other airlines have come and gone, Mesa has grown. What is the secret to Larry Risley's success? He would argue there is no secret, just hard work. Early on, Mr. Risley helped fuel planes, sold tickets, and unloaded baggage—in addition to making the company's executive decisions.

This week when we celebrate National Small Business Week, our theme is "Small Business: America's Growth Industry." I believe that Larry Risley's Mesa Airlines is a perfect example of a small business that is thriving. I applaud his hard work and wish him continued success.

NEW MEXICO SMALL PRIME CONTRACTOR OF THE YEAR

Mr. DOMENICI. Mr. President, earlier this week I recognized the Small Business Person of the Year from the State of New Mexico, Larry Risley. I would like to take time once again, during Small Business Week, to honor the Small Business Prime Contractor of the Year from SBA region 6, Philip Reinig.

One of 300 nominees in the country, Mr. Reinig was selected from region 6, which is made up of Oklahoma, Texas, Arkansas, Louisiana, and New Mexico, by the Small Business Administration's regional offices in Dallas, TX.

Mr. Reinig is a graduate of Gonzaga University, in Spokane, WA. He received the distinguished alumni award in 1985. From 1951 to 1965, he directed engineering management responsibilities at the General Electric Co.

In 1965, Mr. Reinig moved to New Mexico and began working as the head of the Engineering Department at the Los Alamos National Laboratory. He has been a resident of the State of New Mexico ever since.

In 1976, Mr. Reinig founded Los Alamos Technical Associates, Inc., an engineering firm of about 200 people, headquartered in Los Alamos, NM. The theme for this week of recognition is "Small Business, America's Growth Industry," and this is indeed true, especially in the case of Los Alamos Technical Associates.

Since 1976, Los Alamos Technical Associates has expanded its offices into six additional cities. For three consecutive years, they have appeared on the INC 500 list of the fastest growing companies in the Nation. Also, Las Alamos Technical Associates has appeared annually since 1981 on the Engineering News Record's top 500 design firms list.

The laboratories in New Mexico play an important role in the research and development for the entire country. Much of the technical expertise that goes into research for defense originates in New Mexico firms.

Los Alamos Technical Associates is a good example of such a firm. It specializes in the application of high technology systems and solutions to complex problems in the broad areas of environment, energy, and national security. Los Alamos Technical Associates currently supports a broad range of defense activities for the Department of Defense, Department of Energy, and the Strategic Defense Initiative.

The success of Los Alamos Technical Associates did not happen by accident. Mr. Reinig attributes the company's rapid growth to a talented staff, project management, client satisfaction, technical excellence, and, most of all, satisfied clients.

Despite Philip Reinig's busy schedule, he still manages to be an active member in his community. Currently, he serves as a member of the engineering advisory board at Gonzaga University. He and his wife of 39 years, Beverly, have six children and four grandchildren. Together, they enjoy skiing, hunting, and fishing.

Again, I want to extend my warmest congratulations to Mr. Reinig. His hard work and dedication truly benefits the State of New Mexico and is an inspiration to all small businessmen. I wish him continued success.

GLOBAL RESOURCES, ENVIRONMENT, AND POPULATION ACT OF 1987

Mr. SIMPSON. Mr. President, I commend Senator HATFIELD and Representative MACKAY on their recent introduction of the Global Resources, Environment, and Population Act. Congress must address the fact that the United States today is without a population policy.

While 92 other nations—many of them at the behest of our own Agency for International Development—have adopted official population policies, we have not yet done so. It is time we did. I congratulate Senator HATFIELD and Mr. MACKAY for their initiative and look forward to comparable legislation in the Senate.

It was while serving on the Select Commission on Immigration and Refugee Policy between 1979 and 1981 that I found, to my surprise, that the United States has no population policy. Other countries with limited borders and large populations have turned their attention to the question of what is a suitable population for their environment. They may not reach a conclusion, but at least they discuss it. Here we have not even discussed it. It is time we did.

The United States' current rate of population growth is higher than that of any other industrialized nation. If our fertility rate does not remain low, a firm annual limit is not placed on all legal immigration into this country, and illegal immigration is not ended, studies indicate that our population will grow by an amount equal to that of the present populations of California and Texas by the turn of the century.

Environmental and psychological stresses already are evident as a result of our continuing population boom and the accompanying resource demands and congestion.

Demographers project that, by the year 2000—only 13 years away—the New York metropolitan region will grow by another 1½ million people, to well over 20 million. The Washington, DC, region will grow by another half-million people. Almost 4 million people will be clustered around the Nation's Capital.

The Los Angeles basin will have to cope with the requirements of 15 million people, instead of today's 12½ million, and the San Francisco Bay area is looking at turn-of-the-century gridlock resulting from 6½ million, rather than today's 5½ million, residents. Dallas-Fort Worth can expect its 3½ million population to grow by almost another million in that short time span. And so it goes across the Nation.

As television accounts of the wanderings of that barge with 3,000 tons of Long Island garbage and no place to dump it have suggested, this evidence of our excessive population growth and failure to conserve and recycle resources is "a saga of our times." New Yorkers collectively discard 24,000 tons of trash every day. Half the cities in the United States have just about exhausted their current landfills. Many have frequent bad air quality alerts. Water shortages are cropping up all over the country.

And yet we have no population policy. It is time we had one. We should review every Federal program to assure that none of them encourage continued population growth in this country without a thorough debate in the Congress.

I commend Population Environment Balance, Inc., and its cooperators for their efforts to bring the need for a national population policy legislation to the attention of the Congress and the American people.

FITTING TRIBUTE TO ANTOINETTE DOWNING

Mr. PELL. Mr. President, I would like to share with my colleagues a tribute to Antoinette F. Downing, who last night received the Nation's highest award for historic preservation—the Louise Dupont Crowninshield Award of the National Trust for Historic Preservation.

Historic preservation works. It is not just an esoteric exercise for a few academics. It is vibrant force in our economy and a source of jobs and pride to countless citizens throughout our country.

Antoinette Downing has brought this message home to both Rhode Island and the Nation. It is a message she has been preaching for many years. Anyone here from Rhode Island can tell you that the evidence of her success is everywhere in our State.

I was one of those who nominated Antoinette to receive the Crowninshield Award, and I want to congratulate the National Trust for having the good sense to select her for this highest honor in the field of historic preservation.

My father once gave me advice that has stuck with me as a fundamental rule of effective leadership: "Always let the other fellow have your way."

Antoinette must have been listening because she has let us all have her way. We might not have thought twice about the tremendous potential commercial, economic, and social benefits of historic preservation, but Antoinette opened our eyes and let us have her way.

Antoinette is, first and foremost, a lady and a scholar. She has helped lead restoration efforts, not only in Providence but throughout Rhode Island. And those efforts reflect the highest of historic preservation standards.

I would like to share with my colleagues a recent editorial section article from the May 10, 1987, edition of the Providence Sunday Journal titled, "A Tribute to Antoinette F. Downing." I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to printed in the RECORD, as follows:

[From the Providence Sunday Journal, May 10, 1987]

A TRIBUTE TO ANTOINETTE F. DOWNING

After a half century devoted to the study and preservation of historic architecture in Rhode Island and America, Providence's Antoinette F. Downing has won the nation's highest award for contributions to the historic preservation movement. Tomorrow, in Washington, D.C., she will receive the Louise Dupont Crowninshield Award of the National Trust for Historic Preservation.

She will be recognized for this honor at the annual meeting of the Providence Preservation Society at the restored Casino at Roger Williams Park Tuesday. Over the years Mrs. Downing has earned Rhode Islanders' admiration. In her success we have been winners too.

She began as a scholar. For five years she researched and recorded the state's historic buildings. In 1937, her book "Early Homes of Rhode Island" was published, and remains the standard reference on 17th, 18th and early 19th century building in the state. During the 1930s and 1940s, Mrs. Downing raised a family and taught school. In the late 1940s, she returned to the study of old buildings by assisting the newly founded Preservation Society of Newport County with a program to document and bring attention to the magnificent legacy of historic architecture in Newport, then threatened by decay through neglect and indifference.

The effort culminated in the publication of "The Architectural Heritage of Newport, Rhode Island, co-authorized with Vincent J. Scully, Jr., in 1952.

In the 1950s, Mrs. Downing's scholarship took an activist turn. At that time the College Hill neighborhood of Providence was an area with many rundown and unappreciated historic buildings threatened with demolition by plans for expansion at Brown University and proposals for urban renewal along Benefit and Main Streets. Mrs. Downing and other residents, determined not to lose their neighborhood and its historic buildings, organized the Providence Preservation Society.

The report, "College Hill, A Demonstration Study of Historic Area Renewal," (1959) which she helped to research and write, became the blueprint for the neighborhood's restoration and a national model for using historic preservation as a means of community renewal.

As chairman of Providence's Historic District Commission and chairman of the Rhode Island Historical Preservation Commission, Mrs. Downing has made historic preservation part of everyday life in Rhode Island. Under her leadership, the Historical Preservation Commission's statewide survey has identified about 50,000 historic buildings and sites in Rhode Island's 39 cities and towns.

In all, more than 10,000 Rhode Island properties have been listed on the National Register of Historic Places. Furthermore, the reuse and rehabilitation of historic buildings has become an important part of the state's economy in the last decade. More than $200 million has been invested in projects approved by the Historical Preservation Commission alone. Add to this the dollars spent by tourists visiting our state's historic sites. Even greater is the intangible value of the lesson repeated many times during Mrs. Downing's career; that historic neighborhoods, with a little appreciation and care, can be vital, attractive and comfortable places in which to live.

Throughout Antoinette Downing's work has run the belief that our heritage of historic districts, structures and sites is an important, non-renewable resource that is worth keeping, a valuable asset for our own time and the future. This was a revolutionary, even visionary point of view in the 1950s and 1960s. Time has proved her right, and we have all been the beneficiaries.

MAJ. GEN. ROBERT F. MOLINELLI

Mr. SYMMS. Mr. President, I spoke earlier today about one great Idahoan who passed on to his reward, the late James Jesus Angleton, but we lost another great American last week, Maj. Gen. Robert F. Molinelli, a decorated air cavalry officer and combat aviator who since July 1985 had been Director of the Combat Support Systems in the Office of the Army Deputy Chief of Staff for Research, Development and Acquisition. Joe Molinelli died May 4 at Stanford University Hospital Center of complications as a result of the treatment of lymphoma.

A resident of Fort Myer, General Molinelli was in California for specialized treatment of his illness.

At the time of his death, he had served 31 years in the Army, including two tours of duty as a helicopter pilot and commander during the Vietnam war. He was commander of the 6th Air Cavalry Brigade and at the end of his second Vietnam assignment in 1971 he was named the Army's "Aviator of the Year."

Subsequent assignments included service as chief of staff and assistant commander of the 2d Armored Division at Fort Hood, TX, command of the Army's readiness and mobilization region at Fort Devens, MA, deputy commander of the 1st Army and post commander at Fort Devens.

General Molinelli was born in Pocatello, ID, and graduated from Idaho State University. During his Army career, he earned a master's degree in communications science at Shippensburg State College in Pennsylvania. He also attended the Army War College and the Command and General Staff College.

On May 7, General Molinelli was posthumously awarded the Army's Distinguished Service Medal.

His other decorations included two Silver Stars, eight Distinguished Flying Crosses, a Bronze Star, two Purple Hearts, two Legions of Merit, 62 Air Medals, two Meritorious Service Medals, two Army Commendation Medals and a Master Aviator's Wings.

I extend my heartfelt sympathy and respect to his family in Pocatello. He is survived by his wife, Donna Ann, of Fort Myer, two sons, Robert O. of Fort Devons and Army Capt. David L., who is serving in West Germany.

Mr. President, I note that General Molinelli comes from an outstanding family in my State. In the tradition of other people in this country, he served his country well and we all mourn his death.

TO HONOR OUR NATION'S POLICE OFFICERS

Mr. MATSUNAGA. Mr. President, there was a memorial service held here in Washington yesterday morning which deserves to be noted by this body of lawmakers because of the dedication to the rule of law which was being memoralized at the ceremony. It was the Eighth Annual Memorial Service for Police Officers who died in line of duty, held at the Memorial Fountain of the D.C. Metropolitan Police Department under the auspices of the Ladies Auxiliary of the Fraternal Order of Police, D.C. State Lodge.

The service was a most impressive one and honored two police officers who died while in performance of their duty within the metropolitan area during the past year: Officer Kevin J. Welsh of the metropolitan police department and Trooper Alexander M. Cochran III of the Virginia State Police Force. The two officers were remembered in commemorative remarks by their colleagues and superior officers, by a posthumous award in the case of Officer Welsh, and by poetic and musical tributes as well as prayers led by police chaplains. The Order of Service was arranged by Mrs. Vickie G. Cummings, president of the auxiliary, assisted by its vice president, Mrs. Karen C. Hardman.

It was my privilege and honor to be invited to deliver the keynote address. So that my colleagues, as writers of the law, and others may gain due appreciation of the sacrifices demanded of those who preserve and enforce the law, I ask unanimous consent that the text of my address at the service be printed in the RECORD.

There being no objection, the address was ordered to be printed in the Record, as follows:

"In Memory of Two Good, Great Men," Memorial Address by the Honorable Spark M. Matsunaga, U.S. Senator, Before the Ladies Auxiliary of the Fraternal Order of Police

Thank you, Mrs. (Vickie) Cummings, for your most gracious introduction. It is with a sense of honor that I join you this morning in your annual memorial service for police personnel who die in the line of duty. I have always maintained a high respect for those who serve as police officers—as well as for their spouses, who fully share the anxieties of their calling every day without the immediate experience of its rewards.

I say this as one with an intimate familiarity with our law enforcement system—having served as an Assistant Public Prosecutor before becoming a legislator and having a police officer as a son-in-law and an Assistant Public Prosecutor as a daughter-in-law. If lawmaking is a noble calling—as indeed it is—then law preserving at the risk of life itself is nobler still. The role of the police officer in civilized society is central to its survival. That role is to preserve the public peace, while affirming the dignity and upholding the rights of each and every individuals. It is a task far easier to define than to execute.

In oppressive societies the police maintains public order without regard to the rights of individuals, other than those of the ruling elite. But this is a perversion of the universally recognized police function as the guardian of law and protector of the weak and helpless. The police role is pivotal to all the other civil functions whereby justice is upheld and it is the most demanding one of all. Indeed, this role is unrelenting in its demands and all too frequently it calls for "the last full measure of devotion."

The two officers, whom we memoralize this morning, paid that "last full measure" in keeping with the highest standards of their profession, in defense of the helpless. In doing so they demonstrated to their colleagues, their families and their communities why the profession of police service holds such unique standing in society. No other calling possesses its central paradox—its dedication to the preservation of life at the risk of life itself. The soldier may sacrifice his life in time of war in combat to defend his country against a declared enemy; but the police officer places his or her life at risk at all times to protect the life or property of fellow citizens against unknown perpetrators of crime.

Trooper Alexander McKie Cochran III, of the Virginia State Police Force was cut down, together with an Army sergeant, when the two men responded to the sounds of a gun shot and screams in their neighborhood. It was an incident of domestic violence, dreaded in patrol work because of the irrational and unpredictable turns such cases can take—as in this instance. But Trooper Cochran did not hesitate when he heard gun fire and a woman's voice screaming for an ambulance. Pausing only to arm himself, he answered his neighbor's call for help.

Trooper Cochran had been on the State force for only 2 years, but he had prepared himself well for his patrol duties; he had studied at Rappahanock Community College and gained experience as a security guard and as a volunteer with the Callao, Virginia Rescue Squad. There he trained and qualified as an emergency medical technician and rose to the rank of second lieutenant. Also a member of the Virginia National Guard, Trooper Cochran was a helicopter crew chief who had told his neighbors his goal was to fly helicoper search and rescue missions. His entire life was devoted to honing the skills necessary to assist those in distress—to the preservation of life in a fight against the odds of death. His National Guard commander, Colonel James D. Holden, remembers him as "an A-Number One, all-American boy . . . The kind of boy that you'd want to live next door to."

Officer Kevin Welsh, in the words of his commanding officer, Deputy Chief Charles E. Samarra of the District of Columbia Metropolitan Police, "died as he lived—helping others." He dove, courageously and without hestitation, into the Anacostia River in order to rescue a despondent woman who had attempted suicide by jumping from the 11th Street Bridge into the river. As one who knew him well said at the time: "Some very fine police officers may have hesitated on that river bank, and without fault. But Kevin was just Kevin: professional, unrelentingly dedicated, thorough, ready to do his job as he knew it so well, no matter the risks or after-the-fact analysis. It made no difference to him who went off that bridge or why."

As with Trooper Cochran, behind the heroic act which claimed Officer Welsh's life lay a career of daily dedication. In his case it was a remarkable, 7 year career during which he had earned eight commendations from the police chief, 31 commendations from his commanders for outstanding performance in the line of duty, and more than 60 letters of praise sent by residents in appreciation of his assistance. Kevin Welsh was, indeed, "one of Washington's finest." One can only marvel at the record of his service, so much in keeping with his final valor.

While Kevin's life was a comparatively short one, he was singularly blessed, for, as his fellow officer Steve O'Dell said of him, "He had a zest for his job—and what that job stood for—that was second to none." He once asked his brother, also a member of the force, "Did you ever think you would be a police officer in the Nation's Capital?"

In giving his own life to save the life of a fellow human being in despair, Officer Welsh has left us with a legacy of inspiration and dedication from which we can all draw great hope for the future. In our media-dominant age in which we are constantly reminded of the dark side of human nature and of the foibles of the mighty, it is important to keep life in proper perspective. There are those among us who seek to go down in history as great men or women, while others prefer to be known for their good deeds. I have long believed that it is better to be known as a good man than a great one, for greatness is an assessment of mortals, goodness a gift of God. The two officers we honor this morning were members of a rare breed—good men, gifted by God, who were called upon to symbolize the greatness of their vocation and who were found not wanting. We mourn their deaths but take pride in the undeniable fact that by their actions they both proved themselves good, great men, worthy of emulation.

To the members of the families of Trooper Cochran and Officer Welsh, may I say that while I fully realize that mere words of any mortal cannot ease the inner pain over their immeasurable loss, I pray that they will find some solace in the knowledge that they have earned our Nation's admiration and gratitude for their professional dedication.

Society asks of the men and women called to police work to cope dispassionately and without favor with the consequences of the sordid, perverse and irrational side of human nature under conditions of great stress, and often without the benefit of reflection and second thoughts. When they are able to do so with such distinction as did Trooper Cochran and Officer Welsh and still retain their zeal for the protection of life at the risk of their own, we can only be grateful that the essential goodness and indeed the greatness, of human nature remains triumphant.

Let us take courage from their example as we go forth now to fulfill our own responsibilities for the institutions we represent.

THE ACHIEVEMENT OF AMBASSADOR LEW TAMBS

Mr. HELMS. Mr. President, the Washington Post recently ran a series of articles on the U.S. diplomatic service, which seemed to suggest that political appointees to ambassadorial posts were somehow incompetent, and at worse an embarrassment. The fact is that the diplomatic service is purposely designed to be a mix of men and women of various backgrounds, bringing different talents and experience to the job of representing our country. And in this regard, the Reagan administration can be proud of the men and women from private life who have been called upon to represent the President's policy in many countries around the world.

A good example of this is Ambassador Lew Tambs, who has recently returned to his teaching post at the University of Arizona after serving as the President's representative in Colombia and Costa Rica.

Lew Tambs had already had an outstanding career as a businessman, a scholar, and an educator when President Reagan tapped him to go to Colombia. As is well known, when Lew Tambs went down to Colombia, his task had been considered hopeless. Colombia was the major center for the production and shipment of cocaine and other dangerous substances. The drug Mafia in Colombia was so powerful that it rivaled the Government itself in financial and paramilitary resources. Although the Government of Colombia was cooperating to an extent in international drug interdiction, the fact is that it could do very little against the powerful forces that threatened to take over the country. A series of professional diplomats from the Foreign Service had been unable to deal effectively with the problem.

But it was Lew Tambs who was able, with constant prodding, explanation, and exhortation, to wake up the leaders of Colombia to the dangers which threatened their country. He was able to show them that it was not just a U.S. problem; it was a problem that was threatening the independence of their Government, and the future of their own youth.

For the first time, Colombia decided to take effective steps against the drug Mafia. Their justice minister was assassinated. Their supreme court was taken over by narcoguerrillas, with scores of judges and employees held hostage, ending in a tragedy when the building burned to the ground with the hostages and the Marxist guerrillas.

Nevertheless, Ambassador Tambs was able to encourage the Colombians to continue to take dangerous steps. With the assistance of the U.S. mission, a series of the biggest drug busts in history were successfully carried out, destroying major drug factories in the jungle. Finally, Ambassador Tambs was successful in getting Colombia to sign the long-discussed Drug Extradition Treaty, to bring drug conspirators to the United States for trial. Such an extradition treaty is extremely rare in Latin America, where national sovereignty is rightly treated with great reverence. Moreover, as Ambassador Tambs was leaving his post, he even persuaded Colombia to begin implementing the treaty, bringing key drug mafiosi to the United States for trial.

Indeed, this was an incredible achievement for Ambassador Tambs, a man who was not a career ambassador, but brought great understanding and experience of the Latin American scene to the problem. Moreover, it placed his life and that of his family in constant jeopardy from the narcotrafficantes who brazenly published reward posters seeking his assassination.

For such results, you would think that the State Department would be grateful, for he had succeeded where the professionals had failed. But instead, the State Department conducted a vendetta against Ambassador Tambs. Everything possible was done to prevent him from getting another post. After months of foot-dragging by the Department, the matter was personally communicated to the President, who was outraged, and immediately appointed him as Ambassador to Costa Rica. Even then, however, the bureaucracy continued to take its revenge, taking weeks and weeks to do a security clearance on a man who had been a sitting ambassador, performing under heroic and dangerous conditions.

But the President knew he was dealing with a man who knew and understood his policies in a way which the State Department did not. Lew was sent to Costa Rica because of the key geostrategic location of that country immediately adjacent to the Marxist-Leninist aggression coming from Nicaragua.

Lew Tambs is a man who understands the meaning of freedom. He is a man who understands that all freedom fighting against Communist aggression throughout the world are fighting the same battle—a battle not only for their own freedom, but for our freedom as well. He knows that Marxist-Leninist aggression can easily lead to the collapse of freedom throughout Central America and Mexico, resulting in tremendous humanitarian and economic pressures against the United States. Moreover, the collapse of freedom could well shake the complacency of many in this country—and indeed in this Congress—who think that we can collaborate with communism and socialism and bring so-called peace.

Mr. President, Ambassador Tambs recently articulated these views in a brilliant exposition of the Reagan doctrine in a speech delivered to the Council for Inter-American Security, in Palm Springs, CA. The speech is entitled "The Future Belongs to the Free," and has been reprinted in the April 1 edition of "Vital Speeches." It will be of great interest in the national debate we are having on whether or not we will defend freedom.

Mr. President, I ask unanimous consent that the address by Ambassador Lew Tambs be printed in the RECORD at the conclusion of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE FUTURE BELONGS TO THE FREE—THE REAGAN DOCTRINE AND CENTRAL AMERICA

(By Lewis A. Tambs)

The future belongs to the free and President Ronald Reagan, in the Reagan Doctrine, has given us a vision of victory. A vision of victory for democracy, freedom, and self-determination over dictatorship, oppression, and Soviet-imposed satellite states. The President only asks that the West, led by the United States, supply and support freedom fighters striving for their liberties, much as France, the Netherlands, and Spain aided the thirteen American colonies in their struggle against the English Empire.

When President Reagan discusses the East/West context, he always cites the following five countries: Nicaragua, Angola, Abyssinia, Cambodia, and Afghanistan. He could also mention Mozambique, Guinea-Bissau, and South Yemen, for in these eight nations there are indigenous forces fighting in the field against Soviet-supported regimes which are shielded in many cases by Cuban mercenaries. These freedom fighters, be they called *contras*, *mujahideen*, or *commandos de la libertad*, are seeking to liberate their own native lands from totalitarian Marxist-Leninist governments. These resistance forces are not fighting for the United States, Western Europe, or Latin America. They are fighting for their own identity, self-determination, and national culture.

Thus, the Reagan Doctrine, which aspires to support these true wars of national liberation, gives the West a vision of victory without the danger of nuclear war. In these eight conflicts, the possibility of victory is immediate and real. Moreover, the Soviets are over-extended militarily, their economy is in ruins, and their Cuban sepoys which sustain these regimes are in many cases mutinous.

Thus, the Reagan Doctrine gives the West the opportunity to reverse the domino theory, a process by which the Soviet Union has sought since 1917 and increasingly since 1945 to undermine western civilization and achieve global domination by promoting terrorism, insurgency, and subversion.

In general, the post-war period can be divided into four distinct phases: Cold war, 1945-1965; detente, 1965-1976; a near final phase, finlandization, 1976-1980; and a resurgence of U.S. power and determination to accept its global responsibilities and defend the West, beginning in 1980 with the election of Ronald Reagan.

During these four phases, the Soviet Union developed and deployed a three-point strategy for destroying the West; first, surround geographically the People's Republic of China (PRC); second, deny the western industrial nations access to petroleum and strategic minerals (Middle East and Southern Africa); and thirdly, isolate the U.S. from its friends and allies in Latin America.

The Soviet Union's efforts to surround geographically the PRC is clearly designed to neutralize the only other major power of the Eurasian continent. Mainland China is bordered on the north by Soviet Siberia, on the southwest by Soviet allied India and Vietnam. U.S. defeat in southeast Asia closed the semicircle on the PRC. One should recall that in 1971, when President Richard Nixon dispatched General Alexander Haig to Peking, one of the first statements that Chairman Mao Tse-Tung made to General Haig was "Don't lose in Indo-China." Although Chairman Mao was a committed Communist, he was a Chinese Nationalist first. Moreover, with the fall of Saigon in 1976 to the Communists, the Soviets gained an opening into their second major effort, denial to the West of oil and minerals. For with the occupation of South Vietnam by the North Vietnamese Communists, the Soviets gained under the Friendship Treaty of 1978 the naval base at Cam Ranh Bay, the best port in the South China Sea. Since 1978, the Soviets have stationed at Cam Ranh Bay a naval task force which endangers Japan's major sea lines of communication (SLOC) which carry oil and ore through the South China Sea, and Japan is the U.S.'s major ally in the Western Pacific. Regarding Soviet encirclement of the PRC, the invasion of Afghanistan in 1979 can be seen as a part of this strategy as well as being an effort to realize the age-old Russian dream of winning a warm water port in the Indian Ocean.

The second major Soviet maneuver is to deny the western industrialized nations access to petroleum and strategic minerals. Soviet penetration and presence in the Middle East, whose oil is vital to the continuing survival of Japan, Western Europe, the United States, and Latin America is indicated by satellites in South Yemen, which controls the mouth of the Red Sea, Ethiopia on the same Red Sea SLOC, and Syria which threatens Israel and Egypt. The Soviets do not have to occupy petroleum-producing areas of the Middle East, but by utilizing South Yemen, Ethiopia, and Syria, they can subvert and destabilize the oil-endowed Persian Gulf states, thereby cutting off the vital flow of energy to the Nippon, NATO, and the Americas. A similar situation prevails in Southern Africa. Africa, from Zaire south, holds strategic minerals vital to the industrialized democracies—cobalt, molybdenum, chrome. Here again, the Soviets have established satellites in Mozambique, Angola, and Guinea-Bissau. These Soviet-sponsored states serve as basis for subversion and destabilization of the mineral-producing nations. Once again, the Soviets are not obliged to occupy the entire area. They only have to insure that the West is denied access, particularly so since in the case of Southern Africa, God or nature has played us false because the only other area which produced these strategic minerals in commercial quantities is the Soviet Union.

The third Marxist maneuver is to isolate the U.S. from it friends and allies in Latin America. In the strategic sense, Latin America is the soft underbelly of the U.S. Ever since the Spanish-American War of 1898, the U.S. has been able to depend upon a cooperative Caribbean and a supportive South America.

Central America and the closed sea of the Caribbean are America's power perch. The U.S. has not been obliged to divert massive resources of men, money, or material southward since the turn of the century. Hence, U.S. ability to protect power eastward across the Atlantic to Europe and the Middle East and westward across the Pacific to Asia rests upon a secure southern flank. Soviet penetration into the western hemisphere, beginning with the satellization of Cuba in 1959 and continuing with Grenada and Nicaragua, had by 1979 threatened to slice the Americas in twain by cutting the Caribbean in two by bringing the closed sea which binds North and South America together under the potential control of communist tactical air and light naval forces. The possible triad of air and naval bases on Grenada, Cuba, and Nicaragua portended the driving of a wedge from east to west across the American Mediterranean—a twentieth century repetition by the Soviets of seventeenth-century England's "Grand Design" against Spain. For Great Britain, by seizing Barbados, Jamaica and Mosquitia, broke Spain's bridge of ships which bound the empire together. Thus commenced the collapse of the Castillian Empire upon which the "sun never set." The situation in 1979 represented a serious challenge to the U.S. for most U.S. exports depart Gulf Coast ports and some 70 percent of all U.S. petroleum imports flow through or are produced in the Caribbean basin.

Venezuela and Mexico are major U.S. petroleum suppliers. Currently, Mexico is a greater source than Saudi Arabia. Thus President Reagan's actions in October 1983 liberating Grenada broke the ring of the Soviet strategy to encircle the Caribbean with tactical air and naval power. Nevertheless, the militarization of a Marxist-Leninist Nicaragua in Meso-America by the Soviet bloc presents problems of a strategic, economic, ideological, and metaphysical nature.

Peace and national reconciliation are the two major U.S. goals in Central America. Consequently, five programs—defense, democracy, development, demilitarization, and departure of foreign forces—have been launched by the Reagan Administration to achieve these two objectives. Defense of the U.S. and its allies in Central America is a prime concern. Democracy is desired because it is not only the best form of government, but as President Oscar Arias of Costa Rica stated in his inaugural address on May 8, 1986, "There is no peace without democracy." Central America, for the first time since independence in 1824, now has four democratically-elected civilian presidents. In the past there have been two, Costa Rica and one other republic, but American encouragement of democratic forces since 1981 has succeeded in accelerating this process in El Salvador, Honduras, and Guatemala. Development is vital so that economic as well as political justice can prevail; development which is promoted by the private sector is preferred by the Reagan Administration since in reality there are only two economic systems, state capitalism and private capitalism. State capitalism, be it called fascism, socialism, or communism, merely means government ownership and control of the economy. It has consistently failed. Hence, if one wants to feed one's people, one must turn to free enterprise in order to produce the most at the lowest cost. And Central America must produce in order to provide a decent life for its citizens. Demilitarization of Central America is sought by U.S. policymakers since disarmament would enable the Central American nations to devote their limited resources to investment in their most precious national resource, their people, specifically in education and health. Departure of foreign forces from Central America is needed to end the East/West conflict in the area. The U.S. currently has around 1,000 military personnel in Palmarola, Honduras, and 57 trainers in El Salvador. Conversely, there are 3,000 to 5,000 Cubans in Nicaragua along with associated exotic East Bloc types from the Soviet Union, Bulgaria, and East Germany, not to mention terrorists from the PLO, the Colombian M-19, and Lybia.

Marxist/Leninist Nicaragua consistently preaches the doctrine of revolution without frontiers. The Nine comandantes are specifically committed to exporting subversion as evidenced by their efforts in El Salvador and Honduras. The Sandinistas are also exporting people. Hundreds of thousands of Nicaraguans have in Lenin's phrase, "Voted with their feet." In Costa Rica alone, there are between 100,000 and 250,000 Nicaraguan refugees. These exiles, which now account for some 10 percent of the Costa Rican population, have fled political repression and economic deprivation. They have also added to the economic and social problems in Costa Rica. This figure should not be surprising since the standard rate of flight from a communist regime is a minimum of 10 percent. This figure is clearly evidenced in the cases of Vietnam, Afghanistan, Ethiopia, Eastern Europe, and Cuba where the refugee rates ran far above the minimum of 10 percent. Hence, if Communist Nicaragua survives and succeeds in exporting subversion, the democratic republics of Central America and perhaps even the U.S. face social and economic destabilization engendered by innocents fleeing communist tyranny. The population of Central America is 25 million, Mexico's is some 80 million. A total of approximately 100 million people. As the comandantes continue in their pledge to export revolution to their neighbors—El Salvador, Honduras, Guatemala, and Mexico—there exists the possibility that the U.S. could be confronted in a relatively short period of time with a human wave of some 10 million souls.

The impact on the U.S. of these innocents fleeing for their lives would present the U.S. with two difficult choices: admission or denial. Immediate admission would confront the U.S. with linguistic and cultural balkanization, as well as economic and social dislocation. This policy would hit our own less skilled workers the hardest since they would be competing for the same jobs as the new immigrants. Any effort to close the 2000-mile land frontier with Mexico would be difficult, both philosophically and practically. The U.S. is a nation of immigrants. All our forefathers came from Asia, Africa, or Europe and we sympathize with the poor and oppressed. Sealing the southern frontier would be painful. Moreover, it would present us with a strategic dilemma.

Sizable forces would be required to police the U.S.-Mexican border. The numbers needed are beyond the capabilities of the Immigration and Naturalization Service. Only three adequate manpower pools are available—NATO, the Rapid Deployment Force, and the National Guard. Should the U.S. be obliged to withdraw its armed forces from NATO in order to secure its southern border, the chances are that Western Europe would be finlandized. If the Rapid Deployment (RDF) were utilized, the U.S. would be unable to respond to any Soviet activities in the Middle East, Africa, or East Asia. Hence, the Soviets under this scenario, sometimes called "Operation Checkmate," would have won the world without ever facing the full military might of the U.S. The chances of any administration's calling out the National Guard to active service are minimal since it would be an open admission of absolute failure of foreign policy. Only NATO and RDF are political possibilities. Therefore, under "Operation Checkmate," the U.S. confronts catastrophic choices and the West, shorn of U.S. military might and economic power, would face final defeat from the Soviet chess strategy of pushing the Nicaraguan pawn to checkmate.

The future should belong to the free. But if the Sandinistas succeed in consolidating their expensive Marxist/Leninist regime, not only Nicaragua's neighbors but even the U.S. could be endangered. Hence, the Reagan Doctrine which calls for aid to the freedom fighters in Nicaragua, Angola, Abyssinia, Cambodia, and Afghanistan is a defensive as well as an offensive strategy. For the Reagan Doctrine gives hope to oppressed peoples occupied by East Bloc and Cuban mercenaries and guides the men and women of the Free World toward a vision of victory, a positive picture of tomorrow by which the three Soviet strategic maneuvers—encirclement of the PRC, denial of access to the West of ore and oil, and isolation of the U.S. from Latin America along with insurgent induced mass migration—can be thwarted and by which the future will belong to the free.

HARRY CLARKE: TRUE PATRIOT

Mr. HELMS. Mr. President, some weeks back I lost a very special friend. Harry W. Clarke was very special to a multitude of people in my State and around the Nation. He was a true patriot, and it is difficult to comprehend that we will never hear his voice again, nor be the beneficiary of his courage and wisdom.

Harry died the way he would have wanted to leave this life. He had spent the day working on a significant project in another city, far from his home in Asheville. Late at night, he was flying home alone in his plane. It crashed not far from the Asheville airport.

Mr. President, it has been said that people are divided into two general groups, talkers and doers. Harry was a doer. He got things done. He never waved away a person in need. He never ducked an opportunity to extend a helping hand to someone needing it.

He was president of an impressive organization known as Western Carolina Industries—an association of more than 600 member-companies employing more than 200,000 people in the 29-county area of western North Carolina. He had been with the association since 1959.

Harry was 60 when that plane crash in the middle of the night claimed his life. He was born in Oakway, SC, a small town in the northwest corner of South Carolina. When World War II began, Harry didn't wait to finish high school. He enlisted in the Navy, served 5 years in the submarine service—mostly in the Pacific picking up American flyers shot down off the coast of the Philippines, Japan, and the South China seas.

When the war was over, Harry came home, completed his college education at Furman University in 2 years. He earned a B.S. degree in mathematics and chemistry, and a minor in psychology. Then he earned his M.S. in mathematics at John Hopkins University and spent 2 years as a research scientist at Aberdeen Proving Grounds working on rocket research.

Mr. President, there was never a moment when Harry Clarke lapsed in his dedication to his God, his family or his country. He had his priorities straight. He worked, he sacrificed—and, yes, he fought—for principles that deserve to survive.

He was a great American and a splendid friend. He enriched my life, and those of countless others.

Mr. President, it was fitting that the memorial service for Harry Clarke was led by another great American, a remarkable minister of the gospel named George Heaton. Dr. Heaton, on that occasion, delivered a eulogy that was comforting to all who were present.

Mr. President, I ask unanimous consent that the text of Dr. Heaton's remarks be printed in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

A MEMORIAL TO HARRY W. CLARKE, 1926-87

He was your friend, and he was my friend. Had you known him for 30 years he would have amazed you by the unfolding of his greatness. He was unique, and he did among us those deeds that no one else could possibly do. His achievements were the result of genuine accomplishment rather than appearances. His dedication was to the quality of his work rather than glittering accessories. He gave himself to a task so great that it will take decades for those who come after him to ever finish what he started. His vision of Western Carolina was fulfilled in the opportunities for employment and the enrichment of the working atmosphere.

How did this amazing man come to be? It was the power of love. His love for his work and his friends, but, of course, the greatest of all love, the love of his wife, Patsy, and her children. So he seemed to say, "In my hand there is a secret plan, and my hand is big . . . big . . . because of this plan. That the God who dwells in this hand knows this secret plan of what He will do for the world, using my hand." So he refused to give himself to anything so small that he could ever hold it in his hand and say it was finished. Instead, nerved by God he set out on a pilgrimage. A pilgrimage to bring into actuality his unprecedented, unique and never recurring potentialities. And the pilgrimage goes on, for no end is visible, no end is even conceivable in the saga of Harry Clarke's life.—*Dr. George D. Heaton, Clarke Memorial Service, March 11, 1987.*

A SALUTE TO AMERICAN SMALL BUSINESS

Mr. DASCHLE. Mr. President, I rise to add my voice to the many, many others saluting American small business during this Small Business Week of 1987.

Small businesses across this land get none of the headlines of the corporate giants. But small businesses provide the lion's share of the jobs and the innovation and the income that sustains our entire economy. They are vigorous. They are competitive. They command our respect not out of sympathy, but because of their performance.

The Tobkin brothers, all four of them who operate the Veblen Cheese Co., and who are South Dakota's Small Business Persons of the Year, are perfect examples of the vitality of small enterprise. They have expanded and diversified their company since assuming operation from their father over a decade ago. They sell their excellent cheese products from coast to coast. They have branched out with a subsidiary in veterinary and livestock supplies. John, Joseph, Daniel, and Douglas give back tenfold to their community and truly exemplify the personal qualities that make American small business the envy of the world.

It is families like the Tobkins of Veblen, SD, that this Congress and our administration must picture and remember as we wrestle to reduce our deficit, curb predatory corporate business practices, and create trade laws that give our small business people a fighting chance to survive. We must remember that a fighting chance is all people of the Tobkin's quality need to survive, but that it is also the very least they deserve.

THE CRISIS OF THE PRESIDENCY

Mr. DIXON. Mr. President, our colleague and my good friend, the junior Senator from Illinois [Mr. SIMON], recently offered some astute insights on constitutional issues concerning the Presidency that have been brought to the fore by several recent developments. He presented the keynote address at a seminar on these issues organized by Garry Wills, the noted professor and columnist, at Northwestern University. I commend Senator SIMON's remarks to the attention of my colleagues. I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE CRISIS OF THE PRESIDENCY

(Speech by Senator Paul Simon at Northwestern University)

I thank my friend Garry Wills—one of the most gifted and creative political writers of our nation—for inviting me.

It's good to be at Northwestern University. A few years ago Northwestern gave me an honorary doctorate so I can even claim the distinction of being an alumnus of Northwestern.

The title of this conference, "The Crisis of the Presidency," was intended to focus on that institution in this bicentennial of our constitution. When I accepted this invitation I did not know that I would be a candidate for the Presidency. And no one guessed only a few days ago the dramatic changes that would focus in unexpected ways on the people who seek the presidency.

Today's headlines are a reminder that the threat to the presidency is not only from the secrecy of unwise arms deals or abuse of executive privilege beyond the confines of the law.

The threat to the presidency can also come from a poorly informed electorate and from a media more intent on reporting the personal mistakes of public officials that are easily understood, than the much more significant issues that will have great impact on the lives of citizens that are not easily understood.

More people know with whom Gary Hart went to the Bahamas than have any idea what stands he has taken on the nuclear arms race that threatens the extinction of humanity. More people knew that Gerald Ford stumbled occasionally than knew that he had helped reach agreements with the Soviets to aid in keeping civilization alive.

I do not know where to draw the line. Public officials are by definition more public. We operate in a fish bowl. And the higher we climb the greater the exposure. That is proper. The public has a right to know enough information about our personal lives so they can make a judgment: Is he or she someone who can be trusted?

But when the focus on personal life becomes a substitute for focus on arms control, or reducing the deficit, on moving toward a quality education, on solving problems in rural America and on long-term care for seniors, then the public is ill served.

The focus on the less important by the media and the public too often results in leadership of personality rather than substance.

That type of focus by the media and the public will not provide this nation with the leadership we need to turn from today's comfortable but dangerous downhill course to a path that makes our nation more compassionate and more competitive and more just.

The chief problem is not structural. A free people electing their leadership is better than any other system, but people indifferent to whom they elect too often select leaders indifferent to the needs of the people. The answer is not moving away from free elections but to recognize that we can do better. Media that focuses more attention on the Milwaukee Brewers winning streak than on the problems faced by the frontline states in Africa is appealing to the public appetite more than the public interest. The answers is not to move away from a free press, but for all of us to recognize that we can do better.

The presidency affects us in a thousand subtle ways.

We now assume that the presidency matters to us personally. But it wasn't long ago that most people would have been astonished at that idea. The presidency hasn't always seemed that important. Let me give you an example.

George Reedy, a student of the presidency, grew up a few miles south of here in one of Chicago's Irish neighborhoods. In grade school, he was the only student in the class who knew that the President of the United States was Calvin Coolidge.

Probably all of George's friends knew the name of the mayor of Chicago, their alderman, their precinct captain. These were the people who really counted.

I don't know whether the elementary school that George Reedy attended is still standing. If it is, any third-grader there today could tell you the name of the President, but almost none could tell you the name of their precinct captain.

That difference between what third-graders knew during Reedy's childhood and what they know today symbolizes a much larger change in our country in the last 60 years. Presidents are now far more visible.

There are several reasons for that change. There's national television and radio. There's the great mobility of American families that weakens their ties to local institutions. And there's the historic shift of governmental functions from local government to Washington.

When something is awry with the institution of the presidency, the country knows and feels it.

Robert Frost wrote that "good fences make good neighbors." Political institutions need fences at least as much as farmers.

But the fine old constitutional fences that surround the executive branch are in a state of disrepair. No fence has been safe. The executive branch has invaded the realms of Congress, of the courts, of the states, or foreign governments.

Many of the incursions by the executive branch haven't come up against as much resistance as they should. Let me give you an example: The mining of Nicaraguan harbors. This was an act of war against a country with which we are not technically at war. This mining violated the Rio Treaty. And we undermined the rule of international law by refusing to recognize the jurisdiction of the World Court in the matter when we were embarrassed by being caught. The executive branch violated the spirit and the letter of our laws and international law and we compounded the wrong by withdrawing from the jurisdiction of the international court, an action whose ultimate consequences will do great harm to our nation and to world stability.

This event was ominous in itself. But it also set a dangerous precedent. It helped clear the path to the Iran-Contra scandal.

Both the Nicaraguan and the Iran policies were stupid, but they were more than that. Mining the harbor in Nicaragua and selling arms to Iran found the nation's highest officials somehow unrestrained by the fence of the law which must limit our officials if our free system is to be preserved and strengthened.

Much of the growth in presidential power—particularly the growth in the last 50 years—has been good. Much of it was inevitable in a nation as powerful and complex as ours.

Is all this power inherently dangerous? Does power automatically corrupt as Lord Acton warned? Unbridled power does. But there's nothing automatically noble about weakness, or evil about power.

Our society is more humane, efficient, and compassionate, because of the times in the last half-century when new presidential powers were used wisely.

A crisis doesn't arise because we have a powerful presidency. We have a crisis of the presidency when the White House removes itself from the constraints of the political process.

The presidency has the power to strengthen or devastate the world economy—the means to start or stop wars—and the capability of annihilating the human race.

When a Supreme Court justice comes up with some nonsensical innovation, there are eight colleagues to temper the foolishness. When a senator dreams up a hare-brained scheme, it won't go any farther than the Congressional Record unless he or she can convince at least 50 skeptical senators to go along. But when a president dreams up some mischief, there may be no one who can and will tell him what he deserves to hear.

I doubt if structural changes can solve this problem. Structural changes are not a substitute for careful and thoughtful selections of a president by the electorate, and of nominees by each political party.

Unless there are some startling new revelations in the Irangate hearings—and there may be some—we can look forward to a quiet caretaker administration under Howard Baker. He is an able man, and he is political in the best and most useful sense. But his tenure will last for 21 months at the most, and then it will be time to start from scratch.

What will happen after that? There is no way of predicting. That's partly because the presidency is an infinitely flexible institution. It molds itself around the style and personality and view of the person who is president.

Maybe the next president will want power for its own sake, and will disrupt our institutions the way an alcoholic disrupts a family.

Or maybe the new president will fit Henry Adams' description of the begonia. He said it was "remarkable for curious and showy foliage; it was conspicuous; it seemed to have no useful purpose; and it insisted on standing always in the most prominent positions."

Those are two possibilities. In either case, the institution of the presidency is so adaptable that it will respond in kind.

But there is a third possibility. We can have a president who tries to conserve the presidency by respecting its limits.

We can have a president who understands, as George Reedy put it, what it means "to be a symbol of the nation, to be a teacher, to be a political organizer, to be a more preceptor, to be an arbiter of taste."

A good president must be much more than that, however. He must also be a leader. But that leadership should be within the confines of the law. The spirit of the law and the letter of the law should be observed as the principle method of preserving our free system. If that happens all of us will be well served.

A 29-year-old state legislator in Illinois, after the mob slaying of abolitionist Elijah Lovejoy in 1837, said in a talk in Springfield, "Let every man remember that to violate the law, is to trample on the blood of his father, and to tear the charter of his own, and his children's liberty. Let reverence for the laws, be breathed by every American mother, to the lisping babe, that prattles on her lap. . . . In short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and condition, sacrifice unceasingly upon its altars." That message from Abraham Lincoln needs to be heard and repeated today.

If we can repair the fences of restraint, they can stand for future presidencies as a symbol to be guarded carefully by a free people eager to preserve their freedom.

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under the authority of the order of the Senate of February 4, 1987, the Secretary of the Senate, on May 11, 1987, during the recess of the Senate, received a message from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on May 11, 1987, are printed at the end of the Senate proceedings.)

ANNUAL REPORT OF THE UNITED STATES-JAPAN COOPERATIVE MEDICAL SCIENCE PROGRAM—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 42

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 11, 1987, during the recess of the Senate, received the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

In accordance with Section 5(h) of the International Health Research Act of 1960 (Public Law 86-610; 22 U.S.C. 2103(h)), I transmit herewith the Twentieth Annual Report of the U.S.-Japan Cooperative Medical Science Program for the period of July 1985 to July 1986.

RONALD REAGAN.

THE WHITE HOUSE, *May 11, 1987.*

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 8, 1987, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week."

Under the authority of the order of the Senate of February 3, 1987, the enrolled joint resolution was signed on May 8, 1987, during the recess of the Senate, by the President pro tempore (Mr. STENNIS).

Under the authority of the order of the Senate of February 3, 1987, the Secretary of the Senate, on May 11, 1987, received a message from the House of Representatives announced that the House has passed the following bill, without amendment:

S. 1167. An act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge."

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 1167. An act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge";

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978; and

H.J. Res. 67. Joint resolution to authorize and request the President to issue a proclamation designating May 3 through May 10, 1987, as "Jewish Heritage Week."

Under the authority of the order of the Senate of February 3, 1987, H.R. 1941 and House Joint Resolution 67 were signed on May 11, 1987, during the recess of the Senate, by the President pro tempore (Mr. STENNIS).

Under the authority of the order of the Senate of February 3, 1987, S. 1167 was signed on May 12, 1987, during the recess of the Senate, by the President pro tempore (Mr. STENNIS).

MESSAGES FROM THE HOUSE

At 2:04 p.m., a message from the President of the United States, delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the concurrent resolution (H. Con. Res. 93) setting forth the congressional budget for the United States Government for the fiscal years 1988, 1989, and 1990; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. GRAY of Pennsylvania, Mr. FOLEY, Mr. LOWRY of Washington, Mr. DERRICK, Mr. MILLER of California, Mr. FROST, Mr. FAZIO, Mr. RUSSO, Mr. OBERSTAR, Mr. ESPY, Mr. LATTA, Mr. GRADISON, Mr. MACK, Mr. GOODLING, Mr. DENNY SMITH, Mr. BUECHNER, and Mr. HOUGHTON as managers of the conference on the part of the House.

The message also announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 163. Joint resolution designating May 1987 as "National Home Remodeling Month";

H.J. Res. 178. Joint resolution designating June 25, 1987, as "National Catfish Day"; and

H.J. Res. 270. Joint resolution to recognize the one hundred and twenty-fifth anniversary of the United States Department of Agriculture.

MEASURES REFERRED

The following joint resolutions were read the first and second times by unanimous consent, and referred as indicated:

H.J. Res. 163. Joint resolution designating May 1987 as "National Home Remodeling Month"; to the Committee on the Judiciary.

H.J. Res. 178. Joint resolution designating June 25, 1987, as "National Catfish Day"; to the Committee on the Judiciary.

H.J. Res. 270. Joint resolution to recognize the one hundred and twenty-fifth anniversary of the United States Department of Agriculture; to the Committee on the Judiciary.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bill and joint resolution:

On May 8, 1987:

S.J. Res. 124. Joint resolution designating May 10, 1987, through May 16, 1987, as "Just Say No to Drugs Week."

On May 12, 1987:

S. 1167. An Act to change the name of the "Connecticut Coastal National Wildlife Refuge" to the "Stewart B. McKinney National Wildlife Refuge."

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1200. A communication from the Executive Associate Director of the Office of Management and Budget transmitting, pursuant to law, a report on a reapportionment of an appropriation on a basis necessitating a supplemental appropriation; to the Committee on Appropriations.

EC-1201. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report certifying the Secretary of Defense's estimate of the Panama Canal Commission's annual revenues to be deposited in the Panama Canal Commission fund; to the Committee on Armed Services.

EC-1202. A communication from the Chairman of the Securities and Exchange Commission transmitting, pursuant to law, the 1986 SEC Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-1203. A communication from the Director of the Federal Home Loan Bank Board transmitting, pursuant to law, the FHLBB's Annual Report for 1986; to the Committee on Banking, Housing, and Urban Affairs.

EC-1204. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 24 refunds of excess oil and gas lease royalty payments; to the Committee on Energy and Natural Resources.

EC-1205. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 25 refunds of excess oil and gas lease royalty payments; to the Committee on Energy and Natural Resources.

EC-1206. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 25 refunds of excess oil and gas royalty payments; to the Committee on Energy and Natural Resources.

EC-1207. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 25 refunds of excess oil and gas royalty payments; to the Committee on Energy and Natural Resources.

EC-1208. A communication from the Deputy Associate Director of the Minerals Management Service transmitting, pursuant to law, a report on 29 refunds of excess oil and gas royalty payments; to the Committee on Energy and Natural Resources.

EC-1209. A communication from the Administrator of the General Services Administration transmitting, pursuant to law, a copy of a lease prospectus for the consolidation of NOAA and NSF; to the Committee on Environment and Public Works.

EC-1210. A communication from the special counsel, Merit Systems Protection Board transmitting, pursuant to law, a report on allegations of violations of law and regulation creating a danger to public health at Loring AFB, ME; to the Committee on Governmental Affairs.

EC-1211. A communication from the Director of the Office of Management and Budget transmitting, pursuant to law, a report on the implementation of the Single Audit Act of 1984; to the Committee on Governmental Affairs.

EC-1212. A communication from the Executive Director of the Federal Retirement Thrift Investment Board transmitting a draft of proposed legislation to prevent the loss of earnings to Federal employees in the thrift savings plan; to the Committee on Governmental Affairs.

EC-1213. A communication from the Attorney General of the United States transmitting, pursuant to law, a report certifying a certain region to the Circuit Court of Appeals for the Eighth Circuit; to the Committee on the Judiciary.

EC-1214. A communication from the Acting Assistant Attorney General of the United States transmitting, pursuant to law, the annual report for Justice Programs, fiscal year 1986; to the Committee on the Judiciary.

EC-1215. A communication from the Chairman of the National Commission on Libraries and Information Sciences transmitting, pursuant to law, the Commission's 15th Annual Report; to the Committee on Labor and Human Resources.

EC-1216. A communication from the Secretary of Education transmitting, pursuant to law, a copy of final funding priorities for the Projects With Industry Program; to the

Committee on Labor and Human Resources.

EC-1217. A communication from the Executive Secretary of the Office of the Secretary of Defense transmitting, pursuant to law, a report on DOD procurement from small and other business firms for October 1986 through February 1987; to the Committee on Small Business.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DOLE (for himself, Mr. D'Amato, Mr. Simon, and Mr. Matsunaga):

S. 1182. A bill to provide for a referendum in Puerto Rico on the admission of Puerto Rico into the Union as a State; to the Committee on Energy and Natural Resources.

By Mr. BREAUX:

S. 1183. A bill to amend the Shipping Act of 1984 regarding certain practices of foreign carriers or other persons providing maritime or maritime-related services in foreign countries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FORD:

S. 1184. A bill to amend the Airport and Airway Improvement Act of 1982 to improve the safety and efficiency of air travel, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FORD (for himself and Mr. Rockefeller):

S. 1185. A bill to amend the Mineral Lands Leasing Act of 1920, as amended, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. METZENBAUM:

S. 1186. A bill to amend the Internal Revenue Code of 1986 to limit the fee a real estate broker may charge for preparing an information return in a noncommercial real estate transaction; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. Armstrong):

S. 1187. A bill to amend the Internal Revenue Code of 1954 to conform the treatment of residential lot interest expenses to current law treatment of second home interest expense; to the Committee on Finance.

By Mr. SYMMS:

S. 1188. A bill to amend the Internal Revenue Code of 1986 to allow certain associations of football coaches to have a qualified pension plan which includes cash or deferred arrangement; to the Committee on Finance.

By Mr. MELCHER:

S. 1189. A bill to amend the Older Americans Act of 1965 to authorize grants to States for demonstration projects that provide to older individuals services in return for certain volunteer services provided to other individuals; to the Committee on Labor and Human Resources.

By Mr. LUGAR:

S. 1190. A bill to recover costs of providing services to farmer cooperatives and groups of producers; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1191. A bill to amend the Plant Variety Act to provide for the credit of fees collected to the account that incurs the cost of carrying out the act; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1192. A bill to recover costs of establishing standards and specifications for agricultural products; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MATSUNAGA:

S. 1193. A bill to add additional lands to the Kilauea Point Wildlife Refuge on Kauai, Hawaii; to the Committee on Environment and Public Works.

By Mr. DOMENICI:

S. 1194. A bill to transfer jurisdiction over certain lands in Bernalillo County, NM, from the General Services Adminstration to the Veterans' Administration; to the Committee on Governmental Affairs.

By Mr. CRANSTON (for himself, Mr. Murkowski, Mr. Matsunaga, Mr. DeConcini, Mr. Mitchell, and Mr. Rockefeller):

S. 1195. A bill to amend title 38, United States Code, to provide authorities to help the Veterans' Administration overcome difficulties in the recruitment and retention of nurses, pharmacists, occupational and physical therapists, and other health-care personnel in its Department of Medicine and Surgery, and for other purposes; to the Committee on Veterans Affairs.

By Mr. DOLE:

S.J. Res. 127. A joint resolution designating the month of May 1987 a "National Asthma and Allergy Awareness Month"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BYRD:

S. Res. 211. A resolution amending paragraphs 2 and 3(a) of rule XXV; considered and agreed to.

S. Res. 212. A resolution making additional majority appointments to the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Banking, Housing, and Urban Affairs; considered and agreed to.

By Mr. DOLE:

S. Res. 213. A resolution making Republican appointments to the Committee on Agriculture, Nutrition, and Forestry, and Committee on Banking, Housing, and Urban Affairs, and the Committee on Small Business; considered and agreed to.

By Mr. BYRD (for himself and Mr. Dole):

S. Res. 214. A resolution to authorize the reprinting of the manuscript entitled "Creation of the Senate," prepared by Dr. George J. Schulz in 1937; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOLE (for himself, Mr. D'Amato, Mr. Simon, and Mr. Matsunaga):

S. 1182. A bill to provide for a referendum in Puerto Rico on the admission of Puerto Rico into the Union as a State; to the Committee on Energy and Natural Resources.

(The remarks of Mr. Dole and the text of the legislation appear earlier in today's Record.)

By Mr. BREAUX:

S. 1183. A bill to amend the Shipping Act of 1984 regarding certain practices of foreign carriers or other persons providing maritime or maritime-related services in foreign countries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FOREIGN SHIPPING PRACTICES ACT

● Mr. BREAUX. Mr. President, beyond dispute our international ocean liner trades are the most open in the world. They are accessible to the flags of all nations on a come one, come all basis; and our laws ensure that all vessels, regardless of their national registry, have an opportunity to compete freely and fairly for cargo. Ironically, this freedom has meant that most of the liner cargo which moves in our trades moves on foreign bottoms. In 1980, for example, 72.9 percent of the cargo in those trades moved on foreign flags; and by 1985, that percentage increased to 79 percent. There are those who would say that this disproportionate share is simply the result of the free market place at work. In other words, that foreign-flag vessels are better competitors.

Mr. President, such a view is naive in the extreme, and fails to recognize the numerous laws and practices of our trading partners which all too often give their national flags a competitive edge in our bilateral trades. The U.S. Maritime Administration, the State Department, the Special Trade Representative have each identified burdensome practices and barriers in Taiwan, Japan, Korea, Bangladesh, India, Pakistan, Turkey, Colombia, Venezuela, Argentina, Australia, Brazil, Canada, Dominican Republic, Egypt, France, Germany, Ghana, Indonesia, Italy, Mexico, Philippines, Singapore, Sweden, and Yugoslavia.

In addition to these burdensome practices and barriers, our merchant marine has not been receiving the amount of Federal assistance which is necessarily the price of admission to international ocean shipping. The Merchant Marine Act of 1936, as amended, is the principal law to promote the maritime industry. Among other things, that act authorizes the Maritime Administration to:

Award and administer construction-differential subsidy contracts and operating-differential subsidy contracts to aid the American merchant marine.

Provide insurance on construction loans and ship mortgages or guarantees on ship financing obtained from private sources for ship construction and reconstruction.

Since 1981, however, the administration has curtailed the number and scope of the Maritime Administration's promotional programs through budgetary and policy means. It has, for example:

Vetoed legislation because it failed to eliminate the statutory title XI

Ship Construction Loan Guarantee Program and Federal aid to State maritime academies.

Consistently requested zero funding for the Construction Differential Subsidy Program, and opposed legislation which would have authorized such funding.

Adopted a no expansion policy for the Operating Differential Subsidy Program [ODS] as part of its policy to end that program as existing ODS contracts expire through the year 2000; and opposed legislation which would have expanded the program.

Opposed congressional efforts however modest to increase cargo reservation—for example, cargo reservation for U.S. mail.

The administration is continuing its efforts in its budget request for fiscal year 1988, because it once again is proposing to eliminate the title XI Loan Guarantee Program and Federal aid to State maritime academies; and its budgetary request reiterates its intention not to expand the ODS program.

Mr. President, the legislation I am introducing today attempts to address both of the problems I have described so that our merchant marine may compete on a level playing field in our international liner trades.

Title I of the bill amends the Shipping Act of 1984, to give the Federal Maritime Commission more flexibility to deal with burdensome maritime and maritime-related practices which our liner vessels encounter in foreign countries.

Currently, the primary means the Federal Maritime Commission has to combat these practices of our trading partners is section 19, of the Merchant Marine Act of 1920. That act empowers the FMC to make rules to meet conditions unfavorable to shipping when those conditions result from either the actions of a foreign government or a foreign shipping line or its agent. While the Commission has recently undertaken section 19 investigations into cargo reservation systems established by Argentina, Brazil, Venezuela, and the Philippines, section 19 has resulted in a final order only once.

Mr. President, whatever the merits of section 19, it has not been an effective tool to eliminate these burdensome practices in our bilateral liner trades, as the reports of MarAd, the State Department, and the STR indicate.

The legislation I am introducing today would give the FMC an additional tool which I believe would enable it to discover these impediments more quickly, and to eliminate them expeditiously and effectively. It would also remove a good deal of the discretion and subjective determination which often confuses parties as to their rights and responsibilities under laws such as section 19, of the 1920 act.

Mr. President, simply put, the measure I am introducing today would amend the Shipping Act of 1984:

Direct the FMC to investigate the laws and practices of foreign governments and the practices of foreign carriers relating to maritime or maritime related services in their countries which result in the existence of conditions for United States carriers in United States oceanborne trades which conditions do not exist for foreign carriers under the laws of the United States or as a result of acts of United States carriers or other persons providing maritime or maritime-related services in the United States.

When the FMC becomes aware of such conditions it shall require that the vessels of those countries which are operating in our liner trades file reports with the FMC to assist the agency in assessing how burdensome these conditions are.

To neutralize the disadvantage to U.S.-flag operators as a consequence of those conditions, the FMC could, without hearing, take one or more steps:

Limit such operator's sailings to and from U.S. ports or the amount of type of cargo carried.

Suspend, in whole or in part, any or all tariffs filed with the Commission for carriage to or from U.S. ports, including such operator's right to use any of all tariffs of conferences in U.S. trades of which it is a member for any period the Commission specifies.

Suspend, in whole or in part, such operator's right to operate under any agreement filed with the Commission, including but not limited to, agreements authorizing preferential treatment at terminals, preferential terminal leases, space chartering from other common carriers, or pooling of cargoes or revenues; or

Refuse entry and port clearance.

Take any other action the Commission finds necessary and appropriate to offset such conditions.

The bill also directs the FMC to furnish to Congress an analysis of the conditions which exist in the 20 countries whose bilateral trades with the United States generate the greatest volume of cargo in common carriage in the bilateral liner trades. That report would address the relevant conditions which exist in those countries which do not exist in the United States, and the effect of those conditions on the free flow of commerce in the bilateral liner trades of the United States.

Title II of the bill I am introducing would amend titles VI and IX of the Merchant Marine Act of 1936, for the following purposes:

To reactivate the operating-differential subsidy [ODS] program by directing the Secretary of Transportation to approve applications which satisfy the criteria in title VI as here amended, as well as to enter into ODS contracts and contract amendments with persons whose applications have been approved.

To make all foreign-built or rebuilt liner vessels eligible for ODS.

To give existing and new liner ODS operators the option to provide subsidized service without any trade route limitations.

To free existing and new liner ODS operators from all limitations and restrictions on the providing of unsubsidized service with U.S.-flag vessels in international trade.

To terminate the 3-year waiting period for foreign-built U.S.-flag liner vessels to carry preference cargo.

Mr. President, the only thing which is set in concrete is the objective of the legislation I am introducing. My subcommittee has scheduled hearings for May 20 and 21, and we will be eager to entertain any suggestions and changes which will strengthen and improve the measure. I stress that this bill is a starting point, and it will undoubtedly undergo many alterations.

As I have said, the measure is intended, among other things, to strengthen our merchant fleet through deregulation of subsidized carriers, and the offer of subsidy to unsubsidized operators. Given the already perilous state of our merchant marine, it would be ironic if this measure caused the demise of any of them. The subcommittee will be especially interested in hearing testimony on the effect trade route deregulation will have on some of our smaller liner companies. It may be that the hearing record will show that it is in the national interest to provide some of the smaller companies with trade route protection, because we do not want deregulation to be the cause of their demise; and we do want it to give them the same opportunity for growth it provides for the larger carriers.

Mr. President, the subcommittee looks forward to the hearings on May 20 and 21. With the maritime industry's support and cooperation I would hope we will be able to report a bill the first week in June.

Mr. President, I ask unanimous consent that my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1183

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FOREIGN SHIPPING PRACTICES

SEC. 101. This title may be cited as the "Foreign Shipping Practices Act of 1987".

SEC. 102. (a) The Shipping Act of 1984 (Public Law 98-237; 98 Stat. 67) is amended by adding at the end the following:

"SEC. 23. FOREIGN LAWS AND PRACTICES.

"(a) DEFINITIONS.—For purposes of this section—

"(1) 'foreign carrier' means an ocean common carrier whose vessels are documented under the laws of a country other than the United States;

"(2) 'maritime services' means port-to-port carriage of cargo by the vessels operated by ocean common carriers;

"(3) 'maritime-related services' means intermodal operations, terminal operations, cargo solicitation, forwarding and agency services, and all other activities and services integral to total transportation systems of ocean common carriers and their foreign domiciled affiliates on their own and others' behalf;

"(4) 'United States carrier' means an ocean common carrier which operates vessels documented under the laws of the United States; and

"(5) 'United States oceanborne trade' means the carriage of cargo between the United States and a foreign country by ocean common carriers.

"(b) Authority to Conduct Investigations.—The Commission shall investigate any and all laws, rules, regulations, policies and practices of foreign governments and any practices of foreign carriers or other persons providing maritime or maritime-related services in a foreign country which result in the existence of conditions for United States carriers in United States oceanborne trades that do not exist for foreign carriers under the laws of the United States or as a result of acts of United States carriers or other persons providing maritime or maritime-related services in the United States.

"(c) Initiation of Investigations.—Investigations under subsection (b) of this section may be initiated by the Commission on its own motion or upon the petition of any person, including any common carrier, shipper, shippers' association, ocean freight forwarder or marine terminal operator, or any branch, department, agency, or other component of the government of the United States.

"(d) Orders.—In order to further the purposes of subsection (b) of this section, the Commission may, by order, require any person (including any common carrier, shipper, shippers' association, ocean freight forwarder, or marine terminal operator, or any officer, receiver, trustee, lessee, agent or employee thereof) to file with the Commission any periodic or special report, answers to questions, documentary material, or other information which the Commission considers necessary or appropriate. The Commission may require that the response to any such order shall be made under oath. Such response shall be furnished in the form and within the time prescribed by the Commission. Notwithstanding any other provision of law, the Commission may, in its discretion, determine that any such response shall not be disclosed to the public.

"(e) Action Against Foreign Carriers.—Whenever the conditions specified in subsection (b) of this section exist, the Commission shall take any action that it considers necessary and appropriate against foreign carriers who are contributing causes to, or whose country is a contributing cause to, such conditions, in order to offset such conditions. Such action may include—

"(1) limitations on sailings to and from United States ports or on the amount or type of cargo carried;

"(2) suspension, in whole or in part, of any or all tariffs filed with the Commission, including the right of an ocean common carrier to use any or all tariffs of conferences in United States trades of which it is a member for any period that the Commission specifies;

"(3) suspension, in whole or in part, of the right of an ocean common carrier to operate under any agreement filed with the Commission, including agreements authorizing preferential treatment at terminals, preferential terminal leases, space chartering or pooling of cargo or revenues with other common carriers; and

"(4) imposition of licensing, domestic nationality, or other requirements upon such foreign carriers similar to those imposed upon United States carriers.

"(f) Actions Upon Requests of the Commission.—Whenever the conditions specified in subsection (b) of this section exist, upon the request of the Commission—

"(1) the collector of customs at any port or place of destination in the United States shall refuse the clearance required by section 4197 of the Revised Statutes (46 App. U.S.C. 91) to any vessel of a foreign carrier that is identified by the Commission under subsection (e) of this section; and

"(2) the Secretary of the department in which the Coast Guard is operating shall deny entry of any vessel of a foreign carrier that is identified by the Commission under subsection (e) of this section to any port or place in the United States or the navigable waters of the United States, or shall detain any such vessel at the port or place in the United States from which it is about to depart for any other port or place in the United States.

"(g) Report.—The Commission shall include in its annual report to Congress—

"(1) a list of the twenty foreign countries which generated the largest volume of oceanborne liner cargo for that year in bilateral trade with the United States;

"(2) an analysis of conditions described in subsection (b) of this section being investigated or existing in such foreign countries;

"(3) any actions being taken by the Commission to offset such conditions; and

"(4) any recomendations for additional legislation to offset such conditions.

"(h) Applicability.—Notwithstanding any other provision of law, the actions of the Commission under this section shall be final and shall not be subject to judicial review.".

(b) The table of contents of the Shipping Act of 1984 is amended by adding at the end the following:

"Sec. 23. Foreign laws and practices.".

TITLE II—AMENDMENTS TO THE MERCHANT MARINE ACT, 1936

Sec. 201. The second sentence of section 601(a) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1171(a)) is amended by inserting immediately before the period the following: ", or the operation of a liner vessel in international trade".

Sec. 202. Section 602 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1172) is amended by striking "a vessel" and inserting in lieu thereof "a bulk vessel".

Sec. 203. Subsection (a) of section 603 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1173) is amended to read as follows:

"(a) Upon making the determinations specified in sections 601(a), 605(c) and where applicable, 602 of this title with regard to an application, the Secretary of Transportation shall approve the application and enter into a contract or amendment to a contract with the applicant for the payment of an operating-differential subsidy determined in accordance with the provisions of subsection (b) of this section for the operation of such vessel or vessels in an essential service and in cruises authorized under section 613 of this title. Such contract or amendment to a contract shall be subject to such reasonable terms and conditions, consistent with this Act, as the Secretary of Transportation shall require to effectuate the purposes and policy of this Act, including a performance bond with approved sureties, if such bond is required by the Secretary of Transportation. Any such contract shall be for a period not exceeding twenty years.".

Sec. 204. Section 606 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1176) is amended by adding at the end the following: "In addition, every contract for an operating differential subsidy for liner vessels under this title shall provide that the contractor is not subject to any restriction or limitation upon the performance of unsubsidized services in international trade with vessels documented under the laws of the United States.".

Sec. 205. Section 615 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1185) is amended to read as follows:

"Sec. 615. Any liner vessel built or rebuilt in a foreign shipyard and documented under the laws of the United States shall be deemed to have been United States-built for purposes of sections 601(a) and 610(l) of this title.".

Sec. 206. Section 901(b)(1) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1241(b)(1)) is amended—

(1) by striking ", or (2)" and inserting in lieu thereof ", (2)"; and

(2) by striking the period at the end and inserting in lieu thereof the following: ", or (3) a vessel is a liner vessel documented under the laws of the United States.".

Sec. 207. Section 905 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1244) is amended by adding at the end the following:

"(h) The term 'international trade' means foreign commerce, and commerce between two or more foreign countries.

"(i) The term 'liner vessel' means a vessel operated by a common carrier on a definite, advertised schedule, giving relatively frequent sailings at regular intervals carrying cargo in international trade.".●

By Mr. FORD:

S. 1184. A bill to amend the Airport and Airway Improvement Act of 1982 to improve the safety and efficiency of air travel, and for other purposes; to the Committee on Commerce, Science, and Transportation.

AIRPORT AND AIRWAY CAPACITY EXPANSION ACT

Mr. FORD. Mr. President, I am introducing legislation today that will help resolve a number of the critical problems facing our aviation industry—deteriorating safety, increasing congestion, and the lack of funding for capital improvements.

This legislation, the Airport and Airway Capacity Enhancement Act of 1987, authorizes significantly increased funding levels for the Airport Improvement Program and the National Airspace System plan—both supported by the Airport and Airway Trust Fund and administered by the Federal Aviation Administration to ensure the safety and efficient operation of our aviation system.

This bill will address many of the problems in aviation that require immediate attention. First, and foremost, the enormous surplus that has built up in the trust fund will be dedicated to projects enhancing aviation safety. The bill increases funding for the modernization of the air traffic control system and requires that an additional 1,000 controllers be hired by the end of fiscal 1988. It also provides significantly higher funding for airports desperately needing additional capacity to handle increasing levels of airline traffic. And it doubles current funding for noise abatement projects at congested airports.

While focusing additional funds on the larger airports, smaller airports will benefit as well, receiving higher levels of Federal aid, thus ensuring the continued access of small communities to our air transportation system. Finally, the bill retains the integrity of the trust fund—continuing it as a funding source for capital improvements, rather than as a major subsidy for operating revenue.

In 1970, Congress established the Airport and Airway Trust Fund to ensure that there would be adequate resources to develop airport capacity and an air traffic control system capable of accommodating expected growth in both commercial and general aviation. In succeeding years, Congress has extended these programs to ensure that the physical infrastructure needed to support the aviation industry would continue to match user demand.

The most recent authorization bill, the Airport and Airway Improvement Act of 1982, provided a 5-year plan for increasing funding for both airport development and the modernization of the FAA's air traffic control system. It was based on projections for substantial increases in air traffic resulting from deregulation, as well as the realization that the aging air traffic control system needed replacing. To fund these programs, the 1982 act authorized increases in both passenger ticket and general aviation fuel taxes.

The forecasts made in 1982 have, in large part, been substantiated. Airline traffic in this country has increased from 275 million passengers in 1978 to a record 415 million last year. And while spending for the major FAA programs for airport development and safety improvements has increased, it clearly has not been adequate to provide the capacity needed to handle the demands currently being placed on it by aviation users.

There can be no denying the fact, however, that the money needed for providing this additional capacity has been collected and is currently available. The trust fund, into which all aviation user taxes are deposited, currently has a balance of over $9 billion. Of that amount, nearly $5.6 billion is surplus—in excess of the amounts needed to fund existing program commitments.

The legislation that I am introducing today attempts to address these issues by increasing the amounts of funding to be made available to both airport development and the modernization of the air traffic control system. It is the culmination of a series of hearings that I chaired, taking testimony from the administration, the Congressional Budget Office, and the General Accounting Office, as well as airports, the airlines, general aviation, State aviation officials, and labor groups. Our hearings also included a field hearing last month in Denver, CO—the site of the only major airport construction project in the country that is actively being considered.

Throughout these hearings we heard time and again that the problems of congestion and delays will only worsen unless we are willing to dedicate substantially more for funding the development of our aviation infrastructure. Testimony focused on the needs of both the Airport Improvement Program and the modernization of the air traffic control system. And it was nearly unanimous—with a $5.6 billion surplus in the trust fund, it is impossible to argue that the money is not available.

Mr. President, the legislation which I am introducing recognizes these needs and attempts to resolve them by increasing the Federal share of airport development. It would authorize $1.6 billion for fiscal year 1988—a 60-percent increase over the current fiscal year—to be increased by $100 million in each of the 2 succeeding years.

These additional funds will allow nearly every category of airports to receive substantially more for capital improvements. Large hubs, small commercial service, reliever, and general aviation airports will all get more under this bill than they currently receive. Additionally, the bill increases the maximum amount that each airport can receive, from $12.5 million to $16 million, as well as the minimum that any primary airport can receive from $200,000 to $300,000 annually. This should make it easier for the largest airports to get needed AIP funding, while adding to the annual allocations made to smaller airports.

This bill also strives to better target AIP funds. Under this legislation, the Secretary will be required to allocate no less than $250 million each year to projects that will significantly increase the capacity of the air transportation system—whether they be new runways, taxiways, or high-speed turnoffs. This amount can be used for either primary airports, which generate most of the commercial traffic, or reliever airports—thus ensuring that the airports with the greatest capacity problem will be eligible for this new source of money.

The second major change to the current AIP Program is the creation of a cargo hub airport funding program. Currently, all-cargo carriers pay a 5-percent waybill tax. However, because current AIP formulas relate only to the numbers of passengers enplaned, the airports where the cargo hubs are located receive nothing in return. This bill will rectify this oversight by establishing a formula program whereby some 40 cargo hub airports would receive funding based on the gross landed weight of the all-cargo aircraft using that airport. This will help maximize safety at these airports, as well as eliminate the inequity that currently exists for cargo hub airports.

The bill would also make several changes increasing the flexibility of airports to use AIP funds. First, it would allow primary and reliever airports to expedite construction of critical capacity projects by beginning prior to final FAA approval, with eligible costs to be reimbursed by the FAA. This advanced construction provision is needed to enable a number of hub airports to begin the construction of additional runways needed to handle growing traffic levels. The bill would also eliminate limits on using AIP funds for terminal development. However, under this provision, an airport would still be required to certify that it has met all FAA safety and security requirements.

Mr. President, this legislation would also double the amount of money allocated to airports for noise mitigation projects. Increasingly, communities surrounding major airports are striving to restrict aircraft operations, thereby limiting noise at the source. However, every effort must be made to limit the impact of aircraft noise on those communities, which our bill would do by dedicating no less than 10 percent of all Federal AIP funds—or some $160 million in fiscal year 1988—to noise abatement projects.

Small airports would also benefit under this legislation. Not only would our bill provide increased funding for reliever and general aviation airports, it would reduce the minimum enplanement level for primary airports—those eligible for entitlement formula funds—from about 40,000 annual enplanements to 10,000 passengers. This will guarantee that some 160 additional airports will receive formula funds for making capital improvements.

Finally, my bill incorporates legislation proposed earlier this year by Senator MURKOWSKI prohibiting AIP funds to any airport project using foreign materials or services if the foreign country does not allow fair and equitable market opportunities for U.S. bidders.

In total, this bill will provide the needed resources to ensure significant capacity and safety improvements for not only the major airports, but for the thousands of smaller airports as well.

The second major program funded by the bill relates to replacing and modernizing the equipment used in the air traffic control system. Known as the National Airspace System plan, this $12.2 billion, 10-year program is designed to replace the computers, navigational aids, and communications systems used by air traffic controllers and aviators in ensuring the safe flight of aircraft.

The NAS plan, although less visible to the average air traveler, plays an equally important role in aviation safety. Without the new computers and other equipment to assist controllers, the airspace is limited—by both human capacity and equipment that dates from the 1960's. To help eliminate delays and increase the number of aircraft that can be allowed to fly safely, the 90 different projects that comprise the NAS plan must be completed. Therefore, in extending the authorization for funding, this legislation provides $1.5 billion for each of fiscal years 1988 and 1989, with that amount increasing to $1.75 in 1990. This will allow for the continuation of the NAS plan, as well as ensure the funding of the facilities and equipment needed by the FAA.

This bill authorizes FAA research and development efforts for $200 million for both fiscal years 1988 and 1989, increasing to $225 million in fiscal year 1990. While FAA R&D supports both the Airport Improvement Program and the NAS plan, the work in recent years has focused principally on the air traffic control system. This bill does nothing to hinder progress in this area; however, it does require that the FAA allocate at least $25 million annually for R&D related to airport capacity and safety. This is consistent with our efforts to provide increased emphasis on creating additional airport capacity, while increasing the safety of operations at the most congested facilities.

Finally, this bill continues the existing limitations on the share of FAA operational expenses covered by revenues from the trust fund. Under current law, FAA operational and maintenance costs are funded by both the trust fund and the General Revenue Fund. The trust fund, which was created as an airport capital development fund, currently provides some 27 percent of total FAA operational expenses. Our bill will increase the amount from the trust fund to equal the amount allocated to the Airport Improvement Program—up to $1.6 billion.

Given current FAA estimates for its operational expenses, this will allow the trust fund share to grow to nearly 50 percent. And with outyear increases of $100 million a year the Airport Improvement Program, the amount from the trust fund will increase correspondingly. Additionally, this bill continues the two-for-one penalty against the NAS plan. Under this provision, there is a reduction of $2 taken from the trust fund for FAA operations, for every $1 not spent on the NAS plan.

Mr. President, in the coming weeks, I intend to introduce a second, related bill to extend the current excise taxes on aviation users. The bulk of the nearly $4 billion generated each year and deposited into the trust fund comes from an 8-percent passenger ticket tax, as well as general aviation fuel and the freight waybill taxes.

This legislation will be to extend these taxes at current levels for 5 years. However, it is my intention to ensure that if the money in the trust fund is not spent, that we no longer collect it. This trigger tax mechanism will require that the administration and Congress spend the money, or by fiscal year 1991, the taxes will be reduced substantially.

It is very simple. If we do not spend the taxes that we collect, then we should not collect those taxes.

The key, however, to satisfying all parties on this score is to recognize that we must fully fund the Airport Improvement Program and the NAS plan. The capital needs for aviation are enormous. In the past 5 years, there have been more than $10 billion of legitimate airport grant applications submitted to the FAA and rejected—because of insufficient funding. And the FAA currently has some $3 billion in airport projects on file—waiting for the money to proceed. Clearly, civil aviation is one area where increased Federal funding is part of an effective solution.

The bill that I am introducing will provide the next step toward an improved aviation system. I have done all I can to make this a realistic bill. And I can assure my colleagues that I am committed to doing all I can to see it enacted into law. Given our current state of aviation we can afford to do nothing less.

I urge each and every one of my colleagues to support this legislation. It will need that support to pass the Congress with the funding levels intact before our September 30 deadline.

Mr. President, I ask unanimous consent that the bill and a summary of its provisions be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Airport and Airway Capacity Expansion Act of 1987".

SEC. 2. Section 502(a) of the Airport and Airway Improvement Act of 1982 (hereinafter referred to as "the Act") (49 App. U.S.C. 2201(a)) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

exclusive purpose of inspecting air cargo, including facilities and equipment provided for or required by the Federal inspection services; and"; and

(B) by inserting immediately before the period at the end of subparagraph (C) the following. "or any land included within an unacceptably high level noise contour and identified on a current or projected noise contour map determined acceptable by the Secretary";

(2) by redesignating paragraphs (5) through (24) as paragraphs (6) through (25), respectively, and by inserting immediately after paragraph (4) the following:

"(5) 'Cargo hub airport' means a public airport that receives in excess of 100 million pounds landed weight of all-cargo aircraft on an annual basis, as determined by the Secretary.";

(3) in paragraph (12), as so redesignated, by striking all after "have" and inserting in lieu thereof the following: "more than 10,000 passengers enplaned annually.";

(4) in paragraph (13), as so redesignated, by (A) striking "development or" and inserting in lieu thereof "development,", and (B) inserting immediately after "planning," the following: "or for carrying out noise compatibility programs or parts of such programs under section 104(c)(1) of the Aviation Safety and Noise Abatement Act of 1979 (49 App. U.S.C. 2104(c)(1)),"; and

(5) in paragraph (18), as so redesignated, by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting immediately after subparagraph (A) the following:

"(B) any cargo hub airport,".

SEC. 4. Section 504(d) of the Act (49 App. U.S.C. 2203(d)) is amended—

(1) by amending paragraph (2) to read as follows:

"(2)(A) The Secretary and the Secretary of Defense, in consultation with aviation users, shall jointly conduct a national review of the need and utilization of special use airspace with a view to determining its impact on civil aviation operations.

"(B) Within 18 months after the date of enactment of the Airport and Airway Capacity Expansion Act of 1987, the Secretary and the Secretary of Defense shall report to the Congress the results of such review, together with their recommendations."; and

(2) by striking paragraph (3).

SEC. 5. (a) Section 505(a) of the Act (49 App. U.S.C. 2204(a)) is amended—

(1) by inserting "(1)" immediately before "In order"; and

(2) by adding at the end the following:

"(2) The aggregate amounts which shall be available after September 30, 1987, to the Secretary for such grants and for grants for airport noise compatibility under the Aviation Safety and Noise Abatement Act of 1979 (49 App. U.S.C. 2101 et seq.) shall be $6,864,700,000 for fiscal years ending before October 1, 1988; $8,564,700,000 for fiscal years ending before October 1, 1989; and $10,364,700,000 for fiscal years ending before October 1, 1990.".

(b) Section 505(b) of the Act (49 App. U.S.C 2204(b)) is amended by striking "September 30, 1987," and inserting in lieu thereof "September 30, 1990,".

(c) Section 505(c) of the Act (49 App. U.S.C. 2204(c)) is amended to read as follows:

"(c) Authorization for Liquidating Appropriations.—There are to be appropriated from the Trust Fund, to remain available until expended, such sums as are necessary to liquidate obligations incurred under this section.".

Sec. 6. (a) Section 406(a) of the Act (49 App. U.S.C. 2205(a)) is amended—

(1) by inserting "(1)" immediately after "Equipment.—";

(2) by striking "and" after "1986;"; and

(3) by striking "1987." and inserting in lieu thereof the following: "1987; $7,827,000,000 for the fiscal years ending before October 1, 1988; $9,327,000,000 for the fiscal years ending before October 1, 1989; and $11,077,000,000 for the fiscal years ending before October 1, 1990.".

(b) Section 506(b) of the Act (49 App. U.S.C. 2205(b)) is amended—

(1) by striking "and" immediately before "$193,000,000"; and

(2) by striking the period at the end of the second sentence and inserting in lieu thereof the following: "; $200,000,000 for fiscal year 1988 (of which not less than $250,000 shall be made available for equipment designed to provide improved access by handicapped persons to commercial aircraft); $200,000,000 for fiscal year 1989; and $225,000,000 for fiscal year 1990, of which not less than $25,000,000 in each such year is authorized to be appropriated for research, engineering and development regarding airport capacity improvements.".

(c) Section 506(c)(2) of the Act (49 App. U.S.C. 2205(c)(2)) is amended—

(1) by striking "and" after "1986;"; and

(2) by striking "1987." and inserting in lieu thereof the following: "1987; and an amount not to exceed the amount made available for purposes of section 505 of this title for fiscal years 1988 through 1990.".

(d) Section 506(d) of the Act (49 App. U.S.C. 2205(d)) is amended—

(1) by striking "and" after "1986;"; and

(2) by striking "1987." and inserting in lieu thereof the following; "1987; $30,000,000 for fiscal year 1988; $30,000,000 for fiscal year 1989; and $30,000,000 for fiscal year 1990.".

(e) Section 506(e)(5) of the Act (49 App. U.S.C. 2205(e)(5)) is amended by striking "September 30, 1987" and inserting in lieu thereof "September 30, 1990".

Sec. 7. (a) Section 507(a)(1) of the Act (49 App. U.S.C. 2206(a)(1)) is amended by striking "(1) PRIMARY AIRPORTS.—" and inserting in lieu thereof "(1) PRIMARY AIRPORTS: PASSENGER ENPLANEMENTS.—".

(b) Section 507(a)(1)(B) is amended—

(1) by striking "1987," and inserting in lieu thereof "1990,";

(2) by striking "and" after "1986,"; and

(3) by striking "1987." and inserting in lieu thereof "1987, and 30 percent for each of the fiscal years 1988 through 1990.".

(c) Section 507(a)(1)(C) of the Act (49 App. U.S.C. 2206(a)(1)(B)) is amended—

(1) by striking "$200,000" and inserting in lieu thereof "$300,000:; and

(2) by striking "$12,500,000 and inserting in lieu thereof "$16,000,000".

(d) Section 507(a)(1)(D) and (E) of the Act (49 App. U.S.C. 2206(a)(1)(D) and (E)) is amended by striking "50 percent" each place it appears and inserting in lieu thereof "38 percent".

(e)(1) Section 507(a) of the Act (49 App. U.S.C. 2206(a)) is amended—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting immediately after paragraph (1) the following:

"(2) Primary Airports Cargo Hub Airports Apportionment.—In addition to funds to which any public airport may be entitled under any other provision of this title, and notwithstanding any other limitation on funding, a 3 percent share of the total amount authorized or available under section 505 of this title shall be set aside for distribution to cargo hub airports. Such distribution will be made by the Secretary on a pro rata basis, determined by calculating the total amount of all-cargo aircraft landed weight at all qualified cargo hub airports and establishing each qualified cargo hub airport's percentage share of such total amount. Each qualified cargo hub airport shall be entitled to that percentage of the total 3 percent share of the total amount authorized or available under section 505 of this title for any fiscal year.".

(2) Section 507(a)(3) of the Act, as so redesignated, is amended by striking "October 1, 1987" and inserting in lieu thereof "October 1, 1990".

(3) Section 507(a)(4)(A) of the Act, as so redesignated, is amended by striking "and (4)" and inserting in lieu thereof "(3), and (5)".

(4) Section 507(a)(5) of the Act, as so redesignated, is amended by striking "paragraph (3)" and inserting in lieu thereof "paragraph (4)".

(f) Section 507 of the Act (49 App. U.S.C. 2206) is amended by adding at the end the following:

"(c) Cargo Hub Airport Calculations.—For purposes of determining the pro data apportionment for any fiscal year under subsection (a)(2) of this section, the total all-cargo aircraft landed weight at an airport shall be based on the all-cargo aircraft landed weight for the preceding calendar year.".

(g) Section 509(e) of the Act (49 App. U.S.C. 2208(e)) is amended by striking "section 507(a)(1)" and inserting in lieu thereof "section 507(a)(1) and (2)".

Sec. 8. (a) Section 508(a) of the Act (49 App. U.S.C. 2207(a)) is amended—

(1) by striking "or (4)" and inserting in lieu thereof "(3), or (5)"; and

(2) by striking "507(a)(3)" and inserting in lieu thereof "507(a)(4)".

(b) Section 508(c) of the Act (49 App. U.S.C. 2207(c)) is amended by striking "507(a)(2)" each place it appears and inserting in lieu thereof "507(a)(3)".

(c) Section 508(d) of the Act (49 App. U.S.C. 2207(d)) is amended—

(1) by adding at the end of paragraph (1) the following: "Of such amount, $300,000 shall annually be apportioned to each primary reliever airport and be available for obligation in the fiscal year during which it was first authorized to be obligated and the succeeding fiscal year. For purposes of this paragraph, a 'primary reliever airport' is a reliever airport having the function of relieving congestion at a pacing airport, as determined by the Secretary, which (A) if located within 50 miles of a pacing airport, has 100,000 annual itinerant operations or 125,000 total annual operations and has 200 based aircraft, or (B) if located more than 50 miles from a pacing airport, has 25,000 annual itinerant operations, 150,000 total annual operations, 300 based aircraft, an air traffic control tower, and a published instrument approach.";

(2) in paragraph (2), (A) by striking "8 percent" and inserting in lieu thereof "10 percent"; (B) by striking "(A)"; and (C) by striking all from "section 104(c)" and inserting in lieu thereof "section 104(c)(1) of such Act.";

(3) in paragraph (3), (A) by striking "5.5 percent" each place it appears and inserting in lieu thereof "2 percent"; and (B) by striking "paragraph (4)" and inserting in lieu thereof "paragraph (5)"; and

(4) by redesignating paragraph (5) as paragraph (6), and inserting after paragraph (4) the following:

"(5) Not less than $250,000,000 shall be made available under section 505 for any fiscal year to be distributed to primary airports and their reliever airports for improvements which increase the capacity of facilities to accommodate passenger and cargo traffic, thereby increasing safety and efficiency and reducing delays.".

Sec. 9. Section 512 of the Act (49 App. U.S.C. 2211) is amended—

(1) in subsection (a), by striking "507(a)(1)" and inserting in lieu thereof "507(a) (1) and (2)";

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting immediately after subsection (a) the following:

"(b) Airport Development Already Accomplished.—The Secretary may approve a project grant application and make a grant to reimburse a sponsor for airport development already accomplished by the sponsor (including project formulation costs) at a primary or reliever airport if—

"(1) the airport development for which reimbursement is requested will result in a significant enhancement of systemwide capacity;

"(2) before the development was begun, the sponsor notified the Secretary of its intent to carry out the development and request reimbursement subsequent to accomplishment of the development; and

"(3) before the development was begun, the sponsor provided the Secretary with sufficient information to enable the Secretary to assure that the development would be carried out in accordance with all applicable statutory and administrative requirements imposed on sponsors in connection with projects funded under this title, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).".

Sec. 10. Section 513(b) of the Airport and Airway Improvement Act of the Act (49 App. U.S.C. 2212(b)) is amended—

(1) in paragraph (2), (A) by striking "Not more than the greater of (A) $200,000, or (B) 60 percent of the" and inserting in lieu thereof "The"; and (B) by striking "section 507(a)(3)" and inserting in lieu thereof "section 507(a)(4)".

(2) by striking paragraph (5).

Sec. 11. Section 519 of the Act (49 App. U.S.C. 2218) is amended by adding at the end the following: "The Secretary shall propose implementing regulations with respect to the airport grant program authorized by this Act, receive and consider public comment (including possible amendments to sponsor assurances to be included in grant agreements), and promulgate final regulations not later than one year after the date of enactment of the Airport and Airway Capacity Expansion Act of 1987.".

Sec. 12. Section 529 of the Act (49 App. U.S.C. 2225) is amended by striking "October 1, 1987" and inserting in lieu thereof "October 1, 1990".

SEC. 13. The Secretary of Transportation shall make permanent the low activity (VFR) Level I air traffic control tower contract program established under section 526 of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2222).

SEC. 14. (a) Not later then September 30, 1988, the Federal Aviation Administration shall hire not less than 1,000 air traffic controllers in addition to the total air traffic controller work force level specified in Public Law 99-591.

(b) The additional air traffic controllers hired pursuant to subsection (a) of this section shall not include air traffic assistants.

SEC. 15. The Act (49 App. U.S.C. 2201 et seq.) is amended by adding at the end the following:

"SEC. 32. DENIAL OF FUNDS FOR CERTAIN PROJECTS.

"(a) IN GENERAL.—

"(1) No funds provided under this Act may be used to fund any project which uses any product or service of a foreign country during any period in which such foreign country is listed by the United States Trade Representative under subsection (c) of this section.

"(2) Paragraph (1) of this subsection shall not apply with respect to the use of product or service in a project if the Secretary determines that—

"(A) the application of paragraph (1) to such product, service, or project would not be in the public interest;

"(B) products of the same class or kind as such product or service are not produced or offered in the United States, or in any foreign country that is not listed under subsection (c) of this section, in sufficient and reasonably available quantities and of a satisfactory quality; or

"(C) exclusion of such product or service from the project would increase the cost of the overall project contract by more than 20 percent.

"(b) DETERMINATIONS.—

"(1) By no later than the date that is 30 days after the date on which each report is submitted to the Congress under section 181(b) of the Trade Act of 1974 (19 U.S.C. 2241(b)), the United States Trade Representative shall make a determination with respect to each foreign country of whether such foreign country—

"(A) denies fair and equitable market opportunities for products and suppliers of the United States in procurement; or

"(B) denies fair and equitable market opportunities for United States bidders,

for construction projects that cost more than $500,000 and are funded (in whole or in part) by the government of such foreign country.

"(2) In making determinations under paragraph (1) of this subsection, the United States Trade Representative shall take into account information obtained in preparing the report submitted under section 181 of the Trade Act of 1974 and such other information as the United States Trade Representative considers to be relevant.

"(c) LISTING OF FOREIGN COUNTRIES.—

"(1) The United States Trade Representative shall maintain a list of each foreign country with respect to which an affirmative determination is made under subsection (b) of this section.

"(2) Any foreign country that is added to the list maintained under paragraph (1) of this subsection shall remain on the list until the United States Trade Representative determines that such foreign country does permit the fair and equitable market opportunities described in subsection (b)(1) (A) and (B) of this section.

"(3) The United States Trade Representative shall annually publish in the Federal Register the entire list required under paragraph (1) of this subsection and shall publish in the Federal Register any modifications to such list that are made between annual publications of the entire list.

"(d) DEFINITIONS.—For purposes of this section—

"(1) Each foreign instrumentality, and each territory or possession of a foreign country, that is administered separately for customs purposes shall be treated as a separate foreign country.

"(2) Any article that is produced or manufactured (in whole or in substantial part) in a foreign country shall be considered to be a product of such foreign country.

"(3) Any service provided by a person that is a national of a foreign country, or is controlled by nationals of a foreign country, shall be considered to be a service of such foreign country.".

S. 1184, AIRPORT AND AIRWAY FACILITIES EXPANSION ACT OF 1987

(To authorize funding for the Federal Aviation Administration's Airport Improvement Program, modernization of air traffic control system, and supporting research and development efforts for Fiscal Years 1988-1990)

AIR TRAFFIC CONTROLLERS

Requires the FAA to hire an additional 1,000 air traffic controllers by the end of Fiscal Year 1988, increasing total staffing to 16,000.

Permanently continues the contract air traffic control tower program, increasing safety at a number of airports with temporarily closed air traffic control towers.

AIRPORT IMPROVEMENT PROGRAM

Increases AIP funding by 60 percent—from $1.0 billion in 1987 to $1.6 billion in FY 1988, up to $1.8 billion in 1990.

Retains current statutory formulas with following exceptions:

1. Establishes a set-aside of $250 million for critical airport capacity projects;

2. Creates a formula grant program for the top 39 airports serving as hubs for all-cargo air service. Currently, funds are allocated only on numbers of passengers enplaned at each airport; and

3. Doubles the amount of funding for noise abatement projects, from $80 million annually to $160 million.

Allows primary and reliever airports to expedite construction of critical capacity projects by beginning prior to final FAA approval, with eligible costs to be reimbursed by the FAA.

Makes an additional 160 small commercial service airports eligible for AIP formula grants by lowering the minimum enplanement level for primary airports to 10,000 passengers.

Increases the minimum amount any primary airport can receive in a year from $200,000 to $300,000, and the maximum the largest, most congested airports can receive from $12.5 million to $16 million.

Removes the current limitation on use of AIP funds for terminal development, still requiring an airport to certify that it has met its safety and security requirements.

Denies AIP funds to any airport project using foreign materials or services if the foreign country does not allow fair and equitable market opportunities for U.S. bidders.

FACILITIES AND EQUIPMENT

Authorizes funding for FAA's 10-year program to modernize the air traffic control system (known as the National Airspace System Plan—or NAS Plan), for $1.5 billion in FY 1988, $1.5 billion in FY 1989, and $1.75 billion in FY 1990.

This nearly doubles current funding to allow for the replacement of aging air traffic control computers, navigational aids, and communications systems.

RESEARCH, ENGINEERING AND DEVELOPMENT

Authorizes $200 million in FY 1988 and 1989, increasing to $225 in 1990 for FAA research and development activities.

Specific language requires that, in addition to R&D work on the new air traffic control system equipment, no less than $25 million annually must be allocated to R&D for airport capacity expansion.

FAA OPERATIONS MAINTENANCE

Allows continued use of revenues from Airport and Airway Trust Fund for up to 50 percent of FAA operational expenses. Statutory penalties remain in place, to encourage full funding of the Airport Improvement Program and the NAS Plan.

AVIATION USER TAXES

In a separate bill, will extend taxes for 5 years at current levels. However, if surplus of Trust Fund is not drawn down beyond a yet to be specified level by FY 1991 (in conjunction with the Congressional Budget Office), tax levels will be reduced.

By Mr. FORD (for himself and Mr. ROCKEFELLER):

S. 1185. A bill to amend the Mineral Lands Leasing Act of 1920, as amended, and for other purposes; to the Committee on Energy and Natural Resources.

FEDERAL COMPETITIVE COAL LEASING AMENDMENTS ACT

Mr. FORD. Mr. President, today I, along with Senator ROCKEFELLER, am introducing legislation which will encourage U.S. companies to develop Federal coal reserves already under lease. The legislation will address problems resulting from the importation of foreign coal into the United States, including adverse effects on the domestic coal industry, displacement of jobs domestically, and deferred development of Federal coal leases.

Coal is our Nation's most abundant mineral resource, yet the United States continues to import coal from foreign sources. Today, our country imports coal from Colombia, Canada, and Australia.

In Colombia, Carbocol—a Colombian Government owned coal company—and Intercor—a wholly-owned subsidiary of Exxon—have jointly developed El Cerrejon North, one of the world's largest surface coal mines, investing some $3.2 billion over a 10-year period since 1976. El Cerrejon North is expected to reach a full production level of about 16.5 million tons by 1989, but has the potential to double that level by 2000 by developing a second pit.

Imports of such foreign coal adversely affect domestic coal, particularly in the east and gulf coast markets, where our coal is put to a competitive disadvantage. Lower foreign production costs and high rail transportation rates in the United States contribute to this problem.

For example, the Florida Power Corp. is receiving 550,000 tons of Cerrejon North coal each year pursuant to a 4½-year contract. Jacksonville Electric Authority is receiving 800,000 tons of Cerrejon North coal annually under a 10-year contract. Virginia Power Co. has received shipments of Colombian coal for test burning.

According to the Energy Information Agency [EIA], Colombian coal is projected to displace 2.5 million tons of Kentucky coal—600 miners' jobs—and 0.3 million tons of West Virginia coal in 1995. Canadian coal is projected to displace 1.1 million tons of Utah coal—230 miners' jobs—1 million tons of Wyoming coal and 0.1 million tons of Washington coal.

Our bill responds to this disturbing situation. It would prohibit the Secretary of the Interior from issuing a competitive coal lease, or approving the assignment of any such lease, to any corporation or similar entity that is a subsidiary of, affiliated with, or controlled by or under common control with an entity engaged in the production of foreign reserves for importation into this country. In short, U.S. companies undertaking such overseas activities could not acquire additional Federal competitive coal leases. Companies developing foreign reserves would thus not be eligible to obtain, for development, additional federally owned reserves in our country.

I ask unanimous consent that the text of the bill be inserted in the Congressional Record following my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be referred to as the "Federal Competitive Coal Leasing Amendments Act of 1987."

Sec. 2. Section 2(a) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 201(a)), as amended by Section 3 of the Federal Coal Leasing Amendments Act of 1976 (30 U.S.C. 201(a)), is further amended by adding a new paragraph (4) as follows:

"(4) The Secretary shall not issue a competitive coal lease or competitive coal leases under the terms of this Act, nor may the Secretary consent to the assignment of any such lease or leases, to any person, association, corporation, or any subsidiary, affiliate, or persons controlled by or under common control with such person, association, or corporation, where any such entity is engaged in the extraction or production of coal reserves in a foreign country for importation into the United States."

Mr. ROCKEFELLER. Mr. President, I rise to strongly and unequivocally support the legislation by the Senator from Kentucky and would ask to become a cosponsor. It is a measure similar to an amendment approved by the Senate Energy Committee last year—and which I cosponsored and supported—but which never saw floor action.

Mr. President, the Congress has been studying, and those of us from coal country have been worrying about, coal imports. What we may be seeing are early symptoms of the malady that has afflicted so many American industries—import saturation. At first a trickle of imports—and skepticism about whether we should take action. And then, signs of potential danger.

Does anyone doubt, that if we could turn back the clock in the steel industry, that we would have done more to protect our domestic industry and our American workers?

Mr. President, the experts tell us that between now and 1990, we face the potential import of between 5 and 17 million tons of coal. Perhaps a small number in the scheme of all that we produce, but very significant, and very damaging to those coal communities that are barely hanging on while they seek new markets here and abroad. And with all due respect to the experts, I'm afraid their prediction is understated.

Mr. President, some of the most promising new and expanding markets for West Virginia and Appalachian coal—Florida, the gulf coast, and areas up and down the east coast—are among those targeted by foreign coal producers. At first it appeared that the only threat would come from Colombia, but recent news reports show that Australian coal may be purchased in the gulf coast in the not too distant future. How long will it be before coal comes from China?

Coal imports pose a serious threat to the Appalachian coal industry, but they will also have an impact in Wyoming and Montana, and perhaps even on the emerging industry in Alaska. We must take this threat seriously and we should act now to stem the tide.

Mr. President, Senator Ford's legislation is about American jobs and about American workers. It is a small measure of protection to those coal miners who work so hard and under such hazardous conditions.

The amendment is a strong message to American companies who might be producing, or planning to produce coal abroad for import into the United States. The message is plain and simple: If you plan to take our jobs and move them overseas, if you plan to ignore our own potential coal reserves, and if you target American markets with your product, then it is the policy of the U.S. Government to deny you the benefit of access to Federal coal lands.

Mr. President, some will call this the anti-Exxon amendment; but it could just as well have been Shell Mining or Consolidation Coal or Peabody. They are companies out to make a profit—we would hope that they would see a responsibility to American workers, but fundamentally it is our job to encourage them to do it in the United States.

To date, however, the policy of the U.S. Government has not discouraged, but rather has encouraged coal imports. The $850 million Export-Import Bank loan for the Colombian project is a clear indicator of policy gone astray. The Exim loan may provide some measure of benefit for the equipment manufacturers in California and New York and Texas, but it does nothing for the hard working coal miners of West Virginia who suddenly are without work.

Mr. President, this has got to stop, and the legislation of Senator Ford is a start. I urge my colleagues to support it.

By Mr. METZENBAUM:

S. 1186. A bill to amend the Internal Revenue Code of 1986 to limit the fee a real estate broker may charge for preparing an information return in a noncommercial real estate transaction; to the Committee on Finance.

LIMITATION ON FEE FOR REPORTING REAL ESTATE TRANSACTIONS TO THE INTERNAL REVENUE SERVICE

● Mr. METZENBAUM. Mr. President, today I am introducing legislation that will limit the amount closing agents may charge for reporting real estate transactions to the IRS.

To improve taxpayer compliance, the Tax Reform Act of 1986 requires the person responsible for closing a real estate transaction to file certain information with the IRS. In order to comply with this provision, a broker is required to report the sale on a 1099 form.

Mr. President, this provision of the Tax Reform Act does not impose a complicated set of new reporting rules. It does not impose a voluminous recordkeeping burden. Instead, it broadens the filing requirements for brokers who are already very familiar with the 1099 form.

Mr. President, recently, several real estate brokers from Ohio brought to my attention a disturbing practice. Unfortunately, a number of brokers are taking advantage of the new reporting requirements by charging inordinate amounts for filing the simple 1099 form. Certain closing agents charge as much as $100 for filing this form, while other agents charge nothing at all.

My bill would redress this inequitable situation by limiting to $5 the amount any closing agent could charge for filing such a form. I believe this limitation will prevent brokers from imposing an unwarranted penalty on American homeowners and from exploiting the new reporting requirements for personal gain.

If we do not thwart this injustice now, it will get worse and worse. We should not tolerate any attempt to take advantage of a provision originally designed to promote better tax compliance. I urge my colleagues to support this measure.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1186

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIMITATION ON FEE CHARGED FOR RETURN PREPARATION IN THE CASE OF NONCOMMERCIAL REAL ESTATE TRANSACTIONS.

(a) IN GENERAL.—Subsection (e) of section 6045 of the Internal Revenue Code of 1986 (relating to returns of brokers) is amended by adding at the end thereof the following new paragraph:

"(3) LIMITATION ON FEE CHARGED FOR RETURN PREPARATION.—In the case of any real estate transactions involving a dwelling unit used as a residence by a customer (within the meaning of section 280A(d)(1)), a real estate broker shall not charge such customer a separately stated fee in excess of $5 for the preparation of the return and statement required under paragraph (1).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns the due date for which (determined without regard to extensions) is after the date of the enactment of this Act.●

By Mr. PRYOR (for himself and Mr. ARMSTRONG):

S. 1187. A bill to amend the Internal Revenue Code of 1954 to conform the treatment of residential lot interest expenses to current law treatment of second home interest expense; to the Committee on Finance.

RESIDENTIAL LOT INTEREST EXPENSE CONFORMING ACT

● Mr. PRYOR. Mr. President, I am introducing a bill today to conform the treatment of residential lot interest expense to the current law treatment of interest expense incurred for second home purchases.

My bill will address an obvious inequity for those taxpayers purchasing residential lots for the purpose of building a second home sometime in the future. Under the new Internal Revenue Code of 1986, a taxpayer may deduct interest expense incurred to purchase both a principal residence and a second home. However, if a taxpayer cannot afford to purchase a second home immediately, but can purchase a residential lot with the expectation of building in the future, the interest incurred on this purchase is not deductible.

The bill I introduce today will allow a taxpayer to designate a residential lot as a qualified second residence in order to deduct interest incurred on such purchase. If the taxpayer subsequently uses the lot in a trade or business or as an investment, he will have to recapture in income any deductions taken in prior years.

Mr. President, this bill will provide a measure of fairness to those lower middle-income taxpayers, many of them contemplating retirement, who purchase a lot with the expectation of building a second residence thereon. I urge my colleagues to join me in support of this legislation. I ask unanimous consent that a copy of the legislation be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1954 CODE.

(a) SHORT TITLE.—This Act may be cited as the "Residential Lot Interest Expense Conforming Act of 1987".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. CONFORMING RESIDENTIAL LOT INTEREST EXPENSE TO TREATMENT OF SECOND HOME INTEREST GENERALLY.

(a) IN GENERAL.—Section 163(h)(5) is amended by adding the following subsection at the end thereof:

"(C) SPECIAL RULE FOR RESIDENTIAL LOTS.—For purposes of this subsection—

"(i) IN GENERAL.—A residential lot (within the meaning of clause (ii)) shall be treated as qualified residence.

"(ii) The term 'residential lot' means any lot—

"(I) which would constitute a residence within the meaning of section 1034 if a dwelling unit were located on the lot,

"(II) which is selected by the taxpayer for purposes of this subsection for the taxable year,

"(III) which is not used by the taxpayer in a trade or business or held by the taxpayer for investment, and

"(IV) which the taxpayer purchases for purposes of building a dwelling unit thereon.

"(iii) RECAPTURE.—If—

"(I) any lot is treated as a qualified residence under this subsection in any year, and

"(II) the condition contained in subsection 163(h)(5)(C)(ii)(III) is not met in any taxable year, the taxpayer's gross income shall be increased in the year that such condition fails to be met by the amount of any interest that was treated as interest on a qualified residence in prior years.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to all taxable years beginning before, on or after December 31, 1987.●

● Mr. ARMSTRONG. Mr. President, I join my colleague, Senator PRYOR, in the sponsorship of this legislation to clarify the status of residential lots as being eligible for consideration as "second homes" under some circumstances. This is significant for tax reasons as interest expense on second homes is fully deductible both for past and future purchases of second homes.

The Tax Reform Act of 1986 did not classify residential lots as second homes even when taxpayers are intending or are committed to build a residence on the property. Many taxpayers have purchased property in order to build a second home but have found it necessary to stagger the purchase of the land and the building of the residence because of the financial demands. A recent survey among owners of recreation and retirement properties found that their estimated household income at the time of purchasing the property was $37,900. This legislation makes it clear that if the land and property would otherwise qualify for second home tax treatment if purchased together, that the land should also qualify if it is purchased alone.

Last year's tax legislation failed to treat existing recreational property owners equitably, in my opinion, because their ability to claim interest deductions will be phased out or limited over the next several years. Relying on then existing law they have made a purchase of property where interest expense was deductible and in the taxpayers' opinion it should have qualified as a second home.

The policy decision made by the Congress last year was to give favorable tax treatment to second homes in the way of full deductibility of interest expense. If, then, residential lots can be appropriately defined in a manner that conforms to the definition of a qualified second home, there appears to be little reason that they should not be similarly treated for tax purposes.

This legislation proposes conditions under which residential lots would qualify as second homes. These conditions require that the residential lot would otherwise qualify as second residence if a dwelling unit were located on the property; the lot is not used in a trade or business or held for investment purposes and; the taxpayer intends to build on the lot. If for any reason any of these conditions no longer apply all interest expense that was deducted would have to be recaptured and brought into income that year.

Many people who have or hope to have vacation or recreation lots in Colorado and across the Nation are hopeful that the Congress can rectify this shortcoming in last year's tax legislation.

I urge my colleagues to cosponsor this legislation.●

By Mr. SYMMS:

S. 1188. A bill to amend the Internal Revenue Code of 1986 to allow certain associations of football coaches to have a qualified pension plan which includes a qualified cash or deferred arrangement; to the Committee on Finance.

401(K) PLANS FOR CERTAIN ASSOCIATIONS OF FOOTBALL COACHES

Mr. SYMMS. Mr. President, today I am introducing legislation that will allow the establishment of a 401(k) retirement plan for college football coaches. This bill is a companion measure to Representative DUNCAN's H.R. 1093. The 401(k) plan allows individuals to move from one organization to another without losing accrued retirement benefits.

At a time when we hear more discussion of portable pensions, the 401(k) plan provides the mobility a roving career needs. Whether or not they have to constantly change jobs, college football coaches should be able to have the security of a retirement fund that continues without change.

College football coaches sometimes have little job security. The average life of a football coach's position is 2.8 years. This is often not on account of their ability. Fred Akers provided the University of Texas with a successful program for a number of years. Yet, last year, Coach Akers moved on to a new position at Purdue University. I can only say "Watch out!" to Purdue's Big Ten rivals this year.

Mr. president, Coach Akers' situation is only the most celebrated recent case. Job security is not very common among coaches. Assistant coaches, in particular, are vulnerable. Assistant coaches are dependent for their positions on the head coach. The turnover of head coaches usually means several assistant coaches will also be forced to find a new position. While the head coach may have a golden parachute provided by the alumni, the assistant coaches rarely do.

The assistant coaches at the University of Idaho wrote me and asked that I introduce this companion legislation. I am proud to introduce this bill because I want to provide a little security for those fine young people, who are good role models for the young students at our Nation's universities.

Mr. President, every Member of this body has a 4-year school with a football program in his State. I urge my colleagues to cosponsor this legislation and help their coaches.

By Mr. MELCHER:

S. 1189. A bill to amend the Older Americans Act of 1965 to authorize grants to States for demonstration projects that provide to older individuals services in return for certain volunteer services provided to other individuals; to the Committee on Labor and Human Resources.

VOLUNTEER SERVICE PROMOTION ACT

● Mr. MELCHER. Mr. President, to promote greater independence and improve the quality of life for millions of America's senior citizens, I am today introducing the "Volunteer Service Promotion Act of 1987."

This bill will permit the elderly to receive credits for volunteering services now that they can cash in for similar services in the future. And it will use one of this country's greatest resources, its volunteers, to help meet the challenge of the coming "senior boom."

Under this legislation, States will select and train volunteers to provide homemaker services, respite care for families and adult day care, as well as educational, transportation and delivery services to designated beneficiaries. In return, these volunteers will have the right to receive similar services when they become elderly. In addition, these credits may be transferred to others.

This bill will amend the Older Americans Act to authorize annual grants over a 5-year period to as many as 20 States to fund a variety of demonstration projects. The grants will be distributed to ensure projects are developed in all regions of the United States, including rural and urban areas.

The bill will require the Administration on Aging to set aside between $8 to $20 million from its demonstration-project account to promote these programs.

In these times of fiscal duress, with both the cost of health care and the numbers of elderly on the rise, it is imperative that Congress develop cost-effective new ways to supplement current programs. I believe service-credit programs, like this one, are an excellent way to reach that goal.

I hope the Senate will recognize the value of mobilizing the great volunteer strength in America and take quick action on this important bill.●

By Mr. LUGAR:

S. 1190. A bill to recover costs of providing services to farmer cooperatives and groups of producers; to the Committee on Agriculture, Nutrition, and Forestry.

RECOVERY OF FUNDS OF THE AGRICULTURAL MARKETING SERVICE

● Mr. LUGAR. Mr. President, on the behalf of the Department of Agriculture's Agricultural Cooperative Service, I am introducing by request a bill in support of President Reagan's fiscal year 1988 budget to recover the costs of the activities of the Agricultural Cooperative Service [ACS]. In addition, this bill also has the effect of authorizing the collection of fees for wholesale market development work conducted under the Agricultural Marketing Act of 1946 by the Agricultural Marketing Service.

The ACS does research for and provides technical assistance to farmer-owned cooperatives and groups of farmers interested in organizing new cooperatives. The ACS carries out major functions authorized by Congress in the Cooperative Marketing Act of 1926. Its missions include:

Providing technical assistance to cooperatives and boards of directors;

Assisting groups of farmers: fishermen, and rural craft producers interested in organizing new cooperatives;

Conducting research or cooperative related issues and policies;

Collecting cooperative statistics; and

Disseminating educational information on cooperative practices and principles.

The Wholesale Market Development Program, which is authorized under section 203(i) of the act of 1946, is designed to improve the marketing of agricultural commodities through: first, the planning of new or improved wholesale food facilities; second, the identification and correction of economic and engineering problems relative to food processing and distribution facilities and operations; and third, evaluating problem areas and developing new technologies aimed at reduced market costs and improved marketing efficiency. Although not directed specifically at cooperatives, these activities are conducted under the same statutory authority as the ACS activities and thus should likewise be included in the fee provision.

I ask unanimous consent that the transmittal letter and a copy of the proposed legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, in order to recover the costs of carrying out the provisions of subsections 203 (b), (e), (i), (m) and (n), of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622 (b), (e), (i), (m), (n)), and section 3 of the Act of July 2, 1926, 44 Stat. 802, 7 U.S.C. 453, effective October 1, 1987, the Secretary of Agriculture shall prescribe and collect fees from those who obtain services or assistance under said subsections. Upon failure to pay such fees, the Secretary shall assess a late payment penalty and such overdue fees shall accrue interest as required by 31 U.S.C. 3717. Such fees, late payment penalties and accrued interest collected shall be credited to the account that incurs the cost and shall remain available without fiscal year limitation to pay the expenses incurred by the Secretary in carrying out the provisions cited in this Act. The Attorney General may bring an action for the recovery of charges which have not been paid in accordance with this Act against any person or entity obligated for payment in any United States district court or other United States court for any territory or possession in any jurisdiction in which such person or entity is found or resides or transacts business, and such court shall have jurisdiction to hear and decide such action.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 10, 1987.
Hon. GEORGE H. W. BUSH,
President, U.S. Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a draft bill "To recover the costs of carrying out the wholesale market development program."

The Department of Agriculture recommends enactment of this proposed legislation which is submitted in support of the President's FY 1988 Budget.

The wholesale market development program, which is authorized pursuant to section 203(i) of the Agricultural Marketing Act of 1946, is designed to improve the marketing of agricultural commodities through (1) the planning of new or improved wholesale food facilities, (2) the identification and correction of economic and engineering problems relative to food processing and distribution, facilities and operations, and (3) evaluating problem areas and developing new technologies aimed at reduced market costs and improved marketing efficiency.

Upon request, typically from State or local government agencies, the Agricultural Marketing Service (AMS) analyzes State and local marketing needs and provides technical assistance and recommendations for improving wholesale market facilities in metropolitan areas and at points of product origin. AMS maintains a highly-skilled staff of industrial engineers, agricultural economists, and agricultural marketing specialists to proide this assistance to State and local government or other entities. Their expertise as a leading authority in wholesale food market planning has long been recognized in cities throughout the U.S. and the world. Based on studies conducted by AMS, plans for new or improved facilities are developed, including location and cost, as well as savings and benefit evaluations. These facilities often play a major role in metropolitan areas in getting food to consumers in the best possible condition. They also help eliminate waste and increase efficiency at shipping points. Inadequate facilities of this type often result in poor product quality, increased spoilage, and added handling costs. This reduces farm income and increases consumer prices.

In view of the special identifiable benefits which accrue to specific localities as a result of this federally financed activity, we believe it is in the public's interest to convert the program to a cost-recovery basis. Fairness demands that the general taxpayer no longer bear these costs.

Under the proposed bill, the Secretary of Agriculture would be required to recover the costs of providing such technical assistance on a project-by-project basis. Fees, late payment penalties, and accrued interest collected would be credited to the account that incurs the cost of providing such assistance, and remain available without fiscal year limitation.

Estimated costs to be recovered by AMS, and resulting savings to the taxpayer, would approximate $1.6 million in FY 1988. Any other related departmental costs that may be recovered would be in addition to this amount.

Enactment of this legislation would have no significant impact on the quality of the human environment.

An identical letter has been sent to the Speaker of the House.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 10, 1987.
Hon. GEORGE BUSH,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a draft bill "To recover costs of providing technical assistance to farmer cooperatives and groups of producers."

The Department of Agriculture recommends enactment of this draft bill.

This legislative proposal is submitted in support of the President's fiscal year 1988 budget and provides for recovery of costs of carrying out the services of the Agricultural Cooperative Service (ACS).

In response to requests from cooperative boards of directors or steering committees representing groups of farmers interested in organizing new cooperatives, the ACS provides feasibility analyses, merger and other organizational studies, strategic assessment and planning, and review of operations and performance of the full range of cooperative activities.

The Department proposes to recoup the costs for providing such services through an assessment on the cooperatives and/or groups obtaining assistance. In view of the special identifiable benefits which accrue to the agricultural industry for this type of service, we believe that it is in the public's interest to convert the program to a cost-recovery basis. Fairness demands that the general taxpayer no longer bear these costs.

Under the proposed bill any fees, late payment penalties and accrued interest collected would be credited to the account that incurs the cost and would remain available without fiscal year limitation.

Estimated costs to be recovered by ACS in fiscal year 1988, and resulting savings to the taxpayer, are $3.769 million. Any other related Departmental costs that may be recovered would be in addition to this amount.

Enactment of this legislation would have no significant impact on the quality of the human environment.

An identical letter has been sent to the Speaker of the House.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS,
Acting Secretary.●

By Mr. LUGAR:

S. 1191. A bill to amend the Plant Variety Protection Act to provide for the credit of fees collected to the account that incurs the cost of carrying out the act; to the Committee on Agriculture, Nutrition, and Forestry.

S. 1192. A bill to recover costs of establishing standards and specifications for agricultural products; to the Committee on Agriculture, Nutrition, and Forestry.

OPERATIONS OF THE AGRICULTURAL MARKETING SERVICE

● Mr. LUGAR. Mr. President, I am introducing today by request two bills relative to the operations of the U.S. Department of Agriculture's Agricultural Marketing Service [AMS].

The first bill, to amend the Plant Variety Protection Act, would change the manner in which fee collections from that program are deposited. The Plant Variety Protection Program is fee funded at this time; however, any income derived under current law must be deposited to miscellaneous receipts of the Treasury. Under this type of arrangement, AMS must obtain operating funds through the annual appropriations process. The legislation which I am offering in behalf of the administration establishes a plant variety protection user fee account to which fees, late payment penalties, and accrued interest collected may be deposited and credited, thus eliminating the need for annual appropriations. The Department of Agriculture believes that this process is totally unnecessary since applicants are paying the cost of the program. Other user fee programs administered by AMS are not subjected to the annual appropriations process.

The Plant Variety Protection Program, in which participation is entirely voluntary, provides patent-like protection for a period of 18 years to developers of new varieties of plants. Since the Plant Variety Protection Act was passed in 1970, protection has been made available to more than 350 species of plants which include field crops, vegetable crops, and ornamentals. An applicant seeking protection now pays a $2,000 fee. Once the variety is approved by the Department of Agriculture as being a novel variety, the applicant is granted a certificate of protection, or exclusive property rights to sell, advertise, or license others to sell seed of the novel variety.

Mr. President, the administration's bill will not increase fees for the Plant Variety Protection Program. As I have indicated, it will merely give AMS the ability to manage this program in the same manner as it does other fee situations.

The second bill, submitted by the Department in support of its fiscal year 1988 budget request, would require the Secretary of Agriculture to recover the costs of the standardization and specification activities which AMS carries out for the various commodities—red meats—cattle, sheep, swine—poultry, eggs, grain dairy products, fruits, vegetables, cotton, tobacco, naval stores and wool. These costs now amount to about $4.5 million and would be recovered by assessment of fees' upon users of the grading programs. This would represent an average grading fee increase of about 3.5 percent.

AMS develops, reviews, and maintains agricultural commodity standards that describe product quality attributes. U.S. grade standards and specifications are used extensively in marketing farm products, and, in most instances, are voluntary. I understand there are some States and localities, as well as the commodity futures markets, that require the use of certain standards or specifications in their areas. U.S. grade standards and specifications are the basis of Federal and Federal-State grading and market reporting services, and manufacturers and packers often use them to establish quality control systems.

The use of standards, for the most part, is completely voluntary. Agriculture producers, handlers, and buyers request that standards for their commodities be developed because they realize that special identifiable benefits will accrue to their industry. These benefits take the form of increased buyer and consumer confidence in their product, increased interstate and foreign trade, and through these and other benefits, higher returns.

Mr. President, I ask unanimous consent that the transmittal letters and both proposed bills which the Department forwarded to Congress on February 11, 1987, be printed in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1191

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective October, 1, 1987, Section 31 of the Plant Variety Protection Act (7 U.S.C. 2371)) is amended to read:

"SEC. 31. (a) The Secretary shall assess fees upon applicants for certificates of Plant Variety Protection in order to recover the costs of carrying out the provisions of this Act. Upon failure to pay such fees, the Secretary shall assess a late payment penalty and such overdue fees shall accrue interest as required by 31 U.S.C. 3717. Such fees, late payment penalties, and accrued interest collected shall be credited to the account that incurs the cost and shall remain available without fiscal year limitation to pay the expenses incurred by the Secretary in carrying out the provisions of this Act. The Attorney General may bring an action for the recovery of charges which have not been paid in accordance with this Act against any person obligated for payment of such charges under this Act in any United States district court or other United States court for any territory or possession in any jurisdiction in which such person is found or resides or transacts business, and such court shall have jurisdiction to hear and decide such action.

"(b) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act."

S. 1192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, effective October 1, 1987, the Secretary of Agriculture shall prescribe and collect fees to recover the costs of carrying out the provisions of subsections (c) and (1) of section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(c), (1)), section 6 of the United States Cotton Standards Act (7 U.S.C. 56, 57, 57a), sections 3, 4, and 5 of The Tobacco Inspection Act (7 U.S.C. 511b-d), sections 3, 4, and 8 of the Naval Stores Act (7 U.S.C. 93, 94, 98), and the Act of May 17, 1928, 45 Stat. 593-594 (7 U.S.C. 415b-d) relating to wool standards. Such costs shall be recovered by assessment of fees upon users of the grading programs provided pursuant to these Acts. Upon failure to pay such fees, the Secretary shall assess a late payment penalty and such overdue fees shall accrue interest as required by 31 U.S.C. 3717. Such fees, late payment penalties, and accrued interest collected shall be credited to the accounts that incur the cost and shall remain available without fiscal year limitation to pay the expenses incurred by the Secretary in carrying out the provisions cited in this Act. The Attorney General may bring an action for the recovery of charges which have not been paid in accordance with this Act against any person obligated for payment of such charges under this Act in any United States district court or other United States court for any territory or possession in any jurisdiction in which such person is found or resides or transacts business, and such court shall have jurisdiction to hear and decide such action.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 11, 1987.
Hon. GEORGE H.W. BUSH,
President, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a proposed bill "To amend the Plant Variety Protection Act to provide for the credit of fees collected to the account that incurs the cost of carrying out the Act."

The Department of Agriculture recommends enactment of the proposed legislation.

The Plant Variety Protection Act (PVPA), enacted December 24, 1970, provides patent-like protection for a period of 18 years to developers of new varieties of plants which are reproduced by seeds. Protection under the PVPA is currently available to more than 350 species of plants which include field crops, vegetable crops, and ornamentals. Participation is entirely voluntary.

Plant variety protection certificates are granted on the basis of novelty as documented in the breeder's application. Information provided by the breeder is stored and maintained in a computerized data base, along with descriptive characteristics of all known varieties, protected and non-protected. Such information is utilized by the Plant Variety Protection Office in the search process in order to determine if the variety described in the application is unique.

From the time regulations implementing the PVPA were promulgated in November 1972 until November 1982, a fee of $750 was charged to those granted certificates of protection, or exclusive property rights to sell, advertise, or license others to sell seed of a novel plant variety. The fee was increased to $1,500 in November 1982 and again in March 1984 to $2,000. These fees are currently deposited to miscellaneous receipts of the Treasury as required by law and are unavailable to the Department to help offset the cost of the program. Since its inception the program has been funded by annual appropriations.

Under this bill, breeders of novel varieties of sexually-reproduced plants would continue to be charged a fee for protection under the Act. Fees, late payment penalties, and accrued interest collected would be credited to the account that incurs the cost. Such receipts would remain available without fiscal year limitation for program expenditures.

In view of the special identifiable benefits which accrue to breeders from this type of protection, we believe it is in the public's interest to maintain the program on a cost-recovery basis. Fairness demands that the general taxpayer not bear these costs. Further, user charges are assessed for patent protection granted by the Patent and Trademark Office for novel asexually-reproduced varieties.

We have taken steps to minimize the cost of this program and intend to maintain the fee at $2,000 per application. Minimizing the cost has been achieved by reducing the amount of search time as well as the volume of information stored in the computer base. These and similar measures recommended by the PVP Board which are being implemented are expected to result in improved program efficiency and productivity, and offer recipients the same degree of protection without placing an unfair burden on the taxpayers.

This proposed legislation will not increase the Department's outlays in FY 1988. Estimated costs to be recovered by the Agricultural Marketing Service in FY 1988 and resulting savings to the taxpayer would be $380,000. Any other related departmental costs that may be recovered would be in addition to this amount.

A similar letter has been sent to the Speaker of the House.

This legislation would have no significant effect on the quality of the human environment.

The Office of Management and Budget advises that enactment of this legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, February 11, 1987.
Hon. GEORGE H.W. BUSH,
President, U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: Enclosed for consideration by the Congress is a draft bill "To recover costs of establishing standards and specifications for agricultural products."

The Department of Agriculture recommends enactment of this proposed legislation which is submitted in support of the President's FY 1988 Budget.

The Agricultural Marketing Service (AMS) of the Department develops, reviews, and maintain agricultural commodity standards and specifications that describe product quality attributes such as taste, color, texture, yield, weight, and physical condition. U.S. grade standards and specifications are used extensively in marketing farm products and are developed for red meats (cattle, sheep, swine), poultry, eggs, grain, dairy products, fruits, vegetables, cotton, tobacco, naval stores, and wool. In most instances, the use of such standards and specifications is voluntary; however, some States and localities, as well as commodity futures markets, require the use of certain standards or specifications in their areas. U.S. grade standards and specifications are the basis of the Federal and Federal-State grading and market reporting services. Manufacturers and packers often use them to establish quality control systems. In view of the special identifiable benefits which accrue to the agricultural industry from this federally financed activity, we believe it is in the public's interest to convert the program to a cost-recovery basis. Fairness demands that the general taxpayer no longer bear these costs.

Under the proposed bill, the Secretary of Agriculture would be required to recover the costs of the standardization and specification activities for the respective commodities. Fees, late payment penalties, and accrued interest collected would be credited to the accounts that incur the cost of providing these services. Such receipts would be available without fiscal year limitation.

Fees would be charged to users of the grading programs through increased grading fees for the respective commodities. Estimated costs to be recovered by AMS in FY 1988 and resulting savings to the taxpayer would be $4,467,000. Any other related departmental costs that may be recovered would be in addition to this amount.

This proposed legislation would have no significant impact on the quality of the human environment.

An identical letter has been sent to the Speaker of the House.

The Office of Management and Budget advises that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

PETER C. MYERS,
Acting Secretary.●

By Mr. MATSUNAGA:

S. 1193. A bill to add additional lands to the Kilauea Point Wildlife Refuge on Kauai, HI; to the Committee on Environment and Public Works.

KILAUEA POINT WILDLIFE REFUGE EXTENSION

Mr. MATSUNAGA. Mr. President, I am today introducing legislation which would authorize the Secretary of the Interior to acquire two parcels of property on the Hawaiian Island of Kauai for inclusion in the existing Kilauea Point Wildlife Refuge. My bill has been in the conceptual stage since last summer and I am pleased to report that it now has the support of nearly every individual who lives on my native island of Kauai. In the last 6 weeks alone, I have received some 250 letters supporting this proposal to extend the highly popular wildlife refuge.

Kilauea Point Wildlife Refuge is located on the north shore of the Island of Kauai, on a 31-acre site formerly occupied by the U.S. Coast Guard. A lighthouse was built there in the early 1900's. In 1974, the U.S. Fish and Wildlife Service leased vacant Coast Guard facilities for use as a wildlife administrative site so that the Hanalei and Huleia National Wildlife Refuges on Kauai could be monitored. In 1978, the Coast Guard vacated the site entirely, but continued to lease its facilities to the Fish and Wildlife Service until 1985, when the property was transferred to the Fish and Wildlife Service. The old lighthouse was designated a national historic landmark in 1979.

The wildlife refuge and surrounding area is the habitat of at least six species of seabirds, and sightings of dolphins, whales, sea turtles, and monk seals offshore are not unusual. Always popular with residents of Kauai, the wildlife refuge has, in recent years, become a favorite destination of visitors from the Continental United States, Canada, Japan, and Europe. While still under the management of the Coast Guard, in the early 1970's, Kilauea Point was visited by about 150 people a day. The number of visitors increased to 250 per day after the Fish and Wildlife Service made modest improvements aimed at enhancing observation and photography of the wild seabirds in 1974. In 1979 and 1980, interpretive displays were installed by the Fish and Wildlife Service, one of the former Coast Guard buildings was converted to a simple visitor center, a small parking lot was built, and a walking trail was established. Between 1980 and the present day, the number of visitors to the wildlife refuge increased to over 1,000 per day. More than 350,000 people visited Kilauea Point in 1985.

Because the three-person professional staff of the Fish and Wildlife Service at Kilauea Point was hard pressed to handle the rapidly increasing number of visitors, a corps of about 100 dedicated volunteers was assembled and trained to help interpret the wildlife, natural, and geological history of the area, and the cultural value of Kilauea Point to members of the general public. These volunteers have greatly enhanced the visitors' appreciation of the Kilauea Point Wildlife Refuge and, I might add, have made it possible for the Fish and Wildlife Service to extend the hours during which the refuge is open to the public without adding to its staff. This is but one example of the love that the people of Kauai have for the wildlife refuge.

Nevertheless, the explosive growth in the number of visitors to the refuge and the continuing development of the surrounding area have endangered the wild seabirds and their nests. My bill would enhance the protection of the wildlife in the refuge by authorizing the Federal Government to purchase two adjacent parcels of property: Crater Hill, comprising approximately 101.1 acres, and Mokolea Point, comprising about 37.6 acres. It further authorizes the Fish and Wildlife Service to build and maintain a protective fence and foot trails for use by visitors.

Mr. President, in conclusion, I wish to commend the Fish and Wildlife Service and the U.S. Department of the Interior for their tireless efforts over the years to protect the sea birds at Kilauea Point, and to make it possible for visitors to the refuge to have a truly unique and unforgettable experience. In my opinion, the extension of the wildlife refuge is overdue by several years, and I hope that my bill will be given expeditious consideration.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL LANDS.

(a) AUTHORIZATION.—The Secretary of the Interior is authorized to acquire certain additional lands adjacent to the Kilauea Point Wildlife Refuge on Kauai, Hawaii, which shall become part of the Kilauea Point Wildlife Refuge upon acquisition by the Secretary.

(b) DESCRIPTION OF LANDS.—The lands to be acquired pursuant to subsection (a) are—

(1) Crater Hill, comprising approximately 101.1 acres; and

(2) Mokolea Point, comprising 37.6 acres.

SEC. 2. CONSTRUCTION OF ACCESS FOOT PATH

Upon acquisition of the lands described in section 1, the Secretary of the Interior shall construct and maintain a fence and access foot trails through such lands in order to provide wildlife protection and public access to such lands. Any trails constructed pursuant to this section shall be constructed in a manner consistent with preserving the wild and scenic beauty of the wildlife refuge.

SEC. 3. AUTHORIZATION OF FUNDING.

There is hereby authorized to be appropriated to the Secretary of the Interior $8,000,000 to be used to acquire lands and construct trails pursuant to the provisions of this Act.

By Mr. DOMENICI:

S. 1194. A bill to transfer jurisdiction over certain lands in Bernalillo County, NM, from the General Services Administration to the Veterans' Administration; to the Committee on Governmental Affairs.

TRANSFER OF CERTAIN FEDERAL LAND

Mr. DOMENICI. Mr. President, today I am introducing legislation to transfer a 5-acre tract of land in Albuquerque, NM, from the General Services Administration [GSA] to the Veterans' Administration [VA]. The land will be used to provide much-needed parking at the Veterans' Administration Medical Center Albuquerque.

This tract was originally owned by the VA. In April 1974, the VA transferred the land to the State of New Mexico at no cost. The State of New Mexico intended to use the land as a highway corridor. The State subsequently modified its plans and decided not to use the parcel for a highway corridor. Last year, the State retransferred at no cost the tract to the GSA, the agency designated by law to receive property for the Federal Government.

In January 1986, the VA and the Air Force established a joint venture which will result in the relocation of the Kirtland AFB Hospital to the VA Medical Center. As part of this project, three new buildings need to be constructed.

The 5-acre parcel that this bill would transfer is urgently needed to provide parking for VA employees and patients. Construction on the new facilities is to begin August. During the construction period, which will take many years, a good portion of existing parking on the VA campus will be lost to construction activity. The land is needed to overcome the anticipated parking shortage during construction and to provide sufficient long-term parking when the new facilities are in place.

The VA has requested that the GSA transfer the property back to the VA. Although the GSA is willing to do so, it is requesting that the VA pay $540,000 for the tract. The VA does not have the funds in its budget to pay for the land. The VA has inquired of OMB whether OMB would waive the payment for the land, but OMB has refused to do so.

Mr. President, this is a simple matter of transferring a small tract of land from one agency of the Federal Government to another. Fairness dictates that the transfer of the land back to the VA done at no cost, as the VA originally transferred it to the State of New Mexico at no cost. Furthermore, this transfer would cost the GSA nothing, since it received the land from the State for free. This transfer needs to be done quickly because of impending construction. I hope that the Congress will enact this measure quickly.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1194

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assemblied, That (a) the real property described in subsection (b) shall be transferred without compensation or reimbursement from the control and jurisdiction of the General Services Administration to the control and jurisdiction of the Veterans' Administration.

(b) The real property referred to in subsection (a) is a tract of land located in the NW ¼ of section 39, Township 10 North, Range 3 East, New Mexico Principal Meridian, consisting of 5.081 acres, more or less, in Bernalillo County, New Mexico, such property being that same property that—

(1) was formerly part of the Veterans' Administration Medical Center, Albuquerque, New Mexico;

(2) was transferred to the State of New Mexico at no cost for use as a highway corridor in 1974; and

(3) was subsequently retransferred by the State of New Mexico to the Gereral Services Administration at no cost.

By Mr. CRANSTON (for himself, Mr. Murkowski, Mr. Matsunaga, Mr. DeConcini, Mr. Mitchell, and Mr. Rockefeller):

S. 1195. A bill to amend title 38, United States Code, to provide authorities to help the Veterans' Administration overcome difficulties in the recruitment and retention of nurses, pharmacists, occupational and physical therapists, and other health-care personnel in its Department of Medicine and Surgery, and for other purposes; to the Committee on Veterans' Affairs.

VETERANS' ADMINISTRATION HEALTH-CARE PERSONNEL ACT

Mr. CRANSTON. Mr. President, I am introducing today the "Veterans' Administration Health-Care Personnel Act of 1987." Joining me are the ranking minority member of the Veterans' Affairs Committee [Mr. Murkowski] and my colleagues from the Veterans' Affairs Committee, Senators Matsunaga, DeConcini, Mitchell, and Rockefeller.

The basic purpose of this bill, in the interest of assuring quality health care for our Nation's eligible veterans in VA health-care facilities, is to help overcome serious difficulties being experienced in the VA health-care system in the recruitment and retention of capable, qualified health-care professionals.

Mr. President, the VA health-care system, with its 172 hospitals and hundreds of other health-care facilities, provides high-quality health care to our Nation's veterans. The heart and soul of the system are the literally hundreds of dedicated individuals—physicians, dentists, nurses, psychologists, pharmacists, occupational and physical therapists, technicians, and numerous other health professionals—who are on the frontlines in providing those health services to veterans.

Our ability to continue to meet our obligation to the veterans of this country and to serve as the first backup to the Department of Defense medical system in the event of war is dependent on the VA's ability to attract and retain first-rate health professionals.

SUMMARY OF PROVISIONS

Mr. President, the substantive provisions in this measure would:

First, move pharmacists and occupational therapists into the title 38/title 5 "hybrid" category, thereby providing the VA with needed flexibility in appointment and pay matters.

Second, open the Health Professional Scholarship Program to physical therapists and other individuals who provide direct patient-care services or who provide services incident to direct patient-care services.

Third, lengthen the period of obligated service under the scholarship program from 1 year for every year of support to 2 years for every year of support and provide priority for nurses seeking a fourth year of baccalaureate training.

Fourth, provide for nurses who work on Saturdays the same premium pay currently applicable to Sunday work.

Fifth, establish a tuition reimbursement program for full-time nursing personnel—or when needed for other full-time health-care personnel—who are performing in a superior fashion for academic courses leading toward completion of any degree program in nursing or in a field related to nursing—or in other appropriate degree-granting fields for other personnel.

Sixth, require that chiefs of nursing service or their designees be members of VA health-care facilities' policy-making and fiscal committees.

BACKGROUND

Mr. President, at the end of 1986, the Veterans' Administration conducted an extensive survey to assess recruitment and retention needs among several non-title 38 VA health occupations, including pharmacists, physical therapists, and occupational therapists, as well as nurses.

The report, entitled "1986 Survey of Health Occupational Staff" was conducted in order to gather more concrete information about the staffing conditions of various professions within the VA system and to identify the geographic and personnel areas which are experiencing particular recruitment and retention difficulties. In addition, the survey identified factors that VA facilities believe place them at a competitive disadvantage with non-VA hospitals and which may significantly contribute to certain high VA vacancy and turnover rates.

In general, the data indicate that pay is a main factor in many facilities' inability to attract and retain health-care professionals. Certain fringe benefits, particularly relating to educational opportunities, were also cited as being far more generous in the private sector, and as, therefore, being an area, especially as to nurses, where the VA is at a serious competitive disadvantage.

I am very concerned that continuing high turnover rates will result in lowered quality of care for veterans. There is no substitute for the experience that comes from extended service, and I am concerned that some of our best people are leaving VA medical centers for other employment. In addition, high turnover rates are unnecessarily costly because of the extra expense associated with training new employees. Finally, it is disadvantageous to veteran patients for vacancies to go unfilled for long periods of time. As the survey points out, many vacant positions are either being filled by employees from other occupations or lost altogether. We must give the VA better tools, including providing competitive salaries and benefits, to be aggressive in recruiting the very best people into the VA system and ensuring that the VA remains an attractive employer so that those individuals want to stay. That is what this legislation is intended to do.

TITLE 5/TITLE 38 PERSONNEL HYBRID EXPANSION

Mr. President, health-care personnel working in DM&S are presently employed under one of two personnel systems. Under current law, physicians, dentists, nurses, optometrists, podiatrists, physicians' assistants, and expanded-function dental auxiliaries are employed under a special DM&S personnel system under title 38, United States Code. This system was established in 1946 when DM&S was first established by statute as a separate department within the VA. All other health-care personnel working in DM&S are employed in the regular civil service under title 5, United States Code.

The title 38 personnel system was established because of concerns that the regular civil service system was not flexible enough to permit the VA to hire direct health-care personnel in a timely fashion or to specify the terms and conditions of their employment in such a way as to facilitate the management of the provision of health care. Although there are many parallels between the title 38 personnel system and the civil service system, there are some significant differences, and it is generally agreed that the title 38 system has served the VA's needs very well.

In 1983, I proposed and the Congress created in Public Law 98-160 a title 38/title 5 "hybrid" category in order to address the need to improve the VA's ability to attract and retain certain health-care personnel—namely, registered respiratory therapists, licensed practical, or vocational nurses, and physical therapists—as to which the VA was experiencing significant shortages.

Although those health-care personnel remain under the title 5 personnel system, the Administrator has the same greater flexibility as under the title 38 personnel system with regard to hiring practices and setting pay rates. For instance, the Chief Medical Director can approve special pay rates for hybrid and title 38 employees, whereas special rates for title 5 occupations must also be approved by the Office of Personnel Management. Another advantage of the hybrid title 5/title 38 category is that those employees are not prohibited from outside employment—many physical therapists, for example, appreciate the ability to work extra hours in the private sector—as are title 38 employees. A third advantage is that the VA can apply title 38 features selectively and apply them only at certain stations.

Mr. President, the 1986 VA health occupational staff survey found widespread recruitment and retention problems among pharmacists and occupational therapists, both of whom are currently under the title 5 personnel system.

More than 52 percent of VA medical centers are experiencing difficulty in recruitment and retention of pharmacists. The turnover rate for pharmacists is 22.6 percent—nearly one out of very four pharmacists leave the VA annually. That results in disruption of critical pharmacy services to inpatients and outpatients as new pharmacists are recruited and trained. Agencywide losses exceeded gains by 51 pharmacists for a net loss rate of nearly 2 percent and the vacancy rate was reported to be 2.7 percent as of December 1986.

Losses of pharmacists are primarily concentrated in the mid-Atlantic States, in Florida, and in Wisconsin. This high number of losses nationwide has resulted in nearly 40 percent of facilities using alternative methods of coverage—additional shifts, overtime on recurring bases, and, most troubling, employing people in other occupations to provide coverage. More than 80 percent of the respondents to the VA survey stated that pharmacists working in non-Federal medical facilities receive salaries that are higher than those earned by VA pharmacists performing comparable work.

Mr. President, likewise, the VA is experiencing difficulties recruiting and retaining occupational therapists [OT's]. Overall the VA experienced a net loss rate of 5 percent for OT's. The vacancy rate for OT's in the VA is 9.2 percent with a turnover rate of 23 percent—again about one in four each year. VA facilities report that nearly 34 percent of OT's who left the VA did so for higher pay.

Mr. President, our legislation would move pharmacists and OT's into the title 38/title 5 hybrid category. In times of critical shortages and scarce personnel funding, the VA must be able to respond quickly and effectively to attract new professionals into the VA system and to target those efforts to the facilities most in need. Although the hybrid category has certainly not solved all the recruitment and retention problems for physical therapists, licensed practical or vocational nurses, or registered respiratory therapists, it has helped, and I believe it will also help attract pharmacists and OT's in the VA and prevent further damaging attrition.

ADDING PHYSICAL THERAPISTS TO THE HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

Mr. President, the 1986 VA Health Occupational Staff survey found that physical therapists [PT's] have the highest vacancy rate of any health profession in the VA—22.9 percent, more than double the next highest vacancy rate. The turnover rate of PT's, 26.5 percent, is also the highest in the VA. Nearly 58 percent of responding facilities stated that they were having difficulty recruiting and retaining physical therapists. Many reported that their PT positions have been vacant for so long that they were utilizing PT assistants because of their inability to hire physical therapists. In several facilities, staff shortages have caused the reduction or elimination of student PT training programs.

At the same time, as the demand for and shortages of PT's and other rehabilitation professionals become more severe, support for the education and training of allied health professionals has also declined. Cuts in Federal funding of these programs have been a contributing factor to the shortages. Many rehabilitation hospitals, for example, are starting up their own scholarship programs in order to attract graduates into their hospitals.

In the 96th Congress, we created the Veterans' Administration Health Professional Scholarship Program to assist in providing an adequate supply of trained physicians and nurses for the Veterans' Administration and for the Nation. Students of medicine, osteopathy, dentistry, podiatry, optometry, or nursing, or who are enrolled in a course of training to become a physician assistant or expanded-function dental auxiliary—these are the professions in the title 38 personnel system—are authorized to be eligible for scholarships. Individuals who receive a scholarship are obligated thereafter to work in the DM&S for certain minimum periods.

Before awarding scholarships in any course of training other than in medicine or nursing, however, the Administrator must notify the Senate and House Committees on Veterans' Affairs of the awards not less than 60 days prior to making the awards. Since the education and training needs have been the greatest for nurses, thus far the scholarships have been used exclusively to help train nurses. The scholarship program has been successful in attracting and retaining nurses in the VA. Of the 434 nurses who have completed their service obligation under the scholarship program, 329—73 percent—remain employed at the VA.

PT's have manifested interest in the scholarship program, and we believe there may also be interest among other professionals whose skills are also in great demand in the VA. The scholarship program offers an opportunity for the VA to attract young professionals in scarce skill categories into the system. Our legislation would open the program to physical therapists and other individuals who provide direct patient-care services or who provide services incident to directd patient-care services.

The VA indicated in its fiscal year 1988 budget request that it would like to provide scholarship support to PT students as well as to nurses and its fiscal year 1988 budget request included $1 million to support 1-year awards to 41 full-time students. Under our legislation, the VA would be able to make those awards.

Under the current scholarship program, recipients are required to serve for a period of 1 year for every year of scholarship support they receive, with a minimum of 2 years. Other scholarship programs, such as the newly established Congressional Teachers Scholarship Program, require a service obligation of 2 years of service for every year of scholarship.

In order to encourage greater retention of nurses and other professionals who receive educational assistance under the scholarship program, our legislation would lengthen the payback period to 2 years for every year of support. In addition, as described later, it would also provide that priority in awarding scholarships for nurses would be accorded to nurses in their fourth year of training so that they would be able to begin employment with the VA as soon as possible.

NURSE RECRUITMENT AND RETENTION

Mr. President, the most serious shortage of health personnel in the VA and in other hospitals throughout the country exists in nursing. With more than 33,000 registered nurses and a combined total of 60,000 registered nurses, licensed practical or vocational nurses, and nursing assistants working throughout the VA system as the primary care givers, any vacancy rate translates into hundreds of open slots and a decline in services.

The VA's 1986 survey found an overall vacancy rate of 0.8 percent and a turnover rate for the full Nursing Service of 16.6 percent. RN's have a relatively small vacancy rate of 0.2 percent as do licensed practical nurses at 0.3 percent but nursing assistants are experiencing vacancy rates of 4 percent. However, I would note that these figures are the net vacancy rates for the entire VA system. Since some facilities reported employing many more nurses than they have authorized positions for, the net vacancy rates do not necessarily reflect the severity of the shortage problem at many VA medical centers throughout the country. Among facilities reporting vacancies, rates ranged from a low of 0.6 percent to a high of 19.2 percent. Moreover, shortages are not evenly distributed throughout the country nor uniform in every nursing specialty. Facilities in California, Arizona, Ohio, and the mid-Atlantic States reported the highest net losses. In northern California, there are serious shortages of intensive care nurses.

Nationwide, the American Organization of Nurse Executives found that the vacancy rate for registered nurses doubled between 1985 and 1986, from 6.3 to 13.6 percent. Two-thirds of the hospitals reported that they needed more than 60 days to fill medical-surgical positions, and nearly 90 percent of the hospitals needed this long to fill intensive care nursing posts.

Mr. President, solving the nursing shortage problem nationwide will require long-term solutions that include encouraging young people to enter the profession. The American Association of Colleges of Nursing reports declining interest in nursing as a career and a 10-percent decline in overall nursing enrollments from 1983 to 1985. Enrollments in baccalaureate nursing programs dropped 17 percent between 1984 and 1986, and there are no indications that this trend will reverse soon.

Mr. President, this is not the first shortage in nurses that we have experienced. As many recall, in the late 1970's, a similar crisis emerged. In response, in August 1980, Congress passed Public Law 96-330, which established the Health Professionals Scholarship Program and which made significant improvements in the VA's pay practices for nurses.

In addition, that law required a study of the problems VA medical centers were having in recruiting and retaining nurses and established pilot programs to explore various alternative actions to overcome these difficulties. Because the nursing shortage had abated by the time the results of the pilot program were made available in February 1984, many of the study's recommendations were not pursued.

Two areas specifically identified in the 1984 report—Saturday premium pay and tuition reimbursement—are addressed in this legislation. In addition, our legislation seeks to give the nursing service greater input into the decisionmaking process at VA facilities in order to give nurses more recognition and a stronger voice in matters which directly affect their work environment. Finally, our legislation would modify the Health Professional Scholarship Program to give priority to fourth-year nurses for nursing scholarships in order to maximize recruitment into the VA system of nurses who are in their last year of study and who therefore would be able to begin working within a year.

SATURDAY PREMIUM PAY

Mr. President, current law provides that nurses who work on Sundays receive premium pay equal to 25 percent more than their basic pay. However, nurses who work on Saturdays receive no extra compensation. In the recent VA health occupational staff survey, 40 percent of VA facilities reported that weekend premium pay offered at non-VA medical facilities places them at a competitive disadvantage. In addition, many private sector hospitals provide nurses with a minimum of every other weekend off. VA medical centers generally provide registered nurses one weekend off out of three, and since premium pay is provided only on Sundays, this means that not only are many VA nurses working 1½ times as many weekends as their non-VA counterparts but during their weekends they are receiving considerably less pay.

Thus, our legislation would provide for the same premium pay for Saturdays as for Sundays. It is estimated that this change would cost about $21 million in fiscal year 1989, $22 million in fiscal year 1990, and $23 million in fiscal year 1991.

TUITION REIMBURSEMENT

Mr. President, many private sector hospitals offer tuition reimbursement programs to enable nurses and certain other health-care professionals to attend school for the purpose of obtaining a degree. Since the nursing profession is now emphasizing baccalaureate degrees as a minimum degree for staff nurses, more so-called diploma nurses, those who trained for 3 years in hospital-based training programs, and nurses with associate's degrees are looking for ways to go back to school. Also, many nurses with a baccalaureate degree are interested in pursuing graduate education.

Seventy-seven percent of the VA facilities, as reported in the VA's survey, believe that the lack of availability of tuition assistance as a fringe benefit is a major disadvantage in recruitment and retention. Over 80 percent of hospitals surveyed by the American Organization of Nurse Executives in 1985 offered tuition assistance as a benefit for full-time employees.

VA medical centers are at a major competitive disadvantage in this area. Under the Government Employee Training Act, financial assistance for additional course work or training is available. However, it must be for the purpose of improving or upgrading skills; it cannot be for the purpose of obtaining a degree.

Our legislation would establish a Health Professionals Educational Assistance Program, of which one component would be the current Health Professionals Scholarship Program—with a few changes I have described—and one component would be a newly established tuition reimbursement program. The tuition reimbursement program would provide financial assistance to certain full-time nursing personnel—selected from among those rendering superior performance—for academic courses leading toward completion of any degree program in nursing or in a field related to nursing. As under the scholarship program, the VA could also provide tuition reimbursement for degrees to other individuals—such as pharmacists, PT's, and OT's—providing direct patient-care services or services incident to direct patient-care services, if it determined that such a program would help alleviate recruitment and retention problems.

Tuition reimbursement would be provided to nurses following successful completion of the course or courses, or the VA could enter into agreements to pay the teaching institution directly. An employee who has worked a minimum of 2 years full time for the VA would be eligible to receive a maximum of $2,000 a year—indexed to Federal pay raises—and would be required to work for the VA for a period of 1 year following completion of the degree or the last course taken while a participant in the tuition reimbursement program.

This new program would enable VA nurses to improve their educations, their skills, and their standing in the medical community, thereby making them better nurses to their patients as well as enabling VA medical centers to be competitive with private-sector hospitals.

NURSING COMMITTEES

One factor that contributes to job dissatisfaction among nurses at VAMC's is the lack of representation of nurses in the decisionmaking process regarding policies that affect them and the overall management of VA facilities. Issues regarding workload, shift assignments, budget, and support staff all contribute to the "quality of life" for nurses, and nurses should have input into decisions that relate to those issues.

Because of my commitment to elevating the role of nursing generally and in the VA specifically and so that the voices of nurses would be heard in the VA's top policy councils, in 1980 I had proposed legislation to elevate the Director of Nursing Service in the VA Central Office to an Assistant Chief Medical Director or a Deputy Assistant Chief Medical Director in order to give the Nursing Service head a greater role in policy matters within DM&S. Although that provision was never enacted, I am pleased that the VA proceeded administratively to raise the Director of Nursing Service to the Deputy Assistant CMD level. At that time the two Veterans' Affairs Committees stressed that it is vital to have extensive Nursing Service participation in planning, policy development, and decisionmaking activities throughout the VA health-care system, not only at Central Office but in individual VA health-care facilities as well.

Yet, currently many hospital committees do not include nursing representatives. For instance, out of 172 VA medical centers, 146 include the Chief of Nursing Service or designee on their hospital education committees, 135 include such representation on the position management committees, while only 109 VAMC's hospital budget committees do the same. There are no data available as to how many hospitals, if any, have nursing representatives on all pertinent committees. I suspect there are very few.

Thus, in order to help VA medical centers be more sensitive to nurses' concerns and issues and generally to stress the key roles of the Nursing Service in VA health care, our bill would require that Chiefs of Nursing Service or their designees be members of all facilities policymaking and fiscal committees, including those relating to budget, education, position management, Dean's committee, clinical executive issues, planning, and resource allocation, at all Veterans' Administration health-care facilities.

CONCLUSION

Mr. President, a cadre of sufficient, qualified health-care personnel is the backbone of a strong VA health-care system. It is critical that the VA be able to attract and retain such personnel. We need to ensure that the VA is able to compete effectively with non-VA health-care employers for the services of qualified health personnel. Without sufficient qualified personnel, DM&S cannot be expected to fulfill its mission of providing high-quality health services to eligible veterans. The provisions of this bill are intended to further that goal.

I urge all my colleagues to support this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE TO TITLE 38, UNITED STATES CODE.

(a) Short Title.—This Act may be cited as the "Veterans' Administration Health-Care Personnel Act of 1987".

(b) References to Title 38.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. MAKING NURSE ADDITIONAL-PAY AUTHORITIES AVAILABLE TO ASSIST IN RECRUITMENT AND RETENTION OF PHARMACISTS AND OCCUPATIONAL THERAPISTS.

(a) Section 4104 is amended—

(1) in paragraph (2), by striking out "Pharmacists" and all that follows through "therapists" and inserting in lieu thereof "Psychologists (other than those described in paragraph (3) of this section)"; and

(2) in paragraph (3)—

(A) by striking out "and"; and

(B) by inserting after "nurses" a comma and "pharmacists, and occupational therapists".

(b) Section 4107(f) is amended in the second sentence—

(1) by striking out "or licensed" and inserting in lieu thereof "licensed"; and

(2) inserting "pharmacists, or occupational therapists," after "nurses".

SEC. 3. PREMIUM PAY FOR SATURDAY WORK.

Section 4107(3) is amended—

(1) in paragraph (3), by striking out "Saturday" and inserting in lieu thereof "Friday"; and

(2) in paragraph (10)—

(A) in subparagraph (A), by striking out "Administrator" and all that follows and inserting in lieu thereof "Administrator may increase the rates of additional pay authorized under paragraphs (2) through (8) of this subsection.";

(B) in subparagraph (B), by striking out "(A)(i)" and inserting in lieu thereof "(A)"; and

(C) by repealing subparagraph (C).

SEC. 4. NURSE REPRESENTATION.

Section 4112 is amended by adding at the end the following new subsection:

"(c) The Administrator shall require that the Chief of Nursing Service, or the designee of the Chief, at each Veterans' Administration health-care facility be included in the membership of each policy-making and fiscal committee at each such facility including, but not limited to (1) committees relating to (A) budget, (B) education, (C) position management, (D) clinical executive issues, (E) planning, and (F) resource allocation, and (2) the deans committee or other advisory committee established pursuant to subsection (b) of this section.".

SEC. 5. EDUCATIONAL ASSISTANCE PROGRAM.

(a) Subchapter IV of chapter 73 is repealed.

(b) Part V is amended by adding at the end the following new chapter:

"CHAPTER 76—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL EDUCATIONAL ASSISTANCE PROGRAM

"Subchapter I—General

"Sec.
"4301. Establishment of program; purpose.
"4302. Eligibility; application; written contract.
"4303. Breach of contract; liability; waiver.
"4304. Exemption of educational assistance payments from taxation.
"4305. Program subject to availability of appropriations.

"Subchapter II—Veterans' Administration Health Professional Scholarship Program

"4311. Duration of program.
"4312. Eligibility; application; written contract.
"4313. Obligated service.
"4314. Breach of contract; liability.

"Subchapter III—Veterans' Administration Health Professional Tuition Reimbursement Program

"4321. Eligibility; application; written contract.
"4322. Obligated service.
"4323. Breach of contract; liability.
"4324. Allocation and distribution of funding.

"SUBCHAPTER I—GENERAL

"§ 4301. Establishment of program; purpose

"There is hereby established a program to be known as the Veterans' Administration Health Professional Educational Assistance Program (hereinafter in this chapter referred to as the "Educational Assistance Program"), which shall comprise (1) a scholarship program as provided for in subchapter II of this chapter, to be known as the Veterans' Administration Health Professional Scholarship Program (hereinafter in this chapter referred to as the "Scholarship Program"), and (2) a tuition reimbursement program as provided for in subchapter III of this chapter, to be known as the Veterans' Administration Health Professional Tuition Reimbursement Program (hereinafter in this chapter referred to as the "Tuition Reimbursement Program"). The purpose of the Educational Assistance Program is to assist in providing an adequate supply of trained health-care personnel who provide either direct patient-care services or services incident to direct patient-care services for the Veterans' Administration and for the Nation.

"§ 4302. Eligibility; application; written contract

"(a) To be eligible to participate in the Educational Assistance Program, an individual, in addition to meeting the criteria specified in section 4312 of this title for participation in the Scholarship Program or in section 4321 of this title for participation in the Tuition Reimbursement Program, must—

"(1) be accepted for enrollment or be currently enrolled as a student (A) in an accredited (as determined by the Administrator) educational institution in a State, and (B) in a course of training offered by such institution and approved by the Administrator, leading toward completion of any degree in an appropriate discipline (as determined by the Administrator);

"(2) submit an application to the Administrator for participation in the Educational Assistance Program;

"(3) sign and submit to the Administrator, at the time of submission of such application, a written contract (described in subsection (e) of this section) to accept payment of educational assistance and to serve a period of obligated service as provided in section 4313 of this title for the scholarship program or in section 4322 of this title for the Tuition Reimbursement Program; and

"(4) at the time of submission of such application, not be obligated under any other Federal program to perform service after completion of the course of study or program of such individual referred to in clause (1) of this subsection.

"(b)(1) In distributing application forms and contract forms to individuals desiring to participate in the Educational Assistance Program, the Administrator shall include with such forms—

"(A) a fair summary of the rights and liabilities of an individual whose application is approved (and whose contract is accepted) by the Administrator, including in the summary a clear explanation of the damages to which the United States is entitled under section 4314 of this title with respect to the Scholarship Program or section 4323 of this title with respect to the Tuition Reimbursement Program, if the individual breaches the contract; and

"(B) a full description of the terms and conditions that would apply to the individual's participation in the Educational Assistance Program and service in the Department of Medicine and Surgery.

"(2) The Administrator shall make such application forms and other information available to individuals desiring to participate in the Educational Assistance Program on a date sufficiently early to allow such individuals adequate time to prepare and submit such forms.

"(c) In selecting applicants for acceptance in the Educational Assistance Program, the Administrator, in addition to according priority as set forth in section 4312(b)(1) of this title with respect to the Scholarship Program or in section 4321(b) of this title with respect to the Tuition Reimbursement Program, shall give priority to the applications of individuals who have previously received educational assistance under this program and have not completed the program of education undertaken under such section.

"(d)(1) An individual becomes a participant in the Educational Assistance Program only upon the Administrator's approval of the individual's application submitted under subsection (a)(2) of this section and the Administrator's acceptance of the contract signed by the individual under subsection (a)(3) of this section.

"(2) The Administrator shall provide written notice to an individual promptly upon the Administrator's approval under paragraph (1) of this subsection of the individual's participation in the Educational Assistance Program.

"(e) The written contract (referred to in subsection (a)(3) of this section) between the Administrator and a participant in the Educational Assistance Program, in addition to the provisions specified in section 4312(b) of this title with respect to the Scholarship Program or in section 4321(d) of this title with respect to the Tuition Reimbursement Program, shall contain—

"(1)(A) subject to clause (2) of this subsection, the Administrator's agreement—

"(i) to provide the participant with educational assistance as authorized in this chapter and specified in the agreement, and

"(ii) to afford the participant the opportunity for employment in the Department of Medicine and Surgery (subject to the availability of appropriated funds for such purpose and other qualifications established in accordance with section 4105 of this title); and

"(B) subject to clause (2) of this subsection, the participant's agreement—

"(i) to accept such educational assistance;

"(ii) to maintain enrollment and attendance in the course of training until completed; and

"(iii) while enrolled in such course, to maintain an acceptable level of academic standing (as determined by the educational institution offering such course of training under regulations prescribed by the Administrator);

"(2) a provision that any financial obligation of the United States arising out of a contract entered into under this chapter, and any obligation of the participant which is conditioned thereon, is contingent upon funds being appropriated for educational assistance under this chapter;

"(3) a statement of the damages to which the United States is entitled under section 4314 of this title with respect to the Scholarship Program or section 4323 of this title with respect to the Tuition Reimbursement Program, for the participant's breach of the contract; and

"(4) such other statements of the rights and liabilities of the Administrator and of the participant as may be appropriate and consistent with the provisions of this chapter.

"(f) The maximum amount of (1) the monthly stipend paid to a participant in the Scholarship Program, specified in section 4312(d)(1)(B) of this title and as previously adjusted (if at all) in accordance with this subsection, and (2) the maximum amount of tuition reimbursement provided to a participant in the Tuition Reimbursement Program, specified in section 4321(e) of this title and as previously adjusted (if at all) in accordance with this subsection, shall be increased by the Administrator for each school year ending in a fiscal year beginning after September 30, 1988, by an amount (rounded to the next highest multiple of $1) equal to the amount of such stipend or tuition reimbursement multiplied by the overall percentage (as set forth in the report transmitted to the Congress under section 5305 of title 5) of the adjustment (if such adjustment is an increase) in the rates of pay under the General Schedule made effective in the fiscal year in which such school year ends.

"(g) The Administrator shall report to Congress not later than March 1 of each year—

"(1) the number of students receiving educational assistance under the Educational Assistance Program, broken down to show the numbers of students receiving assistance under the Scholarship Program and the Tuition Reimbursement Program separately, and the number of students enrolled in each type of health profession training under each program;

"(2) the education institutions providing such training to students in each program;

"(3) the number of applications filed under each program, by health profession category, during the school year beginning in such year and the total number of such applications so filed for all years in which the Educational Assistance Program (or predecessor program) has been in existence;

"(4) the average amounts of educational assistance provided per participant in the Scholarship Program and per participant in the Tuition Reimbursement Program;

"(5) the amount of tuition and other expenses paid, by health profession category, in the aggregate and at each educational institution for the school year beginning in such year and for prior school years;

"(6) the number of scholarships accepted, by health profession category, during the school year beginning in such year and the number, by health profession category, which were offered and not accepted; and

"(7) the number of participants who complete a course or course of training in each program each year and for all years such program (or predecessor program) has been in existence.

"(h) The Administrator shall prescribe regulations to carry out the Educational Assistance Program.

"§ 4303. Breach of contract; liability; waiver

"(a)(1) Any obligation under the Educational Assistance Program (or a written contract thereunder) of a participant in the Educational Assistance Program for service or payment of damages shall be canceled upon the death of the participant.

"(2) The Administrator shall prescribe regulations providing for the waiver or suspension of any obligation of a participant for service or payment under such Program (or a contract thereunder) whenever compliance by the participant is impossible due to circumstances beyond the control of the participant or whenever the Administrator determines that the waiver or suspension of compliance would be in the best interest of the Veterans' Administration.

"(3) Any obligation of a participant under such Program (or a contract thereunder) for payment of damages may not be released by a discharge in bankruptcy under title 11 before the expiration of the 5-year period beginning on the first date that payment of such damages is due.

"(b) The Administrator, in cooperation with and with the consent of the heads of other relevant departments and agencies and with the consent of the participant or individual involved, may permit—

"(1) any period of obligated service required to be performed under this chapter to be performed in another Federal department or agency or in the Armed Forces; and

"(2) any period of obligated service required to be performed in another Federal department or agency or in the Armed Forces under another Federal health personnel educational assistance program to be performed in the Department of Medicine and Surgery.

"§ 4304. Exemption of educational assistance payments from taxation

"Notwithstanding any other law, any payment to, or on behalf of a participant in the Educational Assistance Program, for tuition, education expenses, or a stipend under this chapter shall be exempt from taxation.

"§ 4305. Program subject to availability of appropriations

"The authority of the Administrator to make payments under this chapter is effective for any fiscal year only to the extent that appropriated funds are available for such purposes.

"SUBCHAPTER II—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

"§ 4311. Duration of program

"The Administrator may not furnish scholarships to new participants in the Scholarship Program after September 30, 1992.

"§ 4312. Eligibility; application; written contract

"(a) To be eligible to participate in the Scholarship Program, an individual, in addition to meeting the requirements specified in section 4302 of this title, must be accepted for enrollment or be enrolled (as described in clause (1) of section 4302(a) of this title) as a full-time student, except that an individual who is a Veterans' Administration employee described in subsection (e)(1) of this section may be accepted as a participant if accepted for enrollment or enrolled (as described in clause (1) of section 4302(a) of this title) for study on less than a full-time but not less than a half-time basis. (Such a participant is hereinafter in this subchapter referred to as a "part-time student".)

"(b)(1) In selecting applicants who are pursuing a course of training in nursing for acceptance in the Scholarship Program, the Administrator, in addition to according priorities as set forth in section 4302(c) of this title, shall give priority to the applications of individuals who have completed 3 years of a 4-year course of training leading to a baccalaureate degree.

"(2) Before awarding the intitial scholarship in any course of training other than in medicine or nursing, the Administrator, not less than 60 days before awarding such scholarship, shall notify the Committees on Veterans' Affairs of the Senate and House of Representatives of the Administrator's intent to award a scholarship in such course of training and of the reasons why the award of scholarships in such course of training is necessary to assist in providing for the Veteran's Administration and adequate supply of personnel in the health profession concerned.

"(c) The written contract referred to in section 4302(a)(3) of this title between the Administrator and a participant in the Scholarship Program, in addition to the requirements set forth in such section, shall contain—

"(1) the Administrator's agreement, subject to section 4302(e)(2) of this title, to provide the participant with a scholarship (described in subsection (d) of this section) for from 1 to 4 school years (or in a case in which an extension is granted under subsection (e)(3) of this section, the number of school years provided for as a result of such extension) during which period the participant is pursuing a course of training described in section 4302(a)(1)(B) of this title; and

"(2) subject to section 4302(e)(2) of this title, the participant's agreement—

"(A) to serve as a full-time employee in the Department of Medicine and Surgery for a period of time (hereinafter in this subchapter referred to as the 'period of obligated service') of 2 calendar years for each school year or part thereof for which the participant was provided a scholarship under the Scholarship Program (to be reduced, in the case of a participant who is a part-time student, in accordance with the proportion that the number of credit hours carried by such participant in any such school year bears to the number of credit hours required to be carried by a full-time student in the course of training being pursued by the participant, but in no event, to less than one year);

"(B) if the participant's period of obligated service is deferred under section 4313(b)(3)(A)(i) of this title, to serve any additional period of obligated service prescribed by the Adminstrator under section 4313(b)(4)(B) of this title; and

"(C) in the case of a participant who is a part-time student, to maintain employment, while enrolled in such course of training, as a Veterans' Adminstration employee permanently assigned to a Veterans' Administration health-care facility.

"(d)(1) A scholarship provided to a participant in the Scholarship Program for a school year under a written contract under the Scholarship Program shall consist of—

"(A) payment to, or (in accordance with paragraph (2) of this subsection) on behalf of, the participant of the amount of—

"(i) the tuition of the participant in such school year; and

"(ii) other reasonable educational expenses, including fees, books, and laboratory expenses; and

"(B) payment to the participant of a stipend of not in excess of $485 per month (adjusted in accordance with section 4302(f) of this title) for each of the 12 consecutive months beginning with the first month of such school year, except that a stipend may not be paid to a participant who is a full-time employee of the Veterans' Adminstration and the stipend of a participant who is a part-time student shall be adjusted as provided in subsection (e)(2) of this section.

"(2) The Administrator may contract with an educational institution in which a participant in the Scholarship Program is enrolled for the payment to the educational institution of the amounts of tuition and other reasonable educational expenses described in paragraph (1)(A) of this subsection. Payment to such an educational institution may be made without regard to subsections (a) and (b) of section 3324 of title 31.

"(e)(1) To be accepted as a participant as a part-time student, an individual must be a full-time Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility on the date on which such individual submits the application referred to in subsection (a)(2) of section 4302 of this title and on the date on which such individual becomes a participant in the Scholarship Program.

"(2) If a participant in the Scholarship Program is awarded a scholarship as a part-time student—

"(A) the maximum amount of the stipend payable to such participant under subsection (d)(1)(B) of this section shall be reduced in accordance with the proportion that the number of credit hours required to be carried by a full-time student in the course of training being pursued by the participant; and

"(B) a stipend may not be paid to such a participant under such subsection for any month during which such participant is not actually attending the course of training in which such participant is enrolled.

"(3) In the case of a participant who is a part-time student, the Administrator may extend the scholarship award period to a maximum of 6 school years if the Administrator determines that such an extension would be in the best interest of the United States.

"(f) Notwithstanding any other provision of law, participants in the Scholarship Program shall not by virtue of their participation in such program (1) be considered to be employees of the Federal Government, or (2) be counted against any personnel ceiling affecting the Department of Medicine and Surgery.

"§ 4313. Obligated service

"(a) Each participant in the Scholarship Program shall provide service in the full-time clinical practice of such participant's profession or in another health-care position, in an assignment or location as determined by the Administrator, as full-time employee of the Veterans' Administration for the period of obligated service provided in the contract of such participant entered into under section 4302(a)(3) of this title.

"(b)(1) Not later than 60 days prior to (A) the date described in paragraph (3) of this subsection with respect to a participant in the Scholarship Program who is a full-time student, or (B) the date provided for under paragraph (5) of this subsection with respect to a participant who is a part-time student, the Administrator shall notify the participant of the date described in the applicable such paragraph for the beginning of such participant's period of obligated service.

"(2) As soon as possible after the applicable date described in paragraph (3) of this subsection or provided for under paragraph (5) of this subsection, the Administrator shall—

"(A) in the case of a participant who is not a full-time employee in the Department of Medicine and Surgery, appoint such participant as such an employee; and

"(B) in the case of a participant who is such an employee but is not serving in a position for which such participant's course of training prepared such participant, assign such participant to such a position.

"(3)(A)(i) With respect to a participant receiving a degree from a school of medicine, osteopathy, dentistry, optometry, or podiatry, the date for the beginning of the participant's period of obligated service is the date upon which the participant becomes licensed to practice medicine, osteopathy, dentistry, optometry or podiatry, as the case may be, in a State, except that the Administrator may, at the request of such participant to complete an internship or residency or other advanced clinical training. If the participant requests such a deferral, the Administrator shall notify the participant that such deferral could lead to an additional period of obligated service in accordance with paragraph (4) of this subsection.

"(ii) No such period of internship or residency or other advanced clinical training shall be counted toward satisfying a period of obligated service under this subchapter.

"(B) With respect to a participant receiving a degree from a school of nursing, the date for the beginning of the participant's period of obligated service is the later of (i) the date upon which the participant completes such participant's courses of training, or (ii) the date upon which the participant becomes registered as a graduate nurse in a State.

"(C) With respect to a participant receiving a degree from an institution other than a school of medicine, osteopathy, dentistry, optometry, podiatry, or nursing, the date for the beginning of the participant's period of obligated service is the date upon which the participant completes the course of training leading to such degree.

"(4) Any participant whose period of obligated service is deferred under paragraph (3)(A) of this subsection—

"(A) shall be required to undertake internship or residency or other advanced clinical training in an accredited program in an educational institution which is an affiliated institution (as defined in section 4108(c)(1) of this title) and with respect to which the affiliation agreement provides that all or part of the internship or residency or other advanced clinical training will be undertaken in a Veterans' Administration health-care facility; and

"(B) may, at the discretion of the Administrator and upon the recommendation of the Chief Medical Director, incur an additional period of obligated service—

"(i) at the rate of one-half of a calendar year for each year of internship or residency or other advanced clinical training (or a proportionate ratio thereof), if the internship, residency, or advanced clinical training is in a medical specialty necessary to meet the health care requirements of the Veterans' Administration (as determined under regulations prescribed by the Administrator); or

"(ii) at the rate of three-quarters of a calendar year for each year of internship or residency or other advanced clinical training (or a proportionate ratio thereof), if the internship, residency, or advanced clincial training is not in a medical specialty necessary to meet the health care requirements of the Veterans' Administration (as determined under regulations prescribed by the Administrator).

"(5) The Administrator shall by regulation prescribe the date for the beginning of the period of obligated service of a participant who was a part-time student. Such regulations shall prescribe terms as similar as practicable to the terms set forth in paragraph (3) of this subsection.

"(c)(1) Except as provided in paragraph (2) of this subsection, a participant in the Scholarship Program shall be considered to have begun serving such participant's period of obligated service—

"(A) on the date, after such participant's course completion date, on which such participant (in accordance with subsection (a) of this section) is appointed under this chapter as a full time employee in the Department of Medicine and Surgery; or

"(B) if the participant is a part-time employee in the Department of Medicine and Surgery on such course completion date, on the date thereafter on which such participant is assigned to a position for which such participant's course of training prepared such participant.

"(2) A participant in the Scholarship Program who on such participant's course completion date is a full-time employee in the Department of Medicine and Surgery serving in a capacity for which such participant's course of training prepared such participant shall be considered to have begun serving such participant's period of obligated service on such course completion date.

"(3) For the purposes of this subsection, the term "course completion date" means the date on which a participant in the Scholarship Program completes such participant's course of training under the program.

"§ 4314. Breach of contract; liability

"(a) A participant in the Scholarship Program (other than a participant described in subsection (b) of this section) who fails to accept payment, or instructs the educational institution in which the participant is enrolled not to accept payment, in whole or in part, of a scholarship under the contract entered into under section 4302(a)(3) of this title, shall, in addition to any period of obligated service or other obligation or liability under the contract, be liable to the United States for the amount of $1,500 as liquidated damages.

"(b) A participant in the Scholarship Program who—

"(1) fails to maintain an acceptable level of academic standing in the educational institution in which the participant is enrolled (such level determined by the educational institution under regulations prescribed by the Administrator),

"(2) is dismissed from such educational institution for disciplinary reasons,

"(3) voluntarily terminates the course of training in such educational institution before the completion of such course of training,

"(4) fails to become licensed to practice medicine, osteopathy, dentistry, podiatry, or optometry in a State, fails to become registered as a graduate nurse in a State, or fails to meet any applicable licensure requirement in the case of any other health-care personnel who provide either direct patient-care services or services incident to direct patient-care services, during a period of time determined under regulations prescribed by the Administrator, or

"(5) in the case of a participant who is a part-time student, fails to maintain employment, while enrolled in the course of training being pursued by such participant, as a Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility.

In lieu of any service obligation arising under such contract, shall be liable to the United States for the amount which has been paid to or on behalf of the participant under contract.

"(c) If a participant in the Scholarship Program breaches the written contract by failing (for any reason) to complete such participant's period of obligated service, the United States shall be entitled to recover from the participant an amount determined in accordance with the following formula:

$$A=3\Phi\left(\frac{t-s}{t}\right)$$

in which 'A' is the amount the United States is entitled to recover; 'Φ' is the sum of the amounts paid under this subchapter or on behalf of the participant and the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States; 't' is the total number of months in the participant's period of obligated service, including any additional period of obligated service in accordance with section 4313(b)(4)(B) of this title; and 's' is the number of months of such period served by the participant in accordance with section 4313 of this title. Any amount of damages which the United States is entitled to recover under this section will, within the one-year period beginning on the date of the breach of the written contract, be paid to the United States.

"SUBCHAPTER III—VETERANS' ADMINISTRATION HEALTH PROFESSIONAL TUITION REIMBURSEMENT PROGRAM

"§ 4321. Eligibility; application; written contract

"(a) To be eligible to participate in the Tuition Reimbursement Program, an individual, in addition to meeting the requirements specified in section 4302 of this title, must—

"(1) be a full-time Veterans' Administration Nursing Service employee permanently assigned to a Veteran's Administration health-care facility who has been employed at such facility for at least 2 years and be enrolled in a course of training offered by an institution approved by the Administrator leading toward completion of (A) an associate or higher degree in nursing or (B) a masters or doctoral degree in a field related to nursing; or

"(2) if the administrator determines that it is necessary to assist in providing for the Veterans' Administration an adequate supply of personnel in the health profession concerned, be a full-time Veterans' Administration employee providing either direct patient-care services or services incident to direct patient-care services who is permanently assigned to a Veterans' Administration health-care facility and who has been employed at such facility for at least 2 years and be enrolled in a course of training offered by such an institution, and approved by the Administrator, leading toward completion of a masters or doctoral degree in an appropriate field.

"(b) In selecting applicants for acceptance in the Tuition Reimbursement Program, the Administrator, in addition to according priorities as set forth in section 4302(c) of this title, shall give priority to the applications of (A) individuals who have demonstrated superior proficiency and performance and who give evidence of sustained and improved performance, as determined by the Chief Nurse of the facility at which the individual is employed, in consultation with the local career development committee, and (B) individuals who have previously received tuition reimbursement under the Tuition Reimbursement Program.

"(c) Before approving tuition reimbursement assistance in any course of training other than nursing, the Administrator, not less than 60 days before awarding such assistance, shall notify the Committees on Veterans' Affairs of the Senate and House of Representatives of the Administrator's intent to award assistance in such course of training and of the reasons why the award of such assistance in such course of training is necessary to assist in providing for the Veterans' Administration an adequate supply of personnel in the health profession concerned.

"(d) The written contract referred to in section 4302(a)(3) of this title between the Administrator and participant in the Tuition Reimbursement Program, in addition to the requirements set forth in such section, shall contain—

"(1) the Administrator's agreement, subject to section 4302(e)(2) of this title, to provide the participant with tuition reimbursement following successful completion (as determined, pursuant to regulations prescribed by the Administrator, by the educational institution involved) of (i) a course or courses required for the course of study described in subsection (a)(1)(B) of this section, or (ii) a course or courses taken as necessary prerequisites for degree program enrollment if a letter regarding the potential enrollment of the participant from an appropriate official of the institution involved includes a statement specifying such prerequisites; and

"(2) subject to section 4302(e)(2) of this title, the participant agrees—

"(A) to maintain employment while enrolled in the course of training being pursued by such participant, as a full-time Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility; and

"(B) to continue to serve as a full-time employee in the Department of Medicine and Surgery for one year (hereinafter in this subchapter referred to as the 'period of obligated service') after completion of the course for which the participant received tuition reimbursement.

"(e) Tuition reimbursement provided to a participant in the Tuition Reimbursement Program shall not exceed $2,000 per year (adjusted in accordance with section 4302(f) of this title).

"(f) The Administrator may contract with an educational institution pursuant to which such an institution would provide a course or courses at a Veterans' Administration health-care facility to participants in the Tuition Reimbursement Program. Pursuant to the contract, the Administrator may agree to pay to the institution an amount not in excess of an amount determined by multiplying the number of participants in such a course by the amount of tuition reimbursement each participant would receive for enrolling and successfully completing such course.

"§ 4322. Obligated service

"(a) Each participant in the Tuition Reimbursement Program shall provide service in the full-time clinical practice of such participant's profession as a full-time employee of the Veterans' Administration for the period of obligated service provided in the contract of such participant entered under section 4302(a)(3) of this title.

"(b) A participant who on such participant's course completion date is a full-time employee in the Department of Medicine and Surgery shall be considered to have begun serving such participant's period of obligated service on the course completion date.

"(c) Except in the case of a participant whose tuition was paid pursuant to section 4321(f) of this title, if a participant in the Tuition Reimbursement Program fails to successfully complete a course, no reimbursement will be provided and no period of obligated service will be incurred.

"(d) In the case of a participant whose tuition was paid pursuant to section 4321(f) of the title and who fails to complete the course involved, the period of obligation shall be of the same duration as it would have been if the participant had successfully completed the course and the course completion date shall be considered to be the date on which the participant's failure become an established fact.

"(e) For the purposes of this subsection, the term 'course completion date' means the date on which a participant in the Tuition Reimbursement Program completes such participant's course of training under the program.

"§ 4323. Breach of contract; liability

"(a) A participant in the Tuition Reimbursement Program who fails to maintain employment as a Veterans' Administration employee permanently assigned to a Veterans' Administration health-care facility—

"(1) shall not receive reimbursement for tuition for the course or courses in which the participant is enrolled; and

"(2) in lieu of any service obligation arising from completion of a course or courses in a previous semester or quarter, shall be liable to the United States for the amount which has been paid to or on behalf of the participant under the contract.

"(b) If a participant in the Tuition Reimbursement Program breaches the written contract by failing (for any reason) to complete such participant's period of obligated service, the United States shall be entitled to recover from the participant an amount determined in accordance with the following formula:

$$A=3\Phi\left(\frac{t-s}{t}\right)$$

in which 'A' is the amount the United States is entitled to recover; 'Φ' is the sum of the amounts paid under this subchapter or on behalf of the participant and the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States; 't' is the total number of months in the participant's period of obligated service; and 's' is the number of months of such period served by the participant in accordance with section 4322 of this title. Any amount of damages which the United States is entitled to recover under this section will, within the one-year period beginning on the date of the breach of the written contract, be paid to the United States.

"§ 4324. Allocation and distribution of funding

"In determining the amount of funding to allocate to Veterans' Administration health-care facilities in connection with the Tuition Reimbursement Program, the Administrator shall take into account (1) the personnel ceiling for nursing personnel, and (2) the recruitment and retention needs of that facility, as determined by the Administrator.".

SEC. 6. EFFECTIVE DATE; SAVINGS CLAUSE.

(a) The provisions of this Act shall take effect on the date of enactment.

(b) The provisions of subchapter IV of chapter 73 as in effect on the date of enactment of this Act shall be deemed to remain in effect with respect to scholarships awarded under such subchapter.

● Mr. MURKOWSKI. Mr. President, I rise to join with my friend from California, the distinguished chairman of the Committee on Veterans' Affairs, in introducing the proposed "Veterans' Administration Health-Care Personnel Act of 1987." I am most pleased to join with Senator CRANSTON on this initiative which will improve the Veterans' Administration's [VA] ability to recruit and retain quality allied health-care professionals.

Mr. President, in order to effectively meet the health care needs of our Nation's veterans, it is vital that the VA employ high quality health-care personnel. To do so, the VA must have a variety of tools at its disposal to attract these professionals to the VA system.

All to often, professionals leave the VA for opportunities in the private sector which offer higher salaries, fringe benefits, and educational assistance. Of course, the private sector utilizes a variety of innovative techniques to address recruitment and retention difficulties. They have the flexibility to do so.

To the greatest extent possible, the VA must be provided with the flexibility to use such innovative methods if they are to respond to critical staffing shortages in a timely fashion.

The intent of this bill is to provide that flexibility.

This legislation addresses a critical problem regarding the recruitment and retention of certain health-care personnel. I have spoken before about the shortage of nurses in this country in general, and the VA, in particular. However, the VA is also experiencing recruitment and retention difficulties for other health professionals—specifically occupational therapists and pharmacists. These professionals also play an extremely important role in the VA's ability to provide quality medical services. Their services are vital.

This bill would provide for educational assistance programs in order to address declining enrollment in areas of study relating to allied health services. In addition, the bill would provide for flexibility in pay schedules. These types of initiatives are crucial to respond to this most serious issue.

In that light, on March 11, 1987, I introduced S. 713, the proposed "Veterans' Administration Registered Nurse Variable Incentive Bonus Act of 1987." This bill would authorize the

VA to pay up to a $20,000 bonus to registered nurses who agree to serve on a full-time basis at a geographic location or in a professional specialty for a minimum of 3 years.

I look forward to receiving testimony on these measures during the committee's May 21 hearing and to working with Senator Cranston and the other committee members on this important matter.●

By Mr. DOLE:

S.J. Res. 127. Joint resolution designating the month of May 1987 as "National Asthma and Allergy Awareness Month;" to the Committee on the Judiciary.

NATIONAL ASTHMA AND ALLERGY AWARENESS MONTH

Mr. DOLE. Mr. President, today I am introducing a resolution which would designate May 1987 as "National Asthma and Allergy Awareness Month." Our colleague, Mr. Fazio, introduced similar legislation in the House, which passed on April 25, 1987.

Asthma and allergic diseases cause significant hardship for more than 35 million Americans every year. This hardship is not only financial, but creates physical and emotional concerns. One out of every six Americans is afflicted. Asthma alone may affect 9 million Americans and one-third of these are children. An estimated 5,000 individuals die each year from asthma. This is especially tragic since we have the medical know-how to prevent these deaths by proper and timely treatment.

The financial toll is tremendous. The American public pays $4 billion per year in medical bills directly attributable to the treatment and diagnosis of asthma and allergy, and pays another $2 million per year in indirect social costs. For example, about 8 million workdays and 130 million schooldays a year are lost due to hay fever and asthma. In addition, occupational allergic diseases are now believed to be a major cause of workplace-caused illnesses.

There are many recent medical developments which allow our health care providers to provide better care, including new medicines and additional knowledge in the field of immunology. Therefore, it is appropriate to raise the level of concern, both on an individual basis and in the workplace since there is help available. In addition, it is wise to call attention to the vast number of individuals who suffer from these disorders as public awareness helps to promote both public and private efforts directed toward their eradication.

Therefore, Mr. President, I call on us to join our colleagues in the House, and pass this joint resolution, and I ask unanimous consent that the joint resolution be printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res. 127

Whereas asthma and allergic diseases result in physical, emotional, and economic hardship for more than 35,000,000 Americans and their families;

Whereas thousands of Americans, many of them young, die each year from asthma even though sufficient medical knowledge and resources exist to prevent many asthma-related deaths;

Whereas student absenteeism is due in significant part to asthma and allergic diseases;

Whereas environmental conditions in the workplace often cause or exacerbate asthma and allergic diseases among employees;

Whereas many hospital patients suffer allergic reactions to prescribed medications;

Whereas it is estimated that the American public pays $4,000,000,000 per year in medical bills directly attributable to the treatment and diagnosis of asthma and allergic diseases and pays another $2,000,000,000 per year as a result of the indirect social costs of asthma and allergic diseases;

Whereas because of recent developments in the study of immunology, health care providers are better equipped to diagnose and treat asthma and allergic diseases; and

Whereas increased public awareness of recent scientific advancements in the study of immunology will help dispel many of the common misconceptions concerning asthma, allergic diseases, and the victims of those illnesses; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of May 1987 is designated as "National Asthma and Allergy Awareness Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS

S. 104

At the request of Mr. Inouye, the names of the Senator from Utah [Mr. Garn], and the Senator from South Dakota [Mr. Daschle] were added as cosponsors of S. 104, a bill to recognize the organization known as the National Academies of Practice.

S. 143

At the request of Mr. Inouye, the names of the Senator from Mississippi [Mr. Cochran], the Senator from Michigan [Mr. Riegle], and the Senator from Michigan [Mr. Levin] were added as cosponsors of S. 143, a bill to establish a temporary program under which parenteral diacetylmorphine will be made available through qualified pharmacies for the relief of intractable pain due to cancer.

S. 321

At the request of Mr. D'Amato, his name was added as a cosponsor of S. 321, a bill to amend the Clean Air Act to better protect interstate transport of pollutants, to control existing and new sources of acid deposition, and for other purposes.

S. 322

At the request of Mr. Sarbanes, the name of the Senator from Michigan [Mr. Riegle] was added as a cosponsor of S. 322, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia.

S. 450

At the request of Mr. Armstrong, the names of the Senator from West Virginia [Mr. Byrd], and the Senator from Tennessee [Mr. Gore] were added as cosponsors of S. 450, a bill to recognize the organization known as the National Mining Hall of Fame and Museum.

S. 455

At the request of Mr. Heflin, the name of the Senator from North Dakota [Mr. Burdick] was added as a cosponsor of S. 455, a bill to amend the Internal Revenue Code of 1986 to restore income averaging for farmers, to restore the investment tax credit and accelerated cost recovery for property used in the trade or business of farming, and for other purposes.

S. 461

At the request of Mr. Mitchell, the names of the Senator from Ohio [Mr. Metzenbaum], and the Senator from New Jersey [Mr. Bradley] were added as cosponsors of S. 461, a bill to prohibit the implementation of certain regulations of the Secretary of Health and Human Services and the Secretary of Agriculture respecting irradiated foods, to amend the Federal Food, Drug, and Cosmetic Act to prescribe labels for irradiated food, and for other purposes.

S. 490

At the request of Mr. Bentsen, the name of the Senator from Tennessee [Mr. Gore] was added as a cosponsor of S. 490, a bill to authorize negotiations of reciprocal trade agreements, to strengthen, United States trade laws, and for other purposes.

S. 500

At the request of Mr. Pryor, the name of the Senator from Michigan [Mr. Levin] was added as a cosponsor of S. 500, a bill to identify and reduce barriers to, and distortions of, international trade in rice; to promote expansion of United States rice exports; and for other purposes.

S. 533

At the request of Mr. Thurmond, the names of the Senator from Arizona [Mr. DeConcini], and the Senator from Hawaii [Mr. Inouye] were added as cosponsors of S. 533, a bill to establish the Veterans' Administration as an executive department.

S. 673

At the request of Mr. Armstrong, the names of the Senator from Idaho [Mr. Symms], and the Senator from South Carolina [Mr. Thurmond] were added as cosponsors of S. 673, a bill to amend the Rehabilitation Act of 1973 to help ensure healthful schools and workplaces.

S. 696

At the request of Mr. Cochran, the name of the Senator from Alaska [Mr. Murkowski] was added as a cosponsor of S. 696, a bill to provide that full-time magistrates and bankruptcy judges receive a salary equal to 92 percent of the salary paid to judges of the district courts of the United States.

S. 701

At the request of Mr. Simon, the names of the Senator from Ohio [Mr. Metzenbaum], and the Senator from Maine [Mr. Cohen] were added as cosponsors of S. 701, a bill to amend the Foreign Assistance Act of 1961 to establish a separate authorization for assistance for famine recovery and long-term development in sub-Saharan Africa, and for other purposes.

S. 708

At the request of Mr. Proxmire, the name of the Senator from Colorado [Mr. Wirth] was added as a cosponsor of S. 708, a bill to require annual appropriations of funds to support timber management and resource conservation on the Tongass National Forest.

S. 860

At the request of Mr. Boren, the names of the Senator from Alabama [Mr. Heflin], and the Senator from Missouri [Mr. Bond] were added as cosponsors of S. 860, a bill to designate "The Stars and Stripes Forever" as the national march of the United States of America.

S. 879

At the request of Mr. Byrd, the names of the Senator from Kentucky [Mr. Ford], the Senator from Alabama [Mr. Heflin], the Senator from Alabama [Mr. Shelby], the Senator from South Dakota [Mr. Daschle], the Senator from Kentucky [Mr. McConnell], the Senator from Tennessee [Mr. Gore], the Senator from West Virginia [Mr. Rockefeller], the Senator from Virginia [Mr. Warner], the Senator from Pennsylvania [Mr. Heinz], the Senator from Pennsylvania [Mr. Specter], and the Senator from Illinois [Mr. Dixon], were added as cosponsors of S. 879, a bill to encourage the deployment of clean coal technologies so as to assure the development of additional electric generation and industrial energy capacity.

S. 943

At the request of Mr. Adams, the names of the Senator from South Dakota [Mr. Daschle], and the Senator from Michigan [Mr. Levin] were added as cosponsors of S. 943, a bill to amend the Federal Aviation Act of 1958 to ensure the fair treatment of airline employees in airline mergers and similar transactions.

S. 949

At the request of Mr. Roth, the name of the Senator from Indiana [Mr. Quayle] was added as a cosponsor of S. 949, a bill to prohibit the availability of funds for the United States' proportionate share of the United Nations' Office of Research and Information Collection.

S. 983

At the request of Mr. Danforth, the name of the Senator from North Dakota [Mr. Burdick] was added as a cosponsor of S. 983, a bill to provide for the establishment of rural enterprise zones, and for other purposes.

S. 998

At the request of Mr. DeConcini, the name of the Senator from North Dakota [Mr. Burdick] was added as a cosponsor of S. 998, a bill entitled the "Micro Enterprise Loans for the Poor Act".

S. 1020

At the request of Mr. Moynihan, the names of the Senator from Hawaii [Mr. Inouye], the Senator from New Mexico [Mr. Bingaman], and the Senator from South Carolina [Mr. Thurmond] were added as cosponsors of S. 1020, a bill to create the office of Librarian of Congress Emeritus.

S. 1027

At the request of Mr. Humphrey, the name of the Senator from Connecticut [Mr. Dodd] was added as a cosponsor of S. 1027, a bill to prohibit trade between the Soviet puppet regime in Afghanistan and the United States.

S. 1080

At the request of Mr. Boschwitz, the name of the Senator from Alaska [Mr. Murkowski] was added as a cosponsor of S. 1080, a bill to amend the Automobile Information Disclosure Act to provide information as to whether or not certain motor vehicles are capable of using gasohol.

S. 1137

At the request of Mr. Danforth, the name of the Senator from South Carolina [Mr. Thurmond] was added as a cosponsor of S. 1137, a bill to require implementation of a marketing loan program for agricultural commodities if negotiations fail to produce an international agreement on agricultural trade.

S. 1172

At the request of Mr. Karnes, his name was added as cosponsor of S. 1172, a bill to amend the Farm Credit Act of 1971 to provide a secondary market for agricultural mortgages, and for other purposes.

S. 1176

At the request of Mr. Danforth, the name of the Senator from California [Mr. Wilson] was added as a cosponsor of S. 1176, a bill to amend the Internal Revenue Code of 1986 to exclude research facility bonds from the volume cap for qualified 501(c)(3) bonds.

SENATE JOINT RESOLUTION 14

At the request of Mr. Helms, the name of the Senator from Virginia [Mr. Warner] was added as cosponsor of Senate Joint Resolution 14, a joint resolution to designate the third week of June of each year as "National Dairy Goat Awareness Week".

SENATE JOINT RESOLUTION 104

At the request of Mr. Boren, the names of the Senator from Washington [Mr. Adams], the Senator from Rhode Island [Mr. Chafee], the Senator from Alabama [Mr. Heflin], the Senator from Michigan [Mr. Levin], the Senator from Arkansas [Mr. Pryor], the Senator from Indiana [Mr. Quayle], the Senator from Alabama [Mr. Shelby], and the Senator from South Carolina [Mr. Thurmond] were added as cosponsors of Senate Joint Resolution 104, a joint resolution to designate the week of May 31, 1987 through June 6, 1987, as "National Intelligence Community Week".

SENATE JOINT RESOLUTION 118

At the request of Mr. Hollings, the names of the Senator from Ohio [Mr. Glenn], the Senator from Hawaii [Mr. Inouye], the Senator from Alabama [Mr. Shelby], the Senator from Pennsylvania [Mr. Specter], the Senator from Pennsylvania [Mr. Heinz], the Senator from New Jersey [Mr. Bradley], the Senator from Maryland [Mr. Sarbanes], and the Senator from Nevada [Mr. Reid] were added as cosponsors of Senate Joint Resolution 118, a joint resolution to designate the week of May 10, 1987, through May 16, 1987, as "Senior Center Week".

SENATE JOINT RESOLUTION 120

At the request of Mr. Symms, the names of the Senator from North Carolina [Mr. Helms], and the Senator from Oklahoma [Mr. Nickles] were added as cosponsors of Senate Joint Resolution 120, a joint resolution to void certain agreements relating to the site of the Soviet Union's embassy in the District of Columbia.

SENATE CONCURRENT RESOLUTION 6

At the request of Mr. Humphrey, the name of the Senator from Rhode Island [Mr. Pell] was added as a cosponsor of Senate Concurrent Resolution 6, a concurrent resolution expressing the sense of the Congress with respect to the denial of health insurance coverage for disabled adopted children.

SENATE RESOLUTION 93

At the request of Mr. Lautenberg, the names of the Senator from Iowa [Mr. Harkin], and the Senator from Delaware [Mr. Roth] were added as cosponsors of Senate Resolution 93, a resolution expressing the sense of the Senate regarding future funding of Amtrak.

SENATE RESOLUTION 172

At the request of Mr. MURKOWSKI, the names of the Senator from South Dakota [Mr. PRESSLER], and the Senator from Idaho [Mr. McCLURE] were added as cosponsors of Senate Resolution 172, a resolution expressing the sense of the Senate with respect to United States policy objectives in providing assistance to the Nicaraguan democratic resistance.

SENATE RESOLUTION 174

At the request of Mr. DeCONCINI, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of Senate Resolution 174, a resolution expressing the sense of the Senate condemning the Soviet-Cuban buildup in Angola and the severe human rights violations of the Marxist regime in Angola.

SENATE RESOLUTION 211—AMENDING THE STANDING RULES OF THE SENATE RELATIVE TO CERTAIN COMMITTEES

Mr. BYRD submitted the following resolution; which was considered and agreed to:

S. RES. 211

Resolved, That paragraph 2 of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Agriculture, Nutrition, and Forestry" and insert in lieu thereof "19".

Strike "18" after "Banking, Housing, and Urban Affairs" and insert in lieu thereof "20".

Strike "20" after "Foreign Relations" and insert in lieu thereof "19".

SEC. 2. Paragraph 3(a) of rule XXV of the Standing Rules of the Senate is amended for the 100th Congress as follows:

Strike "18" after "Small Business" and insert in lieu thereof "19".

SEC. 3. Paragraph 4(h) of rule XXV is amended for the 100th Congress by adding at the end of the following new paragraphs:

"(37) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works and may, during the One Hundredth Congress, also serve as a member of the Committee on Agriculture, Nutrition, and Foresty so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragraph 2.

"(38) A Senator whose term begins on January 3, 1987 may serve as a member of the Committee on Armed Services and Energy and Natural Resources and may, during the One Hundredth Congress, also serve as a member of the committee on Banking, Housing, and Urban Affairs, so long as his service as a member of each such committee is continuous, but in no event may he serve, by reason of this subdivision, as a member of more than three committees listed in paragrpah 2."

SENATE RESOLUTION 212—MAKING ADDITIONAL MAJORITY APPOINTMENTS TO CERTAIN COMMITTEES

Mr. BYRD submitted the following resolution; which was considered and agreed to:

S. RES. 212

Resolved, That the Senator from Louisiana [Mr. BREAUX] is hereby appointed to serve as a member on the Committee on Agriculture, Nutrition and Foresty, and the Senator from Colorado [Mr. WIRTH] is hereby appointed to serve as a member of the Committee on Banking, Housing and Urban Affairs for the 100th Congress.

SENATE RESOLUTION 213—MAKING REPUBLICAN APPOINTMENTS TO CERTAIN COMMITTEES

Mr. DOLE submitted the following resolution; which was considered and agreed to:

S. RES. 213

Resolved, That the Senator from Nebraska [Mr. KARNES] is hereby appointed to serve as a member on the committee on Agriculture, Nutrition and Forestry, the committee on Banking, Housing and Urban Affairs, and the Committee on Small Business for the 100th Congress.

SENATE RESOLUTION 214—AUTHORIZING THE REPRINTING OF THE MANUSCRIPT "CREATION OF THE SENATE"

Mr. BYRD (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 214

Resolved, That the manuscript entitled "Creation of the Senate", prepared by Dr. George J. Schulz, Director of the Legislative Reference Service, Library of Congress, and originally ordered printed as a Senate document in the 75th Congress in 1937, shall be reprinted as a Senate document.

SEC. 2. Such document shall include a suitable cover commemorating the Bicentennial of the Senate and a new preface to be prepared by the Majority Leader and the Minority Leader.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I wish to announce that the Committee on Agriculture, Nutrition, and Forestry will hold a hearing on S. 970, the Alternative Agricultural Products Research Act of 1987 on Friday, May 15, 1987, at 9 a.m. in room SR-332. Senator TOM HARKIN will preside.

This bill, known as the biotechnology bill, would authorize funding for long-term research to help discover nonfood uses for farm crops. For further information, please contact John Podesta of the committee staff at 224-2035 or Richard Bender of Senator HARKIN's staff at 224-3254.

SUBCOMMITTEE ON NUTRITION AND INVESTIGATIONS

Mr. LEAHY. Mr. President, I wish to announce that the Subcommittee on Nutrition and Investigations of the Committee on Agriculture, Nutrition, and Forestry will hold a hearing on Tuesday, May 19, 1987, at 10:30 a.m. in SR-332 to receive testimony on S. 305, S. 236, S. 902, and H.R. 1728. Senator TOM HARKIN will preside.

For further information, please contact Bob Andros of Senator HARKIN's staff at 224-3254.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in room SR-301, Russell Senate Office Building, on Thursday, May 14, 1987, at 9 a.m., to mark up the request of the Committee on Agriculture, Nutrition, and Forestry for supplemental funding for 1987. The committee will also be receiving testimony from the Architect of the Capitol on the alternatives to the proposal to replace the Senate subway system.

For information on the Agriculture Committee's supplemental funding request, please contact Chris Shunk of the Rules Committee staff on 224-0277; for information on the Senate subway system, please contact John Swearingen of the Rules Committee staff on 224-0285.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 12, 1987, to continue markup of the Foreign Relations Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 12, 1987, at 3:45 p.m. to hold a closed briefing with administration representatives on the Costa Rica peace initiative.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SURFACE TRANSPORTATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on May 12, 1987, to resume hearings on proposed legislation authorizing funds for the Hazardous Materials Transportation Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Tuesday, May 12, 1987, to hold hearings on S. 908, the Inspector General Act Amendments of 1987, and review of audit and internal investigation units in the Department of Justice.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

MORAVIA, NY, ANNIVERSARY

● Mr. MOYNIHAN. Mr. President, it so happens that May marks 150 years since the incorporation of the village of Moravia in New York State. Moravia, a proud population of 1,582, can be found serenely in the middle of the Finger Lakes region. It would be an injustice to speak of Moravia as a simple small town. No, this is a village with a rich heritage and a special place in the heart of America.

Moravia has the rare privilege of claiming an American President as part of its past. Millard Fillmore, our 13th President was born in nearby Summer Hill, married in Moravia, and studied law there. As Vice President, Fillmore presided over the U.S. Senate during the fierce debates over slavery. And let me remind our trade bill enthusiasts that it was President Fillmore who initiated Commodore Perry's visit to Japan to open her ports to trade. Abigail Fillmore, a daughter of Moravia, was an amiable and graceful First Lady. Abigail was so perturbed by the lack of books in the White House, that she started the first White House Library.

Moravia's link to history does not end here. Andrew White, one of the founders, and first president of Cornell University, lived here while he himself was in college. John D. Rockefeller, America's first millionaire, made his first money here. So the tale goes that young John raised turkeys in his nearby boyhood home and drove them into Moravia to sell to the townspeople.

In this fertile region where farming was the way of life, came the first cast iron plows. Jethro Woods of Cayuga Falls, designed a plow that would be more durable than the wooden steelshod plows in use at the time. With patent in hand, he and businessman Elias Rogers began manufacturing the cast iron plows for farms all over the region. The plow was seen as an important development for many—so exciting that the Czar of Russia sent Jethro Wood a diamond ring.

The village of Moravia is a place which serves as a reminder of a young, blossoming America, a country with steadfast determination and pride. Its people, much like the cast iron plow made here, have proven strong, tireless, and unbending. But the analogy ends here; in the case of the plow, technology found a better way and rendered it a relic. Moravia, in all its grace, charm, and character cannot be replaced.

My heartiest congratulations to the good people of Moravia, NY. If only all small towns could be so rich.●

S. 1172—AGRICULTURAL MORTGAGE MARKETING ACT

● Mr. KARNES. Mr. President, I ask that the record reflect that I have joined as a cosponsor of S. 1172, the Agricultural Mortgage Marketing Act of 1987. This bill would establish, within the framework of the Farm Credit Act of 1971, a secondary market mechanism for agricultural real estate mortgages.

This Congress will deal with a variety of proposals to address the financial problems faced by the Farm Credit System. The bill is an essential component of the comprehensive approach we must take to address those problems and assure that our farmers will be able to obtain flexible and reasonably priced credit.

Mr. President, the mechanisms which our Nation's Capital markets have developed to serve other sectors of the economy, such as housing, must be available to American agriculture. This is critical to assure that American farmers remain globally competitive. Agricultural lenders must have an increased ability to intermediate capital from individual and institutional investors in a volume, and at prices that will provide dependable sources of credit for farmers. Strong and healthy competition in our rural communities is a key to flexible and reasonably priced credit for farmers.

This bill presents a straightforward and balanced approach for establishing a secondary market in agricultural real estate loans. The language of the bill is clear, direct, and specific. The focus of its provisions are on the financing of real estate used in the type of production agriculture traditional to the State of Nebraska. The bill would promote participation in the secondary market by all types of lenders interested in financing agriculture in our State, and assure their equal access and balanced representation. The bill would also provide for the appropriate representation of the general public interest.

A properly structured secondary market facility would benefit our Nebraska communities in a number of important ways. It would provide farmers with lower interest rates, access to a larger number of competing lenders, and access to fixed-rate and long-term real estate mortgage credit, and would assure more simplified borrowing procedures. The facility would also provide agricultural lenders with greater flexibility to match their assets and liabilities, and to manage interest rate risks. It would enable them to generate more loan volume with reasonable capital commitments. Lenders could also gain additional sources of fee and service income to strengthen their capital resources. This would, in turn, strengthen our Nation's banking system generally.

It is my understanding that S. 1172 is supported by agricultural lenders across industry lines, including the American Bankers Association, the Independent Bankers Association of America, and the American Council of Life Insurance. The bill represents a concensus among those groups on issues related to the establishment of a secondary market in agricultural real estate mortgages. I commend the constituent members and leaders of those groups for their hard work and emphasis on their mutual interest in developing a mechanism to more effectively serve farmers in their communities. The successful establishment of a secondary market in agricultural real estate loans, with balanced participation and access, would enable those agricultural lenders to overcome barriers which have limited their ability to make a significant volume of long-term, fixed-rate loans available to farmers. The enactment of S. 1172 should serve to broaden and deepen their commitment to production agriculture in their communities.

It is important to recognize that the successful establishment and operation of a secondary market in agricultural mortgages involves a number of technical areas. This bill will require some adjustments to accommodate those technical needs. We must be sure that a secondary market is structured so that it can and will work. I pledge to use my background and experience in agriculture and banking to work with my distinguished colleagues to make a secondary market in agricultural loans a reality and a success.

Mr. President, I join as a cosponsor of S. 1172 and see it as an historic opportunity to provide greater alternatives and flexibility to farmers, lenders and investors for financing American agriculture through the establishment of a secondary market in agricultural real estate loans.●

KIL JOON YU CALLAHAN

● Mr. KERRY. Mr. President, I would like to express my appreciation to the Senate for the passage of S. 423, a bill for the relief of Kil Joon Yu Callahan. I would also like to express my gratitude to Senator KENNEDY for his assistance in moving this legislation through the Judiciary Committee and in obtaining its passage by the full Senate.

Mrs. Callahan is the wife of David Callahan, a citizen of Massachusetts now residing in South Korea. She has been excluded from the United States due to a ruling of the State Department and the INS dating to 1979. This bill would provide relief for Mrs. Callahan, and allow the Callahan family to be reunited in the United States.

My efforts in this matter are a continuation of efforts begun by my predecessor, Senator Paul Tsongas, in 1984. I introduced a similar measure in the 99th Congress which passed the Senate, but unfortunately the House did not act on the legislation. I am hopeful that with the Senate's action today in swiftly passing this measure, there will be ample time for the House to act in the 100th Congress, and finally bring relief to the Callahan family.●

NATIONAL ENERGY SECURITY

● Mr. HEINZ. Mr. President, I wish to draw my colleagues' attention to an editorial that appeared in the May 5 edition of the Philadelphia Inquirer. The editorial, entitled "To Drill or Not To Drill; That's Not the Question," points out that the United States still lacks a coherent energy policy—despite the oil price shocks of 1973-74 and 1979.

Data gleaned from Energy Information Agency sources indicate that oil consumption, after several years of decline, has risen recently, from 15.7 million barrels daily [mbd] in 1985 to 16.1 mbd last year. Oil consumption for the first 3 months of this year was 16.3 mbd. Furthermore, net oil imports, net OPEC imports, and net Arab OPEC imports—all as a percentage of U.S. consumption—reached their highest levels since 1981 last year. So we are consuming more oil, and importing more of the oil we consume. And more of the oil we import comes from Arab OPEC sources. Not calming trends, certainly.

All the while, current auto advertisements sing the praise of a "a really big car" and certain auto manufacturers clamor for the abolition of fuel economy standards. The administration, meanwhile, suggests we reduce the fill rate for the strategic petroleum reserve from 75,000 barrels daily to 35,000 barrels per day. Where is our common sense?

The President's recommendations on national energy security measures were issued late last week. I invite my colleagues to scrutinize the recommendations. Energy issues may be dormant, but they are not dead. If we do not revisit them soon, we'll end up driving our "really big cars" at 65 miles per hour headlong into gasoline lines.

I ask that the editorial from the Philadelphia Inquirer be printed in the RECORD.

The article follows:

[From the Philadelphia Inquirer, May 5, 1987]

TO DRILL OR NOT TO DRILL; THAT'S NOT THE QUESTION

If U.S. energy policy were to be described in one word, "schizophrenic" would fit nicely. This nation careens from frenzied consumption to fearful conservation and back again, ignoring the past, blind to the future.

Consider recent events:

The same day that the Organization of Petroleum Exporting Countries announced it was cutting crude oil production and raising prices, the Presidential Task Force on Regulatory Relief, chaired by Vice President Bush, recommended that fuel economy standards for new automobiles be abolished. The idea is under consideration.

Oil consumption in the United States, which had declined for five straight years, began rising again in 1984 and went up a full 2.6 percent last year alone. Oil imports in February jumped to 6 million barrels a day from 4.6 million barrels in February 1986.

The newly enacted 65 m.p.h. speed limit on rural highways will mean an additional 50,000 barrels of oil are consumed daily in this country.

Is America heading for another energy crisis? You'd better believe it. And the Reagan administration and Congress are responding in typically irrational ways. The scramble for a "secure energy future" is on again.

At what price?

The U.S. Department of the Interior has proposed opening millions of acres of coastal waters to oil exploration and development. The areas include the outer continental shelf off California, the Georges Bank in New England, the Florida Keys and the Pacific Northwest. Also targeted for exploration is the entire 1.5-million-acre coastal plain of the Arctic National Wildlife Refuge, near oil-rich Prudhoe Bay in Alaska.

Although all the areas targeted by Interior seem guaranteed to spark opposition from environmental groups and local residents, none will generate as much protest as the Arctic refuge proposal. The area was given special protection by Congress in 1980 due to its unique environmental qualities, and as a result any development there must first win congressional approval.

In selecting the various sites, Mr. Hodel was unequivocal. "The outer continental shelf and the Arctic National Wildlife Refuge coastal plain are the foundation of America's energy future," he said. "Together they mean the difference between a secure, environmentally sound oil and gas program for the country in the 21st century and the energy crises we suffered in the 1970s at the hands of OPEC."

Among those countering that assertion was Rep. Leon Panetta (D. Calif.), who charged: "This plan reflects the lack of a comprehensive energy policy for this nation. This administration has virtually abandoned the development of alternative fuels, retreated from incentives for conservation, failed to fill adequately our strategic petroleum reserves and allowed the nation to become more dependent on foreign oil."

Interior estimates there is just a 19 percent chance that the Arctic plain contains major oil reserves. Environmentalists argue that exploration could jeopardize this irreplaceable ecosystem that's home to grizzly and polar bears, musk oxen, porcupine caribou and other species, and maintain that's too great a price just to top off America'a gas tanks.

The problem is that in the 1970s, they raised similar alarms in an unsuccessful effort to block oil development in Alaska. Many of their warnings of environmental disaster proved to be unfounded. Wildlife and plant life have demonstrated they can coexist alongside Alaskan petroleum development—a fact that undercuts their case today.

Rather than again bring up the threat of species destruction, the environmentalists would help their case enormously by lobbying hard for a sensible, long-range energy plan. The day may come when America will be forced to despoil wild areas to satisfy her energy needs. That time is not now, and hopefully it will never come.

The case for oil exploration in Alaska is weakened by the fact that there is a lot of difficult-to-extract oil in America that would be pumped out if prices increased modestly. Increased prices would bring about energy conservation.

As Mr. Panetta suggests, the message that should be spreading in Washington is this: It's still cheaper—and far more sensible—to save a barrel of oil than to produce one. If environmentalists and others can get that idea across, they'll save the Arctic wilderness, the porcupine caribou—and a heck of a lot more.●

CONSTRUCTION DIFFERENTIAL SUBSIDY PAYBACK

● Mr. BREAUX. Mr. President, I ask that the following letter from the Defense Department to the Maritime Administration regarding the issue of construction differential subsidy [CDS] payback be inserted in the RECORD.

The letter follows:

DEPARTMENT OF THE NAVY,
Washington, DC, April 28, 1987.

Mr. JAMES E. SAARL,
Secretary, Maritime Administration, Washington, DC.

DEAR MR. SAARL: The Department of the Navy is opposed to the proposed rulemaking concerning Construction-Differential Subsidy Repayment as published in the Federal Register on 15 April 1987 (52 FR 12199).

Allowing tankers built with construction-differential subsidy (CDS) to repay that subsidy to the government and enter the domestic tanker trade has had a stifling effect on the domestic tanker trade since the STUYVESANT was admitted to that trade in 1978. The continuing threat of entry into the trade by subsidized tankers has had a debilitating effect on most operators in the trade; they have chosen to "wait and see" what the government would allow. As a result, very few ships have been constructed for the trade in the past five years.

The domestic tanker trade is the primary source of commercial tankers that would be used for carriage of military petroleum in wartime. When that trade is healthy, it provides the Defense Department with tankers for use in wartime. When that trade is depressed, we must find alternate sources of tanker tonnage. At this moment, we are evaluating bids in a competition for used tankers to place in the Ready Reserve Force. We expect to be buying 20 or more tankers over the next few years at a cost of more than $200 million to meet requirements that cannot be covered by the U.S. Flag commercial fleet. Independent estimates of the future of the U.S. flag commercial tanker fleet indicate that we might have to increase our tanker procurement significantly; we are evaluating those estimates.

We believe that the government should refrain from interfering, in an adverse way, in a commercial market when that market has a direct impact on our defense capability. The proposed CDS repayment rulemaking would continue to disrupt the domestic tanker market, as it has for the past nine years. Should be Department of Transportation find it necessary to provide additional tonnage for the trade to meet temporary surges in demand, the six-month permission and *pro rata* CDS repayment allowed by Section 506 of the Merchant Marine Act, 1936, as amended, and 46 CFR Part 250, seems adequate for that purpose.

Sincerely,

EVERETT PYATT.●

CONGRESSIONAL SALUTE TO DONALD QUINN

● Mr. ARMSTRONG. Mr. President, I would like to bring to the attention of my colleagues an outstanding member of the Denver community, Mr. Donald Quinn, who is retiring from his position as executive director of the Colorado-Wyoming Restaurant Association. Don's knowledge of the restaurant and hospitality industry and his high standards of professionalism have earned him respect throughout our community, and we certainly wish the best for him during his retirement.

Under his leadership, the Colorado-Wyoming Restaurant Association [CWRA] doubled its membership, increased its budget fourfold and saw its annual convention become a major regional food industry trade show. More importantly, CWRA expanded its professional service to its members and grew in influence among the business community, government agencies, allied associations, the news media and the public.

One of the most notable accomplishments on behalf of the restaurant and hospitality industry has been the major gains CWRA has earned in the Colorado and Wyoming Legislatures due to Mr. Quinn's tireless efforts and political skills. His dedication to building CWRA's leadership role was recognized in 1986 by the association's board of directors when they presented him with a special "bridge builder" award.

In 1981, he was chosen "Man of the Year" by the Colorado Chefs de Cuisine Association. And in January of this year, he was inducted into CWRA's Food Service Hall of Fame, which recognizes individuals who have made outstanding contributions to the food service industry and their communities.

Mr. Quinn is also a past president of the International Society of Restaurant Association Executives and an active member of numerous professional associations.

Before his association work, he had a distinguished career in journalism as a reporter, writer and editor for the Associated Press, the Washington Post, the St. Louis Review and other newspapers where he earned many awards.

Mr. President, I want to express my gratitude for all of the contributions Mr. Quinn has made to our community. His retirement is well-earned, and we thank him for a job well done.●

THE INCOMPARABLE HILDEGARDE

● Mr. HECHT. Mr. President, I have the honor of joining many U.S. veterans and my colleagues from Wisconsin in recognizing the illustrious career of the incomparable Hildegarde, and her numerous contributions to the morale of the United States and Allied troops during World War II.

Her many famous songs soothed an earlier generation in time of war, they provide beautiful memories for us now, and they are destined to become classics for future generations to enjoy in the years to come.

On April 21, 1987, the Soldiers', Sailors', and Airmen's Club has presented this amazing performer with their Gold Star Award, and the State of Wisconsin proclaimed October 4, 1986, as "Hildegarde Day." Without objection, I request that both of these proclamations be inserted into the RECORD.

The material follows:

SOLDIERS', SAILORS' AND AIRMEN'S CLUB GOLD STAR AWARD PRESENTED TO THE INCOMPARABLE HILDEGARDE ON TUESDAY, APRIL 21, 1987

In recognition of her outstanding contributions to the morale of the U.S. and Allied Troops during World War II by singing her French songs "The Last Time I Saw Paris" and "Darling, Je Vous Aime Beaucoup" to the Armed Forces in person near the battle zones, by overseas radio and on recordings. These and many of her other famous World War II songs have become classics for future generations to enjoy in a world of "Peace and Harmony" recorded by Hildegarde in 1986 on her 80th birthday.

A PROCLAMATION

Whereas, the Incomparable Hildegarde is one of Wisconsin's most illustrious daughters, and we are proud to recognize her outstanding, star-spangled career in show business on the occasion of her return to the Milwaukee stage; and

Whereas, Hildegarde's international career spans sixty years; she has conquered the world of musical entertainment, including Broadway, radio, recording, night clubs and supper clubs, and recently Carnegie Hall, where she celebrated her eightieth birthday on stage; and

Whereas, the voice of Hildgarde is loved the world over; her trademark lace handkerchiefs and long gloves are known to millions, whether they be the New York audiences who thrilled to her one-woman shows and show-stopping lead performances, or the armies of World War II American servicemen, for whom Hildegarde was the "voice back home"; and

Whereas, Hildegarde is truly loved here in Wisconsin, where her star will always shine brightly; it is highly appropriate on this very special occasion to show Hildegarde how much her home state cares for her with this offical recognition;

Now, therefore, I, Anthony S. Earl, Governor of the State of Wisconsin, do hereby proclaim October 5, 1986, Hildegarde Day in Wisconsin and thank and congratulate Hildegarde for all of the wonderful entertainment and happiness she has provided to so many people throughout her fabulous career.●

AMENDMENT TO THE RULES OF THE COMMITTEE ON THE JUDICIARY

Mr. BIDEN. Mr. President, I hereby submit for the RECORD an amendment to the rules of the Committee on the Judiciary as approved by the committee on April 8, 1987.

The amendment reads as follows:

VI. ATTENDANCE RULE

From April 8, 1987 until April 8, official attendance of all Committee markups and executive sessions of the Committee shall be kept by the Committee Clerk. Official attendance of all Subcommittee markups and executive sessions shall be kept by the Subcommittee Clerk.

Official attendance of all hearings shall be kept, provided that, Senators are notified by the Committee Chairman and Ranking Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

I ask that a copy of the rules of the Judiciary Committee be printed in the RECORD.

The material follows:

RULES OF THE COMMITTEE ON THE JUDICIARY [1]

I. MEETINGS OF THE COMMITTEE

1. Meetings may be called by the Chairman as he may deem necessary on three days notice or in the alternative with the consent of the Ranking Minority Member or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee, at least 48 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. On the request of any member, a nomination or bill on the agenda of the Committee will be held over until the next meeting of the Committee or for one week, whichever occurs later.

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[1] Reaffirmed by the Committee on the Judiciary in executive session on February 22, 1983. Printed in the Congressional Record on February 23, 1983, pursuant to the Legislative Reorganization Act of 1970.

II. QUORUMS

1. Eight members shall constitute a quorum of the Committee when reporting a bill or nomination; provided that proxies shall not be counted in making a quorum.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may submit his vote by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a rollcall vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with eight votes in the affirmative, one of which must be cast by the Minority.

V. SUBCOMMITTEES

1. Any member of the Committee may sit with any Subcommittee during its hearings or any other meetings, but shall not have the authority to vote on any matter before the Subcommittee unless he is a member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship, and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.●

FIXING THE CAPTIAL GAINS TAX—A TWO-TIERED APPROACH

● Mr. BOSCHWITZ. Mr. President, I have already made several speeches here on the Senate floor explaining the need to reinstate a capital gains exclusion in the new tax law. I would like to continue that discussion today. I will also continue to speak on this subject in the future.

In that regard, it is worth noting that it took my friend, the late Congressman Bill Steiger, years of persistence before he finally pushed through the capital gains exclusion of the old law.

As my colleagues are aware, the Tax Reform Act of 1986 repealed the 60 percent long-term capital gains exclusion which existed under the prior law. Under the new law, capital gains will be taxed as ordinary income. That means that the maximum marginal tax rate on long-term capital gains will increase from 20 percent to as high as 33 percent. That's a 65-percent increase at the Federal level alone. And as I have pointed out previously, when you combine the new law with State taxes the results are really disappointing. The maximum combined Federal and State tax on $1,000 of capital gains could be well over 40 percent in some States under the new law.

Today, I would like to explain several adverse consequences of such a tremendous increase for middle and lower income taxpayers. I think my colleagues and these taxpayers will be quite surprised. Opponents of capital gains are too often allowed to erroneously claim that an exclusion only benefits the wealthy. That is not true. Capital gains are very important to middle and lower income taxpayers.

To begin, it's very interesting to point out that repealing the exclusion will put a bigger hit on the pocketbook of middle and lower income taxpayers than wealthy taxpayers: Repealing the exclusion means that the Federal tax bite on long-term capital gains for someone in the highest tax bracket will go from 20 to 28 percent, a 40-percent increase.

However, for a middle-income family with $32,000 of taxable income, the Federal tax rate on long-term capital gains will increase from 10 percent under the old law—25 percent marginal rate times 40 percent subject to tax—to 28 percent. That's a 180-percent increase. For a taxpayer making $20,000, the Federal rate on long-term capital gains will increase from 7.2 percent under the old law to 15 percent. That's a 108-percent increase. For a family with $15,000 of taxable income, the Federal tax bite on capital gains will go from 6.4 to 15 percent, a 134-percent increase.

And that's not the only way middle and lower income taxpayers will be hurt by an increase in the capital gains tax rate. For many of these taxpayers, their single largest capital gain often comes from the sale of an asset—such as a farm or a business—which they have for years. In many cases the asset represents a substantial portion of their net worth. The unexpected and very substantial increase in their capital gains rate caused by repeal of the exclusion could be very difficult for these people to bear.

Indeed, in many cases the gain being taxed is not real economic gain, but merely inflationary gain which does not add to personal wealth. That's one of the reasons there was an exclusion under the old law and one of the reasons that capital gains income is different from other income. If you started a business or bought a farm many years ago, worked it for many years and then sold it at a higher price, you would have a tax gain but not necessarily a real economic gain. When we remove the capital gains exclusion, the taxpayer will no longer have any cushion against taxing increases caused by inflation.

So repealing the capital gains exclusion is really going to hurt middle and lower income taxpayers. Capital gains is not a loophole for the wealthy—it is very important to all taxpayers.

Earlier this year—and also last year—I introduced legislation to provide a two-tiered capital gains exclusion for individuals. In the case of assets held at least 1 year but less than 3 years, 40 percent of the gain would be excluded from tax. For assets held 3 years or more, the exclusion would be increased to 60 percent. I urge my colleagues to join me in this effort and cosponsor my will—S. 444.●

A TRIBUTE TO STEPHEN K. DOUGLAS

● Mr. PRYOR. Mr. President, recently scores of residents of Crittenden County, AR, and throughout the Mid-south banded together to raise money for a bone marrow transplant for Steve Douglas of Marion, AR.

Steve, founder of Dream Factory, a nonprofit organization dedicated to helping terminally ill children fulfill their dreams, suffered from Hodgkins disease. Despite the dedication of the people of this area and efforts to secure a waiver from Medicare to help defray the costs of such an expensive surgery, Steve lost his battle only hours before he was to have left for Seattle on April 14, 1987, to receive the needed operation.

Steve Douglas, putting the dreams of a number of children above his own ordeal, was a special individual. No doubt the fact that money is awaiting some other person with a similar need is all the memorial that he would want.

Steve Douglas was an extraordinary person from a caring community. His courage and compassion should be an inspiration to all of us.

I share the grief of his family and friends. His passing was noted by the West Memphis Evening Times on April 15, 1987. I ask that an editorial printed on that date be included in the RECORD.

The editorial follows:

DREAM DENIED DREAM FACTORY FOUNDER

The news Monday shocked Crittenden Countians and others from the Mid-South.

Steve Douglas of Marion, founder and president of the Memphis Chapter of Dream Factory, due to leave Monday morning for Fred Hutchinson Cancer Research Center, Seattle, Wash., for a bone marrow transplant, lost his battle for life just about two hours before he was to have left for Seattle.

It seems ironic that the young man whose efforts in establishing Dream Factory in Memphis, had resulted in providing last wishes for 30 area children who were victims of terminal diseases, yet—even though the funds were available—time ran out before he could have his dream of recovery fulfilled.

The $100,000 needed for the transplant, had seemed like an impossible goal to friends who headed the effort to raise the funds for the transplant. But they went to work, spreading the word and hoping that at least part of the needed amount could be raised in a relatively short time.

The campaign was more than they could have ever dreamed it would be. But Steve Douglas' need became everyone's concern and even before this week, the campaign had raised much more than the $100,000.

Much of that money came in small donations, and from various fundraising activities sponsored by youth, school, church and other groups, as well as from business and professional people.

Contributions were sent to the Organ Transplant Fund in Memphis, but marked for Steve Douglas.

And now, that The Marion resident does not have need of the outpouring of love and concern of friends and strangers, that money will be on hand for someone else who will need an organ transplant

To the people who knew Steve Douglas, the fact that money is awaiting some other person with a similar need would be all the memorial that he would want.

No one knows just how great the impact of Steve Douglas' tragic death will be in the future, but for the present, the loss is being shared by people in all circumstances, of all ages, and from churches of all faiths. For a while the need of one person became the need of entire communities. It somehow erased the worry about the problems of drugs, increased crime and moral decay.

Yes, the people of Crittenden County and nearby areas, have proved that a dream shared can do wounderful things.

Let's all hang on to our dreams as we remember a courageous and compassionate young man who helped others realize their dreams, but was unable to have his realized. But he did know that people still care about their fellow men, as demonstrated by the remarkable campaign that went over the top in hopes that he could have that chance at life as offered by the bone marrow transplant.

We share the grief of his family and friends and remind them that Steve Douglas did not die in vain.●

THE IMPORTANCE OF RICE TRADE TO THE UNITED STATES-JAPAN TRADE BALANCE

● **Mr. PRYOR.** Mr. President, 2 weeks ago I spoke to the Senate about the total ban which the Japanese Government has placed on United States rice imports.

The May 2 Economist spells out how this trade restriction:

1. Adds to the food costs of Japanese consumers,
2. Results in land costs rivalled only by those in Hong Kong,
3. Distorts tax policies,
4. Leads to housing costs many times greater than in the U.S.

And, most important to the United States:

5. Diverts disposable income away from the urban majority, which would be most likely to buy U.S. goods, and
6. Drastically reduces the income available to all Japanese citizens (who would be likely to spend one-fifth of any increased income—estimated at 2-3 percent of GNP—on imported goods).

I have proposed several approaches which would address the problem of the Japanese import ban and hope my colleagues will lend their support to those efforts.

I ask that the Economist editorial be included in the RECORD.

The editorial follows:

ACTION, PLEASE

In a week that began with the Tokyo stockmarket losing 4% of its value in a day, and ending with Mr. Yasuhiro Nakasone's anxious visit to Washington, some people have wondered whether the world is heading for a financial disaster or a trade war. Both are avoidable, provided political leaders will actually lead. What that means for the United States is tediously familiar: steady reductions in the budget deficit. For Japan, the issue is more difficult because the medium-term answers are less well-known—and politically much more challenging.

Part of America's (and Western Europe's) unhappiness with Japan's gigantic trade surplus—around $90 billion last year—comes from the success of the Japanese export machine. A bigger part comes from Japan's reluctance to buy foreign goods and services. Its imports last year were only 60% of the value of its exports; for West Germany, the other country with a large surplus, the ratio was nearly 80%. Japan's import anorexia has little to do with the trade barriers that westerners so love to criticise. Its two main causes have been the yen's low exchange rate, now a thing of the past, and the thriftiness-cum-enforced poverty of Japanese consumers. Freeing them to spend more would be the surest way to a lasting trade peace.

SLASH THE PRICES OF RICE AND LAND

The Japanese spend around a third of their disposable incomes on food, more than twice as much as Americans do and half as much again as West Germans. A tonne of Californian rice will cost $180 loaded on a ship in Los Angeles bound for Japan. It will never get there. Across the Pacific the Japanese government forbids anybody to import rice, and is meanwhile paying its inefficient farmers around $2,000 a tonne for the rice they grow on their postage-stamp paddies, and selling it to Japanese consumers for six or eight times the world retail price. Even when imports of food are allowed, the government makes sure there will be no undue competition for expensive rice: American wheat is landed in Japan for $130 a tonne, but then sold to millers for $525.

Japan's policy of protecting its rice farmers at all costs has contributed mightily to a second great nonsense: the astronomical price of land. The 122m Japanese live in a small mountainous country only a third of which is habitable. Almost half the habitable land is devoted to farming, and half of that to growing rice. In Japan last year, an acre of rice paddy cost the equivalent of $30,000; in California, it could have been bought for $1,600.

Such distortions have little to do with Japan's physical crowding. To the effects of rice subsidy are added property-tax policies that reward holding land as "farmland" even when it is not; capital-gains taxes that discourage sales of land to developers; and zoning regulations—especially a rigid protection of the right to sunshine—which keep Tokyo absurdly low-rise. The results is that a square metre of residential land in metropolitan Tokyo costs an average of $2,400 at today's exchange rates, and business land an average of $26,000; land in downtown Tokyo costs more than nine times as much as land in midtown Manhattan. The average price of a house or flat in a middle-class district of Tokyo is between seven and ten times the annual pre-tax earnings of its owner; in most western cities, the multiple is only four or five, for a home that is at least twice the size. The difference in housing costs is one big reason why Japan's savings rate is much the highest of any OECD country.

The rice policy does not just block imports directly; it diverts money to the high-saving and conservative rural minority, away from the urban majority who would be most ready to experiment with western goods. One Japanese economist guesses that if consumer spending on food were reduced even to West Germany's level, extra spending on other things would equal about 2-3% of Japan's GNP—and around one-fifth of that would go on imports. A removal of restrictions on land might have even bigger effects. The high yen will help spur some change; it is already making the Japanese restive about not seeing in their retail prices any of the benefit of the yen's greater purchasing power on world markets. The longer the discrepancies go on, the stronger the pressure will be for a change. But that, in itself, will not be enough.

Ask Mr. Nakasone. Last summer he won one of the biggest election victories in post-1945 Japan; he landed in Washington on Wednesday night a near-lame duck. What intervened was his proposal for a modest value-added tax to help shift Japan from direct to indirect taxes. He has been savaged for this: first by the small shopkeepers who are a mainstay of the ruling party (and who prefer income tax because they avoid paying it), and then by voters in local elections. Anybody seeking to reform the food and land oligarchies will have an even rougher time.

The reason is that politics in Japan is conducted by bargaining among special-interest groups—over none of which any central figure, including the prime minister, has much authority. Mr. Nakasone, with his special commissions to evade the bureaucrats and his direct appeals to the voters, has attacked this system more forthrightly than anyone. An assault on the farming interests, which are a powerful lobby, and on the property and construction interests, which lavishly grease the palm of the biggest faction in the ruling party, will require a big gulp and a lot of courage.

The man best suited to make such an assault is the lame duck visiting his friend Ron this week. Mr. Nakasone has rescued himself from other hopeless positions, so it would be foolish to write him off now. But he has never looked so weak. If he goes, all three of his possible successors look likely to return Japan to the interest-brokering ways that Mr. Nakasone was gradually eroding. Whoever leads Japan later this year, the Japanese cannot close their eyes to the choice they have to make. Twice before, in the Meiji restoration of the nineteenth century and after 1945, they dazzlingly reformed their society when they recognised the realities of the wider world. It is time they did so again. Cheaper food and cheaper land would be the way.●

FINANCIAL STATEMENT OF SENATOR PAUL SIMON

● Mr. SIMON. Mr. President, Each year I have been in public office, I have released my detailed financial statement. I would like to place the statement in the RECORD.

The material follows:

Income Statement Paul and Jeanne Simon—1986

Income:	
Salary, U.S. Senate	$75,100.00
State of Illinois, General Assembly System	17,604.00
Book Royalties	13,816.00
Consultant Fees—(Jeanne) Am. Assn. of Retired Persons	5,560.00
U.S. Senate, Expense reimbursement	17,837.00
Paul Simon for Senate Committee, expense reimbursement	478.00
Democracy Fund, expense reimbursement	229.00
Total	130,624.00
Honoraria and travel reimbursement:	
California State University, Talk	1,500.00
Baltimore Sun, article	100.00
Foster & Kleiser, talk	2,000.00
Lutheran Academy, talk	250.00
Georgetown University, talk	200.00
American Institute of Architects, talk	2,000.00
Religion In American Life, Inc., talk	2,000.00
Globe Newspaper Co., article	200.00
American Income Life Insurance Co., talk	2,000.00
Institute of International Education, talk	100.00
Everett McKinley Dirksen, annual lecture	2,000.00
National Cable Television Associaton, talk	1,500.00
Bristol-Myers Co., talk	2,394.11
Education Writers Association, talk	1,000.00
Susquehana University, talk	300.00
Washington University, talk	2,000.00
American Insurance Association, talk	1,500.00
Miller & Schroeder Financial Forum	2,000.00
Alma College, talk	500.00
Brookings Institution, talk	300.00
CPC International, talk	1,500.00
Chronicle of Higher Education, article	300.00
Miami Herald, article	150.00
United Association of Journeymen & Apprentices of Plumbing & Pipe Fitting, talk	2,014.20
Association of Trial Lawyers of America, talk	2,000.00
American Society of Composers, Authors, Publishers, talk	2,000.00
National Association of Mfgrs, talk	1,000.00
Chicago Magazine, article	25.00
U.S. Chamber of Commerce, talk	500.00
Association of Private Pension & Welfare Plans, Inc., talk	1,000.00
Howard University, talk	2,000.00
Total	[1] $36,333.31

[1] Honoraria are limited to $30,040. The amount over that has been donated to charities.

Interest income:

General American Life	$123
U.S. Senate Federal Credit Union	229
NCNB National Bank	12
Polish National Alliance	7
Towne Center	63
U.S. Government	178
Total	613

Dividends:

Adams Express	511
Borman's	1
Crown Zellerbach	3
Chock Full O'Nuts	4
Dreyfus Fund	1,204
Franklin Fund	63
Gulf & Western	1
Harper & Row	9
Lear-Siegler	18
Pacific Gas & Electric	376
Pax World Fund	28
Ralston Purina	13
Scott Paper	5
Total	2,236

Net Worth Statement (April 15, 1987)

Assets

University Bank, Checking Account	$11
U.S. Senate Federal Credit Union, Checking Account	4,341
NCNB National Bank of Florida, savings account	226
Loan to Senator Paul Simon Office Account	2,500
U.S. Savings Bonds	3,000
Christian Church of Salem, Bond	250
General American Life Insurance, cash value	3,643
Polish National Alliance Insurance, cash value	1,783
Congressional Retirement System, cash value	60,304
B&T Enterprises	332
11.8 Acres and Home, Makanda, IL (Appraised in March 1987)	204,000
Furniture and Presidential autograph collection	18,000
1983 Ford Mustang	5,000
1980 Chevrolet	2,000
IRA, Paul	20,561
IRA, Jeanne	11,427
Total	337,378

Stock and Bond Holdings with Number of Shares (April 15, 1987)

Adams Express, 136	2,856
Bethlehem Steel, 5	48
Borman's, 8	173
Chock Full O'Nuts, 10	80
Dreyfus Fund	16,414
Dreyfus Convertible Securities Fund	2,500
Franklin Money Fund	1,239
Gulf & Western, 1	75
Harper & Row, 15	968
Lear Siegler, Balance Due after sale	368
Intergroup, Inc, 25	288
Pacific Gas & Electric Company, 200	4,300
Pax World Fund, Inc.	1,267
Ralston-Purina, 12	972
Rohr Industries, 6	168
Scott Ppaer, 4	293
United M&M, 8	90
Jet-Lite, 120 (Approx. Value)	300
Total	32,399

Liabilities

First National Bank of Collinsville, Note	$41,350
Polish National Insurance, Loan	1,392
General American Insurance, Loan	3,021
Landmark Bank, Lebanon, Illinois, Mortgage	163,200
Community Trust, Irvington, Illinois, Note	21,923
Total:	230,886
Total assets:	369,777
Total liabilities:	230,886
Net worth:	138,891

Gifts received of more than $25.00 value outside of immediate family members:

2 Books from Stan Glass, value unknown.

Vase and Lotus bowl from Fredericak and Julie Chien, value unknown.

Carving set from United Transportation Workers, value unknown.

Sale of assets—Sold six shares of Crown Zellerbach for $270, May 9, 1987. Cost of shares, 1967, $193. Net gain on sale, $77.

Sold six rights Crown Zellerbach, $4.00.

Sold condominium for $91,000 on February 25, 1987. Cost in 1979, $81,000, Improvements, $214. Gross gain on sale, $9,786.●

CONGRESSIONAL SALUTE TO C. JUSTIN HILL

● Mr. BOREN. Mr. President, I would like to take this opportunity to recognize a well respected and highly regarded citizen of Oklahoma, Mr. Justin Hill, who is retiring after 22 years as executive director of the Oklahoma Restaurant Association. A man of great wisdom, wide experience, personal warmth, good humor, and strong leadership skills, Mr. Hill has distinguished himself as one of the premier authorities and advocates of the hospitality industry in the Sooner State.

Justin began his career as manager of the Lido Cafeteria in Little Rock, AR, in 1950. After making a name for himself there, he went on to become the director of the Arkansas Restaurant Association. In 1960, he became deputy executive director of the Oklahoma Restaurant Association, and then, in 1965, he assumed the responsibilities of the executive director.

During his tenure as executive director, Justin helped build the Oklahoma Restaurant Association into the dynamic organization that it is today. To his credit, the association has become an influential force in the State's capitol. Because of his tireless efforts on behalf of the hospitality industry, the association has never lost a legislative issue directed specifically to the foodservice or hospitality industries.

Among his many accomplishments, Justin has helped establish national criteria for food service certification and helped create a nationally recognized restaurant site evaluation program. He is a recipient of Hospitality magazine's Hall of Fame Award and an honorary member of the Oklahoma

State University's College of home economics.

Justin has also served as president of the International Society of Restaurant Association Executives and president of the Oklahoma State Association Executives. He has also been active in National Restaurant Association activities, as well of chamber of commerce matters.

I wish only the best for Justin as he enters his retirement. He has done a superlative job representing the interests of restaurant operators in our State, and I wish him the best in future endeavors. He has been an inspiration to all of us who have known him.●

TRIBUTE TO AMBASSADOR ARTHUR HARTMAN

● Mr. SIMON. Mr. President, Ambassador Arthur Hartman has recently retired from the State Department after a truly remarkable career. Ambassador Hartman, our most recent Ambassador to the Soviet Union, has recently come under fire for his alleged views of embassy security. I am sure there will be a lot more conversation on what Ambassador Hartman did or said, but until all the facts are in I think we ought to step back and acknowledge the distinguished service Ambassador Hartman has rendered his country.

Ambassador Hartman begin his career as an economic officer working on the Marshall Plan in Paris. In the late 1950's he worked on European integration efforts, and served for a time as Special Assistant to Under Secretary of State George Ball in the early 1960's. He then spent several years in our London Embassy as Chief of the Economic section.

In the early 1970's Ambassador Hartman was Deputy Chief of Mission to the European Communities, and served as Assistant Secretary of State for European Affairs from 1974 to 1977. His first ambassadorial post was in France, from 1977 to 1981, where he served with distinction until his appointment as Ambassador to the U.S.S.R. in October 1981.

Ambassador Hartman performed admirably in what all observers agree is one of the State Department's toughest assignments. It was even tougher than usual owing to the rocky United States-Soviet relationship during the Reagan administration's first term. By all accounts Ambassador Hartman did what he could to smooth the rough waters and serve our national interest. That is often a very delicate balancing act, and Arthur Hartman is to be commended for his Moscow service and his long years of service to the Department of State and the Nation.●

A SALUTE TO A COMPASSIONATE ORGANIZATION

● Mr. SIMON. Mr. President, today, I would like to call attention to the works of a group called the Compassionate Friends. The Compassionate Friends is a self-help organization that offers support and understanding to parents who have experienced the death of a child. This year, the Compassionate Friends, will celebrate its 10th anniversary at the annual national conference in Tulsa, OK, and commemorate July 17, 1987, as the Compassionate Friends National Children's Memorial Day in the United States.

In our lives, we must all learn to deal with the death of friends and family as well as our own mortality. Few of us, however, know the particular devastation that comes from the loss of a child. We expect our children to outlive us; to be a continuation of our own lives. The shattering of this expectation is unique and complex and cannot be likened to any other loss. Through the Compassionate Friends, bereaved parents find understanding and comfort from others who have experienced the same tragedy.

Initially, the group provides basic support and empathy, often giving parents a place to cry, express anger or fear in an accepting environment. When relatives and friends feel uncomfortable talking about the death, the Compassionate Friends provides a willing ear. Most importantly, all the members of the Compassionate Friends have themselves lived through the ordeal of losing a child. They not only are able to understand the feelings of a newly bereaved parent, but also serve as examples that is possible to live past the initial anguish, move into the healing process and begin living once again.

Although the Compassionate Friends is headquartered in Oak Brook, IL, it is really a network of over 500 chapters covering all 50 States. A nonprofit organization, the Compassionate Friends has no religious affiliation, providing support for persons of any age, race, religion, or economic group. As members of the Compassionate Friends gather together in Tulsa this July, I ask that we all join in recognizing the fine work of this organization and encourage them to continue to reach out to parents who are suffering through the loss of a child.●

THOMAS F. FENTON

● Mr. CHAFEE. Mr. President, today I would like to pay tribute to an outstanding Federal employee: Mr. Thomas F. Fenton, District Manager of the Social Security Administration, who is retiring after 29 years of service and leadership in the State of Rhode Island.

Tom Fenton is a Korean war veteran who began his career as a claims representative trainee with the Social Security Administration in Providence. Since then, he has served the SSA in branch offices throughout the State, rapidly progressing from Operations Supervisor to Branch Manager to Assistant District Manager, and finally to District Manager of the Providence District Office in April 1978.

With a service area population of 440,000, the Providence office oversees the largest Social Security district in New England. Rhode Island workers and employers contribute approximately $800 million a year to the Social Security system, and slightly more than one in six Rhode Islanders receive a monthly Social Security check, bringing yearly payments to nearly $1 billion. The Office receives approximately 1,000 visitors and more than 2,000 phone calls each week.

It is Mr. Fenton's exceptional achievement within this vast operation which earned him a citation from the National Commissioner of the Social Security Administration in 1983. He also received a leadership award for his service as civilian chairman of the Combined Federal Campaign in 1985, and served as chairman of the Federal Executive Council of Rhode Island for many years.

The State of Rhode Island has benefited greatly from Tom's superior leadership, integrity, and direction. I join with all Rhode Islanders in commending Tom Fenton for his many accomplishments and in extending best wishes for continued happiness and good health in the years ahead.●

NAUM MEIMAN

● Mr. SIMON. Mr. President, I am encouraged by recent news from the Soviet Government. Sheina-Lea Swartz, a long-time refusenik and cancer patient, has been given permission to emigrate to receive medical treatment in the West.

Ms. Swartz and her family have been applying to emigrate since 1982. She was first diagnosed to have cancer in 1979. Since then, she has undergone three major surgeries, but her condition has continued to worsen. Hopefully, she will now be able to receive appropriate treatment.

I am pleased that the Soviets have granted Sheina-Lea Swartz permission to leave. I hope that this is an indication that other individuals in the Soviet Union who suffer from fatal illnesses will be also allowed to emigrate to acquire the necessary medical attention.

Naum Meiman, whose wife Inna recently died of cancer, has been waiting for over 10 years for an exit visa. His struggle has been long and hard. It is time for the Soviet Union to grant Naum and all other refuseniks permission to emigrate to the West.

I urge the Soviet Government to allow Naum to leave the Soviet Union.●

AFGHANISTAN: LETTERS FROM THE STATE OF LOUISIANA

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a U.N. report as: "A situation approaching genocide."

As chairman of the Congressional Task Force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the RECORD two letters each day from various States in the Nation. Today, I submit two letters from the State of Louisiana and ask that they be printed in the RECORD.

The letters follow:

DEAR SENATOR HUMPHREY: I have read several articles about the terrible plight of Afghanistan in medical journals and Reader's Digest. I am wondering, what can an "average" concerned American do to aid these people and their country? The stories I read about the injustices and atrocities committed against these people are appalling. But even more appalling to me is that it seems the whole world is standing by, watching, and knowing these things, yet unwilling to put an end to it. Where do we stand as a nation? I wonder how accurate our news media is on relaying information to the public.

Sincerely,

MARY SCHELLDORF.

LISBON, LA.

DEAR SIR: I am deeply concerned about the Soviet occupation of Afghanistan. I believe it is naive of us to think that the Soviet will withdraw on their own accord.

Sincerely,

A.A. REHMAN.

SHREVEPORT, LA.

ARTISTIC ENDEAVOR

● Mr. EVANS. Mr. President, buttons were popping off the vests of those of us who represent the State of Washington during the week of April 6. It is a remarkable week for the State of Washington and the Pacific Northwest in terms of artistic endeavor.

On four occasions, Washington State artists, troupes or personalities brought to the Washington, DC, area new enterprises, new entertainment, and new exhibits.

To many—including my three young sons—Gary Larson represents one of the best, most interesting, and most amusing of American cartoonists today. He is a resident of the city of Seattle. His cartoons, "The Far Side," have tickled the funny bone of people across the country for the last several years. He is now exhibiting his original cartoons in the Museum of Natural History, which is probably appropriate, since most of the characters in his cartoons are animals of one kind or another.

Jacob Lawrence is one of the finest American painters today. He was born in New York City, grew up in Harlem, joined the armed services of the United States, and after the war, became a faculty member at the University of Washington. During his long and productive career, he has portrayed American life in vivid and colorful paintings, striking portraits of America as he has experienced it and as we have lived it over the past half-century.

Jacob Lawrence is not only a remarkable man, but has the privilege of a retrospective exhibit, covering the five decades of his career. It is now open at the Phillips Collection in Washington, DC, and will be there until May 31.

At the National Theater, "I'm Not Rappaport" is playing. It is an immensely humorous, and at the same time sad portrayal of two elderly gentleman on a park bench and their trials, tribulations, and conversations. "I'm Not Rappaport" premiered at the Seattle Repertory Theatre a couple of years ago. It won the Tony Award last year and essentially the same cast that played in Seattle is performing at the National Theater.

Finally, the Pacific Northwest Ballet brought to the Kennedy Center the first of a number of performances of that extraordinary ballet troupe. Pacific Northwest Ballet was started by a young couple; Kent Stowell and Francia Russell, who are the artistic directors. Much of their success came from young people. They came to Seattle in 1977 to find what was then the promising Pacific Northwest Dance Co. They expanded it to the Pacific Northwest Ballet and the company has gained national recognition as one of the finest of the regional ballet companies in the Nation.

They have toured extensively during the past several years. They have been all over the United States and now they are planning international tours to expand the number of people who can see and enjoy their extraordinary talent.

The Washington Post, in an article the day after their premiere performance, gave them rave reviews and in doing so the reviewer, Mr. Kriegsman, said:

> It is really quite startling to see a company as classy and as distinguished as the Pacific Northwest Ballet for the first time, given its history and location.

Mr. President, I guess that is why buttons are popping. In these four instances, residents of the Pacific Northwest and more particularly the State of Washington, have shown that they can be among the very best in each of these quite separate artistic endeavors.

I am pleased and proud that they have shared their talent with those of us in the Nation's Capital who are from the State of Washington. And for others, these artists have given a glimpse of the abundant talent from the Pacific Northwest.

Mr. President, I ask that the review of Wednesday, April 8, 1987, be printed in the RECORD.

The review follows:

THE PACIFIC AT HIGH TIDE—SEATTLE TROUPE'S STELLAR D.C. DEBUT

(By Alan M. Kriegsman)

It really is quite startling to see a company as classy and distinguished as the Pacific Northwest Ballet for the first time, given its history and location. The troupe's Kennedy Center debut, at the Opera House last night at the start of a week's engagement, must have struck most of the audience, as it did me, as a revelation.

One kept hearing delighted spectators exclaiming during intermissions, "I didn't even know it existed"—"it" meaning the company. Not surprising, PNB hails from Seattle, and has been led by its present artistic directors—husband and wife Kent Stowell and Francia Russell, both Balanchine protégés—for a decade.

It's within these 10 short years that the 40-member troupe has amazingly skyrocketed from a small, provincial entity to one of the nation's outstanding classical companies. This is, however, only its second trip to the East Coast (the first was to New York three years ago), though it received some national exposure through a movie version of its "Nutcracker" production (with decor by Maurice Sendak) this past winter.

The film, sad to say, did no kind of justice to the company, but the present visit promises to rectify that, at least for Washingtonians. In recent years especially, the Kennedy Center has been endeavoring to bolster its role as a showcase for the nation's finest indigenous performing organizations by bringing in the major "regional" ballet companies from across the land. PNB thus joins a list that has already included troupes from San Francisco, Philadelphia, Houston and Salt Lake City.

On the basis of the opening night program alone, the Seattle company must be rated very high in this league. The dancing was never less than splendid thoughout the evening, and the dancers were conspicuously attractive and well-trained. The repertory the troupe will be showing in its three Opera House programs, moreover, boasts at least as much, possibly more, choreographic substance and variety as any assortment we've seen from comparable outfits.

It only took one movement of Balanchine's "Brahms-Schoenberg Quartet" to have a reliable measure of the company's stature. This masterwork, dating from 1966, is a sumptuous feat of dancing, classically shaped but clearly reflecting the shadings of romanticism and modern sensibility implied by the two composers named in its title (the score is Schoenberg's orchestral version of Brahms' G-Minor Piano Quartet).

It's not a Balanchine piece one sees that often, and PNB and the San Francisco Ballet (under a joint production arrangement) are the only compaines besides the New York City Ballet that perform it. It was staged for PNB in 1985 by Russell, who as one of Balanchine's most widely versed ballet mistresses, has a solidly authoritative command of the material. Stowell partnered Patricia McBride (in the second moverment) in early performances of the work by NYCB, during his days with that troupe.

The PNB cast last night contended with the work's thorny difficulties remarkably well. One took note not only of the admirable technical rigor of the dancers—the fine turnout, the crisp footwork, the rhythmic acuity-but also of the generous amplitude of the movement and the fresh, unmannered spirit of the dancing.

On the whole, the women seemed rather tight in the shoulders and upper back, and the performance had its share of minor insecurities and expressive dead spots. On the other hand, for its size the company has an unusual number of individual dancers who catch the eye with special qualities, among them not a few who have been wholly or mostly reared in PNB and its associated school.

Deborah Hadley, for example, who was featured in the first movement of "Brahms-Schoenberg Quartet" and is a dancer of versatillity and depth (as the program was later to confirm), was trained elsewhere but has been a principal of PNB since 1979. Patricia Barker, who sparkled in the first movement and glowed in the third, is completely a PNB product. Seattle native Benjamin Houk, who helped energize the Gypsy-flavored finale, joined the troupe as an apprentice in 1983. Alejandra Bronfman, so lyrically appealing in the second movement, began her career with the Washington Ballet, but has plainly blossomed in her four years with PNB.

Then there are the veterans the troupe has enlisted from elsewhere, such as the dashingly piquant Colleen Neary, who led the finale. Neary spent a decade with NYCB, but she's been gone from there since 1980—what's the secret of her youthful look and undimmed virtuosity? (Magall Messac, of ABT fame, was to have danced in the Balanchine, but was injured—we may see her later in the run.) The men were no slouches either. Houk, Wade Walthall and Carey Homme were impressive in their various ways, Vienna-born Michael Auer lent particular resonance to the rapturous andante movement with his strength and warmth.

That the rest of the program was downhill was neither a surprise nor a disgrace-when you start with Balanchine, it's almost foreordained (though the program was too lengthy for its own good). The company must be applauded for commissioning post-modernist Lucinda Childs' Clarion, even if the result proved disappointing. At her luminous best, Childs makes highly patterned choreography that's like a diamond turned in the light, mirroring myriad facets and levels, but the synthetically minimalist score by Paul Chihara seemed at odds with the Childs esthetic. Stowell's ambitious. "Hall to the Conquering Hero," to a complied Handel score, working reasonably well as a company showcase, and was particularly flattering to Walthall. Maia Rosal, Neary and especially Hadely, in the "Xerxes" Largo, "Seattle Slew," the other Stowell piece, is fun but flimsy, nicely displaying Lucinda Hughey's long legs to music by William Bolocra that sounds like a cross between Offenbach and Gershwin-apt enough for the context, a showbiz portrait of the crowds who flock to championship horse races.

ROCHESTER CHAMBER OF COMMERCE 100TH ANNIVERSARY

● Mr. D'AMATO. Mr. President, I rise today in honor of New York's Rochester Area Chamber of Commerce, which has developed into a considerable presence in the business community and achieved enviable distinction among other large city chambers. I am proud to join in the celebration of its 100th anniversary.

Before the creation 100 years ago of the Rochester Area Chamber of Commerce, attempts to form such an organization were thwarted by a lack of consensus and resolve among community leaders. All that has since changed. In 1887, under the able stewardship of H.H. Warner as its first president, Rochester's chamber was born. That initial surge of vitality has not diminished with time. I am confident its pro-business, pro-community spirit will continue long into the future.

From its early efforts to unite the region's business and political leaders, to the ongoing challenge of sustaining the climate of prosperity it helped create, the Flower City's Chamber of Commerce can look back and be proud of its long and impressive record of accomplishment.

Held together by a commitment to a common goal—the city's continued economic well-being—the chamber has survived time, challenge and change, and has emerged as a model of excellence for other chambers across the Nation to follow.

Today's celebration is a milestone marking the beginning of another 100 years of dedication to the business and the community of Rochester.●

IN FAVOR OF BILL TO PROVIDE FOR A REFERENDUM IN PUERTO RICO ON STATEHOOD

● Mr. D'AMATO. Mr. President, I rise enthusiastically to join the distinguished Republican leader in cosponsoring legislation to provide for a referendum in Puerto Rico on the admission of Puerto Rico into the Union as a State. I commend the leader's initiative on this important effort.

Mr. President, this legislation is long overdue. Many on this island nation of approximately 3.2 million people want to be admitted fully into the Union, but they have not had a chance to express themselves on this matter, since 1967—almost a generation ago.

The Commonwealth of Puerto Rico is in association with the United States. The people of Puerto Rico are U.S. citizens. They share the rights and duties of U.S. citizens except they do not pay Federal income taxes and they do not vote in presidential elections. The history of Puerto Rico and the United States is closely bound. Puerto Ricans were freed from Spanish domination after the Spanish-American War. After World War II, "Operation Bootstrap" was incorporated to help encourage U.S. industrial investment on the island. Trade between the United States and Puerto Rico has flourished over the years and continues to be substantial today.

Frankly, Mr. President, I am in favor of admitting Puerto Rico into the Union. But that is not the purpose of this legislation. This bill only calls for a timely referendum on the issue of statehood and will defray the direct costs of conducting such a referendum.

I strongly urge my colleagues to cosponsor this important legislation and work for its adoption in this session of the 100th Congress.●

ACID DEPOSITION CONTROL ACT

● Mr. D'AMATO. Mr. President, I rise today in support of S. 321, the Acid Deposition Control Act of 1987, introduced by my colleague from Maine, Senator MITCHELL. I commend him for his leadership on this issue.

We are all aware of the environmental devastation caused by our failure to control the acid rain problem. I have been here on the Senate floor on several occasions to speak about the irreversible damage occurring on the beautiful Adirondack region in New York.

Recently, however, Senator MITCHELL has brought increased attention to another aspect of our acid rain problem: the direct effects on human health. In hearings before the Senate Committee on Environment and Public Works, the president of the American Lung Association, Dr. Thomas Godar, spoke regarding the risk of ozone and oxides of nitrogen and sulfur to those over 65, those with asthma, chronic bronchitis and emphysema, pregnant women, and people with a history of heart disease.

Dr. Philip Landrigan from the Mount Sinai School of Medicine, after reviewing a series of recent studies on the health effects of acid rain pollution, stated that "all of these data confirm that exposure to current, relatively low levels of air pollution can produce toxic effects on the lungs."

I have stated publicly on many occasions that I am willing to back any reasonable proposal to address our acid rain problem, and I consider S. 321 to be a major step toward a realistic solution. Without effective controls, we will continue to see a costly destruction of our irreplaceable resources, along with a direct threat to human health.

This bill establishes a long-overdue national program for the reduction of acid-rain-causing pollution from power plants, industries sources and motor vehicles. By the year 1996, annual emissions of sulfur dioxide would be reduced by 12 million tons, and nitrogen oxide pollution by 4 million tons.

S. 321 embraces a flexibile polluter pays approach to acid rain control. Emissions reductions are allocated to those States that produce the bulk of the pollution. Within 2 years of enactment, each State must adopt an enforceable plan to meet its share of the national reduction requirements. Final compliance with emissions limitations is required by 1996.

Specifically, the bill establishes a Statewide annual average emissions rate for fossil fuel fired electric utilities and industrial boilers of 0.9 pounds of sulfur dioxide per million Btu's and an annual average limit on nitrogen oxides equivalent to a 3-hour average emissions rate of 0.6 pounds per million Btu's.

The bill authorizes a variety of methods for achieving emissions reductions, including pollution controls, energy conservation programs, early retirement of polluting sources, trading of emissions within a State, and coal washing, with first priorities given to conservation measures.

Additionally, the President is directed to negotiate a tripartite agreement with Canada and Mexico for controlling air pollution and a separate directive requiring agreement with Canada to achieve comparable emission reductions.

Mr. President, I am cosponsoring this proposal because it is reasonable and fair. I believe it has a real chance of attracting the coalition necessary for passage. The acid rain problem is too important for us to clash on egos or pride of authorship. We need to reduce emissions responsible for the problem, and we need to do it now. I continue to stand ready to support any reasonable compromise to reduce these emissions effectively and expeditiously.●

ORDER OF BUSINESS

Mr. BYRD. Mr. President, there will be no more rollcall votes today.

Mr. QUAYLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I am proceeding with the understanding that the following matters are cleared on the side of the aisle and I am authorized by Mr. Dole to proceed in his absence. Mr. Quayle, who is the acting Republican leader, will be here to protect the colleagues on his side as he sees fit.

ACREAGE DIVERSION PROGRAMS—CONFERENCE REPORT

Mr. BYRD. Mr. President, on behalf of Mr. Leahy, I submit a report of the committee on conference on the disagreeing votes of the two Houses on the bill, 1157, the Farm Disaster Assistance Act of 1987.

The PRESIDING OFFICER (Mr. Rockefeller). The report will be stated.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the conference report.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate proceeded to consider the conference report.

(The conference report will be printed in the House proceedings of the Record.)

Mr. LEAHY. Mr. President, I rise today in support of the conference report to H.R. 1157, the Farm Disaster Assistance Act of 1987. This act would authorize urgently needed relief for producers who were inadvertently excluded from the disaster assistance program provided for in the Continuing Appropriations Act of 1987.

The Senate passed H.R. 1157, with amendments, on April 21, 1987. The House of Representatives, on May 5, 1987, disagreed to the amendments of the Senate and requested a conference of the two Houses.

A conference was convened between the Senate and the House of Representatives on May 7, 1987. The Senate conferees included myself and Senators Melcher, Pryor, Boren, Lugar, Dole, Helms, and, for areas under the jurisdiction of the Committee on Environment and Public Works, Senators Moynihan and Stafford. The House of Representatives were ably represented by the distinguished chairman of the House Agriculture Committee, Mr. de la Garza, and Representatives Glickman, Huckaby, Marlenee, Roberts, and for the consideration of Senate amendment numbered 21, Representatives Nowak and Stangeland.

Mr. President, the conferees were able to quickly resolve the differences between the two Houses concerning this very important piece of legislation. I want to thank my colleagues in the Senate and the House of Representatives for their diligent efforts to reach agreement on H.R. 1157.

Mr. President, I will not go into the details of this legislation again. We had a full discussion and debate of the bill during our earlier consideration of the bill. This bill provides for disaster assistance, pure and simple. The bill is within budget. We have succeeded, both during the debate on this bill in the Senate and in the Conference, in crafting a piece of farm legislation that will provide limited help to those who have suffered great economic hardship because of recent natural disasters.

Mr. President, I believe that this bill does more than just provide that assistance that is so desperately needed. Our action with respect to this legislation creates a valuable precedent. We have proved that the Senate can pass a narrowly focused farm bill that answers a specific need but is not burdened by budget busting amendments that attempt to rewrite basic farm legislation.

Mr. President, it is no longer standard operating procedure for the appearance of a piece of farm legislation on the floor of the Senate to trigger a swarm of amendments that have nothing whatever to do with the issue at hand. This tendency to treat every farm bill as a Christmas tree ready to be decorated has greatly hampered this body from responding to situations that deserve our attention.

The agricultural community deserves a Congress that is ready, willing, and able to act whenever the need arises. I believe that with the passage of this bill, we have taken a large step toward restoring our ability to act responsibly in all matters concerning agriculture.

Finally, Mr. President, I wish to specifically thank my friend, Senator Lugar, for his assistance in helping us complete work on H.R. 1157. We wouldn't be passing this needed legislation today if not for his tireless efforts.

Mr. BOREN. Mr. President, I rise in support of the conference report on H.R. 1157, the Farm Disaster Assistance Act of 1987. This legislation will provide much needed relief to wheat producers who were affected by disasters last fall, but were inadvertently left out of last year's disaster assistance package.

The Senate has twice recognized the need to provide these producers assistance. On January 29, the Senate adopted S. 341, the Agricultural Emergency Assistance Act of 1987. The House adopted H.R. 1157 in lieu of S.

341 and on April 23, 1987, the Senate adopted H.R. 1157.

This legislation, if enacted, will establish an optional acreage diversion program applicable to producers of the 1987 winter wheat crop. Under this program, winter wheat producers, affected by disasters which occurred in 1986, would have the option of "setting aside" 100 percent of their acreage and receiving 92 percent of their deficiency payments. The so-called 0/92 provision will actually provide much needed assistance to winter wheat producers more cheaply than direct disaster assistance payments. In addition, this bill authorizes disaster payments for losses suffered by cotton producers as a result of a loss in quality due to natural disasters which occurred in 1986.

As my colleagues will remember, last fall we enacted legislation designed to provide disaster payments to agricultural producers whose crops were affected by drought, floods, excessive moisture and other natural disasters during 1986. At that time, it was the intention of the principal sponsor of that legislation to include disaster payments for wheat producers who were prevented from planting their crop due to excessive moisture. However, the enacted language precluded winter wheat producers from eligibility due to the phrase "1986 crops of wheat, feed grains, upland cotton and rice." The 1986 crop of wheat was the crop harvested prior to the flooding in the fall of last year. Winter wheat producers plant the 1987 wheat crop in the fall of 1986. Many winter wheat producers were prevented from planting the 1987 crop in time to ensure a normal crop due to excessive moisture and flooding which occurred in the fall of 1986. Consequently, even though it was everyone's intention to cover all crops affected by drought and excessive moisture in 1986, the language does not provide payments to producers of the 1987 wheat crop.

Mr. President, the exclusion of winter wheat producers was a technical error and this bill will correct it by requiring that the Secretary of Agriculture allow these producers to receive 92 percent of their deficiency payments if they idle 100 percent of their acreage.

In addition, Mr. President, this legislation includes a provision to correct a problem that has arisen with respect to cotton disaster payments. The disaster provisions we enacted last fall require the Secretary to make payments to cotton producers; however, a producer is only considered to have suffered a loss if his yield is below 50 percent of his normal yield. This works for most other commodities, but it does not work for cotton producers whose crops receive excessive moisture immediately prior to harvest. When cotton receives an excessive amount of moisture during the period immediately preceding harvest, the quality of the crop is substantially reduced. A cotton producer whose normal yield is 300 pounds per acre might harvest 300 pounds but due to excessive moisture his cotton would only be worth 10 cents a pound compared to the normal 39 or 40 cents per pound. The farmer's gross income would be reduced from $120 per acre to $30 per acre as a result of a natural disaster. If the farmer's yield has been reduced by the same percentage that the quality of his cotton had been reduced, he would have suffered the same amount of financial loss but would have been eligible for disaster assistance.

Subject to advance appropriations, this bill would make producers eligible for disaster payments if the quality of their crops was substantially reduced due to natural disasters which occurred in 1986. This legislation will require the Secretary of Agriculture to take into consideration the quality of the cotton produced in addition to reduced yields. In this way, if a crop has received, for example, a reduction in quality of 50 percent, the Secretary would be required to make disaster payments in the same manner as he would if the yield had declined by the same percentage. Without the enactment of this provision, the intent of the disaster provisions enacted last year cannot be carried out.

Mr. President, this legislation will provide assistance to those farmers who were inadvertently left out of last year's disaster assistance package. I urge my colleagues to support adoption of this conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. QUAYLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT AGREEMENT—SEA GRANT COLLEGE PROGRAM ACT

Mr. BYRD. Mr. President, I ask unanimous consent that, when legislation relating to the Sea Grant College Program Act is introduced by Senator HOLLINGS, it be referred jointly to the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, I inquire of the distinguished acting Republican leader if he has anything else he wishes to say or any further business to transact.

Mr. QUAYLE. Mr. President, I say to the majority leader that there is no other business on this side of the aisle as far as we are concerned.

Mr. BYRD. I thank the distinguished Senator.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 10 o'clock tomorrow morning.

The motion was agreed to; and, at 6:03 p.m., the Senate recessed until Wednesday, May 13, 1987, at 10 a.m.

NOMINATIONS

Executive nominations received by the Secretary of the Senate May 11, 1987, under authority of the order of the Senate of February 3, 1987:

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

1. For permanent promotion:

To be medical director

William A. Eaton
Evan Eisenberg
Bruce L. Evatt
Marilyn H. Gaston
Henry Krakauer
Stephen J. Kraus
Wojciech A. Krotoski
Frederick P. Li
Jerry M. Lyle
William E. Mayer
Frank L. Mitchell
Daniel W. Nebert
David Rodbard
George R. Stanley
Robert W. Sullivan
Sumathy Vannarth
Frank G. Witebsky

To be senior surgeon

Thomas R. Bender
James E. Berner
Jack D. Blaine
George S. Bowen
Timothy G. Fleming
Harold M. Ginzburg
Mary E. Guinan
Michael P. Hudgins
William D. Lassek
Ira S. Lourie
William J. Miner
Fitzhugh S. M. Mullan
Allan S. Noonan
Laurence J. Platt
Roger J. Porter
Kenneth E. Powell
Michael Roe
Bruce S. Schoenberg
Stanley L. Slater
Edith R. Welty
Mark H. Zweig

To be surgeon

Roy C. Baron
Sara K. Dye
Dean F. Effler
Richard A. Goodman
Douglas N. Klaucke
Melinda Moore
Guillermo R. Otero-Herrmann
Stephen R. Preblud
Steven M. Teutsch

To be senior assistant surgeon

Jean F. Fitch
Terence H. Hamel
Martha L. Hauk
Scott R. Lillibridge
Arvo J. Oopik

To be dental director

Robert W. Beck
J. David Erickson
Gene F. Grewell
Stanford E. Hamburger
John H. Nasi
Michael W. Roberts
George T. Ward
Steven A. Weiss
William E. Wright

To be senior dental surgeon

C. Michael Beck
Stephen R. Curtice
John L. Drager
Arthur R. Hand
Howard L. Kelly
Jack A. Shannon
Channing D. Smith
John R. Sundell
William J. Williams

To be dental surgeon

Raymond D. Barnum
Charles L. Blackburn
James J. Crumbaker
Charles H. Detjen
Robert S. Enders
Neil F. Gardner
James J. Jan
David A. Krise
Gilbert Kunken
James T. Lowe, Jr.
George R. McCarthy
Donald T. Sauter
Kerald K. Shaddix
Fred B. Skrepcinski
David B. Snyder
Richard M. Snyder
John W. Stahl
James W. Toothaker
Richard H. White

To be nurse director

Katherine A. Callaway
Thomas P. Phillips
Donna G. Roehl
Sadie J. Stout

To be senior nurse officer

Linda N. Bullen
Dixie A. Deeter
Marilyn W. Getty
Anne Gray
Eileen P. Gunter
Joan A. Hartwell
Michael J. Henchy
Lillie A. Slebodnick
Jack F. Slusser

To be nurse officer

Margaret Brady
Terry L. Godfrey
Carolyn B. Lee
Raymond H. Levesque
Andrew G. Sparber
Thomas E. Stenvig

To be senior assistant nurse officer

Regan L. Crump
Danny J. English
Kathleen M. Kobus
Helen L. Myers

To be engineer director

Robert L. Bolin, Jr.
Clyde J. Dial
Tommie E. Flora
Walter E. Gundaker
William F. Holcomb
Michael E. Jensen
Richard Liberace
James C. Meredith
F. Warren Norris, Jr.
James G. Payne, Jr.
Roger T. Shigehara
Chester L. Tate, Jr.

To be senior engineer officer

David W. Alton
Gerald K. Falin
Bruce T. Ferris
Henry M. Holman
Robert H. James
David L. Larson
Oliver T. Love, Jr.
William H. Stroup
Darryl D. Tyler

To be engineer officer

Stephen S. Aoyama
Thomas F. Bloom
Willard D. Daellenbach
Barry J. Davis
John R. Giedt
Gary J. Hartz
Daniel L. Hightower
Thomas T. Kariya, Jr.
Terence S. Langan
William D. Laroche
Gary A. McFarland
Dennis M. Obrien
David S. Sundin
Terence L. Whitington, Jr.
Bryan K. H. Yim

To be scientist director

William G. Sorenson

To be senior scientist

Bobby D. Brayboy
David G. Brown
Lawrence E. Chaitkin
Richard C. Henneberry
Frederick A. Hodge
Harvey Rudolph
Hugh S. Sloan, Jr.
David E. Weber

To be scientist

Setphen A. Olenchock
John M. Russo
Yeu-Tong Sit
Gary B. Utter

To be sanitarian director

Kenneth E. Bailey
Conrad P. Ferrara
F. Gene Headley
William E. Knestis
Eugene W. Lewis
Jon R. Perry
Donavan C. Shook
Theodore A. Ziegler

To be senior sanitarian

Troy W. Cole
W. Allen Kingsbury
Truman L. McCasland

To be sanitarian

Patrick O. Bohan
Richard M. Bryan
Richard D. Eubanks
Robert F. Herrick
Robert J. Kapolka

To be senior assistant sanitarian

William J. Daniels

To be veterinary director

James W. Ebert

To be senior veterinary officer

Francis W. Chandler, Jr.

To be pharmacist director

Emil L. Cekada
Joseph H. Deffenbaugh, Jr.
John T. Gimon
Samuel C. Ingraham III
Kent T. Johnson
Jackie L. Knight
Jules M. Meisler
James E. Mills
William H. Peterson, Jr.
Francis A. Quam
Robert J. Schollard

To be senior pharmacist

John S. Cipriano
Charles W. Cook
James C. Cradock
Gayle R. Dolecek
Vincent J. Fierro
James A. Keene
William H. Kehoe, Jr.
Larry M. Kleinman
Mary L. Pengelly
Theodore B. Pukas
Jerome C. Short

To be pharmacist

James T. Carder
Gary A. Erickson
Nicholas M. Fleischer
Dennis R. Gillham
James W. Hall
Gary L. Henderson
Francis J. Hussion
Alexander P. Jones
Eddie R. Lee
Alfredo Matiella, Jr.
Jay D. McGath
Merril J. Mille
David J. Morgan
James F. Neighbors
Robert W. Parrish
Donald C. Peters
Robert W. Pollock
Robert M. Shelley
Michael R. Weaver
Edwin C. Wilkerson, Jr.
Tommy L. Worth
Patricia T. L. Yee-Spencer

To be senior assistant pharmacists

Robert M. Taylor

To be dietitian director

Barbara H. Dennis

To be senior dietitian

Carolyn C. Blackwood
Carolyn Przekurat
Edward R. Tate

To be dietitian

Pamela L. Brye
Cathy A. Levine

To be senior therapist

Robert K. Baus
Judith V. Culver
David A. Havlick

To be therapist

Harold W. Egbert
Andrew L. Smith

To be health services director

Harold A. Bond
Joseph A. Brennan, Jr.
David W. Callagy
Thomas J. Keast
Barbara A. Maxwell
Edward B. Radden
Edwin P. Yarnell

To be senior health services officer

Jack C. Bellino-Hall
John C. Bernson
Joel G. Bostrom
John H. Eilert, Jr.
James B. Gill, Jr.
Robert L. Heuser
Carl G. Leukefeld
Larry J. Marwedel
Edwin A. Miller
Tommy L. Mosely
John Rodak, Jr.
Martiniano R. Sandoval
Alan F. Schmierer
Wilbur F. Vanpelt
George J. Vasconcelos
David R. Weir

To be health services officer

Ieva Berzins
Beverly A. Bogner
Eleanor A. Crocker
Lawrence Eldridge
Joh D. Gallicchio
Stephen E. Gardner
Herman B. Martinez
Bobby L. Mason
Alejandro R. Montanez
Robert J. Morton, Jr.
Gary R. Pabalis
Philip J. Piasecki
Jay A. Rachlin
Gordon R. Seidenberg
Andrew R. Tartler
Jacob E. Tenenbaum
John J. Whalen

To be senior assistant health services officer

Robert G. Hammernik
Patricia A. Rye

In the Army

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be lieutenant colonel

Gregory L. Cook, [redacted]
Rudolph E. Garity, [redacted]
Gary R. Hesselgesser, [redacted]
David V. Owen, [redacted]
Charles O. Porter, [redacted]
Alan R. Welch, [redacted]
Christopher Wheeler, [redacted]

To be major

Claude S. Rogers, [redacted]

The following-named distinguished honor graduate of officer candidate school for appointment in the Regular Army of the United States under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be second lieutenant

Brian Meade, [redacted]

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be captain

Mark C. Bockes, [redacted]
Brandon F. Denecke, [redacted]
James E. Enderle, [redacted]
Harvey S. Warshaw, [redacted]

To be first lieutenant

Christopher P. Holmes, [redacted]
Steven J. McGee, [redacted]

To be second lieutenant

Michael E. Broullette, [redacted]

The following-named officers for appointment in the Regular Army of the United States, in their active duty promotion grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be major

Bratz, Kay E., [redacted]
Berwanger, Mary C., [redacted]
Patton, Joab H., [redacted]
Smulowitz, Hillel, [redacted]

The following-named distinguished honor graduates of officer candidates school for appointment in the Regular Army of the United States under the provisions of title

10, United States Code, sections 531, 532, and 533:

To be second lieutenant

Wahl, Christopher M., [redacted]
Worshek, Curtis W., [redacted]
Robinson, Craig L., [redacted]

The following-named Reserve Officers' Training Corps cadets for appointment in the Regular Army of the United States in the grade of second lieutenant under the provisions of title 10, United States Code, sections 531, 532, and 533:

Abe, Alan M., [redacted]
Agostini, James S., [redacted]
Ahrens, Meghan A., [redacted]
Amos, Michael G., [redacted]
Andersen, Anne M., [redacted]
Anduagaarias, Roger F., [redacted]
Armenti, John J., [redacted]
Arnold, Henry A., III, [redacted]
Austin, Kevin J., [redacted]
Bailey, Robert N., [redacted]
Bair, Robert B., [redacted]
Bannon, Robert, [redacted]
Barber, Joseph A., [redacted]
Barlow, Stuart R., [redacted]
Barr, Glenn J., [redacted]
Bates, Kevin S., [redacted]
Behncke, Ted J., [redacted]
Bennett, Brian D., [redacted]
Berger, Christopher H., [redacted]
Bird, Alana S., [redacted]
Blazek, William V., Jr., [redacted]
Bloom, Bradley D., [redacted]
Bovais, Jeffrey A., [redacted]
Boward, Gary D., [redacted]
Bowie, Jimmy D., [redacted]
Branch, Francis A., [redacted]
Brawdy, Dennis J., [redacted]
Brecher, Joseph A., [redacted]
Brewer, Michael L., [redacted]
Briles, Douglas J., [redacted]
Brown, Anthony W., [redacted]
Brown, Barton B., [redacted]
Brown, Keith J., [redacted]
Burger, Debra L., [redacted]
Burrows, Charles L., [redacted]
Butcher, William C., [redacted]
Cable, Nanette L., [redacted]
Cacolice, Mary A., [redacted]
Cairns, Craig D., [redacted]
Campbell, James D., [redacted]
Cassidy, Robert M., [redacted]
Cenicacelaya, Ignacio D., [redacted]
Collier, Malcom C., Jr., [redacted]
Conley, John L., [redacted]
Connors, Scott P., [redacted]
Cooper, James G., Jr., [redacted]
Covert, Alexander G., [redacted]
Cox, Neal O., [redacted]
Craddock, Kerry W., [redacted]
Crawford, Gelene L., [redacted]
Crocker, Bradley B., [redacted]
Crout, Terry L., [redacted]
Cunningham, Jonathan J., [redacted]
Current, Micheal L., [redacted]
Damec, Jeffrey R., [redacted]
Dantonio, Jeffrey J., [redacted]
Deakins, Michael R., [redacted]
Deamaral, Zane E., [redacted]
Donatucci, William J., [redacted]
Dooley, Michael F., [redacted]
Dougal, James K., [redacted]
Dozer, Daniel W., [redacted]
Druecker, David L., [redacted]
Dullaghan, James J., [redacted]
Dundzila, Tomas A., [redacted]
Dunham, Dean D., [redacted]
Edwards, Jeffrey L., [redacted]
Evans, Mark A., [redacted]
Ewing, James E., [redacted]
Fallon, Mark M., [redacted]
Fedak, John J., [redacted]
Fiore, Kevin T., [redacted]
Fisher, Russell E., [redacted]
Fitzpatrick, Neil E., [redacted]
Flach, Brian K., [redacted]
Fletcher, Charles D., [redacted]
Flood, Albert L., III, [redacted]
Florig, William R., [redacted]
Ford, Robert E., [redacted]
Frumerie, David L., [redacted]
Furstner, Gregory N., [redacted]
Gaede, Kinch P., [redacted]
Gatlin, Cabot N., [redacted]
Gentzler, Kevin E., [redacted]
Giles, Carl L., [redacted]
Goold, Amy L., [redacted]
Green, Timothy A., [redacted]
Griffin, Richard A., [redacted]
Guaglianone, David L., [redacted]
Hague, Mark O., [redacted]
Hall, Scott A., [redacted]
Hargus, Coyt D., [redacted]
Harms, Patrick J., [redacted]
Harris, Kenneth W., [redacted]
Hart, George J., [redacted]
Hayslett, Michael K., [redacted]
Heidt, Jon P., [redacted]
Heldman, Jennifer L., [redacted]
Hickey, Mark J., [redacted]
Hicks, Joseph E., [redacted]
Higginbotham, Arnold Z., [redacted]
Hileman, Debra, [redacted]
Hoffman, Barry W., [redacted]
Hopkins, Lloyd G., Jr., [redacted]
Hoskins, Fredrick D., [redacted]
Huff, Dorothy E., [redacted]
Hulslander, Robert L., [redacted]
Hunt, Robert J., [redacted]
Hutt, Thomas E., III, [redacted]
Irvin, Christopher T., [redacted]
Isaacson, Roy P., [redacted]
Jackson, Robert H., [redacted]
Jennings, Edward D., [redacted]
Jewett, Rene D., [redacted]
Johnson, Jennifer J., [redacted]
Johnson, Michael B., [redacted]
Jones, Frank W., III, [redacted]
Jones, Harry E., [redacted]
Jones, Michael J., [redacted]
Kaempfer, Eric W., [redacted]
Kashouty, Jonathan M., [redacted]
Kearney, Karl L., [redacted]
Keigan, Katherine R., [redacted]
Keller, Kenneth L., [redacted]
Kelly, David J., [redacted]
Kennedy, James D., [redacted]
King, Roderick A., [redacted]
Knapp, Samuel J., [redacted]
Kovac, Victor B., III, [redacted]
Kraft, James E., [redacted]
Kramer, Jeffrey P., [redacted]
Kramer, Jeffrey P., [redacted]
Kruger, Curtis M., [redacted]
Landis, Steven E., [redacted]
Landmesser, Kevin R., [redacted]
Lannom, Donald A., [redacted]
Lee, David J., [redacted]
Lenkeit, Larry R., [redacted]
Li, David T., [redacted]
Long, Louis F., III, [redacted]
Lyons, Timothy J., [redacted]
Mack, Craig R., [redacted]
Mahserejian, Kevork, [redacted]
Martin, Steven G., [redacted]
Matias, Madelfia A., [redacted]
Maxey, Tara J., [redacted]
McCormick, James L., [redacted]
McCormick, Thomas, [redacted]
McDorman, Kenneth W., [redacted]
McGinn, John A., [redacted]
McKee, Edward B., [redacted]
McRae, Reginald H., [redacted]
Mess, Joseph A., [redacted]
Meyer, Jerome, C., [redacted]
Mills, Patricia G., [redacted]
Minor, Michael W., [redacted]
Mis, James M., [redacted]
Moquin, Marc D., [redacted]
Nead, Kenneth R., [redacted]
Neal, Patrick M., [redacted]
Newton, Brian P., [redacted]
Panosh, John E., [redacted]
Parkes, Stanley M., [redacted]
Pascua, Edwin E., [redacted]
Patterson, Mark C., [redacted]
Paulino, Kenneth P., [redacted]
Perryman Eric R., [redacted]
Peterson, Jon J., [redacted]
Peterson, Natalie P., [redacted]
Phillips, Kathleen A., [redacted]
Pierce, Robert L., [redacted]
Poppie, John P., [redacted]
Potts, Anthony W., [redacted]
Powis, Paul J., [redacted]
Prellwitz, John R., [redacted]
Prosack, Henry G., [redacted]
Pquivey, Douglas J., [redacted]
Rayford, Cedric D., [redacted]
Reap, Vincent M., [redacted]
Reese, Constance R., [redacted]
Reichner, Lawrence H., Jr., [redacted]
Rigabar, Geoffrey S., [redacted]
Risner, Mitchell, [redacted]
Robb, Rita M., [redacted]
Rosa, Millie, [redacted]
Rosser, George L., Jr., [redacted]
Ryle, Barry W., [redacted]
Sabin, Paul J., [redacted]
Salmela, Sarah J., [redacted]
Schlosser, Lisa A., [redacted]
Schoff, Linda L., [redacted]
Severini, Robert D., [redacted]
Skamra, Brian M., [redacted]
Sliwicki, Ralph M., [redacted]
Smith, Jeffrey B., [redacted]
Smith, John T., [redacted]
Smith, Robin R., [redacted]
Snyder, Paul E., [redacted]
Speed, Eugene F., [redacted]
Stackhouse, Diane M., [redacted]
Stanley, Bruce E., [redacted]
Stewart, Roy E., [redacted]
Storch, Jeffrey J., [redacted]
Suich, Mark W., [redacted]
Swann, Crystal L., [redacted]
Swanson, Kenneth D., [redacted]
Tallman, Robert H., Jr., [redacted]
Taylor, David B., [redacted]
Thomas, Gregory M., [redacted]
Thompson, Marc C., [redacted]
Thurgood, Leon N., [redacted]
Togia, Bernard F., [redacted]
Trochak, Stephanie E., [redacted]
Unterkofler, Michael D., [redacted]
Viens, David R., [redacted]
Vogel, John T., [redacted]
Wagner, Timothy J., [redacted]
Walter, Timothy C., [redacted]
Warg, Lori J., [redacted]
Warner, Dudley J., [redacted]
Weigle, Scott A., [redacted]
Welfling, William D., [redacted]
Wendt, Eric P., [redacted]
Wheelock, George W., [redacted]
Williams Richard A., III, [redacted]
Willis, Norman B., [redacted]
Winton, Tracy J., [redacted]
Wood, Todd R., [redacted]
Woodus, Edward L., [redacted]
Wright, Donald P., [redacted]
Young, Rollin J., [redacted]
Zivkovich, Robert M., [redacted]

The following-named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be major

Adams, Tommy M., [redacted]

Bareford, Jackson D., [redacted]
Killgore, Donnie W., [redacted]
Montoya, Roberto, [redacted]

To be captain

Anderson, Dan K., [redacted]
Arata, John L., [redacted]
Archambault, Raoul, [redacted]
Armstrong, Keith A., [redacted]
Baillie, Malcolm G., [redacted]
Ball, Douglas J., [redacted]
Ballard, Elisha L., [redacted]
Barker, James R., [redacted]
Barrentine, Paul W., [redacted]
Bearden, Robert W., [redacted]
Beidleman, Edward B., [redacted]
Bell, Kenneth T., [redacted]
Bell, Lawrence J., [redacted]
Boatwright, Carless, [redacted]
Bolt, Bryan E., [redacted]
Bowman, Robert E., [redacted]
Bradfield, Patrick, [redacted]
Brown, Carey W., [redacted]
Brown, Norbert C., [redacted]
Brown, Robert P., [redacted]
Bumgardner, Ronald, [redacted]
Burke, Kevin J., [redacted]
Burns, Richard B., [redacted]
Bushey, Martin, [redacted]
Camperson, Brian T., [redacted]
Cannon, Michael M., [redacted]
Carey, Thomas J., [redacted]
Carlton, Alfred B., [redacted]
Christian, Mark J., [redacted]
Chronis, Fredrick J., [redacted]
Clark, James M., [redacted]
Cohn, Patrick T., [redacted]
Collins, Bart D., [redacted]
Cook, Mark L., [redacted]
Core, George V., [redacted]
Cornett, Timothy R., [redacted]
Coughlin, William J., [redacted]
Coxwell, Richard L., [redacted]
Crockett, James B., [redacted]
Crotty, Richard C., [redacted]
Damewood, Edwin C., [redacted]
Davis, James L., [redacted]
Dorman, William C., [redacted]
Doss, Olin E., Jr., [redacted]
Downing, Ronald V., [redacted]
Drumm, Michael W., [redacted]
Drury, Ricky L., [redacted]
Durrett, Thomas J., [redacted]
Enneking, Michael D., [redacted]
Evans, Michael G., [redacted]
Faires, Samuel E., [redacted]
Feltenberger, R., [redacted]
Finch, Raymond C., [redacted]
Fiorella, Charles E., [redacted]
Fisher, James G., [redacted]
Fogel, Robert E., [redacted]
Fox, Bruce W., [redacted]
Friedman, Arthur R., [redacted]
Friel, John W., [redacted]
Frum, Robert D., [redacted]
Gaddis, Willie E., [redacted]
Galloucis, Michael, [redacted]
Gill, David M., [redacted]
Gonsalves, Randall, [redacted]
Gramzinski, William, [redacted]
Greenberg, Milton L., [redacted]
Haines, Mark L., [redacted]
Harry, Charles A., [redacted]
Haven, Charles J., [redacted]
Havicon, Robert E., [redacted]
Hendrickson, Ray D., [redacted]
Hentschel, Timothy, [redacted]
Hickman, Sheila B., [redacted]
Higgins, David W., [redacted]
Hillard, William O., [redacted]
Hines, Lisa L., [redacted]
Holman, Victor, [redacted]
Holt, James M., [redacted]
Houghton, Marvin G., [redacted]
House, James M., [redacted]
Hrinishin, John W., [redacted]
Huff, Donald C., [redacted]
Jackson, Raymond P., [redacted]
Johanneck, Thomas M., [redacted]
Jones, Charles A., [redacted]
Jones, John R., [redacted]
Jones, William R., [redacted]
Jump, William J., [redacted]
Kane, Richard J., [redacted]
Kane, Ronald L., [redacted]
Karch, John C., [redacted]
Keesing, Christopher, [redacted]
Kerr, Richard E., [redacted]
Kimball, Ann J., [redacted]
Knapp, George D., [redacted]
Koffinke, Richard A., [redacted]
Larsen, James P., [redacted]
Lawrence, David L., [redacted]
Lentz, Robert E., [redacted]
Lieberman, Steve A., [redacted]
Lowe, Jerry A., [redacted]
Luther, Thomas C., [redacted]
Makaruk, Donald M., [redacted]
Marks, Barry K., [redacted]
Martin, Robert R., [redacted]
Masters, Burton L., [redacted]
McCoy, Billy C., [redacted]
McFadden, Norman I., [redacted]
McGaughey James P., [redacted]
McGuire William T., [redacted]
McQueen, Danny M., [redacted]
Mendell, Michael J., [redacted]
Miranda, Jose E., [redacted]
Moade, Paul J., [redacted]
Moore, Michael B., [redacted]
Morgan, Brian F., [redacted]
Morgan, Robert P., [redacted]
Nelson, Robert J., [redacted]
Oten, David R., [redacted]
Palmer, Rufus, D., [redacted]
Parker, Christopher, [redacted]
Parker, Patrick M., [redacted]
Parks, Carol J., [redacted]
Pasier, Mark J., [redacted]
Pearsall, Gilbert H., [redacted]
Person, Thomas A., [redacted]
Pharr, Michael D., [redacted]
Piper, Daniel K., [redacted]
Polczynski, Kevin P., [redacted]
Post, Victoria A., [redacted]
Pownall, Jerry D., [redacted]
Pucci, Martin E., [redacted]
Ramey, John L., [redacted]
Reichard, George D., [redacted]
Respass, Robert M., [redacted]
Revere, Gary L., [redacted]
Rike, Edward C., [redacted]
Rollins, Brook H., [redacted]
Rooney, Robert R., [redacted]
Rose, Michael S., [redacted]
Rosendahl, Dirk C., [redacted]
Rosten, Gregory A., [redacted]
Salo, Donald G., [redacted]
Sboto, Steven B., [redacted]
Seage, Michael P., [redacted]
Seward, John E., [redacted]
Shafer, Tony R., [redacted]
Shea, Karen E., [redacted]
Shirk, Thomas M., [redacted]
Small, Stephen C., [redacted]
Smith, Gerald W., [redacted]
Smith, Harry D., Jr., [redacted]
Smith, John L., [redacted]
Smith, Kevin W., [redacted]
Soniak, Robert W., [redacted]
Sovine, John W., [redacted]
Stallings, Gary M., [redacted]
Stephenson, Raymond, [redacted]
Stewart, Leslie D., [redacted]
Swart, Brent M., [redacted]
Sweeney, John P., [redacted]
Tabacchi, Peter J., [redacted]
Tallman, James C., [redacted]
Taylor, Vernon, Sr., [redacted]
Thornal, Mason W., [redacted]
Thorne, Gary M., [redacted]
Thornton, Dennis A., [redacted]
Turner, Calvin J., [redacted]
Tyler, Jack L., [redacted]
Varnado, Solomon G., [redacted]
Vegarivera, Edgardo, [redacted]
Waring, James M., [redacted]
Warner, Harland C., [redacted]
Warren, Anne P., [redacted]
Way, Gary L., [redacted]
Weiner, Ida O., [redacted]
Westbrook, John P., [redacted]
White, Jeffrey S., [redacted]
Williams, Denise F., [redacted]
Williams, Dwight E., [redacted]
Wilson, Charles D., [redacted]
Wolfington, Robert, [redacted]
Wood, Joe A., [redacted]
Yochim, Frederick A., [redacted]
Zimmer, Gary A., [redacted]

To be first lieutenant

Baxter, Jean M., [redacted]
Bloss, Richard E., [redacted]
Boylan, Timothy J., [redacted]
Calabrese, Mark A., [redacted]
Campbell, Randal L., [redacted]
Cappel, John W., [redacted]
Carroll, Michael J., [redacted]
Cendrowski, Robert, [redacted]
Cloy, Michael C., [redacted]
Cotter, David G., [redacted]
Cox, Benjamin F., [redacted]
Croom, Curtis E., [redacted]
Domi, Tanya L., [redacted]
Fauske, Arnold P., [redacted]
Funck, Bernard R., [redacted]
Gady, Stephen A., [redacted]
Goodman, Brian W., [redacted]
Gorriaranpedraza, A., [redacted]
Grattarola, Kevin E., [redacted]
Hill, Alicia M., [redacted]
Johnson, Maude A., [redacted]
Kelly, Thomas E., [redacted]
Kirk, Richard A., [redacted]
Lamar, Brian R., [redacted]
Lugo, Luis R., [redacted]
McCormick, Kelly M., [redacted]
McGurk, Shannon L., [redacted]
Mrozinski, Lawrence, [redacted]
Murphy, Dennis, [redacted]
Murphy, Kevin T., [redacted]
Nunez, Martin A., [redacted]
Peterson, William B., [redacted]
Pieklik, Michael C., [redacted]
Pouliot, Joseph N., [redacted]
Presgraves, Donald, [redacted]
Rathbun, Steven S., [redacted]
Raynor, Diana A., [redacted]
Richard, Joseph D., [redacted]
Robinson, Mark W., [redacted]
Royal, Christopher, [redacted]
Saxon, Robert D., [redacted]
Schlink, Michael J., [redacted]
Schroth, Paul D., [redacted]
Vahey, Michael J., [redacted]
Viaene, John A., [redacted]
Woody, Lamont, [redacted]
Wynn, Phillip V., [redacted]
Yates, Virginia D., [redacted]

To be second lieutenant

Banker, William P., [redacted]
Boydston, Steve C., [redacted]
Callahan, Joseph P., [redacted]
Cornelldechert, B., [redacted]
Dionisi, David J., [redacted]
Goggins, Joseph R., [redacted]
Hollandsworth, Shayne, [redacted]
McCorvey, James L., [redacted]
Shaffstall, Mark A., [redacted]
Vafides, Glenn S., [redacted]
Vigna, Alfred J., [redacted]
Warren, Michael V., [redacted]

Williams, Charles A., [redacted]

The following-named officers for appointment under automatic integration in the Regular Army of the United States, in their promotion grades, under the provisions of title 10, United States Code, sections 531, 532, and 533:

To be lieutenant colonel

Randall, Charles M., [redacted]

To be major

Bashay, Allen B., [redacted]
Miller, Frank W., [redacted]

The following-named distinguished honor graduates of officer candidate school for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 531, and 532, and 533:

Brown, Donald E., [redacted]
Holmes, Ricky L., [redacted]
Orletsky, Darryl W., [redacted]
Robinson, Craig L., [redacted]

The following-named officers from the temporary disability retired list for reappointment in the Regular Army of the United States under the provisions of title 10, United States Code, section 1211:

To be lieutenant colonel

Derouen, Donald B., [redacted]

To be major

Powers, William S, [redacted]

The following-named cadets, graduating class of 1987, U.S. Military Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 531, 532, 533, and 4353:

Abbott, Derek C., [redacted]
Adams, Ellen A., [redacted]
Adams, Thomas B., [redacted]
Adkins, Jeffrey L., [redacted]
Ahn, Johan K., [redacted]
Albanese, Thomas C., [redacted]
Allar, Jeffrey S., [redacted]
Allen, Lawrence C., [redacted]
Allen, Robert S., [redacted]
Allibone, Michael J., [redacted]
Alvermann, Stephen F., [redacted]
Ambrose, Matthew H., [redacted]
Anderson, Anne M., [redacted]
Anderson, Carol E., [redacted]
Anderson, David F., [redacted]
Anderson, Wendy K., [redacted]
Andre, John P., [redacted]
Andrews, Douglas A., [redacted]
Andrews, Michael S., [redacted]
Andrews, Trent M., [redacted]
Andrus, James A., [redacted]
Angers, Jeffrey P., [redacted]
Anton, Gus, [redacted]
Arata, Kevin V., [redacted]
Argyros, Joseph M., [redacted]
Ariyoshi, Mark T., [redacted]
Armstrong, Michael A., [redacted]
Armstrong, Peter J., [redacted]
Arthur, Paul L., [redacted]
Artiaga, Joseph E., [redacted]
Ashmore, Jeffrey A., [redacted]
Ast, Richard A., [redacted]
Atkinson, David J., [redacted]
Aufdengarten, Bobby L., [redacted]
Austin, Valarie R., [redacted]
Baca, Glenn C., [redacted]
Bachman, Randy J., [redacted]
Badal, Leonard J., Jr., [redacted]
Badoian, Peter J., [redacted]
Baer, Troy M., [redacted]
Baldelli, Joseph C., [redacted]
Banks, Bernard B., [redacted]
Bara, Michael J., [redacted]
Barber, Brace E., [redacted]
Bardon, William E., Jr., [redacted]
Barker, Wensley, III, [redacted]
Barlow, Donald J., Jr., [redacted]
Barron, Elizabeth K., [redacted]
Barry, Samuel J., [redacted]
Barshinger, Kerry A., [redacted]
Bartkiewicz, Alfred A., [redacted]
Barton, Timothy J., [redacted]
Bartulovic, Ljuban L., [redacted]
Bartyczak, Anthony J., [redacted]
Basik, Keith A., [redacted]
Batchelder, Dean R., [redacted]
Bauer, Belinda L., [redacted]
Bauer, Lisa A., [redacted]
Baxter, Richard E., [redacted]
Beaudoin, Christopher J., [redacted]
Bedard, Gary S., [redacted]
Bedell, Brian P., [redacted]
Beecher, Anathea J., [redacted]
Beemiller, Jeannette J., [redacted]
Beitz, Mark D., [redacted]
Bell, Kevin B., [redacted]
Bembry, Lisa L., [redacted]
Benjamin, Robert E., Jr., [redacted]
Bennett, Benjamin M., III, [redacted]
Bennett, Donald J., [redacted]
Berger, Bradley A., [redacted]
Bergeron, Kenneth W., [redacted]
Bergers, Lisa D., [redacted]
Berman, Nathan M., [redacted]
Bettner, Jonathan W., [redacted]
Biggins, Larry D., [redacted]
Biland, Kenneth J., [redacted]
Billington, Courtney L., [redacted]
Bilyeu, Allan L., [redacted]
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Botello, Rafael A., Jr., [redacted]
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Bowman, Martha M., [redacted]
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Perriello, Domenic F., Jr., [redacted]
Perwich, Axa S., [redacted]
Peters, Larry E., [redacted]
Peters, Scott B., [redacted]
Peterson, Jacqueline L., [redacted]
Peterson, Jeffrey D., [redacted]
Peterson, Kris, A., [redacted]
Petro, James M., Jr., [redacted]
Petrocelli, Matthew E., [redacted]
Petty, Chris J., [redacted]
Piatak, Thomas W., [redacted]
Pierce, Katherine L., [redacted]
Piffat, Andrew J. Jr., [redacted]
Pincoski, Mark J., [redacted]
Plante, Jeffrey G., [redacted]
Polanco, Miguel A., [redacted]
Pollard, Patrick A., [redacted]
Pollard, Stephanie L., [redacted]
Pollhein, Joseph D., [redacted]
Pollitt, Clinton C., [redacted]
Pomichter, Stanley D., Jr., [redacted]
Poole, William J., Jr., [redacted]
Posovich, Michael S., [redacted]
Pratt, Michael J., [redacted]
Prior, William W., [redacted]
Prugh, Samuel H., [redacted]
Puhalla, Mark, T., [redacted]
Pulford, Scott A., [redacted]
Pulskamp, Christopher J., [redacted]
Putkowski, Wallace, [redacted]
Quinn, Matthew S., [redacted]
Quintana, Nivaldo I., [redacted]
Rabena, John F., [redacted]
Raftery, Brian W., [redacted]
Rainey, Scott A., [redacted]
Randall, Kimberly A., [redacted]
Rankin, James A., [redacted]
Ranne, Carl B., [redacted]
Raugh, Patricia L., [redacted]
Ray, David F., [redacted]
Reardon, Patrick J., Jr., [redacted]
Rector, James E., Jr., [redacted]
Reddy, John G., [redacted]
Redom, James T., [redacted]
Redwine, James D., [redacted]
Reed, Stephen S., [redacted]
Regalado, Michael A., [redacted]
Regan, Michael C., [redacted]
Reider, Gary W., Jr., [redacted]
Reist, Paul K., [redacted]
Relich, Mark E., [redacted]
Remmes, Jeanne M., [redacted]
Renzi, Alfred E., Jr., [redacted]
Repetski, Michael J., [redacted]
Reyes, David P., [redacted]
Rhonehouse, Brian L., [redacted]
Rhyne, Patrick N., [redacted]
Rice, Jennifer L., [redacted]
Rice, Mark A., [redacted]
Ridge, Larry N., [redacted]
Riggins, David W., [redacted]
Rigoni, Christopher J., [redacted]
Riley, Nicola I., [redacted]
Rinino, Theresa J., [redacted]
Rivera, Franklin D., [redacted]
Roberts, Laurence C., [redacted]
Robertson, Daniel S., [redacted]
Robinette, Anthony E., [redacted]
Robinette, James H., [redacted]
Robinson, Corey C., [redacted]
Roby, Justin D., [redacted]
Rodamer, Clayce C., [redacted]
Rodenbach, Frederick J., [redacted]
Rodeschin, Darrin H., [redacted]
Rodriguez, Arthur G., III, [redacted]
Rodriguez, Daniel, [redacted]
Rodriguez, Edwin, [redacted]
Roederer, Rodney L., [redacted]
Roemhildt, Steven J., [redacted]
Rogers, Charles C., [redacted]
Rollins, Christopher J., [redacted]
Rollins, Paul E., Jr., [redacted]
Romaine, Kenny A., Jr., [redacted]
Romeo, Mark K., [redacted]
Romero, Dwayne L., [redacted]
Rosario, Peter J., [redacted]
Rose, Michael W., [redacted]
Rosen, Scott P., [redacted]
Ross, Elbert G., [redacted]
Roth, Eric J., [redacted]
Roth, Thomas J., [redacted]
Rowe, Edward V., [redacted]
Rowe, Richard L., [redacted]
Rowe, Ronald W., [redacted]
Rue, Jonathan W., [redacted]
Ruggles, Todd R., [redacted]
Rush, Christian E., [redacted]
Russell, Christopher R., [redacted]
Russell, Joy R., [redacted]
Rutledge, James R., [redacted]
Ryan, Michael B., [redacted]
Sabol, Keith J., [redacted]
Saenz, James E, [redacted]
Salada, Samuel J., [redacted]
Samek, Joseph V., [redacted]
Sampson, Kenneth C., Jr., [redacted]
Sanchez, John C., [redacted]
Sanders, William A., [redacted]
Sanford, Earle G., [redacted]
Santanello, Stephanie A., [redacted]
Santopolo, Veronica D., [redacted]
Santos, Michael C., [redacted]
Santucci, James A., [redacted]
Sarka, Gregory V., [redacted]
Sartori, Robert J., [redacted]
Sauer, Jeffrey T., [redacted]
Scheyer, David O., [redacted]
Schmidt, Klaus D., [redacted]
School, William B., [redacted]
Schrecengast, Dennis L., Jr., [redacted]
Schroeder, Christopher W., [redacted]
Schuliger, Gregory A., [redacted]
Schupp, Jonathan F., [redacted]
Schwartz, Karl O., [redacted]
Schwartz, Scott J., [redacted]
Scott, Virginia J., [redacted]
Seebold, Scott A., [redacted]
Seeger, Gunter H., [redacted]
Seidel, Brian R., [redacted]
Seise, Alan, [redacted]
Selton, Philip A., [redacted]
Serwacki, Michael J., [redacted]
Sever, Janez A., [redacted]
Seward, Sandra J., [redacted]
Shannon, Joyce M., [redacted]
Sharp, Christopher L., [redacted]
Shaver, Douglas J., [redacted]
Shaw, Jennifer L., [redacted]
Shea, Stephen M., [redacted]
Shearin, Michael L., [redacted]
Sheinwald, Alan T., [redacted]
Shepard, David J., [redacted]
Sherman, Kathleen [redacted]
Shipman, Tanja K., [redacted]
Shultis, Ronald L., Jr., [redacted]
Siewertsen, James E., [redacted]
Simard, Thomas J., [redacted]
Simonelli, Joseph A., [redacted]
Sipes, John T., [redacted]
Siwik, Jaroslaw P., [redacted]
Siwinski, Thaddeus J., [redacted]
Skibicki, Gregg A., [redacted]
Skidmore, William L., Jr., [redacted]
Skiles, John H., [redacted]
Skinner, Ervin W., [redacted]
Skinner, John, J., Jr., [redacted]
Skowron, David J., [redacted]
Sload, Peter M., [redacted]
Smidt, Jeffrey S., [redacted]
Smith, Brennan C., [redacted]
Smith, David R., [redacted]
Smith, Irving, III, [redacted]
Smith, Jason A., [redacted]
Smith, Maria Y., [redacted]
Smith, Monica L., [redacted]
Smith, Paolo F., [redacted]
Smith, Robert E., [redacted]
Smith, Steven E., [redacted]
Smitherman, Jeffrey E., [redacted]
Smorra, Fernande M., [redacted]
Smythe, Daniel R., [redacted]
Snare, Ross W., III, [redacted]
Snow, J.L., [redacted]
Snowden, Bradford L., [redacted]
Sobiesk, Michael F., [redacted]
Sogan, John S., [redacted]
Sollohub, Robert J., [redacted]
Solomon, Cecil H., [redacted]
Solomon, George S., [redacted]
Solomon, Norman E., [redacted]
Sones, Bryndol A., [redacted]
Sorrells, William T., [redacted]
Sousa, Alexander, [redacted]
Spencer, Michael B., [redacted]
Sprague, Lynn K., [redacted]
Stacey, William M., [redacted]
Stader, Thomas N., [redacted]
Stagg, Lucie M., [redacted]
Staresinic, Kenneth P., [redacted]
Starostanko, Albert J., [redacted]
Steele, Anneliess M., [redacted]
Stempel, Alan K., [redacted]
Steptoe, Ronald J., [redacted]
Stewart, Michael J., [redacted]
Stinson, Gregory K., [redacted]
Stojadinovic, Alexander, [redacted]
Stringer, Kevin D., [redacted]
Stuart, Charles F., [redacted]
Suggs, Michael L., [redacted]
Sweeney, Joseph B., [redacted]
Swisher, John R., [redacted]
Tally, Kevin L., [redacted]
Tanaka, Jason T., [redacted]
Taras, Gordon J., Jr., [redacted]
Tarsa, Michael J., [redacted]
Tatum, Vernon L., [redacted]
Taylor, Janet R., [redacted]
Tease, Michael L., [redacted]
Templeton, Ella M., [redacted]
Theus, Harry L., Jr., [redacted]
Thompson, George E., [redacted]
Thompson, Lisa D., [redacted]
Thompson, Ralph C., III, [redacted]
Thor, Jeffrey C., [redacted]
Thrasher, Kelly F., [redacted]
Tiede, Joel F., [redacted]
Tien, John K., Jr., [redacted]
Tierney, Pele V., [redacted]
Tiller, Jerry R., [redacted]
Tillotson, James M., [redacted]
Tisdale, Valen S., [redacted]
Todaro, Timothy J., [redacted]
Todd, Michael A., [redacted]
Tolbert, Michael T., [redacted]
Tomasi, William E., [redacted]
Torch, Mark A., [redacted]
Toy, Richard M., [redacted]
Trebotte, Peter T., Jr., [redacted]
Troster, Rebecca A., [redacted]
Truesdell, Bryan P., [redacted]
Tsigounis, Polyxeni, [redacted]
Tuggle, Eric A., [redacted]
Tumino, John N., [redacted]
Tumminello, Douglas B., [redacted]
Turner, Eric C., [redacted]
Turner, James L., [redacted]
Turner, Keven, [redacted]
Turner, Michael E., [redacted]
Turner, Richard R., III, [redacted]
Tuscano, Robert V., [redacted]
Tyree, John D., [redacted]
Uemura, William K., [redacted]
Underwood, Robert M., [redacted]
Valentine Christopher C., [redacted]
Valley, Mark T., [redacted]
Vansant, John F., [redacted]
Vastano, Gaetano, F., [redacted]
Venhaus, John M., [redacted]
Vezeau, Jeffrey M., [redacted]
Vicari, Anthony J., [redacted]

Vilardi, Mark R., [redacted]
Vink, Kevin J., [redacted]
Visconti, Albert J., [redacted]
Vogel, James E., [redacted]
Vogel, Victoria L., [redacted]
Vogt, Jennifer, A., [redacted]
Voigt, Jeffrey R., [redacted]
Voisinet, Christine J., [redacted]
Voss, William J., [redacted]
Wagner, Ingrid M., [redacted]
Waizenhofer, Kevin P., [redacted]
Walsh, Matthew T., [redacted]
Walsh, Stephen P., [redacted]
Waltner, John P., [redacted]
Walton, Donald C., III, [redacted]
Walworth, Marvin R., Jr., [redacted]
Wark, Lawrence J., [redacted]
Washington, Paul L., Jr., [redacted]
Weathersby, William P., [redacted]
Weaver, Brent N., [redacted]
Weinpahl, Regina A., [redacted]
Welch, Jonelle A., [redacted]
Wellman, Frederick P., [redacted]
Wells, Robert L., Jr., [redacted]
Welu, Jay J., [redacted]
Westerlund, Frederick C., [redacted]
Weyand, Ernst H., III, [redacted]
Whalen, John B., Jr., [redacted]
Whalen, Timothy J., [redacted]
Whann, Gregory A., [redacted]
Whiddon, David R., [redacted]
White, Benjamin M., [redacted]
White, Richard G., [redacted]
White, Timothy M., [redacted]
Whitecar, Paul W., [redacted]
Whitehouse, Douglas A., [redacted]
Whitenack, John D., [redacted]
Wiggs, Brett R., [redacted]
Wild, Andrew R., [redacted]
Wilkinson, Theodore W., [redacted]
Williams, Charlene C., [redacted]
Williams, Christopher Y., [redacted]
Williams, Dain E., [redacted]
Williams, Daniel E., [redacted]
Williams, David F., [redacted]
Williams, Ila N., [redacted]
Williams, Richard E., [redacted]
Williams, Rufus B., III, [redacted]
Williamson, Terry G., [redacted]
Williford, Bernard E., Jr., [redacted]
Willis, Brian E., [redacted]
Willis, Dale C., [redacted]
Wilson, Darrell T., [redacted]
Wilson, Matthew E., [redacted]
Wingard, Stephen W., [redacted]
Winkelman, Ralph E., [redacted]
Winkle, Richard K., [redacted]
Winn, Natalie G., [redacted]
Winton, Craig S., [redacted]
Witte, Richard D., [redacted]
Wixted, Elizabeth A., [redacted]
Wood, Casey D., [redacted]
Wood, Zane B., [redacted]
Woods, William H., [redacted]
Wright, Benny L., [redacted]
Wurzbach, Shaun T., [redacted]
Yacone, James F., [redacted]
Yanoschik, Thomas J., [redacted]
Yeager, Michael J., [redacted]
Yeaw, Glenn A., [redacted]
Yelverton, Rush S., Jr., [redacted]
York, Gregory F., [redacted]
Young, Cheryl L., [redacted]
Young, Dennis A., [redacted]
Young, George R., [redacted]
Young, Michael S., [redacted]
Young, Theodore A., [redacted]
Zatloukal, Irene M., [redacted]
Zielinski, Matthew J., [redacted]
Zimmerman, Eric V., [redacted]
Zoppa, Robert J., [redacted]
Zsido, John R., [redacted]

The following-named cadets, graduating class of 1987, U.S. Air Force Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 531, 532, 533, and 4353:

Kraft, Michael J., [redacted]
Munger, Kevin Y., [redacted]

IN THE NAVY

The following-named commanders in the line of the Navy for promotion to the permanent grade of captain, pursuant to title 10, United States Code, section 624, subject to qualifications therefor as provided by law:

UNRESTRICTED LINE OFFICERS (11XX/12XX/13XX)

Affeld, Richard Lorman
Allen, Dannie Howard
Anderson, Betty Sue
Bankert, Harlan Roland, Jr.
Bardsley, George Paul
Bates, Kenneth Scott, Jr.
Beaty, William Everett, III
Beck, Brent Webster
Beinbrink, Jeffrey Robert
Bell, James Keith
Bier, Gary Lanar
Bird, Walter Dennis
Birkmaier, William B., Jr.,
Blankinship, Leslie Scott
Bouck, Dudley Charles
Bourland, Harry Raymond, II
Bowen, James Leroy
Bowers, William Raymond
Boyce, Brian Francis
Branum, Richard Cline
Broadhurst, William Thomas
Brown, Stanley Morton, III
Buchanan, Charles, Cecil, Jr.,
Bunton, Ray Lincoln
Burch, John Charles
Burchell, Charles Richard
Burggren, Peter Charles
Burin, James Michael
Burns, William Robert, Jr.
Burrow, Barry Vaile
Caldwell, Ellis Alton
Calhoun, William McBrayer
Canfield, Susan Barbara
Carr, Terry Alan
Caruso, Michael Jerome
Castor, Ralph Johnson, Jr.,
Clark, Bartlett Lee
Clark, Richard Allen
Cloyes, Robert Dagwell, Jr.
Cohen, Jay Martin
Collins, Martin Kevin
Comer, Joseph Scotcher,
Cook, James Ballou, II
Cook, Jon Leslie,
Coon, James Maynard
Copeland, William Winston, Jr.
Covington, Donald K., III
Crahan, Gary Michael
Graig, Billy Jack, Jr.
Graighill, John St. Clair
Criss, Nicholas R., III
Currie, Michael Patteson
Dadson, James B.
Daughtry, Joseph Sutton, Jr.
Davie, Clinton William
Davis, Joseph Warren
Dawson, Gerald Hill
Degroy, Charles Monrose
Denigro, Joseph Richard
Dewar, Dorel James, Jr.
Diman, William Louis
Doran, Walter Francis
Dufresne, William Francis
Dulin, James Evans
Dvorak, James Anthony
Eckart, James Edward
Eckler, Joseph Francis
Ellington, James David
English, Robert Hugh
Erickson, Paul Robert
Evans, William Ashely, IV
Fahey, John Michael
Fallon, William Joseph
Falls, James Sidney
Farver, Richard Kevin
Fears, John Aaron
Penn, Richard George
Ferrell, William Morgan
Figueras, Raymond James, III
Fitzpatrick, John Louis
Fletcher, Bennie Lyle, III
Franson, William Eric, Jr.
Fraser, Donald Ross
French, Timothy Allen
Fuller, Robert Thorpe
Gagarin, Gregory John
Gates, Christopher Gleason
Gautier, William Kirten
Gay, Robert George
Gilbert, Arthur James
Giles, Donald Allen
Glerum, Michel Dennis
Glover, James Redd, Jr.
Gorman, Joseph Daniel
Gouslin, William Adelbert
Gray, Stephen Vern
Gray, Will Phelps
Grove, John Axtell, II
Gumbert, Ronald Derwood, Jr.
Hack, Theodore Walter
Haley, Mark Christopher
Halley, Elmer John, Jr.
Harrison, Chester Flynn
Harsanyi, William Stewart
Hart, Joseph Edward, Jr.
Hartnett, James Thomas
Harvey, James Robert
Hawthorne, Robert Earle, Jr.
Hayes, Timothy James
Heaton, Joel Brian
Hedderson, Thomas Michael
Hefkin, Donald Clark
Heisig, Alan Louis
Hewett, Leslie Wilsoon, Jr.
Hewitt, Frank Floyd
Hinkle, James Bruce
Holl, Stephen Trygve
Horne, Robert Jackson
Houser, Robert Edward
Honick, James Francis
Hughes, James Leonard
Hutchinson, Thomas Gerald
Ihlenfeld, David Lawrence
Irelan, Dennis Wayne
Isban, Michael Andrew
Jones, James William
Jones, John Patrick
Jodd, Steven Edward
Kane, John Edward, Jr.
Kapernick, Robert Edwin
Kappel, Leslie George
Kauffman, Gordon Eddie
Keegan, Lawrence Thomas
Kelley, Michael Bernard
Kelly, Harold Wayne
Kelly, Robert Bolling, Jr.
Kelsey, Robert Joe
Kent, Thomas Richard
Kerr, Peter James
Kieley, John Joseph, III
Kline, Edward Marvin, Jr.
Knappe, Douglas George
Kraft, Charles Merle, Jr.
Kuhn, Richard Charles
Lackey, Terry Carter
Lang, Robert Earle
Langknecht, John Marshall
Langston, Arthur Navarro, III
Larson, Robin Cameron
Lauzon, Gilbert Paul
Lawson, Dunbar, Jr.

Lawver, Allen Eugene
Lear, George Barrett, Jr.
Leonard, Robert Emory
Lindfors, Bo Gottfrid
Lockwood, Ernest Reese
Long, Peter Avard Chipman
Lowell, Robert Leroy, Jr.
Ludwig, Frederic George, Jr.
Madden, Lewis Dot
Madden, Thomas Francis
Mann, John Edwin
Marks, Norman Alfred
Martin, Michael Dean
Martus, Michael Frederick
Mason, James Rutledge, Jr.
Mazza, Joseph Dennis
McCarthy, William J., IV
McCullough, Van Lee
McDaniel, Garold Stephen
McGinlay, Thomas Charles John
Messina, Edward Frederick
Migrala, Walter M., Jr.
Miles, Robert James
Miller, Roger Lee
Miller, William Cole, III
Mitchell, Anthony Edward
Montgomery, Samuel Adair, III
Moore, Gregory Rayfield
Moore, Richard Warren
Moore, Thomas Weller
Morris, Raymond John, Jr.
Moser, Robert Dayman
Murphy, Daniel Joseph, Jr.
Murphy, James Leroy, III
Mushen, Robert Linton, II
Natter, Robert Joseph
Naughton, Richard Joseph
Nesbitt, Howard Wayne
Nick, Louis Adolph, Jr.
Nordgren, Robert Carl
Nordman, Robert William
Norris, William Leland
Ogle, John Lee, Jr.
Ohearn, Michael Steven
Oser, Eric Leroy
Patton, Bernard Warren
Payne, John Scott
Phillips, Braden James
Pickavance, William W., Jr.
Pope, David Lawless
Porter, Joel Alan
Putnam, William L.
Pyetzki, Charles Melvin
Quigley, Michael Dennis
Qurollo, James Victor, Jr.
Raaz, Richard Dean
Ramsay, Robert Lee, III
Rice, Marvin R.
Rice, Theodore L.
Richard, Jeffrey Luke
Richardson, Arthur Fields
Ries, Stephen Hamilton
Robinson, Charles Leon
Roll, Francis Patrick
Roop, William Arthur
Ross, Alan Lawrence
Roth, Milton Dudley, Jr.
Roth, Patrick Henry
Rud, Gilman Everett
Ryan, Norbert Robert, Jr.
Sabatini, Joseph Francis
Samuels, Michael William
Sandoz, John Frederick
Sargent, David Putnam, Jr.
Scheu, David Robert
Schmidt, William Wallace
Sexton, Theodore Covert
Shaut, Earl Walter
Shaw, Robert Earl
Sheffield, Terry Randolph
Sherlock, James Carter
Sikes, Joseph Kelly
Skaar, Gerhard Erling
Smith, Raymond Charles, Jr.
Smith, Thomas H.
Snider, William Allen
Sollenberger, Robert Travis
Sommers, Thomas Andrew
Southgate, Gregg Vanremmen
Stillmaker, William James
Stoutamire, Stoney Lester
Svendsen, Michael Roy
Taylor, Malcolm Palmer, Jr.
Terrill, Thomas Joseph
Tetrick, Edward Leslie
Tickle, Harold Joseph
Tobin, Roy W.
Tracey, Patricia Ann
Tuck, Charles Marion
Turner, Dean
Urbin, Lawrence Walter
Vansaun, David
Vansickle, Garth Allan
Vazquez, Frank Xavier
Verhoef, Thomas Tymen
Vivian, William Charles
Vonsuskil, James David
Vtipil, Donald Sheridan
Walker, Bill
Ward, Chester Douglas
Ward, Paul Charles
Wasson, Gary Clinton
Webb, Stephen Louis
Webster, Kirwin Shedd
Welsch, James Edward
Westbygibson, Peter Barry
Westerbuhr, Norman Lee
Whalen, Daniel Patrick
White, Peter Leroy
Wilks, Robert Edgar
Williams, David Michael
Williams, Jack Bercaw, Jr.
Williamson, Robert Charles J.
Witt, Theodore Carl William
Wolfgang, Earl Dale
Wong, Henry Kingsy
Wood, Bruce V.
Wood, Stephen Carl
Woodall, Stephen Russell
Woodson, Walter Browne, III
Woolard, Richard Trusty P.
Yakeley, Jay Bradford, III

ENGINEERING DUTY OFFICERS (14XX)

Bassett, William Frederick
Bowler, Roland Tomlin E., III
Combs, Robert Meredith
Driscoll, John Robert, Jr.
Gehrman, Fred Herman, Jr.
Graham, Edward, IV
Idsinga, William
Kowalick, Stephen Joseph, Jr.
Lutz, Frederick Ray
MacPherson, George William
McComas, Jon Philip
Monroe, Jerry Melvin
Pierpont, Peter Stewart
Scalzo, John Carmine
Seward, Theodore Clark, Jr.
Todd, James M.
Williamson, Francis T., Jr.

AERONAUTICAL ENGINEERING DUTY OFFICERS (AERONAUTICAL ENGINEERING) (15 IX)

Belden, William Ellsworth, Jr.
Chicoine, Rene Joseph
Dabbieri, Peter Vincent, Jr.
Giardina, Thomas Joseph, II
Givens, Todd Williams
Hickok, John Howard
Jacobs, Gerald Keith
Keefer, Richard Lee
Koehler, Richard Evans
Merickel, Michael Reilly
Norris, William Lloyd, Jr.
Savage, Wayne Franklin
Strada, Joseph Anthony
Tilson, Paul Evans, Jr.
Volland, Karl Ferdinand, Jr.
Wendt, Terrill Jay

AERONAUTICAL ENGINEERING DUTY OFFICERS (AVIATION MAINTENANCE) (152X)

Breglio, Robert Anthony, Jr.
Dutton, Robert Langston, Jr.
Mozgala, David P.
Rossiter, Alan Wilson
Smith, Connor Lynn
Smith, Robert Wayne

SPECIAL DUTY OFFICERS (CRYPTOLOGY) (161X)

Bartholomew, Glenn S.
Burns, Joseph David
Dunn, Ivan Max
Engel, Ronald Allen
Maillefert, Christopher W.
Mitchell, John T.
Mitschang, George William
Nick, John Irvin
Pigoski, Thomas Max
Roser, James Henry, Jr.
Whiton, Harry Winsor

SPECIAL DUTY OFFICERS (INTELLIGENCE) (163X)

Dinkel, Robert Edward, Jr.
Duncan, Robert Nelson
Erskine, John Roger
Gertz, Wayne Harvey
Green, Jon Noel
Griffin, David Moss
Herrington, David Lynn
Ireland, Robert Louis
Lesley, Ronnie Joseph
Martin, William Charles
Muccia, Daniel Richard
Oates, John Scott
Peszko, David Adam
Vinson, John Emmanuel

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS) (165X)

Cherry, Michael Everett
Hanley, Paul Windsor

SPECIAL DUTY OFFICERS (OCEANOGRAPHY) (18XX)

Austin, Gary Lee
Donat, Winfield, III
Fraim, Thomas Stewart
Grant, Richard Francis
Imli, Carl Bolton, Jr.
Olsen, Wayne Lewis
Piwowar, Thomas Michael

LIMITED DUTY OFFICERS (LINE) (61XX/62XX/63XX/64XX)

Baller, Elmer William
Erickson, Richard Oscar
Garrahan, Richard
Joyce, John Joseph

The following-named Naval Academy midshipmen to be appointed permanent ensign in the line or staff corps of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Aanonsen, Paul Christian
Adams, David John
Adams, John Jay
Adams, Thomas Edward
Adler, Robert Michael
Ahearn, Patrick Michael
Alder, John Edward
Aldridge, Daniel John
Allen, Kathryn Anne
Alley, James Scott
Allison, Todd Michael
Alvarez, Dawn Maria
Ambrose, Charles Richard
Amy, Clare Hammett
Anderson, Dale Edward
Anderson, David Terry
Anderson, Geoffrey Leigh
Anderson, Michael Douglas
Anderson, Richard Andrew
Anderson, Theodore Peter
Angeloni, William David

Arellano, Anthony John Gust
Arias, Christopher Vincent
Ashley, Darin Walker
Attisani, David Thomas
Augenstein, Roger Craig
Bacigalupo, Thomas Mark
Badger, David Dwain
Bahn, Christian Simon
Baker, Charles Ross
Baker, James Matthew
Baker, Joel Brian
Baker, Samuel Cranage
Balch, Mary Elizabeth
Baldin, Kirk Frederick
Baldwin, John Milton, IV
Ballister, Stephen Charles
Baltazar, Eric Lee
Banister, Grady Thatcher, III
Bannach, Keith Bernard
Basil, Daniel Lee
Bates, Daniel Thomas
Bates, James Albert
Battle, Steven Scott
Bays, John Timothy
Beaton, Ross Cameron
Beemer, David Alan
Beggs, James Harrison
Belcher, Mark Allen
Belesimo, Thomas Raymond, III
Bell, Michael Denis
Belling, Ralph John
Bement, David Carl
Bennett, James Wesley
Benson, Harry Warner
Benson, Kirk Raymond
Bernardo, Joaquin Andre
Berner, John Aloysius
Berry, Carol Lee
Bevans, Paul Bastos
Bibeau, Scott Christopher
Biddinger, David Myrvin
Bisaillon, David Gerald
Bissa, John Paul
Blackburn, Douglas Lawrence
Blanchard, Arthur Alexander
Blasini, Jorge Felix
Blazis, Enoch James
Bliss, Matthew Scott
Blochberger, Sean Charles
Blumenberg, Clifford Andrew
Boerman, Douglas Alan
Bolat, Jean Pierre
Bolinger, Todd Wesley
Bolt, Christopher Eugene
Bond, Phillip Sawyer
Bonn, Timothy Alan
Borgdorff, Leonard Hugh
Bouchard, James Everett
Bourgeois, Paul Alan
Bowmer, Scott Alan
Boyd, Brad William
Boyer, Alan Lee
Boyer, Scott Alan
Brackett, Joyce Marie
Braden Guy Milton,
Bradley, Anthony John
Bradley, Sybil Victoria
Bragg, David Lee
Bramble, John Michael
Branchfield, Craig Randall
Brandenburg, Michael Warthen
Brandle, Martin Edward
Brandt, Karl Dietrich
Brandt, Philip Dean
Brasek, Thomas Peyton
Brill, Roger Edward
Britt, Lawrence Francis, Jr.
Brockway, Barry Dean
Brooks, Michael Joseph
Broshkevitch, Mark Robert
Brown, Daniel Joseph
Brown, David Allen
Brown, Mark Steven
Brown, Marshall Brent
Brown, Scott Alan
Brown, Suzanne Mary
Brown, Theodore Leonard
Browne, Michael Edward
Browne, Thomas Patrick
Buck, Paul Gregory
Buckley, David Matthew
Buckley, Kathleen Marie
Buckon, Andrew Daly
Buechs, Todd Russel
Buenavista, Joseph C.
Bunge, Paul Dieter
Burgos, Brian Nicholas
Burke, John Anthony
Burkett, Paul Andrew
Burnham, David Leigh, Jr.
Burns, David Allan
Burns, Robert Nicholas, Jr.
Burris, Craig Martin
Buzzard, Gunnar Wade
Byrne, James Michael
Byrne, William Declan, Jr.
Caldwell, Conrad Chesnut, III
Calhoun, Christopher Scott
Calhoun, Robert Lee, Jr.
Callahan, Andrew Patrick
Callahan, Timothy Gerard
Cameron, John Scott
Campbell, Glen Scott
Campbell, Joseph Aloysius
Campbell, Nicholas Belvert, II
Campbell, William Roland
Cancio, Ramon Julio
Cantwell, Michael Treacy
Caporossi, Jeffrey Paul
Carlson, Rudolph Frederick, III
Carroll, Michael John
Carroll, Molly Ann
Carroll, Sean Christian
Carter, Gary Arthur
Casey, Thomas William
Cassidy, Charles John
Casson, Charles Edward, Jr.
Cayouette, Napoleon Antoine, III
Chandler, John Wells
Chao, Richard Jiawei
Cheneler, Joseph Michael
Childs, James Carlton
Chung, Chang Ki
Cimiluca, Arthur Edward, Jr.
Cipriano, Nicholas Joseph, III
Clark, Arthur Brooks, II
Clark, Kenneth Lee
Clark, Michael Christopher
Clark, Thomas Joseph
Clarke, Russell Howard
Clarke, Stephen Andrew
Clarke, Steven Michael
Clautice, Susanne Marie
Cobb, Philip Wayne
Cody, James Patrick
Cohan, Stephen Carter
Cohron, David Nicholas
Coil, Gregory Scott
Coleman, Alton Hugh, III
Coleman, Robert Eric
Collins, James Joseph
Colwell, Jeffrey Philip
Compeggie, Christopher Joseph
Contaoi, Gregory Vidanya
Cook, James David
Cooke, Rabon Elton
Corcoran, Philip Edmund
Corkery, Timothy John
Corrigan, Timothy Joseph
Corsello, Patricia Marie
Cote, Stephen Paul
Cotten, Gregory Benedict
Coughlin, Sean Thomas
Council, George Horace
Cox, George Frederick, Jr.
Coyne, Kevin Michael
Coyne, Thomas Stephen
Craig, John William
Cramer, Todd William
Crespin, Rudy Joseph
Cressman, Scott Alan
Cronin, Jason William
Cruz, Allen Regaspi
Crymes, Jeffrey Conrad
Culbertson, Jennifer
Curran, Paul Gerard
Curry, Sean Cecil
Curtin, Patrick Nicholas, III
Dalton, Marc Henry
Dambra, Charles Edward
Dambra, Michael Joseph
Daniels, Charles Lee, II
Danielson, Jeffrey Mark
Dano, Eric Brian
Danzer, Michael Gerard
Dau, Frederick William, IV
Davis, Susan Lyn
Dawson, Gregory Earl
Day, Stephen James
Deane, Timothy Michael
Debeauclair, Geoffrey Garret
Deleon, Joseph Adam
Dellorso, Craig Stephen
Demarsh, David Allen
Denine, John Joseph
Dennis, Shawn Esteban
Derrane, James Patrick
Desmarais, Albert Joseph
Dewalt, Rodney Paul
Diaz, Gil Rodriguez, Jr.
Dick, James Hamilton
Dietz, Robert Scott
Diggle, Anthony Andrew
Dikeman, Richard Randall
Dill, Rodrigo Matutina
Dimento, John Mark
Diorio, Nicholas John
Dipaola, Joseph Phillip, Jr.
Doherty, Daniel Joseph
Doman, Thomas Mathew
Donohue, Robert Brian
Donovan, Amy Lyons
Dorsett, Dolores Melina
Dougherty, Daniel John
Douglass, Robert Iain
Dour, Letitia Ann
Dove, John Calvin, Jr.
Driesbach, Dawn Helene
Dryer, John Elmer
Duke, James Joseph, Jr.
Duke, Owen Eugene, III
Dunn, Kenneth Franklin, Jr.
Dunphy, Christopher Edward
Dupre, Paul Anthony
Dutch, Dave Paul
Earle, Jeffrey Scott
Early, Matthew Lance
Eckert, Edward Allen
Edenfield, Bradford Jack
Edwards, Alexander Hamilton, III
Ellis, Robert Allen
Ellison, Greg Robert
Emmitt, James Dore
Emons, Russell William, Jr.
Ennis, Tomas Eamonn
Erdelatz, Scott Edward
Esparza, Jorge Antonio
Espe, Burt Lann
Espinosa, Paul Edward
Evers, Jeffrey Ray
Eversole, Joseph Scott
Ewing, Richard Eugene
Fabian, Anthony John
Farraday, Diana Lynn
Fay, Christopher Thomas
Feeney, John Patrick, Jr.
Fennell, David Alan
Fenner, John Francis
Fenstemaker, Steven Frederick
Ferguson, Charles Daniel, II
Ferguson, Randy Allen
Fernandes, Anthony Francis

Ferrari, Anthony Joseph
Fickle, John Hugh, Jr.
Fields, Michael DeLeon
Filyaw, Olin Oscar, Jr.
Finch, Michael Francis
Firlie, Marc Patrick
Fisher, James John
Fitzpatrick, Francis Xavier
Fitzwilliam, John William
Fransburg, John Thomas, Jr.
Fletcher, Kirklin Cathedris
Flewellen, Demetrius Lynn
Flood, Michael Walter
Florian, Timothy Allen
Fluker, David Paul
Flynn, John Patrick
Flynn, Patricia Agnes
Folsom, David Robert
Forster, Daniel Paul
Fox, Mark Harold
Frack, Kenneth Lawrence, Jr.
Franchi, John Thomas
Fuller, John Vincent
Fulp, John David
Gaffney, Michael Patrick
Gallop, Patrick Joseph, Jr.
Galvan, Richard
Ganahl, George Francis
Gardner, Mark Allen
Garrett, Stephen Chamy
Garrison, Jason Dwight
Gary, Francesca Deborah
Gasperino, John Patrick
Gavieres, Ruben Vidal
Georgiefski, Michael Terrence
Gephart, Gregory Alan
Gfrerer, James Paul
Giannone, Stephen Francis
Gibeley, Marc Morris
Gibson, Mark Conrad
Gieg, Michael Eugene
Gillespie, Stephen Mark
Gilstad, John Reed Hill
Girardi, Mark Edward
Glenn, Walter Benjamin
Gomez, Gabriel Eduardo
Gonzales, Anthony James
Gonzalez, Evaristo
Gonzalez, Reinaldo
Goodbody, Robert Anderson
Gordon, Andrew Lewis
Gordon, Charles Michael
Gordon, John Wesley
Gosnell, Paul Gregory
Gotay, Orlando, Jr.
Grabowsky, Jeanne Marie
Grammer, William Cody
Graves, Rodney Guy
Graves, Thomas Copp
Green, James Stanley
Green, John Kenton, Jr.
Green, Mary Ellen
Greene, Joseph Thomas
Gregus, Louis John, Jr.
Griffin, Donald Lamar, II
Griffith, Benjamin Perry, II
Griffith, Jeffery Perry
Groothuis, Mark Douglas
Gross, Paul Edward
Grover, Darrin Michael
Guyer, Michael Francis
Hagan, David Scott
Hagerty, Paul Patrick
Hagler, James Truett
Hair, John Douglas
Haley, Brian Elliott
Hall, John Theodore
Hallahan, William Douglas
Hallawell, Robert Elkins
Halpern, Steven Evan
Ham, Kenneth Todd
Hamblet, William Prentiss, Jr.
Hamilton, Mark Daniel
Hamilton, Partick John
Hansen, Leland Duane
Hanson, Douglas James
Hardebeck, Jason Dee
Hardig, John Jay
Harper, Ernest Anthony
Harrington, Robert Scott
Harrington, Thomas Malcolm
Harris, Gregory Norton
Harris, John Daniel
Harris, Roger Allen
Harris, Ronald James
Hart, Duncan Arthur
Hart, Reuben DeLoss, Jr.
Hartman, Curt Carl
Harwood, Bartlett, III
Hatheway, Michael Peter
Hawkins, Albert Wayne
Hayden, John Stuart
Headley, Stacey Lee
Hearn, Thomas Patrick
Hein, Robert Nicholas, Jr.
Helmers, Julie Vearl
Hemela, David Andrew, II
Henderson, James Anthony
Hendrickson, Daniel Brian
Henry, Eric Jon
Hensley, Jonathan Boyd
Henwood, Thomas Aloysius
Herbener, Scott Christopher
Herndon, Donald Wayne, Jr.
Herrera, Michael Anthony
Herrman, Alan Leigh
Herron, Michael Stephan
Hesse, John Walter
Hibbler, James Edmund, Jr.
Hickey, Robert Andrew
Higgs, Ronald LeRoy, Jr.
Hilarides, Roger John, Jr.
Hill, Daniel Clyde
Hill, Gregory Thomas
Hill, Kevin Carlos
Hill, Michael John
Hines, Douglas Michael
Hirko, Leslie Ellen
Ho, Eric Chee
Hodges, Christopher William
Hoffer, Geoffrey Alvin
Hoffmann, Richard John
Hogan, James Patrick
Holbrook, James Howard
Holden, Jerry Keith
Holland, Edward David
Holland, Kevin Andrew
Hollinger, Anthony Keith
Holloway, Eric Charles
Holmes, Sean Allan
Holtkamp, Erik Girrard
Hopkins, Robert Scot
Horan, Matthew Burke
Horan, Paul Thomas
Horel, Robert Harold
Horner, Brigette
Horrisberger, Michael Meredith
Horrisberger, Philip Gavin
Hosey, Patrick Joseph, Jr.
Hoskins, Robert Martin, Jr.
Hottendorf, John Eric
Houck, James David
Howe, William Ernest, III
Howes, Matthew Ryder
Hoy, Eric Harlyn
Hubbard, Thomas Richard
Huber, Michael James
Hudgins, Seth Foster, III
Huey, Wesley Scott
Hughes, David Wayne
Humm, Brian Nicholas
Humphreys, William Andrew
Hunnemeyer, Scott Eric
Hunter, Linda Marie
Hurler, Herbert
Hurley, Patrick James
Hushour, Larry Gene
Hutson, Peter Martin
Huxhold, Paul Edmund
Iannone, Edward John
Ihde, Alexander Gunther
Inglesby, Kenneth Albert
Ingold, Tina Bridget
Ives, Thomas Michael
Ivory, Steven Robert
Jackson, Guy DeLacey V.
Jacober, Jeffrey Scott
Janac, Gary Leo
Jenkins, John Lawrence
Jennings, Jeffrey Thomas
Jewell, Jonathan Joseph
Jezior, Stanley Paul
Jo, Sheldon Sucheol
Johnson, Christopher Elliot
Johnson, David Alan
Johnson, Randolph Blair
Johnson, Scott Douglas
Johnston, Gregory William
Jones, Logan Scott
Jordan, Matthew James
Jordan, Michael Philip
Joslin, Mark Preston
Joyner, Karen Elizabeth
Julian, David Alexander
Kamat, Keval Shawn
Kane, Jeffrey Paul
Kane, Robert John
Kata, Steven Joseph
Kay, Robert Theodore
Keane, John Thomas, Jr.
Keays, Wallace Raymond
Keith, Robert Taylor Scott, III
Keller, Christine Marie
Keller, Douglas Fitzgerald
Keller, Michael Edward
Kelly, Mary Catherine
Kelly, Patrick Michael
Kempkes, John Christopher
Kennedy, John Clarke, III
Kiess, Michael Andrew
King, Samuel James
Kirby, Charles Kenton
Kirk, Matthew Steven
Kirkland, Gary Conrad
Klatt, Deborah Denise
Klein, Kristopher Charles
Kless, David Ronald
Klimas, Anthony John
Kline, Brian Todd
Koehr, Bernard Edwin
Kot, Brandan Matthew
Kovanic, Edward Timothy
Kowenhoven, Peter Francis
Kozar, Mark Joseph
Kramer, Charles Mallan
Krensavage, Joseph Peter
Kurisky, Paul Joseph
Kushner, James Peter
Kuziela, Thaddeus John
Kyle, John Shepherd
Lacroix, Lance Leo
Ladwig, James Parker
Lafnitzegger, Eric Alois
Laforge, Michaele
Laible, Henry Alfred
Lambert, Lee Anne
Lane, Charles Dean
Laporta, Leonard, Jr.
Lara, Joseph Michael
Latrash, Frederick
Lauletta, Joseph Carmen, Jr.
Laurilla, Shelley Marie
Lavigna, Michael Louis
Lay, Jeffery Edward
Leach, Scott Charles
Ledesma, Roy Rodriquez
Lee, Brian Michael
Lee, Curtis Todd
Lelio, James Francis
Lenaburg, Jerry Don
Lennon, Andrew Charles
Leong, Eric Nathaniel

Lesniak, John Francis
Lessard, Laurence John
Lester, David Robert
Levins, Richard McClellan
Lewis, John Scott
Lewis, Paul Christopher
Liebert, Carl Clinton, III
Lim, Claude Philipp R.
Lindsey, Dwayne
Lipscomb, George Aloysius
Little, Eric Lester
Littlejohn, Stuart Michael
Liwski, Lisa Mercedes
Llaneta, Veronica Stefanie
Lochridge, Scott Owen
Locke, Stephen Kenneth
Loesch, John Hugo
Lombardo, Michael John, Jr.
Loricco, John Robert
Lott, Laura Louise
Lucas, William Aaron
Ludwig, Mathew Allan
Lukish, Jeffrey Ryan
Lunifeld, Thomas Jeffrey
Lyon, Robert Allen
MacArthur, Robert Duncan
MacChio, Richard Michael
MacFarland, Robert Steele, Jr.
Mack, Paul Gerard
MacMurchy, Richard Guy
MacMurtrie, James Alexander, Jr.
MaCrae, Thomas Hugh
Magee, Edward Ossie, Jr.
Major, David James
Malloy, Scott Webster
Malloy, Terence Petrick
Maloney, Brian Paul
Mangan, Michael Sean
Manhertz, Carey Mark Anthony
Marks, Adrienne Marie
Marsh, Charles Devon
Marsh, David Robert
Martin, Ernest Walter
Martin, Leslie Jo
Martin, Michael Robert
Martinez, Antonio Raul
Martinez, Arturo Zamora
Martinez, Rene
Martins, John Kenneth
Marzec, Thomas Adam
Masiello, Gregory Lee
Mason, Douglas Edward
Massoglia, Suzanne Elizabeth
Masters, Douglas Ray
Matheson, James Vincent
Matthes, William Peter
Mattson, Thomas Michael
Maxfield, Thomas Alexandria, Jr.
McBeth, Vincent Derrick
McCain, Rose Marie
McCarthy, William Arthur
McCawley, Brian Cronin
McCloy, Darin James
McDonald, Duane Hugh
McFadden, Bruce Robert
McFarlane, Scott Patrick
McGarry, Jeffrey Yates
MaGee, James Dennis
McGinley, John David
McGowan, John William, Jr.
McGrady, Jackson Lee
McGrath, Richard Scott
McKee, Margaret Ellen
McKelvey, Jay Bruce, Jr.
McKenna, John Joseph
McKenna, Thomas Arthur
McKinley, William Patrick
McMillan, Daniel George
McNeilley, William Gordon
Meisch, Paul Joseph
Meissel, John Edward
Melling, Christopher Norman
Mellor, John Phillip
Meoli, Dominic Joseph
Mercer, Thomas Alexander, Jr.
Merna, James Faulk
Merriam, Christopher Edward
Merritt, Howard Franklin
Metcalf, Ned Winford, Jr.
Metzger, John Vernon
Meyer, Stephen Rex
Mickelson, Lynne Denise
Midea, Matthew John, Jr.
Miggins, Matthew James
Miles, Erica Anne
Miles, Mary Alice
Miller, Edward Upchurch
Miller, Gregory Alan
Miller, Lee Howard, II
Miller, Thomas Scott
Milligan, David Bourke
Milliman, John Crosby
Mills, Hugh Edward, Jr.
Milone, Stephen Anthony
Misch, Robert Christopher
Mitchell, Ross Paul
Mitchell, Susan Louise
Mollon, Dennis Clyde
Mologne, Michael John
Money, James Lester
Monk, Greggory Boyd
Monroe, James Todd
Monroe, Robert David
Moore, Russell Anthony, II
Moore, Wallace Frank
Morales, Joseph Arthur, IV
Morgan, Curtis Alan
Morgan, James Michael Lee
Moroney, Kevin James
Moser, Heidi Johanna
Moss, Allen Jeffrey
Muggleworth, Charles Earle
Mullins, Matthew Bryan
Mumm, Wesley James
Murphy, Thomas Patrick
Muscha, William Robert
Musiek, Laurie
Mykleby, Mark Gary
Mykyta, John Lubomyr
Nagy, Stephen Matthew
Neidhold, Carl David
Nelson, Ralph Frederic, Jr.
Nerup, Carl Louis
Nesbit, Paul Eric
Neumann, William Davis, Jr.
Newcomb, Christopher James
Newell, Paul Dwight
Nickels, Trent Demarco
Nilsen, Thomas Gunnar
Northcott, Tad Christopher
Norton, Michael Alan
Noyes, Brian Douglas
Nygaard, Danny Allen
Oboyle, John David
Oddo, Dominick James
Odom, David William
Dechsel, Craig Roger
Ogden, David Averitt
Okuinghttons, Camilo Octavio, Jr.
Olsen, Robert Norman
Orans, David Martin
Ortega, John Charles
Ortiz, John Arthur
Oss, David Brandon
Ostroff, Pacy Philip
Otto, Steven Edward
Packard, Randall Craig
Padilla, Ann Marie
Pagan, Ivan Roman
Panchyshyn, Stephen John
Pandya, Sunita Lyn
Pappas, Dimitrios Anastasious
Parker, Eric Addison
Parker, Gary Wayne
Parker, Robert Charles, III
Parrillo, Michael Albert
Parzych, Garry Edward
Patten, Michael Paul
Patton, Brian Eugene
Peden, Keith Roy
Penny, Arthur Scott
Peoples, Michael Loren
Pereira, Frank, Jr.
Perkins, Patrick Ryder
Permitto, Curtis Mark
Perreca, Eric Norman
Perri, Craig Philip Russel
Peters, James David
Peters, John David
Peters, Stephen John
Petersen, George Joseph
Petty, Anita Sue
Pham, Huy Cuong
Pickrell, Brant Douglas
Pierson, Brett Matthew
Pignataro, Robert Paul
Pinnata, John George
Piontek, Joseph William
Pitrof, Stephen Moore
Plantz, Robert Nelson
Plohetski, John William
Plourde, John Edward
Polcari, Michael Anthony
Polowczyk, John Phillip
Poore, Louis Edward, II
Postoll, David Frederick
Potts, Kevin Michael
Powell, Christopher Scott
Prass, Ronald Eugene, Jr.
Prato, Anthony Wayne
Pray, Andrew Gregory
Pruett, Arthur Paul
Pugh, Jason Allen
Quast, John Michael
Quick, Mark David
Quinn, Michael Joseph
Quinn, Patrick Joseph
Quinn, Scott Wayne
Quint, David Michael
Rademacher, Lon Dietrig, Jr.
Radice, Michael Frank
Rakow, Steven William
Rangitsch, Joan Marie
Rapadas, Alex John
Rapp, Christopher George
Rathbun, James David
Rathjen, Lisa Ann
Ray, Michael Jeffrey
Rayburn, Jeffrey Paul
Rayhill, Paul Christopher
Raymond, James William
Raymond, John Michael
Rayner, Timothy Hugh
Redling, Fred Eugene
Reilly, William, Jr.
Reimann, Timothy John
Renberg, David Alexander
Ribera, John Joseph
Ricciuti, Andrew
Richards, Dennis Paul, Jr.
Richey, Ryan Gibson
Rideau, Errol Edward, Jr.
Rinkacs, John Stephen
Rizzo, Joseph Ralph
Robbins, Donald Wayne
Robell, Kenneth James
Roberson, Bradley Wayne
Roberson, Rob B.
Robinson, David Andrew
Robinson, David Maurice
Robinson, Joycelin
Rodgers, Alan Mcelwee
Rodriguez, Juan Carlos
Rodriguez, Miguel Alberto
Rogers, Graham Dillingham
Rogers, Timothy Alexander
Ropiak, Michael John
Ross, Kenneth Andrew
Ross, Wendell
Roth, Stephen Scott
Rovenstine, Michael Joe
Rowan, John Garand

Rowe, Andrew William
Rowe, Robert Steven
Roylance, Timothy Matthew
Ruge, Dana Dale
Ruggiano, Marc Louis
Ruggirello, Stephen
Russ, Kimberly Sue
Ryan, Michael
Ryan, Steven Lynn
Sadanaga, Dean Alan
Sahler, Erica Layne
Saksvig, Paul Amund
Saldivar, Raul Fernando, Jr.
Sambar, Al William
Sammons, Danford Elias, III
Sampson, Matthew Thomas
Sanchez, Joe Manuel
Sargent, Gregory Joel
Saroch, George Burchard
Sasek, David John
Schabert, Cary Michael
Scharf, Shawn Michael
Schenck, Christopher Robert
Scheulin, Eric Matthew
Schieber, Ty Alan
Schiffman, David Lee
Schill, Daniel Kenneth
Schilling, Charles Lee
Schindler, Dan S.
Schmidt, Harry Michael
Schmitt, James Gordon
Schoenbucher, Paul Eric, Jr.
Schofield, Edward Ronald
Schreiber, James Arthur
Schreiber, Mark Timothy
Schutz, Douglas Moore
Schwab, Thomas Michael
Seawright, David Arlyn
Sechriest, Walter Stimpson, III
Seeberger, Scott Christopher
Seibert, Joseph John
Sewell, David Edward
Shaffer, Daniel Gustaf
Shamblin, Brian Michel
Shay, Erik Fred
Shea, Patrick Owen
Sheerin, Michael Thomas
Shen, Jonah Wai
Shepherd, Robert Harding
Shevis, Philip Gordon
Shields, Daniel Kirk
Shinnick, Gregory Daniel
Shirk, Jeffrey Scott
Shores, Jose Ramon
Shove, Benjamin Sydney
Shuttleworth, Bruce Bowen
Simei, Joseph Anthony
Sindoni, Anthony John
Sisney, Steven Douglas
Sizemore, Robert Adam
Skelley, Suzanne
Skubi, Jason Kenneth
Slatter, Scott Darrel
Slaughter John Beauregard
Sledgianowski, John Forrest
Slough, Timothy Dehaven
Smith, Christopher Burke
Smith, David Glenn
Smith, Derrick Manton
Smith, Frederick William
Smith Jennifer Ann
Smith, Larry Wayne
Smith, Michael Kevin
Smith, Robert Franklin
Smith, Russell Edward
Smith, Stephan Michael, II
Smith, Tracy Lynn
Sniffen, John Mark
Snoke, Timothy Alan
Snyder, Daniel Benjamin
Snyder, Daniel James
Soer, Craig Steven
Soper, William Paul
Sopko, Michael Charles
Sorenson, Matthew David
Soto, Ruben David
Soupiset, Rayome Francois
Spands, Michael Louis
Spencer, Keith Andrew
Spitzer, John Lewis
Springer, James Glenn
Springer, Nancy Ann
Stanford, Scott Thomas
Stanton, Roger Crozier
Starkey, Michael Charles
Stauber, Renaud Emmanuel
Stauch, Patrick Sullivan
Stec, Jeffrey Dennis
Stefanko, John Christopher
Stefanon, Gregory Ernest
Steffan, Joseph Charles
Steggerda, Todd Roger
Stephens, Edward Leroy, II
Stevens, Glenn Warren
Stevenson, John Daniel
Stewart, Michael Andrew
Stewart, Robin Ann
Stillwaggon, Joseph Vincent
Stollmeyer, Richard Lee
Stonaker, Daniel Robert
Stratton, Patrick Thomas
Stringfellow, John Michael
Suarez, Carlos Martin
Sullivan, Charles Francis
Sullivan, Edward Charles
Sullivan, James Edward
Sullivan, Sean Patrick
Sullivan, Wendy Ilene
Swan, Ernest William
Swanson, James Lee
Swickley, Robert Louis
Swift, Steven Allen
Sylvester, Steven Michael
Szpisjak, Dale Frank
Tackett, Stephen Howard
Tadlock, Jimmie Carter, Jr.
Takats, Terry Robert
Taliaferro, Thomas Alan
Taylor, Jeffrey Howard
Taylor, Phillip Steven
Teeple, Stephen Michael
Tellez, Grover Dale
Tenhoopen, Douglas Jon
Tenney, Joseph Wilcox
Thiesse, Trav Andrew
Thomassy, Christopher Kerr
Thompson, Gregory Scott
Thompson, Jeffery Allen
Thompson, Mary Patricia
Thompson, Stephen Matthew
Thomure, Timothy Joseph
Tierney, Patrick William
Tigan, John Anthony, Jr.
Timm, Scott Allen
Titus, John Daniel, Jr.
Tluchowski, Michael Alan
Tobin, Michael Anthony
Todd, James Michael
Tolle, Anthony Miles
Tomaiko, Thomas
Torreon, Ben Eugene
Towers, Roland Michael
Townsend, William Oliver
Trahan, Arthur Francis, Jr.
Trevino, Jose Luis, II
Trott, Marjorie Dale
Truden Thomas Michael
Turner, Darren Lee
Turner, Peter Noble
Turner, Robert John
Turner, Wayne Douglas
Tuttle, James Victor
Tyner, Jerry Dwayne
Ubellacker, Kent Lee
Upham, Christopher Ivan
Urbach, Scott Edward
Vajgert, Joe Louis
Valmus, Jeffrey Lofton
Vanatta, Thomas Frost
Vanhelden, Joseph Paul
Vanhorn, Kent Richard
Vanhulzen, Chad Owen
Vaughn, Leroy Darrel
Vauk, Ronald James
Veach, Randall Scott
Verhovsek, Eber Lee
Vertel, John Frederick
Videll, Joseph Eric
Vitaro, Richard Patrick
Vonkolnitz, Thomas Judson
Vuillemot, Andrew James
Wade, Patrick Joseph
Wagner, Thomas Walter
Wagoner, Daryl Steven
Walker, Edward Fyfe, Jr.
Walker, Joseph Gary
Walker, Paul Andrew
Wall, Spencer Frank
Wallace, Frank Theodore
Walter, James Anthony
Walters, Duane Allen
Walters, Janet Margret
Walters, John Thomas, II
Wanebo, John Eric
Wanebo, Michael David
Ward, Donald James
Washburn, Jonathan Derrel
Wasson, Drew Theron
Watkins, Daryl Vaughn
Watson, John Neal
Watson, Thomas Cooper
Watt, Michael Robert
Weaver, John Clark, II
Weber, William Henry, IV
Wehman, Robert John
Weigert, Michael William
Weiner, Michael Scott
Welch, David Andrew
Welch, Thomas Bradley
Wells, John Leroy
Wertman, David Brian
West, David Paul, II
Wheat, Juan Mendoza
Whelan, Timothy Frederick
White, Dave John
White, Dennis Bryan
White, Kevin Francis
White, Timothy James
Wickerson, Andrew James
Wilder, Thomas Yates
Wilkens, John Douglas
Willcockson, James Edwin
Williams, George Scott
Williams, Michael Edwin
Williams, Michael James
Williams, Susan Lynn
William, Ted Raymond
Wilson, Christopher John
Wilson, Douglas Gregory
Wilson, Earl Kent
Wilson, John Christian
Wilson, John Gregory
Winkler, Mark Gerard
Wirries, John Wallace
Wirth, Charles David
Witten, Richard Mahone
Wojcik, Frederick Douglas
Wolf, Tomothy John
Wolfe, Scott Michael
Wong, Jason Dutming
Wood, Eric Eames
Woodaman, Ronald Frederick A.
Wooster, Michael Oliver, III
Woughter, John Charles
Wuamett, Michael Graham
Wuestenberg, Elizabeth Ann
Wulff, Siegfried Roland
Yoder, Steven Joseph

York, Andrew Lee, III
Young, John Michael
Young, John Richard
Young, Robin Alane
Zaccardi, Louis Peter
Zaorski, Robert Charles, Jr.
Zangotita, Carlos Juan
Zulick, John Andrew
Zymbaluk, Gregory Richard

HOUSE OF REPRESENTATIVES—*Tuesday, May 12, 1987*

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We remember, gracious God, all Your people who have lived and served through the years, and we particularly recall those who have given of their talents in the service of our Nation. On this day we remember with grateful appreciation the name of Stewart McKinney and the good deeds he did in service to this assembly and the many people in this community and in our Nation. May Your peace, O God, that passes all human understanding, be with the members of his family, and may his commitment to justice ever encourage us to use our abilities in service to others, for we know that by serving others, we truly serve You. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Hallen, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 209

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Stewart B. McKinney, late a Representative from the State of Connecticut.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate recesses today, it recess as a further mark of respect to the memory of the deceased Representative.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1085. An act to amend title 38, United States Code, to make permanent the new GI bill educational assistance programs established by chapter 30 of such title, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 392. An act for the relief of Nabil Yaldo;

S. 393. An act for the relief of Emilie Santos; and

S. 423. An act for the relief of Kil Joon Yu Callahan.

The message also announced that pursuant to the provisions of Public Law 93-618 the Chair on behalf of the President pro tempore and upon the recommendation of the chairman of the Committee on Finance appoints, Mr. BENTSEN, Mr. MATSUNAGA, Mr. MOYNIHAN, Mr. PACKWOOD, and Mr. ROTH, as official advisers to the U.S. delegation to international conferences, meetings, and negotiations sessions relating to trade agreements; Mr. BAUCUS, Mr. BOREN, Mr. BRADLEY, Mr. MITCHELL, Mr. PRYOR, Mr. RIEGLE, Mr. ROCKEFELLER, Mr. DASCHLE, Mr. DOLE, Mr. DANFORTH, Mr. CHAFEE, Mr. HEINZ, Mr. WALLOP, Mr. DURENBERGER, and Mr. ARMSTRONG, as alternative official advisers to the above negotiations.

The message also announced that pursuant to the provisions of sections 276d-276g of title 22 of the United States Code, the Chair on behalf of the Vice President appoints Mr. STEVENS as vice chairman of the Senate delegation to the Canada-United States Interparliamentary Group during the 100th Congress.

ED MEESE SHOULD TAKE A LEAVE OF ABSENCE

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, the chief law enforcement officer of this country should be beyond reproach. By reason of the inclusion of Mr. Ed Meese in a current investigation by an independent counsel, he is no longer beyond reproach; and he should take a leave of absence from the Office of Attorney General of the United States while the investigation against him is pending.

For the first time in history, a high Government official has twice come under the purview of the independent counsel statute. This casts a dark cloud over the Department of Justice, which only a leave of absence by the Attorney General will clear.

As a member of the House Committee on the Judiciary, I take this matter very seriously.

Certainly I do not intend to judge his guilt or innocence. That is for the independent counsel and the courts to consider.

Putting that aside, however, America deserves an Attorney General of unquestioned integrity, so that the Department of Justice can operate in an unimpeded manner; unimpeded by innuendo, unimpeded by accusation, and unimpeded by potential wrongdoing.

Until such time as these accusations against Ed Meese are cleared up or resolved, he should step aside.

RESPECT FOR PEOPLE WHO SERVE THEIR COUNTRY

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, when I returned from Glens Falls, NY, my hometown, this past weekend, I picked up an article which says, "Hearing inquisitor blasts Secord as less patriot than profiteer."

Mr. Speaker, I have a message for this guy Liman, whoever he is. When any nonpatriot is allowed to question the patriotism of a patriot like General Secord, there is something wrong. As a matter of fact there is something wrong when Members of Congress let a staffer sarcastically ridicule an American hero who participated in 185 combat missions so that this same staffer could have the privilege of living in a great democracy like America.

I attended a senior citizen pancake breakfast, and I am delivering a message on behalf of those senior citizens that said, we in America appreciate our patriots, and we do not like people criticizing them in a rude and uncouth manner. And for some Republicans and some Democrats who are showing a similar disrespect, perhaps, to feather their own nests and make some kind of name for themselves, I have a message for them, "You're making a name all right and a large group of Americans like me won't forget—ever."

INCREASING THE PUBLIC DEBT LIMIT

(Mr. FROST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, as we begin consideration of the public debt limit extension bill this week, I believe it's important that the consequences of not increasing the debt ceiling are thoroughly emphasized.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Should the debt limit not be increased, the United States will run out of cash, default on its debt and subsequently not be able to make June benefit payments.

The United States would default on its obligations, both domestic and foreign, with all the negative financial, legal, and moral consequences that implies.

All issuance of Treasury securities would cease. Trust and revolving fund investments and rollovers of maturing issues that those funds hold would halt. Sales of savings bonds would stop, as would sales of nonmarketable securities important to State and local financing.

It's clear that we risk financial chaos if we do not act promptly to extend the debt limit. I urge my colleagues to resist the temptation to add complicating provisions to this legislation. Let's instead move swiftly on a simple extension of the public debt limit.

DAVIS-BACON REFORM

(Mr. INHOFE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INHOFE. Mr. Speaker, I just learned that the gentleman from Alabama [Mr. DICKINSON] is considering withdrawing an amendment to raise the threshold for Davis-Bacon applicability from its current rate of $2,000 to $1 million.

The original rationale of the Davis-Bacon Act was to prevent construction firms during the Depression from undercutting local builders by hiring itinerant labor at slave wages. Over the last 55 years, the act has developed a powerful ally in big labor. The Davis-Bacon Act has not changed in substance since 1935.

One would think that even those who agree with the principle of Davis-Bacon would sense the need for reform.

The General Accounting Office estimates that repeal of Davis-Bacon could save $5 billion over 3 years.

According to a study by Oregon State University, the act increases construction costs on nonresidential buildings between 26 and 38 percent.

Apart from its financial costs, the Davis-Bacon Act now works directly counter to its original intention of protecting local builders and small businesses. Some 80 percent of the 900,000 construction firms in the United States have four or fewer employees for whom the high wage structures and incredible paperwork associated with the act make bidding on Federal projects prohibitive. In fact, the overwhelming majority of small construction firms do not even bid on Federal projects.

The Citizens Against Government Waste, the National Association of Minority Contractors, the National League of Cities, the National League of Counties, the Associated Builders and Contractors, and the National Federation of Independent Business all support reform or repeal of the Davis-Bacon Act. Simply raising the minimum threshold from $2,000 to $25,000 could save the Federal Government $90 million annually. Last year during consideration of the Defense authorization amendments were adopted to raise the threshold for applicability of the act from $2,000 to $25,000 in the House and $250,000 in the Senate. Regrettably, a compromise could not be agreed upon in conference.

A $1 million threshold, as contained in the Dickinson amendment, would exempt 89.5 percent of the total number of contracts, largely benefiting small businesses, while retaining Davis-Bacon Act coverage for 71.1 percent of the total dollar volume of contracts. The impact of this law on small business is what inspired reform of the Davis-Bacon Act to be the No. 7 priority of the 1986 White House Conference on Small Business.

During 1978-84, while serving as mayor of Tulsa, OK, I found that Davis-Bacon had a substantial impact on the local economy. In fact, in this 6-year period the city of Tulsa could have spent $11 million more on capital projects, providing that many more jobs and getting $11 million more in capital improvements if we did not have to comply with the Davis-Bacon prevailing wage provision.

Furthermore, the act continues to discourage small contractors, employment and other areas of economic development such as housing and transportation.

If Members of the House are serious about halting the deficit, it is imperative that we adopt necessary reform. The leadership of this body are afraid to make the tough choices necessary to cut the deficit and I regret that we will be unable to vote for Davis-Bacon reform.

DEBT LIMIT—RESPONSIBLE ACTION REQUIRED

(Mr. BONIOR of Michigan asked and was given permission to address the House for 1 minute.)

Mr. BONIOR of Michigan. Mr. Speaker, by the end of the month, our Nation and the world will face a serious economic crisis if we do not act responsible now. By May 15, we must pass a clean extension of the debt limit.

As Secretary of the Treasury Baker has warned us, this year's crisis will be worse than ever before. If we fail to act, the debt ceiling will revert to the previous level. The United States would be in default, our Nation bankrupt.

It is time to put partisanship and parochial interest aside.

As legislators, we must act responsibly to fulfill our obligation to the American people, and to the world financial community.

I urge my colleagues to support the increase in the debt limit.

CHEMICAL WARFARE

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, very soon this Chamber will be again engaged in the debate on chemical warfare, as to whether or not this Nation should continue its program of developing a system in that vital field of national defense.

Two things ought to be kept in mind as we begin to prepare ourselves for that debate. No. 1, it is the goal of every American citizen, yea every citizen of the world, for that matter, to eliminate nerve gas and all chemical warfare from the face of the Earth, but at the same time, to recognize that the Soviet Union has a clear superiority and actual capability which they are utilizing this very day in chemical warfare in several parts of the world. Therefore, we cannot unilaterally drop our initiatives in chemical warfare. We must put our extended faith into the negotiators that we have at the table who are attempting to bring about this end of chemical warfare.

But until that time, the United States must be fully prepared and fully develop its capabilities in this vital field.

REMOVING EARNINGS PENALTY FOR SOCIAL SECURITY RETIREES

(Mr. ERDREICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ERDREICH. Mr. Speaker, hard work built this Nation, and opportunities for employment certainly remain a major priority of Congress. We encourage all who are capable of working to do just that. Unfortunately, for older Americans, we have created a penalty for working.

The 1983 Social Security amendments reduced the penalty for retirees who wish to continue working, but current law is still unfair to seniors who choose to continue their employment.

Someone over age 65 who is retired and works part time is penalized if he or she earns over $8,160 a year. Above that level, $1 for every $2 earned is substracted from the retirement benefit—a benefit they have already earned through years of hard work.

I have introduced legislation to repeal the limit on the amount of outside income an individual may earn and still receive Social Security benefits. Why should Social Security benefits be reduced because an older worker wants to continue to work to improve his or her financial security?

As we seek greater economic opportunities for all citizens, let's stop penalizing older Americans, and encourage all able citizens to seek and maintain financial independence. I urge my colleagues to support my legislation and permit those seniors who wish to remain wage earners to do so—without any Government penalty.

PUBLIC DEBT

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, there is a deadline staring us in the face tomorrow—a deadline that we would ignore at our peril. The current debt ceiling expires on May 15, and we in the Congress will face a dramatic choice: Either to extend the debt limit now or to engage in a wild and dangerous game of chicken with the possibility of Government default.

Unless we act, the U.S. Government will default on its obligations on May 28—the first time that has happened in our 200-year history. There are no funds to be shifted, no books to be cooked, no adjustments to be made. There is no margin. May 28 is a drop-dead date—the date on which the meaning of the full faith and credit of the United States will be tested.

Members must understand this essential difference from previous years. This is not business as usual. We must quickly and responsibly pass a public debt ceiling extension or we will reap the wrath and ridicule of the American people, and of nations around the world. Let us pass the public debt ceiling increase, and get on with the other business of the country—or there will be no other business to get on with.

KEEPING THE FAMILY HOME

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, in late 1982 I was sent to jail in Mahoning County, OH, for failure to sign foreclosure deeds as sheriff. Good steelworkers in our community who had lost their jobs in record numbers were subject to foreclosure conditions beyond their economic control.

As we review this issue, the American dream happens to be owning the family home. The family home was being threatened in many parts of my community, with kids not knowing where they were going to school, families fractured, people running in all directions, and Congress failed to respond with any legislative initiative that would meet this crisis there or anywhere else in this country. I believe that is an indictment, an indictment of Congress, and the 100th Congress should right this wrong.

In that regard, in an agreement I have made with Chairman GONZALEZ, I will be offering an amendment to the housing bill that would provide for $100 million to provide a counseling service created around this Nation that would put an automatic stay of foreclosure for 6 months and allow these intervening agencies the opportunity to work out some type of program to forestall any of these foreclosures and keep the family home. These agencies have displayed success in several regions of the Nation.

We cannot continue to let this happen in this country. I will be bringing this amendment to the floor on the HUD authorization bill and ask all Members to help me in passing this amendment. This amendment would not protect deadbeats, only those Americans with good credit who were forced to lose their home by conditions beyond their control.

AN ALTERNATIVE TO CALENDAR YEAR CONFORMITY

(Mr. FLIPPO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLIPPO. Mr. Speaker, section 806 of the Tax Reform Act of 1986 requires most partnerships, personal service corporations, and S corporations to conform their taxable years to those of their owners, forcing many of these entities to switch from a fiscal to calendar year. This stringent tax year conformity requirement was added in the final hours of Senate consideration on the tax bill with no debate, without hearings and without anticipation of the consequences.

Under the tax year conformity requirement, small business owners will see increased accounting and legal fees. Small business owners will be required to incur the cost of closing their books twice and filing two sets of tax returns—Federal and State—for each of the two periods ending in calendar year 1987. They will also have to amend contracts, compensation arrangements, and retirement and employee benefit plans.

The tax year conformity requirement would also cause significant scheduling problems for accountants, creating mayhem in CPA firms during the January through April tax season. Under this requirement much of the work performed during the course of an entire year by CPA's—the audits, the preparation of financial statements, the tax planning and the preparation of tax returns—would be bunched into the same period of time when accountants are extremely busy preparing individual tax returns.

The tax year conformity requirement fails to recognize there are important business considerations involved in selecting a fiscal year. Most entities select a fiscal year ending at a slow time in their business cycle, to facilitate the closing of the books and taking of inventory. For example, a grain elevator owner may want his tax year to end during the summer to permit the closing of the books and the taking of inventory before harvest, not on December 31 when the elevator is full of grain. A retailer may want a tax year ending after the December holidays and before the arrival of spring merchandise, not on December 31 in the middle of the holiday shopping and sales and return cycle. A ski resort owner may want his tax year to end in May or June when there is no snow, not on December 31 when the slopes are filled with skiers and business is at its peak. The tax year conformity rules will disrupt many other small businesses as well.

Under the tax provision of the Tax Reform Act of 1986, the grain operator, the ski resort owner, and all other businesses, large and small, would be forced to conform to a December 31 closing date unless they meet stringent tests established by the IRS.

The costs imposed by the calendar year conformity provision far exceed any possible benefits by a wide margin. At a time when competitive pressures in the marketplace are directing businesses to become lean and mean, the yearend conformity provision leads businesses in the opposite direction toward higher costs, more paper work, and a greater administrative burden.

Since the beginning of the year, I have been working closely with the members and staff of the American Institute of Certified Public Accountants in developing an alternative to the yearend conformity provision of the Tax Reform Act. The members of the accounting profession have demonstrated great leadership and responsibility in this effort to develop a solution to a serious problem.

As a result of these many months of study and hard work we now have a tentative proposal currently being drafted into legislative form. This revenue neutral proposal contains three essential features.

First of all, the proposal would provide each business entity with an option. An entity would be permitted to choose between switching to a calendar year under the provisions of the Tax Reform Act or retaining its fiscal year. The election would be made by the entity and not by individual owners.

Second, the owners of partnerships and S corporations who elect to remain on a fiscal year would under the provisions of this proposal, make enhanced estimated tax payments. This would be accomplished by increasing each of the two safe-harbors—100 percent of the prior year's tax or 90 percent of current year's tax—by a percentage of the prior year's deferred income. The enhancement rate would be 35 percent in 1987 and 28 percent in the following years with a phasein over 4 years. Where the partnership or S Corporation is itself an owner of an interest in a partnership, S Corporation or PSC, the partnership or S Corporation would be required to conform its year.

The third feature of this proposal deals with Personal Service Corporations [PSC]. The income deferral in these entities is often achieved through deferral of payments to owners into the months after December 31. The remedy for this under my proposal would be to postpone the deduction at the corporate level if ratable payments to owners have not been made prior to December 31. Ratable payments could be based upon experience from the prior corporate year in order to avoid the necessity of predicting income or payments for the remainder of the current year. Where the PSC itself is an owner of an interest in a partnership, S Corporation or PSC, the PSC would be required to conform its year.

Mr. Speaker, I would urge my colleagues to keep the following four key points in mind as they evaluate this proposal.

First, one of the purposes of the Tax Reform Act of 1986 is to eliminate the tax deferral and to collect the taxes closer to the time the income is earned. This proposal reduces the deferral substantially and requires tax dollars to be paid earlier. However, the total taxes paid would be no greater than the amount that would have been paid under prior law or with the switch to a calendar year as mandated under the Tax Reform Act.

Second, there is a 4-year phasein of the enhanced estimated tax payments which corresponds to the 4-year income spread provided in the Tax Reform Act.

Third, those entities which would be allowed to remain on or to adopt a natural business year under the provisions of tax reform can still do so without being subjected to the above requirements.

Fourth, any entity which comes under this proposal and which elects or changes a fiscal year must select a year ending no earlier than September 30.

This proposal appears to represent a viable solution to a very real and serious problem. It merits the careful consideration of all who are interested in a fair and sound tax policy. We are continuing to study this issue and fine tune this proposal as we proceed with drafting it into bill form.

Mr. Speaker, I would welcome and appreciate any comments or recommendations for improving this proposal.

□ 1015

RAISING THE DEBT CEILING

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, we are all too familiar with the regular ritual we go through to raise the Federal debt ceiling. Let us hope that at some time in the foreseeable future, when some of us who are here today are still serving in this House, we will not have to worry about raising the debt ceiling. Unfortunately, we do not have that luxury today.

In previous years Congress could dillydally for days and weeks and make great stands against raising the debt ceiling, before turning around and doing just that. We could threaten not to act, unless this or that concession was made by the administration, or the other body, or the other side of the aisle. These dramatics did little for the image of Congress. But they also had little effect on our financial markets or the functioning of our Government. This time delay and dramatics are not an option.

Some of you may have forgotten that last year we adopted legislation to "hold our feet to the fire." If we fail to act by Friday, May 15, the debt ceiling will revert to $2.1 trillion.

Our financial markets will be thrown into disarray as the potential for U.S. default on loans and interest payments becomes reality. Government checks will no longer be honored. Money managers here and abroad will conclude that investments with the U.S. Government are just not worth the risk.

This Congress is making slow but steady progress in improving the deficit picture. We must continue to do so. But our fight on that front will not be aided if we get involved in an illusory, internecine battle about the budget, when the immediate crisis is the debt ceiling.

We can easily avoid the doomsday scenario and move on in addressing the deficit. Let's act swiftly and responsibly to raise the debt ceiling.

RAISING THE DEBT CEILING: LET US NOT PULL THE TRIGGER ON ECONOMIC CHAOS

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, the debt ceiling vote has become a form of fiscal Russian roulette. For some, a no vote is an expression of frustration with high deficits, high spending, and high borrowing. But yet if the Congress fails to adopt an increase in the debt ceiling to recognize the bills that the Federal Government owes then indeed we could do untold damage to the U.S. economy. In the past there has always been a little room to play that game. But the danger today is that there are too many live bullets in the Chamber.

We have limited trust fund borrowing so that when that final date of May 27-28 comes, that is it, there is no more room. Our economy is fragile by anybody's terms. Default by the United States on its bills creates a domino effect that would impact U.S. credit not only here at home but in the world as well.

Thus, Congress cannot afford to play that game; but neither can the President continue to hand that gun to the Congress by refusing to negotiate on deficit reduction and by refusing to negotiate on budget reforms.

The deficit and the debt ceiling cannot be wished away.

I believe that Congress and the House are ready and prepared in these next 60 days to extend the debt ceiling but also to deal on both deficit reduction and on budget reforms.

The President needs to get the same message before somebody pulls the trigger on economic chaos.

SIMILARITIES IN THE ATLAS-CENTAUR DISASTER AND THE CHALLENGER DISASTER

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHEUER. Mr. Speaker, I feel a depressing sense of déjá vu as I read the findings of the investigation board on the March 26 Atlas-Centaur disaster.

There were too many similarities between the decisionmaking process that led to this failure and the decisionmaking process that led to the tragic loss of the *Challenger.*

The investigation board that probed last month's Atlas-Centaur accident was right on the mark when they blamed the disaster on poor judgment. Once again we have a case where NASA has the experience, the expertise, and the technical processes to recognize that a problem existed in the launch, but the space agency chose to ignore the warning signs and go ahead with the launch that ended in a costly disaster, even though they were advised by the Director of the Kennedy

Space Center that this launch was not time-critical. In other words, time was not of the essence and they could afford to be painstakingly careful.

Why in the world did they do this, Mr. Speaker? After the *Challenger* accident one would have thought that NASA would have been reluctant to launch any space vehicle when conditions were less than optimal. Given the errors made by NASA officials in the Atlas-Centaur launch the space agency will be hard pressed to convince the Congress and the American people that it learned anything from the *Challenger* accident and that it is prepared to launch another manned space vehicle.

NASA officials must break out of the mold of making a robot-like review of technical data on issues such as weather conditions and strive to make judgments which err on the side of caution and common sense.

H.R. 95, CHILD AND FAMILY DEVELOPMENT ACT OF 1987

(Mrs. COLLINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS. Mr. Speaker, there is an excellent article in this morning's Washington Post and there was also one in the May 8 issue of the U.S.A. Today regarding the need for good quality child care, particularly for infants of 2 years or younger.

As the author of day-care legislation, H.R. 95, the Child and Family Development Act of 1987, I am all too aware of the many obstacles facing today's working mothers. Not the least of which, is the lack of quality, affordable and dependable child care. These obstacles seem to pale, however, in the face of unexpected disruptions and complications involving people who care for our children. The old saying, "What's a mother to do" is never more real when a babysitter is suddenly not available, a child is ill or the schools have decided to send the children home after you have arrived at work.

Article after article, study after study, and report after report, have all focused on how disruptions in the workplace, caused by breakdowns in child care arrangements, affect employers and employees. For employers, these disruptions are a major cause of lost productivity, absenteeism, and tardiness. For employees, an employer's lack of sensitivity to unexpected breakdowns in child care arrangements, or a child's illness, create additional tension to an already stressful situation.

Sadly, affordable, quality and dependable child care facilities continue to be the exception, rather than the norm. I intend to explore these needs further when the Government Activities and Transportation Subcommittee I chair, holds a hearing soon on establishing child care centers in the Federal Government. I believe the Federal Government should and must take the lead in providing such centers. By doing so, we will be offering a much needed service for working families, their children, and employers.

NATIONAL NURSING HOME WEEK

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, during this week, May 10 through 15 is "National Nursing Home Week." I rise today in honor of all those who observe this special week across America. In my home district, the Second Congressional District of Maryland, Riverview Nursing Home is just one home that provides excellent care to hundreds of residents and is observing this event today.

Nursing home residents and professional personnel alike are joining together in celebration this week in recognition of the importance the nursing home has become to them. It has emerged during the 20th century as we are becoming an increasingly older society as a permanent home for many older citizens.

However, as nursing homes are becoming common homes for older Americans, they also are becoming more expensive—almost too much for the average family. As the costs of health care increases, I urge my colleagues to join me in search of more creative ways to reduce the costs of providing long-term care to deserving older Americans. I am confident nursing homes will play an even more prominent role in meeting the needs of Americans.

Mr. Speaker, I join in celebration of National Nursing Home Week and offer my support to these establishments. Their importance is recognized and greatly appreciated.

SUPPORT THE COMMITTEE LEVEL OF FUNDING ON SDI

(Mr. DARDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DARDEN. Mr. Speaker, when I was a young boy growing up in Georgia I often went to a cattle auction with my father, who was a cattleman in Hancock County, GA. We went to the auction and I was always amazed at how a cow could actually be sold under the atmosphere of an auction. I was always totally impressed with the confusion that resulted.

This morning, Mr. Speaker, we will be considering on this House floor the level of funding for the strategic defense initiative. It appears to me that our process will be something very similar to that cattle auction that I used to attend many years ago when I was a boy.

That is, we will see which of the highest bidders can get a particular funding level with enough votes to carry the House.

Mr. Speaker, one thing the Committee on Armed Services has done quite well and quite adequately, I think, is to investigate and study this SDI issue. We spent months of our time and we have a considerable amount of time and effort invested in listening to tens of dozens of witnesses on the level of SDI funding.

Therefore, Mr. Speaker, I ask that this body carefully consider the opinions of the Committee on Armed Services members and vote for the committee level of funding for SDI.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER. Pursuant to House Resolution 152 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

□ 1026

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such department for fiscal years 1988 and 1989, and for other purposes, with Mr. DURBIN (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Monday, May 11, 1987, the amendments designated 12 through 17 and 19 through 22 in section 3 of House Report 100-84 had been disposed of.

Pursuant to House Resolution 160, it is now in order to debate the application of the Davis-Bacon Act to funds authorized in H.R. 1748 for 40 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the amendments relating to the Davis-Bacon Act contained in section 1 of House Report 100-84, in the following order:

(A) By Representative MURPHY, or his designee; and

(B) By Representative DICKINSON, or his designee.

If both amendments are adopted, only the latter amendment shall be reported back to the House.

Following the disposition of said amendments, and pursuant to the notice provided by the chairman of the Committee on Armed Services on May 11 under paragraph (8) of section 2 of House Resolution 160, it shall be in order to proceed to the consideration of the strategic defense initiative amendments as provided for in paragraph (1) of section 2 of House Resolution 160.

Under the rule, the gentleman from Wisconsin [Mr. ASPIN] will be recognized for 20 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. DICKINSON. Mr. Chairman, may I be recognized?

Mr. ASPIN. Mr. Chairman, I will yield some time to the gentleman from Alabama [Mr. DICKINSON].

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. ASPIN] has been recognized for 20 minutes.

Mr. DICKINSON. Mr. Chairman, I was seeking recognition just to strike the last word. I did not at this point intend to get into general debate if that is agreeable with the Chairman.

The CHAIRMAN pro tempore. The gentleman from Alabama should be advised that we are now in general debate.

Does the gentleman seek recognition?

Mr. DICKINSON. Yes, Mr. Chairman, I would like to be recognized.

If we are in general debate, I assume then that the time is allocated 20 minutes to the side.

The CHAIRMAN pro tempore. Yes, the gentleman is correct.

According to the rule, the gentleman is advised that the time is allocated between the two sides, 20 minutes to each side.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, we have had a number of conversations since the last meeting, both with representatives from the Committee on Education and Labor and on this committee, dealing with the general subject of Davis-Bacon and the proposed amendments.

It is my understanding that there will be a general bill coming out of the Committee on Education and Labor this summer, that it will be broad enough to encompass the subjects that were to have been offered to this defense bill. I have consulted with Mr. STENHOLM, who is very interested in Davis-Bacon. I understand that he has talked to Mr. MURPHY and as a result of his discussions, I am not going to bring up the subject for a vote at this time if Mr. MURPHY does not offer his amendment.

□ 1030

Mr. Chairman, I yield to the gentleman from Texas [Mr. STENHOLM] to state what is the understanding. If we are all in accord, we will not have this subject matter brought to a vote today.

Mr. STENHOLM. Mr. Chairman, I thank the gentleman from Alabama for yielding to me, and I would commend him for his leadership in bringing, once again, this proposed amendment to the floor today.

It is sort of ridiculous, I think, that we are back here for a third straight year once again, and I totally agree with the decision that has been made to pull back at this moment again. We will hear from the gentleman from Pennsylvania [Mr. MURPHY] in a moment for exactly why I am more than willing to pull back at this time and to not offer the amendment and not take the committee's time.

But it is awfully important that we fully understand, all of us, that the time has now arrived that we must deal with the reform of Davis-Bacon. If the gentleman from Pennsylvania would kindly take the mike.

Mr. DICKINSON. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. MURPHY] for the purpose of a colloquy with the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, if I understand correctly, the gentleman's intentions, as the subcommittee chairman of Education and Labor that has the jurisdiction over the issue of reform of Davis-Bacon, What is happening now within the gentleman's committee, and what is the gentleman's intent of where we go from this point forward if we do not do the amendment process at this time?

Mr. MURPHY. Mr. Chairman, I would advise both the gentleman from Alabama [Mr. DICKINSON] and the gentleman from Texas that since we appeared on the floor some, I guess 10 months ago and discussed this at great length and considered two amendments, my committee has held a series of hearings. We have had a series of constant negotiation and drafting sessions with people who are interested, both in the continuation of Davis-Bacon as a concept of law and those who are opposed to it.

In April of this year, after the culmination of about 8 months of efforts since the gentleman prodded us into action last year, we have come out with H.R. 2216.

I had that scheduled for a markup before my subcommittee for tomorrow morning. However, at the request of the very learned minority members on my subcommittee, the gentleman from Vermont [Mr. JEFFORDS] and the gentleman from Wisconsin [Mr. PETRI], they prevailed upon me to have one final comprehensive hearing on that measure because it is a complex 50-year-old issue and I certainly agreed with them that we should do so.

Tomorrow morning, we will have representatives of the Department of Labor, the Building Trades Union, the Associated Building and Contractors, the homebuilding industry, we have a series, and ABC, all of them coming before our committee to testify. The hearing should last, unfortunately, 4 hours or longer.

I spoke with the gentleman from Vermont this morning, who is, as you know, the ranking member on the Committee on Education and Labor. He and I will work out a schedule following tomorrow for a markup, suitable to him. I wanted to mark it up next week, however, in deference to the schedule that was announced yesterday, I would advise the gentleman we may not get to markup until a week or two following Memorial Day.

Mr. DICKINSON. Mr. Chairman, I understand what the gentleman is saying, and I think that is great. I understand, though, that the gentleman from Texas [Mr. STENHOLM] would have an opportunity to appear and testify.

Mr. MURPHY. Last night, Mr. STENHOLM twisted my arm and he will be, I hope, the first witness. He has promised to keep it very short, submit his statement as he has before. He has appeared before our committee before on this. He is going to submit his statement and a brief verbal statement. He will be entertained first, obviously, as a courtesy to a Member who will also be busy here on the floor.

The gentleman from California [Mr. HAWKINS], chairman of the full committee, and I have been in these negotiations. I have his full assurance that if and when, and I can only say that I will bring the matter before my subcommittee. I urge you to prevail upon your influence with the Members, as I will, to report a bill out to the full committee.

Mr. HAWKINS is very insistent that I get him a bill sometime in June before the full committee. The gentleman intends to not have hearings because we have an extensive record. He intends to go to immediate markup and we would hope that we have a—and clearly, I am being not overoptimistic—we will have a bill on the floor in July. I will request the Committee on Rules to have an open rule. We do not intend to come out here with a closed mind or a closed bill. I want an open rule where everybody can have their day on Davis-Bacon after it has been in effect for 50 years.

Mr. DICKINSON. Mr. Chairman, that is very reassuring and I was very hopeful that that would be your intent, that we would come out with an open rule and let everybody have at it, so to speak. We would fully vent the subject and have a vote so that everybody would feel satisfied that the majority did, in fact, rule.

Mr. Chairman, I yield further to the gentleman from Texas.

Mr. STENHOLM. Just briefly, I appreciate very much Mr. MURPHY's cooperation and the sincere manner in which he has dealt with me on this issue since last year.

Nothing that I may say, or inference that I may say, has anything other than admiration and appreciation for the difficult job because it is a very controversial law that we talk about.

I appreciate very much the gentleman and Mr. HAWKINS' willingness to do as you have just stated. Nothing that I say in this next question that I ask Mr. ASPIN has any inference on that.

I am concerned that we may pass a good reform bill in the House, but since there is strong opposition in doing anything as a result this Member has dramatized over the last 5 years of continuing having to come back to the DOD authorization or appropriation bill and continuing to bring it up where it ought not to be brought up, if by chance, the other body should drag its feet and nothing happen, I wonder how the chairman of the full committee might feel about us attempting to legislate on the appropriation bill a little bit later on this year, since we are talking about savings and we are talking about making some difficult cuts in the defense budget of the United States. If by chance, those who might not act as prudently and as efficiently as Mr. MURPHY and Mr. HAWKINS have agreed to, if that tendency should be there, how might you feel if we were to bring this amendment again in the Committee on Appropriations and say, "Hey, here is $100 million or so we can save"?

Mr. ASPIN. Let me say that ordinarily, under ordinary circumstances, the gentleman from Wisconsin has enormous, enormous problems with the Committee on Appropriations doing authorizing language. But under these circumstances, given the long history of trying to get this thing worked out and the people now involved here, being of good faith, if something happens and the whole thing falls apart and the issue were to arise in connection with the appropriations bill, defense appropriations bill, later in the year, the gentleman from Wisconsin would not object to doing authorizing language on the appropriation bill.

Mr. STENHOLM. Mr. Chairman, I appreciate very much that response.

Mr. DICKINSON. Mr. Chairman, I think this colloquy has been very helpful.

Mr. MURPHY. I was merely going to request that it is my understanding that the gentleman from Alabama [Mr. DICKINSON] would withdraw his amendment, and I was going to request unanimous consent to withdraw my amendment.

Mr. DICKINSON. That is true. I think the gentleman's would have to be offered first, and of course, if yours is not offered, mine would not be offered.

Mr. MURPHY. I have to go first.

Mr. DICKINSON. Very good.

Mr. Chairman, I yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, I, frankly, am a little disappointed that we are not going to address this issue today. I understand the reasoning behind it and I appreciate the responsibility that the gentlemen are showing in addressing this issue.

But I just want to point out very quickly that this was a choice that we had in this DOD authorization bill. The choice that we had in the Dickinson-Stenholm amendment is whether we are concerned about the quality of life of our service men and women and their families, or are we concerned with lining the pockets of a few?

The choice to me is very easy. I am concerned about those who have dedicated their lives to defending our country. Our service personnel, especially those overseas, are living in conditions that would raise the ire of many in this House if they were classified as poor.

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Military personnel and their families are living in World War II housing, if they are lucky, or in private housing that is way below normally accepted standards, with roofs that leak, wood that is rotting, foundations that are falling apart, and electric and plumbing fixtures that do not work.

I think this should embarrass this body. It is a black eye for our Nation. What are we going to do about it?

Some say there is not enough money. What about $300 million? Is that enough? It would build 6,000 $50,000 homes. Six thousand homes, I think, over the next 5 years would be more than enough to remedy this blight on our service families. That would cost $300 million. That is the amount of money that the Department of Defense estimates that we saved because of inflated costs resulting from Davis-Bacon.

This is just one example of many resources and billions of dollars that were wasted. And for what? Simply to line the pockets of a selected few. The prevailing wage rates are usually the union rates that in no way reflect the local rates. So the taxpayer is forced to pay higher costs for construction, and for no legitimate reason.

Because of Davis-Bacon, the military is having a hard time just getting contractors to bid on jobs. These contractors cannot afford to pay wages higher than the market rate. This causes further delay and waste, which again prohibits us from providing decent housing for our military families.

By supporting taxpayer waste through Davis-Bacon, we are supporting mutually assured disgrace, we are supporting the lining of the pockets of a few special interests, and we are supporting the creation of fifth-class citizens out of the men, women, and children in the service of our country.

I think it is time we stop doing that, and I hope we will approach this issue with diligence to bring reasonableness to Davis-Bacon. Let us increase the quality of life for the military, and at no additional expense to the taxpayer.

Mr. Chairman, I thank the gentleman for yielding.

Mr. DICKINSON. Mr. Chairman, I thank the gentleman from Texas [Mr. DELAY].

Let me say that perhaps the action we are taking at the present time is the best action we could take. We are deferring to the Committee on Education and Labor, which has agreed to report out a bill. That bill would be reported out in June, it will come out under an open rule, and we understand there will be one additional hearing in which the gentleman from Texas [Mr. STENHOLM] at least will have an opportunity to have his side heard. With this action, I think we will save time on this committee bill, and in the long run I think that is the wisest course of action.

Mr. Chairman, I want to commend the gentleman for his cooperation, and I appreciate that we are saving time by doing this.

The CHAIRMAN pro tempore. (Mr. DURBIN). The Chair recognizes the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. DICKINSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has expired.

Mr. MURPHY. Mr. Chairman, I wish to advise the Chair that I have withdrawn my amendment.

The CHAIRMAN pro tempore. The gentleman from Pennsylvania [Mr. MURPHY] does not offer the amendment and the Chair understands the gentleman from Alabama [Mr. DICKINSON] does not offer his amendment.

Mr. DICKINSON. No. Since no amendment is offered, I, therefore, at least withdraw my intent to offer an amendment.

The CHAIRMAN pro tempore. Pursuant to the notice provided by the chairman of the Committee on Armed

Services on May 11, 1987, under paragraph (8) of section 2 of House Resolution 160, it is now in order to debate the levels of funding for the strategic defense initiative for 40 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the following amendments, contained in section 1 of House Report 100-84, in the following order only:

(A) By Representative Hunter, or his designee;

(B) By Representative Dellums, or his designee;

(C) By Representative Rowland of Connecticut, or his designee; and

(D) By Representative Bennett, or his designee.

If more than one amendment is adopted, only the last such amendment which is adopted shall be considered to have been finally adopted and reported back to the House.

Under this rule, the gentleman from Wisconsin [Mr. Aspin] will be recognized for 20 minutes and the gentleman from Alabama [Mr. Dickinson] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. Aspin].

Mr. ASPIN. Mr. Chairman, to begin the whole debate on the issue of the strategic defense initiative, we will now be in general debate for the next 40 minutes or so, and then we will have a series of amendments. Let me say that on our side we will begin the debate with the gentlewoman from California [Mrs. Boxer].

I, therefore, Mr. Chairman, yield 6 minutes to the gentlewoman from California [Mrs. Boxer].

Mrs. BOXER. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, 4 years ago President Reagan proposed a defensive population shield to protect our population from an incoming missile attack. He called it the strategic defense initiative—now known as star wars.

What the President didn't tell Congress or the public is that top Government officials and analysts faulted the concept and called it "unreliable and unworkable."

Despite this—the administration made a political decision to push the most expensive initiative in our military budget—star wars—even while the experts were asserting that SDI would fail to shoot down enough enemy missiles and would be vulnerable to destruction in a surprise attack.

Senator Bennett Johnston revealed the documents which stated that star wars was "unrealistic, had substantial risks and serious technical and economic short comings."

Now after spending $8 billion we have the benefit of these important documents and additional expert testimony, dealing with the continuing problems of star wars.

Now that we have this knowledge, let us not make the same mistake again.

Let's put this program back where it belongs—in the lab—with sufficient funds to perform missile research defense.

The Dellums-Boxer amendment will offer you this opportunity.

I say it is time we pause, take stock and ask some very logical questions: What have we gotten for our money? Has the $8 billion we've spent so far bought us $8 billion worth of additional security? Has it brought us any closer to the President's dream of a population defense, which is the vision he dangled before the American people in March 1983?

The answer is "No." To the contrary, doubts about the feasibility, the cost, and the threat to arms control that star wars represents have grown. The goals of the program are unclear and we still have no idea what it's going to cost.

LISTEN TO THE EXPERTS

October 1986: 98 percent of members of the National Academy of Sciences in disciplines most relevant to star wars think it could not effectively defend the population if the Soviets employed countermeasures; 78 percent think star wars could not be made survivable or cost effective.

March 1987: With regard to a near-term deployment of ballistic missile defense only, 60 star wars scientists, engineers and program managers, concluded that such a system would be effective against no more than 16 percent of incoming Soviet warheads; 16 percent is a failure by any standard.

April 1987: The American Physical Society made up of many of the Nation's premier scientists recommends against early deployment of any star wars system. And, they conclude it would take at least 10 years to determine if a more sophisticated missile defense system would be survivable or effective.

Says Clark Clifford former Secretary of Defense,

> The Soviet reaction inescapably will be to match us in a defensive systems race, to increase their nuclear missiles and nuclear warheads and to develop decoys, chaff and other techniques to make sure they overwhelm any U.S. defense.

This program also offends my sense of consumer logic. I like to think of myself as an informed consumer. I like to get the best return on my dollar. I have tried to bring those instincts with me to my work on the Budget Committee. But with star wars, it seems the more we spend, the less we receive in return.

Would any consumer go out and spend an inordinate sum on an automobile burglar alarm that the consumer knew would only work 16 percent of the time?

Of course not. And the cost of SDI is inordinate and SDI cannot work.

The head of the SDI office refuses to speculate on what a completed star wars system, of the sort the President envisions, would cost. I asked him at an Armed Services Committee hearing but he refused to answer. Other experts have been more forthcoming.

Former Defense Secretary Robert McNamara said a population defense would cost anywhere from $500 billion to $1 trillion dollars.

Former Defense Secretary Harold Brown has said the annual cost could be $100 to $200 billion to maintain.

Most alarming of all are the statements of those closest to the program. Col. George Hess of the Strategic Defense initiative organization has predicted the costs are going to be staggering.

> When you add it all up,

He told a congressional committee,

> You're looking at an investment that OMB will find quite interesting.

I say it is time we stopped wandering in the dark dropping American tax dollar bills which disappear into a deep black hole, the strategic defense initiative.

The word "initiative," connotes something bold and new, something needed. In fact, SDI is a step backward into a world that is less, not more, secure and stable—more and more offensive weapons produced on both sides as both sides attempt star wars systems.

Let us return a sensible policy of ballistic missile defense research which would be an insurance policy, to enable us to meet the Soviet challenge if they move aggressively to break the limits of the ABM Treaty.

It is time the administration came clean with the American people about the severe limitations of a system that will never perform as the President advertised in March 1983. Star wars is an illusion. Let's call it what it really is and should be, basic ballistic missile defense research, and let's confine it to the laboratory where it belongs.

Mr. Chairman, I include with my remarks the text of an article from the New York Times on this subject, as follows:

DOCUMENTS SHOW OLD STAR WAR PLANS CALLED UNWORKABLE

New York.—As the Reagan administration considers putting a rudimentary anti-missile system in space as early as 1994, newly released documents show that top government officials and analysts faulted the same concept as "unrealistic" and "unworkable" when it was proposed five years ago.

Key proponents of a so-called Star Wars defense system now argue that technical advances have improved the potential effectiveness of these systems, but critics say many of the early objections remain valid and have even deepened.

The early government findings, some previously classified secret, involve the "High Frontier" system advocated at the time by the Heritage Foundation, a conservative research group, and by retired Army Lieutenant General Daniel O. Graham, who was also a former director of the Defense Intelligence Agency.

Like the plan for a first phase of anti-missile systems now envisioned by the Reagan administration, High Frontier centered on hundreds of space-based battle stations that would fire rockets which would destroy enemy missiles by means of "kinetic" energy—the force of impact—rather than with the intense beams of laser light and subatomic particles generally associated with the present Star Wars concept.

Among the government officials who found fault with the plan for kinetic weapons in space five years ago was Defense Secretary Caspar Weinberger, who now supports their early deployment as a first step in the Star War program.

"The level of technology advance has been phenomenal" since the High Frontier plan was proposed, said Air Force Lieutenant General James A. Abrahamson, who directs the government's Strategic Defense Initiative Organization. Weinberger had asked Abrahamson to respond to a request for the documents by Senator J. Bennett Johnston, D-La.

"These documents show the danger of politically driven research programs," Johnston said in disclosing the government documents he gathered.

"Before the President's Star Wars speech, the Department of Defense and State Department objectively examined putting space-based kinetic kill vehicles in orbit and found it undesirable. Since the president's speech, it has become the centerpiece for early deployment," he said.

In 1982, government analysts found High Frontier "unrealistic" saying it had "substantial risks" and "serious technical and economic shortcomings" that suggested it was "unworkable," the documents show. The analysts asserted that the space-based system would fail to shoot down enough enemy missiles and would be vulnerable to destruction in a surprise attack.

The documents provided in response to Johnston's requests include 40 pages of material from the Defense Department and 28 pages from the State Department.

In addition to one signed by Weinberger, some of the 1982 documents were signed by Frank Carlucci, then deputy defense secretary and now White House national security adviser, and by Richard Burt, then head of the State Department's Bureau of Politico-Military Affairs and now ambassador to West Germany.

In a letter to Johnston accompanying the Defense Department documents, Abrahamson said he agreed that the negative findings had been accurate when written. But he said they were no longer valid because of "profound" advances in anti-missile research during the past four years.

Mr. HUNTER. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I think we are going to have an interesting debate today. We have a number of speakers who are going to rebut many of the points the gentlewoman from California [Mrs. BOXER] just made.

I think it is important to lay out, as the debate begins, what we are talking about. SDI is asking a question. It is asking the question: can we defend America against incoming ballistic missiles?

I think there are few basic facts that we must establish initially in this debate. One of those facts is that presently, although most Americans do not realize this, we have no defense whatsoever against incoming ballistic missiles.

The strategic defense initiative is a defense and an attempt to stop incoming ballistic missiles fired by the Soviet Union. Today we have absolutely no defense against incoming ballistic missiles. Let me make that statement again. Some people have suggested that "SDI" really means "the Soviets do it." It is established by all experts, whether they are to the left or right or the center of this debate, that the Soviet Union has a strategic defense initiative on which they are spending great sums of money in trying to develop their own defense against missiles.

I think the gentlewoman from California has pointed out the basic poor logic in her debate and in the debate that is going to be made by a number of her colleagues when she said that according to some scientists she believes in, we could only stop 16 percent of the incoming warheads, the incoming Soviets ballistic missiles. That might be very important to the people who live in the communities that were targeted by that 16 percent of the Soviet ballistic missiles.

We are going to have a broad array of numbers or funding levels presented to the House today, and I would ask the Members of this House not to make the decision that we should leave America naked against incoming Soviet ballistic missiles but, rather, to make a decision as to what is the prudent funding level to spend on this very critical program.

Mr. OLIN. Mr. Chairman, I yield 2 minutes to the distinghished gentleman from Kansas [Mr. GLICKMAN].

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Mr. GLICKMAN. Mr. Chairman, when I first heard about SDI, I thought that it was a fabulous idea. How could you argue with the concept of absolute and total defensive protection against offensive nuclear weapons? But as the gentlewoman from California [Mrs. BOXER] just said, and as others have said, and leading scientists all over the world have said, it is a program that really cannot work in practice, and we are throwing billions of dollars away—dollars that desperately need to go into conventional weapons systems in this country.

Also, I think that it is a serious mistake to engage in a defensive systems race. It is my judgment, based upon what I have looked at to date, that we have just so many dollars to spend, and if we go down this road of SDI full-scale ahead and make premature decisions to deploy an SDI system, we just will not have any dollars to spend on anything else.

Still, however, I think that we have to do some research, serious research, on SDI, for two reasons. The first reason is to prevent an accident—an accident whereby an intercontinental ballistic missile is shot at us or somebody else by mistake. There I think that defensive research is a useful step. Second of all, I think that it is no secret that the Soviets are concerned about SDI, and so, therefore, I think that continuing to do general research into the program is useful in getting the Soviets to agree to a general arms control agreement. In talking with my friends who went to the Soviet Union just last month with the Speaker, I find there is no question that the SDI research that we are doing is having some impact on the Soviets as they desire to get an arms control agreement and as they deal with us at the very present time on issues relating to missiles in Western Europe. To eliminate that research now could give the Soviets an incentive to drop their initiatives in the arms control area. However, that is the reason to proceed to deployment of any system.

So, therefore, I would encourage my colleagues to do the following: Support the Bennett amendment in the House. That amendment is essentially a freeze on what the House spent last year, $3.1 billion. Frankly, I think that any more money is a waste and unnecessary. I would like to support less money, in the ideal world I would like to support the Boxer-Dellums amendment, but I believe that to freeze the level on what we spent last year is probably necessary to preserve the viability on the arms-control negotiations which are currently going on. I will oppose any levels higher than the Bennett amendment, but I think that in light of the fact that the other body is going to recommend a sum much in excess of what we are going to do, somewhere around $4½ billion, that my colleagues can safely support the $3.1 billion figure knowing that we will not jeopardize U.S. security.

Mr. HUNTER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, my good friend, the gentleman from Kansas [Mr. GLICKMAN], made several points that I think are valuable for this side of the argument. He said that research is good so that we can stop a mistake, or one incoming missile, by some crazed Ayatollah on the other side of the world 10 years from now. Well, you do not stop anything with research. We would have to take that research and development to the point where we could deploy something that could stop one missile.

In this House 15 years ago there was a long, hard debate on the ABM Treaty. I traveled through the Soviet Union for a month with a former Member of this House who had led that debate. After a month in the Soviet Union he said that he was sorry that he had crushed the ABM system; that it was probably the worst thing that he had done in his 18 years in the House. This was because he got a good, hard look at the Soviet Union. He was not as enamored as some Members have been on recent trips, because we did not hit just Moscow and Leningrad. We went to Riga and to Kiev and to Astrakhan and to other smaller cities. We saw the whole country and how the consumer is absolutely the forgotten person. What a crushed nation it is, because everything goes toward their military economy.

The gentlewoman who spoke before the gentleman from Kansas, my colleague from San Francisco, said that the "I" in "SDI" is offensive because an initiative is something bold, new, innovative; this is a step backward. Well, Shakespeare was correct, there is lots in a name, and I have always felt since day 1 that this should have been named "SDR"—"Strategic Defense Response," because we are responding to the Soviet "SDI"—standing for "Soviets Do It," because for 15 years they have product-improved their Galosh system around Moscow. No mistake missile could possibly strike the Politburo, the Soviet heartland, the center of all of their military thinking.

Mrs. BOXER. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the gentlewoman from California.

Mrs. BOXER. I thank the gentleman for yielding.

Mr. Chairman, I would like to ask the gentleman about what the Soviets have actually done in deploying this ground-based missile defense around Moscow. Is it not true that we could do the same thing under the current existing treaties? We could do that as well; we could already do that. Is that not correct?

Mr. DORNAN of California. Yes, that is an excellent point, and I think that by this time next year, with a Presidential race well under way, that Americans are going to ask themselves: "In this dangerous period of history, why have we not responded to what we were allowed under what President Nixon negotiated?"

There is an amazing reason. Because we are a democracy, republican form of government that responds every 2 years to the will of the people, we thought that it was unseemly for us to place 100 antiballistic missile sites around Washington, DC, protecting everything within the beltway. So we opted to defend our missile fields. Then, after spending money to build our one allowed site at Grand Forks, ND, we dismantled it. The United States was defended for less than 24 hours. America was left defenseless against ballistic missiles.

Mr. SISISKY. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. I thank the gentleman for yielding time to me.

Mr. Chairman, it has been 3 years now since we started funding the SDI, and I would like to review just briefly about where we stand with this program, because I think that we are in a little bit of trouble with it, and I am in favor of the program.

In 1985, our first year, we provided $1.4 billion, a little bit less than the administration recommended. By the next year the request was up to $3.7 billion, and we supplied $2.7 billion, a billion dollars less than requested. During that year the SDI people came up with the idea that it would be good to have demonstration projects that would justify a higher level of spending, so in the next year, 1987 they asked for $4.8 billion, and we supplied $3.2 billion.

The idea of the demonstration projects did not work, so they came up with the idea of early deployment to get more emotion into the picture. We supplied again $1.7 billion less than was suggested.

Mr. Chairman, since 1985, early in the year, I have made it a point to study SDI. I have gone to the laboratories—Sandia, Livermore, Los Alamos—to Lockheed, to Griffiss Air Force Base, and other places. My finding is that the SDI Program can work, not the way that the President announced in his original message—it will not be a complete system, it will be a partial system—but the technology is possible, and it will be all the more possible if we can couple it with some reasonable arms reduction.

It is very possible that given enough time and care we might be able to transition to a defense-oriented strategy rather than an offensive-oriented national strategy, but we are not going to get there the way that we are going.

The Congress has never understood, nor has it bought, the administration's idea with regard to SDI. During the past 2 years the administration has abandoned the original plan, which was to stay with the research until we really understood what was going to be possible, when we understood how we were going to implement it, when we had had some answers to some of the questions of survivability, the answer to how we are going to handle the treaties, the answer to how we are going to handle circumvention and decoys, all these different problems that the SDI will have.

The idea was that we would stay in the research mode until we really knew about where we were going and we could define it and we could say how much it was going to cost and how well it was going to work.

Well, now is not the time to early-deploy. We are not ready to deploy. All we would do in deployment is to destabilize the situation that currently is stable. It would be the worst thing in the world that we could do.

So my plea is that if my colleagues are in favor of SDI, if they are in favor of security for our country, we should stay with the research mode, we should stay with an amount of money around $3 billion—that is plenty of money for research—and stay there, and then move, according to the amendment that I will be introducing, to arrive at some kind of agreement with the SDIO, the administration, as to where we are going, how much it is going to cost, how long it is going to take.

Mr. HUNTER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, at this time, I am reminded of a line in Madame Butterfly. Standing on her sunny porch, Madame Butterfly is singing to her maid Suzuki about the kind of day it would be when her lover, Pinkerton, comes back to see her. "Un Bel Di," she sings. "Un Bel Di"—one fine day.

Mr. Chairman, in March 1983, President Reagan used a variation on this same line—wouldn't it be a wonderful thing if someday we could protect Western civilization from the threat of nuclear attack—to announce the strategic defense initiative. Consider this possibility for a moment: we are currently researching technologies which will enable us to render nuclear weapons and their inherent threat obsolete. Now, wouldn't that be a fine day.

But, lets also examine the nonmilitary applications of strategic defense initiative technologies that few people ever consider. Through the SDI program, great technological advances have been made in many areas. Work is progressing on a gun which uses an electromagnetic force to propel a projectile at incredible speeds. In theory, this device could be used to send an object into a target so hard that nuclear fusion could be initiated. Thus, in the future, safe nuclear power from fusion energy could be developed as a result of the SDI program. Wouldn't that be a fine day.

In addition, SDI has facilitated great increases in laser technologies. Through groundbreaking SDI related research on the free election laser, it has been determined that the possibility exists to use this device to surgically excise a cancerous tumor without damaging surrounding healthy tissue or cutting into the patient at all. Wouldn't it be a fine day if we were assisted in the fight against cancer as an extra benefit of our funding of the SDI program?

Wouldn't it be a fine day if we could travel from New York to Tokyo in less than 1 hour? This is fast becoming a reality through advances in the scramjet engine which can take a large passenger plane, take off from an airport, go into orbit, reinter the atmosphere and land again at another airport. And, much of the technology advancement of this program comes from SDI research.

SDI research has generated huge advances in computer technology as well. The need to process extraordinary amounts of information in the shortest time possible has brought about almost unbelievable gains in computer chip technology. SDI related work has been the major impetus in this area. And if continued, threatens to revolutionize the computer industry. Wouldn't it be a fine day if, as the result of SDI funding, we have computers which perform the most difficult tasks in a fraction of the time it takes our most powerful computers to do the same task now.

But now for the bad news. If we do not provide the funding necessary for the continued success of these programs, we will not have these technological breakthroughs. Think about what we stand to lose by not providing necessary SDI funding. Not only will we fail in our noble efforts to remove the ominous threat of nuclear annihilation, but we will lose many of the fantastic accomplishments that will benefit the peace and well-being of all mankind.

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Mr. SISISKY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DELLUMS] the senior member of the subcommittee.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, today we embark upon a very significant, important debate.

I would choose preferably to address those 262 colleagues who a few days ago voted for the so-called narrow or strict interpretation of the ABM Treaty, because they wanted no abrogation of that treaty.

During the course of this debate on several occasions, I will attempt to assert that those who believe in the logic of the ABM Treaty have but only one position; and that is, to oppose the strategic defense initiative.

For those of my colleagues who honestly and intellectually and politically have come to the conclusion that they cannot and do not support the logic of the ABM Treaty, then the Hunter amendment, or the administration's aggressiveness toward SDI makes sense.

For those of my colleagues who are in the middle of this debate, you are indeed hedging your bet. This is a critical year, Mr. Chairman, as I see it, for making the proper policy judgments on an intellectual, political, fiscal and moral basis, merely with respect to the issue of the strategic defense initiative.

Star Wars is an idea whose time should never have been allowed to come, Mr. Chairman. Continued congressional support for SDI means nothing less than congressional complicity in the conscious decision to expand the nuclear arms race into the heavens at a time when the planet is already in peril from a superpower nuclear arms race that, because of its new advances in technology, threatens to go beyond our capacity, Mr. Chairman, to control or command.

The Dellums-Boxer amendment that we will be offering later in this debate **deserves full support from the arms** control advocates in Congress, because it is the most intellectually honest, politically sustainable, fiscally responsible and morally correct alternative that will be presented today.

It is the most intellectually honest, Mr. Chairman, because any Member committed to the proper legal interpretation of the ABM Treaty, the so-called strict interpretation, then the logic of that interpretation compels, Mr. Chairman, and I repeat, compels committed opposition to any facet of SDI beyond the confines of the basic laboratory research.

Even my distinguished colleagues on the other side of the aisle who are firm supporters of the administration's decision for early deployment of SDI have recognized the necessary cause-and-effect reality that must follow from the support of the strict interpretation of the ABM Treaty.

To support that narrow interpretation, and then also support incremental development and deployment of any component of SDI, however stretched out through the authorization and appropriations process, is an intellectual and moral contradiction.

For my colleagues who believe that the ABM Treaty should not be abrogated, and then march into the well and assert that their primary position is to support over $3 billion flies in the face of their own logic, and is morally contradictory, Mr. Chairman; and I want my colleagues to understand the position they are in when they are standing in the middle trying to occupy a firm position on both sides of the issue.

It is another way of defending the ultimate death and destruction of humanity on the installment plan, Mr. Chairman.

The Dellums-Boxer amendment is the most critically sustainable amendment for any Member who supports the arms control process, because it directly challenges and seeks to curb the further escalation of the arms race.

In the debate of this issue in previous years, approximately 25 percent of my colleagues opposed SDI; approximately 25 percent have stated for the record that they support SDI.

Thus, the political struggle is over where the other 50 percent of my colleagues really are. However, on this critical issue, the center cannot hold, Mr. Chairman, and remain ambivalent. It must make a value judgment either to terminate this weapons system that threatens to go beyond our capacity to control politically or militarily, or it will acquiesce out of fear of being perceived as soft on defense or of joining the camp of the unilateral disarmers.

I would argue that it is much more important not to be found soft on intellectual awareness or political courage.

Today's vote is a critical crossroads for this Congress, the Nation, and the safety of the planet. Just say no to the madness of further escalation of the arms race and yes to the absolute necessity for further legislative and diplomatic efforts to halt and reverse the arms race.

The Dellums-Boxer amendment is the most fiscally responsible amendment of all those proposed today. It provides sufficient funding to guarantee legitimate laboratory research designed to keep abreast of true national security needs. But it also demonstrates the determination of the Congress to exercise stringent fiscal and policy control over this most dangerous weapons system, both as concept and reality.

The Dellums-Boxer amendment is an affirmation of the moral imperative that we must fulfill as Members of Congress, citizens and parents to provide a safer and more peaceful world for our children and our children's children. A further escalation of the arms race will only increase global insecurity, rather than enhancing our national security. It is in our power today to take a constructive first step toward halting this policy insanity that threatens our very existence as a society.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, what we fail to hear in this debate on SDI is what is the alternative.

What we have to tell the American people is the alternative to exploring a defensive capability, a defensive posture is that ridiculousness of the last 20 years, of which is mutually assured destruction.

Where we point our missiles at the Soviet metropolitan areas, and they point their missiles at our metropolitan areas, and under the threat of mutual annihilation, we think we are really bringing arms control to the forefront, to the people on this planet.

There are those who say it is impossible to come to technological terms with the theory of SDI that we can actually implement this.

I can recall back in my high school days when President Kennedy stated at the time, within 10 years we would land on the Moon; and there were those cynics at the time who said the President is crazy, he is off the wall, and it is a waste of money and it will never happen.

Nine years later, on my birthday, we landed on the Moon with the first human, and we were able to get to that planet; and since that time we have now reached out even further into outer space.

I do not agree that it is not technologically possible to have a defensive capability. I think it needs further research and exploration, and I am willing to help commit the funds to do that.

Over the last 2 years I have had the opportunity to debate young Soviet leaders on three occasions, twice in this country and once in the Soviet Union. I can assure my colleagues that in each of those three instances as we debated strategic defense initiative and other major disagreements between our two countries, there is no single thing that more totally concerns the Soviet people and the Soviet Government than our exploring strategic defense initiative. Why? Because, as they admitted on each of those three occasions, they have been exploring the same technology for the last 15 years. It is a known fact that the Soviets won two Nobel Prizes for their work in laser and particle beam technology and, therefore, we owe it to the future generations of this country to explore a defensive capability as the Soviets have been doing for the last 15 years.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I represent the district in this country which is the headquarters of the North Atlantic Air Defense Command.

Some weeks ago I had the opportunity to tour the Cheyenne Mountain complex, which if any of my colleagues have done so, it is a cave in a mountain which is supposedly blastproof, and you feel like you are going into a James Bond movie when you go through those big doors.

We sat in the monitoring room where they know where every missile, every ship, every submarine, and every other thing on the face of the Earth is, and where they are able to monitor it. They put me in front of a monitor and they said we are going to simulate an attack on the North American Continent.

A rocket took off from the Soviet Union, and they knew within seconds what it was, where it was coming from and where it was going, what its explosive power was. They were not sure whether it was an attack, that it might be a mistake, and pretty soon the rockets began to take off from submarines on the east and west coasts, and we knew that we were under attack.

I was amazed at how much they knew and how quickly they knew it. But I was also amazed that we could not do one single thing about it. If those rockets take off, they land on American soil and they kill American people. I do not want them killing American people.

Our only response is to push a button and kill Russian people, and I do not want us to kill Russian people either.

We have with SDI the potential to make intercontinental ballistic missiles obsolete, and I think we should take advantage of the opportunity while we have that opportunity.

The gentleman from California [Mr. HUNTER] and I will be offering an amendment which we will get into more detail on later, which will raise the amount of money involved in this research program to $4.05 million. I want my colleagues to listen to that. I would like them to support that, because that will give us the level of funding we need to continue the advantage we have in this technology. It is important that we do this, as has been pointed out by my colleagues that advanced before me, because the Russians have been at this since at least the 1960's. Their dream is of SDI and we need to continue this process.

Mr. HUNTER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I appreciate the gentleman yielding me this time.

Mr. Chairman, I think we are probably going to repeat ourselves a lot today because the arguments are really pretty fundamental. I think the gentleman from Pennsylvania [Mr. WELDON] touched on a very good point when he talked about MAD. It is something that really came home to me this weekend when I spent some time at a little coffee klatch in my district with some constituents. A lady asked me what has happened to the growth of nuclear weapons in the last 20 years.

When my colleagues look back to 1972 and when we signed the ABM Treaty, the Soviets had a total of about 2,000 strategic nuclear warheads in 1972. It does not seem very long ago. In 1979, when we signed the SALT agreement, the number of strategic nuclear warheads had grown to about 5,000. That was in 1979.

From 1979 until today the number of Soviet nuclear warheads has gone from about 5,000 to somewhere over 9,000, and we are projecting somewhere around 12,000 to 14,000 strategic warheads by the early 1990's.

My colleagues all need to remember that in 1972 when we signed the ABM Treaty it was on the basis that if we have no defense and they have no defense, neither side is going to have to do much in order to have enough nuclear weapons to threaten each other's existence. So what we should have assumed was that we would now be somewhere at about 2,000 to 2,500 nuclear warheads since both sides agreed they would have no defense. But, of course, just the opposite has happened.

Instead of no defense limiting offensive buildups in both countries, really we have gone from some 2,000 strategic warheads in 1972 on the Soviet side when we signed that ABM Treaty to 9,000, and a great proportion of that growth has been destabilizing, hard target-kill capability systems, and the Soviets are going to go all the way to 12,000 to 14,000 in the next few years.

Mr. Chairman, the point is that having no defense has not stopped the growth in these incredible arsenals. So what we must do is come up with a system that shifts the balance, that shifts the way that strategic planners think. If we can, in fact, come up with a defensive system that says to offensive planners, more offensive weapons do not make a lot of sense, then we will not have them. But in the absence of a change in our defensive philosophy we are not going to shift offensive planners from thinking the way they have over the past couple of decades.

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The American people, they do want to have a system that protects them against accidental launch, that protects them against a partial war or a system that can be effective against a major strike.

That is what the American people want and I think that is what the overwhelming majority of people in the Congress want. But if they are going to vote for minuscule amounts of money that precludes us from making intelligent determinations about what kind of systems can be most effective we do ourselves an injustice. I would argue we should strongly support SDI with a significant amount of money so we can do the research that is necessary.

The CHAIRMAN pro tempore (Mr. DURBIN). The gentleman from California [Mr. HUNTER] has 5 minutes remaining and the gentleman from Virginia [Mr. SISISKY] has 4 minutes remaining.

The gentleman from Virginia [Mr. SISISKY] may close debate.

Mr. SISISKY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, we have been engaged in consideration and debate over the Defense authorization bill for over a week now. We have immersed ourselves in the details of specific, oftentimes arcane programs designed to defend our security. However, while examining and understanding the details of defense are necessary for making good policy, it is also vital that we step back and look at the broader picture.

Despite crippling budget cuts for an array of domestic programs, we confront the same massive budget deficits we have faced for the last 6 years. The deficit crisis, and the ill-conceived Gramm-Rudman legislation, have placed the Congress in a budgetary straitjacket, crippling our efforts to make effective public policy. We find ourselves in an emergency situation, where we should be spending precious funds only on programs which we are certain will serve a vital national need.

I have enough trouble comprehending how we could pour money into SDI during the best of budgetary times. Time and again, the experimental findings and testimony of objective experts clearly indicates that SDI cannot make us secure. It cannot fulfill that fundamental strategic criterion, which is that we can deploy an effective strategic defense more cheaply than an adversary can overcome it. So if we should not be spending money on SDI during the best of times, how can we begin to justify spending money on it now, during the worst of budgetary times?

It is important that we have dreams to guide us in making policy, in achieving the best for our Nation. We do not need pipedreams. They divert our attention and our resources from other, more important matters. Mr. Chairman, I urge that we take a step back, look at our budgetary situation, look at the limited promise of security SDI offers us, and ask ourselves whether we should be spending billions on strategic defense. The answer I came up with is absolutely not. I hope the answer of this body is the same.

Mr. SISISKY. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. Darden].

Mr. DARDEN. Mr. Chairman, I rise in support of the funding level for the strategic defense initiative as approved by this House when it passed the Aspin amendment to H.R. 1748.

The Aspin amendment funded SDI at $3.59 billion. This is a $70 million increase over the fiscal year 1987 appropriations. I prefer a higher level of funding. I would even like to support the Hunter amendment which funds SDI at $4.1 billion. However, until we rearrange our military priorities, we cannot afford to fund every program at the level needed for adequate growth.

Mr. Chairman, we have studied the strategic defense initiative, and all its variables, for over 3 years. I have personally, as have other members of the Committee on Armed Services, spent scores of hours in hearings on this subject. We have heard from the Department of Defense, the Union of Concerned Scientists, individuals representing industry, and impartial witnesses. There is no question we have had adequate input into all aspects of the strategic defense initiative.

In fiscal year 1988, the Department of Defense requested $5.9 billion for SDI funding. This would constitute a 68-percent increase over fiscal year 1987 funding. The Committee on Armed Services believed this proposed increase was too great for the program to effectively absorb, and it was also excessive in the current budget environment. The committee realized this $5.9 billion was excessive, and took the necessary steps to curtail such an ambitious request.

Mr. Chairman, the administration has failed to set realistic military priorities. Therefore, the responsibility for determining military priorities falls to the Congress. However, I fear we may be setting the wrong priorities.

I prefer higher funding for the strategic defense initiative. But, we cannot continue to fund everything at exorbitant levels and maintain a sound defense, or I fear an adequate deterrent.

Last year, we authorized $727 million for the C-17 airlifter. This year, unless an amendment I plan to offer is approved, we will authorize the C-17 at $1.7 billion. We cannot expect to increase wasteful programs like the C-17 by over 100 percent and also fund responsible and just increases for promising programs like the strategic defense initiative.

If we spend $2 billion on the development of one type of aircraft, we cannot spend $2 billion on SDI, which has the potential for ending our reliance on the policy of mutual assured destruction.

Mr. Chairman, what then are our alternatives, In my opinion, we should cancel unnecessary programs like the C-17. This will free precious defense funds for more important and promising programs. Until this Congress makes the commitment to cancel wasteful, expensive programs, we will be forced to face the reality of seriously curtailing the programs worthy of significant increases.

Mr. SISISKY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Tennessee [Mrs. Lloyd], a member of the committee.

Mrs. LLOYD. Mr. Chairman, I am supportive of a strong SDI research and development program but from an arms control standpoint I reject early deployment funding approaches. We are not there yet.

I do not believe that there has been enough public discussion about the civilian technology transfer benefits of the SDI Program. The two most immediate results are the heavy lift launch vehicle and the Space Nuclear Reactor Program. The launch vehicles needed for SDI will be of great benefit for our Civilian Space Program, especially when one considers the complex array of political and budgetary issues confronting NASA. The SDI space nuclear power systems will increase our capability for manufacturing in space.

The advances in the free electron laser offer amazing possibilities in the fields of industrial chemistry and medicine, especially in surgical techniques that were previously impossible.

Mr. Chairman, when one considers these technology transfer applications and the additional benefits that will flow from focused R&D on battle management one can appreciate what SDI means to our high-technology future. We must recognize that SDI offers the civilian sector great benefits in terms of our future technological competitiveness.

What the Russians fear most about our SDI Program is not the deployment of a space-based defensive system, but our technological advances that will benefit our conventional systems and our global economic competitiveness. I urge support for the committee level of funding for SDI.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. Kyl].

Mr. KYL. Mr. Chairman, in this period of general debate on SDI the basic question is whether to proceed, and that is what I would like to address. Ever since the atomic weapon was developed we have lived under a balance of terror on this planet. Ever since we had nuclear parity between the Soviet Union and the United States we have lived under the deterrent doctrine of mutual assured destruction, a doctrine which, frankly, matches its acronym, MAD. It is like two kids on a school playground who threaten: "If you kill me I'll kill you." That does not make a lot of sense to me. In fact, it is not a very moral deterrent.

My wife and I have two children. I am very concerned about their future. We have been lucky in our lives that we have not had to suffer a nuclear holocaust. But I wonder if we will be so lucky for the next 40, 50, or 60 years, that some accident will not occur, that some madman will not try nuclear blackmail or that somebody in the Soviet Union will not decide to attack.

My colleague, Mr. Dellums, talked about weapons in the heavens. Well, of course, the heavens are not outer space; but it seems to me that it is much preferable to destroy weapons in outer space than it is to destroy people on the Earth. That is the fundamental question between SDI, the hope of a strategic defense—a shield against nuclear destruction on this planet—versus a situation that exists today where the only deterrent to nuclear holocaust is the idea that if they try to kill us that we will return the favor and kill them.

Which is the moral deterrent to war? I believe that SDI is the only moral deterrent.

Now you can argue that SDI will not work. But that is what the research is all about. That is why it is so important to support the minimal funding levels that we are asking for here. That is why I will be a supporter of the Hunter amendment to provide the maximum possible support to the research effort.

You can argue about whether it will work, but you can only know that if you support research to find out whether it will work. But do not argue that MAD is moral and SDI is immoral. The strategic defense is the moral defense.

The CHAIRMAN pro tempore. The gentleman from California [Mr. HUNTER] has 3 minutes remaining and the gentleman from Virginia [Mr. SISISKY] has 2½ minutes remaining.

Mr. HUNTER. Mr. Chairman, I yield the remaining time to the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Chairman, I am convinced that every one of us on either side of the aisle basically has made up their mind exactly what they are going to do about SDI. Whether they support SDI, whether they do not support SDI, whether they would like to see the elimination or a massive increase, I think there is some question or uncertainty about the amendment we will be dealing with today. There are going to be four amendments. I think we need to take a few moments to talk about those.

Right now the committee position is $3.6 billion. The original committee position was $3.8 billion, significantly lower than the President's proposal.

Mr. HUNTER is going to be having his first amendment at $4.05 billion, slightly more than the committee's position but certainly lower than the President's proposal. About 20 minutes of debate on that issue and we will move to the next amendment.

The next amendment, of course, is Mr. DELLUMS'. He will propose that we literally eliminate SDI.

The next position will be my amendment at $3.55 billion. Some people said "Well, that is just like the committee position." Some people have said, "Let's vote against all four of the amendments and then we will still end up at the committee position."

Well, I would say that would not work. The last amendment that I am going to make reference to is Mr. BENNETT's at $3.1 billion. At $3.1 billion many of us believe, those who have been moderate supporters of SDI, that we cripple the program. In essence, $3.1 billion is much lower than the committee's proposal, much lower than the President's proposal and I think what all of us on either side of the aisle would like to support.

If we look at what happened last year the relation became the committee position versus Bennett. If you look at what happened last year we saw that the Dellums amendment went down and the Hunter-type proposal also was defeated.

It became a question of the committee position versus the Bennett position. I would contend that if you really want the committee position to vote for my amendment.

Mr. FAZIO. Mr. Chairman, will the gentleman yield.

Mr. ROWLAND of Connecticut. I yield to the gentleman from California.

Mr. FAZIO. I thank the gentleman for yielding.

Mr. Chairman, is the gentleman aware of what the Senate number is for the total SDI Program?

Mr. ROWLAND of Connecticut. The Senate will probably be around four.

Mr. FAZIO. I understand it is $4.6. My concern, of course, is if we go to conference with the $3.5 which the gentleman's amendment would bring us to and the Senate is at $4.6 we would likely be well over $4 billion at the conclusion. So I think a robust program is in the $3.5 to the $3.6 or $3.7 range. We are not going to get there if we go to conference with the gentleman's number.

Mr. ROWLAND of Connecticut. I appreciate the gentleman's comment.

Reclaiming my time I merely would point out that it is our responsibility to determine what we think the level of funding should be and not base our actions on what we think the Senate may or may not do.

What the SDI experts say about the various funding levels that we made reference to, referring to Mr. HUNTER's proposal, the SDI experts say a strong technology is still possible but there could be some delays. Of course, when they look at my proposal they say there might be some delays but we could still get away with the basic research that needs to be done. Please support what I think is a moderate proposal in the hopes that we can defeat Bennett and stick with the committee position.

Mr. SISISKY. Mr. Chairman, in order to close debate I yield 2½ minutes to the senior member of the committee, the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. I thank the gentleman for yielding.

Mr. Chairman, for those of us who have been on the committee a long time we know that we have been studying SDI and the rudiments of it for a decade or more at least. So when we came to last year and we came to this year, looking to get a figure that would be the proper figure, I asked people on the staff of the Committee on Armed Services what figure they would recommend. I also went outside and asked other people what they thought would be the proper figure.

I came to the conclusion on the basis of the information given to me that $3.1 billion was a good figure. It is actually a little bit more than is needed.

The Union of Concerned Scientists have recommended $2.95 billion. All of us believe in a research program which is robust and good and will bring us forth into the proper strategy that we ought to have. But this figure was not arrived at on the basis of trying to see whether or not we could compromise with the other side. It is a figure which is based upon what is really needed. It is a figure that gives dignity to the position of the President. It is the same figure we had last year. It is a figure that everybody can live with as a thoughtful figure for this particular operation.

Now it has been said recently by some speaker who was just recently in the well that this SDI Program is going to make the world free from ICBM's. As a matter of fact it has a better chance of making the world more proliferated with ICBM's because SDI is a shield and it is an imperfect shield.

We have had testimony before our committee that a certain percentage is going to get through, about 10 percent is the figure so far that has been bandied about as the logical number going through. Even if it is 1 percent, but let us say 10 percent, 10 percent is 10 percent of 10,000 rounds which are now faced at us. That is 1,000 rounds. My hometown is the 17th city in the United States, Jacksonville, FL. It will wipe out Jacksonville and all the cities which are larger. And they still have 980 rounds to go of the size of Hiroshima and Nagasaki.

So it is not true that the SDI is going to make the world safe from ICBM's. It is actually going to increase the number of ICBM's because that will be the only way to answer a shield of this nature which is a shield with holes in it—to have more and more rounds. That is what literally concerns me very, very greatly about this.

One reason I would like to see a tempered approach to the final answer, so that maybe in the meantime we might be able to have an arrangement where neither one of us would have an SDI and both of us would or could reduce our ICBM's. That is the best hope that is coming out of SDI. I congratulate the President for bringing it forward, because it does give us that opportunity. We not only could verify but we also could enforce to see to it that weapons not go in outer space. But there is hope here. Let us leave it at $3.1 billion.

The CHAIRMAN pro tempore. All time for general debate has expired.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, under the rule I offer an amendment as Mr. HUNTER's designee.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HEFLEY: Strike out subsection (a) of section 221 (page 42, lines 4 through 7) and insert in lieu thereof the following:

(a) AMOUNT AUTHORIZED.—Of the amount authorized in section 201 of research, development, test, and evaluation for the Defense Agencies, not more than $3,400,000,000 is available for the Strategic Defense Initiative (SDI) program. The amount authorized in section 201 for the Defense Agencies is hereby increased by $400,000,000.

Page 199, line 11, strike out "$3,523,225,000" and insert in lieu thereof "$3,573,225,000".

Page 199, line 19, strike out "$240,000,000" and insert in lieu thereof "$290,000,000".

Page 211, line 3, strike out "$266,230,000" and insert in lieu thereof "$276,230,000".

Page 211, line 4, strike out "$17,000,000" and insert in lieu thereof "$27,000,000".

Page 211, line 21, strike out "$279,000,000" and insert in lieu thereof "$339,000,000".

The CHAIRMAN pro tempore. Under the rule, the gentleman from Colorado [Mr. HEFLEY] will be recognized for 10 minutes and a Member opposed thereto will be recognized for 10 minutes.

Mr. DELLUMS. Mr. Chairman, I stand in opposition to the Hunter amendment and will be controlling the 10 minutes on this side.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I would like to urge all of my colleagues in the House to join Congressman HUNTER and me in maintaining our military strength by directing our resources to one of our most important military safeguards, the strategic defense.

The amendment before us increases the SDI funding level by $400 million.

The President's request was $5.7 billion, the committee's request was $3.8 billion, the Aspin substitute was $3.6 billion and I believe the Senate is $4.5. Ours comes in at $4.05 billion.

At present the U.S.S.R. maintains the world's only operational antisatellite and antiballistic missile defense system and is deploying its fifth generation ABM missiles around Moscow. By 1988 Soviet modernization of such a facility should be complete. It is estimated that the U.S.S.R. has spent over $150 billion the last 10 years on strategic defenses, almost 15 times what the United States has spent.

Americans generally do not realize that we are a nation that is threatened by nearly 3,000 Soviet launchers capable of placing more than 10,000 warheads on targets in the free world. The United States is dangerously vulnerable to a Soviet first strike because America does not have the necessary defense against Soviet ballistic missiles. The SDI offers us the opportunity for that kind of a defense.

I would encourage you to support this amemdment. It will give us the type of money needed to continue the research, continue the momentum, and continue the advantage that we have at the present time.

Mr. Chairman, I yield 3½ minutes to my colleague, the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I know that the numbers and the number of amendments are somewhat confusing so I have attempted to lay out before you here the funding levels. Please pardon the handwriting. But this shows you how the amendments are laid out and how they compare to the House Armed Services Committee funding level.

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I want to speak strongly in favor of the Hefley/Hunter amendment for this reason. The Constitution provides for Congress to provide for the common defense of the American people. It occured to me, as the gentleman was talking about the command and control center at Cheyenne Mountain that in reality, we have not done that. We have not provided for common defense. We have provided for a defense of certain command and control centers, certain military installations, but the facts are that we are absolutely naked against incoming ballistic missiles. America and American communities have no defense against incoming ballistic missiles.

We have a constitutional obligation to do everything that we can to defend the American people.

Experts have been cited in this debate, and I would simply offer to my colleagues this proposition. Edward Teller is considered to be the father of the hydrogen bomb. Edward Teller, the father of the hydrogen bomb, has told us and his fellow citizens, as well as his President and this Congress, that there is a way for American technology to render the effects of that bomb largely neutralized, to defend against incoming ballistic missiles.

I would suggest that it is our duty to at least explore this possibility, to ask the question, Can we defend America against incoming ballistic missiles? If you think that is an appropriate question, then your next question should not be, should we have an SDI; it should be what level of SDI should we have?

Let me just tell you, if you look at this chart, you will realize that the highest number on here that is going to be offered today is only about 60 percent of what the President asked for. Another thing that I would remind you is that the Democrat-controlled Senate Armed Services Committee has already passed a figure, 4.5 billion, that is higher than any amendment that will be offered here today. That includes a number of strategic thinkers, many people who have been offered by the other side of the ABM debate as being experts on strategic systems and on American requirements.

I think that the 4.05 level that is represented in the Hefley/Hunter amendment is a prudent amount of money to spend, and very simply, we are going to have to spend some money to get an answer quickly to this question, Can we defend against incoming ballistic missiles?

If you want to get that answer as quickly as possible, please vote for the Hefley/Hunter amendment.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I think it is important that we make the point that the President requested the 5.8 billion, and the Hunter amendment is at 4.0. So it is significantly less. A few people said, what is the difference here. It is significantly less than what the President wanted; a half billion dollars less than what the Senate requested.

What you do when you come in at 4.0 instead of the 5.8, and I wish the gentleman would comment on this, is to make premature decisions on technologies that may prove to be very useful. We will talk about that more at the Bennett amendment, but I wish the gentleman from California would explain the difference, if you fund something 5.8 versus 4.0, what that does to your basic research program.

Mr. HUNTER. A number of the basic research programs are going to be cut out. Let me just say that the boost surveillance satellite and airborne sensor programs are going to be reduced to a ground-only experiment.

Space surveillance satellite and terminal phase radar experiments are going to have to be canceled under the present position. All survivability and lethality system development efforts will have to be canceled.

The way to get an answer early is to spend more money than what the committee asks for, and I think this is a reasonable number.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, the SDI Program is out of control. Without congressional authorization and without a Presidential announcement, the SDI organization has shifted its priorities from long-term research to near-term deployment. But deployment of what? I have not read one objective report which supports the view that we have anything to deploy. So I say: This body has lost control of the SDI Program. Yet we are here today debating an increase in the SDI budget. The crux of the issue is this: The technologies which would allow deployment of a ballistic missile defense are 10 to 20 years down the road. They are so far down the road, according to the American Physical Society, that we won't even know enough to make an informed decision for at least 10 years. At the same time, the technologies for effective countermeasures exist right now, or could be developed within a short period of time. The bottom line is that we are spending billions of dollars to develop a defensive system which will be vulnerable and obsolete before it can ever be deployed. The only thing a strategic defense system would do effectively would be to scuttle the ABM Treaty and the whole arms control process.

Mr. Chairman, when the President vetoed the highway bill, he called it "laden with pork." Let's talk about pork. This authorization bill is simply dripping with pork. Homeports. Obsolete military bases; and, yes, star wars. But we can't have it all. For too long, the Department of Defense has failed to set priorities or develop a clear and consistent strategy. Nowhere is that more apparent than the SDI program. Every year they come to the Congress with critical priorities that need funding. Every year the priorities are different. More money for star wars? No way. I urge my collegues to defeat this amendment.

The CHAIRMAN pro tempore (Mr. DURBIN). The gentleman from Colorado [Mr. HEFLEY] has 4½ minutes remaining and the gentleman from California [Mr. DELLUMS] has 8 minutes remaining.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, C-SPAN is one of the best things that has happened in our Nation in the last decade. Because now many citizens are following the discourse and debate on the floor of this Chamber and the other body.

This week, they have even started publishing a newspaper telling people how they can follow the various debates.

Because of this heightened interest of American citizens, I want to reemphasize that for the first time in my memory, the figure on any defense system that the White House asks for is not being argued on this floor. For the last 2 years, I had my amendment which reflected the full funding of SDI, considered on the House floor.

We do not even have anyone on this House floor arguing the Senate's figure. I resent the fact that the tyranny of the Committee on Rules has put us in the position as though we are selling Kurdish rugs in the Souk in Baghdad and they have lowered the price of everything so that we start debating below the Senate figure and below the dignity of giving the White House someone on this floor to carry the figure that they feel is sufficient for the defense of the American homeland.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. HOCHBRUECKNER].

Mr. HOCHBRUECKNER. Mr. Chairman, I rise in opposition to this amendment. I come from a background of 25 years in aerospace engineering, working on various Navy aircraft. In my view, the SDI, star wars program is a tremendous waste of taxpayers' money.

It certainly will never be the impenetrable shield that we have been told it will provide for the people of this Nation. Very clearly, it offers no defense whatsoever against submarine-launched ballistic missiles, against cruise missiles, and clearly, there is always the possibility of terrorists bringing in parts of nuclear weapons and assembling them in our cities to destroy us.

So the star wars system is not the system that we were led to believe. It will not do what we have been told it will do. Lord knows, we cannot even stop the drug traffic that is bringing in the drugs to this Nation that is poisoning the youth of our Nation.

How are we going to stop terrorists from bringing in parts of bombs and assembling them here?

In my view, the only casualty that we will ever see from star wars happens to be the T-46 trainer, which is very disturbing to me because 3,200 people on Long Island will be losing their jobs because a decision was made. The decision was made that star wars should be funded and that the T-46 should be cut. It is that trainer that our young pilots need in order to learn properly how to use today's modern advanced jets.

But no, the decision was made that star wars would survive and T-46 would be cut, and 3,200 people on Long Island will lose their jobs because of that decision.

Star wars is the wrong thing to do, and certainly increasing the spending is absolutely insane. There is no doubt in my mind that we should not be increasing the funding; we should be decreasing the funding.

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Mr. Chairman, that is why I hope that later my colleagues will join me in supporting the Dellums amendment. I oppose this amendment, and I wish my colleagues would also.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of the strategic defense initiative and the amendment offered by my good friend and fellow Californian, Mr. HUNTER, that would raise the funding levels of the SDI to $4.06 billion. I remind my colleagues that this still represents a level $1.64 billion below the President's request.

During the past three decades deterrence has been based on our ability to use offensive nuclear weapons to retaliate against any attack. Sadly, we once had to use these awful weapons in defense, we bombed Hiroshima and Nagasaki. Isn't it time we took steps that will permit us to do something about nuclear weapons, rather than live with them in fear? Many of my colleagues believe the answer lies not in the SDI but only in reaching further arms control agreements. Despite serious Soviet violations to present arms control agreements, these same Members ignore Soviet noncompliance and tell us that greater trust and understanding will lead to arms control. I guess that's the same trust and understanding the Afghan people had with the Soviets. It cost the Afghans their country and the lives of hundreds of thousands of their countrymen. Examining the track record of Soviet compliance with arms control agreements, I believe that realism, not just trust, will lead to arms control. Realism dictates that there is a need for a strategic defense to complement our arms control efforts.

The concept of pursuing defenses is not new. In fact, it is wholly consistent with deterrence. It was actually being pursued during the Carter administration, but not in a very comprehensive or cohesive way. The reasoning is very logical. The policy of mutually assured destruction [MAD] has worked thus far, but the costs of a potentional breakdown are great. I believe it is safer to protect America with a shield than with the present sword—the threat of an unsurvivable nuclear holocaust should deterrence breakdown. In addition, an effective strategic defense can enhance deterrence by greatly complicating the war plans of the attacking nation. If greater uncertainty about the outcome of initiating such an attack can be achieved, defenses will have contributed to deterrence and stability.

Great strides have been made in our ability to track and intercept missiles before they reach their targets. The goal we seek is a system that can intercept deadly ballistic missiles in all phases of their flight. In this debate many opponents of the SDI will cite Nobel laureates and other distinguished physicists in arguing that the SDI is not feasible or safe. I urge these Members to carefully examine the details of the reports they are quoting. Unfortunately, many are flawed in important respects and include misleading information. My well informed friend, Mr. HYDE of Illinois, has provided me with a brief article written by an expert physicist with 25 years experience in defense work that analyzes these "great scientists" reports in layman's terms. I shall submit this brief analysis for the RECORD. I think you will be very surprised at how much wrong information on the SDI there has been and how little true facts have been considered. I urge my colleagues to review this short analysis.

While there has been much debate on the American SDI Program, many have conveniently ignored or denied the Soviet SDI Program. The Soviet Union has always considered defense to be a central part of its national security policy. In addition to their comprehensive air defense and civil defense network, the Soviets are engaged in developing a rapidly deployable antiballistic missile [ABM] system that could be deployable within 10 years. Thus, the SDI is a very prudent response to the very active Soviet ABM development and provides insurance against Soviet "breakout."

I will give Mikhail Gorbachev credit for the good snow-job he has done. His propaganda against our defensive efforts has pulled the wool over many folk's eyes. In discrediting our legitimate defensive needs he has managed to distract attention from his own greater, more intensive strategic defense system. Within the last decade the CIA estimates that the Kremlin has spent $150 billion, yes that's $150 billion, on its version of the SDI. According to a respected group of Soviet dissident scientists, including some we in Congress helped emigrate, the Soviets devote much more of their efforts and resources into their own SDI Program than we do. They also warned that the Soviet Union would likely continue to proceed with its SDI even if it signed an agreement not to. They recommended that we not yield on development of the strategic defense peace shield.

The Soviets, in violation of the ABM Treaty, have developed a countrywide ABM capability. The Krasnoyarsk radar proves that. They are developing a new ABM system, based on two layers of defenses: Silo-based Galosh missiles for a long-range interception and silo-based high acceleration missiles which can discriminate between real reentry vehicles and decoys inside the atmosphere. Soviet advances in conventional surface-to-air missiles have given many battlefield SAM's ABM capabilities. The Soviets are way ahead in laser technology developments. They also continue research and development of particle beam weapons, radio-frequency weapons, kinetic energy weapons, and computer and sensor technologies. Contrary to their propaganda, which many of my colleagues seem to be taking at face value, the Soviets are very interested and deeply committed to their own SDI. In fact, Soviet ballistic missile defense activities are so extensive that Moscow now has the potential to break out of the ABM Treaty much more rapidly than the United States can respond. It is clear beyond a doubt that the Soviets are moving right along at a quick pace to deploy their own strategic defense while we debate about sums that are only drops in the bucket compared to their extensive program.

Critics assert that the SDI cripples arms control. That is not true. Obviously the Soviets believe the two go together—they are pursuing strategic defense and claim they are serious about arms control. As Zbigniew Brzezinski, President Carter's national security adviser, said, the Soviets would not even be at the negotiating table with our country had it not been for the President's commitment to the SDI. The SDI is a very promising arms control mechanism. By providing a defensive shield, it reduces the need for nuclear missiles making reduction agreements more attractive and obtainable. The SDI coupled with arms reductions makes the argument that the Soviets can overwhelm our defenses moot.

The SDI provides America with an alternative to our current dependence on nuclear weapons for national defense. I urge my colleagues to ignore what the Soviets are saying about the SDI—look at their actions. They are developing an SDI at a greater pace. With our commitment to the SDI, they have come to the arms control table. Actions speak louder than words. Let's take action now and restore funding to the SDI with the Hunter amendment and show the world we are committed to peace and security based on full armor—a shield and a sword, not just the bloody sword.

At this point, I submit the following article for the RECORD.

[From the National Review, May 4, 1987]

SDI WATCH

A committee of distinguished physicists released a report on SDI a few weeks ago that said that substantial progress had been made, but that it will take ten years or more to find out whether the U.S. can shoot down Soviet ICBMs with lasers and particle beams.

The report was commissioned by the American Physical Society, the nation's leading organization of physicists, and prepared by "scientists of great eminence," as the New York Times pointed out, including three Nobel laureates. Its view of SDI is more pessimistic than the one held by scientists in the government, who believe that within five to seven years they can reach a decision on whether to go ahead with laser weapons and the like.

The committee of physicists considered only lasers and particle beams—the more exotic components of SDI research. It did not discuss the only kind of missile defense actually being considered by the Department of Defense for deployment in this century. This defense involves the humdrum technology of heat-seeking missiles like the Sidewinder, which are routinely used in air defense. The heat-seeking missile homes in on and collides with its quarry, attracted by the heat it emits, and destroys it by the force of the impact.

These heat-seeking missiles in their "Star Wars" form are stored in pods on satellites and are called SBKKVs, which stands for space-based kinetic kill vehicles (the name comes from the fact that the kinetic energy released in the collision "kills" the ICBM). SBKKVs received high marks recently from the Marshall Institute and in a congressional testimony by General Abrahamson, director of the SDI project. They do not require any radical new developments in technology, and the annual cost for building a defense around them would be only a few per cent of the total defense budget.

When the scientists working for SDI started their labors three years ago, defenses using lasers, particle beams, and kinetic kill vehicles or heat-seeking missiles were all considered to be good possibilities. They still are. But over the course of these three years of research, it gradually became clear that the heat-seeking missile was a more mature technology than the laser or the particle beam, and was the best bet for a defense to meet the Soviet missile threat in this century.

At any rate, the report by the physicists' committee focused on lasers and particle beams, and left out SBKKVs. The result is a very impressive document, loaded with equations and written by physicists for physicists. Needless to say, it has been examined with some curiosity by the scientists at Los Alamos and Livermore whose work was the main basis of the government's faster timetable for an SDI decision.

These government scientists started from the same facts and used the same basic equations as the outsiders. It is hard to see how one group of scientists could decide that the country might have the answers on a Space Shield in as little as five years, while another group, using the same facts and equations, says it will take at least ten years. Presumably the physicists and the Nobel Prizes are right. Where did the ones working for the government go wrong?

Hoping to find out, the government physicists got copies of the report. They were prepared to be impressed, and maybe to learn something. They poked around, and they found some peculiar things.

For example, the report says that one hundred nuclear reactors would have to be put into orbit to provide "housekeeping" power for the one hundred laser-equipped satellites that would make up the heart of the defense. "Housekeeping" means operating the satellite's computers and radios, keeping its temperature right, firing the little rockets that adjust its altitude, and so on. This was an important conclusion, because the image of one hundred large chunks of radioactive material whizzing overhead is disturbing. As the New York Times pointed out, "It undercuts the assertion that the defense would be non-nuclear."

Well, the prediction of one hundred nuclear reactors depends on an assumption made by the committee of physicists. The assumption is that satellite housekeeping requires between 100,000 and 700,000 watts of electric power. Providing a continuous supply of that much electric power in space would certainly require nuclear reactors.

But the amount of power needed for satellite housekeeping is well known. It is not hundreds of thousands of watts, it is only a few thousand watts—one hundred times less than the report said. This relatively small amount of power—about what an average household uses—is routinely supplied to a satellite by solar cells on the sunlit side of its orbit, and by storage batteries on the dark side. Nuclear reactors are not needed.

Why did the committee of physicists make an error by a factor of one hundred on the housekeeping requirements of the laser satellites? They mention that power is needed to operate radars on the satellites, and indeed a microwave radar does take a lot of power—but SDI does not plan to use any power-hungry microwave radars on its satellites. And they mention the power needed to cool the laser mirrors—but those mirrors only need heavy cooling during the few minutes the actual battle lasts, and even that cooling is accomplished by circulating fluid through the mirrors, and not with electricity.

The report also mentions that one billion watts of power is needed to run a neutral-particle-beam weapon. That might indeed be a daunting requirement. But the neutral-particle-beam weapon is being designed to produce one-hundred-million-volt particles with a current of one-tenth of an ampere. From Physics I, watts = volts × amps, and that gives ten million watts for the power of the beam produced by this gadget. For every watt that comes out, about three watts has to be put in, which means thirty million watts of power has to be supplied to run the device.

So thirty million watts is the requirement for a particle-beam weapon. But the report by the committee of physicists says one billion watts is needed. That is roughly thirty times more than the right answer.

As with the excess factor of one hundred for housekeeping power, this error by a factor of thirty is in a direction that makes defending the U.S. against Soviet missiles seem harder than it really is and the timetable for reaching the SDI goal seem longer.

It is beginning to be clear why the committee of physicists said the U.S. would need ten years to make a decision on SDI's laser weapons. It is also clearer how two competent groups of scientists, both working with the laws of nature, could reach different conclusions. The calculations by the committee of physicists were first-class, but some of their assumptions were flawed and so, therefore, were their conclusions.

Another important finding in the committee's report—item number one in the executive summary—says that chemical lasers have only been tested at a power somewhat above 200,000 watts, and must still be beefed up by another two "orders of magnitude" to be effective as space weapons. An "order of magnitude" means a factor of ten, and two "orders of magnitude" means a factor of one hundred. A hundredfold increase in the power of a 200,000-watt laser means building a laser with a power of many millions of watts.

But SDI demonstrated a multimillion-watt laser more than a year ago, and the Soviets have had multimillion-watt lasers in their own "Star Wars" program for several years. In fact, the Soviets have a number of multimillion-watt lasers operating in their weapons labs right now. Soviet scientists claim these are for "medical research," but since they can blow a hole a foot in diameter in your body in one second, that seems unlikely.

As the physicists' report notes, "substantial progress" is being made in the field of ultra-powerful lasers. That seems to be so in the Soviet Union as well as in the United States. Why, then, the pessimism? Part of the problem seems to be that the basic assumptions in the report are biased toward a pessimistic conclusion. The remainder of the difficulty may be connected with the mentality of some research scientists. As one of their own observed recently, that mentality is like a laser beam—very penetrating, but very narrow. Scientists have always been poor at forecasting progress in practical applications of their research. Perhaps the most famous forecast, and the one most germane to SDI, was offered by Vannevar Bush, science czar for the government during World War II, who said to President Truman after the war, "People . . . have been talking about a three-thousand-mile rocket going from one continent to another carrying an atomic bomb . . . I think we can leave that out of our thinking."

The CHAIRMAN pro tempore (Mr. DURBIN). The Chair wishes to inform the Members that there are 7½ minutes of debate remaining, with 1½ minutes to the gentleman from Colorado [Mr. HEFLEY], and 6 minutes to the gentleman from California [Mr. DELLUMS], who under the rule has the opportunity to close debate.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oklahoma [Mr. MCCURDY].

Mr. McCURDY. Mr. Chairman, I thank the gentleman from California for yielding this time to me.

Mr. Chairman, I support a robust research and development program in SDI, and today I intend to vote no on all the amendments and support the committee position. I believe that the committee position is a reasonable one. It is sound, it makes good sense, and it was crafted after a very lengthy set of hearings on the technology available today to us in SDI.

I believe that this should continue to be a research and development program. I do not support early deployment. I think it is necessary in some cases to protect SDI from its friends. They are the ones who are endangering this research and development program. We should not accelerate this deployment. We should continue to make the decisions in the future based on technology, not on politics. Politics is the driver here. It is the driver behind the push to have early deployment. Because of that, I will support the McCloskey amendment on the SBKKV. I would support some restrictive language on the early deployment.

I will, however, continue, as I said, to support the committee position on the funding levels. There are three areas, I think, where we can make critical investments and vital investments in the SDI Program.

I think it is necessary to invest in and continue to develop the sensors for detection of launches, sensors in the area of detecting incoming missiles. I think that is a very vital area of research, and we can reap great benefits from that.

I also believe that we need to continue to develop the heavy launch vehicle. We try to protect that in our bill. I believe also it is important to perform the work on space power. These are three areas that I think can prove extremely beneficial in the future.

Mr. Chairman, again I think it is incumbent upon us that we move away from the strategy of MAD and move to some mix of offense and defense. I think the committee position is the best position to follow and I support that today.

The CHAIRMAN pro tempore. The Chair will state that the gentleman from California [Mr. DELLUMS] has 4 minutes remaining.

Mr. DELLUMS. Mr. Chairman, I will reserve those 4 minutes to close debate on this side.

The CHAIRMAN pro tempore. The gentleman from Colorado [Mr. HEFLEY] has 1½ minutes remaining.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, it is hard to believe that when the President requests $5.8 billion and we come in at about $4 billion under the Hunter amendment, that in effect is the conservative position in the Committee of the Whole. But it really is. It is the strongest position in favor of SDI that is going to be debated today, and yet we are still at only $4 billion. That is $1.8 billion less than what the President requested.

As a result of being $1.8 billion below what the President requested, we are going to delay some vital programs in SDI research. All the research is fashioned within the narrow interpretation of the ABM agreement. There is no breaking out, there is no early deployment; it is simply research.

What we are trying to research under the Hunter amendment is a variety of things that are critical to developing basic technologies in the laboratory. But what the Hunter amendment will not permit us to do is the space surveillance satellite, which is delayed 1 year.

What does that mean? Why is that important? Well, that discriminates whether you have a warhead coming at you or whether you have a decoy coming at you. We are going to delay that under the Hunter amendment.

The CHAIRMAN pro tempore. The time of the gentleman from Ohio [Mr. Kasich] has expired.

Mr. HEFLEY. Mr. Chairman, I yield 30 additional seconds to the gentleman from Ohio [Mr. Kasich].

Mr. KASICH. Mr. Chairman, I think the critical point here is that there is going to be a variety of programs that will be delayed.

The ground-based free electron laser is delayed under the Hunter amendment, and it totally terminates the endoatmospheric missile tests and theater defense programs.

There is a variety of things that SDIO would like to do, there are many things we would like to research to find out what the promising technologies are, and we cannot even do those under the Hunter amendment because we cut the President's request back to $4 billion.

Mr. Chairman, what I say to the Members is, vote for the Hunter amendment. It is a vote for restraint, but it is also a vote in support of a strong SDI research program.

Mr. DELLUMS. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman from California [Mr. Dellums] is recognized for 4 minutes to close debate.

Mr. DELLUMS. Mr. Chairman, I rise in opposition to the amendment, and I take this time to close the debate on the amendment.

I would begin my opposition to the Hunter amendment by quoting from a Pentagon press briefing that took place on April 21 of this year.

> According to SDI Director Lieutenant General James A. Abrahamson, the narrow interpretation of the ABM treaty will eventually lead to the point where information received from the Strategic Defense Initiative experiments "doesn't pay off for the amount of money you're putting into it," and that more money could always be spent for additional tests, but at some point, "a broader interpretation of the treaty or even breaking out of the treaty" becomes logical. Abrahamson estimated that the U.S. would probably reach that logical point somewhere in the 1989 to 1990 timeframe.

Mr. Chairman, last week 262 of my colleagues voted in support of the so-called narrow interpretation of the ABM Treaty.

I would suggest, Mr. Chairman, that there really are only two intellectually honest and politically consistent amendments that will come before us today. The gentleman from California [Mr. Hunter] offers the highest amount of money, not because there is any intrinsic value in the dollar figure, but the gentleman believes we must go forward aggressively in pursuit of SDI because it is the gentleman's position that he does not agree with the logic of the ABM Treaty. I do not agree with that, but I respect the gentleman's position.

I would suggest, Mr. Chairman, that the 262 Members of Congress who voted in favor of the strict interpretation of the ABM Treaty can be interpreted as having taken the position that they agree with the logic of the ABM Treaty. Now, if Members believe in the logic of the ABM Treaty, Mr. Chairman, then they are locked politically and intellectually and morally into a position of opposing SDI. Anything else is dancing on the whims of political expediency.

If Members believe in the narrow interpretation of the ABM Treaty because they believe in that logic, then I would say to them that any attempt to deploy an SDI system is an abrogation of the ABM Treaty. Whether it is kinetic energy, missiles, or directed energy, lasers, or any test that deploys any system on any basis of the SDI, I say that it violates the logic of the ABM Treaty.

So I would say to my colleagues who do not choose to perceive themselves as yuppie arms controllers, I would say to my colleagues who do not wish to perceive themselves as dancing on the whims of political expediency, trying to plant their feet firmly in both positions, if they agree again with the logic of the ABM Treaty, that they must oppose SDI.

They should support the Hunter amendment if they believe that the logic is not there and they want to go forward. If they believe, as I do, in the logic of the ABM and that on the basis of that they must intellectually oppose SDI, then they should support the Dellums-Boxer amendment, which is an effort to stop SDI and to dismantle this program and take us back to $1.163 billion for the purpose of doing laboratory research.

That is the only thing we ought to do. That is the only position that allows us to be consistent with the point of view that we have taken.

Let me summarize. Any serious push to test or deploy any SDI system, under any interpretation, whether it be narrow or broad, Mr. Chairman, would essentially abrogate the ABM Treaty. We cannot have SDI and an ABM Treaty. They are logically inconsistent. We can have more years of SDI funding without technically violating the ABM Treaty, that is correct, but eventually—and I say soon, Mr. Chairman—SDI funding means treaty abrogation by definition.

Those who oppose the abrogation of the ABM Treaty must oppose SDI. The gentleman from California [Mr. Hunter] is offering an amendment that provides in excess of $4 billion. What that does, Mr. Chairman, is expand us beyond basic research. There are two levels of research that make up SDI: technical research, technical base research, and experiment.

Mr. Chairman, the gentleman from California wishes to expand SDI, and I think it deserves aggressive opposition. Therefore, I ask for a "no" vote on the Hunter amendment.

The CHAIRMAN pro tempore. All time has expired on this amendment.

The question is on the amendment offered by the gentleman from Colorado [Mr. Hefley].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 129, noes 286, not voting 17, as follows:

[Roll No. 107]

AYES—129

Archer
Armey
Badham
Ballenger
Bartlett
Bentley
Bevill
Bilirakis
Bliley
Boulter
Broomfield
Buechner
Bunning
Burton
Callahan
Chappell
Cheney
Coats
Coleman (MO)
Coleman (TX)
Courter
Craig
Crane
Dannemeyer
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Fields
Flippo
Gallegly
Gallo
Gekas
Gingrich
Gradison
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hefley
Herger
Hiler
Holloway
Hunter
Hutto
Hyde
Inhofe
Ireland
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Latta
Lewis (CA)
Lewis (FL)
Lott
Lowery (CA)
Lujan
Lungren
Mack
Madigan
Martin (IL)
Martin (NY)
McCandless
McCollum
McEwen
Michel
Miller (OH)
Molinari
Moorhead
Morrison (WA)
Myers
Natcher
Nielson
Oxley
Packard
Parris
Pashayan
Pickle
Quillen
Ravenel
Rhodes
Richardson
Rinaldo
Robinson
Roemer
Saiki
Schaefer
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Solomon
Spence
Stangeland
Stratton
Stump
Sundquist
Sweeney
Swindall
Taylor
Vander Jagt
Vucanovich
Walker
Weber
Whittaker
Wilson
Wolf
Wortley
Young (AK)
Young (FL)

NOES—286

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Baker
Barnard
Bateman
Bates
Beilenson
Bennett
Bereuter
Berman
Biaggi
Bilbray
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Brown (CO)
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Clarke
Clay
Clinger
Coble
Coelho
Collins
Conte
Conyers
Cooper
Coughlin
Coyne
Daniel
Darden
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer

Dymally
Dyson
Early
Eckart
Edwards (CA)
English
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hochbrueckner
Hopkins
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
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Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Marlenee
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Miller (CA)
Miller (WA)
Mineta
Moakley
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Mrazek
Murphy
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Nelson
Nichols
Nowak
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Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Porter
Price (IL)
Price (NC)
Pursell
Rahall
Rangel
Regula
Ridge
Ritter
Rodino
Roe
Rogers
Rose
Roth
Roukema
Rowland (CT)
Rowland (GA)
Russo
Sabo
Savage
Sawyer
Saxton
Scheuer
Schneider
Schroeder
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Schulze
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skeltor
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NE)
Smith, Robert (OR)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tauke
Thomas (GA)
Torricelli
Towns
Traficant
Traxler
Udall
Upton
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Wylie
Yates
Yatron

NOT VOTING—17

Annunzio
Barton
Combest
Crockett
de la Garza
Ford (TN)
Gephardt
Jones (NC)
Livingston
Lukens, Donald
Ray
Roberts
Rostenkowski
Roybal
Tauzin
Thomas (CA)
Torres

The Clerk announced the following pairs:

On this vote:

Mr. Combest for, with Mr. Jones of North Carolina against.

Mr. Barton of Texas for, with Mr. Crockett against.

Mr. HERTEL, Mrs. COLLINS of Illinois, and Messrs. DYMALLY, MILLER of California, ROWLAND of Connecticut, and NELSON of Florida changed their votes from "aye" to "no."

Mr. FLIPPO changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. DURBIN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DELLUMS: In section 201 of title II of division A, strike out lines through 10 on page 22 and insert in lieu thereof the following:

(4) For the Defense Agencies, $5,520,780,000 for fiscal year 1988.

In parts B and C of title II of division A, strike out sections 221, 222, 223, 224, and 231 (and redesignate sections 232 as section 231) (page 42, line 1, through page 45, line 19) and insert in lieu thereof the following:

PART B—STRATEGIC DEFENSE INITIATIVE

SEC. 221. TERMINATION OF STRATEGIC DEFENSE INITIATIVE.

(a) AMOUNT AUTHORIZED.—Of the amount authorized in section 201 or research, development, test, and evaluation for the Defense Agencies, no funds are available for the Strategic Defense Initiative program.

(b) TERMINATION OF SDIO.—The Strategic Defense Initiative Organization (SDIO) is hereby terminated.

SEC. 222. FUNDING LEVEL FOR TECHNOLOGY BASE RESEARCH.

(a) AMOUNT AUTHORIZED.—Notwithstanding section 221(a), not more than $1,163,000,000 is available for the Defense Agencies to conduct research in subject matter areas that are currently encompassed under basic research for the Strategic Defense Initiative program.

(b) OBLIGATION LIMITATION.—Funds appropriated or otherwise made available to the Department of Defense under subsection (a) may be obligated or expended only for technology base research and may not be obligated or expended for nontechnology base experiments or demonstration projects.

SEC. 223. LIMITATION ON ABM SYSTEMS.

Funds appropriated or otherwise made available to the Department of Defense may not be obligated or expended to develop, test, or deploy an antiballistic missile (ABM) system or component which is sea-based, air-based, space-based, or mobile land-based.

In section 3111 of title I of division C, on page 199, strike out "$3,523,225,000" on line 11 and insert in lieu thereof "$3,283,225,000" and strike out lines 18 and 19 (and redesignate the subparagraphs accordingly).

In section 3112 of title I of division C:

On page 202, on line 13, strike out "$28,962,000" and insert in lieu thereof "$21,962,000".

On page 203, strike out lines 22 through 24.

On page 211, strike out "$266,230,000, of which $17,000,000" and insert in lieu thereof "$249,230,000, of which no funds".

In section 3113 of title I of division C, on page 211, strike out "not more than $279,230,000" and insert in lieu thereof "no funds".

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. DELLUMS] will be recognized for 10 minutes and a Member in opposition to the amendment will be recognized for 10 minutes.

The Chair recognizes the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the cosponsor of the Dellums-Boxer amendment, the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Chairman, I want to thank my colleague from California for this opportunity to work with him on the Dellums-Boxer star wars amendment—a commonsense amendment—because it does away with a pie-in-the-sky concept which scientists say cannot work—because it does away with a budget buster which experts estimate could cost as much as $1 trillion.

It is a commonsense amendment because it does away with a system that can be overcome—more easily and cheaply—than we can build it.

And it is a commonsense amendment because it will stop an unending new level of the arms race—an arms race in space. If we move forward with star wars, the Soviets will build an arsenal of offensive weapons to overcome it and when they move forward with star wars we will build an offensive arsenal to overwhelm it. And then you have a second arms race—more deadly than the first.

Our amendment, at $1.2 billion, would make missile defense research the second largest research program in the Defense Department—still a major effort.

Mr. Chairman, I know the usual order of business in Congress. Normally, there is a low number put forward—that's our amendment and a large number—and some number in the middle wins. I ask you to take a bold step and reject that approach.

Support the Dellums-Boxer star wars amendment because, if you listen to the experts, it's an intelligent vote.

Let me ask you—would buy a very expensive tennis racket with a hole in the middle of the strings?—allowing the opponent's tennis ball to go through it? Would you spend hard-earned dollars for such a tennis racket knowing in advance it could never work and would enable your opponent to beat you with a cheap racket?

You wouldn't and neither should we buy star wars. It can be overwhelmed and made useless at a fraction of the cost.

Listen to the experts.

Listen to your common sense.

The question we must ask ourselves is, do the dangers and costs of going ahead with a full-blown star wars program make any sense? We say they do not.

The Dellums-Boxer amendment is a return to a responsible, sensible ballistic missile defense research program.

Mr. HUNTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from California [Mr. HUNTER] is recognized for 10 minutes.

Mr. HUNTER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, let me just say that again we are asking the question: Can we defend America against incoming ballistic missiles? Can we develop the technological wherewithal to do that?

SDI asks the question whether or not you want to deploy such a system once it is built. I think that the answer would be "yes." Others might think that it would be "no." Whether you do or do not want to deploy it, there is still a compelling argument that we should at least do the research, ask the technological questions, and then make a political decision based on what our scientists tell us.

Let me just relate briefly that as I understand it, when Dr. Edward Teller was developing the hydrogen bomb and felt that there was chance that we could develop one, President Truman asked him, "Will the Soviets respond?" His answer essentially was, "It's my opinion that they're developing their own system right now." And shortly after we tested, in fact they tested.

I guess that my point is that American Presidents have relied on people like Dr. Edward Teller to give us answers to technological questions, to at least try to frame some of the issues in the sense of what can we do, what can we logically look forward to?

□ 1225

A lot of scientists have been cited by the other side essentially saying that we should not even ask the question by doing the research on SDI, because we know the answer is going to be "no."

I think that is the wrong position for this Congress to take. Today a dollar will buy you 4 million times as much computing power as it would in 1962.

If you were standing back in 1962 and said, will we be able to buy in 1987 4 million times as much computing power with the same dollar as we can today, the answer for many of these scientists might have been, that is ridiculous. But, it is reality, the fact.

One other thing about the scientists who support the SDI. Dr. Edward Teller, for my money, is still the Babe Ruth, the 500 hitter, not one of these society of informed scientists, or one of these other people on the fringe of technology who say that there is absolutely no way that we can make SDI a success.

We should look to our competent scientists, listen to them when they say that this is something we should at least explore, and that is what we are doing with this particular bill, with the House bill. The gentleman's amendment absolutely guts the House bill, so if we want to inquire into the SDI, we should defeat this amendment.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Chairman, I thank the gentleman for yielding.

Edward Teller may be Babe Ruth, but it is not 1927 anymore, and he has lost a little in the legs.

What we are talking about here reminds me of a great literary work. The Muppets has a program called "Pigs in Space." We are talking about a project that is rapidly becoming "Pork in Space."

We have gone beyond what is necessary to meet the argument we have just heard. We are now getting an effort to spend so much money on this before Ronald Reagan leaves office that it will have a momentum of its own over and above its merits.

No one is talking about ending research. What has happened to us?

The gentleman from California is talking about $1.2 billion. When did $1.2 billion become nothing?

The fact is that $1.2 billion is very serious research money. What you are now saying is, let us spend another $2 billion over and above that, four times what we spend for the homeless.

You could get a good start on a long-term health care program for desperately needy elderly people who would not have to impoverish themselves if you could save that $2 billion.

We are not talking about research or not. We are talking about whether or not we should continue the research at $1.2 billion, or whether we should continue with the "Pork in Space" project.

This was not a terribly high priority of the Pentagon or anybody else until Ronald Reagan got transfixed with an idea that no one thinks he understands. No one thinks that Ronald Reagan's explanation of SDI corresponds with what the Pentagon is doing.

We can spend $1.2 billion, quite a lot of money, on research, and save a couple of billion dollars, put a billion into deficit reduction and put a billion into some necessary social programs, or we can spend another $2 billion to further a figment of Ronald Reagan's imagination.

Serious research, $1.2 billion is very serious research by anybody's standards.

We are talking about going forward with something Ronald Reagan literally plucked out of the sky. Send it back there.

If you are serious about deficit reduction, serious about meeting our social needs, do not throw $2 billion away.

Mr. HUNTER. Mr. Chairman, I yield myself 30 seconds, and simply say to the gentleman from Massachusetts [Mr. FRANK], my friend, who wants to spend money on a good long-term health care project, that the best service we can give our people in providing them a long-term health care project is to defend them; and one of the components of our major adversaries' arsenal is the strategic ballistic missiles.

They have built over 758 SS-17's, -18's, and -19's since 1972, and defending against those missiles is our constitutional responsibility if it can be achieved, and SDI merely asks the question: Can it be achieved?

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Chairman, I thank the gentleman for yielding.

I do not think it makes a 70-year-old impoverished woman feel very good when you say to her, I am sorry, we are going to have to sell your home before you get into a nursing home; but do not worry, do not worry, Ronald Reagan is protecting you from a ballistic missile.

It is a deprivation of some very real needs. That is not an acceptable trade-off for most the people who are in need in this country.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, here we go on a defense bill, demagoging it with the homeless.

In the headlines of yesterday's paper it said that AIDS is just seering right through the homeless population in this city, so if we are going to go for the big apples and oranges, demagogic overkill, let us say we take the Dellums $1.2 billion and put the whole thing into AIDS research.

I would like to know where the gentleman from California [Mr. DELLUMS] got the $200 million increase in his $1.2 billion over 2 years ago. Did you take it out of the homeless?

Why did you up it $200 million for the tiny inflation we have had under the Reagan years?

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. Mr. Chairman, I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding.

Yes, if the gentleman is asking me a serious question, what we did was to take 1987 figures and add adjusted for inflation, which is how we came to the $1.163 billion that is in the amendment.

Mr. DORNAN of California. Mr. Chairman, I thank the gentleman for explaining that.

There is not one pure pacifist in this Chamber or in the other body, not one. It is a growing movement in our own time, pacifist people who want no defense budget whatsoever. They want all the money to go to the homeless and other good social justice causes.

Even the gentleman from California, my good friend, realizes that research in strategic defense has brought the Soviets under Gorbachev to the bargaining table for serious negotiations.

I agree with the gentleman from Massachusetts, $1.2 billion is a lot of money; but it shuts down one program after another, and the basic fundamental argument here is, do we have a right to respond to the Soviets, Russian SDI, and defend the homeland of America with defensive means, not just the offensive policies of mutual assured destruction which targets schools, orphanages, homeless buildings in the Soviet Union and everything in between? We reject that policy. We must move forward, as vigorously as possible, to deploy SDI.

The CHAIRMAN pro tempore (Mr. DURBIN). The time of the gentleman from California [Mr. DELLUMS] has expired.

Mr. DELLUMS. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] has 6 minutes remaining; the gentleman from California [Mr. HUNTER], in opposition to the amendment, has 5½ minutes remaining.

Mr. DELLUMS. Mr. Chairman, I yield myself the remaining time for the purpose of closing debate on the Dellums-Boxer amendment.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 6 minutes.

Mr. DELLUMS. Mr. Chairman, as we said in the general debate, this is a terribly important moment.

It is a time when my colleagues must make a decision one way or the other with respect to SDI. Those of my colleagues who languish in the center of this debate must now take a position.

If you voted in favor of the strict interpretation of the ABM Treaty, the 262 of the gentlemen who call themselves arms controllers, then the gentlemen did that saying that they did not want an abrogation of the ABM Treaty.

I will assert once again that SDI under any form, whether it is kinetic energy or directed energy, it is an abrogation of the ABM Treaty. It flies in the face of the logic and the integrity of your vote.

If you voted not to abrogate the treaty, then there is only one amendment here that you should support on the basis of that logic, and that is the amendment before you.

My colleagues rejected the Hunter amendment, so this is where we are.

In the remaining moments that I have I want to make two points. One, what this amendment does, and to conclude, why this amendment.

First, to the question of what this amendment does, part 1 deals with the termination of the strategic defense initiative, no funds for the SDI Program.

For my colleagues who may or may not know, there are two categories of research projects in SDI. One is the technical base projects, basic research. The second is the technical demonstration projects and major experiments. What we do in this amendment is to take out all the funds for the latter, the major demonstrations and major experiments. We take out all of those funds.

The second thing we do is to abolish the SDI organization. If you do not want funds for SDI and you believe that it is antithetical to the logic of the ABM Treaty, then you do not need SDIO. So we removed that.

With respect to funding for basic research, we put $1.163 billion, no small sum, in basic research, the technical base research. The other research clearly, while it may not technically violate the treaty this year, in the aggregate ultimately, as General Abramson said, one must at some point logically attempt to either broaden the definition or violate the treaty itself.

So then we returned the research, this basic research, to pre-President Reagan days and put the research back into the various defense agencies and services where the research was going on in the first place.

Limitation on ABM. We permit only the strict interpretation of ABM, the language included in the committee print and overwhelmingly supported by 262 of my colleagues on the floor of this Congress last week.

Then we also say that no use of funds for the violation of the ABM Treaty this year or in the near future will take place. We are saying, if you do not want to violate ABM, then do not spend money on demonstrations and projects that will allow us to do it.

Part 2 deals with no SDI funds for the Department of Energy. With no funds for the Department of Energy, thus there is no violation for the Outer Space Treaty, which prohibits proliferation of weapons into space. And, second, no massive escalation of Asat arms race, no nuclear weaponry in space, no orbiting nuclear powerplant stations in space. We have come to learn that nuclear powerplants down here on the ground are dangerous. We are talking about doing research to put power converters into space.

Our amendment eliminates all nuclear portions of the program. Despite the President's argument that this is a nonnuclear system, important aspects of the program do indeed include atomic explosions in space, as well as orbiting nuclear power stations in space.

Our amendment prohibits all of these funds.

Mr. Chairman, why this amendment? First of all, if it was indeed a bargaining chip to bring the Soviets to the table, then let us acquiesce in that. But they are indeed at the table. Let us get on with the business of negotiating back from the brink of thermal nuclear war that threatens the lives of millions of human beings on this planet.

Carl Sagan said it probably better than any other person as to why we should oppose star wars. First, it can be underflown. Even if we could have a Houston Astrodome over America, what would stop a cruise missile from flying in under? No proponent of the SDI has ever addressed the issue of how you kill a cruise missile, and do not allow millions of human beings to die and the collateral damage with some nuclear umbrella out in space.

Second, you can overwhelm star wars. My distinguished colleague from Florida points out that even if you have a 90-percent effective system, 10 percent of the weapons can get through. If you throw 10 weapons at it and one gets through, all right, but suppose they throw 1,000 and 100 get through, or suppose they throw 5,000 and 500 get through? A 90 percent may be good on an exam, but not in a nuclear war, Mr. Chairman, and if we put star wars forward we are going to bring greater and greater escalation of nuclear armaments, not be making the world a safer and more stable place within which to live, but a more frightening and dangerous place to live.

You can outfox star wars. You can throw dummy missiles at it, and there is an item in the budget that interestingly enough says let us do research trying to figure out how to defeat SDI?

What makes us so arrogant and so presumptuous as to assume that we are the only ones that would do research on how to defeat SDI.

Mr. Chairman, I wish I had more time, but I thank my colleagues very much.

Mr. HUNTER. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, I enjoy very much hearing my colleague, the gentleman from California [Mr. DELLUMS], debate, because he gets right to the heart of the matter. He does not go around the corners of it, but gets right to the basic question.

But I have a question I would like to pose to my colleague, a rhetorical comment because of the limited amount of time. That is why we should be funding a program that we are trying to kill.

My colleague knows that his amendment would cut out everything except the so-called basic research, that we would kill SDI organization, we would eliminate all of the demonstration and development aspects of the program.

So the question is why research this if the basic intent is to kill the project? Ironically, I think the question raised by my colleague, the gentlewoman from California [Mrs. BOXER], perhaps gives us the answer.

□ 1240

She said, "Would you buy a tennis racket with a hole in the middle of it?" And of course the answer is "No," not if you want to play tennis. What you would do is you would try to find one without a hole in it.

That is what the research is all about, to insure that we can develop a shield without a hole in it; to find out whether we can develop a system which would work. That is what the research does. We are at a disadvantage here because if my colleagues have attended the same briefings that I have, they are well aware of the fact that the experts in this field tell us that it is impossible to overwhelm this program, that it is not possible for the Soviets to fly through some kind of magical hole in this space shield.

But that is what the research is all about, to insure that we can accomplish that.

What would the practical effect of the Dellums amendment be? I do not think SDI will be killed even with this amendment because you cannot kill the scientific curiosity of man. Man will think, man will develop things, we will progress and if we do not the Soviets surely will and, therefore, we will too.

But lower SDI funding will hurt and it will hurt in a couple of specific ways, one of which I find very paradoxical and ironic.

What has happened when Congress reduced the funding of SDI so far? Instead of focusing on those exotic long-range technologies that most of us would like to think would give us hope some day, what we have done instead is take the money out of that kind of research and put it into the short-range programs which would permit us to develop a more immediate kind of deployable system and rely upon current technology, precisely the kind of thing that I am sure my colleague, the gentleman from California [Mr. DELLUMS], does not want to see happen. So ironically, paradoxically, one of the effects of my colleague's amendment would be to take the technology that holds promise for the future, put it on the backburner because we cannot afford that; it is long-range, down the track. Instead, we would focus our energy on that which will work today, something I doubt that my colleague would like.

Second, another effect: What we are doing with this amendment is take the scientific community out of the ball game. Right now the Government is getting a pretty good deal because private industry is willing to put seed money into this, they are willing to put their scientists and engineers to work on developing some of the technology that will work. But they are not willing to continue to do this if all they can see is the termination of the program. That is what scientists who are working on SDI have told me. They told me they are beginning to get out of the business because all they can see is an end to the program, and their companies obviously cannot afford to continue to pump money into a program which is not going to produce profits in the long run.

Moreover, the Department of Energy is in the very same position; they cannot afford to continue to put money into a program which is not going to bear fruit.

So the irony of it is that the very thing my colleagues would wish to avoid is what will occur, and that is promotion of a shorter range current technology system.

I would like to conclude by quoting a gentleman I think we all respect and admire, former President John Kennedy. He said something that is applicable here.

President Kennedy, speaking on March 2, 1962, about the 1958 to 1961 test moratorium said something that also applies to the question of how long SDI can be restricted to the laboratory. He said:

> Some may urge us to try it (a moratorium) again, keeping our preparations to test in a constant state of readiness. But in actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future. Nor can large technical laboratories be kept fully alert on a standby basis waiting for some other nation to break an agreement. This is not merely difficult or inconvenient—we have explored this alternative thoroughly, and found it impossible of execution.

Mr. Chairman, I urge my colleagues to vote no on the amendment of the gentleman from California.

The CHAIRMAN pro tempore (Mr. DURBIN). The gentleman from California [Mr. HUNTER] has 1½ minutes remaining.

Mr. HUNTER. Mr. Chairman, I will yield back the balance of my time.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield briefly to me so that I may respond to the gentleman from Arizona.

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DELLUMS] and then I will yield time to the gentleman from Arizona [Mr. KYL] if he wants to respond.

Mr. DELLUMS. In order to answer my distinguished colleague I simply want to point out that what SDI is is the President went out and took unto himself all of the various basic research programs that were ongoing in this area into various defense agencies and services. He added on top of that moneys for major demonstrations and experiments for the purposes of bending metal to move toward deployment of a system. He also added on top of that funds to fund the SDI organization.

What this gentleman did was to take the money out for the SDI organization, take all of the money out for a major demonstration and experiments that would fly in the face of the ABM, and it left us in the laboratory doing significant basic research so that we could anticipate Soviet breakout, we could continue to stay within the framework of the state of the art, that we could continue to go forward but keep this matter in the laboratory, do not start bending metal toward a system to be deployed.

Mr. HUNTER. Mr. Chairman, I yield the balance of my time to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Again, I refer to the comments of President Kennedy, who said that is precisely what will not work. You cannot keep these people in the state of readiness; you cannot do the research merely to know when the Soviets are going to break out and then think you are going to be in a position to do anything about it. That is why it is so important to proceed with a minimal level of funding for research at this point.

Mr. MINETA. Mr. Chairman, yesterday, we reaffirmed our commitment to the legally correct interpretation of the ABM Treaty. Our action sent a clear signal to the President that we will not tolerate early deployment of SDI in violation of the treaty. Although I applaud this action, I believe that it is insufficient.

Now is the time to abandon the SDI Program. The program originated as a research effort, and has quickly shifted emphasis toward early deployment. The Pentagon is unwilling to disclose the details of the SDI Program. Considering the administration's propensity to circumvent congressional intent, I do not believe that the Pentagon can be trusted to comply with the language of the bill, mandating the narrow interpretation of the ABM treaty. The only way to assure that the administration adheres to the ABM treaty is to cut off funds that could be used for early deployment of SDI.

Today's buzzword is competitiveness. The SDI hurts competitiveness. The SDI Program is a leech on civilian research. Defense research has shifted away from basic research, which has the potential for civilian applications. Research in the Defense Department is increasingly specialized and the spin-off for civilian applications is minimal.

The most important reason to discontinue the SDI Program is its effectiveness. Simply stated, there is compelling evidence that the program will not achieve its intent.

I urge my colleagues to vote in support of the Dellums-Boxer amendment. This measure represents our only certainty that we can control the deployment of the SDI system, and return to a more productive basic research program.

Mr. KASTENMEIER. Mr. Chairman, I rise in support of the Dellums and Boxer amendment to terminate the star wars program and the star wars office.

The Reagan administration is promoting a futile, destabilizing, unrealistic and unworkable star wars program. It should be halted.

Although there have been some technological advances in recent years, star wars is futile because we still do not know how to build an effective nationwide strategic defense against attacking ballistic missiles. This is true whether the goal is to transcend deterrence with a nearly leakproof defense or to enhance it with an effective but partial defense. We cannot build an effective defense against the current Soviet threat and, regardless of what the proponents of star wars have to say, there is no prospect of achieving such a defense against an unlimited offensive threat that can overwhelm, evade or directly attack a star wars defense. Several years ago, the President's Commission on Strategic Forces reported that "at this time . . . no ABM technologies appear to combine practicality, survivability, low cost and technical effectiveness sufficiently to justify proceeding beyond the stage of technology development." This statement still holds true today. A staff report submitted to Senators PROXMIRE and JOHNSTON in April 1987 stated that the near-term deployment that the strategic defense initiative office has in mind for the 1994-95 timeframe "would have an effectiveness against Soviet ballistic missile warheads of no more than 16 percent." In short, many years, if not decades, of research are required before we can begin to proceed from present day imaginative concepts, crude ideas and estimates of educated guesses. In fact, with an unconstrained development of ballistic missiles, no defensive system will work.

If the star wars program is to meet the President's stated goal of rendering nuclear weapons "impotent and obsolete," not only must it work to almost 100 percent perfection, managing an enormous task of battle management in very short time, but it must do this the very first time that it is used. No realistic shakedown tests are conceivable, especially in the nuclear environment the system will encounter in a real engagement.

Along with President Reagan, Secretary of Defense Weinberger holds to the fantasy that a 100 percent effective defensive shield is feasible, one that is, according to Weinberger, "thoroughly reliable and total." Secretary Weinberger, however, should listen to Gen. James Abrahamson, who is in charge of the strategic defense initiative, when he said that "a perfect defense is not a realistic thing." There is no way that any enemy force will not be able to overwhelm a defense if it wants to do so badly enough. The Soviets can develop countermeasures to overcome a star wars deployment. Even if only 5 percent of the strategic warheads in the Soviet's nuclear arsenal successfully penetrated a star wars system, the United States would be destroyed. We should question whether the supporters of SDI understand that the star wars program will result in the United States building a Maginot Line in space that the Soviets could overwhelm.

Star wars is highly destabilizing because any prospect of a significantly improved American defense is absolutely certain to stimulate the most energetic Soviet efforts to ensure the continued ability of Soviet warheads to get through a defensive system. It is fanciful to believe that the prospect of any United States deployment of an antiballistic missile system, which would undermine the effectiveness of Soviet missile forces, will not be met by a most determined and sustained response by Moscow. The Soviets have already stated that, in the event of a star wars deployment, they will concentrate on building cheaper offensive nuclear missiles that could overwhelm an American space shield. This, in turn, will spur American efforts to counter any countermeasures undertaken by the Soviets.

The Department of Defense is in the process of devising a nuclear war plan and command structure that would integrate offensive nuclear forces with the projected star wars antimissile shield. Reports on this DOD plan state that the vast array of new nuclear weapons, including the B-1 bomber, Trident submarines armed with ballistic missiles, the Pershing II medium range ballistic missile and the cruise missile, along with other weapons still being developed, will be coordinated with the shield of weapons on land and in space that star wars proposes with the aim of destroying long-range Soviet missiles and their warheads before they strike the United States. Such plans serve, of course, to further increase the fear by the Soviet Union of the purpose of star wars, especially against a weakened retaliatory strike. In a crisis these fears could bring mounting pressures for launching a first strike against our Nation. It should be obvious that, to the Soviets, star wars, integrated with offensive nuclear forces, is going to look like the prelude to an offensive strategy threatening the Soviet deterrent.

Mr. Chairman, star wars will not promote a more peaceful, stable world. On the contrary, star wars promises to accelerate the arms competition between the United States and the Soviet Union. It threatens the very existence of the 1972 ABM Treaty which outlaws any star wars defense and which stands at the very center of the effort to limit the strategic arms race by international agreements. The Scowcroft Commission found that "the strategic implications of the ballistic missile defense and the criticality of the ABM Treaty to further arms control agreements dictate extreme caution in proceeding to engineering development in this sensitive area." The ABM Treaty is a safeguard less against defense as such than against unbridled competition between the two nuclear superpowers. The continuing and excessive competition that still exists in offensive weapons would have been even worse without the ABM Treaty which removed from the calculations of both sides any fear of an early and destabilizing defensive deployment. Since 1972, and before the coming of star wars, neither side has attempted a defensive deployment that predictably would have given much more fear to the adversary than comfort to the possessor. The ABM Treaty reflected a common understanding of exactly the kinds of danger with which star wars now confronts the world. To lose this treaty in pursuit of an antiballistic missile defense dream would be a foolish act.

Mr. Chairman, the best course of action we can follow is to terminate this pork barrel in the sky star wars program. The American people are being misled by those who state that star wars is intended to provide for nothing less than the physical protection of the United States, including its population and industry. It is more realistic to state that star wars is dedicated to defending our land-based ballistic missiles. Let us end this charade by voting for the Dellums-Boxer amendment. We should not be accelerating the arms race by seeking security through means which creates greater insecurities. Instead, let us get on with the business of ending the threat of a nuclear holocaust by negotiating a treaty to eliminate all nuclear missiles from the world's arsenals.

Mr. BRENNAN. Mr. Chairman, I rise to register some very serious concerns about the direction the SDI Program is leading our Nation. The funding level for SDI research has grown significantly since March 1983 when President Reagan announced his intentions to pursue a space shield which would render nuclear weapons impotent and obsolete.

As a member of the House Armed Services Committee and the Subcommittee on Research and Development, I had the opportunity to question Pentagon officials about the SDI program. One troubling point which remains unanswered is—what is the projected cost of developing and deploying the SDI system? Both Secretary of Defense Weinberger and SDIO Program Manager General Abrahamson could not or at least did not provide me with an estimate of the SDI costs.

The very idea that we are asked to embark upon a massive program without an idea about the costs associated with it is distressing. Even more distressing is the costs three highly respected former Secretaries of Defense gave when asked their views on SDI costs. Secretaries Schlesinger, Brown, and McNamara in a recent article estimated that a comprehensive defense system like SDI would cost $1 trillion and Secretary Brown states that $100 to $200 billion would be required to maintain the system—that figure is rougly one-third to two-thirds of our entire defense budget for fiscal year 1987.

As we discuss the funding level for SDI, shouldn't we stop for a moment and think about the practical response to a system we are hoping and in some circles rushing to deploy. The deployment of an SDI system would be a certain violation of the ABM Treaty. The 1972 Antiballistic Missile Treaty has been considered one of the most important arms control agreements ever negotiated. Yes, just last week we adopted an amendment offered by the gentleman from Pennsylvania stating our belief that the Soviet radar system at Krasnoyarsk is a violation. President Reagan, knowing of that violation, has elected to remain bound by the treaty. Obviously, there remains some merit to continue adherence to the treaty.

If we continue pursuit of the SDI system the Soviet Union's likely response is to build more warheads in an attempt to overwhelm the system. Proponents of SDI already concede that cruise missiles and submarine launched missiles will penetrate. Should the system be 90 percent effective against ballistic missiles, we still lose, because the 10 percent of the warheads which penetrate will destroy our Nation and life as we know it.

Knowing the Soviet Union is doing research on SDI and knowing of the need to investigate and further research this new technology, I support the continuation of modest research. However, I do not believe we should pursue with full force a program which has a high probability of failure and a strong possibility of bankrupting the legitimate defense needs of our Nation.

I urge my colleagues to join me in support of the Dellums SDI amendment.

Mr. WOLPE. Mr. Chairman, I rise in support of the amendment before us today to limit fiscal year 1988 funding for the strategic defense initiative to $1.2 billion. I support this amendment not because I oppose SDI—I have always supported basic research on the feasibility of SDI. I support this amendment because I am deeply concerned about the potential budgetary impact of SDI development and deployment and I remain concerned that such a project, prematurely conceived could actually impair national security.

My concern about the financial impact of SDI is increased by the administration's unwillingness to give any serious thought to this matter. As a member of the House Budget Committee, I had the opportunity to question Secretary of Defense Weinberger on the fiscal implication of SDI in January of this year. I asked Secretary Weinberger for his reaction to a Johns Hopkins Foreign Policy Institute study—using very conservative assumptions—concludes SDI would require an annual increase of $44 billion in defense spending during the project's peak construction years. I asked Mr. Weinberger how the administration planned to finance those enormous costs. Frankly the Secretary's response came as a shock. Secretary Weinberger indicated that the administration had made no attempt to project how the Federal Government would finance SDI's construction and operation.

At the time I found it inconceivable that the administration would ask Congress to commit billions of taxpayer dollars to the development of SDI without at least fashioning some estimate of its ultimate cost. When I wrote directly to the President describing my conversation with Mr. Weinberger, however, I received confirmation that "there is not yet an accepted method to forecast the cost of a future strategic defense deployment." In its zeal to move ahead with SDI. This administration seems unwilling to draw attention to the costs of SDI by offering a cost estimate.

As I pointed out to both Secretary Weinberger and the President, the options for financing SDI are limited. In fact, using the John Hopkins estimates, I count only three: borrowing to finance SDI would increase the deficit by $44 billion during peak construction years; a tax increase of $570 for the average American family could raise the necessary $44 billion; or other defense or nondefense spending could be cut by $44 billion to offset the spending required for SDI. Conceivably, the financing of SDI could involve elements of all House approaches: a deficit increase, a tax increase, and substantial reductions in defense programs.

Let us not underestimate the impact of such decisions. The deficit currently hovers around $170 billion. Tremendous sacrifices in both domestic and defense programs are being made to bring this soaring deficit under control. Borrowing to finance SDI would render meaningless all of the difficult deficit reduction actions that have already been taken.

Likewise, I doubt that there is a Member of Congress who would support a $570 annual tax increase for the average American family to pay for SDI.

Finally, I also doubt that there would be support to take the $44 billion out of defense programs. This defense bill authorizes just under $300 billion for defense spending next year. If we were to devote almost a sixth of that to SDI, the impact on military readiness would be frightening. Supplies of wartime essentials—from ammunition to spare parts—would be jeopardized. Funds to adequately train and pay our uniformed personnel would be severely squeezed. The costs of SDI to our conventional forces can not be underestimated.

I submit that all of these options, if discussed openly, would be unacceptable to the American people, and that is why the administration has been unwilling to acknowledge that such choices will be necessary. But they will be necessary and we will all benefit from confronting them sooner than later.

Some may continue to argue that such sacrifices are justified by the incredible capability of a defensive shield. In the estimation of most military scientists, however, such a shield remains outside the grasp of modern science. Lt. Col. Robert Bowman, who directed the SDI development program under Presidents Ford and Carter and was a manager at General Dynamics for a number of years, is the latest SDI expert to show that SDI is currently completely incapable of providing a workable defense and that the early deployment of spaced-based weaponry would appear to have an offensive rather than defensive purpose and would therefore seriously destabilize United States-Soviet nuclear relationship.

In the House budget committee Mr. Weinberger attempted to deflect all questioning about the financing of SDI by likening its partial deployment to "laying a foundation for a House before it is built." His implication was that cost estimates are not necessary at the foundation stage. Mr. Weinberger has good reason to regret that analogy. Few families would purchase an unfinished house the foundation of which was poured without any thought given to the structure it would eventually support. Few families would purchase a house without knowing the bottom-line expenses they would incur by signing on the dotted line. Few families would purchase a home without a workable plan to pay the mortgage.

The time has come for Congress and the administration to exercise the same kind of common sense that guides every American family by closely examining the costs of the strategic defense initiative. The time has come to acknowledge that today the promise of a defensive shield is a hollow and dangerous dream. Hollow, because the science does not back it up. Dangerous, because it threatens to consume our financial resources in so many other areas that are essential to the national security. I urge support for the Dellums-Boxer initiative.

The CHAIRMAN pro tempore. All time on this amendment has expired.

The question is on the amendment offered by the gentleman from California [Mr. DELLUMS].

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 105, noes 307, not voting 20, as follows:

[Roll No. 108]

AYES—105

Ackerman
Atkins
AuCoin
Bates
Beilenson
Berman
Bonior (MI)
Bonker
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Carr
Clay
Coelho
Collins
Conyers
Coyne
DeFazio
Dellums
Dingell
Dixon
Dorgan (ND)
Downey
Durbin
Dymally
Early
Edwards (CA)
Espy
Evans
Flake
Foglietta
Ford (MI)
Frank
Garcia
Gejdenson
Gonzalez
Gray (PA)
Hall (OH)
Hawkins
Hayes (IL)
Hochbrueckner
Howard
Jacobs
Jontz
Kastenmeier
Kennedy
Kildee
Kostmayer
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levine (CA)
Lewis (GA)
Lowry (WA)
Markey
Matsui
Mfume
Miller (CA)
Mineta
Moakley
Moody
Morrison (CT)
Mrazek
Oakar
Oberstar
Obey
Owens (NY)
Panetta
Pease
Perkins
Rangel
Rodino
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Sikorski
Skaggs
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Walgren
Waxman
Weiss
Wheat
Williams
Wolpe
Wyden
Yates

NOES—307

Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Badham
Baker
Ballenger
Barnard
Bartlett
Bateman
Bennett
Bentley
Bereuter
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Borski
Bosco
Boucher
Boulter
Broomfield
Brown (CO)
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coleman (MO)
Coleman (TX)
Conte
Cooper
Coughlin
Courter

Craig
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
DeLay
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Donnelly
Dornan (CA)
Dowdy
Dreier
Duncan
Dwyer
Dyson
Eckart
Edwards (OK)
Emerson
English
Erdreich
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flippo
Florio
Foley
Frenzel
Frost
Gallegly
Gallo
Gaydos
Gekas
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Gradison
Grandy
Grant
Green
Gregg
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kemp
Kennelly
Kleczka
Kolbe
Kolter
Konnyu
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leath (TX)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lloyd
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Marlenee
Martin (IL)
Martinez
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mica
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Morrison (WA)
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Olin
Ortiz
Owens (UT)
Oxley
Packard
Parris
Pashayan
Patterson
Penny
Pepper
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Roemer
Rogers
Rose
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schaefer
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spence
Spratt
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torricelli
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Watkins
Weber
Whittaker
Wilson
Wise
Wolf
Wortley
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—20

Annunzio
Barton
Combest
Crane
Crockett
de la Garza
Ford (TN)
Gephardt
Gray (IL)
Jones (NC)
Livingston
Martin (NY)
Michel
Ray
Rostenkowski
Roybal
Tauzin
Torres
Weldon
Whitten

☐ 1255

The Clerk announced the following pair:

On this vote:

Mr. Roybal, for, with Mr. Barton of Texas against.

Mr. SKEEN and Mr. MILLER of Ohio changed their votes from "aye" to "no."

Mr. BONKER changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WELDON. Mr. Chairman, I was meeting with constituents during rollcall No. 108 and consequently am not recorded. Had I been present, I would have noted "no" on the Dellums amendment.

☐ 1305

AMENDMENT OFFERED BY MR. ROWLAND OF CONNECTICUT

Mr. ROWLAND of Connecticut. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. DURBIN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROWLAND of Connecticut: Strike out subsection (a) of section 221 (page 42, lines 4 through 7) and insert thereof the following:

(a) AMOUNT AUTHORIZED.—Of the amount authorized in section 201 of research, development, test, and evaluation for the Defense Agencies, not more than $2,900,000,000 is available for the Strategic Defense Initiative (SDI) program. The amount authorized in section 201 for the Defense Agencies is hereby reduced by $100,000,000.

Page 199, line 11, strike out "$3,523,225,000" and insert in lieu thereof "$3,573,225,000".

Page 199, line 19, strike out "$240,000,000" and insert in lieu thereof "$290,000,000".

Page 211, line 3, strike out "$266,230,000" and insert in lieu thereof "$276,230,000".

Page 211, line 4, strike out "$17,000,000" and insert in lieu thereof "$27,000,000".

Page 211, line 21, strike out "$279,000,000" and insert in lieu thereof "$339,000,000".

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MCHUGH] having assumed the chair, Mr. DURBIN, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON SMALL BUSINESS TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. LAFALCE. Mr. Speaker, I ask unanimous consent that the Committee on Small Business be authorized to sit today to mark up H.R. 2166 (miscellaneous amendments to SBA's 1988 budget) while the House is reading for amendment under the 5-minute rule. This is a minor bill, which we intend to place on the Suspension Calendar, and my request has been cleared by the committee's ranking minority member, the gentleman from Pennsylvania [Mr. MCDADE].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

APPOINTMENT OF CONFEREES ON HOUSE CONCURRENT RESOLUTION 93, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEARS 1988, 1989, AND 1990

Mr. GRAY of Pennsylvania. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 93) setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, and 1990, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MOTION OFFERED BY MR. LATTA

Mr. LATTA. Mr. Chairman, I offer a motion.

The Clerk read as follows:

Mr. LATTA moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to House Concurrent Resolution 93 be instructed to recede to the Senate language that the revenue levels finally agreed upon will not be achieved by either raising or delaying the individual or corporate income tax rates provided in the Tax Reform Act of 1986.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. LATTA] is recognized for 1 hour.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am moving to instruct the House managers in the conference on the budget resolution that the revenues finally agreed upon are not to be achieved by either raising or delaying the 1988 individual or corporate income tax rates which were provided in the Tax Reform Act we passed in 1986.

This would put this House on record as taking the same position on protecting tax reform which was adopted by the Senate last week. The Senate overwhelmingly approved, by a vote of 90 to 10, an amendment to its budget resolution expressing the sense of the Senate against any tampering with the rates in the Tax Reform Act.

Passage of my motion will assure the taxpayers that we will keep faith with them on the promises to reduce tax rates which were made when we eliminated certain tax benefits. We will not raise the rates or delay putting the lower rates into effect in any quest for additional revenues to help balance the budget. It is a necessary motion because proposals to delay next year's rate reduction were made earlier this year.

As has been said, the Tax Reform Act was not perfect legislation, but it was fair legislation. My motion to instruct conferees would try to keep that fairness, by preserving the income tax rate reductions we agreed to just a few months ago.

Earlier this year, the House voted down a similar proposal offered by the minority whip, Trent Lott, that would have prevented the House from considering legislation to increase the 1988 tax rates established under the Tax Reform Act of 1986. This was an early vote—rollcall No. 3. At that time we were anticipating a hypothetical situation that might occur in the future. Now, however, we are much closer to setting off a desperate search for revenues as both the House and Senate scramble to put the policies underlying the budget resolution into reality. Therefore, this motion to instruct offers the House a second chance to go on record against raising Federal income tax rates as a way of financing the deficit.

Overwhelming approval by this House would be a welcome signal to the taxpaying public.

Mr. GRAY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am happy to yield to my chairman.

Mr. GRAY of Pennsylvania. Mr. Speaker, I would tell the distinguished gentleman from Ohio [Mr. Latta], who is the ranking member of the Budget Committee, that I will not oppose the gentleman's motion. It is important that the House move quickly to appoint its conferees so we can begin this conference this afternoon and be about the business of reducing the deficit.

We need to get moving on reaching a conference agreement and not spending a great deal of time debating the gentleman's motion. As the gentleman knows, this language is already in the Senate proposal and will ultimately be in the budget. Whatever targets may be set, the revenues must be voted on by this body and by the committee of jurisdiction, so, therefore, this body will have an opportunity to work its will with regard to any revenue sources.

Since this language is already in the Senate proposal and in the budget conference that is nonbinding and since the conferees will agree on overall tax and spending policies set forth in the budget and it is the role of the appropriate House and Senate committees to implement such policies, I would say to the gentleman from Ohio that I certainly would agree to accept the gentleman's motion.

Mr. LATTA. Mr. Speaker, I thank the gentleman for his acceptance of this motion to instruct the conferees. If we work this problem out, I am sure it will be to the best interests of the American people.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. Latta).

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. Gray of Pennsylvania, Foley, Lowry of Washington, Derrick, Miller of California, Frost, Fazio, Russo, Oberstar, Espy, Latta, Gradison, Mack, Goodling, Denny Smith, Buechner, and Houghton.

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER pro tempore. Pursuant to House Resolution 152 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

□ 1315

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. Levin of Michigan (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, pending was the amendment contained in section 1 of House Report 100-84 offered by the gentleman from Connecticut [Mr. Rowland].

Under the rule the gentleman from Connecticut [Mr. Rowland] will be recognized for 10 minutes and a Member opposed will be recognized for 10 minutes.

Mr. DICKINSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. Dickinson] is recognized for 5 minutes.

Mr. DICKINSON. Mr. Chairman, I take this time in order to inquire of the chairman of the full committee by means of colloquy to determine for the membership what we might expect in terms of a legislative schedule for the rest of the day as far as this bill is concerned, and also what we might expect tomorrow. Let me yield to the chairman of the committee to ask him the question. By the best computation on SDI alone, what does the gentleman expect will be the hour of rising this evening?

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I am happy to yield to the committee chairman.

Mr. ASPIN. Mr. Chairman, it looks to us as if this issue, the SDI issue, is going to take a good part of the day and will go into early evening tonight. It is a little hard to guess because, of course, there is always the possibility that some of these issues on the SDI language might be taken to a vote. I would guess that we are going to take most of them to a vote. Then we will allocate the time given in the rule to each of the amendments, and we can allocate time for a reasonable number of votes, and we can allocate some dead time in the normal process of just waiting more than 15 minutes on the vote, and so forth. So we are looking at about 8 or 9 o'clock tonight just to finish the program that we have in front of us.

Mr. DICKINSON. Mr. Chairman, we have had a discussion earlier privately about the possibility of bringing up the C-17 issue at the end of the day. That is fine with me, but it looks now as though, in order to allow the Members an opportunity to be present when they are needed and to vote, if we go as late as 8 o'clock, we would not anticipate then bringing up a new amendment in terms of the C-17? Is that correct, or would we bring it up?

Mr. ASPIN. I cannot say. It depends upon the leadership.

Mr. DICKINSON. Is it possible that we might go until 10?

Mr. ASPIN. I have been advised that the leadership is looking to go until 9 o'clock tonight.

Mr. DICKINSON. All right.

Mr. ASPIN. On the issue of the C-17, our Members are ready to offer the amendment. It just depends upon whether we get finished with the SDI early enough. If we do, of course, there is only 20 minutes of debate and then a vote on the C-17. So if we were to finish this issue by 8:30 or earlier, we would bring up the C-17. If it would come after 8:30, we will not.

Mr. DICKINSON. By computation, talking to the staff, if we use all the time that is allowed under the rule, we will be until 9 o'clock—if all the time is used, we will be until 9 o'clock finishing SDI. If we are going until that hour and we do finish SDI by 9, would the gentleman anticipate that we will go on and take up the C-17?

Mr. ASPIN. No. At that point, then we would quit for the night.

Mr. DICKINSON. All right. So we can reasonably expect to get out around 9 o'clock tonight either way; is that correct?

Mr. ASPIN. Yes; that is correct.

Mr. DICKINSON. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, let me take a few quick seconds just to look at what has happened this morning and presumably at what will happen the rest of this afternoon with regard to the SDI funding levels.

No. 1, we have defeated the Hunter amendment, which would have brought the SDI funding level up to approximately $4 billion.

□ 1320

Second, we have defeated the Dellums amendment which would have zeroed out the SDI funding.

There are two remaining amendments: mine, which I am presently discussing of $3.55 billion, and the amendment of the gentleman from Florida [Mr. BENNETT], which would be at $3.1 billion.

Now, the most often asked question this morning and in the last few days has been, "Why have you proposed a funding level at $3.55 billion?" And the answer is quite simple. If we had just looked at the proposals with the gentleman from California [Mr. HUNTER] and the gentleman from Florida [Mr. BENNETT], we would have seen a rather large increase from the committee position, or we would have seen a rather large decrease from the committee position.

I am trying to appeal to those Members on each side of the aisle who want a moderate level of SDI spending, who believe that we need to keep the committee position.

Now, some will argue, well, if that is the case, let us vote against all four amendments and keep the committee position of $3.6 billion.

Well, I am looking at reality. I am looking at logic. I am looking at what happened last year. What happened last year was that we ended up with a much lower level than the committee position. We ended up with the amendment of the gentleman from Florida [Mr. BENNETT].

Foreseeing that that possibility could happen again, I proposed the $3.55 billion level.

Some of my colleagues on this side of the aisle have said, "Well, I don't want to be in the position of cutting SDI spending."

Well, the answer to that question is simple. We will be cutting from the President's proposal. There will be a slight cut from the committee position, but it is a real alternative, a real logistical alternative to the proposal of the gentleman from Florida [Mr. BENNETT].

Because of the "top of the mountain" process that we are now following, it was important that I include my amendment at $3.55 billion as an alternative to that of the gentleman from Florida [Mr. BENNETT]. So I hope Members on both sides will understand that logic. I hope they will understand that if they want the committee position, they must vote yes on this particular amendment and vote no on the Bennett amendment. That is really the only way we are going to be in that process.

Some will also argue the Senate position, the Senate Armed Services number if $4.5 billion; therefore, we should go to Bennett so we could end up in the middle.

Well, I think it is our responsibility to make sure that we analyze what SDI level we need. I think it is our responsibility to pick a number that the committee is supporting and not try to guess to estimate what we think the Senate will do in the future.

The CHAIRMAN pro tempore. The time of the gentleman from Connecticut has expired.

The Chair would inquire if the gentleman from Wisconsin [Mr. ASPIN] is opposed to the amendment.

Mr. ASPIN. Mr. Chairman, this gentleman is opposed to the amendment.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. ASPIN] is recognized for 10 minutes.

Mr. ASPIN. Mr. Chairman, I yield such time as he may consume to the gentleman from Vermont [Mr. JEFFORDS].

Mr. JEFFORDS. Mr. Chairman, I rise in opposition to the Rowland amendment and in support of the Bennett amendment.

Mr. Chairman, the House has before it a full smorgasbord of SDI funding options—everything from more than $4 billion to as little as $1.2 billion.

When deciding what funding level is most appropriate for the SDI Program at this particular stage in its development, we must look at its past funding record, the amount of funding the program can absorb, and the ultimate goal of this research.

At a time of cutbacks in many areas of defense spending, SDI has received very large funding increases. Since 1984, the SDI budget has more than tripled. Dr. Richard Cooper, the former Assistant Secretary of Defense for Research and Technology and an SDI supporter, testified before the House Armed Services Committee that $3 billion is about the maximum that the program can use efficiently at this time. Overloading the SDI Program would be irresponsible when we are struggling to operate under the constraints of a freeze-level defense budget.

Many SDI experts have indicated that considerable research is still needed before scientists can clearly evaluate realistic SDI options. Even strong supporters of SDI urge that we not rush into development of any one option before we can fully consider the range of SDI possibilities. At a minimum, we must be able to carefully evaluate what impact any SDI system would have on the stability of the nuclear balance and the ultimate safety of our Nation.

I would argue that it makes no sense to commit ourselves to a trillion-dollar development project designed to defend against the very nuclear weapons that we are attempting to eliminate through arms control negotiations. With our limited resources, what would be left over to match the Soviets in conventional arms?

During last year's defense debate, the House compromised on $3.1 billion for SDI. We must follow through with this budget's philosophy of freezing defense where it is adequate. SDI, of all programs, can afford such a freeze.

I urge my colleagues to vote for the Bennett-Ridge amendment and oppose the Rowland amendment.

Mr. ASPIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me point out exactly where I come out on the Rowland amendment and, indeed, on the measure that is the House position on the committee bill.

I think that what we voted on in the committee is the right number. Therefore, I have very little quarrel with the number that the gentleman from Connecticut [Mr. ROWLAND] has. I think $3.5 billion or $3.6 billion, or somewhere in there, is a pretty good number for funding SDI this year.

The reason I am diverting from what I did in the committee and voting today in favor of the Bennett number is that in the meantime the Senate has come up with a pretty high number. They are at $4.5 billion. I am a little worried how this thing is going to come out in conference, so if we went into conference with the committee number or with the Rowland number at let us say roughly $3.5 billion and the Senate is at $4.5 billion, the natural compromise will come out about $4 billion, which I think is a number that is a little too high. Therefore, I am opposing the Rowland amendment and am going to vote for the Bennett amendment, but it is purely a matter of tactics to get a lower number on the House side so that we can bargain when we get to the Senate.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, I appreciate the gentleman yielding me this time.

Mr. Chairman, Members should know that the debate on the Rowland amendment, as opposed to what the gentleman from Florida [Mr. Bennett] proposes as a funding level, is a debate about $450 million. I would like the Members to think for a moment about what kind of the military strength $450 million could buy.

You could take that money and you could double the number of Sidewinder air-to-air missiles that the Navy has, or the Air Force has, with that amount of money. I am talking about not just doubling this year's buy, I am talking about doubling the entire stock that the Navy and the Air Force have of these high quality air-to-air missiles that we need for our conventional defense.

So if you reject the Rowland amendment and vote in favor of the Bennett amendment, you would put us in a position to get more potential air-to-air combat kill capability than the entire Warsaw Pact has combat aircraft stationed in Europe. That is the magnitude you are talking about. Those are the priorities we are dealing with.

But even beyond this, we are debating whether SDI should be increasing amounts of money, or whether it should be held level.

I would like you to think about SDI for a minute

I say that because this is a program in disarray. No one can give you a consistent answer as to where SDI is going; that has been demonstrated by the widely divergent arguments and policy amendments that are going to be offered here on the floor today.

For example, is SDI a near-term deployment program for defending missiles, or is it a long-term development program for defending people?

Is SDI a carefully paced scientific exploration to reach out many decades and do what has never been done before? Some say it is. Or is it what other people say it is, and that is a public relations exercise devoted to spectacular but deceptive demonstrations in the sky in order to maintain public support, political support?

And most importantly, is there any way to keep the Soviets from using SDI, because they will get one if we end up deploying one, in an offensive mode, which it has the inherent capability to do against our own missile forces and against our own SDI if we should deploy one ourselves?

Is there any reason why we then are not better off if we ban SDI completely, rather than to build it?

No one has any clear answers to any of the above questions. And because no one has any clear answers, because there is no unanimity on those things, because there is no sense of what direction this program is going toward, I think that is the best argument to be advanced for keeping the funding level at last year's level, rather than going to a point that no one knows where it is going to lead.

So defeat Rowland, support Bennett.

Mr. ROWLAND of Connecticut. Mr. Chairman, I yield 2 minutes to the distinguished ranking member of the Armed Services Committee, the gentleman from Alabama [Mr. Dickinson].

Mr. DICKINSON. Mr. Chairman, I take this opportunity to try to bring a little clarity to the voting situation here. Unfortunately, we are back into a situation where we have what we call "King of the Mountain."

We have a number of figures that are being proposed and what we have to keep in mind is that the last one that passes will be the prevailing figure; so we offer one and it passes or fails, and you offer another one, and so on. If you vote down each amendment, eventually you get back to the committee position; but we are not going to get back to the committee position. That will not be the position that was offered, that even the chairman says he prefers, if the Bennett amendment passes; so the only way you can preserve the committee position is by voting for the Rowland amendment, which is the closest to the committee amendment, because we will not even vote on the committee amendment if all amendments are voted down.

Now, last year, Mr. Chairman, the fiscal year 1987 appropriation for SDI was $3.5 billion. What our committee, the R&D subcommittee and subsequently the full committee approved for fiscal year 1988 was $3.6 billion, just a 0.1 increase over last year.

What has just been said in the well by the speaker preceding me is that we want to keep SDI at about last year's level of spending. If the Bennett amendment is passed, it will reduce last year's spending. It will not even keep it level. We will reduce about $400 million below last year's level.

So what we are asking is to please support the Rowland amendment, which is approximately the committee position. The administration asked for $5.8 billion. We reduced it in the committee to $3.6 billion, so $3.55 billion is the closest we can get to the committee position. It is the best position and I ask support of this amendment from both sides of the aisle.

Mr. ASPIN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. Fazio].

Mr. FAZIO. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would also like to put another twist on the interpretation of the numbers game that has been taking place here. This really is about a $300 or $400 million issue that we are debating. The question is whether or not we will be adding to a reasonable number for SDI somewhere in the $3.5 billion range, $300 or $400 million more, when in fact we have a constrained budget that by its very nature has forced us to hang tough and limit the amount of money we are able to spend on conventional weapons and strategic weapons of other sorts.

If you look at the history of what has happened to SDI funding when we have gone to conference, we have given never less than 50 percent to the Senate. We have always split the difference at least. In fact, in some earlier years we gave the Senate 100 percent of the difference. We have moved up to their mark totally. Another year we moved 62 percent of the way to the Senate mark; so if we start with $3.1 billion, the Bennett number that I support, and compromise with the $4.5 billion Senate mark, we are going to be in the area of $3.6 billion, $3.7 or $3.8 billion, a figure that I think the consensus in the House is beginning to see as a reasonable amount to spend for a robust program, one that will allow for inflation, one that will allow SDI research to proceed, but not move to premature early deployment; one that will allow us to concentrate on those systems that have the most potential and not on those that have the earliest potential for deployment, regardless of their long-range utility.

I really believe that the Bennett amendment that I support is in keeping with the effort to compromise at a number that the committee thinks is correct.

We regret that we have to come to the floor and ask to shave it back some to go to conference in a reasonable position to split the difference, but the Senate figure of $4.5 billion is so high that that is the situation we find ourselves in.

So, Mr. Chairman, I would urge that we defeat the Rowland cosmetic amendment which affects the committee mark by $29 million and support the Bennett amendment, which will be offered next.

Mr. ROWLAND of Connecticut. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. Dreier].

Mr. DREIER of California. Mr. Chairman, I rise in strong support of the Rowland amendment.

I think it is important for us to look at this chart which outlines the amendments which are to be offered this year. For the first time in history, to my knowledge, we are not seeing the President's figure offered. This year the President has requested $5.8 billion. There is not a $5.8 billion figure on here.

Now, we are playing the standard numbers game that we have every single year. We have a litany of proposals of certain funding levels and we try to end up somewhere in the middle.

Well, I happen to be a supporter of the $5.8 billion figure and I believe that that is the route we should take. We know that there are two people who have every confidence in SDI, Ronald Reagan and Mikhail Gorbachev.

If no one else has any confidence in SDI, those two people do. A lot of people in this House, a lot of people around the country have serious doubts about it, but I think it is important that we support the highest level of $5.8 billion which is our best hope for a peace shield.

In lieu of that, since 5.8 is not even being offered this year, the most balanced even approach is being offered by my friend, the gentleman from Connecticut [Mr. ROWLAND] and I urge an "aye" vote on the Rowland amendment.

Mr. ASPIN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

□ 1335

Mr. CARDIN. Mr. Chairman, I rise in opposition to any proposed increase in the SDI budget above 3.1 billion dollars.

Any such action represents a direct challenge to the ABM Treaty. The premise of the ABM Treaty is that efforts to develop technological defenses against nuclear attack are destabilizing and cannot succeed. The premise of star wars is that we can develop an infallible missile defense system and make the world safe for nuclear weapons.

Supporters of SDI concede that a comprehensive missile defense system cannot be built overnight. On that they agree with the American physical society, this country's leading professional society of physicists.

But APS departs from the starry-eyed view of SDI's proponents on the long-term prospects for the system. In its 400-page report, APS concludes that it will take at least 10 years of intensive research before we can determine whether or not such a system can ever be developed.

SDI supporters remain undeterred, however. Apparently they believe they can legislate away any technological filibusters. But star wars is built on fond and foolish wishes that technology can rid the world of the threat of nuclear war.

The proponents of SDI are captivated, even enchanted, by the wonder of playing "laser tag" in the heavens. They challenge us with this question: "Gee, wouldn't it be neat if we could put up a giant bubble that would keep out nuclear warheads?" Perhaps. But before we answer that question, I would ask several others.

First, do we know how much this program—which may or may not be possible to complete—will cost? No, we don't. We do know, though, that near-term deployment of the proposed space-based kinetic kill vehicles will cost at least $68 billion dollars.

Second, do we know how effective this program—which may or may not be feasible and which costs an unknown sum of money—will be? No, we don't know that either. But we do know that the space-based kinetic kill vehicles—the system most likely to be deployed in the early to mid-1990's—will have the capacity to stop about 16 percent of a Soviet ballistic missile attack on the United States.

So we are asked to commit ourselves to a program which may work someday, which will definitely cost a lot but we're not sure how much, and which for now will be effective one-sixth of the time.

Third, do we know the likely consequences of near-term deployment of an SDI System? Finally a question for which we have answers.

I believe the SDI effort has been worthwhile. The Soviets are terrified that we might be serious about building it. That gives us a powerful lever to achieve a meaningful arms control agreement. But the value of SDI ends there. If we go ahead and deploy it, we leave the Soviets no choice but to respond.

And we can be certain that deploying a ballistic missile defense will prompt a Soviet response. To believe the SDI will end the arms race is to ignore the entire course of human history.

SDI will not end the arms race; it will not make the world safer. SDI escalates the arms race, and it will force the Soviets to respond in kind. Soviets could quickly develop the technology to render any near-term system obsolete. If we press ahead with more elaborate variations of star wars, the Soviets will be forced to develop more elaborate counter measures.

Continuing the research effort, at or slightly below the current year level, keeps the pressure on the Soviets to bargain in good faith. Going beyond that, as the administration would, to testing and deployment, risks repeating the error or Reykjavik, where the President, faced with choosing between SDI and arms control, chose SDI.

This house should not repeat that mistake. This issue comes down to a choice between ABM and star wars, a choice between arms control and the arms race. Fifteen years ago, the Senate, in ratifying the ABM Treaty, recognized that there is no end point in the progression of new and more destructive weapons. Last week, this House voted against an attempt to weaken ABM.

We can do something that makes sense on SDI. We can vote to continue the research effort, thus preserving the momentum for an arms control agreement. We can do that for $2.5 billion, or about $1 billion less than the current year's spending.

I am disappointed that we will not have the opportunity to vote for $2.5 billion. The closest we can come to that total, under the procedures governing this debate, is the $3.1 billion total proposed by the Bennett amendment. I support that amendment.

Mr. Chairman, funding for research will permit us to deploy SDI—but only as a bargaining chip. Only that way can we achieve America's dream of a world safe from the threat of nuclear destruction.

Mr. ROWLAND of Connecticut. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, time and again critics of the Reagan administration have risen in this House to undercut all of the President's strategic initiatives. Their logic seems to be: If the President is for it, we are against it; if the President is for it, it must be wrong; if the President is for it, it must be the end of arms control; if the President is for it, it must be bad policy.

There is only one catch: The policies that we have been attacking have all worked.

Let me give but three examples:

In 1981 the President decided to deploy Pershing missiles in West Germany. Almost immediately, congressional critics attacked this decision. They called the Pershings "destabilizing." They called it "the end of arms control." They said that the Soviets would never again negotiate. Well, "never" came early. The policy did work. But of course all the critics have long forgotten these earlier statements. In fact, now they even refuse to admit that those Pershings helped bring the Soviet Union back to the negotiating table. But never mind all that. Let us not let that hurt morale. Let us sign everybody up for the next round of Reagan-bashing.

Let us bash Reagan for his Grenada rescue mission. Let us say, as one prominent Member of this body said: "Oh, Grenada. It was a thinly veiled effort to use American students and a tiny black Caribbean nation to mask the further militarization of American foreign policy." Never mind that we discovered a treasure trove of Soviet weapons on that tiny black island. Never mind that nine marines and three Navy divers were killed by Communist resistance forces. And the resistance forces? Oh, the resistance forces: just a bunch of Cuban construction workers armed with picks and shovels and AK-47 assault rifles.

Well, so much for Grenada. Next? Next, of course, was Reagan's hopelessly unworkable zero-option proposal. In this case the tack was more subtle: "Let's say that Reagan purposely proposed a strategy that could not work; let's say that this is the most foolish, unheard of, naive proposal." I mean, the very idea of trying to propose to eliminate all medium-range nuclear missiles from Europe. And then of course the policy did work, but that was after Gorbachev adopted it as his own and called it, not the Reagan policy, but the Gorbachev policy. Now it is OK. Amazing the difference that the name makes.

In all three of these cases—Pershing missiles, Grenada, and the zero option—we have done our level best to belittle and ridicule the President's most sincere proposals and actions. In all three cases his actions and his judgment have been vindicated.

Now of course we are into round 4—Pershings, Grenada, zero option, and now SDI—or as some fondly refer to it, star wars.

Once again the President has carefully thought out a plan to help our American strategic interests. This time, maybe we should listen to him.

Mr. ASPIN. Mr. Chairman, I yield my remaining time to the gentleman from Oklahoma [Mr. McCURDY].

Mr. McCURDY. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Rowland amendment, and I want to explain my position as best I can. I understand, I think, the logic of the gentleman in offering his amendment, but I still believe that the committee position is the best position to take. I think that the committee position is a bipartisan position. I think that it is one that is based on fact, as revealed in the hearings, and I think that it is one that we should continue to support.

The argument lies by those of my colleagues who are going to support the Bennett amendment that because of the differences between the House position and the Senate position, we will normally go halfway and we will end up at a higher level. I am not so sure that that argument holds today, because traditionally the difference between the Senate committee position overall and the House has been fairly significant. This year they are closer together, and because of that I do not think that we are going to have the options of going halfway. I think that we are going to have to realistically look at those programs and decide what it best, what is the most reasonable level given the scarce resources that we have.

Accordingly, I think that there will be an increase over the committee position, but I do not think that it is going to be of the magnitude that we have had in past years. Because of that, I think that the committee position is sound. A number of us are going to vote "no" on all the funding level amendments and stick with the House committee position which I think sets the best level for SDI research funding this year.

Mr. ROWLAND of Connecticut. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Chairman, the strategic defense initiative deserves nothing less than a signal of "full speed ahead," and if I had my options, I would support the President 100 percent. Since that is impossible because of the nature of the figures that are before us, we can do only the next best thing, and support the Rowland amendment, with the full understanding that this is the best that we can obtain in the fury of the debate on the floor.

The Rowland amendment should be looked upon as the starting point for the ultimate figure for the strategic defense initiative.

Mr. ROWLAND of Connecticut. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I implore my fellow conservatives to vote for and support the Rowland amendment. They are only going to have one shot, and this is it. The McCurdy analysis is sincere, but it is wrong. We saw what happened with the Bennett amendment last year. I have had 10 Members on this side of the aisle who pride themselves on being prodefense tell me that they would not go for the Hunter amendment because it is at the top of this stupid amendment tree.

Now if you put the Reagan SDI budget number up there at $5.8 billion the Rowland amendment is third from the bottom, fifth from the top. Is that safe enough for them? If they are for SDI, they should vote for the Rowland amendment.

Mr. ROWLAND of Connecticut. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, with all due respect to the chairman of the committee and the gentleman from Oklahoma, there is a great amount of games that are being played with this whole SDI issue.

No. 1, the committee level was 3.8 when we started. The Aspin substitute cut it to 3.6, and now the chairman says that he is in favor of 3.1. If as we follow the logic of the gentleman from Oklahoma, if we vote against all four amendments, presumably we will be at the committee position; that is false. If we do not support this amendment, I guarantee that half an hour from now the House position is going to be 3.1.

So I implore every Member on both sides of the aisle to support this amendment and to vote no on the Bennett proposal.

The CHAIRMAN pro tempore (Mr. DURBIN). The question is on the amendment offered by the gentleman from Connecticut [Mr. ROWLAND].

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ASPIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were —ayes 207, noes 213, not voting 12, as follows:

[Roll No. 109]

AYES—207

Applegate
Archer
Armey
Badham
Baker
Ballenger
Bartlett
Barton
Bateman
Bates
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boehlert
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Byron
Callahan
Carr
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
Dicks
DioGuardi
Donnelly
Dornan (CA)
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
Erdreich
Fawell
Fields
Flippo
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Goodling
Gordon
Gradison
Grandy
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Herger
Hiler
Holloway
Hopkins
Horton
Houghton
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
Johnson (CT)
Johnson (SD)
Jones (TN)
Kanjorski
Kasich
Kemp
Kolbe
Kolter
Konnyu
Kyl
LaFalce
Lagomarsino
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Martinez
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Michel
Miller (OH)
Miller (WA)
Molinari
Montgomery
Moorhead
Morrison (WA)
Murphy
Myers
Natcher
Nelson
Nichols
Nielson
Owens (UT)
Oxley
Packard
Parris
Pashayan
Pease
Petri
Porter
Quillen
Ravenel
Rhodes
Richardson
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Rose
Roth
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Sisisky
Skeen

Skelton
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Spratt
Stangeland

Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Traxler
Upton
Vander Jagt

Vucanovich
Walker
Weber
Weldon
Whittaker
Wilson
Wise
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOES—213

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Aspin
Atkins
AuCoin
Barnard
Beilenson
Bennett
Berman
Biaggi
Bilbray
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Campbell
Cardin
Carper
Chandler
Chapman
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Darden
de la Garza
DeFazio
Dellums
Derrick
Dingell
Dixon
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
English
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Frank

Frenzel
Frost
Garcia
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hefner
Henry
Hertel
Hochbrueckner
Howard
Hoyer
Hughes
Jacobs
Jeffords
Jenkins
Jontz
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kostmayer
Lancaster
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Matsui
Mavroules
Mazzoli
McCloskey
McHugh
Meyers
Mfume
Mica
Miller (CA)
Mineta
Moakley
Mollohan
Moody
Morella
Morrison (CT)
Mrazek
Murtha
Nagle
Neal
Nowak
Oakar

Oberstar
Obey
Olin
Ortiz
Owens (NY)
Panetta
Patterson
Penny
Pepper
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Pursell
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Rangel
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Ridge
Rodino
Roe
Roukema
Rowland (GA)
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith, Denny (OR)
Snowe
Solarz
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Thomas (GA)
Torricelli
Towns
Traficant
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wolpe
Wyden
Yates
Yatron

NOT VOTING—12

Annunzio
Borski
Combest
Crockett

Ford (TN)
Jones (NC)
Livingston
Ray

Rostenkowski
Roybal
Tauzin
Torres

□ 1400

The Clerk announced the following pair:

On this vote:

Mr. Combest for, with Mr. Roybal against.

Miss SCHNEIDER and Mr. RANGEL changed their votes from "aye" to "no."

Messrs. DYSON, MARTINEZ, TRAXLER, BAKER, SISISKY, SKELTON, and McCURDY changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BENNETT

Mr. BENNETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. DURBIN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BENNETT. Strike out subsection (a) of section 221 (page 42, lines 4 through 7) and insert in lieu thereof the following:

(a) AMOUNT AUTHORIZED.—Of the amounts authorized in section 201 for fiscal year 1988, not more than $2,846,000,000 is available for the Strategic Defense Initiative (SDI) program of the Department of Defense and the Advanced Launch System and the Boost Surveillance Tracking Satellite programs of the Air Force.

Strike out subsection (a) of section 3113 (page 211, lines 18 through 23) and insert in lieu thereof the following:

(a) PROGRAMS, PROJECTS, AND ACTIVITIES OF THE DEPARTMENT OF ENERGY RELATING TO THE STRATEGIC DEFENSE INITIATIVE.—Of the funds appropriated to the Department of Energy for fiscal year 1988 for operating expenses and plant and capital equipment, not more than $279,000,000 may be obligated or expended for programs, projects, and activities of the Department of Energy relating to the Strategic Defense Initiative.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Florida [Mr. BENNETT] will be recognized for 10 minutes and a Member in opposition will be recognized for 10 minutes.

Is the gentleman from Alabama [Mr. DICKINSON] going to speak in opposition to this amendment.

Mr. DICKINSON. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. DICKINSON] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, although I am the principal introducer of this amendment, Mr. RIDGE, Mr. OLIN, Mr. MCCLOSKEY, and Mr. FAZIO are cosponsors.

First, Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FAZIO].

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield.

Mr. FAZIO. I yield to the gentleman from Montana.

Mr. WILLIAMS. I thank the gentleman for yielding.

Mr. Chairman, star wars is America's "pet rock." It has no known value. Perhaps it makes us feel better but like the "pet rock" star wars' real benefit accrues to those who are selling it to us.

I thank the gentleman for yielding.

Mr. FAZIO. I thank my friend for his comments.

Mr. Chairman, we are now at the most crucial amendment in this whole series of amendments.

I urge my colleagues strongly to support the Bennett amendment to bring us to $3.1 billion which, in the context of the Senate Armed Services Committee mark of $4.5 billion, will bring us to a program mark that will allow inflation, allow growth only for that reason, to the $3.6 billion range.

I feel strongly about the need to do that because I see a misplaced sense of priorities here. The administration submitted an R&D budget for SDI of $5.8 billion. Yet for the Army, an area where we have serious inadequacies in our conventional forces, they asked us for only $5.2 billion. We have an infantry today that still has no antitank weapon worthy of the name, we have no update of our air defense system to match the Soviet SA-10; and our Army aviation program is becoming antiquated and yet we put SDI at the head of the list and treat those other elements of our services, the men in uniform, in the infantry, for example, in a secondary capacity.

We can compound that mistake today if we fail to support the Bennett amendment and end up providing $300 or $400 million more to simply leave an impression that we are resolute about SDI.

I think the House has shown by increasing amounts each year that we believe SDI makes a contribution to the arms control process. But for us to be carried away with euphoria, to support a number in the $4 billion range is really counterproductive. It is going to mean more waste. We have already spent $14 billion on defensive systems. All we have to show for it is a mothballed system in North Dakota which we have chosen not to deploy.

I urge us to put our priorities with the men in uniform who would be on the line tomorrow if war broke out, not on the sham and delusion that is the early deployment to SDI.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the last vote on this issue. We have one issue left. We have two figures to deal with. The Committee on Armed Services figures is $3.6 billion. Mr. BENNETT wants to reduce that by half a billion dollars to

$3.1 billion. If you vote for the $3.1 billion, that is what you get. If you vote against the $3.1 billion you would get the House figure, the committee figure, the committee which heard the testimony and made the decision.

You have heard the Chairman. Even Mr. FAZIO who just spoke said that is the figure he thinks it ought to be, or thereabouts.

The chairman of the full committee says that our figure is a figure that should prevail. You have a simple vote now. All the chaff is blown away. You vote the Bennett amendment down and you get the House figure, $3.6 billion.

If you accept his you do not get a vote at the committee figure, you just automatically cut another half billion dollars out of the program.

Let me point out we are already about 45 percent below what the administration asked. The Bennett figure would take it 12 percent below that. We would have a 12-percent negative growth over last year. We are not even keeping even.

Let me implore you, the House figure is simply last year's figure plus some inflation, not even full inflation. It is a no growth situation. Last year's figure plus no growth, that is what the $3.6 billion stands for. It is a reasonable figure. It is a figure reached by deliberation within the committee. We can sustain it. It is fair. We do not want to cut it more than a 12-percent cut over last year's spending, that would be ridiculous.

Everybody agrees that is the right figure. That is the reason we came out with it.

I urge you to vote "no" on Bennett; that supports the committee figure and that is the right figure.

Mr. Chairman, I reserve the balance of my time.

□ 1415

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RIDGE].

Mr. RIDGE. Mr. Chairman, Congress first appropriated $1.1 billion for SDI in 1984. I need not remind my colleagues that the intent was to engage in a long-term research effort so that a decision concerning feasibility of deploying such defensive system might be made in the mid-1990's.

No other defense program has enjoyed a 350-percent increase in funding totaling in excess of $10 billion since that time.

This amendment is reasonable, prudent, and necessary.

For my budget conscious colleagues concerned about meeting G-R targets, a freeze at last year's House approved level is consistent with your fiscal concerns.

For those who unfortunately believe more money guarantees success and automatically accelerates scientific progress, I remind you that this baseline figure is certainly going to be raised in conference, particularly in light of the Senate subcommittee's authorization of $4.5 billion.

For those interested and concerned about setting defense spending priorities, this figure of $3.1 billion diverts fewer resources from other critical defense needs.

For those who believe, as I do that the scientific community should be consulted at least as frequently as politicians and generals when decisions are made about funding levels and deployment, there is widespread approval for this amount as manageable, appropriate, and most importantly, as enough. I urge my colleagues to support the Bennett amendment.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, let me just say very quickly that what we are really doing when we adopt the strict interpretation of the ABM Treaty; if we were to go and adopt the Bennett amendment at $3.1 billion and we are to accept the McCloskey amendment that is yet to come on space-based KKV's, we would be, in essence, mortally wounding the entire SDI Program. Make no mistake about it.

$3.1 billion will mean that we will probably have to cancel the space surveillance satellite and the terminal phase radar. Why does that matter? That is the system that is going to discriminate between decoys and the real McCoys when it comes to warheads. That is absolutely crucial. Everybody who knows anything about SDI says that is probably the most crucial element of discovery that yet has to come in order to have an effective SDI system, yet we would probably be forced to cancel the research in this space surveillance satellite.

We would have to delay by 3 years that part of the SDI system that really can function, the HEDI, the ERIS, the low-altitude interceptors, the high-altitude interceptors and we would have to delay the SBKKV, the space-based kinetic kill, which can kill 10 warheads at one shot.

Ladies and gentlemen, $3.1 billion just does not do it. Accept this amendment, along with its strict interpretation and that McCloskey amendment, and we are systematically killing SDI. It is not what the American people want. The American people also do not want $288 billion in defense spending 3 years in a row of cuts.

I agree with the first speaker. We need to do more conventionally, and we also need to do what we have to do on SDI to make sure that we have a robust program that can determine what kind of resources are available for us to knock down those warheads.

Mr. Chairman, I respect the gentleman from Florida [Mr. BENNETT] greatly. He is a personal friend of mine, but I ask you in all sincerity to vote against the Bennett amendment. Support the committee position.

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Chairman, make no mistake, we are not voting for 3.1 or 3.6 here. What we are voting for is 3.1 versus over $4 billion. The mark of the Senate at 4.5 automatically will take it up to about $4 billion if we do not vote for this amendment.

There is enough money in the pipeline here, the impression being given that perhaps the whole program is falling apart. To that, I say baloney because there is enough money in the program right now, in the pipeline, that they could not even spend it if they wanted to.

Finally, Mr. Chairman, I just want to make this remark, that Mr. Abramson stated that the House has already devastated his program and SDI on the one hand; on the other hand, Mr. Weinberger is going all over the country stating that we have progressed so greatly and so fast, we are even ready for deployment.

The proper vote is to vote for the 3.1. That is the responsible position being taken for the security of our country.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, this is probably, even though I have a great deal of respect for the Members on the other side who have already spoken, about the most bizarre argument I have ever heard. We are the House of Representatives. We have a Committee on Armed Services. We came to the floor with a number for SDI and then the committee chairman offered a substitute which cut that.

It was accepted by this body, the House of Representatives. I think it is entirely bizarre that Members would have the temerity to come down to this well and address the people of the country, the Members of the House of Representatives, and say, "Do not worry about it; let us cut the figure more; let us cut it 12.1 percent below the House figure of last year in the agreed figure. Let us cut it because the Senate will take care of it." We are not the Senate. I think many of us would like to be Members of the U.S. Senate just for a couple of weeks, but the fact remains that they have their program; they marked the bill at $302 billion. We marked at 289. The least we can do is come up with a decent figure for SDI to continue medical research, laser research, and research into a program that might someday, with the advances that we have already seen, render incoming missiles impotent and unworkable.

Let us be Members of the House of Representatives and stick with the Committee on Armed Services, which had 2 shots at it and came up with the applicable figure of 3.6 billion. Let us retain that and not vote for a bizarre approach that says let us go down to 3.1 because the Senate will fix it back up.

Mr. BENNETT. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. Hertel].

Mr. HERTEL. Mr. Chairman, the gentleman from California [Mr. Hunter] has given me permission to use his expensive chart that we are talking about with the different numbers.

But it really makes it very clear. The chairman asks that if we want to get anywhere near the House committee mark, we should go into conference with Bennett at 3.1. Many Members say that they like the House amount of 3.6. If that is true, give us some room to bargain, because the Senate numbers, obviously, are very high, the 4.5.

If we go in at 3.1, we have a better chance of reaching that committee mark in the conference because that is the way it works.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. Dornan].

Mr. DORNAN of California. Mr. Chairman, are we talking about the defense of the United States or are we selling rugs or used cars? It dices, it slices, it blends, it is eighth from the top, third from the bottom.

When someone in this House is moving from deeply respected into the category of beloved, as Mr. Bennett is, it is very hard to speak against him. But honestly, if the President's SDI budget figure was adopted, it would be only about 2 percent of our defense budget.

This Bennett amendment cuts the SDI budget to 1 percent of the defense budget, 1 percent. That is ridiculous.

We are not selling a Kurdish rug. This is not some Arab market where we are pulling some dirty rug back and forth.

□ 1425

We are talking about vital strategic defense response programs. I am asking my Members on my side of the aisle, 17 of them minus the 1 who already spoke in behalf of the Bennett amendment, to vote against the Bennett amendment. If you want a positive rating by the American Security Council, the Coalition for Peace Through Strength, the American Defense Council, and all the rest of them, if you want a rating that you are strong for defense and you are going to want that rating next year, vote against the beloved Members from this great side and his amendment. You will only end up with what the chairman of the committee says he does not want. He is the only chairman that I have ever seen who works against the committee, the efforts of his own committee.

So I do not care what he said, my distinguished friend, the gentleman from Montana, Mr. Pat Williams, got up and said, "This is a pet rock," and he is going to vote $3.1 billion for a pet rock. What idiocy. The last gentleman out here wants to zero it out, but he says, "Let's throw a bone to it, a billion or two."

I say, vote for the committee language, for Pete's sake, and let us go over to conference where we can hold our heads high and not try to bargain a Turkish rug for the national defense with the other body.

The CHAIRMAN pro tempore [Mr. Durbin]. The gentleman from Florida [Mr. Bennett] has 4½ minutes remaining, the gentleman from Alabama [Mr. Dickinson] has 2 minutes remaining, and it is the option of the gentleman from Florida to close the debate on the amendment.

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. McCloskey].

Mr. McCLOSKEY. Mr. Chairman, it is always a pleasure to follow the distinguished gentleman from California [Mr. Dornan]. There was reference to a Turkish rug, but I would rather be on a Turkish rug that can take us somewhere than deal with the snake oil that some of the strongest proponents of the SDI would have us follow.

One of the main chugs of snake oil and all that is the idea that the scientific community is somehow unanimously and by acclamation agreed that all this is going to work right now for early deployment, when the American Physical Society, the leading body of cleared scientists of the United States, says we should study this for 10 years, "Don't do it now." The delayed deployment makes a lot of sense; $3.1 billion is a lot of money. It was only $900 million 4 years ago.

Even the scientists at Livermore Laboratory have been quoted as saying that $3 billion is enough generally to provide stability and reality for the work they want to do on the SDI. The Senate right now is over $4 billion, and I say we do not need to authorize $3.6 billion and we do not need to violate the ABM Treaty.

Mr. Chairman, I ask the Members to support the Bennett amendment.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. Olin].

Mr. PEASE. Mr. Chairman, will the gentleman yield?

Mr. OLIN. I yield to the gentleman from Ohio.

Mr. PEASE. Mr. Chairman, I favor the lowest feasible level of funding for SDI. Basically, I thought that the $1.2 billion in the Dellums amendment was about right. It would have permitted basic research but no development.

I have read and thought a lot about SDI. More and more, I am coming to a strong conclusion. In my view, star wars—if ever deployed—would be the biggest boondoggle in the history of our Nation.

First, the strategic defense initiative cannot possibly work as advertised. Proponents use TV commercials to picture SDI as an inpenetrable umbrella off of which Soviet missiles harmlessly bounce. Yet not even the most rabid SDI advocates claim that the "umbrella" could stop more than about 90 percent of incoming missiles. The Soviets have thousands of warheads; if only 100 got through, our cities would be in ruins.

Second, SDI isn't even designed to deal with other sources of nuclear attack—manned bombers, low-flying cruise missiles, low-trajectory missiles launched from submarines, nuclear devices smuggled into the United States.

If the impossible dream occurred and SDI were 100-percent effective against intercontinental ballistic missiles, nuclear war would still be an ever-present threat.

Third, logic makes it easy to predict the Soviet response to our proceeding with SDI. The middle word of SDI is "defensive," but in truth, SDI would give the United States tremendous offensive capabilities.

The U.S.S.R. would have no choice but to try to match our SDI with one of its own. It is already doing some SDI-type research. But technologically, the Soviet Union is inferior to the United States and would always lag behind in development of its own star wars.

And that poses another danger. In the interim, the U.S.S.R. logically would have little choice but to greatly escalate manufacture of missiles in order to overwhelm our SDI with sheer numbers of missiles.

Put yourself in the shoes of the Soviets and see if that doesn't make sense as an imperative Soviet response to our SDI development.

A new nuclear arms race would be ignited with fatal consequences for our hopes for arms control.

Fourth, SDI will be stupendously expensive at a time when U.S. fiscal budget deficits literally threaten our Nation's economic health and mortgage the future of our children and grandchildren.

Controversy rages over the $25 billion cost of the B-1 Bomber Program. SDI is projected to cost 40 times as much—$1 trillion. Who will pay the taxes to provide that $1 trillion, or will we add that too to the debt burden of our children and their children?

President Reagan has asked Congress for $5.2 billion for SDI for next year. That's for early research and development. Construction and deployment would come long after President Reagan has left office at a cost of perhaps $100 billion per year.

The bottom line is that at astounding cost SDI would fall far short of safeguarding the United States and would leave us less, not more, secure from the fear of nuclear holocaust.

The most common pro-SDI argument I hear from ordinary citizens is this: "If the Soviets are so upset about SDI, then it must be good for the United States."

That argument forgets the reality that some things are bad for everybody—ourselves as well as our adversaries. SDI certainly falls into that category.

No doubt the U.S.S.R. fears SDI from a national security viewpoint. As noted earlier, SDI would give the United States significant offensive capabilities.

But I suspect the Soviets are equally concerned about the cost of their obligatory efforts to match and overwhelm SDI. That cost would doom the hopes of the current Soviet leaders to improve living standards for their people.

Here's an important point. As a totalitarian state, the U.S.S.R. can surely force that sacrifice upon its citizens if it needs to. In democratic America, will voters be willing to sacrifice their own purchasing power to the higher taxes necessary for SDI?

Other pro-SDI arguments I hear are that SDI is the kind of scientific and technological mountain that Americans like to climb just for the sake of the challenge; that civilian enterprises will benefit from SDI scientific spinoff as was the case with our man-on-the-Moon project; and that defense firms holding SDI contracts will provide lots of jobs.

Common sense and a little sober reflection ought to tell us that even America can't afford to pursue every will-o-the wisp; that spinoff benefits are far too costly if the primary purpose of a project is not sound; and that the manufacture of weapons is an inefficient way to create jobs unless the weapons are needed.

Star wars has, admittedly, superficial appeal as a general concept. But with $1 trillion of taxpayer money, we would not be building a general concept but rather an incredibly complex array of terrestial hardware. The truth is that SDI simply won't stand up to any kind of reasonable, practical, objective analysis.

Mr. OLIN. Mr. Chairman, let us take a look at where we are. We have had three votes now. On the first vote we stated definitely that we did not want to increase the amount for SDI. On the second vote we decided we did not want to cut the funding for SDI to the point where it would kill the program. On the last vote we said that the committee level was moderately acceptable, but really not quite acceptable although it was in the ballpark. That is about where we are.

I think it is very clear to all of us that if we vote for this amendment offered by the gentleman from Florida [Mr. Bennett] we will settle at 3.1 and we are going to end up in the conference, even though some do not think that is the right way to do it, and we will end up around 3.7. That would mean a slight increase for SDI. That is one reason for voting for this amendment.

The second reason relates to where this program is. For the last couple of years we have been sliding upward in our financing of SDI. On a pretty arbitrary basis we have been sliding upward. In 1 year the administration says that we are going to have some demonstrations, and the next year we say that we are going to deploy early.

What this Congress is saying is that we do not want to give more money to SDI until we know where we are going. We do not know where we are going, and we need to find out where we are going. In the meantime we ought to vote for Bennett to keep the funding steady and reliable, and then we ought to really insist on a plan that makes some sense that we can all follow.

Mr. Chairman, I ask the Members to vote for the Bennett amendment.

Mr. DICKINSON. Mr. Chairman, may I inquire, does the gentleman from Florida [Mr. Bennett] desire to close?

Mr. BENNETT. I desire to close, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. Dickinson] has 2 minutes remaining and the gentleman from Florida [Mr. Bennett] has 1½ minutes remaining.

Mr. DICKINSON. Mr. Chairman, I yield myself the balance of my time to close the debate on this side.

Mr. Chairman, just to reiterate and to recapitulate what has been said, the top figure that we keep hearing about that the Senate is going to take care of, that is one that was passed in the Senate committee. It has not gotten to the floor. We do not know what the full committee of the Senate is going to do, with the Democrat majority over there. This is not a fixed figure, and we cannot count on it. It is ridiculous for us to legislate over here, betting on what they might do and what we might be able to do if and when we get to conference.

The figure is $3.6 billion. That is the committee figure. That is the figure that is agreed almost universally is the proper figure.

What does that figure represent? It represents last year's spending level, with not even full inflation considered.

What does the lower figure represent? It represents a 45-percent cut over what was asked for by the administration and a 12-percent negative growth over last year. So it is not a level program, as has been said over there, if we go by that figure.

We only have one vote. There is only one question at issue now. Do we cut down even further? Let me point this out now. The chairman of the committee offered a conforming amendment. He took out $18 billion below the committee figures, but the SDI funds were left in there. They were left in because they were important and were felt to be the correct figure. Now we are being asked to cut half a billion even below that. It is unrealistic.

We have one vote. We can vote for the Bennett amendment, which takes it down. If we vote "no" on the Bennett amendment, then we do not have another vote because the committee amendment automatically prevails. It stays in there, as it should and as we hope it will. It cannot be more simple than that. If we vote "no" for Bennett, we preserve the committee position. It is a fair position, and it should be sustained.

The CHAIRMAN pro tempore. The gentleman from Florida [Mr. Bennett] has 1½ minutes remaining.

Mr. BENNETT. Mr. Chairman, I yield myself the balance of my time.

Mr. VALENTINE. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from North Carolina.

Mr. VALENTINE. Mr. Chairman, I rise to express my support for this amendment.

Mr. Chairman, I rise in strong support of the amendment offered by Mr. Bennett, Mr. Ridge, Mr. Olin, and Mr. McCloskey.

There are three compelling reasons to fund SDI at a level of $3.1 in fiscal year 1988 as provided in this amendment.

First, we face a serious budgetary crisis. It is imprudent and unwise to commit more taxpayer dollars to this long-term program than we can spend productively and efficiently in 1 year.

Moreover, in a period of increasingly scarce resources, we cannot afford to shortchange vital conventional defense programs that protect us now in order to engage in a breakneck effort to develop a technology that might or might not be integrated into our deterrent at some future date.

Second, it is important to continue the SDI research effort at a vigorous, effective rate that would expand our capabilities and protect us against a sudden technological breakthrough by the Soviets. This amendment is consistent with that goal.

Third, there is a real danger of overselling SDI to the American public. Statements by overzealous advocates of the program suggesting that more money for SDI will produce an impenetrable shield that will protect our population from all nuclear threats are misleading and damaging to our national security efforts. Continuing the research program at the pace permitted by this amendment would help to keep public expectations at a realistic level.

In short, Mr. Chairman, I believe that SDI must proceed at a measured rate and have realistic, achievable goals if it is to produce maximum results. It is not a quick fix for all our defense problems.

In setting priorities in this defense authorization, we must make through tough choices. We cannot sacrifice essential, proven programs and other high-priority research in favor of a speculative effort on SDI.

In my view, this amendment offers the best balance among our various national security requirements. I urge my colleagues to support this practical, commonsense approach to SDI.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I rise in support of the Bennett amendment. I believe it sets the stage for a compromise between the House and the other body. History shows this to be the case.

Mr. Chairman, I place in the RECORD a chart that shows what the conference committee will probably do on SDI funding is history is any guide. The chart is as follows:

SDI FUNDING HISTORY (DOE FUNDS INCLUDED)

[Dollar amounts in billions]

	House	Senate	Conference	Percent to Senate
Fiscal year:				
1985	$1.4	$1.63	$1.63	100
1986	2.75	3.25	3.05	60
1987	3.12	3.95	3.55	52
1988	3.12	4.50	3.81	50
	(1)	(2)	3.95	60

(1) Bennett.

(2) SASC mark.

Mr. TRAXLER. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Chairman, I rise in support of the Bennett amendment.

Mr. Chairman, let me say to the gentleman that if indeed the House figure of 3.6 is correct, we ought to support the Bennett amendment because the history in the record of the House conferees is that we have agreed with 70 percent of the Senate figure. So history being our teacher, if indeed we want 3.6, we should vote for the Bennett amendment, because that is what we will get.

Mr. BENNETT. Mr. Chairman, I appreciate the contribution of the gentleman from Michigan [Mr. TRAXLER].

I would like to say that in arriving at the 3.1 percent, I did not myself arrive at that percentage on the basis of figuring out what was going to happen in the Senate. I realize that in the conference we have been on the average giving 70 percent of everything the Senate wanted. In other words, we have moved away from the center every year.

But I did not arrive at it that way because I wanted the Members to have an intellectual reason for being at 3.1. That intellectual decision was arrived at by asking people from the staff of the House Armed Services Committee first and then asking people in the Pentagon and outside the Pentagon for their views.

Dr. Robert Cooper, whom many of us know, former Assistant Secretary of Defense for Research and Technology, said this:

> If one wanted to proceed at a prudent pace to try to achieve maturity in the advanced technologies (in this field), I would say that could be done at maybe $3 billion a year for the next 10 years * * *.

You cannot get a higher authority than that.

Dr. Robert Sproull, a member of the SDI Science Advisory Board and former Chairman of the Defense Science Board, said this:

> $3 billion would hold the first team in place and guard against a Soviet breakout from the ABM Treaty.

Mr. FAZIO. Mr. Chairman, I rise in support of the Bennett-Ridge amendment to limit SDI funding to $3.1 billion.

The amendment doesn't shut down SDI; it provides enough funding to support a vigorous and robust research and development program.

Nor does the amendment weaken SDI; the Bennett-Ridge amendment strengthens the program by forcing our defense planners to keep the program focused on funding research in the most promising new and exotic technologies that promise enormous advances in defensive systems rather than gambling on a broad array of fronts including early deployment of 30-year-old technology like the SBKKV.

A vibrant SDI research and development program can be valuable to our negotiators in Geneva. This amendment provides us with that kind of program. And a vibrant SDI research program may eventually be valuable to the United States and our allies as a defense against a ballistic missile attack. But it is far too early for this body or this administration to think about deployment.

A recently released report by the American Physical Society [APS] concluded that "even in the best of circumstances, a decade or more of intensive research would be required to provide the technical knowledge needed for informed decision about the potential effectiveness and survivability of a directed energy weapon system."

Further, the APS report states emphatically that potential Soviet countermeasures pose a significant threat to the effectiveness of any space-based defensive system. In short, it would take far fewer resources and far less technical sophistication to defeat SDI than to develop and deploy such a system.

In as little as 30 minutes, a space-based defensive system would be required to detect, positively identify, assign weapons to and destroy 100,000 or more targets. That includes more than 10,000 multiple maneuvering, independently targeted reentry vehicles which could be expected from an all-out Soviet offensive as well as tens of thousands of decoys.

The computer advances alone that would be required to develop a successful system are hard to comprehend for even our brightest computer scientist. A full-scale attack would require computers that could perform trillions to quadrillions of operations per second, that's a thousand or more times as fast as today's most powerful machine.

The technical merits of SDI are clearly still in question. SDI is a long way from providing President Reagan's promised leakproof defense that renders nuclear weapons impotent and obsolete.

But this debate is not about the current technical merits of SDI. This debate is about what level of funding will provide the Pentagon with a strong SDI research and development program that makes sense from a budgetary as well as conceptual viewpoint.

The SDI planners in the Pentagon have shown no concern for the current fiscal constraints of the Federal budget. Since 1984, the SDI budget has more than tripled, jumping from $1.2 to $3.5 billion in fiscal 1987. And in fiscal 1988, the administration continued this pattern of fiscal irresponsibility by proposing a 60-percent increase over the current funding level for SDI or $5.2 billion.

It's time for the star wars boosters to come down to Earth. Congress is not ready to turn the planet into a death star. And even if we knew that SDI could provide the United States and our allies with a perfect astrodome defense we would be hard pressed, given our current fiscal constraints, to find more than $3.1 billion in this budget for SDI.

In addition, the Pentagon still has not explained where SDI fits in conceptually with our overall strategic modernization program. The President and the Secretary of Defense have even disagreed over whether SDI will replace or enhance deterrence. And the Pentagon's current strategic basing mode proposals have no relation to the defensive protection that will allegedly be afforded by SDI at some point in the future.

A vote for Bennett-Ridge is a vote to keep SDI a vigorous research and development program. It will enable the program to meet its original objective of yielding the information needed to make an informed decision in the early 1990's on whether or not to develop and deploy a space-based defensive system.

A vote against the amendment is a vote for early deployment, a vote for a system that will provide less than complete coverage and a system that our strategic planners have yet to show has any relation to the survivable deterrent of our strategic forces.

I urge adoption of the amendment.

Mr. FRENZEL. Mr. Chairman, this year's defense debate includes far more specific consideration of the strategic defense initiative [SDI] than has occurred in previous debates. The SDI Program has progressed sufficiently that we must carefully reconcile it with the Anti-Ballistic Missile [ABM] Treaty's provisions, and we must make significant decisions about research priorities.

I support the amendment offered by Mr. BENNETT to reduce the overall SDI authorization to $3.1 billion, the level approved by the House last year. This amount is sufficient to allow continued investigation of SDI technologies. At the same time, it holds in the reins on the program's skyrocketing cost.

Mr. Chairman, last year the House approved $3.1 billion for SDI. I approved of that figure. In conference, the mark rose to $3.5 billion. That figure was respectively high. This year, the administration requested $5.2 billion for SDI. That figure is too high. It would provide the program with more money than could be wisely spent. A return to $3.1 billion, with slippage almost inevitable in conference, strikes me as a House level that is responsible both to the Nation's defenses and to the Nation's economy.

This year we also are confronted with a variety of decisions regarding near-term deployment, and of reconciling SDI with the ABM Treaty. In my judgment, SDI remains a long-term project. Amendments to restrict or to direct tests or deployments of uncertain technology should be rejected. We should do the research and see where the technology takes us, rather than settling for quick results which may be technologically unattainable and strategically flawed. It remains in our best interest to follow an existing treaty which has ensured the stability of the United States-U.S.S.R. strategic balance, rather than to discard the treaty for a reliance on expensive missile defense competition.

I would prefer that we continue with current negotiations, and cast aside existing treaties only as a last resort. If and when our ABM/SDI Program is more developed and effective, reinterpretation may be necessary, but that action surely is still premature at this time.

The CHAIRMAN pro tempore. All time for debate on the pending amendment has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ASPIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 199, not voting 14, as follows:

[Roll No. 110]

AYES—219

Ackerman
Akaka
Alexander
Anderson
Applegate
Aspin
Atkins
AuCoin
Bates
Beilenson
Bennett
Berman
Biaggi
Bilbray
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brown (CA)
Bruce
Bryant
Bustamante
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Clarke
Clay
Coelho
Collins
Conte
Conyers
Cooper
Coughlin
Coyne
Crockett
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Garcia
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Grandy
Grant
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hefner
Hertel
Hochbrueckner
Horton
Howard
Hoyer
Hughes
Jacobs
Jeffords
Jenkins
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McHugh
Meyers
Mfume
Mica
Miller (CA)
Mineta
Moakley
Moody
Morella
Morrison (CT)
Mrazek
Murphy
Nagle
Natcher
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Owens (NY)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Price (IL)
Price (NC)
Pursell
Rahall
Rangel
Regula
Ridge
Rodino
Roe
Rose
Rostenkowski
Roth
Roukema
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Snowe
Solarz
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Thomas (GA)
Torricelli
Towns
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOES—199

Andrews
Archer
Armey
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boehlert
Boner (TN)
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Byron
Callahan
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coleman (TX)
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Donnelly
Dornan (CA)
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
English
Erdreich
Fawell
Fields
Flippo
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Goodling
Gradison
Gray (IL)
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hiler
Hopkins
Houghton
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
Johnson (CT)
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lloyd
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morrison (WA)
Murtha
Myers
Nelson
Nichols
Nielson
Ortiz
Owens (UT)
Oxley
Packard
Parris
Pashayan
Pickle
Porter
Quillen
Ravenel
Rhodes
Richardson
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schaefer
Schuette
Schulze
Sensenbrenner
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Spratt
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Thomas (CA)
Upton
Vucanovich
Walker
Weber
Weldon
Whittaker
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOT VOTING—14

Annunzio
Anthony
Brooks
Combest
Ford (TN)
Holloway
Jones (NC)
Livingston
Ray
Roybal
Tauzin
Taylor
Torres
Vander Jagt

☐ 1440

The Clerk announced the following pairs:

On this vote:

Mr. Anthony for, with Mr. Brooks against.
Mr. Roybal for, with Mr. Combest against.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HOLLOWAY. Mr. Chairman, during the vote on the Bennett amendment I was unavoidably detained. I would like to have the record show that had I voted, I would have voted against the Bennett amendment.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). Pursuant to the notice provided by the chairman of the Committee on Armed Services on May 11, 1987, under paragraph (8) of section 2 of House Resolution 160, it is now in order to debate the subject of the strategic defense initiative for 60 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the following amendments, contained in section 1 of House Report 100-84, in the following order only:

(A) By Representative KEMP;
(B) By Representative MCCLOSKEY;
(C) By Representative HERTEL;
(D) By Representative COURTER;
(E) By Representative DOWNEY of New York;
(F) By Representative OLIN;
(G) By Representative AUCOIN or Representative BENNETT;
(H) By Representative DORNAN of California; and
(I) By Representative BUECHNER.

☐ 1455

Under the rule, the gentleman from South Carolina [Mr. SPRATT] will be recognized for 30 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, we have no comments to offer at this time, but we reserve the balance of our time.

Mr. DICKINSON. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. KEMP].

Mr. KEMP. I thank the gentleman for yielding time to me.

Mr. Chairman, I just want to remind our colleagues in the House that at this moment there absolutely is no defense of the American people or of our deterrent from the threat of a ballistic missile attack, either launched on purpose by an adversary or a terrorist or by accident. None whatsoever.

As this debate continues, I want to remind all Members that by treaty we signed away the right to defend ourselves.

Now, the debate is going to take place over the availability of technology to defend the United States and our allies. It is going to take place over cost, as the previous amendments highlighted. And of course it is going to take place over the moral imperative or lack thereof of defense for our deterrent and our citizens.

I want to remind the Members that it is not just Ronald Reagan who believes in the vision of a strategic defense for America. Other than the President, the second strongest supporter of the idea of strategic defense technology is Mikhail Gorbachev of the Soviet Union.

There is no debate in the Politburo. They not only believe that it will work, they have spent $150 billion or so in equivalent rubles over 10 to 15 years in developing ballistic-missile defenses, air defense, theater defense, and strategic defense.

They have the only ABM system in the world, deployed around Moscow. They have hundreds of mobile SAM-12 interceptors which are ABM capable. They are mass-producing components and erecting the infrastructure to break out of that 1972 ABM Treaty in a very short period of time. The combination of their ABM system in Moscow, coupled with the mobile SA-12 interceptors, combined with a nationwide phased-array radar system that even this House unanimously declared was a violation of ABM, give the Soviet Union a strategic defense capability second to none.

So the debate in this House today is not solely whether we are going to develop and deploy SDI; the question is what would the world look like with a Soviet Union capable of offensive first-strike capability coupled with a monopoly on strategic defensive capability? What kind of a world would that be?

I want to say parenthetically that I do not believe that the Soviet Union wants to use their arms. Winston Churchill put it best after the war. He said that the Soviet Union does not want war, they just want the fruits of war. Of course that is good Clausewitzian theory: That the art of war is not to have to commit your troops to battle, the art of war is to capture the enemy's strategy. The Soviets feel that the enemy's strategy would be captured if they have both offensive defensive superiority.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. KEMP. I yield to the gentleman from Texas.

Mr. WILSON. I thank the gentleman for yielding.

Mr. Chairman, does the gentleman generally agree that for the past 40 years basically the Soviet Union has enjoyed a vast conventional superiority which has more or less been offset by our nuclear threat and by our technological edge?

Mr. KEMP. Absolutely. I totally share the gentleman's premise. The Soviet Union, particularly in the Warsaw Pact-NATO theater, has an overwhelming conventional capability which alone is offset by the nuclear deterrent. I want the gentleman to know, although we have not talked about this personally, that I do not favor denuclearizing Europe. I agree here with Mrs. Thatcher, who from the podium said just that, a year and a half ago. The Prime Minister reminded us that it is the West's nuclear deterrent that prevents Europe from being overwhelmed. She supports the INF deterrent forces that was deployed in NATO Europe in 1983-84.

Mr. WILSON. I agree with the gentleman there, too, but if the gentleman will continue to yield, I would think that his position and my position are probably not going to prevail, that certainly all evidence is toward a treaty which will pull the large number of intermediate-range ballistic missiles out of Europe, leaving only the conventional superiority of the Soviet Union. Would the gentleman agree that it looks as though that is what is going to happen?

Mr. KEMP. Well, let us hope that it is far enough down the road, I would say to my friend from Texas, that some real tough questions are asked about verifiability and compliance.

Mr. WILSON. Assuming that the gentleman's views and mine do not prevail, and Mr. Thatcher's and the German Chancellor's—it does not look as though our view is going to prevail. It looks as though we are going to sign this treaty. If that is the case, then that deterrent will be removed and it will only be their enormous conventional superiority versus our hoped-for technological edge.

Would it not seem to be the most reckless possible move for the Congress to do something that is going to remove that technological edge?

Mr. KEMP. I want to say that I agree with the premise upon which the gentleman's statement is based, and go a step further. The technological base of a free society is insurmountable by the Soviet Union. It is the one edge that we must never give up. It is the edge that the free mind of a free people in a free society must never lose, and I think that it is the thing that scares the Soviet Union the most. I think that it is the reason that they are back at the negotiating table. I do not mean that it should be used provocatively or to expand our borders, but it should be used for the defense of the United States, our people, our deterrent, our allies.

I want to say that even though some of my colleagues do not believe in SDI, one, the same technology that we are debating today is being developed in the Soviet Union, and two, it is the type of technology that would help defend Europe and Israel from the threat of a ballistic missile theater attack. Europe and Israel today are spending substantial amounts of money to try to develop ATBM—anti-tactical ballistic missile defense. It seems to me—I am not going to use the word "hypocritical," but it is disingenuous in the extreme for Members to say that we are willing to share the technology with Europe, we are willing to share the technology with Israel, but we will not use that same technology to defend the American people against the Soviet threat.

One poll taken recently by Penn & Schoen, a very respected pollster, said, believe it or not, that two-thirds of the American people think that we are now defended against ballistic missiles.

I think that it is important to this debate to remind not only our colleagues but the American people that we have no defense against ballistic missiles. We defend ourselves against tanks, we defend ourselves against submarines, we defend ourselves against aircraft to a certain degree. We do not—we do not, repeat—defend ourselves against the threat of a ballistic missile attack. It seems to me in the context of this debate that we ought to remind ourselves that there have been several recent experiments in technology, both exotic technology as well as very much proven, off-the-shelf technology of kinetic-energy weapons that could be deployed in the near term.

Mr. Chairman, I will be offering an amendment to direct the Department of Defense to initiate full-scale engineering and development of a first-phase strategic defense by 1993. I am aware that I will not win debate over my amendment. But I want to send a very sharp signal to this administration that the question of whether or not to deploy SDI is not a technological debate, it is a political debate. And if there is to be a political debate, there has to be someone to stand beside those men and women who understand the efficacy of a strategic defense technology, and to tell this administration, irrespective of what the left wing wants in Europe and in the United States, that we believe that it is morally imperative, politically practical, technologically feasible, and fiscally responsible for us to move to deploy off-the-shelf kinetic-energy weapons in a point defense, in an ex-atmosphere defense, and in the boost-phase defense of the United States of America.

□ 1505

I want to remind my colleagues on the Democratic side of the aisle that President Kennedy, in 1962 did not stand up before the American people and say, "We are going to research and test to see whether or not we might be able to put a man on the Moon." He did not say that at all.

He said, "We are going to go to the Moon." I do not know if he knew that we could do it. I believe in my heart that he believed we could.

There were a number of scientists who questioned whether it should be done, but President Kennedy made the political decision, and Wernher Von Braun and the distinguished scientific community cooperated in achieving one of the greatest accomplishments of modern history.

If you think going to the Moon is important, it is at least equally important, and I would agree more important, to defend our families, our children, our allies, and to begin to develop a technology that is peaceful, that is positive, and will prevent war, both in space and on Earth.

And it is irresponsible for the left wing critics of SDI to call SDI "star wars." SDI is not "star wars," it is designed to prevent war. Its purpose is to prevent war, and I think that is a moral imperative.

Would SDI be a perfect shield? No. Can it disrupt the Soviet planners? Yes, and I would hope that you would vote in favor of forcing this administration to move to an IOC date of 1993 for the development and deployment of strategic defense.

Mr. SPRATT. Mr. Chairman, I yield 5½ minutes to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise for purposes of general debate and also in specific opposition to the Kemp amendment.

I am primarily concerned from a standpoint of three areas. First of all, I think it would be very foolish and unauthorized to break the ABM Treaty. There are severe problems and concerns as to costs; for example, on the space-based kinetic kill vehicle. The stronger proponents would admit that the costs of the initial launches in 1992 to 1994, whenever it would be, would be in the area of $60 billion plus, and as we also know from recent scientific reports, there is a real concern about survivability.

In particular, the recent report through Senator JOHNSTON's staff that some 85 percent of our missiles would be vulnerable in the event of an all-out confrontation involving the space-based kinetic kill vehicle.

Particularly in a letter to us recently, and I would say also, to allude to some statements just made, the gentleman from New York [Mr. KEMP] is dead wrong in a number of assertions that he makes the case for immediate SDI deployment.

In a letter to us recently, the gentleman from New York [Mr. KEMP] said that there is a "consensus," that there is "more rapid progress than anticipated" when SDI began.

Mr. Chairman, I would suggest that the leading scientific community in the United States in the last 2 or 3 weeks has spoken most authoritatively in this regard when the Association of Physical Scientists, people from such institutions as Harvard, MIT, AT&T, Bell Laboratories, the Lawrence Berkley Laboratory, the Sandia National Laboratory, the Air Force Weapons Laboratory, and the California Institute of Technology said that there is no justification at this time for any sort of "deployment now" philosophy.

I would note that all these people are not leftists or of the left, or anything like that. They are people working for us with top security clearances.

What did they say about the technology touted in the President's March 23, 1983, speech?

> * * * We estimate that even in the best of circumstances, a decade or more of intensive research would be required to provide the technical knowledge needed for an informed decision about the potential effectiveness and survivability of directed energy weapon systems. In addition, the important issues of overall system integration and effectiveness depend upon information that, to our knowledge, does not yet exist.

The Associate Director of the Livermore National Lab, Dr. George Miller, surely no opponent of SDI technology, of our Nation's security, was recently quoted in the last week of March:

"What is the value of the deployment of a space based KKV if it can be overcome? We, in fact, even have some ideas that suggest they (the Soviets) would not have to develop a brand new fleet of missiles, but merely modify the ones they have. * * *"

Such a system also would require that we first abandon the ABM Treaty, and the House has gone on record that we do not want to do that, so on that basis alone, the amendment should be rejected.

The gentleman from New York [Mr. KEMP] has also asserted that Americans may not understand the intricacies of smart bullets. But, they understand what it means to have Soviet missiles pointed at them, and I am sure that is correct; but Americans want to be defended.

Deterrence has been the cornerstone of our national security, but a defense that cannot survive attack cannot deter nuclear war.

Former Secretary of Defense Harold Brown, an American who may very well understand the intricacies of SMART bullets put it this way:

> * * * A system employing ground-based and space-based kinetic kill vehicles could not be expected to be cost-effective against a major Soviet strategic attack, even if it were directed at U.S. strategic forces rather than at the U.S. urban-industrial complex. The system would be still less effective at defending the latter set of targets. In other words, a Soviet attack reconfigured to penetrate the system would be able successfully to attack its targets * * * Moreover, the offense could also directly attack the defensive system, especially its space based segment, blinding its sensors or destroying its satellites.

One crucial factor already alluded to which has not been discussed in the letter of the gentleman from New York [Mr. KEMP] has been the question of cost.

Even supporters have to concede that the price of a multilayered SDI system will be at least $121 billion.

Other estimates go over $300 billion. What sort of money is this in constant or then year dollars? We just do not know.

The George C. Marshall report says only a "modest" Soviet effort would be required to blind or disable three or four low-earth orbit sensor satellites which are the fire control eyes of the system. The satellites themselves are estimated to cost $1 billion each.

I would also say again, the American Physical Society points out, and I will abbreviate because of the concerns of time, that anything we are likely to put up there in the late 1980's, early 1990's, would be very susceptible to Soviet technologies that are much less costly than the technologies that we have put up, so for these and numerous other reasons, Mr. Chairman, I respectfully suggest that we today go on record as defeating the Kemp amendment.

Mr. DICKINSON. Mr. Chairman, I yield 16 minutes to the very ebullient, veracious, distinguished gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank my colleague for yielding me this time.

Mr. Chairman, it is impossible to have a discussion about the Strategic Defense Initiative and arms control without really discussing the national interests and how we can best serve those interests in the House of Representatives.

I think we have to look to what it is going to take to maintain a deterrence against the Soviet Union. Very simply, that means to keep the Soviet Union from attacking us. That is what deterrence really is. It is not arms control in an isolated sense. It is keeping the other side from wanting to attack the United States.

We have a constitutional responsibility to provide for the common defense. As was pointed out earlier, that does not mean just defending Cheyenne Mountain, it does not mean defending command and control centers, it does not mean defending submarines by hiding them. It means providing for the defense of the American communities that are scattered between our two coasts. We have been really abrogating that responsibility, because in the doctrine of mutually assured destruction our people are held hostage to our strategic policy, and there is no defense. I think this is a point that has to be made again and again to the American people, because they do not realize it, but there is no defense against incoming ballistic missiles.

It is really a misnomer to talk about SDI as star wars because it is really a system that defends against land explosions, nuclear explosions in the American community. If we do not want to rely on deterrence, the only alternative is to rely on Soviet good will.

The other day we had a little Afghan boy who walked down the aisle here and talked to a number of Members on the Democrat and Republican side. He was limping because he had met the Soviet representatives who were flying Hind helicopters in Afghanistan, who had fired them at him as he walked away from a small village and he had been shot quite badly.

This community, Washington, DC, and throughout the United States, is filled with victims of Soviet good will. The Afghan people, the Cambodian people, the Cuban people, many people throughout the world realize that for weaker people who do not have a strong military system there is no Soviet good will.

So what we are really talking about is maintaining a deterrence against the Soviet Union's aggression against the people of the United States.

I think that deterrence can be made up of two things. It can be made up of a retaliatory capability, but also a defensive capability, a capability to stop Soviet ballistic missiles. Once again, I would challenge my friends in the House who cite all of these scientists who claim that the Strategic Defense Initiative cannot be accomplished, that it is impossible, in 1962 a dollar would buy one four-millionth of the computing power that it will today, and very few people at that time would ever have predicted we could do as much with technology in computers as we in fact can do. All we are doing with SDI is asking the question: Can we defend America?

Maybe when we have the answer to that question we should go one way or the other politically. But we are doing a disservice to our people to not ask the question. I mean that is what SDI does.

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to my friend, the gentleman from New York [Mr. KEMP] to ask him what we could do with the early deployment of SDI? What kind of system could we build if we went into the early 1990's and attempted to deploy?

Mr. KEMP. Mr. Chairman, I appreciate my friend from California yielding.

Before I answer that, I just want to remind my colleague on the Democratic side of the aisle that the very same arguments he was making against the Kemp amendment to move towards a specific IOC date or specific date for development and deployment have been used before—and proven wrong. When Churchill got up on the floor of the House of Commons in 1933, 1934, and 1935 and was arguing for an air defense ministry against Nazi bombers, the argument was made, no, it is too costly. Do not pay any attention to Churchill—the bombers will always get through. The technology of a bomber can offset the technology of defense, they said. Radar will not work they said; It is too costly.

I will tell my colleagues what was costly: The loss of lives in Britain. In the battle for Britain the loss of young men at the Battle of Dunkirk was because of the ill-preparedness of the British Empire for the harsh realities of an adversary that was moving quickly to rearm.

The argument is made today that there is nothing we can do about the Soviet ballistic missile threat. The gentleman from California is well aware of an event in 1984 over Kwajalein Island in the South Pacific. An interceptor missile was launched from Vandenberg Air Force Base against an ICBM launched by the Army at Kwajalein 120 miles into the air. That missile traveled thousands of miles and destroyed its target.

That kinetic energy weapon intercept, while certainly far from a complete system, at least provided the technological base for perfecting this wonderful technology. I say wonderful because it should be reassuring to ourselves to have the ability to defend against a missile attack. A derivative of the same technology is under study by Israel, which desperately needs a defense against SS-21's deployed in Syria, and the anticipated deployment of Soviet SS-23's that could reach into the military bases of Israel within just minutes. There needs to be a defense against ballistic missiles for Europe, for Asia and for Israel, and that technology is at hand.

There is one other point that I want to make.

□ 1520

When we are fighting a war such as the war we are fighting against cancer, we do not wait for some perfect weapon. We deploy every single thing we can find that is efficacious in the war against cancer, whether it is leukemia, bone cancer, breast cancer, brain cancer; we use all of the weapons we have. What the Kemp amendment says is let us begin to develop what we can now to provide a first layer defense in the early 1990's.

I think the gentleman from California is well aware of the HEDI Program, the ERIS technology, the ability to deploy right now at Grand Forks, ND, a point defense system and ultimately expand it to include the continental United States. This would be only a beginning, not a perfect defense; but in my view even limited deployments would introduce so much doubt into the minds of the Soviet Union about the ability to mount a successful attack on the United States that they would never be tempted even to threaten such an attack. Second, a U.S. SDI deployment would cause them to divest resources away from their offensive buildup, to attempt to find ways to overcome our defense. And that is the type of technological race they can never win.

I thank the gentleman from California for drawing attention to the fact that there is an architecture that could be built up by 1992, 1993, 1994, at a reasonable and prudent cost, probably somewhere in the range of 3 to 4 percent of our total defense budget. That seems to me to be prudent over the next 5 to 7 years and it is something that I think this country not only should make a political decision about, but I think it would be the one thing that would make the Soviet Union begin to be serious about negotiating a reduction in offensive capability.

Mr. HUNTER. Let me make one point with my friend from New York because I think it is an excellent point.

He points out that the SDI budget is really only 1 percent of the defense budget and yet it was that 1 percent that most experts on the left and the right agree brought Gorbachev to the negotiating table. So how valuable was that 1 percent of the defense budget that finally brought the Soviets, after all of the so-called experts had predicted they would not come to the negotiating table, to the negotiating table? I would say it was a very valuable investment by Democrats and Republicans in this House.

Mr. KEMP. Mr. Chairman, will the gentleman yield further?

Mr. HUNTER. I yield briefly to my friend from New York.

Mr. KEMP. I thank the gentleman for yielding.

I would ask my colleague from San Diego for this additional time. Last October the gentleman mentioned some key Democrats, former Secretary of Defense Harold Brown who was opposed to it—and no wonder. He was opposed to the air-launched cruise missiles, sea-launched cruise missiles, against production of the B-1. What about Eugene Rostow and Zbigniew Brzezinski? They are distinguished Democrats who support beginning the development and deployment of a strategic defense for ourselves, our allies in Europe, in Israel and Asia. I think we ought to get on with it, and I think enacting the Kemp amendment would be a helpful message not only to the Soviet Union but to this White House that we in Congress think it is time to make that political decision that we have been waiting so long for.

I thank my colleague.

Mr. HERTEL. Mr. Chairman, will the gentleman yield.

Mr. HUNTER. I yield to my friend from Michigan.

Mr. HERTEL. I thank the gentleman for yielding.

I want to get back to the facts of the situation.

The gentleman from New York, toward the end of his earlier remarks, talked about a percentage as cost. I notice in reading his entire amendment even though he calls for the initial deployment that he has no cost figure, no dollar figure at all. Could the gentleman tell us what this system would cost under his amendment?

Mr. KEMP. Mr. Chairman, will the gentleman yield.

Mr. HUNTER. I yield to the gentleman from New York.

Mr. KEMP. The Kemp amendment does not talk about cost because it does not mandate any cost. It just tells the Department of Defense to come up with a plan that would give us an IOC date in 1993. They then would submit that to the Congress and that then would be at least a program we could debate without all of this esoterica. We would have something specific to debate. What I object to is research and testing, and research and testing ad infinitum with no end in sight. It is time to get on with the business of developing and deploying the system.

Mr. HERTEL. What would the cost be?

Mr. KEMP. The Marshall Institute estimates it would be $121 billion over 7 years.

Mr. McCLOSKEY. Mr. Chairman, will the gentleman yield.

Mr. HUNTER. I yield to the gentleman from Indiana.

Mr. McCLOSKEY. I thank the gentleman for yielding.

I thank the gentleman for yielding for a question and a statement. First I think it somewhat represents that anyone who is not in a "deploy now," "massive funding" mood is somehow absolutely certain that the SDI will never work. That is not true. I would hark back to the American Fiscal Society's statement that this work is necessary and should go on for the next 10 years and then we could make a decision as to deployment.

Second, I would say also that Mr. KEMP really did not answer the question implicit in his amendment that was raised by myself and Mr. HERTEL. The proponents of such policies are talking $60 to $150 billion now for a very vulnerable technology which has been in effect downgraded by the top and militarily cleared fiscal scientists in the United States. I think that is a legitimate question both as to efficiency and cost, Mr. KEMP, and where is the money coming from?

Mr. HUNTER. I thank the gentleman.

Let me just make a point that SDI in itself really asks the question. If people will agree that we need to at least ask the question "can we defend against incoming ballistic missiles?" to some degree the quickness with which we get that answer is going to be a function of the amount of resources that this House is willing to put into it.

You are not going to have an early answer to the question if you do not spend some money for it.

I yield to my friend from Michigan.

Mr. HERTEL. The gentleman from California is very honest in presenting that question and that is why I am glad we are talking about the facts of the situation here.

The gentleman from New York talked about the first 10 years. So I think you are talking about the initial operating capability, $50 billion. What would the full operational cost be of the gentleman from New York? If he estimates an IOC at $50 billion he is talking about $150 to $200 billion for a full scale system.

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from New York.

Mr. KEMP. I thank the gentleman.

Mr. Chairman, one does not know ultimately what the full scale system is going to look like any more than one knows what the triad is going to look like in the year 2000.

But I was suggesting that the very distinguished Marshall Institute, made up of distinguished scientists who are supportive of SDI, said it would take between 3 and 4 percent of the DOD budget.

Now let me ask the gentleman a question: Does he think it is worth 3 or 4 percent of our whole defense budget to invest in a system and a technology that can defend the United States of America against the threat to ballistic missile attack? I think it is worthwhile.

Mr. HERTEL. The gentleman from New York makes a key point here. He admits it will probably cost under the Marshall Institute's proposal $200 billion, maybe a little bit less. Is it worth it? No. If one missile gets through—and the gentleman does admit it would not be perfect—if one missile gets through it destroys New York City, Los Angeles, my hometown or yours, it is not worth it, no.

Mr. HUNTER. Let me make one last point to my friends who talk about the fact that this possibly will not be perfect and some missiles, only a percentage of missiles will be eliminated. The people who live in those American communities that were targeted by the missiles that were eliminated probably feel that it was enormously beneficial.

Mr. HERTEL. The biggest disaster in the history of the world.

Mr. KEMP. The whole purpose is to erode the ability of the Soviet Union to plan an attack. They would never plan a launch against the United States if they thought only one, two, or three missiles could get through. They are not crazy. They are wrong but they are not crazy. And there is no way they would launch a full-scale nuclear attack on the United States of America knowing that they would not have the ability to destroy our deterrent. Strategic defense would not only protect our deterrent but it would protect people and I think it is morally right.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume because I want to correct the record and I could not get the gentleman to yield.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman from South Carolina [Mr. SPRATT] has 24½ minutes remaining.

Mr. SPRATT. Mr. Chairman, the gentleman has said that Secretary Harold Brown is opposed to all major systems since their inception. That is a gross misrepresentation of the truth and the record. Harold Brown was one of the conceivers of the cruise missile. He supported it as Secretary of the Air Force. He supported it as the Secretary of Defense under the Carter administration. Indeed, he created the Joint Cruise Missile Office.

Under this administration as Secretary of the Defense the MX came through the development program. He was a supporter of the MX and a movable mobile basing mode so that it would be survivable.

During his administration the D-5 Trident missile came to fruition and development and the Stealth bomber also was put into development. All of these programs which composed a better part of the modernization of our triad were brought into being because of his leadership. I think for the gentleman to say or to suggest that Harold Brown was not a responsible spokesman on defense is absolutely ludicrous. Let me quote to you what Harold Brown recently said about early deployment:

> The 1993-94 initial deployment date is difficult to credit. Six years is the same time

period as elapsed between the Reagan Administration's 1981 decision to produce the B-1 (which had begun development in the 1970s, but was modified in design after 1981) and its initial deployment. Seven years is about the same time as it will take to deploy an aircraft carrier if the Congress appropriates the first funds for it this year. Can anyone believe that these systems are anywhere near as complex as even a first slice of an SDI system, or that a first-step SDI design is anywhere near as well defined as the B-1 was in 1981 or an aircraft carrier is now, or that its components are as ready? The question answers itself. If a fast-burn booster is not in development in the Soviet Union, it is because there is now no need for it. A U.S. decision to proceed with a space-based KKV layer would provide a strong motivation for Soviet development of fast-burn boosters, space mines, and other counters. Those can be developed and deployed more easily, quickly, and cheaply than the space-based KKVs. The Soviets would be imprudent not to do so, and in these matters the Soviets are not imprudent.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. I thank the gentleman for yielding.

Mr. Chairman, I would like to talk for a few minutes about some of the practical aspects of where we are in the SDI. We just passed the Bennett amendment which means that we are basically leveling off the funding of the SDI for 1 more year, 2 years leveled off. That is enough money probably for an adequate level of research. It is not enough money to start developing hardware, it is not enough money to deploy. I do not know for sure what is going to happen to the different amendments here this afternoon. We have two regarding early deployment. If those amendments fail where are we? We are in a position where the administration has been going in one direction, pushing early deployment, and I will not argue that particular question right now, but we are not funding that level of activity adequately, at least without running into the research. So where are we?

I think we are in deep trouble with the program unless we get it back on the track because the Congress and the administration and the SDIO are not together. We are not anywhere near together and we need to get together because in my view some good can come out of the SDI research work. I think most of the things we are trying to do can ultimately be done to some degree. And if we are careful and use some strategy we ought to be able to make some good out of that. If we do not do something about this program, get it on the track and get agreement between some people, it is going to die. You will not ultimately fund a program where we are as far apart as we are.

I have been trying to get General Abramson to develop a plan at least for the research phase, for the last year and a half. A year go in the spring he said, "I'll be ready in a year. I will be able to tell you what we will be working on, how long it will take, how much it will cost, to get to the point where we feel we know what we would like to do next."

This spring there was no plan of that nature presented. I thought there was going to be when the general made his report to Congress. I read the unclassified report and I read almost all the words in the classified report. I might say the classified report has a tremendous amount of useful information in it. It was very encouraging with regard to the progress of research. It raised my confidence in the program.

But there was no plan still because you still could not tell for any phase of the program where we were going, how much it was going to cost to get there and what we were going to do to get there and when it would be.

Mr. Chairman, I am going to have an amendment, sixth on the list this afternoon, which deals with the subject of how do we get going toward a better plan. I urge the majority, the minority of the Congress to think about this program, to support my amendment when I tell you about it because it deals with the practical aspects. If we are going to have a SDI that is worth anything we are going to have to get on to a plan that Congress understands and agrees with. But we will never get there.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Chairman, I rise in strong support of the early deployment of the strategic defense initiative, and urge my colleagues to support the upcoming Kemp amendment.

Mr. Chairman, at this time we have no defense program when we speak of nuclear weaponry. What we have is a system which relies on holding civilian populations hostage in order to deter the use of nuclear weapons. It is inexcusable that, while the Soviet Union has busied itself in developing strategic defense technology over the last decade, and has actually put into place an ABM system to defend Moscow, American citizens are not being defended against that same threat of a Soviet nuclear attack.

Mr. Chairman, this must change. We must take steps to defend America, to make nuclear war obsolete, and to begin moving from offensive to defensive weapons. At such time as the technology to do this is available, we should move swiftly to put it in place. Not to do so is to deprive our Nation and our families of the security they are depending upon us in the Congress to provide.

Research funding is very important, as is the necessity of testing this technology. But all the millions of dollars we are currently spending on research and testing will not save one American life or protect one American home from nuclear attack unless SDI is deployed. Therefore, deployment is the most important issue in the debate over SDI.

I will remind my colleagues that nearly two-thirds of all Americans currently believe we already have a defense system which will protect them against nuclear attack. They cannot conceive that their Government would not do everything possible to be protecting them. Let's not let these people down. Let's guarantee their security through near-term deployment of SDI.

□ 1535

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, I support a strong national defense. I have consistently supported our SDI program. We say that this is an R&D program; another Congress, another administration will make the decision on deployment.

It seems to me, Mr. Chairman, that we are at another crossroads for arms control and the SDI progress. I believe that the proposed reinterpretation of the ABM Treaty presents a real hazard to our prudent SDI Program.

I think that we can consistently support a strong R&D program without pushing deployment for deployment's sake. I believe the suggestion of the chairman of the Senate Armed Services Committee to tailor our retaliation to Soviet violations in arms control is a very good general guide for our strategy.

I think the Krasnoyarsk radar is obviously a case where it appears that we could counter with appropriate surveillance systems. But a broad interpretation would permit full development and testing up to the final step of deployment of space-based antiballistic missile systems which are based on exotic technologies.

Knowledgeable authorities say that there is absolutely no reason, no scientific need to abandon the ABM Treaty at this time; that these restrictions represent no serious restraint on SDI research programs.

If we should pass language today that would have the effect of breaking out of this treaty, we will be walking away from the one treaty covering defensive systems which are currently in place.

Once we begin, and once the Soviets begin their extensive testing and developments of defensive systems, they will be almost inevitably locked into proceeding with these systems, whether or not they are most effective or not.

I do think this is prudent planning for the United States of America.

I do support the strong SDI research program, but I do urge my colleagues not to take a potentially irreversible step in the wrong direction.

Mr. DICKINSON. Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield myself 5 minutes for a statement.

Mr. Chairman, when we discuss early deployment, we are really talking about in the near term SBKKV's.

What are SBKKV's? SBKKV's are space-based kinetic kill vehicles. They are rockets without warheads designed to be deployed on satellites that function like garages, with many rockets deployed on a single satellite. They are to be put into orbit over the Soviet Union so that, while they are on station over the Soviet Union, only about 7 percent at any given time will actually be on station and effective to be used against ICBM's that might be launched from the Soviet Union. Ninety-three percent will be on orbit elsewhere, and will not be over the Soviet Union, will not be in a position to be useful.

Therefore, the exact number of satellites that would have to be deployed, the exact number is classified, but the number is quite substantial because of this 93 percent absentee ratio.

What is the purpose of the SBKKV's? Quite simply, its purpose is to take out Soviet ICBM's in their boost phase. That is, it is designed to destroy or kill, by the force of impact, force of collision itself, not with a chemical warhead, a Soviet ICBM in the first 4 minutes after it rises off the launch pad, the boost phase.

We have an amendment, Mr. McCloskey and I, which would take some $250 million that would be used effectively for the early deployment of SBKKV's and reorient this money, not strike it, not cut it from the budget, but reorient that money within the kinetic energy weapons accounts.

The Spratt-McCloskey amendment would not prevent research on SBKKV's or on other kinetic energy weapons. Indeed, as I just said, it leaves $250 million in place to be used on other kinetic energy accounts. It leaves, also, $52.8 million for SBKKV basic technology. It does not strike that money.

In fact, it does not, and I would emphasize this, cut a cent, a red cent out of SDI. It takes this $250 million and effectively requires it to be used elsewhere within the kinetic energy weapons account.

Can the money be used, well used there, or are we just creating additional funds that are not for any good purpose? In truth, they can be well use in these other accounts, better used than in a rush to deployment with SBKKV's.

A recent study done by two Senate staffers indicates exactly why. The ERIS and the HEDI are the other two kinetic kill weapons that are in development. One is a terminal phase missile to take out Soviet reentry vehicles just after they enter the atmosphere in the high upper reaches of the atmosphere; the other is a intercept missile whose purpose is to take out Soviet missiles through kinetic collision in midcourse, in the late midcourse phase.

These are the two additional kinetic kill antiballistic missile systems that are under development at this time.

Basically, the research and development program for these missiles is divided into two accounts. One is a technology validation experiment for each interceptor.

That sounds like a fairly simple thing, but in truth, it is quite expensive. The total cost of just validating the technology here is $794 million for the ERIS, $979 million for the HEDI, nearly $2 billion just for technology validation.

Technology validation does not tell us what we need. We need to know if we can produce these missiles as low-cost, high-efficiency, highly effective systems. In truth, that comes under another account, the advance technology research account.

What has happened, since the SDIO Office has reoriented itself and has moved toward this concept of early deployment is that moneys have been shifted toward SBKKV's because they are nearly off-the-shelf technology and away from the HEDI and away from the ERIS and away from our directed energy programs.

Funding for the advanced technology, which is the critical phase of research on these programs because that will tell us whether or not, not that the systems will work, but whether or not they can produce high-efficiency, low-cost vehicles, has been slashed dramatically.

Funding for the two projects was cut by 75 percent last year, for example. The $20 million request for ERIS was cut to $4.5 million; the $38 million for HEDI was cut to $10 million.

What we are doing is we are taking $250 million, putting it into those two programs for potential use there on basic technology, advanced technology research, where it can be much more usefully applied.

Mr. Chairman, I reserve the balance of our time.

□ 1545

The CHAIRMAN pro tempore (Mr. Gray of Illinois). The gentleman from Alabama [Mr. Dickinson] has 4 minutes remaining.

Mr. DICKINSON. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. Dornan].

Mr. DORNAN of California. Mr. Chairman, I wanted to take advantage of this remaining time to discuss an amendment that I will be offering later tonight. It has to do with a reporting process. It is another one of these burdens we give our fine Secretary of Defense, but in this case I think it will help all of us come to a better understanding of strategic defense and why it should be called a response and not an initiative.

The purpose of my amendment is to have SDI, as a program, explained carefully to not only everyone in this Chamber but the American people. SDI is not just a research, development, testing, and evaluation program, but it is also an engineering and production of technology program which is designed to provide a very real defense for this country and for our allies against all missiles, whether they are nuclear or conventional.

"The Secretary of Defense," my language says, "shall include in the Secretary's annual report to Congress under section 113(c) of title 10, United States Code, a review of Strategic Defense Initiative systems, including progress on such systems, and specifically describing progress toward deployment of such systems."

We cannot again lock ourselves into the immoral, paralytic terror of what is called MAD—mutual assured destruction. People have come to understand that the acronym that came to describe McNamara's policy of doing away with all defense and relying upon this mutual terror balance was offensive. A few years back the Episcopalian bishops and many Catholic bishops and many great rabbis and other ministers around this country asked how we got into this position of targeting one another's great population centers. It was Jimmy Carter in the twilight of his short 4 years that began to see that we had to move back toward at least targeting one another's military targets and not reliving by threat the horror of Guernica, Rotterdam, or London on the Fascist side, or Hamburg, Dresden, or the fire bombing of Tokyo that took twice as many people as did the atomic bombs that mercifully brought an end to what would have resulted in 1 million more dead Japanese and 200,000 or 300,000 more Americans and our allies in trying to free the islands of the nation of Japan.

I also have an amendment that was accepted by the Rules Committee and that thereby will be in the committee language when it goes to conference before the Senate. This amendment builds upon the briefing on the Soviet threat, and the "red-blue" briefing that we received last year for the first time and again this year a few weeks back. My amendment requires the Secretary of Defense to publish a complementary booklet to the excellent book called "Soviet Military Power" that Cap Weinberger has produced during all of his 6 years. We should have available to us and to the public a book which shows what the American military represents as an offensive-countering deterrent to Soviet offensive power.

Maybe when Members in this Chamber, if this survives Senate conference, next year in a presidential election year will get the book that compares both Soviet and U.S. power, and they will see very clearly before them that the Soviets have a totally separate command that we do not have, separate uniforms, separate insignias, with different colors to the ribbons on their medals, called the Soviet Strategic Defense Forces. We have nothing like this.

The Soviets place all their strategic defense forces including their air defenses in this branch of service. Their air defense is even more pervasive than what we now call the ADI, the Air Defense Initiative. The ADI goes along with the Conventional Defense Initiative. All of a sudden everything is based on this word, "initiative," when we all know it is a response to the Soviet military threat that has been such a malignant force since the United States, together with the Soviet Union and other allied powers, brought an end to fascism, only to see it replaced by a force that has killed far more people that Hitler could have. Because communism goes on killing and torturing people in Gulag prisons all over the world.

Mr. Chairman, we have nothing to fear from knowledge, and I hope the Members will accept my amendment language later tonight.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Chairman, I thank the gentleman for yielding this time to me.

We began this hour of debate by the gentleman from Indiana [Mr. MCCLOSKEY] talking about the cost involved, and we have really gotten down to that point through the debate, and we have talked about the deployment of SDI. Now we are talking about $200 billion. The current defense budget is less than $300 billion, so we can see how much such a system would cost this Nation. I also know that even the proponents of such a system will admit that it would not be perfect even at $200 billion. I maintain that it would not even be perfect at $300 billion just for the SDI system.

And what would the Soviets do against such early deployment? Well, they would probably do what other nations have done through history, and that is develop and produce more offensive weapons so that even more missiles would get through, by any estimate, even after this huge cost.

And what would that mean to the world and to the American people? That would mean that we would have an escalating arms race, that we would be talking about $200-plus billion for SDI, we would see the other side building more missiles, and then people in this country would from some points of view talk about building even more missiles.

Does that buy us more security? No. Does that cost a lot more money? No, it costs an awful lot more money to all of us, with no end in sight.

It was mentioned before, in comparison to the disease, cancer, and to fighting that dread disease, that we would do whatever we had to do. I wish that were the case. Unfortunately, that is not true. We are constantly fighting to raise the amount for research against that disease and other dread diseases. When we talk to people in the scientific community, they will tell us that we are not spending enough and have not spent enough in past years for medical research against many scourges that we have.

Why do we not spend more? Because there is only so much money. I am sure that many Members would like to spend more on medical research. I am sure that many Members would like to spend more or other social problems. I am sure that many Members would like to spend more money on various items in the defense budget.

We have had amendments for increased amounts for munitions, and we have had amendments for increased amounts for fuel and for training. We are going to see more of that. The fact is that our dollars are limited, and this tremendous deficit that we have tells us so.

So that is why I ask my colleagues to vote against the Kemp amendment that goes forward with deployment and with a plan but without any dollars in that amendment, when we know it will cost $50 billion in the beginning and $200 billion or more at the end. And the same thing is true of the Courter amendment. No. 1, they have not proven or shown that it will work or that we have the technology today. No. 2, it will not be 100 percent successful, and, No. 3, it costs too much money, money that we do not have.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Chairman, I appreciate the gentleman's yielding this time to me.

Mr. Chairman, I listened with some interest to the gentleman from New York [Mr. KEMP] when he talked about JFK's determination to send a space launch to the Moon, and he almost suggests by his remarks that this whole question of SDI is whether the United States could do it. I would submit to my colleagues that the question is not whether we will do it but whether we should do it.

What has been missing in this debate so far is not just a question of numbers alone. It is not a question of capability, whether it could be done or not. The real question is whether or not it is in America's security interests to develop and deploy a star wars system, and I think that point ought to at least be brought out at some point in this debate. I would like to speak to it briefly now.

I say it should not. The reason I say it should not is a point that Members frequently forget, and that is that any star wars system on our side or on the Soviet side has within it an inherent offensive capability. Call it defense until you are blue in the face, but it has an inherent offensive capability. It has an inherent antisatellite capability.

The second point is that the whole history of the arms race is monkey see, monkey do. We acquire something, we deploy something, and the other side does the same thing—monkey see, monkey do.

So I think what Members ought to focus on is the destabilization that occurs if the United States should deploy, as the gentleman from New York [Mr. KEMP] seems so intent on doing, a star wars kind of system and then permit the Soviets, of course—monkey see, monkey do—to do the same thing.

Here is the problem with that. We might continue to insist that we would always use ours as a defense, but does the gentleman from New York suggest that we will just assume that the Soviets will always refuse to use their inherent offensive capability in their deployed star wars, which his action by deploying one in the United States would permit them to do?

The CHAIRMAN pro tempore. The time of the gentleman from Oregon [Mr. AUCOIN] has expired.

Mr. SPRATT. Mr. Chairman, I yield 30 additional seconds to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Chairman, the question is, how do we keep the Soviets from developing a space-based system that could zap our star wars and our defensive satellites, plus our early warning satellites, blind us to an incoming offensive attack, be coordinated with an offensive attack, and set up a first strike against the United States?

Mr. KEMP. Mr. Chairman, will the gentleman yield?

Mr. AUCOIN. The gentleman's whole argument misses that point.

Mr. KEMP. Is there enough time to answer the question?

Mr. AUCOIN. I have raised questions.

Mr. KEMP. Mr. Chairman, will the gentleman yield? Does the gentleman believe in debate or not?

Mr. AuCOIN. I will yield to the gentleman for whatever time I have, and he can answer the question.

The CHAIRMAN pro tempore. The time of the gentleman from Oregon [Mr. AuCOIN.] has expired.

Mr. KEMP. I can understand why the gentleman does not want to debate that subject.

Mr. AuCoin. Mr. Chairman, do I have any additional time?

The CHAIRMAN pro tempore. The time of the gentleman from Oregon [Mr. AuCoin] has expired.

The gentleman from South Carolina [Mr. Spratt] has 6 minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. Traficant].

Mr. TRAFICANT. Mr. Chairman, as we discussed these policy issues, one of the Members stood up and said it was politics that was involved, and I agree. I think the politics is that this side of the aisle wants to move this train down the track so fast and so far that if a Democratic President might come in in 1988, reasonable policies might derail this, which it should.

Let us talk about what really happened, not what we would like to see. The President made this statement: "I am sure we cannot trust the Soviet Union." Then the President came back and said, "I am so sure that we should invest a trillion dollars or more, if necessary."

Then the President comes back and says, "You know, if we developed SDI successfully, I want to save all mankind. I want to give it to the world." Then the President comes back and says, "My God, if we develop SDI, we should even give it to the Soviets."

This is ridiculous. We are talking about spending trillions and trillions of American taxpayer dollars, and I am sick and tired of taking the fruits of those dollars and giving them to our opponents.

If we are really talking business here, the Soviet Union knows that America is more than a fly on their face. We are more like a full-grown elephant chasing their behind. I do not believe they are going to attack America, and if they do, I think we will wipe and clean their clock.

I do not think that we should be putting trillions of dollars into this project, because when we develop SDI, the Soviet Union is going to develop a system to overcome it. Then we will do like we did with the MX, try to protect that sitting duck, and we will go ahead and develop a program with billions more dollars to protect SDI, and the Soviet Union is going to come back and spend trillions of dollars to try and overcome our protective cover.

□ 1600

Mr. Chairman, there is an old axiom, an old statement, "Don't let your mouth write a check that your butt can't cash."

The Soviet Union has got to be told that. I would like to see our President get on the plane, Air Force One, go take Gorbachev to lunch and try to work some sanity out in this madness we are now calling SDI.

Research and development, fine, but this early deployment, even our scientists are telling us to go slow, go with caution and do it right.

I think maybe we should listen to the people who work in this field once in awhile.

So it is nothing personal to the gentleman from New York. I think he is an exceptional Member. He is going to make one tough candidate, but let us not try to put it in the hands of some other President so that they cannot really work some sanity out for themselves and their own program.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, the House will be considering a number of amendments this afternoon that revolve around the so-called question of early deployment for SDI.

The premise of early deployment advocates is that the technology is in hand and all that is stopping us from making nuclear weapons "impotent and obsolete" is the political will, and I want to say, I do not think anything could be further from the truth.

Now, I have gone around the country and met with the contractors on this program. I have visited our national laboratories, Livermore, Sandia and Los Alamos. I have talked directly to the scientists and asked their candid assessment. The overwhelming conclusion that they conveyed to me about 18 months ago is that an effective SDI still awaits major and difficult technological breakthroughs. We do not know what a system's architecture would look like in any great detail. We do not know whether it can meet the Nitze criteria of being cost-effective at the margin and survivable.

Take the example of the space based kinetic kill vehicle. It, along with the high endoatmospheric defense interceptor [HEDI] and the exoatmospheric reentry vehicle interception system [ERIS], would form the basis for early deployment. Yet all are based on 1960's technology which was judged ineffective 20 years ago against a much less difficult threat.

Weapons scientists associated with the SDI Program have admitted that an initial system based on space based kinetic kill vehicles would be effective against no more than 16 percent of the warheads in a Soviet attack, and many scientists believe that these KKV's could easily be overwhelmed by relatively simple Soviet countermeasures.

In addition, the rush toward early deployment is diverting funds and effort from more promising longer term technologies. If we followed this course we could well lock ourselves into a program that guaranteed ineffectiveness while putting off the point at which strategic defenses might make a positive contribution to stability.

The point I want to make here today, and I want to say this again, if you are for the SDI program, do not rush toward early deployment because that is the fastest way to get this program in trouble and to kill it.

Second, do not try to redefine the ABM agreement beyond the restrictive interpretation.

I have told General Abrahamson again and again that if he wants his program to have a chance to succeed, that he should not politicize it. He should not get in bed with those people who want to rush to judgment and deploy this program prematurely.

There is nothing that will hurt the credibility of this program any more than that.

The most effective witness I have ever seen before the Congress was a man named Bobby Inman. He came before the Defense Committee time after time. He gave a balanced, reasonable discussion on all the issues before the NSA or the CIA.

What I worry about Mr. Abrahamson is that he is going to politicize this program and that would be a serious mistake and would undercut the funding.

Mr. SPRATT. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. McCloskey].

The CHAIRMAN pro tempore. The gentleman from Indiana [Mr. McCloskey] is recognized for 1 minute.

Mr. McCLOSKEY. Mr. Chairman, I thank the distinguished gentleman from South Carolina for yielding this time.

Very briefly, to sum up, it has not been contradicted by anyone on the other side that the entire prevalent recommendations of the scientific community as embodied by the American Physical Society say go slow on this, that it just cannot work.

We are dealing with very vulnerable technology with nothing in sight as to massive and qualitative improvements. We are going to be $60 billion to $100 billion poorer with early deployment.

The ABM Treaty will be gone and the arms race will be massively exacerbated.

I say oppose Kemp and support Spratt and McCloskey.

The CHAIRMAN pro tempore. All time for general debate has expired.

AMENDMENT OFFERED BY MR. KEMP

Mr. KEMP. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KEMP: At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. STRATEGIC DEFENSE INITIATIVE DEVELOPMENT, TESTING, AND DEPLOYMENT.

(a) DEVELOPMENT AND TESTING.—During fiscal year 1988, the Secretary of Defense shall initiate full-scale development and testing of systems and components as part of the Strategic Defense Initiative in order to achieve an initial deployed operational capability for such systems and components during 1993.

(b) DEPLOYMENT REQUIREMENTS.—To the maximum extent practicable, systems and components deployed to achieve the initial operational capability referred to in subsection (a) shall meet the following requirements:

(1) Survival of militarily significant defensive capabilities against likely determined defense suppression attacks.

(2) Protection of the widest possible areas of the United States against likely Soviet attack options.

(3) Cost-effectiveness against likely Soviet countermeasures.

(4) Compatibility and interoperability with follow-on Strategic Defense Initiative systems and components.

(c) FUNDING.—The Secretary of Defense shall submit to Congress a report identifying additional funding requirements for fiscal year 1988 in order to comply with subsection (a) and recommending ways to meet those requirements. The report shall be submitted not later than 90 days after the date of the enactment of this Act.

The CHAIRMAN pro tempore. Under the rule, the gentleman from New York [Mr. KEMP] will be recognized for 10 minutes and a Member in opposition to the amendment will be recognized for 10 minutes.

Does the gentleman from South Carolina [Mr. SPRATT] desire to use the 10 minutes in opposition?

Mr. SPRATT. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman from South Carolina will be recognized for 10 minutes.

The Chair recognizes the gentleman from New York [Mr. KEMP] for 10 minutes.

Mr. KEMP. Mr. Chairman, as I said in the previous debate, the question is not will strategic defense be developed. The real question is will the Soviet Union be the only country to possess a strategic defense. The choice is ours.

In order that we might make that choice, I am offering this amendment to direct the Secretary of Defense to initiate full-scale engineering and development of SDI components and systems, to achieve initial operational capability by 1993. It would be up to the Defense Department to come forward with a system architecture and budget submission, for Congress to review.

There is no additional money involved. There is no blanket commitment by Congress to accept the Secretary's recommendation.

But this amendment would be in the nature of a "put up or shut up" directive: Are we serious about SDI, or not?

Whether or not we kill or accelerate SDI in this Nation, the Soviet Union has spent literally a hundred or more billions of dollars in developing ABM, BMD ballistic missile defense and then equivalent to SDI.

In June of 1982 the Soviet Union launched a full-scale first strike antisatellite, ABM, ICBM and theater tactical ballistic missile test, all coordinated out of one command and control system.

So whether we develop SDI or not, I say to my friend, the gentleman from Oregon [Mr. AUCOIN], the Soviet Union has the beginning of a breakout capability in ABM or strategic defense that should be of great concern to this House.

Second, as the gentleman from California pointed out, right now the whole world is held hostage to the idea that deterrence is predicated upon mutual assured nuclear destruction, and that we should choose to be undefended.

Frankly, I think that is morally indefensible. Do we really want to tell our children and our grandchildren that all we have to offer them is more offensive nuclear capability and retaliatory nuclear devastation as a means of preventing war?

Third, the statement was made by our friend, the gentleman from Indiana, I think three times that these initial developments would not afford us a perfect system.

I want to say to the House that I recognize it is not a perfect system, but a perfect deterrent does not require a perfect shield. Deterrence is predicated upon the inability of the planners, that is the Soviet Union, to launch or to contemplate, a first strike against the United States of America that would deny the United States the capability to retaliate SDI coupled with our deterrent offensive forces, on land, sea and air, gives us a near perfect deterrent to war. Frankly, that is the best reason I can think of to spend a dollar of the taxpayers' money, that is to deter war.

I do not believe in SDI as a jobs program or a socioeconomic condition program. I believe that defense dollars should be spent for defense and that alone.

Then finally, I want to point out the cost.

The advanced tactical fighter that we are working on in the United States of America to replace the F-15 will cost more money by 1995 than SDI.

Now, I am for the ATF. I am for the F-15. I am for anything it takes to keep this Nation strong in general purpose and strategic forces. But I want to say to my colleagues, do you not think that 3 to 4 percent of our total defense budget would be prudently spent developing a technology to defend against the most devastating weapons of all? The gentleman calls it 1960 technology, but he knows good and well that distinguished scientists disagree with him and believe that not only has there been a tremendous upgrading of our defensive technology over the last 10 to 20 years, but that it is pejorative and negative and frankly disingenous in the extreme to suggest that this is merely 1960 technology, particularly in light of the Delta-180 experiment last year and the HOE experiment from Kwajalein in 1984.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. KEMP. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I think the gentleman has done the House a service by giving us an opportunity today to debate this issue. I wish I had more time so that I could have yielded to my friend.

I just want to say to my friend in all seriousness, now, I would hope that the gentleman would think about this. We have been since the sixties, even after the ABM Treaty——

Mr. KEMP. Mr. Chairman, I am going to have to say to my friend that I just cannot yield anymore time. I apologize. I will be glad to stay here later, but frankly, I have got to yield to my friend, the gentleman from New Jersey [Mr. COURTER], and the gentleman from California [Mr. HUNTER], who are cosponsors of the Kemp early deployment SDI Program; so I will be glad to engage further in debate later.

Mr. DICKS. Well, birds of a feather.

Mr. KEMP. Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon [Mr. AUCOIN] so that the gentleman can respond to the questions raised by the gentleman from New York earlier in the debate.

Mr. AUCOIN. Mr. Chairman, I appreciate the gentleman yielding me this time.

Mr. Chairman, I would just say to my friend, the gentleman from New York, that the test that he refers to in the Soviet Union I am familiar with.

It was not spaced based. The ABM test that was conducted was within the ABM treaty, which the gentleman's amendment would completely violate, and that Soviet ABM has no potential for growth into a space-based kind of a program.

But more importantly, star wars has a dual use. It has some defensive capability, far from perfect, but it has some very lethal offensive capability.

The Soviets can use that offensive capability against our satellites, our early warning satellites, and our own SDI satellites. They can wipe out our defense that way. They can blind us by taking out our early warning satellites if they choose to go first, and if they coordinate that with an offensive strike with their offensive missiles, you have all the ingredients for a Soviet first strike.

Why is it not better for neither side to put in space such weaponry, because they are weapons that can be used offensively. We're more secure if we keep them out of space so that neither side would be tempted to use them on an offensive Pearl Harbor first strike mode.

Mr. COURTER. Mr. Chairman, what could we do now if that was not a Soviet test using their offensive strategic capabilities, what would we do if they launched by mistake?

The CHAIRMAN pro tempore. The time of the gentleman from Oregon has expired.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. McCloskey].

Mr. McCLOSKEY. Mr. Chairman, I thank the gentleman from South Carolina for yielding this time.

Mr. Chairman, as to some previous points most recently enunciated by the gentleman from New York [Mr. Kemp], the gentleman was alleging the likelihood of a Soviet ABM breakout. I would say we all know that could be possible and share that concern, but under the ABM Treaty, as we all know, the President can certify that and the Congress and the Pentagon can act accordingly.

Also, it is obvious that no one in their right mind in this world is happy about the so-called MAD deterrence system, mutual deterrence, and the fact that in some ways all we have is a potential for retaliation.

The simple fact is that SDI does not offer any way out from that. It in effect makes the mad world, if you will, only madder in that it will escalate the arms race by causing more offensive weapons to be produced on both sides.

Again, and it really has not been answered yet, the costs involved in the deployment of the kinetic kill systems alone are phenomenal. Global space based defense estimates by the administration itself are up to, in their own words, $300 billion.

I would just like to add that the space based kinetic kill is somewhat primitive technology. It was around in the 1960's. People in the Livermore labs say it is not promising at all and there is extensive technical reports recently released by Senator Johnston to the effect that go into that in much detail, showing the mistaken statements of Mr. Perle in this area.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, I wanted to make a point to the gentleman from New York [Mr. Kemp], and that is that I know there are some on this side of the aisle who in the rush to early deployment want to undercut the doctrine of deterrence.

I happen to believe that mutual assured destruction has kept the world at peace for a longer period of time in terms of major conflicts than at any time in modern history.

I think it is very dangerous for spokesmen of the other side to make statements that would undercut the doctrine of deterrence based on mutual assured destruction, because for the foreseeable future, and I am sure the gentleman from New York understands this, we are going to be relying on mutual assured destruction as the basis for deterrence with our principal adversary in the world.

Second, if you wanted to do anything to hurt SDI, early deployment is the most serious thing you could do because it is not ready to go.

I serve on the Defense Subcommittee. I have been out to the labs. The technology is not in hand to build the kind of system that the gentleman from New York [Mr. Kemp] is talking about. If we do what the gentleman from New York [Mr. Kemp] wants to do, we will do more to hurt the SDI Program than anything I can think of.

Mr. KEMP. Mr. Chairman, I yield myself just a few seconds to remind my colleagues that they have just heard from the horse's mouth the moral position of the gentleman from Washington, who suggests that defending the people of the United States of America somehow undermines deterrence.

□ 1615

Frankly, the gentleman from Washington needs to go back and correct his statement in the Record in my view, because it is indefensible to suggest that we should continue to rely exclusively on nuclear devastation and retaliation and destruction and as a deterrent, when we have the ability to protect lives and prevent war.

It does not undercut deterrence for me to say that. What undercuts deterrence is to rely on such an immoral position.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. KEMP. I yield to the gentleman from Missouri.

Mr. EMERSON. I thank the gentleman for yielding.

Mr. Chairman, I want to say that having served in this body now for 7 years, I have come to the conclusion that it is not the repository of all wisdom. Once in a while we get a word from a constituent or someone from our home State who can shed a little light on the subject.

In the context of this debate here today I would like to share some advice.

> Dear Congressman William Emerson: I am one of the 90 percent of Americans who want our nation to be defended against nuclear missiles. And I mean now—not 7 years from now.
>
> President Reagan's SDI offers hope for the future of America—a defense that really defends, and an end to the threat of nuclear war.
>
> Please vote to build SDI now—using the nonnuclear "smart rock" technology already available.
>
> Help bury the 1972 MAD ABM Treaty which is already null and void because of Soviet violations.
>
> Defend America! Too many congressmen are idiots.
>
> Sincerely,
>
> Sister Winifred Bauer.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. AuCoin].

Mr. AuCOIN. Mr. Chairman, the gentleman from New Jersey wanted me to yield, and I have been given a minute, and I am pleased to yield to the gentleman from New Jersey [Mr. Courter].

Mr. COURTER. I thank the gentleman for yielding.

Mr. Chairman, I forgot what statement the gentleman was making that I disagreed with.

Oh, now I remember, the gentleman was saying that this Soviet launch of a strategic weapon at the United States in conjunction with deployment of Asat weapons and other types of strategic weapons was all in compliance with arms-control agreements, and I just have one question: Under what interpretation of these arms-control agreements is the Krasnoyarsk radar?

Mr. AuCOIN. I just tell the gentleman that the test that the gentleman referred to was an ABM test that is permitted by the ABM Treaty. The ABM Treaty, I recognize is not one that is highly desirable in the eyes of the gentleman from New Jersey, because the amendment that he supports here would obviously violate it.

Mr. KEMP. Mr. Chairman, if the gentleman will yield briefly, I wonder if our colleagues would like to know what the Soviet Union did on June 6. They launched a Kosmos-1375 satellite. Then, on June 18, all within 7 hours, the Soviets launched two SS-11 intercontinental ballistic missiles, an SS-20 inter-regional ballistic missile, the Kosmos-1379 satellite, an SS-N-8 SS-N-18 from a Delta submarine, and two ABM-3 anti-ballistic missile weapons against the ICBM RVs.

Kosmos-1379 intercepted and "destroyed" Kosmos-1375.

When the SSBNs were launched in the second strike, the new-generation

ABM's successfully intercepted the missiles representing a U.S. retaliatory strike.

The CHAIRMAN pro tempore. The gentleman from New York [Mr. KEMP] has 3 minutes remaining.

Mr. KEMP. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. COURTER].

Mr. AUCOIN. Mr. Chairman, will the gentleman yield?

Mr. COURTER. I yield to the gentleman from Oregon.

Mr. AUCOIN. I thank the gentleman for yielding.

Mr. Chairman, the point that I would like to make to the gentleman is that the test that he referred to, the ABM test, the one that the gentleman from New York referred to, is permitted under the ABM Treaty.

Mr. COURTER. Mr. Chairman, I cannot yield further.

Mr. Chairman, we have 3 remaining minutes, and I do not think that I will use it all. I just want to congratulate the gentleman from New York for bringing forth this very, very important amendment. This is the amendment on strategic defense.

There was an old song by Burl Ives, "Mr. In Between," and what he was saying, he was not talking about ABM treaties or SDI, he was saying that some people like it both ways. Members in this House have had it both ways. You can vote for one level of spending, research and development on SDI, or another, and you can go home and say that you are in favor of researching it, favor exploring it, you do not want to discount it, mutually assured destruction I cannot defend.

The point here now is if you cannot defend this worn-out, dangerous doctrine of mutually assured destruction, you have an opportunity to exactly say what is on your mind by voting yes on the Kemp amendment. It says in essence that mutually assured destruction is a worn-out and dangerous doctrine; it is time now for America to move from the concept of threatening human life to defending human life. Nothing can be more understandable by Americans; nothing can be more humane as far as this body is concerned.

The doctrine of mutually assured destruction, I was thinking of it a few days ago, it is the moral equivalent of someone having a home in a dangerous neighborhood leaving the windows and doors open all night and walking around with a shotgun. What the gentleman from New York [Mr. KEMP] wants to do is lock the doors. That is simply it. He wants to defend us. Nothing is wrong with that whatsoever.

I congratulate the gentleman. This is the key vote. If we want to embrace the concept of revenge, we can go right ahead and do it. If we want to move to a new strategic doctrine of defending our homeland, defending our country, defending our children, whether it be those launches by mistake or accident or anything else, we should vote yes on the Kemp amendment.

I congratulate the gentleman. This is the key vote on SDI.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I think that it is time to put in a word for deterrence here, and that is something that we have been trashing both left and right on both sides of the aisle with complete impunity in recent years and it is ridiculous on its face, because we are frankly 40 years now into the post-World War II era, and we remain at peace. These kinds of attacks, ad hominem attacks, calling deterrence immoral, have done more to destabilize our relationships with our allies, more to destabilize the NATO alliance, than anything else that we can do.

Obviously we have found it difficult to determine or maintain a proper amount of deterrence. The Soviets and the Americans continue an arms race in fact because we find it hard to reach a level where we both find it safe to coexist in this world. Our problem is we reject parity and seek dominance. But that is our continuing burden. It is easy to theorize about new ways to go about protecting ourselves when in reality we are creating an isolationist spirit in this country—all we want to do is "defend ourselves" is the cry. But in point of fact the weapons that we are talking about using for defense under SDI are much more easily utilized as offensive weapons, much more to be seen in the future as a way to go about defeating Soviet missiles in their silos, creating the momentum for a first-strike attack, and further destablizing our military strategy and creating more and more dissension within our NATO alliance.

Those proposing SDI in the context of trashing our conventional and strategic forces which have protected us so well are doing a disservice to us all.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman from South Carolina [Mr. SPRATT] has 3 minutes remaining and the gentleman from New York [Mr. KEMP] has 1 minute remaining.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Chairman, we have had quite a long discussion on this amendment, because we had previous time, and I think that we are getting back to some of the facts.

It has been admitted I think by both sides that we are talking about spending over $200 billion. You can talk about 3 or 4 percent at the beginning of the defense budget, we talk about $50 billion at the beginning of the system when it is over, it has been admitted to be $200 billion.

Then we talk about the fact that is admitted that it will not be perfect. We all know that. We have had the discussion of the technology. It will not be perfect.

Therefore I submit to you that the people of this country when they know the facts entirely are not going to be happy to spend $200 billion out of their pocket when they know that the system will not be effective. They realize that it is the wrong way to go. They realize that it will be an escalating arms race. If we follow this strategy, if we spend more money, gain nothing for it at this time, if the worst ever happens, if only one city is lost because of the wrong decisions made at this time, it would be the greatest disaster in the history of this Nation.

Mr. KEMP. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to say to my colleagues again, that one city and every single American citizen in the United States of America has no defense, none, as we sit here today. That to me is immoral.

Mr. Chairman, I yield the remainder of my time to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding time to me.

Mr. Chairman, let me make the point very clearly that the Kemp amendment would establish deterrence. Deterrence is keeping the Soviet Union from attacking us, and deterrence is comprised of two things: an offensive capability and a defensive capability, or a combination of the two.

If you can convince Soviet planners not to attack the United States because their missiles would not get through, that is just as effective as convincing them not to attack because we would retaliate massively.

□ 1625

So that is deterrence; and as Paul Nitze said, it is a very logical dimension to deterrence, and that is what we are seeking to build today.

Technology is a rightful property of free people. That is what we create with our free enterprise system. That is what our neighbors in Europe create with their free enterprise system.

That is the way we are going to be able to stand up to the Soviet Union, not by massive investments in national defense, but by using our assets wisely; and that means using our technology to defend this country.

The Kemp amendment is right on, and I urge my colleagues to support it.

Mr. SPRATT. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman from South Carolina [Mr. SPRATT] is recognized for 2½ minutes.

Mr. SPRATT. Mr. Chairman, first of all, I would like to cite some reasons we should defeat the Kemp amendment.

If we rush to early deployment, we freeze ouselves into the readily available technologies; and we forgo those technologies that may indeed hold the promise for transforming defenses that we know the long-term technologies we need to invest in, such as free electron lasers, that may indeed provide a way to transform strategic defense.

Second, there are some tents and long poles that have to be erected before this system will stand; boost-phase surveillance, space surveillance, midcourse discrimination which is an enormous problem; and under each of those rubrics, there are huge numbers of smaller problems yet to be resolved.

For example, we do not even have the technology or know whether or not we can detect within this gaseous plume the ICBM as it rises through the atmosphere in the first 4 minutes of its boost stage.

There are enormous problems that need to be resolved before we can undertake to deploy this system as a whole.

Third, using the administration's own criteria enunciated first by Mr. Nitze, the system must prove itself to be cost effective at the margin before we deploy it; that is, it must be deployable at a cost such that an offensive system cannot be deployed at a cheaper cost that would saturate and overcome it; and, second, it must not be subject or vulnerable to countermeasures that could destroy or disable it at a cost less than the system itself costs.

We do not know the answers to those questions, and we will not know the answers as to the total cost of SDI until we know what this system as a whole is.

You cannot deploy it in stages, piecemeal, because you cannot make that decision about it as a whole. It has to be a multilayered system to work at all.

Fourth, it is not credible at all to suggest that you could bring together all these sundry technologies in such a nascent, embryonic state today, bring them together in 6 years' time when it took 10 years to take the D-5 missile from concept through development through its IOC in an equal amount of time, and the same thing with the B-1B bomber. Look at any program from concept through development into its IOC, and you will see the SDI Program cannot be done that way.

Let us lead the SDI Program on a technology driven basis, not a politically driven basis.

I am willing to support it on that basis, and I think the House will be also.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. KEMP].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KEMP. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 121, noes 302, not voting 9, as follows:

[Roll No. 111]

AYES—121

Archer
Armey
Badham
Ballenger
Bartlett
Barton
Bateman
Bentley
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Cheney
Coats
Coble
Courter
Craig
Crane
Dannemeyer
Daub
Davis (IL)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Fields
Gallegly
Gallo
Gekas
Gingrich
Gregg
Hall (TX)
Hammerschmidt
Hansen
Hastert
Hefley
Herger
Hiler
Holloway
Hunter
Hutto
Hyde
Inhofe
Ireland
Kemp
Kolbe
Kyl
Lagomarsino
Latta
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Martin (IL)
Martin (NY)
McCandless
McCollum
McEwen
McMillan (NC)
Michel
Miller (OH)
Moorhead
Myers
Nielson
Oxley
Packard
Parris
Quillen
Rhodes
Ritter
Robinson
Roemer
Rogers
Roth
Rowland (CT)
Schaefer
Schulze
Shaw
Shumway
Shuster
Skeen
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Solomon
Spence
Stangeland
Stratton
Stump
Sundquist
Sweeney
Swindall
Taylor
Vander Jagt
Vucanovich
Walker
Weber
Whittaker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—302

Ackerman
Akaka
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NOT VOTING—9

Annunzio
Combest
Ford (TN)
Jones (NC)
Livingston
Ray
Roybal
Tauzin
Torres

□ 1640

The Clerk announced the following pair:

On this vote:

Mr. Combest for, with Mr. Roybal against.

Messrs. LENT, HUGHES, DOWNEY of New York, DAVIS of Michigan, PASHAYAN, FLIPPO, and WORTLEY changed their votes from "aye" to "no".

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MC CLOSKEY

Mr. McCLOSKEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore [Mr. Russo]. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. McCloskey: At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. LIMITATION ON SPACE-BASED KINETIC KILL VEHICLE PROJECT.

(a) Prohibition of Development and Testing.—The Secretary of Defense may not carry out a program for development or testing of a space-based kinetic-kill vehicle project through the Strategic Defense Initiative Organization or any other element of the Department of Defense.

(b) Research.—Of the funds made available under this title for work on kinetic energy weapons activities for the Strategic Defense Initiative, not more than $52,800,000 shall be available to carry out a program of research on a space-based kinetic-kill vehicle project.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Indiana [Mr. McCloskey] will be recognized for 10 minutes in support of the amendment, and the gentleman from Alabama [Mr. Dickinson] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Indiana [Mr. McCloskey].

Mr. McCLOSKEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the ABM treaty compliance, military efficiency and budgetary realities are prime reasons to support the McCloskey-Spratt amendment. There is no logical reason and I think the last vote showed that, to push now for early deployment in space of the space-based kinetic kill vehicle. This amendment explicitly prohibits the Secretary of Defense from conducting a program of deployment and testing of a space-based kinetic kill vehicle. It would not eliminate the program but limits it to no more than $52.8 million for technology based research. Testing, development and deployment in excess of the ABM limitations would not be allowed.

What is a space-based kinetic kill vehicle? This is something that all of us are hardly really up on. It is hardly exotic technology. In fact, as stated in previous arguments it has been around for upward of 30 years. Sketches recently released show the extreme congruity between the present vehicle being developed and as it was in 1960. A space-based kinetic kill vehicle is a small rocket based on a satellite in space designed to home in on Soviet missiles as they rise from their silos. This amendment presents Congress with an opportunity to head off the momentum for early deployment of a costly, ineffective and vulnerable space-based ABM system based on technology which is almost 30 years old as I have said. It will also prevent the United States from proceeding on a collision course with the ABM Treaty, no matter what interpretation you may support.

Article V of the treaty text unmistakably bans development and testing of ABM systems and their components which are space-based. Even if you may not agree that the space-based kinetic kill vehicle project is now a violation of the ABM Treaty, you must agree that this program will inevitably violate the treaty. This is the one project, really the one project within SDI that challenges the Congress to confront the near-term possibility of an irrevocable decision which will lead to early deployment of a space-based system. How can we afford such a step which would commit us to a space-based layer of an SDI defense costing at least $68 billion, and perhaps as much as $300 billion? The former figure is not an estimate by opponents of the program, $68 billion is what the program's supporters consider affordable. Other estimates place the cost much higher. Prior to the advent of the SDI the administration's assessment put the price tag on this type of ABM system at $300 billion.

Concern about the direction and pace of the spacebased kinetic kill vehicle has prompted distinguished Americans such as ABM Treaty negotiator Ambassador Gerard Smith and former Secretary of Defense Harold Brown to endorse the legislative approach we are taking here today.

☐ 1655

Former Secretary of Defense Harold Brown also has major reservations about the effectiveness and survivability of the SBKKV. Importantly, Dr. Brown told me:

> * * * In general, I am reluctant to see detailed congressional management imposed on a program, though I recognize that this often occurs even in much less important programs than SDI. In this case, a systems development program for a kinetic kill vehicle system based in space would violate the antiballistic missile treaty undercutting both past arms control and the prospect for future offensive force reductions. For that reason, as well as the poor military capability of such a system, I conclude that legislative action is in order.

SDI could reallocate the $250 million to other projects within the kinetic energy weapons activities. This could be work on ground-based interceptor systems which are consistent with the ABM Treaty.

I think very importantly, and something that has not really been addressed on the other side today, in addition to ABM Treaty compliance and affordability, the SBKKV's survivability is highly suspect. The recent report by the American Physical Society, the organization representing our country's leading physicists, most of them cleared for the upper realms of space and SDI work, concluded that no space-based system could survive an unconstrained attack.

More importantly, this group called for 10 years of research within the laboratory, and then we could make decisions as to deployment with full knowledge of what we were doing.

Mr. Chairman, I strongly urge my colleagues to support the McCloskey-Spratt amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DICKINSON. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. Kasich].

Mr. KASICH. Mr. Chairman, this is, perhaps, one of the most critical amendments that we are going to vote on, on SDI during this entire procedure.

Let me, in a nutshell, explain how the system works and what we are talking about. We are talking about something called a space-based kinetic kill vehicle. Forget that. What it will be is a system that will float in space that will carry miniature rockets. Those rockets would be launched when the sensors pick up the launch of a Soviet missile. Those little rockets would flow out of the system; they would smash into the rocket, destroying the rocket and its warheads.

These rockets may be carrying as many as 10 warheads, each of which is more powerful than any weapon that has yet been exploded on the face of this Earth, clearly more powerful than the bombs in Hiroshima and Nagasaki.

What this kinetic kill vehicle would do would be to simply crash into that Soviet ICBM, destroy that system and not permit those warheads to head toward their intended target, and that is the United States of America.

Now, this is an essential part of this entire SDI Program. Remember, SDI is threefold. No. 1, it has this space-based vehicle that can knock out these rockets before they lift off. For any rockets that lift off, then we would have the system in the high atmosphere and one in the low atmosphere to knock out the remaining warheads that would be coming at this country.

The significant point is that for every rocket that you have up in space, you can knock out 10 Soviet warheads. What this amendment would do would be to dramatically reduce this program. It would take this program down to so low a level that it would cease to have priority in the overall SDI Program and that does not make any sense.

There is no other part of this program that gives you a 10-for-1 reward. If you kill this KKV program or cripple it by taking it down to the level that Mr. McCloskey wants to have, you shut down research on that element of the SDI Program that gives us the greatest amount of reward for the dollars that we invest.

They are going to argue that the program is not survivable, that these space-based systems that carry these miniature rockets cannot survive. I would argue that that is not true.

We can knock down the missiles that are aimed at this system by using these tiny little rockets themselves to take out missiles that are headed at this system.

The system can also be maneuverable. It will be able to move around in space and avoid being hit.

The significance of this, however, is that for one shot out of these tiny little rockets that we would put on this system, we can knock down 10 nuclear warheads and this can give us tremendous effectiveness.

There is much more to be done in order to make the SDI system effective, but a very effective kinetic kill vehicle is an essential part of the SDI Program and gives us the greatest ability in the short term to make great strides against these nuclear weapons.

Mr. McCLOSKEY. Mr. Chairman, will the gentleman yield?

Mr. KASICH. I yield to the gentleman from Indiana.

Mr. McCLOSKEY. Mr. Chairman, the gentleman knows that Dr. George Miller, the Associate Director for Defense Systems at Livermore National Labs, has pointed to the vulnerability of the space-based KKV. What is the value of the space-based KKV——

Mr. KASICH. I appreciate the gentleman raising the vulnerability question. I can tell you that the SDI people themselves will tell you that if you are going to use a Galosh missile against this KKV, that is the Soviet nuclear rocket that they would want to use against this, that these tiny little rockets themselves that are enclosed in this machine would take those Galosh missiles out.

It can be effective and, in fact, it is not cost-effective for the Russians to try to use nuclear warheads against the conventional system. So it upholds the Nitze concept.

The point is that you are going to get a giant reward by investing in KKV. By cutting back on KKV, you are turning down the argument that you can knock 10 things out by using only one little rocket. That would be a horrible mistake for this House to go forward.

If we adopt this amendment, along with the Bennett amendment and the strict interpretation of ABM, I will tell you, that is grounds, in and of itself, for our President to veto this entire bill. What we really would be doing is crippling our entire SDI Program and it would be tragic mistake.

The CHAIRMAN pro tempore (Mr. Russo). The gentleman from Indiana [Mr. McCloskey] has 6 minutes remaining and the gentleman from Alabama [Mr. Dickinson] has 6 minutes remaining.

Mr. McCLOSKEY. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina [Mr. Spratt].

Mr. SPRATT. Mr. Chairman, the gentleman from Ohio makes a strong statement for the boost phase interceptor. Indeed, it is critical to making the SDI system work at all.

But there is still a question as to whether or not the space-based kinetic kill vehicle is something we want to go with in an emphatic way right now until we know whether or not all the other technologies so essential to that total system are going to be mature and available as well.

The space-based kinetic kill vehicle is readily available. It has been explored for quite some time. In fact, it is the lineal descendant of an innocuous system known as BAMBI, the ballistic missile boost intercept, that goes way back to the 1960's.

It was proposed and conceived then, and it is proposed and conceived now that SBKKV's, space-based kinetic kill vehicles, would be based in satellite garages over the Soviet Union, orbiting some 300 to 400 kilometers above the earth. Obviously, any satellite within 400 kilometers over the altitude of the Soviet Union is in a vulnerable position. It can be hit by direct ascent missiles. The Galosh missile has about that range, 400 kilometers. It can be hit by the Soviet coorbital antisatellite system, which they have now and is operational. It is vulnerable to laser systems, if they ever come on line. It is vulnerable to a number of different applications.

You may remember, Mr. Kasich, that Dr. Robert A. Cooper was the Director of DAPA, the Defense Advanced Projects Agency. He testified just last month—he is a Reagan administration appointee and member of the Department of Defense. He is an important witness because he spent a good part of his professional life working on BAMBI. That is where he started out as a scientist at MIT, working on this early boost phase intercept, space-based kinetic kill vehicle.

This is what Dr. Cooper said last month in testifying before our committee. This was why BAMBI was abandoned.

> The technology to accomplish BAMBI was invested in at a substantial rate for a while [during the 1960's] until it was decided that the expense and the vulnerability of that system to direct attack was so high and the survivability measures that could be taken at that time would not be effective against that attack that the space-based portion of that would not survive.

Obviously, this work was done in the 1960's. So we asked Dr. Cooper what about today? Have technologies advanced to the point where the system would not be subject to survivability problems, would not be vulnerable in outer space?

This, again, is Dr. Robert A. Cooper, the Reagan administration's Director of DAPA in the Department of Defense.

Here is his direct quote.

> I guess my view on that is that not enough has changed since our conclusions were drawn in the late 1960's to make me believe that the same tactics that were available at that time and looked so formidable would not succeed now. I do not see survivability measures on the horizon that would be specifically applicable to these rocket deployments in space that would make them survivable enough to decide now to go ahead and deploy them . . . .

□ 1705

Let me make one further point. Last week when we discussed the strict and broad interpretations of the ABM agreement, this side quoted frequently Mr. Nitze. In 1977 Mr. Nitze was called upon to express his recollection of the meaning of the ABM Treaty which he helped to negotiate.

The CHAIRMAN pro tempore (Mr. Russo). The time of the gentleman from South Carolina [Mr. Spratt] has expired.

Mr. McCLOSKEY. Mr. Chairman, I yield 30 additional seconds to the gentleman from South Carolina [Mr. Spratt].

Mr. SPRATT. Mr. Chairman, on July 7, 1977, here is what Mr. Nitze said about the ABM Treaty and how it applied to BAMBI-type SBKKV missile defense systems. Quoting from his letter to Mr. Donald G. Brennan of July 7, 1977, he said, "It was our clear intention that Article 5 bar engineering development of the BAMBI-type ABM System. It was the negotiators' clear intention," Mr. Nitze said, "to prevent BAMBI-type systems from being developed or tested under the ABM Treaty."

So regardless of what interpretation of the treaty you take, if you vote for deployment of the system, you vote for violation of the ABM Treaty.

Mr. DICKINSON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Arizona [Mr. Kyl].

Mr. KYL. Mr. Chairman, there are three specific points I would like to respond to, but first of all, I would like to make the point that this amendment is antiknowledge and it is antiscience. It is based upon the premise that we do not think SDI will work, but we do not want to test to find out because we might be surprised if we found out. I wish I were so smart as to know the answers to all these things, but the truth of the matter is that until we test, we do not know the answers.

The rationale is that we should head off the momentum for early deployment. I think that is the real reason. It is not because we think it might be too vulnerable or because of the ABM Treaty. It is because we really do not want this at all. I suggest that those who support the amendment for that reason should have voted for the Dellums amendment, but that amendment failed. If you want SDI, you have got to test, and this, frankly, is the next item in line.

The theory has always been that we fly before we buy, and that is what is important in this particular test. Now, if we do not want the SDI, then, of course, we ought to stop the funding altogether and quit wasting the taxpayers' dollars.

That is the third point. We cannot just keep dragging this program out forever, first, because it is a waste of taxpayers' dollars, and second, because at some point we have got to fish or cut bait.

So my question to the proponents of this amendment is, why are we afraid of tests? Tests do not put it up into the sky. And the answer is that this is a vulnerable system. First of all, it is interesting we think we know that it is vulnerable before we do any testing. But we just know it is vulnerable. Of course, again we are at a disadvantage here because those of us who have received the briefings on this have been advised by those who supposedly know that it is not vulnerable, and that it cannot be taken out. So, therefore, we have to keep arguing between ourselves as to which interpretation of our briefings is correct.

The final point is that it would be a violation of the ABM Treaty. It is not a violation of the ABM Treaty. According to the report to the Congress on the SDI in April of this year, it is clearly pointed out that the tests on this particular project, the SBKKV would not be a violation of the ABM Treaty, and the reason is that this demonstration hardware is not an ABM component. It would not be tested in an ABM mode, and it would not be capable of substituting for an ABM component. There will be no intercepts of strategic ballistic missiles or their elements in flight trajectory. This is, rather, simply to determine the feasibility of target acquisition tracking and rocket-propelled projectile launch and guidance, and the feasibility may be demonstrated using this particular mode of testing.

So it is not a violation of the ABM Treaty to test this. We do not know whether or not it is vulnerable, but the briefing suggests that it is not. We cannot know that until the testing occurs.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, on the question of vulnerability, again they say that the Soviets would fast-burn their boosters. It is estimated it would cost $900 billion for the Soviets to develop a fast-burn booster system for all their land-based ICBM's. That is the figure that is out there today in the scientific community.

Additionally, the satellite itself would be maneuverable. They talk about using Galosh missiles. Galosh missiles could be taken out by the miniature homing devices that are based in the KKV. The point is, I say to the gentleman from Arizona [Mr. KYL] that I think he would agree that we get 10 for 1 with this system. For every Soviet ICBM that is carrying 10 warheads, one of these miniature rockets contained in this KKV system would destroy the entire missile. That is 1 for 10.

Let us not end this thing. Let us not cripple this program. Let us do the research that is necessary. It is going to be within the ABM provisions. There is no violation of the treaty. Let us not cripple one of the most essential and elemental ingredients of the SDI.

Mr. Chairman, I appreciate the gentleman's yielding.

Mr. KYL. Mr. Chairman, I appreciate the comments of the gentleman, and I would reiterate this: why be antiscience? Why are we afraid of this? Why are we afraid to test?

Mr. Chairman, I urge defeat of the amendment.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. DICKINSON] has 2 minutes remaining and the gentleman from Indiana [Mr. MCCLOSKEY] has 2½ minutes remaining.

Mr. McCLOSKEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, I rise to support the McCloskey-Spratt amendment because it is indeed within the spirit of the ABM Treaty. I am convinced that kinetic kill vehicles are based on principles which were understood at the time of the ABM Treaty. Thus, I believe this amendment is correct in redirecting funding away from the development and testing of a space-based KKV system. Such development and testing would have to be done outside of the ABM Treaty.

I support the continued funding for basic research because research is necessary to determine if the KKV system is viable. As the system is now, it would be extremely vulnerable to Soviet countermeasures, despite the claims by its proponents. Studies indicate that the KKV system will at best be only 16-percent effective against a Soviet attack. It is clearly a system that will not work as advertised. My greatest concern is that this flawed system is sapping funds from more promising, breakthrough technologies. This amendment rightly redirects money into these programs. It does not reduce the committee recommended level of spending.

I am a strong supporter of SDI, but such an important concept should be pursued in the most prudent manner possible. As some rush for an early deployment, I urge caution to avoid irreparable mistakes.

Mr. McCLOSKEY. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. McCURDY. Mr. Chairman, most policy decisions of the Department of Defense have budget and procurement implications. This apparent research and development and budget decision we are about to make, however, has tremendous policy implications.

I supported the committee funding level of SDI, and I also generally try to avoid actions that would have the effect of micromanaging existing programs. However, this is one of the most exceptional cases we have had in this Congress.

What appears to be a minor decision on rockets is actually a political action of the greatest proportion. It is a system that has questionable application against ICBM's in the boost phase, but it will have a 100-percent chance of killing the ABM Treaty, I believe. It is a policy decision that the United States should avoid.

If we do not like the ABM Treaty, we should renegotiate it. We should not actually shoot it down by making a procurement decision. The technology is available. We do not need to rush forward today with this system. We need the SDI architecture designed first, and then we can make this policy decision later.

Mr. Chairman, I ask the Members to vote for the McCloskey amendment.

The CHAIRMAN pro tempore. The gentleman from Indiana [Mr. MCCLOSKEY] has 1½ minutes remaining.

The Chair will state that the gentleman from Alabama [Mr. DICKINSON], in support of the Committee's position, has the right to close debate.

Mr. McCLOSKEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, the worst thing about the SBKKV and the satellite bombers is that it simply will not work. Whether or not the Soviets build fast-burn booster rockets or whether the Soviets will make their existing ICBM's more maneuverable is really not the issue. The issue is whether or not we are going to be willing to break the ABM Treaty in order to create more war in the heavens instead of peace on earth.

It seems to me that what we ought to be interested in is this: if the Republicans are interested so much in the budget, why are we not focusing on the fact that this is going to cost $100 billion to deploy the system by the time we get through?

The issue before Congress today is whether or not we are going to care about the fact that 20 percent of our young children are growing up in poverty and whether we are going to care about whether we will have a decent future for the kids in America; it is not to go out and build weapons in the heavens. The issue is how we are going to create a better environment right here in the United States of America.

The CHAIRMAN pro tempore. The gentleman from Indiana [Mr. McCloskey] has one-half minute remaining.

Mr. McCLOSKEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. Moody].

Mr. MOODY. Mr. Chairman, I strongly support the McCloskey-Spratt amendment to forestall moving prematurely toward deployment of defenses using space-based kinetic kill vehicles, so-called SBKKV. Deploying SBKKV's now would begin a dangerous arms race in space, waste billions of dollars, and destroy the most valuable arms control treaty we have—the ABM Treaty.

Current KKV technology is not very promising. The U.S. Air Force studied and abandoned the SBKKV concept in the early 1960's. Why? Because a defense using these weapons is estimated to be only 16 percent effective, could cost many billions, and would be extremely vulnerable. Finally, the Soviets could defeat these expensive KKV's with relatively inexpensive countermeasures such as space mines, and we must assume that they would do so. Thus deploying the SBKKV would waste billions of dollars and yet provide little or no real improvements in our nuclear defenses.

We should have no illusions about the real goal of some advocates of the SBKKV Program: not to defend America against Soviet missiles but to gut the ABM Treaty. SDI backers are pushing for a premature decision on SDI deployment now to set in motion the irreversible erosion of that treaty—a dangerous and costly mistake.

The whole intent of the ABM Treaty which the United States signed was to prevent the deployment of defenses in space, and it has been successful in doing so, thus increasing U.S. security. The limits imposed by the ABM Treaty have allowed successive negotiations to focus on controlling competition in offensive systems. Unleashing a competition in defensive systems would reverse these important efforts.

The push for early deployment of SDI—which the SBKKV Program represents—indicates that some of the SDI faithful fear the SDI tide may be running out. After 4 years of huge R&D funding for SDI, the task of in-flight defense against ballistic missiles appears as daunting as ever. And as former SDI head scientist Allan Mense admitted: "Like it or not, we see a political reality staring us in the face. If we don't come up with something specific, people are not going to let us play in the sandbox for 10 years." I would rather have our SDI efforts restricted to the sandbox than racing headlong toward deployment of a questionable technology.

Earlier today we authorized $3.1 billion for SDI research. The McCloskey-Spratt amendment will ensure that those funds are truly used for research. Last week we voted overwhelmingly to continue adherence to the ABM Treaty. This amendment will remove the most immediate threat to that treaty. I urge support of the McCloskey-Spratt amendment.

Mr. McCLOSKEY. Mr. Chairman, I yield the balance of my time, 30 seconds, to the gentleman from Virginia [Mr. Olin].

Mr. OLIN. Mr. Chairman, Robert L. Sproull, who in the 1960's managed the BAMBI Program for the advanced research and project agency, says there has been no breakthrough. He is now on General Abrahamson's Scientific Advisory Committee, and he says, "Don't use the BAMBI KKV."

All the Members are aware that in 1985 this Congress passed and the President signed a bill that barred SDI deployment in whole or in part unless it was certified to be cost effective at the margin and survivable against Soviet countermeasures. This KKV we are talking about here does not pass muster on either account. I recommend to all the Members that they should vote for the McCloskey-Spratt amendment.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. Dickinson], has 2 minutes remaining to close debate.

Mr. DICKINSON. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. Dornan].

Mr. DORNAN of California. Mr. Chairman, one of the most treasured institutions of this House is when that mace is lifted up and it goes into its lower position and we go into the Committee of the Whole, where those of us who do not serve on a particular committee have an opportunity to try to amend a bill to bring different types of wisdom from different parts of the country for those who do not get to serve on every committee, which is an impossibility.

My dear friend, the gentleman from Indiana [Mr. McCloskey] had an opportunity as a member of the Committee on Armed Services to present this amendment to the members of that committee who are supposed to develop during their tenure here the most expertise, but never to exclude the rest of us. He lost 28 to 23 in the committee, and then because this is the first time an Armed Services Committee bill has ever had decisions made upstairs in the Rules Committee, far more worthy amendments were thrown out, but he was given a second chance to micromanage the Armed Services Committee bill that is to be the product of this House.

We just heard our good colleague, the gentleman from Massachusetts, make one of these speeches about—perish the thought—of war in the heavens.

Mr. KONNYU. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the gentleman from California.

Mr. KONNYU. Mr. Chairman, I thank the gentleman for yielding.

I just want to say that I strongly oppose this amendment because of the provision prohibiting development and testing of space-based kinetic kill vehicles. These are reasonable and safe things to do to protect America's citizens, and I just cannot understand why we are even discussing this issue.

Mr. DORNAN of California. Mr. Chairman, I agree with the gentleman. We are micromanaging the bill that comes out of my Foreign Affairs Committee so badly that in the supplemental we completely threw out all foreign aid. I do not know of any Members here who wants to dump every single dime of foreign aid, but that is what happens when you micromanage these things to death.

The kenetic kill possibilities of SDI are some of the most promising research we are doing. I can understand some of the sympathy against chemical capabilities or the no-neutron bomb or the neutron bomb killing capabilities, but this is against death-killing things in space that we can destroy before they destroy the American homeland.

Mr. Chairman, I ask the Members to vote no on my side, and I direct that to the 20 Members that have been rolled over all day long here.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Indiana [Mr. McCloskey].

The question was taken; and the chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. McCLOSKEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 203, noes 216, not voting 13, as follows:

[Roll No. 112]

AYES—203

Ackerman
Anthony
Aspin
Atkins
AuCoin
Bates
Beilenson
Bennett
Berman
Biaggi
Bilbray
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chandler
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Crockett
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Espy
Evans
Fascell
Fazio
Feighan
Flake
Florio
Foglietta
Foley
Ford (MI)
Frank
Garcia
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hawkins
Hayes (IL)
Hayes (LA)

Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Hughes
Jacobs
Jeffords
Johnson (SD)
Jones (TN)
Jontz
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kostmayer
LaFalce
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McCurdy
McHugh
McMillen (MD)
Mfume
Miller (CA)
Mineta
Moakley
Moody
Morella
Morrison (CT)
Mrazek
Murphy
Nagle
Neal
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Rahall
Rangel
Roe
Rose
Rostenkowski
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Skaggs
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Studds
Swift
Synar
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOES—216

Akaka
Alexander
Anderson
Andrews
Applegate
Archer
Armey
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boehlert
Boner (TN)
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Chapman
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeLay
DeWine
Dickinson
DioGuardi
Dowdy
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
English
Erdreich
Fawell
Fields
Fish
Flippo
Frenzel
Frost
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Goodling
Gradison
Grandy
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hefley
Henry
Herger
Hiler
Holloway
Hopkins
Horton
Houghton
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
Jenkins
Johnson (CT)
Kanjorski
Kasich
Kemp
Kolbe
Kolter
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCandless
McCollum
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morrison (WA)
Murtha
Myers
Natcher
Nelson
Nichols
Nielson
Oxley
Packard
Parris
Pashayan
Petri
Porter
Pursell
Quillen
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schaefer
Schuette
Sensenbrenner
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Solomon
Spence
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Upton
Valentine
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Whittaker
Whitten
Wilson
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOT VOTING—13

Annunzio
Combest
Dornan (CA)
Ford (TN)
Jones (NC)
Livingston
Ray
Rodino
Roybal
Schulze
Stokes
Tauzin
Torres

☐ 1735

The Clerk announced the following pairs:

On this vote:

Mr. Roybal for, with Mr. Combest against.

Mr. Stokes for, with Mr. Dornan of California against.

Messrs. PASHAYAN, DAUB, and ANDREWS changed their votes from "aye" to "no."

Mr. LIPINSKI and Mrs. KENNELLY changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DORNAN of California. Mr. Chairman, I understand that it happens to every Member once, except for the gentleman from Kentucky, [Mr. BILL NATCHER]. I worked the doors so hard and moved around lobbying my own side so hard that I forgot to vote on that last vote on the McCloskey amendment. So I would like to record a verbal "no" vote.

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to talk for just a moment about the schedule for the rest of the evening with the gentleman from Alabama [Mr. DICKINSON].

Mr. Chairman, let me just announce where we are in terms of what is likely to occur in terms of the schedule for this evening.

We have at this point in the process left on the SDI subject seven more amendments of 10 minutes each. In the last few hours there has been enormous progress in getting agreement on those amendments. At this point I think that it looks like out of the seven amendments we have four and even five of those seven amendments that we have agreement on, in which case we will have no debate and no vote on four or five of those seven.

We will probably have debate and votes on two of the seven. That will bring us to a close tonight well before the 9 o'clock closing hour. I would like to announce, though, that it is our intention tonight to bring up the highly popular and ever interest-generating C-17 amendment.

We will then, I believe, have completed the legislative business for today, and I would anticipate that that will be, as I say, well short of the 9 o'clock time that was announced.

The reason that we are able to do this is because of the cooperation of the Members and our ability to put together compromises on the remaining amendments. It is with a great deal of gratitude that I thank the Members and the opponents of these amendments who were able to work out a program here that will allow us to finish before 9 o'clock.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Alabama.

Mr. DICKINSON. I thank the gentleman for yielding.

Mr. Chairman, I had some moment of alarm there. Because the good guys won one, I thought that the gentleman was prepared to rise.

Seriously, we have the Hertel amendment, which we have tentatively agreed to accept if we could clarify one thing. The Courter amendment will be debated and voted on, we anticipate. The Downey amendment will be accepted, it is my understanding. The AuCoin amendment will be debated and voted on. The Olin, the Dornan, and the Buechner amendments have been tentatively agreed on and will be accepted without votes. So my compliments to the chairman.

Mr. ASPIN. Let me add to the gentleman from Alabama that the Buechner amendment we have been talking about to the author of the amendment and he is willing to make a couple of changes. I think that we can accept the Buechner amendment too and add it to the list.

Mr. DICKINSON. I thank the chairman. The next item on the agenda I assume then is the Hertel amendment which, if I understand correctly, makes no substantive change in the law and nothing additional is required of the Secretary. Is that correct?

Mr. ASPIN. It is my impression that in fact the Hertel amendment is in fact what the law would require in any case, and that there is no further constraint or enlargement of authority granted by having the Hertel amendment passed.

Mr. DICKINSON. We certainly have no objection to accepting it over here.

Mr. ASPIN. Mr. Chairman, I would like to discuss tomorrow's schedule.

Mr. DICKINSON. Please.

Mr. ASPIN. Regarding the schedule tomorrow, I think that the majority leader has already announced that we will go in at 10 o'clock, and the first order of business will be the debt-ceiling issue. Having disposed of the debt ceiling, we will come back to the defense bill, and we have been working on what can come up before, and having talked to the staff of the gentleman from Alabama, it would be the intention of the Chair to bring up the issue of the ballistic missiles tomorrow.

□ 1745

That whole section having to do with general debate and then amendments on ballistic missiles which includes two amendments on the MX, well, one on rail basing, one on the MX, three amendements on Midgetman, two amendments on D-5, we would anticipate doing that tomorrow.

If we are going to finish by 6 or 7 o'clock, 7 o'clock tomorrow night, that is about all we would be able to do tomorrow.

Mr. DICKINSON. That is what we have agreed to.

I would hope that that is so, and it is my understanding that the leadership on your side of the aisle has announced that it is their intention to rise at 8 or thereabouts, even if we are not finished, so the Members can make some plans based on the 8 o'clock hour.

Mr. ASPIN. Mr. Chairman, if we are right on the scheduling, starting out and doing the debt ceiling and the missiles, it will take us to about time to quit.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. HERTEL

Mr. HERTEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. (Mr. RUSSO). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HERTEL:

At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. PROHIBITION ON DEPLOYMENT OF ANTIBALLISTIC MISSILE SYSTEM UNLESS AUTHORIZED BY LAW.

The Secretary of Defense may not deploy any antiballistic missile system unless such deployment is specifically authorized by law after the date of the enactment of this Act.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Michigan [Mr. HERTEL] will be recognized for 5 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Chairman, I yield myself such time as I may consume, and I yield to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, by agreement with the chairman of the full Committee on Armed Services, and the gentleman from Michigan [Mr. HERTEL], who offers the amendment, we would accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HERTEL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COURTER

Mr. COURTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. COURTER:

At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. DEFENSE AGAINST ACCIDENTAL LAUNCH.

(a) PROGRAM AUTHORIZATION.—There is hereby authorized a program to provide for the defense of the continental United States against accidental launches of strategic ballistic missiles.

(b) SDI FUNDING LIMITATION.—Of the amount appropriated under section 201 for fiscal year 1988 for the Strategic Defense Initiative program, $300,000,000 is available only to perform concept definition and advanced development and to initiate full-scale development for the deployment of the system described in subsection (a).

(c) PLAN REQUIRED.—The Secretary of Defense shall establish a program plan requesting necessary funding for fiscal years after fiscal year 1988 to achieve an initial deployment of the system described in subsection (a) by 1992.

The CHAIRMAN pro tempore. Under the rule, the gentleman from New Jersey [Mr. COURTER] will be recognized for 5 minutes in support of the amendment and the gentleman from South Carolina [Mr. SPRATT] will be recognized for 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from New Jersey [Mr. COURTER].

Mr. COURTER. Mr. Chairman, I wonder if I could just have the attention of the Members. It is just one of these 5-minute amendments that will not take long to explain.

Last year, 1986, the Soviet Union had a ballistic missile that was launched by mistake; and it landed in China. In that same year, 1986, there was a Soviet cruise missile that landed in Finland.

In that same year, 1986, as we all know, there was a Soviet ballistic missile that had a tragic problem; and the silos blew out but no missile was launched.

The point here is the fact that technology is not perfect, and there can be the idea, or there is a fear of a ballistic missile launched by mistake.

As every Member in this Chamber knows, if a ballistic missile is launched by error, by accident or by mistake, it will probably land where it is designated to land, because that information is keyed into the computer on board, the ballistic missile warhead.

Also, of course, that would mean the devastation of hundreds of thousands, if not millions, of lives. My amendment recognizes that fear, that concern.

The ABM Treaty by reference indicates the nations may be concerned about a ballistic missile that may be launched by error or mistake, and it is right. It is only common sense to deploy some basic systems to be able to defend yourself against a ballistic missile launched by mistake.

For those Members here that do not want to defend against a ballistic missile attack by design by the Soviet Union or by some other power, fine.

What this amendment does is say that what we must do is defend ourselves in a very small way against a ballistic missile that may be launched by mistake. Two, it earmarks 10 percent, $300 million, to be used toward working out systems and designing systems that can be used and that will be used by initiating in the early 1990's, 1992, to have the capability of defending against this type of an attack.

It is for those Members who are worshipping at the shrine of the ABM Treaty, and for those Members that believe keeping ourselves vulnerable is somehow safe, and it is dangerous to defend yourself against an all-out attack, do not have any fear.

This amendment certainly can be compliant with the ABM Treaty. It still means we are living with the doctrine of mutually assured destruction for those who like that, although what this amendment does is to say that the policy of the United States should be to protect our children and to protect our homeland against one or two or three ballistic missiles that may be launched by error or mistake.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would call to the attention of the House the fact that the bill currently contains $25 million allocated to study accidentally launched systems.

The sponsor of that amendment is the gentleman from Ohio [Mr. KASICH] in our committee. The Committee on Armed Services adopted it for the purpose of concept exploration, at least to see what such a system would involve.

Could I ask the gentleman from Ohio [Mr. KASICH] your purpose in offering the amendment for $25 million?

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. SPRATT. Mr. Chairman, I yield to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I offered the $25 million for purposes—I am not sure it will cost $25 million—but we do not know what it will cost yet for sure; but staff recommended we put $25 million in the bill for purposes of figuring out what we can do in an accidental launch of our own system, or an accidental launch of the Soviet system, to spend up to $25 million, and similar action has been taken in the other body.

The purpose of it is to figure out what it is we can do to protect ourselves against, let us say, an accidental launch, and that was the purpose of the amendment, both an accidental launch on our side and an accidental launch by the Soviets.

I think what the gentleman's statement is in terms of developing a system like that is a very good idea, and that was the purpose of the $25 million.

Mr. SPRATT. Mr. Chairman, I reserve the balance of my time, but I would simply submit that the bill presently provides for concept exploration.

Therefore, it is not necessary or desirable to spend as much, or defend as much as $300 million when we do not even have a concept design for the accidental launch system which the gentleman from New Jersey [Mr. Courter] would describe as a program.

Mr. COURTER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from New Jersey [Mr. Courter] has 2 minutes remaining.

Mr. COURTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just indicate people here that oppose an amendment that is designed to protect us against a ballistic missile warhead that is launched by mistake, a study cannot protect us, only an interceptor can protect us. To suggest by spending $25 million now for a study that we will be safe in 1991 or 1992 in case one of these Soviet ballistic missiles lands on us is a ruse and a terrible mistake.

I am pleased with the fact that the bill at least recognizes the need to study the problem. What I am suggesting here is that we spend real money, 10 percent of that which we have already designated. I am not asking for additional money for anything. I am not asking for more money for strategic defense. I am earmarking that which this body has already cut three different times, twice in the committee and once on the floor in order to protect ourselves the earliest we possibly can against a ballistic missile launched by mistake.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Chairman, I would like to point out that the administration has been adamantly opposed to earmarking funds in its SDI program.

Second, it has said repeatedly that they feel they can manage this program without a lot of specific line items being delineated in the budget.

I would say I think the committee has done the right thing by putting $25 million in to look at this, even though I somewhat question that because it was not requested by the Reagan administration who has been the most adamant advocate of this particular program.

So I think this would be a great mistake to take $300 million and use it in this direction. Let us take the $25 million and see if we can get the other body to go along, and then go from there.

Mr. SPRATT. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN pro tempore. The gentleman from South Carolina [Mr. Spratt] has 2 minutes remaining, and the gentleman from New Jersey [Mr. Courter] has 1 minute remaining.

Mr. SPRATT. Mr. Chairman, let me simply say that this would involve taking $300 million and setting up some sort of thin defense, some sort of defensive application to protect us against accidental launches. Lord knows, everybody wants to be protected from a rogue missile's accidental launch, either of our missiles or our adversaries' missiles from the Soviet Union or Third World countries. But this is the all-time case of taking millions of dollars and throwing them at an idea, an idea that is not defined, not fleshed out. There is simply a notation here that we would call this a program. We have $3.1 billion, and we will probably end up with $4 billion, and all of this money for SDI development effectively goes toward the end of protecting us one day against an accidental launch.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I would like to get on the record that I concur completely with what the gentleman from New Jersey [Mr. Courter] is trying to do. But I do not know what the system is going to cost, and the purpose of the study is we want to come back next year, and I believe it is reflected in the record of the committee, to tell us what we have to do to develop this system, and then be in a system, come back and spend what we need to in order to do it.

I think that makes the most sense at this point. But I do concur with what the gentleman wants to do, which is why the amendment was offered to begin with. We should do it as soon as we can, and in as knowledgeable a way as we possibly can.

Mr. COURTER. Mr. Chairman, I just want to mention the fact that the administration is not against this. It is quite ironic that the gentleman from Washington [Mr. Dicks] is now talking about how the administration feels on SDI.

The gentleman from Ohio [Mr. Kasich] indicated he did not know what the cost was. We are talking in terms of 100 launchers and sufficient radars, $3.5 billion. If the people in this body are saying that $3.5 billion over the life of the program that is ABM-consistent is too much money to protect this country against an accidental launch by error or mistake, then go and vote that way. I am not going to.

I call for an "aye" vote.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey [Mr. Courter].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. COURTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 121, noes 297, not voting 14, as follows:

[Roll No. 113]

AYES—121

Archer
Armey
Badham
Baker
Ballenger
Bartlett
Barton
Bateman
Bentley
Bereuter
Biaggi
Bilirakis
Bliley
Boulter
Broomfield
Brown (CO)
Burton
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coughlin
Courter
Crane
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
DeLay
DeWine
Dickinson
DioGuardi
Dornan (CA)
Dreier
Durbin
Edwards (OK)
Fawell
Fields
Gallegly
Gallo
Gekas
Gingrich
Grandy
Gregg
Hammerschmidt
Hansen
Hastert
Hefley
Herger
Hiler
Hochbrueckner
Holloway
Hopkins
Hubbard
Hutto
Hyde
Inhofe
Ireland
Kemp
Kolbe
Kyl
Lagomarsino
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
McCollum
McEwen
Michel
Miller (OH)
Moorhead
Nielson
Oxley
Packard
Parris
Pashayan
Porter
Quillen
Rhodes
Rinaldo
Ritter
Robinson
Rogers
Rowland (CT)
Schuette
Shumway
Shuster
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Solomon
Stangeland
Stump
Sweeney
Swindall
Taylor
Thomas (CA)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Whittaker
Wolf
Wortley
Wylie
Young (AK)
Young (FL)

NOES—297

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bates
Beilenson
Bennett
Berman

Bevill
Bilbray
Boehlert
Boggs
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coyne
Craig
Crockett
Daniel
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Horton
Houghton
Howard
Hoyer
Huckaby
Hughes
Hunter
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Konnyu
Kostmayer
LaFalce
Lancaster
Lantos
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lott
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCurdy
McDade
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Miller (CA)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal
Nelson
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Price (IL)
Price (NC)
Pursell
Rahall
Rangel
Ravenel
Regula
Richardson
Ridge
Roberts
Rodino
Roe
Roemer
Rostenkowski
Roth
Roukema
Rowland (GA)
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schneider
Schroeder
Schumer
Sensenbrenner
Sharp
Shaw
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith, Robert (OR)
Snowe
Solarz
Spence
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stratton
Studds
Sundquist
Swift
Synar
Tallon
Tauke
Thomas (GA)
Torricelli
Traficant
Traxler
Udall
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—14

Annunzio
Combest
Ford (TN)
Jones (NC)
Latta
Livingston
Ray
Rose
Roybal
Schulze
Stokes
Tauzin
Torres
Towns

□ 1815

The Clerk announced the following pair:

On this vote:

Mr. Combest, for, with Mr. Roybal against.

Messrs. STRATTON, SIKORSKI, ANDERSON, and DUNCAN changed their votes from "aye" to "no."

Mr. RINALDO changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DOWNEY OF NEW YORK

Mr. DOWNEY of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. RUSSO). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DOWNEY of New York: At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. LIMITATION ON TRANSFER OF SDI TECHNOLOGY TO SOVIET UNION.

Military technology developed with funds appropriated or otherwise made available for the Strategic Defense Initiative may not be transferred, or made available for transfer, to the Soviet Union by the United States (or with the consent of the United States) unless—

(1) the President determines, and certifies to Congress, that the transfer is in the national interest of the United States and is to be made for the purpose of maintaining peace; and

(2) Congress approves that determination by a joint resolution.

The CHAIRMAN pro tempore. The gentleman from New York [Mr. DOWNEY] is recognized for 5 minutes in support of his amendment.

Mr. DOWNEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me briefly explain my amendment. I do not imagine there is any objection from the other side.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. DOWNEY of New York. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, we agreed to accept it, based on the fact that we would not have to have a long discussion on it.

Mr. DOWNEY of New York. Notwithstanding that, Mr. Chairman, I would like to explain the amendment, even though the gentleman from Alabama has admonished me that my explanation may doom it. However, I think it is important just to explain very briefly.

Let me say at the outset that I am not a supporter of SDI, and I make no bones about that. I also believe very strongly that the future security of our country is based, not only on the acquisition of weapons, but also on the recognition that arms control and the accomplishment of agreements will provide us greater security.

Having said that, I have been alarmed, as I know many others have, by statements that President Reagan has made about the giving or sale of technology on the strategic defense initiative to the Soviet Union.

While I believe in cooperation, that is one sphere in which I do not believe we should cooperate. While I do not believe SDI will ever come to fruition, I have been wrong in the past and would prefer to codify in law a permanent role for the Congress to prevent the transfer of SDI technology.

My amendment very simply requires that the President first certify to the Congress that the transfer is in the national interest of the United States and is made for the purpose of maintaining peace and that Congress have the opportunity to ratify that decision by joint resolution.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. DOWNEY].

The amendment was agreed to.

AMENDMENT AS MODIFIED, OFFERED BY MR. OLIN

Mr. OLIN. Mr. Chairman, I offer an amendment, and I ask unanimous consent for the consideration of the amendment as modified.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will designate the amendment, as modified.

The text of the amendment, as modified, is as follows:

Amendment offered by Mr. OLIN, as modified: As the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. SENSE OF CONGRESS REGARDING THE STRATEGIC DEFENSE INITIATIVE.

(a) FINDINGS.—The Congress finds the following:

(1) The Strategic Defense Initiative program (hereinafter referred to in this section as the "SDI program") has made substantial progress in identifying the research and technology development that must be completed to be able to specify and define an effective ballistic missile defense system.

(2) The Secretary of Defense has in the last two years proposed to expand the scope of the SDI program to include demonstration projects and plans for early deployment that deviate from and that may be detrimental to the objectives of the program.

(3) The Secretary of Defense has not submitted plans and supporting data sufficient for the Congress to understand how the SDI

program will progress toward its objectives year by year and phase by phase.

(4) While it is impractical to accurately estimate the ultimate architecture, cost, or effectiveness of a ballistic missile defense system at this time, Congress and the Secretary of Defense must reach a mutual agreement on the plans, funding levels, and the probable time period needed to achieve the research and technology developed referred to in paragraph (1) in order for the SDI program to be run in an efficient and economic manner, to attract and hold top scientific talent, and to achieve the objectives outlined in the President's address of March 23, 1983.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) vigorous research and technology development that could lead to the creation of a strategic defense system which would make the security of the United States less dependent on the decisions of the Soviet leadership to employ nuclear weapons, in consonance with the objectives outlined in the President's address on March 23, 1983, should continue to be supported by the Congress;

(2) such research and technology development would provide the technical knowledge required to support an informed decision in the early 1990's on whether or not to develop and deploy a ballistic missile defense system for the United States and its allies capable of achieving the President's objectives;

(3) funding for the SDI program should not be increased in any substantial way over the foreseeable future until the Congress is convinced that plans which call for an increased level of funding are feasible and consistent with the objectives of the program;

(4) the Secretary of Defense should develop a plan which provides for a first phase of the SDI program (the research and technology development phase) and provides for that phase a description of necessary research and technology development, its annual cost, and its time of completion, which would be defined as the time when subsequent phases can be defined and described and estimates can be made of their cost, timing, and effectiveness; and

(5) the Secretary of Defense should annually submit by March 1, beginning with March 1, 1988, a report in classified and unclassified form describing the progress made in SDI research and technical development activity and containing any recommended revisions of the plan referred to in paragraph (4).

The CHAIRMAN pro tempore. The gentleman from Virginia [Mr. OLIN] is recognized for 5 minutes.

Mr. OLIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering this amendment expressing the sense of the Congress of the need for a plan, agreed to by the administration and the Congress, for the Strategic Defense Initiative Program.

We are now in the midst of our third funding year for the SDI. Each year since fiscal year 1985 we have substantially increased the amount of money devoted to this research program; $1.4 billion was appropriated in fiscal year 1985, $2.7 billion in fiscal year 1986, and $3.2 billion in fiscal year 1987. However, these increases have not even been close to the amounts requested by the administration. Each year, the Congress has made it clear they could not support the amount of money the administration requested without more information about where this program is heading.

I have been studying the SDI Program since the beginning of 1985. I have made trips to the national laboratories and received many briefings, classified and unclassified, on the progress we are making. I have been impressed by the strides being made by our scientists. They are doing good work that needs to be continued.

However, I have become increasingly disturbed by the lack of a plan for the SDI, and the lack of an agreement between the Congress and the administration on where this program is headed, how much money it requires and what we expect to achieve with that money.

For this reason I am introducing an amendment expressing the sense of the Congress that an agreement must be reached between the administration and the Congress on these issues.

My amendment states the following findings of the Congress:

That the SDI Program has made substantial progress in identifying the research necessary to specify and define the nature of an effective ballistic missile defense system.

That the Secretary of Defense in the last 2 years has proposed to expand the SDI Program to include demonstration projects and the plans for early deployment that deviate from and may be detrimental to the objectives of the program.

That the Secretary of Defense has not submitted plans and supporting data sufficient for the Congress to understand how the SDI Program will progress toward its objectives over time.

That although it is impractical to accurately estimate the ultimate architecture, cost or effectiveness of a ballistic missile defense system at this time, Congress and the Secretary of Defense must reach a mutual agreement on the plan, funding level and probable time period necessary to achieve the R&D phase of the program. This is necessary in order for the SDI Program to be run in an efficient and economic manner, to attract quality scientific talent, and to achieve the President's objectives as he outlined them in his address of March 23, 1983.

My amendment goes on to express the sense of the Congress that:

Congress should continue to support vigorous research and technology development that could lead to the creation of a strategic defense system which would make the security of the United States less dependent on the decisions of the Soviet leadership to employ nuclear weapons.

Such research and technology development would provide the technical knowledge required to support a decision in the early 1990's on whether or not to develop and deploy a ballistic missile defense system for the United States and its allies capable of achieving the President's objectives.

Funding for SDI should not be substantially increased in the foreseeable future until the Congress is convinced that plans which call for an increased level of funding are feasible and consistent with the objectives of the program.

The Secretary of Defense should develop a plan which provides for a first phase of the SDI Program—the research and technology development phase—and provides for that phase a description of necessary research and technology development, its annual cost, and its time of completion. This time of completion would be defined as the time when subsequent phases can be defined and described and estimates can be made of their cost, timing, and effectiveness.

The Secretary of Defense should annually submit by March 1, beginning with March 1, 1988, a report in classified and unclassified form describing the progress made in SDI research and technology development activity and containing any recommended revisions of the plan described above.

Clearly, we in the Congress need to have this information before we can support the deployment of a ballistic missile defense. A vote for my amendment puts the administration on notice that we need to have this information before we can support any further increases in SDI funding.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. OLIN. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, we have had a discussion on this, and there has been a modification. I know that the gentleman wants to spend less money on defense.

We will accept the amendment.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. OLIN. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, on this side, we accept the amendment.

Mr. OLIN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment, as modified offered by the gentleman from Virginia [Mr. OLIN].

The amendment, as modified, as agreed to.

AMENDMENT OFFERED BY MR. AUCOIN

Mr. AUCOIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. AUCOIN: At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC 225 PROHIBITION AGAINST CERTAIN CONTRACTS.

(a) IN GENERAL.—Funds appropriated to or for the use of the Department of Defense for any fiscal year pursuant to an authorization contained in this or any other Act may not be used for the purpose of entering into or carrying out any contract with a foreign govenment or a foreign firm if the contract provides for the conduct of research, development, test, or evaluation in connection with the Strategic Defense Initiative program.

(b) Temporary Suspension of Prohibition Upon Certification of the Secretary of Defense.—The prohibition in subsection (a) shall not apply to a contract in any fiscal year if the Secretary of Defense certifies to Congress in writing at any time during such fiscal year that the research, development, testing, or evaluation to be performed under such contract cannot be competently performed by a United States firm at a price equal to or less than the price at which the research, development, testing, or evaluation would be performed by a foreign firm.

(c) Exception for Certain Contracts.—The prohibition in subsection (a) shall not apply to a contract awarded to a foreign government or foreign firm if—

(1) the contract was entered into before the date of the enactment of this Act; or

(2) the contract is to be performed within the United States; or

(3) the contract is exclusively for research, development, test, or evaluation in connection with antitactical ballistic missile systems.

(d) Definitions.—In this section:

(1) The term "foreign firm" means a business entity owned or controlled by one or more foreign nationals or a business entity in which more than 50 percent of the stock is owned or controlled by one or more foreign nationals.

(2) The term "United States firm" means a business entity other than a foreign firm.

The CHAIRMAN pro tempore. The gentleman from Oregon [Mr. AuCoin] is recognized for 5 minutes.

Mr. AuCOIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to point out that what we are debating now is the SDI Buy American amendment.

It prohibits new SDI contracts from going to foreign firms if there is an American firm that can do the work at equal or at lesser costs. I know full well that—I should say it also exempts, however, existing contracts in effect before enactment of this amendment.

I know that there are some of us who are convinced that SDI will make war more probable and others feel that it will make war less probable, but there really should be something that we all ought to be able to agree on when it comes to SDI. That is, Mr. Chairman, that any jobs produced by SDI technology and by SDI research should go to Americans first. We need to keep technology at home; we need to create new jobs at home; we do not need to export them away.

The administration is not seeing it that way. It is going around the world using SDI funds and says, "If you support SDI, we have contracts for you." that is what the Japanese are hearing, the Germans are hearing, the British are hearing, and these are some of the countries that are funding some of the largest trade surpluses against the United States today.

I just do not think it makes sense to give away jobs, export them away.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. AuCOIN. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Chairman, do I understand from the author of the amendment that, in his judgment, the administration is using SDI contracts and disbursing them in a way that leverages a foreign country, foreign government to become involved in supporting SDI?

Mr. AuCOIN. I would have to tell the gentleman that, initially, when SDI was announced and promoted by the United States, by this administration, many of our closest allies were the most hostile and critical and dubious about SDI. But now we are finding that contracts are being let to foreign countries and those are going to cost America jobs.

The United Kingdom has 24; West Germany, which, by the way, West Germany manages these contracts, not in the Defense Ministry, but in the Economics Ministry.

□ 1825

That gives us an idea how the Germans view SDI. It is a jobs issue for them, and I think we ought to think about the jobs impact on the United States.

The CHAIRMAN pro tempore (Mr. Russo). The Chair will inquire is the gentleman from Alabama [Mr. Dickinson] opposed to the amendment?

Mr. DICKINSON. I am opposed to the amendment, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. Dickinson] is recognized for 5 minutes in opposition to the amendment.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will ask the Members to give me their attention because this is very important. Let me explain what the gentleman is trying to do by his amendment. I do not think it is intentionally done, but the effect of it is to change treaties.

This is a letter from the British Ambassador. I cannot say it more succinctly than he has, so let me read what this says. It has to do with the agreement they have entered into with the United States, and this deals with Germany, too.

> In the absence of the Ambassador, I am writing to you about an amendment to the Defence Authorization Bill which we understand Mr. AuCoin and Mr. Bennett are about to introduce on the floor of the House.
>
> The amendment is identical to one which Senator Glenn intends to introduce on the floor of the Senate. It would prohibit the award of future SDI contracts to a foreign Government or firm unless the Secretary of Defense certifies to the Congress that the work "cannot be competently performed by a United States firm at a price equal to or less" than the price at which it would be performed by a foreign firm.
>
> The amendment is based on the Bayh Amendment which stipulates that DOD R&D contracts should not be awarded offshore when there is a US entity "equally competent" to carry out the work and "willing to do so at lower cost". The key change in the proposed amendment is the deletion of the word "equally".
>
> The Glenn/AuCoin amendment would therefore change existing US law, and mean that a technologically superior Allied proposal costing the same as a US proposal would be rejected in favour of a "competent" but inferior US proposal. This amendment would undermine the principles of cooperation on SDI established between the US and UK in a Memorandum of Understanding signed in December 1985 which is based on free and fair competition. The amendment would provide further ammunition to critics of the US/UK relationship on both sides of the Atlantic. It could also deprive the US of the benefits of British technological contributions.

In other words, this tears up an agreement. The language says that it does not have to be cheaper or it does not have to be equal; it just says that it has to be a competent firm. What is "competent"?

So I urge the Members, let us not get into a trade war on this thing and tear up an existing treaty with the United States. The British are very sensitive about this.

Mr. Chairman, I urge the Members to vote "no" on the AuCoin amendment.

Mr. AuCOIN. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. Bennett].

Mr. BENNETT. Mr. Chairman, Senator Glenn approached me to talk with me about this matter, and he felt that it was a wise thing to have this amendment introduced. The gentleman from Oregon [Mr. AuCoin] and I are cooperating with him here in the House.

The basic reason why I favor this amendment is because of the fact that I fear pressure is being brought to sustain the SDI before it is proved to be something our country should stand for. I think it is an undue and improper thing to have international affairs brought to bear upon this House because of contracts let abroad.

If that were not true, I do not think that I would be having telephone calls about this matter from embassy personnel, which I have had since the introduction of this amendment in conjunction with the gentleman from Oregon [Mr. AuCoin].

I am interested somewhat in "Buy America," but I am interested also in the Nunn amendment which I was able to get passed in the House years ago and which provides for cooperation between NATO and ourselves.

Mr. Chairman, this is a different thing. There is pressure being brought here for some purpose, and I think we ought to look at it more deliberately.

The CHAIRMAN pro tempore. The gentleman form Alabama [Mr. Dickinson] has 3 minutes remaining.

Mr. DICKINSON. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, if we accept this amendment, it could abrogate treaty agreements that we have with Israel, with Germany, with France, and with the United Kingdom without even knowing it. We do not know what damage it is going to cause. It is very mischievous. It has been studied, and the issue has been brought up before the committee. We just do not know the ramifications of it. It would be very shortsighted indeed for us to accept this.

Mr. MAVROULES. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I am glad to yield briefly to the gentleman from Massachusetts.

Mr. MAVROULES. Mr. Chairman, I thank the gentleman for yielding.

I am not trying to take a position on the issue at this point, but I do rise in support of what the gentleman from Alabama [Mr. Dickinson] is trying to say.

We just started hearings on the "Buy American" provisions in the Committee on Armed Services. As a matter of fact, I have accepted one from the gentleman from Ohio [Mr. Traficant] already.

We went into these hearings after the bill was completed on the floor, I say to the gentleman from Alabama [Mr. Dickinson] and sometime later this year we will come before the full committee and on the floor with provisions that we can determine at that time.

The one point I want to make very clear, however, if the gentleman will give me his attention, is this: If we have one advantage at this point, although we do talk about the trade imbalance, which is very real, it is in the area of defense because we have a 2.8-1 ratio in our favor in that one area.

Mr. DICKINSON. Mr. Chairman, let me reclaim my time and say that we have a committee to take care of this. We have a committee to study it, and this impromptu offering of an amendment without knowing what repercussions it is going to have or what countries it is going to hit and what agreements we are going to abrogate, is just very shortsighted.

Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. Dornan].

The CHAIRMAN pro tempore. The gentleman from California [Mr. Dornan] is recognized for 1 minute.

Mr. DORNAN of California. Mr. Chairman, with all due respect, I think there is an attempt here to take advantage of this spirit of protectionism that is in the House. I look at our parking lot out there, and I see a lot of German and Japanese technology—not in my car. I buy American, but I do not criticize those who do not. And when Bob Hope opens up his coat and it says, "Made in the U.S.A.," I am one Congressman who responds to that. All factors equal, I would like to always buy American.

However, this is changing rules in the middle of the game, although I know the gentleman has this line in here, the phrase that says, "current contracts will be honored." But I do not think the gentleman called around enough. I do not think he talked to the people from the Plessey Industries in Great Britain who feel they are going to get the shaft on this when they are working overtime to try to share in the research toward a shield.

I know the gentleman has not called the State of Israel. Has he spoken to any of the people in their private sector or in their government? If he has, I would like to hear the response, because I think this hurts the State of Israel, which is under siege.

The CHAIRMAN pro tempore. The time of the gentleman from Alabama [Mr. Dickinson] has expired.

The gentleman from Oregon [Mr. AuCoin] has 1 minute remaining.

Mr. AuCOIN. Mr. Chairman, I yield 30 seconds to the gentleman from Montana [Mr. Williams].

Mr. WILLIAMS. Mr. Chairman, it seems to me that the gentleman from Oregon [Mr. AuCoin] is not trying here to practice protectionism. Rather, he is trying to stop the United States from becoming involved in international pork-barreling. Put up a map of the United States and throw a dart, and I guarantee you will hit a congressional district that has a star wars contract.

The gentleman is trying to say that we should not use the world as that same kind of pork barrel dart board. I think he is right.

Mr. AuCOIN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Oregon [Mr. AuCoin] is recognized for 30 seconds.

Mr. AuCOIN. Mr. Chairman, in closing, let me make it clear to my colleagues what the issue is, because the issue is going to be decided by a recorded vote, and it is a "buy American" amendment. It is very simple. It is not hard to understand. It is the same as what we have faced before.

This prohibits new SDI contracts, except for current ones and ones that happen to deal with tactical weapons, which is what the Israelis are dealing with and which are exempt. It prohibits foreign firms from bidding if there is an American firm that equals that bid or comes in with a lesser bid. What is wrong with that?

Let us create those jobs and keep them at home.

The CHAIRMAN pro tempore. All time on the pending amendment has expired.

The question is on the amendment offered by the gentleman from Oregon [Mr. AuCoin].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. AuCOIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 187, not voting 16, as follows:

[Roll No. 114]

AYES—229

Ackerman
Akaka
Alexander
Anderson
Anthony
Applegate
Atkins
AuCoin
Barnard
Bates
Bennett
Bentley
Bereuter
Bevill
Biaggi
Bilbray
Boland
Boner (TN)
Bonior (MI)
Bonker
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bryant
Bustamante
Campbell
Cardin
Carper
Carr
Chapman
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Coyne
Crockett
Darden
Daub
de la Garza
DeFazio
Dellums
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Flippo
Florio
Foglietta
Ford (MI)
Frank
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Goodling
Gordon
Grandy
Grant
Gray (IL)
Gray (PA)
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hochbrueckner
Howard
Huckaby
Hughes
Jacobs
Jenkins
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Latta
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Lowry (WA)
Lujan
Luken, Thomas
Manton
Markey
Martin (IL)
Matsui
Mavroules
Mazzoli
McCloskey
McHugh
McMillen (MD)
Mfume
Mineta
Moakley
Mollohan
Moody
Morrison (CT)
Murphy
Murtha
Nagle
Natcher
Neal
Nowak
Oakar
Oberstar
Obey
Ortiz
Owens (NY)
Owens (UT)
Pashayan
Patterson
Pepper
Perkins
Pickett
Price (IL)
Price (NC)
Quillen
Rahall
Rangel
Ravenel
Regula
Richardson
Ritter
Rodino
Roe
Roemer
Rogers
Rostenkowski
Roth
Roukema
Rowland (GA)
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slaughter (NY)
Smith (FL)
Smith, Robert (OR)
Snowe
Spratt
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tallon
Thomas (GA)
Torricelli
Towns
Traficant
Traxler
Valentine
Vento
Visclosky
Volkmer
Walgren
Watkins
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOES—187

Andrews
Archer
Armey
Aspin
Badham
Baker
Ballenger
Bartlett
Barton
Bateman
Beilenson
Berman
Bilirakis
Bliley
Boehlert
Boggs
Boulter
Broomfield
Brown (CO)
Buechner
Bunning
Burton
Byron
Callahan
Chandler
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Cooper
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Davis (IL)
Davis (MI)
DeLay
Derrick
DeWine
Dickinson
Dicks
DioGuardi
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Fawell
Fields
Fish
Foley
Frenzel
Gallegly
Gallo
Gekas
Gilman
Gingrich
Gradison
Green
Gregg
Gunderson
Hammerschmidt
Hansen
Hastert
Hefley
Hefner
Henry
Herger
Hiler
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Hunter
Hutto
Hyde
Inhofe
Ireland
Jeffords
Johnson (CT)
Kasich
Kemp
Kolbe
Konnyu
Kyl
Lagomarsino
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lott
Lowery (CA)
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (NY)
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Montgomery
Moorhead
Morella
Morrison (WA)
Mrazek
Myers
Nelson
Nichols
Nielson
Olin
Oxley
Packard
Panetta
Parris
Pease
Penny
Petri
Pickle
Porter
Pursell
Rhodes
Ridge
Rinaldo
Roberts
Robinson
Rowland (CT)
Saiki
Saxton
Schaefer
Schuette
Sensenbrenner
Shaw
Shumway
Shuster
Skeen
Slattery
Slaughter (VA)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Solarz
Solomon
Spence
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Udall
Upton
Vander Jagt
Vucanovich
Walker
Waxman
Weber
Weldon
Whittaker
Wilson
Wolf
Wylie
Young (AK)
Young (FL)

NOT VOTING—16

Annunzio
Combest
Ford (TN)
Hawkins
Jones (NC)
Livingston
Martinez
Mica
Miller (CA)
Ray
Rose
Roybal
Schulze
Tauzin
Torres
Wortley

□ 1840

The Clerk announced the following pair:

On this vote:

Mr. Roybal for, with Mr. Combest against.

Mr. WAXMAN changed his vote from "aye" to "no."

Mr. RITTER changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DORNAN OF CALIFORNIA

Mr. DORNAN of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Dornan of California: At the end of part B of title II (page 44, after line 19) add the following new section:

SEC. 225. PURPOSES OF SDI PROGRAM.

(a) Purposes.—The purposes of the Strategic Defense Initiative is to carry out research, development, testing, and evaluation and the engineering and production of technology and systems in order to provide strategic defense for the United States and its allies against nuclear and conventional armed missiles.

(b) Annual Report.—The Secretary of Defense shall include in the Secretary's annual report to Congress under section 113(c) of title 10, United States Code, a review of Strategic Defense Initiative systems, including programs on such systems, and specifically describing progress toward deployment of such systems.

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. Dornan] will be recognized for 5 minutes, and a Member in oppositon will be recognized for 5 minutes.

Does the gentleman from Wisconsin [Mr. Aspin] desire to rise in opposition to the amendment?

Mr. DORNAN of California. Mr. Chairman, it is my understanding that the chairman has fallen in love with this amendment.

Mr. ASPIN. Mr. Chairman, the gentleman from Califorina overstates it slightly, but we are in agreement that his amendment ought to be adopted.

Mr. BADHAM. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to my colleague, the gentleman from California.

Mr. BADHAM. Mr. Chairman, we have examined the amendment, and we find that we have the heart to accept it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. Dornan].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BUECHNER

Mr. BUECHNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Buechner: At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. REAFFIRMATION OF UNITED STATES RIGHT OF SELF DEFENSE.

The United States hereby reaffirms its right and obligation under the Constitution of the United States and International Law to defend and protect its citizens and its territory from ballistic missile attack through the deployment of ballistic missile defenses, whether based on land, on sea, or in space.

Mr. BUECHNER. Mr. Chairman, I ask unanimous consent to modify the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The Clerk will report the modification to the amendment offered by the gentleman from Missouri [Mr. Buechner].

The Clerk read as follows:

Modification of amendment offered by Mr. Buechner: At the end of part B of title II of division A (page 44, after line 19), add the following new section:

SEC. 225. REAFFIRMATION OF UNITED STATES RIGHT OF SELF DEFENSE.

The United States hereby reaffirms its right under the Constitution of the United States and International Law to defend and protect its citizens and its territory from ballistic missile attack through the deployment of ballistic missile defenses.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Missouri [Mr. Buechner] will be recognized for 5 minutes and a Member in opposition to the amendment, as modified, will be recognized for 5 minutes.

The Chair recognizes the gentleman from Missouri [Mr. Buechner].

Mr. BADHAM. Mr. Chairman, will the gentleman yield?

Mr. BUECHNER. I yield to the gentleman from California.

Mr. BADHAM. Mr. Chairman, we have examined this amendment. We find that we have no problem with this amendment, and we would be willing to accept the amendment.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. BUECHNER. I yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, we are in agreement on this side. We have examined the amendment and the amendment as modified is agreeable to this side.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Missouri [Mr. Buechner], as modified.

The amendment, as modified, was agreed to.

□ 1855

The CHAIRMAN pro tempore (Mr. Gray of Illinois). Pursuant to the notice provided earlier today by the chairman of the Committee on Armed Services, the gentleman from Wisconsin [Mr. Aspin], under paragraph (6) of House Resolution 160, it is now in order to consider the amendment printed on page 31 of section 2 of House Report 100-84, relating to the C-17 aircraft program, offered by the gentleman from Georgia [Mr. Darden] as the designee of the gentleman from Wisconsin [Mr. Aspin].

AMENDMENT OFFERED BY MR. DARDEN

Mr. DARDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DARDEN: At the end of part A of title II (page 41, after line 21), insert the following new section:

SEC. 214. C-17 AIRCRAFT PROGRAM.

None of the funds appropriated for research, development, test, and evaluation for the Air Force for fiscal year 1988, shall be available for the C-17 aircraft program. The amount provided in section 201 for the Air Force for fiscal year 1988 is hereby reduced by $979,904,000. The amount provided in section 103(a) for procurement of aircraft for the Air Force for fiscal year 1988 is hereby reduced by $705,800,000.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Georgia [Mr. DARDEN] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

Mr. McCURDY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Oklahoma [Mr. MCCURDY] will be recognized for 10 minutes.

PARLIAMENTARY INQUIRIES

Mr. DICKINSON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. DICKINSON. Mr. Chairman, it was my understanding that the chairman of the full committee was going to move to strike the requisite number of words, and I was going to do the same, and my question is, can we then each yield that 5 minutes to a designee?

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). By remaining on his feet the gentleman can do that after the allocated debate.

Mr. ASPIN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. ASPIN. Mr. Chairman, it is my understanding that we would move to strike the requisite number of words at the time when the debate on both sides has been completed. Is that correct?

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman is absolutely correct—at the conclusion of allocated debate.

The gentleman from Georgia [Mr. DARDEN] is recognized for 10 minutes.

Mr. DARDEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Fawn Hall once said that Andy Warhol once said that we all have 15 minutes in which we have a place in the Sun. However, Mr. Chairman, this is not true on this particular amendment, because we have been limited by the Committee on Rules to only 10 minutes of time in order to bring out our opposition to the implementation of a program which will eventually cost the U.S. taxpayer more than $40 billion. So during the short time that we have, Mr. Chairman, during the time that I will be in the process of debating why the C-17 ought to and should be canceled, $2 billion will have expired.

It has been said by a former colleague of ours, Mr. Hartnett of South Carolina, that his entire district was worth about $2 billion, that is, the city of Charleston, and so this puts it in proper perspective, Mr. Chairman. Every minute we will be consuming $2 billion of taxpayers' money.

As we used to say in the Georgia Legislature, Mr. Chairman, my amendment does one thing and one thing only—it cancels a major airlift system, a major weapons system. It does not stretch it out, it does not prolong the program, it does not try to save money on the program—it outright cancels the program.

It cancels a program, Mr. Chairman, which is more expensive than the B-1—and we have heard a lot about the B-1 lately. It is more expensive than the MX missile, which so many people are objecting to. It is more expensive than the ATB, also known as the Stealth bomber. It is more expensive than the research and development on SDI, to which so many people are opposed. And finally, it is more expensive than the ATF, or the Stealth fighter.

It contains no new technology. It is all off the shelf. It carries only two-thirds of the present airlifter that we have today, known as the C-5. The C-17 will cost almost $175 million a copy, whereas the present airlifter, the C-5, only costs $93 million. Finally, Mr. Chairman, by spending $4 billion on the C-17 over the next 2 years, we will get two protopypes plus four aircraft, for a grand total of 0.4 million ton-miles per day in airlift.

We could take the same amount of money, $4 billion, Mr. Chairman, buy 43 C-5B's, at the same time increase our capability in airlift shortfall by almost 8 million ton-miles per day.

Accordingly, Mr. Chairman, I am respectfully asking this House to cancel the expensive C-17 program, a program that is a boondoggle that we can do without.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Oklahoma [Mr. MCCURDY] is recognized for 10 minutes.

PARLIAMENTARY INQUIRY

Mr. McCURDY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. McCURDY. Mr. Chairman, as I understand it, we were going to divide the time between the opponents, the gentleman from California and myself, and that would give us 5 minutes initially, and then divide the time that the gentleman from Alabama would seek afterwards.

It is appropriate to recognize the gentleman from California and the gentleman from Oklahoma?

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). Without objection, the gentleman from Oklahoma may yield 5 minutes to the gentleman from California [Mr. BADHAM], to be yielded by him.

Mr. McCURDY. I yield 5 minutes to the gentleman from California [Mr. BADHAM].

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. BADHAM. Reserving the right to object, Mr. Chairman, my understanding is just a slight bit different. I agree with the gentleman from Oklahoma that the opposition to this amendment will be afforded in toto 15 minutes.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Chair states that that is assuming that the gentleman from Alabama [Mr. DICKINSON] moves to strike the last word, which would entitle him to 5 minutes.

Mr. BADHAM. Mr. Chairman, would it be in order at this time to ask unanimous consent, for the sake of efficiency and efficacy, that assuming that Mr. DICKINSON does ask for that, as he has said he would, that the time now be split in opposition, 7½ minutes to the gentleman from Oklahoma and 7½ minutes to be controlled by myself?

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman could ask, if he wants to propound a unanimous-consent request.

Mr. BADHAM. Mr. Chairman, I ask unanimous consent that the time in opposition of 10 minutes be, if expanded by the gentleman from Alabama [Mr. DICKINSON] by 5 minutes to be 15 minutes, divided equally between the gentleman from Oklahoma [Mr. MCCURDY] and the gentleman from California [Mr. BADHAM].

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

Mr. DARDEN. Reserving the right to object, Mr. Chairman, I have no problem with the unanimous-consent request if we expand it to also include the proponents of the amendment in such a way that both sides have 15 minutes upon which we will be able to do that.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). In order to do that, the chairman of the committee, the gentleman from Wisconsin [Mr. ASPIN], would have to ask for the additional 5 minutes by striking the last word.

Mr. DARDEN. He has informed me that he will, so then, Mr. Chairman, assuming that Mr. ASPIN will do so, we ask that the unanimous-consent request include the proponents of the amendment as well as the opponents of the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Georgia that Mr. ASPIN's 5 minutes, if obtained by striking the last word, be allocated to Mr. DARDEN?

Mr. BADHAM. Further reserving the right to object, Mr. Chairman, I have no objection to that whatsoever, and I would for that purpose at this time be able to yield for a further unanimous-consent request to the gentleman from Alabama [Mr. DICKINSON].

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). Hearing no objection, it is so ordered.

Mr. McCURDY. Mr. Chairman, I yield 45 seconds to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I rise in opposition to any attempt to delete the funding for the McDonnell Douglas C-17 aircraft. To pass such an amendment would be a grave mistake.

The C-17 authorization has the unqualified support of the Joint Chiefs of Staff. It is an extremely important defense program involving funding for research, development, and procurement of what I consider to be a very viable military aircraft.

The C-17 would provide our Armed Forces with a great deal more visibility and maneuverability in the airlifting of vital cargo at busy and congested airfields. Its size is an asset, and its cargo loading innovations make it invaluable in the rapid deployment of cargo.

Aside from its military practicality, the C-17 program is an important source of employment in California. It is estimated that over 46,000 jobs will be created by the C-17 production as well as resulting in 2 additional jobs created in the local economy for every productive job.

The C-17 was selected in open competition. It is state-of-the-art, practical, a large cargo capacity, rapid airlift capability, and excellent maneuverability, and all at a reasonable cost. Add these factors to the economic impact for California, and you have compelling reasons for the defeat of the amendment which would delete the C-17 from DOD authorization.

I urge my fellow Members not to support such an amendment.

Mr. DICKINSON. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). At the present time the committee is operating under the time allocated to the gentleman from California.

□ 1905

Mr. BADHAM. Mr. Chairman, was it not by agreement that we allowed that by unanimous consent this would already be done?

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman is correct.

Mr. BADHAM. Mr. Chairman, I thank the gentleman.

The CHAIRMAN pro tempore. The time of the gentleman from Alabama is now allocated to the gentlemen from California and Oklahoma.

Mr. BADHAM. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. MARTIN], a member of the committee.

Mr. MARTIN of New York. Mr. Chairman, I rise in strong opposition to the Darden amendment.

Mr. BADHAM. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Chairman, I rise in strong support of the C-17 and against the amendment.

The case for the C-17 Pegasus is compelling. Should a crisis develop in Europe, Asia or the Middle East, the United States does not have an adequate airlift capacity to respond in a timely manner.

The deployment of the McDonnell Douglas C-17 will redress this situation considerably and will be cost-effective over the long run. But critics of the C-17 will downplay these two crucial points during the expected debate in the U.S. House of Representatives on the airlift portion of the 1987 fiscal year Defense authorization bill.

These critics of the C-17 agree that the Air Force should modernize the Military Airlift Command [MAC], but they suggest that the Air Force choose a "cheaper" alternative. Usually the critics suggest that the Air Force buy a mix of the larger C-5B and the smaller C-130. While both are dependable aircraft, neither addresses the projected needs of the Armed Forces for the 1990's and beyond.

Critics of the C-17, by focusing almost exclusively on the issue of near-term affordability, do a disservice to the debate. Cost is always a factor when debating the procurement of military hardware, but it must be placed in the perspective of our Nation's airlift capacity and strategic needs. The C-17 meets the projected strategic and tactical airlift needs of the United States.

The C-17 is unique because it combines the quality of the C-5B and C-130 aircraft into a single mission capability. First, it can accomplish many of the long-range, intercontinental missions of the C-5B, including transporting outsized cargo such as tanks. Second, the C-17 will also be able to perform tactical airlift under combat conditions to short, austere fields. At present no single aircraft can accomplish both of these missions.

Furthermore, the C-17 offers the United States long-term savings. When defense analysts take into account the operational and maintenance costs over the entire life cycle of the aircraft, the C-17 fares very well in comparison with other options.

In the 1981 selection process for a more efficient MAC aircraft, life cycle cost was the most important consideration after operational utility. The Air Force keyed on the cost of operating the aircraft, the need to replace older aircraft, the rate at which new aircraft could be brought into the inventory and the need to place modern aircraft in the Guard and Reserve Forces. The Air Force determined that the C-17 option was the best to meet the long-range cost cycle goal with the best mission profile. Or, in other words, the most affordable, as well as most effective, solution.

Recent cost comparisons of various airlift options have determined that expenditures in the near term are basically the same for any feasible modernization alternative. The real savings accrue to the taxpayer in the outyears of the C-17 program when total program costs are considered.

In the Gramm-Rudman crunch, affordability should be the determining factor; but the focus must be on the cost of the total airlift buildup over the next decade, not in 1 year's expenditures. If not, we will only continue in the type of penny-wise, pound-foolish thinking that led us into the deficit acquisition quagmire we are in today.

Mr. BADHAM. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, I rise in opposition to the Darden amendment; but since this is the only opportunity I will have to talk about the Marine Harrier fighter plane, I will use this time for that purpose. I rise today to voice grave concern over an action taken by the Armed Services Committee against the Marine Corps' AV-8B Harrier aircraft program. While I appreciate that our defense dollars are becoming severely constrained and difficult choices must be made, the choice made in this instance is wrong for both economic and combat capability reasons. The committee eliminated funding for the AV-8B program, thus abruptly stopping the procurement process at midpoint when the Marine Corps light attack force is in the midst of transitioning from the aged and less capable AV-8A and A-4M to the AV-8B. Unfortunately, Mr. Chairman, the need for this modernization, spearheaded and supported by this body, has not changed. The AV-8B was selected as the Marine Corps modernization alternative because it offers numerous capabilities which no other aircraft in the world can provide—responsive, timely, close-air-support close to the front lines without the need for runways, complex sea based platforms or unwieldy support systems. Today the AV-8B exists as a result of the foresight and insight of the Congress.

The Harrier goes where the ground pounders go—that's what its all about. As shown repeatedly during the past 15 years of Marine VSTOL operations, the AV-8B can respond to a call for air support in minutes. No runways are required—parking lots, roads, grass strips, or small expeditionary mats constructed in hours are all that's needed. The entire support package for the Harrier has been designed to enable the aircraft to operate, rearm, and refuel in the field. In short, the AV-8B offers the ruggedness and basing flexibility required on the mobile battlefield and provides a close air support combat punch equivalent to any modern aircraft in the U.S. arsenal.

Mr. Chairman, some of the information used to justify this unprecedented action by the Armed Services Committee is not accurate. Please allow me to correct the record in the areas of engine power and reliability, vertical takeoff capability, military utility, and affordability.

First, the AV-8B is not underpowered. The AV-8B utilizes a wide range of takeoff modes, ranging from vertical takeoffs from small amphibious ship decks to rolling takeoffs from large amphibious ships, roads and grass strips. The capability to tailor the takeoff mode to the basing option and operational scenario is unique to the Harrier. To put it in perspective, operating from the parking lot of the U.S. Capitol, the AV-8B today can support troops as close as Old Town Alexandria, or deliver 3,000 lbs. of bombs on targets as far away as Portland, ME; Indianapolis, IN; or Charleston, SC.

Unfortunately, the record has included engine reliability information which applies to the older AV-8A model of the Harrier. The production AV-8B engine has proven to be highly reliable. The engine improvement program cited in the report is being implemented, not to improve performance, but to achieve a 1,000-hour removal and reduce life cycle costs.

The record questions the capability and growth potential of the AV-8B without a radar. The current AV-8B weapons system was selected because of its unique suitability for the close air support mission and because it is nonradiating which enhances combat survivability. Additionally, the fiscal year 1988 AV-8B procurement will incorporate a night attack system giving the aircraft a true day/night capability. The AV-8B is the lead for F/A-18 and A-6 follow-on night attack programs. The AV-8B can be equipped with any number of off-the-shelf radar should mission requirements so dictate.

The record offers the F/A-18 as a viable alternative to the AV-8B. Supplanting the AV-8B with the F/A-18 would necessitate additional outlays in excess of $1.0 billion over the cost of the AV-8B total program. In short, substituting the AV-8B with the F/A-18 would restrict our combat field commander's employment options and cost more money.

Finally, the AV-8B is the only aircraft that can solve the "20 minute Close-Air-Support Equation"—that is starting with a cold engine on ground alert, to bombs on target within 20 minutes of tasking. Fleet AV-8B's are meeting that challenge today in 8-10 minutes.

I urge my colleagues to remember how we've come to this point. The AV-8B is a product of the Congress. We nurtured and developed this commitment to VSTOL. It was the Congress that visualized the importance of VSTOL to our conventional warfighting capability and guided this valuable asset through the hard times in the late 1970's. The resulting product—the AV-8B—has clearly validated our efforts. It was developed and produced on time and within cost. The AV-8B was the first aircraft to meet or surpass every operational test criteria against which it was tested. It is the only program in history to be lauded by the Commander of the Navy's operational test forces for its performance. In short, the AV-8B program, by any measure, has been an unqualified success.

I urge my colleagues not to abandon this program of our own genesis when the finish line is in sight. The rationale for directing the AV-8B program is even more compelling today as the need for a responsive, capable, and credible conventional force plays an ever increasing role in our Nation's efforts to develop a stable platform for peace at Geneva and throughout the world. As we craft this bill, let us ensure that we build a balanced conventional force that maximizes rather than restricts our options. I urge my colleagues to restore funding for this unique national defense asset.

Mr. BADHAM. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, if I might bring the House up to date with a little history, might I just say that 5 years ago we completed a competition for airlift, because of the mobility study that was carried on by the armed services, because we did not have the equipment and we did not have the ability to transport what we needed by airlift to remote fields anywhere in the world.

That competition was held between McDonnell Douglas, Boeing and Lockheed; and the competition was won by McDonnell-Douglas in the shape of C-17.

Three years ago on this floor, on this floor on this bill, 3 years ago we came to an agreement on this floor between those Members representing Lockheed, those Members representing Boeing, and those Members representing McDonnell Douglas, that we did not have sufficient airlift, and even though the competition had been won and was going on, we needed more airlift now.

For that purpose, we agreed to buy four used 747's and cut doors in them for cargo. They sit rusting on runways today, because the Air Force could not use them.

We also agreed in that agreement entered into by Members in good faith on this floor that we would buy 50 more C-5B's at a new price, no more, 50.

The Secretary of the Air Force, the Secretary of Defense and every Member on this floor agreed that we would buy 50 C-5B's, no more.

That agreement was stuck on this floor.

Now, as we did last year, we are at a situation where the gentleman from Lockheed has said that we ought to have more C-5B's. I do not know how many times there can be an agreement on this floor, and how many times it can be broken.

The GAO report says that even if the Air Force is nearly correct or even half correct, the C-17 will save billions of dollars. It requires a crew of 3 as opposed to a crew of 9 for C-5's.

It requires fewer dollars, less fuel, and can land and take off from remote fields.

The GAO report does say that the C-5 can land in remote areas, can get out. Either we are going to go with technology and deals that the Members have struck on this floor, or we are going to do something that even Lockheed does not want.

I ask the Members to vote against this amendment.

Mr. DARDEN. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. Aspin] the chairman of the full Committee on Armed Services, for the purpose of making a request of the Chair.

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, can I yield my time to the gentleman from Georgia [Mr. Darden]?

The CHAIRMAN pro tempore. Under the previous request, the gentleman's time has been transferred to the gentleman from Georgia [Mr. Darden].

Mr. ASPIN. Mr. Chairman, I would like to transfer my time to the gentleman from Georgia [Mr. Darden].

Mr. DARDEN. Mr. Chairman, I yield 2 minutes to the gentleman from Utah [Mr. Owens] the cosponsor of this amendment.

Mr. OWENS of Utah. Mr. Chairman, Members are understandably reluctant to vote to cut any project that brings jobs to that Member's State.

That natural political instinct to survive is being used by the contractor in its drive to build the C-17 cargo plane, spreading major contracts on the C-17 over more than 100 congressional districts in 27 States.

The airplane's contractor is counting on Senators and Congressmen voting first for jobs, and only secondarily for sound defense and fiscal spending.

Mr. Chairman, I promised last year that if I were elected to Congress, I would support efforts to cut funding to the C-17, which I became convinced was an unjustified expenditure. This I promised, even though my district is in the location of a major new plant being built by the contractor, with a promise to hire 200 to 300 people.

I have been roundly critized by other people in my State and chambers of commerce, for being against a project that brings jobs to my job-hungry district. Some have predicted political repercussions; but, Mr. Chairman, this is not an issue of jobs and it is not an issue of political pain.

It is an issue of sound defense priorities. How can we ever hope to control Federal spending if none of the Members will ever oppose a program which brings jobs to our States? This, in short, is why Federal spending is so out of control.

The real question today is whether this new $40 billion cargo airplane is a vital necessity to a strong defense. That answer, in my judgment, is "no." If we were able and willing to increase defense spending another 40 percent in real dollars over the next 6 years, as we have in the last 6 years, it could probably be justified.

Dr. Lawrence Korb, one of the Reagan administration's former Assistant Defense Secretaries, said: "We can't afford all the next generation of weapons with zero-growth budgets."

Mr. Chairman, as we choose between systems, rejection of those that are unnecessary or that can be postponed, will cause us political pain. But political pain is the stuff of balanced budgets.

Mr. McCURDY. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Chairman, I rise today in opposition to the amendment offered by my colleague from Georgia, Mr. DARDEN.

Our current airlift capability is limited by the fact that equipment destined for forward battle areas must be delivered in a time consuming, two step method. Equipment must first be deployed from major bases in the United States to major overseas airfields. It then must be moved by either small air or surface transport in order to reach its final destination in the field.

It's clear that our airlift capability needs modernizing to improve the delivery of vital military equipment to forward battle positions. In 1981, the Secretary of the Air Force selected the C-17 as the best solution to our long-term airlift needs. The design of the C-17 will allow it to deliver cargo directly into small airfields located in forward positions, thus eliminating the time-consuming second delivery step now required.

The Armed Services Committee recognizes this need to significantly increase both intertheater and intratheater airlift capability in order to modernize the airlift force. The Defense authorization bill before us today would do that by authorizing funds for research, development, and procurement for the C-17.

However, the Darden amendment would completely eliminate all funding for this program. We would therefore be left with the current, outmoded situation of moving equipment slowly in two steps, delaying the time that needed supplies would reach forward battle areas.

The Air Force has indicated its preference. The Armed Services Committee has shown that it's in agreement by authorizing funds. I urge my colleagues to support the funding requested for the C-17 and the modernization of our Nation's airlift capability by rejecting the Darden amendment.

Mr. McCURDY. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. Mr. Chairman, I rise in opposition to the amendment offered by my distinguished colleague from Georgia. In reviewing his amendment I think it is appropriate to clarify some of the facts presented which hopefully will put this issue to rest so we can get on with building the C-17.

The airlift master plan approved by the Air Force clearly looked at all options to our airlift shortfall and concluded that the C-17 was the best option and one that the Nation could afford. The GAO, at the request of Congress, reviewed this decision and concluded that "over a 30-year period, the C-17's lower operating and support costs should more than offset its higher acquisition costs."

When looking at unit cost, it is important not to compare apples and oranges. The proposed cost figures on the C-5B's does not include spares, support cost, facilities, et cetera. The same type of cost applied to the C-17 and fiscal year 1987 dollars would figure to be $92 million for a C-17. When you compare this $92 million with the cost of a C-5B or any other wide-body aircraft available and add in the operational utility of the C-17 you can see why the C-17 is clearly the right decision.

Airlift operational utility has been reviewed many, many times. The C-17 clearly can operate in an environment where the C-5B can't due to its capability to use 3,000-foot runways and maneuver in confined area on the ground, which allows it to deliver equipment where and when it is needed.

Finally I need to comment on the statement that a "very few military pundits concentrate on our airlift requirement." The CINC's are solidly behind the C-17 and have testified to that here in Congress.

Mr. McCURDY. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, Air Force experienced administrators and managers have briefed us on the imperative need for the development and production of a new cargo capability airlift, the C-17. I have complete confidence and respect in the judgment and expertise of these Air Force administrators. Therefore, I urge the defeat of the Darden amendment.

Mr. McCURDY. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I rise in opposition to the amendment.

Mr. McCURDY. Mr. Chairman, I yield such time as he may consume to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I rise in opposition to the amendment and will attempt to make six points in support of my position:

1. COMPARATIVE STUDY

In 1981 the Air Force completed a 7-month design and cost evaluation study, mandated by the Congress, of the need for a new cargo airlift aircraft. The aircraft was identified, at that time, as the C-X. The Air Force determined that a new cargo aircraft was required to meet projected defense needs. The C-17 and the C-5 proposals—as well as three other, existing, oversize aircraft were considered in this study. The C-17 won the C-X source selection competition.

2. TECHNOLOGY

Both the C-5 and the C-17 aircraft would use off-the-shelf avionics and engine technology. But, the C-5 technology is 20 years old while the C-17 technology is current day technology.

3. RUNWAY CAPABILITY

The 1981 Air Force study reviewed the distribution of Free World airfields outside the United States. It determined that there were only 850 airfields which could accommodate the C-5. And, the majority, if not all, of the 850 airfields would be the airfields most vulnerable to congestion and to attack during a military conflict. But, there were 10,000 airfields which could accommodate the C-17.

4. OUTSIZE CARGO DELIVERY CAPABILITY

Both the C-17 and the C-5 can deliver outsized cargo. But, the C-17 has the advantage over the C-5 because it can deliver to runways as short as 3,000 feet while the C-5 must operate from 5,000-foot runways.

Furthermore, the C-17 can deliver all classes of cargo, including outsize, by all aerial delivery modes—including the low altitude parachute extraction system [LAPES]. Because of the Army's growing inventory of outsize equipment, this capability of the C-17 is critical to the ability of the Military Airlift Command [MAC] to deliver large amounts * * *.

5. AIR CREW SIZE REQUIREMENT

Digital computers, electronic displays, integrated cargo-handling systems and simplified flight controls permit the C-17 to operate with a three-person crew. The C-5 requires a seven-person crew. Alternatives studied under the Air Force airlift master plan showed use of the C-17 option would require 15,000 fewer personnel.

6. OPERATING COST

For the C-5 the per flying hour operating cost is $6,000. The per flying hour operating cost of the C-17 is $2,800. In other words, the per flying hour operating cost of the C-5 is more than twice as expensive as the same cost for the C-17.

7. LIFE CYCLE COST

The Air Force airlift master plan study determined that using the C-17 option would result in a $16 billion life cycle cost savings.

[From the Air Force Magazine]

THE AIRLIFT MASTER PLAN

(By Edgar Ulsamer)

The growing Soviet capability to project military power globally—and to apply that power in several places at once—puts vast new stresses on US mobility. Airlift is obviously the pivotal component for timely initial responses to this global threat. As Lt. Gen. Robert D. Russ, USAF's Deputy Chief of Staff for Research, Development and Acquisition, put it, "Airlift is the element of force projection that provides the capability to respond rapidly virtually anywhere in the world and with the force that can make the difference between keeping a conflict at a low level or escalation of hostilities to a dangerously high level." This argument can be extended to reason that airlift can make the difference between victory and defeat.

Yet both forms of airlift, intertheater as well as intra-theater, are deficient in capacity and in need of modernization. USAF's new Airlift Master Plan, a cohesive roadmap for correcting existing shortfalls and meeting future mobility requirements, is the distillation and capstone of seventeen major mobility studies conducted over the past decade, all of which concluded that airlift requirements far exceed capabilities.

Formulated in close coordination with the other services, the unified and specified commands, the Joint Chiefs of Staff, and the Secretary of Defense, the Airlift Master Plan is anchored primarily in two documents—the long-term Defense Guidance and the Congressionally Mandated Mobility Study (CMMS) of April 1981. As such, it is balanced in relation to the other components of mobility—sealift and prepositioning of materiel—and allows for the fact that airlift, although fast and flexible, inherently has a limited capacity and depends on the availability of airfields.

Conversely, the plan allows for the fact that sealift has a large capacity and some flexibility but is slow and seaport-dependent. Prepositioning is dependent on linkups of equipment and personnel to reduce long-range lift requirements and is burdened by the expense of duplicate sets, limited flexibility, and vulnerability. While the individual components of mobility can't function efficiently by themselves, in combination they are complementary, even synergistic. With the plan's envisioned ability to deploy rapidly and to sustain fighting units, US forces would be able to meet the central criterion of the Defense Guidance, which is to "contain and reverse the geographic expansion of Soviet control and military presence throughout the world, and increase the costs of Soviet support for and use of proxy, subversive, and terrorist forces." Possibly even more important, such a force-projection capability would go a long way toward deterring Soviet military adventurism and the accompanying challenge to vital US security interests.

THE AIRLIFT CHALLENGE

The present airlift system blends the Military Airlift Command active-duty Air Force, Air Force Reserve, Air National Guard, and Civil Reserve Air Fleet (CRAF) personnel, aircraft, and equipment into a national airlift force. This force at present has the capacity to deliver 32,400,000 ton-miles of cargo per day over "intertheater" distances. The Defense Authorization Act of 1981 initiated the Congressionally Mandated Mobility Study, a total, long-term look at US mobility requirements. The CMMS gauged the national airlift requirements in relation to a variety of scenarios and time frames, with 1986 serving as the baseline force structure. While it produced a host of findings and hypotheses, CMMS yielded one central conclusion: A combined intertheater airlift capacity of 66,000,000 ton-miles per day (MTM/D) is a "mimimum goal." "Minimum" in this context was defined a constrained by fiscal pressures, thus falling short of the full requirements ensuing from the individual scenarios that served as benchmarks. An ancillary conclusion of the study was that a significant portion of the recommended airlift capacity should be capable of accommodating outsize cargo.

While the Master Plan is governed by the Congressionally Mandated Mobility Study's minimum goal of sixty-six MTM/D in intertheater lift capacity, the requirements in intratheater mobility could not be pinpointed with the same precision. The Plan is predicated on evidence from a series of preceding studies that the present force of 512 Primary Aircraft Authorized (PAA) C-130s, with a capacity of about 9,200 ton-miles per day, is inadequate to support intratheater logistical deployment, employment, and resupply requirements. Moreover, the C-130 is intrinsically an intratheater airlifter. Cargo brought into a theater by such intertheater aircraft as the C-5, C-141, or KC-10, therefore, has to be transferred to intratheater aircraft, which causes airfield saturation at the main operating bases and slows down the cargo flow to the users.

The Airlift Master Plan provides for continuing, detailed assessments of mid-and long-term intratheater lift requirements. Until these analyses can be incorporated into the Plan, the present intratheater lift capacity will serve as a temporary baseline even though the Defense Department reported formally to Congress in February 1984 that "we cannot transport heavy, outsize Army equipment to a vast majority of small austere airfields which comprise most of the free world's runways. Additionally, the productivity of the C-130 is seriously reduced [when] carrying cargo over the long intratheater distances found in Southwest Asia, Africa, and other areas of the Third World."

This report to Congress—which was endorsed specifically by the Secretaries of the Air Force and Army, the Chiefs of Staff of these two services, the Commandant of the Marine Corp, as well as the Secretary of Defense and the Chairman of the Joint Chiefs of Staff—points out that as scheduled improvements in intertheater airlift, sealift, and prepositioning increase the amount of cargo delivered to a given theater, "there enhancements, in turn, will require more intratheater movement" to distribute this material.

The Defense Guidance covering the five-year period to FY '89, therefore, instructs the Air Force to increase intratheater lift capacity by fifty percent. Eventually, the plan is to attain a capacity of about 16,000 ton-miles per day. Other details of intratheater airlift modernization will probably be spelled out in the Defense Department's pending Worldwide Intratheater Mobility Study.

THE AGING FACTOR

Because it is oriented toward the long term, the Airlift Master Plan allows for attrition and aging of the force and the concomitant requirements of replacement and modernization. By 1990, the Air Force told Congress, the average age of the C-141B fleet will be more than twenty years, and the early C-130 aircraft will be thirty-three years old. Aircraft structural fatigue, coupled with obsolescent technology in avionics, design, and support, can be expected to drive up the operational costs of these aircraft to exorbitant levels over the next twenty years.

The older C-130s already require major modification, including centerwing rehabilitiation and new outer wing boxes. In the case of the C-141 fleet, phaseout will probably have to begin in the mid-1990s and be completed shortly after the year 2000 unless major rehabilitation programs are started soon. But even with extensive modification, the useful service life of the 272 C-141s now in the inventory probably can't be extended beyond 2015, in the view of Air Force experts.

Based on elaborate, painstaking analytical and trade-off studies, the Master Plan provides two specific sets of force structure recommendations—one geared to the year 1998 and the other keyed to the next century.

In the first instance, the Plan recommends that 180 older PAA C-130s be retired between 1991 and 1998, along with fifty-four PAA C-141Bs. The remaining C-141Bs are to be transferred to the Air Reserve Forces. A total of 180 PAA C-17s (210 total authorized aircraft) is to be acquired by 1998 while 114 PAA C-5s are to be retained and manned by active-duty and ARF personnel. SAC's sixty KC-10s are to be retained, but their assignment to the airlift or air-refueling mission will remain flexible. While forecasts about CRAF capacities beyond the year 2000—when the service life of the present fleet becomes marginal and for which the airlines' replacement plans are not yet formulated—are tenuous at best, the Plan assumes that a minimum of 11.3 MTM/D as well as about 145,000,000 passenger-miles per day will be available for the foreseeable future. The intra-theater airlift capability is to be boosted to 16,000 ton-miles per day even though the associated manpower is to increase by only 245 spaces (0.2 percent), mainly because of the greater productivity of the C-17.

Over the longer term, the Plan envisions the replacement of the 180 PAA C-141Bs by the addition of at least forty PAA C-17s, to be operated by either the Air Reserve Forces or the active-duty/Reserve Associate program. In order to maintain the CRAF contribution at a constant level, it "may be necessary for the military and civilian sector to jointly develop a new-technology Advanced Civil/Military Aircraft (ACMA)," according to the Master Plan. In addition, there could develop the need to buy additional quantities of C-17s or a new, advanced technology aircraft.

THE C-17 SOLUTION

On the basis of a multitude of tradeoff analyses, the Air Force and the Defense Department concluded that the C-17 is essential to modernize and expand both intra- and intertheater airlift in the most effective and economical way. Compared to a force mix involving additional C-5Bs and C-130s, USAF's recommended force structure revolving around the C-17 costs $17.9 billion less, requires 16,500 fewer personnel, and provides "more intratheater capability and military utility."

Gen. Thomas M. Ryan, Jr., Commander in Chief of the Military Airlift Command, told Air Force Magazine that the C-17 "is a highly survivable solution to a wide range of airlift requirements—including direct delivery of the full range of military equipment over long ranges, to wherever the combatant commanders need it." He added that the aircraft's "low operating costs, ease of maintainability, and sharply reduced manpower requirements make it far and away the lowest life-cycle cost solution to the airlift force structure called for in the USAF Airlift Master Plan to meet our national objectives."

Air Force Chief of Staff Gen. Charles A. Gabriel summed up the key qualities of the C-17 in a memorandum to his US Army counterpart in which he said its primary mission is to "help satisfy the wartime inter- and intratheater airlift needs of this nation." The new aircraft, he pointed out, "will reduce our intratheater airlift shortfall through its capability to operate into small, austere airfields on direct-delivery missions from the CONUS to forward operating areas."

In an intratheater role, he explained, "the C-17 can deliver people, equipment, and supplies to the brigade level and even further forward, if required. Its design will allow delivery of all sizes of cargo into forward operating locations; its maneuverability, speed, climb rates, and redundant systems make it more survivable than any current airlift aircraft." The C-17's large payload and small crew size allow "effective risk management by exposing fewer people and aircraft to forward area threats," according to General Gabriel.

GENESIS OF AN AIRLIFTER

The C-17 program dates back to October 1980 when the Air Force issued a request for proposals (RFP) for what was then called the CX program. Boeing, McDonnell Douglas, and Lockheed responded, with the latter submitting two proposals, one for a new aircraft and the other for an updated C-5. The Air Force subsequently informed relevant elements of Congress that the C-5 would not meet the CX program's operational requirements. In August 1981, the Air Force selected McDonnell Douglas the winner of the CX competition without entering into a production commitment at that time. In November of that year, the Chiefs of Staff of the Army and the Air Force, along with the Marine Corps, Commandant, informed Congress that they were in accord on the selection of the C-17, and in January 1982 recommended acquisition of forty-four KC-10s and 164 C-17s.

Also in January 1982, the Air Force and the Defense Department, in response to an unsolicited proposal by Lockheed centering on the acquisition of an additional fifty C-5s on a fixed-price basis, announced that the C-5 would go back into production. The reason for this decision was that the C-5 would be ready sooner. After protracted congressional wrangling over whether additional Boeing 747s rather than C-5s should be authorized, the Senate-House Authorization Conference agreed to acquire the additional C-5s, along with three 747s, and to speed up the C-17 program.

Initial development of the C-17 got under way in June 1982. The C-17 program is phased to follow directly behind the C-5B acquisitions, the last of which is scheduled to be delivered in February 1989; the first C-17 is to enter the inventory in December of that year. The FY '85 Defense budget request earmarks $129 million to begin full-scale engineering development of the C-17. R&D funding of the program in prior years totals about $120 million. The overall cost of the program—R&D as well as acquisition of 210 aircraft—is expected to amount to about $37.5 billion, expressed in then-year dollars.

The rationale undergirding USAF's airlift acquisition strategy, according to General Russ, is "to meet pressing near-term capability shortfalls and provide a long-range solution to correct quantitative and qualitative deficiencies in the total airlift system. The procurement of KC-10, C-5B, and additional CRAF aircraft was the best approach to building intertheater capability quickly, while the C-17 offers us the best approach to meet long-range goals."

The aquisition of the C-5 and the C-17 was not an "either/or decision," he stressed, adding that "each provides a specific capability and, by complementing each other, helps us meet national force-projection goals better." While the C-5 will remain "our most efficient carrier at large, heavy payloads over intercontinental distances" with a payload capacity of about 260,000 pounds, the C-17 not only helps to redress quantitative and qualitative airlift deficiencies but "provides desperately needed force modernization. It adds to our total airlift capability at the lowest life-cycle cost of other alternatives examined to meet the overall shortfall. The C-17 will have significantly lower manpower and operating costs."

UNIQUE PERFORMANCE FEATURES

The generic performance requirements for the C-17 were spelled out in the original CX RFP and—according to a report by Secretary Casper Weinberger to Congress, entitled "Validation of the Requirement, Concepts, and Design for the C-17 Airlift Aircraft," submitted two months ago—"remain valid today and for the foreseeable future." These characteristics pivot on intercontinental and in-theater delivery of the full range of Army and Marine Corps equipment; the ability to operate from 3,000-foot runways; ground maneuverability sufficient to permit routine operations through small, austere airfields; the capability to airdrop troops and equipment; enhanced survivability; excellent reliability, maintainability, and availability; and low life-cycle costs.

Secretary Weinberger's detailed validation report pointed out that the C-17, because of its inherent flexibility to perform both the inter- and intratheater missions, "would produce significantly reduced life-cycle cost, particularly in manpower, over any multiaircraft solution examined. In addition, any delay in procurement of additional aircraft past the mid-1990s will result in a loss of capability due to the necessary retirement of part of our C-141 and C-130 forces. Such a delay could push the solution to the nation's airlift shortfall into the twenty-first century. The C-17 provides a timely single aircraft solution to the needs of our airlift system."

The central performance feature of the C-17 is its ability to carry a maximum payload of eighty-six tons a distance of 2,940 nautical miles and deliver it directly to forward operating locations. The C-5, by way of a benchmark, can carry a payload of 130 tons up to 1,650 nautical miles, while the C-141B is capable of delivering forty-five tons of cargo over 1,970 nautical miles. These aircraft, however, can't match the C-17's "airfield compatibility, meaning runway length and width standards as well as performance with regard to taxiways, ramp space, obstructions, and weight-bearing capacity.

THE RUNWAY RULE

As a rule of thumb, each thousand-foot reduction in runway length required by a given aircraft type doubles the number of airfields at which it can land. It would obviously be desirable to reduce the required length of the runway as much as possible without giving up other essential performance characteristics, such as range and payload. Detailed analyses by the Air Force show that the ability to operate from runways between 3,000 and 4,000 feet in length provides significant operational flexibility and doesn't tax unduly other performance requirements and the technology available at this time. Airfields with relatively short runways are usually constrained also in terms of width—on the average, runways in the range of 3,000 to 4,000 feet in length are about ninety feet wide—and are hampered by a limited number of narrow taxiways and cramped parking areas.

For example, in West Germany the typical small, austere airfield has runway 3,000 to 4,000 feet long and ninety-eight feet wide, taxiways between forty and fifty feet in width, and no more than 50,000 square feet of parking space. In Saudi Arabia, the runways of austere fields range between 3,000 and 5,000 feet in length, are either unpaved or semiprepared, and have neither taxiways nor defined parking areas, according to Secretary Weinberger's report to Congress. In Korea, many of the paved runways are between 2,500 and 5,000 feet long, lack parallel taxiways or turnaround areas, and are limited to about 110,000 square feet in parking area.

Aircraft operating in these theaters must have the ability to accommodate such constraints. The number of airfields in the free world—excluding those in the US—with runways longer than 5,000 feet and wider than 150 feet is 1,576, while the number of fields with runways more than 3,000 feet in length and ninety feet in width is 9,887, according to the Defense Department's report to Congress. Even in the NATO nations, there are few airfields that can handle a heavy flow of the large transports currently in MAC's inventory, mainly because the airfields are too small to accommodate those aircraft's limited ground maneuverability. Also, runway interdiction and the need to bed down reinforcing figher and combat support units would exacerbate the problem.

In certain areas of the world, such as the Middle East, Africa, and South America, the limited number of major airfields stretches out the time required to deliver a force into combat, especially if airlift flow into these few fields must be restricted or if a long overland march is required from the offload base to the area of combat. By way of an example, the Saudi Arabian airfield system consists of ninety-nine airfields with hard-surface runways. Only nineteen of these fields can be considered adequate for C-5 and C-141 operations; almost all of these airfields can accommodate the C-17.

The ability to deliver cargo directly to or near the combat zone is a function of airfield availability and compatibility as well as of a suitable command and control system. Aircraft traits that enhance direct delivery include not only the ability to operate into austere, short-runway fields with minimal ramp space but also the ability to offload without sophisticated ground equipment and to perform with high reliability. The C-17 is optimized for direct delivery by combining intercontinental range, outsize cargo capacity, and the ability to use the same type of airfields as the C-130, according to Secretary Weinberger's report to Congress. Because of its direct-delivery capability, the C-17 could reduce unit closure time by between seven and fifteen percent when assigned to deployment missions in Southwest Asia. Also, because it reduces transshipment requirements at main operating bases, the C-17 reduces congestion at these vital nodes, lowers the demand for intratheater movement, and, hence, cuts the requirement for support personnel and equipment.

DIRECT DELIVERY

There is an additional plus that accrues with the C-17, according to the Defense Department: "The C-17 will comfortably operate in the intratheater role traditionally reserved for the C-130. Although the C-17 has a much greater capacity, it will not replace the C-130 for the sortie-intensive, relatively low-tonnage resupply mission [but will] ease the pressure on the C-130 fleet by augmenting it when the situation justifies the larger capacity, such as for bulk ammunition or fuel supply, or the longer range intratheater missions typical in areas such as Southwest Asia."

The C-17's ability to haul large payloads over long distances while retaining the short takeoff and landing (STOL) capabilities and ground maneuverability essential for direct delivery is the result of unique configuration and design features. The advanced technology wing design of the aircraft decreases aerodynamic drag and reduces structural weight, thereby reducing fuel consumption. Also, the greater thickness of the advanced technology airfoil provides a larger internal fuel volume. The use of winglets, proven on commercial aircraft, reduces drag and lowers fuel consumption by approximately four percent. Further, the Pratt & Whitney PW2037 engine chosen for use on the C-17 is the most fuel-efficient engine available. In addition, the aircraft is equipped with a full-time, computer-controlled, energy-performance management system that boosts fuel efficiency. As a result, the C-17's payload capabilities are optimized in the critical range from 2,400 to 3,200 nautical miles where it approaches those of the larger and heavier C-5B.

The C-17's STOL features, proven in 800 flight-test hours on the YC-15 prototype aircraft, stem in part from externally blown flaps. The engine exhaust flows over and through the flaps to generate additional lift. The high, forward position of the engines increases and spreads the exhaust flow over the flap and, at the same time, increases ground clearances. This feature also helps in obstacle avoidance and reduces the risk of foreign object damage. The C-17 uses direct-lift control spoilers, mounted on the upper wing surfaces, to improve low-speed handling. This combination of externally blown flaps and direct-lift control spoilers permits approach speeds as low as 115 knots with a maximum payload and sufficient fuel for a 500 nautical mile return flight.

The C-17 incorporates a head-up display and a high-impact landing gear that, along with its high low-speed maneuverability, enable the pilot to touch down with high precision. The C-17's design is also tailored for efficient ground operations at small, austere airfields, with the physical dimensions of the aircraft—165-foot wingspan and 175.2-foot length—permitting simultaneous operation of two C-17s on a 250-foot by 300-foot ramp or single aircraft operations on ramps as small as 135 feet by 125 feet. Further, the aircraft's thrust-reversing system facilitates backup during ground operations and enables the C-17 to turn around on a ninety-foot-wide runway. While the Air Force expects to operate the C-17 mainly from paved runways, the aircraft can operate with a full payload from unpaved, semi-prepared, compacted surfaces, such as sandy clay or gravel. The engine exhaust flow, when reversed, is deflected upward to cut down on dust and debris that might interfere with ground personnel and equipment.

The C-17's cargo compartment accommodates outsize cargo and makes possible side-by-side double-row loading of the oversize pieces that make up the bulk of the Army equipment. Two five-ton trucks, for instance, can be carried side by side to make efficient use of the cargo space. A large cargo ramp and door allow straight-in loading of all equipment.

HIGH SURVIVABILITY

Survivability is obviously a cardinal requirement for an airlift aircraft meant to operate as close as tactically practical to the forward edge of the battle area. The C-17 is optimized for high survivability by sets of features that reduce exposure, provides self-protection, and broadly boost survivability. Exposure to threats is reduced intrinsically by its high maneuverability and the flexibility of being able to choose from a large number of airfields. Also, the C-17 can use in-flight reversal for rapid, straight-in descent or small-radius, spiral approaches to avoid enemy weapons in the vicinity of airfields. Conversely, the ability to accelerate rapidly and climb out with powered lift in small-diameter spirals reduces exposure on takeoff. Rapid onload and offload on the ground or LAPES (low-altitude parachute extraction system) airdrops also help reduce the time the aircraft needs to spend in combat areas. Lastly, the C-17's low noise and smoke levels make it difficult for gound-based threats to detect the aircraft.

In terms of self-protection features, the C-17 incorporates provisions for radar warning systems, electronic countermeasures pods, cockpit electronic counter-measure control, and infrared missile protection. The design also stresses redundancy and separation of subsystem components, shielding, and fail-safe critical components to cut the C-17's vulnerability.

The C-17's crew is protected by armor and provided with a redundant oxygen supply. The aircraft can sustain flight with two of its four widely separated engines out of commission. The engine cases are designed for blade containment. The aircraft's electrical system is both redundant and shielded. These and other design features, the Air Force reported to Congress, make the C-17 a highly survivable airlifter in the Army's Airland Battle environment.

The C-17 takes advantage of technologies pioneered and proven in modern commercial aircraft to simplify maintenance, streamline logistics support, bolster reliability, and allow for high utilization rates. The aircraft's avionics incorporate the latest advances in digital computer hardware and software, such as the systems in use on the DC-9-80, Boeing 757, and Boeing 767 commercial airliners. Before its first flight on the C-17, the Pratt & Whitney PW2037 engine will be proven in more than three and a half million hours of commercial service on the Boeing 757.

UNIQUE WARRANTY PROVISIONS

The C-17 contract contains unique warranty provisions concerning reliability, availability, and maintainability, all of which are better than the performance levels of the three airlift aircraft now in MAC's inventory. Should the C-17 fail to meet any of the warranted performance levels, the contractor must provide corrective action at no increase in contract price. At the same time, the contract provides for incentive payments to the contractor if the aircraft exceeds the specified goals. The contract further requires the contractor to correct any structural defects that come to light during 45,000 hours of durability testing. The airframe is warranted for ten years or 10,000 hours and the landing gear components for twice that time.

The reduced, warranted maintenance requirements, in turn, will result in reduced maintenance manning, just as the C-17's three-member aircrew size will reduce aircrew manning requirements compared to present MAC aircraft. The C-17's cockpit design holds the flight deck crew to two pilots, similar to modern commercial airliners. The cargo compartment has been designed for operation by a single loadmaster. As a result, the C-17—in spite of higher wartime utilization and higher crew ratios per aircraft—will have the lowest aircrew requirement of any large military airlift aircraft.

The unit flyaway cost of the C-17 expressed in FY '84 dollars, the Air Force reported to Congress, is pegged at $85 million, compared to $141 million for the C-5. The procurement cost (which includes support equipment, simulators, and tech data) is estimated at $94 million for the C-17, compared to $150 million for the C-5.

The importance of the C-17 as a pivotal element of the Airlift Master Plan was summed up recently by the heads of the Army, Air Force, and Marine Corps to the Secretary of Defense and Congress in this statement: "The design characteristics and performance capabilities incorporated in the C-17 make it the best solution to satisfy overall airlift requirements and meet long-range objectives."

Mr. McCURDY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, I rise in support of the C-17 aircraft program. This worthy transport aircraft has been supported by the General Accounting Office, the full House Armed Services Committee, and the Armed Forces which will use them. As Congress is moving toward a greater emphasis on conventional capabilities, we cannot ignore the benefits and added capabilities that this plane will offer.

The present military airlift fleet is made up of aging aircraft, such as the C-5, the latest of which is 20 years old; the 25-year-old C-141; and the 30-year-old C-130. Needless to say, this is an area of our Armed Forces that has suffered severe neglect. The C-17 will not only modernize the fleet but offer all the advantages of these aircrafts combined. It can carry the outsized cargo of the C-5. It has the intercontinental capability of the C-141, and it can land on the same size airfields of the smaller C-130.

One of the most important aspects of this aircraft that is not reflected in its procurement price is the potential savings in operation and maintenance costs. The C-17 will require less than half the maintenance manhours per flying hour than the C-5B. The airlift master plan analysis showed a $16 billion savings in fiscal year 1982 dollars over the next 30 years with almost 15,000 fewer personnel needed for a fleet of C-17's compared to a C-5/C-130 fleet.

Because of its intercontinental and austere runway capabilities, the C-17 will give commanders the flexibility to use this plane between theaters of operation or within one theater. From cost effective and pragmatic stand points this plane makes sense.

Mr. McCURDY. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Georgia [Mr. DARDEN] to delete the authorization of $1.7 billion in fiscal 1988 for the C-17 cargo plane program.

The contention that striking funds for the C-17 will save the taxpayers money over the C-5 is just flat out wrong.

A recent GAO report confirmed that the C-17 is a highly reliable aircraft that promises significant cost savings over the C-5. The C-17 will require less than half the maintenance manhours per flying hour than the C-5B—18.6 versus 40. At 1,000 flight hours per year, the

C-17 saves $300,000 per aircraft over the C-5 in maintenance manhours alone.

The C-17's better repair and maintenance, lower personnel requirements, fewer components and more efficient engines reduce operating and support costs dramatically over the C-5B. The C-17 cost $4.6 million less per flying hour to operate—on an annualized basis—than the C-5B—$7.5 million for the C-17 compared to $12.1 million for the C-5B.

Further, the airlift master plan analysis showed that a fleet of C-17's cost $16 billion—fiscal year 1982 dollars—less to operate over 30 years compared to a C-5/C-130 fleet—with 15,000 fewer personnel.

Finally, as it has been said before, the C-17 is the most flexible and capable airlift transport available. For example, the C-17 will be the first aircraft capable of either airlanding or airdropping outsized cargo. The C-17 meets our defense and national security needs in a cost-effective fashion.

Mr. Chairman, my district contains no contractor for this aircraft to my knowledge. My initial and now continuing support for this C-17 is founded in the strong backing this plane has received from the Military Airlift Command at Travis Air Force Base in my district over the last 9 years. It's time we listen to the experts and reject those pleading for another buy of C-5's.

I urge the defeat of the amendment.

Mr. McCURDY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Chairman, I rise in opposition to the Darden amendment. If it is something, if it had not been done it should have been done 8 years ago, but not at this time.

Mr. McCURDY. Mr. Chairman, I yield 45 seconds to the gentleman from Georgia [Mr. ROWLAND].

Mr. ROWLAND of Georgia. Mr. Chairman, I listened to my good friend and colleague, the gentleman from Georgia, expound on what a poor choice the C-17 would be. I do not know where the gentleman gets his information, but my information comes from the Air Force, the GAO, and CBO, all of whom say the facts point to the C-17 as the best option for improving our airlift capabilities.

The C-17 modernizes our airlift capabilities and does so in a cost-effective manner. The advantages of the C-17 over our present system are tremendous. The C-17 will do the work which now requires two of our aircraft to do.

The time has come for us to move forward in this area and the C-17 meets the bill.

I am told by a representative of the manufacturer of the C-5, Lockheed, that they do not support nor are lobbying for the Darden amendment. Apparently, even Lockheed agrees that the C-17 is the future for our airlift requirements.

I urge a "no" vote on the Darden amendment.

Mr. Chairman, I rise in opposition to the Darden amendment. I respect and admire my colleague from Georgia, but I must urge my colleagues to vote down his amendment.

I want to clarify the questions that opponents of the C-17 are attempting to raise, because it would be very unfortunate if the C-17 was placed in jeopardy due to misleading information. Both the taxpayer and our national security will suffer if this occurs.

While discussing this matter, we need to keep in mind that Congress has already invested more than $1.2 billion in the design and development of the C-17. In so doing, Congress has already examined the issue and has decided the C-17 is the clear choice for increasing and modernizing our airlift capabilities in the most cost-effective manner.

Military experts have long been concerned that our airlift requirements have exceeded our capabilities. These concerns prompted Congress to require the Secretary of Defense to prepare a report—the congressionally mandated mobilization study—on how well prepared we are to meet our airlift requirements in the event of an emergency.

The study confirmed that there is a shortfall in our airlifting capability. The study recommended an increase in airlift capabilities to 66 million ton miles per day—66 MTM/D. The Air Force analyzed all the alternatives available to reach the goal of 66 MTM/D and concluded that the C-17 would be the best option to reach the recommendation. The GAO, at the direction of Chairman ASPIN, recently reviewed this decision and agreed, stating that over a 30-year period the C-17's lower operating and support costs should more than offset its higher acquisition costs.

Opponents of the C-17 are trying to portray the C-17 as an ultra-expensive item which does nothing to enhance our airlift requirements. Such a position conflicts with both the GAO report and a CBO study which argue in favor of the C-17.

When we look at costs, what we should really focus on is where we want to be in the future with respect to our airlift capabilities and how much it will cost to get there. As I have pointed out, the studies show, and all the branches of the service involved agree, that the C-17 is superior to our present system of using C-5's in conjunction with C-130's and C-141's. In comparing the lifecycle costs of the C-17 versus the lifecycle costs of the C-5B/C-130 option, it is estimated the C-17 will save taxpayers $16 billion.

Let me provide a few examples of the cost-savings associated with the C-17. Take for instance, maintainence and fuel costs. For just the cost of flying one C-5B, the C-17 can be flown and maintained; and the C-5 burns $6,000 of fuel per hour, the C-17 only $2,800.

Opponents site the price tag of the C-17 as being $178 million per aircraft. This figure, however, includes the research and development costs which, as we all know, are always a part of any new weapons system. If we just look at the actual unit flyaway costs—airframe, engines, avionics, and engineering change orders—of the C-17, the price tag is $92 million. These same costs equal approximately $100 million with respect to the C-5.

The C-17 requires less manpower for operation. It is estimated that a total of 15,000 fewer personnel will be required for the C-17 program. This translates into fewer lives at risk. For example, one C-17 can do the work of four or five C-130's. Only three crewmen are needed for the C-17, but the C-130's require five men for each C-130. Therefore, the C-17 can mean the difference between sending three men on the C-17 into a potential hostile situation, or 20 to 25 on the C-130's.

Additionally, the manufacturer of the C-17, McDonnell Douglas, will guarantee many of the aircraft specifications, such as the reliability and maintainability standards, the structural integrity of the airframe and components, and the takeoff and landing performance.

The C-17 literally bridges the gap to overcome limitations inherent in the C-5, C-141, and C-130 force. Under our present system, the C-5B is used to get from the United States to Europe. It is then up to C-130's or C-141's to get material to the forward areas. The C-17 can go directly from the United States to the forward areas, thus increasing the speed in which materials are delivered. Eight C-17's can be parked for loading or offloading in the same space required for three C-5's. With a typical airflow, this is equivalent to C-17's delivering almost three times more cargo than C-5's in the same period of time.

While the C-5B is restricted to certain landing areas, the C-17 greatly increases the number of available landing sites. Additionally, if the need be, the C-17 does not even have to land to deliver payloads. The C-17 can airdrop and also provide low-altitude deliveries. The C-5 must land to deliver.

Mr. Chairman, we have already invested over $1.2 billion in the C-17. Let's not throw this money down the drain. The C-17 modernizes our airlift capabilities and does so in a cost-effective manner. It has been given the stamp of approval by the Chiefs of Staff of the Army, Air Force, and the Commandant of the Marines. GAO and CBO studies point to the C-17 as the best option for our airlift requirements. It will allow us to reach our airlift capability goals while saving $16 billion. It is unquestionably the way to go.

Also, I am told by a representative of the manufacturer of the C-5, Lockheed, that they do not support nor are lobbying for the Darden amendment. Obviously, even Lockheed agrees that the C-17 is the future for our airlift requirements. I urge my colleagues to support the C-17 and to vote against the Darden amendment.

Mr. BADHAM. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, I join my Democratic colleagues in opposing the Darden amendment.

Mr. BADHAM. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I strongly support the C-17 aircraft program and oppose the Darden amendment to delete all funding for it.

The C-17 is needed to provide safer, faster, greater, more efficient, more dependable and less expensive airlift, readiness and mobility for conventional U.S. forces.

With its ability to land and take-off on short, rough runways—more than 10 times the number worldwide than our current capability—the C-17 will enable us to provide a far more flexible and timely response in virtually any hotspot in the world.

The C-17 program will save money by using a proven, fuel-efficient, commercially developed engine, the most comprehensive warranty package ever agreed upon, and 12,900 fewer maintenance personnel over the life of the aircraft.

The GAO recently determined that the C-17 program would save $16.7 billion in operating costs over the current outmoded C-5 airlift program.

The C-17 is critical to strengthening America's conventional forces and fulfilling our security commitments around the globe. I again urge defeat of the Darden amendment.

Mr. BADHAM. Mr. Chairman, I yield 30 seconds to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I rise in strong opposition to the amendment to delete funding for the C-17 airlifter. There are two major reasons why this amendment should be overwhelmingly defeated.

The C-17 is one of the military's highest priorities and is vitally important to our conventional forces. It has the strong support of the Chiefs of all the services. Let me quote from a letter written by the Chiefs to Congress:

> We have examined the airlift modernization issue from every angle and are convinced that the C-17 is the solution. It is not only the most cost effective solution, but also gives us the greatest capability—a capability that we must have if we are to meet our country's airlift requirements.
>
> The C-17 has been jointly supported from the ground up and is crucial to the rapid deployment of our combat forces. The key to victory in any future conflict lies in our ability to project our power into the battlefield. The C-17 is vital to projecting this power.

Let me say that while the C-5 is a very capable aircraft, it cannot match the C-17's ability to land and operate at a wider range of airfields closer to the battle area.

During hearings before the Armed Services Committee, Gen. Bernard Randolph explained that when he was in Vietnam, he could not put a C-5 into Chulai because there was no place for it to taxi, so the C-5 offloads had to go to Da Nang and be trucked down to Chulai. More recently, we opted not to use C-5's in Grenada because we were fearful that one might break down blocking the entire runway or worse, closing the airfield. In fact, there are only five fields in Europe that can handle the C-5 without closing the runways.

The C-17 gives us flexibility. It is ideally designed for quick offloading. The C-5 is not designed for that. The C-17 can get into the forward area. The C-5 cannot. The C-17, in conjunction with the C-5, gives the operational commander the flexibility of choice. As we move toward more reliance on our conventional forces, the capabilities of the C-17 become even more critical.

As we have seen, the C-5 cannot operate in and out of small airfields. The airlifter is restricted to large ramps and taxis. On a typical 500,000 square foot ramp, eight C-17's can be parked for loading and unloading compared to three C-5B's. That translates into the C-17 being able to deliver three times the cargo as the C-5 in the same timeframe.

While some of my colleagues have argued that there is very little genuine change from the existing cargo airplane system, they overlook all of the technological changes that have taken place since the fifties and early sixties when these existing systems were designed. Most of us who fly do so in an aircraft designed in the eighties or the late seventies, but surely nothing 25 to 30 years outdated. The C-17 has modern fuel-efficient engines like those on the Boeing 757 and advanced cockpit designs similar to the F-18 and Boeing 757 and 767. Most importantly, it will have the externally blown flap design that will allow it to do what no other airlift aircraft can do—carry large payloads into small airfields.

Some of my colleagues have argued that the C-17 is a high cost airlifter, and that the C-5 costs half as much as the C-17. In fact, in fiscal year 1987 dollars, the unit flyaway cost for the C-5 is $134 million while the C-17 is $92 million. More importantly is the realization that the annual flying hour cost of the C-5 is $12.5 million while the C-17 is only $7.5 million. The C-17 option will continue to husband our defense dollars while the C-5 option will continue to create an ever growing demand. And, for the cost of flying the C-5, we can fly and maintain the C-17.

The bottom line in cost is that the C-17 will cost $16 billion less than the C-5B option, and will require approximately 14,700 fewer people.

The C-17 allows us to modernize the airlift force at a price the Nation can afford. I urge defeat of this amendment.

Mr. DARDEN. Mr. Chairman, might I inquire how much time remains on our side?

The CHAIRMAN pro tempore. The gentleman from Georgia [Mr. DARDEN] has 11 minutes remaining.

Mr. DARDEN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the First District of Georgia [Mr. THOMAS].

Mr. THOMAS of Georgia. Mr. Chairman, I rise in support of the amendment by my friend and colleague, Mr. DARDEN, and I ask permission to revise and extend my remarks.

Mr. Chairman, I am not a critic of the C-17 aircraft or the fine company that would like to develop and produce it.

But the issue at hand is whether now is the time to proceed with the development and production of a new airlifter.

I agree with the Heritage Foundation analysis that the answer to our immediate and urgent shortage of airlift capacity is to more fully utilize the C-5 and other aircraft which are already available.

Additional C-5's will cost about $93 million each. We are told that C-17's will cost about $178 million each. For that extra money, we will get a smaller aircraft that really has only one key advantage—it is to be designed to fly into airfields closer to the battle scene.

My concern is that because of the high cost of the C-17, we will have so few of them that our battle planners will be unable to risk them by deployment near the scene of combat. In most scenarios, they will end up using the same runways that could be used by C-5's.

The C-17 is a classic example of taking a simple problem and designing the most costly and difficult solution possible. It would mean stopping production of a proven aircraft for which the taxpayers have already paid to get out the bugs, and starting out with a new and unproven prototype.

The result is predictable. We will have development problems. It will cost more than we planned. We will not have enough money to buy as many as we need. We will be worse off then than we are now.

I am concerned about this because I represent a district that is home to our Nation's primary mechanized-infantry Army division in the Rapid Deployment Force, the 24th Infantry Division (Mechanized). Through my experience with that unit, I can confirm that if that division has to go to war, it certainly cannot go by airlift, because we don't have the airlift.

The Air Force has made cargo-hauling its low priority because it is not as flashy as strategic weapons or as glamorous as jet fighters. A cargo plane is a big bus that hauls stuff around. It is not likely to end up on the silver screen in an Air Force version of "Top Gun."

But guess what? The great weakness the Air Force faces in the most likely scenario for a shooting war is that it will not be able to fulfill the mission of taking our troops and their equipment to the battle scene. We won't be beaten. We will lose by default.

Mr. Chairman, we asked for an 18-wheeler, and the Air Force wants to give us the star ship *Enterprise.*

I urge my colleagues to vote for the Darden amendment.

Mr. BADHAM. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. LUNGREN].

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Mr. LUNGREN. Mr. Chairman, a lot has been said and will be said but perhaps I could best summarize the debate by quoting Gen. Duane H. Cassidy, commander in chief of the Military Airlift Command. He said:

> The Airlift Master Plan and C-17 procurement are the most widely studied and debated issues in the history of MAC. The GAO, CBO, and HAC S&I teams are independent organizations that have thoroughly reviewed and commented favorably on our decision. The GAO's final conclusion was, "that the cost-effectiveness of the C-17 has been sufficiently demonstrated." Our nation needs this capability.

Let us take the Airlift Command's advice on this and take the aircraft that was dedicated for the purpose for which this has been designed and not try to shoehorn the C-5 into further production.

Mr. McCURDY. Mr. Chairman, I yield 45 seconds to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I rise in opposition to the amendment. Let us look strictly at the facts and lay parochialism and emotion aside. The issues offered in this amendment are not new. The Air Force, the Department of Defense, GAO, CBO, and many others have studied, restudied, validated, revalidated, and examined in various ways solutions to our Nation's airlift deficiencies. When the true apples-to-apples comparison is made each of these efforts have consistently supported the C-17. They irresistibly lead us to the conclusion that we should proceed with the C-17. This amendment before you has cleverly focused on just acquisition cost, ignoring the greater cost of operating the system after it would be acquired.

The GAO just concluded a very comprehensive examination of the Air Force analysis supporting the C-17 acquisition. I'd like to quote from their executive summary:

> Higher C-17 acquisition costs are more than offset by lower operating and support costs, resulting in lower C-17 life-cycle costs over the C-5 alternative.

Speaking about military utility they also say:

> While the C-5 is a very capable aircraft, it cannot match the C-17's expected capability to land and operate out of a wide range of airfields closer to the battle area.

This report further states:

> The C-17 alternative could require about 12,900 fewer personnel than the C-5 alternative.

Furthermore, General Cassidy, the commander in chief of the Military Airlift Command has testified on more than one occasion that it's time to modernize the airlift force, that he cannot afford the cost to operate additional C-5's.

I urge you to vote against this amendment and let's get on with modernizing our airlift with the aircraft that the Air Force and all the war fighting CINC's have told us they need.

Mr. McCURDY. Mr. Chairman, I yield 45 seconds to the gentleman from New York [Mr. STRATTON], the chairman of the Subcommittee on Procurement and Military Nuclear Systems of the Committee on Armed Services.

Mr. STRATTON. Mr. Chairman, I rise in opposition to the amendment.

While all of us recognize the severe fiscal constraints that face us, we also recognize the need to provide sufficient resources to support our national security strategy and defense posture.

To agree that the C-17 is too expensive, but offer no alternative to meet badly needed airlift requirements that are central components of our reinforcement and rapid response defense strategies is regrettable. It puts us in the position of having paper plans with no means of implementing them.

Obviously, it is easy to argue that the C-17 is expensive; that in a time of fiscal austerity, we need to be prudent and cautious in our commitment of scarce resources.

But, the fact remains that the General Accounting Office reviewed the available options for providing needed long-range airlift capability. The GAO determined that the C-17, despite the heavy up-front investment costs, is the most cost-effective alternative for achieving the stated airlift goal of 66-million-ton-miles per day.

Moreover, the average $3 billion that is planned to be allocated for airlift modernization—the C-17—in the annual defense budget is very much in line with the traditional costs that we have earmarked for this function.

We have discussed, reviewed, dissected, evaluated, reevaluated, analyzed, and reanalyzed this issue for at least the last 6 years. And yet, the fact remains that the C-17 is the most cost-effective way of obtaining the airlift capability we need.

It's time to move ahead. Let's get on with it. I ask my colleagues to vote down the amendment.

Mr. BADHAM. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. DAVIS], a member of the committee.

Mr. DAVIS of Michigan. Mr. Chairman, I rise in opposition to any amendment to strike any funding from the C-17.

How many times must we debate the merits of the C-17? The Air Force wants it. The Army wants it. The Marines want it. It is state-of-the-art technlogy. No other aircraft has the same airlift capacity as the C-17. All told, it's cheaper than any existing aircraft. It does things no other aircraft can do. The House Armed Services Committee annually supports it by huge margins. In study after study, it has received high marks.

It is time to take charge and move out on this program.

A recent "Dear Colleague" that many of you have seen contains a quote from none other than the Chief of Staff of the Army, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps. The comments of three gentleman of this stature could be repeated and so allow me to quote:

> We have examined the airlift modernization issue from every angle and are convinced that the C-17 is the best solution. It is not only the most cost-effective solution, but also gives us the greatest capability—a capability that we must have if we are to meet our country's airlift requirement.

We have been debating the C-17 for 7 or 8 years since the days when we called it the C-X. It is difficult to imagine a program getting more intense scrutiny than the C-17 received. Yet with each new study, with each new investigation, the reports on the C-17 get better.

Let us buy the C-17 now and stop playing games with our vitally important airlift requirements.

I urge my colleagues to join me in defeating this amendment.

Mr. DARDEN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. BARNARD].

Mr. BARNARD. Mr. Chairman, in these days when it is equally important for the United States to wind down its deficit and to maintain its defense of freedom in the world, it is absolutely vital that our defense systems be cost effective. I do not believe that the proposed C-17 program will meet that criterion.

The overall cost of the C-17 is estimated to be $37.2 billion, and there is ample evidence that this will not be money well spent. A convincing case has yet to be made that the new C-17 generation of cargo planes is necessary, or that the C-5 program cannot handle scenarios posed by the C-17 proponents.

The C-5 delivers more per sortie and can be unloaded simultaneously through the front and rear doors, whereas the C-17 has only a rear cargo door—thus the argument for the C-17's supposed quicker maneuverability loses much of its luster.

The proponents of the C-17 make much of the plane's ability to fly into the very smallest airfields, where the C-5 cannot land. Such minuscule airfields could not likely handle the 45 tons of cargo that the C-17 can deliver.

It is unrealistic to imagine that either the C-5 or the C-17, both expensive aircraft, will be deployed close to the front lines in areas of hostile fire.

In sum, the proponents of the C-17 program are asking the taxpayers for $37.2 billion dollars for an unnecessary program based on unrealistic scenarios. The C-17 is a marginally more maneuverable aircraft, but it has not been demonstrated that this factor would realistically come into play. The Air Force should cancel the C-17 program and instead build more C-5B and KC-10's as a more sensible use of our defense dollars.

Mr. McCURDY. Mr. Chairman, I yield 45 seconds to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, I strongly opppose this amendment to eliminate C-17 funding. I do so for one, simple reason: The C-17 is the least expensive, most effective way for us to meet our airlift capability needs of 66 million ton-miles per day.

If the C-17 were canceled something else would be needed to fulfill our airlift requirement. All other alternatives, including the procurement of additional C-5B's, would cost more and do less.

The Army and Air Force Chiefs of Staff and the Commandant of the Marine Corps agree that the C-17 is vital to rapid deployment of our combat forces. The head of the Military Airlift Command supports it. And the General Accounting Office, the Congressional Budget Office, and the House Appropriations Committee Survey and Investigation team have each commented favorably on the C-17.

Mr. Chairman, I fully concur with these solid endorsements and urge my colleagues to cast their votes in favor of the C-17 and against this amendment.

Mr. BADHAM. Mr. Chairman, I yield 30 seconds to the gentleman from Connecticut [Mr. ROWLAND] a member of the committee.

Mr. ROWLAND of Connecticut. Mr. Chairman, I think all of us can appreciate the parochial interests being vented here. We can all appreciate where Mr. DARDEN is coming from. Unfortunately, we have to be concerned with the national security interests. I think a telling point is the capability of the C-5 versus the C-17 in landing strips. Look at West Germany: The C-5 was limited to some 47 landing areas, the C-17 some 132; worldwide the C-5 is limited to 850 landing strips and the C-17 can go up to 10,000 landing areas. The GAO, the Committee on Armed Servics, the subcommittees, the Chief of Staff of the Air Force and everyone else cannot be wrong. I urge defeat of the Darden amendment.

I rise in strong opposition to the amendment which has been offered by my good friend, the gentleman from Georgia [Mr. DARDEN].

Quite frankly, Mr. DARDEN is doing what most Members would do—and that is to protect his local parochial interests. We know that the gentleman would like to continue production of the C-5 because it is assembled in his district by the Lockheed Corp.

I would like to support my good friend but this is a situation where the national interest must in fact prevail over the local parochial interests of the State of Georgia.

What has become clear to me during my service on the Armed Services Committee is that our Nation needs a new and modern airlifter.

We should base Nation's military readiness decisions on what is needed for the defense of this country. I can say a critical part of our ability to defend ourselves will be the C-17 airlifter.

I should note that this position was borne out in a recent study by the General Accounting Office which, interestingly enough, was requested by opponents of the C-17.

The GAO analysis called the Air Force's decision to move to a new cargo airlifter to be justified and correct. That view has been endorsed by the Armed Services Committee at both the subcommittee and committee level.

The short of it is, the C-17 will meet our airlift demands into the 21st century and it will do so in an efficient and cost effective manner. The C-17 will have many capabilities now lacking in the old C-5's. It will be both an inter- and intra-theater plane and will require far less personnel to operate.

According to the Air Force, the cost of flying a C-17 will be far less than the C-5 and this will result in savings of at least $16 billion over the life of the program.

While I can understand the position of the gentleman from Georgia, I believe the responsible thing to do is to defeat his amendment. Quite simply, we need to modernize our airlifting capabilities and the best way to do so, is through the C-17 airlifter.

Mr. DARDEN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Georgia [Mr. JENKINS].

Mr. JENKINS. Mr. Chairman, first of all I want to express my appreciation to Mr. DARDEN and to the chairman of the full committee for holding the amendment over until today. If I have caused any inconvenience to any Member from this side I apologize for that. I do not apologize for attending my daughter's graduation but I do apologize to any Member who may have been inconvenienced.

Let me talk about the amendment for a moment. This is nothing more than a town car for the Air Force. That is what it amounts to.

We can talk about parochial interests all we want to. I understand that there are some 30 States involved that have a piece of this action or a promise of a piece of the action. I happen to serve on the Committee on the Budget and I hear every day that we meet "Well, can we spend $40 million, $40 million for AIDS research? Can we put a little more in for handicapped? Can we help the education just a little bit, $10 million or $15 million?"

We struggle every day. Tonight we are going to pass, I assume, $40 billion ultimately for a cargo plane that is not necessary for the defense of this Nation.

No; Lockheed has taken no part in this. Why are they not? Because every defense contractor in the United States is not going to book the Defense Department because they may have future contracts.

As the years go by, as we appropriate $40 billion for this cargo plane that we do not need, Member after Member will say "Is that necessary?" And we will try to back out of it down the road.

But for you Members on the conservative side who always quote the Heritage Foundation, they have given a report and they say it is a waste of money. For those people on the liberal side who are concerned about excessive defense spending, now is the time for you to stand up and do what you say, regardless of whether or not you have a part of it in your district.

Yes, we have a potential contract in my State. I have no defense contractor in my district. But we have a piece of either one. But this is $40 billion that this House apparently is determined to spend with 20 minutes of debate tonight. I think that is extremely regrettable for the condition that we find ourselves in with the budget.

We struggle every day to try to find an answer and when we come to a decision like this, because we may have a piece of the action, we say "No, we will go along." I plead with you to consider this and vote on the merits.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Chair will state that the gentleman from California [Mr. BADHAM] has three and a half minutes remaining, the gentleman from Oklahoma [Mr. McCURDY] has three and a quarter minutes remaining and the gentleman from Georgia [Mr. DARDEN] has five minutes remaining.

Mr. DARDEN. Mr. Chairman, I yield an additional minute to my colleague from Utah [Mr. OWENS].

Mr. OWENS of Utah. There are five reports available for the consideration of Members of this body from experts dealing with the C-17. The GAO report has been, I think, a little misrepresented tonight. It says the C-17 will save money in operating costs but did not take into account the cost of money nor did the GAO assign value to the fact that the Air Force will reach its airlift goal 5 years earlier with the C-5.

The GAO report does not, when carefully studied, support the C-17.

Second, the Congressional Budget Office says the C-17 will be 3 percent more costly than the C-5 option.

Third, the Brookings Institute recommends not funding the C-17.

Fourth, the Institute for Foreign Policy Analysis agrees with former Secretary of Defense Harold Brown and opposes the C-17.

Last, the Heritage Foundation says "careful analysis by experts of the United States airlift needs and of the C-17 Program reveals that a new cargo plane is not needed to close the gap."

Mr. BADHAM. Mr. President, I yield 30 seconds to the gentleman from Missouri [Mr. TAYLOR].

Mr. TAYLOR. Mr. Chairman, I am strongly opposed to the amendment offered by the gentleman from Georgia [Mr. DARDEN] because it is penny wise and pound foolish.

The gentleman from Georgia [Mr. DARDEN] claims that higher initial acquisition costs of the C-17 cargo aircraft make it too expensive at a time when we face enormous budget deficits.

This argument seems to ignore conclusions reached by the Department of Defense, CBO, the Air Force, and the General Accounting Office, that the C-17 provides overall advantages to the Air Force, including greater military utility, and cheaper life-cyle costs due to lower operational and support costs.

Mr. Chairman, this amendment proposes to cut all the funds in this bill for the C-17. He would delete: $979.9 million in Research, Development, Test and Evaluation Funds; and $705.8 million in procurement funds for the C-17.

The C-17 is designed to modernize our Nation's cargo airlift capability in long-term support of our conventional forces, and as such, it is vital to our national security.

Mr. Chairman, the Committee on Armed Services rejected this unwarranted cut when it considered the bill, and the substitute we are now debating, the one written by the gentleman from Wisconsin, the chairman of the committee [Mr. ASPIN], did not cut out the C-17.

When the Committee on Rules considered this issue last week, I was opposed to including this amendment under the rule, because of the great damage it does to out national security.

Mr. Chairman, I am not the least bit embarrassed to say to this House that this amendment also does great violence to my State of Missouri.

The prime contractor for the C-17 is the McDonnell Douglas Corp. of St. Louis. This amendment threatens the economic health of this corporation, which with over 39,000 employees is the single largest employer in my State.

Mr. Chairman as far as I know, McDonnell Douglas does not have a corporate presence in the Missouri Ozarks, where my district is located. But something this important requires us to look beyond the boundaries of our home areas, to consider the impact such an unwarranted action would have on our national security, and to vote down the amendment.

Mr. Chairman, I urge my colleagues to reject the Darden amendment.

Mr. McCURDY. Mr. Chairman, I yield 45 seconds to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. This is a fight between Lockheed and McDonnell Douglas on the airlifter. It is an unusual situation. This gentleman from Washington does not have a "dog in the fight."

I want to tell you this: Based on a lot of study I am convinced that the C-17 is the correct option. It gives us direct deliverability, it can take off in 3,000 feet, it is supported by the users, the people who are going to have to go to war, the Army and Marine Corps, and it will save us $1 billion in operation and maintenance costs per year. The C-5 is the most expensive airplane that has even been deployed and it is a drain on the operation maintenance budget of the military.

So I strongly support the C-17. It is the newest technology, the right airlift decision; let us support the committee.

Mr. DARDEN. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from Georgia has 4 minutes remaining.

Mr. DARDEN. Mr. Chairman, who is entitled to close this debate?

The CHAIRMAN pro tempore. The gentleman from Oklahoma [Mr. McCURDY] representing the committee has the right to close.

Mr. DARDEN. Accordingly, Mr. Chairman, I yield myself the remainder of my time.

The CHAIRMAN pro tempore. The gentleman from Georgia has 4 minutes remaining.

Mr. DARDEN. Mr. Chairman, to my distinguished colleagues, I first want to thank them for their kind attention in giving me a chance to bring my amendment, $40 million worth, to this committee for its consideration. I am very moved at the many protestations that have been made today about the fact that I might have some parochial interest in this matter.

□ 1935

I have never seen such an array of political pork barrel come before this House in the 5 years that I have been here. We have people whose blades for the engines are manufactured in their districts. We have people who have all types of contracts for the wings in their districts. The only person who did not come up, who did not have an interest in this matter, was our distinguished gentleman from Washington and we bought $2 billion of E-6A airplanes we did not need last year.

I would submit to this distinguished Committee sitting here that we have no puritans in this group. What this is about is that we are going to buy a paper airplane. We are going to buy a paper airplane that we do not need.

We are going to spend $40 billion that we do not have only because the Air Force wants it.

However, I have a letter here from the Department of the Army saying what a great thing the Divad is. They wanted the B-1. There is never a weapon system they do not want.

They are going to get this one. I do not have the votes in order to carry this amendment, but you will be up here telling me, patting me on the back in 2 or 3 years if I am back and you are back, "You were right. I could not vote for you, but you were right. We should have canned the most expensive turkey that has ever been voted on by this House."

Forty billion dollars' worth, more than the MX, more than the Minuteman, more than the ATF, more than the ATB, an absolute waste of money, just because we spread it out among 100 congressional districts in 27 States, just for the purpose of saying that we have a jobs program.

Let us put the jobs program back into education and labor where it belongs. Let us not turn it over to the Department of Defense. We cannot give everybody in this country a job just because the Pentagon has the money. Let us try to say, let us give the jobs to the people who need them. Let us do it in the Committee on Education and Labor. Let us make a finding here that we need those jobs, rather than going through the process of creating a program of a $40 billion boondoggle.

Some of you have received my planes, and this is the way I look at it. This is what you are buying, a $40 billion paper airplane. I hope you enjoy it if you buy it. You do not need it; it will not do you any good, but I guarantee you that this paper airplane right here will fly better than the C-17 will ever fly.

I say to my dear colleagues in parting that you are spending $40 billion.

The CHAIRMAN pro tempore. The gentleman is not in order.

Mr. BADHAM. Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon [Mr. DENNY SMITH].

Mr. DENNY SMITH. Mr. Chairman, as an aviator of 33 years of experience with real planes, not paper planes, I rise in strong opposition to the Darden amendment.

Mr. BADHAM. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. LEWIS].

Mr. LEWIS of Florida. Mr. Chairman, I rise today in opposition to the amendment.

When the Air Force developed its airlift master plan in 1983, it called for improvements in certain critical areas in order to overcome the current airlift shortfall.

The Secretary of Defense found that the C-17 not only met, but surpassed these requirements and was the best solution.

History has taught us that we must have the ability to respond quickly, when and where needed. Clearly, the operational features of the C-17 deliver that ability.

The C-17 will fill the void in the current airlift force and is the best long-term solution.

I urge the defeat of the Darden amendment.

Mr. BADHAM. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, the opponents of the C-17 program raise three arguments: The program is unnecessary, it is too expensive, and the C-5 can do a better job.

The necessity of the program has already been debated, and the outcome of that debate is clear. The military says this program is necessary, the committee says this program is necessary, and the GAO says this program is necessary.

The GAO has also concluded that the C-17 will fill an important role in a cost-effective manner. The high initial acquisition costs are more than offset by lower operational and support costs.

Finally, to argue that the C-5 can carry more equipment and we have the means to purchase more C-5's than C-17's is a moot point. There is no question that the C-5 can carry more than the C-17, and there is no question that the C-5's initial cost is presently less than the C-17. However, the entire purpose of the C-17 is to deliver a heavy payload to the foward edge of the battle area. The C-17 can land and take off on unimproved runways with short landing and take-off space. The C-5 requires a large, improved runway. It simply cannot bring vital equipment to the front-line troops as quickly as the C-17. I don't think anyone will argue that in war, timing is everything.

I ask my colleagues to vote down this amendment. We owe the C-17 program to those willing to serve this country in the face of battle on the foward edge.

The CHAIRMAN pro tempore. (Mr. GRAY of Illinois). The gentleman from California [Mr. BADHAM] has 2 minutes remaining.

Mr. BADHAM. Mr. Chairman, I reserve the balance of my time.

Mr. McCURDY. Mr. Chairman, I yield 10 seconds to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, on a personal note, I apologize for any inconvenience or embarrassment I might have inadvertently thrown toward the way of my dear friend, the gentleman from Washington [Mr. DICKS], and in no way meant to imply that he was not a person of the highest integrity and impeccable character.

Mr. BADHAM. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I accept the gentleman's apology on behalf of those of us who do not build the C-17's in our district or any other airplane.

Mr. Chairman, one of the defense priorities that Congress is stressing this year is conventional force enhancements.

If one reviews our defense strategy, emphasis is placed on rapid response and reinforcement. If one reviews our current airlift capability to carry out this strategy, it is evident that we are woefully short in airlift.

So, if we are really serious about upgrading our conventional force posture, we need to do something about the airlift shortfall.

The question then becomes what is the most cost-effective way that generates this needed airlift in a way that exploits the latest technology, constrains operating and maintainability costs, and provides maximum operating flexibility.

A number of studies have been conducted to answer this basic question. Studies in the Pentagon and studies outside the Pentagon have been produced.

The most recent study prepared for the House Armed Services Committee is that of the General Accounting Office. That study concludes decisively that the C-17 is the best choice to obtain the badly needed airlift.

Most of you have read the study or at least have been aware of it. Therefore, it is not necessary to reiterate its findings. But it is safe to say that the study demonstrates that the C-17 is the best answer to a critical defense shortfall.

The pending amendment, unfortunately, goes in a completely opposite direction. It kills the C-17 program. As such, it contributes nothing to solving the problem.

I can appreciate the gentleman's desire to save money. But the amendment is directed at a vitally needed program. It would be different if the amendment were directed at a program that is marginal or unneeded.

We simply cannot say that about the C-17. It is an essential component of our efforts to build up our conventional force capabilities.

I urge my colleagues to vote down this ill-advised amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. McCURDY. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, this does end the debate today on the C-17. I might note that it is unfortunate that a project as large and as vital as this is to the United States only had 20 minutes of debate. That is unfortunate, not only to the proponents of the amendment, but I think it is unfortunate for the committee and the Congress as a whole.

Be that as it may, I think there have been a number of important points raised here this evening that have to be addressed.

First of all, the proponents of the amendment argue that procuring additional C-5B's is a more cost-effective means of achieving additional airlift capability. That does not take into account the lifecycle, operating costs of the aircraft. The aircraft we are going to purchase is going to be in the inventory for over 30 years.

If we followed the logic of the gentleman from Georgia and other proponents of this amendment, we would still be flying DC-3's and DC-4's. This is a ridiculous amendment to be offering at this time.

The last 50 C-5B's cost more than the original C-5A's. That is a fact. General Cassidy stated in a letter to the gentleman from Georgia that we can try and maintain the C-17 for the cost of flying the C-5. The cost per flying hour—this is important—the cost per flying hour for the C-5 is over $5,000, while the C-17 is $2,600, an annual fleetwide savings of over a billion dollars.

The GAO report that was requested by the proponents of the amendment, which they now have to refute, indicate that over a 30-year period, the C-17's lower operating and support costs should more than offset this acquisition cost, and we are talking about a system that is going to be in the inventory for the next 30 years.

We are talking about conventional capability; we are talking about the latest technology; we are talking about a program that has reduced the risk of technical errors in overruns.

□ 1945

We are talking about off-the-shelf technology that can perform the mission better, has greater utility, and has more improved technology. The requirement is clear.

Mr. Chairman, I ask the Members to oppose the Darden amendment.

Mr. BONER of Tennessee. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Georgia.

Maintaining a strong and viable national defense in view of the enormous pressures of the Federal budget is one of Congress' highest priorities. We must balance the new defense programs with the competing responsibilities faced within both the defense and nondefense components of the budget. That responsibility demands that every effort be made to minimize the cost of new defense systems, while providing the best possible equipment to our Nation's Armed Forces.

An opportunity to both minimize cost and provide high quality equipment exists in the Air Force C-17 Program. There is wide agreement that the Air Force needs a modernized fleet of aircraft that will provide an adequate airlift capability. At present, there is a serious question as to the ability of the United States to airlift men and supplies in a timely fashion to a crisis in Europe, Asia or the Middle East.

The C-17 Program combines the quality of the C-5B and C-130 aircraft into a single mission capability. The C-17 is designed to fly the long-range, intercontinental missions of the C-5B, including transporting over-sized cargo such as tanks.

The C-17 is also designed to perform tactical airlift under combat conditions to short, unpaved landing sites. At present, no single aircraft can accomplish both of those missions.

In view of cost considerations, I have worked with members of both the Armed Services and Defense Appropriations Committee to assure that the C-17 is constructed in the most cost-effective way. One of the ways in which we can assure cost savings is by subcontracting components of the aircraft. In particular, it is my belief that cost savings and quality can be assured by subcontracting the C-17 wing assembly to AVCO Aerostructures, which has tremendous experience in constructing the wing assemblies of the C-5 and B-1. Subcontracting the wing assembly to AVCO Aerostructures is one of the best ways to reduce overall costs of the program while manufacturing a quality wing using the most talented work force anywhere in the Nation.

In Nashville, a trained workforce of several thousand highly skilled individuals is uniquely suited in timing and skill to produce the C-17 wing in an efficient manner. As the B-1B and C-5B programs wind down, the AVCO facility in Nashville is readily available for continued wing production. The AVCO plant is already equipped with new machinery and new manufacturing processes that can be applied to the efficient production of the C-17 wing.

AVCO officials have worked tirelessly to develop and present a wing assembly plan for consideration to the McDonnell Douglas Corp., the C-17's prime contractor. The AVCO proposal includes the best and final offer and, should it be selected by McDonnell Douglas, it will assure that the C-17 will result in a significant cost savings in the performance of its critical airlift role.

The C-17 is a program necessary to meet the air lift requirements of our Nation's Armed Forces.

I urge the defeat of this amendment.

Mr. GEJDENSON. Mr. Chairman, I rise in strong opposition to the Darden amendment to strike fiscal year 1988 funds for the C-17 aircraft.

While I respect my colleague's desire to eliminate funding for those weapons systems that are costly and unnecessary, I do not believe that the C-17 aircraft falls into that category. The C-17 is desperately needed from a strategic point of view. Fortunately, the airplane is also a cost-efficient airplane which is designed to minimize life-cycle costs. A recent GAO study concluded, in fact, that over the life of the program the C-17 will save $16.7 billion in operating costs and require 12,900 fewer personnel to operate than the C-5B.

An important reason for the plane's cost-efficiency lies in its extremely fuel-efficient engine, the Pratt and Whitney 2037. Due to the unique design of the engine, the average flying hour cost for the C-17 is 55 percent less than the C-5B's. The lessened maintenance requirements of the C-17 over the C-5B, in addition to the C-17's three-man aircrew, make the plane the choice of those who are concerned about keeping down future airlift force costs.

Cost-efficiency alone, however, cannot be the sole reason for supporting a significant expenditure on a new defense program. The ability of the system to meet a significant U.S. defense need must be proved before billions of dollars are committed by Congress. The C-17 clearly meets that requirement.

The ability of the C-17 to deliver large payloads to shorter runways at austere airfields is a definite improvement over current capabilities. The C-17's short-field landing and takeoff performance enables it to operate into 3 times as many airfields as the C-5 and C-141, which greatly enhances the flexibility of the military in accomplishing military goals. Once on the airfield, the C-17 can offload its cargo without having to kneel. This feature of the C-17 means that more planes can be on the ground at the same time and the cargo can be offloaded more quickly.

The C-17 also increases U.S. military capabilities by allowing for direct delivery of its full payload. U.S. forces have had to be delivered in a time-consuming two-step method because of the limitations of the C-5. The C-17 will directly deliver personnel and cargo, including "outsize" items of combat equipment into small airfields without the use of intermediate airfields. By providing full funding for the C-17, Congress can demonstrate its commitment to military cost-efficiency and strategic flexibility in conventional forces.

I urge my colleagues to vote no on the Darden amendment.

Mr. LAGOMARSINO. Mr. Chairman, I rise in opposition to the amendment to terminate the C-17 airlift aircraft. Congress has long been aware and has eloquently expressed its concern about America's serious airlift shortfall. Now we have the opportunity to do something positive about it.

The capability provided by the C-17 cannot be matched by procuring more of the same aircraft already in our inventory. Procurement of this aircraft will modernize our airlift force taking advantage of today's technology to cut operation and support costs drastically. The new features incorporated into the C-17 increase reliability, maintainability and survivability. For example, the Pnuemo Abex Co., of Oxnard, CA will equip the C-17 with the latest technology hydrolic pumps to ensure better maintenance and performance. the GAO issued a report which supports the Air Force's findings that the C-17 will save billions of tax dollars in operation and support costs and is the best solution to meeting our Nation's airlift requirements.

The C-17 will be the first aircraft capable of either airlifting or airdropping outsized cargo. Due to better performance and design, the C-17 can use rudimentary airfields and can load/unload faster. I trust the judgment of our warfighting commanders, those who know the threat and know what they need to counter it. They have all stated that the C-17 is vital to provide the flexibility necessary for combat capability where it is needed, when it is needed and in the required quantities to win. As the Chief of Staff of the Army said, "The C-17 represents the best way to achieve the strategic and tactical mobility the Army requires."

I urge my colleagues to support the C-17, the best alternative to meet the Nation's critical need for airlift requirements, and join me in opposing the amendment that would terminate this "top priority" Air Force program.

Mr. NIELSON of Utah. Mr. Chairman, the official position of the Air Force with respect to the Darden amendment to the fiscal year 1988 authorization bill is as follows:

> Terminating the C-17 program would go against numerous studies which have concluded that the C-17 is the best alternative to meet the Nation's force projection and specifically, airlift requirements. Testimony this year by senior Defense Department personnel has reaffirmed the need for the C-17.
>
> The capability provided by the C-17 cannot be matched by procuring more of the same aircraft already in the inventory. The primary benefits offered by the C-17 are in the operational utility area—it will be extremely flexible and capable. It can be used in the intertheater or intratheater enviroment depending on the situation or demand. The C-17's direct delivery to forward areas reduces in-theater airfield saturation and gets the people and equipment where they are needed faster. Through-put is more than two times greater for the C-17 than the C-5. More airfields are available for offload due to the C-17's substantially better takeoff/landing performance and ground maneuverability. The C-17 will be the first aircraft capable of either airlanding or airdropping outsized cargo. These are the kinds of added capabilities provided by the C-17 which cannot be duplicated by other aircraft. They are needed to meet airlift requirements now and in the future.
>
> Another important area which continues to be overlooked is operating and support costs/personnel requirements. The C-17 will require less than half the maintenance manhours per flying hour than the C-5B (18.6 vs 40). At 1000 flight hours per year, the C-17 saves $300,000 per aircraft over the C-5 in maintenance manhours alone. Better R&M, lower personnel requirements, fewer components and more efficient engines reduce operating the support costs. The annual cost per flying hour per aircraft is estimated at $7.5 million for the C-17 compared to $12.1 million for the C-5B. The Airlift Master Plan analysis showed a $16 billion (FY 82 dollars) savings over 30 years with almost 15,000 fewer personnel needed for a fleet of C-17s compared to a C-5/C-130 fleet.

We have examined and reexamined the airlift modernization issue from every angle and believe strongly that our airlift plan based on the acquisition of the C-17 is the most cost and mission effective approach. Other options have serious flaws either in capability shortfalls or, more to the point, in higher life cycle costs. The C-17 is the best solution.

A letter elaborating this position is also attached:

Department of the Air Force,
Headquarters Military Air lift Command,
Scott Air Force Base, IL, April 30, 1987.
Hon. George W. Darden,
House of Representatives,
Washington, DC.

Dear Mr. Darden: I have recently reviewed your "Dissenting View on the C-17" included in the HASC Report on H.R. 1748, DOD Authorization Act for FY88/89, recommending the procurement of additional C-5Bs, instead of the C-17, to help solve our nation's critical airlift shortfall. I can understand your position; however, as the senior airlifter I have to tell you that your proposal is wrong for the following reasons:

a. Airlift Master Plan. I have long contended that the C-17 is the only available option this nation can afford now and in the future. The up-front acquisition costs of any major weapons system are significant, but most importantly, we must ask, "Can we afford to operate the fleet we buy?" When I look at the C-17, I can honestly answer "Yes." Your suggestion that procuring additional C-5Bs is a more cost-effective means of achieving additional airlift capability does not take into account a comparison of the life-cycle costs of operating the aircraft. For the cost of flying the C-5, we can fly and maintain the C-17. The cost per flying hour for the C-5B is $5,089 while the C-17 is $2,676—an annual fleet-wide savings of over a billion dollars. The GAO, at the direction of Chairman Aspin, recently reviewed the decision and agreed, "over a thirty year period the C-17's lower operating and support costs should more than offset its higher acquisition costs." It was satisfying to have a non-DOD agency confirm the correctness of our long-criticized decision.

b. Unit Cost Comparison. You state that the additional C-5Bs would cost $93 million each compared to $178 million per aircraft for the C-17. I would offer that this does not present an apples-to-apples comparison. The proposed numbers for new C-5Bs are unnegotiated and do not include our management costs or possible increases in spares, support equipment, and facilities. Furthermore, in actual unit flyaway costs (airframe, engines, avionics, and engineering change orders), the C-17 costs $92 million per aircraft in FY87 dollars. When you compare this figure to the cost of the C-5B, or any other available wide-body aircraft, and add in the operational utility of the C-17, we have clearly made the correct decision.

c. Operational Utility. We developed the C-5 during the era of "bigger is better." However, since that time we have discovered there are a lot of things big cargo aircraft cannot do well. They cannot operate in and out of small, austere airfields. They are restricted primarily to main operating bases which have no taxi or ramp restrictions. Turnaround times are usually longer, slowing the flow through in-theater bases and adding congestion to our limited airfields. For example, if we use a typical 500,000-square-foot ramp with a single point of entry, eight C-17s can be parked for loading or unloading in the same space as three C-5s. Translating those numbers into airlift flow means the C-17 can deliver almost three times the cargo as the C-5 over the same length of time. Add to that the greater numbers of airfields available to the C-17 and the flow into the theater gets even larger.

d. Technology. Since we have long recognized the need to quickly obtain additional airlift, we have developed the C-17 using proven technology to minimize risk and development time. The C-17 incorporates composites in the structure design, the latest in aircraft avionics, one of the most fuel-efficient commercial engines on the market today, and unique survivability features such as separation of systems and provisions for the defensive systems—many of the features experts would like to see on the next tactical airlifter. By using proven technology, we also minimize development costs and obtain an airplane with known operability and maintainability characteristics. Additional C-5B's would tie us to 1960's technology and exacerbate the very problem you are trying to preclude.

e. Requirement. Finally, I must take exception to your statement that "very few military pundits concentrate on our airlift requirement." The theater commanders identify and support direct delivery as a critical capability needed to successfully conclude future conflicts. They are all solidly behind the C-17. I must have the C-17 to support their efforts to defend this nation and her allies. Also, the Chiefs of Staff of the Army and Air Force and the Commandant of the Marine Corps may have said it best in a letter to Congress on 25 September 1986. "The C-17 has been jointly supported from the ground up and is critical to rapid deployment of our combat forces. The key to victory in any future conflict lies in our ability to project our power into the battlefield. The C-17 is vital to projecting that power." I agree! C-17 opponents contend that the C-5 can do the job just as well. The GAO had a different view, "* * * the C-17 should permit the Air Force to more fully implement the direct delivery concept as well as supplement the C-130 fleet."

The Airlift Master Plan and C-17 procurement are the most widely studied and debated issues in the history of MAC. The GAO, CBO, and HAC S&I teams are independent organizations that have thoroughly reviewed and commented favorably on our decision. The GAO's final conclusion was, "that the cost-effectiveness of the C-17 has been sufficiently demonstrated." Our nation needs this capability.

I would be happy to discuss these or any other airlift issues with you as the debate over the fiscal year 1988/89 budget continues.

Sincerely

Duane H. Cassidy,
General, USAF,
Commander in Chief.

The CHAIRMAN pro tempore (Mr. Gray of Illinois). All time has expired on the amendment.

The question is on the amendment offered by the gentleman from Georgia [Mr. Darden].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DARDEN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 92, noes 321, not voting 19, as follows:

[Roll No. 115]

AYES—92

Aspin
Atkins
Barnard
Bates
Berman
Bilbray
Boland
Bonker
Borski
Brown (CO)
Bruce
Clarke
Collins
Conyers
Courter
Coyne
Crockett
Darden
DeFazio
Derrick
DioGuardi
Donnelly
Dorgan (ND)
Dowdy
Dwyer
Early
Edwards (CA)
Fish
Flippo
Florio
Foglietta
Ford (MI)
Frank
Gilman
Gingrich
Grant
Gray (PA)
Hatcher
Hughes
Jacobs
Jenkins
Kastenmeier
Kleczka
Kostmayer
Lehman (CA)
Levin (MI)
Lewis (GA)
Lipinski
Markey
McMillan (NC)
Mineta
Montgomery
Moody
Moorhead
Nagle
Oberstar
Obey
Ortiz
Owens (UT)
Oxley
Patterson
Pease
Petri
Pickle
Rangel
Ravenel
Ridge
Rinaldo
Rostenkowski
Roth
Russo
Sawyer
Schroeder
Schumer
Sensenbrenner
Sikorski
Skaggs
Smith (FL)
Smith (IA)
Spence
St Germain
Staggers
Stangeland
Studds
Swindall
Tallon
Thomas (GA)
Udall
Vento
Walgren
Weiss
Williams

NOES—321

Ackerman
Akaka
Alexander
Anderson
Andrews
Anthony
Archer
Armey
AuCoin
Badham
Baker
Ballenger
Bartlett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Bevill
Biaggi
Bilirakis
Bliley
Boehlert
Boggs
Boner (TN)
Bonior (MI)
Bosco
Boulter
Boxer
Brennan
Brooks
Broomfield
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Cardin
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clay
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Conte
Cooper
Coughlin
Craig
Crane
Daniel
Dannemeyer
Daub
Davis (IL)
Davis (MI)
de la Garza
DeLay
Dellums
DeWine
Dickinson
Dicks
Dingell
Dixon
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dymally
Dyson
Eckart
Edwards (OK)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Flake
Foley
Frenzel
Frost
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Glickman
Gonzalez
Goodling
Gordon
Gradison
Grandy
Gray (IL)
Green
Gregg
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Horton
Houghton
Howard
Hoyer
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
Ireland
Jeffords
Johnson (CT)
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kemp
Kennedy
Kennelly
Kildee
Kolbe
Kolter
Konnyu
Kyl
LaFalce
Lagomarsino
Lancaster

Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (FL)
Leland
Lent
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Lloyd
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Moakley
Molinari
Mollohan
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Oakar
Olin
Owens (NY)
Packard
Panetta
Parris
Pashayan
Penny
Pepper
Perkins
Pickett
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Regula
Rhodes
Richardson
Ritter
Roberts
Robinson
Rodino
Roe
Roemer
Rogers
Roukema
Rowland (CT)
Rowland (GA)
Sabo
Saiki
Savage
Saxton
Schaefer
Scheuer
Schneider
Schuette
Sharp
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solarz
Solomon
Spratt
Stallings
Stenholm
Stokes
Stratton
Stump
Sundquist
Sweeney
Swift
Synar
Tauke
Taylor
Thomas (CA)
Torricelli
Towns
Traficant
Traxler
Upton
Valentine
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walker
Watkins
Waxman
Weber
Weldon
Wheat
Whittaker
Whitten
Wilson
Wise
Wolf
Wolpe
Wortley
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NOT VOTING—19

Annunzio
Applegate
Boucher
Brown (CA)
Combest
Ford (TN)
Guarini
Hawkins
Jones (NC)
Livingston
Lott
Lowery (CA)
Ray
Rose
Roybal
Schulze
Stark
Tauzin
Torres

☐ 2000

The Clerk announced the following pair:

On this vote:

Mr. Roybal for, with Mr. Hawkins against.

Mr. CRANE and Mr. GARCIA changed their votes from "aye" to "no."

Mr. RANGEL and Mr. BATES changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. FROST] having assumed the chair, Mr. GRAY of Illinois, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 1748 to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. ASPIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 1748, the bill under consideration today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION FOR COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY TO SIT ON WEDNESDAY, MAY 13, 1987, DURING THE 5-MINUTE RULE

Mr. ROE. Mr. Speaker, I ask unanimous consent that the Committee on Science, Space, and Technology be permitted to sit on Wednesday, May 13, 1987, while the House is in session under the 5-minute rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CONFERENCE REPORT ON H.R. 1157, FARM DISASTER ASSISTANCE ACT OF 1987

Mr. DE LA GARZA submitted the following conference report and statement on the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986:

CONFERENCE REPORT (H. REPT. 100-91)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986 having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 19 and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 6, 8, 10, 12, 13, 14, 15, 16, 17, 21, and 24 and agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following: *subclauses (II), (III), and (IV)*; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

(2) in clause (ii)—

(A) inserting "(I)" after the clause designation;

(B) inserting "subclauses (II), (III), and (IV) of this clause and" before "clauses (iii) and (vii)"; and

(C) adding at the end thereof the following:

"(II) Effective for the 1987 crop, producers of winter wheat on a farm shall not be subject to the 50 percent planting requirement, and may devote all or any portion of the farm's 1987 winter wheat permitted acreage to conservation uses (or other uses as provided in subparagraph (K)) under the program under this subparagraph.

"(III) Effective for the 1987 crop, producers of wheat on a farm shall not be subject to the 50 percent planting requirement, and may devote all or any portion of the farm's 1987 permitted wheat acreage to conservation uses (or other uses as provided in subparagraph (K)) under the program under this subparagraph, if the farm is, during the normal planting season for such crop, subject to flooding on at least 50 percent of the permitted wheat acreage of the farm as the result of damage to a levee from flooding that occurred in 1986 and the farm is located in a county in which producers were eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as a result of such disaster.

"(IV) Effective for the 1987 crop, producers of wheat on a farm shall not be subject to the 50 percent planting requirement, and may devote all or any portion of the farm's 1987 permitted wheat acreage to conservation uses (or other uses as provided in subparagraph (K)) under the program under this subparagraph, if the producers on the farm are prevented from planting such acreage, if intended for wheat, to wheat for harvest in 1987 because of a natural disaster in 1986 and the farm is located in a county in which producers were eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as a result of such disaster."; and

And the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, strike out line 15 of page 3 of the House engrossed bill and all that follows through line 5 on page 4 of such bill and insert in lieu thereof the following:

(B) adding at the end thereof the following: "Effective for the 1987 crop, producers of feed grains on a farm shall not be subject to the 50 percent planting requirement, and may devote all or any portion of the farm's 1987 permitted feed grain acreage to conservation uses (or other uses as provided in subparagraph (I)) under the program under this paragraph, if the farm is, during the normal planting season for such crop, subject to flooding on at least 50 percent of the permitted feed grain acreage of the farm as

the result of damage to a levee from flooding that occurred in 1986 and the farm is located in a county in which producers were eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as a result of such disaster."; and

And the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

COTTON ACREAGE DIVERSION

SEC. 4. Effective only for the 1987 crop of upland cotton, section 103A(c)(1)(B) of the Agricultural Act of 1949 (7 U.S.C. 1444-1(c)(1)(B)) is amended by—

(1) in clause (i)—

(A) inserting ", or all of such permitted acreage (as provided in subclause (II) of clause (ii))," after "permitted upland cotton acreage of the farm for the crop"; and

(B) in subclause (I), inserting "(or all)" after "such portion";

(2) in clause (ii)—

(A) inserting "(I)" after the clause designation;

(B) inserting "subclause (II) and" before "clause (iii)"; and

(C) adding at the end thereof the following new subclause:

"(II) Effective for the 1987 crop, producers of upland cotton on a farm shall not be subject to the 50 percent planting requirement, and may devote all or any portion of the farm's 1987 permitted upland cotton acreage to conservation uses (or other uses as provided in subparagraph (G)) under the program under this subparagraph, if the farm is, during the normal planting season for such crop, subject to flooding in at least 50 percent of the permitted upland cotton acreage of the farm as the result of damage to a levee from flooding that occurred in 1986 and the farm is located in a county in which producers are eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as a result of such disaster."; and

(3) in clause (iv)—

(A) inserting "(or all)" after "such portion"; and

(B) inserting "under this subparagraph" after "subparagraph (g))".

RICE ACREAGE DIVERSION

SEC. 5. Effective only for the 1987 crop of rice, section 101(c)(1)(B) of the Agricultural Act of 1949 (7 U.S.C. 1444-1(c)(1)(B)) is amended by—

(1) in clause (i)—

(A) inserting ", or all of such permitted acreage (as provided in subclause (II) of clause (ii))," after "permitted rice acreage of the farm for the crop"; and

(B) in subclause (I), inserting "(or all)" after "such portion";

(2) in clause (ii)—

(A) inserting "(I)" after the clause designation;

(B) inserting "subclause (II) and" before "clause (iii)"; and

(C) adding at the end thereof the following new subclause:

"(II) Effective for the 1987 crop, producers of rice on a farm shall not be subject to the 50 percent planting requirement, and may devote all or any portion of the farm's 1987 permitted rice acreage to conservation uses (or other uses as provided in subparagraph (G)) under the program under this subparagraph, if the farm is, during the normal planting season for such crop, subject to flooding on at least 50 percent of the permitted rice acreage of the farm as the result of damage to a levee from flooding that occurred in 1986 and the farm is located in a county in which producers are eligible to receive disaster emergency loans under section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) as a result of such disaster."; and

(3) in clause (iv)—

(A) inserting "(or all)" after "such portion"; and

(B) inserting "under this subparagraph" after "subparagraph (G))".

And the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following: *sections 7 and 11*; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

(1) in subsection (a)(5)—

(A) amending clause (ii) of subparagraph (B) to read as follows:

"(ii) with respect to soybeans, peanuts, sugar beets, and sugarcane—

"(I) except as provided in subclause (III), with respect to soybeans and peanuts, the acreage so affected but not to exceed the acreage planted in the immediately preceding year to soybeans or peanuts, respectively, for harvest including any acreage that the producer was prevented from planting to such commodity or to other nonconserving crops in lieu of soybeans or peanuts because of drought, excessive moisture, flood, hail, or other natural disaster, or other condition beyond the control of the producer;

"(II) with respect to sugar beets and sugarcane (including sugar beets or sugarcane produced by those producers who did not plant acreage to sugar beets or sugarcane during 1985 as the result of the bankruptcy of the Great Western Sugar Company), the acreage so affected; and

"(III) with respect to producers of soybeans and peanuts whose plantings of such commodities in 1985 were either prevented or below normal levels because of rotation practices carried out by such producers, the acreage so affected but not to exceed a quantity of acreage based on the historical plantings of such commodities as determined by the county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b))."; and

(B) adding at the end thereof the following:

"(C) Any payments made available in accordance with subclauses (II) or (III) of subparagraph (B)(ii) may be made only to the extent such payments are provided for in advance in an appropriation Act, as authorized under section 6 of the Farm Disaster Assistance Act of 1987.";

And the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

(3) striking out "1987." in paragraph (2) of subsection (d) and inserting in lieu thereof the following: "1987, except as provided in the following sentence. Applications for payments—

"(A) with respect to hay and straw referred to in subsection (c)(1) and crops of apples damaged by freezing;

"(B) made by producers under the last sentence of subsection (a)(5)(A)(ii) or under subclause (II) or (III) of subsection (a)(5)(B)(ii); and

"(C) with respect to program or nonprogram crops produced in the State of Maine,

must be filed on or before the date that is 30 days after the date of enactment of the Farm Disaster Assistance Act of 1987.";

And the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following: *moisture,".*; and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

AUTHORIZATION NOT TO INCREASE THE DEFICIT

SEC. 8. Each appropriation made pursuant to authorizations in this Act and any new appropriation for an expenditure of funds by the Department of Agriculture (whether in a general, supplemental, or continuing appropriation Act) shall be made in accordance with the provisions of the Congressional Budget and Impoundment Control Act (which prohibits the consideration by Congress of any bill that would cause the deficit of the United States Government to exceed the levels established by the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings)), such that the appropration does not increase the deficit of the United States Government for fiscal year 1987, and shall be made only if the expenditure is authorized by law.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

CONSERVATION RESERVE

SEC. 10. Section 1235(a) of the Food Security Act of 1985 should be reviewed by the Secretary of Agriculture to ensure that the provisions thereof relating to exceptions to the three-year ownership requirement with respect to eligibility for the conservation reserve are being implemented in a manner to encourage inclusion of producer-owned land in the conservation reserve. However, any such exception to the three-year requirement should be made only if the Secretary determines that the land involved (1) was not acquired for the purpose of placing the land in the conservation reserve or (2) otherwise meets the criteria for exceptions made under section 1235(a).

And the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

UPLAND COTTON DISASTER PAYMENTS

SEC. 11. Section 633(B) of the Agriculture, Rural Development, and Related Agencies Appropriations Act, 1987, as included in section 101(a) of Public Laws 99-500 and 99-591, is amended by—

(1) adding at the end of subsection (a)(5)(A)(ii) a new sentence as follows: "To ensure equitable treatment of all producers suffering losses, each county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act, in accordance with regulations established by the Secretary, shall make adjustments in the actual production on each farm of the 1986 upland cotton crop to reflect any reduction in the quality of such crop caused by drought, excessive heat, floods, hail, or excessive moisture in 1986."; and

(2) adding at the end of subsection (e), as amended by section 7 of this Act, the following:

"(6) With respect to payments based on adjustments made to reflect any reduction in the quality of the 1986 upland cotton crop under subsection (a)—

"(A) payments may be made to producers only to the extent payments under this section are provided for in advance in an appropriation Act, as authorized under section 6 of the Farm Disaster Assistance Act of 1987; and

"(B) the total amount of payments made to all producers may not exceed $15,000,000.".

And the Senate agree to the same.

Amendment numbered 25:

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

ETHANOL COST-EFFECTIVENESS STUDY

SEC. 13. (a) The Secretary of Agriculture shall, within 30 days after the date of enactment of this Act, establish a panel to conduct a study of the cost-effectiveness of ethanol production.

(b) The panel shall consist of 7 members appointed by the Secretary, of which—

(1) 4 members shall be persons who are representatives of—

(A) feed grain producers;

(B) feed grain processors;

(C) members of associations involved in the production and marketing of ethanol; and

(D) other related industries or institutions of higher education, or both; and

(2) no more than 2 of the remaining 3 members shall be employees of the Federal Government.

(c) The panel shall—

(1) review and assess the economics and cost of production factors involved in the manufacture of ethanol in modern ethanol production facilities;

(2) assess ethanol technology, production, and marketing advances that have enabled the ethanol industry to grow rapidly since the inception of the industry in 1980;

(3) assess the economic effect on United States agriculture from fuel ethanol production from United States agricultural commodities;

(4) review and analyze the tradeoffs between Federal production and marketing incentives for fuel ethanol and other agricultural programs designed to enhance farm income and adjust agricultural production;

(5) analyze the effect on the agricultural economy resulting from increasing levels of ethanol production, including increased employment, increased tax receipts, expanded economic activity, export potential of residual products, and net costs or savings;

(6) analyze the effect fuel ethanol production has on agricultural prices and farm income; and

(7) analyze the effect of increased ethanol production on the balance of trade, energy security, and air quality in the United States.

(d) Not later than 90 days after the date of enactment of this Act, the panel shall submit a report describing the results of the study to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Secretary of Agriculture.

And the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

MARKETING LOAN REPORT

SEC. 14. If marketing loan programs are not established for the 1987 crops of wheat, feed grains, and soybeans under sections 107(D)(a)(5), 105C(a)(4), and 201(i)(3) of the Agricultural Act of 1949 (7 U.S.C. 1445b-3(a)(5), 1444e(a)(4), and 1446(i)(3)) before the date of enactment of this Act, the Secretary of Agriculture, no later than July 1, 1987, shall submit to the Committee on Agriculture of the House of Representatives and to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains—

(1) a statement of the reasons for not establishing marketing loan programs for the 1987 crops of wheat, feed grains, and soybeans;

(2) a comparision of—

(A) the cost of the price support and production control programs for the 1987 crops of wheat, feed grains, and soybeans; and

(B) the cost of such programs if such marketing loan programs were established;

(3) an analysis of the effectiveness of the existing marketing loan programs for cotton and rice;

(4) a comparison of—

(A) the effectiveness of the current marketing loan programs for cotton and rice; and

(B) the effectiveness of marketing loan programs that could be established by the Secretary for wheat, feed grains, and soybeans;

(5) an analysis of wheat the generic certificate program established by the Secretary produces the same effect on the price of exported grain as would be achieved by establishing marketing loan programs; and

(6) an analysis of the effect a soybean marketing loan program would have on the markets for sunflower and other oil seeds, situations, in which a sunflower marketing loan program would be appropriate, and how such program would operate in conjunction with marketing loan programs for other commodities.

And the Senate agree to the same.

Amendment numbered 27:

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows:

In lieu of the matter to be inserted, insert the following:

SUNFLOWER PRICE SUPPORT PROGRAM

SEC. 15. (a) Effective for the 1987 through 1990 crops of sunflowers, section 201 of the Agricultural Act of 1949 (7 U.S.C. 1446) is amended by—

(1) in the first sentence, inserting "sunflower seeds," after "soybeans,"; and

(2) adding at the end thereof the following new subsection:

"(1)(1) The Secretary may support the price of sunflower seeds through loans and purchases for each of the 1987 through 1990 crops of sunflowers at such level as the Secretary determines between sunflower seeds and soybeans, the prevailing loan level for soybeans, and the historical oil content of sunflower seeds and soybeans, except that the level of loans and purchases may not be less than 8½ cents per pound of sunflower seeds.

"(2)(A) The Secretary may permit a producer to repay a loan made under paragraph (1) for a crop at a level that is the lesser of—

"(i) the loan level determined for such crop; or

"(ii) the prevailing world market price for sunflower seeds, as determined by the Secretary.

"(B) If the Secretary permits a producer to repay a loan in accordance with subparagraph (A), the Secretary shall prescribe by regulation—

"(i) a formula to define the prevailing world market price for sunflower seeds; and

"(ii) a mechanism by which the Secretary shall announce periodically the prevailing world market price for sunflower seeds.

"(3)(A) The Secretary may, for each of the 1987 through 1990 crops of sunflowers, make payments available to producers who, although eligible to obtain a loan or purchase agreement under paragraph (1), agree to forgo obtaining such loan or agreement in return for such payments.

"(B) A payment under this paragraph shall be computed by multiplying—

"(i) the loan payment rate; by

"(ii) the quantity of sunflower seeds the producer is eligible to place under loan.

"(C) For purposes of this paragraph, the loan payment rate shall be not less than the amount by which the loan level determined for such crop under paragraph (1) exceeds the level at which a loan may be repaid under this subsection.

"(D) At the option of the Secretary, payments to a producer under this paragraph shall be made in the form of cash or negotiable certificates redeemable for any agricultural commodity owned by the Commodity Credit Corporation, or any combination thereof.

"(4) For purposes of this subsection, the marketing year for sunflower seeds shall be prescribed by the Secretary by regulation.

"(5)(A) If price support is to be provided under this subsection for a crop of sunflowers, the Secretary shall make a preliminary announcement of the level of price support for sunflower seeds for the marketing year for such crop not earlier than 30 days before the beginning of the marketing year. The announced level shall be based on the latest information and statistics available at the time of the announcement.

"(B) The Secretary shall make a final announcement of such level as soon as complete information and statistics are available on prices for the 5 years preceding the beginning of the marketing year. Such final level of support may not be announced later than 30 days after the beginning of the marketing year with respect to which the announcement is made. The final level of support may not be less than the level of support provided for in the preliminary announcement.

"(6) Notwithstanding any other provision of law, the Secretary shall not require participation in any production adjustment program for sunflowers or any other commodity as a condition of eligibility for price support for sunflower seeds.".

(b) It is the sense of Congress that, if producers are permitted to repay loans for a crop of soybeans under section 201(i) of the Agricultural Act of 1949 at a level that is less than the full amount of the loan, the Secretary should—

(1) make loans and purchases available for such crop of sunflowers in accordance with section 201(l)(1) of the Agricultural Act of 1949; and

(2) permit producers to repay such loans in accordance with section 201(l)(2) of such Act.

And the Senate agree to the same.

On all Senate amendments except Senate amendment 21:

E DE LA GARZA,
DAN GLICKMAN,
JERRY HUCKABY,
RON MARLENEE,
PAT ROBERTS,

On Senate amendment 21:

HENRY J. NOWAK,
ARLAN STANGELAND,
Managers on the Part of the House.

PAT J. LEAHY,
JOHN MELCHER,
DAVID PRYOR,
DAVID L. BOREN,
RICHARD G. LUGAR,
BOB DOLE,
JESSE HELMS,

For areas under the jurisdiction of the Committee on Environment and Public Works:

DANIEL PATRICK MOYNIHAN,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

Amendment No. 1: The Senate amendment will make a conforming change to the tag line of section 2 of the House bill.

The conference agreement adopts the Senate amendment.

Amendment No. 2: the Senate amendment will make a conforming change to a cross-reference in section 2 of the House bill, related to Senate amendment No. 3.

The conference agreement adopts the Senate amendment with a technical conforming amendment.

Amendment No. 3: The Senate amendment will add new provisions to section 2 (wheat acreage diversion) of the House bill to enable certain producers of the 1987 crop of spring wheat to place all of their 1987 wheat acreage into the optional acreage diversion program under section 107D(c)(1)(C) of the Food Security Act of 1985. The new provisions will apply to spring wheat producers—

(a) on a farm that (i) during the normal planting season for the crop, is subject to flooding on at least 50 percent of the permitted wheat acreage of the farm as the result of damage to a levee from flooding that occurred in 1986, and (ii) is located in a county in which producers are eligible to receive disaster emergency loans under the Consolidated Farm and Rural Development Act as the result of a natural disaster; or

(b) who are prevented from planting their 1987 permitted wheat acreage, if intended for wheat, to wheat for harvest in 1987 because of a natural disaster in 1986, if the farm is located in a county in which producers were eligible to receive disaster emergency loans under the Consolidated Farm and Rural Development Act as a result of such disaster.

The conference agreement adopts the Senate amendment, with a technical amendment conforming the language of the proposals for optional acreage diversion programs (relating to levee damage) for wheat, feed grains, upland cotton, and rice, and making other technical changes.

Amendment No. 4: The Senate amendment will add a new provision to section 3 (feed grain acreage diversion) of the House bill to expand eligibility of producers to place all of their 1987 feed grain acreage into the optional acreage diversion program for feed grains under section 105C(c)(1)(B) of the Food Security Act of 1985. Under section 3 of the House bill, producers of the 1987 crop of feed grains (a) who are prevented from planting their 1987 crops because of 1986 natural disasters, and (b) whose farms are located in counties in which producers were eligible to receive disaster emergency payments under the Consolidated Farm and Rural Development Act as a result of such disaster, would be eligible to place all of their 1987 feed grain acreage into the optional acreage diversion program. The new provision to be added by the Senate amendment states that eligible producers (as defined above) will include those whose farms, during the normal planting season for the crop, are subject to flooding on at least 50 percent of the 1987 permitted feed grain acreage of the farm as the result of damage to a levee from flooding that occurred in 1986.

The conference agreement adopts the Senate amendment, with a technical amendment conforming the language of the proposals for optional acreage diversion programs (relating to levee damage) for wheat, feed grains, upland cotton, and rice.

Amendment No. 5: The Senate amendment will add new sections 4 (upland cotton acreage diversion) and 5 (rice acreage diversion) to the House bill. The two new sections, which are substantially similar, provide that any producer of the 1987 crop of upland cotton or rice whose farm—

(a) during the normal planting season for the crop, is subject to flooding on at least 50 percent of the permitted upland cotton or rice acreage as the result of damage to a levee from flooding that occurred in 1986; and

(b) is located in a county in which producers are eligible to receive disaster emergency loans under the Consolidated Farm and Rural Development Act as the result of a natural disaster.

will be eligible to place all of their 1987 upland cotton or rice acreage into the optional acreage diversion program for the commodity under sections 103A(c)(1)(B) and 101A(c)(1)(B), respectively, of the Food Security Act of 1985.

The conference agreement adopts the Senate amendment, with a technical amendment conforming the language of the proposals for optional acreage diversion programs (relating to levee damage) for wheat, feed grains, upland cotton, and rice, and making clerical corrections.

Amendment No. 6: The Senate amendment will make a conforming amendment to redesignate section 4 of the House bill as section 6.

The conference agreement adopts the Senate amendment.

Amendment No. 7: The Senate amendment will make a conforming amendment to reflect the redesignation of section 5 of the House bill as section 7 and to include appropriate references to new sections 11 and 16 of the House bill, as added by Senate amendments No. 23 and 28, respectively, which further amend the 1986 disaster program provisions of the fiscal year 1987 continuing appropriations Act.

The conference agreement adopts the Senate amendment, with a technical conforming amendment.

Amendment No. 8: The Senate amendment will make a conforming amendment to redesignate section 5 of the House bill as section 7.

The conference agreement adopts the Senate amendment.

Amendment No. 9: The Senate amendment will add a new paragraph (1) to section 5 of the House bill (redesignated as section 7 under Senate amendment No. 8), which will amend section 633(B) of the fiscal year 1987 continuing appropriation Act for agriculture (Public Laws 99-500 and 99-591). Section 633(B) authorizes assistance in the form of Commodity Credit Corporation commodity certificates to producers of 1986 crops adversely affected by natural disaster. As currently written, section 633(B) provides that, for any farm, the sugar beets and sugarcane (or soybean or peanut) acreage that is eligible for benefits under the program is the acreage on the farm affected by the 1986 natural disaster, except that such acreage cannot exceed the acreage on the farm planted to the commodity in 1985 (including any acreage the producers were prevented from planting in 1985 because of natural disaster or other condition beyond the control of the producer). The new provision to be added by the Senate amendment states that, in the case of sugar producers who did not plant sugar acreage in 1985 because of the bankruptcy of the Great Western Sugar Company, the maximum eligible acreage will be the number of acres on the farm determined by the ASC county committee.

The conference agreement adopts the Senate amendment, with a technical amendment including the provisions of Senate amendments Nos. 9, 19, and 28 in technically consistent form.

Amendment No. 10: The Senate amendment will make a conforming amendment to renumber a paragraph in the House bill, related to Senate amendment No. 9.

The conference agreement adopts the Senate amendment.

Amendment No. 11: The Senate amendment will revise the provision of section 5 of the House bill (redesignated as section 7 under Senate amendment No. 8), which provides that applications for assistance under section 633(B) of the fiscal year 1987 Continuing Appropriations Act for producers of the 1986 crops of hay and straw lost to flooding and the 1986 crop of apples damaged by freezing (the eligibility for which will be established under redesignated section 7) must be filed on or before April 15, 1987. The revisions would—

(a) change such cut-off date for applications to the date that is 30 days after the date of enactment of the bill; and

(b) add new cut-off dates for applications as follows:

(i) applications for assistance to sugar producers made eligible under Senate amendment No. 9 must be filed within 30 days after the date of enactment of the bill; and

(ii) applications for assistance with respect to crops produced in the State of Maine must be filed within 7 days after the date of enactment of the bill.

The conference agreement adopts the Senate amendment, with a technical amendment establishing a uniform cut-off date for applications by producers made eligible for disaster assistance under the bill, that is, 30 days after the date of enactment of the bill. The technical amendment would include, as so revised, the effective dates contained in Senate amendments Nos. 19, 23, and 28, as well as those contained in Senate amendment No. 11.

Amendment No. 12: The Senate amendment will make a conforming amendment to renumber a paragraph in the House bill, related to Senate amendment No. 11.

The conference agreement adopts the Senate amendment.

Amendment No. 13: The Senate amendment will make a conforming amendment to change a cross-reference in the House bill, to reflect redesignation (by Senate amendment No. 6) of section 4 of the House bill as section 6.

The conference agreement adopts the Senate amendment.

Amendment No. 14: The Senate amendment will make a conforming amendment to change a cross-reference in the House bill, to reflect redesignation (by Senate amendment No. 6) of section 4 of the House bill as section 6.

The conference agreement adopts the Senate amendment.

Amendment No. 15: The Senate amendment will make a conforming amendment to change punctuation in the House bill, related to Senate amendment No. 16.

The conference agreement adopts the Senate amendment.

Amendment No. 16: The Senate amendment will add new provisions to section 5 of the House bill (redesignated as section 7 under Senate amendment No. 8) relating to the 1986 special disaster assistance program under section 633(B) of the fiscal year 1987 continuing appropriations Act. The new provisions provide that, with respect to disaster losses in the State of Maine—

(a) payments under section 633(B) could be made to producers in Maine only to the extent that such payments are provided for in advance in an appropriation Act, as authorized under section 4 of the House bill (redesignated as section 6 under Senate amendment No. 6); and

(b) the total amount of such payments to Maine producers under section 633(B) could not exceed $1 million.

The conference agreement adopts the Senate amendment.

Amendment No. 17: The Senate amendment will make a conforming amendment to renumber a paragraph in the House bill, related to Senate amendment No. 11.

The conference agreement adopts the Senate amendment.

Amendment No. 18: The Senate amendment will make a conforming amendment to change punctuation in the House bill, related to Senate amendment No. 19.

The conference agreement adopts the Senate amendment, with a technical substitute to revise the punctuation in the House bill.

Amendment No. 19: The Senate amendment will add new provisions to section 5 of the House bill (redesignated as section 7 under Senate amendment No. 8), relating to the provisions of the 1986 special disaster assistance program under section 633(B) of the fiscal year 1987 continuing appropriations Act that are noted in the description of Senate amendment No. 9. These current-law provisions impose limitations, with respect to a producer's 1986 sugarcane or sugar beet acreage that will be eligible for assistance under section 633(B), based on the producer's sugar acreage planted in 1985. The new provisions to be added by the Senate amendment state that—

(a) the limitation relating to 1985 sugar plantings in section 633(B) (or in the regulations implementing section 633(B)) will not apply, but payments will be subject to appropriations being made in advance;

(b) applications for payments with respect to 1986 sugar acreage so exempted from the limitation must be filed on or before May 31, 1987.

The conference agreement deletes the Senate amendment in favor of the conference agreement on Senate amendment No. 9, which includes Senate amendments Nos. 9, 19, and 28 in technically consistent form.

Amendment No. 20: The Senate amendment will add a new section 8 to the House bill. New section 8 will require that appropriations made under the House bill be made in accordance with the Budget Act of 1974, which prohibits the consideration by Congress of any legislation that would cause the Federal budget deficit to exceed the levels established by the Balanced Budget and Emergency Deficit Control Act of 1985, such that the appropriations could not increase the budget deficit for fiscal year 1987.

The conference agreement adopts the Senate amendment, with an amendment adding clarifying language. The conference agreement preserves existing points of order relating to new appropriations for expenditures by the Department of Agriculture.

Amendment No. 21: The Senate amendment will add a new section 9 to the House bill. New section will amend section 5(a) of the Act of August 18, 1941 (33 U.S.C. 701n(a)), which authorizes the establishment of an emergency fund to be expended, at the discretion of the Corps of Engineers, for flood emergencies. New section 9 will add a new paragraph to section 5(a) to require the Chief of Engineers, in preparing a cost-benefit assessment for any flood emergency project covered by the emergency fund, to consider the benefits to be gained by the project for the protection of residential establishments, commercial establishments (including the protection of inventory), and agricultural establishments (including the protection of crops).

The conference agreement adopts the Senate amendment.

Amendment No. 22: The Senate amendment will add a new section 10 to the House bill. New section 10 relates to the conservation reserve program (CRP) under section 1235 of the Food Security Act of 1985. Under subsection (a) of section 1235, subject to specified exceptions, the entry into the conservation reserve program of land that has changed ownership within three years prior to the time of proposed entry into reserve is prohibited. New section 10 provides that the Department of Agriculture should review section 1235(a) to ensure that the provisions thereof relating to exceptions to the three-year ownership requirement are implemented in a manner to encourage inclusion of producer-owned land in the conservation reserve.

The conference agreement adopts the Senate amendment, with an amendment clarifying that exceptions to the three-year ownership requirement applicable to the conservation reserve should be made only if (1) the land is not acquired to place it in the reserve or (2) the land otherwise qualifies for the exception under current law.

Under section 1235(a), owners of highly erodible land are eligible to place such land in the conservation reserve program if they have owned the land for three years or since January 1, 1985, unless, among other things, the Secretary of Agriculture determines that the land was not acquired for the purpose of placing it in the program. The conferees are concerned that the Secretary is implementing this ownership requirement without sufficient flexibility and, therefore, is excluding some land from the program even though the land obviously was not acquired during the three-year qualifying period for the purpose of placing it in the program.

In some instances, the Department of Agriculture is disqualifying land from eligibility due to a brief, unavoidable interruption in ownership or because of a mere structural change in the business entity under which owners conduct their farming operations. For example, persons who lose title to their land through foreclosure but are able to exercise their State law right of redemption and redeem the land from the mortgage holder have been deemed ineligible for participation in the program due to mechanical application of the three-year requirement—despite the fact that the person had owned the land both prior to foreclosure and immediately after the redemption. Section 1235(a) should not be construed to deny entry into the program of producer-owned land in those cases in which the property was not acquired, nor the form of ownership changed, for the purpose of placing it in the program.

Requests to apply the statutory exceptions to the three-year ownership requirement should be evaluated in a reasonable manner. It is in the interest of our Nation's conservation efforts to encourage inclusion in the conservation reserve program of producer-owned highly erodible land. Further, the Secretary, in implementing new section 10, should inform Congress of the extent exceptions to such requirement are being granted in light of section 10.

Amendment No. 23: The Senate amendment will add a new section 11 to the House bill. Section 11 will amend section 633(B) of the 1987 continuing appropriations Act, which establishes the 1986 special disaster program. Specifically, it will amend the provision of section 633(B) that relates to determining loss of production on a farm in 1986 that is eligible for assistance under the program by adding new provisions as follows: To ensure equitable treatment of all producers suffering losses, the ASC county committees would be required to make adjustments in the actual 1986 production of upland cotton on each farm to reflect any reduction in the quality of such production caused by drought, excessive heat, hail, or excessive moisture in 1986. New section 11 also will amend section 633(B) to require that applications for payments for 1986 upland cotton losses under section 633(B) based on the quality adjustments provided for in the amendment be filed on or before May 31, 1987. Also, with respect to payments based on such cotton quality adjustments—

(a) payments could be made to producers only to the extent that payments under section 633(B) are provided for in advance in an appropriation Act; and

(b) the total amount of all such cotton quality adjustment payments could not exceed $15 million.

The conference agreements adopts the Senate amendment, with a technical amendment deleting provisions relating to the cutoff date for applications (in favor of the conference agreement on Senate amendment No. 11) and making clerical corrections and conforming changes.

Amendment No. 24: The Senate amendment will add a new section 12 to the House bill. New section 12 will require the Secretary of Agriculture to designate as "wetlands", for purposes of the Water Bank Act, areas in Kingsbury, Hamlin, Lake, Miner, Brookings, and Codington counties in the State of South Dakota that suffered from floods in 1986. However, notwithstanding such "wetland" designations, total payments to owners and operators under the Water Bank Program, in fiscal year 1987, for lands in South Dakota could not exceed $1,243,000.

The conference agreement adopts the Senate amendment.

Amendment No. 25: The Senate amendment will add a new section 13 to the House bill. New section 13 will require the Secretary of Agriculture to establish a seven-member panel (including representatives of feed grain producers and processors, the ethanol industry, and the Federal Government) to conduct a study of the cost-effectiveness of ethanol production. The panel would be required to complete the study, and submit a report of the study to the agriculture committees of Congress and the Secretary of Agriculture, within 90 days after the date of enactment of the bill.

The conference agreement adopts the Senate amendment, with an amendment requiring the appointment of the ethanol study panel within 30 days after enactment of the bill and making clerical changes.

Senate amendment No. 26: The Senate amendment will add a new section 14 to the House bill. New section 14 will require the Secretary of Agriculture, if he does not establish marketing loan programs for the 1987 crops of wheat, feed grains, and soybeans before the date of enactment of the bill, to submit (by July 1, 1987) a report to the agriculture committee of Congress containing the following:

(a) a statement of his reasons for not implementing marketing loan programs;

(b) a comparison of program costs with and without marketing loans;

(c) an analysis of the effectiveness of the cotton and rice marketing loan programs and a comparison of the effectiveness of such programs with marketing loan programs that could be established for wheat, feed grains, and soybeans; and

(d) an analysis of whether the generic certific program has the same effect on the price of exported grain as marketing loan programs.

The conference agreement adopts the Senate amendment, with an amendment adding a requirement for an analysis of (1) the effect a soybean marketing loan program would have on markets for sunflowers and other oil seeds, (2) situations in which a sunflower marketing loan program would be appropriate, and (3) how such program would operate in conjunction with marketing loan programs for other commodities, and making clerical corrections.

Amendment No. 27: The Senate amendment will add a new section 15 to the House bill. New section 15 will authorize (but not require except as described below) a sunflower price support program under title II (designed nonbasic commodities) of the Agricultural Act of 1949, effective for the 1987 through 1990 crops. Price support would be provided through loans and purchases, and the price support rate would be established at a level the Secretary of Agriculture determines will take into account the historical, price relationship between sunflowers and soybeans. However, the sunflower loan level could not be less than 8.5 cents per pound. Also included would be authority for sunflower marketing loans and loan deficiency payments. If there is a marketing loan program for a crop of soybeans, the Secertary would be required to establish such program as a marketing loan program. The Secretary could not implement a sunflower production adjustment program, or require cross compliance, in connection with a price support program for a crop of sunflowers.

The conference agreement adopts the Senate amendment, with an amendment substituting for the requirement for a sunflower marketing loan program in conjunction with a soybean marketing loan program, a statement urging the Secretary to use the sunflower loan authority provided by the House bill to implement such a sunflower marketing loan program if he institutes a soybean marketing loan program, and making technical and clerical corrections.

The conferees recognize the direct relationship between prices and market demand for soybean oil, sunflower oil, and other oilseeds, and that program decisions affecting the function of the soybean loan rate as a benchmark for edible oil prices have an immediate effect on sunflower prices and planted acreage. The conferees also emphasize the importance of maintaining a viable sunflower industry in the United States, including, if necessary, establishment of a sunflower support program. In agreeing to provide the Secretary with discretionary authority for sunflower price support loans, the conferees expect the Secretary to take whatever actions are necessary to ensure that any anticipated adverse effect on sunflower seed prices or acreage resulting from his use of the discretionary authorities with respect to soybeans will be fully offset through the use of the new sunflower authorities, through other authorities available to the Secretary, or through a combination of both.

Amendment No. 28: The Senate amendment will add a new section 16 to the House bill. New section 16 will amend section 633(B) of the 1987 continuing appropriations Act, which establishes the 1986 special disaster program. Specifically, it will amend the provisions of section 633(B) that impose a limitation on the 1986 peanut or soybean acreage on a farm that will be eligible for such assistance. Under the limitation, a farm's peanut or soybean eligible acreage cannot exceed the acreage on the farm planted to the commodity in 1985 (including any acreage the producers were prevented from planting in 1985 because of a natural disaster or other condition beyond the control of the producer). The new section will add provisions stating that, if a producer's 1985 plantings of the commodity were prevented or below normal levels because of rotation practices, the limitation will be based on historical plantings, as determined by the ASC county committees. Payments under this new restriction on the limitation could be made only to the extent provided for in advance in an appropriation Act. Application for such payments would have to be submitted by May 15, 1987.

The conference agreement deletes the Senate amendment in favor of the conference agreement on Senate amendment No. 9, which includes Senate amendments Nos. 9, 19, and 28 in technically consistent form.

On all Senate amendments except Senate amendment 21:

E de la Garza,
Dan Glickman,
Jerry Huckaby,
Ron Marlenee,
Pat Roberts,

On Senate amendment 21:

Henry J. Nowak,
Arlan Stangeland,
Managers on the Part of the House.

Pat J. Leahy,
John Melcher,
David Pryor,
David L. Boren,
Richard G. Lugar,
Bob Dole,
Jesse Helms,

For areas under the jurisdiction of the Committee on Environment and Public Works:

Daniel Patrick Moynihan,
Robert T. Stafford,
Managers on the Part of the Senate.

MAKING IN ORDER ON WEDNESDAY, MAY 13, 1987, OR ANY DAY THEREAFTER CONSIDERATION OF CONFERENCE REPORT ON H.R. 1157, FARM DISASTER ASSISTANCE ACT OF 1987

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that it be in order to consider the conference report on H.R. 1157 on Wednesday, May 13, 1987, or any day thereafter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2360, PUBLIC DEBT LIMIT EXTENSION

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 100-92) on the resolution (H. Res. 165) providing for consideration of the bill (H.R. 2360) to provide for a temporary increase in the public debt limit, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR COMMITTEE ON SMALL BUSINESS TO HAVE UNTIL 5 P.M., FRIDAY, MAY 15, 1987, TO FILE REPORT ON H.R. 2166, AMENDMENTS TO SBA PROGRAMS AND AUTHORIZATIONS

Mr. LAFALCE. Mr. Speaker, I ask unanimous consent that the Committee on Small Business may have until 5 p.m., Friday, to file a report on the bill, H.R. 2166, amendments to SBA programs and authorizations.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HASTERT. Mr. Speaker, reserving the right to object, let me ask has this been cleared by the minority spokesman?

Mr. LAFALCE. Mr. Speaker, if the gentleman will yield yes, it has been cleared by the ranking minority member, the gentleman from Pennsylvania [Mr. MCDADE].

Mr. HASTERT. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1115

Mr. HAYES of Illinois. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of the bill, H.R. 1115.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERSONAL EXPLANATION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. PEPPER] is recognized for 5 minutes.

Mr. PEPPER. Mr. Speaker, on May 11, 1987, I chaired an important hearing on comprehensive health care insurance in Newark, NJ. As a consequence, I was unavoidably absent and missed several votes. Had I been here I would have voted "aye" on rollcall No. 102, a vote to approve the Journal. I would have voted "no" on rollcall No. 103, the Hunter amendment. And "aye" on rollcall No. 105, the Young amendment.

PERONAL EXPLANATION

Mr. COMBEST. Mr. Speaker, because of an injury that required a brief hospitalization and a period of home convalescence, I was unable to attend the session of the House on Tuesday, May 12.

If I had been present:

On rollcall No. 107, I would have voted "yea."

On rollcall No. 108, I would have voted "nay."

On rollcall No. 109, I would have voted "yea."

On rollcall No. 110, I would have voted "nay."

On rollcall No. 111, I would have voted "yea."

On rollcall No. 112, I would have voted "nay."

On rollcall No. 113, I would have voted "yea."

On rollcall No. 114, I would have voted "nay."

On rollcall No. 115, I would have voted "nay."

A REVIEW OF TODAY'S VOTES

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 5 minutes.

Mr. GINGRICH. Mr. Speaker, I want to talk again this evening about today's votes and what they tell us about which party is in favor of defending America and which party is in favor of disarmament, less weapons, a weaker defense structure.

It is fascinating if you look, for example, at the very first of the recorded votes. I am going to refer to the Hefley-Hunter amendment to raise SDI funding, which would raise the Department of Defense portion of SDI funding. There was a very clear difference in the two parties. The strategic defense initiative is in many ways one of the most important, President Reagan has said it is the most important effort to defend America. It is a system which is supported by overwhelming numbers of Americans, by about 4 to 1 or 4½ to 1.

How did the two parties vote on raising funding for the strategic defense initiative?

The figures are that 93.8 percent of the Democrats voted against increased funding for SDI; 67 percent of the Republicans voted in favor of increased funding.

In other words, as compared to the committee bill, 2 out of every 3 Republicans would have spent more money for the strategic defense initiative; 9 out of every 10 Democrats would have spent less money.

The following amendment, which is an even clearer example of unilateral disarmament, was a Dellums amendment to terminate the Strategic Defense Initiative Program. It eliminates all SDI funding under the National Security authorization for the Department of Energy and reduces the Department of Defense funding by $1.8 billion.

The Dellums amendment, which may have been the most left wing amendment of the day, had 43 percent of the Democrats vote in favor of it, that is of the Democratic caucus, more than 4 in every 10 Democrats favored an amendment which would have killed the SDI Program. By contrast, only 1.2 percent of the Republicans voted in favor; 98.8 percent of the Republicans voted against killing the SDI Program.

Then there was an amendment which provided for $3.55 billion in SDI funding; 90 percent of the Republicans voted in favor of spending $3½ billion; 80 percent of the Democrats voted against spending $3½ billion on SDI.

That was followed by a Bennett amendment which would reduce SDI funding by an additional $500 million. In other words, this was a Democratic amendment to cut $500 million additional out of the strategic defense initiative; 80 percent of the Democrats voted to cut spending on SDI; 88 percent of the Republicans voted against cutting spending.

Then there was a Kemp amendment which directed the Department of Defense to initiate full-scale development and testing of the strategic defense initiative systems and components during fiscal year 1988 in order to achieve initial deployed operational capability during 1993. In other words, let us go ahead and field a first generation SDI. Two out of every three Republicans voted in favor of fielding a first generation strategic defense to protect America against nuclear weapons. By contrast, only 2.5 percent of the Democrats voted in favor; 97½ percent of the Democrats voted against developing and fielding a first generation SDI.

Think of that. When 75 percent of the American people favor a strategic defense initiative, 97 percent of the Democrats voted against it.

There was then a McCloskey amendment to prohibit the development and testing of a space based kinetic kill vehicle and to limit SDI research funding for such a system to $52 million.

In other words, do not test what may be the most practical short term immediate development, do not try to develop a system that could protect America from nuclear weapons.

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Seventy-nine percent of the Democrats voted against testing a system that could protect America against nuclear weapons. By contrast, 95 percent of the Republicans voted against the McCloskey amendment and voted in favor of testing a strategic defense system that might protect America against nuclear weapons.

The gentleman from New Jersey [Mr. COURTER] offered an amendment to earmark $300 million to establish a program to defend America against an accidentally launched missile. Tonight, as we talk, if a missile were accidentally launched against the United States, nothing could stop it. There is no system out there to protect us tonight if a missile were accidentally launched from a Soviet submarine.

WILLIAM J. CASEY, A PROFESSIONAL OPERATIONAL INTELLIGENCE OFFICER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 5 minutes.

Mr. STRATTON. Mr. Speaker, I rise to express my sorrow in the untimely passing recently of the Director of the Central Intelligence Agency, William J. Casey.

In recent years, with the establishment of two congressional committees charged with the oversight of America's intelligence activities, we have witnessed a kind of guerrilla war between these committees and the Director of the Central Intelligence Agency.

One major reason for this warfare is that the membership of these two congressional committees contains few if any individuals who have had any training or experience in intelligence matters.

Bill Casey was an authentic professional when he came to intelligence. He was no Johnny-come-lately. He had served as a combat intelligence officer under General "Wild Bill" Donovan in the OSS, the Office of Special Services, in the European Theater. He knew what was needed if our U.S. intelligence was to be effective. And most of all Bill Casey believed in intelligence, which many Members of Congress seem to regard as a "dirty business" in which some of our leaders in the years before Pearl Harbor said that "gentlemen do not read other people's mail."

Bill Casey carried out with great skill and understanding the restoration of confidence in our Nation's most essential intelligence organization.

Bill Casey served his country well over many years and in many high posts. We will miss his informed and experienced leadership at a very critical period in our Nation's history.

We are grateful that his many talents have been available for so many good years.

SUPPORT A NUCLEAR TEST BAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BROWN] is recognized for 60 minutes.

Mr. BROWN of California. Mr. Speaker, nuclear weapons testing has become a liability to our national security and to our international standing in the world community. Nuclear testing is no longer in the national interest. The sooner it is stopped the better.

Nuclear testing is almost exclusively devoted to the development of new nuclear weapons: Nuclear weapons that would destabilize the strategic balance if deployed. For over 20 years, the superpowers have recognized that nuclear weapons testing must eventually come to an end. Both the Limited Nuclear Test Ban Treaty and the Nuclear Nonproliferation Treaty embody a commitment to negotiate a comprehensive halt to all nuclear testing. A comprehensive test ban has been put off for too long.

The Reagan administration has pursued a vigorous program of nuclear weapons development, and exploited every opportunity to block progress on a test ban. Administration officials have said repeatedly that nuclear tests are necessary to develop weapons for fighting a protracted nuclear war, and to develop new weapons as part of the strategic defense initiative. But the pursuit of nuclear war fighting capability, and the development of nuclear weapons for use in space are confrontational and threatening. The net result of President Reagan's policies are to undermine national security.

The time has come for Congress to put a stop to this disgraceful disregard of our national security and our international commitments. I invite my colleagues to join me in taking every opportunity to bring the nuclear arms race to a halt, starting with a comprehensive test ban at the earliest possible date.

The Schroeder-Gephardt amendment to the fiscal year 1988 DOD authorization bill, which places new, and severe, limits on nuclear testing, does represent a step in the right direction. But there is much more that needs to be done. There are international efforts underway to ban all nuclear explosions. I urge my colleagues to join me in supporting this work.

Mr. Speaker, the era of nuclear weapons as instruments of war was over almost as soon as it began. In the closing days of World War II, the atomic bomb was dropped over Hiroshima on August 6, 1945. Three days later, another bomb was dropped on Nagasaki.

No nuclear weapon has been exploded in war since. It is commonly assumed that nuclear deterrence has kept these weapons from being used: That the terrible possibility of nuclear retaliation would deter any potential nuclear attack.

However, nuclear weapons have not been used against enemies who did not have nuclear weapons themselves. Why? Quite simply, nuclear weapons cannot achieve any military objective without devastating consequences on civilians and noncombatants. Nuclear weapons were not used in Vietnam, Afghanistan, or the Falklands. The use of nuclear weapons has been deterred because such an attack would be unsupportable in the court of world opinion.

The effects of nuclear weapons would not be limited to combatant nations. Nuclear fallout knows no boundaries. Furthermore, our world has grown economically and socially interdependent. The destruction of a nuclear war would bring about major disruptions in international relations and international trade.

Even the use of limited numbers of small, tactical nuclear weapons in a superpower confrontation could precipitate a major nuclear exchange that might disrupt the climate on a global scale. No conceivable military objective justifies taking such a risk.

Deterrence against the use of nuclear weapons is predicated on deliberate, rational analysis of the costs of crossing the nuclear threshold. So far, circumstances and cool heads have managed to prevail.

It is only a matter of time before the spread of nuclear weapons to relatively less stable nations, or the pressures of a military crisis, give rise to a situation in which nuclear weapons are used.

In 1986, the Nuclear Nonproliferation Treaty was signed. In this treaty, the superpowers pledged nuclear restraint and civilian nuclear assistance to nonnuclear states in return for a commitment on the part of the nonnuclear states to forego the acquisition of nuclear weapons. Certain nonnuclear countries such as Canada and Sweden have determinedly remained so. Others, such as Argentina, India, Israel, Pakistan, and South Africa have acquired significant nuclear capability.

Meanwhile, the character of the nuclear powers' arsenals have evolved in dangerous directions. The nuclear arsenals of the superpowers have grown far beyond the needs of basic deterrence. Technical advances have made it possible to deliver nuclear weapons with greater speed, accuracy, and stealth than ever before. Advances in targeting and antisubmarine warfare have increased the vulnerability of nuclear weapons in all basing modes. The search for survivable basing has resulted in pressures to miniaturize and diversify, and to increase the size of the nuclear arsenal. All of these developments are destabilizing.

The command, control, and communications [C] systems used to control nuclear weapons have gotten increasingly complex, to cope with the evolution of the nuclear forces. C systems remain vulnerable to the effects of an early attack. Presidential control could not be counted upon. Consequently, the authority to use nuclear weapons must be released down the military command structure in time of crisis. A situation in which armed nuclear weapons are placed in the hands of many field commanders is terribly dangerous. It may not be possible to count on cool heads in wartime. Nuclear weapons, rather than providing protection and defense, bring terror to those who deploy them.

It is time that we accept the reality of a postnuclear era. Nuclear weapons have no useful military purpose but to provide a minimal level of deterrence against a nuclear-armed adversary. There is no need for the continuing modernization of our nuclear arsenal, and no need for the nuclear tests which are used to investigate new weapons concepts or to validate new nuclear weapons designs.

The best way to affirm our commitment to a postnuclear posture is to stop our Nuclear Testing Program. This could even be done on a unilateral basis, without threat to our national security or the credibility of our deterrent arsenal.

The Soviet Union has invited the United States to join in a moratorium on the testing of nuclear weapons, to set the stage for negotiations on a comprehensive test ban. For 18 months, the Soviet Union unilaterally put a halt to its nuclear testing program. The Soviet Academy of Sciences, in cooperation with the Natural Resources Defense Council, installed seismic sensors near the main Soviet nuclear testing site to verify the absence of nuclear explosions. Although the Soviets have resumed nuclear testing, they have made a bilateral moratorium and the resumption of CTB negotiations a standing offer.

Since the British test their nuclear weapons at the Nevada test site, it would be natural to include Great Britain in a nuclear moratorium and in comprehensive test ban negotiations. The United States, the Soviet Union, and Great Britain would then be in an excellent position to invite the other nuclear powers to join in. The nuclear silence of a multilateral comprehensive test ban would declare the start of the postnuclear era in the loudest possible way.

With the signing of the Nuclear Nonproliferation Treaty in 1968, we pledged to engage in "negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date." At the NPT review conference in September of 1985, virtually unanimous agreement was expressed that this clause represents a commitment by the nuclear powers to negotiate a comprehensive test ban. Only the United States and Great Britain dissented.

The footdragging on the part of the nuclear states has threatened the future of the treaty, which next comes up for review in 1995. A nuclear test ban is a simple, unambiguous step that would signal the commitment of the nuclear states to their part of the nonproliferation bargain, that would benefit the security of all.

The nuclear weapons testing establishment has argued vigorously against a nuclear test ban. Scientists and administrators from the nuclear weapons national laboratories at Los Alamos, NM, and Livermore, CA, say that nuclear tests are necessary for improving the security, safety, and reliability of nuclear weapons. But nuclear testing is not necessary for any of these reasons.

Nuclear testing for reliability is rarely done. This is because regular disassembly and inspection of stockpiled weapons and nonnuclear testing of weapon components is the best way to uncover problems brought about by corrosion or other deterioration. Simply detonating a bomb will not reveal the source of trouble; nor will it give a statistically meaningful indication of the reliability of the stockpile. Only eight nuclear tests out of 300 since 1970 have been conducted to correct stockpile problems: tests which may not even have been necessary.

In May 1985, a group of eight distinguished scientists with extensive experience in nuclear weapons design said, in a letter to Representative DANTE FASCELL, that a program of regular disassembly, nonnuclear testing, and remanufacture could assure the reliability of the nuclear stockpile indefinitely.

Dr. Ray Kidder of Lawrence Livermore National Laboratory, after an extensive review of the history of reliability problems in the stockpile, concluded that nuclear explosive testing is unnecessary to "maintain confidence in the reliability of the existing U.S. nuclear stockpile of thoroughly tested nuclear weapons."

Nuclear testing to demonstrate the reliability of the stockpile has been the subject of much discussion. A distinction should be made between stockpile reliability and stockpile confidence, which are all too often confused. Reliability is a technical term which describes the ability of a nuclear warhead to perform as designed. Confidence is the subjective judgment of the reliability of the nuclear stockpile. Confidence is borne of perceptions, fears, and other unquantifiable elements of human opinion.

As a general rule, different standards are applied to stockpile confidence depending on whose weapons are being considered. By making worst case assumptions, people responsible for the performance of nuclear weapons will fear the worst: that the weapons under their control might deteriorate, while those of the adversary must be assumed robust.

Nuclear testing may increase the confidence of those responsible for maintaining the stockpile, but the absence of nuclear testing does not diminish their confidence in the stockpile of a nuclear adversary. Nuclear deterrence, quite simply, does not depend upon the status of nuclear testing.

The tremors of an underground nuclear test are not the best reminder of the power and horror of nuclear war. Deterrence is best sustained by the memories of Hiroshima and Nagasaki, and a strong commitment to avoid situations in which nuclear weapons could be used.

Nuclear warheads must be protected against unauthorized use. Warhead security is provided by various physical protections and a set of authorizing procedures that must be strictly followed in order to arm a nuclear weapon. Since security measures use nonnuclear components exclusively, there is no need for nuclear testing.

The most important aspect of nuclear warhead safety is to prevent accidental detonation of the nonnuclear high explosive used to compress the fissionable core of the bomb. Nuclear warheads have been dropped accidentially at least 30 times. In half of those cases, the high explosive detonated, in some cases dispersing highly toxic plutonium.

The plastic explosive used in the Poseidon warhead was so sensitive that in some tests it would detonate when a 6- or 12-pound weight was dropped on it from a height of 13 inches. On March 30, 1977, a machinist at the Pantex nuclear weapons assembly plant in Amarillo, TX, tapped a billet of this material into place in the chuck of a lathe with a rubber mallet. The resulting explosion killed three men.

Because of this safety risk, the Poseidon warhead was redesigned to use an insensitive high explosive. Despite the emphasis on safety as a reason for nuclear testing, the Defense Department has displayed a cavalier attitude toward safety when it comes to the deployment of nuclear weapons. It took years before the Poseidon warheads were replaced with the less sensitive chemical explosive; the DoD even refused a congressional request to accelerate the refit program in 1981. Perhaps more disturbing is that the Navy deliberately chose not to use insensitive high explosive in this new W88 warhead for the Trident II missile, in order to save weight and extend the missile's range.

Whatever warhead testing may be necessary for improving safety can be done with nonnuclear materials inserted in place of the bomb's nuclear core. The nuclear weapons laboratories operate high explosive test facilities where this work is already done.

The ability to use insensitive high explosive in nuclear warheads is a proven technology. By the early 1990's, all strategic bombers and ICBM's will be equipped with nuclear warheads with insensitive high explosive. Nuclear testing is no longer necessary for safety modifications. Nuclear weapons safety is mostly a matter of deployment policies, handling procedures, personnel, and training.

Mr. Speaker, if you examine the reasons given for nuclear testing, they fall away one by one. Nuclear weapons testing is not needed for security, safety, or reliability. The only real reason for nuclear testing is to develop new nuclear weapons, weapons we do not need: weapons that would be detrimental to our national security if deployed.

The nuclear weapons labs are working on Earth-penetrating warheads that threaten hardened military facilities in the Soviet Union. These weapons would have a first strike capability against silo-based intercontinental ballistic missiles [ICBM's], and would threaten the Soviet command and control bunkers. Also under development are new nuclear warheads for depressed-trajectory submarine-launched ballistic missiles. These missiles would reach their targets in minutes.

Both Earth-penetrating warheads and depressed-trajectory SLBM's are destabilizing because they threaten to destroy hardened Soviet command bunkers and nuclear retaliatory forces with very short notice. There is no effective defense against such an attack, nor is it likely that any defensive system could be relied on with high confidence. Therefore, these weapons could drive the Soviets to adopt a launch-on-warning posture.

Our security in a crisis would depend on Soviet confidence in Soviet early warning systems and the output of Soviet computers. Why put our security in time of crisis into Soviet hands?

The nuclear weapons laboratories are doing research on third-generation warheads that would utilize the energy of a nuclear explosion to power specialized weapons. The labs are researching enhanced electromagnetic pulse weapons, microwave weapons, x-ray laser weapons, hypervelocity pellet weapons, and other advanced concepts, all powered by nuclear explosions. Research on these new nuclear concepts is being done in support of the strategic defense initiative. However, the very weapons that would be powerful enough to defend against an attack by hardened ballistic missiles would also be powerful enough to mount or complement a nuclear offense.

If the Soviets were to respond with the development of a new class of nuclear weapons, both superpowers would be more vulnerable than ever before. Why test new nuclear weapons that would compound the threat of nuclear war?

Under the Limited Test Ban Treaty, and the Outer Space Treaty, it is illegal to test the new nuclear weapons in space, the environment for which they are designed. The Anti-Ballistic Missile Treaty prohibits many key tests relating to these weapons, and deployment is clearly banned. Why should we be testing these weapons underground, if they cannot be tested or deployed in space? Why test new nuclear weapons that could result in the abrogation of three of our most important arms control treaties?

Mr. Speaker, every new nuclear weapon under development puts our national security at greater risk. Every nuclear test is an affront on the world community. Why keep testing? Why not put a stop to potentially threatening nuclear weapons developments—Soviet as well as American—with a test ban?

It is time that we admit the truth: new nuclear weapons and the nuclear tests they require do us more harm than good. I urge my colleagues to take every step possible to obtain a global, permanent ban on all nuclear explosions.

The nuclear weapons testing establishments have argued that a comprehenisve test ban would not be completely verifiable with 100 percent confidence. Uncertainties exist in any arms control agreement. However, a ban on all nuclear explosions can be verified with unusually high confidence.

Seismic detection is the primary means of monitoring underground nuclear tests. Advances in seismic monitoring are such that a network of 25 seismic stations deployed within and around Soviet territory would be able to detect and identify nuclear explosions as small as 1 kiloton, even if deliberate attempts were made to muffle or disguise the coupling of the explosion to the surrounding rock. This is a fraction of the yield of the bombs dropped on Hiroshima and Nagasaki.

Nuclear explosions underground instantaneously send out strong pressure waves in all directions. Earthquakes, in which there is sliding motion along a fault zone, produce different kinds of seismic waves. There are several ways to distinguish between earthquakes and explosions. Modern seismic analysis makes the telltale signature of an underground nuclear explosion exceedingly difficult to hide.

Seismic detection and discrimination conducted outside the Soviet Union is already extremely effective. At a modern seismic arrary in Norway, subkiloton nuclear explosions have been detected at the main Soviet nuclear test site in central Asia, more than 2,500 miles away. One explosion, which was set off during a large earthquake, became clearly identifiable when high frequency filtration was used.

Optical reconnaissance from space can monitor the activity at nuclear test sites around the world. Satellite observations can be so detailed that it is possible to estimate the time required to complete preparations for a nuclear test.

There is always some hypothetical scenario one might devise to evade a compehensive test ban. Nuclear weapons scientists have suggested that the Soviets could test in large underground cavities, or behind the Sun. However, the large-scale effort that would be involved in carrying out any such test could hardly escape detection. It would be nearly impossible to conduct a militarily significant nuclear weapons development program in secret.

Tomorrow, the Congress will be faced with a significant opportunity to scale back the nuclear testing program. The amendment to the fiscal year 1988 Defense authorization bill offered by Representatives SCHROEDER and GEPHARDT prohibits spending money on nuclear tests above 1 kiloton, provide the Soviets similary restrain their nuclear testing program. I urge colleagues to take advantage of this opportunity, but not to lose sight of the ultimate objective: a comprehensive ban on all nuclear explosions for all time.

In the international community, several efforts are underway to implement a global comprehensive test ban and to improve verification of such a ban.

Signatories of the Limited Nuclear Test Ban Treaty could amend the treaty to extend the prohibitions against testing in the atmosphere, under water, and in outer space to prohibit undergound nuclear tests as well. The amendment procedure does give the original parties, the United States, Great Britain, and the Soviet Union, the right of veto. However, to veto against the overwhelming support of the world community would place our country in a morally untenable position.

The United Nations received a proposal in 1978 for an International Satellite Monitoring Agency [ISMA]. A 1982 report conducted for the United Nations concluded that an ISMA is "feasible and desirable". Cooperation from the Parliamentary Assembly of the Council of Europe was offered in 1983. ISMA would be a valuable contribution to an international monitoring system to verify a nuclear test ban.

Members of Congress can get involved in these international efforts to bring about a CTB. One organization to which I would like to call your attention is the Parliamentarians Global Action [PGA]. PGA is comprised of legislators from around the world, working for disarmament, development, and world reform.

PGA has been particularly active in promoting international verification of arms control agreements. In the Six Nation Initiative, the heads of state of Argentina, Greece, India, Mexico, Sweden, and Tanzania offered the use of their territories for the emplacement of a global network of seismic monitoring stations to verify a CTB. In addition, the six nations proposed the establishment of an international verification center, which would provide the scientific expertise for monitoring a nuclear test moratorium.

Mr. Speaker, nuclear weapons have created a global problem for which there must be a global solution. By joining international efforts to implement a nuclear test ban, Members of Congress can make a major contribution to international security. I urge my colleagues to vote for the Schroeder-Gephardt amendment, but also to support every effort to bring about a permanent end to nuclear weapons testing.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RAY (at his own request), for 6 weeks, May 11, 1987, to June 22, 1987, on account of scheduled surgery.

Mr. JONES of North Carolina (at the request of Mr. FOLEY), for today and the balance of the week, on account of official business.

Mr. COMBEST (at the request of Mr. MICHEL), for today, on account of injury.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HASTERT) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 30 minutes, on May 18.

Mr. GINGRICH, for 5 minutes, today.

(The following Members (at the request of Mr. HAYES of Illinois) to revise and extend their remarks and include extraneous material:)

Mr. PEPPER, for 5 minutes, today.

Mr. STRATTON, for 5 minutes, today.

Mrs. BYRON, for 30 minutes, on May 28.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. WELDON, after the vote on Dellums amendment in the Committee of the Whole, today.

Mr. WOLPE, in support of Dellums amendment in the Committee of the Whole, in advance of vote.

Mr. DORNAN of California, following the vote on the McCloskey amendment in the Committee of the Whole today.

Mr. BRENNAN, just before Dellums SDI amendment, in the Committee of the Whole, today.

Mr. BONER of Tennessee, prior to vote on Darden amendment, in the Committee of the Whole, today.

(The following Members (at the request of Mr. HASTERT) and to include extraneous matter:)

Mr. JEFFORDS.
Mr. BROOMFIELD.
Mr. SOLOMON.
Mr. GOODLING.
Mr. GILMAN in two instances.
Mr. GALLEGLY.
Mr. FISH.
Mr. CRANE.
Mr. REVENEL.
Mr. OXLEY.
Mr. GREEN.
Mrs. BENTLEY.
Mr. RITTER.
Mr. GEKAS in two instances.
Mr. DANNEMEYER.
Mr. DAUB.
Mr. COURTER.
Mr. ROWLAND of Connecticut.
Mr. NIELSON of Utah.

(The following Members (at the request of Mr. HAYES of Illinois) and to include extraneous matter:)

Mr. FRANK.
Mr. SKELTON in two instances.
Mr. OWENS of Utah.
Mr. LEATH of Texas.
Ms. KAPTUR.
Mr. GUARINI.
Mr. CHAPPELL.
Mr. HAMILTON.
Mr. BRYANT in two instances.
Mr. LEVIN of Michigan.
Mr. ROYBAL.
Mr. LIPINSKI.
Mr. PEPPER.
Mr. ROE in two instances.
Mr. DURBIN.
Mr. TALLON.

Mr. Torres.

Mr. Jacobs.

Mr. Applegate.

Mr. Dyson.

Mr. Wyden.

Mr. Traxler.

Mr. Borski.

Mr. Moody.

Mr. Frost in two instances.

Mr. Mazzoli.

Mr. Fauntroy.

Mr. Feighan.

Mr. Dymally.

Mr. Oberstar.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 392. An act for the relief of Nabil Yaldo; to the Committee on the Judiciary.

S. 393. An act for the relief of Emilie Santos; to the Committee on the Judiciary.

S. 423. An act for the relief of Kil Joon Yu Callahan; to the Committee on the Judiciary.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill and joint resolution of the House of the following title:

H.J. Res. 67. Joint resolution to authorize and request the President to issue a proclamation designating May 3 through May 10, 1987, as "Jewish Heritage Week"; and

H.R. 1941. An act to repeal and amend certain sections of the Powerplant and Industrial Fuel Use Act of 1978.

ADJOURNMENT

Mr. GINGRICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, May 13, 1987, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1383. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals as of May 1, 1987, pursuant to 2 U.S.C. 685(e) (H. Doc. 100-76); to the Committee on Appropriations and ordered to be printed.

1384. A letter from the General Counsel, Department of Defense, transmitting a copy of Executive Order 12586 of March 3, 1987, prescribing amendments to the Manual for Courts-Martial, United States, 1984, pursuant to 10 U.S.C. 836(b); to the Committee on Armed Services.

1385. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed letter(s) of offer to Honduras for defense articles estimated to cost $50 million or more (Transmittal No. 87-20), pursuant to 20 U.S.C. 118 (96 Stat. 1288); to the Committee on Armed Services.

1386. A letter from the Secretary of Defense, transmitting a report on the assessment and evaluations of NATO weapons systems standardization and results achieved, pursuant to 10 U.S.C. 2457 (96 Stat. 1295); to the Committee on Armed Services.

1387. A letter from the Secretary of Health and Human Services, transmitting the 1986 report on smokeless tobacco, pursuant to 15 U.S.C. 4407(a); to the Committee on Energy and Commerce.

1388. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend title XXI of the Public Health Service Act establishing the National Vaccine Injury Compensation Program, to amend the National Childhood Vaccine Injury Act of 1986, and for other purposes; to the Committee on Energy and Commerce.

1389. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 87-20 concerning the Department of the Air Force's proposed letter(s) of offer to Honduras for defense articles and services estimated to cost $75 million, pursuant to 22 U.S.C. 2276(b); to the Committee on Foreign Affairs.

1390. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification that as of April 24, 1987, the Department of Defense has provided the defense articles, services and training to Chad, as listed therein, under the authority of Presidential Determination 87-13, dated March 28, 1987, pursuant to 22 U.S.C. 2318(b)(2); to the Committee on Foreign Affairs.

1391. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1392. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting the Department's proposed refunds of offshore lease revenues of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1393. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting the Department's proposed refunds of offshore lease revenues of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1394. A letter from the Chairman, National Drug Enforcement Policy Board, transmitting a copy of the Federal Drug Enforcement Progress Report for 1986, pursuant to 21 U.S.C. 1204; to the Committee on the Judiciary.

1395. A letter from the Chairman, U.S. International Trade Commission, transmitting a draft of proposed legislation to provide authorization of appropriations for the U.S. International Trade Commission for fiscal year 1989, pursuant to 31 U.S.C. 1110; to the Committee on Ways and Means.

1396. A letter from the Secretary of Defense, transmitting a copy of the unclassified report on allied contributions to the common defense, pursuant to 22 U.S.C. 1928 note; jointly, to the Committees on Armed Services and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1612. A bill to authorize appropriations under the Earthquake Hazards Reduction Act of 1977 for fiscal years 1988 and 1989; with amendments (Rept. 100-89, Pt. 1). Ordered to be printed.

Mr. de la GARZA: Committee of conference. Conference report on H.R. 1157 (Rept. 100-91). Ordered to be printed.

Mr. FROST: Committee on Rules. House Resolution 165. A resolution providing for the consideration of H.R. 2360, a bill to provide for a temporary increase in the public debt limit (Rept. 100-92). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1315. A bill to authorize appropriations for the Nuclear Regulatory Commission for fiscal years 1988 and 1989, and for other purposes; with amendment. Referred to the Committee on Energy and Commerce for a period ending not later than June 12, 1987, for consideration of such provisions of the bill and amendments as fall within that committee's jurisdiction pursuant to clause 1(h), rule X (Rept. 100-90, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARMEY (for himself, Mr. Badham, Mr. Dannemeyer, Mr. Gingrich, Mr. Dornan of California, Mr. Hammerschmidt, Mr. Shumway, Mr. Konnyu, and Mr. Stump):

H.R. 2375. A bill to amend the National Labor Relations Act to provide the National Labor relations Board with further statutory authority with respect to employees and labor unions engaged in violence; to the Committee on Education and Labor.

By Mr. BATES (for himself, Mr. Scheuer, Mr. Synar, Mr. Wyden, Mrs. Collins, Mr. Whittaker, and Mr. Jacobs):

H.R. 2376. A bill to remove the special treatment accorded tobacco and tobacco products under the Consumer Product Safety Act; to the Committee on Energy and Commerce.

By Mr. FAWELL (for himself, Mr. Yatron, Mr. Solarz, Mr. Roe, Mr. Robinson, Mr. Dornan of California, Mr. Ackerman, Mr. Lipinski, Mr. Eckart, Mr. Owens of New York, Mr. Biaggi, Mrs. Bentley, Mr. Boner of Tennessee, and Mr. DeFazio):

H.R. 2377. A bill to amend title II of the Social Security Act to eliminate certain provisions which presently require the rounding of automatic cost-of-living increases, so as to ensure that eligible individuals will receive the full amount of such increases; to the Committee on Ways and Means.

By Mr. FEIGHAN (for himself, Mr. Fish, Mr. Boucher, Mr. Stokes, Mr. Martinez, Mr. DeWine, Mrs. Bentley, and Mr. Goodling):

H.R. 2378. A bill to provide a comprehensive system for assuring compensation to injured parties through indemnification by the United States of its contractors for liability in excess of reasonably available financial protection and to provide for an equitable reduction of liability of contractors with the United States in certain cases; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 2379. A bill to prohibit the disposal of solid waste in any State other than the State in which the waste was generated; to the Committee on Energy and Commerce.

By Mr. GUARINI (for himself and Mr. Ritter):

H.R. 2380. A bill to extend the existing suspension of duty on graphite; to the Committee on Ways and Means.

By Mr. HALL of Texas (for himself, Mr. Chapman, Mr. Bustamante, and Mr. Wilson):

H.R. 2381. A bill relating to conveyance of certain interests in land for use by the U.S. Fish and Wildlife Service; to the Committee on Merchant Marine and Fisheries.

H.R. 2382. A bill relating to the rights and interest of the United States of America under a conservation easement affecting certain land in Wood County, TX; to the Committee on Merchant Marine and Fisheries.

By Mr. MINETA:

H.R. 2383. A bill to amend the Immigration and Nationality Act to provide for special immigrant status for certain aliens who have served honorably in the Armed Forces of the United States for 4 years; to the Committee on the Judiciary.

By Mr. MOAKLEY (for himself, Mr. Hawkins, Mr. Jeffords, Mr. Sikorski, Mr. Richardson, Mr. Atkins, and Mr. Synar):

H.R. 2384. A bill to authorize a star schools program under which grants are made to educational telecommunications partnerships to develop, construct, and acquire telecommunications facilities and equipment in order to improve the instruction of mathematics, science, and foreign languages, and for other purposes; to the Committee on Education and Labor.

By Mr. PEASE:

H.R. 2385. A bill to extend until January 1, 1991, the existing suspension of duty on diphenyl quanidine and di-o-tolyl quanidine; to the Committee on Ways and Means.

H.R. 2386. A bill to extend until January 1, 1991, the existing suspension of duty on certain power-driven flat knitting machines and parts thereof; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 2387. A bill to extend for 3 years the suspension of duty on di-o-tolyl quanidine; to the Committee on Ways and Means.

H.R. 2388. A bill to extend for 3 years the suspension of duty on m-Aminophenol; to the Committee on Ways and Means.

By Mr. SCHUETTE (for himself and Mr. Vander Jagt):

H.R. 2389. A bill to continue for a 3-year period the suspension of the duties on dicyclomine hydrochloride, mepenzolate bromide, desipramine hydrochloride, rifampin, terfenadine, clomiphene citrate, and lactulose; to the Committee on Ways and Means.

By Mr. TORRICELLI:

H.R. 2390. A bill to suspend temporarily the duty on certain chemicals; to the Committee on Ways and Means.

By Mr. FAUNTROY (for himself, Mrs. Morella, Mr. McMillen of Maryland, Mr. Hoyer, Mr. Wolf, and Mr. Parris):

H.J. Res. 275. Joint resolution designating July 4, 1987, as "July 4th Family Celebration Day"; to the Committee on Post Office and Civil Service.

By Mr. RANGEL:

H.J. Res. 276. Joint resolution designating August 17, 1987, as "Marcus Garvey Recognition Day"; to the Committee on Post Office and Civil Service.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 118: Mr. Walker.

H.R. 130: Mr. Jontz.

H.R. 162: Mr. Wise, Mr. Kennedy, Mr. Robinson, Mr. Markey, Mr. Espy, and Mr. Price of Illinois.

H.R. 176: Mr. Bruce, Mr. Fauntroy, Mr. Frost, and Mr. MacKay

H.R. 372: Mr. Gekas.

H.R. 468: Mr. Roe, Mr. Ackerman, Mr. Smith of New Jersey, Mr. Gallegly, and Mr. Stump.

H.R. 469: Mr. Roe, Mr. Ackerman, Mr. Neal, and Mr. Gallegly.

H.R. 544: Mr. Boner of Tennessee, Mr. Traxler, and Mr. Dyson.

H.R. 592: Mr. Hamilton, Mr. Bustamante, and Mr. Duncan.

H.R. 594: Mr. Lantos and Mr. Gunderson.

H.R. 613: Mr. Vento, Mr. Yatron, Mrs. Patterson, Mr. Jones of North Carolina, Mr. Ford of Tennessee, Mr. Lantos, Mr. Fuster, Mr. Solarz, Mr. Traxler, Mr. Lehman of California, Mr. Bilbray, Mr. Watkins, Mr. Levin of Michigan, Mr. DeWine, Mr. Leland, Mr. Rinaldo, Mr. Sabo, Mr. Aspin, Mr. Kasich, Mr. Olin, Mr. Biaggi, Mr. de la Garza, Mr. Hatcher, Mr. Montgomery, Mr. Smith of Florida, Mr. LaFalce, Mr. Panetta, Mr. Neal, Mr. Stallings, Mr. Bates, Ms. Kaptur, Mr. Kostmayer, Mr. Fascell, Mr. Gordon, and Mr. Whitten.

H.R. 639: Mr. Levine of California, Ms. Slaughter of New York, Mr. Applegate, Mr. Morrison of Connecticut, Mr. Wyden, Mr. Thomas A. Luken, and Mr. Jontz.

H.R. 643: Mr. Wolpe.

H.R. 670: Mr. Edwards of Oklahoma.

H.R. 759: Mr. Lowery of California, Mrs. Meyers of Kansas, and Mr. Hefley.

H.R. 778: Mr. Vento.

H.R. 779: Mr. Lewis of Georgia.

H.R. 782: Mr. Bennett and Mr. Levine of California.

H.R. 792: Mrs. Lloyd.

H.R. 898: Ms. Slaughter of New York.

H.R. 915: Mr. Brown of California.

H.R. 956: Mr. Torricelli.

H.R. 963: Mr. Martinez, Mr. Jontz, Mr. Spratt, Mr. LaFalce, Mr. Torres, Mr. Garcia, Mr. Solomon, and Mr. Sunia.

H.R. 1041: Mr. Feighan.

H.R. 1082: Mr. Chapman, Mr. Jenkins, Mr. Robinson, Mr. Stratton, Mr. Leland, Mr. Ritter, Mr. Kyl, Mr. Hayes of Louisiana, Mr. Sweeney, Mr. Robert F. Smith, Mr. Hammerschmidt, Mr. Smith of Texas, Mr. Shaw, Mr. Miller of Ohio, Mrs. Smith of Nebraska, and Mr. Swindall.

H.R. 1087: Mr. Nielson of Utah. Mr. Craig, Mr. Kolbe, and Mr. Roberts.

H.R. 1140: Mr. Badham, Mr. Callahan, Mrs. Johnson of Connecticut, Mr. Morrison of Washington, Mr. Ballenger, Mr. Slaughter of Virginia, Mr. Derrick, Mr. Erdreich, Mr. Traxler, Mr. Schulze, Mr. Spratt, Mr. Pursell, Mr. Hutto, and Mr. Parris.

H.R. 1186: Mr. Pease, Mr. Pepper, Mr. Sawyer, Mr. Davis of Michigan, Mr. Vento, Mr. Miller of Washington, Mr. Ritter, Mrs. Bentley, Mr. Kleczka, Mr. Sikorski, Mr. Hawkins, Mr. Hughes, Mr. Gilman, Mr. Mollohan, Mr. Mfume, and Ms. Kaptur.

H.R. 1278: Mr. Nielson of Utah.

H.R. 1560: Mr. Martinez.

H.R. 1572: Mr. Carper.

H.R. 1583: Mrs. Smith of Nebraska, Mr. Houghton, Mr. Penny, Mr. Konnyu, Mr. Shaw, and Mr. DioGuardi.

H.R. 1615: Mr. Hughes and Mr. Atkins.

H.R. 1616: Mr. Hughes and Mr. Atkins.

H.R. 1626: Mr. Lagomarsino, Mrs. Saiki, Mr. Wortley, and Mrs. Lloyd.

H.R. 1639: Mr. Espy.

H.R. 1641: Mr. Cheney, Mr. Wolf, Mr. Derrick, Mr. McCollum, and Mr. Williams.

H.R. 1654: Mr. Brown of Colorado.

H.R. 1711: Ms. Slaughter of New York, Mr. Flake, and Mrs. Boxer.

H.R. 1733: Mr. Berman, Mr. Carper, Mr. Owens of New York, Mr. Torres, and Mr. Towns.

H.R. 1738: Mr. Martinez.

H.R. 1885: Mr. Hall of Texas, Mr. Boulter, and Mr. Miller of Ohio.

H.R. 1890: Mr. Frank, Mr. Fuster, Mr. Berman, Mr. Udall, Mr. Vento, Mr. Fauntroy, Mr. Garcia, Mr. Stark, Mr. Mfume, Mr. Scheuer, Mr. Clay, Mr. Owens of New York, Mr. Martinez, Mr. Atkins, Mr. Towns, Mr. Dellums, Mr. Torres, Mr. Lewis of Georgia, Mr. Feighan, Mr. Oberstar, Mr. Panetta, Mr. Gray of Pennsylvania, Mr. Mavroules, Mr. Bonior of Michigan, Mr. Gejdenson, Mr. Fazio, Mr. Roybal, Mr. Durbin, and Mr. Howard.

H.R. 1923: Mrs. Collins, Mr. Oberstar, and Mr. Morrison of Connecticut.

H.R. 1974: Mr. Lewis of Georgia, Mr. Regula, Mr. Buechner, Mr. McCollum, Mr. Kolter, and Mr. Upton.

H.R. 2055: Mr. Dorgan of North Dakota.

H.R. 2072: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R. 2073: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R. 2074: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R. 2075: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R. 2076: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R. 2077: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R. 2078: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R 2079: Mr. Martinez, Mr. Wilson, Ms. Kaptur, Mr. Emerson, Mr. Frost, Mr. Gunderson, Mr. Stangeland, and Mr. Horton.

H.R. 2114: Mr. Holloway, Mr. Marlenee, and Mr. Robert F. Smith.

H.R. 2119: Mr. Martinez, Mr. Hughes, Mr. Owens of New York, and Mr. Atkins.

H.R. 2138: Mr. Gilman.

H.R. 2146: Mr. Penny, Mrs. Patterson, and Mr. Jontz.

H.R. 2248: Mr. Smith of New Hampshire.

H.R. 2259: Mrs. Bentley, Mr. Solarz, and Mr. Daub.

H.R. 2260: Mr. DioGuardi, Mr. Lehman of California, Mr. Inhofe, Mr. Lightfoot, Mr. Molinari, and Mr. Lantos.

H.R. 2284: Mr. Smith or Florida.

H.R. 2327: Mr. Panetta, Mr. Frost, Mr. Kolbe, Mr. Neal, Mr. Huckaby, Mr. Gilman, Mr. Chapman, Mr. Young of Florida, Mr. Wortley, Mr. Frank, Mr. Tauzin, Mr. Daub, Mr. Stallings, Mr. Coelho, Mr. Wise, Mr. Ford of Michigan, Mr. Skelton, Mr. Ballenger, Mr. Morrison of Washington, and Mr. Traxler.

H.J. Res. 40: Mr. Feighan.

H.J. Res. 55: Mr. Wyden, Mr. Young of Florida, and Mr. Rowland of Georgia.

H.J. Res. 170: Mr. Bevill, Mr. Boner of Tennessee, Mrs. Boxer, Mr. Bruce, Mr. Callahan, Mr. Conte, Mr. de Lugo, Mr. DioGuardi, Mr. Dornan of California, Mr. Erdreich, Mr. Fazio, Mr. Frank, Mr. Garcia, Mr. Gradison, Mr. Gray of Pennsylvania, Mr. Guarini, Mr. Hughes, Mr. Kleczka, Mr. Lagomarsino, Mr. Leland, Mr. Levin of Michigan, Mr. Martinez, Mr. Miller of Washington, Ms. Oakar, Mr. Pepper, Mr. Roe, Mr. Scheuer, Ms. Slaughter of New York, Mr. Smith of Florida, Mr. Solarz, Mr. Stratton, Mr. Towns, Mr. Vento, Mr. Volkmer, and Mr. Weiss.

H.J. Res. 191: Mr. McMillen of Maryland, Mr. Brown of Colorado, Mr. Brennan, Mr. Dornan of California, Mr. Bryant, Mr. Rhodes, Mrs. Johnson of Connecticut, Mr. Schuette, Mrs. Bentley, Mr. Berman, Mr. Darden, Mr. Biaggi, Mr. Edwards of Oklahoma, Mr. Coelho, Mr. Wylie, Mr. Bennett, Mr. Bilirakis, Mr. McCollum, Mr. Borski, and Mr. Fish.

H.J. Res. 207: Mr. Martinez.

H.J. Res. 214: Mr. Oberstar and Mr. Leland.

H.J. Res. 228: Mr. DeWine, Mr. Dymally, Mr. Garcia, Mr. Espy, Mr. Feighan, Mr. Levin of Michigan, and Mr. Callahan.

H.J. Res. 255: Mr. Craig, Mr. Erdreich, Mr. Stallings, and Mr. Young of Florida.

H. Con. Res. 47: Mr. Torricelli.

H. Con. Res. 96: Mr. Wilson, Mr. Lagomarsino, and Mr. DioGuardi.

H. Con. Res. 101: Mr. Solarz, Mr. Roe, Mr. Biaggi, Mr. Kolter, Mr. Fuster, Mr. Smith of Florida, Mr. Manton, Mr. Gray of Illinois, Mr. Evans, Mr. Gray of Pennsylvania, Mr. McCollum, Mrs. Johnson of Connecticut, and Mr. Owens of New York.

H. Con. Res. 113: Mr. Dellums, Mr. Mrazek, Mr. Skelton, Mr. Fazio, Mr. Torres, Mr. Ackerman, Mr. Feighan, Mr. Boucher, Mr. DeFazio, Mr. Porter, Mr. Swift, Mr. Lehman of Florida, Mr. Green, and Mr. Owens of New York.

H. Res. 18: Mr. Carper.

H. Res. 110: Mr. Duncan.

H. Res. 143: Mr. Shaw and Mr. Anderson.

H. Res. 145: Mr. Lehman of Florida, Mr. Andrews, Mr. Levin of Michigan, Mr. Kleczka, and Mr. Lewis of Georgia.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1115: Mr. Hayes of Illinois.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

REGISTRATIONS

The following registrations were submitted for the first calendar quarter 1987:

(NOTE.—The form used for reporting is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings. This page (Page 1) is designed to supply identifying data.)

PLEASE RETURN 1 ORIGINAL TO: THE CLERK OF THE HOUSE OF REPRESENTATIVES, OFFICE OF RECORDS AND REGISTRATION, 1036 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515

PLEASE RETURN 1 ORIGINAL TO: THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19 . . . . . ◆

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

Is this an Amendment?
☐ YES ☐ NO

IDENTIFICATION NUMBER

NOTE on ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) *"Employee".*—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) *"Employer".*—To file as an "employer", write "None" in answer to Item "B".

(*b*) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

☐ CHECK IF ADDRESS IS DIFFERENT THAN PREVIOUSLY REPORTED

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE on ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER—State name, address, and nature of business. If there is no employer, write "None."

NOTE on ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) description, (*b*) quantity distributed, (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and, if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly Report."◆

STATEMENT OF VERIFICATION

[Omitted in printing]

PAGE 1◆

Organization or Individual Filing	Employer/Client
Robert S. Aiken, 1730 M St., NW, #607 Washington, DC 20036	Arizona Public Service Company
Aker Associates, Inc, 1350 New York Ave., NW, #700 Washington, DC 20005	Semiconductor Industry Association
Akin Gump Strauss Hauer & Feld, 1333 New Hampshire Ave., NW, #400 Washington, DC 20036	City of Philadelphia
Do	First Texas Savings & Loan
Do	Hoerchst Celanese, Inc
Do	Reebok International Ltd
Do	Sacramento Regional Transit District
William E. Albers, 1731 Connecticut Ave., NW Washington, DC 20009	Albers & Company (For:May Department Stores Co)
Donald C. Alexander, Cadwalader Wickersham & Taft 1333 New Hampshire Ave., NW Washington, DC 20036	Air Products & Chemicals, Inc
Do	Security Life of Denver
Allen Rovin & Associates, 1000 Thomas Jefferson St., NW, #508 Washington, DC 20007	IRECO, Inc
Alliance for Rail Competition, 1120 G St., NW, #800 Washington, DC 20005	
Thomas H. Altmeyer, 1130 17th St., NW Washington, DC 20036	National Coal Assn
American Assn of Witloof Endive Growers, Inc, P.O. Box 656 Rouses Point, NY 12979	
Morris J. Amitay, P.C., 444 N. Capitol Street, NW, #712 Washington, DC 20001	Coalition for American Energy Security
Patricia Anderham, 1130 17th St., NW Washington, DC 20036	National Coal Assn
Anthony A. Anderson, 1818 N St., NW Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:City of Pompano Beach, Florida)
Mark Andrews, 2550 M St., NW, #695 Washington, DC 20037	
Michael Andrews, 1455 Pennsylvania Ave., NW, #325 Washington, DC 20004	Salomon Brothers, Inc
Andrews' Associates, Inc, 2550 M St., NW, #695 Washington, DC 20037	
Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Ave., NW Washington, DC 20036-5339	Artery Corp
Do	Real Estate Dynamics, Inc
Do	Schoenke & Koenig
Arnold & Porter, 1200 New Hampshire Ave., NW Washington, DC 20036	Cemai
Do	Manitoba Energy Authority
Lud Ashley, P.C., 1735 New York Avenue, NW, 6th Fl. Washington, DC 20006	Amerifirst Mortgage Corp
Do	Mineral Insulation Manufacturers Association
Do	Wells Fargo Bank, N.A.
Association of Junior Leagues, Inc, 825 Third Avenue New York, NY 10022	
Victor Atiyeh & Co, 519 SW Park St., #208 Portland, OR 97205	
APCO Associates, 1200 New Hampshire Ave., NW Washington, DC 20036	Cemai
Do	Manitoba Energy Authority
Do	Sacramento Municipal Utility District
Victor Bach, 105 East 22nd Street New York, NY 10010	Community Service Society
Geoffrey Bacino, 1730 Rhode Island Ave., NW, #810 Washington, DC 20036	Credit Union National Assn, Inc
Peter Gordon Bakos, 2227 Alpine Avenue Sarasota, FL 33579	Alpine Group, Inc
Jacqueline Balk-Tusa, 2550 M St., NW, #695 Washington, DC 20037	
Haley R. Barbour, P.O. Box 960 Yazoo City, MS 39194	Joint Maritime Congress
Barnes Richardson & Colburn, 1819 H St., NW, #400 Washington, DC 20006	Heidilberg Eastern, Inc
Barrett Montgomery & Murphy, 2555 M Stret, NW, #100 Washington, DC 20037	National Rural Water Assn
Margaret E. Bayers, 1420 King Street Alexandria, VA 22314-2715	National Society of Professional Engineers
Beer Drinkers of New Mexico, 8100 Mountain Road, NE Albuquerque, NM 87110	
William A. Behan, 1700 N. Moore St., #820 Rosslyn, VA 22209	Magnavox Government & Industrial Electronics Co
M. Wendell Belew Jr., 499 South Capitol St., SW, #407 Washington, DC 20003	National Tooling & Machining Assn
Diane L. Bell, 2626 Pennsylvania Ave., NW Washington, DC 20037	National Telephone Cooperative Assn
Stephen E. Bell, 1455 Pennsylvania Ave., NW, #325 Washington, DC 20004	Salomon Brothers, Inc
Debra Berlyn, 1400 K St., NW, #500 Washington, DC 20005	Handgun Control, Inc
Jason S. Berman, 1020 19th St., NW, #200 Washington, DC 20036	Recording Industry Assn of America, Inc
Berman Bergner & Boyette, 1016 16th Street, NW, #700 Washington, DC 20036	Home Recording Rights Coalition
Leon G. Billings, Inc, 1660 L St., NW, #809 Washington, DC 20036	Coalition for Scenic Beauty
Birch Horton Bittner Pestinger & Anderson, 12th Floor 1155 Connecticut Ave., NW Washington, DC 20036	Alaska Pacific Refining, Inc
Do	Old Harbor Corp
Robert J. Bird, 888 16th St., NW Washington, DC 20006	General Mills, Inc
Black Crotty Sims Hubka Burnett & Samuels, 501 North Grandview Ave. P.O. Box 5488 Daytona Beach, FL 32018	Aetna Life Insurance Company
Stephen Blair, 2251 Wisconsin Ave., NW Washington, DC 20007	National Assn of Trade & Technical Schools
Thomas S. Blood Jr., 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security & Medicare
Robert A. Blum, 600 Montgomery Street San Francisco, CA 94111	Orrick Herrington & Sutcliffe (For:Permanente Medical Group, Inc)
Blum Nash & Railsback, 1133 15th Street, NW, #1100 Washington, DC 20005	Information Industry Assn
Wayne F. Boan, 8605 E. 75th Street Tulsa, OK 74133	Employers Council on Flexible Compensation
Gina M. Bowman, P.O. Box 7305, Dept. 178 Kansas City, MO 64116	Farmland Industries, Inc
Bracewell & Patterson, 2000 K St., NW, #500 Washington, DC 20006	Tennessee Gas Transmission Co
Bracy Williams & Company, 1000 Connecticut Avenue, NW, #304 Washington, DC 20036	Energy Contractors Price-Anderson Group
Do	LaserVideo, Inc
Brand & Lowell, 923 15th Street, NW, Fifth Fl. Washington, DC 20005	Winstead McGuire Sechrest & Minick
Christel Brellochs, 105 East 22nd Street New York, NY 10010	Community Service Society
William M. Brodhead, 900 Marquette Building Detroit, MI 48226	Plunkett & Cooney (For:Blue Cross & Blue Shield Assn)
Ben Jarratt Brown, 325 Pennsylvania Ave., SE Washington, DC 20003	Washington Lobby Group, Inc (For:Preston Corp)
Cynthia A. Brown, 1919 Pennsylvania Ave., NW, #300 Washington, DC 20006	American College of Surgeons
E. Cooper Brown, 6935 Laurel Ave., #204 Takoma Park, MD 20912	
Brown & Finn, Chtd, 1920 N Street, NW, #510 Washington, DC 20036	RADAR
Burson-Marsteller, 1850 M Street, NW, #900 Washington, DC 20036	Clark Equipment Co
Do	COMSAT Corp
Do	Kansas City Southern Industries, Inc
Do	Medtronic, Inc
Henry Butler, 3707 Woodview Trace Indianapolis, IN 46268	Crop Insurance Research Bureau
Ralph J. Caccia, 1465-B North Van Dorn St. Alexandria, VA 22304	J. Samuel Choate, Jr., P.C. (For:Association of Progressive Rental Organizations)
Cades Schutte Fleming & Wright, 2000 Pennsylvania Ave., NW, #7400 Washington, DC 20006	First Hawaiin Bank
Do	San Diego Gas & Electric
Tony Calandro, 2251 Wisconsin Ave., NW Washington, DC 20007	National Assn of Trade & Technical Schools
Charles O. Campbell, 1420 King Street Alexandria, VA 22314-2715	National Society of Professional Engineers
Jeanne Campbell, Campbell-Raupe, Inc 1015 15th Street, NW, #907 Washington, DC 20005	Stone & Webster Engineering Corp
Don Cargill, P.O. Box 4569 Atlanta, GA 30302	Atlanta Gas Light Co
Michael G. Cartier, 1200 South Arlington Ridge Rd., #306 Arlington, VA 22202	Man-Made Fiber Producers Assn, Inc
Chadbourne & Parke, 1101 Vermont Avenue, NW Washington, DC 20005	Manufacturer's Life Insurance Co
Do	Ultrapower, Inc
Robert T. Chancler, 1101 Connecticut Ave., NW Washington, DC 20036	American Wire Producers Assn
Joy Cherian, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance
John B. Childers, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities
Joseph L. Choquette III, Vermont Petroleum Assn P.O. Box 566 Montpelier, VT 05602	American Petroleum Institute
Cleary Gottlieb Steen & Hamilton, 1752 N Street, NW Washington, DC 20036	Crompton & Knowles Corp
Stephen J. Cloud, 1220 L St., NW Washington, DC 20005	American Petroleum Institute
Coalition for American Energy Security, 1050 Thomas Jefferson St., NW, 6th Floor Washington, DC 20007	
Coalition to Oppose Energy Taxes, 1100 15th St., NW, #1200 Washington, DC 20005	
Jessie M. Colgate, 51 Madison Avenue New York, NY 10010	New York Life Insurance Company
Collier Shannon Rill & Scott, 1055 Thomas Jefferson St., NW, #308 Washington, DC 20007	American Couplings Coalition
Do	American Munitions Manufacturers Organization
William P. Collins, 5055 Seminary Road Alexandria, VA 22311	Southern Company Services
Committee for Fair Trade with China, Evergreen Point Rd., Box 288 Medina, WA 98039	
Francis J. Conners, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letters Carriers
Connerton & Bernstein, 1899 L St., NW, #800 Washington, DC 20036	National Assn of Police Organizations
Kathryn Conroy, 105 East 22nd Street New York, NY 10010	Community Service Society
Bente E. Cooney, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security
Stephen H. Cooper, 74 North Pearl St. Albany, NY 12207	Hospital Assn of New York State
Corman Law Offices, 1420 16th Street, NW Washington, DC 20036	Alcalde Henderson O'Bannon & Rousselot
Do	American Leather Goods Manufacturers Assn
Do	State of Washington
Walter Coulliard, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers
Council on Non-Profit Organizations, 1747 Pennsylvania Ave., NW, #1000 Washington, DC 20006	
Jerry W. Cox, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Anglo American Auto Auctions, Inc)
Do	Hill & Knowlton, Inc (For:Bell Atlantic Network Services, Inc)
Do	Hill & Knowlton (For:Societe Generale thru SGS North America, Inc)
William H. Creamer III, 600 New Hampshire Ave., NW Washington, DC 20037	New York Life Insurance Company
Crop Insurance Research Bureau, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268	

Organization or Individual Filing	Employer/Client
Rebecca Bennett Crow, 1919 Pennsylvania Ave., NW, #504 Washington, DC 20006	Strategic Development Associates
Brien F. Culhane, 915 Plum St., SW Vienna, VA 22180	National Parks & Conservation Assn
D'Amour & Doyle, Inc, 1156 15th St., NW, #1100 Washington, DC 20005	American Psychological Assn
Norman E. D'Amours, 1217 Evermay Court Mclean, VA 22101	National Assn of State Savings & Loan Supervisors
William K. Dabaghi, Arter & Hadden 1919 Pennsylvania Ave., NW, #400 Washington, DC 20006	Central Union of Agricultural Cooperatives (ZENCHU)
Donna Daley, 1200 17th St., NW Washington, DC 20036	American Psychological Assn
Cynthia L. Darcy, 245 Second St., NE Washington, DC 20002	Friends Committee on National Legislation
John J. Davidson, 7901 Westpark Drive McLean, VA 22102	National Machine Tool Builders' Assn
Michael Davis, 735 North Water Street, #908 Milwaukee, WI 53202-4105	American Malting Barley Assn, Inc
Davis & Harman, 1455 Pennsylvania Avenue, NW, #1200 Washington, DC 20004	Committee for American Steel
Do	James Graham Brown Foundation
Do	NEOAX, Inc
Do	U.S. Sugar Corp
Davis Polk & Wardwell, 1575 Eye St., NW Washington, DC 20005	Occidental International Corp
Robert M. Dawson, 1800 Massachusetts Ave., NW Washington, DC 20036	Natural Rural Electric Cooperative Assn
Trevia A. Dean, Dean & Company 2550 M St., NW, #300 Washington, DC 20037	American Insurance Assn
Do	Lottery Technology Enterprises
Do	Manatt Phelps... (for American Petrofina, Inc)
Do	National Rifle Assn of America
Delaney & Young, Chtd, 1629 K Street, NW, #1000 Washington, DC 20006	Harcourt Brace Jovanovich, Inc
Willard L. Demory, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Gurman Kurtis & Blask (for McCaw Communications))
George Demougeot, 1612 K St., NW, #206 Washington, DC 20006	Government of Haiti
Dewey Ballantine Bushby Palmer & Wood, 1775 Pennsylvania Ave., NW Washington, DC 20006	CIC Enterprises, Inc
George T. DeBakey, 1300 North 17th St., #300 Arlington, VA 22209	ADAPSO
Nicholas DeBenedictis, 1346 Chestnut St., #800 Philadelphia, PA 19107	Greater Philadelphia Chamber of Commerce
Dona M. DeCarolis, 20 Black Oak Mews Newton, PA 18940	Guilford Transportation Industries, Inc
Dickstein Shapiro & Morin, 2101 L St., NW Washington, DC 20037	California Assn of Thrift & Loan Companies
Do	Morgan Guaranty Trust Co
G. Diane Dodson, 2000 P St., NW, #400 Washington, DC 20036	Women's Legal Defense Fund
Paul M. Donovan, Laroe Winn & Moerman 1120 G Street, NW, #800 Washington, DC 20005	Alliance for Rail Competition
Dow Lohnes & Albertson, 1255 23rd St., NW Washington, DC 20037	
Do	ZIM Israel Navigation Co, Ltd
Daniel A. Duffy, 1400 K St., NW, #900 Washington, DC 20005	Rubber Manufacturers Assn
Duncan Allen & Mitchell, 1575 Eye Street, NW Washington, DC 20005	Visaflor, S.A.
Dutko & Associates, 412 First St., SE, #40 Washington, DC 20003	William Gold
Do	Jaime Goldenberg
Do	Psychemedics Corp
Do	Superconducting Super Collider
Charles J. Eby, 8408 Queen Elizabeth Blvd. Annandale, VA 22003	Monsanto Co
Jack Edwards, 3000 First Natonal Bank Bldg. P.O. Box 123 Mobile, AL 36601	Societe Nationale d'Etude et de Const de Moteurs d'Aviation
Edwards & Antholis, 95 Madison Avenue Morristown, NJ 07960	Resorts International, Inc
H. John Endean, 1730 K St., NW, #703 Washington, DC 20006	American Business Conference
Energy Security Policy, Inc, 750 Baker Building 706 Second Ave. South Minneapolis, MN 55402	
Patricia Hanahan Engman, 1615 L St., NW, #1350 Washington, DC 20036	Business Roundtable
Estate of W. W. Callan, 1509 East 31st Street Byran, TX 77801	
John R. Evans, 9208 Seven Locks Road Bethesda, MD 20817	Drexel Burnham Lambert, Inc
F/P Research Associates, 1700 K St., NW, #303 Washington, DC 20006	Shell Oil Co
Joel F. Feldman, 1752 N St., NW, #800 Washington, DC 20036	National Welding Supply Assn
Randolph Fenninger, 10000 Falls Road, #300 Potomac, MD 20854	American Soc of Clinical Pathologists
Robert J. Fersh, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center
Finley Kumble Wagner Heine Underberg Manley Myerson & Casey, 1120 Connecticut Ave., NW, 10th Floor Washington, DC 20036	ADAPSO
Do	City of Oakland
Do	Home Group, Inc
Do	New Orleans Cold Storage & Warehouse Co, Ltd
Do	Toyota Motor Manufacturing, U.S.A.
Do	United Cement Company Coalition of U.S. Cement Producers
Linda G. Fitcheard, 777 14th St., NW Washington, DC 20005	National Assn of Realtors
Lauri J. Fitz, 901 31st St., NW Washington, DC 20007	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
Robert B. Fitzpatrick, 4801 Massachusetts Ave., NW, #400 Washington, DC 20016-2087	Plaintiff Employment Lawyers Assn
Richard S. Fitzsimmons, 1025 Connecticut Ave., NW, #415 Washington, DC 20036	American Insurance Assn
Robert B. Flagg, 1130 17th St., NW Washington, DC 20036-4677	National Coal Assn
Jonathan W. Fleming, 1612 K St., NW, #1100 Washington, DC 20006	American Electronics Assn
Foley & Lardner, 1775 Pennsylvania Ave., NW Washington, DC 20006-4680	Dimensions, Inc
Mari S. Forbes, 1731 Connecticut Ave., NW Washington, DC 20009	Albers & Company (For:May Department Stores Co)
Maria Foscarinis, 1620 Eye St., NW, #300 Washington, DC 20006	National Coalition for the Homeless
Fox Weinberg & Bennett, 1714 Massachusetts Avenue, NW Washington, DC 20036	Lederle Laboratories
Ronna Freiberg, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
Don Fuqua, 1725 DeSales Street, NW Washington, DC 20036	Aerospace Industries Assn of America, Inc
Sara G. Garland, 137 13th St., NE Washington, DC 20002	Pfizer, Inc, et al.
Garvey Schubert & Barer, 1000 Potomac St., NW Washington, DC 20006	Aerolift, Inc
Do	Northwest Industrial Gas Users
Do	Space Industries, Inc
Cheryl K. Genevie, 1120 G St., NW, #800 Washington, DC 20005	Alliance for Rail Competition
Lucie Kristie Gikovich, 444 North Capitol St., #718 Washington, DC 20001	Pacific Telesis Group
Daniel F. Gilligan, 1015 15th St., NW, #1240 Washington, DC 20005	National Manufactured Housing Federation
Ginn Edington Moore & Wade, 803 Prince Street Alexandria, VA 22314	American League for Exports & Security Assistance, Inc
Do	Astroline Communications Co
Leslie Alan Glick, Duncan Allen & Mitchell 1575 I Street, NW, #300 Washington, DC 20005	Visaflor, S.A.
Gold & Liebengood, Inc, The Willard Office Building 1455 Pennsylvania Avenue, NW, #950 Washington, DC 20004	Camp Barsh Bates & Tate
Do	Ricoh Corp
Goldberg & Spector, 1229 19th St., NW Washington, DC 20036	Pan American Satellite Corp
Randy Howard Goodman, P.O. Box 93803 Cleveland, OH 44101-5803	Greater Cleveland Hospital, et al.
Beth Goodrich, 1331 Pennsylvania Ave., NW, #719 Washington, DC 20004	Association of Private Pension & Welfare Plans, Inc
John Gordley, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Monsanto Co)
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
David W. Graham, 1800 M St., NW, #700 South Washington, DC 20036	Dow Chemical USA
Karen Graham, 1331 Pennsylvania Ave., NW, #719 Washington, DC 20004	Association of Private Pension & Welfare Plans, Inc
Robert K. Gray, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Borg-Warner Corp)
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
William T. Gray III, 5210 Banks Place, NE Washington, DC 20019	
Neal Gregory, 1400 K St., NW, #750 Washington, DC 20005	Empacadora del Norte, S.A.
Griffin Johnson & Associates, 1211 Connecticut Ave., NW, #700 Washington, DC 20036	American Insurance Assn
Do	Arthur Anderson & Co
Do	Camp Barsh Bates & Tate
Do	Coalition to Preserve the Integrity of American Trademarks
Do	COMSAT Corp
Do	Health Policy Agenda (American Medical Assn)
Do	Kansas City Southern Industries, Inc
Do	Mid-Atlantic Toyota, Inc
Do	NutraSweet Co
Do	Philip Morris, Inc
Do	Sears Roebuck & Co
Geri A. Guardino, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security
Mary Scott Guest, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	Morris Communications
Paul D. Guth, 226 W. Rittenhouse Square, #3200 Philadelphia, PA 19103	Wire Pro, Inc
George Guyant, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy
Delano J. Hall, 114 Crescent Drive Williamsburg, VA 23185	Oil Chemical Atomic Union
Ronald P. Hamm, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc
Arnita Hannon, 1101 Vermont Ave., NW, #402 Washington, DC 20005	American Lung Assn
Christine Harper-Fahey, 1012 14th St., NW Washington, DC 20005	National Low Income Housing Coalition
Jack E. Harrison, West Virginia Petroleum Council Atlas Building, #714 Charleston, WV 25301	American Petroleum Institute
Arnold I. Havens, 1818 N Street, NW Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:City of Pompano Beach, Florida)
Bruce Heaton, Eppards Point Mutual County Fire Ins. Co 313 North Court Pontiac, IL 61764	National Assn of Mutual Insurance Companies

Organization or Individual Filing	Employer/Client
Thomas M. Helscher, 901 31st St., NW Washington, DC 20007	Hill & Knowlton, Inc (For:Monsanto Co)
Mike D. Helton, Kentucky Petroleum Council 305 Ann St., #403 Frankfort, KY 40601	American Petroleum Institute
Karen Hendricks, 1319 F St., NW, #604 Washington, DC 20004	Association of Junior Leagues, Inc
Heron Burchette Ruckert & Rothwell, 1025 Thomas Jefferson St., NW, #700 Washington, DC 20007	American Internation Manufacturing Corp
Do	Association of Human Resource Consultants
Do	ARCO
Do	Bechtel Civil, Inc
Do	John Hancock Mutual
Do	Massachusetts Maritime Academy
Do	Tom Mills
Do	Riverside Resorts
Do	Sabine River Authority
Do	University of California
Anne R. Hill, 1101 Connecticut Ave., NW, #500 Washington, DC 20036	Kids Project
Cynthia A. Hill, 777 14th St., NW Washington, DC 20005	National Assn of Realtors
Hill Betts & Nash, 1818 N St., NW, #700 Washington, DC 20036	Hispacement, S.A.
Robert A. Hirsch, 2200 Mill Road Alexandria, VA 22314	Private Carrier Conference, Inc
Arthur Hoffer, 595-D Old Willets Path Hauppauge, NY 11788	Chemical Bank
Gail Hoffman, 1400 K St., NW, #500 Washington, DC 20005	Handgun Control, Inc
F. Nordy Hoffmann and Assoc, Inc, 400 N. Capitol St., NW, #327 Washington, DC 20001	Coca-Cola Company
Hogan & Hartson, 815 Connecticut Ave., NW Washington, DC 20006	CH2M Hill
Do	First Federal Bank of Connecticut, F.S.B.
Do	National Telecommunications Network
Do	Software Co Task Force on Foreign Market Penetration
Niels C. Holch, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
Holland & Hart, 1875 Eye St., NW, #1200 Washington, DC 20006	Citgo Petroleum Corp
Do	Grocery Manufacturers of America, Inc
Do	Southland Corporation
John W. Holt, 1850 K St., NW Washington, DC 20006	American Council of Life Insurance
Helen Hooper, 3357 Runnymede Place, NW Washington, DC 20015	New York Public Library
Do	Society for Historical Archaeology
Mark Hopkins, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy
John B. Howerton, 3727 North Edison St. Arlington, VA 22207-1831	
Susan Howland-Kelly, 20 Black Oak Mews Newtown, PA 18940	Guilford Transportation Industries - Rail Division
Richard T. Hughes, 1700 K St., NW Washington, DC 20006	Chevron USA, Inc
Vester T. Hughes Jr., Hughes & Hill 1000 Mercantile Dallas Building Dallas, TX 75201	Estate of W. W. Callan
Hunton & Williams, 2000 Pennsylvania Ave., NW P.O. Box 19230 Washington, DC 20036	Copyright Justice Coalition
Suzanne C. Hutchinson, 1615 L St., NW, #1230 Washington, DC 20036	Mortgage Insurance Companies of America
Steven M. Hyjek, One Thomas Circle, NW, #900 Washington, DC 20005	Sinnott & Co, Richard L. (For:Dallas/Ft. Worth International Airport)
Gary Hymel, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
Independent Consultants, Inc, 400 North Capitol St., NW, #320 Washington, DC 20001	John Camp
Do	Tropicana Petroleum, Ltd
Independent JOA Publishers Assn, 1050 17th St., NW, #590 Washington, DC 20036	
David L. Jackson, 1591 Fishinger Rd. Upper Arlington, OH 43221	Jackson & Associates
Julie A. Javernick, 413 North Lee St. P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc
Jellinek Schwartz Connolly & Freshman, Inc, 1350 New York Avenue, NW, #400 Washington, DC 20005	Padre Dam Municipal Water District
Do	Rhone-Poulenc, Inc
Aileen A. Johnson, 2000 P St., NW, #400 Washington, DC 20036	Women's Legal Defense Fund
Susan E. Johnson, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Sears Roebuck & Co
Belva W. Jones, 1101 15th Street Washington, DC 20005	National Assn of Margarine Manufacturers
Theodore L. Jones, 1730 Pennsylvania Ave., NW, #300B Washington, DC 20006	City of Baton Rouge
Do	Mall Properties, Inc
Do	U.S. Cane Refiners' Assn
Do	United Companies Life Insurance Co
Jones & Winburn, 50 E Street, SE Washington, DC 20003	Green Bay Packaging Co
Do	GEO Products
Jones Day Reavis & Pogue, 655 15th St., NW Washington, DC 20005-5701	Stakeholders in America
James C. Jordan, 1785 Massachusetts Ave., NW Washington, DC 20036	National Trust for Historic Preservation
David C. Jory, 1200 New Hampshire Ave., NW, #350 Washington, DC 20036	Citibank, N.A.
Amy Judy, 2030 M St., NW Washington, DC 20036	Common Cause
Linda Heller Kamm, 1775 Pennsylvania Ave., NW, #1000 Washington, DC 20006-4680	Foley & Lardner (For:Kohlberg Kravis Roberts & Co)
Betty Ann Kane, 1150 Connecticut Ave., NW, #617 Washington, DC 20036	Miller & Young
Kevin Kaplan, 8100 Mountain Road, NE Albuquerque, NM 87110	Beer Drinkers of New Mexico
Peter J. Kassander, 412 Fifth St., SE #1 Washington, DC 20003	Seattle Organizing Committee, 1990 Goodwill Games
Steven L. Katz, 1424 16th St., NW, #601 Washington, DC 20036	People for the American Way
Bronwen A. Kaye, 1575 Eye St., NW, #200 Washington, DC 20005	American Cyanamid Co
Kaye Scholer Fierman Hays & Handler, 1575 Eye Street, NW, #1150 Washington, DC 20005	Carlon Company
Do	Goldman Sachs & Co
Do	Kraft, Inc
Do	Westwood One, Inc
Keene Monk & Associates, Inc, 919 Prince Street Alexandria, VA 22314	National Farmers' Federation of Australia
Kelley Drye & Warren, 1330 Connecticut Ave., NW Washington, DC 20036	Business Roundtable
Do	Marconi Underwater Systems Ltd
Do	J.P. Morgan & Co, Inc
Kelly Eckhaus & Mohen, 230 Park Avenue New York, NY 10169	Resource Technical Consultants (USA), Inc
Frances H. Kennedy, 208 N. Quaker Lane Alexandria, VA 22304	National Parks & Conservation Assn
Victoria M. Kessler, 1731 Connecticut Avenue, NW Washington, DC 20009	Albers & Co (For:May Department Stores Co)
John J. Killeen, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron, Inc
Kilpatrick & Cody, 2501 M St., NW, #500 Washington, DC 20037	Kootznoowoo, Inc
King & Spalding, 1730 Pennsylvania Ave., NW, #1200 Washington, DC 20006	Mercer University
Jerry D. Klepner, 1020 19th St., NW Washington, DC 20036	Anderson Benjamin Read & Haney (For:Boston Company)
Do	Anderson Benjamin Read & Haney (For:Mutual of Omaha)
Jill Klowden, 2807 Connecticut Ave., NW, #102 Washington, DC 20008	Rainbow Lobby
Leonard R. Kojm, 2906 S. Grant Street Arlington, VA 22202	GA Technologies, Inc
Marilyn S. Koss, 600 New Hampshire Ave., NW Washington, DC 20037	New York Life Insurance Company
Katherine Krell, 901 31st St, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Monsanto Co)
Krivit & Krivit, P.C., 50 E Street, SE Washington, DC 20003	
Krooth & Altman, 2101 L Street, NW, #210 Washington, DC 20037	Healthcare Financing Study Group
M. J. Kuehne, P.O. Box 11346 Tacoma, WA 98411	Northwest Independent Forest Manufacturers
Kutak Rock & Campbell, 1101 Connecticut Aven., NW, #1000 Washington, DC 20036	Fidelity Management Research Co
Kuykendall Company, 517 3rd Street, SE Washington, DC 20003	Alpha Environmental, Inc
Do	Guardsmark, Inc
Do	R. F. Shoup Corp
Do	SENTINAL
Marc E. Lackritz, 1000 Vermont Ave., NW, #800 Washington, DC 20005	Public Securities Assn
Peter M. Lafen, 2600 North Powhatan St. Arlington, VA 22207	Association of American Railroads/Intermodal Policy Division
Gerard F. Lamb, 1901 L St., NW, #707 Washington, DC 20036	Todd Shipyards Corp
Lane & Edson, P.C., 2300 M Street, NW Washington, DC 20036	National Glass Association
Lloyd R. Lawrence Jr., Bob Lawrence & Associates 803 Prince Street Alexandria, VA 22314	Valmont Industries, Inc
Ursula Lawrence, 167 Maple Avenue Sea Cliff, NY 11579	America's Conscience
Leadership Conference on Civil Rights, 2027 Massachusetts Ave., NW Washington, DC 20036	
League of Rural Voters Education Project, Inc, 3255 Hennepin Avenue South, #225 Minneapolis, MN 55408	
League of Rural Voters, Inc, 3255 Hennepin Avenue South, #225 Minneapolis, MN 55408	
Young K. Lee, 2112 S. Buchanan Street Arlington, VA 22206	Washington Lobby Group, Inc (For:Preston Corp)
C. Richard Lehmann, 15327 NW 60th Ave., #240 Miami Lakes, FL 33014	Richard Lehmann & Associates, Inc (For:National WPPSS 4&5 Bond Holders)
Lesher and Associates, Inc, 517 C Street, NE Washington, DC 20002	Agricultural Policy Working Group
Richard W. Lewis, 1700 K St., NW Washington, DC 20006	Chevron USA, Inc
James M. LeMunyon, 1612 K St., NW, #1100 Washington, DC 20006	American Electronics Assn
Leanne Klyza Linck, 214 N. Henry St., #203 Madison, WI 53703	Sierra Club
Roger Lindberg, 901 31st St., NW Washington, DC 20007	Hill & Knowlton, Inc (For:MediVision)
Do	Hill & Knowlton, Inc (For:Panhandle Eastern Corp)
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
George E. Lindow, 2 Gateway Center Pittsburg, PA 15222	Peoples Natural Gas Co

Organization or Individual Filing	Employer/Client
Howard T. Lyman, 600 Maryland Ave., SW, #202W Washington, DC 20024	Farmers' Educational & Co-Operative Union of America
Malcolm MacKay, 51 Madison Avenue New York, NY 10010	New York Life Insurance Company
Cliff Madison Government Relations, Inc, P.O. Box 7006 Northridge, CA 91327-7006	County of San Bernardino
Do	Regency Outdoor Advertising
David L. Mahan, 1818 N St., NW Washington, DC 20036	Societe Nationale D'Etude et de Const de Moteurs D'Aviation
Manatt Phelps Rothenberg & Evans, 1200 New Hampshire Ave., NW, #200 Washington, DC 20036	Commerce Union Bank
Mandlebaum Wolf Wiskowski Public Strategies, Plaza Three The Harborside Financial Center Jersey City, NJ 07302	Winter's Liquor Filled Chocolates
R. A. Marble, 2550 M St., NW, #770 Washington, DC 20037	RJR Nabisco, Inc
Dennis G. Martin, Dow Lohnes & Albertson 1255 23rd St., NW Washington, DC 20037	Dofasco, Inc
Maureen A. Martin, 23 Wall Street New York, NY 10015	Morgan Guaranty Trust Co
Michael J. Mason, 1220 L St., NW Washington, DC 20005	American Petroleum Institute
Masson Grimm & Burgum, Ltd, 106 North Carolina Ave., SE Washington, DC 20003	Coalition for Scenic Beauty
Do	JEFCO
Do	Parsons Brinkerhoff Quad & Douglas, Inc
Dawson Mathis, 499 South Capitol St., SW, #407 Washington, DC 20036	Dawson Mathis & Associates (For:National Tooling & Machining Assn)
Dawson Mathis & Associates, 499 South Capitol St., SW, #407 Washington, DC 20003	National Tooling & Machining Assn
McAuliffe Kelly Furlong Aldrich & Siemens, 555 New Jersey Ave., NW, #880 Washington, DC 20001	ADAPSO
Do	Southern California Rapid Transit District
Do	State Street Development Co of Boston
Do	Stock Information Group
McCamish Ingram Martin & Brown, 650 MBank Tower 221 West 6th Street Austin, TX 78701	Federal Land Bank Defense Fund
Do	SSC Commission of the West Texas Chamber of Commerce
Do	United Services Automobile Assn
Frederick D. McClure, 1201 Pennsylvania Ave., NW, #300 Washington, DC 20004	Texas Air Corp
McClure & Trotter, 1100 Connecticut Ave., NW, #600 Washington, DC 20036	Bell & Howell (For:Columbia Pictures Video Services)
Do	TSO Financial Corp
Meredith McCoy, 11101 Connecticut Ave., NW, #500 Washington, DC 20036	Arkansas Assn of Securities Dealers
Do	Mid-South International Trade Assn
John McDavitt, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security
Jack McDonald, 1489 Chain Bridge Road, #200 McLean, VA 22101	Jack McDonald Co (For:Chase Manhattan Bank, N.A.)
Do	Jack McDonald Co (For:Hitachi Sales Corp of America)
Do	Jack McDonald Co (For:Societe Generale de Surveillance)
Jack McDonald Co, 1489 Chain Bridge Road, #200 McLean, VA 22101	Chase Manhattan Bank, N.A.
Do	Hitachi Sales Corp of America
Do	Societe Generale de Surveillance
Terry M. McGann, 1121 L Street, #100 Sacramento, CA 95814	California Assn for Health Services at Home (CAHSAH)
Do	Foundation Health Corp
Do	Maxicare
Sandra H. McMullan, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities
McNair Law Firm, P.A., 1155 15th Street, NW, #400 Washington, DC 20005	Alabama Construction Contractors, et al.
Do	Alabama Power Co
Do	ADDSCO Industries, Inc
Do	Blount, Inc
Do	BE&K, Inc
Do	BF Goodrich Co
Do	CF&I Steel Corp
Do	Harbert Corp
Do	Intergraph Corporation
Do	National Industries
Do	RUST International Corp
Do	Vulcan Materials Co
McNamara Grassroots Group, Inc, 450 Fifth St., NW, #900 Washington, DC 20001-5130	Coalition to Oppose Energy Taxes
Larry D. Meyers, 412 First Street, SE Washington, DC 20003	Superconducting Super Collider
Milbank Tweed Hadley & McCloy, 1825 Eye St., NW Washinton, DC 20006	Committee for Fair Trade with China
Nicholas P. Miller, 1150 Connecticut Ave., NW, #617 Washington, DC 20036	Miller & Young
Harris Miller & Associates, 1655 N. Fort Myer Drive #700 Arlington, VA 22209	National Council of Agricultural Employers
Miller & Chevalier, Chtd, Metropolitan Square 655 15th Street, NW Washington, DC 20005	Council on Research & Technology
Miller & Young, 1150 Connecticut Ave., NW, #617 Washington, DC 20036	City of Sacramento, et al.
Do	Sugar Land Telephone Co
Minority Business Enterprise Legal Defense & Education Fund, 300 I Street, NE, #200 Washington, DC 20002	
Thomas L. Moore, 2200 Mill Road Alexandria, VA 22314	Private Carriers Conference, Inc
James W. Morrison Jr., 1390 Piccard Dr. Rockville, MD 20850	CNA Insurance Co
H. T. Steve Morrissey, 1533 New Hampshire Ave., NW Washington, DC 20036	National Assn of Retired Federal Employees
L. A. Motley and Company, 1800 K Street, NW, #1000 Washington, DC 20006	Seatrain Tankers Corp
Muldoon Murphy & Faucette, 5101 Wisconsin Ave., NW, #508 Washington, DC 20016	Anchor Savings Bank, FSB
Do	Carteret Savings Bank, F.A.
Do	Empire of America, FSB
Do	Gibraltar Savings
Do	Glendale Federal Savings & Loan Assn
Do	Meritor Savings Bank
Do	Northeast Savings, F.A.
Do	Wilmington Savings Fund Society, FSB
H. Edward Munnerlyn, P.O. Box 1017 Greenwood, SC 29648	Greenwood Mills, Inc
Barbara Munson, 1300 North 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn
John P. Murphy, 1001 Connecticut Ave., NW, #1120 Washington, DC 20036	Chemical Specialties Manufacturers Assn, Inc
Murray & Scheer, 2715 M Street, NW, #300 Washington, DC 20007	Home Life Insurance Co
Do	Pacific Mutual Life Insurance Co
MMB Associates, Inc, 122 C Street, NW, #240 Washington, DC 20001	CET
Do	R-CAP
Do	Three Affiliated Tribes
National Assn of Carrier Agents, 1000 Connecticut Avenue, NW, #1200 Washinton, DC 20008	
National Assn of Trade & Technical Schools, 2251 Wisconsin Ave., NW Washington, DC 20007	
National Comm of Cities & States for Airline Service, Transportation Bldg., #417 St. Paul, MN 55156	
National Strategies & Marketing Group, 1919 Pennsylvania Ave., NW, #704 Washington, DC 20006	Manor Care
Landis M. Neal, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security
Ralph G. Neas, 2027 Massachusetts Ave., NW Washington, DC 20036	Leadership Conference on Civil Rights
Jorge A. Negron, 111 Massachusetts Ave., NW, #200 Washington, DC 20001	U.S. Hispanic Chamber of Commerce
Neighbor-To-Neighbor Action Fund, 2940 16th St., #200-2 San Francisco, CA 94103	
Neill & Company, Inc, 900 17th St., NW, #400 Washington, DC 20006	Islamic Republic of Pakistan
Do	Republic of Kenya
Lynda L. Nersesian, 1100 15th St., NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn
David B. Neumeyer, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center
Daniel E. Nickelson, 2000 L St., NW, #200 Washington, DC 20036	Cleveland Clinic Foundation
Edward M. Norton Jr., 1600 L St., NW, #812 Washington, DC 20036	Grand Canyon Trust
Dinah K. O'Berry, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security
O'Connor & Hannan, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	Government of Netherlands Antilles
Do	M.A.T.
Do	Mitchell Sweet & Associates
Do	National Assn of Private Enterprise of El Salvador
Do	U.S. League of Savings Institutions
J. Daniel O'Flaherty, 900 17th St., NW Washington, DC 20006	National Foreign Trade Coucnil
Ohrenstein & Brown, 655 Third Avenue, New York, NY 10017	Mutual Signal Corp
O'Neill and Athy, P.C., 1310 19th Street, NW Washington, DC 20036	Business Roundtable
Thomas P. Ochsenschlager, 1850 M St., NW, #300 Washington, DC 20036	Grant Thornton
James L. Osborne, 4th & Davis Streets P.O. Box 808 McMinnville, OR 97128	National Assn of Mutual Insurance Cos
Karl Ottosen, 1800 K St., NW, #622 Washington, DC 20006	NL Industries, Inc
Pagonis & Donnelly Group, 1620 I Street, NW, #603 Washington, DC 20006	National Woolgrowers Assn
Palumbo & Cerrell, Inc, 1629 K St., NW Washington, DC 20006	Contra Costa Building & Construction Trades Council
Ann M. Parman, 1015 15th St., NW, #1240 Washington, DC 20005	National Manufactured Housing Federation
Richard E. Pasco, 1015 15th St., NW, #402 Washington, DC 20005	National Pork Producers Council
Janet K. Patten, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron, Inc
Patton Boggs & Blow, 2550 M St., NW, #800 Washington, DC 20037	Alexander & Baldwin, Inc
Do	Association of Professional Flight Attendants

Organization or Individual Filing	Employer/Client
Do	Chemfix Technologies, Inc
Do	Cryolife, Inc
Do	Freedom to Advertise Coalition
Do	Mutual Benefit Life
Do	National Assn for Foreign Student Affairs
Do	Navajo Nation
Do	U.S.A. Coalition/Fishing Vessel Reflagging
Paul Weiss Rifkind Wharton & Garrison, 1615 L Street, NW, #1300 Washington, DC 20036	Pacific Assets Holdings, L.P.
Tommy J. Payne, 1875 Eye St., NW, #800 Washington, DC 20006	Tobacco Institute
Law Offices of Jack Pearce, 1000 Connecticut Ave., NW Suite 1200 Washington, DC 20006	C.H. Robinson
Do	
Do	Transportation Brokers Conference of America, Inc
Joseph M. Penot Sr., 444 North Capitol St., NW Washington, DC 20001	Radio Officers Union, Dist. #3, NMEBA, AFL-CIO
Perkinson & Associates, 453 New Jersey Ave., SE Washington, DC 20003	Beneficial Management Corp
Michael D. Philips, 1616 P St., NW Washington, DC 20036	Union of Concerned Scientists
Janet K. Phillips, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn, Inc
Dan Phythyon, 1771 N St., NW Washington, DC 20036	National Assn of Broadcasters
Jane Pinsky, 1101 14th St., NW, #200 Washington, DC 20005	American Nurses' Assn
Pirtle Morisset Schlosser & Ayer, 1500 Seattle Trust Tower 1000 Second Avenue Seattle, WA 98104	American Indian Business Development Consortium
Do	Navajo National Health Foundation, Inc
Plaintiff Employment Lawyers Assn, 911 Mercantile Library Bldg. 414 Walnut Street Cinncinnati, OH 45202	
Ronald L. Plesser, Blum Nash & Railsback 1133 15th St., NW, #1100 Washington, DC 20005	Information Industry Assn
Joseph L. Powell Jr., 1901 L Street, NW, #320 Washington, DC 20036	Ogilvy & Mather Public Affairs
Powell Goldstein Frazer & Murphy, 1110 Vermont Ave., NW, #1050 Washington, DC 20005	American Council on Education
Do	Chase Manhattan Bank, N.A.
Do	CORTECH
Do	Shea & Gardner
Prather Seeger Doolittle & Farmer, 1600 M Street, NW, 7th Floor Washington, DC 20036	John Hancock Mutual Life Insurance Co
David J. Pratt, 1025 Connecticut Ave., NW, #415 Washington, DC 20036	American Insurance Assn
Preston Thorgrimson Ellis & Holman, 1735 New York Avenue, NW, #500 Washington, DC 20006	Council on Research & Technology
Monroe E. Price, 225 W. 86th Street New York, NY 10024	Cook Inlet Region, Inc
Robert M. Purcell, 2940 16th St., #202-2 San Francisco, CA 94103	Neighbor-To-Neighbor Action Fund
Harold P. Quinn Jr., 1575 Eye Street, NW, #525 Washington, DC 20005	National Coal Assn
Radin & Associates, Inc, 1200 New Hampshire Ave., NW Washington, DC 20036	Arnold & Porter
Michael Rae, 2030 M St., NW Washington, DC 20036	Common Cause
John D. Raffaelli, Law Offices of John D. Raffaelli 499 South Capitol St., SW, #407 Washington, DC 20003	Lloyd's U.S. Corp
Brian Rasmussen, 1709 New York Ave., NW, #303 Washington, DC 20006	Blue Cross & Blue Shield Assn
Billye Lynn Ratliff, 1025 Connecticut Ave., NW Washington, DC 20036	Shell Oil Co
Craig Raupe, Campbell-Raupe, Inc 1015 15th Street, NW, #907 Washington, DC 20005	Stone & Webster Engineering Corp
Sharon Raymond, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn
Floyd C. Raynard, 6111 Peachtree Dunwoody Rd. Atlanta, GA 30328	Stellar Technology Enterprises, Inc
William D. Reese, P.O. Box 899 Salt Lake City, UT 84110	Utah Power & Light Co
Timothy J. Regan, 1455 Pennsylvania Ave., NW, #500 Washington, DC 20004	Corning Glass Works
John Regnier, 1025 Connecticut Ave., NW, #200 Washington, DC 20036	Shell Oil Co
David K. Rehr, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business
Reichler & Appelbaum, 888 17th St., NW, #1101 Washington, DC 20006	Republic of Guatemala
Reid & Priest, 1111 19th Street, NW Washington, DC 20036	Robert E. Derecktor of Rhode Island, Inc
Resource Technical Consultants (USA), Inc, D/B/A Tecna, 19th Floor 330 Seventh Avenue New York, NY 10001	
Warren S. Richardson, 325 Pennsylvania Ave., SE Washington, DC 20003	Washington Lobby Group, Inc
Wesley S. Richardson, P.O. Box #65 Washington Grove, MD 20880	Washington Lobby Group, Inc (For:Preston Corp)
Mary Catherine Riddle, 1700 K St., NW, #1200 Washington, DC 20006	Chevron USA, Inc
Rivkin Radler Dunne & Bayh, 1575 I Street, NW, #1025 Washington, DC 20005	Akin Gump... (Drexel Burnham Lambert, Inc)
Do	Business Coalition for RICO Reform
Do	Cranston Securities, Inc
Do	Energy Contractors Price-Anderson Group
Do	Lever Brothers Co, Inc
Robins Zelle Larson & Kaplan, 1627 Eye St., NW, #610 Washington, DC 20006	Cabot Corporation
Robison International, Inc, 2300 N St., NW, #600 Washington, DC 20037	Euromissile
Do	FMC Corporation
Do	Kaman Sciences Corp
Do	McDonnell Douglas Corp
Do	Royal Ordnance, Inc
Do	Systems Planning Corp
Antoinette K. Roche, 1050 Connecticut Ave., NW, #300 Washington, DC 20036	
Michael F. Rodgers, 1129 20th St., NW, #400 Washington, DC 20036	American Assn of Homes for the Aging
Rodriquez & Associates, 1325 18th Street, NW, #103 Washington, DC 20036	New York Foreign Freight Forwards & Brokers Assn
Rogers & Wells, 200 Park Avenue New York, NY 10166	Adamar of New Jersey, Inc, et al.
Wilfred J. Romero, 51 Madison Avenue New York, NY 10010	New York Life Insurance Company
William H. Rossi, 601 Indiana Ave., NW, #605 Washington, DC 20004	
Robert S. Royer, Royer & Shacknai 1747 Pennsylvania Ave., NW Washington, DC 20006	Drexel Burnham Lambert, Inc
Lois J. Rude, 1050 Connecticut Ave., NW, #200 Washington, DC 20036	Burlington Northern, Inc
Russo Watts & Rollins, 655 15th Street, NW, #250 Washington, DC 20005	Associated Financial Corp
Kermit W. Ryman, 1700 K St., NW, #1200 Washington, DC 20006	Chevron USA, Inc
RADAR, 4949 S 25A Tipp City, OH 45371	
RBC Associates, 324 Fourth Street, NE Washington, DC 20002	Regional Railroads of America
Safe Building Alliance, 655 15th St., NW, #1200 Washington, DC 20005	
Dean M. Sagar, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security
Felix R. Sanchez, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn
Myron G. Sandifer III, 1489 Chain Bridge Road, #200 McLean, VA 22101	Jack McDonald Co (For:Chase Manhattan Bank, N.A.)
Do	Jack McDonald Co (For:Hitachi Sales Corp of America)
Do	Jack McDonald Co (For:Societe Generale de Surveillance)
James D. Santini, Bible Santini Hoy Miller & Lrachok 1025 Thomas Jefferson St., NW, #700 Washington, DC 20007	Greens Creek Mining Co
Do	Ormat Systems, Inc
Do	Truckee-Carson Irrigation District
Michael T. Schilling, 1000 Wilson Blvd. Arlington, VA 22209	TRW, Inc
Richard M. Schmidt Jr., 1333 New Hampshire Ave., NW, #600 Washington, DC 20036	National Assn of Trade & Technical Schools
Ann M. Schonfield, 1759 Lamont St., NW Washington, DC 20010	Natural Resources Defense Council, Inc
Jill Schuker, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)
John Havens Scott, 1919 Pennsylvania Ave., NW, #300 Washington, DC 20006	American College of Surgeons
John J. Serfustini, P.O. Box 899 Salt Lake City, UT 84110	Utah Power & Light Co
Shea & Gardner, 1800 Massachusetts Avenue, NW Washington, DC 20036	Societe Generale de Surveillance
Shea & Gould, 1627 K St., NW, #1000 Washington, DC 20006	Group Health, Inc
Nancy Sherman, 1025 Connecticut Ave., NW Washington, DC 20036	Single Service Institute, Inc
Craig Shirley & Assoc., Inc, 919 Prince Street Alexandria, VA 22314	National Farmers' Federation of Australia
Lisa Shugar, 1200 17th St., NW Washington, DC 20036	American Psychological Assn
William A. Signer, 444 North Capitol St., NW, #711 Washington, DC 20001	Keefe Company (For:National 4&5 Bondholders)
Do	Keefe Company (For:New York City Council)
Do	Keefe Company (For:New York Hospital)
Stephan Silberfarb, 500 North Capitol St., NW, #300 Washington, DC 20001	American Israel Public Affairs Comm
Single Service Institute, Inc, 1025 Connecticut Ave., NW Washington, DC 20036	
Donna L. Singletary, 1730 North Lynn Street Arlington, VA 22209	Printing Industries of America, Inc
Richard L. Sinnott, One Thomas Circle, NW, #900 Washington, DC 20005	Dallas/Ft. Worth International Airport
Skadden Arps Slate Meagher & Flom, 919 18th Street, NW Washington, DC 20006	IBJ Schroder Bank & Trust Co
Do	Marine Midland Banks, Inc
Steven A. Skonberg, 1111 North 19th Street, #700 Arlington, VA 22209	National Assn of Federal Credit Unions
Jonathan Slade, 4849 Connecticut Ave., NW, #234 Washington, DC 20008	Cuban-American Freedom Coalition, Inc
Gordon L. Smith, 1201 Pennsylvania Ave., NW, #700 Washington, DC 20004	Hill & Knowlton (For:Societe Generale thru SGS North America, Inc)
Richard F. Smith, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron, Inc
Sara Hope Smith, 444 North Capitol St., NW, #718 Washington, DC 20001	Pacific Telesis Group
William A. Smith, 453 New Jersey Ave., SE Washington, DC 20003	Beneficial Management Corp
Gene Snyder, 140 Chenoweth Lane Louisville, KY 40207	Edison Electric Institute
Do	Pagonis & Donnelly Group
Do	U.S. Air Group

Organization or Individual Filing	Employer/Client
Space Industries, Inc, 711 W. Bay Area Blvd., #320 Webster, TX 77598-4001	
D. Dean Sparkman, 1707 L St., NW, #300 Washington, DC 20036-4202	United Airlines, Inc
Spriggs Bode & Hollingsworth, 1015 15th St., NW Washington, DC 20005	PetroJam, Ltd
Walter Stafford, 105 East 22nd Street New York, NY 10010	Community Service Society
Stakeholders in America, Trumble & Associates 750 Baker Building Minneapolis, MN 55402	
Jane Sutter Starke, 1818 N St., NW Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:Burlington Northern, Inc)
David Michael Staton, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.
Steptoe & Johnson, 1330 Connecticut Ave., NW Washington, DC 20036	American Express Co
Do	Bear Stearns & Co
Robert B. Stewart, 1050 17th St., NW, #700 Washington, DC 20036	National Ocean Industries Assn
Terence P. Stewart, Stewart and Stewart 1001 Connecticut Avenue, NW, #910 Washington, DC 20036	Monsanto Co
Do	PPG Industries, Inc
Do	Smith Corona Corp
Do	Timken Co
Warren E. Stickle, 2315 M St., NW Washington, DC 20036	Chemical Producers & Distributors Assn
R. Keith Stroup, Suite 500A, Box 69 100 Maryland Ave., NE Washington, DC 20002	League of Rural Voters Education Project, Inc
Do	League of Rural Voters, Inc
Cory N. Strupp, 23 Wall Street New York, NY 10015	Morgan Guaranty Trust Co
Susan Stuebing, 490 L'Enfant Plaza East, SW, #4200 Washington, DC 20024	Xerox Corp
Sutherland Asbill & Brennan, 1666 K Street, NW, #800 Washington, DC 20006	Baker Oil Tools, Inc
Joseph C. Swidler, 1000 Thomas Jefferson St., NW Washington, DC 20007	
Thomas N. Tate, 1725 DeSales St., NW Washington, DC 20036	Aerospace Industries Assn of America, Inc
Thacher Proffitt & Wood, Suite 512 1140 Connecticut Ave., NW Washington, DC 20036	Savings Bank Life Insurance Co
Do	Savings Bank Life Insurance Fund
Thompson Mann & Hutson, 1730 Pennsylvania Ave., NW, #1250 Washington, DC 20006	National Coalition to Defeat H.R.281/S.492
Tighe Curhan & Piliero, 1750 Pennsylvania Avenue, NW Washington, DC 20006	Mid Atlantic Toyota Distributors, Inc
Jeffrey B. Trammell, 1020 19th Street, NW Washington, DC 20036	Anderson Benjamin Read & Haney (For:Mutual of Omaha)
Trumble & Associates, 750 Baker Building 706 Second Ave. South Minneapolis, MN 55402	Energy Security Policy
Do	Stakeholders in America
Stephen Tull, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy
John M. Turner, 1875 Eye St., NW, #400 Washington, DC 20006	Georgia-Pacific Corp
Edward M. Urschel, 1424 16th St., NW, #701 Washington, DC 20036	Federation for American Immigration Reform
Carol Verby, 1390 Piccard Drive Rockville, MD 20850	CNA Insurance Co
Verner Liipfert Bernhard Mcpherson & Hand, Chtd, 1660 L Street, NW, #1000 Washington, DC 20036	Central Gulf
Do	Federated Dept Stores, Inc
Do	Investment Company Institute
Do	STV Engineers
Vinson & Elkins, 1455 Pennsylvania Ave., NW, #800 Washington, DC 20004-1007	Fidelity Management & Research Co
Ian D. Volner, 1333 New Hampshire Ave., NW, #600 Washington, DC 20036	National Assn of Trade & Technical Schools
Voluntary Hospitals of America, Inc, 1150 Connecticut Ave., NW, #800 Washington, DC 20036	
Frederick P. Waite, Cadwalader Wickersham & Taft 1333 New Hampshire Ave., NW Washington, DC 20036	American Wire Producers Assn
Susan Stephenson Walden, 1667 K St., NW, #410 Washington, DC 20006	Johnson & Johnson
Charls E. Walker Associates, Inc, 1730 Pennsylvania Ave., NW Washington, DC 20006	CBS Records Group
Do	First Texas Savings & Loan
Do	Quanex Corp
Do	Southern Company Services, Inc
Wallace & Edwards, 1150 Connecticut Ave., NW, #507 Washington, DC 20036	Amstar Corp
Kristi Wallin, 1730 K St., NW, #703 Washington, DC 20006	American Business Conference
Susan M. Walsh, 1725 De Sales St., NW Washington, DC 20036	Aerospace Industries Assn of America, Inc
Rita S. Walters, 1875 Eye St., NW, #800 Washington, DC 20006	Tobacco Institute
Washington Lobby Group, Inc, 325 Pennsylvania Ave., SE Washington, DC 20003	Preston Corp
Jack Watson, Dow Lohnes & Albertson 1255 Twenty-third St., NW Washington, DC 20037	Stanley Precision
Carl E. Watt Jr., 1745 Jefferson Davis Hwy, #1200 Arlington, VA 22202	Rockwell International Corp
Webster & Sheffield, 1200 New Hampshire Ave., NW, #350 Washington, DC 20036	Colorado SSC Project
Webster Chamberlain Bean & McKevitt, 1747 Pennsylvania Ave., NW, #1000 Washington, DC 20006	Kelly Assisted Living
Do	Kelly Services, Inc
Do	National Assn of Wholesaler-Distributors
Do	National Fed of Independent Business
Robert Weir, Dow Lohnes & Albertson 1255 Twenty-Third St., NW Washington, DC 20037	Stanley Precision
Bryant L. Welch, 1200 17th St., NW Washington, DC 20036	American Psychological Assn
Wellford Wegman & Hoff, 1775 Pennsylvania Ave., NW, #450 Washington, DC 20006	American Business Conference
Do	J&B Management Company
Do	National Independent Energy Producers
Carol Werner, 1525 New Hampshire Ave., NW Washington, DC 20036	Environmental Action
Wexler Reynolds Harrison & Schule, Inc, Suite 600 1317 F Street, NW Washington, DC 20004	Monarch Capitol Corp
Do	Springs Industries, Inc
Do	U.S. Air, Inc
Larry White, 1909 K St., NW Washington, DC 20049	American Assn of Retired Persons
Pamela J. Whitted, 1700 K St., NW, #502 Washington, DC 20006	Pacific Resources, Inc
Andrew F. Wiessner, Kogovsek & Associates 3600 S. Yosemite, #830 Denver, CO 80237	American Public Land Exchange Co
Do	Weyerhauser Company
Wilkinson Barker Knauer & Quinn, 1735 New York Ave., NW Washington, DC 20006	Apache Corporation
Do	Empire Blue Cross & Blue Shield
Do	Tobacco Institute
Robert P. Will, 955 L'enfant Plaza, SW, #1203 Washington, DC 20024	Kennedy Jenks & Chilton Engineers
Do	Transmission Agency of Northern California
Do	Westlands Water District
Faith Williams, 600 New Hampshire Ave., NW Washington, DC 20037	New York Life Insurance Company
Peter Williams, 2030 M St., NW Washington, DC 20036	Common Cause
Williams & Jensen, P.C., 1101 Connecticut Ave., NW, #500 Washington, DC 20036	Ken Norris
Wayne D. Willis, 1025 Connecticut Ave., NW, #704 Washington, DC 20036	GA Technologies, Inc
Wilmer Cutler & Pickering, 2445 M Street, NW Washington, DC 20037-1420	American Broadcasting Co, Inc
Do	American Textile Manufacturers Industries, Inc
Do	RMI Company
Craig S. Wilson, 4500 Vestal Parkway East Binghamton, NY 13903	New York State Electric & Gas Corp
John P. Winburn, Winburn Associates, Inc 453 New Jersey Ave., SE Washington, DC 20003	American Assn of Equipment Lessors
Do	American Automotive Leasing Assn
Do	American Financial Services Assn
Do	Beneficial Management Corp
Do	Burlington Northern, Inc
Do	Green Bay Packaging Co
Do	GEO Products
Do	Leggett & Platt
Do	McDonnell Douglas Corp
Do	McLouth Steel Products Corp
Do	National Assn of ASCS County Office Employees
Do	Pennzoil Co
Do	Quanex Corp
Do	Rosenberg Real Estate Equity Fund, Inc
Do	Ruan Transport Corp
Do	U.S. Air, Inc
Joseph B. Winkelmann, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	National Assn of the Remodeling Industry
Winstead Mcguire Sechrest & Minick, P.C., 1700 Mercantile Dallas Building Dallas, TX 75201	Real Estate Council
Winston & Strawn, 2550 M St., NW, #500 Washington, DC 20037	Emerson Radio Corp
Winthrop Stimson Putnam & Roberts, 1155 Connecticut Ave., NW, #1000 Washington, DC 20036	America West Airlines, Inc
Do	Bowater, Inc
Do	IBJ Schroder Bank & Trust Co
Do	National Vehicle Leasing Assn
Larry L. Withers, P.O. Box 202 Pierre, SD 57501-0202	
Dianne Witte, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy
Wunder Thelen & Forgotson, 1615 L St., NW, #720 Washington, DC 20036	Alliance of American Insurers
Do	BellSouth Corp
Do	Bohemia Lumber Co

Organization or Individual Filing	Employer/Client
Do	CBS, Inc
Do	Georgia-Pacific Corp
Do	Mortgage Guarantee Insurance Corp
Do	National Cable Television Assn, Inc
Do	Pennsylvania Higher Education Assistance Agency
Do	State of North Carolina
Do	U.S. Telephone Assn
Lucia Wyman, 1401 Elm St., #4100 Dallas, TX 75202	Cattle Resources, Inc
Do	Swift Independent Corp
Do	Valley View Energy Corp
Douglas K. Zabel, Suite 500A, Box 69 100 Maryland Ave., NE Washington, DC 20002	League of Rural Voters Education Project, Inc
Do	League of Rural Voters, Inc
Kathy Zebrowski, 1600 Eye St., NW Washington, DC 20006	Motion Picture Assn of America, Inc
Zuckert Scoutt Rasenberger & Johnson, 888 17th St., NW, #600 Washington, DC 20006-3959	National Comm of Cities & States for Airline Service

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following quarterly reports were submitted for the first calendar quarter 1987:

(NOTE.—The form used for reporting is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings. This page (Page 1) is designed to supply identifying data, and Page 2 deals with financial data.)

PLEASE RETURN 1 ORIGINAL TO: THE CLERK OF THE HOUSE OF REPRESENTATIVES, OFFICE OF RECORDS AND REGISTRATION, 1036 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515

PLEASE RETURN 1 ORIGINAL TO: THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19..... ◆

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

IDENTIFICATION NUMBER________________

Is this an Amendment?
☐ YES ☐ NO

NOTE on ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) *"Employee"*.—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) *"Employer"*.—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

☐ CHECK IF ADDRESS IS DIFFERENT THAN PREVIOUSLY REPORTED

NOTE on ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER—State name, address, and nature of business. If there is no employer, write "None."

NOTE on ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) description, (b) quantity distributed, (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and, if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly Report." ◆

STATEMENT OF VERIFICATION

[Omitted in printing]

NOTE on ITEM "D."—*(a)* IN GENERAL. The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—§ 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In general.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in connection with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multi-purpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In general.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the space following the number.

Receipts (other than loans)

1. $..............Dues and assessments
2. $..............Gifts of money or anything of value
3. $..............Printed or duplicated matter received as a gift
4. $..............Receipts from sale of printed or duplicated matter
5. $..............Received for services (e.g., salary, fee, etc.)
6. $..............TOTAL for this Quarter (Add "1" through "5")
7. $..............Received during previous Quarters of calendar year
8. $..............TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received—"The term 'contribution' includes a . . . *loan* . . ."—§ 302(a).

9. $..............TOTAL now owed to others on account of loans
10. $..............Borrowed from others during this Quarter
11. $..............Repaid to others during this Quarter

12. $..............."Expense Money" and Reimbursements received this Quarter.

Contributors of $500 or More (from Jan. 1 through this Quarter)

13. Have there been such contributors?
Please answer "yes" or "no": ....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last day of this Quarter, total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor* *("Period"* from Jan. 1 through.............................., 19.......)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE on ITEM "E".—*(a)* IN GENERAL. "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—§ 302 (b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) IN CONNECTION WITH LEGISLATIVE INTERESTS:

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the spaces following the number.

Expenditures (other than loans)

1. $..............Public relations and advertising services
2. $..............Wages, salaries, fees, commissions (other than Item "1")
3. $..............Gifts or contributions made during Quarter
4. $..............Printed or duplicated matter, including distribution cost
5. $..............Office overhead (rent, supplies, utilities, etc.)
6. $..............Telephone and telegraph
7. $..............Travel, food, lodging, and entertainment
8. $..............All other expenditures
9. $..............TOTAL for this Quarter (Add "1" through "8")
10. $..............Expended during previous Quarters of calendar year
11. $..............TOTAL from Jan. 1 through this Quarter (Add "9" and "10")

Loans Made to Others—"The term 'expenditure' includes a . . . *loan* . . ."—§ 302 (b).

12. $..............TOTAL now owed to person filing
13. $..............Lent to others during this Quarter
14. $..............Repayments received during this Quarter

15. *Recipients of Expenditures of $10 or More*__________

If there were no single expenditures of $10 or more, please so indicate by using the word "NONE".

In the case of expenditures made during this Quarter by, or on behalf of, the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Robert J. Aagre, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	140.00	19.00
Julie Abbot, 2030 M Street, NW Washington, DC 20036	Common Cause	6,345.05	1,191.16
Christian M. Abeel, 70 Pine Street, 39th Floor New York, NY 10270	American International Group, Inc		
Paul C. Abenante, 1111 14th St., NW, #300 Washington, DC 20005	American Bakers Assn	498.60	3.00
Burt J. Abrams, Milbank Tweed Hadley & McCloy One Chase Manhattan Plaza New York, NY 10005	Rockefeller Group, Inc		
Elaine Acevedo, 1601 Duke Street Alexandria, VA 22314	Society of American Florists	2,000.00	
Charles A. Acquard, 1400 K Street, NW, #500 Washington, DC 20005	Handgun Control, Inc.	3,845.63	
Action for Children's Television, 20 University Road Cambridge, MA 02138		17,395.00	
John J. Adams, 2000 Pennsylvania Ave., NW, #900 Washington, DC 20006	Ethyl Corporation		
Do	Vepco		
Sandra Lee Adamson, P.O. Box 44026 Washington, DC 20026	L/5 Society		
Hobson H. Adcock, 700 Anderson Hill Rd. Purchase, NY 10577	PepsiCo, Inc		
Adduci Dinan & Mastriani, 1575 Eye Street, NW, #300 Washington, DC 20005	Visaflor, S.A.		
Robert O. Aders, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	200.00	
Terrance M. Adlhock, 1111 19th St., NW, #303 Washington, DC 20036	Southern California Edison Co	2,000.00	1,500.00
Aerospace Industries Assn of America, Inc, 1725 Desales St., NW Washington, DC 20036		20,161.98	20,161.98
Agendas International, 820 Second Avenue, #1302 New York, NY 10017	Ministerio del Exterior, Republic of Nicaragua		
Robert S. Agman, 100 Indiana Ave., NW Washington, DC 20001	Labor Management Maritime Committee, Inc.	2,559.00	97.84
Creigh H. Agnew, 2001 L St., NW, #304 Washington, DC 20036	Weyerhaeuser Company		
David J. Aho, 1667 K Street, NW, #710 Washington, DC 20006	Baxter Travenol Laboratories, Inc	2,000.00	280.00
Robert S. Aiken, 1730 M St., NW, #607 Washington, DC 20036	Arizona Public Service Company	1,950.00	2,740.27
Herbert Allen Ailsworth, 1615 L Street, NW, #420 Washington, DC 20036	Sandoz Corp		31.00
Air Conditioning & Refrigeration Institute, 1501 Wilson Boulevard, #600 Arlington, VA 22209			
Air Products & Chemicals, Inc, 1730 Pennsylvania Ave., NW, #265 Washington, DC 20006			4,206.92
Air Traffic Control Assn, Inc, 2020 North 14th Street, #410 Arlington, VA 22201		2,408.85	2,408.85
Air Transport Assn of America, 1709 New York Ave., NW Washington, DC 20006		75,126.35	93,218.10
Randolf H. Aires, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Sears Roebuck & Co	4,200.00	
Michael A. Aisenberg, 1331 Pennsylvania Ave., NW, #600 Washington, DC 20004	Digital Equipment Corp	14,950.00	
Donna A. Akers, 1800 M Street, NW, #700 South Washington, DC 20036	Dow Chemical Co		4,875.00
Akin Gump Strauss Hauer & Feld, 1333 New Hampshire Ave., NW, #400 Washington, DC 20036	Ad Hoc Coalition to Prevent Employee Leasing Abuses		
Do	Amerada Hess Corporation	100.00	
Do	American Telephone & Telegraph Co	15,000.00	285.00
Do	Archer Daniels Midland Company		
Do	Bear Stearns		
Do	Beneficial Corporation		
Do	Celanese Corp	1,050.00	19.00
Do	City of Philadelphia	2,220.00	38.00
Do	Clark Enterprises, Inc		
Do	Coalition for Fair Capital Reimbursement	6,800.00	114.00
Do	Coalition of Service Industries, Inc		
Do	Commercial Metals Co	6,000.00	114.00
Do	Continental Airlines, Inc		
Do	Dallas Area Rapid Transit		
Do	Dash Trading Co		
Do	Drexel Burnham Lambert, Inc	80,000.00	1,520.00
Do	E & J Gallo Winery		
Do	Embassy of the People's Republic of China		
Do	First Texas Savings & Loan	1,100.00	19.00
Do	First Union Bank		
Do	Geico Corporation		
Do	General Motors Corp		
Do	General Space Corp		
Do	Goldman Sachs & Co		
Do	W. R. Grace & Co	300.00	
Do	Guardian Industries	200.00	
Do	Gulf & Western Industries, Inc	2,780.00	38.00
Do	GTE Corporation		
Do	Houston Oilers		
Do	International Assn of Auditorium Managers		
Do	Peter Kiewit Sons', Inc	3,750.00	57.00
Do	Levi Strauss & Co		
Do	Lone Star Steel Co		
Do	Marriott Corporation		
Do	Mesa Petroleum Co	13,300.00	247.00
Do	Metropolitan Transit Authority of Harris County	5,760.00	95.00
Do	Military Accessories Service Assn, Inc		
Do	Morgan Stanley & Co, Inc	5,000.00	95.00
Do	Motion Picture Assn of America, Inc	8,600.00	152.00
Do	Mt. Sinai Medical Center		
Do	Mutual Fairness Taxation Assn	650.00	
Do	National Football League		
Do	Nederlander Theatres		
Do	News America		
Do	Population Services International	3,475.00	57.00
Do	Prairie Producing Co		
Do	Purolator, Inc		
Do	Reebok International Ltd	45.00	
Do	Research Corporation		
Do	Ringling Bros Barnum & Bailey Combined Shows, Inc		
Do	RJR Nabisco, Inc		
Do	Sacramento Regional Transit District	3,585.00	57.00
Do	Southern California Edison Co	1,300.00	19.00
Do	St. Luke's Roosevelt Hospital Center		
Do	Texas Air Corp	520.00	
Do	W. B. Voss	1,200.00	19.00
Do	Wertheim & Co		
Do	Western Governors Policy Office		
Alaska Pulp Corp, P.O. Box 1050 Sitkau, AK 99835			2,700.00
James J. Albertine, 1575 Eye Street, NW Washington, DC 20005	American Soc of Assn Executives	300.00	
Donald C. Alexander, Cadwalader Wickersham & Taft 1333 New Hampshire Ave., NW Washington, DC 20036	Air Products & Chemicals, Inc		
Do	Air Transport Assn of America	13.75	
Do	American Financial Corp	13.75	
Do	ALIGNPAC	55.00	
Do	Bechtel Group, Inc		
Do	Disabled American Veterans	13.75	
Do	Eastern Air Lines, Inc		
Do	Family Life Insurance Co		
Do	Mortgage Guaranty Insurance Corp	55.00	
Do	PepsiCo, Inc		
Do	Scott Paper Co		
Do	Security Life of Denver	27.50	
Karen D. Alexander, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	195.30	
Richard F. Ali, Suite 808 1901 North Moore Street Arlington, VA 22209	National Assn of the Remodeling Industry	2,500.00	
John D. Allan, c/o Doh Lohnes & Albertson 1255 23rd St., NW Washington, DC 20037	Stelco, Inc		
Alexandra Allen, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	2,625.60	
William E. Allen, 1111 14th Street, NW Washington, DC 20005	American Dental Assn	1,000.00	501.91
Alliance for Acid Rain Control, 444 N. Capitol Street, #526 Washington, DC 20001			1,967.00
Alliance for Capital Access, 1919 Pennsylvania Ave., NW, #704 Washington, DC 20006		500,000.00	66,413.89
Alliance for Rail Competition, 1120 G St., NW, #800 Washington, DC 20005			
Alliance of American Insurers, 1501 Woodfield Road, #400 West Schaumburg, IL 60195			31,913.72
Alliance to Save Energy, 1925 K Street, NW, #206 Washington, DC 20006			6,264.93
Alltel Corporation, 100 Executive Parkway Hudson, OH 44236			4,110.00
Harvey Alter, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce	3,200.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Michael J. Altier, 1000 Connecticut Avenue, NW Washington, DC 20036	National Retail Merchants Assn	1,700.00	200.52
Thomas H. Altmeyer, 1130 17th St., NW Washington, DC 20036	Mining & Reclamation Council of America	4,900.00	180.10
Irwin P. Altschuler, Brownstein Zeidman & Schomer 1401 New York Ave., NW, #900 Washington, DC 20005	Camara de la Industria de Transformacion de Nuevo Leon		
Ricardo R. Alvarado, 1001 Pennsylvania Avenue, NW, #700 Washington, DC 20004	Allied-Signal Inc.	3,098.57	
Robert Alvarez, 218 D St., SE Washington, DC 20003	Environmental Policy Institute	872.25	
Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue, NW Washington, DC 20016			5,000.00
Amalgamated Transit Union, Natl Cap Div. 689, 2001 9th Street, NW, #300 Washington, DC 20001			
Robert P. Ambrose, 14615 Lone Oak Road Eden Prairie, MN 55344	Cooperative Power Association	4,000.00	43.54
American Academy of Family Physicians, 1740 West 92nd St. Kansas City, MO 64114		14,121.88	14,121.88
American Advertising Federation, 1400 K Street, NW, #1000 Washington, DC 20005			5,208.00
American Arts Alliance, 1319 F Street, NW, #307 Washington, DC 20004-1182		38,968.30	118,933.67
American Assn of Blood Banks, 1117 North 19th St., #600 Arlington, VA 22209		1,250.00	1,250.00
American Assn of Equipment Lessors, 1300 North 17th St., #1010 Arlington, VA 22209			
American Assn of Meat Processors, P.O. Box 269 Elizabethtown, PA 17022		840.88	762.81
American Assn of Museums, 1225 Eye Street, NW, #200 Washington, DC 20005		17,457.00	36,422.85
American Automobile Assn, 8111 Gatehouse Rd. Falls Church, VA 22047			
American Bankers Assn, 1120 Connecticut Avenue, NW Washington, DC 20036		120,998.11	120,998.11
American Camping Association, Bradford Woods Martinsville, IN 46151		6,916.68	6,897.46
American Cement Trade Alliance, Inc, 1331 Pennsylvania Ave., NW Washington, DC 20004			
American Council for Capital Formation, 1850 K Street, NW, #520 Washington, DC 20006		14,955.00	4,226.00
American Council of Life Insurance, Inc, 1850 K St., NW Washington, DC 20006		136,818.65	136,818.65
American Dental Assn, 211 E. Chicago Ave. Chicago, IL 60611		3,136.66	11,724.07
American Farm Bureau Federation, 225 Touhy Ave Park Ridge, IL 60068		124,682.00	124,682.00
American Fed of Labor & Congress of Industrial Organizations, 815 16th St., NW Washington, DC 20006			124,483.13
American Feed Industry Assn, 1701 N. Ft. Myer Dr. Arlington, VA 22209		3,240.00	3,240.00
American Financial Services Assn, 1101 14th St., NW Washington, DC 20005			500.00
American Frozen Food Institute, 1700 Old Meadow Rd., #100 Mclean, VA 22102		6,000.00	6,000.00
American Health Care Assn, 1200 15th Street, NW Washington, DC 20005		235,256.64	21,952.98
American Hellenic Institute Public Affairs Committee, Inc, 1730 K St., NW Washington, DC 20006			
American Honey Producers Assn, P.O. Box 368 Minco, OK 73059		14,955.25	7,109.43
American Hotel & Motel Assn, 888 Seventh Ave. New York, NY 10106		22,295.92	10,858.17
American Institute of Merchant Shipping, 1000 16th Street, NW, #511 Washington, DC 20036			2,522.96
American Insurance Assn, 1025 Connecticut Avenue, NW Washington, DC 20036		2,210.00	2,210.00
American Israel Public Affairs Comm, 500 N. Capitol St., NW, #300 Washington, DC 20001		80,414.00	124,580.63
American Land Title Assn, 1828 L St., NW, #705 Washington, DC 20036			2,225.00
American League for Exports & Security Assistance, Inc, 122 C St., NW, #740 Washington, DC 20001		149,600.00	9,024.09
American Library Assn, 50 E. Huron St. Chicago, IL 60611		8,883.39	12,522.21
American Logistics Association, 1133 15th Street, NW, #640 Washington, DC 20005			
American Malting Barley Assn, Inc, 735 North Water Street, #908 Milwaukee, WI 53202		19,480.17	1,716.33
American Meat Institute, P.O. Box 3556 Washington, DC 20007			6,500.00
American Medical Assn, 535 North Dearborn St. Chicago, IL 60610			65,170.03
American Medical Care & Review Assn, 5410 Grosvenor Lane, #210 Bethesda, MD 20814			
American Medical Peer Review Assn, 440 First Street, NW, #510 Washington, DC 20001			
American Movers Conference, 2200 Mill Road Alexandria, VA 22314			1,237.00
American Newspaper Publishers Assn, Box 17407 Dulles International Airport Washington, DC 20041		2,668.06	2,668.06
American Nurses' Assn, 2420 Pershing Rd Kansas City, MO 64108		34,256.41	34,256.41
American Optometric Assn, c/o Dr. John D. Tumblin 600 Maryland Avenue, SW, #400e Washington, DC 20024			
American Paper Institute, Inc, 260 Madison Ave. New York, NY 10016			6,175.00
American Petroleum Institute, 1220 L St., NW Washington, DC 20005		292,870.38	222,918.00
American Physical Therapy Assn, 1111 N. Fairfax St. Alexandria, VA 22314		4,548.75	4,548.75
American Podiatric Medical Assn, 20 Chevy Chase Circle Washington, DC 20015			29,993.35
American Postal Workers Union, AFL-CIO, 1300 L Street, NW Washington, DC 20005		84,800.38	91,230.84
American Public Transit Assn, 1225 Connecticut Ave., NW Washington, DC 20036		78,485.00	78,485.00
American Pulpwood Assn, 1025 Vermont Avenue, NW Washington, DC 20005			
American Retreaders' Assn, P.O. Box 17203 Louisville, KY 40217		1,000.00	1,000.00
American Seed Trade Assn, 1030 15th Street, NW, #964 Washington, DC 20005			14,804.03
American Short Line Railroad Assn, 2000 Massachusetts Ave., NW Washington, DC 20036			
American Soc for the Prevention of Cruelty to Animals, 441 E. 92nd Street New York, NY 10128			3,050.00
American Soc of Anesthesiologists, 1111 14th Street, NW, #501 Washington, DC 20005			102,162.82
American Soc of Hospital Pharmacists, 4630 Montgomery Avenue Bethesda, MD 20814			1,275.00
American Soybean Association, 600 Maryland Avenue, SW, #510 Washington, DC 20024		4,950.00	4,923.46
American Textile Machinery Assn, 7297 N. Lee Hwy. Falls Church, VA 22042		2,000.00	2,000.00
American Textile Manufacturers Institute, Inc, 1101 Connecticut Avenue, NW, #300 Washington, DC 20036		31,253.44	41,025.03
American Veterans of World War II, Korea & Vietnam (AMVETS), 4647 Forbes Boulevard Lanham, MD 20706		6,950.47	6,950.47
American Veterinary Medical Assn, 1522 K Street, NW, #828 Washington, DC 20005			
American Waterways Operators, Inc, 1600 Wilson Boulevard, #1000 Arlington, VA 22209		210,758.00	328.06
Americans for the National Voter Initiative Amendment, 3115 N St., NW Washington, DC 20007			
Americans for Immigration Control, Inc, P.O. Box 738 Monterey, VA 24465		7,740.45	7,740.45
Americans for Nonsmokers' Rights, 2054 University Ave., #500 Berkeley, CA 94704			605.00
Americans for Tax Reform, 2300 N Street, NW Washington, DC 20037			
David R. Amerine, Brownstein Zeidman & Schomer 1401 New York Ave., NW, #900 Washington, DC 20005	Camara de la Industria de Transformacion de Nuevo Leon		
Ameriserv, Inc, The Paragon Center 2400 East Commercial Blvd., #500 Fort Lauderdale, FL 33308			
Morris J. Amitay, P.C., 444 N. Capitol Street, NW, #712 Washington, DC 20001	Feather & Down Assn	5,000.00	
Do	Nathan Lewin (for 47th Street Photo)	7,500.00	
Do	Northrop Corp	3,000.00	
Do	Pan American World Airways, Inc	4,500.00	
Do	Thompson Medical	3,000.00	
Joel E. Amkraut, P.O. Box 2247 Santa Cruz, CA 95063	National Right to Mail Committee		
Jan S. Amundson, 1331 Pennsylvania Ave., #1500 N. Washington, DC 20005	National Assn of Manufacturers		
Christopher E. Anders, 1667 K Street, NW, #660 Washington, DC 20006	Marlowe & Co (For:Graphic Communications Int'l Union)	937.50	7.60
Edward Andersen, 1616 H St., NW Washington, DC 20006	National Grange	8,750.00	
Stephen O. Andersen, 2000 L Street, NW, #802 Washington, DC 20036	Consumer Energy Council of America		
Arne Anderson, 80 F St., NW Washington, DC 20001	American Fed of Government Employees	8,894.76	
Bette Anderson, 1020 19th Street, NW Washington, DC 20036	Anderson Benjamin Read & Haney (For:U.S. Banknote Corp)		
Byron Anderson, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	2,500.00	799.89
H. Kim Anderson, Virginia Petroleum Council 1001 E. Broad Street Richmond, VA 23219	American Petroleum Institute	600.00	666.04
J. Lem Anderson, 4111 Franconia Rd. Alexandria, VA 22310	Temple-Inland		
Steven C. Anderson, 1700 Old Meadow Rd. Mclean, VA 22102	American Frozen Food Institute	5,000.00	
William C. Anderson, 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		58.00
Anderson & Pendleton, 1000 Connecticut Avenue, NW, #707 Washington, DC 20036	Military Mission of Chile		
Lisa Andrews, 51 Louisiana Avenue, NW Washington, DC 20001	Acacia Mutual Life Insurance Co.		
Michael Andrews, 1455 Pennsylvania Ave., NW, #325 Washington, DC 20004	Salomon Brothers, Inc	875.00	30.00
Robert B. Andrews, 1100 Connecticut Avenue, NW, #620 Washington, DC 20036	Mobil Oil Corp	500.00	
William Robert Andrews, 1745 Jefferson Davis Highway, #1200 Arlington, VA 22202	Rockwell International Corp	3,600.00	402.79
Jack R. Angell, 1747 Pennsylvania Avenue, NW, #300 Washington, DC 20006	United Gas Pipe Line Co		
Anglo American Auto Auctions, Inc, 2 International Plaza Dr., #600 Nashville, TN 37217			
J. Donald Annett, 1050 17th St., NW, #500 Washington, DC 20036	Texaco, Inc	500.00	
Philip H. Anns, 1101 Vermont Avenue, NW, #405 Washington, DC 20005	A. H. Robins, Inc	1,600.00	477.11
Tobias Anthony, Federal Search 7708 Huntmaster Lane McLean, VA 22102	American Coal Ash Association, Inc		
Apartment & Office Building Assn, 1413 K Street, NW, #600 Washington, DC 20005			
Paul W. Arcari, 201 N. Washington Street Alexandria, VA 22314	Retired Officers Assn	2,216.00	
John Archer, 8111 Gatehouse Rd. Falls Church, VA 22047	American Automobile Assn		
R. M. Julie Archuleta, 1747 Pennsylvania Avenue, NW, 3rd Fl. Washington, DC 20006	Occidental Chemical Corp	852.00	455.01
Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Ave., NW Washington, DC 20036-5339	All Industry Television Station Music License Committee		107.98
Do	Ameritech		145.30
Do	Artery Corp		
Do	Breed Corporation		
Do	Central States SE & SW Areas Health Welfare & Pension Funds	138,749.70	974.56
Do	ConAgra	56.00	
Do	Stephen Goldberg		10.00
Do	Guardian Life Insurance Co of America	10,994.72	421.33
Do	Motor and Equipment Manufacturers Association		
Do	Real Estate Dynamics, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Schoenke & Koenig		
Do	Toshiba America, Inc	19,237.88	579.04
Do	Toyota Motor Corporation	374.08	
Arkansas Assn of Bank Holding Companies, 103 W. Capitol Little Rock, AR 72201			
Olin F. Armentrout, 1448 Duke Street Alexandria, VA 22314	National Rural Letter Carriers Assn	18,518.00	
John A. Armstrong, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc	77.50	450.25
Paul Arneson, 1701 Pennsylvania Ave., NW, #940 Washington, DC 20006	National Assn of Water Cos		
Carl F. Arnold, 617 Rivercrest Drive McLean, VA 22101	American Iron & Steel Institute	1,100.00	
Do	Corporate Property Investors	2,083.00	
Do	Quintana Petroleum Corp	1,000.00	
Arnold & Porter, 1200 New Hampshire Ave., NW Washington, DC 20036	Amok, Ltd, et al		
Do	Canadian Forest Industries Council	150.00	26.00
Do	Canadian Meat Council		26.90
Do	Fluor Corporation		
Do	International Telecommunications & Satelite Organizations		
Do	National Coordinating Comm for Multiemployer Plans	15,312.00	498.96
Do	Sacramento Municipal Utility District	130.50	16.40
Nan Aron, 600 New Jersey Avenue, NW Washington, DC 20001	Alliance for Justice	25.00	
Joseph Ashooh, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Nicholas J. Ashooh, 1000 Elm Street P.O. Box 330 Manchester, NH 03105	Public Service Co of New Hampshire	800.00	1,344.91
Asian Pacific Economic Educational Cultural Organization, P.O. Box 891 Manila, Philippine			
Asphalt Roofing Manufacturers Association, 6288 Montrose Road Rockville, MD 20852			
Associated Credit Bureaus, Inc, P.O. Box 218300 16211 Park 10 Place Houston, TX 77084		1,500.00	
Associated General Contractors of America, 1957 E St., NW Washington, DC 20006			
Association of American Law Schools, One Dupont Circle, NW, #370 Washington, DC 20036			
Association of American Publishers, 2005 Massachusetts Ave., NW Washington, DC 20036		7,750.34	7,750.34
Association of American Railroads, American Railroads Building 50 F Street, NW Washington, DC 20001		82,512.68	82,512.68
Association of American Veterinary Medical Colleges, 1522 K Street, NW, #834 Washington, DC 20005			
Association of Government Accountants, 727 South 23rd Street, #100 Arlington, VA 22202			
Association of Junior Leagues, Inc, 825 Third Avenue New York, NY 10022		15,000.00	4,140.00
Association of Maximum Service Telecasters, Inc, 1730 M St., NW, #713 Washington, DC 20036			430.00
Association of Trial Lawyers of America, 1050 31st St., NW Washington, DC 20007		9,524.00	9,524.00
Association of Urban Universities, 1225 Connecticut Ave., NW, #300 Washington, DC 20036			632.21
George J. Aste, 1707 L St., NW, #300 Washington, DC 20036-4202	United Airlines, Inc	500.00	
Atlantic Richfield Co, 515 South Flower Street Los Angeles, CA 90071			999.73
Fritz E. Attaway, 1600 Eye St., NW Washington, DC 20006	Motion Picture Assn of America, Inc		
John J. Auciello, P.O. Box 269 Elizabethtown, PA 17022	American Assn of Meat Processors		
Audio Recording Rights Coalition, P.O. Box 33705 1145 19th Street, NW Washington, DC 20033			1,000.00
Kenneth E. Auer, 50 F Street, NW, #900 Washington, DC 20001	Farm Credit Council		
Claire H. Austin, 214 Massachusetts Ave, NE, #350 Washington, DC 20002	Russell Corporation	4,000.00	125.00
Richard E. Austin, 2550 M Street, NW, #770 Washington, DC 20037	RJR Nabisco, Inc	702.00	411.05
Automotive Parts Rebuilders Assn, 6849 Old Dominion Drive Mclean, VA 22101			
John S. Autry, 2000 L Street, NW, #810 Washington, DC 20036	Unisys Corp	2,500.00	2,000.00
William H Axtman, 950 N. Glebe Rd., Rm. 160 Arlington, VA 22203	American Boiler Manufacturers Assn, Inc		2,932.00
Merribel Symington Ayres, Suite 540 1875 Eye Street, NW Washington, DC 20006	Champion International Corp		
ADAPSO, 1300 North 17th St., #300 Arlington, VA 22209			1,100.00
AFL-CIO Maritime Committee, 100 Indiana Ave., NW Washington, DC 20001		5,645.00	5,104.24
Dale R. Babione, 1700 N. Moore St. Rosslyn, VA 22209	Boeing Company	2,366.00	
Richard Anthony Baenen, 1735 New York Avenue, NW, #600 Washington, DC 20006	NANA Regional Corp, Inc		
Do	People's Republic of Angola		
Do	Shee Atika, Inc		
William T. Bagatelas, 1730 K Street, NW, #319 Washington, DC 20006	American Hellenic Institute Public Affairs Committee, Inc		
Carl E. Bagge, Coal Building Washington, DC 20036	National Coal Assn	3,310.00	1,499.08
Joan N. Baggett, 815 15th St., NW Washington, DC 20005	International Union of Bricklayers & Allied Craftsmen	5,000.00	226.00
Brent A. Baglien, 725 15th Street, NW Washington, DC 20005	National Grain & Feed Assn		
George F. Bailey Jr., P.O. Box 21 Montgomery, AL 36101	CSX Transportation		
James Michael Bailey, 910 17th St., NW, #210 Washington, DC 20006	Association of U.S. Night Vision Manufacturers		
John P. Bailey, 625 Slaters Lane, #200 Alexandria, VA 22314	National Assn of Medical Equipment Suppliers	7,000.00	601.13
Paul C. Bailey Jr., 1101 17th Street, NW, #405 Washington, DC 20036	Southern Company Services, Inc	846.25	1,925.29
Judith L. Baird, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	150.00	
John Baize, Capitol Gallery Bldg., #510 600 Maryland Avenue, SW Washington, DC 20024	American Soybean Association	1,088.75	163.50
Edward R. Bajer, 1015 15th St., NW, #802 Washington, DC 20005	American Consulting Engineers Council	400.00	
Emil F. Baker, 1303 New Hampshire Ave., NW Washington, DC 20036	Fleet Reserve Assn		
Gerald E. Baker, 1625 Massachusetts Avenue, NW Washington, DC 20036	Air Line Pilots Assn	6,000.00	420.00
James Jay Baker, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	1,206.25	88.86
Quinter S. Baker, P.O. Box 24 New Geneva, PA 15467	Friendship Hill Assn		
Baker & Botts, 1701 Pennsylvania Ave., NW Washington, DC 20006	Gerald D. Hines Interests		
Do	Natural Resource Management Corp		
Baker Worthington Crossley Stansberry & Woolf, P.O. Box 2866 Nashville, TN 37219	Conwood Corporation		
S. Eason Balch, P.O. Box 306 Birmingham, AL 35201	Balch & Bingham (For:Southern Company Services, Inc)		
H. R. Balikov, 333 Thornall St. Edison, NJ 08818	J. M. Huber Corp		
Ballard Spahr Andrews & Ingersoll, 555 13th St., NW, #900 East Washington, DC 20004	Arthur Andersen & Co		
Do	U.S. Committee for UNICEF		
Debra T. Ballen, 1025 Connecticut Avenue, NW, #415 Washington, DC 20036	American Insurance Assn		
Thomas M. Balmer, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
Philip A. Bangert, 1010 Wisconsin Avenue, NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Charles E. Bangert, P.C., 1825 Eye Street, NW, #300 Washington, DC 20006	Business Roundtable	2,145.00	
Bank of Boston Corporation, 100 Federal St. Boston, MA 02110			
Bank Capital Markets Assn, National Press Building, 2nd Fl. Washington, DC 20045			
James T. Banks, 1155 Connecticut Avenue, NW, #800 Washington, DC 20036	Waste Management, Inc	5,000.00	
Samuel J. Baptista, 1101 14th St., NW Washington, DC 20005	American Financial Services Assn	250.00	
E. W. Baragar, 1700 North Moore St., 20th Fl. Rosslyn, VA 22209	Boeing Company	1,550.00	832.88
Robert O. Barker, 4000 Town Center, #540 Southfield, MI 48075-1406	National Assn of Manufacturers	1,500.00	47.00
William J. Barnds, 1000 Connecticut Avenue, NW Washington, DC 20036	Japan Economic Institute of America	500.00	
Barnes Richardson & Colburn, 1819 H St., NW, #400 Washington, DC 20006	Heidilberg Eastern, Inc		75.07
Do	Rukert Marine Corp		
Do	Stratton Hats, Inc		20.90
Do	Texas Citrus and Vegetable Import Association	4,395.00	115.27
Larry P. Barnett, 1709 New York Ave., NW Washington, DC 20006	Air Transport Assn of America	11,342.16	14,299.59
Barnett & Alagia, 250 South County Rd. Palm Beach, FL 33480	Cuban American Freedom Coalition, Inc		
Do	Dairymen, Inc	10,780.00	1,636.06
Barnett Sivon Schott & Shay, P.C., 1090 Vermont Ave., NW, #810 Washington, DC 20005	Citibank, N.A.	2,713.00	71.00
Neil D. Baron, Booth & Baron 122 East 42nd Street, #1507 New York, NY 10168	Standard & Poor's Corporation		
James C. Barr, 1840 Wilson Blvd Arlington, VA 22201	National Milk Producers Federation	3,300.00	223.78
Terry N. Barr, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
David M. Barrett, Barrett Hanna Daily & Gaspar 2555 M Street, NW, #100 Washington, DC 20037	Allied Tube & Conduit Corp		
Do	Energy Consumers & Producers Assn		
Robert W. Barrie, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	2,000.00	
Roger V. Barth, 1735 Eye St., NW, #715 Washington, DC 20006	American Assn for Clinical Chemistry Inc		
Linda L. Bartlett, 1100 17th Street, NW, #601 Washington, DC 20036	Kraft, Inc	750.00	
James E. Bartley, 1090 Vermont Avenue, NW, #410 Washington, DC 20005	National Industrial Transportation League	7,000.00	56.70
Mark A. Bartner, 100 Maryland Avenue, NE Washington, DC 20002	Religious Coalition for Abortion Rights, Inc	5,875.02	21.60
Robin Bass-Garnto, 1222 N. Road Street, #2 Elizabeth City, NC 27909	Nansemond Indian Tribe		
Diane Bateman, 1015 18th Street, NW Washington, DC 20036	Fertilizer Institute	9,000.00	1,298.48
Douglas P. Bates, 1615 L Street, NW, #1350 Washington, DC 20036	Business Roundtable	200.00	240.00
Robert E. Bates Jr., 1100 Connecticut Ave, NW Washington, DC 20036	Mobil Oil Corp	1,125.00	
Catharine R. Batky, 1050 Connecticut Avenue, NW Washington, DC 20036	Burlington Northern, Inc	750.00	542.39
Davis M. Batson, 1155 15th Street, NW, #611 Washington, DC 20005	Ethyl Corporation	700.00	
Laurie C. Battle, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	2,275.00	
John F. Battles, Massachusetts Petroleum Council 11 Beacon St., #515 Boston, MA 02108	American Petroleum Institute	3,000.00	1,029.98
John L. Bauer Jr., 1667 K St., NW, #650 Washington, DC 20006	Armco, Inc	2,200.00	535.90
Barbara Bauman, 1990 M Street, NW, #480 Washington, DC 20036	Detroit Edison Company	450.00	25.00
Barry H. Bauman, 1615 H St., NW Washington, DC 20062	U.S. Chamber of Commerce	1,600.00	461.50

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Ann F. Bavaria, 35 North Sixth Street Reading, PA 19601	Meridian Bancorp, Inc		
James R. Baxter, 1101 15th St., NW, #1040 Washington, DC 20005	National Construction Employers Council		
Tina Marts Beach, 1331 Pennsylvania Avenue, NW, #700 Washington, DC 20004	General Electric Co	372.00	
Bruce A. Beam, 1667 K St., NW, #450 Washington, DC 20006	American Electric Power Service Corp	335.50	470.24
Donald S. Beattie, 400 First St., NW #804 Washington, DC 20001	Railway Labor Executives' Assn	3,017.40	
Hubert Beatty, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Laura L. Beaty, 806 N. Jefferson St. Arlington, VA 22205	National Parks & Conservation Assn		
Orren Beaty Jr., Magruder Building 1625 M St., NW Washington, DC 20036	Western Fuels Association, Inc	7,507.50	576.62
Gerald F. Beavan, 190 Highland Drive Centerville, MA 02632	Capital Holding Corp	17,500.00	14,089.81
Edward A. Beck III, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	7,583.33	7,583.33
Daniel F. Becker, 1525 New Hampshire Ave., NW Washington, DC 20036	Environmental Action, Inc	860.00	
Steven M. Beckman, 1757 N Street, NW Washington, DC 20036	Int'l Union, United Auto Aerospace & Agric Implement Workers	6,315.20	15.00
William W. Beddow, 1101 15th St., NW, #1000 Washington, DC 20005	National Constructors Association	1,750.00	
Howard Bedlin, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	461.54	401.85
Jon Charles Bednerik, 11 Embarcadero West, #202 Oakland, CA 94607	Western Independent Bankers		
Louis Beer, 1000 Thomas Jefferson St., NW, #600 Washington, DC 20007	M.A.N. Truck & Bus Corp		
Robert M. Beers, 2101 E Street, NW Washington, DC 20037	American Foreign Service Assn	4,140.00	192.00
William A. Behan, 1700 N. Moore St., #820 Rosslyn, VA 22209	Magnavox Government & Industrial Electronics Co	3,500.00	
Edwin L. Behrens, 801 18th Street, NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co		
James Beizer, 1920 N St., NW Washington, DC 20036	American Mining Congress		
Donald K. Belch, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Stelco, Inc	812.50	487.04
Joe Belew, 1300 N. 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn		
M. Wendell Belew Jr., 499 South Capitol St., SW, #407 Washington, DC 20003	American Electronics Laboratories, Inc		
Do	Crowley Maritime Corp		
Do	Griffin Corp		
Do	Long Lake Energy Corp		
Do	Massachusetts Mutual Life Insurance Co		
Denise Bell, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	445.21
Diane L. Bell, 2626 Pennsylvania Ave., NW Washington, DC 20037	National Telephone Cooperative Assn	1,875.00	248.96
Howard H. Bell, 1400 K St., NW, #1000 Washington, DC 20036	American Advertising Federation		
Matt Langley Bell III, P.O. Box 1312 Pensacola, FL 32596			
Stephen E. Bell, 1455 Pennsylvania Ave., NW, #325 Washington, DC 20004	Salomon Brothers, Inc	1,000.00	
Winston Everett Bell, P.O. Box 26543 Las Vegas, NV 89126			
Mary K. Bellamy, 1600 M St., NW Washington, DC 20036	Investment Company Institute		
James P. Bellis, 1629 K St., NW, #1100 Washington, DC 20006	Palumbo & Cerrell, Inc (For:American Soc of Composers Authors & Publishers)	9,600.00	
Do	Palumbo & Cerrell, Inc (For:European Community)	9,600.00	
Do	Palumbo & Cerrell, Inc (For:NutraSweet Co)		
Do	Palumbo & Cerrell, Inc (For:Southern California Rapid Transit District)	9,600.00	
Bruce Benefield, 1000 Wilson Blvd., #2600 Arlington, VA 22209	TRW, Inc	330.00	
Benner Burnett & Coleman, 1401 New York Avenue, NW, #740 Washington, DC 20005	Messerschmitt Bolkow-Blohm Gmbh, et al.	1,185.00	
Do	Omninet Corporation		
Do	Schnitzer Steel Products Co		
Beverly L. Bennett, 1001 Pennsylvania Ave., NW Washington, DC 20006	American Council of Life Insurance, Inc	2,500.00	
David E. Bennett, 740 Hillgrove Avenue Western Springs, IL 60558	West Central Municipal Conference		
Douglas P. Bennett, 3236 Prospect Street, NW Washington, DC 20007	Association of Executive Search Consultants, Inc		
Do	Corning Associates		
John C. Bennison, 4400 Macarthur Blvd., NW Washington, DC 20007	American Soc of Travel Agents	8,500.00	
Benoit Smith & Laughlin, 2001 Jefferson Davis Highway, #501 Arlington, VA 22202	Econopure		
Do	Hughes Aircraft Company		
Frederick S. Benson III, 2001 L Street, NW, #304 Washington, DC 20036	Weyerhaeuser Company		
Tom Benson, 501 Union Street, #506 Nashville, TN 37219	CSX Transportation		
James E. Benton, N. J. Petroleum Council 150 W. State Street Trenton, NJ 08608	American Petroleum Institute		
Diana Berardocco, 1660 L Street, NW, #915 Washington, DC 20036	Avon Products, Inc		
George L. Berg Jr., 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,813.00	62.09
Rebecca J. Berg, 900 17th Street, NW, #1100 Washington, DC 20006	Sea-Land Corporation	450.00	
Richard Scott Berg, 1250 Connecticut Avenue, NW, #210 Washington, DC 20036	National Forest Products Assn		
Bob Bergland, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	540.00	78.22
Edwin M. Bergsmark, Three Seagate Toledo, OH 43603	Toledo Trust Company	75.00	
Paul C. Bergson, 2550 M St., NW, #770 Washington, DC 20037	RJR Nabisco, Inc	3,000.00	
Jane W. Bergwin, 1050 17th Street, NW, #490 Washington, DC 20036	Consumers Power Co	3,448.00	1,266.00
Peter A. A. Berle, 950 Third Avenue New York, NY 10022	National Audubon Society	1,000.00	93.00
Berliner & Maloney, 1101 17th Street, NW, #1004 Washington, DC 20036-4798	Embassy of Belize	1,100.00	70.15
Do	Government of Barbados, Ministry of Finance & Planning	32,712.95	569.78
Carol Lee Berlinsky, 1001 Prince Street Alexandria, VA 22314	John R. Zagame Assoc, Inc (For:City University of New York)	3,000.00	50.27
Do	John R. Zagame Associates, Inc (For:National Music Publishers Assn, Inc)	6,000.00	136.10
Debra Berlyn, 1400 K St., NW, #500 Washington, DC 20005	Handgun Control, Inc	4,307.69	
Ellen Berman, 2000 L St., NW, #802 Washington, DC 20036	Consumer Energy Council of America		
Jason S. Berman, 1020 19th St., NW, #200 Washington, DC 20036	Recording Industry Assn of America, Inc	46,425.00	46,425.00
Jay Harris Berman, 400 N. Washington St. Alexandria, VA 22314	National Assn of Professional Insurance Agents		
William R. Berman, 8111 Gatehouse Rd. Falls Church, VA 22047	American Automobile Assn		
Berman Bergner & Boyette, 1016 16th Street, NW, #700 Washington, DC 20036	Blaw Knox	2,500.00	2,131.21
Do	China External Trade Development Council	2,000.00	1,236.00
Do	First Atlantic Investment Corp	1,500.00	1,101.17
Do	Flo-Sun Land Corp	2,000.00	1,901.17
Do	Kasnar Imports, Inc	300.00	885.00
Do	Malone and Hyde		
Do	Natural Gas Supply Assn	3,000.00	2,603.32
Do	Okeelanta Corp	1,700.00	2,936.86
Do	Republic of Korea	2,000.00	1,233.40
Do	Salomon Brothers, Inc	2,700.00	2,618.29
Robert P. Bermingham, 1050 Connecticut Avenue, NW, #760 Washington, DC 20036	Union Oil Co of California	6,000.00	853.69
Mary E. Bernhard, 1090 Vermont Avenue, NW, #500 Washington, DC 20005	Flexible Packaging Association		
Charles Bernhardt, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
Donald C. Berno, 1615 H St., NW Washington, DC 20062	U.S. Chamber of Commerce	7,500.00	
Craig A. Berrington, 1025 Connecticut Ave., NW, #415 Washington, DC 20036	American Insurance Assn		
Max N. Berry, 3213 O St., NW Washington, DC 20007	American Importers Meat Products Group		
Do	Centre National Interprofessionnel de L'Economic Laitiere		
Do	Committee to Assure the Availability of Casein		804.21
Do	Federation des Exportateurs de Vins & Spiritueux de France		
Willard M. Berry, 900 17th Street, NW, #514 Washington, DC 20006	National Foreign Trade Council, Inc	5,000.00	1,100.00
Eve Berton, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
John F. Betar, 730 15th Street, NW Washington, DC 20005	Association of Bank Holding Cos	1,100.00	65.00
Better Working Environments, Inc, 3716 Scripps Way Las Vegas, NV 89103			
Robert Betz, 1010 Vermont Avenue, NW, #1116 Washington, DC 20005	Robert Betz Associates, Inc (For:Alabama Hospital Association)	5,250.00	344.35
Beveridge & Diamond, P.C., 1333 New Hampshire Ave, NW Washington, DC 20036	Metal Box America, Inc		
Do	Town of Oyster Bay Industrial Development Agency	600.00	600.00
Beverly Enterprises, Inc, 1901 N. Fort Myer Drive, #302 Rosslyn, VA 22209			25,259.75
Cheryl Beversdorf, 1919 Pennsylvania Ave., NW, #300 Washington, DC 20036	American College of Surgeons		774.42
Joan T. Bier, 1726 M Street, NW, #701 Washington, DC 20036	International Minerals & Chemical Corp		
James N. Bierman, 1775 Pennsylvania Ave., NW Washington, DC 20006-4680	Foley & Lardner (For:City of Kenosha, Wisconsin)		
Do	Foley & Lardner (For:Kohlberg Kravis Roberts & Co)		
Moe Biller, 1300 L St., NW Washington, DC 20005	American Postal Workers Union, AFL-CIO	14,886.24	
Leon G. Billings, Inc, 1660 L St., NW, #809 Washington, DC 20036	Coalition for Scenic Beauty	3,888.50	
Bingham Dana & Gould, 1724 Massachusetts Avenue, NW Washington, DC 20036	Disabled American Veterans		19.70
Vitina Biondo, 1129 20th Street, NW, #400 Washington, DC 20036	American Assn of Homes for the Aging		
Birch Horton Bittner Pestinger & Anderson, 12th Floor 1155 Connecticut Ave., NW Washington, DC 20036	Alascom, Inc		
Do	Alaska Power Authority		
Do	Alaska Teamsters-Employer Pension Trust		
Do	Alaska Teamsters-Employer Welfare Trust		
Do	Amerada Hess Corp		
Do	Calista Corp		
Do	City of St. George		
Do	CP National Corp		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	First Federal Bank of Alaska, S.B.		
Do	North Slope Borough		
Do	Sealaska Corp		
Do	St. George Tanaq Corp		
Do	Tanadgusix Corporation		
Do	Teamsters Local 959		
Do	Westinghouse Electric Corp		
Do	Yukon Pacific Corp		
Robert J. Bird, 888 16th St., NW Washington, DC 20006	General Mills, Inc		
Charles O. Bishop Jr., 1225 Connecticut Ave., NW Washington, DC 20036	American Public Transit Assn	6,650.00	362.00
Dennis A. Bitz, 999 Meredith Court Sonoma, CA 95476	Bechtel Power Corporation		
Gerrie Bjornson, 1825 Eye Street, NW, #400 Washington, DC 20006	B.F. Goodrich Co	100.00	
Black Manafort Stone & Kelly, P.C., 211 North Union Street, 3rd Floor Alexandria, VA 22314	Allied Signal Companies	22,500.00	293.31
Do	Bethlehem Steel Corp	22,500.00	231.62
Do	Chicago RTA	9,000.00	119.29
Do	Diamond Star Corp	30,000.00	208.23
Do	Johnson & Johnson	30,000.00	243.24
Do	Kaman Aerospace Corp	45,000.00	796.17
Do	Tobacco Institute	22,500.00	527.61
Do	Trans World Airlines, Inc	18,000.00	
Do	U.N.I.T.A.	75,000.00	779.67
Do	Union Pacific Corp	22,500.00	133.12
Robert J. Blackwell, One Thomas Circle, NW, #900 Washington, DC 20005	Enserch Corporation	3,038.00	1,156.00
Bev D. Blackwood, 1899 L Street, NW, #1100 Washington, DC 20036	Exxon Corporation		
Bowen Blair Jr., 519 S.W. Third Ave., #810 Portland, OR 97204	Friends of the Columbia Gorge		
David A. Blair, 5205 Leesburg Pike, #505 Falls Church, VA 22041	National Beer Wholesalers Assn	2,324.00	75.00
Neal B. Blair, Suite J 11244 Waples Mill Rd. Fairfax, VA 22030	Free the Eagle, et al.	17,939.97	
Richard R. Blake Jr., 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
Helen Blank, 122 C Street, NW Washington, DC 20001	Children's Defense Fund	2,039.78	
Kenneth T. Blaylock, 80 F St., NW Washington, DC 20001	American Fed of Government Employees	18,729.06	5,593.48
Beatrice K. Bleicher, 1700 K Street, NW, #1107 Washington, DC 20006	Owens-Illinois, Inc	2,000.00	100.00
Jerald Blizin, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc		
John R. Block, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	3,000.00	
L. Thomas Block, One Wall Street New York, NY 10015	Irving Trust Co	5,000.00	900.00
Peter L. Blocklin, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	3,000.00	
Holton E. Blomgren, 1015 15th Street, NW, #1220 Washington, DC 20005	National Manufactured Housing Federation		
Douglas M. Bloomfield, 500 N. Capitol St., NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	19,591.64	1,073.37
Mark Bloomfield, 1850 K St., NW, #400 Washington, DC 20006	American Council for Capital Formation		
Shirley A. Bloomfield, 2626 Pennsylvania Ave., NW Washington, DC 20037	National Telephone Cooperative Assn	1,875.00	520.16
Vera Steiner Blore, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	300.00	5.00
John B. Blount Jr., 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	525.35
Jared O. Blum, 1776 K St., NW, #600 Washington, DC 20006	Direct Selling Association		
Robert A. Blum, 600 Montgomery Street San Francisco, CA 94111	Orrick Herrington & Sutcliffe (For:Permanente Medical Group, Inc)		
Charles R. Blumenfeld, Bogle & Gates 2100 Bank of California Center Seattle, WA 98164	Coalition of Independent Timber Growers		
Do	Pacific Seafood Processors Assn		
Patti Blumer, 1667 K Street, NW, #430 Washington, DC 20007	American Dietetic Assn		
Wayne F. Boan, 8605 E. 75th Street Tulsa, OK 74133	Employers Council on Flexible Compensation	200.00	
William J. Boarman, 1925 K Street, NW Washington, DC 20006	Communications Workers of America		
Boat Owners Assn of the U.S., 880 S. Pickett St. Alexandria, VA 22304		60,000.00	60,000.00
Karen Bodenhorn, 1522 K Street, NW, #1120 Washington, DC 20005	American College of Nurse-Midwives		
Seth M. Bodner, 386 Park Avenue South New York, NY 10016	National Knitwear & Sportswear Assn	1,312.50	
Larry A. Boggs, 1920 N St., NW Washington, DC 20036	American Mining Congress		
Timothy A. Boggs, 1133 21st Street, NW, #400 Washington, DC 20036	Warner Communications, Inc	16,000.00	11,716.06
Bogle and Gates, One Thomas Circle, NW, #900 Washington, DC 20005	Alaskan Factory Trawlers Assn	2,000.00	
Do	Alliance for Fair Trade	35,000.00	
Do	American Fair Trade Council	2,000.00	
Do	Coalition for Clean Water	1,000.00	
Do	Northwest Apparel & Textile Assn	1,000.00	
Do	Pacific Seafood Processors Assn	300.00	
Robert Z. Bohan, 1101 16th St., NW Washington, DC 20036	National Soft Drink Assn		
Patricia Boinski, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	21.45	
Robert J. Bolger, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	1,500.00	
Bernadette Bolton, 400 First Street, NW, #800 Washington, DC 20001	Brotherhood of Railroad Signalmen	300.00	
Benjamin C. Bolusky, 1250 Eye Street, NW, #500 Washington, DC 20005	American Assn of Nurserymen		
Sharon E. Bomer, 727 N. Washington Street Alexandria, VA 22314	United Fresh Fruit & Vegetable Assn	2,287.50	640.16
Joseph C. Bonanno Jr., P.O. Box 2624 Saratoga, CA 95070-0624			
A. Dewey Bond, P.O. Box 3556 Washington, DC 20007	American Meat Institute	500.00	
Edward N. Bond, 1700 North Moore St. Rosslyn, VA 22209	Boeing Company	1,000.00	
Sharon Lee Bonitt, 1025 Connecticut Ave., NW, #200 Washington, DC 20036	Shell Oil Co	244.00	
Bonsib, Inc, P.O. Box 1807 Washington, DC 20013			
Gaylon B. Booker, 1918 N. Parkway Memphis, TN 38112	National Cotton Council of America	657.00	
W. Dan Boone, 345 Park Ave. New York, NY 10154	Union Pacific Corp, et al.		
John K. Booth, 1001 Pennsylvania Ave., NW Washington, DC 20006	American Council of Life Insurance, Inc	100.00	
Diane Boratyn, 1230 31st St., NW, #5 Washington, DC 20007	D Boratyn, Ltd		
Patricia A. Borowski, 400 North Washington Street Alexandria, VA 22314	National Assn of Professional Insurance Agents		
Laurence D. Bory, 1015 15th St., NW, #802 Washington, DC 20005	American Consulting Engineers Council	900.00	
G. Stewart Boswell, 2500 Wilson Blvd. #301 Arlington, VA 22201	American Apparel Manufacturers Assn, Inc	4,708.34	27.50
Nancy Bothne, 2001 S Street, NW, #312 Washington, DC 20009	Farmworker Justice Fund, Inc		
Charles G. Botsford, 1730 M St., NW, #515 Washington, DC 20036		1,500.00	81.00
John E. Bouchard, 1667 K Street, NW, #350 Washington, DC 20036	Moller Steamship Co, Inc		
Mary M. Bourdette, 122 C St., NW, 4th Fl. Washington, DC 20001	Children's Defense Fund of the Washington Research Project	2,754.15	
James G. Bourie, 4647 Forbes Boulevard Lanham, MD 20706	AMVETS	6,800.00	150.47
Albert D. Bourland, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.		
Laura L. Bourne, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	100.00	
Wayne A. Boutwell, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	3,400.00	
Rodney A. Bower, 8701 Georgia Avenue, #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
Bowery Savings Bank, 110 East 42nd Street New York, NY 10017			
Doug B. Bowles, 205 Spring Hill Terrace Roswell, GA 30075	Georgia Power Co	9,991.50	18,409.87
Richard P. Bowling, 1020 Princess Street Alexandria, VA 22314	Truck Trailer Manufacturers Assn	1,000.00	
Gina M. Bowman, P.O. Box 7305, Dept. 178 Kansas City, MO 64116	Farmland Industries, Inc		
Jim D. Bowmer, P.O. Box 844 Temple, TX 76503	Tribal Council of the Coushatta Tribe of Louisiana		718.38
Bowmer Courtney Burleson Pemberton & Normand, P.O. Box 844 Temple, TX 76503	Tribal Council of the Coushatta Tribe of Louisiana		1,632.05
Joan Costain Bowyer, 1015 15th St., NW, #909 Washington, DC 20005	Phelps Dodge Corp	150.00	
James H. Boyd, 1233 20th St., NW, #200 Washington, DC 20036	Newmont Mining Corp		
John G. Boyd, 1801 K St., NW Washington, DC 20006	International Business Machines Corp	730.00	129.70
Robert K. Boyd, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	2,500.00	591.22
Bracewell & Patterson, 2000 K St., NW, #500 Washington, DC 20006	American Gas Assn		
Do	American Insurance Assn		
Do	Appalachian Energy Group		
Do	Chemical Manufacturers Assn, Inc		
Do	Computer Dealers & Lessors Assn, Inc		
Do	COMDISCO, Inc		
Do	Enron Corp		
Do	Liberty Bank & Trust of New Jersey	740.00	295.26
Do	Louisiana Land & Exploration Co		
Do	Massachusetts Mutual Life Insurance	150.00	59.85
Do	National Cable Television Assn, Inc		
Do	Pennsylvania Natural Gas Associates		
Do	Southdown/Pelto Oil Company		
Do	Star-Kist Foods, Inc	740.00	295.26
Do	Tennessee Gas Transmission Co	540.00	215.46
Do	Texas Funeral Directors Assn, Inc	300.00	119.70
Do	U.S. Tuna Foundation		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Valero Energy Corporation	1,850.00	738.15
Bracy Williams & Company, 1000 Connecticut Avenue, NW, #304 Washington, DC 20036	American Southwest Financial Co	30,000.00	450.00
Do	Arkla, Inc	4,000.00	235.00
Do	California Nickel Corp		
Do	City of Tucson	7,000.00	210.00
Do	CSX Corporation	8,000.00	195.00
Do	Energy Absorption Systems, Inc	8,000.00	340.00
Do	Energy Contractors Price-Anderson Group		
Do	Estes Company	3,000.00	85.00
Do	LaserVideo, Inc	2,500.00	105.00
Do	Pratt & Whitney Aircraft Group	5,000.00	85.00
Do	Southern Arizona Water Resources Association	2,000.00	140.00
Frank W. Bradley, 1700 K St., NW Washington, DC 20006	Chevron USA, Inc	4,500.00	
Wayne W. Bradley, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	750.00	
Dennis M. Bradshaw, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Charles G. Bragg, P.O. Box 12285 Memphis, TN 38182	National Cotton Council of America	360.00	7.95
Sally M. Brain, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Brand & Lowell, 923 15th Street, NW, Fifth Fl. Washington, DC 20005	General Dynamics Corp		
Do	West Side Rail Development Foundation, Inc		
Do	Winstead McGuire Sechrest & Minick	8,378.00	
Robert M. Brandon, 1300 Connecticut Ave., NW, #401 Washington, DC 20036	Citizen Action	2,000.00	
Do	Citizen/Labor Energy Coalition		
Richard D. Brannick, P.O. Box 550 Dexter, NY 13634	National Border Patrol Council		
William C. Brashares, Mintz Levin Cohn Ferris Glovsky & Popeo 1825 Eye St., NW, #1201 Washington, DC 20006	Smith Barney Harris Upham & Co, Inc		
Christian N. Braunlich, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers	125.00	
Roy Braunstein, 1300 L Street, NW Washington, DC 20005	American Postal Workers Union, AFL-CIO	13,142.90	
Donald H. Brazier, P.O. Box 12266 Seattle, WA 98102	Dollar Savings Bank, et al		
Harold E. Brazil, 1900 Pennsylvania Avenue, NW Washington, DC 20068	Potomac Electric Power Co	444.92	
Noel Brazil, 600 Maryland Avenue, SW, #400 Washington, DC 20024	American Optometric Assn		
Edward T. Breathitt, 1050 Connecticut Ave., NW Washington, DC 20036	Norfolk Southern Corp	1,000.00	
Roy S. Bredder, 1111 14th St., NW, #1200 Washington, DC 20005	American Dental Assn		
Bregman Abell Kay & Simon, 1156 15th St., NW, #1212 Washington, DC 20005	Air Transport Assn of America		
Do	American Car Rental Assn	5,000.00	
Do	American Fed of Labor & Congress of Industrial Organizations	5,000.00	
Do	Committee for Tax Equity		
Do	Committee to Eliminate Equipment Giveaways	5,000.00	
Do	National Car Rental System, Inc		
Do	Ryder Systems, Inc		
Do	Trans World Airlines, Inc	7,500.00	
Do	Truck Renting & Leasing Assn	5,000.00	
Carolyn L. Brehm, 1660 L Street, NW Washington, DC 20036	General Motors Corp	3,000.00	3,711.13
Michael J. Brennan, 1750 New York Ave., NW Washington, DC 20006	International Assn of Bridge Struct & Ornamental Iron Wkrs	10,800.00	508.67
Peter E. Brereton, 900 Euclid Avenue P.O. Box 5937 Cleveland, OH 44107	Ameritrust Co, Nat'l Assn	625.00	1,030.85
Thomas M. Bresnahan III, 1700 K Street, NW, #1200 Washington, DC 20006	Chevron USA, Inc	1,250.00	
Albert E. Brewster, 1000 Wilson Blvd., #2300 Arlington, VA 22209	Northrop Corp		84.46
Robert J. Brinkmann, 1627 K Street, NW, #400 Washington, DC 20006	National Newspaper Assn	5,000.00	
Belva B. Brissett, 1771 N St., NW Washington, DC 20036	National Assn of Broadcasters	1,500.00	250.00
Elizabeth Y. Britton, 2550 M Street, NW Washington, DC 20037	RJR Nabisco, Inc	280.58	323.34
Stephen W. Broadie, 1629 K Street, NW, #1010 Washington, DC 20006	Alliance of American Insurers	1,500.00	170.80
Marina L. Brockmann, 1275 K St., NW Washington, DC 20005	Society of the Plastics Industry, Inc		
Mary Broderick, 1625 K St., NW, 8th Fl. Washington, DC 20006	National Legal Aid & Defender Assn	1,500.00	1.60
William M. Brodhead, 900 Marquette Building Detroit, MI 48226	Plunkett & Cooney (For:Blue Cross & Blue Shield Assn)	3,344.00	90.71
Do	Plunkett & Cooney (For:City of Detroit, Michigan)	7,500.00	
Do	Plunkett & Cooney (For:Detroit Educational TV Foundation)	262.00	
Do	Plunkett & Cooney (For:Michigan Consolidated Gas Co)	10,000.00	428.88
Do	Plunkett & Cooney (For:National Bank of Detroit)		
David A. Brody, 1640 Rhode Island Ave., NW Washington, DC 20036	Anti-Defamation League of B'nai B'rith	3,000.00	
Marcia D. Brody, 1522 K Street, NW, #828 Washington, DC 20005	American Veterinary Medical Assn		
Nancy B. Broff, 600 New Jersey Ave., NW Washington, DC 20001	Alliance for Justice		
E. Bernard Brogan, 1850 M Street, NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc	100.00	
Michael D. Bromberg, 1111 19th St., NW, #402 Washington, DC 20036	Federation of American Health Systems	4,500.00	
Brook Associates, Inc, 1620 Eye Street, NW, #706 Washington, DC 20006	Northern Textile Assn	7,500.00	7,500.00
Dale E. Brooks, 1700 K St., NW Washington, DC 20006	Chevron USA, Inc	562.50	
E. R. Brooks, P.O. Box 2121 Corpus Christi, TX 78403	Central Power & Light Co	2,991.68	4,532.85
Mary E. Brooks, 1730 M Street, NW Washington, DC 20036	League of Women Voters of the U.S.	4,965.46	569.46
Philip A. Brooks, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America	766.00	
Mario Brossi, 1776 K St., NW, #600 Washington, DC 20006	Direct Selling Association		
Brotherhood of Railway Airline & Steamship Clerks, 815 16th St., NW Washington, DC 20006		12,900.00	21,762.71
Donald G. Brotzman, 1400 K St., NW Washington, DC 20005	Rubber Manufacturers Assn	10,000.00	
Cheryl Brown, 1667 K Street, NW, #710 Washington, DC 20006	Baxter Travenol Laboratories, Inc		
Cynthia A. Brown, 1919 Pennsylvania Ave., NW, #300 Washington, DC 20006	American College of Surgeons		87.43
David S. J. Brown, 1101 17th St., NW, #604 Washington, DC 20036	Monsanto Co	700.00	469.14
Diane R. Brown, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	3,700.00	479.64
Doreen L. Brown, 1001 Connecticut Ave., NW, #800 Washington, DC 20036	Consumers for World Trade		
E. Cooper Brown, 6935 Laurel Ave., #204 Takoma Park, MD 20912			
Ellen B. Brown, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S	2,400.00	716.34
George L. Brown, 1000 Wilson Boulevard Arlington, VA 22209	Grumman Corporation	1,250.00	404.58
Jesse P. Brown Jr., 1918 N. Parkway Memphis, TN 38112	National Cotton Council of America		
Marguerite Bracy Brown, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees		
S. M. Henry Brown Jr., 411 Fayetteville Street Mall, #1925 Raleigh, NC 27601	Carolina Power & Light Co	385.00	456.14
Vincent D. Brown, Nebraska Petroleum Council P.O. Box 95063 Lincoln, NB 68509	American Petroleum Institute	2,500.00	2,334.27
Virginia Brown, 15th & M streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
William E. Brown, 815 Connecticut Ave., NW Washington, DC 20006	Ford Motor Co	487.20	310.95
William R. Brown, 122 C Street, NW, #200 Washington, DC 20001	Council of State Chambers of Commerce	307.60	
William Y. Brown, 1155 Connecticut Ave., NW, #800 Washington, DC 20036	Waste Management, Inc		
Brown & Finn, Chtd, 1920 N Street, NW, #510 Washington, DC 20036	Cincinnati Microwave, Inc	2,912.50	
Do	Regency Electronics, Inc	100.00	
Do	RADAR	500.00	
Do	Satellite TV Viewing Rights Coalition, Inc	7,262.50	
Brown Todd & Heyburn, 1600 Citizens Plaza Louisville, KY 40202	Brown & Williamson Tobacco Corp		
Brownstein Zeidman & Schomer, 1401 New York Ave., NW, #900 Washington, DC 20005	Camara de la Industria de Transformacion de Nuevo Leon	6,191.25	1,362.63
Wolf Brueckmann, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S	250.00	40.00
Kathryne M. Bruner, 1025 Connecticut Ave., NW, #704 Washington, DC 20036	GA Technologies, Inc	750.00	227.32
William K. Brunette, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	463.85	93.00
Michael E. Brunner, 2626 Pennsylvania Avenue, NW Washington, DC 20037	National Telephone Cooperative Assn	1,000.00	99.75
J. Charles Bruse, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Allstate Insurance Group	1,200.00	477.27
Bryan Cave McPheeters & McRoberts, 1015 15th Street, NW, #1000 Washington, DC 20005	Miller & Chevalier Chtd (for Western Savings & Loan Assn...)		
Dawn M. Brydon, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
Judith A. Buckalew, 1667 K Street, NW, #500 Washington, DC 20006	International Assn for Financial Planning, Inc	16,585.00	3,541.52
Thomas L. Buckmaster, 1225 Connecticut Avenue, NW, #300 Washington, DC 20036	Citizens for Sensible Control of Acid Rain	500.00	
G. N. Buffington, 2230 California Street, NW Washington, DC 20008	National Assn of Real Estate Investment Trusts, Inc	237.50	522.17
Building Owners & Managers Assn International, 1250 Eye St., NW, #200 Washington, DC 20005			
Douglas W. Bulcao, 1101 Connecticut Ave., NW, #300 Washington, DC 20036	American Textile Manufacturers Institute, Inc	1,300.00	28.75
Linda Knell Bumbalo, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America	6,385.00	367.00
Darrel D. Bunge, Minnesota Petroleum Council 350 St. Peter Street, #1025 St. Paul, MN 55102	American Petroleum Institute	632.00	815.73
David A. Bunn, 1211 Connecticut Avenue, NW, #406 Washington, DC 20036	Hearst Corporation	1,000.00	
Do	Magazine Publishers Assn, Inc	3,000.00	
Do	Parcel Shippers Assn	2,000.00	
J. Thomas Burch Jr., 1000 Thomas Jefferson Street, NW, #600 Washington, DC 20007	Burch and Bennett, P.C. (For:M.A.N. Truck & Bus Corp)		
Norman D. Burch, 1101 Vermont Ave., NW, #604 Washington, DC 20005	College of American Pathologists	9,000.00	103.60
Barbara G. Burchett, 1615 L Street, NW, #1220 Washington, DC 20036	Hallmark Cards, Inc		
Paul F. Burdett, Suite 700 South 1800 M Street, NW Washington, DC 20036	Merrell Dow Pharmaceuticals, Inc		68.50
Robert J. Burdick, 1126 16th Street, NW Washington, DC 20036	Oil Chemical & Atomic Workers Int'l Union	3,057.90	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Harriet Hunt Burgesss, 82 Second Street San Francisco, CA 94105	Trust for Public Lands	2,762.00	6,783.86
William J. Burhop, 1709 New York Ave., NW Washington, DC 20006	Air Transport Assn of America	25,722.55	31,205.09
Gerard P. Burke, 1117 Spotswood Drive Silver Spring, MD 20904	International Air Leases, Inc		
Kevin Burke, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,500.00	356.00
Francis X. Burkhardt, 1750 New York Ave., NW Washington, DC 20006	International Brotherhood of Painters & Allied Trades		
Burley & Dark Leaf Tobacco Export Assn, 1100 17th St., NW Washington, DC 20036		48,126.25	950.00
Charles S. Burns, 1015 15th St., NW, #909 Washington, DC 20005	Phelps Dodge Corp	1,200.00	
Timothy F. Burns, 2501 M St., NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	2,000.00	61.50
Burr & Forman, 3000 Southtrust Tower Birmingham, AL 35203	Investment Company Institute	2,500.00	
Burson-Marsteller, 1850 M Street, NW, #900 Washington, DC 20036	American Insurance Assn		
Do	Arthur Andersen & Co	675.00	21.00
Do	Blue Cross & Blue Shield Assn		
Do	Chester Solid Waste Assn		
Do	City of Philadelphia		
Do	Clark Equipment Co		
Do	CBS, Inc		
Do	COMSAT Corp	425.00	
Do	Hankin Management-Arsenal Business Center Associates		
Do	Health Policy Agenda		
Do	Kansas City Southern Industries, Inc		
Do	Medtronic, Inc		
Do	Morgan Stanley & Co, Inc		
Do	National Foundation for Infectious Diseases		
Do	Pennsylvania Economic Development Assn		
Do	Philadelphia Industrial Development Corp		
Do	Philadelphia Port Corp	130.00	5.50
Do	Philip Morris, Inc	1,012.50	19.00
Do	Port of Wilmington		
Do	R. P. Scherer Corp		
Do	Sears Roebuck & Co		
Do	Softgel Assn		
Do	South Jersey Port Corp		
Do	Temple University	65.00	5.50
Busby Rehm and Leonard, P.C., 1330 Connecticut Ave., NW, #200 Washington, DC 20036	American Citizens Abroad		
Do	Universal Leaf Tobacco Co, Inc		
Barbara L. Bush, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	200.00	
James J. Butera, 4th Floor 1101 15th St., NW Washington, DC 20005	National Council of Savings Institutions	10,000.00	140.06
Henry Butler, 3707 Woodview Trace Indianapolis, IN 46268	Crop Insurance Research Bureau	1,000.00	
Patrick Butler, 1875 Eye Street, NW, #1110 Washington, DC 20006	Times Mirror Co		
William A. Butler, 801 Pennsylvania Ave., SE Washington, DC 20003	National Audubon Society	3,700.00	100.00
Mrs. H. E. Butt, 3700 Ocean Drive Corpus Christi, TX 78411			
Bruce Butterfield, 1745 Jefferson Davis Hwy, #511 Arlington, VA 22202	Manufacturing Housing Institute	900.00	100.00
Mary Jane Butterfield, 1818 N Street, NW, #350 Washington, DC 20036	Susan Davis International (For:Turkish Republic of Northern Cyprus)	2,495.59	121.30
John Butts, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,250.00	194.06
James R. Byron, 1627 K Street, NW, #200 Washington, DC 20006	Fluor Corporation		
Ralph J. Caccia, 1465-B North Van Dorn St. Alexandria, VA 22304	J. Samuel Choate, Jr., P.C. (For:Association of Progressive Rental Organizations)		
John R. Cady, 1711 King Street Alexandria, VA 22314	Snack Food Assn		
C. Richard Cahoon, 1120 Vermont Ave., NW, #1130 Washington, DC 20005	Petroleum Marketers Assn of America	4,000.00	459.21
Alan Caldwell, 2550 M Street, NW, #770 Washington, DC 20037	RJR Nabisco, Inc	1,200.00	
Frank W. Calhoun, 3400 Texas Commerce Tower Houston, TX 77002	Houston Endowment, Inc		
James Callan, 1726 M Street, NW, #1000 Washington, DC 20036	Electronic Funds Transfer Assn	375.00	
Peter E. Callanan, 1100 Connecticut Ave., NW Washington, DC 20036	Honeywell, Inc	250.00	525.00
John C. Callihan, 299 Park Avenue New York, NY 10171	Westvaco Corporation		
Calorie Control Council, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342			360.00
Cambridge International, Inc, 1600 Wilson Boulevard, #713 Arlington, VA 22209	Avco Lycoming Textron	200.00	
Do	Ford Aerospace & Communications Corp	175.00	
Do	FMC Corporation	175.00	
Do	General Dynamics Land Systems	300.00	
Do	General Dynamics Valley Systems Division	200.00	
Do	Lockheed-California Co	175.00	
Do	Lockheed-Georgia Co	150.00	
Do	Norden Systems, Inc	180.00	
Arthur E. Cameron, 316 Pennsylvania Ave., SE, #402 Washington, DC 20003	Amerace Corporation, et al.	5,925.00	
Do	American Greyhound Track Operators Assn		
Do	Hall Signs, Inc, et al.	2,499.00	
Do	Safetran Systems Corporation	7,200.00	
Do	Syro Steel Co	4,200.00	
Do	3M Company	18,156.00	
Nancy Camm, 1800 K Street, NW, #900 Washington, DC 20006	Bank of America	78.39	195.31
Camp Carmouche Barsh Hunter Gray Hoffman & Gill, 2550 M St., NW, #275 Washington, DC 20037	BellSouth Corp		
Do	Champlin Petroleum Company		
Do	Chemical Manufacturers Assn, Inc	950.00	
Do	Goldman Sachs & Co		
Do	Mobil Oil Corp		
Do	Natural Gas Supply Assn	1,500.00	
Do	Occidental Petroleum Corp		
Do	Pennzoil Co		
Do	PPG Industries, Inc		
Do	Sears Roebuck & Co	17,300.00	17,520.00
Do	South Central Bell		
Do	Texaco, Inc		
C. R. Campbell Jr., 1850 M St., NW, #1200 Washington, DC 20036	GTE Corporation		
Carl C. Campbell, 1030 15th St., NW, Suite 700 Washington, DC 20005	National Cotton Council of America	400.00	
Charles Argyll Campbell, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004-1703	National Assn of Manufacturers		
Jeanne Campbell, Campbell-Raupe, Inc 1015 15th Street, NW, #907 Washington, DC 20005	Algonquin Gas Transmission		
Do	American Nuclear Energy Council		
Do	Invest to Compete Alliance		
Do	LTV Aerospace & Defense Co		
Do	New England Life		
Do	Pitney Bowes		
Do	Riffe Petroleum Co		
Do	Texas Air Corp		
Do	Texas Utilities Services, Inc		
Do	Union Pacific Corp		
Do	Westinghouse Corp		
Jerry L. Campbell, 1201 Chestnut St. Chattanooga, TN 37402	Tennessee Valley Public Power Assn		
Thomas D. Campbell & Associates, Inc, 517 Queen Street Alexandria, VA 22314	Cyprus Minerals Co	5,000.00	77.88
Charles J. Campisi, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	9,562.00	
Canadian Coalition on Acid Rain, 112 St. Clair Avenue, #401 Toronto, Ontario Canada M4V 2Y3		19,460.00	4,954.04
Robert P. Canavan, 1201 16th St., NW Washington, DC 20036	National Education Assn	2,948.35	100.50
Sharon M. Canavan, 1125 15th St., NW Washington, DC 20005	Mortgage Bankers Assn of America	8,895.00	671.00
Anne C. Canfield, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	375.00	
H. Spofford Canfield, 1020 15th Street, NW, Washington, DC 20036	Enron Corp	2,000.00	
William F. Canis, 1730 Pennsylvania Avenue, NW, #750 Washington, DC 20006	Caterpillar Tractor Co	3,000.00	200.95
Sharon F. Canner, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004-1703	National Assn of Manufacturers	186.80	
W. Dean Cannon Jr, 9800 S. Sepulveda Blvd., #500 Los Angeles, CA 90045	California League of Savings Institutions	3,000.00	7,616.53
David L. Cantor, 1233 20th St., NW, #400 Washington, DC 20036	Porter Wright Morris & Arthur (For:Coalition for Environmental-Energy Balance)		155.00
Anne Gavaghan Cantrel, 1667 K Street, NW Washington, DC 20005	Baxter Travenol Laboratories, Inc		
Gary Capistrant, 1200 15th Street, NW Washington, DC 20005	American Health Care Assn	3,967.44	151.65
Capitol Marketing Services, 923 Riva Ridge Drive Great Falls, VA 22066			
Caplin & Drysdale, Chtd, One Thomas Circle, NW Washington, DC 20005	National Council of YMCA of the USA	6,656.50	18.91
Norval E. Carey, 1025 Connecticut Ave., NW #704 Washington, DC 20036	Gulf Oil Corp (for GA Technologies, Inc)	10,252.00	710.85
Robert B. Carleson, 1800 K Street, NW, #605 Washington, DC 20006	KMG Main Hurdman (For:ICC Industries, Inc)		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	KMG Main Hurdman (For:Mercedes Benz of North America, Inc)		
Anne E. Carlson, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	774.00	
Peter Carlson, 218 D St., SE Washington, DC 20003	Environmental Policy Institute	173.31	
Carmen & Muss, 1901 Pennsylvania Avenue, NW, #900 Washington, DC 20006	Carmen Carmen & Hugel (for CareerCom)		
Do	LGH Venture	3,000.00	
Carmen Carmen & Hugel, Inc, 1667 K Street, NW, #950 Washington, DC 20006	CareerCom		
Bertram W. Carp, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	4,250.00	
Chapin Carpenter Jr., 1211 Connecticut Avenue, NW, #406 Washington, DC 20036	Magazine Publishers Assn, Inc	4,000.00	
Cy Carpenter, 10065 East Harvard Avenue Denver, CO 80251	Farmers' Educational & Co-Operative Union of America	12,000.00	547.85
George D. Carpenter, 6110 Center Hill Road Cincinnati, OH 45224	Procter & Gamble Manufacturing Co		
Susan Carr, 1709 New York Avenue, NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	1,100.00	
John R. Carson, 20 Chevy Chase Circle Washington, DC 20015	American Podiatric Medical Assn	18,000.00	
R. D. Carson Jr., P.O. Box 2021 40 Franklin Rd., SW Roanoke, VA 24022	Appalachian Power Co		
David C. Carter, 1156 15th St., NW, #1019 Washington, DC 20005	U.S. Beet Sugar Assn		
John R. Carter, 1000 Wilson Blvd., #2600 Arlington, VA 22209	TRW, Inc	1,203.00	
Joseph L. Carter Jr., 50 F Street, NW, #1200 Washington, DC 20001-1564	Association of American Railroads	1,063.62	414.70
Terrie M. Carter, 1667 K Street, NW, #1230 Washington, DC 20006	Deere & Company	200.00	
Michael G. Cartier, 1200 South Arlington Ridge Rd., #306 Arlington, VA 22202	Man-Made Fiber Producers Assn, Inc		
David Cartwright, 1155 15th Street, NW Washington, DC 20005	National Small Business Assn	7,500.00	
James P. Carty, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004-1703	National Assn of Manufacturers	500.00	
Susan B. Carver, 1130 17th Street, NW Washington, DC 20036	National Coal Assn	1,160.00	1,355.53
Allen R. Caskie, 1850 K Street, NW Washington, DC 20006	American Council of Life Insurance, Inc	5,500.00	
Eugene I. Casraiss Jr., 1757 N St., NW Washington, DC 20036	United Auto Aerospace & Agricultural Implement Workers	12,869.89	149.15
J. Warren Cassidy, 1600 Rhode Island Avenue, NW Washington, DC 20036	National Rifle Assn of America	2,437.50	
Cassidy and Associates, Inc, Metropolitan Square 655 15th St., NW, #1100 Washington, DC 20005	Alexander Graham Bell Assn for the Deaf	450.00	
Do	Alloy Technology	75.00	
Do	American Hospital in Shanghai Foundation	300.00	
Do	Anatolia College Board of Trustees		
Do	Arizona State University		
Do	Atlanta University	300.00	
Do	Barry University	75.00	
Do	Boston College	225.00	
Do	Boston University	150.00	
Do	Broadhead Investments, Inc		
Do	Brown University		
Do	Catholic University of America		
Do	Centex Communications, Inc		
Do	Children's Hospital		
Do	Columbia University	225.00	
Do	Crane Co Resistoflex		
Do	Crane Company	225.00	
Do	Crane Hydroaire	300.00	
Do	Crane National Vendors	450.00	
Do	Drexel University	75.00	
Do	Fudan Foundation	300.00	12.00
Do	Global Broadcasting Group, Inc		
Do	Indiana University	150.00	
Do	Medusa Cement		
Do	Mount Sinai Medical Center		
Do	NeoRx		
Do	New England College of Optometry		
Do	Northwestern University		
Do	O'Connell Management Co		
Do	Ocean Spray Cranberries, Inc	150.00	5.00
Do	Oceanic Institute	225.00	
Do	Pirelli Cable Co	995.00	10.00
Do	Polytechnic University	75.00	
Do	Rochester Institute of Technology	600.00	12.00
Do	Rocky Mountain Energy Co		
Do	Tufts University	225.00	10.00
Do	United Hospitals		
Do	University of Alabama in Huntsville	375.00	
Do	University of Bridgeport		
Do	University of Southern Mississippi	150.00	
Do	University of Vermont		
Mark A. Casso, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	700.00	
John J. Castellani, 27th Floor 1000 Wilson Blvd. Arlington, VA 22209	TRW, Inc	960.00	
G. Thomas Cator, 1050 17th Street, NW Washington, DC 20036	Neece Cator & Associates, Inc (For:Association of Small Business Development Centers).		
Do	National Assn of Development Companies (NADCO)		
Red Cavaney, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc	1,200.00	
Nicholas G. Cavarocchi, 6th Floor 2010 Massachusetts Avenue, NW Washington, DC 20036			
Cavenham Forest Industries, Inc, 1500 S.W. First Avenue Portland, OR 97201			1,523.67
Cederberg & Associates, 7100 Sussex Place Alexandria, VA 22307	Grumman Corporation	250.00	
Do	Martin Marietta Corp	250.00	
Cellular Telecommunications Industry Assn, 1990 M St., NW, #610 Washington, DC 20036			
Cendrowski & Selecky, P.C., 2050 N. Woodward, #310 Bloomfield Hills, MI 48013	Taubman Company, Inc	4,531.00	5,031.00
Centerior Energy Corp, P.O. Box 94661 Cleveland, OH 44101-4661			67.15
David Certner, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	456.92	77.50
Chadbourne & Parke, 1101 Vermont Avenue, NW Washington, DC 20005	ENCOA	1,500.00	45.00
Do	Manufacturer's Life Insurance Co	9,025.00	45.00
Do	Napp Chemicals, Inc	1,600.00	55.00
Do	Peat Products of America, Inc		
Do	Ruan Transportation Management Systems	7,600.00	60.00
Do	Ultrapower, Inc		
Chadwell & Kayser, Ltd, 8500 Sears Tower Chicago, IL 60606-6592	Harza Engineering Co		
Dean S. Chalios, 1350 New York Avenue, NW, #900 Washington, DC 20005	International Franchise Assn		
Mark G. Chalpin, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	1,970.00	
Terry M. Chamberlain, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Ed Chandler, 7901 Westpark Drive Mclean, VA 22102	National Machine Tool Builders' Assn	10,560.00	500.00
William C. Chapman, 2801 Fort Scott Drive Arlington, VA 22202	Multinational Business Services, Inc, et al	10,938.00	938.94
Richard M. Charlton, 1331 Pennsylvania Avenue, NW, #1300N Washington, DC 20004	Electronic Data Systems Corp		
Peggy Charren, 975 Memorial Drive, #504 Cambridge, MA 02138	Action for Children's Television		
Leslie Cheek III, 1025 Connecticut Avenue, NW, #414 Washington, DC 20036	Crum & Forster Corp	27,750.00	750.00
Chemical Specialties Manufacturers Assn, Inc, 1001 Connecticut Avenue, NW, #1120 Washington, DC 20036			
Joy Cherian, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance	1,375.00	
William B. Cherkasky, 1350 New York Ave., nW, #900 Washington, DC 20005	International Franchise Assn		
Chesebrough-Pond's, Inc, Nyala Farm Road Westport, CT 06881-0850			6,790.60
John B. Childers, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	4,172.00	150.00
J. Samuel Choate Jr., 1101 Connecticut Ave., NW, #405 Washington, DC 20036	Choate & Nehf, P.C. (For:Association of Progressive Rental Organizations)		
Joseph L. Choquette III, Vermont Petroleum Assn P.O. Box 566 Montpelier, VT 05602	American Petroleum Institute	825.00	935.45
Leslie Christensen, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	3,189.00	200.00
Jack E. Christy, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	529.62	
James T. Christy, 1730 Pennsylvania Ave., NW, #265 Washington, DC 20006	Air Products & Chemicals, Inc	1,800.00	452.01
Chugach Electric Assn, Inc, P.O. Box 196300 Anchorage, AK 99519-6300			209.93
Donald T. Chunn, Route 2, Box 89 Columbia, TN 38401	Title Associates, Inc		
Chwat/Weigend Associates, 400 First Street, NW, #816 Washington, DC 20001	American Home Sewing Assn, Inc	500.00	500.00
Do	American Pipe & Accessories League		
Do	Associated Locksmiths of America	1,200.00	1,200.00
Do	Coalition on Alcoholic Beverage Procurement	3,000.00	3,000.00
Do	National Assn of Companion Sitter Agencies & Referral Serv	375.00	375.00
Do	National Assn of Tobacco Distributors	3,000.00	3,000.00
Do	National Licensed Beverage Assn	3,000.00	3,000.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	National Weather Service Employees Organization	300.00	300.00
Cigar Assn of America, Inc, 1100 17th Street, NW, #504 Washington, DC 20036			
Donna M. Cirolia, 1518 K Street, NW, #401 Washington, DC 20005	Water Quality Association		
Citizen Action, 1300 Connecticut Ave., NW, #401 Washington, DC 20036		6,000.00	6,028.00
Citizen/Labor Energy Coalition, 1300 Connecticut Ave., NW, # 401 Washington, DC 20036		4,500.00	
Citizens for Sensible Control of Acid Rain (CSCAR), 1225 Connecticut Avenue, NW, #300 Washington, DC 20036		193,000.00	424,081.00
Citizens for Stabilizing Corporate Taxes & Foreign Policy, P.O. Box 1036 Guthrie, OK 73044-1036			
Donald D. Clancy, 6507 Leeds Lane Cincinnati, OH 45215	American Continental Corp	2,625.00	607.50
Do	Grocery Manufacturers of America, Inc		
David A. Clanton, 1667 K Street, NW, 9th Fl. Washington, DC 20006	Buchanan Ingersoll, P.c. (For:Federation of Apparel Manufacturers)		
Gilbert Clark, 1117 N. 19th Street, NW, #600 Arlington, VA 22209	American Assn of Blood Banks		
James F. Clark, Robertson, Monagle, Eastaugh & Bradley 240 Main St., # 800, PO Box 1211 Juneau, AK 99802	Alaska Pulp Corp	1,500.00	
James W. Clark Jr., 600 Maryland Avenue, SW, #400 Washington, DC 20024	American Optometric Assn		
Jordan Clark, 15th & M streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Joseph J. F. Clark, 1725 K St., NW, #1111 Washington, DC 20006	Eaton Associates, Inc		
Michael S. Clark, 218 D St., SE Washington, DC 20003	Environmental Policy Institute		
Robert A. Clark, 2033 M Street, NW, #900 Washington, DC 20036	National Assn of Arab Americans	3,856.32	376.60
Rudy I. Clark, 5342 Woodbury Woods Lane Fairfax, VA 22032	Air Force Sergeants Assn, Inc		
Vernon A. Clark, 1899 L St., NW, #403 Washington, DC 20036	Outdoor Advertising Assn of America, Inc	2,438.00	5,174.00
Joan Claybrook, 2000 P Street, NW, #605 Washington, DC 20036	Public Citizen, Inc	3,000.00	
Clean Water Action Project, 317 Pennsylvania Ave., SE Washington, DC 20003		249.42	249.42
Cleary Gottlieb Steen & Hamilton, 1752 N Street, NW Washington, DC 20036	Bear Stearns & Co	400.00	
Do	Crompton & Knowles Corp		1.19
Do	Public Securities Assn	2,500.00	11.00
Do	Synthetic Organic Chemical Manufacturers Assn, Inc	600.00	
Do	Union Oil Co of California, et al.	200.00	5.00
Ronald D. Clements, 1111 19th St., NW, 9th Floor Washington, DC 20036	Edison Electric Institute	2,781.82	431.12
Cleveland Electric Illuminating Co, 55 Public Square P.O. Box 5000 Cleveland, OH 44113			1,248.90
W. M. Click, 2828 N. Haskell Dallas, TX 75204	Southland Corporation		
Clifford & Warnke, 815 Connecticut Ave., NW Washington, DC 20006	Australian Meat & Live-Stock Corp	1,200.00	400.00
Do	Joint Corporate Comm on Cuban Claims	600.00	180.00
Do	J. C. Maxtone-Mailer	600.00	206.24
Do	Proprietary Association		
Dexanne B. Clohan, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	3,769.00	
Edward T. Cloonan, 70 Pine Street, 39th Floor New York, NY 10270	American International Group, Inc		
Stanley A. Cmich, 1700 Gateway Boulevard, SE Canton, OH 44707	Gibbons & Grable Co		
Do	Hercules Engines		
Do	Putman Properties, Inc		
Do	Timken Co		
Coalition for Alternatives in Nutrition & Healthcare, Inc, P.O. Box B-12 Richlandtown, PA 18955		4,014.00	3,892.00
Coalition to Keep Alaska Oil, AFL-CIO Building 815 16th Street, NW, #309 Washington, DC 20006		3,268.00	3,268.00
Coalition to Oppose Energy Taxes, 1100 15th St., NW, #1200 Washington, DC 20005		45,000.00	7,578.00
Coalition Against Double Taxation, Inc, c/o Kiernan O'brien & Larocca 1050 Thomas Jefferson St., NW, 6th Fl. Washington, DC 20007.		10,000.00	29.07
Coan Couture Lyons & Moorhead, 1625 Eye St., NW, #1015 Washington, DC 20006	National Investment Development Corp		
Do	State Street Development Co of Boston	1,250.00	
Alan J. Cobb, 1120 Vermont Avenue, NW, #1130 Washington, DC 20005	Petroleum Marketers Assn of America	7,500.00	1,176.30
Richard B. Cobb, Petroleum Council of Ga 230 Peachtree St., NW, #1500 Atlanta, GA 30303	American Petroleum Institute		
Don V. Cogman, 1100 Connecticut Avenue, NW, #535 Washington, DC 20036	MAPCO, Inc	4,750.00	112.05
Dan Cohen, 500 North Capitol Street, NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	11,250.00	709.17
Daniel L. Cohen, 1050 31st Street, NW Washington, DC 20007	Association of Trial Lawyers of America	2,000.00	100.00
David Cohen, 1616 P St., NW, #320 Washington, DC 20036	Professionals' Coalition for Nuclear Arms Control	11,666.68	181.99
Ernest Allen Cohen, Journal Square Plaza Jersey City, NJ 07306	Radio Officers Union, Dist 3, NMEBA AFL-CIO	1,050.00	4.48
Jacqueline Abelman Cohen, 1199 N. Fairfax St., #701 Alexandria, VA 22314	National Assn of Tobacco Distributors	2,500.00	
Linda Colancecco, 311 First Street, NW, #500 Washington, DC 20001	Computer & Business Equipment Manufacturers Assn	4,575.00	
E. William Cole, 1050 Connecticut Avenue, NW, #760 Washington, DC 20036	Union Oil Co of California	700.00	75.00
Cole & Corette, P.C., 1100 Vermont Avenue, NW, #900 Washington, DC 20005	Chase Manhattan Bank, N.A.		
Do	Millipore Corporation		
Colette R. Coleman, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Emilio G. Collado III, Collado Associates 1405 Montague Drive Vienna, VA 22180	American Watch Assn, Inc	1,500.00	6.50
Collier Shannon Rill & Scott, 1055 Thomas Jefferson St., NW, #308 Washington, DC 20007	American Couplings Coalition	165.00	165.00
Do	American Frozen Food Institute		
Do	American Meat Institute		
Do	American Textile Machinery Assn	1,500.00	1,500.00
Do	Bicycle Mfgrs Assn of Amer, Inc	2,725.00	2,725.00
Do	Crop Insurance Research Bureau	525.00	525.00
Do	Cylinder Manufacturers Association		
Do	Ferrous Scrap Consumers Coalition		
Do	Food Marketing Institute		
Do	Footwear Industries of America		
Do	Independent Lubricant Manufacturers Assn	600.00	600.00
Do	Inland Steel Corp		
Do	Municipal Castings Fair Trade Council		
Do	National Assn of Convenience Stores	2,625.00	2,625.00
Do	National Assn of Mutual Insurance Cos	400.00	400.00
Do	National Broiler Council		
Do	National Coalition of Fresh Potato Processors		
Do	National Hairdressers & Cosmetologists Assn		
Do	National Pasta Assn	2,587.50	2,587.50
Do	Norris Industries		
Do	North American Phillips Corp		
Do	Outdoor Power Equipment Institute		
Do	Petroleos de Venezuela, S.A.	9,813.75	9,813.75
Do	Pittsburgh Corning Corporation		
Do	Secondary Lead Smelters Assn, Inc		
Do	Society of Independent Gasoline Marketers of America	4,375.00	4,375.00
Do	Specialty Steel Industry of the United States	16,460.00	16,460.00
Paul Edward Michael Collin, 1299 Seaside Ave. P.O. Box 3007 Terminal Island, CA 90731-0207			
Terese Colling, 2000 Pennsylvania Ave., NW, #3700 Washington, DC 20006	Jaeckle Fleischmann & Mugel	5,250.00	70.13
Mary M. Collins, 1120 20th Street, NW, #600 South Washington, DC 20036	Union Pacific Corp	1,500.00	
Michael A. Collins, 13106 Ivy Drive Beltsville, MD 20705	United Assn of Jnymen & Appren of Plmbg & Pipeftg Industry	6,000.00	369.89
Paula J. Collins, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
William P. Collins, 5055 Seminary Road Alexandria, VA 22311	Southern Company Services		
Dominique Colon, 2000 L Street, NW Washington, DC 20036	Medtronic, Inc		19.25
Kent W. Colton, 15th & M streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Columbia Gorge United, Box 328 Stevenson, WA 98648			
Commercial Union Insurance Companies, One Beacon Street Boston, MA 02108			
Committee for Do-It-Yourself Household Moving, P.O. Box 2662 Phoenix, AZ 85002			
Committee for Private Education, 1025 Michigan Avenue, NE Washington, DC 20017			
Committee to Assure the Availability of Casein, 3213 O St., NW Washington, DC 20007		9,500.00	
Committee to Support the Antitrust Laws, 1401 New York Avenue, NW, #740 Washington, DC 20005		40,000.00	11,469.00
Common Cause, 2030 M St., NW Washington, DC 20036		3,480,857.00	634,589.37
Community Nutrition Institute, 2001 S St., NW, #530 Washington, DC 20009			
Community Service Society of New York, 105 East 22nd Street New York, NY 10010			710.26
Lance Compa, 1411 K St., NW, #410 Washington, DC 20005	United Electrical Radio & Machine Workers of America	6,120.50	
Competitive Enterprise Institute, 611 Pennsylvania Avenue, SE Washington, DC 20003		28,100.00	40.00
Concerned Women for America, c/o Carol Poulos 122 C Street, NW, #800 Washington, DC 20001		15,259.16	15,259.16
Bert M. Concklin, 1500 Planning Research Drive Mclean, VA 22102	Planning Research Corporation		967.25
Edward C. Cone Jr., P.O. Box 1788 Forest Park, GA 30051	Southeastern Lumber Manufacturers Assn		
Congress Watch, 215 Pennsylvania Ave., SE Washington, DC 20003		62,061.29	78,759.60
Gary L. Conkling, P.O. Box 500, Y3-439 Beaverton, OR 97077	Tektronix, Inc	8,500.00	7,572.90
Robert J. Conlan, 110 Maryland Ave., NE, #409 Washington, DC 20002	National Peace Institute Foundation		
Jeanne K. Connelly, 1875 Eye St., NW, #540 Washington, DC 20006	Champion International Corp		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Robert J. Conner Jr., 1100 Connecticut Ave., NW Washington, DC 20036	Chrysler Corporation	500.00	911.50
Stephen N. Conner, Route 1, Box 506 Easton, MD 21601	Foreign Ministry of Kingdom of Saudi Arabia		
Brian L. Connor, 1420 King Street Alexandria, VA 22314	National Society of Professional Engineers		
Catherine Connor, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	700.00	
Richard J. Connor Jr., 1455 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Joseph E. Seagram & Sons, Inc	562.50	
Jerry C. Connors, 1745 Jefferson Davis Highway, #511 Arlington, VA 22202	Manufactured Housing Institute	1,000.00	100.00
David Conover, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	762.50	
C. Judith Conrad, 1111 14th Street, NW Washington, DC 20005	American Dental Assn	1,000.00	296.42
Gregory E. Conrad, 1920 N St., NW Washington, DC 20036	American Mining Congress		
Consumer Energy Council of America, 2000 L St., NW, #802 Washington, DC 20036			
Consumers for World Trade, 1001 Connecticut Ave., NW Washington, DC 20036		16,662.00	15,660.00
Consumers Union of U.S., Inc, 256 Washington St. Mount Vernon, NY 10553			6,990.00
John J. Contney, 1250 E. Hollandale Beach Blvd. Hollandale, FL 33009	Textile Rental Services Assn of America		
Daniel J. Conway, 1819 L St., 7th Floor Washington, DC 20036	Reinsurance Assn of America		
Emery S. Conyers, P.O. Box 1706 Midland, MI 48640	Dow Chemical USA		
Alexandra W. Cook, 1331 Pennsylvania Avenue, NW, #1300N Washington, DC 20004	Electronic Data Systems Corp	240.00	117.63
K. Richard Cook, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	325.00	
Thomas M. Cook, 1301 Pennsylvania Ave., NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Eileen D. Cooke, 110 Maryland Ave., NE, Suite 101, Box 54 Washington, DC 20002	American Library Assn	2,532.00	
Stoney Cooks, 433 6th Street, NE Washington, DC 20002	South/North Development Group, Ltd		
Bente E. Cooney, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	867.00	
Brian D. Cooney, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America	7,061.00	286.00
Benjamin Y. Cooper Jr., 1730 North Lynn St. Arlington, VA 22209	Printing Industries of America, Inc	10,000.00	
C. William Cooper, 603 Broad St. Sewickley, PA 15143	United Distribution Companies		
Chester L. Cooper, 1616 P St., NW, #410 Washington, DC 20036	American Academy of Arts & Sciences		
Jesse D. Cooper, 1860 Lincoln Street, #404 Denver, CO 80295	Rocky Mountain Oil & Gas Assn	3,000.00	113.42
Kathy J. Cooper, 1700 K St., NW, #1204 Washington, DC 20006	Chevron USA, Inc	75.00	
Mitchell J. Cooper, 1001 Connecticut Ave., NW Washington, DC 20036	Rubber & Plastic Footwear Manufacturers Assn	16,500.00	29.34
Samuel Cooper, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group	4,615.38	
Darrell Coover, 499 South Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers	2,000.00	727.00
Michael J. Copps, 1660 L St., NW, #1000 Washington, DC 20036	Collins and Aikman Corp	8,167.00	7,009.13
John F. Corcoran, 1050 Connecticut Ave., NW, #740 Washington, DC 20036	Norfolk Southern Corp	1,000.00	
William M. Corcoran, 1001 Pennsylvania Ave., NW, #700 Washington, DC 20004	Allied-Signal, Inc		
Alfred C. Cordon, 1920 N St., NW Washington, DC 20036	Buffalo Broadcasting Co, Inc		
Corman Law Offices, 1420 16th Street, NW Washington, DC 20036	Alcalde Henderson O'Bannon & Rousselot	1,250.00	
Do	American Bakers Assn		
Do	American Leather Goods Manufacturers Assn	1,050.00	
Do	Bank Amerilease Group		
Do	Cargill Leasing Corp		
Do	Cloverleaf Group, Inc		
Do	Connell Finance Co, Inc		
Do	Connell Rice & Sugar Co, Inc		
Do	Dominion Property Company		
Do	EDS Financial Corporation		
Do	First Chicago Leasing Corp		
Do	First National Bank of Boston		
Do	First National Bank of Minneapolis		
Do	General Electric Credit Corp		
Do	Grobstein Blankstein Goldman & Co		
Do	GATX Corporation		
Do	GATX Leasing Corp		
Do	Institute of Electrical & Electronics Engineers, Inc	200.00	
Do	International Assn of Geophysical Contractors		
Do	Investment Partnership Assn	1,500.00	
Do	Kelso & Company	4,400.00	
Do	Manufacturers Hanover Leasing Corp		
Do	MCA, Inc	5,150.00	
Do	National Structured Settlements Trade Assn	1,500.00	
Do	Petersen Publishing Co		
Do	Republic National Bank of New York		
Do	Ryder System, Inc		
Do	Solar Energy Industries Assn		
Do	State of Michigan		
Do	State of Washington	12,850.00	
Do	Systems Leasing Corp		
Do	U.S. League of Savings Institutions		
Do	Winn Development Co		
Corn Refiners Assn, Inc, 1001 Connecticut Ave., NW Washington, DC 20036		7,901.00	2,581.00
Ernest J. Corrado, 1000 16th St., NW, #511 Washington, DC 20036	American Institute of Merchant Shipping	2,461.76	61.20
Mary Marcotte Corrigan, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America		
Richard L. Corrigan, 1201 Pennsylvania Avenue, NW, #250 Washington, DC 20004	CH2M Hill	2,000.00	
Marty Corry, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	537.69	694.87
Allan D. Cors, 1455 Pennsylvania Avenue, NW, #500 Washington, DC 20004	Corning Glass Works	2,000.00	
William R. Corson, 1707 H St., NW Washington, DC 20006	Penthouse International, Ltd		
Philip S. Corwin, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	1,500.00	
R. H. Cory, 1005 Congress Avenue, #795 Austin, TX 78701	Central & South West Services, Inc	1,200.00	1,391.56
Cosmetic Toiletry & Fragrance Assn, Inc, 1110 Vermont Ave., NW, #800 Washington, DC 20005			
J. Daniel Costello, 1615 H St., NW Washington, DC 20006	U.S. Chamber of Commerce	2,300.00	225.00
Michael E. Costello, 1090 Vermont Avenue, NW, #600 Washington, DC 20005	Texas Eastern Transmission Corp		725.91
Council for Languages and Other Int'l Studies, 20 F Street, NW, 4th F. Washington, DC 20001		8,450.00	13,681.27
Council for Rural Housing and Development, 2300 M St., NW Washington, DC 20036		4,000.00	4,000.00
Council of Industrial Boiler Owners, 5817 Burke Centre Parkway Burke, VA 22015			
Council of State Chambers of Commerce, 122 C St., NW, #200 Washington, DC 20001		5,908.00	720.79
William R. Courtney, P.O. Box 844 Temple, TX 76503	Tribal Council of the Coushatta Tribe of Louisiana		851.60
James Cousins, 1709 New York Avenue, NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	11,875.00	
Mark J. Covall, 1319 F Street, NW, #1000 Washington, DC 20004	National Assn of Private Psychiatric Hospitals	500.00	100.00
John F. Cove, 918 16th St., NW, #702 Washington, DC 20006	Cove Associates, Inc (For Association of U.S. Night Vision Manufacturers)		
Covington & Burling, 1201 Pennsylvania Avenue, NW P.O. Box 7566 Washington, DC 20044	American Assn of Oral & Maxillofacial Surgeons		
Do	American Watch Assn	30,000.00	200.00
Do	Association of Maximum Service Telecasters, Inc		
Do	Coalition for Effective Tax Reform	1,076.99	
Do	Coalition to Preserve The Integrity of American Trademarks	28,000.00	1,590.00
Do	Commonwealth of Puerto Rico		13.50
Do	CEO Tax Group	4,850.00	
Do	ERISA Industry Committee		6.00
Do	General Mills, Inc	7,900.00	
Do	Hallmark Cards, Inc		
Do	International Business Machines	810.00	2.50
Do	Investment Company Institute	7,500.00	89.50
Do	Marathon U.S. Realties, Inc	3,000.00	165.00
Do	Midwest Television, Inc		
Do	National Football League		
Do	Post-Newsweek Stations, Inc		
Do	Telocator Network of America		
Do	Wesleyan University, et al.	11,100.00	
Eugene S. Cowen, 2445 M St., NW Washington, DC 20037-1420	Capitol Cities/ABC	332.80	
C. Deming Cowles, 6th Floor 1050 Thomas Jefferson Street, NW Washington, DC 20007	Bering Sea Fishermen's Assn	1,500.00	114.31
Do	Municipality of Anchorage	20,000.00	1,816.32
Archibald Cox, 2030 M St., NW Washington, DC 20036	Common Cause	5,757.54	302.50
C. Bryan Cox, PO Box 139 Kansas City, MO 64141	Kansas City Life Insurance Co		
C. Richard Cox, 800 Briar Creek Road Charlotte, NC 28232	Belk Stores Services, Inc		
Eric Cox, 418 7th St., SE Washington, DC 20003	Campaign for U.N. Reform-Political Education Committee	3,075.00	85.61
Jeffrey T. Cox, 1420 King St. Alexandria, VA 22314	National Society of Professional Engineers	1,250.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Jerry W. Cox, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Anglo American Auto Auctions, Inc)	1,800.00	
Do	Hill & Knowlton, Inc (For:Bell Atlantic Network Services, Inc)		
Do	Hill & Knowlton (For:Societe Generale thru SGS North America, Inc)	112.50	
Tamara Cox, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Evans Grain Co)		
Do	Hill & Knowlton, Inc (For:Nebraska Wheat Board)		
Donald Forsyth Craib III, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Sears Roebuck & Co	450.00	
William C. Cramer, 818 Connecticut Ave., NW Washington, DC 20006	Cramer & Haber, P.C. (For:Canaveral Port Authority)		
Do	Cramer & Haber, P.C. (For:Dade County)		
Do	Cramer & Haber, P.C. (For:Dade County International Airport)		
Do	Cramer & Haber, P.C. (For:Department of Education, State of Florida)		
Cramer & Haber, P.C., 818 Connecticut Ave., NW Washington, DC 20036	Canaveral Port Authority		
Do	Dade County	3,333.34	
Do	Dade County International Airport	18,000.00	
Do	Department of Education, State of Florida	20,000.00	
Eric F. Craven, P.O. Box 2943 Fort Worth, TX 76113	Texas-New Mexico Power Co	8,700.00	2,089.98
Richard L. Crawford, 311 First Street, NW Washington, DC 20001	National Restaurant Assn	17,500.00	561.49
John P. Cregan, 220 National Press Building Washington, DC 20045	U.S. Business & Industrial Council		
Richard C. Creighton, 1331 Pennsylvania Ave., NW, #910 Washington, DC 20004	American Cement Trade Alliance, Inc	9,375.02	415.75
Anne Crichton Crews, 8787 Stemmons Freeway Dallas, TX 75247	Mary Kay Cosmetics, Inc		
Joseph M. Cribben, 6900 Valley Brook Dr. Falls Church, VA 22042	United Assn of Jnymen & Appren of Plmbg & Pipeftg Industry	1,750.00	
P. H. Croft, 2000 Massachusetts Ave., NW Washington, DC 20036	American Short Line Railroad Assn		
Robert W. Cromartie, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	225.00	
Charles H. Cromwell, Inc, 6709 Georgia St. Chevy Chase, MD 20815	General Electric Co		
Do	McDonnell Douglas Helicopters		
Do	Northrop Corp		
Rae E. Cronmiller, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	70.00	
Crop Insurance Research Bureau, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268		1,525.00	1,525.00
David T. Crow, 1015 18th St., NW Washington, DC 20036	Fertilizer Institute	10,000.00	2,841.02
Rebecca Bennett Crow, 1919 Pennsylvania Ave., NW, #504 Washington, DC 20006	Strategic Development Associates		
Crowell & Moring, 1001 Pennsylvania Ave., NW Washington, DC 20004-2505	ASARCO, Inc		
Do	Associated Gas Distributors		
Do	Avon Products, Inc		
Do	Brooklyn Union Gas Co		10.00
Do	Central Nebraska Public Power & Irrigation District		
Do	City of North Miami	907.50	15.00
Do	Communications Satellite Corp		
Do	Contractors Liability & Indemnification Alliance	247.50	6.00
Do	Cook Inlet Region, Inc		
Do	Eli Lilly & Company	750.00	10.00
Do	Emery Worldwide		
Do	Meridian Minerals Co		
Do	National Assn of Wholesaler-Distributors	1,750.00	10.00
Do	Nebraska Public Power District		
Do	Pan American World Airways, Inc, et al		
Do	Regional Airline Association		
Do	Sterling Drug, Inc		
Do	Tiffany & Co		
Do	Trust for Public Lands	202.50	7.50
Do	United Cities Gas Co		
Do	Western Governors Assn		
Cuba Claims Association, P.O. Box 014004 Miami, FL 33101			
Cuban American Freedom Coalition, Inc, 1000 Thomas Jefferson St., NW, #601 Washington, DC 20007			
Brien F. Culhane, 915 Plum St., SW Vienna, VA 22180	National Parks & Conservation Assn		
Barry M. Cullen, 1620 Eye St., NW, #700 Washington, DC 20006	International Paper Co		
Culley-Foster & Co, P.O. Box 17370 Washington, DC 20041			
David M. Culp, 1525 New Hampshire Ave., NW Washington, DC 20036	Environmental Action, Inc	4,248.00	
Jonathan W. Cuneo, 1401 New York Avenue, NW, #740 Washington, DC 20005	Committee to Support the Antitrust Laws	11,369.00	129.70
Bill Cunningham, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	13,467.72	775.20
Scott S. Cunningham, 1100 15th Street, NW Washington, DC 20005	Union Carbide Corp		
John T. Curran, 815 16th St., NW, #603 Washington, DC 20006	Laborers' Intl Union of North America, AFL-CIO	17,018.75	344.15
Do	National Coordinating Comm for Multiemployer Plans		
Kathleen L. Curry, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	1,611.00	
M. Rupert Cutler, 1325 G Street, NW, #1003 Washington, DC 20005	Population-Environment Balance	221.53	2.50
Everett E. Cutter, 620 SW Fifth Avenue Bldg., Suite 300 Portland, OR 97204	Oregon Railroad Assn		
CF Industries, Inc, Salem Lake Dr. Long Grove, IL 60047			1,000.00
CR Associates, 2010 Massachusetts Avenue, NW Washington, DC 20036	Alzheimer's Disease & Related Disorders Assn		
Rudolph N. D'Agaris, 4708 Norbeck Rd. Rockville, MD 20853			
D'Amour & Doyle, Inc, 1156 15th St., NW, #1100 Washington, DC 20005	American Psychological Assn	281.25	183.22
William D. D'Onofrio, 1800 W. 8th St. Wilmington, DE 19805	National Assn for Neighborhood Schools, Inc		
William K. Dabaghi, Arter & Hadden 1919 Pennsylvania Ave., NW, #400 Washington, DC 20006	Central Union of Agricultural Cooperatives (ZENCHU)	4,246.00	546.41
Do	Coalition for Regional Banking & Economic Development	1,039.50	382.82
Do	Houston Clearing House Assn	5,019.00	600.95
Stephen J. Daigler, 1601 Duke Street Alexandria, VA 22314	Society of American Florists		
William Kay Daines, 1616 H St., NW Washington, DC 20006	American Retail Federation	900.00	245.00
Dairy Farmers for Responsible Farm Policy, 517 C Street, NE Washington, DC 20002		4,290.00	6,446.90
Lewis I. Dale, 1660 L Street, NW, #401 Washington, DC 20036	General Motors Corp	3,000.00	2,153.66
Donald W. Dalrymple, 1575 I St., NW Washington, DC 20005	American Cynamid Company (For:Lederle Laboratories)	3,350.00	872.82
James G. Dalton, 1420 King St. Alexandria, VA 22314	National Society of Professional Engineers	2,500.00	
Robert C. Daly, 1850 M Street, NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc		
John M. Damgard, 1825 Eye Street, NW, #1040 Washington, DC 20006	Futures Industry Assn, Inc		
John E. Daniel, 1233 20th St., NW, #400 Washington, DC 20036	Ohio Edison Co		
David C. Daniels, 1608 K Street, NW Washington, DC 20006	American Legion	6,360.00	99.20
David S. Danielson, 600 Maryland Avenue, SW, #400-E Washington, DC 20024	American Optometric Assn		
Charles Franklin Daoust, P.O. Box 12910 Charleston, SC 29412	Kiawah Island Co Ltd		
Colleen A. Darling, 1730 Rhode Island Avenue, NW, #204 Washington, DC 20036	Japanese American Citizens League	6,000.00	
Richard C. Darling, 1156 15th St., NW Washington, DC 20005	J. C. Penney Co, Inc	100.00	25.00
Diane Davenny Darneille, 1726 M St., NW, #300 Washington, DC 20036	Schering-Plough Corp		
Linda Daschle, 1709 New York Ave., NW Washington, DC 20006	Air Transport Assn of America	18,563.98	23,671.36
John C. Datt, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	11,225.00	
John B. Davenport Jr., 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	150.00	
Theodore S. J. Davi, 371-106 Burgundy Ln. Longwood, FL 32779			
Earl F. David, 1825 K St., NW, #1107 Washington, DC 20006	Phillips Petroleum Co	1,000.00	
James H. Davidson, 1250 Connecticut Ave., NW, #650 Washington, DC 20036	American Newspaper Publishers Assn	831.46	
John J. Davidson, 7901 Westpark Drive McLean, VA 22102	National Machine Tool Builders' Assn	400.00	125.00
James H. Davidson & Associates, Inc, 1250 Connecticut Ave, NW, #650 Washington, DC 20036	Magazine Publishers Assn, Inc	20,913.22	
Do	National Assn of Industrial & Office Parks	13,101.40	
Do	Rouse Company	5,236.06	
Drew M Davis, 1101 16th St., NW Washington, DC 20036	National Soft Drink Assn	87.43	42.00
Fred G. Davis, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	3,753.12	1,108.81
Kenneth E. Davis, Suite 1210 1667 K St., NW Washington, DC 20006	Rohm & Haas Co	500.00	28.05
Michael Davis, 735 North Water St., #908 Milwaukee, WI 53202-4105	American Malting Barley Assn, Inc	1,200.00	801.42
Ovid R. Davis, P.O. Drawer 1734 Atlanta, GA 30301	Coca-Cola Company		
Robert Davis, 815 Connecticut Ave., NW Washington, DC 20006	Ford Motor Co	1,400.00	618.00
Susan A. Davis, 1818 N Street, NW, #350 Washington, DC 20036	Susan Davis International (For:Turkish Republic of Northern Cyprus)	153.26	5.00
Davis & Harman, 1455 Pennsylvania Avenue, NW, #1200 Washington, DC 20004	American General Life Insurance Co	1,021.00	7.50
Do	American Horse Council		
Do	Chicago Board of Trade	1,875.00	45.90
Do	Committee for American Steel	1,600.00	25.00
Do	Committee of Annuity Insurers		
Do	CIGNA Corporation		
Do	Florida Power & Light	74.00	5.00
Do	Florida Sugar Cane League, Inc		
Do	ICH Corporation	3,400.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Lincoln Life Improved Housing, Inc		
Do	Lincoln National Life Insurance Co		
Do	National Assn of Life Companies		
Do	National Cattlemen's Assn		
Do	Property/Casualty Group		
Do	Stock Information Group	2,944.00	3,673.00
Do	Sunrise Company		
Do	Winthrop Financial Assn		
Davis Graham & Stubbs, 1001 22nd St., NW, #500 Washington, DC 20037	Colorado Water Congress		
Do	Municipal Subdistrict, No. Colorado Water Conservancy Dist	1,071.00	1,071.00
Do	Northern Colorado Water Conservancy District	306.00	306.00
Davis Hockenberg Wine Brown & Koehn, 2300 Financial Center Des Moines, IA 50309	E&J Gallo Winery		
Do	Northwestern Bell (Iowa Div)		
Susan Davis International, 1818 N Street, NW, #350 Washington, DC 20036	Turkish Republic of Northern Cyprus	25,000.00	11,402.69
Davis Polk & Wardwell, 1575 Eye St., NW Washington, DC 20005	Ernst & Whinney	1,732.50	53.00
Do	Manville Corporation		
Do	Morgan Guaranty Trust Co	82.50	
Do	Norwest Corporation	300.00	7.50
Do	U.S. Trust Corp		
Davis Wright & Jones, 1752 N St., NW, #800 Washington, DC 20036	Star-Kist Foods, Inc	3,242.50	
Donald S. Dawson, 1155 Connecticut Ave., #700 Washington, DC 20036	Opticians Assn of America		
Do	Virgin Islands Gift & Fashion Shop Assn		
Do	Virgin Islands Merchants Assn		
Robert M. Dawson, 1800 Massachusetts Ave., NW Washington, DC 20036	Natural Rural Electric Cooperative Assn		
Harry F. Day, 1800 K Street, NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
Gaston De Bearn, 1050 Connecticut Avenue, NW, #401 Washington, DC 20036	Hoffmann-La Roche, Inc		
Ralph De La Cruz, 1225 Connecticut Avenue, NW Washington, DC 20036	American Public Transit Assn	2,960.00	
Gail De Loach, P.O. Box 8091 Falls Church, VA 22041	Friendship Hill Assn		
O. Mark De Michele, 411 North Central Avenue P.O. Box 21666 Phoenix, AZ 85014	Arizona Public Service Company		
John Russell Deane III, 1607 New Hampshire Ave., NW Washington, DC 20009	Auto Internacional Assn		
Do	Coalition of Automotive Assns		
Do	Specialty Equipment Market Assn		
Debevoise & Plimpton, 555 13th Street, NW Washington, DC 20004	Sony Corp of America	1,378.00	
Dechert Price & Rhoads, 1730 Pennsylvania Avenue, NW, #1100 Washington, DC 20006	Center for Civic Education	1,875.00	
Do	Colorado Westmoreland, Inc		
Do	Constitutional Rights Foundation		12.96
Do	Rohm & Haas Co	5,685.00	
Do	Yonkers Racing Corp		
Mark O. Decker, 1101 17th Street, NW, #700 Washington, DC 20036	National Assn of Real Estate Investment Trusts, Inc	300.00	
Do	Pension Real Estate Assn		
Winston M. Decker, 1522 K St., NW, #828 Washington, DC 20005	American Veterinary Medical Assn		
Richard A. Deem, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	25.00	
Brian Deery, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
James L. Deger, 719 D St., NE, #105 Washington, DC 20002			939.88
George K. Degnon Associates, Inc, 1311-A Dolley Madison Bldg., #3a Mclean, VA 22101	Association of State & Territorial Health Officials		1,000.00
Gene A. Del Polito, 1333 F Street, NW, #710 Washington, DC 20004-1108	Third Class Mail Association	600.00	
Thomas J. Delaney, 1111 North 19th Street, #700 Arlington, VA 22209	National Assn of Federal Credit Unions	1,500.00	39.42
Delaney & Young, Chtd, 1629 K Street, NW, #1000 Washington, DC 20006	National Assn of Independent Insurers	20,000.00	966.69
Do	Transamerica Insurance Services	15,075.00	91.65
Deloitte Haskins & Sells, 1001 Pennsylvania Ave., NW Washington, DC 20004-2505	Arkansas Electric Cooperative Corp		
Do	Lin Pac International PLC, et al		
George B. Delta, Silverstein & Mullens 1776 K Street, NW Washington, DC 20006	Rockefeller Group, Inc		
Tania Demchuk, 499 South Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers	100.00	
Willard L. Demory, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Bell Atlantic Management Services)		
Do	Hill & Knowlton, Inc (For:Gurman Kurtis & Blask (for McCaw Communications))		
Do	Hill & Knowlton, Inc (For:United Airlines, Inc)		
George Demougeot, 1612 K St., NW, #206 Washington, DC 20006	Government of Haiti	1,205.00	28.45
Bradford T. Dempsey, Dempsey Associates, Ltd 919 Pennsylvania Avenue Harrisburg, PA 17112			
George H. Denison, 4801 Massachusetts Ave., NW, #400 Washington, DC 20016	Cruise America Line, Inc		
Do	N U S Corporation		
Do	National Office Products Assn		
Do	Westinghouse Electric Corp	150.00	
John H. Denman, Missouri Oil Council 428 E. Capital St., #203 Jefferson City, MO 65101	American Petroleum Institute	498.00	867.17
Robert A. Denman, 600 Maryland Avenue, SW, #202w Washington, DC 20024	Farmers' Educational & Co-Operative Union of America	6,000.48	
Thomas J. Dennis Sr., 1667 K St., NW, #450 Washington, DC 20006	American Electric Power Service Corp		
Wells Denyes, 1919 Pennsylvania Ave., NW Washington, DC 20006	Eastman Chemicals Division	725.00	136.40
Department for Professional Employees, AFL-CIO, 815 16th St., NW Washington, DC 20006		12,558.53	12,558.53
Martin L. Depoy, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	2,500.00	401.06
Gregory L. Depriest, 1730 M Street, NW, #713 Washington, DC 20036	Association of Maximum Service Telecasters, Inc		
Lloyd J. Derrickson, 1828 L St., NW, #906 Washington, DC 20036	Merrill Lynch & Co, Inc	6,500.00	
Detroit Tooling Assn, P.O. Box 338 Dearborn, MI 48121			
Samuel L. Devine, 170 Burning Tree Drive Naples, FL 33942	American Continental Corp	2,325.00	835.00
Do	Grocery Manufacturers of America, Inc		
Dewey Ballantine Bushby Palmer & Wood, 1775 Pennsylvania Ave., NW Washington, DC 20006	Amax, Inc		
Do	American Can Co		
Do	American Stock Exchange, Inc		
Do	Bear Stearns & Co, Inc		
Do	Benefecial Corporation		
Do	Browning-Ferris Industries, Inc		
Do	Catholic Health Assn of the U.S.		
Do	Chase Manhattan Corp		
Do	Chrysler Corporation		
Do	Committee for Future Investment in America's Past		
Do	CIC Enterprises, Inc	1,000.00	
Do	Dee Corporation PLC		
Do	Digital Equipment Corp	2,750.00	
Do	Duke Endowment		
Do	Federal National Mortgage Assn		
Do	Federation of American Health Systems		
Do	General Electric Pension Trust		
Do	Hanschell Inniss, Ltd		
Do	Hershey Foods Corp		
Do	Historic Landmarks for Living		
Do	Integrated Resources, Inc	500.00	
Do	Labor-Industry Coalition for International Trade	1,725.00	
Do	Marriott Corporation		
Do	National Assn for Home Care		
Do	Nynex Corporation	850.00	12.00
Do	Salomon Inc		
Do	Joseph E. Seagram & Sons, Inc	500.00	
Do	Semiconductor Industry Association	8,325.40	
Do	Sybedon Corporation		
Do	Teachers Insurance & Annuity Assn of America		
Do	Tobacco Row Associates		
Do	U.S. Coalition for Fair Lumber Imports	125.00	245.00
James U. DeFrancis, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	3,187.00	1,128.55
Mary Elise DeGonia, 600 Maryland Avenue, SW West Wing, Suite 300 Washington, DC 20024	70001 Training & Employment Institute	500.00	20.00
Law Offices of Paul H. DeLaney, Jr., 1920 N Street, NW, #610 Washington, DC 20036	Continental Grain Co	2,205.62	
Do	General Development Utilities, Inc		
Do	Groth Air Services, Inc		
William R. DeReuter, 1828 L Street, NW, #906 Washington, DC 20036	Merrill Lynch & Co, Inc	2,000.00	
John M. Dickerman, 1015 15th St., NW, #700 Washington, DC 20005	National Lumber & Building Material Dealers Assn		
Chester T. Dickerson Jr., 1101 17th St., NW, #604 Washington, DC 20036	Monsanto Co		816.39

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Elaine Dickinson, 880 S. Pickett Street Alexandria, VA 22304	Boat Owners Assn of the U.S.	7,000.00	
Gary Alan Dickinson, 2 International Plaza Dr., #600 Nashville, TN 37217	Anglo American Auto Auctions, Inc		
Norman Dickinson, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Canadian Institute of Steel Construction		
William E. Dickinson, 206 N. Washington St., #300 Alexandria, VA 22314	Salt Institute		
Dickinson Wright Moon Van Dusen & Freeman, 1901 L St., NW, #801 Washington, DC 20036	Allied Signal, Inc	12,600.00	343.46
Do	Chicago & Northwestern Transportation	17,200.00	
Dickstein Shapiro & Morin, 2101 L St., NW Washington, DC 20037	Advance Publications		
Do	American Discount Stamps		
Do	American Greyhound Track Operators Assn	9,733.00	
Do	ABD Securities Corp	500.00	
Do	Bear Stearns & Co	7,200.00	
Do	Boundary Gas, Inc	200.00	
Do	Car Audio Specialists Assn (CASA)	500.00	
Do	Children's Hospital		
Do	Fairchild Industries, Inc		
Do	Federal National Mortgage Assn	203.00	
Do	Federated Cash Management Systems	13,500.00	
Do	Fiat USA		
Do	Inslaw, Inc		
Do	Iroquois Gas, Inc	403.75	
Do	Marine Engineers' Beneficial Assn		
Do	Morgan Guaranty Trust Co	560.00	
Do	National Fed of Societies for Clinical Social Work	4,000.00	
Do	Ocean State Power	13,433.25	
Do	Paulucci Enterprises	15,263.75	
Do	Providence Hospital		
Do	Saco Defense, Inc		
Do	States of Arkansas, et al.		
Do	Symbion, Inc		
Rick Diegel, 1125 15th Street, NW Washington, DC 20005	International Brotherhood of Electrical Workers, AFL-CIO-CLC	2,281.25	150.00
George Dillard, 5128 Sauer, Suite A Houston, TX 77004	Kaleidoscope Research & Marketing Group		
Thomas A. Dine, 500 North Capitol St, NW, #300 Washington, DC 20001-1510	American Israel Public Affairs Comm	16,208.33	1,537.49
Direct Selling Association, 1776 K Street, NW Washington, DC 20006			
Barry B. Direnfeld, Rivkin Radler Dunne & Bayh 1575 I Street, NW, #1025 Washington, DC 20005	New Energy Co of Indiana	500.00	15.00
Dale P. Dirks, 400 First St., NW, #712 Washington, DC 20001	Health & Medicine Counsel of Washington		
Do	Professional Services Counsel		
Disabled American Veterans, 3725 Alexandria Pike Cold Spring, KY 41076		37,278.58	37,278.58
Patsy B. Dix, 1201 16th St., NW Washington, DC 20036	National Education Assn	2,796.00	292.00
Barbara A. Dixon, 1600 Eye Street, NW Washington, DC 20006	Motion Picture Assn of America, Inc	1,920.00	
Sharon Pratt Dixon, 1900 Pennsylvania Avenue, NW Washington, DC 20068	Potomac Electric Power Co	36.42	
Charles J. DiBona, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	1,875.00	
Margaret R. DiPaula, 1700 K Street, NW, #1204 Washington, DC 20006	Chevron USA, Inc	155.00	
Julie Domenick Doerr, 1600 M St., NW Washington, DC 20036	Investment Company Institute	831.39	456.50
Eileen Marie Doherty, 1000 Connecticut Avenue, NW Washington, DC 20036	Japan Economic Institute of America	500.00	
Brian J. Donadio, 122 C St., NW, #875 Washington, DC 20001	American Osteopathic Assn	3,503.00	
Nancy A. Donaldson, 110 Maryland Avenue, NE, #211 Washington, DC 20002	Women's Action for Nuclear Disarmament, Inc, et al	1,875.00	
John F. Donelan, Donelan Cleary Wood & Maser, P.c. 1275 K St., NW, #850 Washington, DC 20005	Procompetitive Rail Steering Committee		
Andrew J. Donelson, 1101 15th Street, NW Washington, DC 20005	Minnesota Mining & Manufacturing Co	2,500.00	
Thomas E. Donley, 1615 H Street, NW, #516 Washington, DC 20062	U.S. Chamber of Commerce		
Mary Elizabeth Donnelly, 1233 20th St., NW, #200 Washington, DC 20036	Newmont Mining Corp		
Sally S. Donner, 1710 Rhode Island Avenue, NW, #400 Washington, DC 20036	General Foods Corporation	1,229.25	
Donohue & Associates, Inc, 11445 Isaac Newton Square So. Reston, VA 22090			
Paul M. Donovan, Laroe Winn & Moerman 1120 G Street, NW, #800 Washington, DC 20005	Alliance for Rail Competition		
William Donovan, 1111 N. 19th St, #700 Arlington, VA 22209	National Assn of Federal Credit Unions	2,500.00	109.88
Francis X. Dooley, 525 School St., SW Washington, DC 20024	American Road & Transportation Builders Assn	7,500.00	320.00
Ira Dorfman, 1111 14th St., NW, #300 Washington, DC 20005	American Bakers Assn	270.00	2.00
Kevin L. Dorn, 1400 K Street, NW, #801 Washington, DC 20005	General Aviation Manufacturers Assn	4,623.00	
James A. Dorsch, 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Dean R. Dort II, 1667 K Street, NW, #370 Washington, DC 20006	Deere & Company	756.25	
Michael I. Dougherty, Pillsbury Center MS 3771 Minneapolis, MN 55402	Pillsbury Co		
Sally L. Douglas, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	4,785.50	200.00
Dow Lohnes & Albertson, 1255 23rd St., NW Washington, DC 20037	Chicago City Colleges		
L. Michael Dowling, Suite 320 1901 L Street, NW Washington, DC 20036	Ogilvy and Mather Public Relations		
Charles P. Downer, 7901 Westpark Drive Mclean, VA 22102	National Machine Tool Builders' Assn	1,113.00	250.00
Jane Lind Downey, 2200 Mill Rd Alexandria, VA 22314	American Movers Conference	410.00	
John A. Doyle, 1156 15th St., NW, #1100 Washington, DC 20005	American Psychological Assn	1,070.00	98.44
John C. Doyle Jr., 218 D St., SE Washington, DC 20003	Environmental Policy Institute	913.61	
John P. Doyle Jr., 8600 Boundbrook Lane Alexandria, VA 22309	J. P. Doyle Enterprises, Inc	1,000.00	
William A. Doyle, 2346 S. Rolfe Street Arlington, VA 22202	Harris Corporation	3,050.00	1,347.10
Ronald W. Drach, 807 Maine Avenue, SW Washington, DC 20024	Disabled American Veterans	17,300.40	13.34
David P. Drake, 1747 Pennsylvania Ave., NW, #700 Washington, DC 20006	Ciba-Geigy Corp	3,000.00	
James E. Drake, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	5,272.00	
Paul A. Drazek, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	8,063.00	
Dressendorfer-Laird, Inc, 1730 Rhode Island Avenue, NW, #210 Washington, DC 20036	Briggs & Stratton	250.00	
Do	General Dynamics Corp	250.00	
Do	Metropolitan Life Insurance Cos	250.00	
Do	Science Applications Int'l Corp	250.00	
Joan Albert Dreux, 600 Pennsylvania Avenue, SE, #211 Washington, DC 20003	National Assn of Casualty & Surety Agents	3,000.00	1,930.90
Stephen D. Driesler, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	National Multi Housing Council	2,607.75	
William B. Driggers, 1745 Jefferson Davis Highway, #605 Arlington, VA 22202	Texas Instruments, Inc	400.00	
John P. Dring, 1331 Pennsylvania Ave., NW, #565 Washington, DC 20004	Texas Gas Transmission Corp	1,500.00	45.00
Kevin J. Driscoll, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
Fran Du Melle, 1101 Vermont Avenue, NW, #402 Washington, DC 20005	American Lung Assn	2,890.00	2,767.00
Evelyn Dubrow, 1710 Broadway New York, NY 10019	International Ladies' Garment Workers Union	13,000.00	148.10
Morgan D. Dubrow, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	75.00	
Dudek Communications, 902 Pennsylvania Avenue, SE Washington, DC 20003	Lyonnaise des Eaux Group	24,000.00	8,900.00
Tim Dudgeon, 1250 Eye Street, NW, #900 Washington, DC 20005	Distilled Spirits Council of the U.S., Inc	2,000.00	
Jane McPike Dudley, 888 17th Street, NW, #901 Washington, DC 20006	Whiteford Taylor & Preston		
Ann Anderson Duff, 1331 Pennsylvania AVenue, NW Washington, DC 20004	National Assn of Manufacturers	1,200.00	
Michael J. Duff, 1101 16th Street, NW Washington, DC 20036	Scientific Apparatus Makers Assn	1,400.00	161.00
Joseph R. Dugan, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
C. R. Duggan, 815 16th St., NW Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks	1,500.00	1,500.00
Francis J. Duggan, 50 F Street, NW, #12800 Washington, DC 20001	Association of American Railroads	591.27	288.82
Evelyn Dukovic, 3 East 85th Street New York, NY 10028	Morality in Media, Inc		
Dulles Access Transit Corp, Washington National Airport Washington, DC 20001			7,725.59
Mervin E. Dullum, 1629 K St., NW, #204 Washington, DC 20006	Delta Air Lines, Inc	200.00	78.65
Amy K. Dunbar, One Beacon Street Boston, MA 02108	Palmer & Dodge (For:National Assn of Bond Lawyers)		976.23
Don R. Duncan, 1825 K Street, NW, #1107 Washington, DC 20006	Phillips Petroleum Co	5,000.00	172.34
Leslie Delong Duncan, 1925 K Street, NW, #206 Washington, DC 20006	Alliance to Save Energy	319.52	
William C. Duncan, 1050 17th Street, NW, #410 Washington, DC 20036	Japan Automobile Manufacturers Assn	1,800.00	1,778.67
Duncan Allen & Mitchell, 1575 Eye Street, NW Washington, DC 20005	Visaflor, S.A.		
Duncan Weinberg & Miller, P.C., 1615 M Street, NW, #800 Washington, DC 20036	Kenai Natives Assn, Inc	250.00	
Do	Mid West Electric Consumers' Assn, Inc		
Do	National Assn of State Energy Officials		
Do	State of Nevada		
Do	State of North Dakota		
Do	Western Fuels Association, Inc		
Mari Lee Dunn, 1850 K St., NW, #400 Washington, DC 20006	American Council for Capital Formation		
Patrick W. Dunn, 4400 Seattle First National Bank Bldg. 1001 Fourth Ave. Plaza #4400 Seattle, WA 98154	Riddell Williams Bullitt & Walkinshaw (For:Friends of the Columbia River Gorge)		
John H. Dunne, 8701 Georgia Ave., #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
James A. Dupree, 815 Connecticut Ave., NW Washington, DC 20006	Ford Motor Co	4,050.00	1,856.00
Joseph L. Duran, 100 Federal St. Boston, MA 02110	First National Bank of Boston		
Judy C. Durand, 1120 20th Street, NW, #600s Washington, DC 20036	Union Pacific Corp	666.00	1,412.85

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Margaret A. Durbin, 1001 pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	2,200.00	
B. J. Durham, P.O. Box 2121 Corpus Christi, TX 78403	Central Power & Light Company	641.00	2,184.65
David Durham, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,250.00	18.66
Ed Durkin, 101 Constitution Avenue, NW Washington, DC 20001	United Brotherhood of Carpenters & Joiners of America		
Duryea Murphy Davenport & Van Winkle, 711 Capitol Way Olympia, WA 98501	State of Nevada, Nuclear Waste Project Office	12,247.50	3,176.61
Dutko & Associates, 412 First St., SE, #40 Washington, DC 20003	Miguel H. Agosto	6,000.00	
Do	American Consumer Trade Council	31,381.25	
Do	Associates of North America		
Do	Colorado River Municipal Water District (CRMWD)		
Do	Communications Satellite Corp	6,000.00	
Do	D & B Wholesale Cosmetics, Inc	468.75	
Do	DSC Communications	15,000.00	
Do	Granger Associates		
Do	Gulf & Western Industries, Inc	7,500.00	
Do	Hart-Culp International	18,237.50	
Do	Large Scale Program Institute		
Do	Lightnet	15,437.50	
Do	MedMax		
Do	Model Imperial Supply Co, Inc	18.75	
Do	Oklahoma State University	9,000.00	
Do	PacifiCare Health Systems	6,962.50	
Do	Pitts Energy Group		
Do	Psychemedics Corp	16,725.00	
Do	R-Max		
Do	Southland Corporation		
Do	M. Stevens Cosmetics Co	18.75	
Do	Superconducting Super Collider	1,800.00	
Do	US Sprint	5,468.75	
Peggy L. Duxbury, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004	National Assn of Manufacturers	900.00	
Ernest DuBester, 815 16th Street, NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	13,467.72	592.41
Duncan Dwelle, 1001 Bridgeway, #301 Suasalito, CA 94965	American Fair Trade Council	6,900.00	6,900.00
Denis J. Dwyer, 700 North Fairfax St. Alexandria, VA 22314	Railway Progress Institute	556.25	
Roderick T. Dwyer, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
Dykema Gossett Spencer Goodnow & Trigg, 1752 N St., NW, 6th Fl. Washington, DC 20036	Total Petroleum, Inc		
Dynalectron Corporation, 1313 Dolley Madison Blvd. Mclean, VA 22101			236.16
Talis Dzenitis, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Sears Roebuck & Co	500.00	
DGA International, Inc, 1818 N Street, NW Washington, DC 20036	Dir Intl Aff of the Gen Del for Armements		
Do	Societe Nationale D'Etude et de Const de Moteurs D'Aviation	1,038.00	50.47
Do	Sofreavia	2,146.50	586.05
Earle Grovatt & Assoc, Inc, 55 W. Main Street Freehold, NJ 07728	Dickinson Business School	3,000.00	929.00
Jack D. Early, The Madison Building, #900 1155 15th Street, NW Washington, DC 20005	National Agricultural Chemicals Assn	712.50	69.00
Catherine East, 1275 K Street, NW, #750 Washington, DC 20005	National Women's Political Caucus		45.00
George H. Eatman, 1800 Connecticut Ave., NW, #300 Washington, DC 20009	Slurry Technology Assn	1,000.00	
Charles H. Eaton, 1725 K St., NW, #1111 Washington, DC 20006	Eaton Associates, Inc		
Robert E. L. Eaton, 1725 K St., NW, #1111 Washington, DC 20006	Eaton Associates, Inc		
Eaton Associates, Inc, 1725 K St., NW, #1111 Washington, DC 20006			
Robert E. Ebel, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	1,450.00	517.00
Marsha A. Echols, Law Offices of Max N. Berry 3213 O Street, NW Washington, DC 20007	National Assn for the Specialty Food Trade, Inc		
N. Boyd Ecker, 1100 Connecticut Ave., NW Washington, DC 20036	Mobil Oil Corp	1,500.00	70.80
Patricia K. Economos, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
William R. Edgar, 1620 Eye St., NW, #501 Washington, DC 20006	Gates Learjet Corporation		
Helen H. Edge, 700 N. Fairfax St. Alexandria, VA 22314	Railway Progress Institute	512.50	
Edison Electric Institute, 9th Floor 1111 19th St., NW Washington, DC 20036		332,988.78	84,073.35
V. Anne Edlund, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
Stephen L. Edmiston, 807 Maine Ave., SW Washington, DC 20024	Disabled American Veterans	15,464.80	466.78
Ed Edmondson, 416 Court St., P.O. Box 11 Muskogee, OK 74401-0011	American Inland Waterways Committee		
Do	Association of Oklahoma General Contractors		
Do	Cherokee Nation		
Do	Doss Aviation, Inc		
Do	IU International Management Corp		
Do	Oklahoma Assn of Electric Coops		
Do	U.S. Maritime Committee, Inc		
Christine A. Edwards, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Dean Witter Financial Services Group	556.65	32.50
J. Rodney Edwards, 260 Madison Ave. New York, NY 10016	American Paper Institute, Inc		
Michael D. Edwards, 1201 16th Street, NW Washington, DC 20036	National Education Assn	3,291.30	130.00
William A. Edwards, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	6,889.99	491.38
Edwards Associates, 507 Second St., NE Washington, DC 20002	Confederated Tribes of Warm Springs		
Paul S. Egan, 1608 K St., NW Washington, DC 20006	American Legion	10,452.00	149.63
Albert C. Eisenberg, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	9,000.00	
Adelaide K. Eisenmann, 607 G St., SW Washington, DC 20024	Panamanian Comm for Human Rights		
Linda S. Eisnaugle, 225 W. 34th Street New York, NY 10001	National Commercial Finance Assn	11,500.00	1,927.00
H. J. Elam III, 1201 Maple St. Greensboro, NC 27405	Cone Mills Corp	30,000.00	9,028.00
Jane Elder, 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	701.35	1,136.41
Timothy L. Elder, 100 N.E. Adams Street Peoriagton, IL 61629-1430	Caterpillar, Inc	625.00	10.36
Electronic Funds Transfer Assn, 1726 M Street, NW, #1000 Washington, DC 20036			200.00
Eileen Elgin, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,200.00	
George K. Eliades, 7297-P Lee Highway Falls Church, VA 22042	Society of American Wood Preservers, Inc	3,000.00	2,850.00
J. Burton Eller Jr., 1301 Pennsylvania Ave., NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Charles W. Elliott, Wisconsin Petroleum Council 25 W. Main St., #703 Madison, WI 53703	American Petroleum Institute	904.00	1,026.60
Christine Elliott-Groves, 600 Maryland Avenue, SW, #700 Washington, DC 20024	National Fed of Independent Business	3,401.75	200.00
John M. Ellis, 1120 Fairfield Avenue Roseville, CA 95678	Nor-Cal Federal Coalition	1,200.00	1,200.00
Mark M. Ellison, French & Company 1455 Pennsylvania Ave., NW, #1260 Washington, DC 20004	Hong Kong Trade Development Council	1,250.00	
Emergency Committee for American Trade, 1211 Connecticut Ave. Washington, DC 20036		67,983.45	80,896.02
Emerson Electric Co, 8000 W. Florissant St. Louis, MO 63136			1,827.01
Michael J. Emig, 1125 15th St., NW Washington, DC 20005	International Brotherhood of Electrical Workers	6,000.00	520.05
Lowell J. Endahl, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn		
Energy Consumers & Producers Assn, Box 1726 Seminole, OK 74868		26,203.02	935.45
Ralph Engel, 1001 Connecticut Ave., NW, #1120 Washington, DC 20036	Chemical Specialties Manufacturers Assn, Inc		
Joseph J. English, 1010 Vermont Avenue, NW Washington, DC 20005	Stewart-Warner Corp	10,000.00	131.74
Patricia A. English, 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
Christopher Engquist, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Richard Engram Jr., P.O. Box 506 Merchants & Miners Bank Bldg. Welch, WV 24801			
Clinton W. Ensign, 2600 Virginia Avenue, NW, #901 Washington, DC 20037	Sinclair Oil Corporation	1,000.00	154.09
Environmental Action, Inc, 1525 New Hampshire Ave., NW Washington, DC 20036		25,839.00	12,608.00
Epstein Becker Borsody & Green, P.C., 1140 19th St., NW, #900 Washington, DC 20036	National Cable Television Assn, Inc	14,011.33	
Do	Voluntary Hospitals of America, Inc	15,134.00	
Ingolf G. Esders, 815 16th Street, NW Washington, DC 20006	International Longshoremen's Assn, AFL-CIO	6,686.63	
Estate of W. W. Callan, 1509 East 31st Street Byran, TX 77801			
Jane B. Esterly, Karl A. Funke & Associates 729 2nd Street, NE Washington, DC 20002	United South & Eastern Tribes, et al	1,500.00	575.97
Stephen E. Eure, 1711 King Street Alexandria, VA 22314	Snack Food Assn	5,250.00	770.98
European Travel Commission, 630 Fifth Avenue New York, NY 10111			
Andreas W. Evans, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
C. Lawrence Evans Jr., 51 Louisiana Avenue, NW Washington, DC 20001	Acacia Mutual Life Insurance Co		
John R. Evans, 9208 Seven Locks Road Bethesda, MD 20817	Drexel Burnham Lambert, Inc		25.00
Joseph O. Evans, Apartment 21 4401 Lee Hwy. Arlington, VA 22207			
Rae Forker Evans, 1615 L Street, NW, #1220 Washington, DC 20036	Hallmark Cards, Inc		
Robert B. Evans, 1101 14th Street, NW Washington, DC 20005	American Financial Services Assn		
Robert D. Evans, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
William J. Evans Jr., 1660 L St., NW, #901 Washington, DC 20036	Pan American World Services, Inc	800.00	75.54
Wayne S. Ewing, Associated Petroleum Industries of Pa P.O. Box 925 Harrisburg, PA 17108	American Petroleum Institute		
Robbie G. Exley, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
Paul K. Eyer, 122 C Street, NW, #875 Washington, DC 20001	American Osteopathic Assn	1,400.00	
EDS Corporation, 1331 Pennsylvania Ave., NW, #1300 Washington, DC 20004			1,933.93

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
F/P Research Associates, 1700 K St., NW, #303 Washington, DC 20006	National Cable Television Assn, Inc	500.00	
Do	Shell Oil Co	500.00	
Michael W. Faber, Reid & Priest 1111 19th Street, NW, #1100 Washington, DC 20036	Committee of Corporate Telecommunications Users		
Robert R. Fahs, 1101 15th St., NW, #205 Washington, DC 20005	Cargill Inc	2,500.00	6.00
Dale W. Fallat, P.O. Box 119 Maumee, OH 43537	Andersons		
F. S. Fallon Jr., P.O. Box 600 Eglin AFB, FL 32542-7606			
Peter M. Fannon, 1818 N Street, NW, #410 Washington, DC 20036	National Assn of Public Television Stations	600.00	150.00
Thomas B. Farley II, 1220 L St., NW Washington, DC 20005	American Petroleum Institute	6,200.00	110.50
Farm Credit Council, 50 F Street, NW, #900 Washington, DC 20001			
David M. Farmer, 1629 K Street, NW, #1010 Washington, DC 20006	Alliance of American Insurers	6,000.00	
Farmers' Educational & Co-Operative Union of America, 600 Maryland Ave., SW, #202w Washington, DC 20024		204,992.00	76,297.85
John W. Farquhar, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	300.00	
Dagmar T. Farr, 1750 K Street, N.w. Washington, DC 20006	Food Marketing Institute	450.00	
Christopher G. Farrand, 1120 20th Street, NW, #720 Washington, DC 20036	Peabody Holding Co, Inc		26.00
Michael Farrar, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc	200.00	
Dennis D. Farrell, 1801 K Street, NW, #1200 Washington, DC 20006	IBM Corp		
Marcus G. Faust, 2121 K St., NW, #880 Washington, DC 20037	Central Utah Water Conservancy District	9,334.71	289.01
Do	Public Service Co of New Mexico	6,225.02	480.62
Do	Sierra Pacific Power Co	14,544.34	1,202.59
Do	Standard Oil Co (Ohio)	11,250.00	
Jane Fawcett-Hoover, 801 18th St., NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co	37.50	
William D. Fay, 1130 17th Street, NW Washington, DC 20036	National Coal Assn	6,780.00	5,327.87
Federal Company, 1755D Lynnfield Road, #149 Memphis, TN 38119			7,449.67
Federal Judges Association, 1355 Market St., #155 San Francisco, CA 94103		52,141.45	17,709.34
Federation for American Afghan Action, 11244 Waples Mill Road, Suite J Fairfax, VA 22030		25.00	1,920.73
Federation of Aids-Related Organizations/Aids Action Council, 729 8th Street, SE, #200 Washington, DC 20003		53,000.00	41,949.70
Federation of American Controlled Shipping, 50 Broadway New York, NY 10004		1,182.88	1,182.88
Federation of American Health Systems, 1111 19th St., NW, #402 Washington, DC 20036		9,000.00	9,000.00
Federation of American Scientists, 307 Massachusetts Ave., NE Washington, DC 20002			2,877.70
Robert Feenstra, 13545 Euclid Avenue Ontario, CA 91761	Milk Producers Council (For:Dairy Farmers for Responsible Dairy Policy)		
Kenneth E. Feltman, 1660 L Street, NW, #715 Washington, DC 20036	Employers Council on Flexible Compensation	200.00	
Randolph Fenninger, 10000 Falls Road, #300 Potomac, MD 20854	American Assn of Colleges of Osteopathic Medicine	3,000.00	50.00
Do	American Gastroenterological Assn		
Do	American Soc for Gastrointestinal Endoscopy		
Do	American Urological Assn/Amer Assn of Clinical Urologists		125.00
Judith W. Fensterer, 242 E. 80th Street New York, NY 10021	Generic Pharmaceutical Industry Assn	279.00	189.50
Fensterwald & Alcorn, 1000 Wilson Blvd., #900 Arlington, VA 22209	Equity for National Guard Technicians		
Edward T. Fergus, 100 Gold St. New York, NY 10292	Prudential-Bache Securities, Inc	750.00	
Betsy Ferguson, 1875 Eye St., NW, #1110 Washington, DC 20006	Times Mirror Co		
Denise G. Ferguson, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
William Ferguson Jr., 1730 Rhode Island Ave., NW, #400 Washington, DC 20036	Aries Properties, Inc		
Do	Berg-Revoir Corp		
Do	City of Alhambra		
Do	City of Baldwin Park		
Do	City of Inglewood		
Do	City of Oceanside		
Do	City of Provo		
Do	City of Redondo Beach		
Do	City of South Salt Lake		
Do	Gavin Associates		
Do	Imperial Irrigation District		
Do	Irvine Company	5,500.00	28.59
Do	Long Beach Transit		
Do	Oceanside Redevelopment Agency		
Do	Santa Cruz Properties, Inc		
John L. Festa, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc		
Fiber Fabric & Apparel Coalition for Trade, 1101 Connecticut Ave., NW, #300 Washington, DC 20036		490,908.82	263,783.36
Fred C. Fielding, 1725 Jefferson Davis Hwy, #900 Arlington, VA 22202	AM General Corporation		
C. H. Fields, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	7,187.00	8.30
Herbert A. Fierst, 610 Ring Bldg. 1200 18th St., NW Washington, DC 20036	Council of Forest Industries of B.C., et al.	31,251.00	1,535.00
Marshall S. Filler, 2033 M Street, NW, #700 Washington, DC 20006	Air Transport Assn of America		
Do	Eastern Airlines, Inc		
Do	Texas Air Corp		
Robert E. Finch, 2400 E. Commercial Blvd., #500 Ft. Lauderdale, FL 33308	Ameriserv, inc		
Lawrence A. Fineran, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004	National Assn of Manufacturers	125.00	
William A. Finerfrock, 1117 N. 19th Street, #300 Arlington, VA 22209	American Academy of Physician Assistants	10,999.00	197.00
Matthew P. Fink, 1600 M St., NW Washington, DC 20036	Investment Company Institute	274.73	22.00
Nelson L. Fink, 378 Valley Oak Court Waldorf, MD 20601	Air Force Sergeants Assn, Inc		
Finley Kumble Wagner Heine Underberg Manley Myerson & Casey, 1140 Connecticut Ave., NW, #400 Washington, DC 20036	American College of Neuropsychopharmacology	467.50	13.72
Do	American Protestant Health Assn	2,250.00	115.10
Do	Association of British Insurers		
Do	ADAPSO	1,240.00	51.30
Do	AVW Electronic Systems, Inc	2,550.00	
Do	City of Inglewood	650.00	
Do	City of Oakland		
Do	Committee on Problems of Drug Dependence, Inc	542.50	13.72
Do	Development Corp of Israel		
Do	Edmund Gann		
Do	Golden Nugget, Inc		
Do	Government of Antigua & Barbuda		
Do	Group Hospitalization & Medical Services, Inc		
Do	Home Group, Inc		
Do	Home Insurance Co		
Do	IBM Corp		
Do	Sir William Lithgrow		
Do	Mutual Protection Trust Cooperative of American Physicians		
Do	National Assn of Alcoholism Treatment Programs, Inc		
Do	National Assn of Senior Living Industries (NASLI)		
Do	Nordisk-USA	512.50	25.00
Do	Norfolk Southern Corp		
Do	Occidental Petroleum Corp		
Do	Population Crisis Committee	3,037.50	
Do	Puerto Rico Department of Health	10,500.00	1,568.25
Do	Puerto Rico Hospital Assn	9,000.00	1,568.25
Do	PTAT System, Inc		
Do	Savoy Industries		
Do	Small Business Council of America		
Do	Society of Real Estate Appraisers		
Do	State of Maryland		
Do	Syncor Int'l Corp/Nat'l Assn of Nuclear Pharmacies	700.00	
Do	TechAmerica Group, Inc		
Do	Toyota Motor Manufacturing, U.S.A		
Do	TRT Telecommunications Corp		
Do	U.S. Telephone Assn		
Do	United Cement Company Coalition of U.S. Cement Producers	7,495.42	
Stephen A. Finn, P.O. Box 520783 - General Mail Facility Miami, FL 33152	Burger King Corp		
Thomas D. Finnigan, 1100 15th Street, NW, 12th Fl. Washington, DC 20005	Union Carbide Corp		59.61
M. J. Fiocco, 1090 Vermont Ave., NW, #410 Washington, DC 20005	National Industrial Transportation League	5,000.00	49.90
First National Bank of Boston, 100 Federal St. Boston, MA 02110			20,439.55
Richard L. Fischer, 1615 M St., NW, #200 Washington, DC 20036	Amoco Corporation		
Deborah A. Fischione, 2000 Pennsylvania Ave., NW, #6200 Washington, DC 20006	Chicago Mercantile Exchange		
Donald W. Fisher, 3814 Ivanhoe Lane Alexandria, VA 22310	American Group Practice Assn, Inc		
Dwight R. Fisher, 600 Maryland Avenue, SW, #700 Washington, DC 20024	National Fed of Independent Business	700.00	100.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Janet S. Fisher, 1333 New Hampshire Avenue, NW Washington, DC 20036	Atlantic Richfield Co		
John Fisher, 140 Oklahoma Road Cook, WA 98605	Columbia Gorge United		
William P. Fisher, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Fisher Wayland Cooper & Leader, 1255 23rd Street, NW, #800 Washington, DC 20037-1125	International Communications Assn		
David H. Fiske, Fiske & Associates 1776 K Street, NW, #900 Washington, DC 20006	Software Publishers Assn	1,300.00	74.00
Patrick E. Fitch, 1755 Jefferson Davis Highway, #900 Arlington, VA 22202	Gould, Inc		867.22
Lauri J. Fitz, 901 31st St., NW Washington, DC 20007	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)	75.00	
Thomas H. Fitzpatrick, Connecticut Petroleum Council 410 Asylum Street Hartford, CT 06103	American Petroleum Institute		
Richard S. Fitzsimmons, 1025 Connecticut Ave., NW, #415 Washington, DC 20036	American Insurance Assn		
Alan M. Fitzwater, 3800 Continental Plaza 777 Main Street Fort Worth, TX 76102	Burlington Northern Railroad	22,500.00	2,645.38
Hilliard J. Fjord, 602 Main St., #600 Cincinnati, OH 45202	Ohio River Co	3,000.00	478.00
Robert B. Flagg, 1130 17th St., NW Washington, DC 20036-4677	Mining & Reclamation Council of America		
Daniel V. Flanagan Jr., 12 Third Street, NE Washington, DC 20002	Flanagan & Associates, Inc (For:Memorial Sloan-Kettering Cancer Center)		
Do	Virginia Power		
James J. Flanagan, 25 Research Dr. Westborough, MA 01581	New England Power Service Co	873.00	144.15
David H. Fleck, 777 East Wisconsin Avenue Milwaukee, WI 53202-5367	Foley & Lardner (For:City of Kenosha, Wisconsin)		
Michael Fleming, 1300 17th St., #1010 Arlington, VA 22209	American Assn of Equipment Lessors		
Terry P. Fleming, Ohio Petroleum Council 88 E. Broad St., #1960 Columbus, OH 43215	American Petroleum Institute	3,000.00	1,748.67
Florida Business Associates, 1575 Eye Street, NW, #530 Washington, DC 20005	CSX Transportation Systems	3,786.00	
Do	General Development Corp		
Do	Westinghouse Electric Corp	10,979.00	
Veronica M. Floyd, 2001 S. Jeff Davis Highway, #1107 Arlington, VA 22202	Brunswick Corp	11,100.00	1,320.12
Christopher Flynn, 2034 G Street, NW Washington, DC 20006	Edward Blankstein, Inc		
Foley & Lardner, 1775 Pennsylvania Ave., NW Washington, DC 20006-4680	City of Kenosha, Wisconsin	1,500.00	90.00
Do	Dimensions, Inc	500.00	18.50
Do	Kohlberg Kravis Roberts & Co	1,000.00	
Gary L. Fontana, Thelen Marrin Johnson & Bridges 2 Embarcadero Center San Francisco, CA 94111	Hawaiian Electric Co, Inc	2,778.00	424.82
Do	Thermal Power Co	1,025.00	20.67
Food & Allied Service Trades Dept, AFL-CIO, 815 16th Street, NW, #408 Washington, DC 20006		14,384.00	14,384.00
Food Marketing Institute, 1750 K St., NW Washington, DC 20006			5,497.60
Hubert V. Forcier, 2300 Multifoods Tower Minneapolis, MN 55402	American Lutheran Church	3,267.00	3,267.00
James E. Ford, 1333 New Hampshire Avenue, NW Washington, DC 20036	Atlantic Richfield Co		
Donald D. Foreman, 200 E. Randolph Dr. Chicago, IL 60601	Amoco Corporation		
Foreman and Company, 1826 Jefferson Place, NW, #201 Washington, DC 20036	Audio Recording Rights Coalition		
Do	Camp Carmouche Barsh Hunter Gray Hoffman & Gill, P.C.	2,540.00	25.00
Do	Greene O'Reilly Agnew & Broillet		
Mark A. Forman, 345 Park Ave., 31st Fl New York, NY 10154	Union Pacific Corp	625.00	169.14
Sallie H. Forman, 1825 K Street, NW, #807 Washington, DC 20006	National Broadcasting Co, Inc	1,500.00	47.90
Larry Forrester, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268	National Assn of Mutual Insurance Cos		
Michael A. Forscey, 1735 New York Avenue, NW Washington, DC 20006	Metropolitan Life & Affiliated Cos		
Do	Tobacco Institute		
Richard C. Fortuna, 2916 Stephenson Pl., NW Washington, DC 20015	Hazardous Waste Treatment Council		1,500.00
Maria Foscarinis, 1620 Eye St., NW, #300 Washington, DC 20006	National Coalition for the Homeless	625.00	
Bruce Foster, 1111 19th Street, NW, #303 Washington, DC 20036	Southern California Edison Co	2,940.00	1,500.00
Nancy E. Foster, 1800 Massachusetts Avenue, NW Washington, DC 20036	American Soybean Association	2,122.50	114.95
Conrad M. Fowler, Box 71 West Point, GA 31833	West Point Pepperell	8,856.00	6,741.00
Chuck Fox, 218 D Street, SE Washington, DC 20003	Environmental Policy Institute	244.00	
Fox Group, USA Ltd, P.O. Box 1831 Charleston, SC 29402	Camp Carmouche Barsh... (for Sears Roebuck & Co), et al.	12,000.00	
Donald Fraher, 633 E Street, NW Washington, DC 20004	American Symphony Orchestra League	9,831.54	290.54
John R. Frahm, 1101 15th Street, NW Washington, DC 20005	Minnesota Mining & Manufacturing Co	3,000.00	
Douglas L. Francisco, 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		78.00
Peter M. Frank, 1667 K St., NW, #250 Washington, DC 20006	Kerr-McGee Corp	2,500.00	1,658.51
David C. Frankil, 918 16th Street, NW, #402 Washington, DC 20006	American Furniture Manufacturers Assn	750.00	627.43
Walter L. Frankland Jr., 1717 K St., NW Washington, DC 20006	Silver Users Assn, Inc	1,720.00	100.00
Ellis B. Franklin, 5025 Wisconsin Ave., NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
George Franklin, 1 Kellogg Square Battle Creek, MI 49016-3599	Kellogg Company	3,000.00	325.00
James R. Franklin, 1185 Avenue of the Americas New York, NY 10036	J. P. Stevens & Co, Inc		782.25
John B. Franz, P.O. Box 10568 Pompano Beach, FL 33061			
Marian C. Franz, 2121 Decatur Place, NW Washington, DC 20008	National Campaign for a Peace Tax Fund	825.00	371.00
Charles L. Frazier, 475 L'Enfant Plaza, SW, #2250 Washington, DC 20024	National Farmers Organization	4,304.56	3,640.27
Gregory W. Frazier, P.O. Box 427 Englewood, CO 80151	International Energy Brokers, Inc		
Robert M. Frederick, 1616 H St., NW Washington, DC 20006	National Grange	6,000.00	
Ann Todd Free, 1120 Connecticut Avenue, NW Washington, DC 20036	American Bankers Assn	400.00	
Free the Eagle, 11244 Waples Mill Rd., Suite J Fairfax, VA 22030		30,770.00	188,415.06
D. Michal Freedman, 2030 M Street, NW Washington, DC 20036	Common Cause	8,759.04	
Joel Freedman, 1600 M St., NW, 5th Floor Washington, DC 20036	Hartford Fire Insurance Co	5,000.00	
James O. Freeman, 50 E Street, SE Washington, DC 20003	U.S. League of Savings Institutions	6,250.00	
Paula D. Freer, 818 Connecticut Avenue, NW, #900 Washington, DC 20006	Marathon Oil Co		
Ronna Freiberg, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Asarco Inc)		
Do	Hill & Knowlton, Inc (For:Budd Company)		
Do	Hill & Knowlton, Inc (For:Government of the Cayman Islands)		
Do	Hill & Knowlton, Inc (For:Joint Maritime Congress)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)		
Do	Hill & Knowlton, Inc (For:Shaklee Corporation)		
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)	600.00	
Do	Hill & Knowlton, Inc (For:Stroh Brewery Co)	200.00	
Do	Hill & Knowlton, Inc (For:Title Insurance Industry Coalition)	200.00	
Do	Hill & Knowlton, Inc (For:Tobacco Institute)		
Do	Hill & Knowlton, Inc (For:Warner Communications, Inc)		
Verrick O. French, French & Company 1455 Pennsylvania Ave., NW, #1260 Washington, DC 20004	Hong Kong Trade Development Council	3,650.00	
French & Company, 1455 Pennsylvania Ave., NW, #1260 Washington, DC 20004	Artery Organization, Inc	940.00	
Do	Montgomery Ward & Co, Inc	3,280.00	
Do	Wheels, Inc	890.00	
Annette P. Fribourg, 3900 Wisconsin Ave., NW Washington, DC 20016	Federal National Mortgage Assn	22,250.00	899.15
Fried Frank Harris Shriver & Jacobson, 1001 Pennsylvania Ave., NW, #800 Washington, DC 20004	Bristol Bay Native Corp		24.00
Do	Doyon, Limited		
Do	General Electric Co	2,160.00	
Do	Lonza, Inc		35.56
Do	Miccosukee Tribe of Indians of Florida		
Do	Pueblo of Laguna		
Do	Schenley Industries, Inc		
Philip P. Friedlander Jr., 1250 Eye Street, NW, #400 Washington, DC 20005	National Tire Dealers & Retreaders Assn		
James M. Friedman, 1100 Citizens Bldg. Cleveland, OH 44114	Cleveland Electric Illuminating Co	18,168.00	1,743.58
Do	Coalition for Environmental-Energy Balance	9,840.00	272.03
Gay H. Friedmann, 1150 Connecticut Ave., NW, #717 Washington, DC 20036	Southern California Gas Co	10,250.00	28.02
Friends of the Columbia Gorge, 519 SW Third Ave., #810 Portland, OR 97204			
Susan T. Fritschler, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	2,109.09	277.51
William D. Fritts Jr., 1025 Connecticut Ave., NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Charles H. Fritzel, 499 S. Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers	400.00	380.00
Jeffrey Fritzlen, 1120 20th Street, NW, #600-S Washington, DC 20036	Union Pacific Corp	2,000.00	
Robert F. Froehlke, 787 7th Avenue New York, NY 10019	Equitable Life Assurance Society of the U.S	600.00	5.00
Catherine J. Frompovich, P.O. Box B-12 Richlandtown, PA 18955	Coalition for Alternatives in Nutrition & Healthcare, Inc		296.66
Marcy Stephens Frosh, 2030 M Street, NW Washington, DC 20036	Common Cause	9,336.30	152.00
David A. Fulton, P.O. Box 7305, Dept. 77 Kansas City, MO 64116	Farmland Industries, Inc		
Don Fuqua, 1725 DeSales Street, NW Washington, DC 20036	Aerospace Industries Assn of America, Inc	2,500.00	
Claudia R. Fuquay, 727 North Washington Street Alexandria, VA 22314	United Fresh Fruit & Vegetable Assn	2,919.00	475.00
Futures Industry Assn, Inc, 1825 Eye Street, NW, #1040 Washington, DC 20006			
David H. Fyock, 600 Maryland Ave., SW, #520 Washington, DC 20024	GPU Service Corporation	1,640.00	348.59
James E. Gaffigan, 1899 L St., NW, #607 Washington, DC 20036	Travel & Tourism Government Affairs Council	2,000.00	
Deborah Gahs, 1601 Duke Street Alexandria, VA 22314	Society of American Florists		
Norman S. Gaines, 2550 M St., NW, #770 Washington, DC 20037	RJR Nabisco, Inc	2,200.00	211.30
Joe H. Galis, D.C. 1, 19000 SW 377 St. Florida City, FL 33034			
Karl Gallant, 8001 Braddock Road Springfield, VA 22160	National Right to Work Committee	3,300.00	241.85

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Mark Gallant, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,600.00	
Cheryl Gannon, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters	6,754.54	
Curtis B. Gans, 421 New Jersey Avenue, SE Washington, DC 20003	Committee for the Study of the American Electorate	20,634.50	700.00
Nicole Gara, 1117 North 19th Street, NW, #300 Arlington, VA 22209	American Academy of Physician Assistants		
Harry D. Garber, 787 7th Avenue New York, NY 10019	Equitable Life Assurance Society of the U.S.		
Sherwin Gardner, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc	100.00	
Gardner Carton & Douglas, 1875 I St., NW Washington, DC 20006	Midcon Corp		
Nancy Garland, 600 Maryland Avenue, SW, #400 Washington, DC 20024	American Optometric Assn		
Sara G. Garland, 137 13th St., NE Washington, DC 20002	Pfizer, Inc, et al.	5,025.00	143.32
Mary Leslie Garmon, 1010 Massachusetts Avenue, NW Washington, DC 20001	National Food Brokers Assn		
Garrett & Company, 1630 Connecticut Avenue, NW, #202 Washington, DC 20009	Taiwan Power Company	3,000.00	4,500.00
John C. Gartland, 7575 E. Fulton Road Ada, MI 49355	Amway Corp		
Ann Lakin Garver, 1101 Connecticut Ave., NW, #300 Washington, DC 20036	American Textile Manufacturers Institute, Inc	20.00	40.00
Garvey Schubert & Barer, 1000 Potomac St., NW Washington, DC 20006	Contractors Bonding & Insurance Co		
Do	CSX Corporation		
Do	Greenbriar Capital Corp		
Do	Sonatrach		
Gas Appliance Manufacturers Assn, Inc, 1901 North Moore Street Arlington, VA 22209			
Lillian B. Gaskin, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
Philip Gasteyer, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	8,000.00	
Bruce A. Gates, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	3,000.00	
Anne Gaudet, 444 No. Capitol Street, NW, #711 Washington, DC 20001	UNIAO Nacional Para Independencia Total DeAngola		
Fred Gebler, 1331 Pennsylvania Ave., NW, #1300 Washington, DC 20004	Electronic Data Systems Corp	160.00	195.61
Garry Geffert, 2001 S Street, NW, #312 Washington, DC 20009	Farmworker Justice Fund, Inc		
Fred Gehringer, P.O. Box 1002 Chino, CA 91710			
Ruthann Geib, 1156 15th Street, NW, #1020 Washington, DC 20005	American Sugarbeet Growers Assn		
Ronald L. Geigle, 1030 15th Street, NW, #1100 Washington, DC 20005	Health Industry Manufacturers Assn		
Robert C. Gelardi, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342	Robert H. Kellen Co (For:Calorie Control Council)	360.00	
Do	Robert H. Kellen Company (For:Infant Formula Council)		
Morton A. Geller, 100 Federal St. Boston, MA 02110	First National Bank of Boston		
General Aviation Manufacturers Association, 1400 K Street, NW, #801 Washington, DC 20005			6,164.00
General Instrument Corporation, 767 Fifth Avenue New York, NY 10153		1,000.00	28.00
Generic Pharmaceutical Industry Assn, 200 Madison Ave., #2404 New York, NY 10016		13,299.50	13,299.50
Cheryl K. Genevie, 1120 G St., NW, #800 Washington, DC 20005	Alliance for Rail Competition		
John Gentille, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Nancy Whorton George, 499 South Capitol Street, SW, #407 Washington, DC 20003	Enron		
Do	Transco, Inc		
George W. Gephart, P.O. Box 1475 Baltimore, MD 21203	Baltimore Gas & Electric Co		
Joseph G. Gerard, 918 16th St., NW, #402 Washington, DC 20006	American Furniture Manufacturers Assn	1,500.00	1,380.36
Louis Gerber, 1925 K St., NW Washington, DC 20006	Communications Workers of America	6,927.09	112.50
Phyllis H. Gerstell, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	1,500.00	
Dorothy F. Gevinson, 801 18th Street, NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co		
Danny Ghorbani, 10506 Cavalcade Street Great Falls, VA 22066	Association for Regulatory Reform	4,950.00	
William C. Gibb, 1050 Thomas Jefferson St., NW, 6th Fl Washington, DC 20007			
William T. Gibb, 1001 Pennsylvania Ave., NW9 Washington, DC 20004	American Council of Life Insurance, Inc	1,500.00	
Wayne Gibbens, 1919 Pennsylvania Ave., NW, #503 Washington, DC 20006	Mid-Continent Oil & Gas Assn	12,800.00	127.00
Anne Marie Gibbons, Third Floor 2301 M Street, NW Washington, DC 20037	American Public Power Assn	500.00	
Gibson Dunn & Crutcher, 1050 Connecticut Ave., NW, #900 Washington, DC 20036	Kelso & Co		
Pamela Gilbert, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	3,009.06	
Richard Gilbert, 1015 15th Street, NW Washington, DC 20005	American Public Health Assn	1,222.00	
Michael Gildea, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	13,863.72	60.23
John E. Giles, 1600 Eye St., NW Washington, DC 20006	Motion Picture Assn of America, Inc	900.00	500.20
Mary Ann Gilleece, 1713 Maple Hill Place Alexandria, VA 22302	Allied Defense Industries	200.00	
Daniel F. Gilligan, 1015 15th St., NW, #1240 Washington, DC 20005	National Manufactured Housing Federation	1,000.00	45.00
Michael Gilliland, 1025 Connecticut Avenue, NW, #415 Washington, DC 20036	American Insurance Assn		
Ginn Edington Moore & Wade, 803 Prince Street Alexandria, VA 22314	Allied-Signal, Inc	4,200.00	36.50
Do	American League for Exports & Security Assistance, Inc	2,200.00	19.11
Do	American Polygraph Assn	8,000.00	68.94
Do	Gulfstream Aerospace Corp	2,000.00	17.40
Do	Lockheed Corporation	1,000.00	8.69
Do	Lockheed-Georgia Co	5,000.00	43.47
Do	Mechanical Technology, Inc	4,166.00	36.19
Do	Rockwell International Corp	9,000.00	78.21
Do	Texas Instruments, Inc	6,500.00	56.49
Do	Turner Broadcasting System, Inc		
Do	U.S. Cane Sugar Refiners' Assn	2,000.00	17.45
Do	Watkins Associated Industries, Inc		
Gerard Giovaniello, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	2,500.00	448.46
Brenda M. Girton, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Sears Roebuck & Co	500.00	
Francis J. Gist, 1511 K Street, NW, #809 Washington, DC 20005			
Michael J. Giuffrida, 204 E Street, NE Washington, DC 20002	National Frozen Food Association	1,000.00	
Donna Gleason, 2000 L Street, NW, #810 Washington, DC 20036	Unisys Corp		
Law Offices of Thos Gleason, 26 Broadway, 17th Floor New York, NY 10004	International Longshoremen's Assn, AFL-CIO		
Robert Gleason, 815 16th Street, NW Washington, DC 20006	International Longshoremen's Assn, AFL-CIO	8,958.65	133.52
Donald R. Glenn, 1627 K Street, NW, #200 Washington, DC 20006	Energy Research Corp		
Raymond A. Glennon, 1730 Pennsylvania Avenue, NW, #265 Washington, DC 20006	Air Products & Chemicals, Inc	1,800.00	154.91
Leslie Alan Glick, Duncan Allen & Mitchell 1575 I Street, NW, #300 Washington, DC 20005	Visaflor, S.A		71.97
Global USA, Inc, Global House 1823 Jefferson Place, NW Washington, DC 20036	All Nippon Airways Co, Ltd		
Do	Fanuc Ltd		
Do	Hitachi Ltd	216.00	
Do	Komatsu Ltd		
Do	Kyocera Corporation		
Do	Mazak Corporation		
Do	Samsung Semiconductor & Telecommunication Co		
Stephanie R. Godley, 2500 Wilson Blvd. #301 Arlington, VA 22201	American Apparel Manufacturers Assn, Inc	1,000.00	50.00
James W. Godlove, 1825 K Street, NW, #1107 Washington, DC 20006	Phillips Petroleum Co	1,050.00	57.13
Judith M. Goff, 375 Jackson Street St. Paul, MN 55101	Farm Credit Services	600.00	263.24
Joseph Goffman, 215 Pennsylvania Avenue, SE Washington, DC 20003	Public Citizen's Congress Watch	5,750.00	
A. James Golato, 2300 M St., NW, #800 Washington, DC 20037	H&R Block, Inc		
Harvey S. Gold, 8100 Oak Street Dunn Loring, VA 22027	National Pest Control Assn		
Gold & Liebengood, Inc, The Willard Office Building 1455 Pennsylvania Avenue, NW, #950 Washington, DC 20004	Aerojet Ordnance Co	835.00	1,268.00
Do	American Academy of Ophthalmology	2,100.00	1,284.00
Do	American Blood Commission	1,000.00	1,044.00
Do	ALIGNPAC	6,520.00	1,444.00
Do	Camp Barsh Bates & Tate	1,286.00	1,189.00
Do	Chemical Manufacturers Assn	376.00	1,076.00
Do	College of American Pathologists	5,000.00	1,444.00
Do	Electronic Data Systems Corp	12,500.00	1,444.00
Do	Energy Research Corp	7,000.00	1,273.00
Do	Equitable Life Assurance Society of the U.S.	25,000.00	1,444.00
Do	Eye Bank Assn of America	1,252.00	1,278.00
Do	Federal Express Corp	14,425.00	1,444.00
Do	Federated Investors, Inc	6,250.00	1,444.00
Do	Fiat, USA	54,835.00	1,444.00
Do	Ford Motor Co		1,044.00
Do	Investment Company Institute	212.00	1,091.00
Do	Marist College		1,044.00
Do	Martin Marietta Corp	2,000.00	1,310.00
Do	MCI Communications	13,650.00	1,444.00
Do	National Assn of Homes for Children	1,355.00	1,159.00
Do	National Football League	5,820.00	1,444.00
Do	National Restaurant Assn	3,750.00	1,444.00
Do	National School Transportation Assn	2,000.00	1,204.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Outdoor Advertising Assn of America, Inc	5,439.00	1,066.00
Do	Phillips Petroleum Co	10,000.00	1,444.00
Do	Public Securities Assn	13,380.00	1,444.00
Do	Ricoh Corp		1,044.00
Do	Texas Cattlefeeders Assn	1,043.00	1,373.00
Do	Ticor Title Insurance Co	10,000.00	1,444.00
Do	Times Mirror Co	3,000.00	1,444.00
Do	Tobacco Institute	40,000.00	1,444.00
Do	Transportation Infrastructure Advisory Group	2,500.00	1,420.00
Do	Washington Metropolitan Area Transit Authority	5,250.00	1,044.00
Allen Goldberg, 1010 Wisconsin Avenue, NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Ronald L. Goldfarb, Goldfarb & Singer 918 16th Street, NW, #503 Washington, DC 20003	Washington Independent Writers, Inc		
Patricia R. Goldman, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn	2,503.51	420.40
Robert H. Goldsborough, 5508 Lombardy Place Baltimore, MD 21210	Americans for Immigration Control, Inc	6,000.00	
Benson S. Goldstein, 1010 North Fairfax Street Alexandria, VA 22314	National Soc of Public Accountants		
Jack Golodner, 815 16th St., N.w. Washington, DC 20006	Department for Professional Employees, AFL-CIO	5,939.10	
John Gonella, 50 F Street, NW, Washington, DC 20001-1564	Association of American Railroads	533.58	76.35
Ruth Gonze, Third Floor 2301 M Street, NW Washington, DC 20037	American Public Power Assn	2,000.00	
David R. Goode, 8 N. Jefferson Street Roanoke, VA 24042	Norfolk Southern Corp		
Charles E. Goodell, 1818 N Street, NW Washington, DC 20036	DGA International, Inc (for Sofreavia)		
Do	DGA International, Inc (for SNECMA)		
Do	Thomson-CSF		
Richard F. Goodstein, 1150 Connecticut Avenue, NW, #600 Washington, DC 20036	Browning-Ferris Industries, Inc	110.00	50.00
Lee M. Goodwin, Wickwire Gavin & Gibbs, P.C. 1133 21st Street, NW Washington, DC 20036	National Hydropower Assn		
Robert F. Goodwin, 1850 K St., NW, Suite 275 Washington, DC 20006	Meredith Corp	40.00	26.00
John Gordley, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Evans Grain Co)		
Do	Hill & Knowlton, Inc (For:Hyundai Motor America)		
Do	Hill & Knowlton, Inc (For:Iowa Pork Producers Assn)		
Do	Hill & Knowlton, Inc (For:National Sunflower Assn)	675.00	
Do	Hill & Knowlton, Inc (For:Renewable Fuels Assn)		
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)	112.50	
Randall C. Gordon, 725 15th Street, NW Washington, DC 20005	National Grain & Feed Assn		
Stephen Gordon, 1016 16th St., NW Washington, DC 20036	National Fed of Federal Employees		
William Gordon, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	2,200.00	567.40
Millicent Gorham, 600 Maryland Ave., SW, #400e Washington, DC 20024	American Optometric Assn		
David W. Gorman, 807 Maine Avenue, SW Washington, DC 20024	Disabled American Veterans	13,993.20	225.99
James D. Gormley, 1400 K Street, NW, #801 Washington, DC 20005	General Aviation Manufacturers Association	901.00	
Ann M. Gosier, 1920 N St., NW Washington, DC 20036	American Mining Congress		
Barbara W. Gothard, P.O. Box 520783-GMF Miami, FL 33152	Burger King Corp		
John T. Gould Jr., One Champion Plaza Stamford, CT 06921	Champion International Corp		
Gould, Inc, 1755 Jefferson Davis Highway, #900 Arlington, VA 22202			1,495.22
Government Strategies, Inc, 1518 Walnut Street, #1600 Philadelphia, PA 19102	Lukens, Inc		
Edmund Graber, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	1,000.00	500.00
John R. Graff, 4230 King Street Alexandria, VA 22302	International Assn of Amusement Parks & Attractions	350.00	266.00
Rick Grafmeyer, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	2,000.00	
Elaine Graham, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	2,000.00	
Lawrence T. Graham, 1401 New York Avenue, NW, #400 Washington, DC 20005	National Food Processors Assn	500.00	100.00
John K. Gram, 610 S.W. Broadway, #608 Portland, OR 97205	Public Timber Purchasers Group	1,781.25	137.50
Frances Turk Granahan, 1090 Vermont Avenue, NW, #600 Washington, DC 20005	Texas Eastern Transmission Corp		119.19
Grange Mutual Casualty Co, 650 South Front Street Columbus, OH 43206			
William W. Grant, 1150 Connecticut Ave., NW, #710 Washington, DC 20036	Utah International, Inc		271.18
James L. Granum, 1050 Connecticut Ave., NW Washington, DC 20036	Norfolk Southern Corp	1,000.00	
Graphic Communications International Union, AFL-CIO, CLC, 1900 L Street, NW Washington, DC 20036		37,173.00	1,449.00
Grassroots, Nat'l Assn of Farm Credit System Stockholders, 501 Alabama Street P.O. Box 1070 Jacksonville, TX 75766			
Karla L. Graue, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	1,000.00	
David C. Gray, 3728 Kanawha Street, NW, Washington, DC 20015	American Camping Association	4,500.00	1,330.45
Do	Portsmouth-Kittery Armed Services Committee, Inc	3,600.00	1,553.21
James A. Gray, 7901 Westpark Dr. Mclean, VA 22102	National Machine Tool Builders' Assn	960.00	25.00
Neil A. Gray, 6811 Kenilworth Ave. Riverdale, MD 20737	National Asphalt Pavement Assn	1,350.00	92.00
Robert K. Gray, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Bell Atlantic Management Services)		
Do	Hill & Knowlton, Inc (For:Borg-Warner Corp)		
Do	Hill & Knowlton, Inc (For:Budd Company)		
Do	Hill & Knowlton, Inc		
Do	Hill & Knowlton, Inc (For:Hyundai Motor America)		
Do	Hill & Knowlton, Inc (For:HTB Corporation)		
Do	Hill & Knowlton, Inc (For:Mutual of Omaha)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)		
Do	Hill & Knowlton, Inc (For:Seminole Indian Tribe of Florida)		
Do	Hill & Knowlton, Inc (For:Shaklee Corporation)		
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)		
Do	Hill & Knowlton, Inc (For:Stroh Brewery Co)		
Do	Hill & Knowlton, Inc (For:Tesoro Petroleum Corp)		
Do	Hill & Knowlton, Inc (For:Title Insurance Industry Coalition)		
Do	Hill & Knowlton, Inc (For:Tobacco Institute)		
Do	Hill & Knowlton, Inc (For:U.S. Banknote Corp)		
Do	Hill & Knowlton, Inc (For:United Airlines, Inc)		
Do	Hill & Knowlton, Inc (For:Waterman Steamship Corp)		
William T. Gray III, 5210 Banks Place, NE Washington, DC 20019		20.00	12,550.00
Mary R. Grealy, 1111 19th Street, NW, #402 Washington, DC 20036	Federation of American Health Systems	1,500.00	
Great American Reserve Insurance Co, 2020 Live Oak P.O. Box 388 Dallas, TX 75221			
Greater Washington Board of Trade, 1129 20th St., NW Washington, DC 20036			
Greater Washington/Maryland Service Station Assn, 9420 Annapolis Rd., #307 Lanham, MD 20706		1,000.00	1,000.00
James R. Greco, P.O. Box 3151 Houston, TX 77001	Browning-Ferris Industries, Inc		
Donald R. Greeley, 1101 17th St., NW, #307 Washington, DC 20036	Hoechst Celanese Corp	3,000.00	307.45
George R. Green, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	450.00	
John K. Green, 800 American Charter Center 1623 Farnam St. Omaha, NB 68102-2130	Papillion-Lavista Nebraska School District	4,026.00	46.08
Kaylene H. Green, 2341 Jefferson Davis Highway, #1035 Arlington, VA 22202	Bath Iron Works Corp	500.00	273.34
Micah S. Green, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	2,000.00	1,078.93
H. Thomas Greene, 412 1st St., SE Washington, DC 20003	National Automobile Dealers Assn	8,000.00	
Howard W. Greene, 205 E. 42nd Street New York, NY 10017	Risk & Insurance Management Society, Inc		
Marci E. Greenstein, 2626 Pennsylvania Avenue, NW Washington, DC 20037	National Telephone Cooperative Assn	2,330.00	432.62
John M. Greer, 1900 L Street, NW Washington, DC 20036	Graphic Communications International Union, AFL-CIO, CLC	37,173.00	31,449.00
Sarah Massengale Gregg, 1667 K Street, NW, #710 Washington, DC 20006	Baxter Travenol Laboratories, Inc		
Saunders Gregg, PO Box 2628 Houston, TX 77252	Entex, Inc		
John D. Gregory, 1330 Lady St., #606 P.O. Box 12458 Columbia, SC 29211	Multifamily Housing Association		
Do	Norfolk Southern Corp		
William G. Greif, 1155 15th St., NW Washington, DC 20005	Bristol-Myers Co	25,000.00	
Ginny Grenham, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	280.00	36.11
J.S. Griffin & Associates, 761 Kenilworth Ave. Dayton, OH 45405			
Griffin Johnson & Associates, 1211 Connecticut Ave., NW, #700 Washington, DC 20036	American Insurance Assn	400.00	12.00
Do	Arthur Anderson & Co	200.00	6.00
Do	Camp Barsh Bates & Tate	800.00	24.00
Do	COMSAT Corp		
Do	Health Policy Agenda (American Medical Assn)		
Do	Kansas City Southern Industries, Inc		
Do	Mid-Atlantic Toyota, Inc	600.00	18.00
Do	NutraSweet Co		
Do	Philip Morris, Inc	200.00	6.00
A. Jack Grimes, 8100 Oak Street Dunn Loring, VA 22027	National Pest Control Assn		
Norman E. Grimm Jr., 8111 Gatehouse Road Falls Church, VA 22047	AAA Potomac		
Olga Grkavac, 1300 North 17th St., #300 Arlington, VA 22209	Association of Data Processing Service Organizations		550.00
Grocery Manufacturers of America, Inc, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007			211.03
James J. Grogan, P.O. Box 19614 Irvine, CA 92714	Lincoln Savings & Loan Assn	10,000.00	5,500.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
James N. Groninger, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	635.55
Groom & Nordberg, Chtd, 1775 Pennsylvania Avenue, NW, #700 Washington, DC 20006	Aluminum Company of America		
Do	American Petrofina, Inc		
Do	American Petroleum Institute		
Do	Bankers Life Company	150.00	10.00
Do	Baxter Travenol Laboratories, Inc		
Do	Chevron Corporation	150.00	10.00
Do	Colorado-Ute Electric Assn, Inc	50.00	10.00
Do	Connecticut General Insurance Co		
Do	Eli Lilly & Company		
Do	Equitable Life Assurance Society of the U.S		
Do	Goldman Sachs & Co		
Do	John Hancock Mutual Life Insurance Co		
Do	Minnesota Mutual Life Insurance Company		
Do	Murphy Oil USA, Inc		
Do	New York City Teachers Retirement System		
Do	Ocean Drilling & Exploration Co		
Do	Phillips Petroleum Co		
Do	Physicians Mutual Insurance Co	150.00	10.00
Do	Prudential Insurance Co of America	150.00	10.00
Do	Puerto Rico, USA Foundation		
Do	R.J. Reynolds		
Do	Reading & Bates Corporation		
Do	Southern California Edison Co		
Do	Union Texas Petroleum Corp	150.00	10.00
Do	Westinghouse Electric Corp		
Ed Grosswiler, 920 SW Sixth Avenue 1400 Public Service Building Portland, OR 97204	Pacific Power & Light Co	2,476.00	
Walter B. Grubbs, P.O. Box 841 Abilene, TX 79604	West Texas Utilities Co	914.76	2,801.50
John T. Grupenhoff, 10000 Falls Rd., #300 Potomac, MD 20854	American Academy of Dermatology	3,150.00	145.50
Do	American Academy of Otolaryngology-Head & Neck Surgery	820.00	160.00
Do	American Gastroenterological Assn	1,200.00	
Do	American Soc for Gastrointestinal Endoscopy	1,200.00	160.00
Do	American Soc of Clinical Oncology	600.00	325.40
Do	American Urological Assn/Amer Assn of Clinical Urologists	860.00	160.00
Do	Association of American Cancer Institutes	1,430.00	337.80
Do	Cooley's Anemia Foundation	200.00	160.00
Do	National Hemophilia Foundation	400.00	160.00
Geri A. Guardino, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	5,333.00	
Gerald M. Guarilia, 70 North Main Street Wilkes-Barre, PA 18711	Blue Cross of Northeastern Pennsylvania		
Mary Scott Guest, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	CSX Corp	10,000.00	
Do	Dillon Reed & Co, Inc	4,375.00	
Do	LF Rothschild Unterberg Towbin, Inc	1,000.00	
Do	Michigan State Housing Development Authority		
Do	O'Connor & Hannan	16,000.00	
Do	Paine Webber Group, Inc		
Do	Riverton Investment Corp	1,000.00	
Do	South Carolina State Family Farm Development Authority		
Clark J. Guild Jr., Guild Hagen & Clark, Ltd 102 Roff Way Reno, NV 89505	Motion Picture Assn of America, Inc		
James E. Guirard Jr., 1730 Rhode Island Avenue, NW, #419-19 Washington, DC 20036	BASF Chemicals Corp	2,000.00	75.00
Do	KMS Fusion, Inc	1,350.00	70.00
Do	Rexnord Defense Systems, Inc		
Do	Walk-Haydel & Associates, Inc		
Lewis Gulick, 1008 N. Randolph Street, #206 Arlington, VA 22201	TCR Services, Inc	5,000.00	
Dan A. Gunderson, Minnesota Petroleum Council 350 St. Peter St., #1025 St. Paul, MN 55102	American Petroleum Institute		
David Gusky, 1016 16th Streeet, NW Washington, DC 20036	National Fed of Federal Employees	1,099.20	
Susan L. Gustafson, 8111 Gatehouse Road Falls Church, VA 22047	American Automobile Assn		
Robert F. Guthrie, 815 16th St., NW, #608 Washington, DC 20006	Department for Professional Employees, AFL-CIO	5,435.90	
Alvin M. Guttman, 818 Connecticut Ave., NW, #300 Washington, DC 20006	Towing & Recovery Assn of America, Inc		
George Guyant, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy	68.20	
Dallas E. Gwynn, Balcor Plaza 4849 Golf Road Skokie, IL 60077	Balcor Co	19,500.00	7,136.17
Jane Scherer Haake, 1667 K Street, NW, #420 Washington, DC 20006	Mead Corporation	150.00	
Dana W. Haas, 1800 K Street, NW, #1018 Washington, DC 20006	Kansas City Power & Light Co, et al	3,168.75	6,632.37
George Hacker, 1501 16th Street, NW Washington, DC 20036	Center for Science in the Public Interest	680.00	44.00
Loyd Hackler, 1616 H St., NW Washington, DC 20006	American Retail Federation	1,000.00	45.00
Charles W. Hackney Jr., 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S		
Anthony L. Hadley, 1745 Jefferson Davis Highway, #511 Arlington, VA 22202	Manufactured Housing Institute	700.00	100.00
Gene P. Haflich, Indiana Petroleum Council 714 Harrison Building Indianapolis, IN 46204	American Petroleum Institute	1,084.92	1,286.36
Thomas M. Hagan, 1005 Congress Ave., #795 Austin, TX 78701	Central & South West Services, Inc	1,334.16	12,050.89
Hagedorn-Cando, Inc, 1704 23rd St., So. Arlington, VA 22202	Hansen Engine Corp		
Do	Davy McKee Corp		
Do	Yankee Energy Co		
Ann Hagemann, 1730 M Street, NW, #713 Washington, DC 20036	Association of Maximum Service Telecasters, Inc		
Kenneth C.O. Hagerty, 1612 K Street, NW, #1100 Washington, DC 20006	American Electronics Assn	2,000.00	100.00
Bruce N. Hahn, 9300 Livingston Rd. Ft. Washington, MD 20744	National Tooling & Machining Assn	13,052.47	1,413.74
Peter H. Hahn, 1100 17th St., NW, #1000 Washington, DC 20036	Chromalloy American Corp		
Thomas F. Hairston, 1050 Connecticut Ave., NW, #760 Washington, DC 20036	Union Oil Co of California	6,000.00	2,668.00
Randolph M. Hale, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004	National Assn of Manufacturers		
Hale and Dorr, 1455 Pennsylvania Avenue, NW Washington, DC 20004	Avondale Industries, Inc		
Do	Footwear Industries of America		
Do	Gay Head Taxpayers Assn	195.00	
Do	Indian Land Claim Committee		
Do	Northeastern University	135.00	
Do	Town of Mashpee		
Do	Villers Advocacy Foundation		
Hale Foundation, 422 First Street, SE, #208 Washington, DC 20003			
Beverly Halem, P.O. Box 1419 Cocoa, FL 32922	Halem Industries, Inc		
Cheryl A. Haley, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn	2,404.79	216.49
Edwin K. Hall, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	5,000.00	658.09
Richard F. Hall, 1700 K Street, NW, #502 Washington, DC 20006	Pacific Resources, Inc	500.00	
William F. Hall, P.O. Box 803887 Chicago, IL 60680-3887	Midwest Public Affairs-Management Consulting Group		
Marian Hall-Crawford, 316 Pennsylvania Avenue, SE, #301 Washington, DC 20003	San Diego Gas & Electric	1,385.00	2,781.32
Paul Hallisay, 1625 Massachusetts Avenue, NW Washington, DC 20036	Air Line Pilots Assn	6,250.00	315.00
Joseph Halow, 1747 Pennsylvania Ave., NW, #1175 Washington, DC 20006	North American Export Grain Assn, Inc		
Maurice E. Halsey, P.O. Box 190 Aurora, IL 60507	Northern Illinois Gas Company	2,000.00	
Paul T. Haluza, 1325 Pennsylvania Ave., NW Washington, DC 20004	Motor and Equipment Manufacturers Association	3,000.00	306.52
Hamel & Park, 888 16th Street, NW Washington, DC 20006	Graeper-Van Noy-Wagner, Inc		
Do	Grand Trunk Corp	4,475.00	48.00
Do	Puerto Rico League of Savings Institutions		
Do	Skylink Corporation, Inc		
Do	Tandy Corporation		
J. Lee Hamilton, 1331 Pennsylvania Avenue, NW, #1550N Washington, DC 20004-1703	National Assn of Manufacturers	228.96	
James L. Hamilton III, 818 Connecticut Ave., NW Washington, DC 20006	USX Corp	385.00	6.08
Mary M. Hamilton, 901 31st Street, NW Washington, DC 20007	Hill and Knowlton, Inc (For:Republic of Turkey)		
Philip W. Hamilton, 1825 K St., NW Washington, DC 20006	American Soc of Mechanical Engineers		
Ronald P. Hamm, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	594.00	
Amy R. Hammer, 1899 L St., NW, #1100 Washington, DC 20036	Exxon Corporation	1,360.00	251.18
Timothy A. Hanan, 1100 Connecticut Avenue, NW, #620 Washington, DC 20036	Mobil Oil Corp	1,500.00	
Nolan W. Hancock, 1126 16th St., NW Washington, DC 20036	Oil Chemical & Atomic Workers International Union	5,926.37	
Donald K. Hanes, 50 F St., NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	990.90	
James M. Hanley & Associates, 300 Metropolitan Square 655 15th Street, NW Washington, DC 20005	Alliance of Non-Profit Mailers	7,500.00	
Elisabeth Hanlin, 2000 L St., NW, #810 Washington, DC 20036	Unisys Corp		
Thomas H. Hanna, 300 New Center Building Detroit, MI 48202	Motor Vehicle Manufacturers Assn of the U.S., Inc	200.00	233.50
Hannaford Co, Inc, 655 15th St., NW, #200 Washington, DC 20005	BHC, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Ocean Shipholdings, Inc		
Do	Triple A Shipyards		
Frederick J. Hannett, 655 15th Street, NW 300 Metropolitan Square Washington, DC 20005	American Medical International		
Hansell & Post, 1667 K St., NW, #500 Washington, DC 20006	Risk & Insurance Management Society, Inc	15,044.00	
Do	Rockwell International Corp	1,974.83	38.55
Do	United Family Life Insurance Co	472.50	
Erling Hansen, 1129 20th Street, NW, #600 Washington, DC 20036	Group Health Assn of America, Inc		
J. E. Hansen, 400 First St., NW Washington, DC 20001	Brotherhood of Railroad Signalmen	350.00	
Daniel J. Hanson Sr., 5600 Utah Avenue, NW Washington, DC 20015	American Road & Transportation Builders Assn	12,000.00	1,212.42
Robert N. Harbor, P.O. Box 1492 El Paso, TX 79978	El Paso Natural Gas Co		
Ralph Harding, Suite 717 Watergate 2600 Virginia Avenue, NW Washington, DC 20037	Sugar Regulatory Administration	60,000.00	31,020.40
Stuart B. Hardy, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.		
James W. Harff, 1818 N Street, NW, #350 Washington, DC 20036	Susan Davis International (For:Turkish Republic of Northern Cyprus)	1,665.68	127.23
Jon Harkavy, 205 East 42nd Street New York, NY 10017	Risk & Insurance Management Society, Inc		
Dan R. Harlow, 717 N. Harwood Street Dallas, TX 75201	Diamond Shamrock Corp	1,000.00	
Patricia L. Harmening, 316 Pennsylvania Ave., SE, #301 Washington, DC 20003	San Diego Gas & Electric	635.00	2,696.94
Thomas C. Harper, 30 Montgomery Street Jersey City, NJ 07302	Radio Officers Union		
Wiley C. Harrell Jr., 1211 Connecticut Ave., NW, #502 Washington, DC 20036	Anheuser-Busch Companies, Inc		
Toni Harrington, 950 L'Enfant Plaza North, SW Washington, DC 20024	Honda North America, Inc	200.00	362.40
Crane B. Harris, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	1,000.00	
Marilyn A. Harris, 818 Connecticut Avenue, NW Washington, DC 20006	USX Corporation	75.00	
Milton E. Harris, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Harris Steel Group, Inc		
Richard M. Harris, 525 School St., SW Washington, DC 20024	American Road & Transportation Builders Assn	9,000.00	638.19
Sandra Zeune Harris, 1120 20th Street, NW, #700 Washington, DC 20036	Williams Companies	100.00	
Teena Harris, 1627 K St., NW, #400 Washington, DC 20006	National Newspaper Assn		
Harris & Berg, 1101 30th St., NW, #103 Washington, DC 20007	Association of Food Industries, Inc		26.00
Do	Cheese Importers Assn of America, Inc		
Do	Committee of Domestic Steel Wire Rope & Specialty Cable Mfrs		
Do	P. L. Thomas & Co, Inc, et al		
Jim Harrison, 1225 Connecticut Ave., NW, 306 Washington, DC 20036	Association of Urban Universities		
Anne Harrison-Clark, 1725 K Street, NW, #814 Wsahington, DC 20006	March of Dimes Birth Defects Foundation	4,125.00	81.73
Jayne A. Hart, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	3,750.00	
Lynn S. Hart, 1111 19th St., NW, #402 Washington, DC 20036	Federation of American Health Systems	3,000.00	
Susan P. Hart, 1600 M Street, NW Washington, DC 20036	Investment Company Institute		
Hartford Fire Insurance Co, Hartford Plaza Hartford, CT 06115			5,000.00
Gabriel A. Hartl, 2020 N. 14th Street, #410 Arlington, VA 22201	Air Traffic Control Assn, Inc		
Arthur W. Hartmann, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn		
Edwin Harold Harvey, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
Clifford J. Harvison, 2200 Mill Rd. Alexandria, VA 22314	National Tank Truck Carriers, Inc		
Fanny L. Haslebacher, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	400.00	
Walter A. Hasty Jr., 801 18th Street, NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co	45.00	
Janet Hathaway, 1412 16th Street, NW Washington, DC 20036	National Wildlife Federation	8,840.00	
Gary R. Hattal, 8701 Georgia Avenue, #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
Howard M. Haug, 100 East 42nd St. New York, NY 10017	National Foreign Trade Council, Inc	17,000.00	2,574.00
James N. Haug, 55 E. Erie Street Chicago, IL 60611	American College of Surgeons		
Barbara S. Haugen, 1401 New York Ave., NW, #720 Washington, DC 20005	National Assn of Insurance Brokers, Inc		
Marilyn Beth Haugen, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc		
Barbara J. Haugh, 1050 Connecticut Avenue, NW, #760 Washington, DC 20036	Union Oil Co of California		2,299.00
Mary W. Haught, 555 13th Street, NW, #1010 East Washington, DC 20004-1109	Sun Co, Inc	725.00	116.57
Charles W. Havens III, 1333 New Hampshire Avenue, NW Washington, DC 20036	Leboeuf Lamb Leiby & Macrae		
Kathryn Joann Hawes, 8701 Georgia Ave., #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
Sidney G. Hawkes, 1667 K St., NW, #420 Washington, DC 20006	Mead Corporation	625.00	40.00
John H. Hawkins Jr., 600 N. 18th St. Birmingham, AL 35291	Alabama Power Co	17,304.00	
Laurie L. Hawkins, 1346 Chestnut Street, #800 Philadelphia, PA 19107	Greater Philadelphia Chamber of Commerce		
Paul M. Hawkins, 25 Audubon Place Hilton Head, SC 29928	Colonial Life & Accident Insurance Co		
David J. Hayes, 815 Connecticut Ave., NW Washington, DC 20006	American Electronics Assn		207.80
Do	Hogan & Hartson (For:Semiconductor Industry Association)		
Peter M. Hayes, 214 Massachusetts Ave., NE Washington, DC 20002	Salt River Project	3,521.00	2,592.05
Robert G. Hayes, Bogle and Gates One Thomas Circle, NW, #900 Washington, DC 20005	American Fishing Tackle Manufacturers Assn	2,000.00	
Do	Coastal Conservation Assn	2,000.00	
Do	Kalama Chemical, Inc		
Health Insurance Assn of America, Inc, 1025 Connecticut Ave., NW Washington, DC 20036		153.80	153.80
Robert L. Healy, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	300.00	
Keith Heard, 1030 15th St., NW, #700 Washington, DC 20005	National Cotton Council of America	11,287.50	
Herbert A. Hedden, 1350 New York Ave., NW, #900 Washington, DC 20005	International Franchise Assn		
Jay Hedlund, 2030 M St., NW Washington, DC 20036	Common Cause	11,493.78	50.00
Edward D. Heffernan, 1513 16th St., NW, 4th Fl. Washington, DC 20036	CSX Corporation	5,000.00	
Do	Ductile Iron Pipe Research Assn		
Do	Harza Engineering Co		
Do	Sealaska Corp	50,000.00	1,835.14
John Heffner, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
M. L. Hefti, 1700 North Moore St., 21st Fl. Rosslyn, VA 22209	Boeing Company		
John F. Heilman, 807 Maine Ave., SW Washington, DC 20024	Disabled American Veterans	19,110.00	220.18
Robert M. Heine, 1701 Pennsylvania Ave., NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co	53.75	
Helicopter Assn International, 1619 Duke Street Alexandria, VA 22314			23,651.00
Richard L. Hellwege, 1911 Jefferson Davis Highway, #1002 Arlington, VA 22202	Lear Siegler, Inc		
DeWitt F. Helm Jr., 155 East 44 St. New York, NY 10017	Assn of National Advertisers, Inc		990.01
Edward A. Helme, 444 N. Capitol Street, #526 Washington, DC 20001	Alliance for Acid Rain Control	1,245.00	
Thomas M. Helscher, 901 31st St., NW Washington, DC 20007	Monsanto Co	225.00	48.39
Mike D. Helton, Kentucky Petroleum Council 305 Ann St., #403 Frankfort, KY 40601	American Petroleum Institute	687.50	1,020.94
Carol C. Henderson, 110 Maryland Ave., NE, #101, Box 54 Washington, DC 20002	American Library Assn	1,545.00	
Donald E. Henderson, 130 E. Washington Street Indianapolis, IN 46204	Indiana Farm Bureau, Inc	6,000.00	1,196.70
Kathleen M. Henderson, 1025 Vermont Ave., NW, #500 Washington, DC 20005	Miles Laboratories, Inc		
Carol Diane Hendricks, 1805 Crystal Drive, #209 Arlington, VA 22202	American Maritime Officers Service		
Karen Hendricks, 1319 F St., NW, #604 Washington, DC 20004	Association of Junior Leagues, Inc	1,100.00	240.00
Dennis A. Henigan, 1775 Pennsylvania Ave., NW Washington, DC 20006	Foley & Lardner (For:City of Kenosha, Wisconsin)		
C. Dayle Henington, 2000 Pennsylvania Ave., NW, #6200 Washington, DC 20006	Chicago Mercantile Exchange		
Hennessy Associates, 152 Washington Avenue Albany, NY 12210		2,000.00	3,700.00
George F. Hennrikus Jr., 201 N. Washington St. Alexandria, VA 22314	Retired Officers Assn	6,346.00	
LeAnn Hensche, 2550 M St., NW, #770 Washington, DC 20037	RJR Nabisco, Inc	205.00	236.10
George B. Herbert Sr., 6601 Southpoint Drive, #245 Jacksonville, FL 32216	J M Family Enterprises, Inc	113.75	5.60
Hercules, Inc, Hercules Plaza Wilmington, DE 19894			49,576.96
William Hermelin, 1200 15th Street, NW Washington, DC 20005	American Health Care Assn	4,768.81	
Catherine L. Heron, 1600 M St., NW Washington, DC 20036	Investment Company Institute	102.75	
Heron Burchette Ruckert & Rothwell, 1025 Thomas Jefferson St., NW, #700 Washington, DC 20007	Aerojet General Corp	2,154.13	1,792.59
Do	American Grape Growers Alliance for Fair Trade	499.69	8.60
Do	Association of Floral Importers of Florida		1,094.17
Do	Bay Area Rapid Transit District	2,003.75	2,046.14
Do	Bell & Howell/Columbia Pictures Video Services, Inc	2,110.00	207.88
Do	California Almond Growers Exchange	7,500.00	1,807.81
Do	California Assn of Rehabilitation Professionals	1,127.81	137.06
Do	California Kiwi Commission	4,001.25	31.72
Do	California Student Loan Finance Corp		
Do	Cellular Telecommunications Industry Assn	196.88	325.11
Do	Central Contra Costa Sanitary District		
Do	Central Utah Water Conservancy District	3,884.75	1,084.05
Do	Chicago Mercantile Exchange	2,000.63	790.86
Do	Clark County Regional Flood Control District		0.89
Do	Clark County Sanitation District		
Do	Credit-Rite		1.72
Do	Desert Research Institute	92.50	134.32
Do	Farm Labor Alliance	18,205.48	2,127.61
Do	Fort Worth Stockyard Corp		363.44

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	G.C. Services Corp	3,000.00	1,292.37
Do	Girling Health Care, Inc	3,750.00	1,051.64
Do	Granite Rock Co	1,683.25	584.57
Do	Gulf South Engineering, Inc	125.00	277.60
Do	Hughes Aircraft Co	6,426.88	2,749.90
Do	Independent Cement Corp	3,318.44	0.89
Do	International Gaming Managers	1,015.74	413.18
Do	Ralph G. Martinez & Associates		80.73
Do	Massport/Commonwealth of Massachusetts	1,600.00	1,651.49
Do	McCarren International Airport	402.94	122.89
Do	Metropolitan Water District of Southern California		0.89
Do	Mid-Valley Water Authority	715.63	257.95
Do	National Assn of Insurance Commissioners	7,532.31	793.75
Do	National Assn of Manufacturers		
Do	National Council on Teacher Retirement	4,463.50	260.87
Do	National Medical Care	7,446.38	2,290.21
Do	National Potato Council	6,220.94	2,071.13
Do	NTEC - Northeast Texas Electric Cooperative, Inc	20,478.75	285.71
Do	Oceanic Institute	1,500.00	1,157.60
Do	Piedmont Aviation, Inc		3,573.43
Do	RCA		
Do	Safecard Services, Inc		
Do	Southwestern Power Resources Assn		
Do	State Maritime Schools	1,500.00	534.06
Do	Sunkist Growers, Inc	22,026.00	2,123.95
Do	Tex-La	74,161.88	443.39
Do	U.S. Telephone Association	271.88	499.55
Do	University of Nevada/Las Vegas	1,875.00	1,118.14
Do	University of Nevada/Reno	3,750.00	1,931.27
Do	Westlands Water District	3,284.38	594.14
Barry Alexander Herring, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products, Ltd		
William G. Herrold, 1111 19th St., NW, #608 Washington, DC 20036	Institute of Electrical & Electronics Engineers		
Ted Allen Heydinger, 311 First Street, NW, #500 Washington, DC 20001	Computer & Business Equipment Manufacturers Assn	1,950.00	749.57
G. Brockwel Heylin, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Robert G. Hibbert, P.O. Box 3556 Washington, DC 20007	American Meat Institute	1,000.00	
Paul T. Hicks, Rhode Island Petroleum Assn 154 Francis St. Providence, RI 02903	American Petroleum Institute	675.00	537.05
J. Thomas Higginbotham, One Mellon Bank Center, #2002 Pittsburgh, PA 15258-0001	Mellon Bank N.A., et al.	2,000.00	156.44
Carol A. Higgins, 1600 M Street, NW Washington, DC 20036	Investment Company Institute	92.31	25.50
Gerald 'Jerry' Hill, 6 Executive Park Drive Atlanta, GA 30329	Amoco Corporation		
J. Eldred Hill Jr., 600 Maryland Ave., SW, #603 Washington, DC 20024	UBA, Inc	2,000.00	
Patricia Hill, 1250 Connecticut Avenue, NW Washington, DC 20036	American Paper Institute, Inc		
Robert B. Hill, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	400.00	132.70
Edward Joseph Hillings, 1020 16th Street, NW Washington, DC 20036	Enron Corp	7,500.00	
John L. Hills, Rt. 1, Box 645 Purcellville, VA 22132	Sundstrand Corporation	1,120.00	
Heidi A. Hiltgen, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	1,000.00	500.00
John M. Himmelberg, Scott McLeod Himmelberg Matz Pires... 2501 M Street, NW, #400 Washington, DC 20037	Florida Fruit & Vegetable Assn	3,000.00	
Do	Florida Tomato Exchange	1,500.00	
Rick Hind, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	3,705.24	
Robert A. Hirsch, 2200 Mill Road Alexandria, VA 22314	Private Carrier Conference, Inc		
Sheila K. Hixson, 1111 14th Street, NW, #1200 Washington, DC 20005	American Dental Assn	1,000.00	1,010.29
Kenneth Hoagland, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	1,800.00	
Lawrence S. Hobart, 2301 M St., NW, #300 Washington, DC 20037	American Public Power Assn	2,000.00	
Claude E. Hobbs, 1801 K St., NW Washington, DC 20006	Westinghouse Electric Corp	2,500.00	55.00
Scott Hodes, 180 North La Salle St., #3800 Chicago, IL 60601	Zalman C. Bernstein		
Do	Investment Company Institute	22,500.00	
Glen D. Hofer, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Irvin A. Hoff, 20 N. Live Oak Rd. Hilton Head Island, SC 29928	U.S. Cane Sugar Refiners' Assn		
Gail Hoffman, 1400 K St., NW, #500 Washington, DC 20005	Handgun Control, Inc	1,346.15	
Robert C. Hoffman, 2600 N. Powhatan Street Arlington, VA 22207	Foresight Consulting Group, Inc		
Thomas F. Hoffman, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co	21.50	
William L. Hoffman, 516 First Street, SE Washington, DC 20003	American University of Beirut	11,856.00	1,300.52
F. Nordy Hoffmann and Assoc, Inc, 400 N. Capitol St., NW, #327 Washington, DC 20001	Archer Daniels Midland Company		
Do	Coca-Cola Company		
Do	Marine Engineers' Beneficial Assn		
Do	Wilmorite, Inc		
Hogan & Hartson, 815 Connecticut Ave., NW Washington, DC 20006	American Psychological Assn		
Do	Caremark/Home Health Care of America		47.00
Do	CH2M Hill		
Do	GL International Trade, Inc		
Do	International Comm of Passenger Lines (ICPL)		
Do	Manufacturers Hanover Trust Co		
Do	May Department Stores Co	2,152.50	25.84
Do	Meharry Medical College		
Do	Mercedes-Benz of North America, Inc		8.00
Do	Merck & Co, Inc	900.00	
Do	Mutual Life Insurance Co of New York	2,422.50	
Do	National Hospice Organization		4.80
Do	National Telecommunications Network		
Do	Rohn & Haas Co		
Do	Scientific Apparatus Makers Assn		
Do	SouthernNet, Inc		
Do	Timex Corporation	10,910.00	
Do	Toyota Motor Sales, USA, Inc	10,480.00	89.50
Do	University of Pennsylvania	404.82	29.00
Richard F. Hohlt, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	8,250.00	27.50
Walter Holan, 20 North Wacker Drive Chicago, IL 60606	Profit Sharing Council of America		
Bruce E. Holbein, 111 Powdermill Rd. (b79) Maynard, MA 01754	Digital Equipment Corp	17,500.00	
Michele O'Donnell Holbrook, 10 Lafayette Squrae, Rm. 900 Buffalo, NY 14203	National Fuel Gas Distribution Corp, et al.	2,333.00	4,933.31
Niels C. Holch, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Borg-Warner Corp)	2,000.00	
Do	Hill & Knowlton, Inc (For:Energy Security Policy)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)		
Do	Hill & Knowlton, Inc (For:Shaklee Corporation)		
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)	50.00	
Do	Hill & Knowlton, Inc (For:Title Insurance Industry Coalition)		
Do	Hill & Knowlton, Inc (For:U.S. Banknote Corp)		
Holden Group, Inc, 11365 West Olympic Boulevard Los Angeles, CA 90064			2,720.39
Philip C. Holladay, 1025 Connecticut Avenue, NW, #200 Washington, DC 20036	Shell Oil Co	500.00	
Holland & Hart, 1875 Eye St., NW, #1200 Washington, DC 20006	Citgo Petroleum Corp		
Do	Grocery Manufacturers of America, Inc		
Do	Southland Corporation		
Brigid A. Holleran, 2550 M Street, NW, #640 Washington, DC 20037	CF Industries, Inc	500.00	16.68
Thomas L. Holloway, 1800 K Street, NW, #1018 Washington, DC 20006	Union Electric Co, et al.	2,500.00	6,155.27
Wendell M. Holloway, 815 Connecticut Ave., NW, #900 Washington, DC 20006	Ford Motor Co	2,490.00	2,883.18
Moses D. Holmes Jr., 1201 16th St., NW Washington, DC 20036	National Education Assn	2,948.35	348.50
E. Y. Holt Jr., 1111 North 19th St., #700 Arlington, VA 22209	National Assn of Federal Credit Unions		
Fred H. Holt, 119 Oronoco Street Box 1417-D50 Alexandria, VA 22313	Animal Health Institute	60.00	
John W. Holt, 1850 K St., NW Washington, DC 20006	American Council of Life Insurance	350.00	
John F. Holtz, NJ Petroleum Council 150 West State Street Trenton, NJ 08608	American Petroleum Institute		
Home Recording Rights Coalition, P.O. Box 33576 Washington, DC 20033		118,000.00	200,122.33
Pete Homer Jr., 4905 Arroyo Chamisa, NE Albuquerque, NM 87111			
Karen C. Hontz, 1875 Eye St., NW, #940 Washington, DC 20006	Gulf & Western, Inc	150.00	25.00
Billy E. Hooper, 1522 K Street, NW, #834 Washington, DC 20005	Association of American Veterinary Medical Colleges		
Candice Shy Hooper, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	5,570.00	2,932.94

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Helen Hooper, 3357 Runnymede Place, NW Washington, DC 20015	New York Public Library		
Do	Society for Historical Archaeology	2,100.00	760.12
Lillie E. Hoover, P.O. Box 1085 Martinsburg, WV 25401	National Peach Council		
Marian Hopkins, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	3,900.00	698.10
Mark Hopkins, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy	2,272.76	
Virginia E. Hopkins, 1620 Eye St., NW, #800 Washington, DC 20006	Taft Stettinius & Hollister (For:Kings Entertainment Co)		
Do	Taft Stettinius & Hollister (For:Taft Broadcasting Company)		
Do	Taft Stettinius & Hollister (For:Telephone & Data Systems, Inc)		
Do	Taft Stettinius & Hollister (For:Wald Manufacturing Co, Inc)		
Robert Jack Horn, 1990 M St., NW, #480 Washington, DC 20036	Detroit Edison Company	750.00	66.19
Steven Hornburg, 1129 20th St., NW, #400 Washington, DC 20036	American Assn of Homes for the Aging		
Harry J. Horrocks II, 40 Ivy Street, SE Washington, DC 20003	National Lumber & Building Material Dealers Assn	11,000.00	
Margaret A. Houlihan, 1620 I St., NW, #703 Washington, DC 20006	Bechtel Power Corporation		
Thomas B. House, 1700 Old Meadow Rd. Mclean, VA 22102	American Frozen Food Institute	1,000.00	
Thomas J. Houser, P.O. Box 409 Eldon, MO 65026	National Assn of Atomic Veterans		250.00
John H. F. Hoving, The Hoving Group 910 17th Street, NW, #318 Washington, DC 20006	Valsan Re-Engining, Inc	4,000.00	480.20
Hoving Group, 910 17th St., NW, #318 Washington, DC 20006	Eagle-Picher Industries, Inc	35,600.00	246.90
Do	Western-Southern Life Insurance	5,300.00	290.21
John Howard, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	300.00	5.00
Robert M. Howard, 815 Connecticut Avenue, NW Washington, DC 20006	Ford Motor Co	1,732.65	1,694.11
Senga Howat, 1155 15th Street, NW, #710 Washington, DC 20005	National Small Business United	1,846.00	
Allynn Howe, 80 F Street, NW Washington, DC 20001	American Fed of Government Employees	7,704.52	
Gary Howell, 1745 Jefferson Davis Highway, #605 Arlington, VA 22202	Texas Instruments, Inc	1,000.00	
J. William Howell, 1801 K St., NW, #1200 Washington, DC 20006	International Business Machines Corp	57.95	
James P. Howell, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	1,931.25	
Mary Lynch Howell, 1090 Vermont Ave., NW, #1100 Washington, DC 20005	Textron, Inc	1,500.00	280.00
John B. Howerton, 3727 North Edison St. Arlington, VA 22207-1831			
John A. Howes, 1050 17th St., NW, #490 Washington, DC 20036	Consumers Power Co	6,000.00	1,266.00
Clifford T. Howlett Jr., 1875 Eye St., NW, #400 Washington, DC 20006	Georgia-Pacific Corp	4,000.00	
Paul R. Huard, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers	937.50	
Henry W. Hubbard, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Energy Security Policy)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)		
Do	Hill & Knowlton, Inc (For:Vietnam Veterans of America)		
Mark Huber, 718 N. Carolina Avenue, SE Washington, DC 20003	Americans for Tax Reform		
Margaret Renken Hudson, 600 Maryland Avenue, SW, #700 Washington, DC 20024	National Fed of Independent Business	3,401.75	200.00
Dana Hughes, 122 C Street, NW, 4th Fl. Washington, DC 20001	Children's Defense Fund		
Gary E. Hughes, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Peter W. Hughes, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	21,750.00	
Richard T. Hughes, 1700 K St., NW Washington, DC 20006	Chevron USA, Inc	540.00	
Sharon M. Hughes, 1401 New York Avenue, NW, #400 Washington, DC 20005	National Food Processors Assn	500.00	35.35
Vester T. Hughes Jr., Hughes & Hill 1000 Mercantile Dallas Building Dallas, TX 75201	Mrs. H. E. Butt		
Do	Estate of W. W. Callan		
Do	ICH Corp	500.00	742.72
Do	Sammons Enterprises, Inc		742.72
William Hughes, 1522 K St., NW, #836 Washington, DC 20005	National Assn of Federal Veterinarians	19.86	
Hughes Hubbard & Reed, 1201 Pennsylvania Ave., NW, #300 Washington, DC 20004	American Institute of Certified Public Accountants	560.00	5.00
Do	Anglo American Auto Auctions, Inc		
Do	Grocery Manufacturers of America, Inc		
Do	47th Street Photo		
Edward L. Huie, Wheaton Plaza North, #415 Wheaton, MD 20902	National Assn of Air Traffic Specialists	6,939.42	171.79
Randall K. Hulme, 6 E Street, SE Washington, DC 20003	Peter Fenn & Associates, Inc		
Margot Smiley Humphrey, 1150 Connecticut Avenue, NW Washington, DC 20036	Koteen & Naftalin (For:Alascom, Inc)		
Do	Koteen & Naftalin (For:Telephone & Data Systems, Inc)		
Jean E. Hungiville, 1111 14th St., NW Washington, DC 20005	American Dental Assn	1,000.00	536.21
Francis M. Hunt, 1800 M Street, NW, #700s Washington, DC 20036	Dow Chemical Co	500.00	4,800.00
James C. Hunter, 1747 Pennsylvania Avenue, NW, #300 Washington, DC 20006	Cities Service Oil & Gas Corp	215.00	37.10
Michael M. Hunter, 1600 M St., NW Washington, DC 20036	International Telephone & Telegraph Corporation	1,200.00	51.00
Milton F. Huntington, Maine Petroleum Assn 283 Water St. Augusta, ME 04330	American Petroleum Institute	360.00	847.26
Hunton & Williams, 2000 Pennsylvania Ave., NW P.O. Box 19230 Washington, DC 20036	American Insurance Assn		
Do	Copyright Justice Coalition	625.00	98.10
Do	Edison Electric Institute	15,266.25	215.04
Do	Historic Ricefields Assn		
Do	Long Island Lighting Co	5,000.00	
Adele M. Hurley, 112 St. Clair Ave., West, #504 Toronto, Ontario Canada M4V 2Y3	Canadian Coalition on Acid Rain	450.00	50.55
Gerard F. Hurley, 1625 I St., NW, #609 Washington, DC 20006	National Club Association		
Ronald A. Hurst, 5410 Grosvenor Lane, #210 Bethesda, MD 20814	American Medical Care & Review Assn		
Hurt Richardson Garner Todd & Cadenhead, 1100 Peachtree Center Harris Tower 233 Peachtree Street, NE Atlanta, GA 30043.	National Assn of Pension Consultants & Administrators, Inc	3,670.00	3.50
Cathy Hurwit, 1300 Connecticut Ave., NW, #401 Washington, DC 20036	Citizen Action	4,000.00	28.00
Do	Citizen/Labor Energy Coalition	1,000.00	
Geoffrey B. Hurwitz, 1667 K St., NW, #1210 Washington, DC 20006	Rohm & Haas Co	500.00	
Michael Hussey, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	2,500.00	626.49
Raymond W. Hussey, 29400 Lakeland Blvd. Wickliffe, OH 44092	Lubrizol Corporation	700.00	1,623.72
Philip A. Hutchinson, 490 L'enfant Plaza, #3210 Washington, DC 20024	Volkswagen of America, Inc	200.00	20.00
Suzanne C. Hutchinson, 1615 L St., NW, #1230 Washington, DC 20036	Mortgage Insurance Companies of America	3,250.00	307.90
James L. Hutchison, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc		
Karen Hutchison, 1725 K Street, NW, #601 Washington, DC 20006	Association of National Advertisers, Inc		990.01
Jean Hutter, 1730 M Street, NW Washington, DC 20036	League of Women Voters of the U.S.	4,333.08	63.05
Helena C. Hutton, 1101 15th Street, NW Washington, DC 20005	Minnesota Mining & Manufacturing Co	2,500.00	
Randy Huwa, 2030 M St., NW Washington, DC 20036	Common Cause	10,040.63	12.00
B. F. Hyde, Tennessee Petroleum Council 211 7th Avenue, North, 4th Fl. Nashville, TN 37219	American Petroleum Institute	1,750.00	1,547.83
Floyd H. Hyde, 815 15th Street, NW, #709 Washington, DC 20005	Floyd H. Hyde Associates (For:Alameda, CA, et al.)		
Isabel E. Hyde, 1800 K Street, NW, #800 Washington, DC 20006	Goodyear Tire & Rubber Co	3,250.00	
Floyd H. Hyde Associates, 815 15th St., NW, #709 Washington, DC 20005	Clark County, Nevada		
Do	Fresno City, California		
Do	Fresno County, California		
Do	Gary, Indiana		
Do	San Bernardino, California		
Do	San Leandro, California		
Steven M. Hyjek, One Thomas Circle, NW, #900 Washington, DC 20005	Sinnott & Co., Richard L. (For:Oakland Colliseum)		
Do	Sinnot & Co., Richard L. (For:Port of Oakland)		
Gary Hymel, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton (For:Borg-Warner Corp)		
Do	Hill & Knowlton, Inc (For:Budd Company)		
Do	Hill & Knowlton, Inc (For:Canadian Asbestos Information Centre)		
Do	Hill & Knowlton, Inc (For:Energy Security Policy)		
Do	Government of the Cayman Islands		
Do	Hill & Knowlton, Inc (For:Hitachi America Ltd)		
Do	Hill & Knowlton, Inc (For:Hyundai Motor America)		
Do	Hill & Knowlton, Inc (For:HTB Corporation)		
Do	Hill & Knowlton, Inc (For:Joint Maritime Congress)		
Do	Hill & Knowlton, Inc (For:Mutual of Omaha)		
Do	Hill & Knowlton, Inc (For:Republic of Korea)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)	2,550.00	
Do	Hill & Knowlton, Inc (For:Shaklee Corporation)		
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)	950.00	
Do	Hill & Knowlton, Inc (For:Stroh Brewery Co)		
Do	Hill & Knowlton, Inc (For:Title Insurance Industry Coalition)	150.00	
Do	Hill & Knowlton, Inc (For:Tobacco Institute)		
Do	Hill & Knowlton, Inc (For:U.S. Banknote Corp)		
Do	Hill & Knowlton, Inc (For:United Airlines, Inc)		
Do	Hill & Knowlton, Inc (For:Valmont Industries, Inc)		
Do	Hill & Knowlton, Inc (For:Waterman Steamship Corp)		
Robert D. Hynes Jr., 1825 K St., NW, #807 Washington, DC 20006	National Broadcasting Co, Inc	1,000.00	2,621.81

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Brian M. Hyps, 2215 Constitution Avenue, NW Washington, DC 20037	American Pharmaceutical Assn	500.00	
Richard H. Ichord, 499 S. Capitol St., SW, #520 Washington, DC 20003	AAI Corporation	1,038.75	686.93
Do	Emerson Electric Co	630.00	1,052.99
Do	Washington Industrial Team, Inc	300.00	
Kevin J. Igli, 1155 Connecticut Ave., NW Washington, DC 20036	Waste Management, Inc	1,250.00	
Annelise Ilschenko, 120 Cameron Street, #203 Alexandria, VA 22314			
Independent Data Communications Manufacturers Assn, c/o Squire Sanders & Dempsey 1201 Pennsylvania Ave., NW Washington, DC 20004.			
Independent JOA Publishers Assn, 1050 17th St., NW, #590 Washington, DC 20036			
Independent Lubricant Manufacturers Assn, 1055 Thomas Jefferson Street, NW Washington, DC 20007		600.00	600.00
Independent Producers Group, 1120 KSB & T Building 125 N. Market Wichita, KS 67202		2,031.25	4,086.90
Indiana Hi-Rail Corporation, R.R. 1 Connersville, IN 47331			280.00
Industrial Biotechnology Assn, 1625 K Street, NW, #1100 Washington, DC 20006		5,328.00	5,324.95
Infant Formula Council, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342			
Marie Infante, 1200 15th Street, NW Washington, DC 20005	American Health Care Assn	2,588.13	54.00
Charles E. Ing, 1850 M Street, NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc	1,764.00	213.38
Robert A. Ingram, 1050 17th Street, NW, #650 Washington, DC 20036	Merck & Co, Inc	1,000.00	436.10
Andrea L. Innes, 1130 17th Street, NW Washington, DC 20036	National Coal Assn	5,720.00	343.66
Institute of Foreign Bankers, Suite 303 East, Rm. 23 200 Park Ave. New York, NY 10017			
Institute of Makers of Explosives, 1120 19th St., NW, #310 Washington, DC 20036			
Int'l Union, United Auto Aerospace & Agric Implement Workers, Workers of America (uaw) 8000 E. Jefferson Avenue Detroit, MI 48214.		136,846.55	136,846.55
Integrated Resources, Inc, 666 Third Avenue, 4th Fl. New York, NY 10017			500.00
International Assn of Bridge Struct & Ornamental Iron Wkrs, 1750 New York Ave., NW Washington, DC 20006			10,800.00
International Brotherhood of Teamsters, 25 Louisiana Ave., NW Washington, DC 20001			95,539.76
International Communications Industries Assn, 3150 Spring St. Fairfax, VA 22031		291,408.00	6,067.43
International Footwear Assn, 47 West 34th Street, #804 New York, NY 10001			
International Longshoremen's Assn, AFL-CIO, 17 Battery Place, #1500 New York, NY 10004			45,454.65
International Taxicab Assn, 3849 Farragut Avenue Kensington, MD 20895			
International Union of Bricklayers & Allied Craftsmen, 815 15th St., NW Washington, DC 20005			11,226.00
Interstate Carriers Conference, 2200 Mill Road Alexandria, VA 22314		500.00	150.00
Investment Company Institute, 1600 M St., NW Washington, DC 20036			44,854.37
Investment Counsel Assn of America, Inc, 20 Exchange Place New York, NY 10005			
Charles C. Irions, 2200 Mill Rd. Alexandria, VA 22314	American Movers Conference	827.00	
Leon E. Irish, 1101 17th Street, NW, #1100 Washington, DC 20036	Caplin & Drysdale (For:O. C. Tanner Company)		
Thomas L. Irmen, P.O. Box 119 Maumee, OH 43537	Andersons		
Iron Ore Lessors Assn, Inc, 2081 First National Bank Bldg Saint Paul, MN 55101		385.81	15,930.55
Itel Container Corp, 55 Francisco Street, 6th Fl San Francisco, CA 94133			
Ivins Phillips & Barker, Chtd, 1700 Pennsylvania Ave., NW, #600 Washington, DC 20006	Aramco Services Co		
Do	Blount, Inc		
Do	Limited, Inc	5,278.75	
Do	Pechiney Corporation		
ICH Corp, 42211 Norbourne Boulevard Louisville, KY 40207			1,242.72
INTERACT, 1350 Old Bayshore Highway, #750 Burlingame, CA 94010	American Comm for Vietnam Claims Justice		
David L. Jackson, 1591 Fishinger Rd. Upper Arlington, OH 43221	Jackson & Associates	4,000.00	4,600.00
Glenn Jackson, 1660 L Street, NW, #601 Washington, DC 20036	Interstate Natural Gas Assn of America	300.00	
Stephen Jacobs, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,500.00	500.00
E. A. Jaenke & Associates, Inc, 777 14th St., NW, #666 Washington, DC 20005	University of Kansas	250.00	
Daniel L. Jaffe, 1725 K Street, NW, #601 Washington, DC 20006	Association of National Advertisers		990.01
Jaffe Snider Raitt & Heuer, P.C., 1800 First National Building Detroit, MI 48226			
Edward L. Jaffee, 1730 Rhode Island Avenue, NW, #713 Washington, DC 20036	PPG Industries, Inc	210.00	50.00
Japan Economic Institute of America, 1000 Connecticut Ave., NW Washington, DC 20036		1,454.64	1,454.64
Japanese American Citizens League, 1765 Sutter Street San Francisco, CA 94118			
Joseph J. Jaquay, 5025 Wisconsin Ave., NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Evelyn Jarvis-Ferris, 444 Market Street San Francisco, CA 94111	Shaklee Corporation		
Jerry J. Jasinowski, 1331 Pennsylvania Ave., NW, #1550N. Washington, DC 20004-1703	National Assn of Manufacturers	2,000.00	
Sonia S. Jasso, 815 16th Street, NW, #707 Washington, DC 20006	Labor Council for Latin American Advancement		
Julie A. Javernick, 413 North Lee St. P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc		
Joseph A. Jeffrey, 1920 N St., NW, #300 Washington, DC 20036	American Mining Congress	400.00	
Jellinek Schwartz Connolly & Freshman, Inc, 1350 New York Avenue, NW, #400 Washington, DC 20005	Adolph Coors Co	48,827.00	1,844.00
Do	Padre Dam Municipal Water District	7,919.00	674.00
Joseph S. Jenckes, Suite 300 1710 Rhode Island Ave., NW Washington, DC 20036	Abbott Laboratories	5,000.00	
Linda Jenckes, 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Kempton B. Jenkins, 1667 K St., NW, #650 Washington, DC 20006	Armco, Inc	400.00	548.04
Jenner & Block, 21 Dupont Circle, NW Washington, DC 20036	Adhesive & Sealant Council, Inc		
Do	American Assn of Electromyography & Electrodiagonosts		
Do	American Assn of Nurse Anesthetists		
Do	American Dental Assistants Assn		
Do	American Dental Trade Assn		
Do	American Diabetes Assn		
Do	American Film Marketing Assn		
Do	American Soc for Cataract & Refractive Surgery		
Do	American Soc of Assn Executives		
Do	Association of Operating Room Nurses		
Do	Auto Glass Industry Comm		
Do	Cable TV Admin & Marketing Society, Inc		
Do	Citicorp Capital Investors, Ltd		
Do	Dental Gold Institute		
Do	International Soc for Hybrid Microelectronics		
Do	Metropolitan Transit Authority	8,250.00	196.76
Do	MCI	303.75	
Do	National Glass Association		
Do	San Francisco Public Utilities Commission	1,996.32	3.68
James C. Jennings, 3255 Grace St., NW Washington, DC 20007	Hill & Knowlton, Inc		
Jennings Strouss & Salmon, 111 West Monroe Phoenix, AZ 85003	Shamrock Foods Co		
Rusty L. Jesser, 1120 Connecticut Avenue, NW Washington, DC 20036	American Bankers Assn	3,000.00	
Nancy H. Jessick, 1331 Pennsylvania Ave., NW, #720 Washington, DC 20004	Hiram Walker & Sons, Inc		
Michael E. Johns, 2033 M Street, NW, #900 Washington, DC 20036	National Assn of Arab Americans		
Beth Johnson, 6220 Gaston Avenue, #609 Dallas, TX 75214	Sierra Club	1,052.74	1,141.21
Calvin P. Johnson, 815 16th Street, NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	13,467.72	570.53
Carl T. Johnson, 2401 Black Cap Lane Reston, VA 22091	Corning Glass Works		
Clifford T. Johnson, 1700 North Moore Street Rosslyn, VA 22209	Boeing Military Airplane Company		
James E. Johnson, 11510 Georgia Ave., #230 Wheaton, MD 20902	James E. Johnson & Associates, Inc		
Jess Johnson Jr., 1025 Connecticut Ave., NW, #200 Washington, DC 20036	Shell Oil Co	500.00	
Joel L. Johnson, 122 C St., NW, #740 Washington, DC 20001	American League for Exports & Security Assistance, Inc	4,500.00	126.20
John B. Johnson, Alabama Petroleum Council P.O. Box 4220 Montgomery, AL 36195	American Petroleum Institute	2,231.25	1,045.95
Kay Johnson, 122 C Street, NW Washington, DC 20001	Children's Defense Fund	844.00	
Kenneth A. Johnson, 3922 Pillsbury Center Minneapolis, MN 55402	Pillsbury Company		
L. Oakley Johnson, 1455 Pennsylvania Avenue, NW, #900 Washington, DC 20004	American International Group, Inc	5,000.00	
Larry W. Johnson, P.O. Box 3000 Leesburg, VA 22075	Vocational Industrial Clubs of America, Inc		
Mark R. Johnson, 1667 K Street, NW, #350 Washington, DC 20036	Moller Steamship Co, Inc		
Nancie S. Johnson, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co	378.00	
Rady A. Johnson, 200 East Randolph Drive P.O. Box 87703 Chicago, IL 60680-9978	Amoco Corporation		
Richard W. Johnson Jr., 225 N. Washington Street Alexandria, VA 22314	Non Commissioned Officers Assn of the USA	7,274.88	251.26
Spencer A. Johnson, 1101 Vermont Ave., NW, #411 Washington, DC 20005	Paperboard Packaging Council		
Stanley L. Johnson, 5344 29th St., NW Washington, DC 20015	Texaco, Inc		
Susan E. Johnson, 633 Pennsylvania Ave., NW, #600 Washington, DC 20004	Sears Roebuck & Co	405.00	162.00
Thomas G. Johnson, One Shell Plaza P.O. Box 2463 Houston, TX 77001	Shell Oil Co		
Barbara W. Johnston, 1150 Connecticut Ave. NW #710 Washington, DC 20036	Utah International, Inc		
David Johnston, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Geo. Allen Johnston, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	17,175.00	
James D. Johnston, 1660 L St., NW Washington, DC 20036	General Motors Corp	3,600.00	7,961.88
Joint Corporate Comm on Cuban Claims, c/o Lone Star Industries, Inc PO Box 5050 Greenwich, CT 06830			180.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Joint Task Force on Fed Financial Assist. for Law Students, 10th St. Newton Industrial Common Newton, PA 18940			
Mary K. Jolly, 1600 Rhode Island Avenue, NW Washington, DC 20036	National Rifle Assn of America	950.00	86.44
Herbert A. Jolovitz, 7531 Sebago Road Bethesda, MD 20817			
Anthony L. Jones, 1620 Eye Street, NW Wahsington, DC 20006	Tonya, Inc (For:City of Philadelphia, PA, et al.)		
Charlie W. Jones, 2111 Belle Haven Road Alexandria, VA 22307	Man-Made Fiber Producers Assn, Inc		
Ernest W. Jones, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Gerald R. Jones, 2000 L St., NW, #810 Washington, DC 20036	Unisys Corp		
James E. Jones, 40 Franklin Rd., SW P.O. Box 2021 Roanoke, VA 24022	Appalachian Power Company		
James E. Jones Jr., 1629 K St., NW, #1010 Washington, DC 20006	Alliance of American Insurers	165.00	75.00
Randall T. Jones, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	3,562.50	
Theodore L. Jones, 1730 Pennsylvania Ave., NW, #300B Washington, DC 20006	City of Baton Rouge		
Do	Hartford Fire Insurance Group		
Do	Mall Properties, Inc	1,500.00	618.09
Do	U.S. Cane Refiners' Assn	2,000.00	131.62
Do	United Companies Life Insurance Co		
Wiley N. Jones, 1667 K St., NW, #600 Washington, DC 20006	Southern Pacific Transportation Co	1,000.00	500.00
Jones & Winburn, 50 E Street, SE Washington, DC 20003	American Automotive Leasing Assn, Inc	4,000.00	
Do	Beneficial Management Corp		
Do	Burlington Northern, Inc	10,000.00	
Do	Commercial Union Capital Corp		
Do	McDonnell Douglas Corp	4,000.00	
Do	National Assn of ASCS County Office Employees (NASCOE)	830.00	
Do	Ruan Transportation Management Systems		
Do	Charls E. Walker Associates, Inc		
Jones Consulting Group, Inc, 300 Metropolitan Square 655 15th Street, NW Washington, DC 20005			
Jones Day Reavis & Pogue, 655 15th St., NW Washington, DC 20005-5701	Automotive Dismantlers & Recyclers Assn, Inc		
Do	Competitive Telecommunications Assn		
Do	Embassy of the People's Republic of China		91.12
Do	Litel Telecommunications Corp		
Do	Los Angeles County	5,907.00	58.43
Do	Mississippi Chemical Corp		
Do	Morgan Grenfell & Co Ltd		27.00
Do	National Assn of State Auditors Comptrollers & Treasurers		
Do	National Beer Wholesaler's Assn, Inc		
Do	Pfizer, Inc	3,030.00	28.92
Do	Stakeholders in America	7,800.00	1,758.24
Do	SCM Corp		
Do	Teleconnect Co		
Do	Westinghouse Electric Corp		
De Soto Jordan, 1331 Pennsylvania Ave., NW, #1300 Washington, DC 20004	EDS Corporation	198.00	113.69
Patricia Jordan, 1730 Rhode Island Ave., NW, #400 Washington, DC 20036	Aries Properties, Inc		
Do	Berg-Revoir Corp		
Do	City of Alhambra	700.00	37.81
Do	City of Baldwin Park		
Do	City of Inglewood		
Do	City of Oceanside		
Do	City of Provo		
Do	City of Redondo Beach		
Do	City of South Salt Lake		
Do	Gavin Associates		
Do	Imperial Irrigation District		
Do	Irvine Co		
Do	Long Beach Transit		
Do	Oceanside Redevelopment Agency		
Do	Santa Cruz Properties		
David C. Jory, 1200 New Hampshire Ave., NW, #350 Washington, DC 20036	Citibank, N.A.	500.00	
Robert E. Juliano, 1099 22nd Street, NW, #404 Washington, DC 20037	American Express Co	10,000.00	
Do	Hotel & Restaurant Employees & Bartenders Intl Union	24,437.52	2,267.91
Robert E. Juliano Associates, 2555 M Street, NW Washington, DC 20037	Aetna Life & Casualty Insurance Co	10,000.00	
Do	International Speedway Corp	7,500.00	
Do	National Academies of Practice	2,500.00	
Do	Rentar Industries, Inc	4,000.00	
Justice Fellowship, P.O. Box 17181 Washington, DC 20041			
Geza Kadar, 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Jim Kaitz, 1667 K Street, NW, #710 Washington, DC 20006	Baxter Travenol Laboratories, Inc		
Suzanne Kalfus, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
Linda Heller Kamm, 1775 Pennsylvania Ave., NW, #1000 Washington, DC 20006-4680	Foley & Lardner (For:Kohlberg Kravis Roberts & Co)		
Betty Ann Kane, 1150 Connecticut Ave., NW, #617 Washington, DC 20036	Miller & Young		
Donald J. Kaniewski, 905 16th St., NW Washington, DC 20006	Laborers' Intl Union of North America, AFL-CIO	11,749.00	85.75
Dennis R. Kanin, Foley Hoag & Eliot One Post Office Square Boston, MA 02109	H.N. Gorin Associates, Inc		
Do	Humane Society of the U.S., et al.	13,107.00	1,315.85
Do	Leading Edge Products, Inc		
Do	Mutual Savings Central Fund, Inc		
James W. Kanouse, 1700 North Moore Street, 21st Floor Rosslyn, VA 22209	Boeing Company	3,250.00	2,016.79
Nancy E. Kantola, 1401 New York Avenue, NW, #1100 Washington, DC 20005	National Cooperative Business Assn	2,500.00	80.90
Kaplan Russin & Vecchi, 1215 17th Street, NW Washington, DC 20036	American Chamber of Commerce of the Dominican Republic		
Eric H. Karp, 115 Broad Street Boston, MA 02110	Edward Blankstein, Inc		
Gene Karpinski, 215 Pennsylvania Avenue, SE Washington, DC 20003	U.S. Public Interest Research Group	6,000.00	
Anthony K. Karwoski, 1745 Jefferson Davis Hwy, #511 Arlington, VA 22202	Manufactured Housing Institute	700.00	100.00
Peter J. Kassander, 412 Fifth St., SE #1 Washington, DC 20003	Seattle Organizing Committee, 1990 Goodwill Games	1,052.00	33.08
Howard C. Katz, 4 World Trade Center New York, NY 10048	J. Aron & Co (For:Coffee Sugar & Cocoa Exchange, Inc)		
Everett E. Kavanaugh, 1110 Vermont Ave., NW, #800 Washington, DC 20005	Cosmetic Toiletry & Fragrance Assn, Inc		
Bronwen A. Kaye, 1575 Eye St., NW, #200 Washington, DC 20005	American Cyanamid Co	862.26	176.10
Kaye Scholer Fierman Hays & Handler, 1575 Eye Street, NW, #1150 Washington, DC 20005	Carlon Company		184.44
Do	Coalition for Prompt Pay		
Do	Goldman Sachs & Co		2,638.15
Do	LDX Net, Inc	153.75	
Do	Morgan Guaranty Trust Co of New York	102.50	2,357.30
Do	Pioneer Systems, Inc		
Do	Winfield Manufacturing Co	682.65	337.28
Lisa E. Kazel, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers		
Richard F. Keating, 1211 Connecticut Ave., NW, #502 Washington, DC 20036	Anheuser-Busch Companies, Inc		
Keck Mahin & Cate, 1730 Pennsylvania Avenue, NW, #350 Washington, DC 20006	Schwinn Bicycle Co	850.00	
Robert J. Keefe, 444 N. Capitol Street, #711 Washington, DC 20001	Keefe Co (For:Republic of the Philippines)		
Do	Keefe Company (For:UNIAO Nacional Para Independencia Total DeAngola)		
Do	Keefe Company (For:Westinghouse Electric Corp)		
Vicki R. Keenan, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	700.00	
Keene Monk & Associates, Inc, 919 Prince Street Alexandria, VA 22314	Apex Marine	4,000.00	
Do	Mortgage Guaranty Insurance Corp	6,000.00	
Do	National Farmers' Federation of Australia		
Do	Valsan Re-Engining, Inc	8,000.00	
Keith Keeney, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342	Robert H. Kellen Co (For:Calorie Control Council)		
Robert C. Keeney, 727 N. Washington St. Alexandria, VA 22314	United Fresh Fruit & Vegetable Assn	3,565.00	432.95
Robin E. Keeney, 1828 L Street, NW Washington, DC 20036	American Land Title Assn	2,025.00	
Brien E. Kehoe, Hill Betts & Nash 1818 N Street, NW, #700 Washington, DC 20036	Waterman Steamship Corp		
Keiki Kehoe, 218 D St., SE Washington, DC 20003	Environmental Policy Institute	653.72	
Kendell W. Keith, 725 15th Street, NW Washington, DC 20005	National Grain & Feed Assn	217.00	
Jerilyn Fay Kelle, 110 Maryland Avenue, NE, #211 Washington, DC 20002	Women's Action for Nuclear Disarmament, Inc, et al	1,187.50	
William D. Kelleher, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	2,500.00	
Robert H. Kellen, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 20342	Robert H. Kellen Co (For:Calorie Control Council)		
Keller & Heckman, 1150 17th Street, NW, #1000 Washington, DC 20036	Specialty Advertising Assn Int'l	1,350.00	100.00
Paul J. Kelley, 2727 North Central Ave. Phoenix, AZ 85004	U-Haul Intl, Inc		
Thomas F. Kelley III, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Ty Kelley, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	1,500.00	
Kelley Drye & Warren, 1330 Connecticut Ave., NW Washington, DC 20036	Alaska Surimi Products, Inc		
Do	Business Roundtable	67.50	
Do	ITT Consumer Financial Corp	90.00	
Do	J.P. Morgan & Co, Inc	765.00	
Do	Society of the New York Hospital	7,050.00	649.21
Stephen G. Kellison, 1720 Eye Street, NW, 7th Floor Washington, DC 20006	American Academy of Actuaries		
Stephen S. Kellner, 1001 Connecticut Ave., NW, #1120 Washington, DC 20036	Chemical Specialties Manufacturers Assn, Inc		
Dorothy Allen Kellogg, 1615 H Street, NW, Washington, DC 20062	Chamber of Commerce of the U.S		
Edward L. Kelly, 1319 F Street, NW, #1000 Washington, DC 20004	National Assn of Private Psychiatric Hospitals	500.00	
Ernest B. Kelly III, 950 L'Enfant Plaza, SW Washington, DC 20024	Communications Satellite Corp	1,500.00	159.51
Harold V. Kelly, 1025 Thomas Jefferson St., NW, #511 W. Washington, DC 20007	LTV Corporation		
John F. Kelly, 1828 L Street, NW # 906 Washington, DC 20036	Merrill Lynch & Co, Inc	2,000.00	
Mark L. Kemmer, 1660 L Street, N.w. Washington, DC 20036	General Motors Corp	2,500.00	1,146.84
Mary Linda Kemp, 815 15th Street, NW, #709 Washington, DC 20005	Floyd H. Hyde Associates (For:Alameda, CA, et al.)		
Coletta Kemper, 1401 New York Avenue, NW, #720 Washington, DC 20005	National Assn of Insurance Brokers		
William T. Kendall, 50 E St., SE Washington, DC 20003	Alliance for Free Enterprise		
Kendall & Associates, Inc, 50 E St., SE Washington, DC 20003	ALC Communications Corp	250.00	
Do	Heller Ehrman White & McAuliffe		
Do	Hogan & Hartson (for Timex Group, Ltd)		
Do	Hogan & Hartson (for Volume Shoe Corp)		
Do	Manville Corporation		
Do	Rose Communications		
Do	Toyota Motor Sales, USA, Inc	1,000.00	
Do	Williams Technologies, Inc	250.00	
Do	Worldwide Information Resources, Inc		
Stephanie Kennan, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	438.46	221.39
Joseph W. Kennebeck, 490 L'enfant Plaza, SW, #3210 Washington, DC 20024	Volkswagen of America, Inc	250.00	25.00
Art Kennedy, Box 200576 Anchorage, AK 99520	Alaska Resource Analysts, Inc		
Do	Koniag, Inc		
Frances H. Kennedy, 208 N. Quaker Lane Alexandria, VA 22304	National Parks & Conservation Assn	100.00	
Michael E. Kennedy, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Robert P. Kennel, 3013 Leefield Drive Herndon, VA 22071	National Wood Energy Assn, Inc		
Do	Ultrasystems, Inc		
Jeremiah J. Kenney Jr., 12th Fl. 1100 15th St., NW Washington, DC 20005	Union Carbide Corp		496.00
Brendan Kenny, 1625 Massachusetts Avenue, NW Washington, DC 20036	Air Line Pilots Assn	5,050.00	420.00
J. H. Kent, Kent & O'Connor 1211 Connecticut Avenue, NW Washington, DC 20036	American Soc of Plastic & Reconstructive Surgery	375.00	39.49
Do	American Supply Association		
Do	American Warehousemen's Association		
Do	Gould, Inc		
Do	Intermedics, Inc		
Do	International Assn of Airport Duty Free Stores		
Do	National Customs Brokers & Forwarders Assn of America	5,030.00	2,408.86
Do	Transportation Lawyers Assn		
Elizabeth Kepley, 122 C St., NW, #800 Washington, DC 20001	Concerned Women for America		
Vytautas Kerbelis, P.O. Box 44 Sea Harbor, ME 04675	ARAS		
Michael J. Kerrigan, 1925 K Street, NW, #504 Washington, DC 20006	Smokeless Tobacco Council, Inc		
Margaret Kerry, 105 East 22nd Street New York, NY 10010	Community Service Society	51.28	201.66
Robert M. Ketchel, 1331 Pennsylvania Ave., NW, #895 Washington, DC 20004	General Electric Co		
Dorothy A. Keville, 2215 Constitution Ave., NW Washington, DC 20037	American Pharmaceutical Assn	500.00	
Do	Mothers Without Custody, Inc		
Gilbert W. Keyes, P.O. Box 3999 (mail Stop 8c-68) Seattle, WA 98124	Boeing Aerospace Co	1,388.18	696.82
G. Chandler Keys III, 1301 Pennsylvania Avenue, NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Kiawah Island Co Ltd, P.O. Box 12910 Charleston, SC 29142			
Richard F. Kibben, 200 Park Ave., #2222 New York, NY 10166	Business Roundtable		
Brian D. Kidney, 444 N. Capitol Street, NW, #718 Washington, DC 20001	Pacific Telesis Group	15,450.00	
William S. Kies, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	200.00	
Ingolf N. Kiland Jr., 1660 L Street, NW Washington, DC 20036	General Motors Corp	3,000.00	3,602.11
Brian M. Kilbury, 815 16th St., NW, #511 Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks	1,200.00	1,200.00
Gregory Kilgore, 1101 16th Street, NW Washington, DC 20036	Scientific Apparatus Makers Assn	1,100.00	239.19
William P. Killmer, 1331 Pennsylvania Avenue, NW, #910 Washington, DC 20004	American Cement Trade Alliance, Inc	3,444.03	184.25
Mary K. Killorin, 1101 15th Street, NW Washington, DC 20005	Minnesota Mining & Manufacturing Co	1,500.00	
Kilpatrick & Cody, 2501 M St., NW, #500 Washington, DC 20037	Chemical Fuels Corp		
Do	City of Atlanta		
Do	Clean Water Action Project	1,100.00	
Do	Furniture Rental Assn of America		
Do	Kootznoowoo, Inc	1,400.00	
Do	PepsiCo, Inc	8,806.00	136.60
Do	Sierra Club Legal Defense Fund	1,250.00	
Eun Sang Kim, 1030 15th Street, NW, #776 Washington, DC 20005	Korean Traders Assn	1,200.00	750.00
Hee Jin Kim, 1030 15th Street, NW, #776 Washington, DC 20005	Korean Traders Assn	900.00	910.00
Richard H. Kimberly, 1201 Pennsylvania Avenue, NW, #730 Washington, DC 20004	Kimberly-Clark Corp	2,973.75	234.58
Kimberly-Clark Corp, 401 North Lake Street Neenah, WI 54956			3,458.33
James L. Kimble, 1025 Connecticut Ave., NW, #415 Washington, DC 20036	American Insurance Assn		
Ann Ottoson King, 1620 Eye Street, NW, #800 Washington, DC 20006	Taft Stettinius & Hollister (For:Recordings Import Trade Committee)		
Aubrey C. King, 1625 Eye Street, NW, #609 Washington, DC 20006	National Club Association		
Edward H. King, 200 Wilmot Rd. Deerfield, IL 60015	Walgreen Co		
W. Russell King, 50 F St., NW, #1050 Washington, DC 20001	Freeport McMoran, Inc	500.00	107.38
King & Spalding, 1730 Pennsylvania Ave., NW, #1200 Washington, DC 20006	Alabama State Docks Department	7,250.00	
Do	Antitrust Remedies Reform Group, et al	9,347.81	
Do	Camberent Financial Group	4,500.00	99.57
Do	General Aviation Manufacturers Association	2,907.50	
Do	General Electric Credit Corp	234.00	
Do	Generic Pharmaceutical Industry Assn	4,474.00	53.11
Do	Lincoln Property Co, et al		29.72
Do	Mercer University		425.75
Do	National Assn of Bond Lawyers		334.79
Do	Piedmont Securities Co & Guaranty Investment Co	990.00	
Do	SunTrust Banks, Inc	8,258.00	
Ruby King-Williams, 1201 16th Street, NW Washington, DC 20036	National Education Assn		
Kathleen N. Kingscott, 1801 K Street, NW, #1200 Washington, DC 20006	IBM Corp	4,100.00	1,347.08
Daniel T. Kingsley, 1655 N. Ft. Myer Dr., #700 Arlington, VA 22209	National Venture Capital Association	51,000.00	1,384.22
Roger P. Kingsley, 10801 Rockville Pike Rockville, MD 20852	American Speech-Language-Hearing Assn		
Janie A. Kinney, 1050 17th Street, NW, #650 Washington, DC 20036	Merck & Co, Inc	575.00	175.00
Marcia Y. Kinter, 1600 Wilson Boulevard, #1000 Arlington, VA 22209	American Waterways Operators, Inc		
Cecilia Anne Kirby, 1819 L Street, NW, #600 Washington, DC 20036	American Hotel & Motel Assn	1,290.51	
Alan G. Kirk II, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Co		
John R. Kirk, Bingham, Dana & Gould 100 Federal St. Boston, MA 02110	First National Bank of Boston		
Kirkpatrick & Lockhart, 1800 M St., NW, S. Lobby-9th Fl. Washington, DC 20036	County of Suffolk, New York		
Robert A. Kirshner, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	500.00	
Mary Brice Kirtley, 888 17th Street, NW, #300 Washington, DC 20006	ConAgra, Inc	200.00	
Dean Kleckner, 225 Touhy Avenue Park Ridge, IL 60068	American Farm Bureau Federation	3,250.00	
Jerry D. Klepner, 1020 19th St., NW Washington, DC 20036	Anderson Benjamin Read & Haney (For:Mutual of Omaha)		
Thomas S. Kleppe, 7852 Vervain Court Springfield, VA 22152	Professional Bancorp		
Kline Knopf & Wojdak, Inc, 355 N. 21st Street, #105 Camp Hill, PA 17011	General Public Utilities Corp		
Michael R. Klipper, 1600 I St., NW Washington, DC 20006	Motion Picture Assn of America, Inc	464.94	221.00
Jill Klowden, 2807 Connecticut Ave., NW, #102 Washington, DC 20008	Rainbow Lobby	975.00	
David M. Klucsik, 1415 Wyckoff Road Wall, NJ 07719	New Jersey Natural Gas Co		
John F. Klucsik, 955 L'Enfant Plaza, 6th Fl. Washington, DC 20024	Roy F. Weston, Inc (For:Inmont Division-BASF Corp)		
Gary D. Knight, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute		
Peter E. Knight, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	8,000.00	177.49
Knights of Columbus, Columbus Plaza New Haven, CT 06507			
Keith R. Knoblock, 1920 N St., NW Washington, DC 20036	American Mining Congress		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Albert B. Knoll, 555 13th Street, NW, #1010 East Washington, DC 20004-1109	Sun Co, Inc	1,500.00	811.28
C. Neal Knox, Neal Knox Associates Box 6537 Silver Spring, MD 20906		5,000.00	650.00
Darrell Knuffke, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	975.05	
Ruth E. Kobell, 600 Maryland Ave., SW, #202 Washington, DC 20024	Farmers' Educational & Co-Operative Union of America	3,396.96	99.32
Thomas G. Kobus, 1112 16th St., NW, #2000 Washington, DC 20036	National Parking Association	18,408.48	
Bradley R. Koch, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	138.50	
George W. Koch, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Kogovsek & Associates, Inc, 3600 S. Yosemite, #830 Denver, CO 80237	Animas-La Plata Water Conservancy District, Durango County		3,321.15
Do	City of Pueblo, Pueblo County	4,500.00	944.22
Do	Colorado State University	2,500.00	1,337.35
Do	Colorado-Ute Electric Assn	1,500.00	865.59
Do	Public Employees Retirement Assn of Colorado	6,850.00	1,285.33
Do	Southern Ute Indian Tribe	7,500.00	3,352.37
Do	Southwestern Water Conservation District, Durango County		3,550.15
Do	St. Mary Corwin Hospital, Pueblo County		
Do	Upper Yampa Water Conservation District	4,000.00	2,480.76
Do	Ute Mountain Ute Indian Tribe	10,000.00	1,450.00
Paul E. Kohl, 137 Waverly Place New York, NY 10014	18th Cong Dist for Pro-Life Activities		
Gary J. Kohn, 1600 M Street, NW Washington, DC 20036	Investment Company Institute	337.50	96.62
Kojm Associates, 2906 S. Grant Street Arlington, VA 22202	Technicum Int'l Corp and Pacific-Sierra Research Corp		
Michael S. Koleda, 1225 Eye Street, NW, #320 Washington, DC 20004	Council on Alternate Fuels		
Diane J. Koller, 1899 L Street, NW, #403 Washington, DC 20036	Outdoor Advertising Assn of America, Inc	338.00	347.00
Timothy S. Kolly, P.O. Box 9033 Charlottesville, VA 22906	Worrell Enterprises, Inc		
John C. Kolojeski, Laroe Winn & Moerman 1120 G Street, NW, #800 Washington, DC 20005	Chlorine Institute, Inc		
Nicholas Kominus, 1001 Connecticut Ave., NW Washington, DC 20036	U.S. Cane Sugar Refiners' Assn	806.25	85.33
Eugene P. Kopp, Suite 600 South 1120 20th Street, NW Washington, DC 20036	Union Pacific Corp	1,250.00	
Steven Kopperud, 1701 N. Ft. Myer Drive Arlington, VA 22209	American Feed Industry Assn	3,240.00	
Horace R. Kornegay, 1875 I St., NW, #800 Washington, DC 20006	Tobacco Institute		
Kerrill K. Kornegay, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	1,937.00	2,076.63
Ronald W. Kosh, 8111 Gatehouse Road Falls Church, VA 22047	AAA Potomac		
Gerald J. Kovach, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	2,000.00	89,378.99
Kenneth S. Kovack, 815 16th St., NW, #706 Washington, DC 20006	United Steelworkers of America	10,921.59	
Joan M. Kovalic, 955 L'Enfant Plaza, SW, 6th Fl. Washington, DC 20024	Roy F. Weston, Inc (For:Inmont Division-BASF Corp)		
Mylio S. Kraja, 1608 K St., NW Washington, DC 20006	American Legion	3,750.00	432.50
Joseph H. Kramer III, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Budd Company)		
Do	Hill & Knowlton, Inc (For:HTB Corporation)		
Stephen W. Kraus, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	1,000.00	
Raymond R. Krause, 3771 Pillsbury Center Minneapolis, MN 55402	Pillsbury Company	1,500.00	358.00
Earl R. Kreher, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	780.00	
Hugh A. Krentz, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Canadian Institute of Steel Construction		
Kroger Company, 1014 Vine St. Cincinnati, OH 45201			3,118.35
James C. Krone, 1152 Haslett Road P.O. Box 99 Haslett, MI 48840	Roses, Inc	300.00	
Robin L. Kropf, 1319 F St., NW, #1000 Washington, DC 20004	National Assn of Private Psychiatric Hospitals	500.00	100.00
Paul R. Kruse, 1155 15th St., NW Washington, DC 20005	Pennzoil Co	625.00	
James S. Krzyminski, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	675.00	
Thomas A. Kube, 8111 Gatehouse Road Falls Church, VA 22047	American Automobile Assn		
Philip Kugler, 555 New Jersey Ave., NW Washington, DC 20001	American Fed of Teachers		
Lloyd R. Kuhn, 1725 Desales St., NW Washington, DC 20036	Aerospace Industries Assn of America, Inc	13,429.00	
Sara E. Kuhn, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	2,000.00	
Thomas R. Kuhn, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	3,444.16	959.18
Rebecca L. Kupper, 655 15th Street, NW 300 Metropolitan Square Washington, DC 20005	American Medical International	2,750.00	181.50
Kurrus & Kirchner, P.C., 1055 Thomas Jefferson St., NW, #418 Washington, DC 20007	Marine Engineers' Beneficial Assn, Pacific Coast Dist. #1		
Do	Marine Transport Lines, Inc	7,773.75	221.62
Valerie W. Kurylo, 1601 Duke Street Alexandria, VA 22314	Society of American Florists		
Ester Kurz, 500 North Capitol St., NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	14,916.66	184.72
Kutak Rock & Campbell, 1101 Connecticut Aven., NW, #1000 Washington, DC 20036	Citicorp Investment Bank	405.72	759.54
Do	Fidelity Management Research Co		483.14
Do	Financial Security Assurance Co		7,280.84
Do	Municipal Bond Insurance Assn		327.56
Kuykendall Company, 517 3rd Street, SE Washington, DC 20003	Alpha Environmental, Inc		
Do	Alpha 21 Corporation		
Do	Guardsmark, Inc	5,000.00	
Do	Gulf & Caribbean Foundation		
Do	R. F. Shoup Corp	4,640.00	
Do	SENTINAL		
James La Sala, 5025 Wisconsin Avenue, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Labor Management Maritime Committee, Inc, 100 Indiana Avenue, NW Washington, DC 20001		7,008.00	9,679.00
Laborers' Intl Union of North America, AFL-CIO, 905 16th St., NW Washington, DC 20006			29,198.64
Joseph L. Lach, 1625 K Street, NW, #750 Washington, DC 20006	Manville Corp	500.00	
John D. Lacopo, 1331 Pennsylvania Ave., NW, #1300 Washington, DC 20004	EDS Corporation	144.00	140.00
Robert A. Ladig, Scott Plaza Philadelphia, PA 19113	Scott Paper Co	1,925.00	548.67
David F. Lambert III, 1401 New York Ave., NW, #720 Washington, DC 20005	National Assn of Insurance Brokers, Inc		
David P. Lambert, 1800 K St., NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
David R. Lambert, 1030 15th St., NW, #964 Washington, DC 20005	American Seed Trade Assn	6,000.00	
Stephen K. Lambright, One Busch Place St. Louis, MO 63118	Anheuser-Busch Companies, Inc		
Virginia A. Lampley, 1818 N St., NW, #600 Washington, DC 20036	DGA International, Inc (For:Dir Intl Aff of the Gen Del for Armements)		
Do	DGA International, Inc (For:Societe Nationale D'Etude et de Const de Moteurs D'Aviation).	519.00	
Ray H. Lancaster, 1331 Pennsylvania Ave., NW, #565 Washington, DC 20004	Texas Gas Transmission Corp	3,000.00	203.87
L. Charles Landgraf, 1333 New Hampshire Avenue, NW Washington, DC 20036	Leboeuf Lamb Leiby & Macrae		
Thomas M. Landin, P.O.Box 7029 One Franklin Plaza Philadelphia, PA 19101	SmithKline Beckman Corp		
Landis Cohen Singman & Rauh, 1019 19th St., NW, #500 Washington, DC 20036	American Soc of Composers Authors & Publishers	4,000.00	
Do	NFL Players Association	3,000.00	
David W. Landsidle, 1710 Rhode Island Avenue, NW, #300 Washington, DC 20036	Abbott Laboratories	4,000.00	
Bruce Alan Landy, 2601 Virginia Ave., NW Washington, DC 20037	B.A.L. Co		
Do	Cryogenic Vacuum Technology Co		
Do	FAA-Congress Watch		
Do			
Albert E. Lane, P.O. Box 37152 Cincinnati, OH 45222	Media-Independence-Competition-Medcom-Mic		
Do	People Opposed to Energy Lobby - Potel		
Scott H. Lane, 412 First Street, SE Washington, DC 20003	National Automobile Dealers Assn	3,000.00	
Lane & Edson, P.C., 2300 M Street, NW Washington, DC 20036	City of Baltimore	5,200.00	5,200.00
Do	Council for Rural Housing and Development	4,000.00	
Do	National Glass Association	4,500.00	4,500.00
Do	National Leased Housing Assn	900.00	
Adrienne C. Lang, 1111 14th Street, NW, #501 Washington, DC 20005	American Soc of Anesthesiologists	3,000.00	
Joseph L. Lang, 1100 N Street, Suite 2E Sacramento, CA 95814	Mattco Forge, Inc		
Do	West Coast Fabricators & Steel Industry Assn		
Robin W. Lanier, 1000 Connecticut Ave., NW Washington, DC 20036	National Retail Merchants Assn	2,300.00	25.70
Wayne R. Lapierre Jr., 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	2,062.50	1,202.10
Clifford Laplante, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	1,600.00	
J. Stephen Larkin, 9225 Katy Freeway, #310 Houston, TX 77024	Petroleum Equipment Suppliers Assn	1,430.00	245.96
William L. Larsen, 1025 Connecticut Avenue, NW, #415 Washington, DC 20036	American Insurance Assn		
Mary Ellen Larson, 1420 King Street Alexandria, VA 22314	National Soc of Professional Engineers	1,250.00	
Reed E. Larson, 8001 Braddock Road, #600 Springfield, VA 22160	National Right to Work Committee		
Warren Lasko, 1125 15th Street, NW Washington, DC 20005	Mortgage Bankers Assn of America		
Theodore A. Lattanzio, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	1,206.25	
Laughter Power Group, c/o Communications Consultants P.O. Box 23378 Washington, DC 20026-3378			
Joan H. Lavor, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Lloyd R. Lawrence Jr., Bob Lawrence & Associates 803 Prince Street Alexandria, VA 22314	Valmont Industries, Inc	8,850.00	1,250.00
Elizabeth Lawson, 1730 M Street, NW Washington, DC 20036	League of Women Voters of the U.S.	4,965.46	57.65
Janie L. Lawson, 1025 Connecticut Avenue, NW, #200 Washington, DC 20036	Shell Oil Co	500.00	
Laxalt Corporation, 214 Massachusetts Ave., NE, #380 Washington, DC 20002	W. R. Grace & Co		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Peter Kiewit Sons', Inc		
Do	Motion Picture Assn of America, Inc	2,000.00	
Do	Purolator Courier		
Do	R. T. Vanderbilt Co, Inc	500.00	
Sandra L. LaFevre, 2500 Riva Road, SE Annapolis, MD 21401	Nationwide Insurance Co	1,500.00	
Sally Ann LaHue, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	2,000.00	433.63
Leach Biesty & McGreevy, 1619 New Hampshire Ave., NW Washington, DC 20009	Washington Psychiatric Society	5,250.00	29.30
League of Rural Voters Education Project, Inc, 3255 Hennepin Avenue South, #225 Minneapolis, MN 55408		34,000.00	4,934.00
League of Rural Voters, Inc, 3255 Hennepin Avenue South, #225 Minneapolis, MN 55408		208,585.00	2,150.00
League of Women Voters of the U.S., 1730 M St., NW Washington, DC 20036		58,422.38	58,422.38
League to Save Lake Tahoe, 2197 Lake Tahoe Blvd. P.O. Box 10110 South Lake Tahoe, CA 95731			210.64
Thomas B. Leary, c/o Janet L. McDavid 815 Connecticut Avenue, NW Washington, DC 20006	Business Roundtable		
Richard J. Lease, 2145 Boise Drive Las Cruces, NM 88001			
Leboeuf Lamb Leiby & Macrae, 1333 New Hampshire Ave., NW, #1100 Washington, DC 20036	General Conf of the 7th Day Adventists Church Risk Mgt Svcs		
Do	Underwriters at Lloyd's London		
Ira M. Lechner, 1899 L Street, NW, #800 Washington, DC 20036	National Assn of Police Organizations, Inc	15,000.00	1,701.52
Robert F. Lederer, 1250 I Street, NW, #500 Washington, DC 20005	American Assn of Nurserymen		
Thomas J. Lee Jr., P.O. Box 2628 Houston, TX 77252	Entex, Inc		
L. Courtland Lee, Inc, 3814 West Street Landover, MD 20785	Minerals Exploration Coalition, Inc	900.00	20.00
Lefevere Lefler Kennedy O'Brien & Drawz, 2000 First Bank Place West 120 South 6th Street Minneapolis, MN 55402	City of New Brighton		
Peter A. Lefkin, 1025 Connecticut Avenue, NW, #415 Washington, DC 20036	American Insurance Assn	260.00	70.00
Leslie A. Lehmann, 111 SW Columbia, #800 Portland, OR 97201	Nerco, Inc	6,765.00	892.36
Mary Nell Lehnhard, 1709 New York Ave., NW Washington, DC 20006	Blue Cross & Blue Shield Assn	422.87	
Lehrfeld & Henzke, P.C., 1301 Pennsylvania Ave., NW, #1110 Washington, DC 20004	Knights of Columbus		
Karen Leichtman, 1319 F St., NW, #300 Washington, DC 20004	Halt: Americans for Legal Reform		
Leighton & Regnery, 1667 K Street, NW Washington, DC 20006	American Dairy Products Institute		
Do	ALPO Petfoods, Inc		
Do	Clorox Co		
Do	Correctional Services Providers Institute		
Do	Express Foods Co, Inc		
Do	General Instrument Corp		
Do	GTE Products Corp		
Do	Johnson & Johnson		
Do	Leprino Foods, Inc		
Do	Merrick's, Inc		
Terry L. Leitzell, Bogle and Gates One Thomas Circle, NW, #900 Washington, DC 20005	American Shrimpboat Association		
Do	Marine Construction & Design Co		
Do	Northern Eagle Partners, L. P.		
Do	Port of Seattle		
Joseph L. Leitzinger, 900 4th Ave. Seattle, WA 98164	Simpson Investment Co	2,100.00	809.00
Robert A. Lembo, 1050 31st Street, NW Washington, DC 20007	Association of Trial Lawyers of America	2,000.00	100.00
Laverne Still Lemen, 1030 15th St., NW, #700 Washington, DC 20005	National Cotton Council of America	577.50	13.37
Betty Jane Leonard, P.O. Box 19109 Greensboro, NC 27419	Unifi, Inc		
Burleigh C. W. Leonard, 2550 M Street, NW, #770 Washington, DC 20037	RJR Nabisco, Inc	600.00	733.97
Earl T. Leonard Jr., P.O. Drawer 1734 Atlanta, GA 30301	Coca-Cola Company	572.00	1,155.71
Lloyd Leonard, 1730 M St., NW Washington, DC 20036	League of Women Voters of the U.S.	6,344.32	10.80
Rodney E. Leonard, 2001 S Street, NW, #530 Washington, DC 20009	Community Nutrition Institute		
Charles Leppert Jr., 801 18th Street, NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co	86.38	
Richard L. Lesher, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S.	400.00	
William Gene Lesher, 517 C Street, NE Washington, DC 20002	Lesher and Associates, Inc		
Lesher and Associates, Inc, 517 C Street, NE Washington, DC 20002	Dairy Farmers for Responsible Dairy Policy		
Do			
Daniel Lesmez, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
William J. Lessard Jr., 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security & Medicare	3,250.00	
Dale Lestina, 1201 16th St., NW Washington, DC 20036	National Education Assn	3,291.30	383.00
Leva Hawes Mason & Martin, 1220 19th St., NW, #700 Washington, DC 20036	Finnigan Corporation		
Do	Scientific Apparatus Makers Assn		
Leventhal Senter & Lerman, 2000 K Street, NW, #600 Washington, DC 20006-1809	Aeronautical Radio, Inc	2,500.00	35.50
Morris J. Levin, 1050 17th St., NW Washington, DC 20036	Association of American Railroads	2,500.00	
Do	Independent JOA Publishers Assn		
Barbara W. Levine, 1015 15th Street, NW Washington, DC 20005	American Public Health Assn	634.50	
Bertram J. Levine, 1667 K Street, NW, #410 Washington, DC 20006	Johnson & Johnson	1,000.00	225.00
Harry Levine Jr., 1331 Pennsylvania Ave., NW Washington, DC 20004	General Electric Co		
Kenneth S. Levine, 1455 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Joseph E. Seagram & Sons, Inc	977.50	
Lawrence E. Levinson, 1875 Eye St., NW, #940 Washington, DC 20006	Gulf & Western, Inc	2,750.00	80.00
David Levy, 7000 Central Avenue, NE P.O. Box 1453 Minneapolis, MN 55432	Medtronic, Inc		
James F. Levy, 1010 Whaley Street Columbia, SC 29201	Vista, Inc		
Leslie Levy, 500 North Capitol St., NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	600.00	
Roger N. Levy, 1660 L St., NW, #1000 Washington, DC 20036	Travelers Companies	2,500.00	
Jack W. Lewis, 5205 Leesburg Pike, #505 Falls Church, VA 22041	National Beer Wholesalers Assn	1,984.00	202.62
Michael R. Lewis, 1133 15th St., NW, #640 Washington, DC 20005	International Longshoremen's & Warehousemen's Union	10,650.00	767.50
Richard Lewis, 1025 Vermont Ave., NW Washington, DC 20005	American Pulpwood Assn		
Richard W. Lewis, 1700 K St., NW Washington, DC 20006	Chevron USA, Inc	562.50	
Stuart A. Lewis, 1919 Pennsylvania Ave., NW, #850 Washington, DC 20006	First Interstate Bancorp	500.00	
Do	Manufacturers Hanover Corp	750.00	
Do	National Bank of Detroit	500.00	
William H. Lewis, Morgan Lewis & Bockius 1800 M Street, NW Washington, DC 20036	U.S. Gypsum Co	1,000.00	50.00
John F. Leyden, 815 16th Street, NW, #308 Washington, DC 20006	Public Employee Department, AFL-CIO	4,292.30	
Harris W. LeFew, 300 Pratt Street Luke, MD 21540-1099	Westvaco Corp		
Lynn H. LeMaster, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	1,410.06	169.90
William J. Lhota, 215 N. Front Street Columbus, OH 43215	Columbus and Southern Ohio Electric Co	1,532.00	889.02
Liberty Lobby, Inc, 132 3rd St., SE Washington, DC 20003		541.75	54.34
Richard A. Lidinsky Jr., 655 15th Street, NW, #300 Washington, DC 20005	Sea Containers America, Inc		
Howard C. Liggett, 9916 Stone Meadow Rd Pensacola, FL 32514	Escambia County Tax Collector		
Ross W. Lillard, 920 Main Street Kansas City, MO 64105	Stinson Mag & Fizzell (For:Farmland Industries, Inc)		
Lillick McHose & Charles, 1800 M Street, NW, #250N Washington, DC 20036	Global Marine, Inc		
Diane Palmer Lilly, 1200 Peavey Building Minneapolis, MN 55479	Norwest Corporation		
Leanne Klyza Linck, 214 N. Henry St., #203 Madison, WI 53703	Sierra Club	198.00	174.57
Lincoln Savings & Loan Assn, P.O. Box 19614 Irvine, CA 92714			31,441.30
Stephen R. Lindauer, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Roger Lindberg, 901 31st St., NW Washington, DC 20007	Hill & Knowlton, Inc (For:Cayman Islands)		
Do	Hill & Knowlton, Inc (For:Energy Security Policy)		
Do	Hill & Knowlton, Inc (For:MediVision)	400.00	
Do	Hill & Knowlton, Inc (For:Panhandle Eastern Corp)	200.00	
Do	Hill & Knowlton, Inc (For:Seminole Tribe of Florida)		
Do	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)	1,010.00	
Donald Lindsey, 819 Railway Labor Bldg. 400 First Street, NW Washington, DC 20001	Brotherhood of Locomotive Engineers		
Kathleen M. Linehan, 1875 Eye St., NW, #500 Washington, DC 20006	Philip Morris, Inc	1,050.00	185.00
Linda A. Lipsen, 2001 S Street, NW, #520 Washington, DC 20009	Consumers Union of U.S., Inc	2,160.00	
Lisboa Associates, Inc, 1317 F St., NW, #400 Washington, DC 20004	University of the Virgin Islands	2,062.50	
John M. Lison, 200 West Adams, #2015 Chicago, IL 60606	Atcor, Inc		
Barbara A. Little, 1155 15th St., NW, #611 Washington, DC 20005	Ethyl Corporation	1,500.00	
Charles B. Little, 600 Maryland Ave., SW, #603 Washington, DC 20024	UBA, Inc	1,000.00	
Thomas W. Little, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	750.00	
William F. Little, 815 Connecticut Ave., NW Washington, DC 20006	Ford Motor Co	487.00	618.55
Roy Littlefield, 15900 Pinecroft Lane Bowie, MD 20716	American Retreaders' Assn	1,000.00	
Do	Greater Washington/Maryland Service Station Assn	1,000.00	
E. Geoffrey Littlehale, 1100 15th Street, NW Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	65.50
E. F. Livaudais Jr., 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co		
Robert W. Lively, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	115.00	
Franci Livingston, 215 Pennsylvania Avenue, SE Washington, DC 20003	Public Citizen's Congress Watch	5,500.00	
Richard D. Lloyd, 600 Maryland Avenue, SW, #520 Washington, DC 20024	GPU Service Corporation		
Lobel Novins Lamont & Flug, 1275 K St., NW, #770 Washington, DC 20005	Generic Pharmaceutical Industry Assn	6,842.31	116.87

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Paul Locigno, 25 Louisiana Avenue, NW Washington, DC 20001	International Brotherhood of Teamsters	21,533.73	
Robert F. Lockhart Jr., 490 L'enfant Plaza East, SW Washington, DC 20024	Tenneco, Inc		
Karen Lockwood, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	469.54	92.98
Stephen G. Lodge, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
John H. Lonnquist, 1625 K Street, NW, #750 Washington, DC 20006	Manville Corporation	1,500.00	
Susan J. Loomis, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	5,000.00	500.00
Loomis Owen Fellman & Howe, 2020 K St., NW Washington, DC 20006	Association of Bituminous Contractors		
Do	Classroom Publishers Assn		
Do	Industrial Diamond Assn		
Do	Optical Manufacturers Assn		
Do	Textile Rental Services Assn of America		
Gerald D. Lore, 1050 Connecticut Avenue, NW, #401 Washington, DC 20036	Hoffmann-La Roche, Inc		
Philip J. Loree, 50 Broadway New York, NY 10004	Federation of American Controlled Shipping	200.00	
Robert E. Losch, P.C., 1716 New Hampshire Ave., NW Washington, DC 20009	American Dredging Co, et al	22,000.00	3,029.10
Timothy Lovain, 3713 Gunston Road Alexandria, VA 22302	Denny Miller Associates	9,360.00	
James F. Lovett, 1801 K St., NW Washington, DC 20006	Westinghouse Electric Corp	500.00	200.00
Paula D. Lucak, 815 16th Street, NW, #308 Washington, DC 20006	Public Employee Department, AFL-CIO	8,565.46	45.00
Daniel P. Lucas, 777 14th St., NW, Washington, DC 20005	National Assn of Realtors		
James D. Lucas, 25 South Charles Street Baltimore, MD 21201	First National Bank of Maryland		1,434.29
Mrs. Freddie H. Lucas, 1660 L St., NW Washington, DC 20036	General Motors Corp	3,000.00	2,600.06
William L. Lucas, 2021 K Street, NW, #300 Washington, DC 20006	Primark Corporation	500.00	
Charles Emmet Lucey, 1200 New Hampshire Avenue, NW, #200 Washington, DC 20036	Catholic Press Assn		
Kathy K. Luhn, 5205 Leesburg Pike, #505 Falls Church, VA 22041	National Beer Wholesalers Assn, Inc		72.00
Lukens, Inc, 50 South First Avenue Coatesville, PA 19320			
Sylvester Lukis, 1155 15th Street, NW, #504 Washington, DC 20005	Cassidy & Associates, Inc	3,000.00	
Do	City of Miami	3,750.00	
Do	Cybernectics & Systems, Inc	6,000.00	
Do	Dade County, Florida	4,166.66	
Do	Washington Consulting Group	9,000.00	
J.C. Luman & Associates, 1030 15th Street, NW, #720 Washington, DC 20005	National Assn of Personnel Consultants	3,000.00	
Michael L. Lunceford, 8787 Stemmons Freeway Dallas, TX 75247	Mary Kay Cosmetics, Inc		
Milton F. Lunch, 1420 King St. Alexandria, VA 22314	National Society of Professional Engineers	1,000.00	
Christian J. Lund, 1825 I Street, NW, #700 Washington, DC 20006	United Technologies Corporation	11,023.00	
Lund & O'Brien, 1625 Eye St., NW Washington, DC 20006	Federation of American Controlled Shipping	600.00	4.11
Do	Pennsylvania Power & Light Co	987.50	87.32
William T. Lundeen, 127 Hicks Street Brooklyn, NY 11201	Morality in Media, Inc	248.64	
Francis M. Lunnie Jr., 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20005	National Assn of Manufacturers		
David C. Luttrell, 1422 W. Peachtree St., NW, #612 Atlanta, GA 30309	National Assn of Manufacturers		
W. Fletcher Lutz, 727 South 23rd St., #100 Arlington, VA 22202	Association of Government Accountants		
Timothy P. Lynch, 1901 N. Fort Myer Dr., #204 Arlington, VA 22209	Roadway Express, Inc	425.00	200.00
John E. Lynn, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	1,600.00	
James Lyon, 218 D St., SE Washington, DC 20003	Environmental Policy Institute		
William T. Lyons, 1747 Pennsylvania Ave., NW, #700 Washington, DC 20006	Ciba-Geigy Corp	5,495.00	5,479.00
Anthony R. Macchia, 4 World Trade Center New York, NY 10048	Coffee Sugar & Cocoa Exchange, Inc		
James E. Mack, 9005 Congressional Court Potomac, MD 20854	National Assn of Mirror Manufacturers		
Do	Peanut Butter & Nut Processors Assn		
James H. Mack, 7901 Westpark Dr. Mclean, VA 22102	National Machine Tool Builders' Assn	17,153.00	500.00
Timothy MacCarthy, 1620 I Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc	3,150.00	
Jack A. MacDonald, 1901 N. Fort Meyer Drive, #302 Rosslyn, VA 22209	Beverly Enterprises, Inc	6,250.00	75.00
Miriam A. MacDonald, 1025 Connecticut Avenue, NW, #1010 Washington, DC 20036	Metropolitan Life Insurance Cos	1,000.00	
Sheila MacDonald, 3231 Beech Street, NW Washington, DC 20015	National Taxpayers Union	1,791.00	
Susan Magaw, P.O. Box 3556 Washington, DC 20007	American Meat Institute	2,000.00	
James N. Magill, 200 Maryland Avenue, NE Washington, DC 20002	Veterans of Foreign Wars of the U.S.	4,500.00	263.60
A. John Maguire, 1030 15th Street, NW Washington, DC 20005	National Cotton Council of America	20,610.00	1,100.04
W. Terry Maguire, Box 17407 Dulles International Airport Washington, DC 20041	American Newspaper Publishers Assn	1,125.00	
David L. Mahan, 1818 N St., NW Washington, DC 20036	Societe Nationale D'Etude et de Const de Moteurs D'Aviation		
Do	Dga International, Inc (For:Sofreavia)	778.50	280.16
John F. Mahoney, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	5,378.00	
Terence P. Mahony, 1825 K Street, NW, #807 Washington, DC 20006	National Broadcasting Co, Inc	500.00	150.43
Robert L. Maier, 900 17th St., NW, #1000 Washington, DC 20006	Kaiser Aluminum & Chemical Corp	140.00	12.00
Steven R. Maimon, P.O. Box 7579 Washington, DC 20044	Ibus Group, Ltd		
R. Roger Majak, 1700 N. Moore Street, #1620 Arlington, VA 22209	Tektronix, Inc	10,317.50	998.01
K. Wayne Malbon, 1250 I Street, NW, #400 Washington, DC 20005	National Tire Dealers & Retreaders Assn	387.00	25.00
Daniel C. Maldonado, 10000 Falls Rd., #300 Potomac, MD 20854	American Soc of Anesthesiologists	40,588.00	17,377.64
Do	Los Angeles Alliance for Equitable Customs Staffing	200.00	
Do	National Hemophilia Foundation	320.00	
Do	Research Society on Alcoholism	200.00	35.19
Conrad L. Mallett Jr., 1800 First National Bldg Detroit, MI 48226	Jaffe Snider Raitt & Heuer		
David Mallino, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	14,018.28	736.90
J. Wilson Malloy Jr., 1919 Pennsylvania Ave., NW Washington, DC 20006	Eastman Chemicals Division	750.00	80.00
Lawrence R. Malone, 1211 Avenue of The Americas New York, NY 10036	Celanese Corp		
Robert H. Maloney, 490 L'enfant Plaza East, SW Washington, DC 20024	Tenneco, Inc		
William R. Maloni, 3900 Wisconsin Avenue, NW Washington, DC 20016	Federal National Mortgage Assn	25,750.00	1,065.00
Man-Made Fiber Producers Assn, Inc, 1150 17th St., NW, #310 Washington, DC 20036		196,615.00	197,940.00
Management & Government Resources, 1305 Mt. Holly Road Burlington, NJ 08016	Burlington Coat Factory	33,583.80	15,714.66
Manatt Phelps Rothenberg & Evans, 1200 New Hampshire Ave., NW, #200 Washington, DC 20036	Alliance for a Capital Access		
Do	American Institute of Real Estate Appraisers		
Do	American Petrofina, Inc	4,475.00	
Do	Bowling Proprietors' Assn of America		
Do	Chronar Corporation		
Do	Coalition to Save the Polygraph	70.00	
Do	Commerce Union Bank		
Do	Connecticut National Bank		
Do	Empire Blue Cross & Blue Shield		
Do	First Pennsylvania Bank		
Do	Flying Tiger Line, Inc		
Do	Government of Cyprus	4,287.50	
Do	Government of Jamaica		
Do	Jamaican Broadcasting Corp		
Do	Money Store		
Do	Northrop Corp	2,005.00	
Do	Philip Morris, Inc	2,580.00	
Do	Rollins Environmental Services		
Do	Rollins, Inc		
Do	RLC Corporation		
Do	Security First Group		
Do	Southern California Rapid Transit District	1,050.00	
Do	State Street Development Co of Boston		
Do	Donald T. Sterling & Associates		
Do	Superior Training Services		
Do	Traweek Investment Co, Inc		
Katherine T. Mance, 1616 H Street, NW Washington, DC 20006	American Retail Federation	200.00	38.00
Susan Manes, 2030 M Street, NW Washington, DC 20036	Common Cause	12,337.50	152.30
Frank Mankiewicz, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Bell Atlantic Management Systems)		
Do	Hill & Knowlton, Inc (For:Borg-Warner)	750.00	
Do	Hill & Knowlton, Inc (For:Government of the Cayman Islands)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)	1,350.00	
Do	Hill & Knowlton, Inc (For:Stroh Brewery Co)	300.00	
Do	Hill & Knowlton, Inc (For:Title Insurance Industry Coalition)		
Do	Hill & Knowlton, Inc (For:United Air Lines)		
Do	Hill & Knowlton, Inc (For:Vietnam Veterans of America)		
Cynthia Mansfield, 600 Maryland Ave., SW, #520 Washington, DC 20024	GPU Service Corporation	1,310.64	393.60
Manufactured Housing Institute, 1745 Jefferson Davis Highway, #511 Arlington, VA 22202			6,700.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
John V. Maraney, 324 East Capitol St., NE Washington, DC 20003	National Star Route Mail Contractors Assn		
R. A. Marble, 2550 M St., NW, #770 Washington, DC 20037	RJR Nabisco, Inc	1,978.02	
March for Life, Inc, P.O. Box 90300 Washington, DC 20090		89,336.82	72,071.10
R. V. Mariani, 815 16th St., NW Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks	1,200.00	1,200.00
Maritime Institute for Research & Industrial Development, 1133 15th St., NW, #600 Washington, DC 20005			16,887.00
Richard Mark, 1616 P St., NW, #320 Washington, DC 20036	Professionals' Coalition for Nuclear Arms Control	8,749.98	3,287.63
Lawrence D. Markley, P.O. Box 196300 Anchorage, AK 99519	Chugach Electric Assn, Inc	156.36	53.57
Marc L. Marks, 1801 K Street, NW Washington, DC 20006	Westinghouse Electric Corp		
Ronald Anthony Marks, 10 Waterside Plaza, #2b New York, NY 10010			
Luther A. Markwart, 1156 15th St., NW, #1019 Washington, DC 20005	American Sugarbeet Growers Assn		
Ernest Robert Marlow, 1126 16th Street, NW, #410 Washington, DC 20036-1081	International Chemical Workers Union	5,000.00	
Howard Marlowe, 1667 K St., NW, #660 Washington, DC 20006	Coalition to Keep Alaska Oil	3,085.00	123.00
Do	Graphic Communications International Union, AFL-CIO, CLC	1,560.00	61.00
Marlowe & Company, 1667 K Street, NW, #660 Washington, DC 20006	Graphic Communications Int'l Union	2,497.50	2,608.85
Chalmers H. Marquis, 3430 Blair Rd. Falls Church, VA 22041	National Assn of Public Television Stations	600.00	150.00
Lori A. Marsden, 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	200.00	
Dianne D. Marshall, 1331 Pennsylvania Avenue, NW, #910 Washington, DC 20004	American Cement Trade Alliance, Inc	788.46	35.80
Eleanor Marshall, 105 East 22nd Street New York, NY 10010	Community Service Society	449.82	
Scott Marshall, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	537.69	57.50
Thomas A. Martens, P.O. Box 10110 SO. Lake Tahoe, CA 95731	League to Save Lake Tahoe	187.50	
David F. Martin, 2020 14th Street, North Arlington, VA 22201	American Standard Inc	750.00	
Dennis G. Martin, Dow Lohnes & Albertson 1255 23rd St., NW Washington, DC 20037	Dofasco, Inc	77.50	423.50
Donald N. Martin, Donald N. Martin & Company, Inc 630 Fifth Ave. New York, NY 10111			
Fred J. Martin Jr., 1800 K Street, NW Washington, DC 20006	Bank of America	389.40	1,057.15
J. Ross Martin, Kansas Petroleum Council 1414 Merchants Nat'l Bank Bldg. 8th & Jackson Topeka, KS 66612	American Petroleum Institute	700.00	740.59
John M. Martin Jr., 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	100.00	
Katherine E. Martin, 50 F Street, NW Washington, DC 20001	Association of American Railroads	514.46	394.80
Larry K. Martin, 2500 Wilson Blvd. #301 Arlington, VA 22201	American Apparel Manufacturers Assn, Inc	2,600.00	75.00
Peggy L. Martin, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
Robert L. Martin, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	10,000.00	66.79
Stephen I. Martin, Hartford Plaza Hartford, CT 06115	Hartford Fire Insurance Co		
James C. Martinelli, 1025 Connecticut Avenue, NW, #300 Washington, DC 20036	Environmental Management Consultants, Inc		
Ernest Marty, 85 Ridge St. North Sidney, Nsw 2060 Australia			
Judith Marty, 85 Ridge St. North Sydney, NSW 2060 Australia			
Merrill D. Marxman, 7708 Fullerton Road Springfield, VA 22153	Marxman & Associates, Inc		
Maryland People's Counsel, 231 E. Baltimore Street, 9th Fl. Baltimore, MD 21202			
Mike M. Masaoka, Suite 520, The Farragut Bldg. 900 17th St., NW Washington, DC 20006	American Japanese Trade Comm		
Do	Japan Telescopes Manufacturers Assn	200.00	
Do	Nisei Lobby		
Do	Toyota Motor Sales, USA, Inc	750.00	
Do	West Mexico Vegetable Distributors Assn	500.00	
Mark A. Maslyn, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,938.00	185.41
W. A. Mason, P.O. Box 21106 Shreveport, LA 71156	Southwestern Electric Power Co	97.25	325.40
Ned W. Massee, 299 Park Avenue New York, NY 10171	Westvaco Corporation		
Donald F. Massey, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Canadian Asbestos Information Centre)		
Do	Hill & Knowlton, Inc (For:Energy Security Policy)		
Do	Hill & Knowlton, Inc (For:Euromissile)		
Do	Hill & Knowlton, Inc (For:Government of the Cayman Islands)		
Do	Hill & Knowlton, Inc (For:Hitachi America Ltd)	137.50	
Do	Hill & Knowlton, Inc (For:Hoopa Valley Indian Reservation)		
Do	Hill & Knowlton, Inc (For:Hyundai Motor America)		
Do	Hill & Knowlton, Inc (For:Mutual of Omaha)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)	8,250.00	
Do	Hill & Knowlton, Inc (For:Seminole Tribe of Florida)	137.50	
Do	Hill & Knowlton, Inc (For:Stroh Brewery Co)		
Do	Hill & Knowlton, Inc (For:Tesoro Petroleum Corp)		
Do	Hill & Knowlton, Inc (For:Title Insurance Industry Coalition)	3,437.50	
Do	Hill & Knowlton, Inc (For:United Airlines, Inc)		
Do	Hill & Knowlton, Inc (For:Waterman Steamship Corp)		
James D. Massie, 1730 Rhode Island Avenue, NW, #400 Washington, DC 20036	Freeport McMoran, Inc	300.00	79.75
Cheryl Matheis, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	365.19	94.25
Julie Mathews, 2030 M Street, NW Washington, DC 20036	Common Cause	5,040.00	
Dawson Mathis, 499 South Capitol St., SW, #407 Washington, DC 20036	Dawson Mathis & Associates (For:American Electronic Laboratories, Inc)		
Do	Dawson Mathis & Associates (For:Crowley Maritime Corp)		
Do	Griffin Corp		
Do	Long Lake Energy Corp		
Do	Dawson Mathis & Associates (For:Massachusetts Mutual Life Insurance Co)		
Dawson Mathis & Associates, 499 South Capitol St., SW, #407 Washington, DC 20003	American Electronic Laboratories, Inc		
Do	Crowley Maritime Corp		
Do	Massachusetts Mutual Life Insurance Co		
Peter Mattheis, 1050 Connecticut Avenue, NW Washington, DC 20036	Baker & Hostetler (For:Soap & Detergent Assn)		
Charles D. Matthews, 1050 17th St., NW, #700 Washington, DC 20036	National Ocean Industries Assn	3,000.00	
Robert A. Matthews, 700 North Fairfax St. Alexandria, VA 22314	Railway Progress Institute	1,125.00	
Suzette Matthews, 2020 North 14th Street, #410 Arlington, VA 22201	Air Traffic Control Assn, Inc	2,400.00	8.85
Joseph M. Mattingly, P.O. Box 9245 Arlington, VA 22209	Gas Appliance Manufacturers Assn, Inc		
Michael Mawby, 2030 M Street, NW Washington, DC 20036	Common Cause	10,762.50	310.75
William A. Maxwell, 311 First Street, NW, #500 Washington, DC 20001	Computer & Business Equipment Manufacturers Assn	3,000.00	
Jerry C. May, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Walter R. May, 7004 Park Terrace Drive Alexandria, VA 22307	Yellow Freight System, Inc	12,720.00	2,322.00
Arnold Mayer, 1775 K St., NW Washington, DC 20006	United Food & Commercial Workers International Union	19,615.38	396.08
Mayer Brown & Platt, 2000 Pennsylvania Avenue, NW, #6500 Washington, DC 20006	Attorneys' Liability Assurance Society Ltd		
Do	Business Roundtable	740.00	
Do	Comdisco, Inc		
Do	Goldman Sachs & Co		
Do	GATX Corporation		
Do	Hewlett-Packard Co	370.00	
Do	Household Commercial Financial Services, Inc		
Do	Inland Steel Corp		
Do	JMB Realty Corp		
Do	Lasalle Partners, Inc		
Do	Merrill Lynch Capital Markets		
Do	Sears Roebuck & Co		
Do	Shearson Lehman Brothers, Inc		
Do	Voluntary Hospital Assn		
G. Mark Mayfield, P.O. Box 7305, Dept. 77 Kansas City, MO 64116	Farmland Industries, Inc		
Martin Mayfield, 8001 Braddock Road Springfield, VA 22160	National Right to Work Committee	600.00	397.97
Jeffrey G. Mays, 600 Maryland Ave., SW, #400e Washington, DC 20024	American Optometric Assn		
Michael J. McAdams, 1015 18th Street, NW Washington, DC 20036	Fertilizer Institute	10,000.00	2,299.10
H. Wesley McAden, 1155 15th St., NW, #504 Washington, DC 20005	J. G. Boswell Co	3,000.00	
Do	New York Cotton Exchange	2,000.00	
Do	Supima Association of America	2,000.00	
Douglas E. McAllister, 1920 N St., NW Washington, DC 20036	American Mining Congress		
Ann McBride, 2030 M St., NW Washington, DC 20036	Common Cause	15,276.30	96.00
R. G. McBride, Mississippi Petroleum Council P.O. Box 42 Jackson, MS 39205	American Petroleum Institute	1,100.00	972.66
Stephen C. McCaffrey, 1828 N. Meridian Street Indianapolis, IN 46202	United Way of Central Indiana		
Julie P. McCahill, 1101 16th Street, NW Washington, DC 20036	National Soft Drink Assn		
Ross L. McCall, 11510 Georgia Ave., #230 Wheaton, MD 20902	St. Ella Ltd, Inc		
John D. McCallum, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Co		
McCamish Ingram Martin & Brown, 650 MBank Tower 221 West 6th Street Austin, TX 78701	Federal Land Bank Defense Fund	406.00	331.49
Do	SSC Commission of the West Texas Chamber of Commerce	500.00	342.11
Do	United Services Automobile Assn	250.00	213.87
Katherine S. McCarter, 1015 15th Street, NW Washington, DC 20005	American Public Health Assn	2,566.00	
Carolyn Kim McCarthy, 7901 Westpark Drive Mclean, VA 22102	National Machine Tool Builders' Assn	1,250.00	300.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Robin W. McClung, 1667 K St., NW, #1210 Washington, DC 20006	Rohm & Haas Co	500.00	30.35
McClure & Trotter, 1100 Connecticut Ave., NW, #600 Washington, DC 20036	Bankers Trust Co		
Do	Coca-Cola Company		196.75
Do	Gulf & Western Industries, Inc		122.79
Do	Mobil Oil Corp	931.88	85.81
Do	National Assn of Small Business Investment Cos	5,000.00	7.80
Do	Ross Capital Corp	25,000.00	1.85
Mark L. McConaghy, 1801 K St., NW, #700 Washington, DC 20006	Price Waterhouse (For:Toyota Motor Kentucky, Inc)		
Robert S. McConnaughey, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
John L. McConnell, 1800 K St., NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
Hugh T. McCormick, 520 Madison Avenue New York, NY 10022	LeBoeuf Lamb Leiby & MacRae (For:General Conf of the 7th Day Adventists Church Risk Mgt Svcs).		
Dennis R. McCoy, 1747 Pennsylvania Ave., NW, #300 Washington, DC 20006	United Gas Pipe Line Co		
James K. McCracken, 111 Massachusetts Avenue, NW, #200 Washington, DC 20001			
John McDavitt, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	2,600.00	
Albert L. McDermott, 1819 L Street, NW, #600 Washington, DC 20036	American Hotel & Motel Assn	2,162.62	
Marianne McDermott, 1350 New York Avenue, NW, #615 Washington, DC 20005	Resources for Group Management		
Mark T. McDermott, Joseph, Powell, Mcdermott & Reiner, P.c. 1300 19th Street, NW, #400 Washington, DC 20036	Civil Pilots for Regulatory Reform		
McDermott Will & Emery, 1850 K St., NW, #500 Washington, DC 20006	California Assn of Children's Hospitals	3,800.00	
Do	Federation of Japan Salmon Fisheries Cooperative Assn		
Do	Juvenile Diabetes Foundation, International	3,400.00	
Do	Outpatient Opthalmic Surgery Society	6,900.00	
Do	Society for Office Based Surgery		
Do	Tuna Research Foundation, Inc		
E. T. McDonald, 815 16th St., NW Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks	3,000.00	3,000.00
Jack McDonald, 1489 Chain Bridge Road, #200 McLean, VA 22101	Jack McDonald Co (For:American Express Corp)		
Do	Jack McDonald Co (For:Dow Corning Corp)		
Do	Jack McDonald Co (For:Jacques Borel Enterprises, Inc)		
Do	Jack McDonald Co (For:Royal Zenith Corp)		
Michael D. McDonald, Maryland Petroleum Assn 60 West St. Annapolis, MD 21401	American Petroleum Institute	300.00	349.83
Jack McDonald Co, 1489 Chain Bridge Road, #200 McLean, VA 22101	American Express Corp		
Do	Dow Corning Corp		
Do	Jacques Borel Enterprises, Inc		
Do	Royal Zenith Corp		
Sandra McDonough, 920 SW 6th Ave., 1400 PSB Portland, OR 97204	Pacific Power & Light Co	433.00	
Marian E. McDowell, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute	2,156.49	414.70
Dinah D. McElfresh, 1255 23rd Street, NW, #850 Washington, DC 20037	Hauck & Associates (For:National Assn for Child Care Management)		
Rick McElheny, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Hyundai Motor America)		
Do	Hill & Knowlton, Inc (For:International Brotherhood of Teamsters)		
Christine W. McEntee, 50 F Street, NW, #II00 Washington, DC 20001	American Hospital Assn		87.00
Robert H. McFadden, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
Terry M. McGann, 1121 L Street, #100 Sacramento, CA 95814	California Assn for Health Services at Home (CAHSAH)		
Do	Foundation Health Corp		
Do	Maxicare	3,200.00	2,157.69
Paul J. McGeady, 27 Hampton Place Nutley, NJ 07110	Morality in Media, Inc	41.21	
Donna Lee McGee, 1726 M St., NW, #401 Washington, DC 20036	Burlington Industries, Inc	1,700.00	1,030.00
P. Anne McGhee, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	450.00	
Robert M. McGlotten, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	14,556.00	1,079.43
McGough & Associates, Inc, 65 East State Street, #1510 Columbus, OH 43215	Timken Co	12,000.00	9,920.97
Phyllis M. McGovern, 1875 Eye Street, NW, #800 Washington, DC 20006	Tobacco Institute	78.63	
Jeanne H. McGowan, 1025 Connecticut Avenue, NW, #415 Washington, DC 20036	American Insurance Assn		
Christopher C. McGrath, New York State Petroleum Council 156 William St. New York, NY 10038	American Petroleum Institute		
Jerome J. McGrath, 1660 L St., NW, #601 Washington, DC 20036	Interstate Natural Gas Assn of America	500.00	
Richard L. McGraw, 950 L'enfant Plaza, SW Washington, DC 20024	Communications Satellite Corp		
McGuiness & Williams, 1015 15th Street, NW, #1200 Washington, DC 20005	American Polygraph Assn		
Do	Borg-Warner Corp		
Do	City of West Lafayette		
Do	Coin Depot Corp		
Do	International Theatrical Agencies Assn		
Do	National Assn of Orchestra Leaders		
Do	Pony Express Courier Corp		
Do	Wells Fargo Armored Service Corp		
Joseph M. McGuire, 1501 Wilson Blvd. Arlington, VA 22209	Air Conditioning & Refrigeration Institute		
McGuire Woods & Battle, One James Center Richmond, VA 23219	United Coal Co		
McHenry & Staffier, P.C., 1300 19th St., NW, #408 Washington, DC 20036	Foothills Pipe Lines (Yukon) Ltd	700.00	
Do	Nova, An Alberta Corp		
Do	Novacor Chemicals, Ltd		
Do	Pan-Alberta Gas Ltd	700.00	
James E. McInerney Jr., 122 C Street, NW, #740 Washington, DC 20001	American League for Exports & Security Assistance, Inc	3,500.00	132.89
Clarence M. McIntosh Jr., 400 First St., NW Washington, DC 20001	Railway Labor Executives' Assn	1,299.28	
Robert McIntyre, 1313 L St., NW Washington, DC 20005	Citizens for Tax Justice	5,711.53	
Jan E. McKenzie, 1111 19th St., NW, #702 Washington, DC 20036	Edison Electric Institute	4,792.21	344.68
William Colm McKeveny, 30 Rockefeller Plaza New York, NY 10112	American Pulpwood Assn		
C. A. 'Mack' McKinney, 225 North Washington Street Alexandria, VA 22314	Non Commissioned Officers Assn of the USA	10,025.00	478.16
Steven G. McKinney, P.O. Box 306 Birmingham, AL 35201	Balch & Bingham (For:Southern Company Services, Inc)		
Thomas I. McKnew Jr., 1667 K St., NW, #600 Washington, DC 20006	Santa Fe Southern Pacific Corp	1,500.00	
James D. McLaughlin, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	400.00	
John P. McLaughlin, 1747 Pennsylvania Avenue, NW Washington, DC 20006	Merrell Dow Pharmaceuticals, Inc		
Do	Pharmaceutical Manufacturers Assn		
William F. McManus, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	440.00	
C. W. McMillan, 2021 K Street, NW, #306 Washington, DC 20006	McMillan & Farrell Associates, Inc		
James D. McMillan, 1899 L St., NW, #1100 Washington, DC	Exxon Corporation	850.00	304.81
Sandra H. McMullan, 122 C St., NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	3,292.00	199.00
McNair Law Firm, P.A., 1155 15th Street, NW, #400 Washington, DC 20005	Alabama Power Co	4,500.00	150.84
Do	Allied-Signal, Inc	1,448.00	4.44
Do	Amalgamated Clothing & Textile Workers Union	2,700.00	27.94
Do	ADDSCO Industries, Inc	1,090.00	315.41
Do	Bear Stearns & Co, Inc	5,662.50	
Do	Bell South Corp	6,510.50	1,801.80
Do	Beneficial Management Corp of America		
Do	Blount, Inc		
Do	Bradley Properties	1,205.01	
Do	Bristol-Myers Co	2,047.00	58.75
Do	Business Roundtable	5,574.00	1,852.29
Do	BE&K, Inc		
Do	BF Goodrich Co		487.72
Do	Carolina Urocorp		29.30
Do	Chase Manhattan Bank, N.A.		
Do	Citibank, N.A.		
Do	Colt Industries, Inc		
Do	Commercial Law League of America	197.71	1.20
Do	CBS, Inc	105.00	
Do	CF&I Steel Corp	1,865.00	46.25
Do	Edens & Avant		
Do	Elliott & Zweben, P.C.		
Do	Enserch Corporation		
Do	ERH International		
Do	Food Marketing Institute		147.60
Do	General Mills Corporation		
Do	Georgia-Pacific Corp	281.30	4.74
Do	GTE Corporation		
Do	Harbert Corp		
Do	Hospital Corp of America		12.62

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Intellectual Property Owners, Inc		
Do	Intergraph Corporation	385.00	
Do	Kraft, Inc		
Do	Louisiana Pacific Corp	32.00	
Do	Marriott Corp	1,194.20	
Do	Merck & Co, Inc	794.00	
Do	Mesa LTD Partnership		7.35
Do	Metropolitan Insurance	115.00	
Do	Milliken Mills		
Do	Monarch Group		31.16
Do	National Assn of Realtors		
Do	National Football League		
Do	National Industries	792.60	32.31
Do	National Medical Enterprises	3,338.50	
Do	Norfolk Southern Corp		11.53
Do	Northwestern Mutual Life Insurance Co		
Do	Pacific Theatres		
Do	PalmettoNet	1,350.75	
Do	Pharmaceutical Manufacturers Assn		
Do	R.J. Reynolds Tobacco Co	1,000.00	88.97
Do	RUST International Corp		
Do	SmithKline Beckman Corp		
Do	Sony Corp of America		
Do	Texas Gas Transmission Corp		
Do	Texas Oil & Gas Corp	12,470.00	
Do	Times Mirror Co	2,765.00	
Do	Union Pacific Corp	1,475.49	86.63
Do	US Sprint	1,949.84	
Do	Variable Annuity Life Insurance Co		
Do	Waste Management, Inc	996.00	148.32
Do	Westinghouse Electric Corp		45.01
Kathryn M. McNamara, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Sears Roebuck & Co	160.00	120.00
Laramie Faith McNamara, 1000 Wilson Blvd., #2700 Arlington, VA 22209	TRW, Inc	1,000.00	
Michael J. McShane, 1101 30th Street, NW, #500 Washington, DC 20007	National Computer Systems		
Robert McVicker, 2421 Cavendish Drive Alexandria, VA 22308	Kollsman Instrument Co		
George G. Mead, 1908 Ednor Road Cloverly, MD 20904	North American Van Lines, Inc	2,500.00	
Leslie S. Mead, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Joseph F. Meadow, 7100 Baltimore Avenue College Park, MD 20740	United Action for Animals, Inc	500.00	
John K. Meagher, 1025 Thomas Jefferson Street, NW Washington, DC 20007	LTV Corporation	3,000.00	975.00
Francis X. Meaney, 1825 Eye Street, NW Washington, DC 20006	Mintz Levin Cohn Ferris Glovsky & Popeo (For:Securities Industry Assn)	5,500.00	
Medtronic, Inc, 7000 Central Ave., NE Minneapolis, MN 55432			22.45
Colise G. Medved, 1800 Diagonal Rd., #500 Alexandria, VA 22314	Penn Central Corporation		
Stephen Meeter, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Hyundai Motor America)		
William H. Megonnell, 1111 19th St., NW, 9th Floor Washington, DC 20036	Edison Electric Institute	2,444.03	324.24
Richard A. Mehler, 1818 N Street, NW, #200 Washington, DC 20036	Automotive Parts Rebuilders Assn		
Larry Mehlhaff, 23 N. Scott Sheridan, WY 82801	Sierra Club	6,500.00	2,715.96
Michelle Meier, 2001 S Street, NW, #520 Washington, DC 20009	Consumers Union of U.S., Inc	1,000.00	
Kenneth F. Melley, 1201 16th Street, NW Washington, DC 20036	National Education Assn	3,672.90	240.00
Howard A. Menell, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
Edward L. Menning, 1522 K St., NW, #836 Washington, DC 20005	National Assn of Federal Veterinarians	35.14	
Jane Mentzinger, 2030 M Street, NW Washington, DC 20036	Common Cause	6,616.28	46.00
Merit Stainless Steel, Inc, 28332 Hayes Road Roseville, MI 48066			
Edward A. Merlis, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	3,100.00	
Edward L. Merrigan, 6000 Connecticut Ave., NW Washington, DC 20815	Central Gulf Lines, Inc	5,000.00	436.85
Do	National Assn of Recycling Industries, Inc		
Nancy Jo Merrill, 1725 K St., NW, #814 Washington, DC 20006	March of Dimes Birth Defects Foundation		
Merrill Lynch & Co, Inc, 1828 L St., NW, #906 Washington, DC 20036			19,500.00
Richard P. Merski, 1455 Pennsylvania Avenue, NW, #900 Washington, DC 20004	American International Group, Inc	5,000.00	817.46
Harold E. Mesirow, 1800 M St., NW, #250 Washington, DC 20036	Lillick Mchose & Charles (For:Foss Launch & Tug Company, et al.)		
Neil T. Messick, 1331 Pennsylvania Ave., NW Washington, DC 20004	General Electric Co	850.00	
Jean L. Mestres, 1747 Pennsylvania Avenue, NW, #300 Washington, DC 20006	Cities Service Oil & Gas Corp	742.76	393.45
Andrea L. Methven, 1050 17th Street, NW, #500 Washington, DC 20036	Texaco, Inc		
Jeremy Metz, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc		
M. Barry Meyer, 900 19th Street, NW Washington, DC 20006	Aluminum Assn	100.00	6.00
Larry D. Meyers, 412 First Street, SE Washington, DC 20003	American Beekeeping Federation		
Do	Committee for the Production & Research of Agric Chemicals	15,000.00	
Do	CPEX Pacific, Inc	1,800.00	
Do	Hucheng International Co		
Do	National Peanut Growers Group	6,000.00	
Do	Nuclear Waste Task Force	7,500.00	
Do	Rice Belt Warehouse, Inc	4,500.00	
Do	Sam Kane Packing		
Do	Superconducting Super Collider	1,800.00	
Do	Texas Cotton Marketing	5,000.00	
David R. Mica, Florida Petroleum Institute 325 John Knox Rd., #F-210 Tallahassee, FL 32303	American Petroleum Institute	587.49	940.80
Eileen F. Michaels, 1317 F Street, NW, #202 Washington, DC 20004	Lisboa Associates, Inc (For:University of the Virgin Islands)		
Michael G. Michaels, P.O. Box 7000-E-Box 310 Texarkana, TX 75501			
James G. Michaux, P.O. Box 70297 Washington, DC 20088	Federated Dept Stores, Inc	500.00	
Laurie L. Michel, 555 13th St., NW, #900 East Washington, DC 20004	Ballard Spahr Andrews & Ingersoll (For:Arthur Andersen & Co)		
Thomas A. Micheletti, 1111 19th Street, NW, #303 Washington, DC 20036	Southern California Edison Co	3,750.00	1,500.00
Kathleen Michels, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	4,415.00	228.80
Mid-Continent Oil & Gas Assn, 711 Adams Office Bldg. Tulsa, OK 74103		71,473.50	18,372.77
Roger E. Middleton, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	2,400.00	42.00
Paul J. Mignini Sr., 815 16th Street, NW, #310 Washington, DC 20006	Amalgamated Clothing & Textile Workers Union	3,646.00	45.00
Migrant Legal Action Program, Inc, 2001 S St., NW, #310 Washington, DC 20009			
Lisa Mihaly, 122 C Street, NW, 4th Fl. Washington, DC 20001	Children's Defense Fund of the Washington Research Project	755.20	
Milbank Tweed Hadley & McCloy, 1825 Eye St., NW Washinton, DC 20006	Joint Task Force on Fed Financial Assist. for Law Students		
Fred Millar, 218 D St., SE Washington, DC 20003	Environmental Policy Institute		
Charles R. Miller, 1155 Connecticut Ave., NW Washington, DC 20036	Waste Management, Inc	1,250.00	
Dale Miller, 4000 Reno Road, NW Washington, DC 20008	Texasgulf, Inc	1,125.00	408.81
Deborah Imle Miller, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Grant Miller, 1725 Jefferson Davis Highway, #900 Arlington, VA 22202	LTV Aerospace & Defense Co	2,500.00	125.00
Harris C. Miller, 1747 Pennsylvania Avenue, #300 Washington, DC 20006	Occidental Chemical Corp	720.00	
Joseph E. Miller Jr., 1608 K Street, NW Washington, DC 20006	American Legion	7,608.00	32.30
Lawrence E. Miller, 1522 K Street, NW, #828 Washington, DC 20005	American Veterinary Medical Assn		
Linda B. Miller, 1625 Eye St., NW, #810 Washington, DC 20006	Volunteer Trustees of Not-For-Profit Hospitals		
Nicholas P. Miller, 1150 Connecticut Ave., NW, #617 Washington, DC 20036	Miller & Young		
Paul J. Miller, 8000 Sears Tower Chicago, IL 60606	Investment Counsel Assn of America, Inc		
Richard G. Miller, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	3,900.00	491.16
Robert H. Miller, 490 L'enfant Plaza East, SW, #2202 Washington, DC 20024	Tenneco, Inc		
Robin Miller, 1925 K Street, NW Washington, DC 20006	Alliance to Save Energy		
Miller & Chevalier, Chtd, Metropolitan Square 655 15th Street, NW Washington, DC 20005	General Public Utilities Corp	1,000.00	
Do	Lincoln Savings & Loan Assn	2,929.65	
Do	National Assn of Temporary Services, Inc	44.38	
Miller & Young, 1150 Connecticut Ave., NW, #617 Washington, DC 20036	City of Sacramento, et al		16.56
Do	Sugar Land Telephone Co		99.35
Denny Miller Associates, Inc, 400 N. Capitol St., NW, #325 Washington, DC 20001	Boeing Company	3,000.00	
Do	Marine Engineers' Beneficial Assn	800.00	
Do	Port of Tacoma	945.00	
Do	Rockcor, Inc	3,000.00	
Do	State of Washington, Dept of Transportation	12,495.00	
Miller Cassidy Larroca & Lewin, 2555 M St., NW, #500 Washington, DC 20037	National Assn of Life Underwriters, et al	9,086.55	
Do	47th Street Photo	1,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Jeanne Milliken, 2000 Pennsylvania Ave., NW, #3700 Washington, DC 20006	Jaeckle Fleischmann & Mugel	625.00	48.05
John C. Milliner Jr., P.O. Box 1788 Forest Park, GA 30051	Southeastern Lumber Manufacturers Assn		
Amy J. Millman, 1875 Eye St., NW, #500 Washington, DC 20006	Philip Morris, Inc	650.00	150.00
Robert G. Mills, 450 Maple Ave., East, #204 Vienna, VA 22180	U.S. Defense Committee	2,400.00	
Richard V. Minck, 1850 K St., NW Washington, DC 20006	American Council of Life Insurance, Inc	1,750.00	
Mineral Insulation Manufacturers Association, 1420 King Street Alexandria, VA 22314		39,807.60	
Joseph G. Minish, 66 Sheridan Avenue West Orange, NJ 07052	Bayamon Federal Savings		
Do	Chrysler Corporation	5,000.00	
Mintz Levin Cohn Ferris Glovsky & Popeo, P.C., 1825 I Street, NW, #1025 Washington, DC 20006	Houghton Mifflin Company		
Miro Miro & Weiner, P.C., 500 N. Woodward Ave., #200 P.O. Box 908 Bloomfield Hills, MI 48303-0908	Detroit Tooling Assn		
Edward F. Mitchell, 1900 Pennsylvania Avenue, NW Washington, DC 20068	Potomac Electric Power Co	199.16	
Jo Anne Mitchell, 1331 Pennsylvania Ave., NW, #550 Washington, DC 20004	Commodity Exchange, Inc		
Thomas F. Mitchell, 1875 Eye St., NW, #400 Washington, DC 20006	Georgia-Pacific Corp		
Stacey J. Mobley, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co		
Robert G. Moch, Roberts & Shefelman 800 Fifth Avenue, #4100 Seattle, WA 98104	Justin E. Marshall	1,000.00	
Robert M. Moliter, 1331 Pennsylvania Ave., NW, #865 Washington, DC 20004	General Electric Co		
Robert H. Mollohan, 912 Sylvan Avenue Fairmount, WV 26554	Airspace Technology, Inc		
Do	Austin Powder Co, Inc		
Do	Lynch Associates		
Robert A. Molofsky, 5025 Wisconsin Avenue, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO	5,000.00	140.00
C. Manly Molpus, P.O. Box 3556 Washington, DC 20007	American Meat Institute	1,000.00	
Christopher Monek, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Peter K. Monk, KMA & Associates, Inc P.O. Box 1015 Middleburg, VA 22117	Omega Recovery Corp		
Do	Paris Savings & Loan	13,615.00	
Elizabeth R. Monro, 1709 New York Ave., NW Washington, DC 20006	Air Transport Assn of America	19,497.66	24,042.06
Michael Monroney, 1000 Wilson Blvd., #2700 Arlington, VA 22209	TRW, Inc	1,000.00	
John C. Monsul, 923 Riva Ridge Drive Great Falls, VA 22066			
John H. Montgomery, 2555 M St., NW, #100 Washington, DC 20037	National Rural Water Assn	3,549.00	1,899.00
Alfredo C. Montoya, 815 16th Street, NW, #707 Washington, DC 20006	Labor Council for Latin American Advancement		
James P. Mooney, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn, Inc	6,125.00	
Alan J. Moore, 1667 K St., NW, #600 Washington, DC 20006	Santa Fe Southern Pacific Corp	1,000.00	
Carlos Moore, 1101 Connecticut Avenue, NW, #300 Washington, DC 20036	American Textile Manufacturers Institute, Inc	440.00	46.00
Francis B. Moore, 3003 Butterfield Road Oak Brook, IL 60521	Waste Management, Inc		3,472.13
Richard L. Moore, P.O. Box 338 Dearborn, MI 48121	Detroit Tooling Assn Worker's Compsensation Fund	410.00	677.00
Thomas L. Moore, 2200 Mill Road Alexandria, VA 22314	Private Carriers Conference, Inc		
William D. Moore, Commerce Center 30 Exchange Terrace Providence, RI 02903	Greater Providence Chamber of Commerce		
Morality in Media, Inc, 475 Riverside Dr., #239 New York, NY 10115		294.23	294.23
Judith Morehouse, 1700 N. Moore Street Rosslyn, VA 22209	Boeing Company	224.00	
Vincent L. Morelli, 2361 Jefferson Davis Highway, #624 Arlington, VA 22202	Lockheed Shipbuilding Co	2,000.00	296.03
Dudley Digges Morgan III, 4900 Baronne New Orleans, LA 70115	Southern Forest Products Assn	12,402.54	
J. Railton Morgan, 412 First Street, SE Washington, DC 20003	National Automobile Dealers Assn	3,000.00	
Peter Denis Morgan, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,750.00	208.76
Morgan Lewis & Bockius, Suite 800 North 1800 M St., NW Washington, DC 20036	Scotch Whisky Assn		
Robert E. Morin, 600 New Hampshire Avenue, NW, #1111 Washington, DC 20037	Society of Real Estate Appraisers		
James A. Morrill, 1726 M St., NW, #901 Washington, DC 20036	Scott Paper Co	6,000.00	159.57
Janelle Morris, 1828 L Street, NW, #906 Washington, DC 20036	Merrill Lynch & Co, Inc	1,500.00	
Loretta C. Morris, 1725 K Street, NW, #814 Washington, DC 20006	March of Dimes Birth Defects Foundation	1,131.25	15.00
Tessa Morris, 1155 Connecticut Ave., NW, #1130 Washington, DC 20036	Security Pacific National Bank		
W. Patrick Morris, 1110 Vermont Avenue, NW Washington, DC 20005	Shipbuilders Council of America	1,500.00	
William C. Morrison, 2001 North Adams St. Arlington, VA 22201	Meat Importers Council of America, Inc		
Morrison & Foerster, 2000 Pennsylvania Ave., NW Washington, DC 20006	City and County of San Francisco	975.00	6.00
Do	Consolidated Freightways		
Do	Mastercard International, Inc, et al.	562.50	
Do	Rosenberg Real Estate Equity Fund, Inc	320.00	
Frank D. Moruzzi, 1235 Jefferson Davis Highway, #500 Arlington, VA 22202	Italian Advanced Industries, Inc		
Russell N. Mosher, 950 N. Glebe Rd., #160 Arlington, VA 22203	American Boiler Manufacturers Assn, Inc		1,576.00
Dorothy J. Moss, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	25.00	
Moss Associates, Inc, 2450 Virginia Ave., NW Washington, DC 20037	Association of Bank Holding Cos	900.00	
Gerald J. Mossinghoff, 1100 15th Street, NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	1,000.00	
Beth Moten, 1016 16th St., NW, Washington, DC 20036	National Fed of Federal Employees	7,555.21	
Motion Picture Assn of America, Inc, 1600 Eye Street, NW Washington, DC 20006		22,535.62	22,535.62
John J. Motley, 600 Maryland Ave., SW, #695 Washington, DC 20024	National Fed of Independent Business	9,570.00	200.00
L. A. Motley and Company, 1800 K Street, NW, #1000 Washington, DC 20006	Adical	14,980.00	512.13
Motor and Equipment Manufacturers Association, 1325 Pennsylvania Ave., NW Washington, DC 20004			306.52
Motor Vehicle Manufacturers Assn of the U.S., Inc, 300 New Center Bldg. Detroit, MI 48202		8,716.50	8,716.50
Thomas O. Moulton Jr., 444 North Capitol St., NW, #718 Washington, DC 20001	Pacific Telesis Group	12,000.00	
Susan Connolly Moya, 1615 H St., N.w. Washington, DC 20061	U.S. Chamber of Commerce	2,500.00	
Mudge Rose Guthrie Alexander & Ferndon, 2121 K Street, NW, #700 Washington, DC 20037	Basin Electric Power Cooperative		
Do	Japan Lumber Importers Assn		
James S. Mulhern, 1840 Wilson Boulevard Arlington, VA 22201	National Milk Producers Federation	3,225.00	245.85
Albert E. Mullin Jr, 111 Powdermill Rd. (b79) Maynard, MA 01754	Digital Equipment Corp	15,000.00	
Tracy Mullin, 1000 Connecticut Ave., NW, #700 Washington, DC 20036	National Retail Merchants Assn	1,200.00	22.70
Robert J. Mullins, Suite 202-W 600 Maryland Avenue, SW Washington, DC 20024	Farmers' Educational & Co-Operative Union of America	9,878.40	11.36
Evelyn Fieman Munley, 1129 20th Street, NW, #400 Washington, DC 20036	American Assn of Homes for the Aging	207.70	
H. Edward Munnerlyn, P.O. Box 1017 Greenwood, SC 29648	Greenwood Mills, Inc	2,500.00	1,614.20
James Brian Munroe, 1747 Pennsylvania Ave., NW, 3rd Fl. Washington, DC 20006	Occidental Chemical Corp	140.58	138.47
Barbara Munson, 1300 North 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn	3,869.60	237.71
Elizabeth A. Murphy, 1901 N. Fort Myer Drive, #204 Arlington, VA 22209	Roadway Express, Inc		
Keith Murphy, Kemp Klein Endelmen & Beer 1000 Thomas Jefferson St., NW, #600 Washington, DC 20007	M.A.N. Truck & Bus Corp		
Lester L. Murphy Jr., 5709 W. 21st St., P.O. Box 4267 Topeka, KS 66604	Kansas Electric Cooperatives, Inc		
Paul T. Murphy, 900 17th St., NW, #514 Washington, DC 20006	National Foreign Trade Council, Inc		
Gordon L. Murray, 1911 Jefferson Davis Highway, #1002 Arlington, VA 22202	Lear Siegler, Inc/Energy Products Div	66.81	66.81
James E. Murray, One Farragut Square South Washington, DC 20006	Brown Wood Ivey Mitchell & Petty (For:National Assn of Small Business Investment Cos, et al.).		
Margaret R. Murray, Scott McLeod Himmelberg Matz Pires & Price 2501 M Street, N.W. #400 Washington, DC 20037	American Assn of Crop Insurers	420.00	
Do	Chicago Board of Trade		
Do	National Rural Telecom Assn	45.00	
Do	United Egg Producers	45.00	
Murray & Scheer, 2715 M Street, NW, #300 Washington, DC 20007	American Cyanamid Co	500.00	
Do	Bear Stearns & Co	500.00	
Do	Chicago Milwaukee St. Paul & Pacific Railroads	400.00	
Do	Cleveland Cliffs Iron Co	250.00	
Do	Connecticut Mutual Life Insurance Co	500.00	
Do	Industry Council for Tangible Assets	400.00	
Do	Iron Ore Lessors Assn, Inc	250.00	
Do	LTV Corporation	450.00	
Do	Massachusetts Mutual Life Insurance Co	500.00	
Do	Mutual Benefit Life	500.00	
Do	Nabisco Brands, Inc	500.00	
Do	National Business Aircraft Assn	500.00	
Do	National Council of Coal Lessors	300.00	
Do	New England Mutual Life Insurance Co	500.00	
Do	Penn Mutual Life Insurance Co	500.00	
Do	Provident Mutual Life Insurance Co of Philadelphia	500.00	
Do	Shubert Organization, Inc	400.00	
Do	Swaziland Sugar Assn	400.00	
Robert J. Muth, 180 Maiden Ln. New York, NY 10038	Asarco Inc	750.00	
Lawrence P. Mutter, 6849 Old Dominion Dr. Mclean, VA 22102	Automotive Parts Rebuilders Assn		
Fred J. Mutz, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	4,200.00	
Paul J. Myer, 2445 M St., NW Washington, DC 20037-1420	Capitol Cities/ABC, Inc		
Gary D. Myers, 1015 18th Street, NW Washington, DC 20036	Fertilizer Institute	4,500.00	
Timothy D. Naegele & Associates, 1850 K Street, NW, #1280 Washington, DC 20006	Baybanks, Inc		
Alan Y. Naftalin, 1150 Connecticut Avenue, NW Washington, DC 20036	Koteen & Naftalin (For:Alascom, Inc)		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Koteen & Naftalin (For:Telephone & Data Systems, Inc)		
Stephen M. Nagler, 20415 Nordhoff St., P.O. Box 2158 Chatsworth, CA 91311	Patlex Corporation		
John Francis Nash Jr., 214 Massachusetts Ave., NE, #420 Washington, DC 20002	Milliken & Company	5,000.00	2,900.00
Frances E. Nathan, 455 Fifth Avenue New York, NY 10016	New York Public Library	5,896.23	
Hardy L. Nathan, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	750.00	
National Agricultural Chemicals Assn, 1155 15th St., NW Washington, DC 20005		10,122.62	10,122.62
National Air Carrier Assn, 1730 M St., NW, #710 Washington, DC 20036			
National Assn for Biomedical Research, 818 Connecticut Ave., NW, #303 Washington, DC 20006		67,575.00	13,946.21
National Assn for Neighborhood Schools, Inc, 335 Locust St. Pittsburgh, PA 15218		1,200.93	1,253.06
National Assn of Air Traffic Specialists, Wheaton Plaza North, #415 Wheaton, MD 20902			7,807.60
National Assn of Aircraft & Communications Suppliers, Inc, 23871 Madison Torrance, CA 90505		7,200.00	950.59
National Assn of Chain Drug Stores, Inc, P.O. Box 1417-D49 Alexandria, VA 22313			3,579.96
National Assn of Federal Veterinarians, 1522 K St., NW, #836 Washington, DC 20005			55.00
National Assn of Independent Colleges & Universities, 122 C St., NW, #750 Washington, DC 20001			47,228.00
National Assn of Insurance Brokers, Inc, 1401 New York Ave., NW, #720 Washington, DC 20005			
National Assn of Manufacturers, 1331 Pennsylvania Ave., NW, #1500 Washington, DC 20004-1703		69,741.88	69,741.88
National Assn of Mutual Insurance Cos, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268		891.74	891.74
National Assn of Olympic Businesses, P.O. Box 3337 Idyllwild, CA 92349-3337		40.00	590.18
National Assn of Pension Consultants & Administrators, Inc, 359 E. Paces Ferry Rd., NE Atlanta, GA 30305		150.00	2,231.63
National Assn of Real Estate Investment Trusts, Inc, 1101 17th St., NW, #700 Washington, DC 20036		22,450.00	2,894.27
National Assn of Stevedores, 2011 I Street, NW, #601 Washington, DC 20006		3,250.00	2,580.00
National Assn of Temporary Services, Inc, 119 South Saint Asaph Street Alexandria, VA 22314			44.38
National Assn of Truck Stop Operators, Inc, 1199 N. Fairfax Street, #801 Alexandria, VA 22314			
National Beer Wholesalers of America, 6310 N. Cicero Ave. Chicago, IL 60646		118,142.00	22,178.00
National Broiler Council, 1155 15th St., NW Washington, DC 20005		2,750.00	2,750.00
National Business Aircraft Assn, 1200 18th St., NW, #200 Washington, DC 20036-2598			
National Cable Television Assn, Inc, 1724 Massachusetts Ave., NW Washington, DC 20036		35,103.33	35,105.33
National Cattlemen's Assn, 5420 S. Quebec Street P.O. Box 3496 Englewood, CO 80155			4,000.00
National Club Association, 1625 Eye St., NW, #609 Washington, DC 20006			
National Coal Assn, 1130 17th Street, NW Washington, DC 20036		1,226,200.00	25,139.00
National Coalition for Marine Conservation, Inc, P.O. Box 23298 Savannah, GA 31403		11,003.00	23,402.64
National Coalition of Fresh Potato Processors, 1010 11th Street, #300 Sacramento, CA 95814			
National Comm for Citizens in Education, 10840 Little Patuxent Pkwy., #301 Columbia, MD 21044-3199			
National Comm of Cities & States for Airline Service, Transportation Bldg., #417 St. Paul, MN 55156		20,100.70	9,747.06
National Comm to Preserve Social Security, 1300 19th Street, NW, #310 Washington, DC 20036		708,851.00	708,851.00
National Comm Against Repressive Legislation, 236 Massachusetts Avenue, NE, #406 Washington, DC 20002		4,147.00	6,449.78
National Commercial Finance Assn, 225 W. 34th St. New York, NY 10001		11,500.00	1,927.00
National Cooperative Business Assn, 1401 New York Ave., NW, #100 Washington, DC 20005		27,500.00	7,192.90
National Cotton Council of America, P.O. Box 12285 Memphis, TN 38182		42,983.53	42,983.53
National Council of Savings Institutions, 1101 15th St., NW, #400 Washington, DC 20005		818,507.59	
National Dishowners Assn, 4107 Morgan Road Ceres, CA 95307			
National Electrical Manufacturers Assn, 2101 L St., NW Washington, DC 20037		3,153.33	3,153.33
National Fed of Federal Employees, 1016 16th Street, NW Washington, DC 20036		19,182.13	19,182.13
National Fed of Independent Business, 150 W. 20th Ave. San Mateo, CA 94403		45,132.50	45,132.50
National Food Processors Assn, 1401 New York Avenue, NW, #400 Washington, DC 20005		4,985.35	4,985.35
National Foreign Trade Council, Inc, 100 East 42nd St. New York, NY 10017		50,584.00	50,584.00
National Grain & Feed Assn, 725 15th St., NW Washington, DC 20005			217.00
National Grange, 1616 H St., NW Washington, DC 20006			22,500.00
National Guard Assn of the U.S., One Massachusetts Ave., NW Washington, DC 20001		6,768.30	8,362.76
National Independent Automobile Dealers Assn, 600 E. Las Colinas Blvd., #314 Irving, TX 75039			
National Industrial Transportation League, 1090 Vermont Ave., NW, #410 Washington, DC 20005		14,000.00	12,656.60
National Knitwear & Sportswear Assn, 386 Park Avenue South New York, NY 10016			7,644.53
National Leased Housing Assn, 2300 M St., NW, #260 Washington, DC 20037		900.00	900.00
National Milk Producers Federation, 1840 Wilson Blvd. Arlington, VA 22201		12,987.64	12,987.64
National Multi Housing Council, 1250 Connecticut Ave., NW, #620 Washington, DC 20036			6,441.68
National Newspaper Assn, 1627 K St., NW, #400 Washington, DC 20006		85,579.74	5,800.00
National Organization for Women, 1401 New York Ave., NW, #800 Washington, DC 20005			1,764.05
National Parking Association, 1112 16th St., NW, #2000 Washington, DC 20036			36,749.55
National Peach Council, P.O. Box 1085 Martinsburg, WV 25401			
National Pest Control Assn, 8100 Oak St. Dunn Loring, VA 22027			
National Printing Equipment & Supplies Assn, Inc, 6849 Old Dominion Drive, #200 Mclean, VA 22101			
National Public Affairs Corp, 900 17th Street, NW Washington, DC 20006	Westinghouse Electric Corp	300.00	
National Realty Committee, 1250 Connecticut Ave., NW, #303 Washington, DC 20036		2,880.46	2,880.46
National Retail Merchants Assn, 1000 Connecticut Avenue, NW Washington, DC 20036			11,016.82
National Right to Work Committee, 8001 Braddock Rd., #600 Springfield, VA 22160		7,150.57	7,150.57
National Rural Electric Cooperative Assn, 1800 Massachusetts Ave., NW Washington, DC 20036			3,066.97
National Rural Housing Coalition, 2001 S St., NW, #500 Washington, DC 20009		31,420.80	27,092.93
National Rural Letter Carriers Assn, 1448 Duke St., #100 Alexandria, VA 22314		13,528.00	18,121.00
National Security Traders Assn, Inc, One World Trade Center, #4511 New York, NY 10048			4,375.00
National Small Business Index, R.R. #1 Aitkin, MN 56431			
National Society of Professional Engineers, 1420 King Street Alexandria, VA 22314		12,500.00	8,100.00
National Soft Drink Assn, 1101 16th St., NW Washington, DC 20036			129.43
National Solid Wastes Management Assn, 10th Floor 1730 Rhode Island Ave., NW Washington, DC 20036			
National Strategies & Marketing Group, 1919 Pennsylvania Ave., NW, #704 Washington, DC 20006	Alliance for Capital Access	35,000.00	5.00
Do	Manor Care	3,425.00	39.05
Do	PGA Tour, Inc		
Do	U.S. Sprint	45,520.00	79.64
National Telephone Cooperative Assn, 2626 Pennsylvania Ave., NW Washington, DC 20037		8,080.00	2,242.99
National Tire Dealers & Retreaders Assn, 1250 Eye Street, NW, #400 Washington, DC 20005		6,155.00	6,155.00
National Venture Capital Association, 1655 N. Fort Meyer Dr., #700 Arlington, VA 22209			3,140.59
National Wood Energy Assn, Inc, 10382 Democracy Lane Fairfax, VA 22030			
National-American Wholesale Grocers' Assn, 201 Park Washington Court Falls Church, VA 22046		11,000.00	11,000.00
Landis M. Neal, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	6,750.00	
Karen J. Neale, 2501 M Street N.w. Washington, DC 20037	Chemical Manufacturers Assn, Inc	465.00	119.70
Jeffrey Nedelman, 1010 Wisconsin Avenue, NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc	59.98	
Allen Neece Jr., 1050 17th Street, NW Washington, DC 20036	Neece Cator & Associates, Inc (For:Association of Small Business Development Centers).		
Do	Neece Cator & Associates, Inc (For:National Venture Capital Association)		
Neece Cator & Associates, Inc, 1050 17th Street, NW Washington, DC 20036	Association of Small Business Development Centers		
Do	National Venture Capital Association		
Do	Southeastern Lumber Manufacturers Assn		
Mary Elizabeth Neese, 1101 15th St., NW, #400 Washington, DC 20005	National Council of Savings Institutions	2,000.00	214.44
Jorge A. Negron, 111 Massachusetts Ave., NW, #200 Washington, DC 20001	U.S. Hispanic Chamber of Commerce	9,000.00	
Laura C. Nehf, 1101 Connecticut Avenue, NW, #405 Washington, DC 20036	Choate & Nehf, P.C. (For:Association of Progressive Rental Organizations)		
Stanley Nehmer, 1320 19th Street, NW, #600 Washington, DC 20036	Lead-Zinc Producers Committee	500.00	350.00
Neighbor-To-Neighbor Action Fund, 2940 16th St., #200-2 San Francisco, CA 94103		190,558.00	4,702.00
Neill & Company, Inc, 900 17th St., NW, #400 Washington, DC 20006	Arab Republic of Egypt		23,622.71
Do	Hashemite Kingdom of Jordan	55,000.00	4,550.10
Do	Republic of Gabon		247.90
Neill Mullenholz & Shaw, 900 17th St., NW, #400 Washington, DC 20006	Florida East Coast Railway Co		
Do	National Council Social Security Management Assns, Inc	4,000.00	315.00
Do	National Farm & Power Equipment Dealers Assn	1,500.00	
Do	PHH Group, Inc		
Do	Senior Executives Assn	5,000.00	295.00
Do	Soo Line Corporation	2,500.00	293.33
Douglas J. Neilson, 8111 Gatehouse Road Falls Church, VA 22047	AAA Potomac		
Joshua E. Neiman, 815 16th St., NW, #408 Washington, DC 20006	Food & Allied Service Trades Dept., AFL-CIO	381.00	
Carolyn B. Nelson, #2 Metroplex Dr., Suite 500 Birmingham, AL 35209	Metropolitan Properties, Inc		
Lynda L. Nersesian, 1100 15th St., NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	80.95
Mark Nestlen, 1616 H Street, NW Washington, DC 20006	National Grange	5,000.00	
Network, 806 Rhode Island Ave., NE Washington, DC 20018		38,290.42	32,423.23
E. John Neumann, 1100 Connecticut Ave., NW, #820 Washington, DC 20036	Baltimore Gas & Electric Co	1,353.17	501.25
New York Comm of Intl Comm of Passenger Lines, 74 Trinity Place New York, NY 10006			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
New York Shipping Assn, Inc, 1750 New York Ave., NW Washington, DC 20006			
Cynthia E. Newman, 400 North Washington Street Alexandria, VA 22314	Professional Insurance Agents	500.00	338.00
George S. Newman, 7915 Jones Branch Dr. McLean, VA 22102	BDM International, Inc		511.12
Newman & Holtzinger, P.C., 1615 L St., NW, #1000 Washington, DC 20036	Utility Nuclear Waste Management Group		
James R. Nicholas, 8659 Baypine Road, #305 Jacksonville, FL 32216	Communication Planning Corp		
E. Bruce Nicholson, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
Thomas Nickels, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	5,144.00	313.99
Daniel E. Nickelson, 2000 L St., NW, #200 Washington, DC 20036	Cleveland Clinic Foundation		
Patrick J. Nilan, 817 14th St., NW Washington, DC 20005	American Postal Workers Union, AFL-CIO	17,411.04	2,850.22
Nissan Motor Corporation, U.S.A., 1919 Pennsylvania Avenue, NW, #707 Washington, DC 20006			
Nixon Hargrave Devans & Doyle, One Thomas Circle, NW, #800 Washington, DC 20005	American Free Trade Assn, Inc	2,980.00	187.20
Do	Bausch & Lomb		
Barbara D. Nocera, 955 L'enfant Plaza, SW, #905 Washington, DC 20024	Honda North America, Inc	200.00	
A. Allan Noe, 1823 L Street, NW, #710 Washington, DC 20036	Chesebrough-Pond's, Inc	1,500.00	712.46
Robert W. Nolan, 1303 New Hampshire Ave., NW Washington, DC 20036	Fleet Reserve Assn	100.00	
Walker F. Nolan, 1111 19th St., NW, 9th Fl. Washington, DC 20036	Edison Electric Institute	2,342.53	635.50
H. Christopher Nolde, 2501 M St., NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	750.00	165.20
Robert I. Nooter, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	6,000.00	17.90
Grover G. Norquist, 718 North Carolina Ave., SE Washington, DC 20003	Americans for Tax Reform		
Julia J. Norrell, 1850 K St., NW Washington, DC 20006	American Council of Life Insurance, Inc	5,325.00	1,277.65
North American Export Grain Assn, Inc, 1747 Pennsylvania Ave., NW, #1175 Washington, DC 20006			
Northeast Utilities Service Co, Selden St. Berlin, CT 06037			2,994.83
Northern Telecom, Inc, 600 Maryland Avenue, SW, #605 Washington, DC 20024			
Mary Jane Norville, 600 Maryland Avenue, SW, #700 Washington, DC 20024	National Fed of Independent Business	4,875.50	200.00
Nossaman Guthner Knox & Elliott, 1140 19th St., NW, #600 Washington, DC 20036	Santa Fe Minerals Corp		
P. Michael Nugent, Suite 1300, North Tower 1331 Pennsylvania Ave., NW Washington, DC 20004	EDS Corporation		
Patrick J. Nugent, 1133 19th Street, NW Washington, DC 20036	MCI Communications Corp	2,000.00	19,978.62
Silas O. Nunn, 1110 Vermont Avenue, NW, #1250 Washington, DC 20005	Shipbuilders Council of America	1,500.00	
Ralph D. Nurnberger, 500 North Capitol Street, NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	12,008.98	498.96
Nutter McClennen & Fish, 600 Atlantic Ave. Boston, MA 02210	Merit Stainless Steel, Inc		
C. D. Nyberg, P.O. Box 800 Austin, MN 55912	Geo. A. Hormel & Co		
George O'Bea Jr., 815 16th Street, NW, #701 Washington, DC 20006	United Paperworkers International Union		
Dinah K. O'Berry, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	3,282.00	
Coleman C. O'Brien, 1709 New York Ave., NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	9,562.00	13.50
Mary Eileen O'Brien, 1800 M St., NW, Suite 710 South Washington, DC 20036	Dow Corning Corp		
Raymond V. O'Brien, 1600 M St., NW Washington, DC 20036	International Telephone & Telegraph Corporation	200.00	36.00
Rosemary L. O'Brien, 2550 M St., NW, #640 Washington, DC 20037	CF Industries, Inc	500.00	128.19
Thomas H. O'Brien, 2600 Virginia Avenue, NW, #800 Washington, DC 20037	Harris Corporation	2,500.00	
David S. O'Bryon, 7297 Lee Highway, Unit N Falls Church, VA 22042	American Textile Machinery Assn	500.00	
Frank J. O'Connell, 148 South Maple Avenue Kingston, PA 18101	Pennsylvania Power & Light Co		
James J. O'Connell, 1201 Pennsylvania Avenue, NW Washington, DC 20004	Control Data Corporation	425.50	488.29
Richard T. O'Connell, Richard T. O'Connell & Associates, Inc 3208 Traveler Street Fairfax, VA 22030	Chocolate Manufacturers Assn of the USA		200.00
Do	National Confectioners Assn of the U.S		200.00
Terrence M. O'Connell II, 444 N. Capitol Street, #711 Washington, DC 20001	Keefe Company (For:UNIAO Nacional Para Independencia Total DeAngola)	2,500.00	
Do	Keefe Company (For:Westinghouse Electric Corp)		
William B. O'Connell, 111 East Wacker Dr. Chicago, IL 60601	U.S. League of Savings Institutions	25,375.00	6,441.19
Charles Albert O'Connor Jr., 200 N. Pickett Street, #810 Alexandria, VA 22304			
Emily O'Connor, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
George E. O'Connor, 600 New Hampshire Avenue, NW Washington, DC 20037	New York Life Insurance Company		
K. James O'Connor Jr., 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	400.00	103.70
Patrick C. O'Connor, Kent & O'connor, Inc 1211 Connecticut Avenue, NW Washington, DC 20036	American Supply Association		
Do	American Warehousemen's Association		
Do	National Fleet Administrators Assn		
Do	Steel Tank Institute		
Do	Transportation Lawyers Assn		
O'Connor & Hannan, 1919 Pennsylvania Ave., NW, #800 Washington, DC 20006	Alliance for Capital Access	6,400.00	
Do	American Bus Assn	6,155.63	
Do	American Businesses for Int'l Trade	4,000.00	
Do	American Clinical Laboratory Assn	1,250.00	
Do	American Family Life Assurance Co		
Do	American Inst of Certified Public Accountants	1,460.00	
Do	American Soc of Assn Executives	1,153.13	
Do	American Soc of Cataract & Refractive Surgery	4,209.00	
Do	American Trucking Assns, Inc		
Do	Association of Investment Management Sales Executives		
Do	California Student Loan Finance Corp	1,845.87	
Do	Center for Environmental Education, Inc		
Do	Chamber of Commerce of the U.S		
Do	ChemWaste Management, Inc	1,031.25	
Do	Children's Hospital National Medical Center		
Do	City of Minneapolis	300.00	
Do	Coca-Cola Company	3,900.00	
Do	Connaught Laboratories, Inc	10,872.50	
Do	Corcoran Mullins Jennison		
Do	CNA Insurance	1,202.92	
Do	Dimensions, Inc		
Do	Distilled Spirits Council of the U.S., Inc	1,000.00	
Do	Drexel Burnham Lambert, Inc	7,000.00	
Do	Eastern Michigan University	308.68	
Do	Electronic Data Systems Corp	2,000.00	
Do	Embassy of Bolivia	5,000.00	
Do	Embassy of Ecuador		
Do	Grocery Manufacturers of America, Inc		
Do	Health Care Financing Study Group		
Do	Hennepin County	700.00	
Do	Historic Landmarks for Living		
Do	Hules Mexicanos, S.A		
Do	Independent Computer Consultants Assn	4,186.88	
Do	Industrias Negromex, S.A. de C.V.	2,000.00	
Do	Insurance Assn of Connecticut		
Do	International Racquet Sports Assn	1,518.75	
Do	Investment Company Institute	12,000.00	
Do	Journal Newspapers	261.89	
Do	Kawasaki Kisen Kaisha, Ltd		
Do	M.A.T.	1,250.00	
Do	Mercedes-Benz of North America, Inc		
Do	Merrill Lynch & Co, Inc		
Do	Mexican Cement Chamber	5,000.00	
Do	Miller & Schroeder Financial, Inc	2,000.00	
Do	National Apartment Assn		
Do	National Club Association	750.00	
Do	Owens-Illinois	19,000.00	
Do	Pacific Telesis Group	14,821.00	
Do	Primark Corp	1,500.00	
Do	Prudential Insurance Co of America	976.00	
Do	Joseph E. Seagram & Sons, Inc	1,178.02	
Do	Securities Industry Assn	9,781.00	
Do	Small Advertisers Counsel		
Do	SmithKline Beckman Corp	4,500.00	
Do	U.S. Tuna Foundation		
Do	United American Hydropower Corp		
Do	Westinghouse Electric Corp	1,000.00	
Paul T. O'Day, 1150 17th Street, NW Washington, DC 20036	Man-Made Fiber Producers Assn, Inc	2,500.00	392.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Thomas A. O'Day, 1629 K St., NW, #1010 Washington, DC 20006	Alliance of American Insurers	1,200.00	
Patrick E. O'Donnell, 1156 15th St., NW Washington, DC 20005	J. C. Penney Co, Inc		
J. Daniel O'Flaherty, 900 17th St., NW Washington, DC 20006	National Foreign Trade Coucnil	5,000.00	400.00
Daniel J. O'Grady, 815 16th Street, NW, #408 Washington, DC 20006	Food & Allied Service Trades Dept, AFL-CIO	448.00	
Jane O'Grady, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	13,863.72	408.91
Terri O'Grady, 1600 Rhode Island Avenue, NW Washington, DC 20036	National Rifle Assn of America	950.00	269.94
Barbara E. O'Hara, 4400 Macarthur Blvd., NW Washington, DC 20007	American Soc of Travel Agents	125.00	
O'Keefe Ashenden Lyons & Ward, One First National Plaza - Suite 5100 Chicago, IL 60603	American Invsco Corporation		
Michael A. O'Malley, 4647 Forbes Boulevard Lanham, MD 20706	AMVETS	6,800.00	150.47
O'Melveny & Myers, 1800 M St., NW Washington, DC 20036	Amax, Inc		
Do	Dulles Access Transit Corp	7,500.00	225.59
Do	Holden Group, Inc (Public Employer Benefits Council)	2,500.00	220.39
Joseph O'Neil, 1600 M St., NW Washington, DC 20037	ITT Corporation	4,000.00	4,000.00
Sarah E. O'Neil, 1600 M St., NW Washington, DC 20036	Investment Company Institute		
Joseph P. O'Neill, 1616 H Street, NW Washington, DC 20006	American Retail Federation	2,200.00	115.00
O'Neill and Athy, P.C., 1310 19th Street, NW Washington, DC 20036	Allegheny County Commission		
Do	Bank of New England		
Do	Business Roundtable	3,400.00	
Do	BHC, Inc		
Do	Chris-Craft Industries, Inc		
Do	Commercial Union Insurance Cos		
Do	Connecticut Bank & Trust Corp		
Do	Conrail Acquisition Corp, Inc		
Do	Cruise America Line, Inc		
Do	Glass Packing Institute		
Do	Housing America Foundation		
Do	Marriott Corp		
Do	Massachusetts General Hospital	1,250.00	
Do	Milk Industry Foundation		
Do	New England Deaconess Hospital		
Do	Northwestern Mutual Life		
Do	Retail Industry Trade Action Coalition		
Do	Sears Roebuck & Co	3,200.00	
Do	Texas Utilities Co		
Do	U.S. Football League		
Do	USX	1,100.00	
J. Denis O'Toole, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	8,500.00	
John E. O'Toole, 1899 L Street, NW Washington, DC 20036	American Assn of Advertising Agencies	2,500.00	750.00
M. Diane O'Toole, 1000 Wilson Blvd., #2300 Arlington, VA 22209	Northrop Corp		
Stephen E. O'Toole, 1660 L St., NW Washington, DC 20036	General Motors Corp	3,000.00	2,225.87
Jana R. Oakley, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers		
Paul C. Oakley, 50 F Street, NW Washington, DC 20001	Association of American Railroads	1,500.00	
Harry R. Obley, One Mellon Bank Center Pittsburgh, PA 15258	Mellon Bank N.A. and Mellon National Corp	2,000.00	3,152.36
Kim M. Oboz, 1020 19th Street, NW, #700 Washington, DC 20036	U S West, Inc	700.00	1,905.04
Thomas P. Ochsenschlager, 1850 M St., NW, #300 Washington, DC 20036	Grant Thornton	5,000.00	5,000.00
Thomas J. Oden, 1840 Wilson Boulevard Arlington, VA 22201	National Milk Producers Federation	4,062.48	203.27
Bradford C. Oelman, 900 17th Street, NW, #508 Washington, DC 20006	Owens-Corning Fiberglas Corporation		
Neil H. Offen, 1776 K Street, NW Washington, DC 20006	Direct Selling Association		
Donald G. Ogilvie, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	2,500.00	
Ogilvy & Mather, 1901 L Street, NW Washington, DC 20036			
Ohrenstein & Brown, 655 Third Avenue New York, NY 10017	Mutual Signal Corp		37.08
Philip M. Ola, 1919 Pennsylvania Avenue, NW, #400 Washington, DC 20006	Steel Service Center Institute		
Michael D. Oldak, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	100.00	
R. Teel Oliver, 1615 L Street, NW, #1320 Washington, DC 20036	Merck & Co, Inc	687.50	500.00
Van R. Olsen, 1156 15th St., NW, #1019 Washington, DC 20006	U.S. Beet Sugar Assn		
Gerald L. Olson, Pillsbury Center, Ms 3771 Minneapolis, MN 55402	Pillsbury Company		
Richard C. Olson, 1001 22nd St., NW, #350 Washington, DC 20037	Dynalectron Corporation	1,787.00	344.00
Roy E. Olson, 260 Madison Ave. New York, NY 10016	American Paper Institute, Inc		
Clark Onstad, 1201 Pennsylvania Ave., NW, #300 Washington, DC 20004	Texas Air Corp, et al		
Philip C. Onstad, 333 Plainfield Road Edison, NJ 08820	Control Data Corporation	200.00	
Oppenheimer Wolff & Donnelly, 1020 19th Street, NW, #400 Washington, DC 20035	Korean Footwear Exporters Assn		
Charles J. Orasin, 1400 K Street, NW, #500 Washington, DC 20005	Handgun Control, Inc	8,047.05	
Abraham Orlofsky, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees	1,124.16	
Elvira J. Orly, 1050 Connecticut Ave., NW, #800 Washington, DC 20036	Allied-Signal, Inc		
James L. Osborne, 4th & Davis Streets P.O. Box 808 McMinnville, OR 97128	National Assn of Mutual Insurance Cos		
David S. Osterhout, 1000 Wilson Boulevard Arlington, VA 22209	Allied Signal, Inc/Bendix Aerospace Sector	1,000.00	
J. F. Otero, 815 16th Street, NW Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks	1,000.00	300.00
Kevin D. Ott, 1331 Pennsylvania Avenue, NW, #1500N Washington, DC 20004-1703	National Assn of Manufacturers	375.00	
Karl Ottosen, 1800 K St., NW, #622 Washington, DC 20006	U.S. Federation of Small Businesses, Inc		
Cliff Ouse, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	25.00	
Gene E. Overbeck, 1101 17th Street, NW Washington, DC 20036	American Airlines, Inc	2,125.00	85.60
Jack W. Owen, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn		1,089.28
Thomas J. Owens, P.O. Box 12266 Seattle, WA 98102	Dollar Savings Bank, et al	42,150.00	9,787.64
Do	Irwin Shidler McBroom...(for Plaintiffs/WPPSS Securities...)		
Wayne Owens, 800 Kennecott Building Salt Lake City, UT 84133	Utah Power & Light Co		
William H. Owens Jr., 1111 14th St., NW, #1200 Washington, DC 20005	American Dental Assn	1,000.00	791.83
William J. Owens, 1745 Jefferson Davis Highway, #511 Arlington, VA 22202	Manufactured Housing Institute	900.00	100.00
Joanne M. Oxley, 1228 17th Street, NW Washington, DC 20036	Air Conditioning Contractors of America		
P/M Consulting, Inc, 202 E Street, NE Washington, DC 20002-4923	Syscon Corporation		
Do	Talley Corporation		
R. Ray Paabo, 1667 K St., NW, #600 Washington, DC 20006	Santa Fe Southern Pacific Corp	1,000.00	
Allen Scott Pack, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd	10.40	
Joel Packer, 1201 16th Street, NW Washington, DC 20036	National Education Assn	2,491.00	293.30
Lee W. Paden, P.O. Box 201 Tulsa, OK 74102	Public Service Co of Oklahoma		
Pagonis & Donnelly Group, 1620 I Street, NW, #603 Washington, DC 20006	Algoma Steel Corp, Ltd, et al		
Do	Brown Boveri Corp		
Do	Burroughs Wellcome Co	2,700.00	
Do	Dow Chemical USA		
Do	Fox Technology, Inc	14,551.00	
Do	Harrah's, Inc		
Do	Holiday Corp	40,687.50	25,000.00
Do	Management Compensation Group		
Do	National Woolgrowers Assn	3,000.00	
Do	Nord Resources Corp		
Alejandro J. Palacios, 110 Maryland Avenue, NE Washington, DC 20002	U.S. Committee for UNICEF	10,500.00	
John M. Palatiello, 210 Little Falls Street Falls Church, VA 22046	American Cong. on Survey. & Mapp./Amer Soc of Photogrammetry	9,766.14	2,628.00
Henry S. Palau, 201 N Washington St. Alexandria, VA 22134	Retired Officers Assn		
Cindy Grant Pallatino, 1101 Vermont Avenue, NW, #405 Washington, DC 20005	A. H. Robins Co	200.00	146.75
Andrew Palmer, 218 D St., SE Washington, DC 20003	Environmental Policy Institute	131.46	
Benjamin L. Palumbo, 1629 K St., NW Washington, DC 20006	Business Executives for National Security, Inc	4,500.00	
Do	European Community	18,000.00	
Do	NutraSweet Co		
Palumbo & Cerrell, Inc, 1629 K St., NW Washington, DC 20006	American Soc of Composers Authors & Publishers	54,000.00	
Do	Contra Costa Building & Construction Trades Council	22,000.00	
Do	RJR Nabisco	12,000.00	
Do	Southern California Rapid Transit District	15,000.00	
Peter J. Pantuso, 7900 Westpark Drive, #514 Mclean, VA 22102	National Confectioners Assn of the U.S.		850.00
Marcia Pape-Daniels, 1201 Pennsylvania Ave., NW, #250 Washington, DC 20004	CH2M Hill	750.00	
Paperboard Packaging Council, 1101 Vermont Ave., NW, #411 Washington, DC 20005			
G. Oliver Papps, N.j. Petroleum Council 170 W. State St. Trenton, NJ 08608	American Petroleum Institute		
Stephen J. Paradise, 1800 K Street, NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
Alan A. Parker, 1050 31st Street, NW Washington, DC 20007	Association of Trial Lawyers of America	5,000.00	100.00
David N. Parker, 1111 19th Street, NW Washington, DC 20036	Edison Electric Institute		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
John N. Parker, 1100 Connecticut Ave., NW, #620 Washington, DC 20036	Mobil Oil Corp	375.00	
Kimberly C. Parker, 1300 L Street, NW Washington, DC 20005	American Postal Workers Union, AFL-CIO	9,526.63	371.59
Tom V. Parker, Arkansas Petroleum Council 460 Twin City Bank Bldg. North Little Rock, AR 72114	American Petroleum Institute		
Benjamin G. Parks III, 1919 Pennsylvania Avenue, #300 Washington, DC 20006	National Forest Recreation Assn	450.00	
Do	National Inholders Assn	5,500.00	600.00
Carl M. Parks, 633 Pennsylvania Avenue, NW, #600 Washington, DC 20004	Sears Roebuck & Co	900.00	22.00
Prudence H. Parks, 1100 H Street, NW Washington, DC 20080	Washington Gas Light Co	345.24	140.75
Ann M. Parman, 1015 15th St., NW, #1240 Washington, DC 20005	National Manufactured Housing Federation	100.00	25.00
Ken Parmelee, 1448 Duke Street, #100 Alexandria, VA 22314	National Rural Letter Carriers Assn	14,331.00	1,752.00
Tom E. Paro, 1735 DeSales St., NW Washington, DC 20036	Association of Maximum Service Telecasters, Inc	406.00	
Jack Partridge, 1014 Vine St. Cincinnati, OH 45201	Kroger Company	2,500.00	323.70
John V. Parziale, 818 Connecticut Ave., NW, 9th Fl. Washington, DC 20006	Marathon Oil Co		
David J. Passamaneck, 4647 Forbes Boulevard Lanham, MD 20706	AMVETS	6,800.00	150.47
DeLane Pate, c/o Dow, Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products Ltd		
Gary B. Patterson, Delaware Petroleum Council P.O. Box 1429 Dover, DE 19903	American Petroleum Institute		123.70
Richard M. Patterson, 1800 M St., NW, #700 South Washington, DC 20036	Dow Chemical Co	500.00	4,800.00
William H. Patterson, 1331 Pennsylvania Ave., NW Washington, DC 20004	General Electric Co	274.00	
Kenton H. Pattie, 3150 Spring St. Fairfax, VA 22031	International Communications Industries Assn	4,069.00	1,550.43
David J. Pattison, 1025 Connecticut Ave., NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Patton Boggs & Blow, 2550 M St., NW, #800 Washington, DC 20037	Aiwa America, Inc	30.60	
Do	Akai America, Ltd	48.20	
Do	Alexander & Baldwin, Inc	262.50	11.50
Do	Aluminum Company of America		
Do	American Broadcasting Co, Inc		
Do	American Congress on Surveying & Mapping		
Do	American Express Co		
Do	American Insurance Assn		
Do	American International Automobile Dealers Assn	2,500.00	11.50
Do	American Maritime Assn	795.00	11.50
Do	American Public Power Assn		
Do	Association of Professional Flight Attendants	195.00	11.50
Do	Association of Trial Lawyers of America	750.00	11.50
Do	Atacra Trustees		
Do	ALTA Technology	570.00	
Do	B. P. North America		
Do	Bear Stearns Realty Co		
Do	Biogen		
Do	Brownsville Shrimp Assn		
Do	Cadawalader Wickersham & Taft		
Do	California State University		
Do	Champion International Corp		
Do	Chelsea Property Owners		
Do	Chemfix Technologies, Inc	705.00	
Do	Chicago Board Options Exchange	225.00	11.50
Do	Chrysler Corporation		
Do	City of Azusa		
Do	City of Banning		
Do	City of Colton		
Do	City of Riverside		
Do	City of Santa Clara		
Do	Coalition for National Airport		
Do	Coalition on State Use Taxes	3,000.00	
Do	Columbia, Inc	4.65	
Do	Committee of Railroad Shippers		
Do	Computerland Corporation		
Do	Consolidated Rail Corporation		
Do	Council of Graduate Schools	825.00	
Do	Crowley Maritime Corp		
Do	Cryolife, Inc		
Do	Dealer Action Association		
Do	Dredging Industry Size Standards Committee (DISSC)		
Do	Duty Free Shoppers, Ltd		
Do	EXEL Limited		
Do	Fiart Cantieri Italiani, S.P.A	9,280.00	85.00
Do	Fidelity Investors		
Do	Flint Industries		
Do	Freedom to Advertise Coalition	3,670.00	112.50
Do	Fuji Photo Film USA, Inc	104.75	
Do	Government of Iceland		
Do	Hitachi Sales Corp of America	1,395.15	
Do	Hotel Dieu Hospital		
Do	E. F. Hutton Life Insurance Company		
Do	Institute of Scrap Iron & Steel, Inc		
Do	Intermedics, Inc		
Do	Investment Partner Assn		
Do	IC Industries		
Do	Kaiser Aluminum & Chemical Corp		
Do	Kenwood USA Corporation	30.60	
Do	Lazard Frere & Co		
Do	Liggett Group, Inc		
Do	Litton Industries, Inc		
Do	Loan America Financial Corp		
Do	Loop, Inc		
Do	Marathon Oil Co	1,500.00	
Do	Mars, Inc	75.00	11.50
Do	Mass Mutual	2,640.00	
Do	Matson Navigation Co		
Do	Matsushita Electric Corp of America	2,461.20	
Do	Maxell Corp of America	190.05	
Do	Metropolitan Life	2,310.00	
Do	Mitsubishi Electric Sales of America, Inc	512.65	
Do	Mocatta Metals Corp	75.00	11.50
Do	Mutual Benefit Life		
Do	MCI Telecommunications, Inc	455.00	11.50
Do	Nakamichi USA Corp	26.90	
Do	National Assn for Foreign Student Affairs	660.00	
Do	National Assn of Independent Colleges & Universities		
Do	National Cable Television Assn, Inc		
Do	National Gypsum Co	8,055.00	
Do	National Marine Manufacturers Assn		
Do	National Soft Drink Assn		
Do	Navajo Nation	500.00	
Do	New Process Co		
Do	New York Life Insurance Co	1,980.00	
Do	Northern California Power Agency		
Do	Northwestern Mutual Life	330.00	
Do	NEC Electronics (USA) Inc	76.05	
Do	Onkyo USA Corp	16.70	
Do	Options Clearing Corp		
Do	Overseas Military Sales Group		
Do	OSG Bulk Ships, Inc		
Do	OTASCO, Inc	175.00	10.00
Do	Paine Webber, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Pearson Investments, Ltd		
Do	Pioneer Electronics (USA), Inc	41.75	
Do	Public Utilities Department		
Do	Reader's Digest Assn, Inc		
Do	Retail Industry Trade Action Coalition	2,410.00	
Do	Retail Tax Committee	350.00	10.00
Do	Rice Millers' Assn	1,075.00	11.50
Do	Sacramento Public Utility District		
Do	Sansui Electronics Corp	43.60	
Do	Sanyo Electronics, Inc	1,198.65	
Do	Sharp Electronics Corp	751.80	
Do	Shell Oil Co		
Do	Smokeless Tobacco Council, Inc	360.00	
Do	Sony Corp of America	763.85	
Do	Squibb Corporation		
Do	State of LA, Dept of Conservation		
Do	Sultantate of Oman	900.00	
Do	Teac Corp of America	37.10	
Do	Toshiba America, Inc	455.15	
Do	TDK USA Corp	235.45	
Do	U.S. Lines		
Do	U.S.A. Coalition/Fishing Vessel Reflagging	1,650.00	
Do	Union Camp Corporation		
Do	Union Pacific Corp		
Do	Unitary Tax Campaign		
Do	US JVC Corporation	834.00	
Do	Yamaha Electronics Corp, USA	11.15	
Andrew R. Paul, 1875 Eye Street, NW, #940 Washington, DC 20006	Gulf & Western Management Company	7,200.00	139.45
Paul Hastings Janofsky & Walker, 1050 Connecticut Avenue, NW, #1200 Washington, DC 20036	Associated Life Ins Group Nat'l Policyholder Advisory Comm		
Do	CalMat Company	1,321.25	
Do	GAF Corporation		
Do	Inter-Con Security Systems, Inc		
Do	Kawasaki Motors Corp, USA		
Do	Oglethorpe Power Corp		
Do	Philippine Sugar Regulatory Administration		
Do	Security Life of Denver		
Paul Weiss Rifkind Wharton & Garrison, 1615 L Street, NW, #1300 Washington, DC 20036	Cook Inlet Region, Inc	1,749.00	
Do	NEC Corp and NEC America, Inc		
Do	Pacific Assets Holdings, L.P.		
Do	75 State Street Limited Partnership	2,415.00	
Larry E. Paulick, 2111 Eisenhower Avenue Alexandria, VA 22314	National Spa & Pool Institute		
Richard A. Paysor, 1415 Elbridge Payne Rd., #135 St. Louis, MO 63017	First Capitol Associates - Gateway, Inc		
Ronald Pearson, 422 First Street, SE, #208 Washington, DC 20003	Embassy of South Africa		
Russell H. Pearson, 1156 15th Street, NW, #1015 Washington, DC 20005	J. C. Penney Co, Inc		
Pearson and Pipkin, Inc, 422 First Street, SE, #208 Washington, DC 20003	Embassy of South Africa	15,000.00	
F. Colin Pease, Iron Horse Park North Billerica, MA 01862	Boston and Maine Corp, et al.		472.00
James M. Peirce Jr., 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees	1,644.48	
LeeAnn Pelham, 2030 M Street, NW Washington, DC 20036	Common Cause	5,893.80	1,317.70
Pelton Research Center, 1400 S. Joyce Street Arlington, VA 22202	Help, Inc		
Elin Peltz, 1511 K St., NW, #723 Washington, DC 20005	Hawaiian Sugar Planters' Assn		
Humberto R. Pena, 1155 15th St., NW Washington, DC 20005	Bristol-Myers Co	500.00	
Margaret Pena, 80 F Street, NW Washington, DC 20001	American Fed of Government Employees	8,418.92	
Pennsylvania Power & Light Co, 2 N. 9th St. Allentown, PA 18101			1,074.82
Gregory M. Pensabene, 1667 K St., NW, #600 Washington, DC 20006	Santa Fe Southern Pacific Corp	2,700.00	
Pension Real Estate Assn, 1101 17th Street, NW, #700 Washington, DC 20036			
Barbara K. Pequet, 1311 Quincy St., NE Washington, DC 20017	American Soc for The Prevention of Cruelty to Animals	1,625.00	1,500.00
Dell E. Perelman, 1501 Wilson Blvd., #600 Arlington, VA 22209	Air-Conditioning & Refrigeration Institute		
Victor J. Perini Jr., 1776 Massachusetts Ave., NW Washington, DC 20036	Highway Users Federation for Safety & Mobility		
James W. Perkins, 1 Beacon Street, Rm. 2200 Boston, MA 02108	National Assn of Bond Lawyers, et al.		
Perkins Coie, 1110 Vermont Ave., NW, #1200 Washington, DC 20005	Aerospace Industries Assn of America, Inc		
Do	Boeing Company		
Do	Burlington Northern, Inc		
Do	Kootznoowoo, Inc		
Do	Ormat Systems, Inc		
Gary J. Perkinson, 453 New Jersey Avenue, SE Washington, DC 20003	Beneficial Management Corp of America		
Perkinson & Associates, 453 New Jersey Ave., SE Washington, DC 20003	Beneficial Management Corp		
Ernest Michael Perley, 112 St Clair Ave., W., #504 Toronto, Ontario M4v 2y3	Canadian Coalition on Acid Rain	750.00	180.10
Jeffry L. Perlman, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S.	2,400.00	456.40
Kate M. Perry, 1785 Massachusetts Avenue, NW Washington, DC 20036	National Trust for Historic Preservation		
Susan Perry, 1025 Connecticut Avenue, NW Washington, DC 20036	American Bus Assn	2,687.50	75.00
Mark Pertschuk, 2054 University Ave., #500 Berkeley, CA 94704	Americans for Nonsmokers' Rights	228.00	10.00
John J. Pesch, 3422 Stoneybrae Drive Falls Church, VA 22044	Northrop Corp		
Phillips S. Peter, 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	100.00	
Geoffrey G. Peterson, 1250 Eye St., NW, #900 Washington, DC 20004	Distilled Spirits Council of the U.S., Inc	2,000.00	
Lars E. Peterson, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	450.00	
Mary B. Peterson, 1660 L St., NW Washington, DC 20036	General Motors Corp		
Mary Jo Peterson, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	1,000.00	500.00
Peterson Engberg & Peterson, 1730 M St., NW, #907 Washington, DC 20036	Federated Research Corp	22,800.00	510.60
Susan F. Petniunas, 1625 K Street, NW, #750 Washington, DC 20006	Manville Corporation	500.00	
Michael J. Petrina Jr., 1110 Vermont Avenue, NW, #800 Washington, DC 20005	Cosmetic Toiletry & Fragrance Assn, Inc		
Petroleum Marketers Assn of America, 1120 Vermont Ave., NW, #1130 Washington, DC 20005		200,000.00	20,545.73
Stephan Petry, 1800 Massachusetts Avenue, NW Washington, DC 20036	National Rural Electric Cooperative Assn	120.00	
Evelyn A. Petschek, Patterson Beklknap Webb & Tyler 30 Rockefeller Plaza New York, NY 10112	NL Industries, Inc		
Brian T. Petty, 1901 L St., NW, #702 Washington, DC 20036	International Assn of Drilling Contractors		
Annabelle Petys, Internat'l Institute of Human Asset Acc 1966 McKinley Street Clearwater, FL 33575			58.45
Peyser Associates, Inc, 1000 Vermont Street, NW, #400 Washington, DC 20005	Department of Public Property	15,000.00	39.56
Do	Metro	7,800.00	57.90
Do	Metropolitan Toledo Consortium	38,750.00	136.90
Do	New York State Bridge Authority	4,500.00	4.99
Do	Regional Transit Authority	13,000.00	707.81
Do	Southeastern Pennsylvania Transit Authority	6,000.00	859.71
Sueanne Pfifferling, 1350 New York Avenue, NW, #400 Washington, DC 20005	New York Power Authority		
Steven J. Pfister, 1000 Connecticut Avenue, NW Washington, DC 20036	National Retail Merchants Assn	2,000.00	161.40
James R. Phalen, 1100 Connecticut Avenue, NW, #535 Washington, DC 20036	MAPCO, Inc	3,570.00	
Pharmaceutical Manufacturers Assn, 1100 15th Street, NW Washington, DC 20005		22,940.45	22,940.45
Marshall A. Pharr, 6103 Adirondack Amarillo, TX 79106	Southwestern Public Service Co	4,209.75	476.25
Dennis J. Phelan, 1401 New York Avenue, NW, #400 Washington, DC 20005	National Food Processors Assn	3,750.00	100.00
Do	Pacific Seafood Processors Assn	7,500.00	760.00
Mary Frances Phelps, 1050 Connecticut Ave., NW, #760 Washington, DC 20036	Union Oil Co of California		
William C. Phelps, 2929 Allen Parkway Houston, TX 77019	American General Corporation	6,800.00	7,202.98
Barbara Phillips, 2000 M St., NW, #230 Washington, DC 20036	Telocator Network of America	12,000.00	152.21
Bernard R. Phillips III, P.O. Box 4267 Topeka, KS 66604	Kansas Electric Cooperatives, Inc	1,842.03	9.00
Deborah M. Phillips, 1155 21st Street, NW, 4th Fl. Washington, DC 20036	General Instrument Corporation		
Deirdre B. Phillips, 100 Federal Street Boston, MA 02110	Bank of Boston Corporation		
Do	First National Bank of Boston	200.00	424.19
Patricia Lynn Phillips, 12907 Melville Lane Fairfax, VA 22033	National Assn of State Agencies for Food Distribution	6,000.00	
William G. Phillips, 417 Sixth Street, SE Washington, DC 20003	Association of Univ Programs & Occupational Health & Safety	10,130.00	1,084.83
Do	Association of University Environmental Health Centers	4,800.00	467.09
Do	Metal Trades Department, AFL-CIO	4,275.00	662.84
Paul J. Phoenix, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc	333.33	
Dan Phythyon, 1771 N St., NW Washington, DC 20036	National Assn of Broadcasters	1,500.00	750.00
Paulette C. Pidcock, 1100 Connecticut Avenue, NW, #530 Washington, DC 20036	Baltimore Gas & Electric Co	335.70	158.14
Theodore M. Pierce, 1300 North 17th St., #300 Arlington, VA 22209-3899	ADAPSO, the Computer Software & Services Industry Assn		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Wayne Pierce, 101 Constitution Avenue, NW Washington, DC 20001	United Brotherhood of Carpenters & Joiners of America	31,850.00	40.00
Stuart F. Pierson, Verner, Liipfert, Bernhard, & Mcpherson 1660 L St., NW, #1100 Washington, DC 20036	LTV Corp, et al.		
Pierson Ball & Dowd, 1200 18th St., NW, #1000 Washington, DC 20036	Dun & Bradstreet Corp	2,500.00	
Do	El Pomar		
Do	Intex Holdings (Bermuda) Ltd		
Do	Lee Enterprises - Call-It-Co		
Do	Securities Industry Assn	2,750.00	
Pierson Semmes & Finley, 1054 31st Street, NW Washington, DC 20007	Mauritius Sugar Syndicate		
Do	Six Flags Corporation		
John H. Pilcher, 1331 Pennsylvania Ave.,NW, #1500 Washington, DC 20004-1703	National Assn of Manufacturers	125.00	
Pillsbury Madison & Sutro, 1667 K St., NW, #1100 Washington, DC 20006	D. L. Berger Associates, Inc		
Do	Pfizer, Inc		
Do	Temis Ramires de Arellano		
Valerie F. Pinson, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	1,157.00	
Robert Pipkin Jr., Pearson & Pipkin, Inc 422 First Street, SE, #208 Washington, DC 20003	Embassy of South Africa		
Pirtle Morisset Schlosser & Ayer, 1500 Seattle Trust Tower 1000 Second Avenue Seattle, WA 98104	American Indian Business Development Consortium	5,661.50	
Do	Central Council of Tlingit & Haida Tribes of Alaska	1,971.00	
Do	Hoopa Valley Tribe	905.40	
Do	Makah Indian Tribe	903.00	
Do	Navajo National Health Foundation, Inc	570.00	
Do	Red Lake Band of Chippewa Indians	4,040.00	
Do	Rosebud Sioux Tribe	3,603.00	
Do	Sault Ste. Marie Chippewa Tribal Council	210.00	
Do	Tulalip Tribes of Washington	1,323.00	
Do	Ukpeagvik Inupiat Corp	558.60	
Virginia L. Pitcher, 2000 L St., NW, #200 Washington, DC 20036	American College of Emergency Physicians	2,292.00	252.30
Plains Cotton Growers, Inc, 4510 Englewood Lubbock, TX 79414			
Reuben C. Plantico, 111 SW Columbia, #800 Portland, OR 97201	Nerco, Inc	4,475.00	800.86
Wyll W. Pleger, 1730 Rhode Island Ave., NW, #213 Washington, DC 20036	Brown & Root, Inc.		
Martha Rachel Plotkin, 2300 M Street, NW, #910 Washington, DC 20037	Police Executive Research Forum	723.95	12.00
John A. Poindexter, 3805 West Alabama Houston, TX 77027	Columbia Gulf Transmission Co		
Jean S. Polatsek, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		204.10
Mindy Pollack, 1819 L St., 7th Floor Washington, DC 20036	Reinsurance Assn of America		44.80
Richard J. Pollack, 50 F Street, NW #1100 Washington, DC 20001	American Hospital Assn		589.65
Susan Pollack, 900 Minnesota Street San Francisco, CA 94107	Esprit de Corp	2,000.00	
Michele Pollak, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	467.31	286.00
Alfred M. Pollard, 1155 Connecticut Ave., NW, #1130 Washington, DC 20036	Security Pacific National Bank	3,334.00	300.00
Harlan Pomeroy, 1050 Connecticut Avenue, NW, #1100 Washington, DC 20036	Baker & Hostetler (For:North Coast Cable, Ltd)	95.00	
John F. Pontius, 130 North Carolina Avenue, SE Washington, DC 20003	Meadows Recovery Center		
Population-Environment Balance, 1325 G St., NW #1003 Washington, DC 20005			6,002.46
Edward T. Porcaro, 1615 L Street, NW, #1210 Washington, DC 20036	Metropolitan Life & Affiliated Cos	1,000.00	
Port of Seattle, P.O. Box 1209 Seattle, WA 98111			2,637.31
Carol Alice Porter, 1000 Connecticut Ave., NW, #1002 Washington, DC 20006	Wildlife Legislative Fund of America	5,056.32	
Porter Wright Morris & Arthur, 41 South High Street Columbus, OH 43215	Coalition for Environmental Energy Balance		2,515.14
Donna Potemken, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	4,089.82	197.94
Carol Jean Poulos, 122 C Street, NW, #800 Washington, DC 20001	Concerned Women for America	1,000.00	
John Michael Powderly, 815 16th St., NW, #706 Washington, DC 20006	United Steelworkers of America	9,952.59	
Powell Goldstein Frazer & Murphy, 1110 Vermont Ave., NW, #1050 Washington, DC 20005	American Council on Education		
Do	Association of American Universities		
Do	Bayley Seton Hospital		
Do	Bear Stearns & Co		
Do	Belz Investment Co		
Do	Bernstein Carter & Deyo		
Do	Coalition for Competition		
Do	Coalition for Employment Through Exports		
Do	Council of State Housing Agencies	753.00	
Do	Federal National Mortgage Assn		
Do	Flood Control Advisory Committee		
Do	International Telecommunications Satellite Organization	9,174.00	
Do	Jacques Borel Enterprises, Inc	9,845.00	
Do	Lieberman Corp		
Do	Massachusetts Housing Finance Agency		
Do	National Investment Development Corp		
Do	National Multi Housing Council		
Do	Project on the Federal Social Role		
Do	Shea & Gardner		
Do	Starrett Housing Corp	2,812.00	
Do	SKW Alloys, Inc		
Do	Urban Properties		
Do	Westinghouse Electric Corp	2,233.00	
John J. Power, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	13,863.72	948.77
Frederick W. Powers III, 223 Perimeter Center Parkway P.O. Box 89000 Atlanta, GA 30338	Siemens Energy & Automation, Inc		
Graydon R. Powers Jr., 1101 16th St., NW Washington, DC 20036	Scientific Apparatus Makers Assn		
Prather Seeger Doolittle & Farmer, 1600 M Street, NW, 7th Floor Washington, DC 20036	Dollar Bank, Federal Savings Bank		25.61
Robert L. Pratt, 101 First Ave. Waltham, MA 02254	Thermo Electron Corporation	925.00	635.00
Mary Jane Preston, 1012 14th Street, NW, #403 Washington, DC 20005	U.S. Student Assn		300.00
Preston Thorgrimson Ellis & Holman, 1735 New York Avenue, NW, #500 Washington, DC 20006	Alaska Loggers Assn		
Do	American Meat Institute		
Do	American Nuclear Insurers		
Do	American President Lines	2,230.00	
Do	Bellingham Cold Storage		
Do	Boeing Company		
Do	Calista Corp		
Do	Council of American-Flag Ship Operators		
Do	Council on Research & Technology	1,095.00	
Do	COMPACT		
Do	Data General Corp	2,985.00	
Do	Design Professionals Coalition	135.00	
Do	Grant County Public Utility District		
Do	Hudson Waterways		
Do	Kellogg Company	135.00	
Do	Martin Marietta Corp		
Do	McDonnell Douglas Corp	50.00	
Do	Moore McCormack Resources, Inc		
Do	Mutual Atomic Energy Liability Underwriters		
Do	National Council on Compensation Insurance		
Do	Port of Seattle		
Do	Professional Services Council		
Do	Reinsurance Assn of America		
Do	Snohomish County Public Utility District No. 1		
Do	Spokane County		
Do	Sunmar Shipping, Inc		
Do	Templeton Growth Fund, Ltd		
Do	Tennessee Gas Pipeline Co		
Do	Transportation Institute	1,300.00	
Do	Tri-City Industrial Development Council		
Do	University of Michigan Hospitals	135.00	
Do	University of Washington		
Do	Western Airlines, Inc		
Keith A. Pretty, 1615 M Street, NW, #200 Washington, DC 20036	Amoco Corporation	1,500.00	963.72
James M. Price, P.O. Box 11248 Knoxville, TN 37919	Sierra Club	2,755.00	
Robert V. Price, 1150 Connecticut Avenue, NW, #600 Washington, DC 20036	Browning-Ferris Industries, Inc	4,500.00	265.00
Patricia Pride, 1129 20th St., NW Washington, DC 20036	Financial Accounting Foundation	350.00	36.18

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Joel Pritchard, Bogle & Gates One Thomas Circle, NW, #900 Washington, DC 20005	International Telecommunications Satellite Organization		
Jerry C. Pritchett, 5410 Grosvenor Ln., #120 Bethesda, MD 20814	Mechanical Contractors Assn of America, Inc		
Pro-Life CDAC 12, P.O. Box 7145 Menlo Park, CA 94025		248.91	18.20
Sydney Probst, 1250 Eye Street, NW, #900 Washington, DC 20005	Distilled Spirits Council of the U.S., Inc	2,000.00	
Stuart E. Proctor Jr., 2626 Pennsylvania Ave., NW Washington, DC 20037	National Telephone Cooperative Assn	1,250.00	744.21
Professional Managers' Assn, P.O. Box 7762, Ben Franklin Station Washington, DC 20044		2,179.67	2,813.66
Profit Sharing Council of America, 20 N. Wacker Drive Chicago, IL 60606			
Project Advisory Group, 1029 Vermont Ave., NW, #860 Washington, DC 20005			
Proprietary Association, 1150 Connecticut Ave., NW, #1200 Washington, DC 20036			3,793.75
Proskauer Rose Goetz & Mendelsohn, 300 Park Avenue New York, NY 10022	Integrated Resources, Inc		
Protect the Innocent, Inc, 451 South Indiana Street Mooresville, IN 46158			
Prudential-Bache Securities, Inc, 100 Gold St. New York, NY 10292			750.00
James C. Pruitt, 1050 17th St., NW, #500 Washington, DC 20036	Texaco, Inc	250.00	
Public Citizen Health Research Group, 2000 P St., NW, #700 Washington, DC 20036			
Public Employee Department, AFL-CIO, 815 16th St., NW Washington, DC 20006		57,451.82	20,795.92
Public Employer Benefits Council, 1800 M Street, NW Washington, DC 20036			
Public Timber Purchasers Group, 610 SW. Broadway, #608 Portland, OR 97205		22,500.00	2,194.31
Philip N. Pulizzi Jr., 1000 16th Street, NW, #800 Washington, DC 20036	Bethlehem Steel Corp	95.00	
David E. Pullen, 1650 K Street, NW, #750 Washington, DC 20006	Manville Corporation	1,000.00	
John R. Purcell, 204 E Street, NE Washington, DC 20002	National Frozen Food Association	500.00	
Robert M. Purcell, 2940 16th St., #202-2 San Francisco, CA 94103	Neighbor-To-Neighbor Action Fund	3,000.00	1,441.00
William E. Pursley, 1025 Connecticut Avenue, NW Washington, DC 20036	Shell Oil Co	500.00	
Sue P. Purvis, P.O. Box 14042(d2b) St. Petersburg, FL 33733	Florida Power Corp	2,400.00	820.77
Do	Florida Progress Corp	600.00	123.05
Earle W. Putnam, 5025 Wisconsin Avenue, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Howard Pyle III, 4930 Quebec St., NW Washington, DC 20016	Houston Lighting & Power Company	4,200.00	
Robert N. Pyle & Associates, 1701 K St., NW, #1004 Washington, DC 20007	Ceramatec, Inc	2,750.00	75.00
Do	Elkem Metals Company	4,250.00	84.00
Do	Independent Bakers Assn	3,000.00	600.00
Do	Stratcor	6,000.00	110.00
Do	Welch Foods, Inc	3,750.00	65.00
John R. Quarles Jr., Morgan Lewis & Bockius 1800 M St., NW Washington, DC 20036	National Environmental Development Assn		
William A. Quinlan, 3045 Riva Rd. Riva, MD 21140	National Candy Wholesalers Assn, Inc		
Do	Retail Bakers of America		
Harold P. Quinn Jr., 1575 Eye Street, NW, #525 Washington, DC 20005	Mining & Reclamation Council of America		
George Gregory Raab, 2000 L Street, NW Washington, DC 20036	Medtronic, Inc		3.20
Theresa Rabel, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,500.00	75.00
Clifford Raber, One McDonald's Plaza Oak Brook, IL 60521	McDonald's Corp		
Steve Rabin, 1901 L Street, NW, #320 Washington, DC 20036	Ogilvy & Mather		
Alex Radin, 1200 New Hampshire Ave., NW, #235 Washington, DC 20036	Tennessee Valley Public Power Assn	1,275.00	
Radin & Associates, Inc, 1200 New Hampshire Ave., NW Washington, DC 20036	Arnold & Porter		
Radio Officers Union - PAC, P.O. Box 6543 Annapolis, MD 21401		3,615.00	11,494.99
W. A. Radziewicz, 400 First Street, NW Washington, DC 20001	Brotherhood of Railroad Signalmen	350.00	
Tess A. Rae, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
John D. Raffaelli, Law Offices of John D. Raffaelli 499 South Capitol St., SW, #407 Washington, DC 20003	Dean Witter Realty, Inc		
Do	Gulf Coast Waste Disposal Authority		
Do	National Council for Higher Education Loan Programs		
Do	R. Duffy Wall & Associates, Inc (For:Taylor & Mizell)		
Tanya A. Rahall, 2033 M Street, NW, #900 Washington, DC 20036	National Assn of Arab Americans	6,583.26	27.90
Roderic W. Rahe Jr., 1015 15th Street, NW, #802 Washington, DC 20005	American Consulting Engineers Council	700.00	
Richard W. Rahn, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S	489.86	305.30
Railway Labor Executives' Assn, 400 First St., NW, #804 Washington, DC 20001		115,200.00	151,453.76
Railway Progress Institute, 700 North Fairfax St. Alexandria, VA 22314			
Rainbow Lobby, 236 Massachusetts Avenue, NE, #409 Washington, DC 20002		180,909.00	163,796.47
Maggy H. Ralbovsky, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	1,000.00	46.00
John C. Ramig, 1730 M Street, NW, #900 Washington, DC 20036	Stoel Rives Boley Fraser & Wyse (For:Association of O & C Counties)	610.00	
Do	Stoel Rives Boley Fraser & Wyse (For:Pacificorp)	3,250.00	1,004.22
Craig J. Rancourt, 2000 Pennsylvania Ave., NW, #3700 Washington, DC 20006	American Assn of Classified School Employees	11,399.85	2,092.89
Donald A. Randall, P.C., 321 D Street, NE Washington, DC 20002	Automotive Service Assn	7,539.84	
Do	National Independent Dairy-Foods Assn	9,850.00	
James D. Range, 1155 Connecticut Ave., NW, #800 Washington, DC 20036	Waste Management, Inc	5,000.00	
Robert A. Rapoza Associates, 2001 S Street, NW, #500 Washington, DC 20009	National Rural Housing Coalition	11,198.24	11,198.24
D. Michael Rappoport, P.O. Box 52025 Phoenix, AZ 85072	Salt River Project	1,680.00	3,215.88
Magda Ratajski, One Commercial Place Norfolk, VA 23510-2191	Norfolk Southern Corp		
John W. Rauber Jr., 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn		1,670.18
Carol L. Raulston, 1250 Connecticut Ave., NW Washington, DC 20036	American Paper Institute, Inc	2,075.00	
Craig Raupe, Campbell-Raupe, Inc 1015 15th Street, NW, #907 Washington, DC 20005	Algonquin Gas Transmission		
Do	American Nuclear Energy Council		
Do	Invest to Compete Alliance		
Do	LTV Aerospace & Defense Co		
Do	Pitney Bowes		
Do	Riffe Petroleum Co		
Do	Texas Air Corp		
Do	Texas Utilities Services, Inc		
Do	The New England		
Do	Union Pacific Corp		
Do	Westinghouse Electric Corp		
John K. Rayburn, 1801 K Street, NW Washington, DC 20006	Westinghouse Electric Corp	235.00	30.00
Raymark Corporation, 100 Oakview Drive Trumbull, CT 06611			
David A. Raymond, 1025 Connecticut Ave., NW, #1014 Washington, DC 20036	Enserch Corporation	3,379.00	1,136.00
Richard J. Razook, 200 South Biscayne Blvd. 4900 Southeast Financial Center Miami, FL 33131	Thomson Zeder Bohrer Werth & Razook (For:Burger King Corp)	245.00	
Julian O. Read, 1005 Congress Avenue, #500 Austin, TX 78701	Central & South West Corp		
Sydney C. Reagan, 10 Duncannon Ct., Glen Lakes Dallas, TX 75225	Southwestern Peanut Shellers Assn		
Linda S. Rearick, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	1,500.00	464.06
Recording Industry Assn of America, Inc, 888 Seventh Avenue, 9th Fl. New York, NY 10106		65,313.58	65,313.58
John M. Rector, 205 Daingerfield Rd. Alexandria, VA 22314	National Assn of Retail Druggists	700.00	150.00
Robert E Redding, 7315 Wisconsin Ave., #325 E Bethesda, MD 20814	Shippers National Freight Claim		
Jo Reed, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	468.46	83.90
Michael L. Reed, 1100 15th Street, NW, #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	17.50
J. Mitchell Reese, 1700 K Street, NW, #1204 Washington, DC 20006	Chevron USA, Inc	400.00	
Benjamin F. Reeves, 1100 17th Street, NW Washington, DC 20036	Burley & Dark Leaf Tobacco Export Assn	950.00	
J. Ronald Reeves, Washington National Airport Washington, DC 20001	U.S. Air, Inc	2,000.00	200.00
John T. Reggitts Jr., 95 Booton Ave. P.O. Box 470 Boonton, NJ 07005			
John Regnier, 1025 Connecticut Ave., NW, #200 Washington, DC 20036	Shell Oil Co	500.00	
Reichler & Appelbaum, 888 17th St., NW, #1101 Washington, DC 20006	Permanent Mission of the Republic of Seychelles		
Do	Republic of Guatemala		
Do	Republic of Nicaragua	6,000.00	
Charlotte Reid, 2466 Chatham Road Aurora, IL 60506	Motorola, Inc		
Michael Reid, 1925 K Street, NW, #206 Washington, DC 20006	Alliance to Save Energy	168.84	
Michael W. Reid, 1300 L Street, NW Washington, DC 20005	American Postal Workers Union, AFL-CIO	2,710.29	707.24
Reid & Priest, 1111 19th Street, NW Washington, DC 20036	Associated Natural Gas Company, et al		
Do	City of Philadelphia	19,517.00	655.17
Do	Connecticut Natural Gas Corp		
Do	Edison Electric Institute		
Do	Kentucky Utilities Co		
Do	Pennsylvania Shipbuilding Co		
Do	People Express Airlines, Inc	46,335.00	629.13
Harry O. Reinsch, 1310 Jones Street, #902 San Francisco, CA 94109	Bechtel Power Corporation		
Dale L. Reistad, 1726 M Street, NW, #1000 Washington, DC 20036	Electronic Funds Transfer Assn	375.00	
Reinsurance Assn of America, 1819 L Street, NW, Washington, DC 20036			
Religious Coalition for Abortion Rights, Inc, 100 Maryland Avenue, N.e. Washington, DC 20002		113,655.50	8,039.30
Zev M. Remba, 1111 14th Street, NW Washington, DC 20005	Academy of General Dentistry		
Diane Rennert, 2005 Massachusetts Avenue, NW Washington, DC 20036	Association of American Publishers	4,300.00	259.27

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Resources Fund, Inc, 810 18th St., NW, #804 Washington, DC 20006			
Retired Officers Assn, 201 N. Washington St. Alexandria, VA 22314		73,865.40	33,415.38
John H. Reurs, 74 Trinity Place New York, NY 10006	New York Comm of Intl Comm of Passenger Lines		
Vincent P. Reusing, 1615 L Street, MW, #1210 Washington, DC 20036	Metropolitan Life & Affiliated Cos	1,000.00	
Alan V. Reuther, 1757 N Street, NW Washington, DC 20036	United Auto Aerospace & Agricultural Implement Workers	16,230.35	162.50
Allan R. Rexinger, 1150 Connecticut Ave., NW, #1200 Washington, DC 20036	Proprietary Association	3,643.75	150.00
Mark E. Rey, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,500.00	
Renee Reymond, 1331 Pennsylvania Ave., NW, #1500 N. Washington, DC 20004	National Assn of Manufacturers		
Mary Anne Reynolds, 8111 Gatehouse Road Falls Church, VA 22047	AAA Potomac		
Frederick W. Rhodes, 1800 K Street, NW, #800 Washington, DC 20006	Goodyear Tire & Rubber Co	3,250.00	
John J. Rhodes, Hunton & Williams 2000 Pennsylvania Avenue, NW Washington, DC 20006	Central Arizona Water Conservation District		
Do	Rocky Mountain Energy Co	3,000.00	
Grace Ellen Rice, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	7,187.00	111.05
Lois D. Rice, 1201 Pennsylvania Avneue, NW Washington, DC 20004	Control Data Corporation	240.00	
Rice Genocide Research, 3046 Roosevelt Street Detroit, MI 48216			255.23
James E. Rich Jr., 1025 Connecticut Ave., NW, #200 Washington, DC 20036	Shell Oil Co	500.00	
Alan H. Richardson, 2301 M St., NW Washington, DC 20037	American Public Power Assn	500.00	
Donna Richardson, 1101 14th Street, NW, #200 Washington, DC 20005	American Nurses' Assn	4,935.00	93.99
K. O. Richardson, 815 16th St., NW Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks	3,000.00	157.26
William J. Richardson Jr., 1819 H Street, NW, #1100 Washington, DC 20006			
Lois Richerson, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	1,142.00	
Glenn Wadsworth Riddell, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products Ltd, et al		
Judy Noel Riddle, 6630 W. Broad St. Richmond, VA 23230	Lawyers Title Insurance Co		
Mary Catherine Riddle, 1700 K St., NW, #1200 Washington, DC 20006	Chevron USA, Inc	100.00	18.00
Lowell J. Ridgeway, North Dakota Petroleum Council P.O. Box 1395 Bismarck, ND 58502	American Petroleum Institute	632.00	
E. George Riedel, 1600 M Street, NW Washington, DC 20036	International Telephone & Telegraph Corporation		4,000.00
E. Philip Riggin, 1608 K St., NW Washington, DC 20006	American Legion	12,885.00	366.50
P. Robert Rigney Jr., 1117 North 19th Street, #600 Arlington, VA 22209	American Assn of Blood Banks	1,250.00	
Pat Riley, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
Susan Riley, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	National Multi Housing Council	1,440.94	
John F. Ring, 25 Louisiana Avenue, NW Washington, DC 20001	International Brotherhood of Teamsters	6,738.56	
Dale P. Riordan, 3900 Wisconsin Avenue, NW Washington, DC 20016	Federal National Mortgage Assn		
Kevin J. Riordan, 1700 K St., NW, #1204 Washington, DC 20006	Chevron USA, Inc	225.00	175.00
John S. Rippey, 730 15th St., NW Washington, DC 20005	Association of Bank Holding Cos	1,462.50	30.00
Riselli & Pressler, 2033 M Street, NW, #504 Washington, DC 20036	Professional Managers' Assn		
Carol A. Risher, 2005 Massachusetts Ave., NW Washington, DC 20036	Association of American Publishers	2,000.00	
Jeanne M. Ritchie, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
James E. Ritchie & Associates, 499 S. Capitol St., SW, #400 Washington, DC 20003	Gaming Industry Assn of Nevada, Inc	3,200.00	3,138.42
Do	Golden Nugget, Inc		
Do	National Assn of Off-Track Betting	1,900.00	4,991.92
Do	National Assn of Optometrists & Opticians, Inc	12,876.00	5,693.89
Do	Nevada Resort Assn	4,800.00	4,707.64
Leslie Sue Ritts, Morgan Lewis & Bockius 1800 M Street, NW Washington, DC 20036	National Environmental Development Assn		
Valentin Riva, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Phillip W. Rivers, 1050 17th St., NW #500 Washington, DC 20036	Texaco, Inc	120.00	
Rivkin Radler Dunne & Bayh, 1575 I Street, NW, #1025 Washington, DC 20005	Akin Gump... (Drexel Burnham Lambert, Inc)		23.00
Do	American Can Co	10,000.00	25.00
Do	American Cancer Society		
Do	ALC Communications Corp	4,209.00	250.00
Do	Borg-Warner Corp		130.00
Do	Business Coalition for RICO Reform		43.00
Do	Dow Chemical Co	5,000.00	50.00
Do	Energy Contractors Price-Anderson Group		
Do	Food Marketing Institute		
Do	Gunnar Dana Associates	1,000.00	
Do	National Basketball Assn	2,000.00	20.00
Do	National Soft Drink Assn	1,187.50	130.00
Do	Nippon Yusen Kaisha (NYK) Line		
Do	Renewable Fuels Assn	150.00	12.50
Do	Tiffany & Co		
Carole T. Roberts, 1660 L St., NW, #1000 Washington, DC 20036	Travelers Companies	1,437.50	
Perry A. Roberts, 8000 W. Florissant St. Louis, MO 63136	Emerson Electric Co		915.56
Richard R. Roberts, 304 Pennsylvania Ave., SE, #300 Washington, DC 20003	American Council of Highway Advertisers	1,500.00	2,700.40
Do	South Sea Charter Service		136.37
Richard W. Roberts, 100 East 42nd St. New York, NY 10017	National Foreign Trade Council, Inc	500.00	25.00
Gordon C. Robertson, 1412 16th Street, NW Washington, DC 20036	International Assn of Fish & Wildlife Agencies	9,337.80	158.11
Robins Zelle Larson & Kaplan, 1627 Eye St., NW, #610 Washington, DC 20006	Cabot Corporation		
Betty S. Robinson, 1757 N St., NW Washington, DC 20036	United Auto Aerospace & Agricultural Implement Workers	12,730.93	105.50
Ernestine S. Robinson, 1575 Eye Street, NW Washington, DC 20005	American Soc of Assn Executives	300.00	
Kenneth L. Robinson, 1111 N. 19th Street, #700 Arlington, VA 22209	National Assn of Federal Credit Unions		
Thomas E. Robinson, 1101 17th St., NW, #700 Washington, DC 20036	National Assn of Real Estate Investment Trusts, Inc	400.00	
Do	Pension Real Estate Assn		
Robison International, Inc, 2300 N St., NW, #600 Washington, DC 20037	Euromissile	10,500.00	7,676.00
Do	FMC Corporation	4,500.00	3,090.00
Do	Kaman Sciences Corp	7,500.00	5,483.00
Do	McDonnell Douglas Corp	7,500.00	5,483.00
Do	Royal Ordnance, Inc	12,000.00	8,772.00
Do	Systems Planning Corp	9,000.00	6,579.00
James Anthony Rock, 1730 M Street, NW, #607 Washington, DC 20036	Montana Power Co, et al.	1,250.00	908.72
Rodey Dickason Sloan Akin & Robb, 20 First Plaza, #700 Albuquergue, NM 87103	Navajo Tribe	82,015.50	
Quincy Rodgers, 2033 M Street, NW, #800 Washington, DC 20036	General Instrument Corporation	1,000.00	28.00
Jose Luis Rodriguez, 1000 Thomas Jefferson St., NW, #601 Washington, DC 20007			
Arthur P. Rogers, 888 17th St., NW, #901 Washington, DC 20006	Whiteford Taylor & Preston		
Bruce N. Rogers, 1660 L St., NW Washington, DC 20036	General Motors Corp	3,000.00	5,672.53
Donald L. Rogers, 730 15th St., NW Washington, DC 20005	Association of Bank Holding Cos	3,025.00	
James T. Rogers, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Nancy Rogers, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	10,812.00	117.70
Terrence L. Rogers, 80 F St., NW Washington, DC 20001	American Fed of Government Employees	10,510.83	11,555.40
Rogers & Wells, 200 Park Avenue New York, NY 10166	Adamar of New Jersey, Inc, et al	12,706.25	932.45
Do	American Express Co		
Do	Associated Press		
Do	Cementos Anahuac del Golfo, S.A		
Do	Liz Claiborne, Inc		
Do	Desert Palace, Inc		
Do	Dreyfus Corporation		
Do	Franzia, Fred T. John C. & Joseph S.		
Do	Grocery Manufacturers of America, Inc		
Do	International Sleep Products Assn		
Do	Internoor Trade, Inc		
Do	Investment Partnership Assn		
Do	Kamehameha Schools/Bernice P. Bishop Estate		
Do	Liga Agricola Industrial de la Cana de Azucar	250.00	
Do	Merrill Lynch & Co, Inc		
Do	Pan American World Airways, Inc		
Do	Pan American World Services, Inc		
Do	Republic National Bank		
Do	Rutgers, The State University of New Jersey		
Do	Teachers Insurance & Annuity Assn/College Ret. Equities Fund		
Carole M. Rogin, 1255 23rd Street, NW, #850 Washington, DC 20037	Hauck & Associates, Inc (For:Hearing Industries Assn)		
Do	Hauck & Associates, Inc. (For:National Assn for Child Care Management)		
Richard A. Rohrbach, 1615 M Street, NW, #570 Washington, DC 20036	Boise Cascade Corp	32,250.00	270.24
Eric D. Roiter, Debevoise & Plimpton 1777 F Street, NW Washington, DC 20006	Security Pacific Corp	1,867.00	
John F. Rolph III, 1200 New Hampshire Ave., NW, #350 Washington, DC 20036	Citibank, N.A	1,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Kenneth S. Rolston Jr, 1025 Vermont Ave., NW, #1020 Washington, DC 20005	American Pulpwood Assn		
Emil A. Romagnoli, 180 Maiden Lane New York, NY 10038	Asarco Inc	1,400.00	
Daniel Romanko, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Canadian Steel Producers Assn		
Michael J. Romig, 1850 K Street, NW Washington, DC 20006	American Council of Life Insurance, Inc	2,500.00	
Fred B. Rooney, 1050 Connecticut Ave., NW, 12th Fl. Washington, DC 20036	American Iron & Steel Institute	1,650.00	
Do	Association of American Railroads	1,750.00	
Do	CalMat Company	1,550.00	
Do	Crawford Fitting Co	1,550.00	
Do	Denver & Rio Grande Western Railroad Co	1,600.00	
Do	Inter-Con Security Systems, Inc	650.00	
Do	Kawasaki Motors Corp, USA	650.00	
Do	Lone Star Industries, Inc	1,550.00	
Do	M Life Insurance Co	1,750.00	
Do	Paul Hastings Janofsky & Walker (For:Security Life of Denver)	1,650.00	
John C. Roots, 1333 New Hampshire Ave., NW, #1001 Washington, DC 20036	Atlantic Richfield Co	162.45	
Ropes & Gray, 1001 22nd St., NW, #700 Washington, DC 20037	Amherst College; Wellesley College		
Rose Schmidt Chapman Duff & Hasley, 1825 Eye St., NW, #300 Washington, DC 20006	Cigar Assn of America, Inc		
Do	Social Security Protection Bureau	1,500.00	
Hilary Rosen, 1020 19th St., NW, #200 Washington, DC 20036	Association of Local Housing Finance Agencies		
Do	Central Arizona Water Conservation District		
Do	National Assn of Housing & Redevelopment Officials		
Do	Recording Industry Assn of America	12,465.52	12,465.52
Lester L. Rosen, 7 Fulham Court Silver Spring, MD 20902	Miles Laboratories, Inc		
Richard Rosen, 5010 Wisconsin Ave., NW, #118 Washington, DC 20016			
Albert B. Rosenbaum III, 2200 Mill Rd. Alexandria, VA 22314	National Tank Truck Carriers, Inc		
Richard Rosenbaum, 666 Third Ave., 4th Fl. New York, NY 10017	Integrated Resources, Inc		
Sara Rosenbaum, 122 C Street, NW Washington, DC 20001	Children's Defense Fund	4,500.00	
Roger C. Rosenthal, 2001 S St., NW, #310 Washington, DC 20009	Migrant Legal Action Progran, Inc		
Roses, Inc, 1152 Haslett Road P.O. Box 99 Haslett, MI 48840		3,479.61	1,336.89
Gail E. Ross, 918 16th St., NW, #503 Washington, DC 20006	Washington Independent Writers, Inc		
Joe Ross, P.O. Box 1582 Little Rock, AR 72203-1582			
Nancy Ross, 236 Mass. Ave., NE Washington, DC 20001	Rainbow Alliance	3,835.00	300.00
William F. Ross, South Carolina Petroleum Council 716 Keenan Bldg. Columbia, SC 29201	American Petroleum Institute	876.00	1,617.10
Richard Rosser, 122 C Street, NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	5,133.00	363.00
Barry N. Roth, 1120 20th Street, NW, #700 Washington, DC 20036	Williams Companies	100.00	
John C. Rother, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	1,038.46	197.00
Edwin Rothschild, 1300 Connecticut Ave., NW, #401 Washington, DC 20036	Citizen/Labor Energy Coalition	1,500.00	
Donald D. Rounds, South Dakota Petroleum Council 222 E. Capitol, #16 Pierre, SD 57501	American Petroleum Institute		
Michael O. Roush, 600 Maryland Avenue, SW. #700 Washington, DC 20024	National Fed of Independent Business	4,875.50	200.00
John H. Rousselot, 1101 15th St., NW, #400 Washington, DC 20005	National Council of Savings Institutions	10,000.00	
Eugene F. Rowan, 2550 M Street, NW Washington, DC 20037	National Assn of Chain Drug Stores, Inc	87.50	
Do	Revco D.S., Inc	350.00	
Charles Rowton, 1899 L Street, NW, #1100 Washington, DC 20036	Exxon Corporation	112.50	
Roxton, Inc, 2000 S. Eads Street, #1003 Arlington, VA 22202	Medical Identification Card		
Robert S. Royer, Royer & Shacknai 1747 Pennsylvania Ave., NW Washington, DC 20006	American Military Sales		
Do	Chrysler Military Sales Corp		
Do	City of Akron, Ohio		
Do	Ford Riff & Burgess		
Do	Harley-Davidson Military Sales		
Do	International Futures Exchange		
Do	Intex Holdings (Bermuda) Ltd		
Do	Michigan Trade Exchange		
Do	Morgan Stanley & Co, Inc		
Do	Overseas Military Sales Group		
Do	Phillips Petroleum		
Do	Securities Industry Assn		
Royer Shacknai & Mehle, 1747 Pennsylvania Avenue, NW Washington, DC 20006	Municipal Finance Industry Assn		
Do	John Nuveen & Co, Inc		
Do	Trans Continental Services, N.V.		
Tobi Z. Rozen, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
Eugene T. Ruane, 1325 G Street, NW, #1003 Washington, DC 20005	Population-Environment Balance	395.00	11.30
Eric M. Rubin, Rubin Winston & Diercks 1730 M St., NW, #412 Washington, DC 20036	Outdoor Advertising Assn of America, Inc		
Joseph T. Ruble, 1300 North 17th Street, #300 Arlington, VA 22209	ADAPSO, the Computer Software & Services Industry Assn		
Eldon Rudd, Shimmel Hill Bishop & Gruender, P.C. 3700 North 24th Street Phoenix, AZ 85016		3,500.00	1,750.00
Barbara A. Rudolph, 1901 N. Fort Myer Drive, #302 Rosslyn, VA 22209	Beverly Enterprises, Inc	3,375.00	75.00
Henry C. Ruempler, 1200 New Hampshire Avenue, NW, #350 Washington, DC 20036	American Bankers Assn	2,000.00	147.76
Nicholas L. Ruggiere, 1667 K Street, NW, #410 Washington, DC 20006	Johnson & Johnson	1,000.00	225.00
Ronald R. Rumbaugh, 5205 Leesburgh Pike, #505 Falls Church, VA 22041	National Beer Wholesalers of America	211.00	
John Runyan, 1730 North Lynn St., #409 Arlington, VA 22209	Printing Industries of America, Inc	1,000.00	
Morgan S. Ruph, 4647 Forbes Boulevard Lanham, MD 20706	AMVETS	6,800.00	150.47
Domenic R. Ruscio, 6th Floor 2010 Massachusetts Avenue, NW Washington, DC 20036			
Barry Russell, 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		34.00
Dorothea L. Russell, 1120 Vermont Avenue, NW, #1120 Washington, DC 20005	National Candy Wholesalers Assn, Inc		
Randall M. Russell, 517 C Street, NE Washington, DC 20002-5809	Lesher and Associates, Inc		
Wally Rustad, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	50.00	
Herman Max Ruth, P.O. Box 1000 Otisville, NY 10963			
J. T. Rutherford & Associates, Inc, 1301 N. Courthouse Rd., #1802 Arlington, VA 22201	American Assn of Bioanalysts/Intl Soc of Clinical Lab Techs		413.50
Do	American College of Radiology		406.50
Do	American Optometric Assn		490.20
Frank T. Ryan, 1400 K Street, NW Washington, DC 20005	Rubber Manufacturers Assn	2,500.00	
John F. Ryan, 1600 M Street, NW Washington, DC 20036	International Telephone & Telegraph Corporation		
Joseph Ryan, 1155 21st., NW, 4th Fl Washington, DC 20036	General Instrument Corporation		
Thomas L. Ryan, 225 North Washington Street Alexandria, VA 22314	Non Commissioned Officers Assn of the USA		
Kermit W. Ryman, 1700 K St., NW, #1200 Washington, DC 20006	Chevron USA, Inc	292.50	128.54
RADAR, 4949 S 25A Tipp City, OH 45371			36,082.28
RBC Associates, 324 Fourth Street, NE Washington, DC 20002	Ann Arbor Railroad	9,166.66	4,630.00
Do	Bangor & Aroostook Railroad	6,750.00	4,501.27
Do	Chicago & North Western Transportation Corp	31,500.00	4,991.64
Do	Delaware Otsego System	18,000.00	5,039.71
Do	Genesee & Wyoming Corp	750.00	4,538.15
Do	Regional Railroads of America	7,000.00	5,620.63
RJR Nabisco, Inc, 1100 Reynolds Blvd. Winston-Salem, NC 27106			14,474.64
Paul R. Sacia, Suite 202, West Wing 600 Maryland Avenue, SW Washington, DC 20024	Farmers' Educational & Co-Operative Union of America	3,152.02	
David J. Sadd, 2033 M Street, NW, #900 Washington, DC 20036	National Assn of Arab Americans	4,536.80	
G. J. Thomas Sadler Jr., 3521 Valley Drive Alexandria, VA 22302	Communications Satellite Corp	1,500.00	482.84
Susan L. Sadtler, 2626 Pennsylvania Avenue, NW Washington, DC 20037	National Telephone Cooperative Assn	1,625.00	197.29
Dean M. Sagar, 1300 19th St., NW, #501 Washington, DC 20036	American Assn of Homes for the Aging		
Do	National Comm to Preserve Social Security	7,077.00	
Anthony J. Saggese Jr., 1050 17th St., NW, #500 Washington, DC 20036	Texaco, Inc		
James H. Sammons, 535 North Dearborn Street Chicago, IL 60610	American Medical Assn	3,136.00	
Sammons Enterprises, Inc, 403 South Akard Dallas, TX 75202			742.72
Felix R. Sanchez, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	1,480.00	636.62
Sanders Schnabel & Brandenburg, P.C., 1110 Vermont Avenue, NW, #600 Washington, DC 20005	American Soc of Assn Executives	1,535.50	11.50
Stephen E. Sandherr, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America	2,000.00	500.00
Myron G. Sandifer III, 1489 Chain Bridge Road, #200 McLean, VA 22101	Jack McDonald Co (For:Dow Corning Corp)		
Do	Jack McDonald Co (For:Jacques Borel Enterprises, Inc)		
Do	Jack McDonald Co (For:Royal Zenith Corp)		
Charles E. Sandler, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	6,000.00	
Peter G. Sandlund, 1725 Eye St., NW, #315 Washington, DC 20006	Council of European & Japanese National Shipowners' Assn	300.00	
James D. Santini, Bible Santini Hoy Miller & Lrachok 1025 Thomas Jefferson St., NW, #700 Washington, DC 20007	Homestake Mining Co	1,500.00	0.34
Do	National Tour Assn, Inc	9,000.00	3,648.51
Charles Sapp, 3500 Texas Commerce Tower Houston, TX 77002	Houston Endowment, Inc		
Ronald A. Sarasin, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Klara B. Sauer, 9 Vassar Street Poughkeepsie, NY 12601	Scenic Hudson, Inc		
Albert C. Saunders, 1100 15th St., NW #900 Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	26.25
Mary Jane Saunders, 1300 N. 17th Street, #300 Arlington, VA 22209	ADAPSO, the Computer Software & Services Industry Assn		550.00
Richard N. Sawaya, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	300.00	
Suzanne M. Sawyer, 6001 Old Hickery Blvd., #397 Hermitage, TN 37076	Achiever Corp		
Thomas C. Sawyer, 1825 K Street, NW Washington, DC 20006	National Broadcasting Co, Inc	5,000.00	297.63
Laurie S. Schaffer, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	45.00	
Harold A. Schaitberger, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters	13,763.94	
William T. Schapaugh, 1030 15th Street, NW Washington, DC 20005	American Seed Trade Assn	5,000.00	
Mary L. Schapiro, 1825 Eye St., NW, #1040 Washington, DC 20006	Futures Industry Assn, Inc		
C. M. Schauerte, P.O. Box 3247 Houston, TX 77253	American General Corporation		
Jay T. Scheck Jr., Rt. 202-206 North Somerville, NJ 08876	American Hoechst Corporation		
Schell & Co, Inc, 1776 K Street, NW, #700 Washington, DC 20006	Fuller Co		
Do	GATX Corp		
Robert J. Schenk, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Kenneth D. Schloman, 1600 Rhode Island Avenue, N.w. Washington, DC 20036	National Rifle Assn of America	981.25	39.60
Richard M. Schmidt Jr., 1333 New Hampshire Ave., NW, #600 Washington, DC 20036	Association of American Publishers	500.00	
Robert Richard Schmitt, 1529 S.W. 32nd Street Ft. Lauderdale, FL 33315-0000			
Schnader Harrison Segal & Lewis, Suite 1000 1111 19th St., NW Washington, DC 20036	Savin Corporation		
Do	Toyota Motor Corporation		
Robert V. Schneider, 360 Herndon Parkway, #2100 Herndon, VA 22070	ACS Systems, Inc		
Theresa A. Schneider, 1120 19th Street, NW, #310 Washington, DC 20036-3605	Institute of Makers of Explosives		
Thomas J. Schneider, 1300 19th Street, NW, #400 Washington, DC 20036	AFL-CIO Maritime Committee		
Abraham Schneier, 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	3,401.75	200.00
Frank Schneller, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Paul Schoellhamer, 900 17th St., NW, #526 Washington, DC 20006	Northwest Airlines, Inc	1,000.00	100.00
Nancy L. Schoenig, 25 Louisiana Avenue, NW Washington, DC 20001	International Brotherhood of Teamsters	6,573.24	
Jack J. Schramm, 1155 Connecticut Ave., NW, #800 Washington, DC 20036	Waste Management, Inc	5,000.00	
A. Kolbet Schrichte, 1133 15th Street, NW, #640 Washington, DC 20005	American Logistics Association		
H. B. W. Schroeder, 1050 17th Street, NW, #490 Washington, DC 20036	Consumers Power Co	8,000.00	1,266.00
N. Donald Schroeder, Maryland Petroleum Council 60 West St., #403 Annapolis, MD 21401	American Petroleum Institute	320.00	323.33
Judy Schub, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	508.85	247.97
Jill Schuker, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Societe Generale thru SGS North America, Inc)	43.75	
Mark Schultz, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S.	5,000.00	81.96
Richard F. Schultz, 807 Maine Avenue, SW Washington, DC 20024	Disabled American Veterans	12,854.40	419.46
Robert L. Schulz, c/o Iowa Petroleum Council 1012 Fleming Bldg. Des Moines, IA 50309	American Petroleum Institute	944.00	1,021.70
Ralph D. Schumack, 1800 M Street, NW, #325 South Washington, DC 20036	Dow Corning Corp		84.87
Walter A. Schumann III, 4319 Eisenhaver Rd. San Antonio, TX 78218-2606	Potomac Overlook Associates		
James H Schuyler, 15th & M sts., NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Elinor Schwartz, 318 S. Abingdon Street Arlington, VA 22204	California State Lands Commission	9,800.00	1,174.91
Richard Schwartz, 880 S. Pickett St. Alexandria, VA 22304	Boat Owners Assn of the U.S.	11,000.00	
Steve Aaron Schwartz, 8701 Georgia Ave., #701 Silver Spring, MD 20910	International Fed of Professional & Technical Engineers		
Richard S. Schweiker, 1850 K Street, NW Washington, DC 20006	American Council of Life Insurance, Inc	2,005.00	
Scientific Apparatus Makers Assn, 1101 16th St., NW Washington, DC 20036		6,989.57	4,272.67
Michael Sciulla, 880 S. Pickett St. Alexandria, VA 22304	Boat Owners Assn of the U.S.	12,000.00	
Harold B. Scoggins, 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		17.50
Gregory R. Scott, 1875 Eye St., NW, #500 Washington, DC 20006	Philip Morris, Inc	745.00	214.50
James L. Scott, 1919 Pennsylvania Ave., NW, #703 Washington, DC 20006	American Healthcare Institute	10,500.00	556.28
John Havens Scott, 1919 Pennsylvania Ave., NW, #300 Washington, DC 20006	American College of Surgeons		175.11
John N. Scott, 1825 K Street, NW, #1107 Washington, DC 20006	Phillips Petroleum Co	222.00	769.15
Scribner Hall & Thompson, Suite 700 1875 Eye Street, NW Washington, DC 20006	Aetna Life & Casualty Insurance Co		
Do	CNA Financial Corp	55,000.00	316.91
Do	National Life Insurance Co of Vermont		
Do	Provident Life & Accident Insurance Co	20,000.00	
Do	Security Enterprises, Inc	10,000.00	
Do	Security Life of Denver Insurance Co	26,617.75	
Do	St. Paul Companies	15,000.00	
Do	Transamerica Corporation	4,500.00	
Do	Transamerica Occidental Life Insurance Co	4,500.00	
Do	Unionmutual Life Insurance Co		
Do	USLIFE Corporation	1,000.00	
Timothy Scully, 25 Louisiana Avenue, NW Washington, DC 20001	International Brotherhood of Teamsters	9,936.27	
Earl W. Sears, P.O. Box 12285 Memphis, TN 38112	National Cotton Council of America	1,781.25	21.57
Pamela Sederholm, 1875 Eye St., NW, #1200 Washington, DC 20006	Southland Corporation		230.00
J. Peter Segall, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Government of the Cayman Islands)		
Do	Hill & Knowlton, Inc (For:Hyundai Motor America)		
Do	Hill & Knowlton, Inc (For:International Brotherhood of Teamsters)		
Do	Hill & Knowlton, Inc (For:Seminole Tribe of Florida)		
H. Richard Seibert Jr., 1331 Pennsylvania Ave., NW, #1500 N Washington, DC 20004-1703	National Assn of Manufacturers	320.00	
George H. Seidel Jr., Associated Petroleum Industries of Pa P.O. Box 925 Harrisburg, PA 17108	American Petroleum Institute	656.25	796.19
Seidman & Associates, P.C., Federal Bar Building, #1001 1815 H Street, NW Washington, DC 20006	National Tooling & Machining Assn	64.88	
M. Frank Sellers, 1615 H Street, NW Washington, DC 20062	U.S. Chamber of Commerce (For:Business Alliance on Government Competition)	5,000.00	520.24
William C. Sellery, 1700 K Street, NW, #1107 Washington, DC 20006	Owens-Illinois, Inc	2,000.00	100.00
Marlissa Senchak, 777 14th Street, NW, 5th Fl. Washington, DC 20005	National Assn of Realtors	1,750.00	680.89
Stanton P. Sender, 633 Pennsylvania Ave., NW Washington, DC 20004	Sears Roebuck & Co	5,300.00	214.96
Stuart D. Serkin, 1800 Connecticut Ave., NW, #300 Washington, DC 20009	Slurry Technology Assn	1,000.00	
Seven Months Session for Congress, 4210 Spicewood Road, #202 Austin, TX 78759			198.00
Seward & Kissel, 818 Connecticut Avenue, NW, #800 Washington, DC 20006	Daily Dollar Reserves, Inc	43.00	
Do	Furman Selz Mager Dietz & Birney, Inc		
Do	Gordon Forte Management Co		
Do	GT Partners		
Do	KAR Management, Inc		
Do			
J. Richard Sewell, 1800 K St., NW, #1110 Washington, DC 20006	Florida Power & Light Co	3,000.00	919.71
Seyfarth Shaw Fairweather & Geraldson, 1111 19th St., NW Washington, DC 20036	Agricultural Producers	668.10	
Do	American Soc of Pension Actuaries	12,600.00	155.58
Do	Flxible Corp	3,794.79	
Jonah Shacknai, 1747 Pennsylvania Avenue, NW Washington, DC 20006	Merrell Dow Pharmaceuticals, Inc		
Do	Pharmaceuticals Manufacturers Assn		
Victoria McKenzie Shain, 1710 Rhode Island Avenue, NW, #300 Washington, DC 20036	Abbott Laboratories	2,000.00	
Thomas A. Shallow, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	200.00	
James M. Shamberger, 1819 L St., NW, 7th Floor Washington, DC 20036	Reinsurance Assn of America		
Shamrock Foods Co, 2228 N. Black Canyon Phoenix, AZ 85009			
James R. Shanahan, 1801 K Street, NW, #700 Washington, DC 20006	Price Waterhouse (For:Toyota Motor Kentucky, Inc)		
Deborah L. Shannon, 1250 Connecticut Ave., NW, #620 Washington, DC 20036	National Multi Housing Council	1,347.08	16.80
Bernard M. Shapiro, 1801 K Street, NW, #700 Washington, DC 20006	Price Waterhouse (For:Investment Co Institute)	530.00	
Gary J. Shapiro, 2001 Eye Street, NW Washington, DC 20006	Electronic Industries Assn		18,500.00
Luther W. Shaw, 1155 15th St., NW, #900 Washington, DC 20005	National Agricultural Chemicals Assn	5,625.00	27.20
Shaw Pittman Potts & Trowbridge, 2300 N Street, NW Washington, DC 20037	Atlas Minerals Division	768.50	
Do	Committee for Private Education		
Do	Emerson Electric Co		
Do	Federal Company	6,446.25	1,003.42
Do	Institute of Foreign Bankers		
Do	Investment Company Institute		
Do	Investment Counsel Assn of America, Inc		
Do	Knights of Columbus		
Do	National Automobile Dealers Assn		
Do	Taiwan Power Company		
Do	Utility Nuclear Waste Management Group		
Shea & Gardner, 1800 Massachusetts Avenue, NW Washington, DC 20036	Societe Generale de Surveillance	12,075.00	1,125.00
James V. Sheahan, 223 Perimeter Ctr. Pkwy. P.O. Box 89000 Atlanta, GA 30338	Siemens Energy & Automation, Inc	150.00	30.00
Shearman & Sterling, 53 Wall Street New York, NY 10005	Arnold & S. Bleichroeder		
John J. Sheehan, 815 16th St., NW, #706 Washington, DC 20006	United Steelworkers of America	12,817.83	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Monica M. Sheehan, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		
Patricia Q. Sheehan, 1667 K Street, NW, #410 Washington, DC 20006	Johnson & Johnson		
Peggy A. Sheehan, 1401 New York Avenue, NW, #1100 Washington, DC 20005	National Cooperative Business Assn	1,950.00	90.00
Shaun M. Sheehan, 1111 19th Street, NW, #1000 Washington, DC 20036	Tribune Broadcasting Co	3,000.00	2,612.15
Kathleen Sheekey, 3rd Floor 2030 M Street, NW Washington, DC 20036	Common Cause	12,351.30	438.45
Deborah A. Sheiman, 1350 New York Avenue, NW Washington, DC 20005	Natural Resources Defense Council, Inc	338.00	
C. Douglas Shelby, Florida Petroleum Council 325 John Knox Rd., #F-210 Tallahassee, FL 32303	American Petroleum Institute	458.34	715.40
Richard D. Shelby, 444 No. Capitol Street, NW, #711 Washington, DC 20001	Keefe Co (For:Republic of the Philippines)		
Do	Keefe Co (For:UNIAO Nacional Para Independencia Total DeAngola)		
Zack H. Shelley Jr., 1331 Pennsylvania Avenue, NW Washington, DC 20004	General Electric Co	200.00	
Robert G. Shepherd Jr., 1155 21st Street, NW Washington, DC 20036	Federal Express Corp	4,000.00	
Seymour Sheriff, 1126 Woodward Bldg. Washington, DC 20005	Man-Made Fiber Producers Assn, Inc		
Nelson T. Shields, 1400 K St., NW Washington, DC 20015	Handgun Control, Inc	2,542.15	
R. Philip Shimer, 444 N. Capitol St., NW, #326 Washington, DC 20001	Western Governors Assn		
Harvey A. Shipman, 1800 Diagonal Road, #500 Alexandria, VA 22314	Penn Central Corporation		55.00
Shippers National Freight Claim Council, Inc, 120 Main Street Huntington, NY 11743			
Scott Shotwell, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	2,475.00	
A. Z. Shows, 1801 Columbia Rd., NW, #203 Washington, DC 20009			
Sana F. Shtasel, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	1,001.54	71.00
John Shuey, P.O. Box 3151 Houston, TX 77253	Browning-Ferris Industries, Inc		
Kathy Shulman, 1730 M St., NW Washington, DC 20036	League of Women Voters of the U.S.	4,051.52	342.71
Sidley & Austin, 1722 Eye Street, NW Washington, DC 20006	Donrey, Inc	231.20	
Do	Peoria Journal Star, Inc	2,280.05	
Mark A. Siegel & Associates, Suite 368 400 North Capitol Street, NW Washington, DC 20001	Commonwealth of Puerto Rico	42,438.58	2,769.95
Do	Money Store	5,123.16	123.16
Do	Power Authority of the State of New York	14,312.48	653.30
Siegel Mandell Davidson, P.C., One Whitehall Street New York, NY 10004	Sigallo, Ltd		
James V. Siena, 1735 New York Avenue, NW Washington, DC 20006	American Institute of Architects	2,000.00	
William A. Signer, 444 North Capitol St., NW, #711 Washington, DC 20001	Keefe Company (For:A.P.G. Corp)		
Do	Keefe Company (For:Committee for Employment Opportunities)	300.00	
Do	Keefe Company (For:Dormitory Authority)	3,000.00	
Do	Keefe Company (For:Greater New York Hospital Assn)	1,500.00	
Do	Keefe Company (For:Management Insights, Inc)		
Do	Keefe Company (For:Solar Lobby)		
Do	Keefe Company (For:Targeted Management Consultants)	5,000.00	
Do	Keefe Co (For:Washington Public Power Supply System)		
Stephan Silberfarb, 500 North Capitol St., NW, #300 Washington, DC 20001	American Israel Public Affairs Comm	2,666.66	
Mark Silbergeld, 2001 S Street, SW, #520 Washington, DC 20009	Consumers Union of U.S., Inc	3,700.00	20.00
David Silver, 1600 M St., NW Washington, DC 20036	Investment Company Institute	735.57	
Steve Silver, Robertson Monagle & Eastaugh 1050 Thomas Jefferson St., NW, 6th Fl. Washington, DC 20007	Alaska Loggers Assn	1,000.00	
Do	Alaska Pulp Corp	1,200.00	
Do	Bristol Bay Native Corp	9,159.50	539.34
Do	Standard Oil Co	2,400.00	
Silver Users Assn, Inc, 1717 K St., NW Washington, DC 20006		4,557.60	3,559.42
Leonard L. Silverstein, Silverstein & Mullens 1776 K Street, NW Washington, DC 20006	Rockefeller Group, Inc		
Silverstein & Mullens, 1776 K St., NW Washington, DC 20006	Association for Advanced Life Underwriting	5,000.00	
Do	Bristol-Myers Co		
Do	GATX Corporation		
Do	Music Corp of America, Inc		
Do	National Assn of Home Builders of the U.S.		
Do	Rolls-Royce Motors, Inc		
M. P. Simmons, P.O. Box 860 Valley Forge, PA 19482	Certainteed Corp		
Gary D. Simms, 1720 EYE ST., NW Washington, DC 20006	American Academy of Actuaries		
Neil A. Simon, 1350 New York Ave., NW, #900 Washington, DC 20005	International Franchise Assn		
Philip Simon, 2030 M Street, NW Washington, DC 20036	Common Cause	4,793.04	
Stanley C. Simon, Ginsberg & Forman 820 Hartford Building Dallas, TX 75201	Southland Corporation	20,571.32	5,294.70
William Douglas Simon, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
David C. Simonson, 1627 K St., NW, #400 Washington, DC 20006	National Newspaper Assn		
Talmage E. Simpkins, 100 Indiana Ave., NW Washington, DC 20001	AFL-CIO Maritime Committee	300.00	206.00
Do	Labor Management Maritime Committee, Inc	1,553.00	120.43
C. Kyle Simpson, 9 Greenway Plaza, #714 Houston, TX 77046	Coastal Corporation		
William G. Simpson, 1155 15th St., NW Washington, DC 20005	First Mississippi Corporation	2,000.00	
Do	Mississippi Power & Light Company	2,000.00	
Do	State of Mississippi	4,000.00	
Albert M. Sims, 1935 Wilson Lane, #204 Mclean, VA 22102	Performance Engineering, Inc		
Ivan E. Sinclair, 1000 Wilson Boulevard, #2700 Arlington, VA 22209	TRW, Inc	1,000.00	
James W. Singer III, 1100 15th Street, NW Washington, DC 20005	Pharmaceutical Manufacturers Assn	4,000.00	
Donna L. Singletary, 1730 North Lynn Street Arlington, VA 22209	Printing Industries of America, Inc	4,000.00	
Richard L. Sinnott & Co, Suite 900 One Thomas Circle, NW Washington, DC 20005	Oakland Coliseum	4,250.00	
Do	Port of Oakland	18,750.00	
Skadden Arps Slate Meagher & Flom, 919 18th Street, NW Washington, DC 20006	Anheuser-Busch Companies, Inc	1,000.00	
Do	Baker International		
Do	Beecham, Inc		
Do	Cities Service Oil & Gas Corp		
Do	Drexel Burnham Lambert, Inc	17,700.00	
Do	G.O. Holdings Management, Inc		
Do	General Development Corp	3,000.00	
Do	JMB Realty Corp		
Do	Marine Midland Banks, Inc	11,500.00	
Do	Mesa Petroleum	1,000.00	
Do	Transco Energy Company		
Gregg P. Skall, Baker Hostetler 1050 Connecticut Ave., NW Washington, DC 20006	Uniden Corp of America		
Edmund J. Skernolis, 1155 Connecticut Ave., NW Washington, DC 20036	Waste Management, Inc	1,250.00	
James H. Skidmore, 1156 15th St., NW, #1201 Washington, DC 20005	NCR Corporation		
William J. Skinner, 815 15th St., NW, #534 Washington, DC 20005	U.S. Pharmacopeial Convention, Inc	433.73	72.18
Barney J. Skladany Jr., 1100 Connecticut Ave., NW, #620 Washington, DC 20036	Mobil Oil Corp	1,125.00	
Scott Sklar, 1730 N. Lynn St., #610 Arlington, VA 22209	Solar Energy Industries Assn	8,350.00	7,558.00
Paul A. Skrabut Jr., 1629 K Street, NW Washington, DC 20006	Palumbo & Cerrell, Inc (For:American Soc of Composers Authors & Publishers)	16,500.00	
Do	Palumbo & Cerrell, Inc (For:Business Executives for National Security)	16,500.00	
Francis J. Skrobiszewski, 100 W. Alexandria Avenue Alexandria, VA 22301	KMA & Associates, Inc (for Paris Savings & Loan)		
Dale D. Skupa, 3707 Woodview Trace P.O. Box 68700 Indianapolis, IN 46268	National Assn of Mutual Insurance Cos	400.00	91.74
Jonathan Slade, 4849 Connecticut Ave., NW, #234 Washington, DC 20008	Cuban-American Freedom Coalition, Inc	3,250.00	100.00
F. Slatinshek & Associates, Inc, 1102 Belle Vista Dr. Alexandria, VA 20007	Grumman Aero Corp, et al	300.00	
Robert G. Slaughter, 1615 M ST., NW, #200 Washington, DC 20036	Amoco Corporation	1,500.00	56.26
Joshua J. Slavitt, 450 Maple Ave., E., #204 Vienna, VA 22180	U.S. Defense Committee	1,500.00	
Barry S. Slevin, 1000 Potomac Street, NW Washington, DC 20007	Seifman Semo & Slevin, P.C. (For:United Food & Commercial Workers International Union).		
William T. Slider, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Ronald J. Slinn, 260 Madison Avenue New York, NY 10016	American Paper Institute, Inc		
Deborah Sliz, 2301 M Street, NW Washington, DC 20037	American Public Power Assn	500.00	
John E. Sloan Jr., Capital Gallery East, #695 600 Maryland Avenue, SW Washington, DC 20024	National Fed of Independent Business	1,150.00	200.00
Slurry Technology Assn, 1800 Connecticut Ave., NW Washington, DC 20009		33,765.00	
Small Business Council of America, Inc, P.O. Box 4299 Columbus, GA 31904		48,780.97	22,171.86
Smathers Hickey & Smathers, 1050 Connecticut Avenue, NW, #1230 Washington, DC 20036	American Horse Council	3,666.00	
Do	Florida East Coast Railway Co	750.00	
Do	National Hockey League	500.00	
Do	Pennzoil Co	6,000.00	
Robert G. Smerko, 2001 L St., NW, #506 Washington, DC 20036	Chlorine Institute, Inc		
Donald E. Smiley, 1899 L St., NW, #1100 Washington, DC 20036	Exxon Corporation		
James R. Smircina, P.O. Box 5000 Cleveland, OH 44101	Cleveland Electric Illuminating Co	770.34	1,248.90
Christine M.B. Smith, 1700 K Street, NW, #502 Washington, DC 20006	Pacific Resources, Inc	500.00	
Daniel T. Smith, P.O. Box 660074 Dallas, TX 75266	International Airline Passengers Assn, Inc		
Diane E. Smith, 8881 Rosemont Detroit, MI 48228	Artists Products Celebrity Development		230.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Elizabeth M. Smith, 815 16th St., NW, #310 Washington, DC 20006	Amalgamated Clothing & Textile Workers Union	6,356.00	613.25
Frederick P. Smith Jr., 1120 19th Street, NW, #310 Washington, DC 20036-3605	Institute of Makers of Explosives		
Gordon L. Smith, 1201 Pennsylvania Ave., NW, #700 Washington, DC 20004	Hill & Knowlton, Inc (For:Florists' Transworld Delivery Assn)	2,500.00	
Do	Hill & Knowlton (For:Societe Generale thru SGS North America, Inc)	300.00	
Jeffrey A. Smith, 771 Corporate Dr., #800 Lexington,, KY 40503	Toyota Motor Sales, USA, Inc		
Jeffrey A. Smith, 1600 Wilson Boulevard, #1000 Arlington, VA 22209	American Waterways Operators, Inc		
Jennifer L. Smith, 900 17th Street, NW, #520 Washington, DC 20006	West Mexico Vegetable Distributors Assn	300.00	
Julian H. Smith Jr., 600 North 18th Street Birmingham, AL 35291	Alabama Power Co	19,263.00	2,592.70
Michael E. Smith, 55 Public Square, Rm. 624 P.O. Box 5000 Cleveland, OH 44113	Cleveland Electric Illuminating Co		
Michael J. Smith Jr., 777 14th Street, NW, 9th Floor Washington, DC 20005	National Assn of Realtors	1,500.00	21.04
Michael P. Smith, 485 Lexington Ave. New York, NY 10017	New York State Bankers Assn	19,496.00	25,454.00
Patricia Smith, 1909 K St., NW Washington, DC 20049	American Assn of Retired Persons	486.92	472.38
Ronald E. Smith, 2501 M Street, NW Washington, DC 20037	Chemical Manufacturers Assn, Inc		1,488.83
Sara Hope Smith, 444 North Capitol St., NW, #718 Washington, DC 20001	Pacific Telesis Group	15,450.00	
Susan Snyder Smith, 7900 Westpark Drive, #514 Mclean, VA 22102	Chocolate Manufacturers Assn of the USA	300.00	315.72
William A. Smith, 453 New Jersey Ave., SE Washington, DC 20003	Beneficial Management Corp		
Smith Anderson Blount Dorsett Mitchell & Jernigan, P.O. Box 12807 1300 St. Mary's Street Raleigh, NC 27605	Investment Company Institute	4,560.00	
Smokeless Tobacco Council, Inc, 1925 K Street, NW, #504 Washington, DC 20006		360.00	360.00
Larry S. Snowhite, 1825 Eye St., NW, #1201 Washington, DC 20006	GSX Corporation		
Do	Massachusetts Education Loan Authority		
Do	New England Education Loan Marketing Corp		
Clair A. Snyder, 35 North Sixth Street Reading, PA 19601	Meridian Bancorp, Inc		
David F. Snyder, 1000 Nationwide Dr. Harrisburg, PA 17105	Nationwide Insurance Co	600.00	25.00
Gene Snyder, 140 Chenoweth Lane Louisville, KY 40207	Cincinnati Microwave, Inc	22,500.00	3,292.64
Do	Edison Electric Institute	35,000.00	
Do	Norfolk Southern Corp	15,000.00	2,790.40
Do	Pagonis & Donnelly Group	25,000.00	
Do	U.S. Air Group	5,000.00	
J. R. Snyder, 400 1st St., NW, #704 Washington, DC 20001	United Transportation Union		1,500.00
John M. Snyder, 600 Pennsylvania Ave., S.e. Suite 205 Washington, DC 20003	Citizens Comm for the Right to Keep & Bear Arms	9,000.00	
Wallace S. Snyder, 1400 K Street, NW, #1000 Washington, DC 20005	American Advertising Federation	5,208.00	
Snyder Ball Kriser & Assoc, Inc, 499 S. Capitol St., SW, #520 Washington, DC 20003	General Motors Corp	17.50	
Alan C. Sobba, 1301 Pennsylvania Ave., NW, #300 Washington, DC 20004	National Cattlemen's Assn	1,000.00	
Society for Animal Protective Legislation, P.O. Box 3719 Georgetown Station Washington, DC 20007		12,446.29	37,419.72
Charles R. Sonnier, Sonnier & Hebert P.O. Drawer 1040 Abbeville, LA 70511	Coushatta Tribe of Louisiana		
E. Richard Soper, 1957 E Street, NW Washington, DC 20006	Associated General Contractors of America		
Roberta Lee Sorensen, 1101 Vermont Ave., NW, #604 Washington, DC 20000	College of American Pathologists	7,000.00	102.80
Walter Larke Sorg, 1625 Eye St., NW, #204 Washington, DC 20006	American Assn of Small Dredging & Marine Construction Cos	11,600.00	2,447.30
South/North Development Group, Ltd, 610 Fourth Place, SW Washington, DC 20002	Government of the People's Republic of Angola		6,993.95
Southern Forest Products Assn, P.O. Box 52468 New Orleans, LA 70152		16,528.85	16,528.85
Southwestern Peanut Shellers Assn, 10 Duncannon Ct. Dallas, TX 75225			
Space Services, Inc of America, 7015 Gulf Freeway, #140 Houston, TX 77087			
Sparber Shevin Shapo& Heilbronner, P.A., 1455 Pennsylvania Avenue, NW, #1270 Washington, DC 20004	City of East Cleveland	12.00	1.00
Do	City of Miami		
Ian D. Spatz, 1785 Massachusetts Avenue, NW Washington, DC 20036	National Trust for Historic Preservation	764.05	
Specialized Carriers & Rigging Association, Suite 616 2200 Mill Rd. Alexandria, VA 22314			
John F. Speer Jr., 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
William C. Spence, 3805 W. Alabama Houston, TX 77027	Columbia Gulf Transmission Co		
Larry N. Spiller, 1015 15th St., NW, #802 Washington, DC 20005	American Consulting Engineers Council	200.00	
Peter A. Spina, 150 East 42nd Street New York, NY 10017	Mobil Oil Corp	900.00	
Earl C. Spurrier, The Madison Building, #514 1155 15th Street, NW Washington, DC 20005	National Agricultural Chemicals Assn	120.00	
Mark G. Spurrier, 400 Kenilworth Drive Towson, MD 21204	Baltimore County Police Department, et al		
Squire Sanders & Dempsey, 1201 Pennsylvania Ave., NW P.O. Box 407 Washington, DC 20044	American Chamber of Commerce in Germany		
Do	American Soc of Anesthesiologists	5,060.00	
Do	Association of Data Processing Service Organizations		
Do	Chemstar, Inc		9.95
Do	Independent Data Communications Manufacturers Assn	1,545.00	25.00
Do	Microband Corp of America		
Do	National Collegiate Athletic Assn	140.00	11.75
Do	Public Securities Assn		
John W. Sroka, 1957 E St., NW Washington, DC 20006	Associated General Contractors of America		
Janet G. St. Amand, 1120 Connecticut Avenue, NW Washington, DC 20036	American Bankers Assn	3,000.00	
Connell Stafford, P.O. Drawer 1734 Atlanta, GA 30301	Coca-Cola Company	400.00	1,342.25
David E. Stahl, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	3,500.00	
Stakeholders in America, Trumble & Associates 750 Baker Building Minneapolis, MN 55402		1,000.00	8,572.00
Tyrone Stallworth, 220 North Devillers Street Pensacola, FL 32501			
David P. Stang, P.C., Suite 601 1629 K St., NW Washington, DC 20006	American Truck Dealers	1,430.93	
Do	Amoco Corporation		
Do	Concerned Opthamologists of Texas		
Do	Employee Stock Ownership Assn	1,204.14	
Do	McDermott, Inc	2,945.93	
Do	National Assn of Royalty Owners, Inc	862.61	
Do	Small Business Council of America, Inc	595.16	
Joseph M. Stanton, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Lois Starkey, Suite 511 1745 Jefferson Davis Hwy. Arlington, VA 22202	Manufactured Housing Institute	900.00	100.00
John F. Stasiowski, 5205 Leesburg Pike, #505 Falls Church, VA 22041	National Beer Wholesalers of America		
Frank M. Staszesky Jr., 1620 Eye St., NW, #703 Washington, DC 20006	Bechtel Power Corporation		
Alan J. Statman, 1050 17th St., NW, #600 Washington, DC 20036	Tennessee Gas Transmission Co	2,812.50	138.75
David Michael Staton, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S		
James D. Staton, 320 Timberbrook Drive Waldorf, MD 20601	Air Force Sergeants Assn, Inc		
Mick Staton Associates, Inc, 8712 Gateshead Road Alexandria, VA 22309	Delchamps, Inc	210.00	
Randolph J. Stayin, 1620 Eye St., NW, #800 Washington, DC 20006	Taft Stettinius & Hollister (For:Effective Spray Control Organization)	1,800.00	76.66
Do	Taft Stettinius & Hollister (For:James Graham Brown Foundation)	3,150.00	
Do	Taft Stettinius & Hollister (For:Machinery Dealers National Association)		
Do	Taft Stettinius & Hollister (For:Special Comm for Workplace Product Liability Reform).		
Do	Taft Stettinius & Hollister (For:Wald Manufacturing Co, Inc)	759.75	34.36
John Howard Stecker, 2020 Live Oak Dallas, TX 75221	Great American Reserve Insurance Co		
Dean E. Steel, 1655 N. Ft. Myer Drive, #1120 Arlington, VA 22209	Varian Associates, Inc		
Steele Simmons & Fornaciari, 2020 K Street, NW, #850 Washington, DC 20006	K Mart Corp		
Ramona C. Stelford, 1818 N Street, NW Washington, DC 20036	DGA International, Inc (For:Societe Nationale D'Etude et de Const de Moteurs D'Aviation).		
Charles W. Stellar, 5410 Grosvenor Lane, #210 Bethesda, MD 20814	American Medical Care & Review Assn		
Jack L. Stempler, 1725 Jefferson Davis Highway, #900 Arlington, VA 22202	LTV Aerospace & Defense Co	2,500.00	75.00
Stephens Overseas Services, Inc, 114 East Capitol Avenue Little Rock, AR 72201	National Office Machine Dealers Assn		
Do			
Stephens, Inc, 114 East Capitol Avenue Little Rock, AR 72201			
Steptoe & Johnson, 1330 Connecticut Ave., NW Washington, DC 20036	American Express Co		
Do	Bear Stearns & Co		
Do	Caltex Petroleum Corp	373.00	5.00
Do	Citizens Savings Financial Corp	907.51	
Do	Co-Operative Central Bank		
Do	CSO Company	1,036.38	
Do	Primark Corporation		
Do	Rule of Law Committe	375.00	7.00
Sterling Drug, Inc, 1615 L St., NW, #920 Washington, DC 20036			
Richard W. Sternberg, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	55.00	
Michael E. Steward, 7957 Revenna Lane Springfield, VA 22153	Puget Sound Power & Light Co	3,850.00	251.87
Eugene L. Stewart, 1001 Connecticut Ave., NW, #910 Washington, DC 20036	Roses, Inc	1,150.00	28.23
H. Donald Stewart, 188 W. Main Street Penns Grove, NJ 08069			
Terence P. Stewart, Stewart and Stewart l00l Connecticut Avenue, NW, #910 Washington, DC 20036	Cabot Corp	4,557.42	45.96
Warren E. Stickle, 2315 M St., NW Washington, DC 20036	Chemical Producers & Distributors Assn		554.00
Do	Chemical Specialties Manufacturers Assn, Inc		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Don Stillman, 1757 N Street, NW Washington, DC 20036	Int'l Union, United Auto Aerospace & Agric Implement Workers	1,510.38	12.00
Edward W. Stimpson, Suite 801 1400 K St., NW Washington, DC 20005	General Aviation Manufacturers Association	640.00	
John J. Stocker, 1110 Vermont Avenue, NW Washington, DC 20005	Shipbuilders Council of America	3,300.00	
Stockholders of America, Inc, 1625 Eye St., N.w. # 724a Washington, DC 20006		13,670.00	679.57
Dennis C. Stolte, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,938.00	23.34
Lisa Stoltenberg, 1101 14th Street, NW Washington, DC 20005	American Financial Services Assn	250.00	
Jay Stone, Jay Stone and Associates, Inc 412 First Street, SE, #50 Washington, DC 20003	Manville Corporation	1,000.00	
Do	Massachusetts Mutual Life Insurance Co		
Floyd E. Stoner, 1120 Connecticut Avenue, NW Washington, DC 20036	American Bankers Assn	3,000.00	
Stephen Storch, 1800 K Street, NW, #1100 Washington, DC 20006	New York Stock Exchange, Inc		
William M. Stover, 2501 M St., NW Washington, DC 20037	Chemical Manufacturers Assn, Inc	1,000.00	
John L. Stowell, 1800 K St., NW, #1018 Washington, DC 20006	Public Service Co of Indiana		
Luther J. Strange III, 1100 15th Street, NW, #700 Washington, DC 20005	Sonat, Inc		
Terrence D. Straub, 818 Connecticut Avenue, N.w. Washington, DC 20006	USX Corporation	250.00	194.05
Richard H. Streeter, 1729 H Street, NW #200 Washington, DC 20006	Cast North America Ltd		
Roger J. Stroh, 727 N. Washington Street Alexandria, VA 22314	United Fresh Fruit & Vegetable Assn		
Albert E. Strong, Suite 1500 North 1331 Pennsylvania Avenue, NW Washington, DC 20004	National Assn of Manufacturers	900.00	
Stroock & Stroock & Lavan, 1150 17th St., NW Washington, DC 20036	J. Aron & Co, Inc		
Do	Dreyfus Corporation	310.00	5.00
R. Keith Stroup, Suite 500A, Box 69 100 Maryland Ave., NE Washington, DC 20002	League of Rural Voters Education Project, Inc	2,000.00	467.00
Do	League of Rural Voters, Inc	225.00	
George Strumpf, 1150 17th St., NW, #600 Washington, DC 20036	Health Insurance Plan of Greater New York		13,415.00
Susan Stuebing, 490 L'Enfant Plaza East, SW, #4200 Washington, DC 20024	Xerox Corp	100.00	
Walter B. Stults, 1156 15th Street, NW, #1101 Washington, DC 20005	National Assn of Small Business Investment Cos		
Eugene F. Sturgeon, 182 Crater Lane Kensington, CT 06037	Northeast Utilities Service Co	1,988.30	1,006.53
Ann Sullivan, 1660 L Street, NW, #601 Washington, DC 20036	Interstate Natural Gas Assn of America	300.00	
Austin P. Sullivan Jr., P.O. Box 1113 Minneapolis, MN 55440	General Mills, Inc		
Charles S. Sullivan, 11 15th Street, NE, #6 Washington, DC 20002	Citizens United for Rehabilitation of Errants	3,627.00	3,086.89
Edward L. Sullivan, 1120 20th St., NW, Suite S-720 Washington, DC 20036	Peabody Holding Co, Inc		147.90
Gael M. Sullivan, 1025 Thomas Jefferson St., NW, #511 Washington, DC 20005	LTV Corporation	2,344.00	755.40
Harold R. Sullivan, 1750 K St., NW Washington, DC 20006	Food Marketing Institute	750.00	
Marcia Z. Sullivan, 1300 N. 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn	5,760.00	126.28
Margaret Cox Sullivan, 1625 Eye St., NW, #724a Washington, DC 20006	Stockholders of America, Inc		
Marty R. Sullivan, P.O. Box 970 Ft. Worth, TX 76101	Texas Electric Service Co	90.00	136.49
Patrick J. Sullivan, 815 16th Street, NW Washington, DC 20006	International Longshoremen's Assn, AFL-CIO	10,088.45	967.75
Pauline Sullivan, #11 15th St., NE, #6 Washington, DC 20002	Citizens United for Rehabilitation of Errants	300.00	
Sullivan & Cromwell, 1775 Pennsylvania Ave., NW Washington, DC 20006	American International Group, Inc		
Do	BP North America, Inc		
Do	Esselte Business Systems, Inc		
Do	Goldman Sachs & Co		
Do	Grand Met USA, Inc		
Do	Kidder Peabody & Co, Inc		
Do	Securities Industry Assn		
Sullivan & Worcester, 1025 Connecticut Ave., NW Washington, DC 20036	Marion Laboratories, Inc	8,001.00	
John B. Summers, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,500.00	467.00
William F. Sutherland, 1400 K Street, NW Washington, DC 20005	American Advertising Federation		
Do	Food Marketing Institute		
Sutherland Asbill & Brennan, 1666 K Street, NW, #800 Washington, DC 20006	Committee Against Revising Staggers	10,000.00	
Do	Council of Industrial Boiler Owners		
Do	Industrial Oil Consumers Group		
Do	Peter Kiewit Sons', Inc	120.00	
Do	Process Gas Consumers Group		
W. Thomas Suttle, 1755 Willard St., NW, #4 Washington, DC 20009	Institute of Electrical & Electronics Engineers	2,900.00	609.00
William W. Suttle, 1025 Connecticut Ave., NW, #415 Washington, DC 20036	American Insurance Assn	560.00	22.40
Douglass W. Svendson Jr., 1730 Rhode Island AVenue, NW, #417-19 Washington, DC 20036	Hollywood Marine Service, Inc	1,500.00	60.00
Do	Shell Oil Co		
Do	Union Pacific Corp		
David L. Swanson, Craft & Loesch 1050 Thomas Jefferson St., NW, 6th Fl. Washington, DC 20007	Clean Coal Technology Coalition	9,159.50	539.34
Do	Edison Electric Institute	1,000.00	
Do	GA Technologies, Inc	15,000.00	
Irving W. Swanson, 11212 Farmland Drive Rockville, MD 20852	Harris Corporation	8,000.00	1,397.58
Deborah Swartz, Economic Consulting Services, Inc 1320 19th St., NW Washington, DC 20036	Luggage & Leather Goods Manufacturers of America, Inc	500.00	
Do	Neckwear Assn of America, Inc	500.00	
Do	Outboard Marine Corp	3,280.00	
David A. Sweeney, 25 Louisiana Ave., NW Washington, DC 20001	International Brotherhood of Teamsters	19,620.81	
William R. Sweeney Jr., 536 7th Street, SE Washington, DC 20003	American Nuclear Energy Council		
Do	National Investment Development Corp		
Robert D. Swezey Jr., 1133 19th St., NW Washington, DC 20036	MCI Communications Corp	250.00	
Swidler & Berlin, Chtd, 1000 Thomas Jefferson St., NW #500 Washington, DC 20007	Airco, Inc		
Do	All-Industry Television Station Music Licensing Committee	14,140.00	
Do	Lucasfilm, Ltd		
Do	MD People's Counsel (Natl Assn of State Util. Consumer Advo)	202.50	
Do	National Council of Community Hospitals	6,555.00	
Tricia L. Swift, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,200.00	
Randall Swisher, 2301 M Street, NW Washington, DC 20037	American Public Power Assn	2,500.00	
Ronald G. Sykes, 1660 L Street, NW Washington, DC 20036	General Motors Corp	2,500.00	6,621.06
David A. Sykuta, Illinois Petroleum Council P.O. Box 12047 Springfield, IL 62791	American Petroleum Institute	1,260.00	2,794.22
Christopher U. Sylvester, 1831 Briar Ridge Court Mclean, VA 22101	Garrison Diversion Conservancy District	3,000.00	371.04
Systematics, Inc, 4001 Rodney Parham Road Little Rock, AR 72212			
Z. Michael Szaz, 7209 Monticello Blvd. Springfield, VA 22150	American Hungarian Federation		
Do	Embassy of the Democratic Republic of Somalia	1,500.00	
T. Boone Pickens, Jr. United Shareholders Assn, 1667 K St., NW, #990 Washington, DC 20006			1,080.00
Robert Taft Jr., 1620 Eye St., NW, #800 Washington, DC 20006	Taft Stettinius & Hollister (For:Effective Spray Control Organizatin)		
Do	Taft Stettinius & Hollister (For:Grocery Manufacturers of America, Inc)		
Do	Taft Stettinius & Hollister (For:James Graham Brown Foundation)		
Do	Taft Stettinius & Hollister (For:Kings Entertainment Co)		
Do	Taft Stettinius & Hollister (For:Machinery Dealers National Association)		
Do	Taft Stettinius & Hollister (For:Recordings Import Trade Committee)		
Do	Taft Stettinius & Hollister (For:Special Comm for Workplace Product Liability Reform).		
Do	Taft Stettinius & Hollister (For:Taft Broadcasting Company)	100.00	
Do	Taft Stettinius & Hollister (For:Telephone & Data Systems, Inc)		
Do	Taft Stettinius & Hollister (For:Wald Manufacturing Co, Inc)		
Tanaka Ritger & Middleton, 1919 Pennsylvania Ave., NW, #303 Washington, DC 20006	Electronic Industries Assn of Japan		
Do	Japan Automobile Tire Manufacturers Assn (JATMA)		
Susan Tannenbaum, 2030 M St., NW Washington, DC 20036	Common Cause	6,082.50	149.70
William E. Tanner, 10803 Norman Ave. Fairfax, VA 22030	Coalition for Environmental-Energy Balance	2,400.00	2,473.00
Augustine D. Tantillo, 214 Massachusetts Ave., NE, #350 Washington, DC 20002	Russell Corporation	7,000.00	175.00
Target, Inc, 11244 Waples Mill Road, Suite J Fairfax, VA 22030			
Keith Tarr-Whelan, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	1,512.50	
John F. Tate, 450 Maple Avenue, E., #204 Vienna, VA 22180	U.S. Defense Committee		
M. Louise Tate, 450 Maple Avenue, E., #204 Vienna, VA 22180	U.S. Defense Committee	900.00	
Susan Tatum, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,600.00	
Graca Da Silva Tavares, 17 Perkins Street West Newton, MA 02165			
Charles A. Taylor III, 499 South Capitol St., SW, #401 Washington, DC 20003	National Assn of Independent Insurers	1,000.00	
Elizabeth L. Taylor, 529 14th Street, NW, #425 Washington, DC 20045	Puerto Rico Federal Affairs Administration	5,487.50	
Jefferson D. Taylor, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
Margaret J. Taylor, 1050 Connecticut Ave., NW, #200 Washington, DC 20036	Burlington Northern, Inc	1,750.00	385.89
Margie A. Taylor, P.O. Box 21 Montgomery, AL 36101	CSX Transportation		
Peggy Taylor, 815 16th St., NW Washington, DC 20006	American Fed of Labor & Congress of Industrial Organizations	14,094.48	600.49
R. William Taylor, 1575 Eye Street, NW Washington, DC 20005	American Soc of Assn Executives	300.00	
Elayne L. Tempel, 1016 16th St., NW, Washington, DC 20006	National Fed of Federal Employees		
Norman J. Temple, 155 Dresden Avenue Gardiner, ME 04345	Central Maine Power Co, et al.	1,500.00	552.50

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Riley K. Temple, Kadison Pfaelzer Woodard Quinn & Rossi 2000 Pennsylvania Avenue, NW, #7500 Washington, DC 20006	NYNEX Corp		
Betty-Grace Terpstra, 1726 M St., NW, #901 Washington, DC 20036	Scott Paper Co	4,000.00	216.03
James Terrell, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	4,625.00	272.86
Joseph L. S. Terrell, 50 F Street, NW, #900 Washington, DC 20001	Farm Credit Council		
Michelle C. Tessier, 1818 N Street, NW, #410 Washington, DC 20036	National Assn of Public Television Stations	600.00	150.00
James G. Tetirick, 1156 15th Street, NW, #1015 Washington, DC 20005	J. C. Penney Co, Inc		
Textron, Inc, 40 Westminster St. Providence, RI 02903		2,850.00	580.00
Thacher Proffitt & Wood, Suite 512 1140 Connecticut Ave., NW Washington, DC 20036	American Resort & Residential Development Assn		
Do	Amoskeag Savings Bank		92.19
Do	Council of State Housing Agencies		
Do	Ensign Savings Bank		
Do	Maine Savings Bank		92.19
Do	Massachusetts Bankers Assn		
Do	Mutual Savings Central Fund, Inc		
Do	New Hampshire Savings Bank		92.19
Do	Salomon Brothers, Inc	4,450.00	307.58
Mary Kay Thatcher, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,563.00	209.24
Karen E. Theibert, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	200.00	
Alan J. Thiemann, 1199 N. Fairfax Street, #801 Alexandria, VA 22314	National Assn of Truck Stop Operators, Inc		
Douglas E. Thierwechter, 818 Connecticut Avenue, NW, #900 Washington, DC 20006	Marathon Oil Co		
Third Class Mail Association, 1333 F Street, NW, #710 Washington, DC 20004-1108		600.00	600.00
Diane Kay Thomas, 2727 29th St., NW, #634 Washington, DC 20008	American Assn of Minority Enterprise Small Bus. Invest Cos	6,180.00	
Doris I. Thomas, 15th & M Sts., NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Gordon M. Thomas, 1090 Vermont Avenue, NW, #1100 Washington, DC 20005	Textron, Inc	600.00	150.00
James M. Thomas Jr., 2001 9th Street, NW, #300 Washington, DC 20001	Amalgamated Transit Union, Natl Cap Local 689		
John W. Thomas, 119 Oronoco Street Box 1417-D50 Alexandria, VA 22313	Animal Health Institute	40.00	
Meshall Thomas, Suite 400 2000 P Street, NW Washington, DC 20036	Women's Legal Defense Fund		
Patricia Thomas, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees	7,674.49	
Randi Parks Thomas, 1101 17th Street, NW, #603 Washington, DC 20036	Tuna Research Foundation, Inc	956.20	
Robert L. Thomas, 1319 F St., NW, #1000 Washington, DC 20004	National Assn of Private Psychiatric Hospitals	500.00	
Sarah M. Thomas, 1325 G Street, NW, #1003 Washington, DC 20005	Population-Environment Balance	4,500.00	27.40
Sara Thomasson, 1200 15th St., NW Washington, DC 20005	American Health Care Assn	2,707.69	213.36
Barbara Thompson, 1401 New York Avenue, NW, #1100 Washington, DC 20005	National Cooperative Business Assn	2,500.00	72.00
Bruce E. Thompson, 1828 L Street, NW, #906 Washington, DC 20036	Merrill Lynch & Co, Inc	7,500.00	
Frank Thompson Jr., 1020 Prince Street Alexandria, VA 22314	Boilermakers Iron Ship Bldrs Blacksmiths Forgers & Helpers	2,500.00	
Do	Metal Trades Department, AFL-CIO	2,500.00	
Do	Sheet Metal Workers Int'l Assn	3,000.00	234.01
Kenneth W. Thompson, 2021 K Street, NW, #300 Washington, DC 20006	Primark Corporation	2,200.00	
Robert L. Thompson Jr., P.O. Box 70 Fort Mill, SC 29715	Springs Industries, Inc		
Roger G. Thompson, 117 Bellefonte Drive Ashland, KY 41101	Kentucky Power Co	7,500.00	2,693.29
W. Reid Thompson, 1900 Pennsylvania Ave., NW Washington, DC 20068	Potomac Electric Power Co		
Thompson & Mitchell, 1120 Vermont Ave., NW, #1000 Washington, DC 20005	American Inland Waterways Committee		2,128.25
Do	Cold Finished Steel Bar Institute	2,866.00	86.50
Do	Crown Life Insurance Co	15,000.00	141.88
Do	Midwest Stone Institute	522.00	
Do	Mutual Fairness Taxation Assn	31,250.00	12,236.92
Thompson Hine & Flory, 1920 N St., NW, #700 Washington, DC 20036	Alltel Corporation	4,110.00	
Thompson Mann & Hutson, 1730 Pennsylvania Ave., NW, #1250 Washington, DC 20006	Daniel International Corp	8,662.50	674.83
Parker D. Thomson, 200 South Biscayne Blvd. 4900 Southeast Financial Center Miami, FL 33131	Thomson Zeder Bohrer Werth Adorno & Razook (For:Burger King Corp)		
Thomson Zeder Bohrer Werth Adorno & Razook, 200 South Biscayne Blvd. 4900 Southeast Financial Center Miami, FL 33131	Burger King Corp	2,866.12	5,618.00
John A. Thorner, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn		
Margo Thorning, 1850 K St., NW, #400 Washington, DC 20006	American Council for Capital Formation	146.00	
Pamela J. Thurber, 1785 Massachusetts Ave., NW Washington, DC 20036	National Trust for Historic Preservation	978.87	211.55
Gil Thurm, 777 14th St., NW Washington, DC 20005	National Assn of Realtors		
Tighe Curhan & Piliero, 1750 Pennsylvania Avenue, NW Washington, DC 20006	Ad Hoc Comm of Mutual Fund Managers	1,649.93	
Do	American Stock Exchange, Inc		
Do	Integrated Resources, Inc		
Do	Investment Company Institute		
Do	Mid Atlantic Toyota Distributors, Inc	1,500.00	
Do	NL Industries		
Do	Prudential Lines, Inc		
Do	Sharp Manufacturing Co of America	1,500.00	
Do	Town of Andover, Massachusetts		
Wallace Tillman, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	149.00	
Patti A. Tilson, Suite 520 900 17th Street, NW Washington, DC 20006	Toyota Motor Sales, USA, Inc	500.00	
Gary G. Timmons, 1201 16th Street, NW Washington, DC 20036	National Education Assn	2,643.40	314.00
Timmons & Co, Inc, 1850 K St., NW, #850 Washington, DC 20006	American Petroleum Institute	704.67	
Do	American Trucking Assns	1,128.75	
Do	Amoco Corporation	225.00	
Do	Anheuser-Busch Companies, Inc	913.75	
Do	Association of Trial Lawyers of America	262.50	
Do	Boeing Company	698.75	
Do	Brown Group, Inc		
Do	Capital Cities/ABC, Inc	698.75	
Do	Capital Markets Group	2,012.50	
Do	Chrysler Corporation	913.75	
Do	Eastern Air Lines, Inc		
Do	H. J. Heinz Co	250.00	
Do	Major League Baseball	537.50	
Do	Morgan Stanley & Co, Inc	1,322.50	
Do	MSU System Services, Inc	624.99	
Do	National Rifle Assn of America	125.00	
Do	Northern Telecom, Inc	537.50	
Do	Northrop Corp	537.50	
Do	NutraSweet Co	1,562.50	
Do	G. D. Searle & Co	812.50	
Alan R. Timothy, 601 Pennsylvania Ave., NW, #500 Washington, DC 20004	Adolph Coors Co	11,947.00	51,000.73
Michael L. Tiner, 1775 K St., NW Washington, DC 20006	United Food & Commercial Workers International Union	12,115.38	789.00
G. Wayne Tingle, 1725 Jefferson Davis Highway, #900 Arlington, VA 22202	LTV Aerospace & Defense Co	2,500.00	125.00
William C. Tinklepaugh, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
Constance D. Tipton, 888 16th Street, NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
E. Linwood Tipton, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
Eben S. Tisdale, 1550 Wilson Blvd., #600 Arlington, VA 22209	Hewlett-Packard Co	3,500.00	382.76
Title Associates, Inc, Rt.2, Box 89 Columbia, TN 38401			
Francis M. Tivnan, Massachusetts Petroleum Council 11 Beacon Street Boston, MA 02108	American Petroleum Institute		
Tobacco Associates, Inc, Suite 912 1101 17th St., NW Washington, DC 20036			4,356.09
James S. Todd, 535 North Dearborn Street Chicago, IL 60610	American Medical Assn	1,225.00	
M. Douglas Todd, Suite 2300 1000 Wilson Boulevard Arlington, VA 22209	Northrop Corp		
William R. Tolley Jr., PO Box 37 Melbourne, FL 32919	Harris Corporation		251.09
Edward Tonat, 6723 Brigadoon Drive Bethesda, MD 20817	Robert Goff & Associates, Inc		
Tonya, Inc, 1620 Eye Street, NW Washington, DC 20006	City of Philadelphia, PA, et al.		
William D. Toohey, 1899 L St., NW, #600 Washington, DC 20036	Travel Industry Assn of America		
Peter W. Tooker, 1920 N Street, NW Washington, DC 20036	American Mining Congress		
Vincent G. Torrusio, 12374 Sparrow Hawk St. Louis, MO 63146	MICO, Inc		
Total Petroleum, Inc, 999 18th Street, Suite 2201 Denver, CO 80202			
Frank V. Toti Jr., 600 Maryland Ave., SW, #700 Washington, DC 20024	National Fed of Independent Business	3,401.75	200.00
Gilbert D. Tough, 70 North Main St. Wilkes-Barre, PA 18711	Blue Cross of Northeastern Pennsylvania		
Wanda Townsend, 1724 Massachusetts Ave., NW Washington, DC 20036	National Cable Television Assn, Inc	1,150.00	
Joseph P. Trainor, 815 16th St., NW Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks	2,000.00	505.45
Jeffrey B. Trammell, 1020 19th Street, NW Washington, DC 20036	Anderson Benjamin Read & Haney (For:Blue Cross & Blue Shield of Florida)		
Do	Anderson Benjamin Read & Haney (For:Mutual of Omaha)		
Do	Anderson Benjamin Read & Haney (For:U.S. Banknote Corp)		
Travel & Tourism Government Affairs Policy Council, Suite 607 1899 L Street, NW Washington, DC 20036		2,010.00	2,010.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Travel Industry Assn of America, 1899 L St., NW Washington, DC 20036			
Eugene M. Trisko, 9817 Rosensteel Avenue Silver Spring, MD 20910	Stern Bros, Inc		
Michael G. Troop, 1709 New York Avenue, NW, #801 Washington, DC 20006	U.S. League of Savings Institutions	7,000.00	7.00
Robert C. Troup, 730 Smith Ridge Rd. New Canaan, CT 06840			
George G. Troutman, Suite 1100 1090 Vermont Ave., NW Washington, DC 20005	Bell Helicopter Textron, Inc	150.00	
Alexander B. Trowbridge, 1776 F Street, NW Washington, DC 20006	National Assn of Manufacturers	1,000.00	
Thomas L. Trueblood, 401 North Michigan Ave. Chicago, IL 60611	Navistar International Corp	1,000.00	351.04
Trumble & Associates, 750 Baker Building 706 Second Ave. South Minneapolis, MN 55402	Stakeholders in America	750.00	22.00
Trust for Public Lands, 82 Second St. San Francisco, CA 94105			13,253.10
Paul E. Tsongas, Foley Hoag & Eliot One Post Office Square Boston, MA 02109	H.N. Gorin Associates, Inc		
Do	Humane Soc of the U.S. and M.S.P.C.A.	9,225.00	444.63
Do	Mutual Savings Central Fund, Inc		
Motoyuki Tsutsui, 919 18th Street, NW, #600 Washington, DC 20006	Toyota Motor Sales, USA, Inc		
Anh Tu, R.R. 1, Box 147C Queenstown, MD 21658	Project Advisory Group		
Tucker & Vaught, Western Federal Savings Bldg., #1330 718 17th St. Denver, CO 80202	Manville Corporation		
Shannon B. Tuel, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Stephen Tull, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy	35.43	
Jon R. Tumler, 1000 Vermont Avenue, NW, #800 Washington, DC 20005	Public Securities Assn	7,875.00	444.90
Tuna Research Foundation, Inc, 1101 17th St., NW Washington, DC 20036		804.07	2,459.66
Brian Turner, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	14,479.80	64.50
Richard F. Turney, 1725 K St., NW Washington, DC 20006	Courtney McCamant & Turney	300.00	
St. Clair J. Tweedie, Suite 220 1575 Eye Street, NW Washington, DC 20005	American Cyanamid Co	12,000.00	
Patrick R. Tyson, Constangy Brooks & Smith 2400 Peachtree Center Bldg 230 Peachtree Street, NW Atlanta, GA 30303	National Assn of Manufacturers	19,558.00	5,480.12
U.S. Cane Sugar Refiners' Assn, 1001 Connecticut Ave., NW Washington, DC 20036		3,832.50	4,891.58
U.S. Defense Committee, 450 Maple Avenue, E., #204 Vienna, VA 22180		8,079.67	8,079.67
U.S. League of Savings Institutions, 111 E. Wacker Dr. Chicago, IL 60601			197,266.24
U.S. Public Interest Research Group, 215 Pennsylvania Avenue Washington, DC 20003		80,669.69	67,414.92
U.S. Recreational Ski Association, P.O. Box 15486 Santa Ana, CA 92705-0486			
Gilman Udell, 1750 New York Avenue, NW Washington, DC 20006	International Assn of Fire Fighters	4,500.00	
Jerry G. Udell, 1616 H St., NW Washington, DC 20006	American Retail Federation	300.00	40.00
Kenji Ueno, 1850 M Street, NW, #600 Washington, DC 20036	Toyota Motor Sales, USA, Inc		
Philip J. Ufholz, 1615 L Street, NW, #1210 Washington, DC 20036	Metropolitan Life & Affiliated Cos	1,000.00	
Craig Ulrich, 1300 N. 17th Street, #1200 Arlington, VA 22209	Consumer Bankers Assn		
Marvin C. Umholtz, 1730 Rhode Island Ave., NW, #810 Washington, DC 20036	Credit Union National Assn, Inc		
Robert D. Umphrey Jr., 1150 17th Street, NW Washington, DC 20036	Man-Made Fiber Producers Assn, Inc	5,000.00	48.00
Unifi, Inc, P.O. Box 19109 Greensboro, NC 27419			
United Brotherhood of Carpenters & Joiners of America, 101 Constitution Ave., NW Washington, DC 20001			31,890.00
United Food & Commercial Workers International Union, 1775 K St., NW Washington, DC 20006			50,139.10
United Fresh Fruit & Vegetable Assn, 727 N. Washington St. Alexandria, VA 22314		8,771.50	1,548.11
United Gas Pipe Line Co, PO Box 1478 Houston, TX 77001			
United International Consultants, 1800 Diagonal Road Alexandria, VA 22314	Republic of South Africa	90,000.00	24,999.00
United Irish & American Society of Illinois, Box 219 3400 W. 111th Street Chicago, IL 60655			
United Way of Indianapolis, Community Service Council of Metro Indianapolis 1828 N. Meridian Street Indianapolis, IN 46202			
Marian S. Urnikis, 1120 Connecticut Avenue, NW Washington, DC 20036	American Bankers Assn	1,050.00	
Utility Nuclear Waste Management Group, c/o Edison Electric Institute 1111 19th St., NW Washington, DC 20036			
Ronald D. Utt, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.		43.43
Grayce K. Uyehara, 1730 Rhode Island Avenue, NW, #204 Washington, DC 20036	Japanese American Citizens League Legislative Education Comm	2,034.00	50.00
Robert E. Vagley, 1025 Connecticut Avenue, NW, #415 Washington, DC 20036	American Insurance Assn		
Anthony Valanzano, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	5,000.00	176.00
Jack J. Valenti, 1600 Eye St., NW Washington, DC 20006	Motion Picture Assn of America, Inc	1,650.00	
R. Thomas Van Arsdall, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Van Dyk Associates, Inc, 2550 M St., NW, #300 Washington, DC 20037	American Gas Assn	2,500.00	
Do	UAL, Inc		
Juliane H. Van Egmond, Suite 220 1575 Eye Street, NW Washington, DC 20005	American Cyanamid Co	1,785.00	193.95
Van Fleet Associates, Inc, 499 South Capitol St., SW, #520 Washington, DC 20003	Cadillac Gage	4,313.00	
Do	Ford Aerospace	3,300.00	
Do	Marconi Electronics	3,800.00	
Henry B. Van Gieson, 1700 North Moore St., 2120 Arlington, VA 22209	Boeing Company	1,335.00	347.12
Nick L. Van Nelson, Suite 540 1875 Eye Street, NW Washington, DC 20006	Champion International Corp		
Daniel W. Van Ness, P.O. Box 17181 Washington, DC 20041	Justice Fellowship		
Van Ness Feldman Sutcliffe & Curtis, P.C., 7th Floor 1050 Thomas Jefferson St., NW Washington, DC 20007	Ad Hoc Group for Geothermal Energy	2,108.00	
Do	Alaska Eskimo Whaling Commission	57.00	
Do	American Inst of Certified Public Accountants	950.00	
Do	American President Lines		
Do	Arctic Slope Regional Corp	1,140.00	
Do	BRAE Corporation		
Do	Chugach Electric Assn, Inc		
Do	Clean Coal Technology Coalition	930.00	
Do	Clean Energy Coalition	380.00	
Do	Collier Enterprises	1,717.00	
Do	Cominco Alaska		
Do	Consumers United for Rail Equity (C.U.R.E.)	29,082.50	175.00
Do	Hawaiian Electric Company, Inc		
Do	LUZ International Ltd	170.00	
Do	Matthews & Wright, Inc		
Do	Recording Industry of America		
Do	Republic of Palau		
Do	State of Alaska		
Do	Texas Air Corp		
Do	Tranquillity Irrigation District	171.00	
Do	Union Carbide Corp		
Norman C. VanderNoot, New Hampshire Petroleum Council 23 School Street Concord, NH 03301	American Petroleum Institute	600.00	117.00
Martha A. Vanier, 119 Oronoco Street P.O. Box 1417-D50 Alexandria, VA 22313	Animal Health Institute		
Robert C. Varah, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc	1,250.00	652.92
Variable Annuity Life Insurance Co, 2929 Allen Parkway Houston, TX 77019			10,700.00
Theresa Varner, 1909 K Street, NW Washington, DC 20049	American Assn of Retired Persons	497.31	
Jay N. Varon, Suite 1000 1775 Pennsylvania Avenue, NW Washington, DC 20006	Foley & Lardner (For:Kohlberg Kravis Roberts & Co)		
George F. Vary, 1667 K St., NW Washington, DC 20006	Armco, Inc	700.00	323.05
Jennifer Vasiloff, 1730 M Street, NW Washington, DC 20036	League of Women Voters of the U.S.	4,304.94	57.50
Robyn E. Vaughan, 1600 M St., NW Washington, DC 20036	Investment Company Institute		
Nicholas A. Veliotes, 2005 Massachusetts Avenue, NW Washington, DC 20036	Association of American Publishers		
Venture Entrepreneurs, Inc, 1201 San Marco Blvd., #204 Jacksonville, FL 32207			
Jerry T. Verkler, 1660 L Street, NW, #601 Washington, DC 20036	Interstate Natural Gas Assn of America	6,250.00	211.60
Frank Verrastro, 1155 15th Street, NW, #600 Washington, DC 20005	Pennzoil Co	937.50	
Verstandig & Associates, Inc, 1455 Pennsylvania Avenue, NW, #1180 Washington, DC 20004	John I. Haas Co, Inc		
Linda Vickers, 1706 23rd St., South Arlington, VA 22202	Communicating for Agriculture, Inc		
Do	National Assn of Crop Inusrance Agents		
Rudolph A. Vignone, 1800 K St., NW, #800 Washington, DC 20006	Goodyear Tire & Rubber Co	4,750.00	
Ralph Vinovich, 1875 Eye Street, NW, #800 Washington, DC 20006	Tobacco Institute		344.97
Vinson & Elkins, 1455 Pennsylvania Ave., NW, #800 Washington, DC 20004-1007	Alliance of American Insurers		
Do	American Airlines, Inc	2,625.00	43.50
Do	Attorney's Liability Assurance Society Ltd		
Do	Bank of America		
Do	Bear Stearns & Co, Inc		
Do	Capital Markets Group		
Do	Chemical Bank		
Do	Citicorp		
Do	Consolidated Rail Corp		
Do	Continental Health Affiliates		
Do	Charles Crowder		
Do	Dunigan Enterprises		
Do	Federal Express Corp	1,400.00	3,422.84
Do	Federal Land Bank Assns of Texas Stockholders' Defense Fund		167.20

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Alfred C. Glassell Jr.		
Do	Goldman Sachs & Co.		
Do	Guardian Savings & Loan		
Do	International Raw Materials, Ltd		
Do	John Hancock Mutual Life Insurance Co.		
Do	Merrill Lynch & Co, Inc		
Do	Metropolitan Transit Authority		
Do	Pennzoil Co		
Do	Provident Life & Accident Insurance Co		
Do	Public Service Co of New Mexico	393.75	
Do	Salomon Brothers, Inc	5,943.75	74.00
Do	Shearson Lehman/American Express, Inc.		
Do	Southern California Edison	602.50	7.00
Do	Southern Star Shipping Co, Inc	43.75	
Do	Texas Commerce Bank		
Do	Travelers Insurance Co.		61.80
Do	Warburg Pincus Capital Corp		
Do	Warner Amex Cable Communications, Inc		
Walter D. Vinyard Jr., Zuckert, Scoutt, Rasenberger & Johnson 888 17th St., NW, 7th Fl. Washington, DC 20006	Continental Insurance Companies	500.00	
Do	National Fraternal Congress of America	50.00	
Virginia Association of Railway Patrons, P.O.box 867 Richmond, VA 23207		50.00	0.95
George A. Viverette Jr., 8111 Gatehouse Road Falls Church, VA 22047	American Automobile Assn.		
Jesse S. Vogtle, 600 North 18th Street Birmingham, AL 35291	Alabama Power Co.	90,000.00	1,577.18
Nick J. Volcheff, 2509 E. San Miguel Phoenix, AZ 85016	AT&T		
Volkswagen of America, Inc, 490 L'enfant Plaza, SW, #3210 Washington, DC 20024			450.00
Douglas K. Vollmer, 801 18th St., NW Washington, DC 20006	Paralyzed Veterans of America	18,320.27	
Volpe Boskey & Lyons, Suite 602 918 16th Street, NW Washington, DC 20006	American Assn of Equipment Lessors		
Voluntary Hospitals of America, Inc, 1150 Connecticut Ave., NW, #800 Washington, DC 20036			15,134.00
Volunteer Trustees of Not-For-Profit Hospitals, 1625 Eye St., NW, #810 Washington, DC 20006		187,000.00	11,292.00
Kurt Vorndran, 2030 M Street, NW Washington, DC 20036	Common Cause	122.24	
Vorys Sater Seymour & Pease, 1828 L Street, NW, #1111 Washington, DC 20036	Grocery Manufacturers of America, Inc		
R. B. Wackerle, 1000 Wilson Boulevard, #2300 Arlington, VA 22209	Northrop Corp		
Kerri Wagner, 1155 15th Street, NW Washington, DC 20005	National Broiler Council	1,250.00	
Howard W. Wahl, 15740 Shady Grove Rd. Gaithersburg, MD 20877	Bechtel Eastern Power Corp		
Frederick P. Waite, Cadwalader Wickersham & Taft 1333 New Hampshire Ave., NW Washington, DC 20036	American Wire Producers Assn		
Herbert R. Waite, 100 Federal St. Boston, MA 02110	Bank of Boston Corporation		
Do	First National Bank of Boston	10,000.00	9,815.36
John A. Waits, 50 F Street, NW, #900 Washington, DC 20001	Farm Credit Council		
Angela S. Waldorf, N.C. Petroleum Council P.O. Box 167 Raleigh, NC 27602	American Petroleum Institute		
Robert E. Waldron, Associated Petroleum Industries of Michi 930 Michigan Natl Tower, PO Box 10070 Lansing, MI 48901	American Petroleum Institute	920.00	1,153.36
Charls E. Walker Associates, Inc, 1730 Pennsylvania Ave., NW Washington, DC 20006	Agrico Chemical Company, et al.	7,500.00	
Do	Akin Gump Strauss Hauer & Feld		
Do	Alabama Power Co.		
Do	Aluminum Company of America	750.00	
Do	American Telephone & Telegraph Co.	3,250.00	
Do	Arthur Anderson & Co		
Do	Anheuser-Busch Companies, Inc.	6,188.00	
Do	Bank Capital Markets Assn.	8,541.66	
Do	Broadcast Music, Inc.	7,500.00	
Do	Champion International Corp	750.00	
Do	CBS, Inc		
Do	CSX Corporation		
Do	Dresser Industries, Inc.	750.00	
Do	First Texas Savings & Loan		
Do	Ford Motor Co	750.00	
Do	Goodyear Tire & Rubber Co	750.00	
Do	Green Bay Packaging, Inc	250.00	
Do	GTE Corporation		
Do	Independent Refiners Coalition	7,500.00	
Do	Investment Co Institute		
Do	Leucadia National Corp		
Do	Lone Star Steel Co.		
Do	Northwestern Mutual Life Insurance Co.		
Do	Owens-Illinois	750.00	
Do	Procter & Gamble Manufacturing Co		
Do	Quanex Corp	2,000.00	
Do	Scott Paper Co.		
Do	Shell Oil Co		
Do	U.S. Fidelity & Guaranty Co.	6,750.00	
Do	Union Carbide Corp	750.00	
Do	Weil Gotshal & Manges	3,458.00	
Do	Weyerhaeuser Company	4,000.00	
Do	Wometco Broadcasting Corp	5,000.00	
Martin A. Wall, 1025 Vermont Avenue, NW, #800 Washington, DC 20005	American Osteopathic Hospital Assn	883.00	174.00
R. Duffy Wall & Associates, Inc, 1317 F Street, NW, #400 Washington, DC 20004	Ad Hoc Comm on Coal Taxation	1,500.00	
Do	Allied-Signal, Inc.		
Do	Balcor Co.		
Do	Brinks, Inc	1,000.00	
Do	Cogentrix, Inc	500.00	
Do	Footwear Retailers of America	1,500.00	
Do	Henley Group	500.00	
Do	Hong Kong Trade Development Council	1,500.00	
Do	JMB Realty Corp	1,000.00	
Do	Life of Virginia	1,000.00	
Do	Morgan Guaranty Trust Co	1,500.00	
Do	New York State Bankers Assn	1,500.00	
Do	Pharmaceutical Manufacturers Assn	1,500.00	
Do	Securities Industry Assn	500.00	
Do	Torchmark Corporation	1,000.00	
Do	Wine & Spirits Wholesalers of America, Inc	1,000.00	
Henry Scott Wallace, 1815 H Street, NW, #550 Washington, DC 20006	National Assn of Criminal Defense Lawyers	11,250.00	50.00
Raymond C. Wallace, 5025 Wisconsin Avenue, NW Washington, DC 20016	Amalgamated Transit Union, AFL-CIO		
Wallace & Edwards, 1150 Connecticut Ave., NW, #507 Washington, DC 20036	Alabama Farm Bureau Federation	1,500.00	
Do	American Sugar Cane League of the USA, Inc	3,750.00	
Do	Amstar Corp	2,500.00	
Do	Cotton Warehouse Assn of America	4,550.00	
Do	Fiber Fabric & Apparel Coalition for Trade	8,750.00	
Do	Flue-Cured Tobacco Cooperative Stabilization Corp	4,375.00	
Do	Merchants Grain & Transportation, Inc		
Do	Service Corporation International	600.00	
Lionel L. Wallenrod, 260 Madison Ave. New York, NY 10016	American Paper Institute, Inc		
R. Douglas Wallin Jr., 1235 Jefferson Davis Hwy. Arlington, VA 22202	Emerson Electric Co		911.45
Charles S. Walsh, Fleischmen & Walsh 1725 N St., NW Washington, DC 20036	National Cable Television Assn, Inc		
James P. Walsh, Davis Wright & Jones 1752 N St., NW, #800 Washington, DC 20036	American Tunaboat Assn	3,000.00	
Susan M. Walsh, 1725 De Sales St., NW Washington, DC 20036	Aerospace Industries Assn of America, Inc	3,124.00	
Frank J. Walter, 1745 Jefferson Davis Hwy, #511 Arlington, VA 22202	Manufactured Housing Institute	900.00	100.00
Rita S. Walters, 1875 Eye St., NW, #800 Washington, DC 20006	Tobacco Institute	52.74	10.00
Henry L. Walther, 450 Maple Avenue, E., #204 Vienna, VA 22180	U.S. Defense Committee	3,000.00	
William C. Wampler, 412 First Street, SE Washington, DC 20003	Sterling Drug, Inc	2,000.00	
Bonnie B. Wan, 1201 Pennsylvania Avenue, #730 Washington, DC 20004	Kimberly-Clark Corp		
John F. Wanamaker, 201 N. Washington, St. Alexandria, VA 22314	Retired Officers Assn	2,221.00	
Alan S. Ward, 1050 Connecticut Ave., NW, #1100 Washington, DC 20036	Baker & Hostetler (For:Soap & Detergent Assn)		
Justin R. Ward, 1350 New York Avenue, NW, #300 Washington, DC 20005	Natural Resources Defense Council, Inc.	168.28	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Stephen E. Ward, 1919 Pennsylvania Avenue, NW, #503 Washington, DC 20006	Mid-Continent Oil & Gas Assn	2,449.76	171.50
Thomas J. Ward, 70 N. Main Street Wilkes-Barre, PA 18711	Blue Cross of Northeastern Pennsylvania		
Richard D. Warden, 1757 N St., NW Washington, DC 20036	United Auto Aerospace & Agricultural Implement Workers	18,017.65	264.00
Jack Ware, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	7,028.00	115.95
Michael O. Ware, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	Conoco, Inc	2,250.00	
Peter F. Warker, Suite 2700 1000 Wilson Boulevard Arlington, VA 22209	TRW, Inc	1,250.00	
Ernest R. Warner Jr., 1818 N St., NW Washington, DC 20036	DGA International, Inc (For:Dir Intl Aff of the Gen Del for Armements)		
Do	DGA International, Inc (For:Sofreavia)	1,368.00	305.89
Do	DGA International, Inc (For:SNECMA)	519.00	50.47
William H. Warner, 1201 Pennsylvania Avenue, NW Washington, DC 20004	Control Data Corporation		
Christine M. Warnke, Suite 300 1101 Connecticut Avenue, NW Washington, DC 20036	American Textile Manufacturers Institute, Inc	400.00	251.40
Barbara J. Washburn, 1201 Pennsylvania Avenue, NW, #370 Washington, DC 20004	Control Data Corporation	153.00	
Washington Gas Light Co, 1100 H St., NW Washington, DC 20080			2,278.49
Washington Industrial Team, Inc, 499 S. Capitol St., SW, #520 Washington, DC 20003	Hughes Aircraft Company	1,800.00	952.20
Koichi Watanabe, 919 18th Street, NW, #600 Washington, DC 20006	Toyota Motor Sales, USA, Inc		
Waterbed Manufacturers Assn, 2500 Wilshire Boulevard, #603 Los Angeles, CA 90057			
Millie Waterman, 5656 Corduroy Road Mentor, OH 44060	National Congress of Parents & Teachers		1,572.95
Jerry B. Waters, 777 14th Street, NW, #680 Washington, DC 20005	Farmland Industries	2,400.00	
Clarke R. Watson, 769 Detroit Street Denver, CO 80206	Westland Companies, Inc		
John L. Watson III, One World Trade Center, #4511 New York, NY 10048	National Security Traders Assn, Inc	4,375.00	
Leroy Watson, 1616 H Street, NW Washington, DC 20006	National Grange	2,750.00	
Carolyn Herr Watts, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	50.00	
Douglas R. Watts, 1724 Massachusetts Avenue, NW Washington, DC 20036	National Cable Television Assn, Inc	1,570.00	
George B. Watts, 1155 15th St., NW Washington, DC 20005	National Broiler Council	1,500.00	
Bruce H. Watzman, 1130 17th Street, N.w. Washington, DC 20036	National Coal Assn	6,660.00	307.85
William H. Weatherspoon, North Carolina Petroleum Council PO Box 167 Raleigh, NC 27602	American Petroleum Institute	1,000.00	1,516.19
A. Vernon Weaver, 114 East Capitol Ave. Little Rock, AR 72201	Stephens Overseas Services, Inc		
Mary Webb, 1129 20th Street, NW, #400 Washington, DC 20036	American Assn of Homes for the Aging	189.00	
Andrew H. Webber, 440 First Street, NW, #510 Washington, DC 20001	American Medical Peer Review Assn		
Frederick L. Webber, 1101 16th Street, NW Washington, DC 20036	National Soft Drink Assn		
Webster & Sheffield, 1200 New Hampshire Ave., NW, #350 Washington, DC 20036	Asarco Corporation		
Do	Mazda Motor Manufacturing (USA) Corp		
Webster Chamberlain Bean & McKevitt, 1747 Pennsylvania Ave., NW, #1000 Washington, DC 20006	Better Working Environments, Inc		
Do	International Taxicab Assn		
Do	Miller Brewing Co	1,000.00	165.00
Do	Waterbed Manufacturers Assn		
Charles W. Wegner Jr., 400 N. Washington St. Alexandria, VA 22314	National Assn of Professional Insurance Agents	600.00	7,420.00
Theodore F. Weihe, 1800 Massachusetts Avenue, NW Washington, DC 20036	U.S. Overseas Cooperative Development Committee	2,812.00	
Weil Gotshal & Manges, 1615 L Street, NW, #700 Washington, DC 20036	All-Industry Committee, et al		
Do	Antitrust Remedies Reform Group, et al.		
Do	R. H. Macy		
Do	Mobil Oil Corp		
Steven A. Wein, 1090 Vermont Avenue, NW, #1100 Washington, DC 20005	Textron, Inc	600.00	150.00
Nancy Weinberg, 2001 L St., NW, #506 Washington, DC 20036	Chlorine Institute, Inc	100.00	13.90
Weiner McCaffrey Brodsky & Kaplan, P.C., 1350 New York Ave., NW, #800 Washington, DC 20005	National Manufactured Housing Finance Assn		
Donald G. Weinert, 1420 King St. Alexandria, VA 22314	National Society of Professional Engineers	1,500.00	
Tamara Weinstein, 1830 17th Street, NW, #704 Washington, DC 20036	Rainbow Alliance	1,211.90	
Arthur E. Weisberg, 2200 First Bank Place East Minneapolis, MN 55402	Dorsey & Whitney		
Arthur A. Weiss, 1800 First National Building Detroit, MI 48226	Jaffe Snider Raitt & Heuer, P.C.		
David Weiss, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,250.00	92.40
Don Welch, P.O. Box 841 Abilene, TX 79604	West Texas Utilities Co		
John F. Welch, 655 15th Street, NW, #1200 Washington, DC 20005	Safe Buildings Alliance		
Kathleen Welch, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group	3,201.41	
Jerry Welcome, P.O. Box 3556 Washington, DC 20007	American Meat Institute	2,000.00	
Paul S. Weller Jr., Agri/Washington 1629 K St., NW, #1100 Washington, DC 20006	American Soc of Composers Authors & Publishers	7,500.00	
Wellford Wegman & Hoff, 1775 Pennsylvania Ave., NW, #450 Washington, DC 20006	American Business Conference	2,100.00	
Do	Canadian Embassy	3,125.00	
Do	Coalition Against Double Taxation, Inc		
Do	Department of Natural Resources, Province of Manitoba		
Do	Family Service America		
Do	Grants & Contracts Projects, United Way of America		
Do	J&B Management Company	1,200.00	
Do	Long Lake Energy Corp	1,000.00	
Do	Manville Corporation		
Do	Ministry of the Environment	3,125.00	
Do	Mitex		
Do	National Assn of Counties		
Do	National Corp for Housing Partnerships		
Do	National Hydro Assn		
Do	National Independent Energy Producers	2,000.00	
Do	VMS Realty		
Do	YMCA of the USA	5,000.00	
L. H. Wells, Suite 200 1025 Connecticut Avenue, NW Washington, DC 20036	Shell Oil Co	500.00	
Eleanor Wenner, 1025 Connecticut Avenue, NW Washington, DC 20036	Health Insurance Assn of America, Inc		
Thomas F. Wenning, 1825 Samuel Morse Dr. Reston, VA 22090	National Grocers Assn		
Carol Werner, 1525 New Hampshire Ave., NW Washington, DC 20036	Environmental Action	6,006.00	
Fred Wertheimer, 2030 M St., NW Washington, DC 20036	Common Cause	17,272.50	384.92
Charles M. West, 205 Daingerfield Road Alexandria, VA 22314	National Assn of Retail Druggists	1,500.00	300.00
Ford B. West, 1015 18th Street, NW Washington, DC 20036	Fertilizer Institute	25,000.00	354.99
W. P. West Jr., 1629 K Street, NW, #204 Washington, DC 20006	Delta Air Lines, Inc	273.00	198.70
West Coast Fabricators & Steel Industry Assn, 2324 Navy Drive Stockton, CA 95206			
West Mexico Vegetable Distributors Assn, PO Box 848 Nogales, AZ 85621			1,000.00
Harry H. Westbay III, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S	300.00	79.23
Western Fuels Association, Inc, 1625 M St., NW Washington, DC 20036		11,500.00	15,238.39
Mary Louise Westmoreland, 1400 K Street, NW, #500 Washington, DC 20005	Handgun Control, Inc	10,651.43	
John F. Wetzel Jr., 50 F St., NW Washington, DC 20001	Association of American Railroads	166.01	
William Wewer, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	17,400.00	
Wexler Reynolds Harrison & Schule, Inc, Suite 600 1317 F Street, NW Washington, DC 20004	Aetna Life & Casualty		
Do	Allied-Signal, Inc		
Do	American Airlines, Inc	250.00	
Do	Blue Cross & Blue Shield Assn	3,570.00	65.00
Do	Coalition for Motor Carrier Regulatory Reform	1,250.00	25.00
Do	Communications Satellite Corp	925.00	19.00
Do	Coopers & Lybrand	280.00	6.00
Do	Dealer Bank Assn	250.03	15.00
Do	Foothills Pipe Lines (Yukon) Ltd	2,900.00	142.80
Do	General Motors Corp		
Do	Health Policy Agenda for the American People		
Do	Manville Corporation	4,380.00	38.45
Do	Marathon Oil Co		
Do	Motion Picture Assn of America, Inc	750.00	247.34
Do	MCI Communications Corp	3,900.00	261.50
Do	National Assn of Business Political Action Committees	1,170.00	54.40
Do	National Cable Television Assn, Inc	100.00	
Do	New England Electric System		
Do	Northwest Airlines, Inc		
Do	Nova, An Alberta Corp		
Do	Novacor Chemicals, Ltd	1,700.00	70.40
Do	Radio Assn Defending Airwave Rights, Inc	9,200.00	525.98
Do	Spanish Int'l Communications Corp	2,595.00	20.00
Do	Springs Industries, Inc	3,650.00	44.20
Do	Training Media Distributors Assn		
Do	U.S. Air, Inc	12,310.00	134.35

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Viacom International, Inc	5,580.00	124.14
Brian B. Whalen Jr., 401 N. Michigan Ave. Chicago, IL 60611	Navistar International Corp	1,250.00	1,029.23
Ellan Wharton, 1701 Pennsylvania Avenue, NW, #900 Washington, DC 20006	E. I. du Pont de Nemours & Co		
Leonard P. Wheat, 1111 14th St., NW, #1200 Washington, DC 20005	American Dental Assn		
Clyde A. Wheeler Jr., Bishop Liberman Cook Purcell & Reynolds 1200 17th Street, NW Washington, DC 20036	American Petroleum Institute	2,500.00	
Do	Kidder Peabody & Co, Inc		
June M. Whelan, Suite 600 S 1120 20th Street, NW Washington, DC 20036	Union Pacific Corp	1,250.00	
John C. Whitaker, 2021 L Street, NW, #320 Washington, DC 20036-4909	Union Camp Corporation	2,598.00	35.60
Deborah A. White, 1333 New Hampshire Ave., NW Washington, DC 20036	Atlantic Richfield Co	65.83	
George E. White Jr., P.O. Box 61000 New Orleans, LA 70161	MSU System Services, Inc	1,715.61	421.11
John C. White, 1899 L Street, NW, #500 Washington, DC 20036	Camp Barsh Bates & Tate	10,000.00	
Do	Chicago Mercantile Exchange		
Do	Coastal Corp	12,500.00	
Do	Comtran, Ltd		
Do	Louis Dreyfus Corp		
John Thomas White II, Suite 2202 490 L'Enfant Plaza East, SW Washington, DC 20024	Tenneco, Inc		
Larry White, 1909 K St., NW Washington, DC 20049	American Assn of Retired Persons	497.30	231.50
Margita E. White, 1730 M Street, NW, #407 Washington, DC 20036	Television Operators Caucus, Inc		
Raymon M. White Jr., 5501 Seminary Road, Apt. 2211-South Falls Church, VA 22041	Harris Corp	3,500.00	5,177.10
Sam White, 412 First Street, SE Washington, DC 20003	American Beekeeping Federation		
Do	Committee for the Production & Research of Agric Chemicals	15,000.00	
Do	Independent Cattlemen's Assn		
Do	National Peanut Growers Group	6,000.00	
Do	Nuclear Waste Task Force	7,500.00	
Do	Sam Kane Packing		
Steven C. White, 10801 Rockville Pike Rockville, MD 20852	American Speech-Language-Hearing Assn		
White Fine & Verville, 1156 15th St., NW, #1100 Washington, DC 20005	American Educators of Arkansas, Inc, et al.	32,500.00	
Donald W. Whitehead, 1000 Connecticut Ave., NW, #707 Washington, DC 20036	Emergent Technologies, Inc	3,000.00	
Do	Washington States Representatives	500.00	
Josiah R. Whitehead, 3030 Cornwallis Road Research Triangle Park, NC 27709	Burroughs Wellcome Co		
Richard M. Whiting, 730 15th Street, NW Washington, DC 20005	Association of Bank Holding Cos	1,250.00	
James A. Whitman, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	500.00	
William F. Whitsitt, 1800 K St., NW Suite 820 Washington, DC 20006	Sun Co, Inc	1,667.00	806.37
William E. Wickert Jr., 1000 16th Street, NW, #800 Washington, DC 20036	Bethlehem Steel Corp	300.00	
Wickwire Lewis Goldmark & Schoor, 500 Maynard Bldg. Seattle, WA 98104	Arctic Slope Regional Corp		
Scott Widmeyer, 1901 L St., NW Washington, DC 20036	Ogilvy & Mather		
Mary Frances Widner, 1620 Eye St., NW Washington, DC 20006	American Inst of Certified Public Accountants	500.00	4,559.10
Judy A. Wiedemeier, 1875 I Street, NW, #800 Washington, DC 20006	Tobacco Institute		
Phillip R. Wiedmeyer, 600 North 18th Street Birmingham, AL 35291	Alabama Power Co	16,745.05	18,276.05
Andrew F. Wiessner, Kogovsek & Associates 3600 S. Yosemite, #830 Denver, CO 80237	American Public Land Exchange Co	100.00	
Do	American Ski Federation		
Do	CSX Corp		
Do	Flex, Inc		
Do	Page Land & Cattle Co		
Do	Sierra Club	500.00	
Do	Western Land Exchange Co	2,500.00	
Do	Weyerhauser Company	2,500.00	
W. Scott Wilber, 1101 Vermont Avenue, NW Washington, DC 20005	American Medical Assn	3,975.00	
Thomas D. Wilcox, 2011 Eye Street, NW, #601 Washington, DC 20006	National Assn of Stevedores	1,830.00	1,830.00
Harry G. Wiles II, 499 S. Capitol Street, SW, #401 Washington, DC 20003	National Assn of Independent Insurers		215.00
Wiley Rein & Fielding, 1776 K Street, NW Washington, DC 20006	Committee of Domestic Nitrogen Producers	1,080.00	
Do	CBS, Inc		
Do	Oklahoma Steel & Wire Co	1,220.00	
Guenther O. Wilhelm, Suite 1100 1899 L Street, NW Washington, DC 20036	Exxon Corporation		
Carl B. Wilkerson, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Wilkinson Barker Knauer & Quinn, 1735 New York Ave., NW Washington, DC 20006	American Assn of Presidents of Independent Colleges & Univs		21.25
Do	Bonneville International Corp	2,832.00	81.40
Do	Central States Health & Life Co of Omaha		
Do	Manville Corporation		
Do	Mountain States Telephone & Telegraph Co		
Do	Nana Regional Corp, Inc		
Do	National Assn of Independent Colleges & Universities	1,732.50	54.59
Do	Northwestern Bell Telephone Co		
Do	Pacific Northwest Bell Telephone Co		
Do	J. C. Penney Co, Inc	22,575.00	709.64
Do	Shee Atika, Inc	40,370.89	30,019.11
Do	U.S. West, Inc		
Annelise Williams, 1250 Connecticut Avenue, NW Washington, DC 20036	National Forest Products Assn	1,200.00	
Floyd L. Williams, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Harding deC. Williams, 1101 15th Street, NW, #400 Washington, DC 20005	National Council of Savings Institutions	4,000.00	
Jack L. Williams, 451 New Jersey Avenue, SE Washington, DC 20003	First South S&L		
Lee Williams, 1616 H St., NW Washington, DC 20006	American Retail Federation	800.00	
Leonard B. Williams, 1000 16th Street, NW, #800 Washington, DC 20036	Bethlehem Steel Corp	265.00	
Lucinda L. Williams, 1155 15th Street, NW, #400 Washington, DC 20005	National Medical Enterprises, Inc	4,980.00	
Robert E. Williams, 1825 K St., NW, #607 Washington, DC 20006	United Airlines, Inc	1,500.00	
Thomas F. Williams, 6812 Old Kent Road Amarillo, TX 79109	Southwestern Public Service Co	2,800.00	790.23
David K. Willis, 1620 Eye Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
Willkie Farr & Gallagher, 818 Connecticut Ave., NW, #1100 Washington, DC 20006	American Trucking Assns, Inc		
Do	Companhia Siderurgica Paulista (COSIPA)		
Do	Comptroller of the State of New York		
Do	Japan Iron & Steel Exporters' Assn		
Do	National Venture Capital Assn		
Do	Yamaha Motor Co, Ltd, et al.		
Charlotte M. Wilmer, 1800 Massachusetts Ave., NW Washington, DC 20036	National Rural Electric Cooperative Assn	130.00	
Wilmer Cutler & Pickering, 2445 M Street, NW Washington, DC 20037-1420	American Broadcasting Co, Inc	2,776.25	10.81
Do	American Cyanamid Co	2,675.00	57.50
Do	Apache Corporation		
Do	CBS, Inc		8.16
Do	CPC International, Inc		4.00
Do	G-4 Children's Coalition		
Do	Handgun Control, Inc		
Do	People of Enewetak	1,968.75	12.00
Do	University Patents, Inc		49.00
Charles D. Wilson, 2021 L Street, NW, #320 Washington, DC 20036-4909	Union Camp Corporation		1,710.00
Dena L. Wilson, Suite 1000 1600 Wilson Blvd. Arlington, VA 22209	American Waterways Operators, Inc	2,000.00	328.06
Don T. Wilson, 1250 I Street, NW, #400 Washington, DC 20005	National Tire Dealers & Retreaders Assn	735.00	8.00
G. Peter Wilson, 249 Maitland Avenue P.O. Box 1119 Altamonte Springs, FL 32701	Institute of Internal Auditors, Inc		
H. Graham Wilson, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
Robert C. Wilson, 499 S. Capitol St., SW, #520 Washington, DC 20003	Washington Industrial Team, Inc	300.00	
Robert Gary Wilson, 1730 Rhode Island Avenue, NW Washington, DC 20036	PPG Industries, Inc		
William F. Wilson, 231 W. Michigan Street Milwaukee, WI 53201	Wisconsin Electric Power Co	98.00	173.82
John P. Winburn, Winburn Associates, Inc 453 New Jersey Ave., SE Washington, DC 20003	American Assn of Equipment Lessors	9,000.00	626.73
Do	American Automotive Leasing Assn	2,000.00	324.87
Do	American Financial Services Assn	19,500.00	197.38
Do	Beneficial Management Corp	30,000.00	388.31
Do	Burlington Northern, Inc	5,000.00	262.34
Do	Green Bay Packaging Co		
Do	GEO Products		
Do	Leggett & Platt	12,000.00	342.37
Do	McDonnell Douglas Corp	8,000.00	
Do	McLouth Steel Products Corp		
Do	National Assn of ASCS County Office Employees	1,660.00	
Do	Pennzoil Co	15,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Quanex Corp		
Do	Rosenberg Real Estate Equity Fund, Inc		
Do	Ruan Transport Corp	27,000.00	175.61
Do	U.S. Air, Inc		
Kathleen J. Winn, 1155 15th St., NW Suite 602 Washington, DC 20006	Pennzoil Co	475.00	
Marie Winslow, 1016 16th Street, NW Washington, DC 20036	National Fed of Federal Employees		
Winstead Mcguire Sechrest & Minick, P.C., 1700 Mercantile Dallas Building Dallas, TX 75201	Real Estate Council	47,730.02	12,684.17
David A. Winston, 1922 F Street, NW Washington, DC 20006	National Assn of Life Underwriters	593.75	84.50
Winston & Strawn, 2550 M St., NW, #500 Washington, DC 20037	American Assn of Museums		
Do	Association of Seat Lift Manufacturers		
Do	Beatrice Foods Co		
Do	City of Tucson		
Do	CNA Financial Corp		
Do	Gould, Inc		
Do	Hanson Industries		
Do	International Council of Shopping Centers	1,200.00	
Do	Lease Management Corp		
Do	National Audubon Society		
Do	National Council of Health Facilities Finance Authorities		
Do	Penox Technologies		
Do	Queen City Home Health Care		
Do	Syntex Laboratories, Inc		
Do	Terson Company, Inc		
Winthrop Stimson Putnam & Roberts, 1155 Connecticut Ave., NW, #1000 Washington, DC 20036	America West Airlines, Inc		
Do	Bowater, Inc	2,920.00	5.80
Do	Connecticut Liquidity Investment Fund, Inc		8.00
Do	E. F. Hutton & Co, Inc		
Do	IBJ Schroder Bank & Trust Co		1.60
Do	National Vehicle Leasing Assn		
Do	Navajo Nation		
Do	Pentech Corp	875.00	
Do	Singer Co		
Walter J. Witek Jr., 777 14th St., NW Washington, DC 20005	National Assn of Realtors	2,500.00	62.10
Claudia A. Withers, 2000 P Street, NW, #400 Washington, DC 20036	Women's Legal Defense Fund		
Dianne Witte, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy	87.46	
Glenn P. Witte, 888 16th St., NW Washington, DC 20006	Milk Industry Foundation/Int'l Assn of Ice Cream Mfrs		
Herman C. Witthaus, 1660 L St., NW Washington, DC 20036	General Motors Corp	3,000.00	3,629.60
James Wolf, 1925 K St., NW, #206 Washington, DC 20006	Alliance to Save Energy	981.86	
James E. Wolf, 2020 14th St., North Arlington, VA 22201	American Standard Inc	6,500.00	
Megan McGrath Wolfe, 1726 M Street, NW, #300 Washington, DC 20036	Schering-Plough Corp	258.00	783.40
Sidney M. Wolfe, 2000 P St., NW, #708 Washington, DC 20036	Public Citizen Health Research Group		
Ronald Wolsey, One North Charles St., #1520 Baltimore, MD 21201	Amoco Corporation		
Don Womack, Suite 303 1825 K St., NW Washington, DC 20006	Texas Utilities Services, Inc	3,175.00	187.15
Burton C. Wood, 1125 15th St., NW Washington, DC 20005	Mortgage Bankers Assn of America	17,625.00	4,767.00
John L. Wood, 2121 San Jacinto St. P.O. Box 660164 Dallas, TX 75266	Central & South West Corp		
S. Roy Woodall Jr., 655 15th Street, NW, #530 Washington, DC 20005	National Assn of Life Companies	1,393.75	5.00
G. Kent Woodman, 1818 N Street, NW Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:Norfolk Southern Corp)		
Douglas A. Woodward, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Stelco, Inc		
Howard E. Woolley, 1771 N Street, NW Washington, DC 20036	National Assn of Broadcasters	1,500.00	388.00
Worldwide Information Resources, Ltd, 1717 K Street, NW, #706 Washington, DC 20006	Avon Products, Inc		
Do	Equitable Life Assurance Society of the U.S.		
Do	Pan American World Airways, Inc		
Do	State of Montana		
Do	Toyota Motor Sales, USA, Inc		
Do	Transportation Group, Inc		
W. Robert Worley, 1736 Creek Crossing Road Vienna, VA 22180	Southern Company Services, Inc	570.00	1,516.40
Joseph T. Wrabek, Box 70 Cascade Locks, OR 97014	Columbia Gorge United		
Alan D. Wright, P.O. Box 5000 Cleveland, OH 44101	Centerior Energy Corp, et al	2,812.40	67.15
David L. Wright, Anderson Hill Rd. Purchase, NY 10577	Pepsico, Inc		
Tracey C. Wright, 1819 L St., NW, 7th Floor Washington, DC 20036	Reinsurance Assn of America		
Kenneth Wu, 1755 Jefferson Davis Highway, #900 Arlington, VA 22202	Gould, Inc		628.00
Wunder Thelen & Forgotson, 1615 L St., NW, #720 Washington, DC 20036	Alliance of American Insurers		
Do	BellSouth Corp	3,969.38	25.65
Do	Chesebrough-Pond's, Inc		
Do	Colt Industries, Inc		
Do	CBS, Inc		
Do	Ensearch Corp		
Do	Georgia-Pacific Corp	192.63	
Do	Grocery Manufacturers of America, Inc		
Do	Marriott Corp	3,929.50	422.37
Do	Metropolitan Insurance Co		
Do	Northwestern Mutual Life Insurance Co		
Do	Sony Corporation of America	8,450.00	273.25
Do	Texas Oil & Gas Corp		
Do	U.S. Telephone Assn	2,647.00	19.39
Robert Wurwarg, Milbank Tweed Hadley & McCloy One Chase Manhattan Plaza New York, NY 10005	Rockefeller Group, Inc		
Thomas L. Wylie, 1800 K Street, NW, #820 Washington, DC 20006	Sun Co, Inc	1,519.00	32.90
Wyman Bautzer Christensen Ruchel & Silbert, Suite 580 600 New Hampshire Ave., NW Washington, DC 20037	American Boiler Manufacturers Assn, Inc		
Do	Automotive Dismantlers & Recyclers Assn, Inc		
Do	Bristol Bay Native Corp		
Do	Eklutna, Inc		
Do	Filmways, Inc		
Marc D. Yacker, 1250 Connecticut Ave., NW Washington, DC 20036	American Paper Institute, Inc	450.00	
T. Albert Yamada, Suite 520 900 17th St., NW Washington, DC 20006	Toyota Motor Sales, USA, Inc	500.00	
Do	West Mexico Vegetable Distributors Assn	500.00	
Nancy Foster Yanish, 1750 K Street, NW Washington, DC 20006	Food Marketing Institute	200.00	
Mary J. Yarrington, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	2,500.00	
Edward R. Yawn, 1111 19th St., NW Washington, DC 20036	Edison Electric Institute	438.70	185.24
Kim Yelton, 8120 Fenton St. Silver Spring, MD 20910	Americans United for Separation of Church and State	8,116.46	71.14
Jack Yelverton, 1303 New Hampshire Ave., NW Washington, DC 20036	Fleet Reserve Assn		
Mehmet Yildiz, 1559 Rockville Pike, #78 Rockville, MD 20852	Citizens Alliance, Inc	6,000.00	
Edward L. Yingling, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	6,000.00	24.50
Larry E. Yoakam, 650 S. Front Street Columbus, OH 43206	Grange Mutual Casualty Co		
D. Scott Yohe, 1629 K St., NW, #204 Washington, DC 20006	Delta Air Lines, Inc	390.00	178.20
Andrew Yood, 1220 L Street, NW Washington, DC 20005	American Petroleum Institute	200.00	
Edward A. Yopp, 1200 Golden Key Circle, #141 El Paso, TX 79925	West Texas Higher Education Servicing Corp		
Eugene S. Young, 955 L'Enfant Plaza, SW, #905 Washington, DC 20024	Honda North America, Inc	200.00	
John Andrew Young, 1899 L Street, NW, #500 Washington, DC 20036	Coastal Corporation		
Judith A. Young, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	1,500.00	382.53
Robert A. Young, 10113 Wood Green Way Burke, VA 22015	Brown & Associates	3,000.00	63.60
Do	United Assn of Jnymen & Appren of Plmbg & Pipeftg Industry	4,500.00	123.78
Thane Young, 1730 Rhode Island Ave., NW, #400 Washington, DC 20036	Aries Properties, Inc		
Do	Berg-Revoir Corp		
Do	City of Alhambra		
Do	City of Baldwin Park		
Do	City of Inglewood		
Do	City of Norwalk		
Do	City of Oceanside	700.00	24.52
Do	City of Provo		
Do	City of Redondo Beach	1,500.00	24.52
Do	City of South Salt Lake		
Do	Gavin Associates		
Do	Imperial Irrigation District		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Irvine Company		
Do	Long Beach Transit		
Do	Maritime Center at Norwalk		
Do	Oceanside Redevelopment Agency		
Do	Santa Cruz Properties, Inc		
Thomas F. Youngblood, 1819 L Street, NW, #600 Washington, DC 20036	American Hotel & Motel Assn	1,526.38	
Betsy Younkins, 1220 L Street, NW, #1200 Washington, DC 20005	American Petroleum Institute	6,000.00	199.15
Eugene A. Yourch, 50 Broadway New York, NY 10004	Federation of American Controlled Shipping	200.00	
David E. Yudin, 1707 H Street, NW, #500 Washington, DC 20006	Bus Transit Caucus	950.00	
Do	Regional Transportation District	775.00	
Ralph Zaayenga, 1800 K Street, NW, #820 Washington, DC 20006	Sun Co, Inc	400.00	89.70
Laurence E. Zabar, 11 Mystic Road Marblehead, MA 01945	Warren H. Suss Associates		
Douglas K. Zabel, Suite 500A, Box 69 100 Maryland Ave., NE Washington, DC 20002	League of Rural Voters Education Project, Inc	2,000.00	467.00
John R. Zagame Associates, Inc, 1001 Prince Street, #116 Alexandria, VA 22314	City University of New York	9,000.00	3,000.00
Do	National Music Publishers Assn, Inc	12,000.00	6,497.44
Lynn Zakupowsky, 1331 Pennsylvania Ave., NW Washington, DC 20004	General Electric Co	1,250.00	
John S. Zapp, 1101 Vermont Ave., NW Washington, DC 20005	American Medical Assn	4,900.00	
Thomas K. Zaucha, 1825 Samuel Morse Drive Reston, VA 22090	National Grocers Assn		
Vincent Justin Zecca, 315 West Cuthbert Road Westmont, NJ 08108			
Leo C. Zeferetti, 9912 Fort Hamilton Parkway Brooklyn, NY 11209	Building & Construction Trades Dept, AFL-CIO		
Do	New York Telephone		
Do	Pratt & Whitney		
Denis R. Zegar, 201 Park Washington Court Falls Church, VA 22046	National-American Wholesale Grocers' Assn	3,000.00	
Geoffrey Zeh, 12050 Woodward Avenue Detroit, MI 48203-3596	Brotherhood of Maintenance of Way Employes		
Philip F. Zeidman, 1401 New York Ave., NW, #900 Washington, DC 20005	American Business Conference, Inc		
Don J. Zeller, 1615 M Street, NW, #200 Washington, DC 20036	Amoco Corporation	1,850.00	642.10
Ronald L. Ziegler, 1199 N. Fairfax Street, #801 Alexandria, VA 22314	National Assn of Truck Stop Operators, Inc		
Judith Ziewacz, 1840 Wilson Boulevard Arlington, VA 22201	National Milk Producers Federation	1,650.00	77.26
Zuckert Scoutt Rasenberger & Johnson, 888 17th St., NW, #600 Washington, DC 20006-3959	National Comm of Cities & States for Airline Service	9,215.00	6,208.00
Charles O. Zuver, 1120 Connecticut Ave., NW Washington, DC 20036	American Bankers Assn	5,000.00	
Kurt D. Zwikl, 702 Hamilton Mall Allentown, PA 18101	Merchants Bank		
23rd Congressional District Action Comm, 575 Charles St. St. Marys, PA 15857			
31st Pro Life Congressional District Action Comm, 8654 Bonview Terrace Williamsville, NY 14221			

QUARTERLY REPORTS*

***All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.**

The following reports for the fourth calendar quarter of 1986 were received too late to be included in the published reports for that quarter:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective headings. This page (Page 1) is designed to supply identifying data, and Page 2 deals with financial data.)

PLEASE RETURN 1 ORIGINAL TO: THE CLERK OF THE HOUSE OF REPRESENTATIVES, OFFICE OF RECORDS AND REGISTRATION, 1036 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515

PLEASE RETURN 1 ORIGINAL TO: THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19 . . . . . ◆

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

Is this an Amendment?
☐ YES ☐ NO

IDENTIFICATION NUMBER

NOTE on ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) *"Employee".*—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) *"Employer".*—To file as an "employer", write "None" in answer to Item "B".

(*b*) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

☐ CHECK IF ADDRESS IS DIFFERENT THAN PREVIOUSLY REPORTED

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE on ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER—State name, address, and nature of business. If there is no employer, write "None."

NOTE on ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) description, (*b*) quantity distributed, (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and, if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this item "C4" and fill out items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly Report."◆

STATEMENT OF VERIFICATION

[Omitted in printing]

NOTE on ITEM "D."—*(a)* IN GENERAL. The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—§ 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In general.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in connection with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multi-purpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In general.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the space following the number.

Receipts (other than loans)

1. $..............Dues and assessments
2. $..............Gifts of money or anything of value
3. $..............Printed or duplicated matter received as a gift
4. $..............Receipts from sale of printed or duplicated matter
5. $..............Received for services (e.g., salary, fee, etc.)
6. $..............TOTAL for this Quarter (Add "1" through "5")
7. $..............Received during previous Quarters of calendar year
8. $..............TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received—"The term 'contribution' includes a . . . *loan* . . ."—§ 302(a).

9. $..............TOTAL now owed to others on account of loans
10. $..............Borrowed from others during this Quarter
11. $..............Repaid to others during this Quarter

12. $..............“Expense Money” and Reimbursements received this Quarter.

Contributors of $500 or More (from Jan. 1 through this Quarter)

13. Have there been such contributors?
    Please answer "yes" or "no": ....

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last day of this Quarter, total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through.........................., 19.......)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE on ITEM "E".—*(a)* IN GENERAL. "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—§ 302 (b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) IN CONNECTION WITH LEGISLATIVE INTERESTS:

Fill in every blank. If the answer to any numbered item is "None," write "NONE" in the spaces following the number.

Expenditures (other than loans)

1. $..............Public relations and advertising services
2. $..............Wages, salaries, fees, commissions (other than Item "1")
3. $..............Gifts or contributions made during Quarter
4. $..............Printed or duplicated matter, including distribution cost
5. $..............Office overhead (rent, supplies, utilities, etc.)
6. $..............Telephone and telegraph
7. $..............Travel, food, lodging, and entertainment
8. $..............All other expenditures
9. $..............TOTAL for this Quarter (Add "1" through "8")
10. $..............Expended during previous Quarters of calendar year
11. $..............TOTAL from Jan. 1 through this Quarter (Add "9" and "10")

Loans Made to Others—"The term 'expenditure' includes a . . . *loan* . . ."—§ 302 (b).

12. $..............TOTAL now owed to person filing
13. $..............Lent to others during this Quarter
14. $..............Repayments received during this Quarter

15. *Recipients of Expenditures of $10 or More*..........

If there were no single expenditures of $10 or more, please so indicate by using the word "NONE".

In the case of expenditures made during this Quarter by, or on behalf of, the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

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Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Paul C. Abenante, 1111 14th St., NW, #300 Washington, DC 20005	American Bakers Assn	332.40	2.00
Samuel F. Abernethy, Four World Trade Center, 8th Fl. New York, NY 10048	Coffee Sugar & Cocoa Exchange, Inc		
Ablondi & Foster, P.C., 1776 K Street, NW, #606 Washington, DC 20006	Taiwan Textile Federation		
Action, Inc, 333 Pennsylvania Ave., SE Washington, DC 20003	American Indian Higher Education Consortium		
Agency for Instructional Technology, Box A Bloomington, IN 47401			
Deborah L. Aiken, 1850 K Street, NW Washington, DC 20006	American Council of Life Insurance		
Aker Associates, Inc, 1350 New York Ave., NW, #700 Washington, DC 20005	Independent Refiners Coalition	180.00	
Donna A. Akers, 1800 M Street, NW, #700 South Washington, DC 20036	Dow Chemical Co		325.00
Nancy C. Alexander, 245 Second Street, NE Washington, DC 20002	Friends Comm on National Legislation	4,192.80	
Susan Alexander, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	25.19	
Alexander & Associates, Inc, 400 C Street, NE Washington, DC 20002	GATX Corp		
Do	National Structured Settlements Trade Assn		
Do	Rolls Royce Motors, Inc		
Robert G. Allen, 511 C Street, NE Washington, DC 20002	C.A.R.E.		
William E. Allen, 1111 14th Street, NW Washington, DC 20005	American Dental Assn	1,000.00	41.50
Alliance Against Handguns, P.O. Box 75700 Washington, DC 20013			
Alltel Corporation, 100 Executive Parkway Hudson, OH 44236			3,382.50
Jerome A. Ambro Associates, 4734 Timber Ridge Dr. Mountclair, VA 22026	Associated Universities	6,612.50	6,468.14
Do	County of Suffolk, New York	139,000.00	13,744.80
American Apparel Manufacturers Assn, Inc, 2500 Wilson Blvd., #301 Arlington, VA 22201		15,999.79	15,999.79
American Assn for Counseling & Development, 5999 Stevenson Avenue Alexandria, VA 22304		39,603.00	24,328.63
American Assn for Respiratory Therapy, 1720 Regal Row, #112 Dallas, TX 75235		1,334.98	18,363.53
American Assn of Exporters & Importers, 11 West 42nd Street, 30th Fl. New York, NY 10036			885.00
American Assn of Presidents of Independent Colleges & Univs, Grove City College Grove City, PA 16124			405.27
American Assn of University Women, 2401 Virginia Avenue, NW Washington, DC 20037			237.13
American Business Conference, Inc, 1730 K Street, NW, #703 Washington, DC 20006		2,750.00	2,235.29
American Council of Life Insurance, Inc, 1850 K St., NW Washington, DC 20006		295,105.27	295,105.27
American Dental Assn, 211 E. Chicago Ave. Chicago, IL 60611		2,073.80	13,552.66
American Fed of State County & Municipal Employees, 1625 L St., NW Washington, DC 20036			91,706.78
American Gas Assn, 1515 Wilson Boulevard Arlington, VA 22209		24,273.00	24,273.00
American Hospital Assn, 840 N. Lake Shore Dr. Chicago, IL 60611		29,900.51	29,900.51
American Library Assn, 50 E. Huron St. Chicago, IL 60611		3,148.92	8,341.90
American Meat Institute, P.O. Box 3556 Washington, DC 20007			6,500.00
American Medical Peer Review Assn, 440 First Street, NW, #510 Washington, DC 20001			
American Nuclear Energy Council, 410 1st St., SE Washington, DC 20003		6,692.66	47,176.75
American Optometric Assn, c/o Dr. John D. Tumblin 600 Maryland Avenue, SW, #400e Washington, DC 20024			
American Wood Preservers Institute, 1945 Gallows Road, #405 Vienna, VA 22180			8,846.57
Americans for the National Voter Initiative Amendment, 3115 N St., NW Washington, DC 20007			
Arne Anderson, 80 F St., NW Washington, DC 20001	American Fed of Government Employees	11,241.84	
Scott G. Anderson, 1050 Connecticut Ave., NW, #200 Washington, DC 20036	Burlington Northern, Inc	1,900.00	954.96
Anderson Hibey Nauheim & Blair, 1708 New Hampshire Ave., NW Washington, DC 20009	Alamo Rent-A-Car, Inc		
Do	Bay Area Rapid Transit District		
Do	Communication Industries Assn of Japan	2,766.00	249.45
Do	Institute for Financial & Fiscal Studies		
Do	Japan Machine Tool Builders Assn		
Do	Marriott Corporation		
Do	Navajo Nation	11,657.50	303.27
Do	Pacific Theatres Corp		
Do	Project Orbis, Inc		
Do	Riviana Foods, Inc		
Do	Taylor & Mizell (for Int'l Futures Management Co)		
Do	Walt Disney Productions		
L. J. Andolsek, 1533 New Hampshire Avenue, NW Washington, DC 20036	National Assn of Retired Federal Employees	605.00	22.00
David R. Andrews, Three Embarcadero Center San Francisco, CA 94111	McCutchen Doyle Brown & Enersen (For:Castle & Cooke, Inc)		1,150.00
Do	McCutchen Doyle Brown & Enersen (For:Rohr Industries, Inc)		
Lisa Andrews, 51 Louisiana Avenue, NW Washington, DC 20001	Acacia Mutual Life Insurance Co		
William Robert Andrews, 1745 Jefferson Davis Highway, #1200 Arlington, VA 22202	Rockwell International Corp	3,600.00	446.96
Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Ave., NW Washington, DC 20036-5339	All Industry Television Station Music License Committee	9,452.98	0.45
Do	Ameritech	7,742.38	14.04
Do	ConAgra	10,154.08	97.59
Do	Stephen Goldberg	5,905.23	207.57
Do	Pyramid Lake Paiute Tribal Council		60.27
Do	Washington National Arena Limited Partnership		
John A. Armstrong, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
Paul Arneson, 1701 Pennsylvania Ave., NW, #940 Washington, DC 20006	Design Professionals Coalition	680.00	192.14
Do	National Assn of Water Cos		
Eddie T. Arnold, 3620 Peartree Court, #32 Silver Spring, MD 20906			
Arnold & Porter, 1200 New Hampshire Ave., NW Washington, DC 20036	American Assn of Exporters & Importers	885.00	
Do	Asea AB		35.41
Do	Canadian Forest Industries Council	4,897.50	5.60
Do	Canadian Meat Council		
Do	Grain & Feed Trade Assn		
Do	Inter-Local Pension Fund of the Graphic Communications		15.25
Do	International Commodities Clearing House		
Do	International Telecommunications & Satelite Organizations		
Do	London Commodity Exchange Co, Ltd	131.25	
Do	London International Financial Futures Exchange, Ltd		
Do	Metal Market & Exchange Co, Ltd		
Do	National Coordinating Comm for Multiemployer Plans	15,312.00	1,094.27
Do	Recording Industry Assn of America, Inc	4,106.25	4.70
Do	Sacramento Public Utility District, et al.	7,680.34	54.80
Do	State of Israel	1,070.00	
Do	State Farm Mutual Automobile Insurance Co	24,695.00	224.28
Do	Venezolana de Cementos Ca	4,440.00	465.86
Associated Credit Bureaus, Inc, P.O. Box 218300 16211 Park 10 Place Houston, TX 77084		1,500.00	
Association for the Advancement of Historical Research, P.O. Box 15232 Washington, DC 20003			
Association of American Law Schools, One Dupont Circle, NW, #370 Washington, DC 20036			
Association of Maximum Service Telecasters, Inc, 1730 M St., NW, #713 Washington, DC 20036			422.70
Association of Private Pension & Welfare Plans, Inc, 1331 Pennsylvania Ave., NW, #719 Washington, DC 20004		288.48	288.48
Lloyd G. Ator Jr., 1801 K St., NW, #700 Washington, DC 20006	Price Waterhouse (For:Security Pacific National Bank)		
Kenneth E. Auer, 50 F Street, NW, #900 Washington, DC 20001	Farm Credit Council		
Ronald R. Austin, 1201 16th Street, NW Washington, DC 20036	Overseas Education Assn	574.09	941.23
Larry Ayres, 1901 L Street, NW, #303 Washington, DC 20036	Colt Industries, Inc		
AFL-CIO Maritime Committee, 100 Indiana Ave., NW Washington, DC 20001		5,645.00	4,583.99
Craig H. Baab, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	12.50
James Michael Bailey, 910 17th St., NW, #210 Washington, DC 20006	Association of U.S. Night Vision Manufacturers		
John P. Bailey, 625 Slaters Lane, #200 Alexandria, VA 22314	National Assn of Medical Equipment Suppliers	3,000.00	864.41
Lisa Baker, 1730 K Street. NW, #703 Washington, DC 20006	American Business Conference, Inc	105.00	25.00
Baker & McKenzie, 815 Connecticut Ave., NW Washington, DC 20006	National Building Granite Quarries Assn	7,827.50	
H. R. Balikov, 333 Thornall St. Edison, NJ 08818	J. M. Huber Corp		
Henchi Balos, P.O. Box 921 Majuro, Marshall Islands	Republic of the Marshall Islands (RMI)		
Michael Baly III, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	5,000.00	362.75
Bank Capital Markets Assn, National Press Building, 2nd Fl. Washington, DC 20045			
Robert D. Bannister, 15th & M Streets, NW Washington, DC 20005	National Assn of Home Builders of the U.S.		
Baraff Koerner Olender & Hochberg, P.C., 2033 M Street, NW, #203 Washington, DC 20036	College Football Association		
Do	Major Indoor Soccer League		
Do	National Assn of Collegiate Directors of Athletics	1,755.00	
Do	National Basketball Assn	180.00	
Maurice A. Barboza, 1800 M Street, NW Washington, DC 20036	American Bar Assn		
Barnes Richardson & Colburn, 1819 H St., NW, #400 Washington, DC 20006	Brown-Forman Corp		
Do	Heublein, Inc		
Do	Hiram Walker & Sons, Inc		
Do	Schieffelin & Co		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Joseph E. Seagram & Sons, Inc.		
James C. Barr, 1840 Wilson Blvd Arlington, VA 22201	National Milk Producers Federation	3,300.00	
Terry N. Barr, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
David M. Barrett, Barrett Hanna Daily & Gaspar 2555 M Street, NW, #100 Washington, DC 20037	Allied Tube & Conduit Corp		
Do	Energy Consumers & Producers Assn		
Barrett Smith Schapiro Simon & Armstrong, 26 Broadway, 14th Floor New York, NY	Bowery Savings Bank		
Do	Coffee Sugar & Cocoa Exchange, Inc		
Do	Commodity Exchange, Inc		
Do	Empire of America Savings Bank		
Do	Hugo Neu & Sons, Inc		
Do	Irving Trust Co		
Do	Metropolitan Transportation Authority		
Do	New York Cotton Exchange		
Do	New York Mercantile Exchange		
Richard 'Sandy' Beach, 1730 Rhode Island Ave., NW, #810 Washington, DC 20036	Credit Union National Assn, Inc	300.00	130.00
Edwin L. Behrens, 801 18th Street, NW, #400 Washington, DC 20006	Procter & Gamble Manufacturing Co		
Carol M. Beim, Suite 330 City Place 730 Hennepin Avenue Minneapolis, MN 55407	National Audubon Society		
Donald K. Belch, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Stelco, Inc	210.00	390.06
Joe Belew, 1300 N. 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn	8,300.76	
Benchmarks, Inc, 3248 Prospect Street, NW Washington, DC 20007	Campania Minera de las Cuevas S.A. de C.V.	5,000.00	200.14
Alan R. Bennett, 1714 Massachusetts Ave., NW Washington, DC 20036	Fox Weinberg & Bennett (For:Bristol-Myers Co)	1,181.00	
Beverly L. Bennett, 1001 Pennsylvania Ave., NW Washington, DC 20006	American Council of Life Insurance, Inc	2,500.00	
Douglas P. Bennett, 3236 Prospect Street, NW Washington, DC 20007	Association of Executive Search Consultants, Inc		
Tom Benson, 501 Union Street, #506 Nashville, TN 37219	CSX Transportation		
Diana Berardocco, 1660 L Street, NW, #915 Washington, DC 20036	Avon Products, Inc		
George L. Berg Jr., 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,562.00	225.32
Zalman C. Bernstein, Sanford C. Bernstein & Co, Inc 767 Fifth Avenue New York, NY 10153			
James N. Bierman, 1775 Pennsylvania Ave., NW Washington, DC 20006-4680	Foley & Lardner (For:Kohlberg Kravis Roberts & Co)		
Moe Biller, 1300 L St., NW Washington, DC 20005	American Postal Workers Union, AFL-CIO	10,294.73	
Kevin W. Billings, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	1,781.36	267.20
Pat Billings, 1129 20th St, NW, #600 Washington, DC 20036	Group Health Assn of America, Inc	3,020.85	
Hugh L. Binford, 50 Coe Road, #223 Belleair, FL 33516			
Bishop Liberman Cook Purcell & Reynolds, 1200 17th Street, NW, 7th Fl. Washington, DC 20036	American Rice, Inc	697.50	
Do	Board of Trade of Kansas City, MO, Inc	6,249.99	
Do	Enserch Corporation	1,282.50	
Do	Five State Rice Producers Legislative Group		
Do	IBP, Inc	3,000.00	
Do	Nabisco Brands, Inc	437.50	
Do	National Mass Retailing Institute	3,500.00	
Do	Pesticide Producers Assn		
Do	Pioneer Corp	13,150.00	
Do	Pipe Line Gas Transmission Coalition	4,638.04	
Do	Salomon Brothers, Inc	84,691.25	
Do	Western Peanut Growers' Assn		
Black Manafort Stone & Kelly, P.C., 211 North Union Street, 3rd Floor Alexandria, VA 22314	U.S. Lines		
Roger Blacklow, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers	7,886.01	67.09
Kenneth T. Blaylock, 80 F St., NW Washington, DC 20001	American Fed of Government Employees	21,850.57	5,836.62
Richard W. Bliss, 3242 Grace Street, NW Washington, DC 20007	Amax, Inc		
Do	Environmental Science & Engineering		
Do	Fluor Corporation		
Do	National Paint & Coatings Assn, Inc		
Do	Pb-Kbb, Inc	610.00	68.54
Do	St. Joe Minerals Corp		
Do	Varian EIMAC		
Robert A. Blum, 600 Montgomery Street San Francisco, CA 94111	Mccutchen Doyle Brown & Enersen (For:Permanente Medical Group, Inc)		
Robert J. Bolger, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	1,500.00	
Benjamin C. Bolusky, 1250 Eye Street, NW, #500 Washington, DC 20005	American Assn of Nurserymen		
A. Dewey Bond, P.O. Box 3556 Washington, DC 20007	American Meat Institute	500.00	
John K. Booth, 1001 Pennsylvania Ave., NW Washington, DC 20006	American Council of Life Insurance, Inc		
Richard H. Bornemann, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	1,477.98	147.80
Nancy Bothne, 2001 S Street, NW, #312 Washington, DC 20009	Farmworker Justice Fund, Inc		19.40
Wayne A. Boutwell, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	3,400.00	
James J. Bowe, 4 World Trade Center New York, NY 10048	Coffee Sugar & Cocoa Exchange, Inc		
Bowery Savings Bank, 110 East 42nd Street New York, NY 10017			
Bowman Conner Touhey & Petrillo, 2828 Pennsylvania Avenue, NW, #203 Washington, DC 20007	American Automar Corp		
Do	Council of American-Flag Ship Operators		
Do	National Assn of Aircraft & Communications Suppliers, Inc		
Do	Walsh-Healey Coalition		
Robert K. Boyd, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	2,000.00	1,337.47
Robert W. Bradford, 1101 John A. Denie Road P.O. Box 34550 Memphis, TN 38184-0550			
Carren Bragg, 1901 L Street, NW, #303 Washington, DC 20036	Colt Industries, Inc		
Raymond F. Bragg Jr., 50 F Street, NW, #1040 Washington, DC 20001	Agrifuels Refining Corp, et al.	100.00	
Do	American Independent Refiners Assn	300.00	
Stuart J. Brahs, 1331 Pennsylvania Ave., NW, #719 Washington, DC 20004	Association of Private Pension & Welfare Plans, Inc	288.48	
Brand & Lowell, 923 15th Street, NW, Fifth Fl. Washington, DC 20005	West Side Rail Development Foundation, Inc	930.00	
Roy S. Bredder, 1111 14th St., NW, #1200 Washington, DC 20005	American Dental Assn		
James Patrick Brennan, 5999 Stevenson Avenue Alexandria, VA 22304	American Assn for Counseling & Development	5,327.00	
Broadhurst Brook Mangham & Hardy, 1730 Pennsylvania Ave., NW, #300 Washington, DC 20006	GNB, Inc		
Do	Primark Corp	3,412.50	
Do	Sunmar Shipping, Inc		
Diane R. Brown, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	3,000.00	735.73
Donald K. Brown, 1121 L St., #810 Sacramento, CA 95814	Crowley Maritime Corp		
Do	Summa Corporation		
James P. Brown, 5622 Delmar Blvd., #105-W St. Louis, MO 63112	City of St. Louis - City Hall	4,000.00	1,350.00
John J. Brown, 1125 17th St., NW Washington, DC 20036	International Union of Operating Engineers	8,500.00	750.00
Marguerite Bracy Brown, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees	11,131.91	211.00
Shirle L. Brown, P.O. Box 663, GPO New York, NY 10001	SLB Enterprises		
Bryan Cave McPheeters & McRoberts, 1015 15th Street, NW, #1000 Washington, DC 20005	Miller & Chevalier Chtd (for Western Savings & Loan Assn...)	10,000.00	
David G. Burden, 200 E. Randolph Dr. Chicago, IL 60601	Amoco Corporation		
Burger King Corp, P.O. Box 520783 General Mail Facility Miami, FL 33152			
Diane B. Burke, 1625 L Street, NW Washington, DC 20036	American Fed of State County & Municipal Employees	9,484.93	39.50
J. J. Burke Jr., 40 E. Broadway Butte, MT 59701	Montana Power Co		250.51
Sally J. Burke, Scott Harrison & Mcleod 2501 M Street, NW, #400 Washington, DC 20037	American Assn of Crop Insurers		
Do	United Egg Producers		
Michael Burns, 21 Dupont Circle, NW, #300 Washington, DC 20036	Business Executives for National Security	4,022.00	40.00
Frank Burtnett, 5999 Stevenson Avenue Alexandria, VA 22304	American Assn for Counseling & Development	1,041.87	
Busby Rehm and Leonard, P.C., 1330 Connecticut Ave., NW, #200 Washington, DC 20036	Automobile Importers of America, Inc	3,200.00	
Do	European Confederation of the Footwear Industry		
Do	MacMillan Bloedel, Inc	2,000.00	10.00
Do	Timex Corporation		
James T. Bush, 1500 Massachusetts Avenue, NW Washington, DC 20005	CDI Policy Institute		
Butler & Binion, 1747 Pennsylvania Ave., NW, #900 Washington, DC 20006	Kelly Services, Inc		
Do	National Assn of Wholesaler-Distributors		
Do	National Fed of Independent Business		
James R. Byron, 1627 K Street, NW, #200 Washington, DC 20006	Fluor Corporation		
C.A.R.E., 511 C Street, NE Washington, DC 20002			
Cadwalader Wickersham & Taft, 1333 New Hampshire Ave., NW, 7th Fl. Washington, DC 20036	Asphalt Roofing Manufacturers Association		
James Callan, 1726 M Street, NW, #1000 Washington, DC 20036	Electronic Funds Transfer Assn	375.00	
Bruce P. Cameron, 1725 17th Street, NW, #109 Washington, DC 20006	Center for Democracy in the Americas		
Jeanne Campbell, Campbell-Raupe, Inc 1015 15th Street, NW, #907 Washington, DC 20005	Algonquin Gas Transmission		
Do	American Nuclear Energy Council		
Do	Invest to Compete Alliance		
Do	LTV Aerospace & Defense Co		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	New England Life		
Do	Pitney Bowes		
Do	Riffe Petroleum Co		
Do	Texas Utilities Services, Inc		
Do	Union Pacific Corp		
Do	Westinghouse Corp		
Charles J. Campisi, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	9,125.00	
Robert P. Canavan, 1201 16th St., NW Washington, DC 20036	National Education Assn	2,948.35	178.25
Candlelighters, 123 C St., SE Washington, DC 20003			
William F. Canis, 1730 Pennsylvania Avenue, NW, #750 Washington, DC 20006	Caterpillar Tractor Co	3,000.00	400.37
Caplin & Drysdale, Chtd, One Thomas Circle, NW Washington, DC 20005	Gregory Government Securities, Inc	1,560.00	41.70
Do	J. Paul Getty Trust	2,204.00	
Ross Capon, 236 Massachusetts Ave., NE, #603 Washington, DC 20002	National Assn of Railroad Passengers	10,885.44	
Denise A. Cardman, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
Robert E. Carlstrom Jr., 1627 K Street, NW, #200 Washington, DC 20006	St. Joe Minerals Corp	6,000.00	281.63
Bruce J. Carlton, 444 North Capitol St., NW, #801 Washington, DC 20001	Joint Maritime Congress	2,137.00	
Allen R. Caskie, 1850 K Street, NW Washington, DC 20006	American Council of Life Insurance, Inc	4,062.00	
Lawrence J. Cassidy, 1750 New York Avenue, NW Washington, DC 20006	Sheet Metal Workers International Assn	13,929.00	
G. Thomas Cator, 1050 17th Street, NW Washington, DC 20036	Neece Cator & Associates, Inc (For:Association of Small Business Development Centers).		
Do	National Assn of Development Companies (NADCO)		
Gordon Cavanaugh, 509 C Street, NE Washington, DC 20002	Roisman Reno & Cavanaugh (For:Council of Large Public Housing Authorities)	11,618.73	307.88
Center for Democracy in the Americas, 729 15th Street, NW, #940 Washington, DC 20005			
Center for Law and Education, Inc, Larsen Hall, 6th Floor 14 Appian Way Cambridge, MA 02138		433.00	324.94
Jeannette A. Chambers, 1015 18th Street, NW Washington, DC 20036	Conference of State Bank Supervisors		
Chambers Associates, Inc, 1625 K Street, NW, #200 Washington, DC 20006	American Postal Workers Union, AFL-CIO	150.00	
Do	Apache Corporation		
Do	Belk Stores Services, Inc		
Do	Coalition of Publicly Traded Limited Partnerships	1,625.00	
Do	Manville Corporation	1,750.00	
Do	Metcalf & Eddy/KVB Group	750.00	
Do	National Assn of Retired Federal Employees		
Do	State of Idaho, Dept of Employment	960.00	
William J. Chandler, 1511 K Street, NW, #1100 Washington, DC 20005	Natural Resources Defense Council, Inc.	7,687.50	877.19
Alan C. Chase, 1025 Broad Branch Court McLean, VA 22101	Lockheed Corporation	3,950.00	2,413.48
William Chasey Organization, 855 La Jolla Corona Ct. La Jolla, CA 92037	Industrial Data Link		
Do	Life Insurance Coalition of America		
Do	Professional Asset Management, Inc		
Do	Real Property Services Corp		
Do	Syncrotech Software Corp		
Leslie Cheek III, 1025 Connecticut Avenue, NW, #414 Washington, DC 20036	Crum & Forster Corp	26,000.00	1,198.73
Children's Television Workshop, One Lincoln Plaza New York, NY 10023			
Chlorine Institute, Inc, 2001 L Street, NW, #506 Washington, DC 20036			
Cigar Assn of America, Inc, 1100 17th Street, NW, #504 Washington, DC 20036			
James W. Clark Jr., 600 Maryland Avenue, SW, #400 Washington, DC 20024	American Optometric Assn		
Robert A. Clark, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Claymark Corporation, Inc, c/o Milbank Tweed Hadley & Mccloy 30 Rockefeller Plaza, Rm. 5600 New York, NY 10112			
Clifford & Warnke, 815 Connecticut Ave., NW Washington, DC 20006	Australian Meat & Live-Stock Corp	1,200.00	400.00
Do	J. C. Maxtone-Mailer	600.00	228.54
Do	Proprietary Association		
Charles M. Clusen, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	1,928.87	16.00
Stanley A. Cmich, 1700 Gateway Boulevard, SE Canton, OH 44707	Gibbons & Grable Co		
Do	Hercules Engines		
Do	Putman Properties, Inc		
Do	Timken Co		
Coan Couture Lyons & Moorhead, 1625 Eye St., NW, #1015 Washington, DC 20006	National Investment Development Corp	400.00	
Do	State Street Development Co of Boston	5,250.00	
Coffee Sugar & Cocoa Exchange, Inc, 4 World Trade Center, 8th Fl. New York, NY 10048			
George T. Coldeway, 8245 NW 53rd St., #200 Miami, FL 33166-4609	South Florida Hospital Assn		
Cole & Corette, P.C., 1100 Vermont Avenue, NW, #900 Washington, DC 20005	Chase Manhattan Bank, N.A.		
Do	Government of the Netherlands Antilles	340.00	
Do	Millipore Corporation		
Colette R. Coleman, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Emilio G. Collado III, Collado Associates 1405 Montague Drive Vienna, VA 22180	American Watch Assn, Inc	1,500.00	22.50
Collier Shannon Rill & Scott, 1055 Thomas Jefferson St., NW, #308 Washington, DC 20007	National Pasta Assn	2,095.00	2,095.00
Eileen M. Collins, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	588.91	209.36
Paula J. Collins, 1020 19th St., NW, #600 Washington, DC 20036	American Express Co		
Stephen J. Collins, 1620 Eye St., NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
Tim Colton, P.O. Box 498 Chester, PA 19016	Pennsylvania Shipbuilding Co	90.00	7.00
Committee for Do-It-Yourself Household Moving, P.O. Box 2662 Phoenix, AZ 85002			
Committee for Reasonable Inventory Accounting Rules, 1700 Pennsylvania Ave., NW, #600 Washington, DC 20006			
Committee to Protect the Family, 8001 Forbes Place, #102 Springfield, VA 22151		689,989.46	642,921.57
Communications Management, Inc, 1925 North Lynn Street, #1140 Arlington, VA 22209	Citizens for Sensible Control of Acid Rain (CSCAR)	44,805.00	45,398.00
Do	Philip Morris USA	88,335.00	211,187.00
Computer & Communications Industry Assn, 1500 Wilson Blvd., #512 Arlington, VA 22209			
Bert M. Concklin, 1500 Planning Research Drive Mclean, VA 22102	Planning Research Corporation		1,834.59
Conference of State Bank Supervisors, 1015 18th St., NW Washington, DC 20036			4,547.72
Consolidated Edison Co of New York, Inc, 410 First St., SE Washington, DC 20003			
Consolidated Rail Corporation, P.O. Box 23451 Washington, DC 20026			17,068.00
Consortium of Social Science Assns, 1200 17th St., NW, #520 Washington, DC 20036		12,800.00	976.50
Consumer Federation of America, 1424 16th St., NW, #604 Washington, DC 20036		95,900.00	62,436.00
Daniel J. Conway, 1819 L St., 7th Floor Washington, DC 20036	Reinsurance Assn of America		
John A. Conway, 1201 16th Street, NW Washington, DC 20036	National Education Assn		
Edward Cooney, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center	2,879.00	
C. William Cooper, 603 Broad St. Sewickley, PA 15143	United Distribution Companies		
Mark N. Cooper, 1424 16th St., NW, #604 Washington, DC 20036	Consumer Federation of America	300.00	
Samuel Cooper, 215 Pennsylvania Ave., SE Washington, DC 20003	U.S. Public Interest Research Group		
Frederic William Corle, 412 Wolfe Street Alexandria, VA 22314	Interand Corporation		
Bennett J. Corn, Four World Trade Center New York, NY 10048	Coffee Sugar & Cocoa Exchange, Inc		
Mary Alice Cotter, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council		
Walter Coulliard, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers	3,118.23	
Council for a Livable World, 20 Park Plaza, #603 Boston, MA 02116			22,584.10
Covington & Burling, 1201 Pennsylvania Avenue, NW P.O. Box 7566 Washington, DC 20044	National Football League		
Eugene S. Cowen, 2445 M St., NW Washington, DC 20037-1420	Capitol Cities/ABC		
Eric Cox, 418 7th St., SE Washington, DC 20003	Campaign for U.N. Reform-Political Education Committee	2,874.99	34.10
Tamara Cox, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Nebraska Wheat Board)	50.00	
W. O. Craft Jr., Craft & Loesch 1050 Thomas Jefferson St., NW, 6th Fl. Washington, DC 20008	Edison Electric Institute		
Richard L. Crawford, 311 First Street, NW Washington, DC 20001	National Restaurant Assn	17,500.00	
Ken A. Crerar, 1611 N. Kent Street, #900 Arlington, VA 22209	Footwear Industries of America	3,000.00	
Mary Dent Crisp, 21 Dupont Circle, NW, #300 Washington, DC 20036	Business Executives for National Security, Inc		
John M. Cross, 1201 Pennsylvania Ave., NW, #700 Washington, DC 20004	Hill & Knowlton, Inc		
Crowell & Moring, 1001 Pennsylvania Ave., NW Washington, DC 20004-2505	City of North Miami		
Do	Cook Inlet Region, Inc		
Do	Meridian Minerals Co		
Do	Trust for Public Lands		
Do	Western Governors Assn		
Barry M. Cullen, 1620 Eye St., NW, #700 Washington, DC 20006	International Paper Co		
Culley-Foster & Co, P.O. Box 17370 Washington, DC 20041			
Diane Brown Cunningham, 1620 Eye St., NW, #700 Washington, DC 20006	International Paper Co	1,200.00	600.00
Mary Elizabeth Curry, 50 F St., NW, 1100 Washington, DC 20001	American Hospital Assn		
Richard C. Curry, P.O. BOX 66 Mclean, VA 22101	Fire Island Associates, Inc	6,717.45	782.55
Jay B. Cutler, 1400 K Street, NW Washington, DC 20005	American Psychiatric Assn	5,880.00	796.88
CRS, P.O. Box 118 Cold Spring Harbor, NY 11724-0118			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Rudolph N. D'Agaris, 4708 Norbeck Rd. Rockville, MD 20853			
Norman E. D'Amours, 1217 Evermay Court Mclean, VA 22101	Alcalde Henderson O'Bannon & Rousselot	28,000.00	
Do	Credit Union National Assn, Inc	3,000.00	
Do	Marine Midland Banks, Inc	18,000.00	
Leslie Dach, 801 Pennsylvania Avenue, SE Washington, DC 20003	National Audubon Society	8,000.00	4,115.92
Lewis I. Dale, 1660 L Street, NW, #401 Washington, DC 20036	General Motors Corp	3,000.00	1,424.51
Tracy Danese, P.O. Box 14000 Juno Beach, FL 33408	Florida Power & Light Co		
Richard C. Darling, 1156 15th St., NW Washington, DC 20005	J. C. Penney Co, Inc	100.00	50.00
John C. Datt, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	11,842.98	
Theodore S. J. Davi, 371-106 Burgundy Ln. Longwood, FL 32779			
Edward M. Davis, 410 First St., SE Washington, DC 20003	American Nuclear Energy Council	1,192.95	119.30
Davis Wright & Jones, 1752 N St., NW, #800 Washington, DC 20036	Grocery Manufacturers of America, Inc		
Robert Debragga, 26 Flander Rd. Rfd #1, Box 239 Stonington, CT 06388	Project Cure, Inc		
Deloitte Haskins & Sells, 1001 Pennsylvania Ave., NW Washington, DC 20004-2505	Arkansas Electric Cooperative Corp	4,800.00	
Michael J. Deloose, 1015 18th Street, NW Washington, DC 20036	Conference of State Bank Supervisors	645.00	
Elizabeth C. Demato, 5210 Auth Way Camp Springs, MD 20746	Seafarers International Union	3,000.00	54.50
Department for Professional Employees, AFL-CIO, 815 16th St., NW Washington, DC 20006		9,828.14	9,828.14
Gregory L. Depriest, 1730 M Street, NW, #713 Washington, DC 20036	Association of Maximum Service Telecasters, Inc		
R. Daniel Devlin, 1825 Eye Street, NW, #350 Washington, DC 20006	Trans World Airlines, Inc	300.00	
Beth DeGrasse, 100 Maryland Ave., NE Washington, DC 20002	Council for a Livable World	2,863.15	
Dickinson Wright Moon Van Dusen & Freeman, 1901 L St., NW, #801 Washington, DC 20036	Detroit Madison Company		
Walter E. Diercks, Rubin Winston & Diercks 1730 M Street, NW, #412 Washington, DC 20036	Outdoor Advertising Assn of America, Inc		
Michael F. Dineen, 600 Pennsylvania Ave., SE, #206 Washington, DC 20003	Lumbermens Mutual Casualty Co (For:Federal Kemper Life Assurance Co)		
Do	Lumbermens Mutual Casualty Co (For:Kemper Financial Services, Inc)		
Do	Lumbermens Mutual Casualty Co (For:Kemper Investors Life Insurance Co)		
Do	Lumbermens Mutual Casualty Company	2,100.00	141.40
James C. Dinegar, 600 Pennsylvania Avenue, SE, #200 Washington, DC 20003	Independent Insurance Agents of America, Inc	7,361.00	
District of Columbia Hospital Assn, 1250 Eye Street, NW, #700 Washington, DC 20005			
Patsy B. Dix, 1201 16th St., NW Washington, DC 20036	National Education Assn	2,796.00	82.00
James F. Doherty, 1129 20th St., NW, #600 Washington, DC 20036	Group Health Assn of America, Inc		
John D. Doherty Jr., 900 17th Street, NW, #706 Washington, DC 20006	Chase Manhattan Bank, N.A.	202.00	17.22
Nancy A. Donaldson, 110 Maryland Avenue, NE, #211 Washington, DC 20002	Women's Action for Nuclear Disarmament, Inc, et al	1,593.58	
Thomas F. Donnelly, 955 L'enfant Plaza, SW, #1202 Washington, DC 20024	National Water Resources Assn	3,125.00	
Linda L. Doorfee, 600 Pennsylvania Avenue, SE, #200 Washington, DC 20003	Independent Insurance Agents of America, Inc	6,884.00	
Ira Dorfman, 1111 14th St., NW, #300 Washington, DC 20005	American Bakers Assn	270.00	2.00
May Del Rio Dorfman, 380 Second Avenue New York, NY 10010	Planned Parenthood of New York City, Inc	272.61	183.66
Charlene Dougherty, 801 Pennsylvania Avenue, SE Washington, DC 20003	National Audubon Society	8,000.00	3,132.34
Richard Morgan Downey, 10801 Rockville Pike Rockville, MD 20852	American Speech-Language-Hearing Assn		
Paul A. Drazek, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	7,896.00	
Anthony V. Dresden, 444 N. Capitol Street, NW, #801 Washington, DC 20001	Joint Maritime Congress		
Dorothy J. Drummer, 1730 K St., NW, #703 Washington, DC 20006	American Business Conference, Inc		
Douglas F. Duerr, 1730 Rhode Island Ave., NW, #810 Washington, DC 20036	Credit Union National Assn, Inc	300.00	53.26
Michael F. Duffy, 1920 N St. NW Washington, DC 20036	American Mining Congress		
Duncan Weinberg & Miller, P.C., 1615 M Street, NW, #800 Washington, DC 20036	State of Nevada		
Margaret A. Durbin, 1001 pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	2,000.00	
David Durham, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,250.00	49.58
Jean Durning, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	95.96	
Dyer Ellis Joseph & Mills, 600 New Hampshire Ave., NW, #1000 Washington, DC 20037	Apex Marine Corp	8,680.00	189.56
Do	Crowley Maritime Corp	4,230.00	100.65
Dennis J. Earhart, 1753 Euclid St, NW Washington, DC 20009	Bear West Co, Inc (for Rocky Mountain Energy Co)	412.50	
Marsha A. Echols, Law Offices of Max N. Berry 3213 O Street, NW Washington, DC 20007	National Assn for the Specialty Food Trade, Inc		
Michael D. Edwards, 1201 16th Street, NW Washington, DC 20036	National Education Assn	3,291.30	90.49
Edwards Associates, 507 Second St., NE Washington, DC 20002	Confederated Tribes of Warm Springs		
Jill W. Eiland, 507 Second Street, NE Washington, DC 20002	Portland General Electric Co		
Timothy L. Elder, 100 N.E. Adams Street Peoriagton, IL 61629-1430	Caterpillar, Inc	2,500.00	110.00
Electronic Funds Transfer Assn, 1726 M Street, NW, #1000 Washington, DC 20036			200.00
C. M. Elkins Associates, 1100 17th St., NW, #310 Washington, DC 20036	Delaware & Hudson Railway Co		
Do	Missouri Kansas Texas Railroad		
Do	Pittsburgh & Lake Erie Railroad Co		
Keith H. Ellis, 1015 18th St.,nw Washington, DC 20036	Conference of State Bank Supervisors	3,800.00	102.02
Emerson Electric Co, 8000 W. Florissant St. Louis, MO 63136			1,341.20
J. Barry Epperson, P.O. Box 42464 Houston, TX 77242	Associated Wire Rope Fabricators	500.00	3,383.68
Kimberly Neilsen Epstein, 2626 Pennsylvania Ave., NW Washington, DC 20036	National Telephone Cooperative Assn		
Epstein Becker Borsody & Green, P.C., 1140 19th St., NW, #900 Washington, DC 20036	Voluntary Hospitals of America, Inc	10,992.50	
Paul A. Equale, 600 Pennsylvania Ave., SE, #200 Washington, DC 20003	Independent Insurance Agents of America, Inc	21,338.00	
Erisa Industry Committee, 1726 M Street, NW, #1101 Washington, DC 20036			3,323.00
Mark Esherick, 1601 Connecticut Ave, NW, #400 Washington, DC 20009	Zero Population Growth, Inc	1,252.00	
Stephen E. Eure, 1711 King Street Alexandria, VA 22314	Snack Food Assn	5,250.00	600.68
C. Lawrence Evans Jr., 51 Louisiana Avenue, NW Washington, DC 20001	Acacia Mutual Life Insurance Co		
Walter Evans Jr., 2254 David Raines Rd., Apt. 123 Shreveport, LA 71107			
William J. Evans Jr., 1660 L St., NW, #901 Washington, DC 20036	Pan American World Services, Inc	250.00	169.29
Fawn K. Evenson, 1611 N. Kent St., #900 Arlington, VA 22209	Footwear Industries of America	7,500.00	127.94
Michael W. Faber, Reid & Priest 1111 19th Street, NW, #1100 Washington, DC 20036	Committee of Corporate Telecommunications Users		
Farm Credit Council, 50 F Street, NW, #900 Washington, DC 20001		218,000.00	5,058.00
Frederick Fedeli, 1400 K St., NW Washington, DC 20005	American Psychiatric Assn	2,013.00	1,102.00
Federal Judges Association, 1355 Market St., #155 San Francisco, CA 94103		44,535.00	69,136.91
Federal Kemper Life Assurance Co, Kemper Bldg. D-3 Long Grove, IL 60049			13.27
Federation of Behavioral Psychological & Cognitive Sciences, 1200 17th Street, NW Washington, DC 20036			
Joel F. Feldman, 1752 N St., NW, #800 Washington, DC 20036	National Welding Supply Assn	5,100.00	
Claudia Feller, 1200 17th Street, NW Washington, DC 20036	Federation of Behavioral Psychological & Cognitive Sciences		
William Ferguson Jr., 1730 Rhode Island Ave., NW, #400 Washington, DC 20036	Aries Properties, Inc	800.00	19.72
Do	Berg-Revoir Corp		
Do	City of Alhambra		
Do	City of Baldwin Park		
Do	City of Inglewood		
Do	City of Oceanside		
Do	City of Provo		
Do	City of Redondo Beach		
Do	City of South Salt Lake		
Do	Gavin Associates		
Do	Imperial Irrigation District		
Do	Irvine Company	5,312.50	48.54
Do	Long Beach Transit	2,200.00	30.22
Do	Oceanside Redevelopment Agency		
Do	Santa Cruz Properties, Inc		
Jack Ferguson Associates, Inc, 203 Maryland Ave., NE Washington, DC 20002	BellSouth D.C.	1,250.00	
Do	Dick Fischer Development, Inc	5,500.00	671.25
Do	Dillingham Construction Group	1,546.87	673.51
Do	Foss Maritime Co	925.00	629.13
Do	Global Marine, Inc	8,695.00	707.43
Do	Haida Corporation	11,368.13	792.60
Do	Northwest Alaska Natural Gas Pipeline Co	6,000.00	676.02
Do	Pyro Power		
Do	Standard Oil/BP North America, Inc	1,562.50	
Do	Tacoma Boat Building Co	500.00	605.16
Do	U.S. Borax & Chemical Corp	2,750.00	679.73
Do	We All Need H-3 Committee	2,750.00	752.17
C. H. Fields, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	7,021.00	58.47
Finley Kumble Wagner Heine Underberg Manley Myerson & Casey, 1140 Connecticut Ave., NW, #400 Washington, DC 20036	American College of Neuropsychopharmacology	1,350.00	58.38
Do	American Protestant Health Assn	790.00	10.00
Do	Committee on Problems of Drug Dependence, Inc	512.50	12.00
Do	National Assn of Alcoholism Treatment Programs, Inc	1,143.75	18.00
Do	Nordisk-USA	1,137.50	18.93

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	Puerto Rico Department of Health		48.92
Do	Puerto Rico Hospital Assn	3,750.00	
Do	PTAT System, Inc		
Do	Society of Real Estate Appraisers		
Do	Syncor Int'l Corp/Nat'l Assn of Nuclear Pharmacies	3,667.50	36.00
Felipe M. Floresca, 67 Wall Street, #2509 New York, NY 10005			
Ruth Flower, 245 Second Street, NE Washington, DC 20002	Friends Committee on National Legislation	4,367.49	
Veronica M. Floyd, 2001 S. Jeff Davis Highway, #1107 Arlington, VA 22202	Brunswick Corp	6,000.00	5,036.48
John J. Flynn, 1125 17th Street, NW Washington, DC 20036	International Union of Operating Engineers	7,500.00	150.00
David H. Foerster, 1201 16th St., NW Washington, DC 20036	National Education Assn		
Food Research & Action Center, 1319 F Street, NW, #500 Washington, DC 20004		5,000.00	4,928.99
Footwear Retailers of America, 1319 F St., NW, #700 Washington, DC 20004			1,500.00
John H. Forehand III, 12216 Fleming Lane Bowie, MD 20715	Omni-Tech of America, Inc		
Richard C. Fortuna, 2916 Stephenson Pl., NW Washington, DC 20015	Hazardous Waste Treatment Council	1,500.00	1,500.00
Alan Fox, 1424 16th Street, NW, #604 Washington, DC 20036	Consumer Federation of America	5,624.00	
Allan M. Fox, 1714 Massachusetts Ave., NW Washington, DC 20036	Fox Weinberg & Bennett (For:Bristol-Myers Co)	1,375.00	
Do	Fox Weinberg & Bennett (For:National Coalition for Cancer Research)		
Fox Weinberg & Bennett, 1714 Massachusetts Avenue, NW Washington, DC 20036	Bristol-Myers Co	10,225.00	2,601.00
Do	International Medical Centers		
Do	National Coalition for Cancer Research		
David E. Franasiak, 1001 22nd Street, #600 Washington, DC 20037	Standard Oil Co (Ohio)		
Peter M. Frank, 1667 K St., NW, #250 Washington, DC 20006	Kerr-McGee Corp		
Fran Frazier, 1730 K Street, NW, #703 Washington, DC 20006	American Business Conference	88.75	101.94
Mary Ann Freeman, 1331 Pennsylvania Ave, NW Washington, DC 20005	General Electric Co	70.00	120.00
Fried Frank Harris Shriver & Jacobson, 1001 Pennsylvania Ave., NW, #800 Washington, DC 20004	American Indian National Bank		
Do	Assiniboine Tribe		
Do	Bristol Bay Native Corp		6.00
Do	Doyon, Limited		
Do	Klamath Tribe		
Do	Miccosukee Tribe of Indians of Florida		
Do	Nez Perce Tribe		
Do	Pueblo of Laguna		
Do	Seneca Nation of Indians		
Gay H. Friedmann, 1150 Connecticut Ave., NW, #717 Washington, DC 20036	Southern California Gas Co	9,000.00	250.18
Friends Committee on National Legislation, 245 2nd St., NE Washington, DC 20002			28,584.46
Owen V. Frisby, 900 17th St., NW Washington, DC 20006	Chase Manhattan Bank, N.A		
Charles H. Fritts, 1111 14th St., NW, #900 Washington, DC 20005	National Apartment Assn	10,125.00	65.00
Robert F. Froehlke, 787 7th Avenue New York, NY 10019	Equitable Life Assurance Society of the U.S		
David H. Fyock, 600 Maryland Ave., SW, #520 Washington, DC 20024	GPU Service Corporation	4,488.00	618.29
Gardner Carton & Douglas, 1875 I St., NW Washington, DC 20006	Midcon Corp		
Garvey Schubert & Barer, 1000 Potomac St., NW Washington, DC 20006	Contractors Bonding & Insurance Co		
Do	CSX Corporation	350.00	
Do	Greenbriar Capital Corp		
Do	Greenbriar Leasing		
Do	Japan Fisheries Association	1,400.00	
Do	Northwest Marine Iron Works	23,939.28	
Do	Port of Tillamook Bay & Tillamook County	13,613.78	
Do	Sonatrach	787.50	
Do	Totem Ocean Trailer Express, Inc	175.00	
Mary A. Garza, P.O. Box 623 Station Q Toronto Ontario Canada M4T2N4	Jeweler's Coalition		
Do	Zale Corporation		
Vernon Gasaway, 191 Sands Street, Apt. 5j Brooklyn, NY 11201			
Lillian B. Gaskin, 1800 M St., NW Washington, DC 20036	American Bar Assn	400.00	50.00
Frank T. Gasper, 8104 River Falls Drive Potomac, MD 20854	Moog, Inc		
Garry Geffert, 2001 S Street, NW, #312 Washington, DC 20009	Farmworker Justice Fund, Inc		
Robert C. Gelardi, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342	Robert H. Kellen Company (For:Infant Formula Council)	720.00	
Gerard Byler & Associates, Inc, 1100 17th Street, NW, #1000 Washington, DC 20036	Colville Business Council	450.00	
Do	Minnesota Chippewa Tribe		
Do	Quechan Indian Tribe	726.00	
Do	Sao Carlos Apache Tribe	328.80	
Do	Tohono O'odham Nation	5,037.60	
Phyllis H. Gerstell, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	1,500.00	
Gibson Dunn & Crutcher, 1050 Connecticut Ave., NW, #900 Washington, DC 20036	Wheeling-Pittsburgh Steel Corp	1,365.90	92.29
Joseph L. Gilbert, 4324 Georgia Avenue, NW Washington, DC 20024	National Business League		
Maureen Gilman, 1730 K Street, NW, #1100 Washington, DC 20006	National Treasury Employees Union	10,000.00	529.80
Elmer G. Gleske, 655 15th St., NW, #300 Washington, DC 20005	Flight Safety Intl inc		
Leslie Alan Glick, Duncan Allen & Mitchell 1575 I Street, NW, #300 Washington, DC 20005	Visaflor, S.A		
Donna Gold, 1201 16th Street, NW Washington, DC 20036	National Education Assn		
Allen Goldberg, 1010 Wisconsin Avenue, NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Patricia R. Goldman, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn	1,979.75	923.34
Jack Golodner, 815 16th St., N.w. Washington, DC 20006	Department for Professional Employees, AFL-CIO	2,807.59	
Susan Goodman, 1730 K Street, NW, #703 Washington, DC 20006	American Business Conference		
William Gordon, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	1,800.00	
Ann M. Gosier, 1920 N St., NW Washington, DC 20036	American Mining Congress		
George B. Gould III, 100 Indiana Ave., NW Washington, DC 20001	National Assn of Letter Carriers	13,721.37	1,604.29
Donald E. Graham, National Cooperative Business Center 1401 New York Ave., NW, #1100 Washington, DC 20005	National Council of Farmer Cooperatives		
Graphic Communications International Union, AFL-CIO, CLC, 1900 L Street, NW Washington, DC 20036		28,186.00	33,673.00
Grassroots, Nat'l Assn of Farm Credit System Stockholders, 501 Alabama Street P.O. Box 1070 Jacksonville, TX 75766			
Neil A. Gray, 6811 Kenilworth Ave. Riverdale, MD 20737	National Asphalt Pavement Assn	1,125.00	1,600.08
Robert K. Gray, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Bell Atlantic Management Services)		
Do	Hill & Knowlton, Inc (For:Budd Company)		
Do	Hill & Knowlton, Inc (For:Canadian Asbestos Information Centre)		
Do	Hill & Knowlton, Inc		
Do	Hill & Knowlton, Inc (For:Hyundai Motor America)		
Do	Hill & Knowlton, Inc (For:HTB Corporation)		
Do	Hill & Knowlton, Inc (For:Joint Maritime Congress)		
Do	Hill & Knowlton, Inc (For:Mutual of Omaha)		
Do	Hill & Knowlton, Inc (For:Republic of Turkey)		
Do	Hill & Knowlton, Inc (For:Seminole Indian Tribe of Florida)		
Do	Hill & Knowlton, Inc (For:Shaklee Corporation)		
Do	Gray & Co Public Communications Int'l, Inc (For:Sharps Pixley & Co, Ltd)		
Do	Hill & Knowlton, Inc (For:Stroh Brewery Co)		
Do	Hill & Knowlton, Inc (For:Tesoro Petroleum Corp)		
Do	Hill & Knowlton, Inc (For:Title Insurance Industry Coalition)		
Do	Hill & Knowlton, Inc (For:Tobacco Institute)		
Do	Hill & Knowlton, Inc (For:U.S. Banknote Corp)		
Do	Hill & Knowlton, Inc (For:United Airlines, Inc)		
Do	Hill & Knowlton, Inc (For:Waterman Steamship Corp)		
James W. Green, 1201 16th St., NW Washington, DC 20036	National Education Assn		
Ellen F. Greenberg, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn	2,955.00	53.40
Phyllis Greenberger, 1400 K Street, NW Washington, DC 20005	American Psychiatric Assn	2,013.00	2,032.40
Robert Greenstein, 236 Massachusetts Ave, NE, #305 Washington, DC 20002	Center on Budget & Policy Priorities	123.18	19.00
John M. Greer, 1900 L Street, NW Washington, DC 20036	Graphic Communications International Union, AFL-CIO, CLC	28,186.00	33,673.00
Janice M. Gregory, 1726 M St., #1101 Washington, DC 20036	Erisa Industry Council	1,633.00	24.50
Randall Griffin, 1515 Wilson Boulevard Arlington, VA 22209	American Gas Assn	2,000.00	637.30
J.S. Griffin & Associates, 761 Kenilworth Ave. Dayton, OH 45405			
Jerome Grossman, 20 Park Plaza, #603 Boston, MA 02116	Council for a Livable World	4,396.68	
Lewis Gulick, 1008 N. Randolph Street, #206 Arlington, VA 22201	TCR Services, Inc	5,000.00	
Leland M. Gustafson, 1726 M St., NW, 1100 Washington, DC 20036	Pacific Gas & Electric Co	863.00	504.94
Ned H. Guthrie, 209 Hayes Avenue Charleston, WV 25314	American Fed of Musicians	3,691.25	2,882.63
Robert F. Guthrie, 815 16th St., NW, #608 Washington, DC 20006	Department for Professional Employees, AFL-CIO	5,822.02	
Hagedorn-Cando, Inc, 1704 23rd St., So. Arlington, VA 22202	Davy McKee Corp		
Peter H. Hahn, 1100 17th St., NW, #1000 Washington, DC 20036	Chromalloy American Corp		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Hale and Dorr, 1455 Pennsylvania Avenue, NW Washington, DC 20004	Avondale Industries, Inc		
Do	Gay Head Taxpayers Assn	242.70	49.84
Do	Phil Villers		
Do	Villers Advocacy Foundation		5.25
Hale Foundation, 422 First Street, SE, #208 Washington, DC 20003			
Beverly Halem, P.O. Box 1419 Cocoa, FL 32922	Halem Industries, Inc		
Cheryl A. Haley, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn	1,087.98	272.42
George W. Haley, 1050 Connecticut Ave., #300 Washington, DC 20036	Grocery Manufacturers of America, Inc		
John F. Hall, 1945 Old Gallows Road, #405 Vienna, VA 22180	American Wood Preservers Institute		
Richard F. Hall, 1700 K Street, NW, #502 Washington, DC 20006	Pacific Resources, Inc	500.00	
Jerald V. Halvorsen, 2200 Mill Road Alexandria, VA 22314	American Trucking Assns, Inc	15,000.00	1,127.75
Martin Hamburger, 100 Maryland Ave., NE Washington, DC 20002	Peace Political Action Committee	1,879.79	
D. Michael Hancock, 100 Maryland Avenue, NE Washington, DC 20002	National Coalition to Ban Handguns		
Handgun Control, Inc, 1400 K Street, NW, #500 Washington, DC 20005		767,347.00	191,250.00
Donald K. Hanes, 50 F St., NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Christopher W. Hansen, 1700 N. Moore Street Rosslyn, VA 22209	Boeing Co	762.94	614.60
Mary V. Harcar, 1747 Pennsylvania Ave., NW, #704 Washington, DC 20006	Mason Perrin & Kanovsky (For:GTE Service Corp)	2,105.00	83.66
Do	Mason Perrin & Kanovsky (For:Manufacturers Life Insurance Co, Inc)	1,010.00	69.50
Sandra K. Harding, 7981 Eastern Avenue Silver Spring, MD 20910	National Assn of Social Workers	4,334.00	526.00
Stuart B. Hardy, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.		
Jon Harkavy, 205 East 42nd Street New York, NY 10017	Risk & Insurance Management Society, Inc		
Dan R. Harlow, 717 N. Harwood Street Dallas, TX 75201	Diamond Shamrock Corp	1,000.00	
Sunny Harris, 7981 Easter Avenue, 4th Floor Silver Spring, MD 20910	National Assn of Social Workers	6,563.00	734.00
J. William W. Harsch, 6th Floor 1722 Eye Street, NW Washington, DC 20006	Solv-Ex Corporation	2,000.00	1,019.91
Do	Wormser Engineering, Inc	5,500.00	1,280.78
Arnold I. Havens, 1818 N Street, NW Washington, DC 20036	Eckert Seamans Cherin & Mellot (For:Armstrong World Industries, Inc)	12,887.50	71.11
Do	Eckert Seamans Cherin & Mellott (For:Burlington Northern, Inc)	35,170.00	792.51
Do	Eckert Seamans Cherin & Mellott (For:CSX Corp)	9,521.25	95.59
Peter M. Hayes, 214 Massachusetts Ave., NE Washington, DC 20002	Salt River Project	3,521.00	3,140.06
R. Michael Haynes, 1156 15th Street, NW, #1101 Washington, DC 20005	National Assn of Small Business Investment Companies	3,000.00	
Bruce Heaton, Eppards Point Mutual County Fire Ins. Co 313 North Court Pontiac, IL 61764	National Assn of Mutual Insurance Companies		
Bernard G. Heinzen, Bernard G. Heinzen, Ltd Two Mellon Bank Center Philadelphia, PA 19102	Kent Shoemoker		4,508.00
Helicopter Assn International, 1619 Duke Street Alexandria, VA 22314			23,651.00
Donald E. Henderson, 130 E. Washington Street Indianapolis, IN 46204	Indiana Farm Bureau, Inc	6,500.00	573.60
Mary Lyn Herdt, 1001 22nd Street, NW Washington, DC 20037	Standard Oil Co (Ohio)		
Barry Alexander Herring, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products, Ltd	38.50	389.37
Robert G. Hibbert, P.O. Box 3556 Washington, DC 20007	American Meat Institute	1,000.00	
Vern F. Highley, 1735 I Street, NW, #716 Washington, DC 20006	Amcot, Inc	6,000.00	250.00
Sharon L. Hildebrandt, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn		
Gerald 'Jerry' Hill, 6 Executive Park Drive Atlanta, GA 30329	Amoco Corporation		
J. D. Hittle, 3137 S. 14th St. Arlington, VA 22204	KMS Industries, Inc	1,500.00	
Do	LTV Aero-Space & Defense Co	2,500.00	133.45
Kenneth Hoagland, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	1,528.00	
Glen D. Hofer, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Robert C. Hoffman, 2600 N. Powhatan Street Arlington, VA 22207	Foresight Consulting Group, Inc		
Philip A. Hogue, 150 S. Washington St., #100 Falls Church, VA 22046	International Technical Expertise Ltd		
Diane S. Holmes, 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	539.50	29.68
Moses D. Holmes Jr., 1201 16th St., NW Washington, DC 20036	National Education Assn	2,948.35	105.00
Lois Holwerda-Hoyt, 600 Maryland Avenue, SW, #770 Washington, DC 20024	American Academy of Family Physicians	1,937.50	186.24
Marian Hopkins, 1615 H Street, NW Washington, DC 20062	Chamber of Commerce of the U.S.	3,750.00	703.36
Sanford D. Horwitt, 5935 N. 5th Road Arlington, VA 22203	Committee for Humane Legislation, Inc		
Do	Friends of Animals, Inc		
Hospital Association of New York State, 74 N. Pearl St. Albany, NY 12207		2,569.00	2,569.00
Hospital Corp of America, 1300 N. 17th St., #1000 Arlington, VA 22209			6,735.49
Allynn Howe, 80 F Street, NW Washington, DC 20001	American Fed of Government Employees	8,769.39	
J. William Howell, 1801 K St., NW, #1200 Washington, DC 20006	International Business Machines Corp	167.75	
James P. Howell, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	1,205.00	
Karl T. Hoyle, 1730 Rhode Island Ave., NW, #810 Washington, DC 20036	Credit Union National Assn, Inc	300.00	14.91
Betty Hudson, 1627 K Street, NW, #200 Washington, DC 20006	Fluor Corporation	15,000.00	823.18
Gary E. Hughes, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Peter W. Hughes, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	21,750.00	
Gregory A. Humphrey, 555 New Jersey Ave., NW Washington, DC 20001	American Fed of Teachers	15,250.00	48.00
Richard M. Hunt, 1800 K St., NW, #622 Washington, DC 20006	NL Industries, Inc	4,775.00	
Gary Hymel, 901 31st Street, NW Washington, DC 20007	Hill & Knowlton, Inc (For:Waterman Steamship Corp)		
Ronald K. Ikejiri, 1155 21st St., NW, #400 Washington, DC 20036	Francis McGinnis & Rees (For:Edison Electric Institute)		
Independent Insurance Agents of America, Inc, 100 Church St., 19th Fl. New York, NY 10007		35,280.00	35,280.00
Industrial Union Department, AFL-CIO, 815 16th St., NW, #301 Washington, DC 20006		49,813.38	49,813.38
Infant Formula Council, 5775 Peachtree-Dunwoody Rd., #500-D Atlanta, GA 30342			720.00
Int'l Union, United Auto Aerospace & Agric Implement Workers, Workers of America (uaw) 8000 E. Jefferson Avenue Detroit, MI 48214.		134,671.44	134,671.44
International Union of Operating Engineers, 1125 17th St., NW Washington, DC 20036		22,500.00	1,530.00
John Isaacs, 100 Maryland Ave., NE Washington, DC 20002	Council for a Livable World	6,762.62	
Marilyn J. Ittner, 1001 22nd Street, NW Washington, DC 20037	Standard Oil Co (Ohio)		
Ivins Phillips & Barker, Chtd, 1700 Pennsylvania Ave., NW, #600 Washington, DC 20006	American Textile Manufacturers Institute, Inc		
Do	Aramco Services Co		
Do	Blount, Inc		
Do	Committee for Reasonable Inventory Accounting Rules		
Do	Employee Relocation Council		
Do	Limited, Inc		
Do	Oberlin College		
Do	Pechiney Corporation		
INTERACT, 1350 Old Bayshore Highway, #750 Burlingame, CA 94010	American Comm for Vietnam Claims Justice	13,200.00	18,474.74
Timothy P. James, 1125 17th Street, NW Washington, DC 20036	International Union of Operating Engineers	6,500.00	630.00
Evelyn Jarvis-Ferris, 444 Market Street San Francisco, CA 94111	Shaklee Corporation		
Sonia S. Jasso, 815 16th Street, NW, #707 Washington, DC 20006	Labor Council for Latin American Advancement		
Philip F. Jehle, 1150 Connecticut Ave., NW, #310 Washington, DC 20036	Smith Kline Beckman Corp		
David Jenness, 1200 17th Street, NW, #520 Washington, DC 20036	Consortium of Social Science Assns		
Kataejar U. Jibas, P.O. Box 921 Majuro, Marshall Islands	Bikini/Kili/Ejit Council		
Michael E. Johns, 2033 M Street, NW, #900 Washington, DC 20036	National Assn of Arab Americans		
Beth Johnson, 6220 Gaston Avenue, #609 Dallas, TX 75214	Sierra Club	1,290.50	775.18
Bruce Johnson, Law Offices of Bruce Johnson 1718 Connecticut Ave., NW, #410 Washington, DC 20009	Ad-Hoc Asset Backed Securities Legis. & Regulatory Assn		
Do	Columbia Savings & Loan Assn	8,837.65	491.65
Do	First Boston Corp	10,000.00	
Do	FAIC Securities, Inc	9,000.00	2,197.21
Do	Kidder Peabody & Co, Inc		
Do	Morgan Stanley & Co, Inc		
Carl T. Johnson, 2401 Black Cap Lane Reston, VA 22091	Corning Glass Works		
James E. Johnson, 11510 Georgia Ave., #230 Wheaton, MD 20902	James E. Johnson & Associates, Inc		
Johnny Johnson, P.O. Box 921 Majuro, Marshall Islands	Bikini/Kili/Ejit Council		
Linda Meyer Johnson, 1801 K St., NW, #1200 Washington, DC 20006	IBM/Rolm		
Geo. Allen Johnston, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	17,175.00	
Joint Maritime Congress, 444 N. Capitol St., #801 Washington, DC 20001		19,307.18	19,307.18
Herbert A. Jolovitz, 7531 Sebago Road Bethesda, MD 20817	Owens-Corning Fiberglas Corporation		
Randall T. Jones, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	2,133.33	
Jones & Winburn, 50 E Street, SE Washington, DC 20003	American Assn of Equipment Lessors		
Do	American Financial Service Assn	19,500.00	
Do	American Resort & Residential Development Assn		
Do	Catholic Health Assn		
Do	Chancellor Corporation		
Do	City of Baton Rouge		
Do	Connell Rice & Sugar		
Do	E&J Gallo Winery		
Do	Green Bay Packaging Co	55,000.00	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	GEO Products		
Do	Hartford Fire Insurance Group		
Do	Leggett & Platt, Inc	25,000.00	
Do	Mall Properties, Inc	4,500.00	
Do	McClouth Steel Products Corp		
Do	Michigan Council of Self-Insured Group Administrators	43,500.00	
Do	National Assn of ASCS County Office Employees (NASCOE)	1,630.00	94.40
Do	Pennzoil Co	7,500.00	
Do	R.J. Reynolds Tobacco Co		
Do	Standard Oil Co	500.00	
Do	U.S. Air, Inc		
Do	U.S. Cane Sugar Refiners' Assn	5,000.00	
Do	United Companies Life Insurance Companies	15,000.00	
Patricia Jordan, 1730 Rhode Island Ave., NW, #400 Washington, DC 20036	Aries Properties, Inc	800.00	20.42
Do	Berg-Revoir Corp		
Do	City of Alhambra		
Do	City of Baldwin Park		
Do	City of Inglewood		
Do	City of Oceanside		
Do	City of Provo		
Do	City of Redondo Beach		
Do	City of South Salt Lake	600.00	70.40
Do	Gavin Associates		
Do	Imperial Irrigation District		
Do	Irvine Co	900.00	20.42
Do	Long Beach Transit		
Do	Oceanside Redevelopment Agency		
Do	Santa Cruz Properties		
Linda K. Joseph, 1199 Black Horse Pike Pleasantville, NJ 08232	Atlantic Electric		8,300.00
Mary Lou Joseph, 2025 M Street, NW Washington, DC 20036	National Public Radio		
Tomaki Juda, P.O. Box 921 Majuro, Marshall Islands	Bikini/Kili/Ejit Council		
Connie Kagan, 2200 Greenwich St. Falls Church, VA 22043			
Do	Neavs	3,200.00	939.01
David A. Karcher, 3700 Pender Drive, #108 Fairfax, VA 22030	American Soc of Cataract & Refractive Surgery		12,603.00
Eric H. Karp, 115 Broad Street Boston, MA 02110	Edward Blankstein, Inc		
Howard C. Katz, 4 World Trade Center New York, NY 10048	J. Aron & Co (For:Coffee Sugar & Cocoa Exchange, Inc)		
Steven L. Katz, 1424 16th St., NW, #601 Washington, DC 20036	People for the American Way	4,500.00	
Kaye Scholer Fierman Hays & Handler, 1575 Eye Street, NW, #1150 Washington, DC 20005	Coalition for Prompt Pay		
Do	Hartford Fire Insurance Co	2,056.00	
Do	LDX Net, Inc	1,896.24	38.44
Do	Morgan Guaranty Trust Co of New York	1,947.50	64.06
Do	Pioneer Systems, Inc		
Do	Raymark Corporation		748.13
Do	Winfield Manufacturing Co	5,933.12	170.66
Keck Mahin & Cate, 1730 Pennsylvania Avenue, NW, #350 Washington, DC 20006	Schwinn Bicycle Co	643.25	5.50
David A. Keene, 919 Prince Street Alexandria, VA 22314	Marine Engineers Beneficial Assn	3,000.00	
Do	National Tax Limitation Committee	4,500.00	
Keene Monk & Associates, Inc, 919 Prince Street Alexandria, VA 22314	Apex Marine	4,000.00	
Do	Mortgage Guaranty Insurance Corp	2,000.00	115.10
Do	Valsan Re-Engining, Inc	4,000.00	
Jerilyn Fay Kelle, 110 Maryland Avenue, NE, #211 Washington, DC 20002	Women's Action for Nuclear Disarmament, Inc, et al	1,187.50	
Keller & Heckman, 1150 17th Street, NW, #1000 Washington, DC 20036	Specialty Advertising Assn Int'l	700.00	70.00
Paul J. Kelley, 2727 North Central Ave. Phoenix, AZ 85004	U-Haul Intl, Inc	6,250.00	
Thomas F. Kelley III, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Ty Kelley, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	1,500.00	
Deborah Marquis Kelly, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn		
Richard B. Kelly, Kelly Eckhaus & Mohen 230 Park Avenue New York, NY 10169	National Assn of Catalog Showroom Merchandisers		
Do	National Coalition of Lower Prices		
Kemper Financial Services, Inc, 120 South Lasalle Street Chicago, IL 60603			
Kemper Investors Life Insurance Co, 120 South Lasalle Street Chicago, IL 60603			39.42
Frances Ann Kenkel, 1331 Pennsylvania Ave., NW, #719 Washington, DC 20004	Association of Private Pension & Welfare Plans, Inc		
Vytautas Kerbelis, P.O. Box 44 Sea Harbor, ME 04675	ARAS		
T. Michael Kerr, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees	11,355.78	152.59
Frederick A. Kessinger, 1201 4th St., SW Washington, DC 20024	Animal Health Institute		
Brian M. Kilbury, 815 16th St., NW, #511 Washington, DC 20006	Brotherhood of Railway Airline & Steamship Clerks		
Eun Sang Kim, 1030 15th Street, NW, #776 Washington, DC 20005	Korean Traders Assn		640.00
Gene Kimmelman, 1424 16th St., NW, #604 Washington, DC 20036	Consumer Federation of America	7,523.00	
Ruby King-Williams, 1201 16th Street, NW Washington, DC 20036	National Education Assn		
Marcia Y. Kinter, 1600 Wilson Boulevard, #1000 Arlington, VA 22209	American Waterways Operators, Inc		
Peter C. Kirby, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	57.99	
Kirkpatrick & Lockhart, 1800 M St., NW, S. Lobby-9th Fl. Washington, DC 20036	American Council of Life Insurance, Inc		
Do	Calvert Group, Ltd		
Do	County of Suffolk, New York		
Do	Investors Fiduciary Trust Co		
Do	Paine Webber Jackson & Curtis, Inc		
Do	Republic National Bank of New York		
Do	Search Group, Inc	742.00	63.57
Do	Whitney National Bank of New Orleans		
Donald R. Kirtley, Hercules Plaza Wilmington, DE 19894	Hercules, Inc		
William J. Kissick, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Thomas G. Kobus, 1112 16th St., NW, #2000 Washington, DC 20036	National Parking Association	16,742.52	
Carol R. Koch, 401 Wythe Street Alexandria, VA 22314	National Assn of Children's Hospitals & Related Institutions	200.00	
Paul E. Kohl, 137 Waverly Place New York, NY 10014	18th Cong Dist for Pro-Life Activities		
Leonard R. Kojm, 2906 S. Grant Street Arlington, VA 22202	GA Technologies, Inc	1,500.00	1,538.35
Kojm Associates, 2906 S. Grant Street Arlington, VA 22202	Technicum Int'l Corp and Pacific-Sierra Research Corp		
Kominers Fort Schlefer & Boyer, 1401 New York Ave., NW, 12th Fl. Washington, DC 20005	Ocean Transportation Coalition	4,037.50	664.72
Do	Riedel International		
Stephen W. Kraus, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	1,000.00	
Jeffrey Krauss, 1350 Piccard Drive, #400 Rockville, MD 20850	M/A-Com, Inc		
Alan G. Kraut, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn	2,000.00	56.00
Lawrence E. Kreider, 1015 18th St., NW Washington, DC 20036	Conference of State Bank Supervisors		
Kroger Company, 1014 Vine St. Cincinnati, OH 45201			3,099.54
James C. Krone, 1152 Haslett Road P.O. Box 99 Haslett, MI 48840	Roses, Inc	300.00	
James S. Krzyminski, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	225.00	
Jerome Kurtz, 1615 L Street, NW, #1300 Washington, DC 20037	Paul Weiss Rifkin... (for Howard Hughes Medical Institute)		
Dan H. Kuykendall, 517 3rd Street, SE Washington, DC 20003	Kuykendall Company		
Kuykendall Company, 517 3rd Street, SE Washington, DC 20003	Alpha 21 Corporation		
Do	Broyhill Furniture Industries		
Do	Broyhill Management Corp		
Do	Gulf & Caribbean Foundation		
Do	Muse Air Corp		
Do	Peregrine Resources, Inc		
Do	Robert Thompson		
Robert D. Lamson, 21 Dupont Circle, NW, #300 Washington, DC 20036	Business Executives for National Security		
Thomas M. Landin, P.O.Box 7029 One Franklin Plaza Philadelphia, PA 19101	SmithKline Beckman Corp		
Phyllis Landrieu, 4600 Venus Street New Orleans, LA 70112	National Medical Enterprises, Inc		
Lane & Edson, P.C., 2300 M Street, NW Washington, DC 20036	City of Baltimore	600.00	600.00
Do	National Assn of Energy Service Cos		
Lane & Mittendorf, 1750 K Street, NW, #1200 Washington, DC 20006	Floating Point Systems, Inc	1,037.50	
Do	Independent Producers Group	9,204.11	695.36
Do	Nike, Inc	7,875.00	
Latham Watkins & Hills, 1333 New Hampshire Ave., NW, #1200 Washington, DC 20036	Community Redevelopment Agency, City of Los Angeles	2,060.00	116.04
Theodore A. Lattanzio, 1600 Rhode Island Ave., NW Washington, DC 20036	National Rifle Assn of America	976.25	

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Dennis Lavallee, 180 S. Washington St., P.O. Box 6808 Falls Church, VA 22046	National Assn of Plumbing-Heating-Cooling Contractors	500.00	41.48
George H. Lawrence, 1515 Wilson Blvd. Arlington, VA 22209	American Gas Assn	2,500.00	
Sandra L. LaFevre, 2500 Riva Road, SE Annapolis, MD 21401	Nationwide Insurance Co	1,500.00	
Leadership Conference on Civil Rights, 2027 Massachusetts Ave., NW Washington, DC 20036		5,240.00	52,772.93
League of American Investors, 32123 Lindero Canyon Rd., #300 Westlake Village, CA 91361			
Ira M. Lechner, 1899 L Street, NW, #800 Washington, DC 20036	National Assn of Police Organizations, Inc		2,486.40
Robert F. Lederer, 1250 I Street, NW, #500 Washington, DC 20005	American Assn of Nurserymen		
Julie S. Lee, 444 North Capitol St., NW, #801 Washington, DC 20001	Joint Maritime Congress		
Mary Nell Lehnhard, 1709 New York Ave., NW Washington, DC 20006	Blue Cross & Blue Shield Assn	59.19	
Lehrfeld & Henzke, P.C., 1301 Pennsylvania Ave., NW, #1110 Washington, DC 20004	Knights of Columbus		
Karen Leichtman, 1319 F St., NW, #300 Washington, DC 20004	Halt: Americans for Legal Reform		
William J. Lessard Jr., 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security & Medicare	3,125.00	
Dale Lestina, 1201 16th St., NW Washington, DC 20036	National Education Assn	3,291.30	177.00
Bertram J. Levine, 1667 K Street, NW, #410 Washington, DC 20006	Johnson & Johnson	1,000.00	225.00
James F. Levy, 1010 Whaley Street Columbia, SC 29201	Vista, Inc		
David A. Lewis, 1601 Connecticut Ave., NW, #800 Washington, DC 20009	Physicians for Social Responsibility	2,298.09	7.30
Stuart A. Lewis, 1919 Pennsylvania Ave., NW, #850 Washington, DC 20006	First Interstate Bancorp	100.00	
Do	Manufacturers Hanover Corp	200.00	
Do	National Bank of Detroit	100.00	
James Patton LeGory, 8823 Southwick Street Fairfax, VA 22031	Oxford Group Limited		
Robert G. Liberatore, 1100 Connecticut Avenue, NW, #930 Washington, DC 20036	Chrysler Corporation	2,250.00	370.05
William Lilley III, 1730 K Street, NW, #703 Washington, DC 20006	American Business Conference	3,125.00	100.00
Linton Mields Reisler & Cottone, 477 H St., NW Washington, DC 20001	Iowa Department of Transportation	3,738.00	
Do	Lake Superior District Power Co	641.00	
Do	Madison Gas & Electric Co	1,826.00	
Do	Metropolitan Sanitary District of Greater Chicago	6,506.00	
Do	Michigan Dept of Transportation	4,927.00	
Do	Northern States Power Co	1,746.00	
Do	Oregon Department of Transportation	3,750.00	
Do	State of Colorado, Dept of Highways	2,970.00	
Do	State of IL, Dept of Transportation	7,476.00	
Do	State of IL, Dept of Transportation, Div of Water Resources	3,033.00	
Do	Superior Water Light & Power Co	305.00	
Do	Wisconsin Electric Power Co	6,289.00	313.42
Do	Wisconsin Fuel and Light Co	247.00	
Do	Wisconsin Natural Gas Co	940.00	
Do	Wisconsin Power & Light Co	2,978.00	
Do	Wisconsin Public Service Corp	2,731.00	
Susan Liss, 1424 16th Street, NW, #601 Washington, DC 20036	People for the American Way	3,375.00	24.35
David A. Litvin, 1001 22nd St., NW, #600 Washington, DC 20037	Standard Oil Company (Ohio)		
Timothy Lovain, 3713 Gunston Road Alexandria, VA 22302	Denny Miller Associates	9,000.00	
Charles M. Loveless, 1625 L Street, NW Washington, DC 20036	American Fed of State County & Municipal Employees	11,745.41	32.00
James F. Lovett, 1801 K St., NW Washington, DC 20006	Westinghouse Electric Corp	500.00	200.00
Daniel P. Lucas, 777 14th St., NW, Washington, DC 20005	National Assn of Realtors		
Sylvester Lukis, 1155 15th Street, NW, #504 Washington, DC 20005	Cassidy & Associates, Inc	3,000.00	
Do	Cybernectics & Systems, Inc	3,000.00	
Do	Washington Consulting Group	6,000.00	
Lumbermens Mutual Casualty Company, Long Grove, IL 60049			3,745.48
Samuel A. Mabry, 1800 K St., NW Washington, DC 20006	Hercules, Inc	7,406.25	5,851.58
Anthony R. Macchia, 4 World Trade Center New York, NY 10048	Coffee Sugar & Cocoa Exchange, Inc		
John Macnamara, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Sheila MacDonald, 3231 Beech Street, NW Washington, DC 20015	National Taxpayers Union	2,171.00	
John H. Madigan Jr., 1575 Eye Street, NW, #1060 Washington, DC 20005	American Cancer Society	5,000.00	850.00
Cliff Madison Government Relations, Inc, P.O. Box 7006 Northridge, CA 91327-7006	Burbank-Glendale-Pasadena Airport Authority	2,000.00	
Do	City of Avalon	750.00	
Do	Federal Express	3,500.00	
Do	Mark Air, Inc	4,000.00	
Do	Southern California Rapid Transit District	5,000.00	
Susan Magaw, P.O. Box 3556 Washington, DC 20007	American Meat Institute	2,000.00	
Connie Mahan, 801 Pennsylvania Ave., SE Washington, DC 20003	National Audubon Society		
Mary Mahon, 380 Second Avenue New York, NY 10010		122.55	
Michael C. Maibach, Intel Corporation, SC6-65 P.O. 58121 Santa Clara, CA 95052-8121	Intel Corporation	12,000.00	12,228.27
Steven R. Maimon, P.O. Box 7579 Washington, DC 20044	Ibus Group, Ltd		
Ellen L. Maitland, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
R. Roger Majak, 1700 N. Moore Street, #1620 Arlington, VA 22209	Tektronix, Inc	10,317.50	809.90
Daniel C. Maldonado, 10000 Falls Rd., #300 Potomac, MD 20854	Association of Univ Programs & Occupational Health & Safety		
David Mallino, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	15,970.55	632.39
Manatos & Manatos, Inc, 1750 New York Ave., NW, #210 Washington, DC 20006	United Hellenic Amer Congress & Amer Hellenic Alliance, Inc	7,200.00	10,660.00
Peter T. Mangione, 1319 F Street, NW, #700 Washington, DC 20004	Footwear Retailers of America		
Donald W. Mann, 210 The Plaza Teaneck, NJ 07666	Negative Population Growth, Inc		
Patricia Markey, 1155 15th St., NW, #400 Washington, DC 20005	United Distribution Companies	2,000.00	72.90
Danea Kehoe Martin, 1922 F Street, NW Washington, DC 20006	National Assn of Life Underwriters	475.00	85.00
Donald N. Martin, Donald N. Martin & Company, Inc 630 Fifth Ave. New York, NY 10111			
Ernest Marty, 85 Ridge St. North Sidney, Nsw 2060 Australia			
Judith Marty, 85 Ridge St. North Sydney, NSW 2060 Australia			
Mark A. Maslyn, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,771.00	124.35
Herbert S. Matthews, Rte. 3, Box 437 Mechanicsville, MD 20659	Martin Marietta Aerospace	7,200.00	
Samuel L. Maury, 1615 L St., NW, #1350 Washington, DC 20036	Business Roundtable	100.00	45.65
Nancy Maxwell, 444 No. Capitol Street, NW, #711 Washington, DC 20001	Keefe Co (For:UNIAO Nacional Para Independencia Total DeAngola)		
Albert E. May, 1627 K Street, NW, 1200 Washington, DC 20006	Council of American-Flag Ship Operators	5,250.00	3.00
Arnold Mayer, 1775 K St., NW Washington, DC 20006	United Food & Commercial Workers International Union	23,387.38	659.74
Rosemary A. Mazon, 1001 Pennsylvania Ave., NW, #700 Washington, DC 20004	Allied-Signal, Inc		
John A. McCahill, 1250 Connecticut Ave, NW Washington, DC 20036	U.S. Olympic Committee		
Ross L. McCall, 11510 Georgia Ave., #230 Wheaton, MD 20902	St. Ella Ltd, Inc		
Robert S. McConnaughey, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Margaret M. McCormick, 5000 Forbes Avenue Pittsburgh, PA 15213	Carnegie-Mellon University	5,208.03	1,010.92
John McDavitt, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	2,600.00	
Marianne McDermott, 1350 New York Avenue, NW, #615 Washington, DC 20005	Greeting Card Assn		
McDermott Will & Emery, 1850 K St., NW, #500 Washington, DC 20006	Banks of Iowa		
Do	Caterpillar Tractor Co		
Do	Federal Kemper Life Assurance Co		
Do	Kemper Investors Life Insurance Co		
Do	Lumberman Mutual Co		
Do	Public Employees Retirement Assn of Colorado	350.00	
Do	Regional Municipal Securities Assn		
Jack McDonald, 1489 Chain Bridge Road, #200 McLean, VA 22101	Jack McDoanld Co (For:Belz Enterprises)		
Jack McDonald Co, 1489 Chain Bridge Road, #200 McLean, VA 22101	Belz Enterprises		
Patrick J. McDonough, 5999 Stevenson Avenue Alexandria, VA 22304	American Assn for Counseling & Development		
Christine W. McEntee, 50 F Street, NW, #II00 Washington, DC 20001	American Hospital Assn		97.91
McGuiness & Williams, 1015 15th Street, NW, #1200 Washington, DC 20005	American Polygraph Assn		
Do	Borg-Warner Corp		
Do	City of West Lafayette		
Do	Coin Depot Corp		
Do	International Theatrical Agencies Assn		
Do	National Assn of Orchestra Leaders		
Do	Pony Express Courier Corp		
Do	Wells Fargo Armored Service Corp		
McGuire Woods & Battle, One James Center Richmond, VA 23219	United Coal Co		
Robert McIntyre, 1313 L St., NW Washington, DC 20005	Citizens for Tax Justice	7,641.04	
William Colm McKeveny, 30 Rockefeller Plaza New York, NY 10112	American Pulpwood Assn		
Michael R. McLeod, Scott Mcleod Himmelberg Matz Pires Price 2501 M St., NW, #400 Washington, DC 20037	American Assn of Crop Insurers	1,250.00	
Do	Chicago Board of Trade	2,000.00	
Do	United Egg Producers		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Edward T. McMahon, 218 D Street, SE Washington, DC 20003	Coalition for Scenic Beauty		5,512.32
Joseph E. McMahon, 1331 Pennsylvania Avenue, NW, #909 Washington, DC 20004	Grocery Manufacturers of America	4,400.00	261.47
Kurt Charles McMillan, 1010 Wisconsin Avenue, NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Peter F. McNeish, 1156 15th Street, NW, #1101 Washington, DC 20005	National Assn of Small Business Investment Cos	3,000.00	
Leslie S. Mead, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives		
Francis X. Meaney, 1825 Eye Street, NW Washington, DC 20006	Mintz Levin Cohn Ferris Glovsky & Popeo (For:Securities Industry Assn)	3,500.00	
Nanine Meiklejohn, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees	6,913.38	67.39
Kenneth F. Melley, 1201 16th Street, NW Washington, DC 20036	National Education Assn	3,672.90	72.00
James T. Melville, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Harold E. Mesirow, 1800 M St., NW, #250 Washington, DC 20036	Lillick Mchose & Charles (For:Foss Launch & Tug Company, et al.)		
M. Barry Meyer, 900 19th Street, NW Washington, DC 20006	Aluminum Assn		
Janice I. Milazzo, 1001 22nd Street, NW Washington, DC 20037	Standard Oil Co (Ohio)		
Milbank Tweed Hadley & McCloy, 1825 Eye St., NW Washinton, DC 20006	Claymark Corporation, Inc		
Miles & Stockbridge, 1701 Pennsylvania Ave., NW, #500 Washington, DC 20006	Black and Decker Manufacturing Company		50.00
Do	Pepsico, Inc		75.00
Do	Pizza Hut, Inc		75.00
David H. Miller, 900 17th Street, NW Washington, DC 20006	Chase Manhattan Bank, N.A.		
Harris Miller & Associates, 1655 N. Fort Myer Drive #700 Arlington, VA 22209	Agricultural Producers	1,500.00	
Do	Florida Fruit & Vegetable Assn	3,000.00	
Do	Home Group		
Do	National Assn for Foreign Student Affairs		
Do	U.S. English		
Do	Western Range Assn	45.00	308.50
Miller & Chevalier, Chtd, Metropolitan Square 655 15th Street, NW Washington, DC 20005	American Electronics Assn	2,000.00	
Do	Chevy Chase Savings & Loan Assn		
Do	Computer & Business Equipment Manufacturers Assn		
Do	FMC Corp	6,864.23	
Do	Ideal Basic Industries, Inc	36,399.06	
Do	Lincoln Savings & Loan Assn	3,022.10	
Do	Perpetual American Bank, F.S.B.	338.22	
Do	Section 641(e) Group		
Do	Semiconductor Industry Association	700.00	
Do	Western Savings & Loan Assn	113.65	
Do	1st Home Federal of the Carolinas		
Denny Miller Associates, Inc, 400 N. Capitol St., NW, #325 Washington, DC 20001	Boeing Company	3,000.00	
Do	Marine Engineers' Beneficial Assn	3,000.00	
Do	Port of Tacoma	1,125.00	
Do	Rockcor, Inc	2,520.00	
Do	State of Washington, Dept of Transportation	8,990.00	
Miller Cassidy Larroca & Lewin, 2555 M St., NW, #500 Washington, DC 20037	National Assn of Life Underwriters, et al		
Do	47th Street Photo	5,000.00	
Miller Hamilton Snider & Odom, 256 State St., P.O. Box 46 Mobile, AL 36601	Colonial Bancgroup, Inc		
Richard V. Minck, 1850 K St., NW Washington, DC 20006	American Council of Life Insurance, Inc	1,500.00	
John H. Miner, Room 1414-South Building, USDA Washington, DC 20250	Organization of Professional Employees of USDA	525.00	
Mintz Levin Cohn Ferris Glovsky & Popeo, P.C., 1825 I Street, NW, #1025 Washington, DC 20006	Houghton Mifflin Company	589.00	
Miro Miro & Weiner, P.C., 500 N. Woodward Ave., #200 P.O. Box 908 Bloomfield Hills, MI 48303-0908	Michigan Council of Self-Insured Group Administrators		36.49
Do	Taubman Company, Inc		
Jo Anne Mitchell, 1331 Pennsylvania Ave., NW, #550 Washington, DC 20004	Commodity Exchange, Inc	2,000.00	2,224.50
C. Manly Molpus, P.O. Box 3556 Washington, DC 20007	American Meat Institute	1,000.00	
John H. Montgomery, 2555 M St., NW, #100 Washington, DC 20037	National Rural Water Assn	4,785.00	2,588.00
Alfredo C. Montoya, 815 16th Street, NW, #707 Washington, DC 20006	Labor Council for Latin American Advancement		
Walter K. Moore, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		1,258.06
Morgan Lewis & Bockius, Suite 800 North 1800 M St., NW Washington, DC 20036	Zalman C. Bernstein		
Do	David B. Causey	2,500.00	498.70
Do	Republic National Bank of New York	5,200.00	933.66
Do	Ryder System, Inc	21,400.00	1,096.94
Do	Scotch Whisky Assn		
Do	Wheels, Inc	18,398.00	1,726.03
Gerald D. Morris, 555 New Jersey Ave., NW Washington, DC 20001	American Fed of Teachers, AFL-CIO	14,583.31	80.00
James Morrison, 21 Dupont Circle, NW, #300 Washington, DC 20036	Business Executives for National Security	800.00	
Richard J. Muller, 1100 Connecticut Ave., NW, #930 Washington, DC 20036	Chrysler Corporation	2,000.00	105.00
George F. Murphy Jr., 410 First Street, SE Washington, DC 20003	American Nuclear Energy Council	378.63	56.79
Jeanne Marie Murphy, 1730 Rhode Island Avenue, NW, #810 Washington, DC 20036	Credit Union National Assn, Inc	300.00	68.89
Lester L. Murphy Jr., 5709 W. 21st St., P.O. Box 4267 Topeka, KS 66604	Kansas Electric Cooperatives, Inc		
Paul T. Murphy, 900 17th St., NW, #514 Washington, DC 20006	National Foreign Trade Council, Inc	5,750.00	350.00
William T. Murphy Jr., Barrett Montgomery & Murphy 2555 M Street, NW, #100 Washington, DC 20037	American Cement Trade Alliance, Inc		
Do	Chemical Manufacturers Assn, Inc		
Do	Myerson/Allen & Co		
Do	Natural Gas Supply Assn		
Do	O'Connor & Associates		
Do	Options Policy Assn (TOPA)		
Do	Sargent & Lundy Engineers		
Murray & Scheer, 2715 M Street, NW, #300 Washington, DC 20007	Chicago Milwaukee St. Paul & Pacific Railroads	400.00	
Robert J. Muth, 180 Maiden Ln. New York, NY 10038	Asarco Inc		
Sarah Muyskens, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	63.00	3.60
MMB Associates, Inc, 122 C Street, NW, #240 Washington, DC 20001	Committee for Farmworker Programs	9,000.00	
Do	CET	3,500.00	
Do	Job Training Assn		
Do	National Rural Development & Finance Corp	6,000.00	
Do	NCAF	30,000.00	
Do	R-CAP	500.00	
Do	Three Affiliated Tribes	2,882.59	
Diane M. Nash, 600 Pennsylvania Avenue, SE, #200 Washington, DC 20003	Independent Insurance Agents of America, Inc	9,057.00	
National Assn for Stock Car Auto Racing, Inc (NASCAR), 1801 Speedway Boulevard Daytona Beach, FL 32015			8,000.00
National Assn of Beverage Importers, 1025 Vermont Avenue, NW, #1205 Washington, DC 20005			
National Assn of Catalog Showroom Merchandisers, 276 Fifth Avenue New York, NY 10021			4,000.00
National Assn of Chain Drug Stores, Inc, P.O. Box 1417-D49 Alexandria, VA 22313			3,400.00
National Assn of Energy Service Companies, 2330 M St., NW Washington, DC 20037			
National Assn of Home Builders of the U.S., 15th & M Sts., NW Washington, DC 20005		34,985.64	103,244.23
National Assn of Independent Colleges & Universities, 122 C St., NW, #750 Washington, DC 20001		295,837.00	49,963.00
National Assn of Letter Carriers, 100 Indiana Ave., NW Washington, DC 20001		5,282,342.80	295,800.96
National Assn of Margarine Manufacturers, 1101 15th St., NW, #202 Washington, DC 20005			
National Assn of Olympic Businesses, P.O. Box 3337 Idyllwild, CA 92349-3337		791.02	358.26
National Assn of Plumbing-Heating-Cooling Contractors, P.O. Box 6808 Falls Church, VA 22046		1,441.48	1,441.48
National Assn of Railroad Passengers, 236 Massachusetts Ave., NE, #603 Washington, DC 20002		54,296.90	44,702.80
National Assn of Realtors, 777 14th St., NW Washington, DC 20005			139,773.11
National Assn of Retired Federal Employees, 1533 New Hampshire Ave., NW Washington, DC 20036		2,663.00	3,124.00
National Assn of Wheat Growers, 415 2nd St., NE, #300 Washington, DC 20002		847.00	10,121.51
National Automobile Dealers Assn, 8400 Westpark Drive Mclean, VA 22102			17,180.00
National Business Aircraft Assn, 1200 18th St., NW, #200 Washington, DC 20036-2598			
National Coal Assn, 1130 17th Street, NW Washington, DC 20036		1,74,227.84	15,523.31
National Coalition for Lower Prices, Kelly Eckhaus & Mohen 230 Park Avenue New York, NY 10169			
National Coalition for Marine Conservation, Inc, P.O. Box 23298 Savannah, GA 31403		21,264.56	20,346.37
National Comm for Citizens in Education, 10840 Little Patuxent Pkwy., #301 Columbia, MD 21044-3199			
National Council of Farmer Cooperatives, 1800 Massachusetts Ave., NW Washington, DC 20036		12,371.63	8,042.05
National Education Assn, 1201 16th St., NW Washington, DC 20036		25,125.17	25,125.17
National Employee Benefits Institute, 2550 M St., NW, #303 Washington, DC 20037		8,970.00	1,172.94
National League of Postmasters of the U.S., 1023 North Royal Street Alexandria, VA 22314			34,107.00
National Leased Housing Assn, 2300 M St., NW, #260 Washington, DC 20037		900.00	900.00
National Low Income Housing Coalition, 1012 14th Street, NW, #1006 Washington, DC 20005		9,971.00	30,614.00
National Milk Producers Federation, 1840 Wilson Blvd. Arlington, VA 22201		12,237.48	12,237.48
National Motorsports Comm of Accus, 1500 Skokie Boulevard, #101 Northbrook, IL 60062		10,156.80	8,484.04
National Newspaper Assn, 1627 K St., NW, #400 Washington, DC 20006		42,148.12	5,965.10

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
National Parking Association, 1112 16th St., NW, #2000 Washington, DC 20036			30,018.06
National Rifle Assn of America, 1600 Rhode Island Ave., NW Washington, DC 20036		163,065.29	145,461.04
National Rural Housing Coalition, 2001 S St., NW, #500 Washington, DC 20009		16,352.18	18,681.04
National Small Business Assn, 1155 15th Street, NW, #710 Washington, DC 20005			
National Tour Assn, Inc, 546 E. Main Street Lexington, KY 40508		29,834.00	29,834.00
Ralph G. Neas, 2027 Massachusetts Ave., NW Washington, DC 20036	Leadership Conference on Civil Rights	16,500.00	1,468.50
Neece Cator & Associates, Inc, 1050 17th Street, NW Washington, DC 20036	Association of Small Business Development Centers		
Neighborhood Housing Services of America, 3805 Alton Place, NW Washington, DC 20016			
Neill Mullenholz & Shaw, 900 17th St., NW, #400 Washington, DC 20006	Florida East Coast Railway Co		
Do	National Farm & Power Equipment Dealers Assn	1,500.00	
Do	Soo Line Corporation	2,500.00	
Frederick H. Nesbitt, 100 Indiana Avenue, NW Washington, DC 20001	National Assn of Letter Carriers	9,746.09	142.34
New York Shipping Assn, Inc, 1750 New York Ave., NW Washington, DC 20006			
William B. Newman Jr., P.O. Box 23451 Washington, DC 20024	Consolidated Rail Corporation	5,000.00	
Ellen Nissenbaum, 236 Massachusetts Avenue, NE, #305 Washington, DC 20002	Center on Budget & Policy Priorities	49.05	
Peter Nixon, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Robert I. Nooter, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,833.00	53.22
David F. Norcross, 1010 Kings Highway So., #2-C Cherry Hill, NJ 08034	American Maritime Officers Service	2,900.00	50.00
Do	Pittsburgh & Lake Erie Railroad Co	14,135.00	1,861.56
Julia J. Norrell, 1850 K St., NW Washington, DC 20006	American Council of Life Insurance, Inc	5,325.00	175.27
James Norton, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	389.44	4.40
Nossaman Guthner Knox & Elliott, 1140 19th St., NW, #600 Washington, DC 20036	AEtna Life & Casualty	3,300.00	1,170.00
Do	California Co-Compost Systems		
Do	California Student Loan Finance Corp	2,400.00	400.00
Do	Mortgage Marketing Service Co, Inc	200.00	
Do	Northwestern National Life Insurance Co	832.50	1,035.00
Do	Santa Fe Minerals Corp		
Do	Southern California Edison	765.00	517.50
Nathan Note, Box 373 Majuro, Marshall Islands	Bikini/Kili/Ejit Council		
Cynthia H. Null, 1200 17th Street, NW Washington, DC 20036	Federation of Behavioral Psychological & Cognitive Sciences		
Nutter McClennen & Fish, 600 Atlantic Avenue Boston, MA 02210	Research-Cottrell, Inc		
NL Industries, Inc, 1230 Avenue of The Americas New York, NY 10020			10,436.06
Hubert K. O'Bannon, P.O. Box 23451 Washington, DC 20026	Consolidated Rail Corporation	2,550.00	
Rindy O'Brien, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	2,914.59	45.60
Emily O'Connor, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors		
Bartley M. O'Hara, 1919 Pennsylvania Ave., NW, #300 Washington, DC 20006	Colorado Municipal Bond Dealers Assn	76.58	
O'Keefe Ashenden Lyons & Ward, One First National Plaza - Suite 5100 Chicago, IL 60603	American Invsco Corporation		
O'Melveny & Myers, 1800 M St., NW Washington, DC 20036	Association of Telephone Telegraph & Related Telematics Inds		
Do	Santa Fe International Corp		
Law Offices of John O'Neal, P.C., 1455 Pennsylvania Ave., NW, #1200 Washington, DC 20004	National Rural Telecom Assn	700.00	
Paul C. Oakley, 50 F Street, NW Washington, DC 20001	Association of American Railroads	587.50	17.00
Philip C. Onstad, 333 Plainfield Road Edison, NJ 08820	Control Data Corporation	200.00	
Michel Orban, American Express Tower World Financial Center New York, NY 10285-4705	American Express Co		
Organization of Professional Employees of USDA, Rm. 1414 S. Building U.S. Dept of Agriculture Washington, DC 20250		7,163.00	1,204.04
Orrick Herrington & Sutcliffe, 555 Capitol Mall, #1200 Sacramento, CA 95814	Cone Mills Corp		
James L. Osborne, 4th & Davis Streets P.O. Box 808 McMinnville, OR 97128	National Assn of Mutual Insurance Cos		
Cathy E. Overly, 1730 K Street, NW, 1100 Washington, DC 20006	National Treasury Employees Union	11,500.00	211.95
Overseas Education Assn, 1201 16th Street, NW Washington, DC 20036		1,500.00	1,578.36
Jack W. Owen, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn		100.60
P/M Consulting, Inc, 202 E Street, NE Washington, DC 20002-4923	Talley Corporation	6,000.00	
Allen Scott Pack, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Algoma Steel Corp, Ltd		
Joel Packer, 1201 16th Street, NW Washington, DC 20036	National Education Assn	2,491.00	65.00
Gerard Paul Panaro, Webster Chamberlain & Bean 1747 Pennsylvania Ave., NW, #1000 Washington, DC 20006	Retail Bakers Assn		
Harriet Parcells, 236 Massachusetts Avenue, NE, #603 Washington, DC 20002	National Assn of Railroad Passengers	3,327.66	
Judith E. Park, 1533 New Hampshire Ave., NW Washington, DC 20036	National Assn of Retired Federal Employees	11,639.00	
Sara Lynn Parker, 1319 F St., NW, #500 Washington, DC 20004	Food Research & Action Center	105.00	
Prudence H. Parks, 1100 H Street, NW Washington, DC 20080	Washington Gas Light Co	1,937.39	724.82
Tom E. Paro, 1735 DeSales St., NW Washington, DC 20036	Association of Maximum Service Telecasters, Inc	396.00	
DeLane Pate, c/o Dow, Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products Ltd	46.67	493.37
Paul Weiss Rifkind Wharton & Garrison, 1615 L Street, NW, #1300 Washington, DC 20036	Cook Inlet Region, Inc		
Do	Korea Iron & Steel Assn		
Do	Metromedia, Inc		
Do	NEC Corp and NEC America, Inc		
Do	75 State Street Limited Partnership		
Larry E. Paulick, 2111 Eisenhower Avenue Alexandria, VA 22314	National Spa & Pool Institute		
Endicott Peabody Law Offices, 71 Spit Brook Road Nashua, NH 03060	Colorado Public Employee Retirement Assn		
Peace Political Action Committee, 100 Maryland Avenue, NE Washington, DC 20002			4,545.85
Pelton Research Center, 1400 S. Joyce Street Arlington, VA 22202	Help, Inc		
Margaret Pena, 80 F Street, NW Washington, DC 20001	American Fed of Government Employees	10,929.68	
Pension Rights Center, 918 16th St., NW, #704 Washington, DC 20006			131.51
People for the American Way Action Fund, 1424 16th Street, NW, #601 Washington, DC 20036		1,410,923.00	54,493.00
Robert A. Perkins, 1100 Connecticut Avenue, NW Washington, DC 20036	Chrysler Corporation	15,000.00	450.00
Leonard Perlman, 5999 Stevenson Avenue Alexandria, VA 22304	American Assn for Counseling & Development		
David F. Perry, 74 North Pearl St. Albany, NY 12207	Hospital Association of New York State	608.00	
Evelyn A. Petschek, Patterson Beklknap Webb & Tyler 30 Rockefeller Plaza New York, NY 10112	NL Industries, Inc	2,680.00	
Susan E. Phillips, 1709 New York Ave., NW, #303 Washington, DC 20006	Blue Cross & Blue Shield Assn		
Paul J. Phoenix, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
Robert R. Pierce, 5306 Augusta Street Bethesda, MD 20816	National Parks & Conservation Association		
Pierson Ball & Dowd, 1200 18th St., NW, #1000 Washington, DC 20036	Dun & Bradstreet Corp	2,500.00	
Do	El Pomar		
Do	Genentech	43,163.71	
Do	Horovitz Testamentary Trust	4,500.00	
Do	Infectious Diseases Society of America	4,981.14	
Do	International Futures Exchange (Bermuda) Ltd		
Do	Intex Holdings (Bermuda) Ltd		
Do	Lee Enterprises - Call-It-Co		
Do	National Assn for Biomedical Research	845.06	
Do	Securities Industry Assn	2,750.00	
Pirtle Morisset Schlosser & Ayer, 1500 Seattle Trust Tower 1000 Second Avenue Seattle, WA 98104	Red Lake Band of Chippewa Indians		
Lillian M.S. Pitcaithly, 1730 K St., NW, #703 Washington, DC 20006	American Business Conference, Inc	175.00	302.29
Mindy Pollack, 1819 L St., 7th Floor Washington, DC 20036	Reinsurance Assn of America		123.97
Raymond K. Pope, 2000 L Street, NW, #200 Washington, DC 20036	AMFAC, Inc	4,063.00	
Phillip Porte & Assocs, Inc, 3845 N. 26th St. Arlington, VA 22207	American Medical Records Assn	2,000.00	
Do	National Assn of Medical Directors of Respiratory Care	5,000.00	
Do	National Dialysis Assn	10,000.00	
Carol Jean Poulos, 122 C Street, NW, #800 Washington, DC 20001	Concerned Women for America		1,000.00
Powell Goldstein Frazer & Murphy, 1110 Vermont Ave., NW, #1050 Washington, DC 20005	Alliance for Medical Nutrition	3,300.00	3,300.00
Do	Association of American Universities		
Do	Bear Stearns & Co		
Do	Bernstein Carter & Deyo	209,309.49	
Do	Coalition for the Advancement of Industrial Technology	5,800.00	
Do	Coalition for Competition	100.00	
Do	Coalition for Employment Through Exports		
Do	Flood Control Advisory Committee	2,353.00	
Do	Jacques Borel Enterprises, Inc		
Do	Project on the Federal Social Role	1,830.00	
Do	SKW Alloys, Inc		
Prather Seeger Doolittle & Farmer, 1600 M Street, NW, 7th Floor Washington, DC 20036	Banker's Assn for Foreign Trade	6,300.00	282.54
Mary Jane Preston, 1012 14th Street, NW, #403 Washington, DC 20005	U.S. Student Assn	4,500.00	
Preston Thorgrimson Ellis & Holman, 1735 New York Avenue, NW, #500 Washington, DC 20006	Alaska Loggers Assn		
Thomas J. Price, 410 First Stret, SE Washington, DC 20003	American Nuclear Energy Council	1,689.57	253.44
Woodruff M. Price, 1331 Pennsylvania Ave., NW, #560 Washington, DC 20004	CSX Corporation	3,000.00	530.98
Joel Pritchard, Bogle & Gates One Thomas Circle, NW, #900 Washington, DC 20005	International Telecommunications Satellite Organization		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Project Cure, Inc, 2020 K Street, NW, #350 Washington, DC 20006		38,328.74	255,169.85
Protect the Innocent, Inc, 451 South Indiana Street Mooresville, IN 46158			
Public Citizen Health Research Group, 2000 P St., NW, #700 Washington, DC 20036			
D. R. Quartel, Jr., Inc, 67 Observatory Circle, NW Washington, DC 20008	International Taxicabs Assn	3,000.00	319.64
Arthur Lee Quinn, 1015 15th Street, NW, #200 Washington, DC 20005	Government of Belize		15.06
Do	Government of Republic of Panama	3,000.00	158.21
Do	Sugar Assn of the Caribbean	4,500.00	819.61
Tess A. Rae, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Richard W. Rahn, 1615 H St., NW Washington, DC 20062	Chamber of Commerce of the U.S.	804.77	2.50
John Vernon Rainbolt II, 1355 Lancia Drive McLean, VA 22102	Grain & Feed Trade Assn		197.96
Do	International Commodities Clearing House, Ltd		197.96
Do	London Commodity Exchange Co, Ltd		197.76
Do	London International Financial Futures Exchange, Ltd		197.76
Do	Metal Market & Exchange Co, Ltd		197.96
Robert A. Rapoza Associates, 2001 S Street, NW, #500 Washington, DC 20009	National Rural Housing Coalition	11,480.60	11,480.60
Craig Raupe, Campbell-Raupe, Inc 1015 15th Street, NW, #907 Washington, DC 20005	Algonquin Gas Transmission		
Do	American Nuclear Energy Council		
Do	Invest to Compete Alliance		
Do	LTV Aerospace & Defense Co		
Do	Pitney Bowes		
Do	Riffe Petroleum Co		
Do	Texas Utilities Services, Inc		
Do	The New England		
Do	Union Pacific Corp		
Do	Westinghouse Electric Corp		
Eiler C. Ravnholt, 723 Investment Bldg. Washington, DC 20005	Hawaiian Sugar Planters' Assn	750.00	485.00
Stephen F. Ready, 129 Cabrillo, #201 Costa Mesa, CA 92627	National Bicycle Dealers Assn		
Recording Industry Assn of America, Inc, 888 Seventh Avenue, 9th Fl. New York, NY 10106		4,431.25	4.70
Robert E Redding, 7315 Wisconsin Ave., #325 E Bethesda, MD 20814	Shippers National Freight Claim		
Robert S. Reese Jr., 2200 Mill Road Alexandria, VA 22314	American Trucking Assns, Inc	9,000.00	395.58
Reese Communications Companies, Inc, 1925 North Lynn St., #1140 Arlington, VA 22209	Blue Cross & Blue Shield Assn		
J. Ronald Reeves, Washington National Airport Washington, DC 20001	U.S. Air, Inc	2,000.00	212.50
Reid & Riege, P.C., One State Street Hartford, CT 06103	Wesleyan University		
Nooley Reinheardt, Nooley Reinheardt & Assoc. P.O. Box 23190 Washington, DC 20024	Rural Builders Council of California		
Reinsurance Assn of America, 1819 L St., NW, 7th Floor Washington, DC 20036			143.97
Dale L. Reistad, 1726 M Street, NW, #1000 Washington, DC 20036	Electronic Funds Transfer Assn		
Sarah M. Renfroe, 16805 Weld County Rd. 19 1/2 Platteville, CO 80651	Public Service Co of Colorado		
Stephen M. Renna, 777 14th Street, NW Washington, DC 20005	National Assn of Realtors	1,750.00	20.43
Reserve Officers Assn of the US, 1 Constitution Ave., NE Washington, DC 20002		3,843.16	9,628.28
Edmund B. Rice, 50 F St., NW, #1100 Washington, DC 20001	American Hospital Assn	3,411.68	
Grace Ellen Rice, 600 Maryland Ave., SW Washington, DC 20024	American Farm Bureau Federation	6,896.00	81.90
Lois D. Rice, 1201 Pennsylvania Avneue, NW Washington, DC 20004	Control Data Corporation		
Alan K. Richards, 1709 New York Avenue, NW, #303 Washington, DC 20006	Blue Cross & Blue Shield Assn	945.00	59.54
Richard Richards, Law Office of Richard Richards 1050 Thomas Jefferson Street, NW, 6th Fl Washington, DC 20007	Aerospace Industries Assn of America	3,750.00	
Do	Hughes Aircraft Company	5,000.00	
Do	Sikorsky Aircraft	1,250.00	
Do	Universidad Autonoma de Guadalajara	600.00	15.17
Alan H. Richardson, 2301 M St., NW Washington, DC 20037	American Public Power Assn	1,500.00	
Steve Richardson, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	1,184.33	233.94
Les Richter, 1801 Speedway Boulevard Daytona Beach, FL 32015	National Assn for Stock Car Auto Racing, Inc (NASCAR)	8,000.00	
Do	National Motorsports Comm of ACCUS, FIA, Inc		1,332.80
Larry D. Rickards, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn	1,000.00	76.35
Glenn Wadsworth Riddell, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Laurel Steel Products Ltd, et al	47.96	389.37
Riddell Holroyd & Butler, 1331 Pennsylvania Avenue, NW, #1215 Washington, DC 20004	H. F. Ahmanson & Co		
Do	Associates Corp of North America		
Do	Beneficial Corporation	3,250.00	
Do	W. K. Kellogg Foundation		
Siert F. Riepma, 1101 15th St., NW, #202 Washington, DC 20005	National Assn of Margarine Manufacturers		
Riley & Fox, Inc, 1101 17th Street, NW, #606 Washington, DC 20036	Embassy of the Republic of South Africa	50,000.00	24,210.00
Robin Risso, 511 C Street, NE Washington, DC 20002	Continental Assn of Resolute Employers (C.A.R.E.)		
Jeanne M. Ritchie, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Stark Ritchie, 1220 L St., NW Washington, DC 20005	American Petroleum Institute		
Perry A. Roberts, 8000 W. Florissant St. Louis, MO 63136	Emerson Electric Co		1,091.20
Richard R. Roberts, 304 Pennsylvania Ave., SE, #300 Washington, DC 20003	American Council of Highway Advertisers	500.00	4,053.37
Michelle Robinson, 100 Maryland Avenue, NE Washington, DC 20002	Council for a Livable World	2,490.96	
Tom Robinson, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	598.32	
Bob John Robison, 1201 Pennsylvania Avenue, NW, #700 Washington, DC 20004	Hill & Knowlton, Inc		
Michael J. Rock, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn	2,048.65	220.43
James T. Rogers, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Nancy Rogers, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	13,515.00	295.69
Terrence L. Rogers, 80 F St., NW Washington, DC 20001	American Fed of Government Employees	12,427.74	14,151.52
Rogers & Wells, 200 Park Avenue New York, NY 10166	Desert Palace, Inc		
Peter Rogoff, 122 C Street, NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	4,083.00	209.00
Jack Rollins, 1201 16th Street, NW Washington, DC 20036	Overseas Education Assn & National Education Assn		
Emil A. Romagnoli, 180 Maiden Lane New York, NY 10038	Asarco Inc	200.00	
Michael J. Romig, 1850 K Street, NW Washington, DC 20006	American Council of Life Insurance, Inc	2,500.00	
Fred B. Rooney, 1050 Connecticut Ave., NW, 12th Fl. Washington, DC 20036	Inter-Con Security Systems, Inc	450.00	
Do	Kawasaki Motors Corp, USA	450.00	
Michael F. Rosanio, 1620 I Street, NW, #1000 Washington, DC 20006	Motor Vehicle Manufacturers Assn of the U.S., Inc		
Rose Schmidt Chapman Duff & Hasley, 1825 Eye St., NW, #300 Washington, DC 20006	Social Security Protection Bureau	1,500.00	
Richard Rosen, 5010 Wisconsin Ave., NW, #118 Washington, DC 20016			
Roses, Inc, 1152 Haslett Road P.O. Box 99 Haslett, MI 48840		6,872.00	3,341.76
Richard Rosser, 122 C Street, NW, #750 Washington, DC 20001	National Assn of Independent Colleges & Universities	4,790.00	446.00
Joseph L. Rosso, 2200 Mill Road Alexandria, VA 22314	American Trucking Assns, Inc	9,000.00	2,148.40
William C. Rountree, Suite 600 1001 22nd St., NW Washington, DC 20037	Standard Oil Co (Ohio)		
Robert S. Royer, Royer & Shacknai 1747 Pennsylvania Ave., NW Washington, DC 20006	American Military Sales		
Do	Chrysler Military Sales Corp		
Do	City of Akron, Ohio		
Do	Ford Riff & Burgess		
Do	Harley-Davidson Military Sales		
Do	International Futures Exchange		
Do	Intex Holdings (Bermuda) Ltd		
Do	Michigan Trade Exchange		
Do	Morgan Stanley & Co, Inc		
Do	Overseas Military Sales Group		
Do	Phillips Petroleum		
Do	Securities Industry Assn		
Royer Shacknai & Mehle, 1747 Pennsylvania Avenue, NW Washington, DC 20006	Municipal Finance Industry Assn		
Do	John Nuveen & Co, Inc		
Do	Trans Continental Services, N.V.		
James S. Rubin, Kleinfeld Kaplan & Becker 1140 19th Street, NW Washington, DC 20036	Allied-Signal, Inc	3,531.25	
Do	Great Lakes Products, Inc	2,212.50	
Gloria Cataneo Rudman, Suite 801 444 N. Capitol St., NW Washington, DC 20001	Joint Maritime Congress	866.40	
Nicholas L. Ruggiere, 1667 K Street, NW, #410 Washington, DC 20006	Johnson & Johnson	1,000.00	225.00
Robert A. Rusbuldt, 600 Pennsylvania Avenue, SE, #200 Washington, DC 20003	Independent Insurance Agents of America, Inc	18,871.00	
John G. Ryan, 1700 K Street, NW, #601 Washington, DC 20006	Squibb Corporation	1,000.00	
Patricia Ryan, 1400 K Street, NW Washington, DC 20005	American Psychiatric Assn	1,598.00	986.12
RBC Associates, 324 Fourth Street, NE Washington, DC 20002	Ann Arbor Railroad	7,500.00	5,164.71
Do	Bangor & Aroostook Railroad	6,750.00	5,205.89
Do	Chicago & North Western Transportation Corp	31,446.00	5,462.20
Do	Delaware Otsego System	18,000.00	5,358.19
Do	Genesee & Wyoming Corp	750.00	5,164.71
Myron G. Sandifer III, 1489 Chain Bridge Road, #200 McLean, VA 22101	Jack McDonald Co (For Belz Enterprises)		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Peter G. Sandlund, 1725 Eye St., NW, #315 Washington, DC 20006	Council of European & Japanese National Shipowners' Assn	300.00	
Ronald A. Sarasin, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Oakley H. Saunders, 3505 Springdale Avenue Baltimore, MD 21216	Chas R. Drew Post Grad Med School	8,463.49	
Save Our Security, Suite 222 1201 16th Street, NW Washington, DC 20036		9,715.34	18,600.06
Robert Wayne Sayer, 1900 M St., NW, #1029 Washington, DC 20036	GCA Corp		
Harold A. Schaitberger, 1750 New York Ave., NW Washington, DC 20006	International Assn of Fire Fighters	13,763.94	
James P. Schlicht, 1700 K Street, NW, #601 Washington, DC 20006	Squibb Corporation	1,000.00	
Mark L. Schneider, 1001 22nd Street, NW, #600 Washington, DC 20037	Standard Oil Co (Ohio)		
Paul Schoellhamer, 900 17th St., NW, #526 Washington, DC 20006	Northwest Airlines, Inc	1,000.00	100.00
Marsha Schramm, 1627 K St., NW, #910 Washington, DC 20006	Domestic Petroleum Council, Inc		
Schwabe Williamson Wyatt Moore & Roberts, Suite 302 1000 Potomac St., NW Washington, DC 20007	Investment Co Institute	1,250.01	
Do	Mountain States Energy, Inc	922.80	2,336.37
Do	Public Generating Pool	4,752.00	552.95
Do	State of Oregon, City of Portland, Oregon Metro	2,647.20	6,702.26
Elizabeth Nash Schwartz, 1700 N. Moore St., #2120 Rosslyn, VA 22209	Boeing Company	2,275.00	1,309.23
Richard S. Schweiker, 1850 K Street, NW Washington, DC 20006	American Council of Life Insurance, Inc	850.00	
Carl F. Schwensen, 415 2nd St., NE, #300 Washington, DC 20002	National Assn of Wheat Growers	1,708.28	
Schwinn Bicycle Co, 217 North Jefferson St. Chicago, IL 60606			648.75
Michael Scott, 1400 Eye St., NW, 10th Fl. Washington, DC 20005	Wilderness Society	3,311.80	177.44
Thomas W. Scoville, 444 N. Capitol Street, NW, #801 Washington, DC 20001	Joint Maritime Congress	802.25	
Law Offices of John Sears, 818 Connecticut Avenue, NW Washington, DC 20006	Embassy of the Republic of South Africa	15,000.00	574.07
Sentinel, 1331 Pennsylvania Avenue, NW, #355-S Washington, DC 20004			6,000.00
Sarah Setton, 1511 K St., NW Washington, DC 20005	Sugar Assn, Inc	150.00	8.00
Seward & Kissel, 818 Connecticut Avenue, NW, #800 Washington, DC 20006	Daily Dollar Reserves, Inc		
Do	Furman Selz Mager Dietz & Birney, Inc		
Do	Gordon Forte Management Co		
Do	GT Partners		
Do	KAR Management, Inc		
Do			
James M. Shamberger, 1819 L St., NW, 7th Floor Washington, DC 20036	Reinsurance Assn of America		
Jo Anne Singley Sharlack, 1010 Wisconsin Ave., NW, #800 Washington, DC 20007	Grocery Manufacturers of America, Inc		
Shaw Pittman Potts & Trowbridge, 2300 N Street, NW Washington, DC 20037	Americans for Tax Reform		
Do	Emerson Electric Co	250.00	
Donald B. Shea, 1750 K Street, NW Washington, DC 20006	U.S. Brewers Assn, Inc		
Monica M. Sheehan, 50 F Street, NW, #1100 Washington, DC 20001	American Hospital Assn		
Patricia Q. Sheehan, 1667 K Street, NW, #410 Washington, DC 20006	Johnson & Johnson		
Deborah A. Sheiman, 1350 New York Avenue, NW Washington, DC 20005	Natural Resources Defense Council, Inc		
Shipley Smoak Henry & Holdgreiwe, 910 17th Street, NW, #320 Washington, DC 20006	Bluejay Oil Company		
Do	Fort Sill Gardens, Inc		
Do	Steadman Mutual Funds		
Do	Steadman Security Corporation		
Do	WBNO Radio and WLKM Radio		
Shippers National Freight Claim Council, Inc, 120 Main Street Huntington, NY 11743			
Elaine Shocas, 555 New Jersey Avenue, NW Washington, DC 20001	American Fed of Teachers	8,062.50	80.00
A. Z. Shows, 1801 Columbia Rd., NW, #203 Washington, DC 20009			
Sierra Club, 730 Polk Street San Francisco, CA 94109		201,459.19	201,459.19
William A. Signer, 444 North Capitol St., NW, #711 Washington, DC 20001	Keefe Company (For:Chamber of Commerce of Puerto Rico)		
Stephen Silbiger, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees	14,686.62	178.78
Marsha J. Simon, 1334 G St., NW, 3rd Fl. Washington, DC 20005	Villers Advocacy Associates	4,974.78	118.90
Neil A. Simon, 1350 New York Ave., NW, #900 Washington, DC 20005	International Franchise Assn		
William Douglas Simon, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
Talmage E. Simpkins, 100 Indiana Ave., NW Washington, DC 20001	AFL-CIO Maritime Committee	300.00	628.22
Marcus W. Sisk Jr., 2828 Pennsylvania Ave., NW, #203 Washington, DC 20037	Tosco Corporation	1,387.50	
Gregg P. Skall, Baker Hostetler 1050 Connecticut Ave., NW Washington, DC 20006	Uniden Corp of America		
James H. Skidmore, 1156 15th St., NW, #1201 Washington, DC 20005	NCR Corporation		
Scott Sklar, 1730 N. Lynn St., #610 Arlington, VA 22209	Solar Energy Industries Assn	6,000.00	
Deborah Sliz, 2301 M Street, NW Washington, DC 20037	American Public Power Assn	3,000.00	
Robert G. Smerko, 2001 L St., NW, #506 Washington, DC 20036	Chlorine Institute, Inc		
Christine M.B. Smith, 1700 K Street, NW, #502 Washington, DC 20006	Pacific Resources, Inc	500.00	
Ellen S. Smith, 1400 K Street, NW Washington, DC 20005	American Psychiatric Assn	2,300.00	1,670.63
James P. Smith, 1300 N. 17th St., #1000 Arlington, VA 22209	Hospital Corp of America	1,012.00	
Kern Smith, Box 24200 SW Station Washington, DC 20024	American Health Industries		
Michael J. Smith Jr., 777 14th Street, NW, 9th Floor Washington, DC 20005	National Assn of Realtors	1,500.00	
Patricia Smith, 1909 K St., NW Washington, DC 20049	American Assn of University Women		
Randall D. Snodgrass, 1400 Eye St., NW Washington, DC 20005	Wilderness Society	1,194.36	2,561.64
Larry S. Snowhite, 1825 Eye St., NW, #1201 Washington, DC 20006	GSX Corporation		
Do	Massachusetts Education Loan Authority	58.90	
Do	New England Education Loan Marketing Corp	97.85	
Edward F. Snyder, 245 2nd St., NE Washington, DC 20002	Friends Committee on National Legislation	5,156.64	
Society for Nutrition Education, 1736 Franklin Street, 9th Floor Oakland, CA 94612			
Vincent R. Sombrotto, 100 Indiana Ave., NW Washington, DC 20001	National Assn of Letter Carriers	4,685.32	
Terry Sopher, 1400 Eye St., NW, 10th Fl. Washington, DC 20005	Wilderness Society	5,351.42	1,269.51
Southern Forest Products Assn, P.O. Box 52468 New Orleans, LA 70152		20,089.74	20,089.74
Thomas J. Spangler, 1730 K Street, NW, #1100 Washington, DC 20006	National Treasury Employees Union	10,000.00	185.15
Spiegel & McDiarmid, 1350 New York Ave., NW Washington, DC 20005-4798	Northern California Power Agency, et al	1,143.00	
Do	Public Transportation Facilities	1,645.00	
Do	Service Employees International Union, AFL-CIO		
Alan P. Spielman, 1709 New York Avenue, NW, #303 Washington, DC 20006	Blue Cross & Blue Shield Assn		
Robert P. St. Louis, 1215 Suffield Drive McLean, VA 22101	Congoleum Corporation		
Standard Oil Co (Ohio), 1001 22nd St., NW, #600 Washington, DC 20037			34,891.98
Dean E. Steel, 1655 N. Ft. Myer Drive, #1120 Arlington, VA 22209	Varian Associates, Inc		
Henry J. Steenstra Jr., 1000 Wilson Boulevard, #2600 Arlington, VA 22209	TRW, Inc	779.00	
Steptoe & Johnson, 1330 Connecticut Ave., NW Washington, DC 20036	Association of Private Pension & Welfare Plans, Inc		
Do	Cement Importers Assn	13,805.00	1,844.00
Walter J. Stewart, Suite 700 1100 15th St., NW Washington, DC 20005	Sonat, Inc		
Kenneth F. Stinger, 2200 Mill Rd Alexandria, VA 22314	American Trucking Assns, Inc	9,000.00	78.20
Dennis C. Stolte, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,771.00	49.39
John L. Stowell, 1800 K St., NW, #1018 Washington, DC 20006	Public Service Co of Indiana	2,313.00	5,368.76
Ronald J. Streck, P.O. Box 238 Alexandria, VA 22313	National Wholesale Druggists' Assn		
Richard H. Streeter, 1729 H Street, NW, #200 Washington, DC 20006	Cast North America Ltd		
George Strumpf, 1150 17th St., NW, #600 Washington, DC 20036	Health Insurance Plan of Greater New York		
Walter B. Stults, 1156 15th Street, NW, #1101 Washington, DC 20005	National Assn of Small Business Investment Cos	4,000.00	
Marcia Z. Sullivan, 1300 N. 17th St., #1200 Arlington, VA 22209	Consumer Bankers Assn	4,842.20	323.51
Sullivan & Worcester, 1025 Connecticut Ave., NW Washington, DC 20036	Marion Laboratories, Inc	17,500.00	
Sutherland Asbill & Brennan, 1666 K Street, NW, #800 Washington, DC 20006	American Industrial Clay & Georgia Kaolin	902.25	282.96
Do	Anglo-American Clays Corp	902.25	292.99
Do	Engelhard Minerals & Chemicals Corp	902.25	282.98
Do	J. M. Huber Corp	902.25	292.98
Do	Peter Kiewit Sons', Inc	2,850.35	128.35
Do	Nord Resources Corp	902.25	282.97
Do	Thiele Kaolin Co	902.25	282.96
David L. Swanson, Craft & Loesch 1050 Thomas Jefferson St., NW, 6th Fl. Washington, DC 20007	Clean Coal Technology Coalition		
Do	Edison Electric Institute		
Do	GA Technologies, Inc		
Rosemarie Sweeney, Suite 770 600 Maryland Ave., SW Washington, DC 20024	American Academy of Family Physicians	3,000.00	1,856.26
Swidler & Berlin, Chtd, 1000 Thomas Jefferson St., NW #500 Washington, DC 20007	All-Industry Television Station Music Licensing Committee	7,775.00	
Do	Finnigan Corporation		
Do	National Council of Community Hospitals	2,173.75	
T. Boone Pickens, Jr. United Shareholders Assn, 1667 K St., NW, #990 Washington, DC 20006			
Kirk Talbott, Weisgall Law Office 1300 19th St., NW, #407 Washington, DC 20009	Bikini/Kili/Ejit Council		
Keith Tarr-Whelan, 1300 19th St., NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	6,050.00	
Riley K. Temple, Kadison Pfaelzer Woodard Quinn & Rossi 2000 Pennsylvania Avenue, NW, #7500 Washington, DC 20006	NYNEX Corp		
Tempo Enterprises, Inc, P.O. Box 702160 Tulsa, OK 74170			

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
James Terrell, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	4,458.00	116.64
Joseph L. S. Terrell, 50 F Street, NW, #900 Washington, DC 20001	Farm Credit Council		
Mary Kay Thatcher, 600 Maryland Avenue, SW Washington, DC 20024	American Farm Bureau Federation	5,271.00	112.58
Nancy Thompson, 1600 Eye Street, NW Washington, DC 20006	Motion Picture Assn of America, Inc		
Richard L Thompson, 1700 K Street, NW, #601 Washington, DC 20006	Squibb Corporation	1,500.00	
Thompson & Mitchell, 1120 Vermont Ave., NW, #1000 Washington, DC 20005	American Inland Waterways Committee		4,459.40
Do	Cold Finished Steel Bar Institute	1,080.00	
Do	Contact Lens Manufacturers Assn	750.00	35.00
Do	Crown Life Insurance Co	15,000.00	317.95
Do	Mutual Fairness Taxation Assn	31,250.00	13,826.77
Thompson Hine & Flory, 1920 N St., NW, #700 Washington, DC 20036	Alltel Corporation	3,382.50	
Do	American Tie Fabric Assn		14.50
Do	National Pork Producers Council	38,644.09	31.90
Do	Orkin Exterminating Co, Inc		
Thompson Mann & Hutson, 1730 Pennsylvania Ave., NW, #1250 Washington, DC 20006	CSX Corporation		
Do	Daniel International Corp	7,742.50	634.50
Richard B. Thornburg, 5205 Leesburg Pike, #505 Falls Church, VA 22041	National Beer Wholesalers of America		39.00
Gary G. Timmons, 1201 16th Street, NW Washington, DC 20036	National Education Assn	2,643.40	118.49
Michael L. Tiner, 1775 K St., NW Washington, DC 20006	United Food & Commercial Workers International Union	12,569.84	653.71
Ron Tipton, 1400 Eye St., NW Washington, DC 20005	Wilderness Society		
Jay C. Townley, 217 North Jefferson St. Chicago, IL 60606	Schwinn Bicycle Co		
Thomas J. Trabucco, 1533 New Hampshire Avenue, NW Washington, DC 20036	National Assn of Retired Federal Employees	9,895.00	18.00
Transafrica, 545 8th Street, SE, #200 Washington, DC 20003		145,350.45	46,320.18
Jose E. Trias, 1615 L St., NW, #1300 Washington, DC 20036	Paul Weiss Rifkind... (for Howard Hughes Medical Institute)		
Paul E. Tsongas, Foley Hoag & Eliot One Post Office Square Boston, MA 02109	H.N. Gorin Associates, Inc		
Do	Humane Soc of the U.S. and M.S.P.C.A.		
Do	Mutual Savings Central Fund, Inc		
Shannon B. Tuel, 311 First Street, NW Washington, DC 20001	National Restaurant Assn		
Jon R. Tumler, 1000 Vermont Avenue, NW, #800 Washington, DC 20005	Public Securities Assn	7,875.00	682.59
William J. Turenne, 1901 L Street, NW Washington, DC 20036	Eli Lilly & Company	3,000.00	422.17
Brian Turner, 815 16th Street, NW Washington, DC 20006	Industrial Union Department, AFL-CIO	18,099.75	
Max Turnipseed, 1155 15th Street, NW, #611 Washington, DC 20005	Ethyl Corporation	2,025.00	28.00
U.S. Committee for the Oceans, Route 2, Box 91 Ararat, VA 24053			
Mark J. Ugoretz, 1726 M Street, NW, #1101 Washington, DC 20036	Erisa Industry Committee	790.00	12.00
Craig Ulrich, 1300 N. 17th Street, #1200 Arlington, VA 22209	Consumer Bankers Assn		
Unique Athletes, Inc, 3 Woodland Avenue Westhampton Beach, NY 11978		28,188.00	19,370.00
United Food & Commercial Workers International Union, 1775 K St., NW Washington, DC 20006		228,649.76	54,493.93
Lloyd N. Unsell, 1101 16th St., NW Washington, DC 20036	Independent Petroleum Assn of America		
Mary Uyeda, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn	2,198.00	70.00
Anthony Valanzano, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc	5,000.00	
R. Thomas Van Arsdall, 50 F Street, NW, #900 Washington, DC 20001	National Council of Farmer Cooperatives	603.75	
Henry B. Van Gieson, 1700 North Moore St., 2120 Arlington, VA 22209	Boeing Company	1,568.84	201.25
John A. Vance, 1726 M St., NW, #1100 Washington, DC 20036-4502	Pacific Gas & Electric Co	5,484.00	4,135.46
Robert C. Varah, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc	237.50	439.40
Kristin Lea Vehrs, 1110 Vermont Avenue, NW, #1160 Washington, DC 20005	American Assn of Zoological Parks & Aquariums		
Do	Texas Shrimp Assn		
Venture Entrepreneurs, Inc, 1201 San Marco Blvd., #204 Jacksonville, FL 32207			
Robert J. Verdisco, 1901 Pennsylvania Avenue, NW, #200 Washington, DC 20006	National Mass Retailing Institute	5,000.00	
Verner Liipfert Bernhard Mcpherson & Hand, Chtd, 1660 L Street, NW, #1000 Washington, DC 20036	Associated Ferrari Dealers of North America		
Do	Brown & Root, Inc		
Do	GenCorp	2,870.00	
Do	John F. Kennedy Center for the Performing Arts		
Do	Morgan Stanley, Inc	4,685.00	
Do	Mutual of America		
Do	Norfolk Southern Corp	200.00	
Do	Rayburn Country Electric Cooperative, Inc	407.50	
Do	Travelers Corporation	3,572.00	
Do	John Tudor		
Do	TRW, Inc		
Melanne Verveer, 1424 16th St., NW Washington, DC 20036	People for the American Way	5,750.01	219.88
Vinson & Elkins, 1455 Pennsylvania Ave., NW, #800 Washington, DC 20004-1007	Federal Express Corp	1,483.75	125.80
Douglas K. Vollmer, 801 18th St., NW Washington, DC 20006	Paralyzed Veterans of America	11,969.48	
Voluntary Hospitals of America, Inc, 1150 Connecticut Ave., NW, #800 Washington, DC 20036			10,992.50
Volunteer Trustees of Not-For-Profit Hospitals, 1625 Eye St., NW, #810 Washington, DC 20006		13,850.00	10,572.00
Marcos Von Goihman, P.O. Box 65475 Washington, DC 20035	Guyana Airways Corp		
Vorys Sater Seymour & Pease, 1828 L Street, NW, #1111 Washington, DC 20036	Alliance for Corporate Growth	10,226.70	662.18
Do	Cabot Corporation	11,416.00	816.25
Do	Committee of Publicly Owned Companies		
Do	Limited, Inc		
Do	Ohio Deposit Guaranty Fund		
Do	Ohio Manufacturers Assn		
Do	Pittsburgh & Lake Erie Railroad Co	6,651.00	565.58
Do	Smith Corona Corporation	12,195.00	3,330.60
Do	Toledo Trustcorp	21,600.00	3,415.63
Do	Winrock International Agricultural Development Service	265.00	120.55
Robert J. Wager, 1111 14th St., NW, #300 Washington, DC 20005	American Bakers Assn		
Wagner & Baroody, Inc, 1615 L St., NW, #750 Washington, DC 20036	Alfin Fragrance		
Do	Canadian General Electric	4,031.25	731.06
Do	CSX Corporation	937.50	356.24
Do	Daewoo International Corp	9,687.50	2,467.42
Do	National Beer Wholesalers of America	3,062.75	818.15
Do	National Debt Repayment Foundation		
Do	United Nations Educational Scientific & Cultural Organ.		
John A. Waits, 50 F Street, NW, #900 Washington, DC 20001	Farm Credit Council	2,500.00	
Henry Scott Wallace, 1815 H Street, NW, #550 Washington, DC 20006	National Assn of Criminal Defense Lawyers	10,500.00	50.00
R. Douglas Wallin Jr., 1235 Jefferson Davis Hwy. Arlington, VA 22202	Emerson Electric Co		
Kevin Walsh, P.O. Box 15232 Washington, DC 20003	Association for the Advancement of Historical Research		
Ralph H. Waltz, P.O. Box 921 Majuro, Marshall Islands	Bikini/Kili/Ejit Council		
Washington Gas Light Co, 1100 H St., NW Washington, DC 20080			6,580.75
Washington Independent Writers, Inc, 733 15th St., NW, #220 Washington, DC 20005			66.00
Washington Office on Africa, 110 Maryland Ave., NE, #112 Washington, DC 20002		164,767.85	142,970.34
James D. Webb, 1400 Eye Street, NW Washington, DC 20005	Wilderness Society	23.59	
Andrew H. Webber, 440 First Street, NW, #510 Washington, DC 20001	American Medical Peer Review Assn		
Susan Weber, 1601 Connecticut Ave., NW, 4th Fl. Washington, DC 20009	Zero Population Growth, Inc		
Webster & Sheffield, 1200 New Hampshire Ave., NW, #350 Washington, DC 20036	Asarco Corporation		
Do	Mazda Motor Manufacturing (USA) Corp		
Do	Pogo Producing Co		
Paul Weckstein, 236 Massachusetts Ave., NE, #504 Washington, DC 20002	Center for Law and Education, Inc	185.81	
Stanley A. Weiss, 21 Dupont Circle, NW, #300 Washington, DC 20036	Business Executives for National Security		
Jerry Welcome, P.O. Box 3556 Washington, DC 20007	American Meat Institute	2,000.00	
William B. Welsh, 1625 L St., NW Washington, DC 20036	American Fed of State County & Municipal Employees	19,005.90	20.00
Roland Wesley, 1159 Quail Run Bolingbrook, IL 60439	Committee for Minor. Access to Post Second. School Ownership		
Pamela R. West, 1200 17th Street, NW Washington, DC 20036	American Psychological Assn	2,250.00	85.56
Wexler Reynolds Harrison & Schule, Inc, Suite 600 1317 F Street, NW Washington, DC 20004	Aetna Life & Casualty		
Do	Allied-Signal, Inc		
Do	American Airlines, Inc	500.00	13.00
Do	Blue Cross & Blue Shield Assn	600.00	90.00
Do	Coalition for Motor Carrier Regulatory Reform	250.00	5.00
Do	Coalition to Preserve Dual Residency Cos		
Do	Communications Satellite Corp	255.00	303.00
Do	Coopers & Lybrand	940.00	8.50
Do	Dealer Bank Assn		
Do	Foothills Pipe Lines (Yukon) Ltd	1,467.50	11.00

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Do	General Motors Corp	610.00	
Do	Macfadden Holdings, Inc		
Do	Manville Corporation	2,320.00	13.50
Do	Marathon Oil Co		
Do	Morgan Stanley & Co, Inc		
Do	Motion Picture Assn of America, Inc	900.00	39.52
Do	MCI Communications Corp	5,840.00	84.00
Do	National Cable Television Assn, Inc	5,600.00	51.50
Do	New England Electric System		
Do	Northwest Airlines, Inc		
Do	Nova, An Alberta Corp		
Do	Novacor Chemicals, Ltd	330.00	18.00
Do	Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation		
Do	Security Investment Co		
Do	Spanish Int'l Communications Corp	180.00	
Do	Training Media Distributors Assn		
Do	Viacom International, Inc	3,600.00	216.00
Do	Wilmer Cutler & Pickering	4,005.00	29.00
White Fine & Verville, 1156 15th St., NW, #1100 Washington, DC 20005	American Educators of Arkansas, Inc, et al.	5,000.00	
Donald W. Whitehead, 1000 Connecticut Ave., NW, #707 Washington, DC 20036	Emergent Technologies, Inc	4,500.00	
Do	Washington States Representatives	500.00	
James A. Whitman, P.O. Box 1417-D49 Alexandria, VA 22313	National Assn of Chain Drug Stores, Inc	500.00	
Wickwire Lewis Goldmark & Schoor, 500 Maynard Bldg. Seattle, WA 98104	Arctic Slope Regional Corp		
Wiley Rein & Fielding, 1776 K Street, NW Washington, DC 20006	Committee of Domestic Nitrogen Producers		
Do	Oklahoma Steel & Wire Co		
Carl B. Wilkerson, 1001 Pennsylvania Ave., NW Washington, DC 20004	American Council of Life Insurance, Inc		
Dean M. Wilkinson, 1611 Connecticut Avenue, NW Washington, DC 20009	Greenpeace, USA	130.34	37.44
J. Michael Willard, Willard & Arnold Communications 405 Capitol St., #809 Charleston, WV 25301	Camp Carmouche Barsh Hunter Gray Hoffman & Gill, P.C.		
Do	Norfolk Southern Corp		
Ralph E. Willham, 1750 New York Ave., NW Washington, DC 20006	Sheet Metal Workers International Assn	11,850.00	
Barrett Williams, 236 Massachusetts Avenue, NE, #603 Washington, DC 20002	National Assn of Railroad Passengers	6,457.80	
Margie R. Williams, 415 2nd St., NE, #300 Washington, DC 20002	National Assn of Wheat Growers	4,143.23	
Williams & Jensen, P.C., 1101 Connecticut Ave., NW, #500 Washington, DC 20036	American Home Products	150.00	17.27
Do	American Hospital Assn	142.50	26.57
Do	American Physical Therapy Assn	242.50	26.57
Do	American Real Estate Committee		10.62
Do	Association of Family Farmers	172.50	10.62
Do	Association of Progressive Rental Organizations	360.00	
Do	Bato Company		
Do	Century 21 Real Estate Corp		
Do	Committee for Employment Opportunities		
Do	Committee for Fairness in Real Estate Taxation	191.60	10.62
Do	CIGNA	191.60	10.62
Do	Echo Bay Mines, Ltd	3,800.00	
Do	Estee Lauder, Inc		
Do	Federation for American Immigration Reform	2,450.00	69.06
Do	Financial Security Assurance	2,370.00	113.32
Do	First Boston Corp	705.00	69.06
Do	First Data		17.27
Do	Freight Forwarders Institute		
Do	General Electric Co		
Do	Goldome FSB	142.50	10.62
Do	Higher Education Assistance Foundation		
Do	Houston Endowment, Inc		13.28
Do	IU International Management Corp	172.50	10.62
Do	Kellogg Company		
Do	Kelly Appleman Hart & Hallman		
Do	Miller and Leher		
Do	Mustang Fuel Corporation		
Do	National Cable Television Assn, Inc	2,496.00	228.43
Do	Nationwide Insurance Co		
Do	Norfolk Southern Corp	2,750.00	189.91
Do	Paralyzed Veterans of America		
Do	Pharmaceutical Manufacturers Assn	845.00	69.06
Do	Prolerize-Shiabo-Neu		
Do	Recording Industry Assn of America, Inc		
Do	Student Loan Marketing Assn		
Do	Techworld	95.00	17.27
Do	Texaco, Inc	180.00	10.62
Do	Texas Air Corp	3,634.00	280.22
Do	U.S. Telephone Communications, Inc		
Do	Universal Foods, Inc		
Do	USAA Financial Service Co	125.00	17.27
Harriet D'Nell Williamson, 1775 K Street, NW Washington, DC 20006	United Food & Commercial Workers Int'l Union		
Willkie Farr & Gallagher, 818 Connecticut Ave., NW, #1100 Washington, DC 20006	American Trucking Assns, Inc		
Do	Comptroller of the State of New York	470.00	22.96
Do	National Venture Capital Assn		
Wilmer Cutler & Pickering, 2445 M Street, NW Washington, DC 20037-1420	Handgun Control, Inc		71.96
David W. Wilmot, 1029 Vermont Ave., NW, #300 Washington, DC 20005	Anheuser-Busch Companies, Inc		
H. Graham Wilson, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Dofasco, Inc		
Kerrie Bunting Wilson, 1575 Eye Street, NW, #1060 Washington, DC 20005	American Cancer Society	3,000.00	150.00
James L. Winston, 1730 M Street, NW, #412 Washington, DC 20036	National Assn of Black Owned Broadcasters		
Walter J. Witek Jr., 777 14th St., NW Washington, DC 20005	National Assn of Realtors	2,500.00	369.41
Rebecca Wodder, 1400 Eye Street, NW, 10th Fl. Washington, DC 20005	Wilderness Society		
S.R. Wojdak and Associates, Inc, 1401 Walnut St., #1000 Philadelphia, PA 19102	Health America Corp	600.00	171.07
Do	Medical College of Pennsylvania	7,800.00	796.21
Do	St. Christopher's Hospital for Children	5,475.00	862.88
G. Kent Woodman, 1818 N Street, NW Washington, DC 20036	Eckert Seamans Cherin & Mellott (For:Burlington Northern, Inc)	8,792.50	198.12
Do	Eckert Seamans Cherin & Mellott (For:Norfolk Southern Corp)	4,000.00	100.00
Douglas A. Woodward, c/o Dow Lohnes & Albertson 1255 23rd Street, NW Washington, DC 20037	Stelco, Inc		
Tracey C. Wright, 1819 L St., NW, 7th Floor Washington, DC 20036	Reinsurance Assn of America		20.00
Wunder Thelen & Forgotson, 1615 L St., NW, #720 Washington, DC 20036	Chesebrough-Pond's, Inc		
Do	Colt Industries, Inc		
Do	Ensearch Corp		
Do	Grocery Manufacturers of America, Inc		
Do	Hospital Corp of America		
Do	Marriott Corp		
Do	Metropolitan Insurance Co		
Do	National Assn of Life Underwriters		
Do	Northwestern Mutual Life Insurance Co		
Do	Pacific Mutual Life Insurance Co		
Do	Sony Corporation of America		
Do	Texas Oil & Gas Corp		
Wilson W. Wyatt Jr., 2000 Citizens Plaza Louisville, KY 40202	Batus D.C.	2,000.00	14.00
Wyman Bautzer Christensen Ruchel & Silbert, Suite 580 600 New Hampshire Ave., NW Washington, DC 20037	American Boiler Manufacturers Assn, Inc		
Do	Automotive Dismantlers & Recyclers Assn, Inc		
Do	Bristol Bay Native Corp		
Do	Eklutna, Inc		
Do	Filmways, Inc		
Mary J. Yarrington, 1300 19th Street, NW, #501 Washington, DC 20036	National Comm to Preserve Social Security	2,385.00	
Kim Yelton, 8120 Fenton St. Silver Spring, MD 20910	Americans United for Separation of Church and State	9,997.57	22.82
Richard K. Yep, 5999 Stevenson Avenue Alexandria, VA 22304	American Assn for Counseling & Development	6,953.76	
Edward A. Yopp, 1200 Golden Key Circle, #141 El Paso, TX 79925	MBank, N.A.		

Organization or Individual Filing	Employer/Client	Receipts	Expenditures
Roberta Lynn Youmans, 509 C Street, NE Washington, DC 20002	Roisman, Reno & Cavanaugh (For:National Housing Law Project)	1,937.51	
Judith A. Young, 777 14th St., NW Washington, DC 20005	National Assn of Realtors	1,500.00	152.03
Robert A. Young, 10113 Wood Green Way Burke, VA 22015	Brown & Associates		
Do	United Assn of Jnymen & Appren of Plmbg & Pipeftg Industry		
Thane Young, 1730 Rhode Island Ave., NW, #400 Washington, DC 20036	Aries Properties, Inc	800.00	26.82
Do	Berg-Revoir Corp		
Do	City of Alhambra		
Do	City of Baldwin Park		
Do	City of Inglewood		
Do	City of Norwalk		
Do	City of Oceanside	1,700.00	61.47
Do	City of Provo		
Do	City of Redondo Beach	1,500.00	144.22
Do	City of South Salt Lake	1,000.00	38.45
Do	Gavin Associates		
Do	Imperial Irrigation District	5,000.00	71.03
Do	Irvine Company	5,312.50	57.32
Do	Long Beach Transit		
Do	Maritime Center at Norwalk		
Do	Oceanside Redevelopment Agency		
Do	Santa Cruz Properties, Inc		
David E. Yudin, 1707 H Street, NW, #500 Washington, DC 20006	Bus Transit Caucus	1,125.00	
Do	Regional Transportation District	893.00	
Michael Zagorac Jr., 8333 Bryan Dairy Rd. P.O. Box 4689 Clearwater, FL 33518	Jack Eckerd Corp		
Sharon G. Zedd, 1945 Old Gallows Road, #405 Vienna, VA 22180	American Wood Preservers Institute	5,000.00	443.23
Zero Population Growth, Inc, 1601 Connecticut Ave., NW, 4th Fl. Washington, DC 20009		1,608.00	3,254.00
Barry Zigas, 1012 14th Street, NW, #1006 Washington, DC 20005	National Low Income Housing Coalition	6,708.00	331.00
Michael J. Zimmer, Wickwire Gavin & Gilbs, P.C. 1133 21st Street, NW, #500 Washington, DC 20036	Cogeneration Coalition, Inc		110.00
Do	Consolidated Natural Gas Co		
Do	PURPA Coalition, Inc		
Alan Zimmerman, 1029 Vermont Avenue, NW, 3rd Floor Washington, DC 20005	Anhueser-Busch		
31st Pro Life Congressional District Action Comm, 8654 Bonview Terrace Williamsville, NY 14221			

EXTENSIONS OF REMARKS

THE COPTS IN EGYPT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. HAMILTON. Mr. Speaker, the American Coptic Association in a February 1987 press release raised a series of concerns about the situation confronting Egyptians of the Coptic faith.

In an April 24 letter to the Department of State, I asked for detailed comments on the assertions of the American Coptic Association regarding problems facing Coptic Christians in Egypt. The State Department reply of May 7 indicates that some problems do exist for Coptic Christians but that the situation has improved for the Copts and several of the restrictions imposed on many religious groups, Muslim and Christian, are designed to avoid sectarian incidents which have caused periodic problems for the Egyptian Government.

Attached are a press release by the American Coptic Association, my letter to the Department of State and the Department of State's reply.

[Press Release, the American Coptic Association, Feb. 4, 1987]

THE PRESENT SITUATION OF THE CHRISTIANS IN EGYPT

The American Coptic Association (ACA) appreciates your efforts in releasing the Christians in Egypt who were imprisoned for their faith and the Coptic religious leaders who were imprisoned by President Sadat. However, the Coptic People in Egypt are facing religious suppression.

(1) The official weekly magazine of the Coptic Patriarchate "El-Keraza" (The Sermon) has been banned from publications since 1981, even after the Administrative Court decided that it was illegal to ban it. The Egyptian government permitted the publication of 200 copies each month as compared to more than 300,000 a week before its banning.

(2) Since 1980 not one presidential permit has been granted to the Coptic Orthodox Church for new church construction. The Egyptian government has not given permits to build churches in the newly constructed towns and cities of Egypt. It is creating pure Islamic communities and attempting to create a mini apartheid society in the long run.

(3) The Egyptian government is still illegally confiscating the Coptic Church Trust land and hands them over to the Ministry of Islamic Affairs. The reason for seizing the Coptic Church Trust land was that the Coptic benefactor stated that part of the annual income from the land may be used to help the poor people whether they are Christians or Muslims. The lands were seized because Muslims were included. Most of the Coptic Trust Land has been in the hands of the Coptic Church for more than fifty years.

(4) The Christians are exposed to terrorism by the Muslim fundamentalists without protection by the Egyptian officials.

In addition, the Christian Egyptians who account for 20% of the population are deprived of leadership positions. No Christian is an appointed governor, or his associates, University president, college dean, ambassador, police commissioner, or a governmental company manager.

The Egyptian government is the recipient of substantial economic and military aid from the U.S.A. The ACA requests that you use your influence so that the Egyptian government will remove its restrictions on building churches remove its ban on publishing the "El-Keraza" (Sermon) Coptic magazine, returns the Coptic Trust Land to the Coptic Church.

We appeal to individuals and organizations to contact President Hosni Mubarak, Cairo, Egypt to express concern for the human rights of the ethno-religious Coptic People. Also, please contact President Reagan, the White House, Washington, D.C. 20500; your two senators, U.S. Senate, Washington, D.C. 20510; and your Congressman, the House of Representatives, Washington, D.C. 20515. Or the officials of your country.

[Press Release, the American Coptic Association, Mar. 20, 1987]

RECENT ATROCITIES AGAINST THE CHRISTIANS IN EGYPT BY THE MUSLIM FUNDAMENTALISTS

During the months of January and February 1987 the Christian Egyptians had been exposed to terrorism and intimidation; which culminated at the end of February by burning their churches, houses, and shops by Muslim Fundamentalists in the absence of police protection. During the last week of February for seven days the Muslim Fundamentalists were demonstrating against the Christians in cities of Beni-Sweif, Beba Malawi, Minyia, Assyuit, Tahta, Tema, Sohag, Kena, Luxor, Essna, and Aswan. These cities are in Upper Egypt where there is a high concentration of Christians (between 30–40%). In all of the cities many Christian shops were destroyed and/or burned down. Many churches were burned in Beni-Sweif and Sohag. In Sohag the Muslim fundamentalists surrounded the bishop's resident and cathedral to burn and murder the diocese bishop.

The hostility toward the Christians was created by the state-controlled T.V., radio, and newspapers which characterized them as infidels and that their Bible was falsified. The Moslem sheikhs are exhorting the Muslims to carry out holy war against the infidels (Jews and Christians) who are the enemies of Islam and Allah. According to the Koran "It was not you who slew them, but Allah (The Spoils, 8:17); "Fight (kill) them, God torment them on your hand." (9:14).

Similar to previous atrocities, the police force stayed indifferent to murdering of the Christians; burning of their churches, houses, and shops; and the criminals were not brought to justice. On June 17, 18, and 19, 1981, the Muslim fundamentalists murdered 100 Christians; and destroyed five churches, and the Christian houses and shops in the Al-Zawyia Al-Hamra, in Cairo while the police force was watching. The Egyptian government promised compensation for the affected Christians but it reneged on its promise and the criminals were set free. Also, the Egyptian government does not give permits for the Christians to build new churches or to repair old ones while the Muslim fundamentalists burn their churches and shops, which are the major source of their livelihood. Meanwhile the Egyptian government has given secret instructions to its agencies and the state-controlled companies, and the foreign companies not to hire Christians.

We request that organizations and individuals contact the Egyptian Ambassador, 2310 Decatur Place N.W., Washington, D.C. 20009 and ask the Egyptian government to respect the human of the Christians, provide adequate police protection for them, bring the criminals to justice, to eliminate discrimination against the Christians in employment and compensate the Christians who were affected; and to contact President Reagan, the White House, Washington, D.C. 20500 and to express his concern to the Egyptian government.

THE COPTIC CONFERENCE, APRIL 1987

A Coptic Conference was held on April 5, 1987 in the headquarter of the American Coptic Association, 582 Bergen Ave., Jersey City, New Jersey, and discussed the recent atrocities against the Coptic People (the Christian Egyptians) in Egypt. Representatives of the Coptic Americans from the states of New Jersey and New York attended the meeting. The participants agreed unanimously in the following:

(1) Condemning the burning of churches and the attacks on the Christians by the Muslim fundamentalists and the oil-rich Muslim governments which support them militarily and financially especially Libya and Saudi Arabia;

(2) Asking the Egyptian government to rebuild the destroyed churches and Christian properties, and to pay compensation for those who are affected;

(3) Prosecuting the criminals immediately and firing the Egyptian officials who ordered the withdrawal of the Central police force after its deployment and leaving the Christians and their properties without protections for more than three days;

(4) Eliminating all the restrictions on building new churches or repairing old ones. Since President Mubarak took office in 1981, no presidential permits have been granted to the Coptic Orthodox Church;

(5) Returning all the Coptic Church Trust lands which were seized illegally by the Egyptian government and were given to the Ministry of Islamic Affairs;

(6) Lifting the ban on the publication of the Coptic Church official weekly magazine "El-Keraza" (Sermon) which has been banned since September 1981;

(7) Stopping the psychological warfare which has been carried out by the state-controlled Egyptian mass media against Christianity and the Christians;

(8) Elimination of all kinds of discrimination in hiring and promoting the Copts in the government and business. The absence of the Christians from leadership positions

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and the political and social scenes is a noticeable phenomenon;

(9) Eliminating the Department of Coptic Affairs in the Ministry of the Interior (Police) which has been harassing the Coptic Church leaders and the laymen who are involved in religious activities.

We ask world leaders and organizations to express their concern for the human rights of the ethno-religious Coptic People in Egypt, and ask the Egyptian government to respect their human rights according to the United Nations Universal Declaration of Human Rights.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, April 24, 1987.

Hon. GEORGE P. SHULTZ,
Secretary, Department of State, Washington, DC.

DEAR MR. SECRETARY: The American Coptic Association has been on contact with the Subcommittee on Europe and Middle East concerning the religious suppression of Christians and the Coptic Church in Egypt.

The American Coptic Association makes the following assertions:

The official weekly magazine of the Coptic Patriarchate "El-Keraza" (The Sermon) has been banned from publication since 1981, even after the Administrative Court decided that it was illegal to ban it;

Since 1980 not one presidential permit has been granted to the Coptic Orthodox Church for new church construction;

The Egyptian Government is still illegally confiscating Coptic Church Trust Land and handing it over to the Ministry of Islamic Affairs;

Christians are exposed to terrorism by Muslim fundamentalists without protection by Egyptian officials; and

No Christian is an appointed governor, university president, college dean, ambassador, police commissioner or governmental company manager.

I would appreciate if you could comment on each of these allegations. To the extent that they are accurate, I would like to know what the United States has said to the government of Egypt about these charges and what changes the United States is seeking.

I look forward to your early reply.

With best regards,

Sincerely yours,

LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East.

U.S. DEPARTMENT OF STATE,
Washington, DC, May 7, 1987.

Hon. LEE HAMILTON,
Chairman, Subcommittee on Europe and the Middle East, House of Representatives.

DEAR MR. CHAIRMAN: I am responding to your letter of April 24 regarding the assertions made by the American Coptic Association relating to the situation of Coptic Christians in Egypt.

In general, preserving communal peace and promoting religious tolerance are matters of importance to the Egyptian government, a signatory to international covenants on human rights. When necessary, the government has taken measures to protect Christians from problems posed by extremist Islamic groups. Pope Shenouda and other Egyptian Coptic leaders have complimented the government's attentiveness to Christian concerns.

Several of the issues raised by the American Coptic Association need to be placed in proper context. The ban in effect relating to Al-Kiraza is based on emergency law provisions which may override certain court rulings. Distribution of this Coptic publication is limited to its use as an internal church document. A Muslim Brotherhood publication is similarly restrained.

Securing permission for new churches in Egypt can be a complex process, but permits are given. Most presidential permits issued to the Coptic Orthodox Church since 1980 have been for church renovation or the construction of church-owned institutions like a hospital. Some building permits for new Coptic churches have also been granted, including recent permission to establish an Orthodox Coptic Church in Shargiyya province.

The question of government appropriation of religious endowments relates to a long-standing dispute over measures imposed by President Nasser two decades ago. These measures, which remain in effect, apply to trust properties administered by both churches and mosques.

The Egyptian government frequently has demonstrated, both by words and deeds, its considerable concern for the welfare of Christians in Egypt. The government's swift, effective efforts to staunch several sectarian incidents earlier this year, including speeches and visits to troubled areas by President Mubarak, exemplify the high-priority assigned this concern. Coptic officials in Egypt indicated both public and private satisfaction with the government's response.

Christians hold many important positions in the Egyptian government, though they are not proportionally represented in leadership posts. For example, two cabinet ministers, including the Minister of State for Foreign Affairs, are Copts and at least two Copts have the rank of Ambassador at the Ministry of Foreign Affairs.

We follow closely the concerns and problems of religious minorities throughout the world and regularly convey to Egyptian authorities the U.S. government's strong interest in preserving religious liberties. Our Embassy in Cairo and our Consulate General in Alexandria maintain contacts with a wide-range of Egyptians, including Coptic Christians. Christians in Egypt, engaged in constant dialogue with Egyptian authorities about their concerns, have generally been uninterested in and resisted outside intervention on their behalf.

With best wishes,

Sincerely,

J. EDWARD FOX,
Assistant Secretary, Legislative and Intergovernmental Affairs.

SKELTON ADDRESSES PARK COLLEGE GRADUATES

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. SKELTON. Mr. Speaker, this past Sunday I had the honor to address the Park College graduates in Parkville, MO. Park College has a long and distinguished record in the field of education and its graduates have made a great contribution to our State of Missouri and to our country through the years. My address to the graduates follows:

A man I greatly admire, Harry S. Truman, once defined leadership as the ability to get someone to do something they didn't want to do, and like it. That is a little bit like the task of a graduation speaker. A difficult task no doubt, but nonetheless I will proceed. In my role today, it is incumbent on me to give you some words of wisdom as you go forth and "commence" life after college. If, by chance, I succeed better than the graduation speaker that I heard and actually give you some words that you remember or that help you later in life, so much the better.

I take heart from a saying that President Truman kept above his desk which was taken from an Old West tombstone. Without endorsing the grammar, the President's sign said, "He done his dammdest", and in that vain, I will proceed with this address.

Today, I speak of America. This year being the Bicentennial of our United States Constitution gives us reason to reflect on our nation as a nation and on our people as a people. In 200 years of Constitutional government our America has grown from a sparsely populated nation on the frontier of civilization to become the most important nation on earth. We are unique in many respects. We were peopled by immigrants from many nations. We conquered a vast wilderness through the century-long westward movement from our eastern states to the west coast. In that westward movement, the American people developed an inner vision that molded the general American character into one with a high degree of optimism. This optimism ripened into an intense love of liberty and led to immense contributions in the fields of politics and science. There was nothing that America couldn't tackle. There was no endeavor at which America could not succeed.

American fighting men led the world toward peace by their heroic efforts in World War II. At the end of that conflict we were unchallenged in every field of endeavor. Being the good and decent people that we are, we not only rebuilt devastated allied countries, but we assisted our former enemies to become part of the community of nations once again. This is the America that historians will write about in centuries to come. This is the America of the Marshall Plan, which Winston Churchill called "the most unsordid act in history". Our country will be known as not just a conquerer but as a rebuilder. This is the heritage that we have today.

But things have gone awry somehow. Today we find ourselves with serious problems on two fronts. On the military front we have witnessed the buildup of Soviet military might over the past 25 years. Soviet power and influence now stretches to all parts of the globe, including our own hemisphere. Second is the economic threat, reflected by our own huge federal budget deficit and our unbelievably large international trade deficit. The continued Communist threat, and it is real, speaks for itself. As to our economic plight, political scientists and economists disagree on how we got here. But what is more important than assigning a definite reason for economic stagnation is how do we, as a nation, reverse this troublesome trend.

At the end of World War II we assumed a role in this world as the bastion of freedom and we have maintained this position in the years since. We were able to do so because we were both militarily and economically strong, and, if we are to continue, we must show strength in these two areas. However, in order for a nation to be strong, it cannot rely solely on its military arms. It must be strong economically as well. Assuming that we will continue to maintain a strong natinal security, let's turn our attention to what we as a people can do to further our national economic well being. For years, we were the dominant player in the international market. Our exports far exceeded imports. "Made in America" was a label sought after in all parts of the world. Our position is now weakened considerably, and, last year we had a balance of trade deficit worldwide of $170 billion. Unfair trade practices by other nations, tariffs and restrictions on American goods, and illegal dumping in our country of foreign items all have had serious impact on the trade problem.

The unfairness of other nations has become a focal point of our efforts in Congress to reverse the trend. But the best that we can do in Congress, that is, through legislation, would be to level the playing field. Legislative changes would not of themselves cause a reversal of this deficit trend. In other words, even if we were playing by the same rules, our success is not assured. We still need to play the game and play it to win.

Throughout our history, important periods have been named or labelled because of important events or attitudes which prevailed during that time. For example, the late 1700's was an Era of Revolution when the then new theories of freedom and democracy inspired the American colonists to cast off the shackles of the English monarchy. In the 1820's, there was an Era of Good Feelings. In more modern times, in the years after World War II, there was an Era of Economic Growth.

Today, I propose that we as a nation, and as individuals, begin an Era of Excellence.

How can we embark on this Era of Excellence? First, by changing our mindset—our attitude. No pessimistic general ever won a battle. No political candidate ever won an election without confidence. No successful person ever included the word "can't" in his or her vocabulary. Perhaps Theodore Roosevelt summed it up best when he said, "It is not the critic who counts, not the man who points out how the strong man stumbled, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasm, the great devotions; who spends himself in a worthy cause; who, at the best, knows in the end the triumph of high achievement, and who, at the worst, if he fails, at least fails while daring greatly." This is true in international economics—we need the fervor and confidence that has historically marked America as a champion of nations. We need to "dare greatly" once again. This is the first step and it is the greatest step. American ingenuity will then find a way, as it has in the past.

Next is education. In the past we didn't have to work at world marketing. Other nations needed and wanted what came from America, and, in many cases, we were the only supplier. Now, those days are gone. Competition is the word in the world economy. And the key to being able to compete is education. We must work harder, but we must also work smarter.

We must study world markets. We must learn the culture and language of potential trading partners. Make no mistake about it, we are behind in this area. Compare our marketing in Japan to Japanese marketing here in our country. There are currently 10,000 Japanese sales representatives in the United States who speak fluent English. There are no more than 500 American sales representatives in Japan who are fluent in Japanese.

Let me show you from personal experience how wide this "language gap" is. I had lunch recently with a Member of the Japanese Parliament, or Diet as they call it. He was in his mid-60's and had, during his career, been involved with the Japanese Foreign Trade Office. As we talked, I learned he was proficient in English, French, and Dutch. I kidded him by saying that with over one billion potential customers in China, I was surprised he didn't know Chinese. "I'm too old to learn a new language", he said, "but my children and grandchildren are all studying it." If we continue operating the same way we do now, when the time comes to do business in China, Japan will have 10,000 people who speak the language and we will have 500, maybe.

Someone told me as I was preparing this address that the best career advice I could give graduating seniors would be to become proficient in the language of an emerging nation.

So there you have my formula. For you math and science majors, it can be reduced to this: "Attitude + Education = Excellence."

In today's world economy, we can no longer rest on the successes of our past. Our commanding position has eroded. In just the last six years, we have gone from the largest creditor nation in the world to the largest debtor nation in the world. We no longer deal from a position of superior financial strength.

If we are to become Number One again, we can't just rely on military strength. Military strength alone is not enough. We can't wait for Congress to pass magic legislation. There is no such legislation. We can't even depend on only those people who are directly involed in business and the economy. This is a campaign for all Americans.

Attitude plus Education equals Excellence. Soon the 21st Century will be upon us. You who are graduating today will be in the middle of your careers at the turn of the century. Those years will belong to you and those of your generation. Whether future historians will refer to this period as an American Era of Excellence, or whether America will be a footnote in the story of the rise of other nations to the world's center stage, will depend on you and your fellow graduates.

Attitude plus Education equals Excellence. We cannot rest on our achievements of the past, but we can build on them. We have achieved much as a nation in 200 years we, have come so far. We can make the next 200 years as productive and rewarding. As the old song from the dark days of World War II said, "We Did It Before And We Can Do It Again."

As you lead our nation into the 21st Century, into the Era of Excellence, let the words of President Franklin D. Roosevelt be your guide. He was scheduled to deliver a radio address from Warm Springs, Georgia, on April 13, 1945. As we know, he died the day before, April 12. But, the President's address had been prepared and it contained this line: "The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with strong and active faith."

Thank you.

RETIREMENT INCREASES WORK LOAD FOR DALLAS' M.R. (BOB) SPEARS

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. BRYANT. Mr. Speaker, M.R. (Bob) Spears has logged more than 12,000 hours as a Red Cross volunteer and has helped build a self-sufficient 12-grade school that houses 100 students—and didn't even get started until he was 61.

The 81-year-old Spears is recipient of the Congressional Citizenship Award for March.

"I retired on March 1, 1966, and it didn't take my wife long to decide I was getting in a rut," Spears says of his "second life" as a volunteer.

His wife Lena had been a Red Cross volunteer and chased him out of the house 1 day less than a year into retirement to see a friend of hers at the Dallas Red Cross Chapter about volunteering.

"It turned out that Lena's friend was retiring that very day," Bob Spears recalls, "so the new man had me ride with a volunteer driver that day. That driver didn't show up the next day, so my training was over. I took the car and drove. Been here ever since."

That was the spring of 1967 and in the intervening years, Bob Spears took over the volunteer driver program that has grown to 62 drivers, 40 office workers and nine autos in five Dallas County locations. During the last fiscal year, Dallas Red Cross drivers logged 143,675 miles with 8,227 patients.

"Bob would spend 10-hour days transporting patients, 5 days a week," reports Miloty Wilson of the Dallas Red Cross Chapter, who nominated Spears for the award. "About 15 years ago he became chairman of our transportation program and devised all our methods of accepting patients, setting up the paperwork and streamlining the system of getting patients into and out of Parkland Hospital so that our drivers wouldn't spend hours waiting for patients, and we could have an efficient and effective ride program."

Bob Spears recalls his promotion to transportation chairman as a little more basic:

"I kept criticizing the way we were doing things and the staff man in charge told me that if I was so blamed smart, I could just run the thing. That didn't leave me any choice but to be successful. I was able to get stations to give me the time to go on radio and television live and recruit new drivers.

"I could see the good we were doing with the program—and the potential for even more good—so I stayed with it."

After retiring from Pontiac Motor Co., Bob and his wife bought some land between Granbury and Glenrose in Somervell County. The thoughts of a country place and a comfortable rut also gave way to more work—resulting in Happy Hill Farm Children's Home.

A young local pastor, the Reverend Edward Shipman, was asked by authorities to take in a few children who were runaways or had gotten into trouble with the law.

"Ed asked me what I thought about it," Bob Spears says. "We talked it over, started looking for some money and the school grew out of it. The Amon Carter Foundation helped get it going, and money came in from other foundations and individuals. We've never taken 1 cent of government money."

With Bob Spears and other volunteers helping the Reverend Shipman and his family, Happy Hill now houses, feeds, and teaches all of its students. The staff grows its own meat, eggs, and vegetables. Faculty, members live onsite and send their children to school with the other students.

And one of the student homes and the new $500,000 combination dining facility-food processing center both bear the name of M.R. (Bob) Spears.

So much for the retirement rut.

FAREWELL REVEREND MARCHMAN, JR.

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. CHAPPELL. Mr. Speaker, on a recent Sunday, the Reverend Hal Marchman preached his last sermon as regular pastor of Central Baptist Church in Daytona Beach, FL. It was the climax to 28 years of faithful service as spiritual leader of that congregation. I use the word climax advisedly because no one who knows Hal believes he will retire in the traditional sense of the word.

The Reverend Marchman has been far more than a preacher during these 28 years. He was involved in all kinds of civic works and humanitarian projects. A recovered alcoholic himself, he founded a treatment center for alcoholics and drug abusers and counseled scores of addicts through difficult periods in their lives. He served 12 years with distinction on the Halifax Medical Center board of commissioners. He knocked on doors to raise money for a senior citizens housing complex and did a yeoman's job as president of the board of directors of the YMCA.

Hal Marchman practiced his faith wherever people gathered. One of those places in Daytona Beach is the International Speedway and as unofficial chaplain he is a familiar sight at the speedway, ministering to drivers and their families in moments of exultation or sorrow. One of the special joys of being a clergyman is performing marriages, and the Reverend Marchman has done that under all kinds of circumstances—underwater, on boats and in an airplane. He is never too busy to accompany a parent or relative on a mercy flight or to be at the bedside of a stricken person. With a quick smile and a warm heart, he has touched the hearts of everyone. If he knows of a need, he serves.

Mr. Speaker, history judges every generation on the manner in which it fulfills the duties of citizenship. I submit the name of the Reverend Hal Marchman as an outstanding example of his generation, as evidenced by his willingness to participate in any project that would benefit others. I congratulate him on his retirement and I am proud to call him my friend.

REUNITE THE DIVIDED SPOUSES

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. LEVIN of Michigan. Mr. Speaker, I wish to submit for the RECORD a copy of Richard Cohen's article from the April 28, 1987, Washington Post.

In this article, Mr. Cohen simply and articulately describes the dual messages coming from the Soviet Union regarding the plight of divided spouses, and specifically, the plight of Keith Braun from Southfield MI, and his wife Svetlana, of Moscow.

Svetlana has already applied for and been denied an exit visa three times. Just recently she applied for the fourth time. Despite repeated veils of optimistic assurances from Soviet officials, and despite the fact that Svetlana's request falls within the new emigration laws, the Braun's have been thwarted at every turn.

Secretary Gorbachev is saying that he intends to oversee sweeping social and economic reforms in his country, including the release of prisoners of conscience. As Mr. Cohen writes in his article, "Svetlana's voice is not as powerful as Gorbachev's, but it too deserves a hearing."

DISSONANCE OF GLASNOST

In Moscow recently, the No. 2 man in the Soviet Union, Yegor Ligachev, met with a delegation from the U.S. House of Representatives. They talked about the reforms of Mikhail Gorbachev, and Ligachev was asked whether all this would last. What about the opposition? With that, Ligachev looked House Speaker Jim Wright in the eye and said, "We will see it through to the end. We have had to get rid of some of our high-ranking people. They will not be back."

This is the kind of talk the American delegation heard wherever it went. It was apprised of stunning arms control proposals that have yet to be formally announced. It was tipped to vast changes that are being considered. It was taken places few American politicians have ever been—Communist Party headquarters, for instance—and everywhere the Americans were serenaded with the sweet words of peace. When it comes to nuclear war, said one high-ranking Russian. "We all hold on to one rope."

Reports from Moscow come with a rush nowadays. The ice of the bleak post-Stalinist winter is breaking up, and the cracking sounds of liberalization can be heard in Washington. Congressmen exit from planes energized by visits to Moscow. A Soviet editor comes here talking of the poems he has published by long-banned writers. All over town the once-dour Russians are on the move—hitting the party circuit, smiling. In Russia, Secretary of State George Shultz is permitted to go on Soviet television and demand withdrawal from Afghanistan. A new sun has risen over the cold Russian steppe.

And yet I hear also from Keith Braun. He is a Detroit lawyer, and he calls from time to time to tell me about his wife, Svetlana. They met in 1983. Braun was a law student on Christmas vacation, visiting Moscow. He spied Svetlana near Red Square and simply picked her up. A chat, a long talk in a bar, a visit with her family . . . the boy from Detroit, the girl from Moscow, were in love. He went home to America and then back to Moscow. They became engaged, and then they married. Three times Svetlana has applied to emigrate. Twice she was turned down. The last application hangs in bureaucratic limbo.

Congressmen excitedly talk of missiles. Soviet editors talk of the great literature that can now be published. The rush of reform, like love itself, is captivating. "Maybes" spill from the tongue: maybe there can be an arms agreement; maybe there can be an agreement on conventional forces too; maybe the enormous creative power of the people who have produced some of the world's great literature will once again be unleashed. The promise is so great it is almost frightening. Anticommunism, not secular humanism, is our national religion. Without it, we could lose our totemic handholds. The prospect of peace has become almost as disturbing as the threat of war.

Ultimately any agreement has to be based on trust—on a trust that cannot be verified by devices. But how can you have faith in a powerful nation that would stoop to keep husband from wife, that can shake hands with Shultz and then—that same week—keep Keith Braun waiting an hour while a call is put through to his wife in Moscow? Where is the humanity of a nation that would crush the human spirit, that cannot put Svetlana on a plane for Detroit?

It's harder to answer those questions now than it once was. The Soviet Union has surely changed. Dissidents are being freed from the camps. Andrei Sakharov, exiled to Gorki, returned to Moscow as a fan of Gorbachev. The ugly history of the Stalin period is being discussed. The filmmaker's camera, the poet's pen and the journalist's typewriter pulse with the promise of unprecedented options. But there was a glasnost era under Lenin and then one following Stalin. Those candles cast only a brief light before they were snuffed out. Maybe this time it will be different.

The dissonance is confusing. Surely something is happening in Russia—but what? Systems do not change overnight, that we know. The political prisoners released to such acclaim now complain about others still being held. The war in Afghanistan remains a crime. The promise of an arms control agreement dazzles, and almost daily it seems Moscow makes another proposal. But to Keith Braun, his wife remains just a crackling voice on the phone. Her voice is not as powerful as Gorbachev's, but it too deserves a hearing. In the end, she and not Gorbachev is how we will take the measure of the Soviet Union.

APPEAL FOR THE RELEASE OF CUBAN EDUCATOR

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. PEPPER. Mr. Speaker, on August 19, 1981, Ariel Hidalgo Guillen was arrested by the Cuban Department of State Security. He was reportedly taken to a psychiatric hospital before being formally charged with incitement "against the social order, international solidarity of the Socialist State, by means of oral, written or any other kind of propaganda." He was sentenced to 8 years imprisonment. For the first 14 months of his imprisonment, he was reportedly held in solitary confinement. He was then moved to an ordinary cell and his wife was allowed to visit him for 2 hours each month. In August 1984, the visits were reportedly cut to three a year.

Mr. Speaker, while there is very little information available, it is believed he may have been convicted because of an unpublished manuscript entitled "Cuba, the Marxist State and the 'New Class': a Dialectical Materialist Study." Mr. Hidalgo's crime consisted of writing a manuscript that criticized Cuba's ruling elite.

Amnesty International has called for Mr. Hidalgo's release. In addition, the New York State United Teachers, American Federation of Teachers, AFL-CIO has passed a resolution at their 1987 representative assembly protesting Mr. Hidalgo's imprisonment. The text of the resolution follows as well as a telegram that was sent to Fidel Castro pleading for Mr. Hidalgo's release.

Mr. Speaker, the case of Mr. Hidalgo illustrates the blatant lack of respect for human rights that pervades the Castro regime. It speaks volumes of the nature of communism in Cuba, and should serve as a reminder of the type of society that is likely to arise in places that seek to emulate it.

SPECIAL ORDER OF BUSINESS—APPEAL FOR RELEASE OF CUBAN EDUCATOR

Passed unanimously by delegates at the 1987 Representatives Assembly of the New York State United Teachers, AFT, AFL-CIO

Whereas, the American Federation of Teachers and the New York State United Teachers protested in 1986 the continued imprisonment of Cuban teacher Ariel Hidalgo;

Whereas, the American Federation of Teachers and the New York State United Teachers have received urgent pleas for international support to help free Ariel Hidalgo;

Whereas, Ariel Hidalgo recently ended a twenty-one day hunger strike which led to a serious deterioration is his health, including semi-paralysis of his left arm;

Whereas, Ariel Hidalgo is not only in dire need of specialized health care, but is also denied regular visitation rights;

Whereas, Ariel Hidalgo has been adopted as a prisoner of conscience by Amnesty International;

Whereas, historian Ariel Hidalgo was sentenced to eight years in prison for the mere act of having written a book on contemporary Cuban society;

Whereas, Ariel Hidalgo has been denied pencils, paper, and reading materials while in prison;

Whereas, an institution of higher learning, the University of Minnesota, has been host to a lecture by Ramon Sanchez-Parodi, the head of the Cuban government's interest Section in Washington, D.C.; therefore be it

Resolved, that the American Federation of Teachers and the New York State United Teachers issue an urgent appeal to His Excellency, Commander in Chief, President of the Republic of Cuba, Fidel Castro Ruz, to release Ariel Hidalgo from prison, to assure him adequate medical attention, and to allow him to join family members abroad; and

Resolved, that the American Federation of Teachers and the New York State United Teachers respectfully request that Dr. Kenneth Keller, President of the University of Minnesota, bring the case of Ariel Hidalgo to the attention of teachers and other members of the academic community in Minnesota, and to ask their help in bringing this pressing humanitarian effort to a successful conclusion.

Dr. FIDEL CASTRO RUZ,
Presidente de la Republica,
Ciudad de la Habana (Cuba)

The American Federation of Teachers, AFL-CIO, representing over 680,000 public school teachers, university faculty, public employees and health care professionals, has been following the case of Professor Ariel Hidalgo Guillen, a Cuban educator imprisoned since 1981 for the simple act of writing a book critical of the Communist regime in Cuba.

The New York State United Teachers, our largest State affiliate, recently passed a resolution at their 1987 representative assembly protesting Mr. Hidalgo's continued imprisonment and calling for his immediate release from prison. On the national level, we have been keeping our members across the country informed and asking that they join in efforts to secure his release.

We believe that his continued imprisonment and the conditions of his confinement, including the denial of family visitations and proper medical attention, are contrary to even the most basic standards of human rights. In addition, his imprisonment and that of similarly confined political prisoners places your government in violation of the United Nations Universal Declaration of Human Rights endorsed by all World Nations.

As the representative of American educators and consistent with our commitment to academic freedom and democratic principles, we appeal to the Cuban government to release Hidalgo and all those likewise confined to Cuban prisons.

ALBERT SHANKER,
President, American Federation of Teachers, AFL-CIO.

COLUMNIST REMINDS US OF DANGER IN CENTRAL AMERICA

HON. GERALD B.H. SOLOMON

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 12, 1987

Mr. SOLOMON. Mr. Speaker, it is my pleasure to insert for the RECORD a column by Cal Thomas entitled "Arms Hearings Could Be a Boon" and printed in the May 10, 1987, Saratogian of Saratoga Springs, NY. Thomas reminds us that our obsession with disclosure of this entire episode should not blind us to the real issue: the Soviet menace to the security not only of Central America, but to the entire Western Hemisphere. Thomas points out that the Soviet Union has a timetable for conquest in Central America, a timetable that our abandonment of the Contras will do much to expedite:

ARMS HEARINGS COULD BE A BOON

Long-awaited Congressional hearings into the Iran-Contra matter began this week. Over the next several weeks we can expect a series of accusations, counteraccusations, news leaks and general rhetoric as lawmakers work to determine exactly who did what and when they did it.

These are important hearings, and considering the Democratic domination of Congress, there is no way the administration will emerge from them undamaged. But although the administration is eager to put the entire affair behind it, it should not allow the hearings to deflect all public attention from the more important issue of Soviet involvement in Nicaragua and other Central American nations.

Although some believe these hearings may become the administration's Waterloo, others point out that they will provide an excellent forum for a major foreign-policy watershed—a turning point in the debate over U.S. response to the Soviet threat south of our border.

It is a case that has not been adequately made. Most people, when diagnosed with a terminal disease mobilize every medical and economic resource to fight it. Yet with Communism, a disease that has been fatal to millions of people, our congressional doctors continue to battle over the diagnosis instead of fighting the ailment.

Arriving just in time to focus on the diagnosis and the cure is a new book by Timothy Ashby, a policy analyst for Latin American affairs at the Heritage Foundation in Washington.

In the book entitled "The Bear in the Back Yard: Moscow's Caribbean Strategy," Ashby says that Moscow's ultimate objective is to create a security threat so close to American shores that Washington will be forced to withdraw U.S. military forces from other parts of the world.

According to Ashby, who lived for many years on the formerly Communist-dominated island of Grenada, "The Soviet Union is following a deliberate and increasingly sophisticated strategy in its penetration of the Caribbean region." He notes that the Soviet bloc now has close to 20,000 military and civilian advisers in the Caribbean and Central America.

"The Nicaraguan Communists and their Soviet and Cuban mentors have a timetable for conquering Central America," says one former Sandinista quoted by Ashby. Once they have solidified their control in Nicaragua, the next Communist target will be El Salvador, followed by Guatemala and Honduras. Mexico, the most important prize, is slated to be the last country to fall. Already, writes Ashby, "Soviet, Cuban and Nicaraguan intelligence officials have a large number of agents in the (Mexican) unions and political parties. . . . They have also paid off and blackmailed the Mexican security forces, which would thus be paralyzed in a crisis."

A recent Pentagon report further illuminates Moscow's involvement in Nicaragua. According to the report, released in January, arms shipments to Nicaragua from the Soviet Union, Cuba and East Germany reached an estimated 23,000 metric tons last year, a 23 percent increase over the previous high.

The United States is faced with a critical decision over Nicaragua. We can either pay the price now and do what is necessary to rid the region of the Communist menace, or we will be forced to pay an even greater price later. But we will pay.

As Ashby says in his book, "The United States still has time to counter the USSR's Caribbean strategy without the loss of a single U.S. life in battle, However, the time is limited. Once the proliferation of Soviet influence reaches a certain point in the Western Hemisphere, no amount of economic or military aid will reverse it, and the United States will inevitably be forced, at great cost, to remove an intolerable threat to its national security."

The administration ought to use the hearings on Nicaragua policy to demonstrate to the public that some members of Congress are modern-day Neros who are fiddling while Central America burns. If Congress refuses to go on the offensive, the Russian bear will move from the back yard into the house.

USING ONE'S TALENTS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. SKELTON. Mr. Speaker, on Sunday, May 3, 1987, I had the privilege of addressing the Congressional Award recipients from Missouri's Fourth District. Included were 9 silver award winners and 11 bronze award winners, and they are as follows:

SILVER AWARD WINNERS

Marcie Irene Buttgen—Independence.
Wendy Gay Davis—Centerview.
Brian Scott Lassiter—Blue Springs.
Julia Anne Madden—Blue Springs.
Dustin Ray McEwen—Odessa.
Elizabeth Ann Slama—Odessa.
Jennifer Blair Thomson—Blue Springs.
Stacey Linette Werths—Concordia.
William Patrick Wilson—Independence.

BRONZE AWARD WINNERS

Bryan Edward Bolding—Blue Springs.
Cathy Jo Brown—Odessa.
Michael Norman Coakley—Grain Valley.
Laura Elizabeth Croston—Independence.
Julie Ann Deardorff—Lexington.
Jason Warren Friend—Independence.
Laura Renee Garcia—Independence.
Mark Preston Landes—Blue Springs.
Paul Brian Hess—Lake Lotawana.
Cynthia Joy McGonigal—Odessa.
Charles Cooper Turner—Blue Springs.

I am pleased that the Congressional Award Program is a success in our district, and I compliment the chairman of the council, Dr. Gale Bartow, and the outstanding council members from throughout the district. Penny Miller, national director of the Congressional Award Program was also present at the ceremony.

My address was entitled "Using One's Talents," and I include it herewith for the record:

USING ONE'S TALENTS

I can't tell you how pleased I am to have the opportunity to be with you this afternoon. I would like to sincerely congratulate those of you who are being honored today. Your achievements are outstanding, and I commend you for them.

I look around at all of you—the hope of America's future—and I also see the loving families and friends who have come to share this special occasion with you. As your speaker, I find myself torn in two directions: On one hand, I want to give you some lasting words of advice or some scholarly comments, but, on the other hand, as a member of Congress, I know what lengthy speeches can be like. Thus, my one and a half hour speech . . . will be delivered in less than 15 minutes.

Adults will always tell you how those special times of their youth "seem like yesterday", and I am no exception. For instance, I can clearly picture almost every moment of my high school graduation. My commencement speaker delivered profound words of wisdom, and I think it worthwhile to tell you everything that I remember from his speech to us, and I quote . . . end quote. Well, perhaps it wasn't so memorable after all!

Those of you being honored this afternoon face a challenging future. America's future depends on you. Your talents, dreams, and aspirations will lead our country in the next century. You will confront a changing, complex world that will continually test your mettle—asking you to prove your worth as a man or woman.

I truly hope each of you lives up to the full potential inside you. There is nothing more upsetting to me than to see a bright young person not use his or her God-given talents. Each of you has been blessed and it is up to you to nurture and develop your abilities. It doesn't matter what your interests and skills are, whether they're baseball, banking, or business. What does matter, is that you give it every effort.

Coming from Missouri, we have been blessed with a long and impressive list of people who have distinguished themselves in the fields of politics, national defense, sports and business by using all of their talents to the fullest. For the next few minutes I would like to share with you the story of a native Missourian who used all of his considerable talents and energies to really make an important contribution to our great nation:

My story begins during World War II, when airborne operations were literally a leap in the dark. The Army was still trying to get the hang of it, and a lot of things went wrong. Parachutes failed to open, planes got lost, soldiers were dropped into marshes, in the wrong country, or even into enemy hands.

It was in this atmosphere that General Maxwell Taylor thrived. In 1942 he was ordered to help form the now-famous 82nd Airborne Division, the first of its kind in the Army. Airborne was where the best and brightest served, and Maxwell Taylor was always at the top of his class. In fact, Taylor was so good, that in later years President Eisenhower wrote the risks Taylor assumed "were greater than I asked any other agent or emissary to undertake during the war—he carried weighty responsibilities and discharged them with unerring judgment, and every minute was in imminent danger of discovery and death."

Maxwell Davenport Taylor was born on August 26, 1901, in Keytesville, Missouri—and area I represented when I served in the Missouri State Senate. He received his appointment to the United States Military Academy after attending High School and Junior College in Kansas City.

General Taylor continued to excel in the years following World War II. Known throughout the service as a thinking man's Army officer—he was well educated and carried with him an independent point of view and strong convictions. Conventional wisdom thought his military career was complete after his assignment as Army chief of staff ended in 1959.

President Kennedy, however, was so impressed with the talents of this Missourian that the President brought Taylor back to service as his military representative and later as Chairman of the Joint Chiefs of Staff, our nation's highest ranking military officer. He then retired, for the second time, in 1964 after a full 42 years of dedicated, patriotic military service to the United States.

During these past few years, I had the distinct privilege to work with General Taylor on my legislation, signed into law last year, to reform and improve the operation and function of the Joint Chiefs and other important Defense agencies.

As I hope you see, General Taylor used all of his abilities and talents to serve our country for decades.

Two weeks ago, on April 19, Maxwell D. Taylor died, at the age of 85.

While the body of Maxwell Taylor might have passed away, his Missouri spirit, drive, determination—and yes, his talent—lives on. It lives on through each of you, right here in this room.

My remarks today are spoken with a great deal of home-state pride and with high expectations for the future. Along with military leaders like Maxwell Taylor, Missouri has also produced a number of outstanding statesmen. Champ Clark proved to be one of our best.

In the first years of this century the U.S. House of Representatives was run with a mighty iron fist by Speaker Joe Cannon of Illinois. Things got so bad that at one point Americans writing their Congressmen asking for a copy of the "Rules of the House" would receive a photo of Speaker Joe Cannon. In 1910, Representative Champ Clark of Missouri, as the Democratic floor leader, led a courageous uprising of House members against the Speaker. That next year, in 1911, his colleagues elected Clark Speaker of the House, a position he ably held until 1919.

What makes the career of Clark even more tantalizing, is that he just missed being elected President of the United States in 1912. The Democratic convention that summer was deadlocked. Candidates were picking up and then losing delegates; no one could muster the necessary support to capture the nomination. Champ Clark seemed to have the most support, but he just could not get over the top. Tension filled the aid. Finally, on the 46th ballot, a Governor from New Jersey—a man named Woodrow Wilson—narrowly edged Missouri's Champ Clark.

Champ Clark and his family came to Bowling Green, Missouri in 1876. Before being elected to the Congress of the United States 13 times, Clark was a county newspaper editor, city attorney, county prosecuting attorney, and a Missouri state legislator. He dedicated his life to public service and used his talents and abilities to help others.

There is another side to Champ Clark, a side almost as important as his professional life. A side which showed the tremendous respect Clark earned from his friends and neighbors.

Clark's daughter was about to be married. Because of their many friends, they could not decide the best way to send out invitations. Champ Clark decided it would be best to place ads in local newspapers inviting their "friends" to come to the marriage of their daughter. On the day of the wedding—a day in which the weather refused to cooperate—literally over ten thousand of Clark's "close friends" showed up. To me, this is Missouri at its best.

Today, as a remembrance of his service to America, a portrait of Champ Clark hangs in the Speaker's lobby, next to the door of the House chamber in the U.S. Capitol.

I hope Maxwell Taylor and Champ Clark have shown you, that as Missourians, we have impressive footsteps to follow. It will be up to those of you being honored today to live up to the challenges needed to be met in the 21st century.

All of you must now look inside yourselves to see where you can best use your talents to help our nation.

Maxwell Taylor and Champ Clark did their part for America during their day. In the famous World War I poem *Flanders Fields* there is a phrase, "To you from failing hands we throw the torch. Be yours to hold it high." As the Maxwell Taylor's and Champ Clark's held the torch of America high in their times by the use of their talents, so can you.

Use what you have—use your talents for noble purposes. *Never* let it be said of you when your course is run: "The saddest words known to men are the words, 'it *might* have been.'"

Let your watchwords be, "To whom much is given, much is expected." So, as young, talented Missourians you can follow the same pole star that Maxwell Taylor and Champ Clark followed. And in so doing, you will not only bring honor to yourself, you will keep the torch of America shining bright.

Thank you and God bless you.

ST. MARK'S SENIOR WINS BRYANT CITIZENSHIP AWARD

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. BRYANT. Mr. Speaker, Sidney Bob Dietz II, a senior at St. Mark's School of Texas, is the recipient of the Congressional Citizenship Award for April.

Sid Dietz's understanding and quick action is rare for an adult, much less a 17-year-old high school student. A friend of Sid's called him late one night, threatening to commit suicide. Instead of waiting until the next day to try to cheer up his friend, Sid drove to the friend's house and took his friend to a hospital for help.

Subsequent examinations at Parkland Hospital proved the friend was suffering from suicidal tendencies and that young Dietz's quick and decisive action may have saved a life.

Dr. Frank Lane, a family friend who nominated Sid for the congressional award and who is a practicing psychiatrist, added, "That Sid persisted in demanding that his friend seek help and in taking his friend to qualified experts is unusual for most people. I have seen many cases where adults failed to take action, despite both direct and indirect indications that a person was comptemplating suicide. Suicide is the second leading cause of death in adolescents."

The crisis unfolded late one recent evening when the frield called Sid and said the call was "just to thank him for being a friend and to say goodbye," Dr. Lane reported. That alerted Sid to potential danger and Sid subsequently phoned Dr. Lane to report the conversation. They agreed that the situation was potentially serious and Sid reacted by going to the friend's home and arguing that they needed to go to Parkland, where all-night psychiatric consultation was available.

"Something like this is far more difficult than running into a burning house, yelling fire and helping people escape," Dr. Lane contends. "First, one's own denial of the seriousness must be overcome. Second, definitive action must be taken, often over the objection of the very person you are trying to help."

Both teenagers showed uncommon maturity at that point, Sid by reacting correctly and the friend by accepting Sid's arguments. And both became strong role models for others faced with similar circumstances, either as potential suicides or as friends who might be able to intervene.

Sid's logical response isn't unusual, according to the people who know the young man will enroll at University of California-Berkeley following his graduation this month from St. Mark's. The son of Dallas physicians, Dr. Geral Dietz and Dr. Johanna Clevenger, he will major in physics.

But it won't all be labs and theories.

"I fly kites competitively," Sid reported, and then answered the logical question, "No, the aerodynamics of it isn't the thing that interests me—just the flight."

THE POOR AS VICTIMS OF CRIME

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. FISH. Mr. Speaker, crime and its costs to society are major concerns to all of us. The National Institute of Justice, within the Office of Justice Programs, Department of Justice, is at the center of research and development to increase knowledge about what works to control crime in America today. A recent article by the Institute's Director, James K. Stewart, points out that the poor are hurt the most by crime, and one of the most essential elements of any antipoverty program is a vigorous attack on crime in poor communities. Mr. Stewart tells us of a number of experiments around the country which shows that the spiral of commercial decline in a crime-ridden neighborhood can be stopped and that inner cities can be restored to economic health. I commend this article, reprinted from Policy Review, for your attention:

THE URBAN STRANGER—HOW CRIME CAUSES POVERTY IN THE INNER CITY

(By James K. Stewart)

The idea that poverty causes crime goes back at least as far as Aristotle. But in the American inner city, the relationship is exactly the reverse. Poverty doesn't cause crime. Crime causes poverty—or more precisely, crime makes it harder to break out of poverty. The vast majority of poor people are honest, law-abiding citizens whose opportunities for advancement are stunted by the drug dealers, muggers, thieves, rapists, and murderers who terrorize their neighborhoods. These predators are not Robin Hoods of some 1960s ideal; they are career criminals who are destroying the labor and hopes of the poor. The typical criminal does not rob from the rich to aid the poor; he steals from the helpless to help himself.

The most obvious way that criminals prey upon the poor is by robbing them of their property—and sometimes their lives. According to the Bureau of Justice Statistics, the poorest suffer the highest victimization rates for burglary and violent crimes. Since poor people often cannot afford insurance, and since personal property accounts for almost all of their capital, the theft of a TV, furniture, car or cash can be devastating. The less direct costs of crime to the poor may be even more destructive. The traditional means by which poor people have advanced themselves—overtime, moonlighting, or education to improve future opportunities—can easily be obstructed by crime and fear. A secretary declines overtime opportunities if they extend into the evening because she fears being robbed between the taxi and her front door. A husband gives up night school rather than leave his wife and young children alone at home.

Crime also lowers property values in inner cities, making it harder for poor people to accumulate capital and borrow money. Renters, of course, may benefit from the decline in property values, but their gain is only temporary. If landlords have no incentive to keep up maintenance on their properties, both the quality and quantity of housing stock will deteriorate and renters will lose in the end.

A number of economic features ought to attract capital to revive inner cities. Most poor neighborhoods are located in or near the center of our cities and therefore should be prime locations for commerce. The inner city usually provides easy access to railheads, highways, water, and power, as well as to a ready labor supply.

But crime in these neighborhoods builds a hurdle to economic development that investors cannot leap. As one recent National Institute of Justice study reports, crime and the fear of crime can influence entrepreneurs' investment decisions more than high taxes or labor costs. Crime is one of the major reasons why businesses restrict operations, relocate, sell, or close down. The Bronx was once an industrial center for injection molders in the plastics industry; crime was one of two main pressures that drove the industry out.

A Buffalo business owner recently testified before Congress about a string of burglaries that had driven his father into early retirement. He said burglars stole "whatever they can get their hands on . . . Thanksgiving weekend they got us for about $3,000 worth of chicken products . . . We have two separate alarm systems in our building and they are still getting it. We have fenced it in. We had guard dogs, two of them. They are cutting our fences at night and letting them out. It just never ends. This year alone we must have lost about $20,000 worth of products."

For those who stay in business, a high crime rate sharply raises operating costs. These include higher labor costs (to compensate employees for the risk of working there); insurance, which may become prohibitively expensive or even unavailable, and security investments, such as improved lighting and fencing. A typical inner city business might pay about $5,000 for a simple audible alarm system and $10,000 per year for a private security guard's salary. These expenses jeopardize the survival of small businesses—the strongest engine of employment growth.

Businesses may leave the neighborhood. But because the poor have little or no mobility, there is no escape for them from criminal predators or from the totalitarianism of crime. Criminal enterprises such as narcotics dealing, prostitution, and numbers choke off the growth of legal enterprises, while generating even greater numbers of related crimes in the community. And the street crime typical of poor neighborhoods—robbery, assault, larceny, burglary, drug dealing and use—has a profoundly debilitating effect on the economy.

Crime is the ultimate tax on enterprise. It must be reduced or eliminated before poor people can fully share in the American dream.

ERADICATING THE PARASITE

The best anti-poverty policy is a vigorous attack on crime in poor communities. Yellow fever was finally cured when attention was shifted from treating the dying patients to controlling the mosquito that carried the disease. Likewise, inner cities can be restored to economic health if we eradicate the parasite that infects them—crime.

A number of experiments around the country show that the spiral of commercial decline in a crime-ridden neighborhood can be stopped. The key is a dramatic reduction in crime.

In the early 1970's, a 40-block area in the East Brooklyn neighborhood of New York was home to about 200 businesses employing 3,000 people. But the area was deteriorating. By 1979, the number of businesses had fallen to 45, and they employed only 1,500 people. The overwhelming reason given by businesses for leaving the neighborhood was fear of crime.

This is a familiar story of decline. A similar one could be told of neighborhoods in virtually every major American city. But in East Brooklyn Industrial Park, there is a surprising sequel. Between 1980 and 1982, the number of burglaries in the 40-block area fell from 134 to 12, the number of street robberies from 208 to 62. Signs of commercial vitality appeared. Twenty new firms have moved into the area and at least 40 others have expressed interest. A new office building of 60,000 square feet is under construction and other buildings are being renovated.

These and other changes were the fruit of a project by a private development company to increase security in the neighborhood. Working in collaboration with the New York City Public Development Corporation and the police and fire departments, the Local Development Corporation of East New York tore down abandoned buildings, fenced properties, put burglar alarms, trained private security guards, patrolled the area, provided escort services for residents and businesses—and succeeded in persuading local businesses and residents to help pay for the project. The city contributed by repairing streets and putting in new lighting.

In Oakland, a security program was initiated in 1982 by a group of private developers. Clorox and IBM are among the major tenants of Bramalea Corporation properties who contribute about $300,000 annually to provide for a police enhancement program of the 40-block downtown business district. The program also made a well publicized effort to curtail disorderly behavior in the neighborhood.

Property crimes, which dropped nine percent citywide from 1982 to 1983, fell by 20 percent in this central area. But more important than the drop in crime was the greater security people felt, indicated by the larger flow of orderly pedestrian traffic.

The improved security has been decisive in attracting and retaining businesses. IBM came into the neighborhood on the basis of the security program. One business owner noted, "if we didn't have the foot patrol and increased police presence downtown, I wouldn't be in business in Oakland."

Improved security is also the key to a remarkably successful urban project in Watts. The riots that destroyed parts of the Los Angeles community 20 years ago wiped out marginal businesses and appeared to have killed off new business growth.

The first commercial enterprise of any kind to be built since the riots was the Martin Luther King, Jr., Shopping Center, which opened in 1984. Estimated first year sales were more than three times the average revenues of first-year shopping centers. Though it was built in one of the most violent and crime-ridden areas of the city, no major acts of violence or vandalism have occurred there.

Built by Alexander Haagen Development, the shopping center is designed to be an oasis of security where customers can do their banking and shopping without fear. The entire facility is surrounded by a wrought-iron fence like the one surrounding the White House. Inside there is a control center with closed circuit TV monitors. Private security guards trained by the developer patrol 24 hours a day, and the center also has a Los Angeles Police field office.

The center has created jobs for local residents through its private security program as well as its stores. In the words of Grace Payne, executive director of a neighborhood job training and community counseling center, construction of the mall is "the greatest move that has been made for the people in this community to have jobs." Four smaller shopping centers have subsequently opened in the area.

REAL SOCIAL SECURITY

The programs in Brooklyn, Oakland, and Watts show that, if security is provided, businesses can take root in even the most hostile environment. Reducing crime and its disruptive effect on the community eliminates the largest and most devastating obstacle to development in many poor neighborhoods. And where businesses can develop, they encourage further growth and help create a community's cohesiveness and identity.

Crime is a hazard to everyone in our society, but it hurts the poor the most; the wealthy and the middle class can call upon private and community resources to cushion them from some of its dangers. The first step in any urban anti-poverty program must therefore begin with the reduction of crime. This means more vigorous protection of people and property in poor neighborhoods. America is beginning to take the steps necessary to fight terrorism overseas; the time has come to fight the even more threatening terrorism in our own cities.

U.S. INTERESTS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 11, 1987

Mr. BROOMFIELD. Mr. Speaker, the defense authorization bill the House is currently considering, and the foreign affairs and intelligence authorizations we will soon consider, have a single, commom objective—to advance the defense and foreign policy interests of the United States. Through the authorization and appropriations process, Congress and the President jointly determine what funding is needed to advance those interests. Members of the House should review the interests we seek to safeguard as they consider this important legislation.

President Reagan set forth our defense and foreign policy interests in the national security strategy of the United States issued in January 1987. The President set forth the five crucial U.S. interests and the major U.S. national security objectives which support those interests as follows:

U.S. INTERESTS

U.S. National Security Strategy reflects our national interests and presents a broad plan for achieving the national objectives that support those interests. The key national interests which our strategy seeks to assure and protect include:

1. The survival of the United States as a free and independent nation, with its fundamental values and institutions intact.
2. A healthy and growing U.S. economy.
3. The growth of freedom democratic institutions, and free market economies throughout the world, linked by a fair and open international trading system.
4. A stable and secure world, free of major threats to U.S. interests.
5. The health and vigor of U.S. alliance relationships.

MAJOR OBJECTIVES IN SUPPORT OF U.S. INTERESTS

U.S. national security objectives are statements of broad goals which support and advance national interests. As such, they are not intended to be applied mechanically or automatically, but constitute a general guide for policy development in specific situations which call for the coordinated use of national power. The principal objectives which support our national interests are:

1. To maintain the security of our nation and our allies. The United States, in cooperation with its allies, must seek to deter any aggression that could threaten that security, and, should deterrence fail, must be prepared to repel or defeat any military attack and end the conflict on terms favorable to the United States, its interests, and its allies.

Specifically:

To deter hostile attack of the United States, its citizens, military forces, or allies and to defeat attack if deterrence fails.

To maintain the strength and vitality of U.S. alliance relationships.

To deal effectively with threats to the security of the United States and its citizens short of armed conflict, including the threat of international terrorism.

To prevent the spread of nuclear weapons.

To reduce over the long term our reliance on nuclear weapons by strengthening our conventional forces, pursuing equitable and verifiable arms control agreements and developing technologies for strategic defense.

To assure unimpeded U.S. access to the oceans and space.

To prevent the domination of the Eurasian landmass by the USSR (or any other hostile power, or coalition of powers).

To force the Soviet Union to bear the brunt of its domestic economic shortcomings in order to discourage excessive Soviet military expenditures and global adventurism.

To foster closer relations with the People's Republic of China.

2. To respond to the challenges of the global economy. Economic interdependence has brought tremendous benefits to the United States, but also presents new policy problems which must be resolved. Since our resource dependence has grown, the potential vulnerability of our supply lines is an issue of concern. Although continuing U.S. economic growth is helping lift the world out of recession, economic slowdown continues in many countries. We must devote attention to critical global problems, which if unresolved or unattended, may affect U.S. interests in the future. Many of these problem such as Third World debt, the international narcotics trade, and growing protectionism are currently having an impact on U.S. interest.

Specifically:

To promote a strong, prosperous and competitive U.S. economy, in the context of a stable and growing world economy.

To ensure U.S. access to foreign markets, and to ensure the United States and its allies and friends access to foreign energy and mineral resources.

To promote a well-functioning international economic system with minimal distortions to trade and investment, stable currencies, and broadly agreed and respected rules for managing and resolving differences.

3. To defend and advance the cause of democracy, freedom, and human rights throughout the world. A foreign policy that ignored the fate of millions around the world to seek freedom would be a betrayal of our national heritage. Our own freedom, and that of our allies, could never be secure in a world where freedom was threatened everywhere else.

Specifically:

To promote the growth of national independence and free institutions throughout the world.

To encourage and support aid, trade, and investment programs that promote economic development and the growth of free and humane social and political orders in the Third World.

To encourage liberalizing tendencies within the Soviet Union and its client states.

4. To resolve peacefully disputed which affect U.S. interests in troubled regions of the world. Regional conflicts which involves allies or friends of the United States may threaten U.S. interests, and frequently carry the risk of escalation to a wider conflict. Conflicts, or attempts to subvert friendly governments, which are instigated or supported by the Soviets and their client states, represent a particularly serious threat to U.S. interests.

Specifically:

To maintain stable global and regional military balances vis-a-vis the USSR and states aligned with it.

To aid threatened states in resisting Soviet or Soviet-sponsored subversion or aggression.

To eliminate, where possible, the root causes of regional instabilities which create the risk of major war.

To neutralize the efforts of the Soviet Union to increase its influence in the world and weaken the links between the USSR and its client states in the Third World.

To aid in combatting threats to the stability of friendly governments and institutions from insurgencies, state-sponsored terrorism and the international trafficking of illicit drugs.

5. To build effective and favorable relationships with all nations with whom there is a basis of shared concern. In the world today, there are over 150 nations. Not one of them is the equal of the United States in total power or wealth, but each is sovereign, and most, if not all, touch U.S. interests directly or indirectly.

Specifically:

To support the formation of associations of states friendly to U.S. interests using the full range of diplomatic, political, economic, and informational efforts.

To make major international institutions more effective in promoting peace, world order and political, economic and social progress.

To explore the possibility of improved relations with those nations hostile to us in order to reduce the chance of future conflict.

To strengthen U.S. influence throughout the world.

TRIBUTE TO AUBREY BULLARD

HON. MARVIN LEATH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. LEATH of Texas. Mr. Speaker, on Saturday, May 16, the Texas Veterans' Commission will honor a special friend of mine upon his retirement. It is a great pleasure for me to join my friends at the commission in saluting Aubrey L. Bullard, the executive director of the Texas Veterans' Commission.

Aubrey has a long record of service to veterans. In July 1961, Aubrey was elected department commander of the American Legion, the second youngest man in Texas to be elected to that position. During his tenure, the department experienced the first increase in membership since 1947. It was a busy year for Aubrey; President John F. Kennedy appointed him to serve on a committee to study the employment of the handicapped. And, he was also an active member of AMVETS and the Disabled American Veterans.

Aubrey began his career with the Texas Veterans' Commission in November 1964. He was subsequently appointed as assistant director of the commission, and in June 1977, the commission voted unanimously to appoint him to the position of executive director. In the short period of 10 years, Aubrey has done much to help veterans and to support veterans programs.

Through his direction, the commission has greatly improved and upgraded the training provided to veterans county service officers. He has also been very active in working with veterans legislation on the State and national level. He worked diligently for the passage of a State agent orange bill, which was passed by the State legislature in 1981. In addition, he put much time and effort into the Texas Veterans' Housing Assistance Program. He worked with the Texas land commissioner and the members of the 1983 legislature in working out details of the bill and achieving its passage. This program is probably the most significant piece of veterans' legislation passed in the State's history.

On the national level, he has been active in the National Association of State Directors of Veterans Affairs. In recognition of his contributions to the association, he was presented the Melvin T. Dixon Award, the association's highest award for service, in 1979. In 1983, the association presented Aubrey the Melvin T. Dixon Award for an unprecedented second time, and elected him to serve as their president.

Aubrey is a man who has made consistent, dedicated contributions to the well-being of America's veterans. I respect and admire him, and offer my gratitude for his efforts. We have been lucky to have him as a leader in our State and in our Nation. And, although he is retiring, I know that he will continue to be an advocate for veterans. Good luck, Aubrey.

THE NATION'S BROADCASTING NANNY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. FRANK. Mr. Speaker, in what seems to me a very hypocritical and inconsistent act, the deregulators whom President Reagan has appointed to the Federal Communications Commission have decided that they should be the censors of what Americans listen to on their radios. The recent edict from the FCC trying to clean up breakfast radio is wholly at variance with the general thrust of the FCC's deregulatory mode. It is hypocritical in the extreme to simultaneously seek to abolish the fairness doctrine while Americans that the Reagan appointees will decide what sexual material they are or are not fit to hear.

A recent editorial in the Newton Graphic points out the great problems that are raised by the FCC's position. As the Newton Graphic points out, if the FCC's "intention is to establish a national nanny in Washington for broadcasting, it is going too far." I ask that the very sensible and well-reasoned editorial of the Newton Graphic be printed here:

THE NATION'S BROADCASTING NANNY

Few would deny that a lot of sleaze is going out over the airwaves. But drawing the line between what is dirty or disgusting and what is obscene or pornographic is no easy task.

The Federal Communications Commission evidently is ready to take on the job. It issued a sweeping order the other day warning broadcasters against shows that contain explicit, offensive descriptions of sexual or excretory activities. The punishment can be fines or loss of station operating licenses.

That goes quite a few steps beyond that FCC's 11-year-old "seven dirty words" yardstick. The agency banned use of the seven words after they were used repeatedly by comedian George Carlin in a monologue broadcast by a California radio station.

What apparently led to the FCC's broadened crackdown is an increasing number of complaints about broadcast material, both from listeners and from conservative religious organizations. One broadcaster cited by the federal commissioners was Howard Stern, a radio talk-show host, whose raunchy commentary brought a warning to a Philadelphia station that carries his program.

It is worth noting that while the FCC admonished the Philadelphia station about Stern, it did not caution a New York radio outlet that also broadcasts his show. Does this mean that Stern is indecent in Philadelphia but not in New York?

Does the new ruling mean that Dr. Ruth Westheimer will have to be taken off the air? Or will the explicit sexual advice offered by "Dr. Ruth" be all right for some communities but not for others?

How about Phil Donahue? Conversations on his television talk show get pretty earthy at times. And what about the "soaps," which are preoccupied with sex and usually don't leave much to the imagination?

The FCC is likely to find itself swamped if it is going to decide for every community in America what is suitable for each to hear and see on radio and television.

Then, of course, there is the issue of First Amendment rights. Will the FCC's new policy amount to censorship and an infringement on the free speech and free press rights of broadcasters?

A question also is raised of the right of people to tune in programs that appeal to them. Is it relevant that rating of the Philadelphia station warned by the FCC climbed from 16th to third place in its area after it began broadcasting Stern's show?

It may turn out that the FCC's bark is worse than its bite, that its aim merely was to warn broadcasting's sleazier elements to clean up their acts. But if its intention is to establish a national nanny in Washington for broadcasting, it is going too far.

AMBASSADOR SCHIFTER'S SOLIDARITY SUNDAY MESSAGE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GILMAN. Mr. Speaker, on Sunday, May 3, 1987, many of us involved in the fight for Soviet Jewish emigration gathered together at Dag Hammarsjold Plaza opposite the United Nations in New York City for Solidarity Sunday for Soviet Jewry. This annual expression of concern routinely draws hundreds of thousands of dedicated men, women, and children, to demonstrate their support for the religious, cultural, and other human rights which are currently denied Soviet Jews.

Among the speakers was Assistant Secretary of State for Human Rights and Humanitarian Affairs, Richard Schifter. Ambassador Schifter has a long and illustrious record of dedication to the cause of human rights around the world, and took the time to outline in detail for the more than 200,000 participants that day, Secretary of State Shultz' recent visit to the Soviet Union and his attendance at a Passover Seder held at Spaso House.

I would like to take this opportunity to share Ambassador Shifter's comments with my colleagues. His remarks, succinct and brief, outline the difficult road that still lies ahead, as well as the need for an ongoing personal commitment by us all.

REMARKS BY RICHARD SCHIFTER

Just under three weeks ago, I attended a truly memorable Seder celebration. It was in Spaso House, the residence of the United States Ambassador in Moscow. Joining in this commemoration of the Exodus were the men and women for whom this particular festival has such special meaning: Victor and Irina Brailovsky, Alexander Lerner, Nahum Meiman, Ida Nudel, Vladimir Slepak, Yoseph Begun, and dozens more.

And before we got started, before the first cup of wine had been poured, the United States Secretary of State went from table to table to shake the hand of each of these guests of the United States Embassy. He told Ida Nudel that he had met her sister and had promised her to do everything he could on Ida's behalf. He promised to continue his efforts. When he met the Slepaks, he presented them with the latest photographs of their grandchildren, grandchildren whom they had never met.

And then the Secretary of State made a brief speech. He did not have a prepared text. He did not even have notes. He was simply sharing with the people in the room what was on his mind and in his heart at that moment. What he told them was that the United States was with them, that the United States would continue to support their efforts, that they can continue to count on us.

As we meet on this Solidarity Sunday, we have, for a change, some good news to balance against the bad. The good news is that during the last two months about 1200 Jews left the Soviet Union. The good news is also that it looks as if many more refuseniks will be leaving during the months immediately ahead. Many of them, though by no means all of them, will at long last have a chance to rebuild their lives.

That is indeed the good news. But as we look beyond the present effort to facilitate the emigration of the men and women whom we have come to call the refuseniks, we also see a policy being put in place to cut down any further moves for the emigration of the hundreds of thousands who want to follow, to discourage them even from applying. In other words, in the future there will be few refuseniks, but many scared-to-applyniks.

As we look at what has been accomplished to date, you, all of you, indeed deserve to be congratulated. It was your work that has so significantly helped with the release of the thousands that are coming out now. But the job is not over yet. Not by a long shot. Behind those who are leaving now are the hundreds of thousands for whom the doors are barred.

It is for these hundreds of thousands that you need to raise your voice, to whom you have to send your message of hope. The best message you could send them is to quote the concluding words of George Shultz in his remarks to the refuseniks at the Seder in Spaso House on April 13, 1987: "We'll never give up!"

AMERICANS WHO LOBBY FOR JAPAN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Ms. KAPTUR. Mr. Speaker, I call to the attention of my colleagues a recent New York Times article, "Americans Who Lobby for Japan." After reading this article, it becomes clearly evident why this Nation badly needs legislation which restricts the practice of former high-level Government officials from lobbying on behalf of foreign interests immediately after leaving Government service. HOWARD WOLPE and I have such a bill. I hope my colleagues will join in cosponsoring the Foreign Agents Compulsory Ethics in Trade Act [FACE IT], H.R. 1231.

AMERICANS WHO LOBBY FOR JAPAN

(By Clyde H. Farnsworth)

WASHINGTON.—This city's biggest growth industry is not high technology or real estate but high-powered lobbying for the Japanese.

Last week the lobbyists, who shun publicity but do some of their business in Washington's popular K Street, Du Pont Circle and Georgetown restaurants, were working overtime as Congress took up trade legislation and President Reagan welcomed Prime Minister Yasuhiro Nakasone.

The Japanese, according to Congressional aides, spent more than $60 million last year for direct representation in their biggest market. That's four times the level in 1984. Japan's interests have become increasingly intertwined with America's. The United States consumes about a fifth of Japan's total production, and Japanese investment here has mushroomed. Many observers say the lobbying dollars have been well spent.

"Judging from results, I'd say it's certainly one of the most effective lobbies," said Representative Sander M. Levin, Democrat of Michigan. Even so, last week the House passed an amendment sponsored by Representative Richard A. Gephardt, Democrat of Missouri, that would direct American trade retaliation against countries that enjoy large surpluses with the United States.

Many of the lobbyists have occupied high positions in government and are useful not only for what they know and understand, but also for the access they provide to those now in power.

At latest count, 105 individuals and firms had registered under the Foreign Agents Registration Act as "agents" of Japan, nearly twice as many as the next closest country, Canada.

But that's not a full picture, says Joseph E. Clarkson, head of the Justice Department registration unit. Many lobbyists are exempt from registration requirements because they do simple legal representation, as opposed to direct lobbying, or are actually employed by exempted domestic affiliates of Japanese companies.

"Their main goal is to create a favorable image throughout the U.S. for Japan," said Mr. Clarkson.

In the present inflammatory trade atmosphere helping the Japanese may sound disloyal. But it is not that simple. Americans who help the Japanese say they are also helping Americans by providing cheaper goods, or even jobs—those who sell and service Japanese cars are, after all, Americans. The lobbyists for the most part, see themselves as a vital part of the Japanese-American relationship—which Mike Mansfield, the United States ambassador in Tokyo, has called the "most important economic relationship in the world."

"It was like writing a letter to an uncle in Tokyo," said Richard J. Whalen, describing his efforts in the early 1970's to advise his first Japanese client on political and economic trends in Washington.

From that start Mr. Whalen, who had been a special assistant to President Nixon and a consultant to Secretary of State William P. Rogers, built a profitable lobbying business. His clients include the Japanese Embassy, the Japanese Ministry of International Trade and Industry and Toyota's domestic subsidiary, Toyota Motor Sales Inc.

His company, Worldwide Information Resources Ltd., occupies a plush suite of offices at 1717 K Street. He employs a staff of 10, including his wife, Joan.

"We've earned our money by trying to ward off the bad things that could have happened," he said.

One thing that didn't happen, for which he takes some of the credit, was domestic content legislation, which would have required large portions of American labor and materials before foreign cars could be sold in the United States.

But Mr. Whalen, 51 years old, also earns his money advising Japanese—and other clients—on the financial impact of political trends.

"We value his opinion, and depending on the advice we follow it," said Nagao Hyodo, minister for general affairs at the Embassy.

What does Mr. Whalen think about lobbying for the Japanese when the United States is running a huge trade deficit?

"I'm a free trader," he said, "who believes deeply that the U.S. market is regulated by the consumer. We are absolutely sure to injure ourselves if we go the protectionist route."

"I had five kids in college and couldn't afford to go into government," said Bob Keefe, who went into the Japan lobbying business in 1976 after serving as deputy director of the Democratic National Committee under Robert S. Strauss.

Clients of the Keefe Company, which has its headquarters at 444 North Capitol Street, three blocks from the Capitol, include Toyota, Hitachi, the Nippon Telephone and Telegraph Company and the Ministry of International Trade and Industry.

Mr. Keefe also has domestic clients, including American companies seeking to expand operations in Japan, and works closely with Taiji Kohara, President of International Public Relations, a Tokyo consulting and public relations firm.

"The big difference between working for Americans and Japanese is that the Japanese pay more promptly," said Mr. Keefe.

"We tend with our Japanese clients to do an awful lot of trade policy analysis and less representation, although that varies. The Japanese tend to be extremely interested in information."

A brochure he gives clients says "Government business is information business," but adds "knowing the decision makers and how to make forceful presentations of the client's position is the hard work that successful representation requires."

A native of Indiana, Mr. Keefe, 52, came to Washington in 1960 as press secretary to Senator Vance Hartke.

He later served as an aide to two other Indiana legislators, Representative J. Edward Roush and Senator Birch Bayh and after a stint as an AFL-CIO consultant worked in the presidential campaign of Senator Hubert H. Humphrey.

Whatever it has done for the trading relationship of the world's two great economic powers, Mr. Keefe says that his efforts as a lobbyist at least succeeded in getting all his children through college: "The last one left two years ago."

Ten years ago, Stuart E. Eizenstat was head of President Jimmy Carter's domestic policy staff, reviewing prospective policy in the White House West Wing.

Now Mr. Eizenstat, who hangs his shingle a few blocks away at the law offices of Powell, Goldstein, Frazer & Murphy at 1110 Vermont Avenue, meets with House Foreign Affairs Committee staffers, State Department officials and others on behalf of Hitachi, the electronics and computer giant.

Partly through Mr. Eizenstat's lobbying efforts, Hitachi and other foreign electronics companies won an important victory in the House last month when Speaker Jim Wright agreed to remove from the House trade bill a provision imposing a one-year ban on the import of digital audio taping equipment.

"It would have been the first time that Congress banned a product on the basis of its technology and not on the basis of health or consumer effects," said Mr. Eizenstat.

Mr. Eizenstat, 44, makes no apologies for joining the lobbyists' ranks. "Lobbyists play an important role in assisting government to understand the implications of its actions," he said, citing a whimsical comment of Senator Patrick J. Leahy, Democrat of Vermont: "God love 'em. Without lobbyists we would have to decide how to vote on our own."

"We don't feel that we lobby for the Japanese. We lobby for 8,500 American businessmen," said Robert M. McElwaine, a former Hollywood press agent, who has been president of the American International Automobile Dealers Association for the past 17 years. The association's members sell $30 billion of foreign cars a year, most of them Japanese.

"Congressmen and senators want to put us in the position of being apologist for Japanese trading policy," he said. "We have to fight our way out of that corner because we are defending American businesses."

Mr. McElwaine estimates that there are 250,000 Americans, earning $4.5 billion annually, directly employed by the imported car industry.

Mr. McElwaine mobilized the powerful lobbying forces of the association against the so-called voluntary export restraints set by the Japanese as a result of American pressure in 1981.

Four years later Washington stopped insisting on quotas. But the Japanese industry, fearful of Congressional reprisals, maintained the controls anyway, albeit at higher levels.

Mr. McElwaine had argued that the restraints were not only pushing up prices of Japanese cars in the United States but triggering boosts in price levels by the Detroit carmakers.

He cited a Brookings Institution study by Robert W. Crandall reporting that quota increased prices of Japanese cars by $2,500 each and prices of domestic cars by as much as $1,000 apiece.

Mr. McElwaine, who works out of an office employing 17 persons at 1128 16th Street, across Lafayette Park from the White House, got his auto dealership experience after serving in the Navy in World War II.

He invested Navy poker winnings and separation pay in a Nash agency in Culver City, Calif. Later he became director of corporate relations for Mercedes-Benz of North America.

The son of silent movie pioneer Don McElwaine, the auto dealer, who is 62, did a stint at the Goldwyn Studios, where he was a press agent for Errol Flynn and Danny Kaye. "That's really my chief claim to fame," he said.

Global USA, Inc., which takes in more than $1 million a year in lobbying fees, is probably the biggest of the Japanese lobbying firms. Operating out of a townhouse at 1823 Jefferson Place in downtown Washington that also houses a popular Italian restaurant called Trattu, Global represents many of Japan's blue chip companies, including Komatsu, a tractor maker, Hitachi, All Nippon Airways, machine tool builders Fanuc and Yamazaki-Mazak, and Kyocera, a ceramics concern.

The company was founded four years ago by Stanton D. Anderson, who had been a State Department official in the Nixon administration, and William E. Timmons, chief Congressional lobbyist in the Nixon White House.

Global, in fact, is a kind of a Republican alumni association, and it isn't shy about selling this feature to prospective clients. Its brochure boasts that its "officers, directors, consultants and staff have served in high levels at the White House, in government domestic and foreign policy positions."

Other former officials associated with the company include William H. Morris Jr., a former senior Commerce Department official who is Global's President and chief executive, John M. Nugent, an Energy Department official during the Ford Administration, and Dr. Bo Denysyk, formerly head of the export control unit at Commerce.

Like other lobbying concerns, Global does more than try to help clients sell their goods here. Through Dr. Denysyk's services Global guides Hitachi, which has three plants in this country, through the labyrinth of Commerce Department export controls. And when Komatsu was looking for a place to open a new tractor plant, Global helped it settle on Chattanooga. "We told them about the great state of Tennessee," said Mr. Morris, 57, who himself hails from Jackson, Tenn.

Global also helps American companies sell in Japan and other countries, Mr. Morris said.

The sharp reaction in Tokyo to recent White House-ordered trade sanctions in computer chips, says H. William Tanaka, chief lobbyist for the Japanese microchip industry, reflects Japan's "insular mentality and its inability to become sensitized to American legal concerns."

Born in Los Angeles to Japanese parents, Mr. Tanaka, who is fluent in Japanese and served in the Office of Strategic Services during World War II, is among the minority of lobbyists who have not entered the business through the so-called revolving door—from a senior government position.

Mr. Tanaka, 63, is an elder statesman of lobbying, having represented the Electronic Industries Association of Japan, the Japanese Automobile Manufacturers Association and the Japan Tire Manufacturers Association for nearly 20 years.

Operating from a suite of offices at 1919 Pennsylvania Avenue, about four blocks from the White House, his law firm, Tanaka Ritger & Middleton, employs a staff of 20, including a macroeconomist, a microeconomist and a political analyst.

The wide professional reach underscores his view that a lobbyist is "really an educator."

"I see my function in explaining how the political dynamic works in Washington to the Japanese and the dynamic in Japan to the Americans so that both governments will deal with each other less out of ignorance than understanding."

In the present superheated atmosphere, Mr. Tanaka says it's counterproductive for a lobbyist to try to influence government trade decisions.

"Generally, I try to stay out of inter-governmental discussions," he said. "When issues get freighted with so much emotion and politics a so-called lobbyist is less efficient."

He says he is happiest doing nuts-and-bolts legal work for Japanese companies, such as Minibea, which makes ball bearings.

Minibea recently bought the New Hampshire Ball Bearing Company of Peterboro, N.H., but faced possible antitrust challenges from the Justice Department. And the purchase caused some concern at the Pentagon, since it was the buyer of more than half of the output of New Hampshire Ball Bearings.

Mr. Tanaka says he told the authorities that Minibea would bring cost-effective technology to New Hampshire Ball Bearings, resulting in "a net contribution to the U.S. defense mobilization base for the manufacture of smaller sized precision bearings." The sale went through.

UNION VIOLENCE

HON. RICHARD K. ARMEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. ARMEY. Mr. Speaker, today I am introducing legislation intended to effectively remedy acts of labor violence which occur in conjunction with labor-management disputes.

The Worker Protection Act of 1987 implements in part the findings and legislative recommendations of the only exhaustive study of labor union violence in the United States—"Union Violence: The Record and the Response by Courts, Legislatures and the NLRB," by Armand J. Thieblot, Jr., and Thomas R. Haggard. The study was published in 1983 by the University of Pennsylvania's Wharton School. It reviews the history of labor violence in America, and provides numerous individual case studies and statistical analyses revealing which unions have been most involved in union violence. In addition, the study compiles pertinent court and National Labor Relations Board [NLRB] decisions dealing with labor violence. Based on its thorough research, the study makes several recommendations regarding specific steps that Congress could take to alleviate labor violence in this country and provide better protection for innocent workers. My bill would write into law several of those recommendations.

Since its publication, no authoritative work has challenged the findings or recommendations of the Wharton study. In fact, Choice, the journal of the Association of College and Research Librarians, placed the Wharton study on its 1983-84 list of outstanding academic books. At the same time, since its publication there have been numerous new instances of labor violence, and the following bill is intended to address this problem that is crying out for an effective solution.

To understand the environment to which this legislation is directed, the 1985-86 labor strife at the Geo. A. Hormel & Co., meatpacking plant provides an instructive example. There, local P-9 of the United Food and Commercial Workers [UFCW] went on a strike so violent that local law enforcement officials and the town's mayor had to call in the National Guard on at least two different occasions. Last April, in what the local police called a riot situation, 17 persons were arrested when 1,000 UFCW supporters from around the country rallied at the Austin, MN plant in order to shut down Hormel. The riot situation, according to local UFCW official James V. Guyette, was the UFCW's "way of showing that our strike against the Geo. A. Hormel Co. has not ended." During this confrontation, tear gas and mace were needed to break up the crowd, and several law enforcement officials were injured by UFCW members who threw rocks and hazardous chemicals at the officers.

For purposes of understanding the need for the bill I am introducing today, it is significant to note that not until 4 months after the National Guard had been called out did the NLRB seek a court injunction directed at bringing the Hormel violence to a halt. Clearly, the NLRB can play a substantially greater role in combating violence such as that found in the UFCW-Hormel situation, and the Worker Protection Act ensures that the NLRB will exercise its authority to halt labor violence in a timely manner and that unions perpetrating such violence will be penalized.

Labor union violence continues to be far more frequent and widespread than is popularly understood and perceived. As demonstrated by the Hormel/UFCW example, conduct that would be criminal in any other context is, for some reason, tolerated in the labor relations context. Supreme Court decisions and existing policies of the NLRB have largely negated any effective remedy against such conduct. As one commentator wrote over 20 years ago, "The theory seems to be that, since violence is a traditional part of labor disputes, tradition sanctions its use." The Hormel strike violence demonstrates that this commentary is even more true today.

One example of how current Federal law almost condones labor violence is the Norris-LaGuardia Act. That law was passed in 1932 for the purpose of preventing the courts from favoring employers by granting injunctive relief that prevented legitimate union strike activity. The act, therefore, implements an important national labor policy that protects individuals and unions who withhold their services because of legitimate economic disputes with their employers. What has gone awry, however, is that Norris-LaGuardia's original intent has been read so broadly that it now protects individuals and unions who go beyond legitimate strike activity and threaten to or actually engage in physical violence to achieve their goals. My bill is intended to restate our national labor policy to say that violence should not be condoned because it is being used to further collective bargaining objectives.

As amply demonstrated by the Wharton study, ostensible protections against labor violence already written into Federal law have proven to be largely ineffective. For example, the Hobbs Act, which prohibits extortion accompanied by physical violence, has been held by the Supreme Court not to apply to violence in pursuit of legitimate union objectives. In the Enmons decision, several union members were indicted during a labor strike for firing high-powered rifles at three utility company transformers, draining the oil from a company transformer, and blowing up a transformer substation owned by the company—all done for the purpose of obtaining higher wages and benefits for the striking workers. The Supreme Court refused to find a violation on the basis that the Hobbs Act was not intended to prohibit the use of violence in obtaining legitimate union objectives, such as higher wages and benefits. Hobbs, said the Court, only prohibit violence committed to obtain illegitimate objectives.

In another example showing the lack of teeth in current Federal law to deal with labor violence, in 1983, the Supreme Court by a 5-to-4 vote reversed a lower court decision that mob violence against nonunion construction workers on a Texas jobsite gave a private right action to injured employees under 42 U.S.C. 1985(3), a civil rights conspiracy statute enacted in 1871. Consequently, the Court's decision removed one of the primary means for employees subject to union violence to seek relief in Federal court. Notably, however, even the majority of the Court in Carpenters versus Scott, recognized that it may have misinterpreted the intent of Congress and made clear its willingness to enforce Federal statutes specifically addressed to economic and commercial conflicts proscribing injuries to persons and property.

Finally, and perhaps most significantly, the Federal agency charged with maintaining industrial peace in America—the National Labor Relations Board—has consistently refused to impose effective sanctions against labor violence. While the Board recognizes that union violence against individuals is illegal conduct that violates section 8(b)(1)(A) of the National Labor Relations Act, the Board's findings often are issued weeks or even years after the violent acts have served their intimidating purposes. The Board rarely seeks injunctive relief to prevent union violence, and Board "cease-and-desist" orders do nothing to punish the individual perpetrators of violent activity. In addition, the Board seldom awards back pay to those workers who stay away from their jobs because of union intimidation.

Moreover, the Board frequently has ordered violent strikers or union members reinstated to their jobs where the employer's nonviolent unfair labor practices have provoked the employees to resort to unprotected violent conduct. In other words, Board remedies often protect the violent individual who engages in possible criminal activity and who tries to apply his own remedy beyond the more than adequate Board remedies available against the employer who violates the act.

The Board in practice thus encourages a vigilante approach to correcting unfair labor practices. Remedies are rarely available to the individual who suffers from violence related to workplace disputes. Injunctive relief is rarely sought by the Board, and the harmed individual has no recourse to seek relief on his own behalf. Back pay awards are generally not available to those who are threatened if they attempt to peacefully perform their jobs. Individuals seldom, if ever, can obtain damages by way of an independent Federal lawsuit, and in any event, it is virtually impossible to obtain relief against individual perpetrators, even if they act outside the umbrella of union sanction of their conduct.

An important question that arises when more effective Federal remedies for labor violence have been proposed in the past is whether the issue is better left to State and local law enforcement officials. Our labor management relations policies, however, are national policies. They are enforced by the National Labor Relations Board which administers the National Labor Relations Act, a Federal law that Congress designed to preempt comparable State laws. Since the NLRB regulates nearly all aspects of the collective bargaining relationship, it makes little sense that violent conduct that occurs in labor disputes should be treated as having little impact on the outcome of those disputes.

Although there are circumstances in which State law may effectively remedy labor violence, the fact remains that for personal and political reasons, among others, many State law enforcement authorities are hesitant to act in labor violence cases. First, labor violence often occurs on a scale and with such intensity that local enforcement authorities are incapable of handling it effectively. This may result from a lack of resources, manpower or expertise or from the reluctance of State or local police to arrest individuals who are on strike. In addition, the police and striking workers may both be members of the same union. It is clear then that Federal enforcement would therefore be more appropriate.

If this country is to have a national labor policy, then that policy should encompass all significant aspects of the employer-employee-union relationship. The bill I am introducing today would correct the problems and injustices I have discussed and restore the administration of the NLRA to its original intent:

> To prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, [and] to protect the rights of individual employees in their relations with labor organizations.

INTRODUCTION OF THE STAR SCHOOLS PROGRAM ASSISTANCE ACT

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. MOAKLEY. Mr. Speaker, I am today introducing the Star Schools Program Assistance Act, a bill designed to help address the educational challenges which face our Nation through the use of advanced telecommunications technology.

Mr. Speaker, in recent months, the issue of making America competitive once again in the world marketplace has dominated political debate. A number of proposals have been introduced in Congress over the past year which would make our industries and workers more productive and competitive with their foreign counterparts. President Reagan has even more recently joined the effort with a competitiveness proposal of his own. Each of these proposals is different, but they do contain some common elements such as improvements in education.

Any competitiveness measure which is passed by the Congress this year must contain a renewed commitment to quality education in America. Without significant improvements in the performance of our young people in areas such as mathematics, science, computers, and foreign languages, our Nation has little chance of regaining the competitive edge it once had in many industries.

Indeed, concern over the decline of educational quality in America is not something new. With the publication in 1983 of A Nation At Risk, the report of the National Commission on Excellence in Education, the focus of Congress, the administration, and the American people was placed on the crisis in our schools.

In 1984, Congress acted swiftly to address this crisis by enacting the Education for Economic Security Act. This legislation recognized that deficiencies in math, science, computer, foreign language, and other instruction for both teachers and students was jeapordizing the ability of our Nation to defend itself and compete in the world market. The measure authorized Federal assistance to State and local governments for improvements in these education areas.

Despite this congressional action, our Nation is still experiencing a serious lack of achievement in mathematics, science, and foreign languages—in short, an "education deficit." Recent surveys have shown that American students continue to trail Japanese students in math and chemistry achievement. Our industries continue to suffer from a lack of engineers being generated by our educational system. Our schools themselves are having difficult times recruiting qualified teachers in the math and science areas and keeping them.

Moreover, many educational institutions and schools systems today continue to lack the resources necessary to make dramatic improvements in the quality of education.

The legislation I am introducing today will go a long way toward addressing these problems and this lack of resources by establishing a program of Federal grant assistance for the development of comprehensive educational telecommunications networks.

These networks would link up, by means of satellite and other devices, high schools, colleges, research centers, libraries, and industrial worksites, and provide courses in the areas of mathematics, science, computers, and foreign languages. Such programming would be in a two-way, interactive mode, allowing students to communicate directly and in real time to teachers in remote locations.

Mr. Speaker, over the past year, I have heard from many educational institutions in the Commonwealth of Massachusetts which have already begun limited efforts in the educational telecommunications area. These institutions are strongly supportive of efforts to establish a State- or New England-wide educational telecommunications network. The Commonwealth has already taken a step in this direction by establishing a State corporation charged with the mission of developing a statewide telecommunications network.

While all schools will benefit from access to the information and programming made available by educational telecommunications, rural schools and school districts with limited resources will receive the greatest benefit. These schools, which simply cannot afford to provide the full range of courses students need and attract the best teachers in all fields, will be able to offer their students the expanded educational opportunities they need to prepare for college and the job market.

Mr. Speaker, educational telecommunications can be the catalyst for a resurgence of educational excellence in America. It can modernize America's classrooms and make better use of scarce educational resources.

The Star Schools Program Assistance Act requires that States make a significant investment in the development of a statewide network plan which should involve the participation of both public and private educational institutions, local governments and industry. The Federal role would be to finance the purchase of the hardware and facilities necessary to establish the network. The legislation authorizes $100 million over 5 years, with up to $20 million available to individual telecommunications partnerships.

Mr. Speaker, as we work to make America competitive again, nothing is more important to this effort than the education of our young people. I urge my colleagues to support the enactment of the Star Schools Program Assistance Act.

A STRONG U.S. MERCHANT MARINE—AMERICA SHOULD CARE

HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. TALLON. Mr. Speaker, it gives me great pleasure to welcome to Washington, a distinguished young man from the Sixth District of South Carolina, Franklin Pringle, a sophomore at Choppee High School in Georgetown, SC. He has recently been named a national finalist in the 52d Annual Harold Harding Memorial Maritime Essay Contest. As a result of his fine essay entitled "A Strong U.S. Merchant Marine—America Should Care!", Franklin has won a cruise to travel from Tacoma, WA, to Anchorage, AK.

Thanks to the local Georgetown Propeller Club, Franklin is able to spend the day here in Washington with us and see how the Federal Government works. I would like to submit for the RECORD the text of Franklin's winning essay.

> Imagine our country at war on foreign soil with U.S. troops awaiting shipment of the goods necessary to successfully defend themselves. Picture a world where allies cannot be depended upon with total certainty to come to the aid of the United States. Envision the results of the destruction of the delicate balance of trade between America and other countries because we had no means of import and export transportation. America has experienced war on other land

and we have witnessed recently the reluctance of our allies to support us in political theory. Trade between countries is crucial for economic and political balance. Yet, many Americans are unaware of the significance of these events on their lives, and even less aware of the role the United States Merchant Marine plays in our national security and economic strength.

America needs a strong Merchant Marine to help guarantee the safety of our nation. In time of war, our government has the authority to lease privately owned Merchant Marine ships to carry troops and supplies to areas of battle. This flow of necessary raw materials cannot be interrupted if we hope for adequate defense. The Merchant Marine helps us provide military force when and where we need it. It has been estimated by military experts that, in time of conflict, ninety percent of the resources and supplies which must be shipped abroad will go by sea, not by air.

Obviously, our fleet must be furnished with modern technological equipment. Our vessels must be ready for action. If our government, and we as citizens, do not support our Merchant Marine, we are severing a vital artery of our national defense.

Economically, the American Merchant Marine bolsters domestic prosperity by carrying U.S. goods abroad. Jobs are created within out country through the Merchant Marine's support of our industries. Factories and corporations manufacture more products and create more jobs for many American families. Our fleet transports medicine, food, clothing and provides agricultural assistance to other nations that are unable to produce the necessary items to keep the country on its feet. In return, goods and services are provided to the U.S.

Today, however, our Merchant Marine is facing an uncertain future. People forget that the Merchant Marine is always there, quietly helping defend our constitution while performing patriotic duties. Americans have grown lax and even those who are aware of its importance have begun taking the Merchant Marine's existence for granted. A strong Merchant Marine is vital in today's society to fight the threats of war that have become relatively commonplace. We must look at the Merchant Marine as an insurance policy for the United States; we must not allow it to lapse. It is not too late to bring our Merchant Marine up to the status it should enjoy. We citizens and our government must unit to upgrade the fleet and honestly address its deficiencies.

Our present United States flag fleet is the oldest of all the world's major fleets. These ships have greater fuel consumption and larger crews. To successfully participate in successful world trade, we need more and smaller ships. Without them, the U.S. ability to compete in world trade is severely restricted.

The number of our merchant ships has been depleted. The numbers have gone from over 1,000 in 1950 to under 600 in 1981. Citizens need to be aware that, in time of war with our foremost potential enemy, Russia, we would be at a crippling disadvantage. The U.S.S.R. with its advanced submarine fleet could easily destroy our Merchant Marine vessels. Our American ships have become "super tankers" and "jumbo" vessels. Even though this is an advantage in peacetime enabling great amounts of goods to be moved at one time, it is to our disadvantage in war. Vital supplies could be destroyed by one well placed torpedo.

Our Merchant Marine vessels, due to their size, would be difficult to adapt militarily. The Soviet Union has provided over a thousand break-bulk cargo ships while we can field only about 300.

Our allies depend upon us and our foreign trade. If our participation in foreign trade were halted, the results would be devastating for us as well as for those who depend upon us. Many would fall easy prey to their enemies or have to rely upon aid from other countries with whom we are not allied, thus lessening our number of allies. American citizens today must be aware of the importance of allies and easily they may be lost or turn against their friends. The activities of the Merchant Marine, therefore, are of vital necessity to the United States in maintaining diplomatic relationships and keeping allies.

The United States must have a strong arm Merchant Marine. This fleet must not be government owned or inactive reserve or foreign flags vessels. Our fleet must fly the U.S. flag, be of adequate size and prepared to serve in peacetime as well as in time of war. Personnel must be recruited to serve on these ships. We need a young, well trained Merchant Marine force who will find life time careers with this group. The workforce used to number over 60,000; now it is less than 20,000. In time of need, someone cannot be quickly trained to operate a vessel. Modern technology requires that the people be highly skilled personnel. We need to make a commitment to recruiting and training the best the U.S. has to offer. Our Merchant Marine vessels need to provide safe, comfortable homes and work places with good benefits and salaries. Our fleet can only be as good as those who operate it.

Our nation must take other steps to ensure the growth and survival of our American Merchant Marine. The fleet is a frontrunner in world trade, but it needs more cargo to carry. One solution would be give a tax break to U.S. shippers who use the Merchant Marine ships. Unfortunately, many U.S. shippers do not use our flag ships even when the freight rates are equal. Having a tax credit of some sort would give these shippers the incentive to use our fleet.

Another measure which could be taken to increase our Merchant Marine cargo would be to focus on the U.S. exports of coal. We have an enormous supply which should give us some shipping leverage. If more coal transport were given to the Merchant Marine, the United States would be in a better position economically.

The fate of our Merchant Marine ultimately rests with our government. Some viable plan must be started to build up our merchant fleet. To allow our fleet to decline is to abandon economic prosperity and a sense of national security. None of us wants to hear, "America, your insurance has been canceled."

REV. MSGR. GEORGE A. O'GORMAN CELEBRATES 50 YEARS OF ORDINATION

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GUARINI. Mr. Speaker, this month an outstanding servant of God and man, Rev. Msgr. George A. O'Gorman will celebrate his 50th year of ordination as a Roman Catholic priest.

Because of Monsignor O'Gorman's community service during the years of war and peace America has been involved in, a testimonial dinner in his honor is being tendered on Saturday, May 16, 1987, at 6:30 p.m. at Schuetzen Park, North Bergen, NJ.

Helen Gonyou, Ruth Matash, and Janet Benzoni are members of the dinner committee that have invited archbishop of Newark, Theodore McCarrick and archbishop emeritus of Newark, Peter L. Gerity and Msgr. Franklyn Casale, as well as relatives and community groups. In addition, Monsignor O'Gorman will be given a special salute by veterans' groups for his service as a chaplain in the U.S. Army, having retired with the rank of colonel from the U.S. Army Reserves just a few years ago.

Born in Jersey City, NJ, Monsignor O'Gorman was ordained into the priesthood on May 22, 1937, after his education at Seton Hall University and Immaculate Conception Seminary, two great institutions of higher learning in the Garden State. After his ordination he was assigned to St. Brigid's Parish in North Bergen where he also served as chaplain for the township police and fire departments.

When World War II came upon us, Monsignor O'Gorman answered the call and enlisted in the U.S. Army as a chaplain. Because of his tremendous courage and leadership on the fields of battle, Monsignor O'Gorman earned the nickname of "Beachhead" O'Gorman. His involvement in the invasions of Leyte and Okinawa earned him five battle stars. After his release as a major in 1946, Monsignor O'Gorman continued to serve New Jersey and his Nation as a chaplain in the Army Reserves until his retirement.

In 1946, Monsignor O'Gorman resumed his religious duties at All Saints Parish in Jersey City where he remained until 1963. It was in that year that the late Archbishop Thomas A. Boland assigned Monsignor O'Gorman to North Bergen to erect a church and found the parish of Our Lady of Fatima.

Over the years, Monsignor O'Gorman has served with distinction on the military staff of two Governors of New Jersey, as State chaplin of the Veterans of Foreign Wars, moderator for the South Hudson and North Hudson Councils of Catholic Men, a member of the planning board of North Bergen, and as chaplin of Pope John XXIII Knights of Columbus. Monsignor O'Gorman was also a member of the advisory board of the Military Ordinate—to which he was appointed by the late Terrance Cardinal Cooke—a member of the U.S. Council on Aging, Washington, DC, and a member of the Edward McDowell Post, Veterans of Foreign Wars, North Bergen, NJ. He was also appointed to the Building and Site Committee of the archdiocese of Newark by Archbishop Emeritus Peter L. Gerety.

On May 21, 1986, he was made a prelate of honor of His Holiness at the Cathedral of the Sacred Heart, Newark, NJ. Monsignor O'Gorman resides at the St. John Vianney residence for retired priests in Rutherford, NJ. Monsignor O'Gorman continues to help out at various parishes in the diocese when needed.

Monsignor O'Gorman's sister, Mrs. Kermit Sidle, resides in Westerly, RI. His nephew John lives in Grand Island, NE, and his nephew William resides in Columbus, OH, with his wife, Philomena.

Monsignor O'Gorman's life work echoes the words of His Holiness, Pope John Paul II when he visited Philadelphia on October 4, 1979, and said in his homily to those priests in attendance:

> The priesthood is not really a task which has been assigned; it is a vocation, to be heard again and again. To hear this call and to respond generously to what this call entails is a task for each priest.

Monsignor O'Gorman's career exemplifies: "Tu es sacerdos in aeternum—priesthood is forever." We do not return the gift once given. It cannot be that God who gave the impulse to say yes now wishes to hear no.

According to Helen Gonyou, past New Jersey president of the Ladies' Auxiliary of the Veterans of Foreign Wars, and a member of the dinner committee:

> This year during the 200th anniversary of the Constitution of the United States this golden anniversary celebration of Monsignor O'Gorman's ordination is extra significant. His entire life has been dedicated to the freedom of spirit and religion and opportunity which our forefathers outlined so carefully in the priceless document which is the envy of the entire world.
>
> Let us not rest all our hopes on parchment and on paper. Let us strive to build peace, a desire for peace, a willingness to work for peace, in the hearts and minds of all our people. I believe that we can. I believe the problems of human destiny are not beyond the reach of human beings.

Monsignor O'Gorman has been a leader all his life, leading his religious flock, leading the community in all causes just, tending to and leading the men who served him in battle. Those who were with him in the dark days of World War II speak of his tremendous stamina, faith and courage.

One former serviceman quoted the following in describing "Beachhead" O'Gorman's combat leadership, a statement often expressed by President John F. Kennedy:

> Without belittling the courage for which men have died, we should not forget those acts of courage for which men have lived.

Monsignor O'Gorman's life should inspire all of us who must be reminded that the cost of freedom has always been expensive. Monsignor O'Gorman's life echoes these words:

> For of those to whom much is given, much is required. And when at some future date the high court of history sits in judgment on each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage? Second, were we truly men of judgment? Third, were we truly men of integrity? Finally, were we truly men of dedication?

Monsignor O'Gorman's life befits the October 6 message delivered by Pope John Paul II when speaking about our Nation and the people who made it great and what we stand for:

> It is also a country marked by deep veneration for these values without which no society can prosper: love of freedom, cultural creativity, and the conviction that common endeavors for the good of society must be guided by a true moral sense. My own spiritual and religious mission impels me to be the messenger of peace and brotherhood, and to witness the true greatness of every human person. This greatness derives from the love of God, who created us in his own likeness and gave us an eternal destiny. It is in this dignity of the human person that I see the meaning of history, and that I find the principle that gives sense to the role which every human being has to assume for his or her own advancement and for the well-being of the society to which he or she belongs. It is with these sentiments that I great in you the whole American people, a people that bases its whole concept of life on spiritual and moral values, on a deep religious sense, on respect for duty and on generosity in the service of humanity—noble traits which are embodied in a particular way in the nation's capital, with its monuments dedicated to such outstanding national figures as George Washington, Abraham Lincoln and Thomas Jefferson.

I am certain that my colleagues here in the House of Representatives wish to join me in this salute to Msgr. George A. O'Gorman—a great priest—a great American.

HAS FAIR TREATMENT DIED

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mrs. BENTLEY. Mr. Speaker, 3 weeks ago, a former Member of this body was yet again made the object of unusual and, to my mind unjustified, special handling by the Department of Justice.

I do not know former Congressman Hansen, but I do know the misuse of power when I see it. A column by Jack Anderson and Joseph Spear, which appeared in the Washington Post on May 11, summarizes some of the worst aspects of the case. Since the column was published Hansen has been sent back to serve 6 more months in a Federal prison. That will make a total of more than a year in prison. Rapists and arsonists have done better. I attach the column. It makes interesting reading.

HANSEN'S TROUBLING TREATMENT

(By Jack Anderson and Joseph Spear)

> The coarse treatment of former representative George Hansen (R-Idaho), a big, bumbling bear of a man, has backfired on federal prison and parole authorities.
>
> We have been covering Hansen's unconventional career for more than a decade, sometimes exposing his antics, sometimes defending his courage, as he has barged from one scrape to another. He has rarely marched in step with his former colleagues on Capitol Hill, but he is no miscreant, At 6-foot-6, he is a genial giant who eventually thumbed his nose at something bigger then he was, and he paid the price with a prison term.
>
> Now the federal authorities seem intent on breaking his spirit, and they have gone too far. Indeed, the public should be pondering a basic question: If a public figure who commands the attention of the press can be bullied by the authorities, what happens to the ordinary individual who enters the system without cachet?
>
> Hansen got embroiled in his current predicament by failing to list some of his wife's financial transactions on congressional disclosure forms. Others have committed similar trespasses—former vice presidential candidate Geraldine A. Ferraro, to name only one. But Hansen had apparently antagonized too many important officials. He was prosecuted and convicted in 1984 and served six months before being paroled last December.
>
> Hansen sold his home and automobile to pay his $40,000 fine. When he signed his parole papers, he said that he could not agree to the standard travel restrictions and financial reporting requirements and would formally apply for a waiver. To sustain himself, meanwhile, he would continue his profession as a lecturer and consultant. He thereafter provided his parole officer with a detailed schedule of his activities.
>
> Hansen's request for exemptions from normal parole conditions was still pending on April 15. Yet without being presented with a warrant, he was seized by federal marshals in Omaha. Consider some subsequent events:
>
> The marshals yanked Hansen's arms behind him and handcuffed him. After a day in a county jail, he was put abroad a rented Learjet and whisked to the Washington suburbs in the dead of night.
>
> Hansen was booked into the Alexandria city jail under a fake name. "Frederick Smith." This was done, said U.S. Marshal Roger Ray, "to avoid a lot of media attention at that time and to get him back safely."
>
> Neither Hansen's wife nor his attorney was notified of his whereabouts. It was only after the press tracked Hansen down and began asking questions, he said, that his wife learned where he was and the marshals began allowing him to use the telephone.
>
> According to Hansen, his first hours in jail were spent in a dark, dank basement cell.
>
> When 35 of Hansen's congressional friends complained about his treatment, he was granted a meeting with a Justice Department official. Hansen was taken to the meeting in the Alexandria federal courthouse bound in handcuffs, chains and irons.
>
> Footnote: A U.S. Marshal spokesman maintained that Hansen has "been treated just like everyone else that has a parole violation." That's troubling.

JAPAN, INC.

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. LIPINSKI. Mr. Speaker, I rise to bring to the attention of my colleagues the nature of the huge Japanese investment recently experienced in the United States. While few dispute that this has been a good deal for nearly everybody involved—American workers, suppliers, and the State and Federal Governments—there is a darker side to the investment.

Chicago Tribune reporter Robert Kearns, in a recent series of articles on this development, argues that there is mounting evidence to suggest the Japanese firms investing here have created an "economy within an economy." Instead of utilizing American suppliers, construction groups, and distributors, these investing companies have relied almost exclusively on Japanese or Japanese-controlled firms to help manage the capitalization, construction, and maintenance of their plants and factories.

Taking Japan's investment in "auto alley" as an example, the eight midwestern auto plants which stretch north from Mazda in Flat Rock, MI, south to Mitsubishi Diamond-Star Motors in Bloomington, IL, Kearns relates that the Japanese investment strategy in the United States is much more planned and coordinated than most Americans realize:

At the start, Japanese imports flood an industry, gaining market share at the lower end with less-expensive products. Once successful market penetration is achieved, Japanese firms move up to more profitable products, such as custom-designed computer chips or the four-door Toyota Camrys that will be made in Georgetown (KY), with a base price of $10,648. Soon the weakened U.S. industry asks for government protection, and, as with autos and chips, frequently gets it. The Japanese, fearing that their access to the U.S. market will be cut off or responding to U.S. invitations to invest here, set up factories here or go into joint ventures. Often, the U.S. industries have been so weakened by the Japanese competition, as was the case with television makers and chip producers, that they can be bought relatively cheaply. The recent unsuccessful attempt by Fujitsu Ltd. to take over Fairchild Semiconductors Corp. is an example.

The Japanese investment comes here with some built-in advantages. First unlike U.S. firms, which concentrated abroad on plants and acquisitions, Japanese investment in the U.S. so far has centered more on distribution outlets and financial services to aid sales of Japanese exports. This distribution market gives the new Japanese firm ready access to a market for its U.S.-produced goods. * * * Second, by the time a Japanese firm invests in an American industry, its exports will usually have battered that industry to the point that labor costs are on the way down. The United Auto Workers have made concessions to Japanese investors. Third, the major Japanese investor, be they manufacturers or banks, tend to move in packs. If there's a Hitachi or a Nippon investing in a sector of the U.S. economy, a Mitsubishi won't be far behind.

Mr. Speaker, I realize that Japanese investment in this country means jobs for American workers and at least some business for American suppliers, but we must be careful to recognize the nature of the investment for what it is turning out to be: the same closed-door policy American suppliers and producers face in Japan. This is not the only problem with the increased investments. By 1990, auto industry analysts predict that Japanese carmakers in this country will be able to build 1.5 million to 2 million cars, a development that will shut down U.S. capacity and devastate the American automobile industry. While many States have aggressively cultivated Japanese investment in car factories and other industrial ventures with development loans and other financial assistance, I am not convinced that they are fully aware of the impact this added capacity will have some years down the road on our already seriously eroded manufacturing base.

GARY HART'S FALL FROM GRACE LEAVES A TANGLE OF QUESTIONS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. JACOBS. Mr. Speaker, listen to the disturbing eloquence of Indianapolis Star columnist Patrick J. Traub.

[From the Indianapolis Star, May 10, 1987]

GARY HART'S FALL FROM GRACE LEAVES A TANGLE OF QUESTIONS

(By Patrick J. Traub)

The rules of the game of reporting on campaigns, politicians and public office holders changed last week—a change that will take the media, politicians, readers and voters years to figure out.

The *Miami Herald*, acting on a tip and Gary Hart's challenge, followed him and friends during a weekend of activity in Washington. Hart's wife was in Denver and two of the three friends were women.

Even though the reporters failed to do their jobs adequately, the newspaper reported that Hart had spent the night with the woman. It was left to the reader to determine what "spent the night" means. Presumably it is close to what the Rolling Stones had in mind 15 years ago in their song *Let's Spend The Night Together*.

The inadequate reporting job does not change the fact that the activities of a public official as they relate to his or her marriage vows are clearly fair game.

The issue of when to report extra-marital sexual activity by public officials has been debated in and by the media for decades. The usual standard has been that if the activity can be tied to the official's public service, then it should be reported. "Simple" violations of marriage vows, clearly unrelated to public funds or activity, were considered to be non-public activity. Let he or she who is without sin cast the first stone, was the general view.

However, media debate over adultery has increased in recent weeks. *Newsweek* devoted a full page to the discussion. *Boston Globe* columnist Ellen Goodman has written that the media should be as forthcoming on the reporting of extra-marital sexual activity as it is on issue positions.

Goodman, writing only of the "male public servant," argues that reporting on "womanizing" reveals "something about a man's capacity for deception, vulnerability to exposure (and) fascination with risk-taking." Evidently, Goodman fears only male messing-around, as she uses only male pronouns. She does credit, and I believe correctly, the emerging female influence on public service as the reason for the change.

Knowing how inane candidates and campaigns can be, I predict the "come clean" issue of 1988 will be sworn statements from candidates pledging they have never engaged in an adulterous act.

But, how will the media react? How do we report this?

Obviously we must do better jobs than the Miami Herald. But, is simply covering all the exits all the time sufficient? Apartments, motels and homes are not the only places to watch, for example. And is simply being alone with a member of the opposite sex for a period of time, without one's spouse or another person present, sufficient evidence of adultery or "a capacity for deceit?"

What happens to the ever increasing number of female staffers for male candidates? There is no reason to believe that at least for the near future, candidates will continue to be predominantly male. Can a candidate for public office risk having a close adviser who is a member of the opposite sex, who travels with the candidate, who stays overnight near the candidate, or spends long hours alone with the candidate?

Since the Miami Herald has a reporting "first" in accusing a man of sinning, the pressure will be on to be the first to report a woman's sin. That affects male staffers of female candidates.

Since the violation is one of the marriage vow—taken as solemnly and before an Almighty just as the vow of public office—what about divorce? Is that not the ultimate violation of the vow? Or separation?

And how does the media react to marital situations where such activity is accepted and condoned? Not all voters would accept that, but those who took the vows apparently do.

How far back does the media go? Are previous acts of infidelity—assuming the partner has changed—forgiven and we will only chase "new" acts? Is it just a violation of marriage that is newsworthy? Is it fair to report on married candidates differently than single candidates? Some Americans still believe sexual activity outside marriage is immoral.

Franklin D. Roosevelt's position in history will not change because of his long-standing affair; Ronald Reagan has never been called on to explain the seven-month pregnancy Nancy had following their marriage on March 4, 1952, and the birth of their daughter, Patricia, on Oct. 21. Should he be?

Should such reporting be limited to presidential candidates? What about state officials, or state legislators, or local officials, or simple public servants like policemen and housing inspectors?

Reporters are not public servants. We can neither raise your taxes nor send your children to Central America to die. But the bond of trust between reporters and readers is similar to the bond between officeholders and the public. Can a media outlet risk damaging its public image by assigning reporters to unveil a philandering politician when the reporters themselves are, or have been, philanderers?

A lot of questions. Without many answers. As Hart said Friday, "The American people decide what qualities are important to govern this country in the national interest.

"And they haven't been heard from yet."

"FEAR CAN BE YOUR BEST FRIEND"

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. RITTER. Mr. Speaker, I am pleased to bring to the attention of my colleagues the following article describing the heroic tenacity displayed by American servicemen who were subjected to unimaginable torture at the hands of the North Vietnamese Communists. These men, of whom we are so proud, went to Vietnam on behalf of all Americans and for that we are forever indebted. To them, the cost of preserving freedom, for ourselves and our allies, is especially understood.

[From Parade magazine, Apr. 19, 1987]

"FEAR CAN BE YOUR BEST FRIEND"

(By Hank Whittemore)

In April 1967, exactly two decades ago, Major Leo Thorsness of South Dakota, an Air Force fighter pilot, was shot down over North Vietnam. He was captured and taken to a fortresslike complex called Hoa Lo Prison, nicknamed the "Hanoi Hilton." For the next six years, Thorsness endured beatings, torture and long periods of isolation. But he and the other prisoners not only struggled as individuals; they also waged a private, psychological war *as a group* against their captors. Although many of their fellow inmates died, the survivors emerged victorious.

About 2400 Americans in Vietnam were listed as prisoners of war or missing in action, but fewer than 600 returned alive. Among them were Leo Thorsness and other "hard-core resisters" from inside the North Vietnamese prison system, some of whom had been there for eight years. Released together in 1973 after the war's end, they went home to a country that was in no mood to learn about, much less celebrate, their courage and heroism. Although Thorsness (by then a colonel) received the Medal of Honor, he and the other former POWs were virtually ignored.

From 1974 on, however, they were aware of the director Lionel Chetwynd's efforts to make a realistic movie about their experiences. In fact, more than 100 survivors of Hoa Lo Prison contributed information for the script; and last fall, when Chetwynd finally began shooting *The Hanoi Hilton* in Los Angeles, a few dozen of the former prisoners came to the set to coach the actors. For the job of overall "technical adviser," who would insure accuracy, they unanimously recommended Leo Thorsness.

"I jumped at the chance," he says. "If you take everything that most Americans know about Vietnam, our story is still the missing piece. How did we survive, day after day and year after year? Well, it had nothing to do with Rambo-type heroics. Nor were we lethargic, the way POWs are so often depicted. The reality was very different."

Thorsness, now 55, doesn't even remotely resemble a Hollywood hero—like celluloid "tough guys" Sylvester Stallone, Clint Eastwood and Chuck Norris. But he is a *real* hero, and he knows the meaning of courage as well as any man alive. Although his shoulder blades were separated, and he was "bent in half" and then hung from a ceiling by the ankles, he continued to resist his captors' demands that he make public statements against the war.

"I found out," he says, "that it's a whole lot easier to be brave while strapped in the cockpit of a plane 5 miles high, where you've got some control, than to be stripped of your clothes in a room alone and tortured while nobody else knows you're alive. That's when it's tough to be brave."

One aspect of the story that is reflected in the movie is the effect of "peace delegations" to Hanoi during the last few years of the war. There are portraits modeled after peace activists such as the actress Jane Fonda and her husband Tom Hayden. The two have been challenged by former POWs for stating publicly, after a visit to the Hanoi Hilton, that the American captives were being well treated.

"When the delegations came," Thorsness recalls, "we were forced by the Vietnamese to memorize answers to the questions we'd be asked. They would 'bend' us. And either you 'bent' or you died. One time they brutalized me so badly, in the face and arms, that they became too embarrassed to put me before a delegation.

"I think those who came to Hanoi were ready to believe whatever they were told or shown. They weren't objective to begin with. And they were manipulated. I've forgiven everybody. It still bothers me, though, that Jane Fonda has never admitted that maybe some of the things that she said were wrong. She has never apologized."

John McCain, now a U.S. Senator, was one of the American prisoners when Fonda made her visit to Hanoi in 1972. Senator McCain (R., Ariz.) recalls that he was ordered to meet with an unnamed actress who was "working for peace" and to have his picture taken with her. When he refused, he was put into a 6-by-3-foot cell for four months. Although McCain says that he has put those years behind him, he agrees that Fonda still owes the POWs an apology for calling them "liars, and hypocrites" while declaring that there was no evidence of their mistreatment. "There is no doubt that it didn't help our morale," he says.

Even though Jane Fonda's intentions might have been of "the highest order," Lionel Chetwynd says, "she should have known that you don't go into a close society and accomplish anything other than what they want from you."

During the first three years that Thorsness was in the prison system, the attrition rate by death was very high. By the start of the 1970s, he was among the 350 men who had survived by resisting and "breaking" only under torture. In 1972, however, more "shootdowns" joined them; and these younger men inevitably brought a new attitude.

"Some guys had been on college campuses in the 1960s when we had been prisoners," Thorsness says. "They were not hard-core resisters. They said, 'Why in the world should we be tortured to say things that everybody in the States is already saying?' They knew what the story was back home.

"So we told them, 'Okay, but you can't criticize our government without taking some physical abuse first. Then, if you feel you're about to lose your ability to stay rational, you can start saying things to them.' Otherwise, we were all in greater danger—not only the rest of us, for resisting, but the weaker man himself, who would be subjected to more pressure to cooperate by making videotapes and so forth."

When the prisoners were about to be released in early 1973, their families were told to expect "basket cases" who would be unable to make decisions when they got home. "But that wasn't true," Thorsness says. "If we had come home sooner rather than later, we would have been much worse off. But in the last three years, they put us together in bigger cells, and we became our own therapists."

When Thorsness returned to South Dakota, he found himself so full of energy that he jumped into politics. He ran against George McGovern for the U.S. Senate in 1974, losing with 47 percent of the vote. In 1978, he made a try for Congress. Today, he and his wife, Gaylee, live in Seattle, Wash. He has continued to serve causes involving Vietnam veterans and believes that some of the approximately 1400 still missing and accounted for may yet be alive.

A warm, modest man with a sparkle in his eyes and a hearty laugh, Thorsness brims over with thoughts and feelings about the nature of courage and freedom:

"When I came home, many people said they never could have lasted the way we did. But the fact is, most of them would have done the same thing. The answer is so simple that it took me a long time to figure it out: *You do what you have to do.*

"We learned that the tougher times are, the more valuable humor is. When everything else fails, humor will help to cushion your fall. Some of our humor was very sick, but it was humor. When we were put in larger cells, we first exchanged details about being tortured. But after that, we never told each other stories with sad endings.

"We were living in a constant state of anxiety, suspense, terror. But fear can be your best friend. It makes you sharper, because you're so close to the edge that your mind is darting, and your senses are more aware. The reality, however, is that some people are braver than others. If you and I put our hands on a hot surface, one of us will pull away sooner. We all have different thresholds. I think it's a mental capacity that gives you the physical endurance.

"When you were being tortured, you looked ahead only a minute. You prayed you could pass out before they could break you. Sometimes you lived only a second at a time. The first time they broke me, I thought, 'Everybody else could stand it, but I couldn't. I must be weak.' My pride was completely shattered. It was a terrible, lonely, depressed feeling. But I think everyone who survived had been broken at least once.

"Very few of us felt that, because we'd been captured, our war was over. We continued to resist, and we paid dearly for it. But it made us realize that for every freedom, there's an equal or matching responsibility. When you were finally given a mirror to shave with, the first thing you did was look yourself in the eye. Were you satisfied with what you saw?

"Enough time has gone by now so that the country is looking back at Vietnam more objectively. The emotion is gone. And I hope people think we did a decent job. I hope they will feel we did okay."

"The legacy of the war is one thing," Lionel Chetwynd says, "but the legacy of the warriors is something else. Those guys went to Vietnam in our name, and nobody can change that. The vast majority served with courage, decency, faith, reliability and conscience. To me, the prisoners of war represent the best of that. It hasn't been fashionable to say so, but they are true heroes."

THE WAR INSIDE THE PRISON

The story of group resistance by the POWs contains some remarkable elements:

Because the U.S. never declared war against the North Vietnamese, the "shootdowns" were not regarded as prisoners of war but as "criminals."

The vast majority of Americans in Hoa Lo Prison followed the Code of Conduct, which precludes giving more than one's name, rank, serial number and date of birth. Only after being tortured did they "break" and allow themselves to say more.

Orders for resistance were given by senior ranking officers via the "tap code" between calls. Anyone caught was beaten, but the POWs never relented.

In 1969, after North Vietnam had switched its alignment from China to the Soviet Union, a "three-man professional torture team" came to the Hanoi prison from

Cuba. "Their program of 'complete submission' was vicious," Thorsness recalls.

Because it was more difficult for the Vietnamese to kill a "known" prisoner, the POWs tried to "get the names out" by any means. One captive memorized the names of 400 men to the tune of "Old MacDonald Had a Farm" and then, by pretending to be crazy, obtained an early release. The names got out.

To prevent the Vietnamese from playing one captive against another, the POWs avoided taking early releases unless the entire group was set free and even refused to meet with family members.

DEDICATION OF TEMPLE B'NAI JESHURUN—OLDEST SYNAGOGUE IN THE STATE OF NEW JERSEY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. ROE. Mr. Speaker, one of the most important principles on which our Nation was founded is the freedom of religion, the right of each and every American citizen to workship as he or she sees fit. It is one of the basic tenets of our American way of life that makes the United States the great country that it is.

In my Eighth Congressional District of New Jersey, it is this vital principle which helped give birth, nearly a century and a half ago, to the oldest synagogue in my State, Congregation B'nai Jeshurun, also known as the Nathan Barnert Memorial Temple, which has been located in the Paterson, NJ, area for the past 140 years.

Mr. Speaker, this Sunday, May 17, 1987, will be an historic day for the congregants of Temple B'nai Jeshurun, for this Sunday will mark the dedication of this synagogue's seventh home with ceremonies in Franklin Lakes, NJ.

The Nathan Barnert Memorial Temple has been a beacon to those of the Jewish faith from the Paterson area since November 19, 1847, when it was founded. Since that time the congregation has had many different homes, but one thing has remained constant; it has been a constant source of spiritual guidance and inspiration to thouands of Jews in northern New Jersey since its inception.

Mr. Speaker, Congregation B'nai Jeshurun had its beginnings in 1847 in Paterson when six men met in a small store on the west side of Main Street near the Passaic River to organize the first minyan in the city. The background of this historic congregation can best be described by citing the Temple's official history:

The Temple was founded on November 19, 1847, by charter of the State Assembly, and acquired its first cemetery on December 23 of that year. Although early records were lost or destroyed, it is known that in 1848 the congregation worshiped in an old structure on the south side of West Street, three doors from Water Street, in Paterson, NJ. The congregation moved in 1860 to its third location, on Mulberry Street, adjoining the Dagger Ribbon Mill. In 1878, because of the influx of new Jews into Paterson, it moved to its fourth home, a one-story wooden building between Washington and Church Streets. It was here that the first Jewish religious school in Paterson was begun, with Rev. Meyer S. Hood engaged as Rabbi and Principal, serving from 1883 to 1892.

As the congregation grew, the need for a larger home became urgent. Through the beneficience of Nathan Barnert, land was purchased from the Wall family. On October 18, 1892, ground was broken for a new temple on Broadway and Straight Streets. The original Nathan Barnert Memorial Temple thus became the congregation's fifth home. Its Moorish architecture was in the style then predominant for Jewish houses of worship. The temple was constructed of light brown stone from the local quarry. The graceful tower rose 93 feet in the air and was a Paterson landmark until 1959.

In that year, our temple moved again, acquiring its land from the descendants of the Wall family, at Broadway and Derrom Avenue, where we built our sixth home, a beautiful contemporary structure designed by Percival Goodman.

The administration of Congregation B'nai Jeshurun, as it assumes its seventh home, includes Rabbi Martin Freedman; temple administrator Harriet R. Stenchever; outgoing president Susan Low Sauer; incoming president Robert Gutenstein; men's club president Robert Tandlich; sisterhood president Janet Finke, and director of religion, Dr. Sheldon Shuch. I would like to extend my most sincere wishes to them and to all congregants of Temple B'nai Jeshurun. They have not only helped establish an enduring house of worship that will provide for the moral and spiritual guidance of those of the Jewish faith for years to come, they have also helped create a living, vibrant testament to the principles upon which our great Nation was founded.

THE RETIRING OF DR. J

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. RANGEL. Mr. Speaker, much has been written about the extraordinary career of basketball star Dr. Julius Erving in recent weeks as he has neared retirement from pro-basketball. The Congress has honored him with a special citation recognizing that he is, in truth, "Ambassador of Basketball." Almost all has been said, but "Dr. J's" credentials for the special recognition he has received are so unique that I want to add my personal tribute by sharing with you, my colleagues, the words of the Presentor's citation which accompanied the awarding to Julius of a doctor of the performing arts degree by Temple University. Written by Prof. Henry Richardson, a dedicated basketball fan, the citation captures the essence of the Julius Erving—how he at once defined, epitomized, and eclipsed the game of basketball.

It is difficult to imagine his transcendant impact, but we know we are richer because he and his art touched our lives.

PRESENTOR'S CITATION: DR. J

Excellence creates its own beauty. When such achievement emerges publicly with a recognized special grace, then some new sense is made for all of us out of the disorder of modern life. Today, we honor a man who has let us see the passionate precision of dance in James Naismith's game. His creation of unforgettable moments makes us transcend any distinctions in society between sports and other supposedly more productive pursuits.

In the best sense, he is a teacher of international stature. An inspiration to a generation of basketball players, we see his influence on most playgrounds across the country and throughout all levels of the sport. He has set a standard of aesthetics and intelligence in the context of teamwork, to which we all may aspire.

His professional statistics are but a pale reflection of his greatness in their numbers and consistency over a dozen years. They only partially explain a long list of awards, including: his selection to four ABA All-Star first teams, and five NBA All-Star first teams, and for his being named Most Valuable Player in five All Star games, including the NBA All Star Game of 1983, and further, his being named Most Valuable Player for the year in the ABA three times, and in the NBA for 1981. In 1980, he was selected as a member of the NBA's 35th Anniversary All-Time team.

He is, simply, a player's player. And in response to his versatility and grace, the American language has been forced into an extended search for superlatives, so that now, the word "Doctor" designates a poetic summit of sport reached only by him.

He has given of himself to the community, in working with children and other groups, and illustrates by his actions a continuing sense of moral responsibility. As such, he is a prominent model of the best values of sport for the youth of America.

And there . . . .

For daring to do what must be done in basketball through your own striking ballet, particularly when the stakes are highest, and thus lifting all of us to enjoyment, courage, and inspiration;

For being a person to whom public leadership has flowed on every team for which you played, and for consistently rising to meet those challenges and responsibilities for the benefit of the team;

For adding, simply, an entirely new dimension of your profession;

Temple University honors the highest values of excellence, leadership, teamwork, and aesthetics by awarding a second doctorate to the "Doctor", in conferring upon you the degree of doctor of the performing arts.

CONGRESSMAN FROST PROVIDES VOLUNTARY DISCLOSURE OF PERSONAL FINANCIAL INFORMATION FOR 1986

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. FROST. Mr. Speaker, as I have done each year since my election to Congress, I am inserting into the RECORD today my financial balance sheet as of December 31, 1986.

Balance sheet: Martin and Valerie Frost

[As of 31 December 1986]

Assets:	
Checking account, 1st National Bank of De Soto	$505.46
Condominium, Dallas, TX	47,500.00
House and lot, Arlington, VA	213,000.00
Home furnishings and other personal effects	35,000.00
Savings, Wright Patman Federal Credit Union	112.31
Checking account, Wright Patman Federal Credit Union	5,334.97
Retirement, U.S. Congress	42,130.45
IRA's (Martin and Valerie)	13,083.66
Washington Fringe Benefit Investment Club (Valerie)	4,737.89
Subtotal	361,404.74
Automobiles:	
1979 Chevrolet Chevette	500.00
1984 Toyota Van	7,500.00
1984 Starcraft Pop-up Trailer	2,240.00
1985 Pontiac 6000	7,875.00
Subtotal	18,115.00
Stocks and bonds:	
478 shares Central and Southwest	16,371.50
362 shares Exxon	25,385.25
100 shares Federated Department Stores	8,325.00
90 shares General Motors	5,940.00
227 shares Houston Industries	7,888.25
132 shares Eli Lily	9,801.00
54 shares Mobil	2,166.75
358 shares Westinghouse	19,958.00
34 shares IBM	4,080.00
794 shares Fundamental Investors	11,282.74
292 shares Massachusetts Investors Trust	3,530.28
253 shares Wellington Fund	4,010.05
176 shares Eaton Vance Investors Fund	1,344.64
U.S. savings bonds	300.00
100 shares Wal-Mart	4,650.00
8 shares General Motors (E)	199.00
4 shares General Motors (H)	154.00
Subtotal	125,386.46
Total assets	504,906.20
Liabilities:	
Mortgages:	
Star States Mortgage Corp. (Dallas condominium)	37,500.00
Paine-Webber (Arlington residence)	173,200.00
Century National Bank (Arlington residence)	40,000.00
Subtotal	250,700.00
Installment loans:	
Open charge accounts (balance)	1,000.00
Wright Patman Federal Credit Union (automobile)	4,047.92
GMAC (automobile)	6,710.88
Line of credit, Wright Patman Federal Credit Union	5,092.60
Subtotal	16,851.40
Total liabilities	267,551.40
Net worth:	
Total assets	504,906.20
Total liabilities	267,551.40
Total net worth	237,354.80

STUDENTS HELPING THE HOMELESS—THE BETHLEHEM INN

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. WYDEN. Mr. Speaker, as we continue to address the problems of the homeless, I would like to bring to my colleagues attention the efforts of a dedicated group of young people at Warner Pacific College in my district. Since January 4, 1987, these students have been operating the Bethlehem Inn—the first shelter for the homeless located on the campus of a U.S. college or university.

Portland Mayor Bud Clark's emergency task force on housing provided the inspiration for the shelter. The task force sought to establish six church-sponsored shelters to address the serious lack of facilities for the homeless in the city. As part of that project, the Reverend Frank Shields founded a homeless shelter at Sunnyside Methodist Church, and suggested that one of the shelters should be opened on a college campus. Students at Warner Pacific College responded to Shields' call.

By the end of March, Bethlehem Inn had provided much-needed shelter and meals to 26 families. Some stayed one night, while others stayed for up to 3 weeks. The shelter recently increased the number of people it can assist from 10 to 12 per night. Given the tragically large number of homeless individuals and families in the Portland area, beds at the Bethlehem Inn never go empty.

Families arrive at the shelter by 6:30 every evening. They receive dinner, warm showers, and breakfast the next morning. The families leave the shelter by 7 a.m. the following day, so the parents can get an early start on their search for employment. Students who run the Bethlehem Inn hope to provide additional services in the future—including transportation to job interviews, child-care, and expanded information and referral services.

I'd like to give special credit to the students of Warner Pacific College, who are the driving force behind this center of compassion and generosity. In a vote on campus, a majority of the body endorsed the use of a college dormitory as the shelter site. More than 50 students volunteer their time to help run the shelter. Recognizing that helping others can be a valuable learning experience, the administrators of Warner Pacific College award class of volunteer credits to many of these students.

The Bethlehem Inn is also a model of community involvement. Students and other residents of the community work side by side to provide vital services for their homeless guests. The center receives donated funds from students, faculty, and the public. Social service agencies in the community also provide assistance in the form of case management, health care, job training, and referrals. The students are also reaching out to other schools in the hope of transferring their model program to campuses around the country. Volunteers at Bethlehem Inn have prepared a slide presentation and a manual to show how similar shelters can be established.

The Bethlehem Inn is a tribute to the eagerness of young people to help others, and an example of what a community can accomplish when people band together to give their neighbors a helping hand.

RAISE THE FLAG TO CHESTER KOCH

HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. APPLEGATE. Mr. Speaker, this coming Friday, May 15, the city of Cleveland, OH, will hold a celebration for a very special person: Chester Koch.

Chester Koch, a veteran of World War I, has been employed with the city of Cleveland for 53 years. His current position as coordinator of patriotic affairs places on his shoulders the task of organizing countless programs and parades celebrated by this city along Lake Erie.

Mr. Speaker, Chester Koch will be celebrating his 95th birthday this coming Sunday. I would like to take this opportunity to have inserted in the CONGRESSIONAL RECORD the following story about Mr. Koch, "Raise the flag to Chester Koch," by Alfred Lubrano of the Plain Dealer newspaper of Cleveland.

Mr. Speaker, I would like to extend my utmost congratulations to Chester Koch on this very special occasion. I had the distinct pleasure of meeting Chester last March as I have in so many previous years during the Veterans of Foreign Wars dinner here in Washington. Like the many times before, he was full of energy and determined as much as anyone else to thoroughly enjoy the festivities of the evening. Chester Koch is truly an outstanding citizen of Cleveland, a highly distinguished and honorable veteran of our Nation, and one of the most enjoyable persons I've ever had the pleasure to know.

Mr. Speaker, I would like to join with my colleagues in the House in extending some very special wishes to Chester Koch on the occasion of his 95th birthday. He's a very remarkable man.

The article follows:

RAISE THE FLAG TO CHESTER KOCH

(By Alfred Lubrano)

He is Chester Koch, and has been for longer than anyone can remember.

At 94, he holds the unique job of coordinator of patriotic affairs for the city. Today, he must attend a meeting in City Hall.

The young men in suits who will run the show sweep in, a little late. They say, "Hi, Chester," though they are 50 or 60 years his junior. Only one calls him Mr. Koch, and he mispronounces the name.

For a few impatient moments, they listen to one of his stories, a winding ramble that includes an ethnic slur. The men in suits seem embarrassed as they smile and urge Koch to sit down and let the meeting begin.

Koch, a World War I veteran, has survived 14 mayors in his job, which includes directing programs and parades on major holidays. He has been employed by the city for 53 years. The city doesn't pay him much, doesn't give him offical secretarial help (though he borrows "the girls" from other offices every now and then) and keeps him in a basement office.

Still, he has not been totally neglected. Sunday is his 95th birthday, and on Friday the city is giving him a big party, with hundreds expected to attend first a program in City Council chambers, then a public reception in City Hall rotunda.

Originally intended as a surprise for Koch (pronounced "cook"), the party is now public news since too many people couldn't keep the secret.

It seems more fitting this way, since large events have long been Koch's forte. Although parades are his bread and butter, Koch is also well know for having shaken the hands of, according to him, 480,000 servicemen and women on their way to war.

"I put all those men on trains," Koch said. "I encouraged them to do their job. I told their families if they raised their boys carefully, they'd be good soldiers.

"I wished the boys good luck before they left. I got the satisfaction of looking into their faces."

The meeting is on. Larry Bicking, director of parks, recreation and properties is, along with the other men in suits, trying to sell the idea of putting an underground garage beneath Mall A, also known as War Memorial Plaza. The suits are pitching to Koch and representatives of veterans groups, who are concerned that the plaza's integrity not be damaged.

Solicitous and almost too enthusiastic, the suits present plans for a memorial park on the plaza grounds honoring America's war veterans. "We had to run this by you before we could do anything," one of the suits tells the veterans.

Koch asks a question about bannisters and they tell him his point is well taken. He pauses, has another idea, then speaks again, interrupting an American Legion guy who is asking his own question.

"Chester, please!" the guy says sharply in an exasperated tone. Koch again falls silent.

At the end of the meeting, the veterans approve of the park, which was going to be built regardless of their opinion, one gets the feeling. A suit sitting in the back of the room, behind the veterans, gives an unseen thumbsup sign to the boss suits, then leaves.

"You gentlemen did a masterful job," Koch tells the suits. Then he gets into a discussion with a veteran who is still angry that the city changed the name of Liberty Blvd., which honored World War I veterans, to Martin Luther King Jr. Dr. "They took Liberty away from us (veterans)," he says.

Koch agrees with the man, saying, "Well (Mayor George) Voinovich didn't know what he was signing" when he allowed the name change. "The legislation passed so quickly, they didn't understand what was going on."

Koch is still vital, still energetic. He looks good in a blue-gray suit with sharp pants creases. The ruby tie stud is a nice touch. The hair that's left turned white long ago. He walks slowly with a brown cane, but manages to get around.

All in all, he believes, these aren't bad times. "There's more patriotism today than in years and years," he says. "More fervor. There are more flags used now than ever. Manufacturers can't keep up.

"I think that seeing the flag makes people avoid doing things of an unpatriotic nature."

Koch says he devotes all his time to patriotic activities, to meeting with veterans groups, to understanding their needs.

"I don't know how it all developed," says the Louisville, Ky., native, who came to Cleveland in 1910 and decided to stay. He was a clerk for years, then began talking to the soldiers going off to war. His destiny was set.

He has been in on the planning of all the big veterans events since then. The only one the city has kept him out of is his own party.

"They won't tell me anything," he says. "It's one of the most unusual things in my lifetime."

WOODROW WILSON HIGH SCHOOL'S 50TH ANNIVERSARY, MAY 16, 1987

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. ROYBAL. Mr. Speaker, on May 16, 1987, Woodrow Wilson High School in Los Angeles, CA, will celebrate 50 years of dedicated service to the Los Angeles Unified School District and the communities of El Sereno and City Terrace.

Built during the height of the depression, funding for Wilson was made available through FDR's Work Projects Administration. Designed to meet the needs of a growing population, plans were made to construct several buildings in addition to that left by Farmdale School, originally located on the sight.

As the student body at Wilson grew, so did the school's importance to the communities it served. In 1939 Wilson entered athletic competition in football, basketball, baseball, track, tennis, and gymnastics. In 1942 however, many of the athletic programs as well as other extracurricular activities at Wilson were cut back due to the shortages brought on by the war. But Wilson persevered, and the end of the war saw further growth in academic and outside school programs.

By the early 1960's it was clear that the existing buildings and number of faculty at Wilson could not accommodate the growing number of students. In 1976 ground was broken on a site close to the original property, and in 1969 a new Wilson High opened its doors.

During its 50 years of operation, Wilson has turned out many fine students and has built quite an academic reputation. The class of 1985 ranked fourth in the percentage of Los Angeles high school graduates enrolling in postsecondary institutions. In sports, Wilson has also proved to be a tough competitor. The nationally acclaimed football team won four consecutive city championships between 1974 and 1978.

Today, the Wilson High student body numbers approximately 2,300. Students continue their outstanding performances academically and athletically. Wilson has served the northeast area of Los Angeles for 50 years and is a shining example of all the components necessary for the success of an academic institution.

I wanted to share Wilson High School's excellent record with my colleagues, and I send my sincere and heartfelt congratulations to all of the students and faculty at Wilson, past and present, for providing such a high standard of education, and for adding so much to the communities which Wilson serves.

HONORING LAURA BALVERDE SANCHEZ, 1987 SMALL BUSINESS PERSON OF THE YEAR

HON. ESTEBAN EDWARD TORRES

OF CALIFORINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. TORRES. Mr. Speaker, I rise today to honor my close friend, Laura Balverde Sanchez, president of the New El Rey Sausage Co. of Los Angeles who was selected by the U.S. Small Business Administration as the 1987 Small Business Person of the Year.

In my opinion, Laura best exemplifies the attributes of this award. In addition to her entrepreneurial accomplishments, Laura is considered to be a role model for Hispanics and women. She is often called upon to assist with various community and emergency efforts. I know, first hand, that Laura is respected and appreciated by my colleagues and many community organizations that benefit from her assistance.

Laura took a failing company on the verge of bankruptcy and turned it around to a multimillion dollar endeavor in only 4 years. When Laura acquired the El Rey Sausage Co., its monthly sales were only $14,000, not even enough to meet payroll for 11 employees and its only products, pork and beef Chorizo, and a Mexican style sausage, has been off most grocery store shelves for more than 6 months.

Today, the New El Rey Sausage Co. has experienced months where sale exceed $300,000. It has a growing annual volume surpassing $3 million, with $4.5 million projected within the year. Staff has grown to 39 employees and an increasing number of retail stores and restaurants stock an expanded line of eight products featuring five kinds of sausage.

Laura Balverde was born in Los Angeles and grew up in Monterey Park. She graduated from Mark Keppel High School in Alhambra and enrolled at California State University, Los Angeles, after graduation. After 1½ years she transferred to UCLA and received her B.A. at UCLA in 1983.

Laura is married to Joseph M. Sanchez, founding president of Civil Center Sales, a discount retail grocery chain in Los Angeles and president of the Mexican American Grocers Association.

One of Laura's best qualities is her ability to articulate the needs and recommendations of small business operators.

I have called on Laura for consultation on matters that come before the Small Business Committee. During the California State White House Conference on Small Business, I observed Laura describe to the participants the problems faced by small business owners in the State. She impressed me with her presentations because she stated the problem and offered possible solutions.

As a successful business owner and operator, Laura has demonstrated that an excellent product line along with quality and service leads to growth and happy customers. In business, Laura has remained competitive and profitable in a nontraditional field—meat-processing—while maintaining her involvement with the community.

Mr. Speaker, I ask my colleagues to join me in saluting Laura Balverde-Sanchez, 1987 Small Business Person of the Year.

TRIBUTE TO MSGR. JOHN E. MORRIS

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. ROE. Mr. Speaker, on Sunday, May 17, residents of my Eighth Congressional District and the State of New Jersey will join the parish community of Holy Trinity Church and Msgr. John E. Morris in celebration of the 40th anniversary of his consecration into the sacrament of holy orders.

Mr. Speaker, the faith and devotion of our people in a full communion of understanding—ever caring and respecting the individual religious beliefs of our fellowman has been the lifeline of our democracy—ever inspiring our people with hope and urging the individual on to great achievements and purpose in pursing the fulfillment of his or her dreams and ambitions. The exemplary leadership and outstanding efforts of our citizens so important to our quality of life are in the vanguard of the American dream and today we express our appreciation to Msgr. John E. Morris whose esteemed dedication and unselfish devotion in promulgating spiritual guidance, goodwill, fellowship, and brotherhood in service to God have truly enriched our community, State, and Nation.

Monsignor Morris has maintained the highest standards of excellence throughout his lifetime and we are pleased to share the pride of his family, many, many, friends, and parishioners in the distinguished achievements, so unselfishly dedicated to the betterment of mankind. There is so much that can be said of the love, affection, and reverence with which Monsignor Morris is held by all who have had the good fortune to know him. He was born in Brooklyn, NY, the son of Mary Cassion and John E. Morris.

Mr. Speaker, we are so proud to have Monsignor Morris with us in Passaic, NJ. He is the copastor of the Holy Trinity Church. Immediately preceding his pastorate at Holy Trinity Church, Monsignor Morris served as vicar of Southern Passiac from 1979 to 1984. Prior to his appointment as vicar, he served in the following positions: Defender of the bond, matrimonal tribunal, member of the commission for ecumenism, member of the commission for economic opportunity, member of the board of examiners of the clergy, member of the sites and building commission, and chaplain to the Little Sisters of the Poor from September 9, 1964, to June 29, 1971. In addition, he served as diocesan counselor, associate superintendent of schools, spiritual director of Pope Pius XII High School, and director of secondary education in the Paterson Diocese.

Monsignor Morris completed his theology studies for the diocese of Paterson at Catholic University in Washington, DC. He subsequently obtained a doctor of philosophy from that venerable institution. He was ordained to the priesthood at the cathedral in Newark on May 31, 1947, by Archbishop Thomas J. Walsh. He was elevated to monsignor in 1981 by Pope John Paul II. His personal commitment to the Almighty and to our people have earned him all the respect and reverence of all his parishioners.

Mr. Speaker, I appreciate the opportunity to present this brief profile of a distinguished man of God who has dedicated his life's purpose and fulfillment to helping others and guiding them in their pathway of life. The quality of his leadership is mirrored in the security and dignity that his parishioners have found in the comfort and aid he unselfishly and willingly gives to those in need and those who seek his helping hand and spiritual guidance.

Mr. Speaker, as Monsignor Morris celebrates the 40th anniversary of his ordination to the priesthood I know that you and all of our colleagues here in the Congress will want to join with me in extending our warmest greetings and felicitations for the excellence of his service to his church, our Nation, and all mankind. We do indeed salute an esteemed pastor, exemplary clergyman, and great American—Msgr. E. Morris, pastor of Holy Trinity Church, Passaic, NJ.

THE 24TH DISTRICT CONGRESSIONAL ARTS COMPETITION, "AN ARTISTIC DISCOVERY," WINNERS ANNOUNCED

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. FROST. Mr. Speaker, on Friday, May 8, I had the pleasure of announcing the winners of my 24th District Congressional Arts Competition, known as "An Artistic Discovery." High school students from throughout my congressional district submitted entries in this program, and each of them showed tremendous talents in their field.

The grand prize winner for 1987 is Rene Rodriquez of the Arts Magnet High School in Dallas. Rene's teacher is Ms. Josephine Jones, and both of them are to be congratulated.

The first runner-up is Na Dinh Phu of Kimball High School in the Oak Cliff part of the city of Dallas. Na Dinh's teacher is Ms. Laura Gillory.

The second runner-up is Jacke Kimberlin of Nimitz High School in Irving, TX. Jacke's teacher is Mr. Danny White.

Honorable mention recipients were Heath Stallings of the Tyler Street Academy in Oak Cliff, whose teacher is Mrs. Linda Camp, and Lori Evans of Coppell High School of Coppell, TX, whose teacher is Mrs. Eilen Thedford.

My sincere congratulations go to each of these young men and women and the others who participated in this year's competition.

CONTINUE FUNDING FOR REA

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. DYSON. Mr. Speaker, I rise today in support of the continuation of funds for the Rural Electrification Administration [REA]. For nearly 50 years now, the REA has financed the delivery of electric service to the far reaches of America that large power companies refused to serve. The REA's created generation and transmission cooperatives—powerplants and networks of extra-high-voltage lines, which today reach over vast regions to meet the electrical needs of America's farms, ranches, businesses, and industries.

Today, about 2 million miles of rural electric lines carry power to more than 25 million rural Americans. The more than 1,000 rural electric systems have conquered problems of climate, distance, and terrain. They have lightened the workloads of farmers and their families, but even more importantly, they have increased agricultural productivity and stimulated rural development.

Maryland's First Congressional District—which I represent—has two REA's: the Southern Maryland Electric Co-op and the Choptank Electric Co-op which serve over 233,945 people on 10,060 miles of line on Maryland's Eastern Shore and southern Maryland. Unfortunately, President Reagan has proposed in his fiscal year 1988 budget to eliminate all existing funds by 1990.

The President's proposal would essentially phase out the entire loan program by 1990. The administration seeks to cut loan levels for REA-insured loans to $258 million in fiscal year 1988, and to $129 million in fiscal year 1989 and in fiscal year 1990, replacing the existing insured loan program with one that would rely totally on private capital with only a 70-percent guarantee. An affordable source of capital is essential if rural electric systems are to continue providing sound, viable electric power to people in rural communities.

Mr. Speaker, the 100th Congress has a long-standing commitment to protect the growth and well-being of its rural citizens. I urge my colleagues to not sit idle and watch an important part of our American heritage erode. It is my most thoughtful conclusion that this House consider the following resolutions presented to me by the Choptank Electric Cooperative and the Southern Maryland Electric Cooperative respectively.

RESOLUTION ADOPTED BY BOARD OF DIRECTORS AT MEETING HELD APRIL 21, 1987

Whereas, the Rural Electrification Administration, an agency of the U.S. Department of Agriculture, which makes essential loans to electric cooperatives, has been targeted for elimination by the national Administration; and

Whereas, the elimination of REA will destroy the foundation which has enabled our electric cooperatives to serve our nation so well with dependable, affordable electric service over the past 50 years; and

Whereas, the rate increases resulting from such ill advised action are the equivalent of new taxes on our electric cooperative member-consumers;

Now, therefore be it resolved, that the Board of Directors of Southern Maryland Electric Cooperative, Inc. in official session on April 21, 1987, calls on the members of the Congressional Delegation of Maryland to oppose the elimination of REA and work to preserve the essential REA credit programs that significantly contribute to the financial ability of electric cooperatives to adequately serve their assigned service areas in our three-state area and the nation.

RESOLUTION IN OPPOSITION TO THE SALE OF POWER MARKETING AGENCIES

Whereas, the national Administration has proposed the sale of the Southeastern Power Administration and the Tennessee Valley Authority which markets federal power; and

Whereas, the Southeastern Power Administration, which sells hydropower to electric cooperatives and municipal systems, is a major power supplier in the region; and

Whereas, this sale would increase electric rates significantly for people served through consumer-owned systems, destroy jobs and opportunities for expanded economic growth, and create additional hardship and suffering for many of our cooperative service areas;

Now therefore be it resolved, that the Board of Directors of Choptank Electric Cooperative, Inc., in official session on April 20, 1987, calls on the members of the Congressional Delegation of Maryland to oppose the study, sale, transfer, exchange, lease or other disposition of the Southeastern Power Administration, the Tennessee Valley Authority and the other federal power marketing agencies, including power plants, transmissions and related facilities.

OUTSTANDING STUDENTS FROM QUINCY HIGH SCHOOL

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. DURBIN. Mr. Speaker, this week many outstanding students from Quincy High School in my district are recovering from an exhausting weekend. Not from a weekend of athletic performance, but from the culmination of months of mental training for an academic competition.

On May 9, Quincy High School won the first statewide Scholastic Bowl competition in Illinois. This event, much like "College Bowl" of the early 1960's, features two teams from different high schools, competing to answer difficult questions from several academic fields. This program was planned by the Illinois High School Association to draw attention to students' academic efforts.

Mr. Speaker, seven Quincy High School students, led by their coach Beth Young, not only won the competition, they did so by an overwhelming margin. Confidently answering the toughest questions about literature, music, science, mathematics and social studies, the Quincy team convincingly overcame four other teams in 6 hours to win the championship.

In the final, Quincy faced a formidable opponent in Salem High School, the southern Illinois challenger with a 47-6 record going into the match. The outcome was a landslide 539-275 victory for coach Young and the seven team members: Scott Bach, Jennifer Distlehorst, Dave Holsinger, Dana Morrall, Matt O'Neal, Jon Wanagat, and Kent Williams.

I make these announcements today not in an effort to boast, although few would criticize me for doing so. I want to point out that in today's society, we too seldom hear the accomplishments of those who are outstanding in the academic field. While the physical achievements of our young athletes are something to admire and applaud, we must remember the importance of rewarding those who attain high scholastic standards.

I congratulate the students of the Quincy High School Scholastic Bowl team, and take great pride in the educational example they have set in my district.

A NATIONAL DEBT PERSPECTIVE

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. OXLEY. Mr. Speaker, as we consider legislation to increase the public debt limit this week, I want to share with my colleagues the following words from a news article recently brought to my attention by my constituent, Mr. W.A. Ross, Jr.

[From the Republican Herald, Sidney, OH, Jan. 3, 1835]

NATIONAL DEBT

Let it be remembered, that on the first day of January, A.D., 1835, the United States will be entirely clear of a National Debt!

On the 1st of January, 1791, this debt was $75,463,476.52. On the first of January, 1816, in consequence of the war, it had risen to $127,334,933.74. Only nine years ago it was $81,000,000. Since the beginning of the year 1826, we have paid off, including interest, very nearly one hundred millions of dollars, over and above our current expenses, and yet the people have not been oppressed—no one can complain of being heavily taxed! What a striking illustration is this of the strength, the energy, and resources of the American people; and what a beautiful commentary on the advantages of Free Government!

This article, which appeared in the Saturday, January 3, 1835 edition of the Republican Herald of Sidney, OH, is certainly interesting food for thought. I hope that my colleagues will find it to be of interest.

HONORING PENNSYLVANIA VOTER HALL OF FAMERS

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GOODLING. Mr. Speaker, I would like to commend and extend congratulations to members of the Pennsylvania Voter Hall of Fame from the 19th Congressional District. There are now a total of 24 inductees in the hall of fame from the district.

Membership is open to all registered Pennsylvania voters who have voted consecutively in every November election for which they were eligible for at least 50 years. The candidates must also encourage the registration of new voters.

Abraham Lincoln once said:

> America will never be destroyed by a foreign army of soldiers. Destruction can only come from within. And the most powerful force of self-destruction is indifference.

These folks are inspirational examples of proud, patriotic citizens who care about and participate in the government of their Nation. We should all congratulate them on their outstanding record of citizenship.

Among the 24 inductees from my district are 6 charter members, Hon. George I. Bloom, Charles E. Pugh and John Scotzin of Camp Hill, James A. Hubley and William J.B. Mummert of York, and Hon. Burton R. Laub of Carlisle. The other 18 members are Clyde D. Dahlheimer, Charles I. Floyd, Oliver C. Nace, Emerson D. Portner, Robert W. Schiding, Dorothy L. K. Schiding, and David F. Whare of York; R. Gertrude Ham of New Cumberland, L. Richard Hertzler and Howard D. Miller of Carlise; Harold B. Miller and S. Ethel Miller of Shiremanstown; Ethel D. Butterfield of Gettysburg; Irene H. Nailor and Vance T. Nailor of Mechanicsburg; and Alton P. Gery, Myrtle N. Gery, and Mary E. Crain of Camp Hill.

A TRIBUTE TO JIM THORPE

HON. WES WATKINS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. WATKINS. Mr. Speaker, May 22, 1987, marks the centennial of the birth of James Francis (Jim) Thorpe, a Native American of Sac and Fox, Irish and French ancestry who, along with Will Rogers, Oklahoma's world recognized humorist, probably put "Oklahoma" on the lips of more people than any other two individuals. This, of course, does not count the millions of times that the musical "Oklahoma!" has been rendered.

Oklahoma and Oklahomans were and are proud of Jim Thorpe. The Oklahoma delegation worked for a number of years with his family to see that justice was done and the return of the 1912 Olympic gold medals earned by Jim's winning the pentathlon and decathlon in Sweden. Revoked in 1913 based on the charge that he was not an amateur athlete, the gold medals were returned to the family in 1984 and are now on display below the James Banks Wilson portrait of Jim, hanging in the State Capitol rotunda.

Born in a cabin near Prague, OK, on May 22, 1887, Jim was a twin to Charlie who died at the age of 10 from pneumonia and smallpox. Charlie's death, and those of his parents in the next 6 years, had a long lasting impact on Thorpe's life. As a youngster, he had run away from a mission school near his home for the freedom of the outdoors a young Indian boy could enjoy, running, swimming and playing. After Charlie's death, Jim again returned to school, but ran away once more. His father, seeking to assure his son an education, this time enrolled him to Haskell Institute in Lawrence, KS. It was here he was first exposed to organized football.

At the turn of the century, the Carlisle Indian School football team visited Haskell. Carlisle had been founded a few years before Jim's birth, by Capt. William Henry Pratt who was, ironically, originally the "jailer" of some Native Americans imprisoned by the Army, probably illegally, from what is now Oklahoma.

Thorpe had a dream of playing for Carlisle and, in 1904, moved there for his studies—and football. It is said that Glenn Scobey "Pop" Warner made Jim Thorpe famous: the corollary also holds. The two mutually benefited each other. Warner learned of 16-year-old Jim's track and field exploits competing successfully against upper classmen and enlisted his talents for the football team.

In 1908, as a 19-year old, Jim developed his placekicking skills which stood him in good stead the rest of his athletic career. He led Carlisle to a 10-2-1 season and was named third-team All-American.

It was the summer of 1909 that Thorpe made a decision that proved to be costly: He played baseball for Rocky Mount in the East Carolina League for $15 a week, barely enough for living expenses. He enjoyed baseball so much that he decided, in 1910, not to return to Carlisle and instead played semi-pro baseball.

In the summer of 1911, in a chance encounter with a teammate from Carlisle, Albert Exendine, Jim learned the Carlisle team, fairing poorly, sorely missed him. He telegraphed Coach Warner who had Jim readmitted to Carlisle to play football and also to be placed in training as a candidate for the 1912 Olympics.

The return to football was effortless for Jim. In the first big game against the University of Pittsburgh, Thorpe kicked and ran with outstanding results, leading the Indians to a 17-0 victory.

In Cambridge, 30,000 fans turned out as the Harvard coaches decided they would use only the reserves against the "Indian kids".

Nursing an injured leg, Thorpe still scored a touchdown and kicked field goals to pace the Carlisle Indians 15-9 when the Harvard varsity came on the field in the fourth quarter.

But, it was too late as Thorpe, with an ankle bandaged, kicked his fourth field goal (from 48 yards) while the team held Harvard to one touchdown for the final 18-15 victory.

Sports historians cite that game as one of the greatest displays of football of all time, hinging on Thorpe's giving one of his greatest game efforts. Later that season, Thorpe punted against Brown for 83 yards, then a new collegiate record.

Warner coached Thorpe and a teammate, Louis Tewanima, a Hopi, for the Olympic tryouts, in which Thorpe won 11 gold, 4 silver, and 3 three bronze medals while Tewanima won most of the long-distance races he entered.

In Sweden, the 23-year old Thorpe won the pentathlon gold medal by winning the broad jump, placing third in the javelin, and winning the discus, the 200 meter dash, and the 1500 meter race, turning in a crowd-stunning time of 4:44.8.

The next event, the decathlon, was spread over 3 days with Jim placing third in the 100-meter dash, and second in the running broad jump. He placed first in the shot put, giving him a slight first day lead.

The next day, under cleared skies, Thorpe took first in the running high jump (6 feet 1½ inches) won the 110-meter high hurdles in record time of 15.6 seconds, but placed only fourth in the 400-meter race. Still, he maintained his lead.

The final day, Thorpe, lacking in training and experience in the discus, javelin, and pole vault, he still took a second and two thirds. It was in the final event, the 1500-meter race, in which Thorpe displayed the qualities which made him the outstanding athlete he was: he won the race, in spite of fatigue, with a time of 4 minutes, 40.1 seconds, bettering his own record. Over the 3 days of competition, he amassed 8,412.96 points out of a possible 10,000, a record which stood until 1926. Swedish King Gustav V, in awarding him his second gold medal, proclaimed him to be the greatest athlete in the world.

In January 1913, a newspaper reported Thorpe's playing semipro ball prior to the Olympics. In spite of a worldwide outcry, the Amateur Athletic Union revoked his medals and had his name stricken from the record books for all athletic events in which he had taken part after his involvement in baseball.

Thorpe then entered the world of professional athletics full time, playing baseball for the New York Giants, Cincinnati Reds, and Boston Braves. He played football for several teams, including the Canton Bulldogs. In later years, to earn a modest living, he gave lectures and football exhibitions, which included a dropkicking demonstration at New York's Polo Grounds when he was 61.

In 1945, he became a carpenter in the Merchant Marine and married Patricia Askew who helped him organize his life, and later, after his death, took up his cause to be reinstated as an amateur.

Thorpe in 1950 was named by the Associated Press the "best male athlete of the half-century." In 1958, he was elected to the National Indian Hall of Fame, and in 1963, he was selected as charter member of the Professional Football Hall of Fame.

After many long years, the International Olympic Committee restored Thorpe's honors at an official ceremony in 1983 and presented his family with replicas of his gold medals. These medals, in turn, were presented to the State of Oklahoma in 1986 where they are now on display.

Mr. Speaker, we are told that we all need heroes. We each individually seek and find these heroes in persons and positions which best fit our individual needs. There is no doubt that Jim Thorpe was considered, and rightfully so, a great hero to many people and many generations. And I am pleased today to offer this tribute to him and his legacy.

THE FLOOR SCHEDULE: DON'T MAKE US CHOOSE BETWEEN VOTING AND OUR CONSTITUENTS

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Miss SCHNEIDER. Mr. Speaker, last week, I missed a number of votes on the Department of Defense authorization. These votes were not trivial. In fact, they were of great interest to me and to my constituents. But because the leadership changed the floor schedule at the last minute, I found myself confronted with the decision of whether I should stay in Washington to vote or return to my district to keep commitments I had made weeks earlier. This was a difficult decision for me, but in the end, I felt that I was obligated to go home and meet with my constituents, many of whom had adjusted their own schedules much earlier in order to accommodate mine.

I recognize the importance of the DOD authorization. I understand that there were over 100 amendments to be considered, and I appreciate the need to finish work on this one bill as expeditiously as possible so we can get on to other pressing matters. If there is work to be done, then we should stay until it is finished. But we should be notified well in advance so appointments can be rearranged and plane flights rescheduled. One week is simply not enough time. For most of us, 2 weeks notice is the absolute minimum and 3 weeks or a month is preferable.

Mr. Speaker, this is a matter of concern to all of us, Republican and Democrat, northerner and southerner, conservative and liberal alike. We were all elected to serve our constituents and we have all pledged to be sensitive to their needs. Seeing to constituent needs at home is as important as casting votes and it should be given the same priority.

For my part, I would prefer that we stick to the schedule we all agreed to earlier in the year. If late nights and extra sessions are needed, however, let us know weeks, not days ahead of time. That's not much to ask but it will enable us to meet our dual responsibilities, in our districts and in Washington.

PERSONAL EXPLANATION

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. MAZZOLI. Mr. Speaker, I was unavoidably absent for recorded votes on Friday, May 8, 1987. Had I been present, I would have voted:

"Yea" on roll No. 96, to approve the Journal of Thursday, May 7, 1987;

"Yea" on roll No. 97, the Michel motion to instruct House conferees on H.R. 558, homeless assistance legislation, to agree to section 1001 of the Senate amendment requiring that appropriations not exceed the levels established by the Gramm-Rudman-Hollings;

"No" on roll No. 98, the Mrazek amendment to H.R. 1748, Department of Defense authorizations for fiscal years 1988—89, which recommended that the President develop a plan for the orderly reduction of U.S. military personnel and activities in Korea during fiscal year 1988-92.

"No" on roll No. 99, the AuCoin substitute amendment to the Bennett amendment to H.R. 1748, Department of Defense authorizations for fiscal years 1988-89, that sought to exempt naval aircraft repair facilities from certain public-private competition required for naval ship repair work;

"Aye" on roll No. 100, the Montgomery amendment to H.R. 1748, Department of Defense authorization for fiscal year 1988-89, that increases the full time and Reserve Components of the National Guard; and

"Aye"on roll No. 101, the Smith amendment to H.R. 1748, Department of Defense authorizations for fiscal year 1989, that continues for 1 year the eligibility of certain institutions to provide heart and lung treatment under CHAMPUS and requires GAO to report on payment of certain medical expenses.

STEWART McKINNEY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. CRANE. Mr. Speaker, I would like to add my name to the long list of those saddened by the death of our distinguished colleague, Stewart McKinney.

The voters of Connecticut first sent Stew McKinney to the House of Representatives the year after my first election to Congress. We became friends shortly after he took office, serving together on the House Banking Committee, seated next to each other for 4 years on the low end of the committee's seniority ladder.

Stewart McKinney was an outstanding Member of Congress. Few served their constituents as well—and none better—than the Congressman from Connecticut's Fourth Congressional District. And, while you could disagree with some of his positions and votes on issues, you could never deny that Stew McKinney was a man of integrity, a man of compassion and understanding, and a man of wisdom. And, of utmost importance to me, I shall ever be grateful that I was to know Stew McKinney as my good friend.

TRIBUTE TO A BUILDER OF RURAL AMERICA

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. TRAXLER. Mr. Speaker, rural America, soil conservation, and the Resource Conservation and Development Program lost a good friend and a tireless worker April 3 with the death of Dwight Spuller of Branch, MI.

I came to know Dwight through my efforts to increase the emphasis of the RC&D Program and to increase it's involvement in the orderly growth of rural America. Dwight served, for a time, as a regional president of the RC&D organization nationally along with other dedicated volunteers who are doing their part to improve the quality of life in America's rural areas. He had appeared before the House Appropriations Subcommittee on Rural Development, Agriculture and Related Agencies, on which I have the honor to serve, many times and always presented a concise and clear picture of not only where we were but also where we needed to be going with rural development and soil and water conservation. I garnered sound advice from Dwight on many occasions.

Dwight's dedication to the land which he farmed and loved are evident from the countless hours he spent devoted to improving the land and its bounty for his neighbors, whether they lived in Michigan, Oklahoma, New Jersey, South Carolina or any of the other 50 States. He had been a director of the Mason-Lake Soil Conservation district in Michigan from 1953 until 1986. He was also chairman of the Northwest Michigan RC&D Council from 1979 until his death. His dedication is evidenced by the fact that the day before his death he was involved in RC&D and Soil Conservation work.

He had served as president and vice president of the Michigan Association of Conservation Districts, member of the State conservation committee, member of the National Association of Conservation Districts, Soil Conservation Society of America, American Forestry Association, farm bureau, and grange. His work on behalf of agriculture and forestry was recognized many times including his receiving the Goodyear Award in 1950 and 1955, FFA awards, other conservation awards and in 1969, he was named Michigan Tree Farmer of the Year.

He began farm management upon his graduation from high school until 1959, when he took over ownership of the farm. He was a dairyman, active in a tree planting and landscaping business, as well as home and cabin builder.

Dwight Spuller's active advice will be missed, but perhaps we can all learn from what he advised new council members:

> Choose your own course and follow it. Get involved in regional, State, and national soil conservation activities.

That's the course Dwight Spuller charted and the Nation is the better for having a friend in Dwight Spuller.

Therefore, I think it most appropriate that the Dwight Spuller Memorial Fund has been established by the Mason-Lake Soil Conservation District, 862 West US-10, Scottville, MI.

PERSONAL EXPLANATION

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. MOODY. Mr. Speaker, I was unavoidably absent on official business yesterday. Had I been here, I would have voted "no" on the Hunter amendment to require that short-term work on Naval Reserve ships home ported on the west coast be performed at the home port; "yes" on the Hunter amendment to require that certain ship maintenance contract bids include the cost of moving the ship from its port to its repair location; "yes" on the Young amendment to extend the Department of Defense Polygraph Test Program, and "no" on the Armey amendment to establish a Commission that would recommend military base closures.

THE FEDERAL PROCUREMENT LIABILITY REFORM ACT OF 1987

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. FEIGHAN. Mr. Speaker, today we hear a great deal about America's ability to compete in the world marketplace. Already, your eloquent and passionate advocacy of a more competitive America has set the stage for the most far-reaching legislative agenda in many years. We all share a strong commitment to keep the United States competitive. This is no small task for a nation which, for the past 200 years, has set the standard for quality and industrial leadership. My own hometown of Cleveland is proud to have some of our Nation's leading corporate citizens as residents.

America has been successful in the world marketplace because we are a society of innovators and risk-takers. These qualities have made us vibrant competitors and have contributed to our standing as a world power. In our search to explore new ways to promote competitiveness, we cannot afford to ignore any options.

Already in the debate over competitiveness, we have heard a great deal of discussion about investment in education, export promotion, job training for displaced workers, and a number of other positive legislative initiatives.

Among the proposals that Congress must consider is one for Government contractor liability reform. Indeed, one of the best ways Congress can help ensure our international competitiveness is to recognize the very real liability problems facing Government contractors that provide goods or services in the vanguard of new technologies.

In areas such as national defense, transportation safety, and environmental protection, the work of these contractors confers tremendous national benefits as well as long-term competitive advantages. Unfortunately, these small goods and services often involve potential catastrophic risk. As a consequence, we now may forfeit vital innovative expertise because of the potential catastrophic liability associated with these goods and services.

The Nation's ability to compete in world markets depends upon the development of sophisticated technology. This technology is often pioneered in projects that are either largely or exclusively governmental in nature. It is doubtful that the best and brightest of our Nation's scientists, engineers, and inventors will seek to broaden the technological horizon with new products and processes that could lead to draconian liability and financial ruin.

Any individual smart enough to build a better mousetrap is also clever enough to avoid speculative technologies that might lead to liability so great that everything he or she has worked for in life is at jeopardy. The alternative for such entrepreneurs is easy—stay in traditional product areas and avoid uninsurable risks.

Some persons argue that potential profits will always spur businesses to develop new technologies. However, who will take such risks given the potential liability? The answer is simple—those with little or nothing to lose. Such companies would be unable to adequately compensate victims should a tragedy occur. As a matter of public policy, is this what we want to encourage? I think not.

In order to further the twin goals of enhancing American industrial competitiveness and adequately compensating victims, today I am introducing the Federal Procurement Liability Reform Act of 1987. The bill is simple, effective, and straightforward.

First, the bill provides for the indemnification of contractors for losses resulting from the performance of any Government contract if those losses are in excess of agreed upon insurance or an amount that would be considered reasonable at the time liability occurred—section 2. This indemnification would not apply if the contract is for goods or services that are substantially the same as those provided by the contractor to nongovernmental customers. Nor would it be available for liability resulting from gross negligence, willful misconduct, or lack of good faith by any directors, officers, or managing officials of the contractor.

Second, the bill addresses those situations where a court awards damages from a contractor to a Federal employee for harm resulting from the performance of a contract with the Federal Government—section 3. If that harm resulted in whole or in part from Government fault, the bill provides for reduction of damages owed by the contractor to the Government employee in proportion to the Government's fault in causing the harm.

Mr. Speaker, the time to reform the current antequated system of Government contractor liability is now. I look forward to working with all Members to enact this crucial legislation.

RECOGNIZING THE DEDICATION OF THE "LAST PATROL"

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. BORSKI. Mr. Speaker, I would like to recognize the effort of 10 Vietnam veterans as they pay tribute to the Philadelphians who lost their lives in the Vietnam war.

At this moment, these veterans are in the third day of a 140-mile march from Washington, DC, to Philadelphia. They are marching in the "missing man" formation, carrying with them tracings from the National Memorial of the 628 Philadelphians who died in Vietnam.

This dedicated group is known as the "Last Patrol," a symbolic march to bring their fallen comrades home to Philadelphia. The Last Patrol consists of Philadelphia Memorial President Dennis Fink, Bart Kline, Rich Boettinger, Frank Marshall, Dennis Best, Ed Scott, Al McFadden, Dan Fraley, Butch Gurski, and Lt. Gen. William Hilsman, retired.

The purpose of the 6-day march is to raise funds for the construction of a Vietnam Veterans Memorial in Philadelphia. More than $600,000 has been raised for the monument and it is scheduled to be completed in October at Penn's Landing.

Mr. Speaker, I would like to commend the members of the Last Patrol for their dedication to this worthy cause. Their commitment will ensure that their fallen brothers will never be forgotten.

JOSEPH C. RAZZA—1987 RECIPIENT OF THE VFW OF DEMOCRACY SCHOLARSHIP PROGRAM

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. FAUNTROY. Mr. Speaker, yearly the Veterans of Foreign Wars and the Voice of America, sponsor a national scholarship script writing contest. I am pleased to declare in this august Chamber, that the 1987 winner of this important competition was Joseph Christopher Razza of the District of Columbia.

In light of this signal accomplishment that so ably illustrates the great intellect, potential, and patriotism of the youth of America, I rise to salute Joseph Christopher Razza and to share his brilliant script with my distinguished colleagues:

THE CHALLENGE OF AMERICAN CITIZENSHIP

The challenge of American citizenship is, indeed, great. This challenge is, firstly, to show our love of this country and the people who reside within it, and, secondly, to act for our nation's good with that patriotism in mind.

The patriotism spoken of here is not merely the recital of slogans or singing of patriotic songs on the Fourth of July. This patriotism transcends such symbols; it manifests itself as concern for the nation's well-being. It comes forth as genuine interest in the affairs of one's neighbors, and aid when one's neighbors require it. It is nothing short of love.

But in order for this patriotic love of America to be real, there must be an acceptance of what America is. Although the documents which laid down the foundations of this country are landmarks in the development of modern political philosophy, they alone do not constitute America. America is her people, and each American citizen must accept every other citizen on the basis of being a fellow human being and a fellow American. The conflicts that occur today between various sectors of our community are the result of misunderstanding this tenet.

Whites and blacks must accept each other as comrades, as partners in the American enterprise. Yes, in America's history lies the grim saga of the abuse of blacks by whites—what is needed is an understanding that these communities must now aid each other; that each owes the other respect and cooperation simply because we are all Americans. Just as the struggle of black Americans must be made an integral part of American history courses, so must the history of Asian Americans. It must be made clear that the internment of Japanese Americans in World War II was wrong—because those people were Americans. We cannot shun Hispanic Americans because we want English to be our "official language"—these are our brothers. And we cannot continue denying to the Native American the fact that he was here before the Europeans and the Africans who were bought and brought. Lastly, we must everyday remember the sacrifice and contribution of American veterans; they deserve more than just Memorial Day, Veterans' Day and being on the government's back burner. They deserve our respect and attention.

Yet, even this patriotism is not enough. We owe America action, not just adoration. It is the duty of every American to be aware of what is happening in his neighborhood, in her city, in our country, and in the world at large.

However, every American citizen must do more than be aware and care. When an American citizen receives information, he has a right and a responsibility to analyze it and act upon it. If a public official is taking an action which one feels is imprudent, is immoral, or simply is not the most beneficial to the community, one must make his or her objections known. If one foresees damage resulting from a representative's action, it is one's moral duty to protest that measure. We must care enough about our nation to take some initiative. Not only should we try to help our countrymen, but we owe it to this nation which has nurtured us, protected us and given us room to grow as individuals—we owe it to this nation to lend a hand in solving its problems.

It is imperative that we do this as brothers and sisters within the context of our nation. We must realize the vision of a United States of America.

ENTREPRENEURS ARE IDEAL LEADERS IN OUR SOCIETY

HON. ARTHUR RAVENEL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. RAVENEL. Mr. Speaker, over 200 years ago, our Founding Fathers broke away from a state of servitude in order to control their destinies by establishing unique religious, political, social, and economic systems. Today, this independent and innovative spirit is best exemplified by the millions of entrepreneurs in our country. Entrepreneurs are ideal leaders in our society—organizing, managing, controlling, and assuming risks themselves, then sharing these responsibilities and ideas with others.

In 1985, almost 15 million small businesses, of which 8 million were self-employed, employed more than half our private work force. Imagine—over half of our private sector is hired by independent businesses who are competitively participating with large corporations in our free enterprise system by offering personably and sensitive attention not provided by larger companies. In addition, small businesses, being entrepreneurial, can fill market gaps and fill them rapidly.

Without a doubt, I can say that small business plays a significant role in our economy and in our society. In 1840, Alex de Tocqueville made an interesting observation about our American economy, "What most astonishes me in the United States is not so much the marvelous grandeur of some undertakings as the innumerable multitude of small ones." Should he have had the chance to view our Nation today, in 1987, he would agree that his observation still holds true.

MINORITY BUSINESS DEVELOPMENT CONFERENCE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GEKAS. Mr. Speaker, the city of Harrisburg will hold its third Minority Business Development Conference on Wednesday, May 20, 1987, at the Holiday Inn Center City, Harrisburg. The day-long conference, titled "Making It Happen Now" is sponsored by the office of Minority Business Enterprises, the Harrisburg Redevelopment Authority, the Minority Business Development Agency and the U.S. Department of Commerce.

This conference will offer sessions on business strategies crucial to success such as finding and obtaining procurement opportunities; recruiting and maintaining good employees; finding agencies and development centers which assist small businesses; enforcement of contract rights; "dodge" estimating services; cash flow and cost accounting obtaining necessary capital; selecting the right attorney, accountant, and insurance representative; and effects of the Tax Reform Act on small business.

The conference will feature the Reverend Benjamin Smith, a popular Philadelphia evangelist, and recording star Phyllis Hyman, who received a Tony nomination for "Best Supporting Actress" for her role in the Broadway hit "Sophisticated Ladies."

Reverend Smith, who has pastored the 7,000-member Deliverance Evangelistic Church in Philadelphia for 26 years, holds degrees from Jameson Bible Institute and the American Bible College and an advanced teacher's certificate from the Evangelical Teachers Training Association, and has served as the weekly pastor on "Time of Deliverance" broadcasts heard in the United States, Puerto Rico, Bermuda, and Nigeria since 1977. He published his first book, "God's Total Plan for Your Success," in 1983.

Reverend Smith will speak on the topic "Hope in 87."

Phyllis Hyman, a former member of Pittsburgh's All-City Choir, will speak to conference attendees on the topic of "Making it Happen Now."

Ms. Hyman, whose work in "Sophisticated Ladies" earned her a "Theatre World Award for Most Promising New Talent" as well as critical acclaim, was trained as a legal secretary and worked in a Pittsburgh neighborhood legal services office before joining a group called "The New Direction" and touring major cities across the country.

Hyman has served for the past 2 years as "National Chairperson" for the Federal Government's Department of Housing and Urban Development campaign against housing discrimination.

LEGISLATION TO REQUIRE THE FEDERAL DEPOSIT INSURANCE CORPORATION TO PAY INTEREST ON CERTAIN CERTIFICATES ISSUED BY THE GOLDEN PACIFIC NATIONAL BANK

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GREEN. Mr. Speaker, I recently introduced legislation to bring some justice to members of the Chinese-American community in New York who were severely hurt by the failure of the Golden Pacific National Bank in June 1985.

Though members of the Banking Committee are quite familiar with the situation, let me briefly outline the unique situation of this bank failure.

The Golden Pacific National Bank was declared insolvent on June 21, 1985, after the Office of the Comptroller of the Currency [OCC], acting upon a tip from an informant, conducted a surprise examination of the bank. That examination revealed that over $17 million in deposits had been collected by the bank from receipts from yellow certificates—so named for the color of the paper on which the receipts were printed—which funds had not been booked as deposits by the bank. The proceeds of the yellow certificates had been primarily to fund off-balance-sheet investments by the bank's insiders.

The OCC examination, which was conducted with the cooperation and assistance of the FDIC, revealed that the yellow certificates were in fact deposits with the bank, and not, as the chairman of the bank claimed, special agency accounts. On the basis of the determination that the yellow certificates were deposits, the OCC concluded that there were insufficient assets backing those liabilities and determined that the bank was insolvent.

After the closing of the bank, the FDIC arranged for the transfer of most of the deposits in the bank to the Hong Kong and Shanghai Bank. The yellow certificates were not included in this transfer. The FDIC continued to investigate the yellow certificates on the ground that it was not satisfied that they represent insured deposits.

On July 1, 1985 and August 1, 1985, extensive testimony was taken by the Subcommittee on Financial Institutions Supervision, Regulation and Insurance of the Committee on Banking, Finance and Urban Affairs. The testimony given before the subcommittee explored thoroughly not only the examination of the bank by the OCC in June 1985, but also revealed prior examinations by the OCC of the yellow certification program and determinations of the Federal Reserve Bank, which also concluded that the yellow certificates represented deposits in the bank.

Notwithstanding this accumulation of evidence, representing the combined efforts of the OCC, the FBI, the Federal Reserve Bank and the subcommittee, as well the FDIC, the FDIC concluded that it was unable to make a determination as to the insured status of the yellow certificates, and resorted to a rarely-used statutory provision (12 U.S. 1821(f)) allowing for the FDIC to bring the matter before a Federal court for determination.

After the bank's failure, the bank's holding company, Golden Pacific Bancorp, brought suit against the Comptroller for wrongfully closing the bank on the theory that the Comptroller filed an extensive affidavit and a more than one thousand page administrative record which set forth the reasons why it considered the yellow certificates to be deposits. Judge Thomas Fannery of the U.S. District Court of the District of Columbia dismissed the holding company's lawsuit. This, at the same time that the FDIC was asserting that it could not determine whether the yellow certificates were deposits in the litigation in the Southern District of New York the Comptoller was asserting in the Bancorp litigation that it had correctly determined the deposit status of the certificates.

Following its commencement of litigation, the FDIC continued to insist on pursuing its own investigation into the circumstances surrounding each individual transaction involving a yellow certificate. It was not until October 1986, about 6 months after the initial determination by the OCC that yellow certificates were deposits, that the FDIC made the first payment of insurance proceeds to any holders of yellow certificates. At present, some yellow certificate holders still have not received insurance payments.

As the testimony before the subcommittee demonstrated the vast majority of holders of yellow certificates were non-English speaking Chinese immigrants who had been duped by the bank into entrusting it with their life savings. The impact upon the Chinese community has been substantial. Regrettably, at the very time the FDIC insurance was most needed by the individual depositors it was not available.

The FDIC has no statutory authority to pay interest on insured amounts accuring after a bank is closed. As an agency of the United States, the only way that the FDIC can make such payments is by authorization of Congress. E.g., *Library of Congress* v. *Shaw,* 106 S Ct. 2957 (1986). Normally, deposits of a closed bank are paid within a week of a bank's closing, so there is no real need for such relief. Here the depositors were not paid insurance for about 16 months. The proposed bill would provide relief that can not be obtained from either the FDIC administratively or from the courts.

It has been estimated that this bill would result in an additional expenditure by the FDIC of approximately $1 million. However, there should be little or no net cost to the FDIC, since the funds representing yellow certificate insurance have been unpaid and therefore have been accuring interest in the FDIC's reserve fund during the pendency of the FDIC's litigation.

On behalf of the holders of yellow certificates, I request the Banking Committee to consider this legislation as soon as possible and ask that my colleagues support this most important bill.

TRIBUTE TO REGINALD SMITH

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GALLEGLY. Mr. Speaker, one of the finest newspaper reporters I have had the opportunity to work with in public life, Mr. Reggie Smith, died this week at the all-too-young age of 31. Mr. Smith passed away of complications after exploratory lung surgery at a hospital in Los Angeles, CA.

Reginald Smith exemplified the best in news reporting, looking for relevant facts and not closing his story until satisfied he had the facts. While I was mayor of the city of Simi Valley he began his coverage of the city and local government for the Los Angeles Times Valley Edition. He quickly became known and respected by city staff and the elected officials he covered. He earned this respect because he was, first and foremost, a very real and caring person. He respected the arms-length relationship between reporter and subject, yet always somehow managed to communicate the fact that he cared about the issues and the people he was covering.

Smith joined the Los Angeles Times in 1986, after working as a government and political reporter at the San Diego Evening Tribune and the San Francisco Chronicle. In 1982, he won the Christopher Award, the San Francisco Press Club's highest honor, for a story exposing waste and ineptitude in the city housing authority.

Smith traveled with the Rev. Jesse Jackson during Jackson's unsuccessful Presidential bid and also covered city hall for the Chronicle. A graduate of San Diego State University, where he was editor of the campus newspaper, Smith was a native of Los Angeles. He leaves his parents, Rachel and Elliott Smith, Sr.; two sisters, Carol J. DeMorst and Jacqueline A. Winston, and a brother, Elliott Smith, Jr. My deepest sympathies and condolences go to his family.

But my heartfelt thoughts also must go to his loved ones—Reggie left a caring legacy behind him which I will remember as that of a reporter who lived an all-too-short life, but who condensed into that lifetime the wisdom of an elder and the enthusiasm of his youth. This Member of Congress will not soon forget Reginald Smith, nor will the many other elected and appointed government officials whose professional lives Reggie touched.

MAS FUKAI IN THE BIG LEAGUE

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. DYMALLY. Mr. Speaker, just before the outbreak of World War II, Mas Fukai was a young man with lots of ambition. He aspired to be a professional baseball player. And maybe he could have been. His classmate and school baseball teammate Duke Snider made it, after all. Mas was also going to college. The family just assumed he would be the one to make it. But then the war came, and the powers that be decided that having Americans of Japanese descent along the California coast was not a good idea. So they rounded up Mas and his familly and thousands upon thousands of others, and put them in concentration camps in desolate inland areas like Gila, AZ where they sent Mas.

The 3 years of internment shattered dreams. Mas never had the chance to play professional ball, he did not have the chance to attend college. Instead he went to a vocational school and learned auto body repair. He worked in a General Motors plant for 13 years, then he and his brother opened a gas station and repair shop. Later Mas opened another shop on his own. But this is not a story of failed dreams and lowered expectations. It is a story of triumph, of old dreams being replaced by new dreams. It is a story of fulfillment. Mas Fukai is the personification of the adage that you can't keep a good man down.

Recently, when he became chief deputy to Los Angeles County Supervisor Kenneth Hahn, the Los Angeles Times did an extensive article on Mas. In the article, Mas reflected on his position saying:

> For him—Supervisor Hahn—to have as much confidence in me—little Mas Fukai, body and fender man, to run this office, to run an office with a $950,000 budget—it's very rewarding to me.

I had to smile at that statement because it was so typically Mas. In public life there are plenty of people who are convinced they are much more important than they are. There are not a lot of people whose sense of modesty leads then to see themselves as much less important than they in fact are. Mas is one of those few. Power and grace coexist comfortably in Mas Fukai.

When Supervisor Hahn suffered a stroke in January, Mas was the only person outside of the immediate family who had access to the supervisor. Without fanfare, he has quietly run the supervisor's office since January, amply demonstrating to all that Supervisor Hahn made a wise choice in picking Mas as his right hand man. Mas notes that, despite the stroke, Supervisor Hahn is still in charge. Let's say Mas is doing a sterling job as chief executive officer.

In fact, Supervisor Hahn recognized Mas Fukai's abilities years before he brought him onto his staff. In the late sixties, Mas was looking for a way to see that his two children would spend their free time in ways that would lead them away from opportunities to use drugs. He thought sports would be a good activity, so he organized a baseball league in the city of Gardena. It was so successful that Supervisor Hahn appointed Mas to the county's Narcotics and Dangerous Drug Commission in 1971. His appetite for public life whetted by that experience, Mas ran for the Gardena City Council 3 years later and won. He has occupied a seat on the council ever since, and is consistently among the most popular members of the council. Shortly after Mas won elective office, Supervisor Hahn brought him onto his staff as liaison to the Asian American community. For more than 20 years now, because of the highly visible role he has played on Supervisor Hahn's staff, Mas has been a well known and well liked figure in Los Angeles County politics.

I wanted to take some time to tell my colleagues about this very special individual because I wanted my colleagues to see how effective a role model Mas has been in the Asian American community. He has encouraged and helped other Asian Americans to run successfully for office. A case in point is Michael Mitoma who recently won a seat on the Carson, CA city council. In describing the esteem that Asian Americans hold for Mas, Mitoma told the Los Angeles Times, "He's kind of our guru." Asian Americans have a strong voice in Los Angeles County politics because in the beginning Mas was that voice and now he has shown others how to speak effectively for themselves. When we think about great American heroes I expect many of us have images of heroes in war. I think of those who have empowered their people. I think of great American heroes like Mas Fukai.

GOING FOR THE GOLD

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. DAUB. Mr. Speaker, I rise today to share with my colleagues the outstanding achievements of five young women from Nebraska's Second Congressional District—each of whom decided to go for the gold and got it.

The gold to which I refer is the Girl Scout Gold Award, the highest achievement that a Girl Scout can attain. This award represents the culmination of all the knowledge, skills, experiences, and maturing that is gained through years of Girl Scouting. What is unique about the Gold Award is its emphasis on the individual: her interests, her goals, her commitment.

Once a year on the third Sunday in May, the Great Plains Girl Scout Council of Omaha, NE, honors all the Gold Award recipients. Thus, on Sunday, May 17, 1987, Tobi Richardson, Kris McCoy, and Lynda Brown of Omaha, NE, and Amy Johnson and Karol Persinger of Bellevue, NE, will be formally honored for reaching the hallmark of their Girl Scout careers.

Much leadership, service, and hard work has to be done in order to master the ideals of the Gold Award. The efforts of these five bring to mind a poem by Robert Frost. He writes:

> I shall be telling this with a sigh, somewhere ages and ages hence,
> Two roads diverged in a wood, and I took the one less traveled by,
> And that has made all the difference.

The road less traveled. It is always the more difficult one, but as they travel it, I am sure these Girl Scouts will find that the only barriers along the way are those that they set themselves—in their own minds.

Long after these young ladies put their award in a scrapbook or a drawer of old treasures, they will continue to wear it—no longer pinned on a uniform—but inside, in their outlook on life, in their willingness to take on a new challenge, in their dedication to their families, to their religions, and to the Nation.

DANIEL C. BISBEE TO RECEIVE EAGLE AWARD

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GEKAS. Mr. Speaker, Daniel C. Bisbee of Selinsgrove, PA, will receive his Eagle Award on Wednesday, May 20, 1987, at the Wesley United Methodist Church, Selinsgrove. Daniel is the son of Mr. and Mrs. Fred Bisbee.

Daniel began scouting in September 1980 and became a Webelos in 1982. He earned his Arrow of Light in June 1983. He joined Boy Scout Troop 419 of Selinsgrove in June 1983.

Although Dan is only 14 years old, he is a proven leader in Scouts, his community, school, and church.

For his Eagle project, Dan created an exercise competition program called "Take-A-Hike." Participants pledged to walk, hike, run, or swim 20 minutes a day, three times a week or more. To promote the program, Dan and his fellow Scouts went to businesses, the Kiwanis, and Rotary Clubs in his area to explain and distribute "Take-A-Hike" entry forms, and set up a stand at his local mall. His efforts raised over $400.

Dan is an assistant senior patrol leader and served as a patrol leader. He is an Ordeal Member of the Order of the Arrow since 1985.

Outside of his scouting activities, Dan has been very active in his school. He is a member of the junior varsity track and cross-country team, a reporter for his newspaper, and a member of the Spanish club.

I would ask my colleagues in the U.S. Congress to join me in extending congratulations to Daniel C. Bisbee for earning this worthy and special award. I wish him great success in his future endeavors.

THE BLACK BUDGET

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. GUARINI. Mr. Speaker, the remarkable story about the extensive and careless covert operations to fund the Contras currently unfolding during the Iran-Contra hearings pales in comparison to the billions of dollars the administration is spending every year on its "black budget" programs. Since President Reagan took office in 1981, the black budget, including funds for secret weapons and intelligence agencies, has more than tripled and according to some experts may be more than $35 billion a year.

The black budget was established for legitimate reasons to protect new and developing weapons and to maintain effective intelligence operations. While the protection of Stealth technology from the Soviet Union is inherently necessary, keeping its unbelievable scope and tremendous scale from congressional discretion and oversight is destablizing and dangerous for our government. According to knowledgeable congressional sources, 70 percent of the black budget could be declassified without jeopardizing national security.

Keeping Congress in the dark about the Iran-Contra funding has certainly damaged the Reagan administration politically and has compromised U.S. foreign policy in the geostrategic Middle East. The implications and failures of those covert policies are currently hitting home with the Congress and especially with the American people. Consequently, Congress should begin playing a stronger oversight role in covert foreign policy. The ramifications for the intelligence funding in the black budget remain to be seen.

Perhaps the most damaging aspect of the black budget is the collision course its massive programs are on with the budget constraints we must face. As a member of the Budget Committee, I know that given the substantial reductions Gramm-Rudman will impose on defense spending, priority programs necessary for our basic national defense might suffer because of the secret programs in the black budget. A three part series of Philadelphia Inquirer articles by Tim Weiner present an excellent detailed account of the black budget. Of particular interest, the articles demonstrate the gross negligence, fraud, and waste with which certain black programs are riddled. With no accountability, defense contractors have wasted millions of dollars on flawed projects. Given the importance of this issue for our national defense, I think you will find these articles most interesting. The first article in the series follows:

[From the Philadelphia Inquirer, Feb. 8, 1987]

A GROWING "BLACK BUDGET" PAYS FOR SECRET WEAPONS, COVERT WARS

(By Tim Weiner)

Two years ago, a startling item appeared in President Reagan's budget. It was a military project code-named Aurora, and no further description or explanation was given. But Aurora caught people's attention anyway. That's because the projected budget showed its cost soaring from $80 million in 1986 to $2.3 billion in 1987.

What sort of project grows like that?

Not one the Pentagon wants to talk about.

In the administration's defense budget this year, there is no mention of Aurora. The project and its billions have "gone black"—vanished into the vast cache of secret accounts that the Pentagon calls its "black budget."

Since President Reagan took office in 1981, his administration has more than tripled the black budget. This secret spending for classified programs now totals at least $35 billion a year, according to an Inquirer investigation of Defense Department records, corroborated by Pentagon and congressional sources. It now accounts for 11 percent of the Pentagon's current $312 billion spending request, and that number is bound to swell, for the black budget is growing faster than any other major sector of the federal government.

The Pentagon says nothing publicly about the black budget, and most members of Congress have no access to details about it.

Under the cloak of black-budget secrecy, the Reagan administration is spending billions on nuclear bombers and millions to train dolphins as underwater saboteurs. It has developed elaborate plans for winning a months-long nuclear war—World War III—and preparing for World War IV. The plans include robots stalking radioactive battlegrounds, satellites orchestrating nuclear attacks and generals speeding along interstates in lead-lined trucks, ordering warheads fired from faraway silos.

The black budget also funds a host of secret weapons, covert military units, one-quarter of all military research and development and at least three-quarters of the U.S. intelligence community's espionage and covert activities.

The black budget is split about evenly between funds for secret weapons and funds for intelligence agencies. The military portion alone has grown eightfold, to at least $17 billion, since Reagan took office.

The portion of the U.S. intelligence budget hidden away in the Pentagon's secret accounts has doubled to at least $18 billion under the Reagan administration. And no part of the intelligence budget has grown faster than funds for covert operations—currently more than $600 million a year, according to intelligence analysts.

The controversy swirling in Washington over the covert sale of weapons to Iran and the diversion of millions of dollars in profit to contra forces in Nicaragua shows how the secret use of secret funds can undermine trust in government, warp foreign policy and damage a presidency—when it is detected.

The spending of those millions to finance secret wars has now raised congressional hackles, but the spending of billions to finance secret weapons continues to grow largely unchecked.

The black budget now is nearly as big as the entire federal budget for health care. It is far bigger than the federal budget for education or transportation or agriculture or the environment.

The black budget's fastest growing component is secret spending on military research and development. Now approaching $11 billion, it has increased 1,357 percent under Reagan. It is three times bigger than the entire budget for the State Department. And no end is in sight.

This is growth that foreshadows huge future increases in the overall black budget, for research and development is the acorn from which the defense oak grows. So the secret spending will only accelerate as such projects as Aurora—which was a code name for the $60 billion Stealth bomber project—go from the drawing board to the assembly line.

National security laws forbid any public debate in Congress that would reveal specific weapons or specific dollars or, for that matter, specific foul-ups in the black budget.

Thomas Amlie, a Pentagon missile expert with security clearances high enough to know about some black programs says the military has three basic reasons for having them, One, you're doing something that should genuinely be secret. There's only a couple of those, and Stealth ain't one of them.

"Two, you're doing something so damm stupid you don't want anybody to know about it.

"And three, you want to rip the moneybag open and get out a shovel because there is no accountability whatsoever."

As a consequence, critics say, the black budget is far more vulnerable than the rest of the defense budget to shoddy work, inflated bills and outright fraud by contractors and subcontractors. Rep. John D. Dingell (D., Mich), whose House Energy and Commerce Committee is trying to penetrate the secrecy surrounding Pentagon spending, said flatly that the black budget "conceals outright illegal activities."

"The Pentagon keeps these programs of almost unbelievable size secret from Congress, from the General Accounting Office, from its own auditing agencies," Dingell said. "And every time they have kept secrets from us, the facts, when they come out, have been surrounded by a bodyguard of lies."

Although the few members of Congress who are briefed on the black budget, and the larger number who are not, are growing increasingly unhappy with the system, they have been unable to pierce the Pentagon's shield of secrecy.

In the U.S. House of Representatives, the chairmen and ranking minority members of committees dealing with military matters receive briefings on black projects. In all, about 30 House members are given limited information about some black programs, according to congressional staff members. Senators overseeing military and intelligence affairs have greater access.

Two of those in the know, House Armed Services Committee Chairman Les Aspin (D., Wis.) and ranking minority member William Dickinson (R., Ala.), think the Pentagon's secrecy is unjustified. They have said 70 percent of the black budget could be declassified at no risk to national security.

Black budget is the Pentagon's own term for projects it hides from public view by classifying their titles, their costs or their objectives. (It does not include the Strategic Defense Initiative, or "Star Wars," which has been kept out of the black budget so that it can be promoted openly in the political marketplace.)

Black projects are concealed in several ways. In many cases, their costs simply are deleted from the unclassified budget. Some are given code names, such as Bernie; Tacit Rainbow and Elegant Lady, or hidden under innocuous headings such as "special activities" and "advanced concepts."

For example, the fiscal 1988 Air Force procurement budget includes a line item of $4.7 billion for "selected activities," $3.1 billion for "other production charges" and $2.3 billion for "special programs." That is all that Congress as a whole knows about these three black programs and the $10.1 billion they will consume.

All told, more than $25 billion—nearly one-fifth of all Pentagon spending for developing and producing weapons and materiel—is hidden in the black budgets for research, development and procurement.

These secret programs are financing aircraft, weaponry and military satellites whose final cost will far exceed $100 billion.

"A fair question would be: What the hell's going on here? This is a tremendous amount of money to be spending with no oversight," said John Steinbruner, an expert on nuclear war strategy who directs foreign-policy studies at the Brookings Institution in Washington. "Somebody's got to say: 'Hey, are we running a democracy or not? Is the fetish for secrecy undermining the political process?' "

"This is a problem that Congress persistently refuses to face, and the consequences could be very, very serious," said William W. Kauffman, a top defense budget adviser to Presidents Kennedy, Johnson, Nixon, Ford and Carter. "I think people in Congress don't realize that with the black budget increasing as it is, they've really got an explosive situation on their hands. Either the Pentagon is going to have to give some of these projects up or we're going to see an explosion in budget authority and outlays."

But few members of Congress have the time or energy to fight the Pentagon for information on black projects. Several spent more than a year trying to obtain accurate budget data on the Stealth bomber. The Pentagon finally released five-year-old classified cost figures that many in Congress suspected were misleading.

"They control what the Congress gets and sees," said Rep. Denny Smith (R., Ore.), who calls himself a "cheap hawk," a cost-conscious conservative, on defense issues." As a congressman, I can't get information. . . ." They don't want to have us mucking around in their budget.

"There's a real question here," Smith said. "Will the military accept civilian leadership when it comes to choosing weapons?"

A senior staff member of the House Government Operations Committee said that even what little congressional oversight exists has been weakened by the Pentagon's budgetary sleight-of-hand. He said the Pentagon uses a double-ledger system of accounting for black projects in which "brooms become computers" and "computers become bombs."

"The Pentagon gets tremendous benefits from misleading Congress, and very few risks," he said. "As more and more money disappears into these ultrasecret programs, the checks and balances are basically being eroded. . . . Congress has become less and less alert to this. It is abdicating power."

The black budget, Defense Secretary Caspar W. Weinberger said at a Jan. 6 news conference, is made up of "funding which we believe it is better for us not to publicize, on the very sound premise that we don't see the purpose of giving additional information to the enemy."

Weinberger, of course, was referring to the Soviet Union. However, many members of Congress believe he had another adversary in mind.

"The attitude of this administration is that Congress is the enemy," said Rep. William H. Gray III (D., Pa.), chairman of the House Budget Committee. "So we simply do not get nearly enough information to keep track of these secret accounts. The administration has run wild in this area. They are trying to end run Congress as if there were no checks and balances in the Constitution. It is a very dangerous policy."

And even the staunchest supporters of national security now are questioning the black budget's growth.

"I know quite a lot of black programs, and many of them are well-managed," said Richard Garwin, a longtime defense consultant and presidential adviser who helped develop the hydrogen bomb. "But the proliferation of these programs is very bad. It is primarily to avert criticism and evaluation. It is part of a general trend of this administration to block information on its programs, whether they be classified or unclassified, And that is profoundly anti-democratic."

Increasingly, the Pentagon is pushing previously unclassified programs into the black budget. About $4.5 billion in once-public Pentagon spending, such as funds for the Milstar space satellites designed to help fight nuclear wars, has vanished into the black budget in the past two years.

"Huge areas have been removed from public debate," said Jeffrey Richelson, a professor at American University in Washington who has written several acclaimed studies on U.S. and Soviet intelligence. "Whole programs have gone black without questions being asked, such as: Do we need these weapons? Will they be destabilizing?"

Richelson said, "The secrecy once reserved for extraordinary programs"—such as the Manhattan Project to build an atomic bomb during World War II—"now has become an everyday, every-time affair."

Why are more and more projects becoming black? The foremost reason is the Reagan administration's desire for secrecy. That has driven the black budget upward more forcefully than any weapon in the Pentagon's plans.

In 1982, President Reagan signed an executive order revising the procedures for keeping secrets. The order said, in effect, that in balancing the public's right to know against the government's power to keep secrets, secrecy would carry more weight.

The order allows bureaucrats to "reclassify information previously declassified" and forbids them to consider the public's interest in access to government information when deciding to classify a document. Since then, the government has been classifying more documents and declassifying fewer than in previous administrations, according to the federal information Security Oversight Organization, which monitors classification orders.

But there may be reason other than secrecy that are driving the black budget higher.

A recent report by a presidential commission on defense-security practices warned that black programs "could be established . . . to avoid competitive procurement processes, normal inspections and oversight." And a senior House Armed Service Committee staffer. Anthony Battista, noted in a 1985 briefing, that a multimillion-dollar radar-jamming system was classified to hide the Pentagon's violation of competitive bidding rules in awarding the contract.

Battista told the Armed Services subcommittee on research and development that the Pentagon "is putting more and more into . . . the black programs, not because of national security, but simply to skirt the normal acquisition process."

Very few federal investigations have the security clearances necessary to audit black programs which usually are classified as "sensitive compartmented information," a classification above top secret. There are more than 10,000 such security "compartments," and it is illegal for anyone without that specific clearance to possess knowledge of the program.

That raises the question whether the fiscal abuses revealed in unclassified Pentagon procurement programs—the $7,000 coffee pots and $600 screws—also are occurring in secret.

"In a black project, people don't worry about money," says a systems engineer who has worked on four black projects at the space systems division of Lockhead Missile and Space Co. in Sunnyvale, Calif.

"If you need money, you got it. If you screw up and you need more, you got it," said the engineer, who asked that his name not be published. "You're just pouring money into the thing until you get it right. The incentive isn't there to do it right the first time. Who's going to question it?"

Questioning the black budget is difficult for a Congress lacking information. But limits in future defense spending required by the Gramm-Rudman budget-cutting law may force the issue. The law, which is designed to phase out the federal deficit by 1991, says 50 percent of the budget cuts should come from defense spending. And the federal deficit this year will be $174.5

billion, according to the nonpartisan Congressional Budget Office.

Those seeking more bang for the defense buck are concerned that the growing black budget will crowd out defense spending for mundane but crucial things such as boots and bullets.

"What we see in three to four years is a train wreck coming," said Gordon Adams of the Defense Budget Project, a Washington research organization that analyzes Pentagon spending. The crash he envisions rushing headlong in one direction, tens of billions of dollars in immovable black weapons projects; going the other way on the same track, tens of billions of unstoppable budget cuts mandated by the Gramm-Rudman law.

"The consequences of that train wreck for national security are enormous," Adams said. "What piece of flesh do we cut? Do we mothball part of the Navy? Cut personnel? We will have to make those choices, and all for a black budget we know nothing about."

But something can be learned about the black budget. The Inquirer reviewed more than 10,000 pages of Defense Department budget documents, studied the Congressional testimony of Pentagon officials and interviewed military and intelligence experts inside and outside of the Pentagon for this series.

Within the military's black budget, no subject is more controversial or costly than Stealth technology, which is designed to enable aircraft and missiles to elude enemy radar.

Although the technology is a relatively open book—an informative volume on the subject can be bought in the Pentagon bookstore and accurate models of Stealth fighters can be purchased in toy stores—its true cost remains a state secret. Defense analysts place the combined costs of Stealth projects for Air Force fighters and bombers, nuclear cruise missiles, pilotless drones and Navy attack planes at $100 billion.

The most costly by far is the Stealth bomber, which is becoming the most expensive weapon in American history. The Air Force wants 82 of the planes delivered by the early 1990s. Most military experts place the bombers ultimate price at about $150 million apiece. If that estimate is accurate, the Stealth bombers' total cost will be $60 billion—a sum equal to the combined annual budgets of New York, New Jersey and Pennsylvania.

Stealth bomber spending may be spread out over several programs to hide its immense size. Now that Aurora has vanished some analysts say Stealth money is cached in two Air Force line items: "other production charges—$11 billion" and "special programs—$2.3 billion." Some say it is hidden within the Department of Energy's $8 billion budget for military programs.

The Pentagon refuses to disclose the price tag on Stealth technology, saying the Soviets could deduce the status of the projects by tracking the spending. Top Pentagon officials decline to respond to reports that the Stealth aircraft's heralded radar-evading ability already has been outstripped by advances in radar technology. They have denied in a pubic hearing before a congressional oversight committee that Stealth aircraft exists.

The hearings stemmed from a series of security lapses and frauds on stealth projects. The Stealth related criminal cases are only "the tip of the iceberg" of illegal conduct on black projects, said Robert C. Bonner, the U.S. Attorney in Los Angeles, a hub of secret military contracting.

One engineer hired by Northrop Corp., the lead contractor on the Stealth Bomber, was a Florida chain-gang alumnus named William Reinke. He was convicted of defrauding the company of more than $600,000 by channeling Stealth subcontracts to a company he secretly owned. In another case, a Northrop purchasing agent, Ronald Brousseau, was convicted of rigging contracts in exchange for kickbacks from subcontractors. He described the ease of defrauding black programs to a government informant wearing a concealed tape recorder: "We don't have any heads, we don't have any supervisory people. . . . Nobody questions dollars or anything like that."

Few in Congress can adequately question dollars invested in Stealth technology, or expect satisfactory answers about Stealth's capabilities, said Rep. Mike Synar (D., Okla.), because of "the absolutely adamant refusal by the Pentagon to release information on Stealth," a refusal Synar called "an insult to Congress."

Synar said his experience in trying to obtain accurate cost figures on the bomber taught him this lesson: "It's obvious that Defense [Department officials] will not be truthful with Congress and the American public when they think it's in their interest."

Stealth is the biggest of the black programs, but other secret military projects absorb billions of defense dollars, Pentagon documents show. Sophisticated Army and Air Force electronic-warfare systems; Navy programs aimed at disguising U.S. submarines' movements and detecting enemy subs with underwater sensors, and advanced computer, radar, communications and jamming systems are among the projects driving up the black budget.

All are cloaked in the secrecy that traditionally has been reserved for the nation's espionage agencies.

The intelligence community receives more than 75 percent of its funds from the Pentagon's black budget. The intelligence community's share of the black budget funds the CIA, the National Security Agency and the National Reconnaissance Office, as well as the military's intelligence branches. Their budgets appear in no public document.

The CIA's budget, an estimated $2.5 billion, has more than doubled under the Reagan administration. And no part of it has grown faster than funds for covert operations, now $600 million or more a year.

But the CIA's budget remains the smallest of those of the three major intelligence agencies. It is dwarfed by the National Security Agency's, which has been placed at $10 billion.

The NSA is a global vacuum cleaner of intelligence. Its listening posts include ground stations around the world and KH-11 spy satellites orbiting the earth. The satellites and ground stations intercept information from telephones, telexes, microwave transmitters, missiles and satellites. NSA computers can pick out specific conversations from the babble of international telecommunications traffic.

The NSA also conducts surveillance within the United States. A secret court of federal judges, which meets periodically in a secure chamber within the Justice Department, grants the NSA license for domestic operations. Under a secret directive signed by President Reagan, the NSA has access to the computer systems of the IRS, the Social Security Administration and every other civilian government agency.

No law establishes or limits the powers and responsibilities of the NSA, which was created by a secret, seven-page order signed by President Harry S. Truman in 1952. The NSA regularly spied on American citizens until 1973, when revelations in the Watergate affair ended that practice. The only known mention of the agency in the public laws of the United States is a 1959 statute that states: "Nothing in this act or any other law . . . shall be construed to require the disclosure of the organization or any function of the National Security Agency."

Employing at least 60,000 civilians, and working closely with the Pentagon from its Fort Meade, Md., headquarters midway between Washington and Baltimore, the NSA also controls the nation's cryptography program, making the codes for U.S. forces and breaking the codes of foreign nations.

The third major espionage agency is the National Reconnaissance Office. Its existence never has been openly acknowledged by the United States. It is an agency so secret that its letterhead is classified. It is known to operate satellite reconnaissance systems under the direction of the Air Force, and it provides photographic data to the intelligence community through a system of space platforms distinguished as weather and research satellites. Its budget is estimated at $4 billion.

All three major espionage agencies overlap with the Pentagon in their missions. For example, the Army provides cover and personnel for CIA operations, such as the training of the Nicaraguan counterrevolutionaries, the contras. The Pentagon controls a variety of intelligence programs, including the entire National Reconnaissance Office, the NSA's spy satellites and code-breaking, research and development of espionage equipment, and submarine surveillance of the Soviet Union.

Most congressional critics of the black budget make a practical distinction between the rapid growth of secret military spending, which they see as largely unjustified and the black budget for espionage. Few have argued that intelligence programs should suffer public scrutiny.

But even this consensus has been strained by revelations that the CIA has kept Congress in the dark about covert operations of questionable legality, ranging from the mining of Nicaragua's harbors to the arms-for-Iran and cash-for-the-contras deals.

"I'm not against black programs," said Stansfield Turner, who served as CIA director from 1977 to 1981. "But is Congress willing to let these programs go through without knowing what's in them? It's clearly become much more difficult for Congress to get information, and it's clear that congressional oversight has been narrowed. I don't know whether that's a good thing."

CONGRESS MUST CONTINUE TO PUSH FOR ARMS CONTROL AGENDA

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. OBERSTAR. Mr. Speaker, every President since Dwight D. Eisenhower has said that one of his arms control goals was the negotiation of a comprehensive test ban treaty with the Soviet Union. For an 18-month period—July 1985 to February 1987—the Soviets ceased all nuclear weapons testing and invited the United States to join in the moratorium. The administration stubbornly declined, and conducted more than two dozen nuclear tests at the Yucca Flats facility in the Nevada desert during this period.

In February 1986, the House of Representatives passed a provision calling for a 1-year moratorium on nuclear tests above 1 kiloton, as long as the Soviets did the same and accepted verification. That courageous vote was intended to signal the Reagan administration that we in the House have exhausted our patience waiting for a substantive arms control agreement to emerge from the White House, and that we are ready to reassert our proper oversight role over the conduct of American foreign policy and take this important step to slow the relentless march toward doomsday we call the arms race.

The White House responded with assurances that the message had been received, and that the President shared our quest for a nuclear test ban. Indeed, we were assured that the President would work for this agreement in his Reykjavik meeting with Soviet General Secretary Mikhail Gorbachev. Our House conferees agreed to drop this important testing moratorium, known then as the Aspin-Gephardt-Schroeder amendment, and unite with the Senate in giving the President a free hand with which to negotiate with Gorbachev a verifiable agreement. I was deeply disappointed in the collapse of our conferees on this position, and later helped to draft a resolution, passed in the Democratic caucus, to urge the Foreign Affairs and Armed Services Committees to once again report legislation such as the Schroeder-Gephardt amendment we will consider during debate on the fiscal year 1988 DOD authorization bill.

As we all know, the Iceland negotiations failed to bear fruit and the only success the President achieved in Reykjavik were those concessions by the House conferees. We are back today to reconsider those same provisions, to inform the President that arms control is an even more urgent priority than a year ago, and to once again pass nuclear test moratorium provisions. The only difference between this year and last, however, is that we will be unrelenting in our commitment to ensuring enforcement of these provisions.

The Gephardt-Schroeder amendment provides that 90 days after enactment, no fiscal year 1988 funds can be used to conduct nuclear tests with yields above 1 kiloton or outside of an existing nuclear testing area unless the President certifies to Congress that the Soviet Union has carried out a test above 1 kiloton after the end of the 90-day period; or that the Soviets have carried out a nuclear test outside a designated test area after the end of the 90-day period starting on the date of enactment; or that the Soviets have refused to accept and implement reciprocal in-country monitoring arrangements to take effect beginning at the end of the 90-day period. I am including in the RECORD an excellent analysis of the amendment distributed by our colleagues Mrs. SCHROEDER and Chairman ASPIN. It deserves the attention and careful consideration of all Members of this body.

The amendment requirements have been carefully crafted to curb the relentless drive toward greater kill capacity, greater accuracy, and greater throw-weights that have driven the arms race forward in the midst of a wasteful and excessive military buildup. This buildup has placed an enormous burden upon the Federal budget and will continue to restrict and distort Federal spending priorities for a generation to come. As a member of the Budget Committee, I have been reminded of the tremendous long-term costs of these huge financial commitments for these expensive and destabilizing weapons systems, and have looked with horror on the prospect of a new generation of fantastically expensive esoteric weapons on the horizon. Members of this body are no longer willing to tolerate the administration's footdragging on this issue, and will no longer be indulged by empty promises of negotiated agreements on nuclear testing.

Enactment of this critical legislation will bring this country closer to comprehensive arms control than we have ever been. It is unfortunate that the Reagan administration has been unwilling to heed the call of the American public and respond to Mikhail Gorbachev's arms control overtures, but it is no surprise. Arms control opponents in this administration have demonstrated a singleminded commitment to undermining the foundations of arms control built brick by painful brick over the past 40 years; the abandonment of SALT II restrictions and the administration's novel "reinterpretation" of the ABM Treaty are but two of the most crucial mistakes of these anti-arms control zealots. Passage of the Schroeder-Gephardt amendment will indicate once again that the United States is serious about arms control, and willing to negotiate in good faith.

I urge my colleagues to vote "aye" on the Schroeder-Gephardt amendment.

DETAILED ANALYSIS OF NUCLEAR TESTING AMENDMENT

SUMMARY OF AMENDMENT

The amendment provides that ninety days after enactment, no fiscal year 1988 funds can be used to conduct nuclear tests with yields above one kiloton or outside of an existing nuclear testing area unless the President certifies to Congress that—

(1) the Soviet Union has carried out a test above one kiloton after the end of the 90-day period starting on the date of enactment;

(2) the Soviet Union has carried out a nuclear test outside a designated test area after the end of the 90-day period starting on the date of enactment; or

(3) the Soviet Union has refused to accept and implement reciprocal in-country monitoring arrangements (e.g. unmanned seismic stations located near nuclear testing areas which transmit information to satellites) to take effect beginning at the end of the 90-day period starting on the date of enactment and continuing through fiscal year 1988.

By its terms, the amendment ceases to appy if supplanted by an arms control agreement establishing significant limits on nuclear explosions by the United States and the Soviet Union.

BACKGROUND

Every President since Dwight D. Eisenhower has said that one of his goals was the negotiation of a comprehensive nuclear test ban treaty with the Soviet Union. For an eighteen month period (July 1985 to February 1987) the Soviet Union ceased all nuclear weapons testing and invited the United States to join in the moratorium. The Reagan Administration declined to do so and conducted more than two dozen nuclear weapons tests in the Nevada desert during this period.

In February 1986, the House of Representatives passed H.J. Res. 3, calling on the President to resume negotiations for a comprehensive test ban treaty and submit the Threshold Test Ban Treaty to the Senate for ratification. After the Administration ignored this statement of congressional support for arms control, the House passed, by a margin of 234 to 155, the Aspin-Gephardt-Schroeder amendment in August. This amendment provided for a one-year moratorium on nuclear tests above one kiloton, so long as the Soviets did the same and accepted verification.

House and Senate conferees negotiated the language of the testing moratorium throughout September. On the eve of the Iceland summit, the House agreed to drop its provision to ensure that the President's hands were not tied in meeting with General Secretary Gorbachev. As one of the conferees said after the Reykjavik meeting, "We untied the President's hands and he dropped the ball."

In December, the Soviet Union announced that it would resume nuclear testing following the first U.S. test in 1987, but that it would resume its moratorium as soon as the United States agreed to cease testing. Both countries are now conducting nuclear weapons tests and appear to be trapped in a cycle of new weapon development.

Nevertheless, the arguments for passing the amendment are unchanged. A mutual and verifiable moratorium on nuclear tests would reduce tensions, delay the development of new and more destabilizing nuclear weapons, and enhance prospects for negotiation of a formal, comprehensive test ban treaty.

VERIFICATION

The United States presently has a virtually assured capability to determine whether the Soviet Union has conducted a nuclear weapons test down to the level of less than one kiloton. This capacity comes from seismic monitoring outside the Soviet Union, overhead reconnaissance devices, and other intelligence methods. These methods are known as national technical means.

Confident detection of a determined effort to conduct secret low-yield tests, however, requires something more. The testing moratorium in the amendment is conditioned upon Soviet acceptance and implementation of "reciprocal, in country monitoring arrangements". This term is defined to mean arrangements to emplace in each country seismic monitoring stations capable of detecting and identifying nuclear explosions with a yield exceeding one kiloton at known nuclear weapons test sites and any other site that is currently capable of accommodating decoupled nuclear explosions with a yield exceeding one kiloton. The one kiloton threshold was selected based on scientific information about the state of the art of seismic monitoring.

In practice, in-country monitoring means tamper-proof, unmanned seismic stations which transmit data to satellites. A site which is currently capable of accommodating a decoupled nuclear explosion would be a large underground chamber, such as that produced by the peaceful nuclear explosions the Soviets have, in the past, conducted for mining purposes in salt domes. The sites of these underground chambers are well known.

The fact of the matter is that cheating would be a very expensive and very risky proposition under the amendment. Indeed, the amount of lead time needed to cheat with confidence would not be available under a one year moratorium. Finally, the Reagan Administration found no evidence whatever that the Soviet Union cheated on its self-imposed moratorium.

NEW WEAPONS DEVELOPMENT

There are currently 25 different nuclear warhead designs in the American weapons arsenal. These include the warheads used for intercontinental ballistic missile, submarine launched ballistic missiles, cruise missiles, gravity bombs, and tactical, battlefield, and naval nuclear weapons. They range from warheads with yields of less than one kiloton to warheads with yields over a megaton. Indeed, a vast proportion of these warheads have yields in excess of the 150 kiloton limit contained in the Threshold Nuclear Test Ban Treaty (TTBT), which the United States has observed. Since the United States started obeying the TTBT, we have developed and deployed new warheads which could not be and never were tested at full yield.

New weapons systems, such as the small, mobile ICBM (Midgetman) and the Trident II missile (D-5), can be designed utilizing existing, already tested, reliable warheads. Lt. Gen. Bernard P. Randolph, Deputy Chief of Staff for Research, Development and Acquisition of the Air Force, testified last year that "if a comprehensive test ban treaty is imposed, it would certainly influence the selection of the SICBM [Midgetman] warhead in that the W-87 [MX missile warhead] would probably be selected." Forcing selection of existing warheads could, in fact, reduce the cost of new weapons systems and avoid many of the performance problems which inevitable crop up with new, high technology systems.

A moratorium on nuclear testing above one kiloton would retard development of third generation nuclear weapons, such as the hydrogen bomb pumped x-ray laser being developed from the President's allegedly non-nuclear Star Wars program. Right now, neither the United States or the Soviet Union has developed x-ray laser weapons or other third generation weapons, although both sides have researched such weapons. Indeed, the Administration claims that it is testing nuclear star wars weapons as a hedge against a possible Soviet threat in this area. If the two sides agreed to stop testing now, however, there would be no need for such a hedge, since the Soviets could not develop such a threat.

SAFETY AND RELIABILITY

It is often claimed that a moratorium on nuclear testing would reduce the safety and reliability of the stockpile. The fact of the matter is that detonating a nuclear device is not a particularly good way to check for corrosion or deterioration. Once the weapon is exploded, there is no evidence left of what might have caused any problem with the weapon. The preferred method of checking on the safety and reliability of a weapon is to disassemble it and look for faulty components. In a letter to Chairman Fascell, a number of the best nuclear scientists in America stated, "In no case . . . was the discovery of a reliability problem dependent on a nuclear test and in the case would it have been necessary to conduct a nuclear test to remedy the problem."

THE DETROIT FREE PRESS UNCOVERS STORY OF ADMINISTRATION INTIMIDATION IN LATIN AMERICA

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. WOLPE. Mr. Speaker, I want to share with my colleagues a deeply disturbing exposé that appeared in the Detroit Free Press this Sunday. It describes the blatant threats and acts of intimidation that the Reagan administration engaged in five Latin American countries to further the Contra's cause in Nicaragua. Once again the administration was saying one thing publicly, but doing quite another thing privately. While publicly embracing the Contadora peace process, it was privately doing everything possible to undermine the Contadora peace initiative. That our Government sought repeatedly to disrupt serious efforts to negotiate a peace treaty in the region is shocking enough. Our means for achieving this goal, however were truly outrageous. According to the Free Press, the administration not only made direct efforts to oust a Panamanian Defense Minister supportive of the Contadora process, but then cut aid to the country when the ouster attempts were unsuccessful. I shudder to think of the effect such meddling in the affairs of long-term U.S. allies will have on our foreign relations in the hemisphere. This carefully documented Free Press story deserves the closest scrutiny of the Members of this body.

[From the Detroit (MI) Free Press, May 10, 1987]

U.S. TRIED INTIMIDATION TO GET MORE CONTRA AID

(By Alfonso Chardy)

WASHINGTON.—The Reagan administration in 1985 and 1986 conducted a secret campaign of threats and intimidation against five Latin American governments in an effort to scuttle Central American peace talks and win support for Nicaraguan rebels, according to classified documents and interviews with U.S. and foreign officials.

President Reagan's role in the campaign is unclear, but the documents and interviews with the officials—all of whom requested anonymity—indicate that he may have personally approved at least one of the initiatives and possibly was involved in discussions of two others.

U.S. officials said the Reagan administration sought to disrupt the Contadora peace group—four nations seeking a peaceful end to the conflict in Nicaragua—because the peace talks complicated efforts to persuade Congress to approve aid to the Nicaraguan rebels, known as contras.

According to knowledgeable officials, the campaign included:

An effort to force from office the head of the Panamanian defense forces, Gen. Manuel Noriega. When Noriega did not respond to a direct request from then-national security adviser Vice-Adm. John Poindexter that he resign, the United States cut aid to Panama, then leaked damaging classified documents about Noriega to the New York Times and NBC News.

A proposal that would have had the United States drop its support for the government of Mexican President Miguel de la Madrid, which supported the peace talks, in favor of a conservative opposition party, the National Action Party. The proposal, conveyed to representatives of the National Action Party by contra supporter Carl (Spitz) Channell, was dropped after the representatives failed to give money to the contras.

Secret talks with the Honduran military about ways of dealing with then-President Roberto Suazo, who blocked contra aid shipments in late 1985. The approach to the military to pressure Suazo to lift the blockade came after the U.S. government had failed to sway him with aid suspensions and the leaking of embarrassing information to the Miami Herald.

Secret support for a conservative presidential candidate in Costa Rica who U.S. officials hoped would support the contras.

Intense diplomatic efforts aimed at persuading Argentine officials to change their pro-peace talks position.

Some of the actions may have been illegal.

Congressional aides familiar with contra affairs said a provision in the 1985-86 foreign aid law prohibited linking U.S. aid to support for the contras.

The aides said they have advised the congressional committees now investigating the Iran-contra affair about the provision, which itself does not carry any criminal penalties. But they noted that Lawrence Walsh, the special prosecutor investigating the Iran affair, is using a broad federal criminal statute covering abuse of power and disregard of duty to try to prove a vast conspiracy to defraud the government. That law carries criminal penalties.

Whether or not laws were broken, the campaign against Mexico, Argentina, Panama, Costa Rica and Honduras suggests that protecting contra aid was such an overriding goal of the administration that it governed nearly all of the United States contacts with its neighbors in the Western Hemisphere. Many of the actions angered some State Department officials, who thought that they might damage long term U.S. interests in the region.

Officials in the United States and abroad said Poindexter, Assistant Secretary of State Elliott Abrams and former National Security Council aide Lt. Col. Oliver North—all figures in the Iran-contra affair—collaborated on the campaign. The late William Casey, former CIA director, and his Central America deputy, Alan Fiers, also co-operated, officials said.

Reagan also appears to have been informed about many of the actions.

A senior Panamanian official present at the meeting between Poindexter and Noriega said Poindexter prefaced his request for Noriega's resignation by saying he was speaking for Reagan.

Documents obtained from an employee of Channell, who pleaded guilty April 29 to a federal criminal charge related to his contra fund-raising, indicated that Channell met with Reagan 48 hours before telling representatives of Mexico's National Action Party that the President would throw his support to them if they would agree to support the contras.

And Reagan met with Vice-President George Bush, Abrams and North on March 23, 1986, the day before Abrams and North began a campaign to persuade Honduran President Jose Azcona, Suazo's successor, to request emergency U.S. military aid after Nicaraguan army troops crossed into Honduras in pursuit of contras, said White House records and administration officials.

Azcona had resisted requesting the aid because he felt the fighting was limited to Nicaraguans and was not a threat to Honduras.

Abrams later told Congress that Azcona had requested the aid vountarily, but that has been contradicted by U.S. diplomat John Ferch, who was ambassador to Honduras at the time. Ferch, who was removed from his post by Abrams, told General Accounting Office investigators earlier this year that Azcona signed a letter requesting the aid only after intense pressure from the United States.

The White House and CIA declined to comment on the campaign, but the State Department denied that Abrams participated in a conspiracy to pressure countries in the region to support the contras.

Officials said the campaign was aimed at countries for one of two reasons: either to punish for not aiding the contras or to retaliate for pursuing peace talks in Central America.

The pressures were particularly intense in Mexico and Panama, the two most active members of the Contadora group that also includes Venezuela and Colombia. The group, founded in 1983 on the Panamanian island of Contadora, seeks to end the Nicaraguan conflict through negotiations. The right-wing contras have been fighting the left-wing Sandinista government since early 1982.

Although not a Contadora member, Argentina was targeted because it is a member of a so-called Contadora support group, which also includes Brazil, Uruguay and Peru. U.S. officials said Argentine President Raul Alfonsin was pressured because his government matched Mexico's activism at times—even acting as a de facto fifth member of the four-nation Contadora group.

IN MEXICO

On May 13, 1986, Abrams and other U.S. officials appeared before the Senate Western Hemisphere affairs subcommittee to denounce the Mexican government for corruption, drug trafficking and economic mismanagement. It was the first time that U.S. officials had publicly criticized Mexico.

But the most unusual U.S. tactic against Mexico involved threats to undermine the ruling Institutional Revolutionary Party (PRI) by throwing U.S. support to the National Action Party (PAN) before July 1986 state elections in northern Mexico.

In February 1986, U.S. officials had warned their Mexican counterparts that if they lobbied Congress on behalf of Contadora, the administration would lobby in Mexico for PAN.

In August, Channell took that a step further: He told PAN followers that Reagan would help them fight the ruling party if PAN helped the contras, according to notes written by an employe of Channell.

Notes from Jane McLaughlin, who attended Channell's meeting in Washington on Aug. 14, 1986, one day after Reagan hosted Mexican President de la Madrid at the White House, indicate that Channell asked the Mexicans for $210,000 to help finance a contra aid campaign of television commercials.

McLaughlin's notes also suggest that the PAN meeting came two days after Channell claimed he had conferred with Reagan on Mexico.

"Spitz met with President Reagan last Tuesday to discuss Nicaragua and during the course of their discussion. Spitz brought up the issue of Mexico," the notes say. The President stated that he is very upset and disappointed that de la Madrid has not taken a stronger position in supporting democracy in Nicaragua."

Two days later, according to McLaughlin's notes, Channell told the PAN supporters; "if the president were to know that you and your people were actively supporting his policies in Nicaragua, there is no doubt that he and the White House would be far more attentive to your plight in Mexico and far more inclined to acknowledge your fight for democracy."

Channell then asked the PAN supporters to contribute the $210,000.

PAN official Ricardo Villa Escalera, who Channell associates said attended the meeting, said PAN did not contribute any money. He also said he did not recall meeting Channell.

But two other people who attended the meeting said Villa Escalera was there and told Channell that there were several wealthy Mexican businessmen in cities near the U.S. border ready to contribute the money because they considered the PRI a communist and pro-Sandinista organization.

IN PANAMA

U.S. efforts to force defense chief Noriega from power failed, but the pressure generated the worst tensions between the United States and Panama since Panama's fight for a new Panama Canal treaty in the 1970s. The CIA, the National Security Agency and the Pentagon opposed Poindexter's efforts on the grounds that Noriega was a valuable intelligence asset and that his country, where 10,000 U.S. soldiers are based, was a critical platform for monitoring events in Central America.

A senior Panamanian official said Poindexter asked Noriega for greater co-operation on Contra aid during a secret meeting in Panama on Dec. 12, 1985.

The official said Poindexter opened the session without preamble and went directly to the point.

Poindexter said the United States did not appreciate Panama's role in Contadora because it affected U.S. strategies for the region, the official said. Later, the official said, Poindexter raised the issue of the United States' anger at Noriega's role in the September 1985 ouster of U.S. backed Panamanian President Nicolas Ardito-Barletta.

The official said Poindexter and other U.S. officials at the meeting suggested that Noriega restore Ardito-Barletta to the presidency and then step down himself.

The Panamanian official said that when Ardito-Barletta was president, he had begun "to moderate Panama's presence in Contador."

The official said that after Poindexter finished making his points, Noriega turned him down, saying Poindexter had insulted Panama and didn't understand the benefits the United States received from friendship with Panama.

Within days of Poindexter's return from Panama, he told subordinates that "an alternative" to Noriega needed to be found, officials said.

Poindexter's first action against Noriega was approval in January 1986 of a National Security Council proposal to transfer most of $40 million in economic assistance promised Panama to Guatemala. At the time of the decision U.S. officials attributed the move to budget problems.

Poindexter also authorized a campaign to discredit Noriega. Part of that campaign, administration officials said, was an April 1986 appearance before Congress by Abrams, who denounced Panama for money laundering, drug trafficking, differences over Nicaragua, relations with Cuba and lack of democracy.

Poindexter's aides, including North and then-NSC Latin American affairs director Constantine Menges, also briefed several U.S. journalists with information that, although true, was aimed at embarrasing Noriega and signaling to him that the United States no longer favored him, the U.S. officials said.

The leaked data, including copies of secret reports by the Defense Intelligence Agency, led to June stories in the New York Times and on NBC noting Noriega's alleged involvement in drug trafficking and money-laundering.

IN ARGENTINA

Reagan administration tactics in Argentina appear to have been confined to more normal diplomatic activities. Nevertheless, an official of an international agency recalled recently that President Alfonsin once complained to him that then U.S. Ambassdor to Argentina Frank Ortiz had threatened a smear campaign and the destabilization of his government if Alfonsin did not modify his government's support of Contadora. The official said he made notes of his conversation with Alfonsin.

Ortiz, reached at his home in Santa Fe, N.M., denied threatening Alfonsin but acknowledged receiving instructions from Abrams to talk to Alfonsin and his foreign minister, Dante Caputo, frequently on U.S. contra policy to try to persuade them to support it.

IN COSTA RICA

The effort on behalf of conservative Costa Rican presidential candidate Rafael Angel Calderon underscored a far wider campaign of pressure aimed primarily at persuading Costa Rican officials to allow the ostensibly neutral country to be used as a base for contra operations, administration officials and contra sources said.

The efforts failed. Calderon lost to an anti-contra candidate, Oscar Arias, and the Costa Rica-based contras have yet to create a major army in southern Nicaragua.

Calderon spokesman Victor Vargas acknowledged that Calderon met with several U.S. officials in Washington when he was a presidential candidate to discuss Nicaragua and the contras. Calderon told U.S. officials that if elected president, Costa Rica would support U.S. policy in the region, though Vargas said Calderon did not promise that the contras would be allowed to use Costa Rican territory.

The secret U.S. support for Calderon apparently began in July 1985 when Calderon, a former foreign minister, was preparing his campaign for the presidency as a member of the Social Christian Unity Party.

IN HONDURAS

Perhaps the most ironic conflict between the United States and its Latin American neighbors was with Honduras, Washington's closest Central American ally and chief regional contra base.

Problems with Honduras began in October 1985 when President Suazo blocked contra aid after a U.S. supply aircraft landed in Honduras with an NBC television crew aboard.

Honduran officials said the crew's arrival angered Suazo because its presence compromised what then was the official Honduran policy of denying that the contras operated from Honduran soil.

But U.S. officials said Suazo used the incident as a ploy to pressure the United States into backing a secret plan to call off presidential elections and allow him to stay in power two more years. U.S. officials said Suazo offered to lift the contra aid blockade if Washington endorsed his plan.

Ferch, who was then U.S. ambassador to Honduras, and North rejected Suazo's proposal, and the NSC and the State Department decided to punish the Honduran for holding up contra aid by blocking payment of a $67.5 million economic aid package.

When the aid suspension did not sway Suazo, U.S. officials leaked stories to the news media.

Two weeks before the Nov. 24, 1985, election, Suazo showed up at a U.S.-funded military base, borrowed a U.S. Army helicopter with an American pilot and used it to drop political leaflets over a town.

After the pilot reported the incident to superiors. U.S. Embassy officials cabled to Washington with the news and hoped the affair would not worsen relations with Honduras.

But an official in Washington who had access to embassy cable traffic used the incident to chastise Suazo. He leaked the story to the Miami Herald.

Pressure on Suazo intensified in December 1985 when North took Poindexter and Abrams to Honduras for a meeting with the Honduran military leadership.

The purpose of the meeting, which took place at the Palmerola Air Base, was to persuade Honduran military leaders to force Suazo to lift the aid blockade. The officers waffled.

"Poindexter made his pitch, and the officers said neither yes or no," said a U.S. official who attended the session.

The meeting ended without resolution, and Suazo remained in office until he was succeeded in January 1986 by Azcona.

It was Suazo's blockade that forced the United States to search for an alternate supply base for the contras. U.S. officials found it in early 1986 in neighboring El Salvador. It was that private contra supply network that was financed in part with profits from U.S. arms sales to Iran.

PERSONAL EXPLANATION

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. DANNEMEYER. Mr. Speaker, due to a longstanding commitment in my congressional district, I was unable to attend the session on Friday, May 8, and subsequently missed six records votes. Had I been present I would have voted:

"Nay"—on adoption of the Journal of the last day's proceedings;

During the appointment of House Conferees on H.R. 588, Homeless Assistance:

"Yea"—on the Michel motion to instruct House conferees to agree to section 1001 of the Senate amendment that requires that appropriations be made in accordance with the provisions of the Budget Act which prohibit the consideration of any bill which would cause the deficit to exceed the levels established by Gramm-Rudman-Hollings;

During consideration of H.R. 1748, Defense Authorizations:

"No"—on the Mrazek amendment that sought to recommend that the President develop a plan for the orderly reduction of U.S. military personnel and activities during fiscal years 1988 through 1992;

"No"—on the AuCoin substitute amendment to the agreed-to-Bennett amendmet that sought to exempt air rework facilities from certain public-private competition language relating to alteration, overhaul, and repair of Naval vessels;

"Aye"—on the Montgomery amendment that increases the strengths of the National Guard and Reserves;

"Aye"—on the Smith amendment, as modified, that continues for 1 year the eligibility of certain institutions to provide heart and lung treatment under CHAMPUS and requires GAO to report on payment of certain medical expenses.

THE CONTENT OF EDUCATION

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. COURTER. Mr. Speaker, the appropriate content of public education has been widely and heatedly discussed in recent years. Differences of opinion concerning whether morality can and should be taught outside the home have, in some cases, caused educators to go overboard in avoiding issues of absolute right and wrong.

In a recent article, initially published in Human Events and later condensed for Reader's Digest, Secretary of Education William J. Bennett and former Under Secretary of Education Gary L. Bauer articulate the dangers of value neutrality with regard to human conduct, past and present. We should not be afraid, as Mr. Bauer points out, to tell children why we believe democracy is better, more moral, than communism. But, unfortunately, these issues are not touched, either directly or through example, in most history and civics textbooks. Nor should we be afraid to tell young children that stealing is wrong and honesty is right. Secretary Bennett eloquently describes how these lessons can be taught through great literature.

I encourage my colleagues to read these remarks in their entirety. The issues raised must be addressed with the current generation of public school students.

What We Must Teach Our Children

I. ABOUT CHARACTER

(By William J. Bennett)

According to a recent Gallup Poll, the vast majority of Americans want schools to do two things: teach our children to speak, think, write and count; and help them develop standards of right and wrong to guide them through life. In this, today's Americans echo the sentiments of Thomas Jefferson almost 200 years ago. Listing the basic requirements for a sound education, Jefferson spoke of writing, calculation, geography and the important task of improving one's "morals and faculties."

But no sooner does someone point out how important it is to form character at school than others claim it just can't be done, that there can be no consensus on what to teach or how to teach it. So some educators deliberately avoid questions of right and wrong or remain neutral about them. Many have turned to "values-education" theories that seek to guide children in developing "their own values" by discussion, dialogue and simulation—a tragically mistaken approach, since research indicates that it has had no discernible effect on children's behavior. At best, this misguided method threatens to leave our children morally adrift.

If Americans agree there is a profound need for the development of character in our young, just how can we foster such a "moral literacy"?

We don't have to add new courses. We have a wealth of material to draw on from our literature and history—material that virtually all schools once taught, and that can still be taught in regular English and history courses.

Do we want our children to know what honesty means? Then teach them about Abe Lincoln walking three miles to return six cents and, conversely, about Aesop's shepherd boy who cried wolf.

Do we want our children to know about kindness and compassion and their opposites? Then they should read *A Christmas Carol*, *The Diary of Anne Frank* and, later on, *King Lear*.

We want our children to know what faithfulness means, so they should learn how Penelope and Telemachus and even an old dog waited 20 years for Odysseus to come home. We want them to know about respect for the law, so they should understand why Socrates submitted to the decree of Athens.

We want them to know about persistence in the face of adversity, so we should teach them about Columbus venturing into the New World and Lincoln during the Civil War.

We want our children to recognize greed, so they should learn the story of King Midas. We want them to know about overreachng ambition; we should introduce them to Macbeth and Lady Macbeth.

We want our children to know that hard work pays off, so we should teach them about the Wright brothers at Kitty Hawk and Booker T. Washington learning to read. We want them to see that one individual's action can make all the difference, so we should tell them about Rosa Parks and the civil-rights movement, or about one man's discovery of a vaccine against polio.

There are great stories from the Bible: Ruth's loyalty to Naomi, Joseph's forgiveness of his brothers, Cain's treatment of Abel, David's courage in facing Goliath. Such stories teach moral values we all share. As Harvard psychiatrist Robert Coles recently asked, "Are students really better off with the theories of psychologists than with the hard thoughts of Jeremiah and Jesus?"

There are good reasons why we should teach these and other familiar accounts of virtue and vice. First, these stories interest children. Nothing on TV or elsewhere has improved on a good story that begins: "Once upon a time . . ." Second, these stories give children specific, common reference points for what is right and wrong. Third, these stories help anchor our children in our culture, its history and traditions. In this way, we can welcome them to a common world and to the continuing task of preserving the principles, ideals and notions of greatness we hold dear.

I have spent much time as Secretary of Education traveling this country, visiting schools, teaching classes. I have taught seventh-graders the Declaration of Independence and third-graders the story of Cincinnatus returning to his farm when he could have had an empire. And all these kids got it.

My experience is that students and parents want more such discussions. There is a very broad and deep consensus out there, and we are failing in our duty if we ignore it. Let us get down to, and back to, the business of the moral education of the young.

II. ABOUT FREEDOM

(By Gary L. Bauer)

An Arlington, Va., high-school substitute teacher recently asked the students in three advanced-government classes what they saw as the most significant differences between the United States and the Soviet Union.

When it came to facts, he found that the students knew what the Soviet system was all about. But he also found that they distrusted American institutions. A show of hands indicated that only two out of 53 students thought the U.S. system morally superior to the Soviet system.

In 1985 the Washington *Post* published a story about 15 American children and 15 Soviet children who met near Washington to discuss the threat of nuclear war. The Americans were gifted students from local schools. The Russians, children of Soviet diplomats and journalists, attended an embassy school. During that meeting Alexei Palladin, 14, pointed out that the Soviet Union and United States were once friends. "What do you know about the Second World War?" Alexei asked the Americans. No answer. He noddled smuggly. "Nobody even knows that we were allies fighting Nazism together." Alexei sat down to hearty applause from the audience of parents and students.

If you are like me, you no doubt find such stories alarming. I wish just one of those American children had been knowledgeable enough to bring up the Nazi-Soviet pact that helped usher in World War II, or the gulag where uncounted men and women of conscience have suffered, or the genocide taking place in Afghanistan, or anything else in the long litany of shame that is Soviet-style totalitarianism.

If these children seem to have forgotten the past, and to have become confused about the nature of the societies with which we share the globe, to be unaware of the special freedom they enjoy, perhaps it is because no one has ever taught them these things.

Part of the problem resides in our textbooks, which are quick to be hypercritical of American institutions while glossing over the inherent imperfections in totalitarianism. One widely used history text instructs: "Equality for women in the U.S.S.R. is a reality. They receive equal pay for equal work. They may marry or vote when they are 18."

These statements would be laughable if the misinformation they spread were not so dangerous. Soviet women have the right to vote in the same context as Soviet men—in a society that gives them only handpicked candidates of the Communist Party. Equal pay for equal work—yes, but in an economic system completely controlled by a central government with little chance for real initiative or economic independence.

Washington *Times* columnist John Lofton cites another textbook which fails to mention the scores of millions who died in China in the name of communism, or the genocide in Cambodia following the communist take over in 1975.

When asked why, in 768 pages, these significant events were not accurately portrayed, one of the writers of this textbook responded that he was worried children might build up a "hostility" toward communism "without understanding why these things happened."

Historians and social scientists who refuse to see a difference between the United States and the Soviet Union obviously influence the teaching in our schools. One can see this clearly in a booklet published by the National Council for the Social Studies on the subject of teaching human rights.

In an example of the comparative teaching approach, the authors say: "In Western Europe and the United States, civil and political rights such as freedom of speech, voting and due process are of prime concern. In Eastern Europe, economic rights such as the right to work, to form trade unions, to strike and to take vacations are considered essential." Never mind teaching that freedom of speech is comparable to the right to take a vacation. Where is it in Eastern Europe, under the yoke of communism, that one finds the rights described? Lech Walesa would certainly be interested to know that he has the right to form a trade union and to strike.

Such views will prevail if they go unchallenged. The love of freedom is not spontaneously comprehended by the young. The appreciation and perpetuation of our free government must be nurtured—in our schools, churches and families.

Part of that same need also includes the proper teaching of history. In 1984 the National Endowment for the Humanities commissioned a survey of 17-year-old students, measuring their knowledge of American history. Two-thirds could not place the Civil War in the correct half-century. One-third did not know the Declaration of Independence was signed between 1750 and 1800.

This lack of basic knowledge may reflect the fact that some of today's teachers graduated from a college or university without ever having studied American literature or history—72 percent of the nation's colleges do not require such study. Without a basic grounding during undergraduate years, teachers are more and more captive of the textbook-driven curriculum in elementary and secondary schools.

So what should we be doing for our children? It's not enough to insist that textbooks receive closer scrutiny and that the truth about communism be taught. Our schools must also take positive steps to make the case for America, the case for freedom. We must insist on a return to the teaching of American history, at both the secondary and undergraduate levels. And such study should be grounded in the examination of original sources like the Declaration of Independence and the Constitution, as well as great speeches by American statesmen.

Lessons in patriotism are more than academic study—they are the pillars of allegiance. We must teach our children to love the things we love and to honor the things we honor—nothing else will do. If we don't, they may someday pay the price, by miscalculating the intentions of those whose announced goal is to destroy liberty.

LEGISLATION INTRODUCED TO AMEND THE IMMIGRATION AND NATIONALITY ACT

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 1987

Mr. MINETA. Mr. Speaker, on May 12, I introduced H.R. 2383 which amends the Immigration and Nationality Act to provide for special immigrant status for certain aliens serving at least 4 years in our Armed Forces.

Awarding this status would rectify the unfair situation faced by many nationals of the Republic of the Philippines who are serving in the U.S. Navy and, yet, are not allowed the same opportunity to apply for U.S. citizenship afforded other aliens serving in the U.S. Armed Forces. Many loyal Filipino service members are facing naturalization and immigration problems and this special immigrant status will offer them a solution.

All other aliens must be admitted to this country for permanent residence before they may enlist in the U.S. Armed Forces. Upon admission for permanent residence and completion of 4 years of honorable service, a provision of law allows these aliens to be naturalized.

However, under the terms of the military base agreement between the United States and the Republic of the Philippines, Filipinos may enlist in our Navy from the Republic of the Philippines without first obtaining residence in this country.

Many Filipinos who have enlisted in the U.S. Navy are unable to qualify for naturalization under existing law; a law that waives the naturalization requirements with the exception of admission for permanent residence for aliens who have honorably served for 3 years in the U.S. Armed Forces. These Filipinos are unable to use the authority of existing law to obtain citizenship because they have not been admitted for permanent residence in the United States. Thus, because they have enlisted without receiving an immigration visa, these Filipinos have no immigrant status at all.

Mr. Speaker, my bill would remedy the current inequality between loyal Filipino service members and other alien armed services enlistees. The faithful military service of these Filipinos is symbolic of their devotion to the United States and rectification of their plight is long overdue. My bill would provide special immigrant status for aliens serving in our Armed Forces and thus, allow those service members to take advantage of existing law.

Mr. Speaker, let me furthermore clarify that this legislation will not give any immigration advantage to Filipino service members. Instead, it would recognize their loyal service and ensure that they receive equal treatment for the services they have performed for the U.S. Armed Forces. I sincerely hope that the House of Representatives will act favorably on this legislation and I would welcome the support of my colleagues.

SENATE—*Wednesday, May 13, 1987*

(Legislative day of Friday, May 8, 1987)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable John B. Breaux, a Senator from the State of Louisiana.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

If my people which are called by My name, shall humble themselves and pray, and seek My face, and turn from their wicked ways then will I hear from heaven and will forgive their sin and heal their land.—II Chronicles 7:14.

Gracious God, Your word speaks plainly—so plainly to Your people, Your church, Your Synagogue. Help us to hear it. You speak to Your people, Lord, not their government. Give Your people ears to hear and obey. You promised to heal the land if Your people meet Your conditions.

Tragically, Heavenly Father, we who profess to be Your people are so predisposed to pass the buck. In the wisdom of one psychiatrist, we major in "scapegoating"—blaming everyone but ourselves. You speak to us and exhort us to "turn from our wicked ways * * *." Jesus warned us, "Judge not that ye be not judged. For with what judgment ye judge ye shall be judged: and with what measure ye mete, it shall be measured to you again."—Matthew 7:1-2.

How easily Lord, do we behold the "mote that is in our brother's eye and ignore the beam that is in our own eye."—Matthew 7:3.

Forgive us, gracious Father, for demanding of others that which we do not require of ourselves. In the name of the Righteous One, we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. Stennis].

The assistant legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, DC, May 13, 1987.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable John B. Breaux, a Senator from the State of Louisiana, to perform the duties of the Chair.

John C. Stennis,
President pro tempore.

Mr. BREAUX thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

RESERVATION OF THE LEADERS' TIME

Mr. BYRD. Mr. President, I do not wish to take my time. If the distinguished Republican leader wishes to take his time, I will yield at this time.

The ACTING PRESIDENT pro tempore. The Chair recognizes the minority leader.

Mr. DOLE. Mr. President, could I reserve my time?

Mr. BYRD. Mr. President, I ask unanimous consent that the distinguished Republican leader may reserve his time, and that I may also reserve mine.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD. Mr. President, I will take 1 minute of my time.

Mr. President, would the distinguished Republican leader be in a position to indicate to me as to whether or not he could give consent to proceed to the Defense Department authorization bill?

Mr. DOLE. Mr. President, I will say to the majority leader that I am not in a position to do that at this time. We have had, as I have indicated privately, a number of meetings on our side, and as recently as yesterday afternoon. But I cannot do it at this time.

Mr. BYRD. I thank the Republican leader.

Mr. President, all indications are that there will be a filibuster on the motion to proceed. I had hoped that it would not occur, and it does not yet need to occur. I would hope that we could get on the bill, and allow Senators who wish to debate that. That is their right. But I am going to set in motion my efforts to get the bill up.

If there is no indication to filibuster on the motion to proceed, and if that is readily evident, we can go on and get on the bill.

MOTION TO ADJOURN FOR 1 MINUTE

Mr. BYRD. Mr. President, I therefore ask unanimous consent that the Senate adjourn for 1 minute.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DOLE. Mr. President, I object.

Mr. BYRD. Mr. President, I move that the Senate adjourn for 1 minute, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from West Virginia that the Senate adjourn for 1 minute. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Idaho [Mr. McClure] and the Senator from New Hampshire [Mr. Rudman] are necessarily absent.

Mr. CRANSTON. I announce that the Senator from North Dakota [Mr. Conrad], the Senator from Connecticut [Mr. Dodd], the Senator from Nebraska [Mr. Exon], the Senator from Georgia [Mr. Fowler], the Senator from Hawaii [Mr. Matsunaga], and the Senator from Illinois [Mr. Simon] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 48, nays 44, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—48

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Cranston
Daschle
DeConcini
Dixon
Ford
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Stennis
Wirth

NAYS—44

Armstrong
Bond
Boschwitz
Chafee
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans

Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Simpson
Stafford
Specter
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

NOT VOTING—8

Conrad
Dodd
Exon
Fowler
Matsunaga
McClure
Rudman
Simon

So the motion to adjourn for 1 minute was agreed to.

ADJOURNMENT

The ACTING PRESIDENT pro tempore. The Senate stands in adjournment for 1 minute.

At 10:34 a.m. on Wednesday, May 13, 1987, the Senate adjourned until 10:35 a.m., the same day.

AFTER ADJOURNMENT

WEDNESDAY, MAY 13, 1987

The Senate met at 10:35 a.m., pursuant to adjournment, and was called to order by the Acting President pro tempore [Mr. BREAUX].

THE JOURNAL

Mr. BYRD. Mr. President, I ask unanimous consent that the Journal be approved to date.

Mr. DOLE. Mr. President, I object.

Mr. QUAYLE. Mr. President, the Senate is not in order.

The ACTING PRESIDENT pro tempore. The Chamber will please be in order.

MOTION TO APPROVE THE JOURNAL—VOTE NO. 102

Mr. BYRD. Mr. President, I move that the Journal be approved to date, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the majority leader. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The ACTING PRESIDENT pro tempore. Are there additional Senators in the Chamber who have not yet been recorded?

SENATOR WARNER DECLINES TO VOTE

Mr. WARNER. Mr. President, I decline to vote for the reason that I have not read the Journal.

Mr. DOLE. Regular order.

The ACTING PRESIDENT pro tempore. Are there additional Senators who desire to be recorded?

Mr. DOLE. Is the Chair aware of rule XII?

The ACTING PRESIDENT pro tempore. The Chair will state to the Senator from Virginia, the Senator may not decline to vote without leave granted and permission to do so.

Mr. DOLE. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

VOTE ON PERMISSION FOR SENATOR WARNER TO DECLINE TO VOTE—VOTE NO. 103

The ACTING PRESIDENT pro tempore. The question is: Is it permissible for the Senator to decline his right to vote on this issue? The yeas and nays have been ordered and the clerk will please call the roll on the question just presented by the Chair.

The legislative clerk called the roll.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber who desire to vote?

SENATOR QUAYLE DECLINES TO VOTE

Mr. QUAYLE. Mr. President, I decline to vote for the following reason: I do not believe a Senator should be compelled to vote.

The ACTING PRESIDENT pro tempore. The question is, Should the Senator be excused by the Senate from voting on this issue?

Mr. DOLE. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. The yeas and nays are requested. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON WHETHER SENATOR QUAYLE SHOULD BE EXCUSED FROM VOTING—VOTE NO. 104

The ACTING PRESIDENT pro tempore. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mr. WIRTH). Are there additional Senators in the Chamber who have not voted?

Mr. SYMMS. Mr. President——

The PRESIDING OFFICER. The Senator from Idaho.

SENATOR SYMMS DECLINES TO VOTE

Mr. SYMMS. Mr. President, I decline to vote for the following reason: I do not believe a Senator should be compelled to vote.

Mr. BYRD. Mr. President——

Mr. DOLE. I ask for the yeas and nays.

The PRESIDING OFFICER. The majority leader.

SENATOR BYRD'S POINT OF ORDER THAT REQUEST OF SENATOR SYMMS IS FOR PURPOSE OF DELAY

Mr. BYRD. Mr. President, I make a point of order that the request of the Senator to be excused from voting is for the purpose of delaying the conclusion of the vote that the Journal be approved to date; that in amending rule IV, the Senate intended that a majority of the Senate could resolve the question of the reading of the Journal;

I make my point of order that a request of a Senator to be excused from voting on a motion to approve the Journal is, therefore, out of order and that the Chair proceed immediately, without further delay, to announce the vote on the motion to approve the Journal.

Mr. DOLE. Mr. President, the point of order is not in order during a vote.

The PRESIDING OFFICER. The point of order is not in order.

APPEAL OF RULING OF CHAIR

Mr. BYRD. Mr. President, I appeal the Chair's ruling.

Mr. DOLE. Mr. President, that is not in order, either.

Mr. BYRD. I ask for the yeas and nays.

Mr. DOLE. I ask for the yeas and nays on the question of the entitlement to vote.

The PRESIDING OFFICER. The question is on the appeal.

Mr. DOLE. The appeal is not in order.

Mr. BYRD. Regular order.

Mr. DOLE. Regular order, Mr. President. The appeal is not in order.

Mr. BYRD. I make a point of order that in this situation, in which there are obviously dilatory actions being taken to prevent a vote on the motion to approve the Journal, an appeal is in order.

Mr. DOLE. A point of order is not in order during a rollcall vote in progress. Members are standing to be recognized to vote. I ask for the yeas and nays on the issue of whether or not he may decline to vote.

The PRESIDING OFFICER. The Chair will first state that a point of order not being in order, an appeal therefore is not in order either.

Mr. BYRD. Mr. President, I appeal the ruling of the Chair.

Mr. DOLE. Mr. President, that is not in order.

Mr. BYRD. I appeal the ruling of the Chair.

Mr. DOLE. That is not in order. A point of order—that is not in order. The only thing in order is the request of the Senator from Idaho.

The PRESIDING OFFICER. The Chair has stated the point that an appeal is not in order.

Mr. DOLE. Regular order.

The PRESIDING OFFICER. Shall the Senator from Idaho be excused from voting?

Mr. DOLE. I ask for the yeas and nays.

Mr. BYRD. What is the question before the Senate?

The PRESIDING OFFICER. The question is, shall the Senator from Idaho be excused from voting?

Mr. DOLE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. BYRD. Mr. President, what about my point of order?

The PRESIDING OFFICER. It has been stated that a point of order is not in order during a rollcall vote.

Mr. DOLE. Have the yeas and nays——

Mr. BYRD. Mr. President, a Senator has the right to appeal the ruling of the Chair.

The PRESIDING OFFICER. In the past, the Chair has ruled that an appeal will be denied only in the most extraordinary circumstances, and the Chair does not feel that these are extraordinary circumstances, and the Chair has stated that the point of order is not in order.

Mr. BYRD. Mr. President, I insist that these are extraordinary circumstances, and the Senate should vote on whether or not an appeal is in order under these circumstances.

Mr. DOLE. Regular order.

The PRESIDING OFFICER. An appeal should be precluded in these circumstances.

The question is, Shall the decision of the Chair stand that the point of order of the majority leader is not well taken?

Mr. DOLE. A point of order is not in order. I appeal the ruling of the Chair.

Mr. BYRD. What has the Chair ruled?

Mr. DOLE. Regular order, Mr. President.

APPEAL PRECLUDED—SHALL DECISION OF CHAIR STAND

The PRESIDING OFFICER. The Chair has stated that although under the precedents a point of order is not in order at this time, the right to appeal is a most valuable right and is not to be abridged except under the most extraordinary circumstances. The Chair does not believe that these qualify.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. DOLE. That is not in order.

Mr. BYRD. I ask for the yeas and nays.

SEVERAL SENATORS. Regular order.

The PRESIDING OFFICER. Is there a sufficient second?

SEVERAL SENATORS. Regular order.

The PRESIDING OFFICER. Is there a sufficient second for the motion made to appeal the ruling of the Chair?

Mr. DOLE. A point of order—that is not in order.

Mr. BYRD. Mr. President, first of all, can we have order in the Senate, so that Senators can hear what the Chair is saying?

The PRESIDING OFFICER. The point of order of the majority leader is well taken, and the Senate will be in order.

Mr. DOLE. Mr. President——

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOLE. Mr. President——

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. DOLE. Mr. President——

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. The Chair cannot put the question. We are in the process of a rollcall vote. There is absolutely no precedent for this. It is strict flounting of the rules. Either we are going to play by the rules or not play by the rules.

The only question is whether or not the Senator from Idaho can decline to vote. The yeas and nays have been ordered, and I demand the regular order.

Mr. BYRD. What is the question on which the Senate is about to vote?

The PRESIDING OFFICER. The question on which the Senate is about to vote is shall the opinion of the Chair be sustained by the full Senate.

Mr. BYRD. And the opinion of the Chair was what?

The PRESIDING OFFICER. And the opinion of the Chair was that the point of order is not in order.

Mr. BYRD. May we hear the Chair? What was——

The PRESIDING OFFICER. The opinion of the Chair was that the point of order is not in order during a rollcall vote. The Senate, therefore, is voting on the opinion of the Chair whether or not to sustain the ruling of the Chair as the ruling of the full Senate and on that issue the yeas and nays are ordered. They have not been ordered.

The Republican leader.

Mr. BYRD. Regular order.

Mr. DOLE. Is the appeal debatable?

The PRESIDING OFFICER. The appeal is not debatable.

Mr. BYRD. Mr. President, regular order in the Chair's ruling.

Mr. DOLE. Mr. President, is the quorum call in order?

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the full Senate?

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

Mr. BYRD. Mr. President, a quorum call is not in order on this.

Mr. DOLE. I appeal the ruling of the Chair.

Mr. STEVENS. I appeal the ruling of the Chair.

Mr. SYMMS. The yeas and nays are not ordered.

The PRESIDING OFFICER. Shall the decision of the Chair stand?

Mr. DOLE. Mr. President——

The PRESIDING OFFICER. All those in——

Mr. DOLE. Mr. President, I suggest the absence of a quorum

Mr. STEVENS. A quorum is in order before any vote.

QUORUM CALL NOT IN ORDER

The PRESIDING OFFICER. The quorum call is not in order.

APPEAL OF RULING OF CHAIR

Mr. DOLE. I appeal the ruling of the Chair and ask for the yeas and nays. I appeal the ruling of the Chair on denial of the quorum call and ask for the yeas and nays.

The PRESIDING OFFICER. The Republican leader has appealed the ruling of the Chair on whether or not a quorum call is in order at this time.

Is there a sufficient second?

Mr. BYRD. Would the Chair speak louder into the microphone? What is the Chair's ruling on the motion that has been made by the Republican leader?

The PRESIDING OFFICER. The Chair has held that the request for a quorum call during a rollcall vote was not in order.

Mr. DOLE. I appeal the ruling of the Chair.

The PRESIDING OFFICER. The Republican leader has appealed the ruling of the Chair.

Mr. DOLE. I ask for the yeas and nays.

Mr. BYRD. I move to table the—let us give the Republican leader the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second on the appeal.

The yeas and nays were ordered.

MOTION TO TABLE APPEAL—VOTE NO. 105

Mr. BYRD. Now I move to table the Republican leader's appeal.

The PRESIDING OFFICER. The Republican leader moved to appeal the ruling of the Chair.

Mr. DOLE. I suggest the absence of a quorum.

Mr. BYRD. That is the question that has to be decided right now.

The PRESIDING OFFICER. The question is on the motion to table.

Mr. DOLE. I suggest the absence of a quorum.

Mr. BYRD. Call the roll.

Mr. DOLE. There has been no rollcall.

The PRESIDING OFFICER. The clerk will call the roll on the motion to table. The clerk will call the roll.

Mr. HUMPHREY. Dictatorship.

The legislative clerk called the roll.

(After the call of the roll, the following occurred:)

Mr. DOLE. Mr. President. Mr. President.

Mr. BYRD. Mr. President, I ask for the yeas and nays after—I ask for the yeas and nays on the opinion.

The PRESIDING OFFICER (Mr. FORD). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President.

The PRESIDING OFFICER. The Chair is in doubt as to whether to report the vote on the last vote or not, that he will——

SENATOR DOLE DECLINES TO VOTE

Mr. DOLE. Mr. President, I have not voted. Mr. President, I decline to vote for those reasons set out in the Senate rules as follows: I would like to state my reasons.

Mr. BYRD. Mr. President, I ask for the regular order. The question is as to whether or not we can proceed.

QUESTION RECURS ON APPEAL OF RULING THAT POINT OF ORDER IS NOT IN ORDER

The PRESIDING OFFICER. The question now recurs on the appeal of the majority leader that the ruling of the Chair that the point of order is not in order during a rollcall vote, and the yeas and nays have been ordered. The clerk will call the roll.

Mr. DOLE. Mr. President, point of order. Mr. President, point of order.

MOTION TO TABLE APPEAL OF RULING THAT POINT OF ORDER IS NOT IN ORDER—VOTE NO. 106

Mr. WALLOP. Mr. President, I move to table.

Mr. DOLE. I move to table, and ask for the yeas and nays.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kansas to lay on the table the appeal of the majority leader of the ruling of the Chair that the point of order is not in order. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. WALLOP. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator is recorded as voting "yea."

Mr. WALLOP. Mr. President, I vote "nay."

Mr. QUAYLE. Mr. President, on vote No. 103, I withheld my vote. I would like to be recorded in the affirmative.

Mr. WARNER. Mr. President, on vote 102 I withheld my vote. I should like to be recorded as voting no.

Mr. BYRD. Regular order, Mr. President.

Mr. DOLE addressed the Chair.

SENATOR DOLE'S REASONS FOR NOT VOTING

Mr. DOLE. Mr. President, I was prevented from stating my reasons for not voting in the last vote in violation of rule XII which I will now state by declining to vote on this vote.

Mr. BYRD. Regular order, Mr. President.

Mr. DOLE addressed the Chair.

Mr. BYRD. Regular order.

The PRESIDING OFFICER. Regular order.

Mr. DOLE. Mr. President:

> When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator for the reasons assigned by him, be excused from voting?" which shall be decided without debate; and these proceedings shall be had after the rollcall and before the result is announced; and any further proceedings in reference thereto shall be after such announcement.
>
> A Member, notwithstanding any other provisions of this rule, may decline to vote, in committee or on the floor, on any matter when he believes that his voting on such a matter would be a conflict of interest.
>
> No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until after a quorum call ordered for the purpose by the Presiding Officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate, but any unanimous consent may be revoked by another unanimous consent granted in the manner prescribed above upon one day's notice.

Then moving on to the rule because we are talking about the rules—

Mr. BYRD. I ask for the regular order.

Mr. DOLE. We are talking about the rules that are being violated.

Mr. BYRD. The Republican leader is talking about the rules of the Senate. What is involved here is paragraph 2 of rule XII of the Senate.

Mr. DOLE. Mr. President, I am talking about the rules of the Senate.

Mr. BYRD. The leader has already read that. I ask for the regular order.

Mr. DOLE. Mr. President, I continue to state my reasons for declining to vote.

The PRESIDING OFFICER. I would say to the distinguished minority leader we are trying to vote on this one, too, this particular rollcall.

Mr. DOLE. But I have been recognized to vote. I decline to vote. I want to state my reasons. My reasons are the rules of the Senate, what is left of the rules of the Senate, and I think everybody ought to hear the rules of the Senate so I will continue to read my reasons for declining to vote.

Mr. BYRD. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senator has stated his reasons, and therefore regular order—

Mr. DOLE. I have not stated my reasons.

Mr. BYRD. I ask for the regular order. This could go on all day.

Mr. DOLE. It may go on all day.

The PRESIDING OFFICER. Regular order.

Mr. DOLE. Mr. President, "When a question has been decided by the Senate"—

Mr. BYRD. Mr. President, I ask the Chair to call the roll.

Mr. DOLE. "Any Senator voting from the prevailing side or who has not voted may, on the same day or on either of the next 2 days of actual session"—

The PRESIDING OFFICER. The Senator puts the Chair in a very embarrassing situation. I wish he would allow me to make a ruling and try to bring order to the Senate. I am trying to operate this Chair in the best manner I know. I know the conflict that is going on. There is an opportunity here for regular order. We will have plenty of time to debate the rules of the Senate. The clerk will proceed.

The assistant legislative clerk continued with the call of the roll.

Mr. DOLE. Mr. President, is the Chair stating I cannot state my reasons for declining to vote?

The PRESIDING OFFICER. The Chair indicated to the distinguished minority leader that he had stated his reasons and therefore we went to the regular order.

Mr. DOLE. That is not the prerogative of the Chair. Is the Chair ruling that I cannot state my reasons for declining to vote because if he is, then I want to appeal that ruling of the Chair.

The PRESIDING OFFICER. I would say to the distinguished minority leader the question now is on the appeal of the point of order during a rollcall vote so the point of order is already a question and the Chair would have to say that the minority leader's position is not the order of the Senate now. We should go to the question on a point of order as we now have it before the Senate.

Mr. DOLE. But I declined to vote on the last vote. I was denied the opportunity to state my reasons for declining. I raise that point now, and if the Chair rules it is not in order, then I want to appeal the ruling of the Chair. If not, then I want to state my reasons because I think we are talking about the Senate rules, and the Senate rules are rather lengthy.

The PRESIDING OFFICER. Well, the Senator has made his point, and the Chair then will rule.

Mr. DOLE. But the Chair has to make a ruling or permit me to proceed.

Mr. BYRD. Mr. President, I ask for the regular order. The Senator has stated his reasons for not voting.

The PRESIDING OFFICER. The Chair has given the Senator from Kansas adequate time to state his reasons.

Mr. DOLE. Mr. President, I have still not voted and decline to vote and let me state my reasons for not voting.

The PRESIDING OFFICER. The Senator has already done that. He has had adequate time to do that. He could stand there and read the rest of the rules. We only have 7 more minutes and a rollcall is in progress.

Mr. DOLE. Mr. President, respectfully—and I do not want to get in a quarrel with the Chair——

The PRESIDING OFFICER. I do not want to get in a quarrel with the Senator from Kansas either.

Mr. DOLE. If the Senator will just rule that I am out of order, then I can appeal the ruling of the Chair. If not, there is nothing in this rule that says I have to take 1 minute or 30 minutes or a day and a half on stating my reasons for declining to vote. It is not in the rule. And there is precedent for this in 1952. I am not trying to remake the rules, as some are. I am just trying to follow the rules. Either we are going to have rules or we are not going to have rules. If the Chair will rule I am out of order, then I will appeal the ruling of the Chair.

The PRESIDING OFFICER. The Chair is walking a fine line.

Mr. DOLE. So is the Senator from Kansas but——

SENATOR DOLE RULED OUT OF ORDER

The PRESIDING OFFICER. It is the opinion of the Chair and the ruling of the Chair that you cannot go on forever stating your reasons for not voting, and therefore the Chair would rule that you are out of order.

APPEAL OF RULING OF CHAIR—VOTE NO. 107

Mr. DOLE. I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDING OFFICER. Is there sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 55, nays 45, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—55

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stennis
Wirth

NAYS—45

Armstrong
Bond
Boschwitz
Chafee
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Rudman
Simpson
Specter
Stafford
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

The PRESIDING OFFICER. On this vote, we have 55 yeas, 45 nays, and the decision of the Chair is sustained.

VOTE NO. 105—SENATOR BYRD'S MOTION TO TABLE APPEAL OF RULING THAT QUORUM CALL IS NOT IN ORDER

The PRESIDING OFFICER. On rollcall vote No. 105, the yeas are 54, the nays are 46, and the motion to table the appeal of the ruling of the Chair is sustained.

(The rollcall is as follows:)

[Rollcall Vote No. 105 Leg.]

YEAS—54

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stennis
Wirth

NAYS—46

Armstrong
Bond
Boschwitz
Chafee
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Rudman
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

VOTE NO. 106—SENATOR DOLE'S MOTION TO TABLE APPEAL THAT POINT OF ORDER IS NOT IN ORDER

The PRESIDING OFFICER. On rollcall vote No. 106, the yeas are 46, the nays are 54, and the motion to table is not agreed to.

(The rollcall is as follows:)

[Rollcall Vote No. 106 Leg.]

YEAS—46

Armstrong
Bond
Boschwitz
Chafee
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Rudman
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

NAYS—54

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stennis
Wirth

VOTE NO. 108—APPEAL OF RULING OF CHAIR THAT A POINT OF ORDER IS NOT IN ORDER DURING ROLLCALL VOTE

The PRESIDING OFFICER. The question recurs on the appeal of the ruling of the Chair that a point of order is not in order during a rollcall vote. The yeas and nays have been ordered and the clerk will call the roll.

Mr. DOLE. Mr. President, I understand the appeal is not debatable, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOLE. Mr. President, a further inquiry: following the vote, I assume that we could indicate whether or not this is limited or just what precedent we may be stating?

The PRESIDING OFFICER. The Senator is correct.

The question is, Shall the decision of the Chair stand as the judgment of the Senate. The yeas and nays have been ordered and the clerk will call the roll.

Mr. BYRD. Mr. President, is this on my appeal of the ruling of the Chair?

The PRESIDING OFFICER. This is on the Senator's appeal of the ruling of the Chair that a point of order is not in order on a rollcall vote.

Mr. BYRD. I thank the Chair.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

[Rollcall Vote No. 108]

YEAS—46

Armstrong
Bond
Boschwitz
Chafee
Cochran
Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Rudman
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

NAYS—54

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher

Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stennis
Wirth

The **PRESIDING OFFICER** (Mr. Fowler). The yeas are 46, the nays 54, as a result, the decision of the Chair shall not stand as the judgment of the Senate and under these circumstances a point of order is in order.

Mr. BYRD. Mr. President, I move to reconsider the vote.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, does the Chair have any further announcement?

The **PRESIDING OFFICER**. The Chair would like to rule now on the original point of order. It is the opinion of the Chair that the Senate, in amending rule IV, when it adopted rule IV—that was Senate Resolution 28, 99th Congress—intended that a majority of the Senate had the right to vote without delay on a motion to approve the Journal. The Chair, therefore, rules that a Senator may not decline to vote on the motion to approve the Journal when it is done for the purpose of delaying the announcement of that vote.

The Chair will now announce the result of rollcall vote 104.

Mr. SIMPSON addressed the Chair.

The **PRESIDING OFFICER**. The Republican leader, Mr. Simpson.

Mr. SIMPSON. I would inquire of the majority leader whether that ruling of the Chair had been communicated, even though it need not have been, to the minority leader before his absence from the Chamber, whether that ruling of the Chair was to be done at that moment?

Mr. BYRD. I think the Republican leader understood that, when the Senate voted as it did, the Chair would proceed to, in accordance with the actions of the Senate by direction of the Senate, make these statements. I am sure the Republican leader is not unaware of that.

Mr. SIMPSON. Mr. President, in other words, that there would be a resume of the rulings; is that what the majority leader is saying?

Mr. BYRD. The Chair is attempting to clarify for the legislative record, the actions of the Senate.

Mr. SIMPSON. Mr. President, does an appeal of this ruling need to be made at this time or can it be later made?

The **PRESIDING OFFICER**. The appeal of this ruling of the Chair would have to be made at this time. Under the rules, the appeal cannot be made after subsequent business would intervene.

Mr. SIMPSON. I believe, Mr. President, we ruled on the issue of voting or proceeding during the period of a rollcall vote to appeal the Chair, and not on the issue of declining to vote when we dealt with that.

Mr. BYRD. Mr. President, that is what the Senate just decided.

The **PRESIDING OFFICER**. I am sorry, the Chair did not hear the majority leader.

Mr. BYRD. The Senate has decided this matter. I am surprised the Chair is now saying that this can be appealed all over again. I thought the Senate established its decision on this very thing.

The **PRESIDING OFFICER**. Let the Chair ask a clarification. What the Chair has done, it has announced the decision of the last vote, which dealt with the question of points of order in the midst of a rollcall. The Senate just decided that the decision of the Chair would not stand, but that under those circumstances a point of order was in order.

To state it in the converse—and I ask for the Parliamentarian's careful listening—a point of order would lie in the middle of a rollcall. That was ruling No. 1—on this particular rollcall vote. That was ruling No. 1. Ruling No. 2 had to do with the question of delaying a motion to approve the Journal.

Now, which, the Chair is inquiring of the Republican leader, Mr. Simpson, of his requests for a motion does it lie to, the opinion No. 1 or the second opinion?

Mr. SIMPSON. Mr. President, it would be toward the latter. But as I heard the expressed ruling of the Chair, it was with regard to something about declining to vote, and that was not what was before the body, or at least had not gone through the rulings process.

The **PRESIDING OFFICER**. The Chair will be glad to repeat one more time this ruling as to whether the Republican leader can make any request he deems timely.

The Chair has ruled that when a Senator refuses to vote, it is up to the body, the body of the Senate, to determine whether or not that individual Senator will be excused from voting, and that is what has now been determined in the proceedings.

Mr. BYRD. But only with reference to the circumstances in which the Senate was trying to reach a vote on the motion to approve the Journal. The point of order was confined to that situation.

The **PRESIDING OFFICER**. That is the ruling of the Chair and was in the initial ruling of the Chair.

Mr. SIMPSON. Mr. President, I am not trying to be difficult; I really am not. What is the difference, then, between that vote and any other vote in this situation? I mean, you are trying to limit it to this, but what is the difference between that and any other rollcall vote?

The **PRESIDING OFFICER**. The Chair would respond to the inquiry that Senators under our rules would have the right to decline to vote under any other circumstances, subject to the decision of the body as to whether or not—not relating to a vote on the motion to approve the Journal.

Mr. SIMPSON. I say, Mr. President, with all deference, that I do not see how the Chair will ever be able to determine the differentiation of the substance of a vote—what are "good votes," what are votes to be commented on, votes that the ruling applies to, votes that the ruling does not apply to. We come here and we vote on a rollcall vote, and I do not see how anything can be isolated to a certain type of rollcall vote. I think that is a very extraordinary commentary and precedent.

Mr. BYRD. Mr. President, if the distinguished Senator will yield, maybe I can be helpful.

We have to go back to the point of order that was made. The point of order speaks for itself. That is what we are talking about, not just any situation.

The point of order was as follows: "I make a point of order that the request of the Senator is made for the purpose of delaying the conclusion of the vote that the Journal be approved to date."

Without reading the rest of the point of order, that sets the situation into focus. Where Senators decline to vote on other rollcall votes in other situations—this point of order does not go to those. This point of order only goes to the unusual situation, the extraordinary circumstances, in which the Senate found itself today, when it was trying to act on a motion to approve the Journal to date, and when three Senators in succession stood to say, "Mr. President, I decline to vote on this rollcall for the following reason." They did not all do it en bloc. One Senator declined, and we had a rollcall vote as to whether or not he should be required to vote.

Before that vote could be announced, another Senator stood up and said, "I decline to vote on this rollcall because I do not think we have to make a Senator state his reasons," and we had another rollcall.

Then, before the Chair could announce the outcome of that rollcall vote, another Senator—Mr. Symms, I believe it was—stood and said, "Mr. President, I decline to cast my vote on this for the reason that I do not believe a Senator should be required to state his reasons."

So you had three Senators in succession declining to vote on the motion to approve the Journal. Obviously, these were dilatory tactics.

For this reason, then, I made a point of order, because I felt that the Senate ought to get on with approving the Journal. My ultimate purpose was to make a motion during that very little, narrow window of time which occurs during the first two hours on a new legislative day, when, if a motion is made in that very little, narrow window of time, that motion is not debatable. I wanted to get to the defense authorization bill without a filibuster on the motion to proceed.

Really, the basic here is not so much the procedural side. I had understood that there was going to be a filibuster of the Department of Defense authorization bill, and that there was going to be a filibuster also on the motion to just take the bill up. Of course, we see now that it was very obvious that there was a filibuster on the motion to take it up.

So, those who oppose the motion to take it up won, because they succeeded in running out the 2 hours. So that I no longer have that little window now on this new legislative day in which to make a nondebatable motion to take up that defense authorization. They have succeeded in that for today.

Now I can make the motion to proceed but it is debatable, and we can debate the rest of the day.

The point here is that I was trying to get to a little window in which to make a nondebatable motion to take up the defense authorization. The way to obstruct that was for Senators to chew that time up, run out that 2 hours, before I could make my motion, and they succeeded.

One Senator declines to vote and a vote is had on whether he may do so. The rollcall takes at least 15 minutes; and then another Senator gets up and declines to vote, and the Senate has to decide whether he may decline to vote, and there is another rollcall vote.

Then another Senator gets up and declines to vote, and then there is another rollcall vote, under paragraph 2, rule XII.

So it is under this particular set of extraordinary circumstances we found ourselves, because we do not have all this hassle over reading the Journal, except on these occasions when the leader is trying to get to some business, and the object is to keep him from getting to that business on a nondebatable motion.

In this way there can be two filibusters, a filibuster on the motion to proceed and a filibuster on the bill itself.

So for the legislative history, the point of order is confined only to that situation in which the Senate is trying to complete a vote on a motion to approve the Journal to date. That and only that is the situation to which this point of order addresses itself. This does not impact on paragraph 2 of rule XII except in the situation where the Senate is trying to get to a vote on the motion to approve the Journal to date and it becomes obvious that the Senators who are declining to vote are simply trying to delay the vote. The point of order is clear on that.

It is confined to that very narrow purpose. The distinguished assistant Republican leader is performing a service in trying to get a clarification of this matter as legislative history so that we can be sure that the impact of the ruling will not address itself to situations which are other than the one I have described.

Mr. SIMPSON. Mr. President, having been in the role of assistant majority leader at one time—eminently more fun that the role of being assistant minority leader—I remember the terrible frustration of the filibuster of the motion to proceed, best described as something that would just drive you goofy as these people would come and begin to filibuster the motion to proceed they had a second shot at it and the best shot at it is when you got to the actual action on the bill.

So I have no problem with understanding the frustration of trying to abort that, trying to get around the filibuster and knowing it was coming and will come on the motion to proceed because of an amendment in that bill. We all know what we are doing here. I am sure it looks to the public as if it is great fun and games. It is not. It is a reality of trying to get to an amendment which is very troubling to people on the arms control issue, the Levin-Nunn amendment. That is what we are doing. Some like that. Some do not.

I do not want to ever get in a parliamentary tangle with the Senator from West Virginia, because I will lose, and I have the deepest respect for him. There is no one that knows procedure more skillfully and more adroitly than the senior Senator from West Virginia.

Here is my question. It really is one that I express quite honestly. I can understand the ruling on points of order during the rollcall but the second ruling whether it is blended in or whether it is worked in or hoveled in, I do not understand when we get to the issue of the Senator who declines to vote, because I do not believe that there has been a ruling of the Chair on the second point. There has been a ruling of the Chair on points of order during the rollcall and that was appealed and that was settled, and that is that.

But whether a Senator may decline to vote in my mind has not been settled and that is the question I am asking. If it is not, then we should ask for a vote on the Chair's ruling and then have things in order unless I miss something in the process.

I guess the other thing I would like to ask is under the decision, and I am not trying to sharpshoot—I am trying to make an orderly procedure because this can be very disruptive. At some point in time in the future you can be in the minority again, and I remembered that always when I was in the majority, a very important part of legislative life. So I think that you do not want to leave us with something that is going to disrupt every rollcall vote from now on.

The sacrosanctness of a rollcall vote is very obvious in any parliament. In fact, in most parliaments the rules say you cannot interrupt a rollcall vote under any circumstances whatsoever and I think it says that here, but there are certain exemptions.

But under the decision of the Senate to overturn the ruling of the Chair, are points of order in order during any rollcall vote? I think that is a very critical issue to present to any legislative body and, if that is the truth, there is going to be a long day's journey into night for anyone who is either in the majority or the minority. It just depends if you are on the side that is not the one with the horses. So that is one issue.

But the other issue is definitely whether we need to appeal this ruling with regard to the declination to vote.

The PRESIDING OFFICER. If the Chair may respond to the specific inquiry of the Senato*r* from Wyoming, the Chair has reviewed its ruling and it is specific. It is limited. The ruling is that a Senator may not decline to vote on a motion to approve the Journal when it is done for the purpose of delaying the announcement of a vote. That is the ruling of the Chair. It is specific and it is limited under this ruling to that opinion.

Mr. BYRD. Mr. President, I only read part of my point of order. I see now I should have read the remainder of it and the Chair has stated it.

I went on to say: I make my point of order that a request of the Senator to be excused from voting on this motion to approve the Journal is therefore out of order and that the Chair proceed immediately and without further delay to announce the vote on the motion to approve the Journal.

Mr. SIMPSON. Mr. President, that ruling has not been appealed. Is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. SIMPSON. And it certainly has less weight as a precedent if it has not gone through a vote on the motion to appeal the ruling of the Chair. Is that not right?

The PRESIDING OFFICER. That is the Senator's interpretation.

Mr. SIMPSON. May I yield to my friend from Alaska who has a fine parliamentary background and I know he has a comment with regard to this if I may do that.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I feel constrained to say that my good friend, and he is my very good friend, from West Virginia, in seeking to limit the impact of the ruling that has just been made, has failed to really address the point that the Senate has just violated its own rules repeatedly. The impact of the ruling of the Chair on items that exceeded the authority of the Senate in the first place, cannot now be turned into a precedent that would guide future conduct in this body.

The rules are very specific. I do not think that it is possible to have anything interrupt a rollcall vote except a Senator who uses his right under the rule to decline to vote and then states his reasons for so doing.

The rules are defective, I might add, because they do not limit the amount of time that a Senator can take in stating his reasons, and there is no precedent on that yet. I doubt that we will write into the rules a limitation on a Senator's right to state his reasons.

I understand full well that my good friend would like to have that precedent established by a procedure similar to what we have just gone through, because the difficulty of proceeding to legislation must be extremely frustrating. The Senator from West Virginia knows that I am one who has sought to change the rules, and made specific proposals to do so, so that there would be a limitation on debate on a motion to proceed and we would not have the problem of the leader having to resort to the morning hour procedure in order to get a bill before the Senate that he wishes to bring up.

Now we have talked at length in years gone by about this, and I have made that specific proposal to the Rules Committee. I put it before the body several times in the form of a proposed rules change. But right now I think the Senate is treading dangerously close to trying to change the rules with regard to what can take place during a rollcall.

In my judgment, as I said, nothing can interrupt a rollcall, and I do not take anything that we have done today to have established a precedent that would change the rules to that effect. As I said, and respectfully I said to all of us, we violated our own rules.

The procedure that was being followed, incidentally, was a legitimate procedure under the rules, as I understand them, for a Senator to decline to vote and state his reasons as the Senator from Virginia did. The Chair followed the normal procedure stating that it then became an issue to vote upon and unfortunately whether we like it or not, the rules make it a way to, in effect, delay a leader from getting to a motion to proceed during the morning hour.

I would urge my good friend from West Virginia to consider the problem that we are going to face if we now try to change that basic rule that nothing should interrupt a rollcall in order to use this procedure now to establish a precedent. Because if that is the case, there will be similar attempts in the future, not in the morning hour, to interrupt rollcalls.

That is what worries me most about what we have just done. I do not think we can limit the precedents of the Senate now to the interruption by a Senator of a rollcall to state he did not wish to vote and his reasons for not voting. That can occur at times other than the morning hour. And we are going to be off to the races on filibusters if that happens.

Mr. WARNER. Mr. President, if I could ask the Senator a question.

Mr. BYRD. Mr. President, who has the floor?

The PRESIDING OFFICER. The Chair is entertaining a parliamentary inquiry by the Senator from Wyoming. And, as the Senator from West Virginia and the Senator from Wyoming know, under the rules, no debate is in order during a parliamentary inquiry.

Mr. STEVENS. I may have overstepped those bounds myself. I asked the Senator from Wyoming to state my reasons for urging the Senate to go slow now in trying to establish a precedent from what we have just done.

I thank the Chair.

Mr. WARNER. Mr. President, my observation would not be in the nature of a dilatory one, but I think it would be important. The Senator from Alaska, if I might get his attention, said that nothing should interrupt a rollcall vote, but we still have to resolve the issue. There is a right for a Senator to get up and say he wishes to withhold his vote for certain reasons. What is the period of time that he can absorb in stating those reasons and at what point does that period of time become, in your judgment, an interruption of the rollcall vote? I think that is a subsidiary question you have to address.

Mr. SIMPSON. You have been very gracious, Mr. Leader. I appreciate your willingness to allow Senator STEVENS and Senator WARNER to speak briefly.

I will conclude now. I do not want to take that to a higher precedence status. But I would say this: Under rule XII, I think that we should revisit that and set perhaps some limitation. But the important thing of rule XII—and I share this with the majority leader, who knows these rules by heart—it says in rule XII:

> No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

So what we have effectively done, what the precedent is achieving, is that any time a Senator is exercising his rights under the rules and the majority can vote by a simple majority that the exercise of those rights is dilatory because it is contrary to the intentions of the majority, then a minority member can be prevented by that simple majority vote from exercising his rights. And I think that that is a very unfortunate mistake, regardless of what party you are in, regardless of who is in the majority or minority. Those are some things that we must address.

You cannot leave the phrase "what is dilatory?" up to the definition of the majority who are crashing ahead through the underbrush. That cannot be done. The rule does not say this precedent, but if the precedent is that definition of dilatory is left to the majority, a great right of the minority on an issue, not by party, is trampled and indeed we are lessened.

I thank the Chair.

Mr. BYRD. Did you get an answer from the Parliamentarian?

Mr. SIMPSON. I do not think I want to go any further.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. Mr. President, I want to be careful how I say this, because I do not want to be misunderstood.

The PRESIDING OFFICER. Would the majority leader withhold for just a moment?

Mr. BYRD. Yes.

The PRESIDING OFFICER. During our period of extended discussion, we have had an opportunity for some scholarly research that may or may not help answer some of the questions raised on all sides.

Apparently, as a matter of precedence, on January 29, 1915, a point of order was entertained that a Senator had exceeded his rights in giving his reasons for declining to vote.

The majority leader.

Mr. BYRD. Mr. President, I often consider, in amusement, the explosion of interest in the arcane and esoteric rules and precedents of the Senate that occurs only when a situation such as we have seen occur today arises. Suddenly there are many, many experts in the rules and precedents when a situation such as this arises.

On the other hand, contrary to all the plaudits that are often expressed concerning my knowledge of the rules, while I accept all those plaudits with considerable humility, I do not always believe everything Senators say about me, because I have to know—having studied the rules and precedents over the past 21 years, inasmuch as I did the floor work on the Senate floor for Mr. Mansfield, my predecessor, as well as myself; and he would be the first to say that—it is not all that true. I also can learn and do learn and have lots yet to learn about the rules and precedents.

But it is somewhat amazing that, when a situation like this arises, there are a plethora of Senators and staff people around here who never, or probably never, otherwise bother to open the rule book—and they are busy with other things; I do not find fault with that—but everybody suddenly becomes an expert on the rules.

These matters, when they arise, are a concern to other Senators as much as they are to this one. And I know the Senators on the other side have the expert advice of the Parliamentarian Emeritus, and he was a good Parliamentarian.

Senators have expressed concern about how this particular ruling might some day be extrapolated and expanded and used in situations other than when attempting to enter a nondebatable motion, and one has to get by the approval of the Journal. I am as concerned about the maintenance of the rules and maintenance of order around here as is anybody. I am not going to sit supinely by impervious to the emasculation of the rules in that fashion.

But I hope that this discussion will not go on at this time too much longer, because I also hope we can get on with debate on the motion to proceed to take up the defense bill. That is what the people want to hear. They want to hear the debate on the defense bill.

I hope that Senators will understand, while they implore me and importune me to respect and protect the rules, I hope they will also understand that they likewise have a responsibility. It is not the responsibility just of the majority leader to move the program forward and get the Senate's business done. It is somewhat the responsibility of everybody else as well.

We have spent a whole morning and part of the afternoon now in the exercise of my trying to get to a nondebatable motion to take up the defense authorization bill.

I think it should be obvious to everybody that what was going on here was an effort to keep the majority leader from making a nondebatable motion to take up the defense authorization bill. If I had succeeded in doing so, Senators would still have had the opportunity to filibuster the bill once it is up—or talk about it, debate it, and amend it to their hearts' content unless or until such time as the Senate votes to invoke cloture.

I hope that Senators will not put me to the rack too mercilessly. I have a responsibility to try to get on with the business of the Senate. And it it is not my fault if Senators are, by their dilatory motions and their dilatory actions, forcing me to make points of order which have the effect of setting strict precedents. I did not come here this morning wanting to establish new precedents. I came here this morning wanting to call up the defense bill.

If Senators drive me to the wall in my effort to carry out my responsibility to get a bill up, they can expect points of order to be made. The American people want to hear the debate on this defense authorization bill. I assume the President wants this defense authorization bill. Had only one Senator stood up and declined to vote, I would not have made a point of order. But it happened a second time. We had two rollcalls, and then we had a third Senator stand up who declined to vote. When it gets to that point it just has to be an extraordinary situation. These are obviously dilatory actions.

Who among these 100 Senators has bothered to read the Journal of proceedings one time in the last 10 years? One. I may be going out on a limb in daresaying that another Senator has not. Perhaps another Senator has. But to come in here and say "I decline to vote because I have not read the Journal," that is going a bit far. I would, however, have let that go. But when a second Senator says, "I decline to vote because I do not think I should have to vote to make the first Senator explain his reason for not voting," the purpose becomes a little obvious as being dilatory. When it happens a third time, the majority leader is driven to make a point of order to put a stop to the delaying tactics. So I hope that as Senators in their own consciences attempt to exculpate themselves from blame in this, they just stand back and see what they have done. If they are concerned so much about the rules and precedents in the Senate, then perhaps they should also exercise restraint in the effort to prevent the Senate from taking up a bill.

Mr. President, the following precedents were established today:

First, a point of order may be made during a rollcall vote on, or subsumed by a vote on, a motion to approve the Journal that repeated requests by Senators to be excused from voting on any such vote is out of order as dilatory.

Second, repeated requests by Senators to be excused from voting on a vote on, or subsumed by a vote on, a motion to approve the Journal, when they are obviously done for the purpose of delaying the announcement of the vote on the motion to approve the Journal, are out of order.

Third, a Senator has a limited right to explain his reasons for declining to vote, but may not go on "forever" stating his reasons for not voting.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SIMPSON. I cannot tell you how richly I hear what the majority leader is saying. I have been right here at this post pleading across the aisle, and he has always tried to assist, saying "why can you not allow us to get through the motion to proceed and on to the bill?" Well, I would like to help you do that. But we have people on our side of the aisle who are going to prevent that. And they do. And they will. That is the way it is.

We have had some significant meetings on that issue with regard to the motion to proceed, whether we can break through that. And I regret it is a bit sad to watch when we have these two superb people, the former Parliamentarian, Bob Dove, and the present Parliamentarian, Alan Frumin, going through "the dueling banjo" routine. That is really tedious to watch. But it comes from a knowledge that we have to be ready for those kinds of things. And that is the way it is. I wish that were not the case. There are those of us on this side of the aisle who do not profess to be parliamentarians. We are a little sloppy in our work, perhaps. I do not profess to be a parliamentarian. I am like the person who had the operation on his hand and when he finished, he said to the doctor, "Will I be able to play the piano?" The doctor said, "Yes." And the patient said, "Great; I've never played it before!" [Laughter.]

That is the way with me and the rules. But I have learned a lot here today. Everything we did was within the rules. I do not want anybody to miss what happened here today. Everything that was done by this minority was within the rules—everything. That is so very important to recognize. And the reason for it, as the majority leader wants to get to this bill, is so the American people can protect themselves and have a military budget. There are people on our side of the aisle who say the reason we do not want to get to this bill is because the President does not want this defense bill. It ties his hands in Geneva. There is an amendment in this bill which to some of us it is felt so clearly and completely ties our hands in Geneva that we will make no more progress toward arms control for this country this year. Those are pretty heavy stakes.

I do not know how you can say that any more clearly. That is why we are using the rules to the best of our abilities, and scrapping hard to do that. While we make notable, visible progress in Geneva, this amendment could slow that, and that is why we are dealing as we are dealing.

So let the American people know that, too. There is a reason for everything around here, but then there is usually a real reason, and it is often very difficult to get to that.

But I would just share this conclusion with you: If—impatience and frustration are to be the twin hammers that forge legislation, if that is the way it is to be—instead of using rules and precedents, it will never work. And I know about frustration and impatience because I have been right here gnashing my teeth to the gums watching it. But the system still works. And everything we were doing today was fully within those rules, and I think that is a very important thing for the American people to know. We know it here. Nobody knows it better than these people in this Chamber right now.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. I do not think the American people are very concerned about the rules of the Senate; not so much concerned as we are. I want to get on with the debate on the matter that is of importance to the people of this country—the defense authorization bill. Instead, we are just going around and around the mulberry bush here. I am happy to indulge in it and to engage in it. But I would like at some point very soon to be able to make the motion to proceed to take up the defense authorization bill so that the Senate can debate the bill and the language that the President objects to.

If the distinguished assistant Republican leader wishes to make any motions or anything, I will yield the floor. But if he is not, I would like to make a motion to proceed with the consideration of the authorization bill on the Department of Defense, and that is a debatable motion.

Mr. SIMPSON. Mr. President, may I inquire of the Chair whether the Chair announced the results of the rollcall vote on the motion to approve the Journal?

The PRESIDING OFFICER (Mr. HARKIN). No. The Chair must announce the result of the three rollcall votes.

VOTE NO. 104—WHETHER SENATOR QUAYLE MAY BE EXCUSED FROM VOTING

The PRESIDING OFFICER. The Chair will announce the result of rollcall vote No. 104. On rollcall vote No. 104, there were 44 yeas, and 56 nays. The Senator from Indiana may not decline to vote.

(The rollcall is as follows:)

[Rollcall Vote No. 104 Leg.]

YEAS—44

Armstrong
Bond
Boschwitz
Chafee
Cochran
D'Amato
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Rudman
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

NAYS—56

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Cohen
Conrad
Cranston
Danforth
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stennis
Wirth

VOTE NO. 103—WHETHER SENATOR WARNER MAY DECLINE TO VOTE

The PRESIDING OFFICER. The Chair will announce the results of rollcall No. 103. On that rollcall vote, there were 44 yeas, and 56 nays. And the Senator from Virginia is not allowed to decline to vote.

(The rollcall is as follows:)

[Rollcall Vote No. 103 Leg.]

YEAS—44

Armstrong
Bond
Boschwitz
Chafee
Cochran
D'Amato
Dole
Domenici
Durenberger
Evans
Garn
Gramm
Grassley
Hatch
Hatfield
Hecht
Heinz
Helms
Humphrey
Karnes
Kassebaum
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickles
Packwood
Pressler
Quayle
Roth
Rudman
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

NAYS—56

Adams
Baucus
Bentsen
Biden
Bingaman
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chiles
Cohen
Conrad
Cranston
Danforth
Daschle
DeConcini
Dixon
Dodd
Exon
Ford
Fowler
Glenn
Gore
Graham
Harkin
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Sanford
Sarbanes
Sasser
Shelby
Simon
Stennis
Wirth

NO. 102—APPROVAL OF THE JOURNAL

The PRESIDING OFFICER. The Chair will announce the results of rollcall vote No. 102. On that vote, there were 65 yeas and 35 nays. The Journal is approved.

(The rollcall vote is as follows:)

[Rollcall Vote No. 102 Leg.]

YEAS—65

Adams
Baucus
Bentsen
Biden
Bingaman
Bond
Boren
Bradley
Breaux
Bumpers
Burdick
Byrd
Chafee
Chiles
Cohen
Conrad
Cranston
Daschle
DeConcini
Dixon
Dodd
Domenici
Exon
Ford
Fowler
Glenn
Gore
Graham
Gramm
Grassley
Harkin
Heflin
Heinz
Hollings
Inouye
Johnston
Karnes
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
McCain
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Nickles
Nunn
Pell
Proxmire
Pryor
Reid
Riegle
Rockefeller
Roth
Sanford
Sarbanes
Sasser
Shelby
Simon
Stennis
Wirth

NAYS—35

Armstrong
Boschwitz
Cochran
D'Amato
Danforth
Dole
Durenberger
Evans
Garn
Hatch
Hatfield
Hecht
Helms
Humphrey
Kassebaum
Kasten
Lugar
McClure
McConnell
Murkowski
Packwood
Pressler
Quayle
Rudman
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Weicker
Wilson

Mr. BOSCHWITZ addressed the Chair.

Mr. BYRD addressed the Chair.

Mr. BYRD. Mr. President, has the Chair completed the Chair's announcements?

The PRESIDING OFFICER. The Chair has completed.

Mr. BYRD. Mr. President, am I recognized?

The PRESIDING OFFICER. The Senator from Minnesota sought recognition first.

The Senator from Minnesota.

Mr. BYRD. Mr. President, will the Senator yield to me without losing his right to the floor?

Mr. BOSCHWITZ. Yes.

Mr. BYRD. Mr. President, I hope I can proceed soon to call up the defense authorization bill. I will soon seek recognition for that purpose. I hope that we do not go on and on too much longer in this discussion of the rules but rather that we get on with a discussion of the defense authorization bill.

I have some people in my office who have been waiting patiently since 12 o'clock, and I am sure other Senators have the same situation. But I will be back shortly and I will seek recognition.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. BOSCHWITZ. Does the acting minority leader ask me to yield to him?

Mr. SIMPSON. Mr. President, I appreciate my friend from Minnesota yielding, but let me say to the majority leader there will be no attempt on this side of the aisle, at least that I am aware of, to prevent him from seeking recognition and proceeding. We will not be in that posture; we have not been in that posture. We were using the rules. We put forth our efforts on that point with the rules. I have nothing further.

I certainly want him to know that we are not involved in some concerted effort to delay further. I assume that it is a debatable motion when the majority leader makes it, and from that point on it will be debated.

Mr. BYRD. Mr. President, I thank my distinguished friend for that assurance. It will be a debatable motion.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. BOSCHWITZ. Mr. President, I will not proceed at great length. I would like to comment to the majority leader and the Senate about the proceedings of this morning because I think that we perhaps are in danger of establishing a precedent that will not serve the institution, and certainly will make the meeting of the institution more difficult.

I would first point out that the distinguished majority leader sought to bring up the defense authorization bill in the morning hour during which time a motion to proceed is not debatable. As he utilized the rules to his best advantage, so we on this side utilized the rules to our best advantage.

There perhaps were some dilatory practices, I am not sure, on this side, but the rule that deals with dilatory practices, indeed the only rule that deals with them to the best of my knowledge, is that involving cloture, the invocation of cloture.

We indeed felt that it was necessary to respond to the majority leader when he sought to bring up the defense authorization bill in the morning hour, bringing it up in that manner and preventing debate. We want to debate the defense authorization bill. Indeed, we did not want to be denied that opportunity to debate because of the bringing up of the defense authorization bill in the morning hour.

The use of the rules as we used them this morning is entirely within the rules.

There is no definition of a dilatory procedure, as the majority leader would wish us to understand, and dilatory procedures, as I understand the rules, are only curtailed through the process of cloture.

Those are the comments I wanted to make, Mr. President, because before it is assumed by those listening to the debate that we are dealing in delaying procedures, it must be understood that after 2 hours the motion to proceed can indeed be made, as the distinguished majority leader now wishes to make it. But during that period of the morning hour the debate on the motion to proceed simply could not have occurred.

I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. Mr. President, I thank all Senators for their comments. I also thank all for their diligent attendance on rollcall votes.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1988 AND 1989

Mr. BYRD. Mr. President, I again ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 120, S. 1174, a bill to authorize appropriations for 2 fiscal years, fiscal year 1988 and fiscal year 1989, for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Mr. President, I object.

Mr. BOSCHWITZ. Mr. President, I object.

Mr. BYRD. Mr. President, I move that the Senate proceed to the consideration of S. 1174, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I ask, first, about the parliamentary situation. It is my understanding that debate is now in order. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. I would like to initiate that debate.

I see on the floor the distinguished chairman of the Senate Armed Services Committee. At such time as he wishes to seek recognition, I will try to accommodate him in such a way that I do not lose the floor. Do I detect at this time he wishes to speak before I speak?

Mr. NUNN. I would say to my colleague that I would like to make a brief statement perhaps for 10 minutes. If the Senator would be so kind as to let me make a statement on this subject without his losing the right to the floor, I would certainly appreciate that. I would like to get back to the Iran hearings. I am sure that the Senate proceedings this afternoon will be very exciting. I will try to read the entire RECORD as to the Senator's words this afternoon.

Mr. WARNER. I thank my distinguished colleague and friend.

It would be my hope in the course of objecting to the majority leader's wish to proceed on this bill that we can do it in a constructive manner. It is important that we frame in the RECORD today, in a consistent way, just what are the issues that lead a certain number of Senators, foremost among them myself, to object to bringing up this very important piece of legislation.

I am wondering if we might discuss here, in the presence of the majority leader, the means by which I could speak for a brief period of time without losing the floor, allow the distinguished chairman of the Senate Armed Services Committee to rebut or otherwise comment on my remarks, and then other members of the Armed Services Committee give brief statements, perhaps 10 or 15 minutes in duration, so that we have in the RECORD today a constructive, substantive framing of this debate.

Now, having said that, if it would be agreeable, I will proceed for about 10, 15 minutes and then it would be my intention to seek unanimous consent such that my distinguished colleague could speak for a like period of time without my losing the floor.

Mr. President, I would like to begin my statement on the fiscal 1988-89 defense authorization bill by paying a most sincere tribute to my long-time friend, the Senator from Georgia [Mr. NUNN], chairman of the Senate Armed Services Committee. In his first year as committee chairman, his insight, his leadership, his sense of fairness, and his honest effort to proceed in a nonpartisan way in addressing the Nation's defense needs were certainly recognized by this Senator and I think all members of our committee. He has established in this brief period of time a reputation, a respect which will place him alongside the great chairman who have led this committee.

This working relationship with me, I value greatly. He has shared with me from the very start a role in the decisionmaking of this committee. Our first joint decision was to embark on a course, somewhat different from previous years, for the committee to hold a series of hearings to document the military strategy of this Nation and the forces required to implement that strategy. These hearings laid a foundation for the ensuing work of the committee, primarily the consideration of the 1988-89 defense authorization bill.

It was a demanding task but throughout it all he and other members of the committee worked to keep it on course and on schedule.

The only reason that a certain number of us are opposing the normal consideration of this bill is the Levin-Nunn amendment. I hope that the Senate will recognize the importance in having this amendment separated from the bill and addressed in a context other than the consideration of this bill. I suggest a freestanding bill.

I am pleased to inform the Senate that although eight of the nine Republicans voted against the bill, indeed, in our hearts we felt that the bill represented a sound, equitable, and fair approach to the many issues involved in the 1988-89 authorization bill.

Now, we had to construct this bill under a degree of uncertainty as to the fiscal constraints. All members of the committee knew that Congress eventually would not be able to authorize a budget authority level and an outlay level as high as we would hope. Eventually, the budget process of the Senate produced the guidelines that are required but they were too late for this committee to incorporate in its final analysis of the bill. We therefore with equal emphasis, proceeded to address the bill at a budget authority level of $312 billion, as requested by the President, and then proceeded a second bill at a zero real growth level.

On the whole both bills in a fair and equitable manner balanced the necessities of reducing spending in view of the fiscal constraints and came out with a reasonable prioritization of the programs.

We also recognize that the House of Representatives is in the process of developing their bill at levels somewhat below that of the Senate. I say somewhat. Indeed, they are drastically below the level of the Senate. In the conference process a bill will eventually emerge which will have, again, regrettably, reductions below those established by the Armed Services Committee will in this bill be able to establish a position of the Senate as a whole.

Now, Mr. President, turning to that single provision in the bill which led eight of the nine Republicans to set a precedent, namely to vote against reporting out of committee this bill. I will summarize the basis for our opposition. The so-called Levin-Nunn amendment—indeed, it was a last-minute approach taken about 7 o'clock on a Thursday night when we had anticipated concluding on a Friday—would prohibit the expenditure of funds for certain development and testing procedures relating to the strategic defense initiative, SDI. It would require a joint resolution of the House and the Senate before the President could proceed with any development or testing of SDI which would not be conducted under the so-called narrow interpretation of the ABM Treaty.

In other words, either the House or the Senate could decide not to permit exercise of their options by the President. In effect, a one-House veto, a one-house veto which is a very dangerous precedent for the Senate to give in view of its explict powers under the Constitution on the "advice and consent" role with respect to treaties.

My objections are several. First, the provision represents a unilateral constraint on the United States on a military program which both the United States and the Soviet Union are now pursuing. The Soviets have been and are continuing to pursue an SDI program. This amendment would have the effect of placing on the United States Commander in Chief a restriction which would prevent him at some point in time from exercising the discretion to alter the R&D and testing program. It would in effect send a signal to the Soviets that we are now, going to interpret the treaty in a way to eliminate an option allowing the President to pursue a different course of action at some future date.

Now, this action is proposed to be taken by the Senate, the House have adopted a similar amendment, at the very time the negotiators are in Geneva endeavoring to reach common accords on a number of objectives to reduce the level of nuclear weapons throughout the world. It would limit the flexibiltiy of our negotiators and would impose on them a new starting point that indeed I think the Soviets would welcome. Essentially, if the Congress were to adopt this amendment, they would be pulling a chair up to the negotiating table and taking a seat alongside the negotiators, and that is unprecedented in the history of our Nation. Indeed, it is contrary to the balance of powers between the executive branch and the legislative branch, as set forth in the Constitution and a number of Supreme Court cases.

I ask my distinguished colleagues who oppose me: What has the United States received in return for this unilateral concession?

The Levin-Nunn amendment would permit an unacceptable intrusion by Congress into the President's jurisdiction to conduct our Nation's foreign affairs. Those Members supporting the Nunn-Levin amendment would be transgressing, in my judgment, that balance of power between the executive and legislative branches.

Second, under the restrictive interpretation recommended by the Levin-Nunn amendment, the United States may conduct only a limited number of SDI experiments; and if we were to direct that course of action, we would be taking away from the President the option of pursuing what we now recognize to be a more efficient, expeditious, and cost-effective research and test program to evaluate the feasibility of a deployed defense system.

In today's fiscal restraint atmosphere, a program of this magnitude should be examined in terms of saving dollars. The President has not yet made the decision to alter the present course of R&D and testing, but I say that Congress should not tie his hands at this critical time in the negotiations taking place in Geneva and while Congress is seeking ways to make defense programs less costly.

Third, the Levin-Nunn amendment would impose on the United States a restrictive interpretation of the ABM Treaty to which only the United States and not the Soviet Union would be bound. The precedents in this country clearly indicate that the President has the constitutional responsibility for implementing treaties during their lifetime. We are endeavoring, by virtue of this amendment, again, to transgress that constititional responsibility.

Historically, our negotiators attempted to restrict both the United States and the Soviet Union to the narrow interpretation of the treaty during the period it was under negotiation some 15 years ago. But the record reveals that the Soviet Union was the party to those negotiations which refused to accept the United States position.

Now, some 15 years later, the Levin-Nunn amendment would bind only the United States to that restrictive interpretation and would have no corollary effect on the Soviet Union's obligations under the treaty.

Fourth, the Levin-Nunn amendment is in part based on concern for the proper role of the Senate in giving advice and consent on the ratification of treaties. This is certainly an appropriate concern, but the approach taken by the Levin-Nunn amendment would yield to the House of Representatives an effective veto over any Presidential decision to conduct development or testing beyond the restrictive treaty interpretations.

The amendment requires a two-House vote of approval before the President may proceed to such development or testing. Therefore, if the House alone should decide not to approve such a decision, they would prevail under the Levin-Nunn amendment.

For those Members who are concerned about the Senate role in this process, let me put it another way: If a majority of Senators were to agree that the President should be able to conduct certain tests under a broad interpretation, and the House of Representatives refused to give like approval, then the will of the Senate would be overruled. A simple majority of the House could overrule not only the President's decision but also a decision by the Senate. I trust that the authors of the amendment will be able to address this during the course of their debate.

Mr. President, I should now like to conclude my first address on this matter; and now ask unanimous consent that my distinguished colleague, the chairman of the Senate Armed Services Committee, the Senator from Georgia [Mr. NUNN], might take such time as he feels is necessary to make such preliminary remarks as he feels are appropriate, and to do so without my losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Georgia is recognized.

Mr. NUNN. Mr. President, I thank my colleague and friend from Virginia for his kind words.

I certainly echo his words of praise, because he has been an outstanding leader in the Armed Services Committee for many years. He has been an outstanding Secretary of the Navy and has been a great member of our committee. He has been the ranking member of the committee on the minority side since I have taken over the chairmanship. So our relationship goes way back.

I assure my colleague that whatever transpires in the course of this debate, that relationship on matters relating to our national security will continue in a positive vein. I assure all my colleagues of that. This is a fundamental difference. We have fundamentally different viewpoints on this issue. It is going to be hard ball. It may very well kill the authorization bill this year. It may very well kill the appropriation bill, except for a meager continuing resolution. I think that is where this plays out.

I am not sure there will be 60 Senators voting to break this debate and go to the bill. I hope there will be, because this is not SAM NUNN's bill; this is not the chairman's bill; it is not the Democratic bill. It is not the Senate bill alone. This is the authorization bill for the Department of Defense.

I am therefore curious about some of the events that have transpired today. I am curious about where this will all lead. I am curious about what lies down the road. I understand the temporary tactics, but I am not sure how it plays out. It seems to me that we do have Members of the Senate who feel strongly about a particular provision, and they are at this point preventing the Senate from considering the entire fiscal year 1988-89 defense authorization bill which was reported to the Senate by the Armed Services Committee last week.

This is an incidental matter, but this is a 2-year bill; the first time we have had a 2-year authorization. The second year we have not put in 100 percent of the request, because the administration does not meet the Gramm-Rudman-Hollings targets. As the Senator from Virginia knows, we do have 73 percent of the requested authorization for the second year—that is, fiscal year 1989—which is incorporated in this bill.

Mr. President, Congress has enacted the defense authorization bill each and every year for 25 years. Virtually the entire defense budget now requires annual authorizations as a matter of law under title X of the United States Code. The Pentagon may not obligate or expend any funds unless they are authorized.

And that means authorized in the process of this bill and its counterpart in the House.

Preventing this bill from being debated will put the Department of Defense over a period of time in a very difficult situation.

The thing that is curious about this action to me, Mr. President, is that this authorization bill is essential to improving and strengthening our Nation's defenses, and certainly our colleagues on the other side of the aisle as well as this side of the aisle always have prided themselves on being very much in favor of our national security.

I can only assume at this point that perhaps my colleagues have made a mistake. They may be mistaken about what this bill is.

I say to my colleagues in case there is any mistake that this is not a State Department authorization. There are no nominations in it. There is nothing in it that controversial. It also does not have any revenue enhancements in it, to the best of my knowledge as chairman of the committee. Revenue enhancements are what some on this side of the aisle called tax increases. Until 1984, when we were taught a very vivid lesson. There is nothing in here like that. There is no controverisal nomination.

So I would say that our colleagues who are exercising their right under the Senate rules for extensive debate on the motion to proceed need to consider very much where they are going in the overall procedure here.

If this bill is blocked, is the Senate in effect saying, as our colleagues are saying, that we will forego for 2 years the procurement of all ships, airplanes, tanks, and vehicles for the military services that this bill contains? Is that what we are saying? Are those who are blocking the bill saying we are to forego 2 years of training and exercises necessary for Air Force pilots, our Navy crews and Army battalions to be ready to fight if a war comes about? Are those who would block this bill saying for 2 years we can turn out the lights in our alert missile silos, stand down our strategic bombers and take off alert and stand down our sea-based missile force that constitutes the heart of the deterrent? Are those who block the bill saying for 2 years we do not want to buy spare parts, ammunition, and other supplies to sustain our forces in combat? Is that what is being said?

Are those who do not want us to proceed to consider this bill saying that we do not need the 2.2 million men and women on active duty and 1.2 million National Guard and Reserve personnel which this bill authorizes? Is that the message going out?

Are those who would not have us proceed on this bill saying we do not want the 4-percent pay raise this bill provides for our military personnel or that we do not want to increase the sea pay and submarine pay for those military personnel who have to undergo very long and very difficult family separation? Are those who do not want us to proceed today saying that we do not want any military construction for 2 years at any installations in the United States or overseas? Are they willing to forego the bed down of beginning of the B-1 Program in terms of deployment, the new, light division in Fort Drum and Fort Wainwright, all the naval strategic homeporting and family housing for military housing? Is that what we are saying here?

Are those who do not want to proceed today willing to forego the research and development programs for such important programs as the Stealth bomber and SDI Program which are certainly essential to the security of our country? I that what is being said?

Mr. President, I can only conclude the answer to these questions is really "No" because I know my colleagues better than that. I know they do not want to hold up those programs. But I am not sure where this is going to lead us.

Certainly we can fool around for a week or two. We can have a long and lengthy debate, and I think we should have a long debate on this controversial provision, but I certainly do not believe my colleagues on the other side of the aisle are willing to sacrific all of this, which is really the heart of our Nation's security, over one provision because this filibuster, if it can be called that. Perhaps we should delay that wording right now, but I think that is what we are in, not just blocking one provision, but blocking the entire authorization bill for the Department of Defense for fiscal years 1988 and 1989.

What is it that is so objectionable in this bill? What is it that prevents our colleagues from even wanting the Senate to debate the bill itself and turn to it in a formal sense on the floor?

It turns out, Mr. President, that the problem is with only one provision of the bill. That is section 233 which deals with the testing of the strategic defense initiative.

This provision, authored by the Senator from Michigan and cosponsored by myself and voted for by 12 members of our committee, prohibits the expenditure of funds for testing or development of mobile or space-based ABM systems or components, including ABM's using exotic technologies, unless the President submits a report to Congress and Congress passes a joint resolution allowing this testing. The joint resolution would be subject to expedited procedures in both

Houses to guarantee its prompt consideration.

This means that the President, if he decides to go to the broad interpretation in terms of testing, would have to file a report in Congress and he would have to get Congress' approval.

I ask my colleagues, does anyone believe that we really could begin a program that would depart from the historical traditional interpretation of the ABM Treaty without Congress being in on the act? I do not understand that logic. I do not understand that logic when you are talking about a program where the least amount of money that you are talking about to go forward is probably $4 to $6 billion a year. For the next 5 years you are talking about escalating costs on up the ladder and if you are talking about deploying it you are talking about anywhere from $50 billion to $1 trillion and $1½ trillion.

I do not see how anyone can think that can be done without a bipartisan consensus and without approval of both Houses of Congress.

What we are saying is, do not break out of the ABM Treaty without our having something to say about it.

We view the broad interpretation as a reinterpretation of the treaty. We say that to reinterpret, Mr. President, you cannot alone do it alone. We are saying you have to get Congress on board. I just do not see how you can proceed on a program of this magnitude without having Congress on board. Someone is going to have to explain that to me.

I cannot understand why the opponents think this is such a radical departure.

First, the President has not even requested the funds to do that which this provision would prevent them from doing. On the contrary, the administration has testified that the strategic defense initiative program for the next 2 fiscal years has been designed to fully comply with the traditional interpretation of the ABM Treaty. That is the testimony we have before us.

Second, even if the strategic defense initiative would be restructured to conform to the so-called broader interpretation, the key systems in the specific near-term deployment architecture which are now being pushed by some advocates of the strategic defense initiative, still could not be developed or tested in all probability in space even under the broad interpretation. That is the most curious thing of all.

The programs that relate to early deployment are the kinetic kill programs, and those programs are not new technology. Those programs are not exotic technology. So even if the broad interpretation is adopted by the President and even if Congress approves it, there is a strong case that these kinetic kill programs cannot be tested under the broad interpretation. They can be tested if the President decides to abrogate the treaty and I think in that case he ought to also certainly get the approval of Congress, but that is another issue.

The reason that this is true is because the systems that are so-called early deployment options involve traditional technologies that were in effect in the early 1970's, not so-called exotic or futuristic technologies. The difference between the broad and narrow interpretation, and we have been hearing an awful lot about this, is not a vast difference. It does not relate to whether you can deploy SDI. Both broad and narrow say that you cannot deploy strategic defense initiative type systems except under the very limited land-based system provision of ABM Treaty. So this issue is not about deployment. It is really not about traditional technologies; it is about future technologies. Therefore, the most puzzling part of this whole exercise to me, one that makes the whole exercise so futile at this point in time, is that the technologies that are being talked about for early deployment cannot be tested under either interpretation, whether we have the broad or the traditional.

That is what really boggles my mind. I do not understand what we are debating.

The New York Times Sunday had an article which talked about the new technologies and talked about the proposed kinetic kill program and talked about the various legal interpretations and noted that Judge Sofaer, who is the primary author of so-called broad interpretation, said even he had not decided that these early deployment systems could be tested under the broad interpretation. Yet we have a Defense Department report that is conjuring up this huge cost and delay that is going to take place after we have the traditional interpretation. I have not seen it yet, but I am told that the primary ingredients in it are the old technologies which cannot be tested under either interpretation.

It is a very, very curious thing that we are going through here. I think it relates more to ideology and perhaps even theology than it does to actual reality about where we are in terms of SDI.

The third reason I would say that this whole area is puzzling to me, is that it would be unprecedented, Mr. President, for Congress to give the President of the United States a blank check to unilaterally undertake a major restructuring of important defense programs. What the President is saying is give me $5.7 billion and let me do anything I want with it and I will tell you what I have done after I have done it, perhaps.

Basically, they have testified they do not need the broad interpretation to carry out the program over the next 2 years. There is, however, a Defense Department report, I say in fairness, that is now floating somewhere out there in the secret corridors of the executive branch, only known to the executive branch so far and the news media, not yet shared with the Senate, that says they need this broad interpretation. I hope at some point, when it has been thoroughly hashed out in the newspapers and they all throughly understand it, that the Senate will be given a copy of that report. I trust that is the case.

Nevertheless, what we have here is the President asking for a blank check. Now, what we have got in this bill is not the full administration request for SDI. I think we have a very good number in the bill for SDI. We have $4.5 billion, with a pretty good consensus on our committee on that. But I must say that consensus was framed on the basis of what the administration had testified to as to what was going to be done with the money, and that is to have the money spent in terms of the traditional interpretation.

My friend from Virginia mentioned a minute ago, if I recall his exact words, something to the effect that this would basically interfere with the President's prerogatives in Geneva. There is nothing in this amendment that keeps the President from announcing that he is going to the broad interpretation. There is nothing in this amendment that keeps the President from abrogating the treaty, although I think that would be a very unwise decision. He has a right to consider that as an option. I think Congress ought to be brought into that one, too. But, nevertheless, there is nothing in here that prevents that.

What it says is that since you have testified you are going to adhere to the traditional interpretation for the next 2 years, if you are now going to depart from your own program, as described to us in the Abrahamson testimony, if you are going to depart from that, you cannot do it without Congress. We did that on the MX.

Can you imagine the Congress saying to the President:

> Here is $4.5 billion for the MX missile, Mr. President. Now, you go on out there and you put it in any kind of basing mode you want. Don't check back with us. Just go do it. Put it in fixed silos or put it in some side of a mountain or put it on a ship. Just here is the money, you go on out there and do it.

We have never done that. Nobody would even consider doing that. In the case of the MX program, Congress insisted on having both the House and the Senate approve the basing mode. We have to approve, the House and the Senate that is, everything in the Department of Defense bill whether the executive branch likes it or not. That is part of what the Constitution of the United States says is our duty. We have to approve that.

As a matter of fact, if you go back to the ABM Treaty itself, there was a decision made not to deploy any ABM's, which we had a right to do, around the Nation's Capital. That was made in the early 1970's. Who made that decision? Congress made that decision.

Under either interpretation of the original ABM Treaty, we could initially have deployed a system around the Nation's Capital, a limited sytem. The Congress concluded it would not be worth the money. But, nevertheless, who approved that? The House and the Senate.

We also approved only a limited number of ABM's for deployment at Grand Forks and then finally decided not to have any ABM's there. Who made that decision? The House and the Senate.

And now we are told:

> Forget about all that. Forget about all that. Forget about the constitutional duty of Congress to take care of the Department of Defense. We want to give the President $4.5 billion and we want him to be able to do anything he wants with that money, whether it complies with his representatives' testimony before the committee, or whether it complies with our view of the ABM treaty or not. Just give him the money. Give him the money because we are involved in arms control negotiations in Geneva.

We could have done that on the MX. We could have said with regard to the MX basing mode issue:

> Oh, that is important to our negotiating position in Geneva. Therefore, Mr. President, we are going to throw a hunk of money at you and you just do whatever you think is right in that case.

Now, we did not do that. There was not anybody, I do not think, that advocated that. We are all involved in that basing mode debate.

We are told now that because we are restricting the kind of SDI testing the President can do unilaterally without coming back to Congress, we are told this is some kind of radical departure and that it is an intrusion on foreign policy.

I do not understand that. The logic escapes me completely. Was it an intrusion on foreign policy for the Congress to put a restriction on the MX basing mode? Was it an intrusion on foreign policy for the Congress to put restriction after restriction on what kind of deployed ABM system we were going to have? It never has been deemed so before. That is not foreign policy. That is a question of how you spend money.

Now, I will certainly grant you that how you spend money in defense has a spillover effect in foreign policy. But we are not saying to the President of the United States:

> Mr. President, you can't go over there at Geneva and talk to the Soviets about a broad interpretation.

We are not saying that. We are not saying:

> Mr. President, you can't tell the Soviets in Geneva that it is your plan. If SDI works and is feasible and so forth, that it is your plan to deploy it at some point.

We are not saying that. We are simply saying:

> Mr. President, here is $4.5 billion in this bill for the Strategic Defense Initiative. If you are going to spend in it in a way that has not been presented to the Armed Services Committee and the Congress and in a way that is not part of your traditional interpretation and not part of your presentation to the Armed Services Committee, we have got to approve it first.

We did not do this out of the blue. We did not come out of some vacuum. What we were reacting to was a State Department opinion and a Presidential dialog with verious agency heads in his administration that asserts the right of the administration to go to this new interpretation any time they want to. They finally, after a long time, agreed to consult with the Congress. "Consult:" that could be 1 hour, it could be 5 minutes, it could be 1 month, it could be 2 months, it could be 9 months. We do not know what "consult" means. No one else has ever known, either, though it is better than nothing.

We are in what I consider to be uncharted constitutional waters here. We have the administration saying: "Give us $4.5 billion. We reserve the right to unilaterally interpret our treaty obligations." Treaties are if you believe the U.S. Constitution, the law of the land. But the administration says: "Leave that up to us, boys. Don't you get involved in all those nitty-gritty things about what the Constitution means. Tell us that we can go out and spend this money any way we want to. We will take the $4.5 billion and if we can devise a test soon enough that would be reach this key provision of the ABM Treaty, give us the authority to do it."

Now, I just really cannot believe that my colleagues on that side of the aisle—and I treasure my friendship with so many people on that side, as I do on my side—I cannot believe the Senate's institutional role is going to be disregarded in this debate. I cannot believe the Senate's responsibility to ratify treaties is going to be disregared. I cannot believe that we are going to say to the President of the United States, whether he is a Republican President or Democratic President: "Mr. President, you interpret the treaties. We will give you the money and you do whatever you want to with it."

I suppose that "Mr. Conservative," by everybody's definition, is Barry Goldwater. Barry Goldwater went to the Supreme Court of the United States on a matter of principle when there was a revision of the treaty with Taiwan, known as the Republic of China. The Supreme Court, as I understand it—and I am going to do more research on this—declined to decide the case on procedural grounds, in part because the Senate has not spoken on that point. But Senator Goldwater went to the Supreme Court of the United States as a matter of principle—"Mr. Conservative," a man we all love and cherish, former chairman of this committee—because he did not believe the U.S. Senate ought to be disregarded on the ability of a President to abrogate a treaty. And that was the Senate had not even spoken.

And now here we have an effort to keep the Senate from debating this provision, not after a majority has spoken, but without the Senate having ever debated this provision. What we have is an effort to block the Senate from speaking on the issue.

It seems to me that is flipping the whole theory that Senator Goldwater had, when he went to the Supreme Court, on it's head. We are not even going to be permitted, if the filibuster succeeds—and maybe it will—we are not even going to be permitted to speak on this issue.

Well, Mr. President, I just believe there is a lot of soul-searching that has to go on. I also think the executive branch has got to do some. It seems to me the executive branch is in one of the most curious situations I have ever seen. They are over in Geneva negotiating a treaty on intermediate range nuclear forces, the so-called INF treaty. Hopefully, in the next few months, they are going to have a treaty and they are going to present it to the U.S. Senate. Then they are going to be confronted with the State Department theory, which departs from everything we have known in our constitutional history. They are going to be confronted with that and we are going to have to say to them:

> Mr. President, Mr. Secretary of State, we sure would like to consider that INF treaty, but you have told us with regard to the ABM treaty that what the Senate is told by the executive branch witnesses, the Nixon administation of 1972, was wrong and it does not have any meaning.

What we should have done in 1972 is gotten that negotiating record, and we should have gone through every detail of it. Wherever we had a question about that negotiating record, we should have put it in the form of a reservation. We should have said the treaty is ratified subject to this reservation. And we should have required the Soviet Union to agree to that reservation. We should have not only done it on things that were at issue, things of controversy; but we should have taken something that was not controversial that some astute lawyer might 15 or 20 years later think should be changed, and have taken that and put it in the form of a reservation, too.

The State Department is basically telling us, "Do not trust what the executive branch witnesses say before the Senate; do not trust what they portray as the meaning of a treaty; do not do that. Go back and look at the negotiating record, then put in reservations, and make sure that the other party agrees on them and signs them." I think that almost renders helpless the executive branch treaty-making authority. What we will have to do when the INF treaty comes before us, based on this State Department document, unless they change it, is say, "Get the wheelbarrows out, folks; haul those documents in." We will have to obtain every memorandum that has ever been written in the executive branch about this negotiation. We will have to have every secret or classified subjective opinion by our negotiators. We will have to have all of that not only on INF, but since this is a three-basketed negotiation, we have to find out what was said in the START talks and what was said in the space talks because there certainly has been overlap, even though these talks may still be ongoing.

If we do not get the INF negotiating record, there is no earthly way we can comply with the State Department, or Sofaer, or executive branch doctrine of Senate responsibility because they are saying: "Do not believe what we say, go look at the negotiating record on anything that is important, put it in the form of a reservation, and make the Soviets sign it again." That is an untenable position for the executive branch to take. What is just truly amazing to me is that there are not more people in this administration who seem to understand this, because what they are doing is jerking the rug right out from under their own feet in terms of treaty ratification.

Our Founding Fathers intended treaties to be difficult to ratify. There is no doubt about that. They would not have put the two-thirds requirement on it if they did not think the treaties ought to be ratified very, very carefully. But I do not think they ever intended that we were going to not even trust what was told the Senate of the United States by official executive branch witnesses and was adhered to by four different administrations over a 15-year period. I do not think they believed it ought to be that difficult.

So what is at stake here is a whole lot more than the question of a little negotiating leverage in Geneva. I think it was very little. I am not going to make a case it had no leverage. There was probably some very small amount of negotiating leverage. But what we are doing in the first place is holding up the whole defense bill because of what which seems to me a totally disproportionate concern.

The second thing we are doing, if you take the State Department doctrine, is eroding very severely the ability of the executive branch and the President, whether this President or the next one, to enter into treaties with the hope that they may be ratified. I cannot conceive—and I have been over to Geneva a lot of times, and I know a lot of other people who have, too—of how we could go through a negotiating record on INF in a period of less than several months. I do not know how many Senators are going to go over the record. If we had the same rule we have with the ABM negotiating record, you have to go up to S407 and really only about two Senators at one time can read it because there are only one set of books, and they are pretty big. But you really have to do it in two's.

I do not see how we can get through an INF Treaty ratification procedure in less than probably 8 months to a year. I do not see how it could be done physically, if even 40 or 50 percent of the Senators are going to read the record.

Someone had better start thinking about where we are going. We are on a slippery slope here. We are on the slippery slope regarding the Senate's role under the Constitution of the United States and the ratification of treaties. We are on the slippery slope as far as perhaps killing the defense authorization bill. We are on the slippery slope as far as the treaty-making authority of the President of the United States, whether President Reagan, President Carter, or the next President. We are on the slippery slope as far as being a nation of laws. And we are on the slippery slope as far as whether America's word can be taken when we enter into an obligation.

I want to say right at the beginning, before anybody points it out, that if there are Soviet violations of this treaty—and I think there are some—then I think we ought to deal with those violations forthrightly. You do not deal with the Soviet violations by reinterpreting a treaty. The treaty of the United States is the law of the land. If a treaty is going to be reinterpreted 15, 16 years after the fact, the Congress of the United States has to have something to say about that law. The President cannot unilaterally reinterpret a law. He cannot do that. He cannot unilaterally reiterpret a treaty. He can come to the Congress. He can say to the Congress in good faith, "We think there has been a misinterpretation for 15 years, and we want to enter into a dialog with you, and we want you to approve a reinterpretation." That would be in order.

There are those who would say that if indeed the Sofaer analysis of the negotiating record is correct; that is, that the United States and the Soviet Union had an understanding and the Senate of the United States ratified another agreement, then that agreement with the Senate should not be binding on the executive branch vis-a-vis the Soviets; if that were the premise and if that were correct, it would be a case of first impression. However, I think the Sofaer analysis on the negotiating record is fundamentally wrong. I have already said that.

We are going to be getting into that debate, I hope, in open fashion. I hope it will be open. I understand there was a report released today, at 2 o'clock, that basically lays out the negotiated record which was previously classified, and which took 9 months for us to get, which is now being declassified as far as the Sofaer part of it. I have been assured by Judge Sofaer and Paul Nitze this morning, speaking for, I assume, the administration, that any Senator, including me or any other Senator who had an opinion on that negotiating record, will also have the right to have it declassified. Of course, in all fairness, that will be the only acceptable route. I do think that is going to happen.

But the point is, Mr. President, this is a serious issue. It deserves to be treated seriously. I do not think a prolonged debate is going to solve anything. I think what a prolonged debate is going to do is probably erode the ability of this Congress to pass an authorization bill.

Again, it is not my authorization bill, or a Democratic authorization bill. It is an authorization bill that authorizes the Army, Navy, Air Force, Marine Corps, and all the personnel, and all the pay of our people around the world. Certainly the theory can be, well, we will limp through with a continuing resolution. Maybe we will in October or November. Maybe we will erode the ability of the Armed Services Committee to present a bill next year. I do not know.

Whatever else, I know this: I know a continuing resolution is going to have a very adverse effect on the Department of Defense because you are not going to be able to start a lot of new programs. You are not going to be able to have the major thrust that we have in this bill. I think all of our colleagues know that. I know that. I know every member of the Armed Services Committee who has contributed to this bill does not want to see it go down the drain. If there are 51 votes to take this provision out, then you will see me marching off and following the orders of the Senate. I am not going to filibuster anything because I think the defense of our country is too important. So if 51 of our colleagues decide the Levin-Nunn amendment should not be in here, I will adhere to that. I will respect it. I would not agree with it, but I would respect it. I will urge my colleagues to do likewise.

Let us debate it. Let us talk about the issue as long as necessary. But let us do so in a spirit of comity and a spirit of understanding that there is a lot more at stake here, a lot more at stake than simply the question of whether we have a broad or narrow interpretation. We have institutional concerns. We have concerns about the Constitution. We have concerns about the role of the Senate. We have the armed services of our country and the national security which are very much at stake.

I want to repeat one thing. If we have to go all the way to October, November, unless there are 51 votes to take this provision out, it is going to be in there as far as I am concerned, unless the administration decides they are going to make some accommodation which they should have done to begin with. If the administration decides that this is a partnership, this Government is not a government by king and the Congress of the United States has something to say about this, if they take that attitude, and give us the proper assurances, there is no need to have anything in law.

But what we have right now is the President and his advisers saying that they can do anything they want to with that $4.5 billion. "Give it to us, folks, and we will decide what is right. We will decide what the Constitution says about treaties. We will decide what the law of the land is. We will decide that unilaterally. We do not need any advice from the Congress." That is an unacceptable position from the executive branch.

It will be unacceptable in this month, it will be unacceptable in June, it will be unacceptable in July, it will be unacceptable in August, September, October, November, and December. It will be unacceptable in my view to a majority of this body from now on.

I thank my colleague for yielding.

Mr. WARNER. Mr. President, before my distinguished colleague leaves the floor, he mentioned he had talked with Judge Sofaer about the declassification of portions of the record.

For purposes of clarification, you indicated that if another Member of the Senate had a concern, I think you prepositioned it with it would be declassified, and the "it" referred to a portion as opposed to the whole. Am I correct in that assumption?

I think other Members of the Senate do have a concern about that and are listening, hopefully, to what my distinguished colleague has said. I just want to clarify what was your interpretation of what Judge Sofaer, counsel to the Secretary of State, said.

Mr. NUNN. I thank my friend from Virginia for asking for the clarification.

My understanding was that the Sofaer analysis of the negotiating record was to be released at 2 o'clock this afternoon with a declassified version.

Mr. WARNER. A portion of it is here and I intend to address it.

Mr. NUNN. That is correct. The whole record has not been declassified.

Mr. WARNER. That is right.

Mr. NUNN. If there is a Senator, and I have my own report which I will be asking for declassification on, if a Senator has a report as to their view on the ABM interpretation of the negotiation record—

Mr. WARNER. Or a portion.

Mr. NUNN. There is no reason you could not include the whole record if you needed clarification. There has been no limit. I do not know how you could say we are going to take parts of the Sofaer interpretation and declassify those but if you have other points they will be classified top secret and you cannot tell us about those.

The understanding I had was anything relevant to an opinion on the narrow or broad interpretation, if anyone felt strongly about it, would be declassified.

Mr. WARNER. I would add that the distinguished Senator from Georgia has stated that and I will proceed to clarify that for the benefit of other Members.

Mr. NUNN. That does not mean that any Senator has a right to declassify this. This has to go through the State Department proceedings. It would be the ultimate irony, and I do not attribute this to the administration, if they were to say, "We can declassify our part but you cannot declassify your part."

Mr. WARNER. I was not trying to separate what was ours and what was yours. I did not want to give the impression that the whole thing could be declassified.

Mr. NUNN. That has not been conveyed to me. No one has said that the whole record would be declassified. Frankly, I think the reason for classifying the record is the diplomatic reason of concern for the other country and concern about the negotiators, whether we are going to inhibit those negotiators in their own free advice, and so forth. I think that is a legitimate concern. But when the negotiators as in this case, as in the Nixon administration, have been essentially accused of coming back and being misleading, in a grossly negligent manner, misleading the President of the United States, the Congress of the United States, the Defense Department, misleading four different administrations up to 1983, it seems to me there is not very much in the way of protecting them or these negotiators when you inhibit the record from being known because these people are being accused of either gross negligence or deliberate misrepresentation, one or the other.

Mr. WARNER. I will say to my colleague there is also the other party in the negotiation. History has shown that there are certain advantages of keeping that portion.

Mr. NUNN. I think the Senator is correct on that. Far be it for me to plead for the Soviet Union on this, but is seems to me that so much of the record has already been made public. The most puzzling thing of all was that the negotiators who were in Moscow negotiating an ABM Treaty came back and presented it to then-President Nixon are now in my view being accused of gross negligence or intentionally misleading the presentation to the Senate. Those people have not been given access to the record. They have not been able to go back to their own notes and review. So they are being accused of this but they are being barred by classification from looking at the things they said back in 1971. That is sort of an irony.

But this is a step in the right direction in my view, to go ahead and declassify this. I am not sure it should be Presidential in terms of all other negotiations because you get into a very slippery slope on that one, too, about how much you are going to be able to win. But I do think in this unique case where we basically have a misinterpretation and negotiators intentionally accused of misinforming the Senate, it seems to me we have almost no choice but to declassify.

Mr. WARNER. Mr. President, a parliamentary inquiry. It is my understanding that this Senator still retains the floor.

The PRESIDING OFFICER. The Senator retains the floor.

Mr. WARNER. Before the distinguished chairman leaves, I would like to address, certainly in a period of time here which is foreseeable, one other point. The chairman and I had expressed a wish that members of the Senate Armed Services Committee in alternation could address their concerns about, hopefully, the issue before the Senate at the moment; namely, the motion to proceed on the bill as opposed by myself and others for the purpose of inclusion of the Levin-Nunn amendment. It would be my hope that I could proceed with a unanimous consent request at this time which would enable the distinguished author of the amendment, the Senator from Michigan, to proceed for perhaps 20 minutes. Would that be agreeable?

Mr. LEVIN. Yes.

Mr. WARNER. And immediately thereafter, the distinguished Senator from California to proceed for what period of time?

Mr. WILSON. Mr. President, approximately 20 minutes. The difficulty

I am facing is that I was under the impression that I would follow Senator NUNN.

Mr. WARNER. Mr. President, the Senator from California is correct. He would be next, using the alternating procedures, for 20 minutes.

Mr. LEVIN. Would the Senator include in his request that I would speak following Senator WILSON? That was my understanding.

Mr. WARNER. That is correct. And then Senator QUAYLE, the Senator from Indiana, would follow the Senator from Michigan.

I ask the distinguished Senator from Mississippi, would he like a period of time to make some opening comments on this motion to proceed?

Mr. STENNIS. Not at this time.

Mr. WARNER. Mr. President, I present the following unanimous-consent request: that without my losing the right to the floor, the Senator from California would proceed for not to exceed 20 minutes; that immediately thereafter the Chair would recognize the Senator from Michigan for a period not to exceed 20 minutes; that immediately thereafter the Chair would recognize the Senator from Indiana for a period not to exceed 20 minutes, and then the Senator from Virginia would regain his right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Mr. President, reserving the right to object, is the unanimous-consent request in order to preserve your right under the two-speech rule?

Mr. WARNER. To reserve my right to retain the floor as I rose following the majority leader's request to proceed to this bill. I could retain the floor for a period of time, but I felt it very important that the issues surrounding the debate be framed at one place in the RECORD so that those who want to follow this could have a clear understanding why this Senator and others are objecting to the Senate proceeding to the consideration of this bill.

Mr. NUNN. If the Senator will yield, I have a friendly suggestion. The Senator, I think, is absolutely sincere in this allocation of time. But I think there will be serious objections to a management of time under essentially a filibuster with allocation being made by the person on the floor.

As just a friendly suggestion, I suggest one at a time and not a unanimous-consent listing. I think that is going to bring some problem before the day is over.

Mr. WARNER. Mr. President, I fully recognize I am proceeding on the midline, as someone said earlier today, that any time a Member of this body may object. I am doing it at the request of a Member on the other side since the next Senator I asked to be recognized would be followed by a Senator on the other side. We have only ordered three Senators at this time.

Mr. LEVIN. How about two at a time to avoid that problem?

Mr. NUNN. Can the Senator stipulate very clearly which of the Senators speaking are participating in the filibuster and which are presenting subsequent views?

Mr. WARNER. That I think we will leave to the discretion of the Senate once they have heard the remarks. But I am advised by my colleagues certainly on this side and I feel on that side that we will have constructive debate, and therefore I would ask the President to once again propound the unanimous-consent request.

The PRESIDING OFFICER. The request is for unanimous consent——

Mr. SPECTER. Mr. President, reserving the right to object, and I do not intend to object, I wonder if the distinguished ranking member would incorporate into his scheduling a period of presentation for this Senator. I know the Senator from Arizona also wants the floor, but if we are going to be scheduling matters at this time I would certainly appreciate that.

Mr. WARNER. Mr. President, I would have to do it in a sense of fairness by saying that the order I have stated thus far; namely, the Senator from California, followed by the Senator from Michigan, followed by the Senator from Indiana would have to be followed by a Senator in opposition to the position taken by the Senator from Virginia and then the Senator from Pennsylvania.

Mr. SPECTER. I understand that. If the Senator from the other side of the aisle comes, they would intersperse presentation by this side of the aisle, but if I may follow the Senator from Indiana. The Senator from Arizona is——

The PRESIDING OFFICER. We have a unanimous consent request as stated.

Mr. STENNIS. Mr. President, will the Senator yield to me for a moment? I want to reserve all rights that I have under the situation as it is now. I have been working on another bill. I expect to use some time to make some remarks. As I understand the Senator from Virginia is not trying to preclude anyone.

Mr. WARNER. Mr. President, certainly not in any way. I am trying to present a sense of order here to accommodate colleagues on both sides of the aisle. I assure whenever the Senator from Mississippi seeks recognition, this Senator would grant that and I am confident all other Senators would. So whenever the Senator from Mississippi——

Mr. STENNIS. Just so there is no confusion that I may use time.

The PRESIDING OFFICER. We have a unanimous consent request to allocate the time as stipulated. Is there any objection to that unanimous consent request?

Mr. SPECTER. Will the Chair restate the sequence?

The PRESIDING OFFICER. The sequence is 20 minutes for the Senator from California, 20 minutes for the Senator from Michigan, 20 minutes for the Senator from Indiana, and the Senator from Virginia retains his right to the floor throughout that process.

Mr. SPECTER. It is also my understanding that following the Senator from Indiana there will be 20 minutes for a Senator from the other side of the aisle.

The PRESIDING OFFICER. I would interpret the request to conclude as the Chair stated it. It would then be appropriate to receive other unanimous-consent requests.

Mr. WARNER. Mr. President, at this time in order to again accommodate Members present, could I amend my request to further stipulate that following the Senator from Indiana, a period not to exceed 20 minutes would be utilized by a Member in opposition to the Senator from Virginia, presumably from this side of the aisle, and that thereafter the Senator from Pennsylvania could proceed for a period not to exceed 20 minutes?

Mr. SPECTER. I thank the distinguished ranking member.

The PRESIDING OFFICER. Is the Senator offering that as an amendment to the original request?

Mr. SPECTER. Mr. President, I am at this time offering that as an amendment to the original request.

The PRESIDING OFFICER. There is an amendment to the original unanimous consent.

Mr. NUNN. addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, reserving the right to object, and I am afraid I will have to object, I do not disagree with any substantive delineating the Senator from Virginia makes, but I think we are in a very curious position if what we have basically is an extended debate on a motion to proceed and if we have one of the people leading that debate in a positon of allocating time all around the Chamber without losing his right to the floor. It just seems to me it is a very curious procedure. I would urge the Senator from Virginia to simply yield one at a time, because there may be some motions that the majority leader would like to make, and if you get unanimous consent on this—I hate to object, but I think I must object until the majority leader is present.

Mr. WARNER. At this time I wonder if the Senator from Georgia would allow me to propound my original request; namely, at this time the Chair would recognize the Senator from California, to be followed by the

Senator from Michigan, to be followed by the Senator from Indiana for a period not to exceed 20 minutes, and the Senator from Virginia thereby retaining his right to the floor at the conclusion of those three statements.

Mr. NUNN. Would the Senator advise, is that a total of 1 hour.

The PRESIDING OFFICER. That would be for a total of 1 hour.

Mr. WARNER. That would be correct.

Mr. NUNN. I would reluctantly have to object to that at this time unless and until the majority leader is on the floor—.

Mr. LEVIN. May I make a suggestion?

Mr. LEVIN [continuing]. Under these circumstances.

The PRESIDING OFFICER. The Senator from Georgia objects.

Mr. LEVIN. Will the Senator from Virginia yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. WARNER. I yield.

Mr. LEVIN. May I suggest that the Senator ask unanimous consent to yield to the Senator from California and then he simply express his intent that after the Senator from California has completed, the Senator from Virginia would then ask unanimous consent to yield to whoever would be next without making that part of his unanimous-consent request now? In other words, just ask unanimous consent at this point to yield to the Senator from California and we know then what would be forthcoming, but we would not be approving it herein and thereby not allocating the floor for an hour. I would be satisfied with that although it does not give me as much protection as the other way did.

Mr. NUNN. I say to my friend from Virginia, as long as the time is within 1 hour, I would have no objection. So if the Senator wants to propound it—

Mr. WARNER. Therefore, Mr. President, I propound my original unanimous-consent request; namely, that at this time the Senator from California proceed for not to exceed 20 minutes, the Senator from Michigan to follow, to be followed by the Senator from Indiana, and the Senator from Virginia retains the right to the floor.

The PRESIDING OFFICER. We have a unanimous-consent request. Is there objection? Without objection, it is so ordered.

Mr. WARNER. I thank the Chair.

The PRESIDING OFFICER. The Senator from California is recognized for 20 minutes.

Mr. WILSON. Thank you, Mr. President. I thank my distinguished colleague from Virginia and my friends all around.

Mr. President, let us begin with a definition, a very simple one. Clearly others may see it differently, but we are here because of an amendment to the defense authorization bill. The amendment, the so-called Levin-Nunn amendment, is one that seeks to condition the funding for the strategic defense initiative, or as its critics term it, star wars, upon agreement by the United States, the executive branch, to a narrow interpretation of the ABM Treaty. A narrow interpretation, Mr. President, is one which under the Antiballistic Missile Treaty of 1972, part of the SALT I agreement, says that there can be no development, no testing of any other than a fixed ground based antiballistic missile defense; there can be only research.

Now, Mr. President, you have heard the distinguished Senator from Georgia, the chairman of the committee, outline in some detail a number of the desirable features of this fiscal year 1988 and 1989 defense authorization bill. He asked, do the Members of this body really wish to sacrifice to a debate upon this amendment all of those good things, the carriers, the tanks, the various lines of aircraft, the defense contracts, the military construction, the pay raise for the members of the armed services? Do we really want those things to be held hostage and perhaps sacrificed for this amendment? The answer to that is clearly no, because it is unnecessary.

A little history, Mr. President. For the first time in a very long time the members of the Senate Armed Services Committee voted to send the defense authorization bill to the floor not, as in the past, on a broadly bipartisan basis but on an almost straight party line vote, and I will state flatly that if the Levin-Nunn amendment had not been a part of that bill I think there would have been virtual unanimity, that every member would have voted to send that bill to the floor with an enthusiastic endorsement, because the underlying bill is a good one.

So why is it, Mr. President, that someone who feels strongly, as I do, about national security, who has never before voted against sending of the defense bill to the floor, who has never voted against it on the floor, who has never urged the President of the United States to veto it should it reach his desk, find himself in this distinctly uncomfortable and uncharacteric position? Why, Mr. President, is this bill, so long as it retains the Levin-Nunn amendment, dead on arrival? The answer is very serious as well as very simple. It is because this amendment is so important, it so thoroughly undermines the constitutional authority of the President of the United States, so thoroughly undermines the negotiating posture of our diplomatics Geneva working precisively on this topic.

And would so disable our ability to conduct our strategic defense intitiative program, that we would find that the United States under a very serious disability, one that could cost us billions of dollars in savings that could otherwise be accomplished and one that, perhaps even more important, will cost us years in achieving the ability to go forward, as indeed we contemplate, by research, by development, and by testing, with actual deployment of the kinds of antiballistic missile defenses that will one day greatly enhance the safety of all the people of the world, to a day when it will be a reality, that we have achieved the dream of which the President spoke when in 1983 he asked the question, rhetorically, "How much better that we save lives than eliminate them?"

Mr. President, to respond to my friend from Georgia and his first question, the rhetorical question, he asked, "Do they really want to sacrifice the ships, the planes, the pay raises?"—no, we do not, and in fact, we will not. There will be legislation that provides all those things.

The question is, when will it come; and will it not come, as indeed it should, on a bill unadorned by this amendment? This amendment is not germane to the rest of what the defense bill is all about. It has no business being there. It is an arms control amendment. If it is going to emanate from a committee, let the Senate Foreign Relations Committee to bring forward this ill-advised premise in a freestanding bill, fine. Let us debate it. The President will veto that as well. There is no doubt about that. There are sufficient signatures on a letter to the President of the United States advising him that this veto will be sustained. That is why this provision is dead on arrival, wherever it is, but it should not be on this bill. If it appears at all, it should be in another piece of legislation.

We are not willing to forego all those good things that this defense bill will bring, and we will not do so; but neither will we allow those things to be held hostage to the imposition of this unwise amendment on the President of the United States and the people of the United States.

So the first reason to oppose going forward until that is completely understood is that the Levin amendment has no business being on the defense authorization bill.

The second reason is that the Levin-Nunn amendment is unconstitutional. It seeks to usurp the authority of the President of the United States, assigned to him exclusively by the Constitution, for the conduct of foreign policy, with the single notable exception that, obviously, the Senate of the United States is charged under the Constitution with the ratification of treaties made by the executive.

Instead, this legislation imposes a one-House veto on actions of the President in the conduct of foreign policy in the realm which it seeks to circumscribe, and one of those Houses may very well be the House of Representatives, to which no role is assigned by the Constitution; and in its omission to do so, it is not accidental.

The framers assigned to the other House the responsibility for the origination of revenue bills. They assigned to the Senate the narrow, clearly defined, reserved power of ratification of treaties entered into by the executive. But the framers—and the language of the Constitution itself—make it clear that it is the President who has the ability to enter into the negotiations leading to a treaty, to consumate that treaty with his signature, and if he chooses to, without benefit of action by Congress, to abrogate a treaty when he sees it as in the best interests of the United States.

My friend from Georgia said that the framers of the Constitution did not intend that we in these United States be governed by a government of kings. Quite true. The President is not a king. But neither did the framers provide, nor did they ever expect, that we would come to the arrogant time in which Members of Congress would seek to foist upon the American people by an imperial Congress—one seeking to arrogate itself those powers not given by the Constitution to Congress but given, instead, by that document to the President of the United States.

This is not an academic debate. The enactment of this provision, the Levin-Nunn amendment, into law would create a constitutional precedent of such serious peril to the conduct of our foreign policy and such serious peril substantively to the defense of the United States that it is not just unwise—it is no exaggeration whatever to declare it as what it is. It poses a grave peril, one that must be rejected.

The third reason to reject this amendment, dealing with its substance, is that it seeks to impose upon the President and the people of the United States an interpretation of that treaty, the ABM Treaty of 1972, that is not in fact a legally correct interpretation. We can argue about that. We can conduct a lawyers' entertainment and amuse ourselves and watch the eyes of the audience glaze over. It is, unhappily, a serious debate, because, depending upon its outcome, depending upon whether we choose to saddle ourselves with an interpretation unilaterally that does not bind the Soviet Union but does bind us, so that we cannot develop and test defenses against antiballistic missiles, if we engage in that kind of folly, then the legality of the interpretation is not academic. It affects not just that constitutional precedent of which I just spoke, but also, it goes to the very heart of our ability to keep this world safe in the next century.

Mr. President, the legally correct interpretation of this treaty is the so-called broad interpretation. It is the one that does permit the development and testing of defenses against antiballistic missiles, the most destabilizing of weapons in the nuclear arsenal, those missiles that can leave the Soviet Union and reach the United States, without recall, within 26 minutes. It is the interpretation that this administration has announced to be the correct one, and they are correct in doing so; because if you have looked at the negotiating record, as I have, I will tell you that it leaves no doubt that despite the most steadfast, earnest, conviction-driven efforts of the United States negotiators, despite their zeal to get an agreement with the Soviets on the narrow interpretation, they just plain failed, because the Soviets consistently and emphatically and clearly rejected any effort to bind them with a prohibition against development and testing of any so-called future or exotic systems, stating, "Who knows what the future holds?"

"No, it would be unwise," said the Soviets, "were we to agree to the kind of blanket prohibition that would take into account the development of new technologies that we may not even now suspect."

The Soviets understood very clearly that events might overtake that agreement, as indeed they have, not just the events embodied in their violations of that portion of the treaty that is clear and unambiguous, but they foresaw, because they have been earnestly at work trying to develop these very new possibilities themselves, that new technology without legal constraint might very well bring an entirely new array of options in terms of defenses against antiballistic missiles, so they steadfastly refused to be bound.

We did not get the narrow interpretation even though the U.S. negotiators strove mightily to get it.

Mr. President, it is a basic matter of contract law that it is what the parties agreed upon, the bargain that they negotiated, that defines the terms of a contract. It is not what some third party understands it to be, whatever the obligations of that third party. It makes no difference if in fact the Soviet Union did not agree to the interpretation that we have thought to be the meaning of that treaty. They are bound instead by what was agreed upon and where the text of the treaty, like that of a contract, is ambiguous upon its face you look to the negotiating record to find out what bargain was actually negotiated.

That is why I differ so markedly with my friend from Georgia when he places emphasis upon the ratification record. It should be secondary because it is not the best evidence. The best evidence of the agreement you would think would be the four corners of the document itself. But where there are distinct ambiguities, where there is ambiguous language, that must be explained by resort to what the negotiators actually intended the language to mean.

We could go into great detail and should about the fact that the Soviet Union has already violated the clear and unambiguous parts of this agreement as well as other arms control agreements and the fact that we should insist upon compliance before we enter into new negotiations or continue under old ones, but the basic point is that you do not send negotiators to negotiate a bargain for you and then say, by the way, here are our cards and here, by the way, we are taking these aces out.

I think that the President, if this were to pass, if his veto were to be overridden, would have no recourse but to call home the negotiators that we have sent to Geneva. Happily they can stay there and continue to work for us because there are sufficient signatures on that letter to guarantee that we will sustain a Presidential veto.

I hope it does not come to that. I hope that this ill-advised, remarkably ill-advised, however, well-intended, amendment never reaches his desk.

We now have Judge Sofaer's memorandum. I am glad we have it. I urged that the entire negotiating record be made declassified and public. But at the very least we have this which liberally excerpts the record as a part of his analysis and makes clear that the Soviets did reject the narrow interpretation which the Levin-Nunn amendment seeks to impose upon us unilaterally.

Let me just say, and we will go into this in much greater length, this is not academic. What it means, if we are required to accept this imposed false construction, is that the United States will lose billions of dollars and years of time and it goes right to the heart of our ability to conduct the SDI program.

Finally, Mr. President, let me just say that at the very moment when United States negotiators are in Geneva as a working group engaged upon the interpretation, the very issue, the interpretation of the Antiballistic Missile Treaty what in the name of God are we doing in the Congress of the United States undermining their position and according to the Soviet Union concessions which they are unable to achieve at the bargaining table with our negotiators?

It would be much better that we end this confrontation here on the floor of the Senate, that we make clear those who seek a robust strategic defense initiative program and those for whatever reason well-intended seek to undermine it, those who for reasons however well-intended are willing to undermine the historic role given to the President by the Construction, and, on the other hand, the much narrower role given to the Senate, it is much better that we make clear and resolve on this floor that we are not going to engage in the kind of undermining of our negotiators that seriously threatens the security of the United States. That is what this debate is all about, Mr. President, and for those who wondered why it is that those like me who have steadfastly urged that we spend enough of money, of time, of human resources, to be certain that we achieve the first duty of a democracy which is to survive, find myself allied with so many others having to vote against a defense bill, a good bill otherwise that contains this provision.

Let us make clear that if this amendment passes on the floor, if there are sufficient votes to impose cloture upon the debate on this legislation, we will have seen only the beginning of what is going to be a fight that will not end until it is clear that, however well intended, this kind of legislation simply cannot become law.

That is why this is so important, Mr. President. It is because it is so dangerous in so many ways.

So, Mr. President, I will hope that as time goes on this good bill, this otherwise good bill, is given passage, without the Levin-Nunn amendment and that we take on another day the time that should be given to the very serious subject embraced in the Levin-Nunn amendment. But let it be clear that our first interest is the security interests of the United States. That is why we cannot support the Levin-Nunn amendment.

Mr. President, I thank the Chair, I yield time to my colleague.

The PRESIDING OFFICER. Under the previous order, 20 minutes are now yielded to the Senator from Michigan.

The Senator from Michigan.

Mr. LEVIN. I thank the Chair.

Mr. President, I am very disappointed indeed that our colleagues are trying to block the Senate from debating the defense authorization bill. We worked many, many hours in committee to develop a solid defense program. This bill is designed to address some very serious deficiencies which the committee has investigated during the extensive hearings that we held this year.

I want to come back to some of the things that we did in this bill that are of critical importance to the security of this country. But, first, I am going to turn to what has been called the Levin-Nunn amendment, the language which is in the bill now. It is not an amendment. It is bill language, which the committee added, and the issue fundamentally here is whether the Congress of the United States will have a say in how SDI dollars are spent.

The issue is not which interpretation of the ABM Treaty is correct. We do not prejudge that in the Levin-Nunn language. Quite the opposite. The President has directed that a further analysis of the negotiating record and the ratification record be undertaken and will sometime in the future decide whether to apply a new, broad interpretation.

What the Levin-Nunn language in the bill does is preserve a congressional role, after the executive branch analysis and decisions are completed, in the expenditure of the billions of dollars that we are authorizing for SDI.

If we delete this language, we will be allowing the executive branch to decide unilaterally how to spend those SDI billions and we will be abdicating our responsibility relative thereto.

Many of us—I believe most of us—want to exercise the responsibility which the Constitution places upon us to decide how money is spent, not just how much money is spent. The bottom line is that the Levin-Nunn language preserves a congressional role without prejudging how we will exercise it, and, if we delete the language, we will be abdicating the responsibility which the Constitution places upon us to control the expenditure of funds, pursuant to the Constitution, the laws and treaties of the United States.

Will the President come along and say he wants to apply a broad interpretation of the ABM Treaty? We do not know. We do know this: the narrow interpretation has been in effect since the ABM Treaty was explained to the Senate in 1972 and ratified by the Senate.

Just as one example, here is an exchange which took place at the time that the Senate was told about this treaty and what it meant.

General Palmer was explaining to the Committee on Armed Services what this treaty meant. He specifically said at that time that futuristic systems could not be tested or developed in space.

Mr. WARNER. I do not want to interrupt, but I am quite interested. Would you give us the date in time?

Mr. LEVIN. I will submit that for the Record. I thought I had that.

Mr. WARNER. If you could give us the approximate time; I presume it is circa 1971, 1972.

Mr. LEVIN. It was during the Senate Armed Services Committee hearing on the ABM.

General Palmer, or June 19, 1972, precisely and very specifically, recommended to the Armed Services Committee the narrow interpretation, as we now call it, of the treaty and said that, in effect, the Joint Chiefs of Staff relied specifically on that approach to the treaty.

Subsequent to ratification, Mr. President, the arms control impact statements of both the Carter and the Reagan administrations repeatedly set forth the restrictive interpretation. For example, in 1985, the arms control impact statement expressly stated:

> * * * the Treaty allows development and testing of fixed land-based ABM systems and components based on other physical principles * * * The ABM Treaty prohibition on development, testing, and deployment of space-based ABM systems, or components for such systems, applies to directed energy technologies (or any other technology) used for this purpose.

Even the SDI office itself applied the narrow interpretation as late as 1985 in its report to the Congress.

Now some say we should simply give the President the untrammeled right to move to a new interpretation or not, as he sees fit.

Our Constitution provides for power sharing. But some argue we should give the President billions of dollars for SDI and let him decide on his own what to do with them.

Some say any congressional effort to exercise judgment on this issue would be tying the President's hands or pulling the rug out from under our negotiators. That rug and the rhetoric are threadbare. We have been told not to constrain the MX missile—that we would thereby pull the rug out from under our negotiators. We have been told not to cut the administration's annual SDI requests—that it would pull the rug out from under our negotiators. Well, we did both anyway and our negotiators are still standing firmly on a stable rug. Indeed, they are on the verge of entering into significant agreements with the Soviets and the administration admits we are powerful and strong.

Opponents say that the Levin-Nunn language gives the House of Representatives a one-House veto. It is not Levin-Nunn—it is the Constitution which requires both Houses of Congress to approve spending. The problem that some have is not really with the bill's language so much as with the Constitution which gives the Congress the responsibility to appropriate taxpayers' moneys. This Levin-Nunn language does not tie the President's hands or give the Congress any more authority than the Constitution provides: It preserves the congressional power to limit the way in which the President spends money. It is the Constitution which requires both Houses to approve not just how much is spent, but how Treasury funds are spent.

Some members of the administration are just panting to test ABM systems which violate the traditional interpretation of the ABM Treaty. Indeed, we recently read that Secretary Weinberger has sent President

Reagan a report proposing four new tests which would violate the traditional interpretation of the ABM Treaty. I ask unanimous consent that the article from the May 10, 1987 New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW TESTS URGED ON MISSILE SHIELD

WEINBERGER REPORT CALLS FOR BROAD VIEW OF ABM TREATY

(By Michael R. Gordon)

WASHINGTON, May 9—Defense Secretary Caspar W. Weinberger has sent President Reagan a report proposing four new tests that would violate the traditional interpretation of the 1972 Antiballistic Missile Treaty, Administration officials said today.

Building its case against a more restrictive view of the treaty, the Defense Department says in the report that the United States could save $3 billion by carrying out the four tests instead of holding to the current schedule of tests that seem to be clearly permitted in the treaty with the Soviet Union.

A TWO-YEAR DIFFERENCE

The report, which was not made public, also argues that information derived from the new tests would give policy makers more confidence in making decisions about whether to build anti-missile defenses. The report says the tests would cut by two years the time needed to develop President Reagan's Strategic Defense Initiative, known as "Star Wars," officials said.

The Pentagon study urges that the Administration adopt a plan to accelerate Star Wars deployment. One official who supports the defense initiative said the tests would allow the United States to begin deploying Star Wars in 1995 or 1996.

The President requested the Defense Department report on new tests that could be carried out, and new legal studies by the State Department, in February to help him decide whether the United States should stop observing the traditional interpretation of the ABM treaty and formally adopt a new broader view. The broader interpretation of the treaty would permit expansion of Star Wars to include new space-based tests.

Mr. Weinberger and other civilian Pentagon officials have been critical of the constraints imposed by the ABM treaty. The Pentagon report was expected to argue that there are benefits in abandoning the traditional interpretation.

Some Administration specialists disputed the Pentagon report and said its conclusions were not strongly supported by the analysis. They asserted that the traditional interpretation provided sufficient leeway for the development of Star Wars. They also questioned whether some of the new tests proposed by the Pentagon would be allowed even under the broader interpretation.

FOUR TESTS PROPOSED

The Pentagon study identifies four new tests, according to officials who have reviewed the study.

One of these is called THOR, which stands for Tiered Hierarchy Overlayed Research. THOR would be a series of experiments testing the United States' capability to intercept missiles and dummy warheads during the main stages of flight. Interceptions would be carried out using rockets that destroy their targets with the force of impact, rather than in an explosion. One Administration official, who supports the "Star Wars" program, said that the first of the experiments could take place as soon as next year.

In the second test proposed in the report, a submarine would fire a target missile carrying dummy warheads and possibly decoys. This experiment would test the use of space-based sensors and interceptor rockets. An official said that such a test could take place in 1989.

A third test is the Laser Integrated Space Experiment. In it, a space-based chemical laser would be tested in 1990, an official said.

In the fourth test, the sensor integrated discrimination experiment, a rocket would be fired from Vanderberg Air Force Base in California. A variety of space-based and other sensors would study whether warheads carried by this missile could be distinguished from decoys. Such a test could take place in 1990.

TREATY WITHDRAWAL POSSIBLE

Administration officials said the Pentagon report suggested that if the United States does not adopt the broad interpretation of the ABM treaty it would ultimately be forced to withdraw from the agreement to conducts its testing and development program.

"The basic message is that you have two choices: move to the broad interpretation now or withdraw from the treaty later," an official said.

Mr. LEVIN. Mr. President, we should understand that Weinberger has never particularly liked the ABM Treaty. On April 8, 1984, for example, he said on ABC television "I've never been a proponent of the ABM Treaty." As a matter of fact, he is in so much of a hurry to test in violation of the traditional interpretation that he is launching a program before the program managers are ready.

Just a few weeks ago, on April 1, 1987, the Defense Department official responsible for ensuring compliance of DOD programs with the treaty, Under Secretary of Defense for Acquisition Richard Godwin, told the Armed Services Subcommittee on Strategic Forces and Nuclear Deterrence that "all of the experiments now planned conform to the narrow interpretation or the restrictive interpretation." He indicated that he had just started the process of determining what tests would be permitted under the broad interpretation. Godwin told us that he could not make the assessment until after a policy decision was made defining the term "other physical principles." At the same hearing, when asked how he could reach a judgment as to what tests would be permitted under the broad interpretation that were not permitted under the narrow interpretation in the absence of such policy guidance, General Abrahamson admitted that is "a fundamental problem." Well that guidance, as far as I know, has not been forthcoming since that hearing in early April and yet we have the Secretary of Defense already reaching conclusions that his program managers could not reach as of a few weeks ago. What he is saying is: Forget the policy guidance, we just can't wait, we're so hot to undermine this treaty.

Just last year, General Abrahamson said he could readily proceed to do SDI research under the traditional narrow interpretation. He told the Senate Armed Services Committee: "The entire test structure has been planned in accordance with the restrictive interpretation of the treaty."

Now we are told that unless the treaty is reinterpreted it will cost us billions of dollars. It is obvious we are seeing an effort to get Congress to throw in the towel and say to the administration: It's all your decision, we abdicate our responsibility.

Now, I am confident we are not going to do that, that we are not going to abdicate that responsibility. This bill language preserves it. It does not exercise it. It does not decide which interpretation is the correct one. It preserves the obligation in writing of the Congress to appropriate funds and to set limitations on those authorizations and appropriations.

The Constitution is the problem which the opponents of this language have because it is the Constitution which gives the Congress the responsibility—the sacred responsibility, because we all took an oath—to authorize and appropriate funds pursuant to the Constitution, laws, and treaties of the United States. We understand that we simply cannot abdicate that responsibility, and if we simply write a check to the SDI Program for $3 or $4 billion or whatever the final figure is without preserving a role on how that money is spent, then we will become a party—we, the Congress—to a possible violation of the law of the land, which the ABM Treaty became when it was ratified pursuant to our Constitution.

Mr. President, I indicated before that there were a number of important things which this bill did.

I ask the Chair about how much time I have left so I will know how to outline these provisions.

The PRESIDING OFFICER (Mr. CONRAD). Seven minutes and 18 seconds.

Mr. LEVIN. Mr. President, as I indicated, I am disappointed by the position of some opponents of this bill language to block the entire defense authorization bill from being debated because of this language. I indicated that this bill provides the solution to many serious deficiencies which exist in the Defense Establishment and which are necessary to the security of the United States.

My colleagues on both sides of the aisle joined me on the Conventional Forces Subcommittee, for instance, to reject the plan of the Department of Defense which prematurely terminated the major component of the Army's modernization program.

The Chief of Staff of the Army testified that only a third of the Army has been modernized, yet the budget proposes termination of the most important weapons that make up that modernization program.

This modernization program is all the more important in light of recent proposals to remove short- and medium-range ballistic missiles from Europe. And while we should welcome that program that INF proposes, it does increase the requirement to address conventional imbalances. Our bill, which is jeopardized by this filibuster, makes a major step in addressing some of those conventional imbalances by keeping the Army's modernization program on track.

Yet this key initiative is being threatened by this filibuster.

Another example of deficiencies concerns Navy aircraft, and especially the modification accounts. The Navy's budget request seriously underfunds several key programs.

For example, the most important aircraft in a battlegroup is the E-2 early warning aircraft. It is the airborne eyes and ears for the fleet. Last year the Navy found wing cracks in the E-2. The problem is so serious that a fourth of the fleet is currently grounded.

Incredibly, there is not a penny in the budget request to start a rewinging program for the E-2. Our bill starts that rewinging program.

Another example is the A-6 rewinging modification program. Right now a third of the A-6 medium attack aircraft are grounded or are on restricted flight status because of wing cracks. Last January the wings literally fell off an A-6 while in flight, killing the pilot and navigator. The Navy negotiated a multiyear contract to install new wings. But the budget as submitted underfunded this account so severely that it would terminate the multiyear contract.

Our bill corrects this critical oversight and provides sufficient funds to carry forward the A-6 rewinging program at the maximum rate specified in the contract.

Let me give you another example. Last year the Congress provided sufficient funds to buy 12 EA-6B jammer aircraft for the Navy, at an average cost of $37 million. This year the Navy cut back the production rate from 12 to 6 aircraft, and the unit cost increased from $37 million to $60 million. That is a 62-percent increase in cost because of the stretchout. Our committee decided to add an additional six aircraft. The extra six aircraft cost an average of $25 millon each. By correcting this stretchout we save hundreds of millions of dollars.

And all of this is being threatened by the filibuster. These actions illustrate the way our bill addresses serious conventional deficiencies in our defense program. We did not solve all of the problems, but we made several important first steps.

And this filibuster places all of this in jeopardy. I do not know of an instance when fear of debating a single issue has led the minority to deny the entire Senate the right to consider a very constructive defense bill.

Our colleagues are not protecting anything by this action because the provision that they dislike will continue to be raised. This issue is going to continue to be raised until the issue is fairly debated and resolved. Rather, what they are denying is the much larger number of critical reforms and corrective actions that we have incorporated in this bill. I know that they wil say they are not against the bill. Rather, they support it except for this one provision.

Mr. President, there are a lot of items in the bill that I personally object to. Frankly, I felt very deeply about some of these items, including some of the nuclear items where I felt we were putting too much emphasis on more and more redundant nuclear systems at the expense of our conventional capability and readiness. I tried to do something about that in committee markup. On some issues I won, and on some issues I lost. That is the legislative process. But to deny the Senate the right to debate and consider the provision just because we object to one or more of those provisions is a very different kettle of fish.

Mr. President, finally, it has been said here that parts of the negotiating record are being made available today; other parts of the negotiating record may be available and may be declassified by the State Department at some later date.

I am glad that is going to happen. I think the entire negotiating record is going to have to be declassified here if parts of it are going to be, and that is going to lead to all kinds of problems for future negotiations for reasons which Senator NUNN has stated.

But one final point, Mr. President, that I would hope that my friends on the other side of the aisle would understand.

Our negotiators, who represented this country in good faith—represented a Republican administration as it happens, but it could have been a Democratic administration as well—are now being accused of misrepresenting what they achieved, or of being incompetent. Fifteen years later serious allegations are being made as to what those negotiators said then, and have consistently said about those negotiations.

I have asked Judge Sofaer to invite those negotiators to review the negotiating record. Give them a chance to defend themselves. Challenge them as to how they reached the conclusions that they did. Do not just say 15 years later that these neogitators did not achieve what they thought they did, and that they misrepresented to the Senate and the country in the 15 years since what they accomplished. Give them a chance to defend themselves. Invite them in.

The PRESIDING OFFICER. The Senator has spoken for his time.

Mr. LEVIN. I thank the Chair.

I ask unanimous consent that I be allowed to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I asked Judge Sofaer in my office whether he would do that. He finally said he would. I do not think he has. I do not know that for sure. But I do not think he has, because as recently as today when I talked to one of the negotiators, he had not yet been invited. I would urge my colleagues on both sides of the aisle that we should be united in this. When we send negotiators out there to negotiate an agreement, we ought to stand behind them at least to the extent that, when we challenge their conclusions 15 years later, we give them an opportunity to answer the questions, to see the record, to walk through it, and to explain how they reached the conclusions they did. I think we owe them a lot more. I think we owe the people who negotiate for this country a lot. But the least we owe them is that. I do not think that has yet been done. The strategic subcommittee has indicated it would ask Judge Sofaer to do this. I have asked Judge Sofaer to do this, and he agreed to in my office. I would hope, as much as we disagree here on this language, that we would be united in urging this administration to bring in these negotiators.

The PRESIDING OFFICER. The Senator has spoken for his additional minute.

Mr. LEVIN. I thank the Chair.

I yield the floor.

Mr. WARNER. Mr. President, my understanding under the unanimous-consent order is that the Senator from Indiana will now be recognized. Mr. President, I wonder if I might direct a statement to the Senator in the form of a question so that we can stay within the unanimous consent request. I would first say, Mr. President, I think we all agree that the distinguished Senator from Michigan has made a very valuable contribution in helping to frame this debate today. And I commend him although I disagree in some areas.

Mr. President, I want to encourage other Members of the Senate to come forward this afternoon such as we can put together a composite record and frame for others to follow on the nature of this debate. It would be my hope that others would come, and seek recognition this afternoon. This Senator to the extent I can will certainly convenience other Members here to state their point.

Mr. LEVIN. Mr. President, I wonder if my friend from Virginia would yield for 30 additional seconds so I can read into the record that portion of the ratification proceeding that I did not have at hand before. It would take me 30 seconds to do that.

Mr. WARNER. Mr. President, I do not have the floor.

Mr. QUAYLE. Mr. President, I ask unanimous consent that the Senator be allowed to read that into the record, and that I also be allowed to be recognized for the full 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. The portion of the ratification proceeding was the following.

General Palmer representing the Joint Chiefs, said:

> We can look at futuristic systems as long as they are fixed and land-based.
>
> Senator JACKSON. I understand.
>
> General PALMER. The chiefs were aware of that and had agreed to do that and that was a fundamental part of the final agreement.

I thank my friend from Indiana.

The PRESIDING OFFICER. Under the previous order, the Senator from Indiana is recognized for 20 minutes.

Mr. QUAYLE. Mr. President, first let me say that the authors of this amendment, Senator NUNN and Senator LEVIN, are two people I have a deep respect and appreciation for, for their hard work, candor, and endurance in the Senate Armed Services Committee. I have worked with them over the course of the years and have come to appreciate their understandings, insights, and capabilities.

However, I think it is important that we point out where we are right now, how we are going to proceed, and to get into some of the significant issues in dispute.

Unfortunately, in the Senate Armed Services Committee, the vote on the defense authorization bill was almost along party lines, Democrats voting in favor and the Republicans, with the exception of one, voting against it. That is the first time in the almost 7 years that I have been in the Senate that I have seen that committee, which operates in a very bipartisan manner, be so divided on a fundamental issue.

I think that division in the committee was pretty well reflected on the floor earlier today when we got into a very protracted parliamentary situation, with a number of votes on procedures. Those on this side felt that the majority, in this particular case, was trying to run roughshod over minority rights. Now we are debating this bill on a motion to proceed, on which there will be extended debate, which is the right of the minority.

I think this is unfortunate because at times I am sure that tempers will get short, emotions will run high, and that we will have a rather spirited and contentious debate on this issue, and it is probably not going to end this week or next week, but it is probably going to run all summer, probably into this fall because there is a very earnest desire on this side to give the President some breathing room on negotiating arms control.

I think on these prickly arms control issues, it's going to be a very long and hot summer for the Senate.

Because this is where we find ourselves now, it is important that we address the issues that are confronted in this piece of legislation, in the Nunn-Levin amendment.

I believe I can accurately describe the emotional concerns each side has with this amendment.

The concern of the proponents of this amendment is that the Senate in 1972 heard some statements that gave some support to the so-called narrow interpretation; that not the negotiators, but some in the Department of Defense, came forward and in response to a couple of Senators, two at the most, answered their questions in such a way that would lead one to perhaps conclude that there was, in fact, a narrow interpretation in testing and development of futuristic systems and restricting these activities to fixed land-based systems.

So the emotional concern of the proponents focuses on the Senate ratification hearing record.

There are some, like myself, who dispute that these hearing statements are all that conclusive. I do not think they prove as much as the proponents would argue.

The other emotional concern, I think, of the proponents is subsequent practice. They have cited that the Nixon administration, the Ford administration, and the Carter administration all complied with the so-called narrow interpretation, and, that therefore, this administration is the one that is changing course.

I think they are saying that they do not want to change course and, that therefore, they are willing to go into what I think are untested waters to force their interpretation of a treaty that was passed in 1972.

On the other side, Mr. President, I think the opponents of this legislation also have very strong concerns as well. They are opposed very strongly and strenuously to this legislation because of its impact on the executive branch and on the executive branch in its negotiations with the Soviet Union.

It is felt very, very deeply, Mr. President, that this issue that is before us, that this amendment if passed, if it becomes law, would, in fact, be very harmful and detrimental to our negotiators.

I do not believe any of the proponents will stand up and say this amendment is going to help our negotiations. I think at best they could say is that perhaps it will not have that much impact. But I can tell you those in the administration and those who have to sit down and go eyeball to eyeball with the Soviet Union day in and day out feel very strongly about this and feel that this would be an impediment and would be harmful to our negotiations.

The other reason I and other opponents will go to such lengths to extend debate on this defense bill, and even to put ourselves in the unenviable position of having to vote against a defense bill is that this legislation would allow 51 percent of one House and, perhaps not even the Senate, to reinterpret a ratified treaty even though the authority to interpret and implement a ratified treaty clearly resides in the executive branch.

I believe that we are, in fact, treading on constitutional waters that we have never explored before. I am sure that constitutional lawyers, esteemed constitutional lawyers, will disagree, perhaps, on whether this amendment in fact is an infringement upon the constitutional powers of the executive branch's executive power to interpret and execute treaties.

Clearly, the Congress of the United States has the power of the purse, and clearly the Congress of the United States can, by line item, say we are not going to spend money for this or that particular program.

This amendment does not do that. This amendment is predicated and based upon a single interpretation of the ABM Treaty and how that treaty is going to be implemented. It assumes that Congress can block the Executive from implementing any other interpretation with no more than a 51-percent vote of either the House or the Senate.

I would think from an institutional point of view that some Senators might think once or twice or maybe even three times before they casually support and vote for this kind of amendment, because what we will be doing will be inviting, in future debates upon treaties and the implementation of the treaties, or perhaps even the ratification of treaties, the House of Representatives to be somehow an equal partner in such business. I think the Constitution clearly vests the responsibility and the constitutional authority with the U.S. Senate. This is something that many of us feel very strongly about.

Also, the opponents of the Nunn-Levin amendment feel very strongly about going back and looking at that negotiating record, because they believe it is quite clear that although the United States position in negotiating was to try to get the so-called narrow interpretation we failed to get it because the Soviets rejected that narrow interpretation. That is why Agreed Statement D was put into the treaty, as a compromise. The Soviets did not want anything. The United States wanted the narrow interpetation and we come with Agreed Statement D that allows testing and development but does not allow deployment of strategic missile defenses based on other physical principles.

These are the general concerns and over these next few days we will be getting down to many of the particulars and do so at length of course, many will be standing up in these next days saying, "Gee, let's get on with the defense bill, we are paying for the Army, the Navy, the Air Force, and Marines." They may even mention Grissom Air Force Base in Indiana or Fort Benjamin Harrison or a few other things that might be of concern to the Senator from Indiana.

I do not know but they could be brought up. Why would I be interested in stopping something that is going to be going back home? I am not interested in stopping things going back home but there is a very, very fundamental disagreement on how this defense bill ought to be going forward.

Let us look at our arms control negotiations. Many of us ask, particularly at this particular time, why do we want to say to our negotiators, who are currently negotiating over the interpretation of the ABM Treaty, what the Congress thinks it is in binding law. Many of us feel at this particular time that this is not pulling the rug out from under our negotiators; it is basically sticking a knife in their back. They are over there confronting the Soviet Union in negotiations, in the space and defense area, dealing with what, in fact, the ABM Treaty interpretation is going to be now and what the interpretation of the ABM Treaty is going to be in the future.

Now, I realize that there is a perception perhaps inside the beltway and even outside the beltway that this President and the executive branch has been weakened over the course of the last several months, with the revelations of the Iran and Contra affairs. We have a special prosecutor, we have a special committee investigation ongoing. There is no doubt that the executive branch has not been strengthened. How much it has been weakened, we will have to wait to see, but I think it is clearly the perception certainly in the Halls of Congress that the executive branch has been weakened. At a time when the executive branch has been weakened, I think it is natural that a coequal branch of Government, in this case the Congress, might in fact want to try to change a careful balance of power that our Founding Fathers instituted and be able to usurp some of that power from the executive branch.

I think it is probably far more tempting to tie the President's hands or to see an erosion of his latitude and flexibility as the President negotiates with the Soviet Union when he is weaker rather than when he is stronger. But I can tell you that if, in fact, these types of amendments persist—and we just heard the chairman of the Senate Armed Services Committee state very forthrightly—and I think he is right—this issue is not going to be concluded in May. It is going to be on bills in June and July and August and September and October and November, probably December. We may be here Christmas debating that. We may not.

But clearly, if the President is going to have to continue these negotiations with the Congress on what he can and cannot do in Geneva, at some point we are going to have to have some sort of resolution. It probably is not out of the question that the President may have to consider bringing home our negotiators to sit down with those in Congress who would like to be the negotiators and perhaps would like to be President and have a meeting of the minds because it is going to be very difficult to continue to proceed. But I think as we look at this issue there is no doubt that the negotiations and our negotiators suffer.

The question of congressional encroachment upon an executive responsibility goes to the interpretation and the implementation of a treaty. The way this amendment is crafted, what we, in fact, are doing is basically having the Congress of the United States saying here is what the interpretation of the ABM Treaty is, and if you are going to change that, your funding is going to be subject to a denial by a one-House veto. Either the House or the Senate on a vote could deny the President the right to interpret and to move on that treaty.

Now, there is no doubt that the Congress of the United States has the power of the purse. The Congress of the United States, if it wants to take its line and say, "No funds are going to be spent for a program that the administration has requested," so be it. That is the normal legislative procedure.

We have heard a lot of discussion by many Senators and Congressmen and our allies saying, "What we need is consultation. We need to have consultation before we decide to move from what has been the narrow interpretation to a broad interpretation." And the administration, to its credit, said, "OK, we will have consultation. We will have elaborate consultation. We will be willing to sit down with you and go through this item by item if, in fact, we decide to move to a broad, or the legally correct interpretation. We will consult with you."

And now all of a sudden this amendment is saying, "We don't need any consultation. Our minds are made up. We know what that interpretation is. Forget about consultation."

So on the one hand people are saying, "Let us consult with the administration." The administration says, "Fine, we will in fact consult." And then all of a sudden we do a 180-degree turn and say, "No, we don't need to consult. We are just going to unilaterally interpret what the treaty is going to be."

Well, that is fine. If that is the way you want to proceed, let us not hear any more cries of consultation. Let us not hear, "Let's get together, we have to consult on this." And if, in fact, we are going to make a decision to move from that narrow interpretation of what we think is the legally correct interpretation, we will have extensive consultations.

But unfortunately, the way it stands now, the Senate—in fact, if there are 51 votes for this amendment, there is no use to consult. I think that in and of itself is a breach of faith. I do not think we can have it both ways, Mr. President. So I hope we do not hear any more cries for consultation when the Congress has apparently decided that they do not need any more consultation.

Mr. President, as we look at this issue, underneath it, deep down, the question is how are we going to proceed with the strategic defense initiative. Now, there are some in this body who I am sure are opposed to the strategic defense initiative. I am not. I am very much in support of it. And I believe that sometime, someday, despite what this Congress may or may not do this year, we will see the deployment of a strategic defense system in the world. In the future, Mr. President, I think you will see a reduction of offensive forces, a reduction of strategic offensive force, and a rather significant basis put forth in our START proposal and the beginning and the introduction of strategic defenses. Strategic defenses coupled with offensive reductions, I think, are what we will see in the future.

Mr. President, if, in fact, Congress is going to unilaterally interpret the treaty and say that we are going to have the narrow interpretation instead of the legally correct interpretation, I can guarantee that you are forcing a decision upon the President.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. QUAYLE. Mr. President, I ask to proceed for 2 additional minutes.

Mr. WARNER. I would have no objection. I want to make certain that at the expiration of that time, I continue to retain the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. QUAYLE. Mr. President, the orderly process in going forward with the strategic defense initiative is to have research, to have testing, to have development, and then you are going to deploy. At what time are we going to have deployment? I cannot answer that question. I think it is going to be earlier rather than later. The Secretary of Defense thinks he can have it as early as 1994.

However, if we insist upon a narrow interpretation, I can tell you that the President, whether it is this President or the next President, will have to make a very fundamental decision on the withdrawal of the ABM Treaty much earlier than if we had the legally correct interpretation.

I am not so sure that some of those who support the Nunn-Levin amendment really want the President to be put in the position of withdrawing from that treaty. Some attach a lot of importance to the treaty. Frankly, I think the treaty has served a useful purpose, and that useful purpose has simply been overtaken by technology. But that is the natural evolution of proceeding with this strategic defense initiative.

Mr. President, in the coming days, we will be outlining particulars of what the negotiating record did and did not say, what the ratification record did or did not say. I think we will have a very spirited debate. It will be a very lengthy debate. But make no mistake about it: This issue is important to many of us, important enough that we will take time and spend our energies to make sure that a defense authorization bill does not reach the President's desk with these types of amendments, which we think are injurious to national security and injurious to the President of the United States.

Mr. WARNER. Mr. President, I see that we are joined on the floor by a distinguished member of the Armed Services Committee, the Senator from Illinois [Mr. DIXON]. I think it would be our mutual hope that many of our colleagues, possibly members of our committee, on both sides of the aisle, could join in this very important debate, even though it is in the nature of a debate on opposing the bringing up of the bill.

However, we have been joined this afternoon by the distinguished Senator from Pennsylvania [Mr. SPECTER], and therefore, I again propound a unanimous consent request, that the Senator from Pennsylvania be granted 20 minutes, at the conclusion of which I would continue, as before, to retain the floor.

The PRESIDING OFFICER. Is there objection?

Mr. SPECTER. Mr. President, reserving the right to object, as I had discussed with the distinguished ranking Member, I may want more than 20 minutes. I am the only Senator on the floor seeking recognition. I would like not to be bound by that time. Say, 30 minutes.

Mr. WARNER. Mr. President, I am quite anxious that we be equitable about the time allocation on both sides of this issue. I wonder if the Senator from Pennsylvania would be agreeable to the unanimous consent request, and then, at the expiration of the period stipulated in the unanimous consent agreement, we will ascertain what other Senators wish to speak and how much additional time the Senator from Pennsylvania might desire, and see if we can arrange an equitable solution.

Mr. SPECTER. Rather than take 10 minutes in this dialog, I would agree to proceed for a few minutes more, if that is acceptable.

Mr. WARNER. If the Senator would agree to the unanimous consent request I have just propounded, I think we have reached that conclusion.

Mr. SPECTER. That is satisfactory to me.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I oppose the motion to proceed because I believe that the Senate is not yet ready to proceed to the consideration of the Department of Defense authorization bill. There are material questions outstanding that we need answers to before we can proceed to this issue.

The distinguished ranking member of the Armed Services Committee has referred to his committee as having the dominant role. That may be so in a sense, since we are today considering the authorization bill reported by the committee. But there are other committees having a very significant interest in this amendment, and one of those committees is the Judiciary Committee, on which I serve, and the Constitutional Law Subcommittee, of which I am ranking member. There have been a series of hearings before the Judiciary Committee and the Foreign Relations Committee, sitting jointly, which are not yet concluded. We are in midstream. Another hearing is scheduled for Tuesday, May 19. Doubtless, additional hearings will follow.

This is a very complicated subject, and I believe that we are not yet ready to consider the Department of Defense authorization bill, which has as an integral part this issue raised by the Levin-Nunn amendment, which relates to ABM testing in outer space.

Earlier today, this body saw a rather unusual proceeding. I have seen none like it in the 6 years plus that I have been here. But I submit that it was an important proceeding, because the issue that is paramount is whether we should proceed at this time, and it may be that this body will decide that we are not yet ready to proceed.

That sequence this morning, I think, was a perfect illustration of the old adage that there are two things you do not want to see made—sausage and legislation. I think that, especially with televised Senate debates, that was a proceeding not to be observed, from many reasons. But it was pressed on this side of the aisle because there are many of us who believe that whether we should proceed or not, is the critical issue at this time and should be decided first.

Mr. President, not only are there hearings in progress on this issue before the Judiciary Committee and the Foreign Relations Committee, but also, there are Senators who have participated as principals in this debate who have not yet filed papers that document their positions. I refer to the distinguished Senator from Georgia, the chairman of the Armed Services Committee, who, about 2 months ago, made a presentation on the Senate floor in three parts: the ratification record; the negotiating record; the subsequent practices of the parties.

As to the negotiating record, Senator NUNN said that he would file a detailed statement of analysis, but that statement has not yet been filed. I have asked Senator NUNN about that matter repeatedly over the course of the past 2 months and again on the floor today. He has not been able to complete that work because of the press of other business, and I think in part because of the complexity of the issue on the negotiating record.

Senator NUNN advised that he would have it filed by Friday of this week, or Monday at the latest. I am anxious to see Senator NUNN's detailed analysis, because the negotiating record, which is available in S-407—a secret room where deliberations cannot be overheard—is a long record. This Senator has taken some time to study that record. It takes a long time to study it in detail.

Senator NUNN has not yet filed his paper on the negotiating record. I believe that ought to be available to Senators before we are called upon to decide issues comprehended within the Department of Defense authorization bill.

There is also a voluminous analysis which has just been made available today by Judge Sofaer with the release time of 2 p.m. It is a document of several hundred pages analyzing the treaty and the negotiating record and also analyzing the ratification record.

There has not been time to evaluate that document.

Mr. President, there is also a substantial body of additional information which has not been made available to the Senate on subsequent practices of the parties. Senator NUNN, who as of this moment has filed the most detailed analysis of this issue, has stated in his second paper, which was very short, that the subsequent practices of the parties could not be ascertained reliably because so may of the records have not yet been made available.

What has been referred to in the debate today about the declarations of the parties since 1972 are very brief, very cursory statements in agency reports concerning their interpretation of the ABM Treaty. But the real documents which bear on subsequent practices of the parties involve the interaction between the United States and the Soviet Union, and those records are not yet available.

This Senator, as well as other Senators, has been pressing the administration to make those records available.

I would say candidly that I personally am not satisfied with the speed of the administration in making records available. I have had assurances that very important records on subsequent practices of the parties will be made available shortly in S-407 and, according to the representations which have been made to me, they will shed considerable light on the correct interpretation of the ABM Treaty.

So for all those reasons, Mr. President, I would suggest that the Senate is not ready at this moment to consider the important issues which have been debated here today, preliminarily.

The distinguished Senator from Michigan, Senator LEVIN, made a reference to the ratification record, and I do believe that there are portions of the ratification record which lean toward the narrow interpretation of the ABM Treaty.

But I would caution that no firm conclusion be reached on the basis of what we have heard about the ratification record for a number of reasons. One reason is that the ratification record involves a relatively limited number of Senators. The ratification record also has some problems which this Senator is trying to analyze regarding its integrity. In reviewing the ratification record, I find that there were some portions which were not transcribed in a verbatim manner but were edited to incorporate subsequent additions. I believe it is very important, Mr. President. This proceeding is a good time to focus on the issue of the integrity of records in our hearings. They ought not to be edited; they ought to be transcribed exactly as the words are spoken.

Recently, I sought to obtain a record of a hearing on April 26 containing my questioning of Mr. Graybeal. When I finally got the transcript 2 days ago, I got only the portion with my questions. I then made the inquiry about the questions of other Senators and was told that no one can have access to another Senator's questions until that Senator has had an opportunity to review the record.

If that raises an inference of modification of the record, I will say that it is a very serious matter. We all do recognize that from our presentations on the floor of the Senate are subject to some modification, but, as I understand it, only as to grammar—should any Senator make any grammatical mistake or perhaps as to syntax or sentence construction. But those of us who utilize that opportunity ought not to make any substantive change.

But I would suggest, however, that where we have a hearing transcript there ought to be no change at all because that is not what a Senator is saying. But there ought not to be any change. It is like a court record. A court record is inviolate and has to have integrity. Thus, the stenographer transcribes it just as said and it is reproduced.

I am not suggesting the integrity of the ratification record is substantially impaired, but that it is something that has to be analyzed carefully before firm conclusions are drawn.

Mr. President, the principal issue that arises from the ratification record is that it is not conclusive. At most, it represents what the Senate acted on that is very important but it is not determinative. When a treaty is entered into between the United States and the Soviet Union, it is a text of the treaty and the intent of the parties that governs. Where you have the executive branch, for the United States, and Soviet Union officials for the U.S.S.R., entering into a treaty after negotiation, that is the paramount document. After that treaty is signed as the ABM Treaty was, then the matter comes to the Senate for ratification.

The suggestion has been made, and I am not prepared today to say one way or another whether it is right because my study is not completed, that the materials presented to the United States Senate were different from the agreement made between the United States, with the executive branch acting for the United States, and the Soviet Union.

It is an issue of substantial constitutional importance if the executive branch entered into a treaty with the Soviet Union which differs from what the Senate ratified.

This was the subject of an extended hearing before the Judiciary Committee and Foreign Relations Committee. We had three professors who testified on the subject. Senator NUNN also testified, and this Senator and Senator NUNN had an extended discussion as to what the import would be.

But I think it is plain that for the ABM Treaty to be binding on the United States, it has to be binding on the Soviet Union. If the United States, with the executive branch acting, and the Soviet Union agreed on treaty A and B was submitted to the United States Senate for ratification, treaty B would not be the operative treaty.

Certainly, the Soviet Union would not be bound by something to which it was not a party, if something different was submitted to the United States Senate. If the Soviet Union is not bound, then can the United States of America be bound? Probably not. But that is a question which is going to have to be analyzed.

It may turn on the specific facts and precisely what review of the negotiating record will show.

I would suggest, Mr. President, that there is a great deal of material which has to be analyzed with considerable care before this body would be prepared to make a decision on this issue.

Having been a practicing lawyer for some 31 years and having spent a considerable amount of time on constitutional questions, including work on the Judiciary Committee for the past 6½ years, I say these matters are really of tremendous importance.

Mr. President, I think that it is critical to focus on the context of this issue because of the tremendous practical importance of what we are considering here today. The strategic defense initiative and the Antiballistic Missile Treaty may well prove to be the cornerstone of congressional action for 1987 on defense.

If we are bound by the ABM Treaty not to test in outer space, so be it; if that is our obligation, then the United States ought to observe it.

I agree with those who have spoken here today that it would not be wise for the United States to abrogate the ABM Treaty. But before we reach a conclusion that we are bound by the ABM Treaty not to test in outer space, we ought to be sure that we know what we are talking about. It may well be that those tests are necessary if there is to be a meaningful evaluation of the strategic defense initiative.

I agree with the distinguished chairman of the committee, Senator NUNN, and the distinguished Senator from Michigan, Senator LEVIN, when they say that Congress has a vital role on how much to spend and how to spend the money, and it may be that the strategic defense initiative is unrealistic.

I am inclined to think that it is worth pursuing, but it would be well within the power of the Senate and the House to consider the issue as to what tests can usefully be performed. Some have contended as has been reported in the media that the strategic defense initiative is impractical. My own thought on the subject is that SDI is worth exploring for two fundamental reasons: One, it may prove to be a success, and second, it has had a powerful influence for the good on negotiations with the Soviet Union.

I believe, Mr. President, that it may turn out to be possible, although it is difficult to fathom a total defense system for the United States, but it is possible. I think back to 1945 and the statement of Vanevar Buch, the leading scientist of his day, that it was not possible to have intercontinental ballistic missiles. That it what Vanevar Buch said in 1945, and now we know how many ICBM's there are.

In 1965, 20 years later, Secretary of Defense McNamara said that the United States was so far ahead of the Soviet Union on ICBM's, they could never catch up with us. We know what has happened. The Soviet Union not only caught the United States, but has surpassed the United States.

Then there is the story, perhaps accurate, perhaps apocryphal, about the man in the Patent Office around 1870 who quit because there was nothing new to be discovered.

Scientific technology has wonderous reaches. If it is possible to create a strategic defense system which works, then I think we ought to be exploring that.

In cautioning the U.S. Senate not to rush to judgment on this legal issue today, I do so as one of the Senators who did not vote for maximum expenditures for SDI in the 99th Congress. I am not sure where my vote will be cast when we finally get around to deciding what the new level of expenditure ought to be. The administration has asked for $5.7 billion. This committee has reported $4.5 billion. The House yesterday voted with $3.1 billion, acknowledging in the House that this was a negotiated figure.

But I have grave reservations about $4.5 billion, frankly, as the committee reported to the floor. But I do not think the issue is how much money are we going to spend. But I do approach this issue with the predilection for unlimited expenditures by the Department of Defense on SDI.

If this body wishes to take up the question of whether SDI is realistic, I think that is a very important issue to be debated on this floor. Whether we ought to invest in it and debate the scientific issues and evaluate that, that is an area where I am not an expert. Constitutional law, I think I do have some experience in.

When Senator NUNN and Senator LEVIN say this body has a role to decide how much money should be spent and how it should be spent, I agree with those assertions. But I do not believe that we should artificially limit the expenditures in a way if we are not bound to. I think that is precisely what has to be decided here.

I am very much concerned about expending billions of dollars on the strategic defense initiatives if the reports are true that a great deal of money will be wasted by adhering to the narrow interpretation. Now, again, if the narrow interpretation is mandated by the ABM Treaty, so be it. But if it is not, this Senator does not want to waste $1 on tests which are unduly restricted and not required by our legal obligations.

I have seen the reports that, if we stick with the narrow interpretation, there will be great delays on the development of the strategic defense initiative. Now, if they are mandated by our legal obligations, then so be it. We will accept those limitations. But if they are not, I do not think we ought to assume those limitations.

Mr. President, I have spent considerable time in the review of the negotiating record and I believe it is very complicated. I have spent considerable time on the ratification proceedings, and, again, it is complicated. With respect to the subsequent practices of the parties, we are going to have to see more documents on that matter.

But I do believe that there is a significant practical effect of what this body does on what may be happening in Geneva. On February 28, March 1 and 2, I was part of a Senate delegation, along with the distinguished ranking member from Virginia, Senator WARNER, attending the Geneva talks. There is no question that the United States negotiators in Geneva—and Senator WARNER can confirm this—are very much concerned about their negotiating posture if the Congress mandates a narrow interpretation of the Antiballistic Missile Treaty.

The PRESIDING OFFICER (Mr. ROCKEFELLER). The Senator from Pennsylvania has used all the time that has been yielded to him.

Mr. SPECTER. Mr. President, with a hand signal from the coach, Senator WARNER, I ask unanimous consent to proceed for 5 more minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. SPECTER. The negotiators at Geneva were very emphatic about their concerns that their power not be short-circuited.

Mr. President, I think there can be no doubt that the whole context of international negotiations on arms control has changed materially since the strategic defense initiative came into the picture. I attended the sessions at Geneva in 1982 and 1983, the talk was on INF and the talk was on START and those arms talks were going nowhere.

A great deal happened in late 1983. The Soviets walked out and finally the Europeans deployed. And now the whole tone has changed because of the strategic defense initiative and there is real interest on the part of the Soviet Union now for arms agreements.

Mr. President, I think we have to be very wary as we approach the Soviet Union. We do not know of their motivations. But I think we have to proceed with arms talks to see if we can find an arrangement which makes sense from the point of view of the United States and which is subject to verification.

I think the American people have confidence in our President. He is not going to make a bad deal just to make a deal. And I know that this body will not ratify a treaty just to have an arms deal. It is going to have to be an arrangement which makes sense for the United States.

But I am concerned about public opinion polls that the Europeans have more confidence in Mr. Gorbachev than they have in our own President. So that I think that it is important for the United States to proceed as we are now in what I think are good-faith efforts to have arms reduction. But there is no doubt that the Soviets are being motivated by the presence of the strategic defense initiative, and unless we are obligated to follow the narrow interpretation, we should not do so.

The arms negotiators who represent the Soviet Union are markedly different today from 1982 and 1983. Ambassador Vorontsov poses a very different picture from Ambassador Karpov in terms of approach. And when the Soviet officials in Geneva talk about arms, they are not talking about narrow versus broad. We brought up the subject in a free-wheeling exchange because Senators do not bind the executive branch, and can talk more freely. When we talk about the narrow intepretation versus the broad interpretation, the Soviet negotiators slough it off. They are not interested.

I have just had additional time yielded to me.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. SPECTER. I thank the Chair and I thank the distinguished ranking member.

The Soviet negotiators expressed concern about the kind of development and testing which could put up 100 space stations, test them one day, and make them operational the next day.

On March 1, General Secretary Gorbachev issued a statement focused on deployment of the strategic defense initiative by the United States and not on testing. There were discussions as to whether laboratory testing meant something more expansive than a room with four walls and a ceiling. From the Soviet point of view, there is not this concern on narrow versus broad, at least as it was portrayed during the limited period of the presence of the seven Senator observation team in Geneva at the end of February and the beginning of March.

Mr. President, that is the essence of what I have to say.

In brief summary, it is my concern that the dominant issue on the Department of Defense authorization bill is how the strategic defense initiative testing is interpreted under the Anti-Ballistic Missile Treaty. We ought not to proceed to this bill until there is an opportunity for Senator Nunn to file his paper on the negotiating record, until there is an opportunity to finish the hearings which have been undertaken by the Judiciary Committee and the Foreign Relations Committee, an opportunity to review the new Sofaer document, and an opportunity to review the records relating to the subsequent practices of the parties.

If, as, and when we get to the substantive matter here, Mr. President, I would suggest that the debate will be one of historic importance. It is going to be a very involved debate. It is my hope that there will be sufficient declassifications so that on the floor of this body we can get right into the details of the "airgrams" and "Memcons" from Geneva to Washington and Helsinki to Washington, and get right down into the details as to what is the negotiating record shows, and what are the subsequent practices of the parties. It may be, as Senator Nunn pointed out, that there is going to be a new era in ratification proceedings. I think the genie is already out of the bottle, whatever happens on this issue today. The next treaty which comes before the U.S. Senate will receive a piercing inquiry on the negotiating record, beyond any question. This issue focused with precision on the enormous difficulty posed by having the United States with the executive branch and the Soviet officials agreed on treaty A, perhaps the Senate having ratified treaty B—where are we then as a matter of law?

As a matter of international law there is no question but that the agreement is made between the parties, albeit it is the executive branch representing the U.S. Government. But as a matter of constitutional law in the United States, may not have a valid ratification if the Senate has not the same treaty, and the same evidence on intent as was negotiated by our executive branch. So the next treaty which comes to this body I think will be treated very differently from the way any treaty has been treated in the past.

But because of the importance of these measures, Mr. President, I urge my colleagues to oppose this motion to proceed so we can have all the facts before us and have a comprehensive analysis of the law before deciding this very important question.

I thank the Chair. I want to thank my good friend from Virginia, the ranking member, for affording me the extra courtesy and the extra time here this afternoon.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I think all Senators have agreed that this has been a very constructive contribution to this debate. While some of us have focused on certain constitutional aspects, procedural aspects and the like, the Senator from Pennsylvania has pointed out that there are two other committees of the U.S. Senate diligently pursuing their own analysis, and hopefully eventually a determination of many of the same issues that control the outcome of the consideration of this particular amendment known as the Levin-Nunn amendment on this bill; and that those committees as yet have not completed their work; that the committees and indeed the individual members intend to press on to complete additional research and hearings.

Mr. SPECTER. If I might add, it may be, that perhaps some expertise could be lodged in the Judiciary Committee when you have an issue of constitutional importance. Our Subcommittee on Constitutional Law deals with it all the time and the committee deals with it all the time.

It ought to be noted that there is a resolution which the distinguished chairman of the Judiciary Committee, and second ranking member on Foreign Relations, Senator Biden, has proposed on this issue precisely. So that this issue is certainly going to be before the Senate. It does not have to be taken up in this bill. This bill can proceed without the issue on interpretation of testing in outer space, reserving that issue until other committees have finished their work.

Mr. WARNER. Mr. President, if the Senator from Pennsylvania will just remain a few more minutes, I and others on the Armed Services Committee tried very respectfully to persuade our other colleagues not to include this amendment for many of the very reasons stated by the Senator from Pennsylvania, namely that the work of the Senate, and other committees, and indeed the work of the President, the Secretary of State, and other members of the administration had not been completed. Indeed, the consultations process, should we say, that was requested by a number of Senators and others is incomplete.

I do hope that perhaps at some point in this debate we can look on the advantages of taking this amendment off without prejudice—perhaps it could be made into a freestanding bill—and let the Senate then consider it at a time when work by other committees, other Senators, and indeed, the administration, has been completed. To me, that would be the most desirable and beneficial course of action. I shall not press that matter further because my distinguished chairman is not here, and I know not the views of my colleague from Illinois. But he, of course, could express them for himself.

In conclusion, I thank again the Senator from Pennsylvania.

Mr. President, I encourage, for the balance of time the leadership desires to have devoted to this particular procedure today, other Members to come forward so that today's Record can again put together in one place as a composite of views that will be helpful to others examining this issue.

Unless there are other Senators seeking recognition—I see none at this time, Mr. President—I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I hope that any Senators who wish to discuss the motion to proceed to take up the defense authorization bill will come to the floor.

Of course, we will be in as long as Senators wish to speak. But when there are no more speakers, I will attempt to go over until tomorrow.

Mr. WARNER. Mr. President, I see our distinguished colleague from South Carolina in the Chamber. Before I yield the floor, I wonder if I might just mention to the distinguished majority leader the last speaker was the Senator from Pennsylvania, a member of the Judiciary Committee, and, indeed, the ranking member of that committee. He brought to the attention of the Senate the fact that the Foreign Relations Committee, the Judiciary Committee, and a number of individual Senators are working on this particular issue of the ABM Treaty that is framed by the Levin-Nunn amendment.

I brought to the attention of the Senate that the President, the Secretary of State, and the legal adviser to the Secretary, are continuing the consultation process with the Congress. At some point in time I would hope that the leadership of the Senate, together with the chairmen of the respective committees which have an interest in this issue, would look at the option of perhaps the Levin-Nunn amendment being removed from this bill so that the bill could go forward, recognizing that other committees of the Senate have some jurisdiction over these issues and that their work is incomplete; to consider the possibility of having it as a freestanding bill and then schedule it at an appropriate time for debate, presumably at a time after the other committees have concluded their hearings. In a respectful way I bring that to the attention of the majority leader as one option to be considered as we proceed.

Mr. BYRD. Mr. President, I thank the distinguished Senator. I am sure that as we get into the debate a little further, various options may occur to Senators. I think that is the benefit of going forward with the debate. I am sure that there are items in this bill, as there are in almost every bill, certainly in a bill of this size that comes to the Senate, which are contentious and on which Senators will not agree. It is through that medium of debate whereby we focus on the issues, sort them out, and often reach compromises in that regard.

I am confident that as we go forward we will probably find areas like that which will lend themselves to agreement.

I would not want to attempt to pass one way or another on what the distinguished Senator from Virginia has just mentioned with respect to the ABM Treaty, the Levin-Nunn amendment with regard to the interpretation of that treaty. I would think that only through the process of debate can we hopefully reach agreement.

Mr. WARNER. Mr. President, I thank the distinguished majority leader for having an open mind on that and entertaining the suggestion I made.

I see the distinguished minority leader here. I wonder if he might wish to address the issue of the advantages of having the Levin-Nunn amendment as a freestanding issue before the Senate, and that a debate on that amendment—well, it would no longer be an amendment but it would be a freestanding bill—could be scheduled at a time following the conclusion of the work of the Judiciary Committee and the Foreign Relations Committee, which I understand are having hearings on this issue.

Mr. SPECTER. On next Tuesday, the Judiciary Committee will have a session at which Judge Sofaer will testify. It may be of some interest that I wrote today to Senator BIDEN and Senator PELL, the chairmen of the two committees, stating that it might be useful if some could appear from the other side. I suggested Senator PELL and his staff. That would perhaps close the issue on the negotiating record. Those of us who have had the chance to read the negotiating record know that it is extremely complicated and there are strong positions on both sides. If you have two witnesses that go to the points head-to-head, it can provide a lot of clarification. I think it could develop facts which may be material.

CLOTURE MOTION

Mr. BYRD. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XX, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration S. 1174, a bill to authorize appropriations for fiscal years 1988 and 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes.

Senators Wendell Ford, J.J. Exon, Bill Bradley, Daniel K. Inouye, Alan J. Dixon, Barbara Mikulski, Sam Nunn, Quentin Burdick, George J. Mitchell, Terry Sanford, David Pryor, Kent Conrad, John Melcher, Dale Bumpers, John Breaux, Edward Kennedy, Frank Lautenberg, Howard Metzenbaum, John D. Rockefeller, Alan Cranston, and Jim Sasser.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1988 AND 1989

Mr. BYRD. Mr. President, I will just take 1 minute. I hope our friends on the other side of the aisle would be willing to let the Senate proceed to the consideration of the defense authorization bill prior to a vote on cloture. A vote on cloture will occur on Friday. I hope that in the meantime our friends will agree to let us take up this bill.

I am not sure that there will be any vote on it, for that matter. But I still hope that we can get the bill up, debate it, air it well, and let us see if we might come to an agreement on it.

Mr. NUNN. Will the Senator yield?

Mr. BYRD. I yield the floor.

Mr. NUNN. Mr. President.

Mr. DOLE. Mr. President.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. DOLE. I will comment briefly on what was said earlier and I will be happy to yield the floor.

I am perfectly willing, as I indicated earlier, that if we could separate this one amendment out, we would have a freestanding vote. There may be some with a different strategy to require the President to veto the whole bill, or maybe others who feel he will not veto the whole bill if this is in it. But that is not an accurate assessment of the President's position. This is a matter of great significance and one that we intend to make a record on. It may take a while, but that is what the Senate is for. When you have a matter of national significance, I think we ought to be heard.

So if we can be heard just as well on a freestanding agreement of some kind on the so-called Levin-Nunn amendment, that could go to the President and we could go ahead with the DOD authorization bill, which will be difficult enough to pass.

I can attest to that having been the majority leader and spending a couple of weeks, I think, last year, and 7 or 8 days the year before. There is a lot of work to do. I have made it the practice this year to do all I can to cooperate with the majority leader. I do not want to play games. It seems to me we have a lot of work to do. It is piling up and it is going to pile up even higher. I want to help the majority leader leave this place by October 1 this year, with maybe a 1 week slippage.

Mr. McCLURE. Or earlier.

Mr. DOLE. Or earlier, yes, if possible.

If we can work it out, that would be fine. I certainly do not want to frustrate the efforts of the distinguished chairman, who does an outstanding job, or the majority leader or the Senator from Virginia, but there is a fairly strong feeling on this side about this one issue. Aside from that, as I understand, the bill would not take all that much time. If we can work it out, we are willing, and, if not, we will have to go through whatever we have to go through, but not with the intent of anybody on this side that I know of to frustrate the leadership or frustrate the committee which has done such an outstanding job on this legislation.

Mr. NUNN. Mr. President, while the Senator from Kansas is here, let me make a couple of alternative suggestions.

One suggestion is that if the Senator from Kansas and the Senator from Virginia feel strongly about this issue, and I am sure they do, and would like to separate it out, I think that could be done. The only thing we have to do with it, though, is to also separate out the defense initiative funding because the two go together. Otherwise, you are giving the President $4.5 billion and you are saying to the President, "Here it is. Do whatever you want to with it. We will find out, I guess, when we read the papers."

If some want to separate it out, that is easy to do. But the problem is, it is the exact equivalent of giving the President money for the MX missile and saying, "You go out and base it any way you want to and let us know."

We cannot do that. That is abdication of our responsibilities. If Senators say they want to separate it out, I would say that is easy, we can take out the SDI provision and this provision and set them aside and when we get ready to deal with them, we can deal with them, and go ahead with the defense bill and go into conference. That is one suggestion.

Of course, if the first one was to be acceptable, then we would not have to worry about the second one. But instead of debating the motion to proceed, after a reasonable time—I do not mind spending whatever time you want to spend on this issue. It is an important issue and deserves debate, 1 day, 2 days, 3 days, 4. But let us not hold up this whole bill. It has everything in it so important to our Nation's security, men and women who serve in the services. Let us go ahead with the bill and try to complete it. The Foreign Relations Committee will have had hearings. These hearings have been going on for some time. They can maybe complete them. We can hear from Judge Sofaer. Normally a defense bill takes 4, 5, 6, 7 days. There are going to be a number of amendments. Let us get to the end of the bill and then Senators have every right to hold it up. That is debatable. You can hold up a bill. We know you have enough votes to keep the filibuster going for quite a while. That is not the contest.

But also, if you have enough votes for that, you have enough votes to sustain the veto. I just do not understand why prolonging the bill after reasonable debate makes any sense. It does not have a conclusion. It does not do anything for security. It does not do anything for the strategic defense program. In fact, it works in exact opposite to the best interests of those who are in favor of the strategic defense initiative.

So I suggest we go ahead with the bill, take it up, debate just as long as the Senators would like, go ahead to the other amendments and debate those. If we get down to the end, we have not heard from Judge Sofaer adequately, you can still filibuster. You can filibuster the conference report. There is nothing to keep you from filibustering the conference report. It just does not make sense.

What we are going to end up doing, you get to a certain point and you will not have a defense bill. If you do not have a defense bill, you will have a continuing resolution. I recognize that he can veto a continuing resolution. But I know the mood and I believe most other people do. We saw what the House did yesterday. They now have $3.1 billion for SDI. We have $4.5 billion. I know the mood and the more it gets vetoed, the more the filibuster goes on, the more the SDI Program is going to go down in the final analysis.

So it seems to me that those who in all sincerity are pursuing this avenue are indeed taking a position that is going to erode the very support that they seek. The only hope we have of having a strategic defense initiative at all is if we have some bipartisan consensus. And those of us who support it on this side do feel strongly it is a blank check; the President just cannot go out and do whatever he wants to do. He told us what his program is going to be. It is supposed to be within the traditional interpretation. That is what they have testified to. We cannot sit back and have the Department of Defense in unilateral announcements saying the President can change any time he wants to and go to the interpretation—tests in the different manner than the tests he has laid out in front of our committee. He cannot do that. So that position is going to remain firm whether it is May or whether it is October.

I hope that we could take one of those two avenues. Either one of them would be satisfactory. Set aside the SDI funding and this provision, move on with the bill. We all know that at some point we will come back and put them together. Or an alternative is to go ahead, take up the bill, take everything else up, reserve the right to have extended debate at the end of the bill. That way we will not be losing time. The Senate will not be sitting here hour after hour of wasted time. We will be moving forward.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Mr. DOLE. Mr. President, I do not quarrel with anything the distinguished Senator from Georgia has said, but I think that we should not get too nervous around here, until we have a filibuster. I tried day after day after day to get something moving in this body and nothing ever happened. Somebody would stand up and say, "You are not going to do that today," and I said, "Yes, sir," because generally if one, two, three, four, five Members decide you are not going to make much progress that can be achieved. So I think until somebody has laid down the gauntlet, I am not too concerned about option one, two, three, or four. But I do think that there is an important issue here and obviously there is a lot of leverage on the other side, because if they do not have their way then they will reduce SDI funding. It is not the very genius to figure that out. I am not certain whether the President can win in either event.

But I think there is some bipartisan support for SDI at some reasonable level. I hope there is. It may be that if we get at loggerheads sometime later on maybe there can be some accommodation to help keep things moving, because again I state I do not believe that I have intentionally frustrated the efforts of the majority leader yet this year. Sometimes we just cannot do things. Sometimes the leader is powerless to do what he would like to do.

We are going to continue to try to work out many of these proposals. But then I would not say we had reached the end of the road on this one.

Mr. DIXON. Will the minority leader yield for a moment, Mr. President, for a question?

I think what my distinguished colleague, the chairman of the committee, has said merits a lot of serious consideration on the other side. I see many of my colleagues from the committee. I think I can represent in a public place that every member of the committee expressed satisfaction at the conclusion of all of our hearings that everyone had been fairly treated and that we had a bill with which everybody was satisfied. Most of us would have liked a little higher number than we ended up with, but we did the job we had to do to end up with zero real growth. I think all of us are satisfied that we have a good bill. We have an honest difference of opinion between the two sides on the question of a narrow or a broad interpretation of the ABM Treaty. We have had a lot of good debate in the committtee, incidentally, and on the floor, may I say to the leader, on this subject matter. I think it has been a benefit to all of us.

However, is it not about time we had some serious conversations on both sides about what we can do to get to the merits of this bill and pass this important piece of legislation? I think there ought to be some areas of agreement, may I say, by virtue of which both sides could come to an understanding that we can move along with this very important legislation. There is a salary increase for our military personnel. There are a lot of things in this legislation that many Members who are on the floor hold dear. I think that between now and Friday a lot of good conversations between the leaders on both sides and the ranking member and the chairman could result in some very fruitful understandings.

Mr. DOLE. Since the Senator directed the question to me, I would hope we are always going to try to be constructive. It seems to me this should be a bipartisan effort. Defense is a bipartisan effort. So I do not know of anybody on this side who says, "No, never." But we may not have quite reached that point yet. There has not been a single quorum that I remember. Maybe one brief quorum call all afternoon, so Members have been debating. It is frustrating when they put in quorum calls and nobody does anything. So there has been some good debate. It is called to my attention that a number of Senators, particularly the Senator from Pennsylvania, made particularly well-reasoned statements. The Senator from South Carolina is ready to speak. We are getting debate out which would come in any event. So I hope we are not yet judged to be dragging our feet on the bill. I know the Senator did not mean that.

Mr. BYRD. Mr. President, will the distinguished Republican leader yield?

Mr. DOLE. I will be happy to yield.

Mr. BYRD. Mr. President, I think the Republican leader would be the first to say that this Senator has supported SDI, and I assume there are some Senators on the minority leader's side who have not. I supported it last year when twice it survived by one vote. Now, a Senator can say it was his vote. Another Senator can say it was his vote. I can say it was my vote. But it was certainly bipartisan.

I am interested in getting a bill. As the distinguished Senator from Georgia has pointed out, the Republican leader has the votes over there, on this side, to stop cloture. We cannot invoke cloture. We cannot produce 60 votes on this side. We have only 54. We cannot produce 60 votes to invoke cloture. We cannot override the President's veto on this side.

I would hope that our friends on that side, who showed this morning that they could muster a solid phalanx of votes on procedural questions, would at least let the Senate take up the bill. We cannot break the filibuster on this bill as long as the Senators on that side stand against voting for cloture.

At the moment, we have before the Senate a motion to proceed, a motion to take up. Why do we not take it up and get on the bill and then debate?

Mr. WARNER. I say to the distinguished leader that there is equal desire on this side to take up the bill and get on with the Nation's business in terms of national defense.

The Levin-Nunn amendment is only tangentially related to this bill. In a technical sense, it constrains the money, but in a broader sense, it raises a very serious constitutional issue, which is now being examined by the Judiciary Committee, and a foreign policy issue—namely, the treaty and the broad versus narrow.

I ask the distinguished majority leader to consult the chairmen of those two committees, who are diligently working to reach some of the same conclusions forced by the debate on this amendment, and see whether or not we can break off the amendment from the bill—not break it off, but take it off and make it a freestanding measure.

I ask the distinguished Senator from Georgia: What is the necessity of incorporating the money from SDI? The bill, having the Levin-Nunn amendment, when acted upon by the Senate, could be drawn up in such a way as to be amended. What Congress does one day, it can undo the next day.

Mr. NUNN. The Senator from Virginia is eminently correct. The Senator knows the answer to his question. If you separate the SDI funding from this amendment, you are telling the President: "Here is your money, Mr. President."

We are saying to those who would like to filibuster, "Filibuster the next bill."

If you give him the money, he can do anything he wants to do with the money. There would be no congressional say so with unilateral interpretation.

If he wants that, he can take the position he advocated in the committee, through his spokesmen, and restructure them. He could have the testing. He could break the ABM Treaty through that method. Congress would have nothing to say about it.

The Senator says, "Send him a blank check and let him do what he wants."

I say that if you want to take this amendment out, take the funding out, and we will address them both at the same time, and we will at least have a chance to say something about the adherence or nonadherence to the treaty.

Mr. WARNER. The money we are about to give the President under the bill does not go to his authority to spend until the first of October. That is a long time, during which the Judiciary Committee will have completed its work, the Foreign Relations Committee will have completed its work, and our negotiators will be further along; and on the eve of the release of the funds, Congress could act, if it is the will of Congress, in some way to restrict.

Mr. NUNN. Will the Senator agree to an expedited procedure; that there would be no filibuster; that once that bill came up, it would be expedited here, with no holdup, so that we would make sure that we have the same right to vote on that measure on the floor as we would otherwise?

Mr. WARNER. As the Senator well knows, that is a matter to be considered by all Senators and the leadership. Far be it from one Senator to make a statement to confirm that request.

Mr. NUNN. I understand that, and I think the Senator understands the answer to his question.

The reason we have to have the money at the same time you do this is that otherwise you are giving the President authority to do whatever he wants to do with this money. That is not the way Congress operates under the Constitution. We did not devise the Constitution so that Congress would have nothing to do with the way defense money is spent. That is the constitutional responsibility of Congress.

Mr. THURMOND. Mr. President, I rise to commend the distinguished chairman of the Senate Armed Services Committee, Senator NUNN, and the distinguished ranking Republican, Senator WARNER, for their extraordinary efforts in bringing the most important bill to the floor in such a timely fashion. The funding recommendations included in this bill represent an appropriate balance, although at lower overall levels than I would have preferred, between our national security objectives and the need to balance the Federal budget.

I would also like to congratulate the distinguished chairman of the Strategic Forces and Nuclear Deterrence Subcommittee, Senator EXON, with whom it has been my distinct honor and pleasure to work. Under Senator EXON's leadership, the Strategic Subcommittee held at least one hearing on each of the major issues and achieved remarkable bipartisan consensus on a broad range of funding issues in the important and often controversial strategic and space programs arena.

Mr. President, the bill strongly supports ICBM modernization, recognizing that the final outcome of this issue will be decided in our conference with the House.

It contains strong support for the continued development of the Miniature Homing Vehicle Asat Program, recognizing the essential contribution of the Asat program both to deter actions by the Soviets that might impede, damage or destroy our important space assets, and to deny Soviet space-based capabilities that could threaten our terrestrial forces in time of war.

It contains funding for the strategic defense initiative that permits the continuation of a robust program, although at a funding level that will slow significantly major experiments that were planned to support an early 1990's decision to develop and deploy a strategic defense system.

It contains strong support for the continued modernization of our strategic forces and their command, control, and communications, including the Trident submarine and Trident II missile, and the advanced technology bomber.

It contains strong support for our space launch recovery efforts, and for both chemical weapons defensive measures and the modernization of chemical offensive capabilities through safe, binary munitions.

Mr. President, this bill also contains an important initiative with respect to the Department of Energy's weapons program. The committee has recommended that the N-reactor at Richland, WA, be put in a standby status, and that the Department use some of the savings to initiate work on a new production reactor on an urgent basis. The committee's action deals with a mounting budgetary crisis precipitated by the need to modernize the decades-old production complex and to take remedial actions with respect to environmental issues. More importantly, the committee's action addresses the national security imperative to assure a source of critical nuclear materials for the long term. The committee deliberated at length in arriving at this recommendation. We made it recognizing that shutting down the N-reactor increases the risks in the short term that we will be unable to meet the critical material needs of our weapon's stockpile. There are, however, no easy choices open to us if we are to deal decisively with preserving the infrastructure on which our deterrence strategy depends.

Mr. President, let me turn for a moment to an item that is also at the heart of our overall military strength. For the past several years, the Senate Armed Services Committee has added funding for priority items for the Guard and Reserve. This year the committee approved a total of $300 million of additional purchases for elements of our Reserve components.

In a continuing effort to retire aging C-130 A model aircraft, the committee has recommended procurement of eight C-130 H model aircraft for the Air National Guard.

The committee also recommended that $150 million be allocated to the various Reserve components to procure miscellaneous unspecified equipment. This continues a program started several years ago by my distinguished colleague from Mississippi, Senator JOHN STENNIS and myself.

Additionally, the committee recommends that nine of the AH-64 attack helicopters authorized in this bill be designated for the Army National Guard.

Mr. President, while these expenditures may seem modest when compared to the entire defense budget, they will go a long way toward modernization efforts for the Guard and Reserve.

Mr. President, notwithstanding the strong reasons to support this bill, which I have just outlined, I must regrettably indicate that I cannot support this bill in its present form. This is entirely due to the inclusion of a provision known as the Levin-Nunn amendment, which I believe is detrimental to our national security interests.

It is not in our national security interests to require by statute that the President follow the more restrictive of two plausible interpretations of the ABM Treaty, when the Soviet Union is seeking an even more restrictive interpretation at the negotiating table. The Levin-Nunn amendment would have that effect.

It is not in our national security interests to seek to bind the United States to an interpretation under the ABM Treaty to which the Soviet Union is not bound. The Levin-Nunn amendment would have that effect.

It is not in the national security interests to grant statutorily to the House of Representatives the unilateral ability to compel the United States to follow for the next 2 years a particular foreign policy regarding our relations with the Soviet Union. The Levin-Nunn amendment would have that effect.

Such matters are constitutionally reserved to the President, and shared only with the Senate by virtue of treaty ratification procedures.

In short, Mr. President, at a time when the United States and the Soviet Union are engaged in negotiations involving the very matter addressed by the amendment, the Levin-Nunn amendment jeopardizes the prospects for reaching the best possible outcome for our long-term national security.

Mr. President, there will be considerable discussion of the issues raised by the Levin-Nunn amendment. I urge my colleagues who have not followed these issues closely to do so during consideration of this bill. Finally, I urge my colleagues to support an amendment that will be offered to strike the Levin-Nunn provision.

Mr. President, I cannot imagine a more detrimental step that this Congress could take than an attempt, at the very moment that the President of the United States is negotiating with the Soviets, to tie his hands on this matter.

In the negotiations, originally, before the adoption of this treaty, the Soviets took the broad interpretation. Now they are taking a more restrictive position than the narrow interpretation at the negotiating table. And so certainly, according to the negotiation procedures, according to the negotiating record—any Senator can get it and look it up—there is certainly ambiguity there where you can support either interpretation. And why do we want to tie the hands of the President now to a narrow interpretation, which will hurt him in negotiating to get the best agreement for the United States?

I cannot imagine anyone in the Congress, Senate or House, at this particular moment when we are negotiating with the Soviets attempting to take a position here that is going to tie the hands of the President or greatly handicap him in getting the agreement we might get if this action is not taken.

There is no question about it. Anyone who has studied this situation will realize that if we pass the Levin-Nunn amendment right now, we are giving the Soviets something that they cannot get at the negotiating table. Why should we do that?

I hope that public sentiment will express itself on this matter and that the Congress will realize what they are doing if they adopt the Levin-Nunn amendment at this particular moment when we are trying to get an agreement with the Soviets. Adoption of this amendment will hurt the President in arriving at an agreement which will be helpful to this country and if we do that, the American people will suffer.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator form Arizona.

Mr. McCAIN. Mr. President, I would like to make a few remarks. First of all, I would like to associate myself with the very compelling and cogent remarks made by the distinguished Senator from South Carolina, Senator THURMOND, who has always lent a great deal to this very important debate.

Mr. President, I think we are talking about three things here. First, we are talking about the process as we know it here in the U.S. Senate. Second, we are talking about SDI itself and third, we are talking about a constitutional issue: Presidential prerogatives in the conduct of foreign policy, and in interpreting treaties and in carrying them out.

I paid close attention to the distinguished chairman of the committee in his remarks and, as always, they were very important.

Let me point out that the chairman said to those of us who oppose this portion of the bill, are you saying you are willing to sacrifice the new ships, the new airplanes, the research and development, the pay raise, the hard work that this committee did. Are you ready to sacrifice all that, as our chairman stated, because of this amendment? I see one of my distinguished subcommittee chairmen here, Senator DIXON. I appreciate the hard work he did on the subcommittee on which I am proud to serve.

I think that the reverse should be asked. I think I would ask the other members of this committee: Are you willing to sacrifice all this hard work, knowing full well that this President is going to veto this bill if it has that amendment attached to it and that we can probably muster at least 34 votes to sustain a veto? Is that the track we want to go down? Do we want to make the authorizing process irrelevant? Do we want to again consign the authority and indeed the responsibilities for this Nation's defense to the Appropriations Committee and end up with a continuing resolution in which the members of the committee will play a very small role?

I think that question should also be asked because it is clear that without the Nunn-Levin amendment this bill would have been unanimously supported by all members of the committee. We would have come here to the floor with a united front, and I would suggest that as a united committee we probably could have beat back efforts to further reduce the defense authorization.

Now we come here to the floor of this body with the acrimony that existed this morning exacerbated by now "extended debate." Unfortunately we are, divided across the board, making it very difficult for us to concede to one another in order to present a united front, on the floor of this body and in the conference.

So I have to ask the distinguished chairman and with deep respect, Is he willing to sacrifice the hard work that he and the other members of the committee have devoted to this task? There have been literally thousands of hours invested by members and our outstanding staffs in order to craft what many of us believe is an outstanding document, with the exception of the Nunn-Levin amendment. This document can indeed insure U.S. national security interests throughout the world.

Also the distinguished chairman stated that the administration chose to simply do "whatever they wanted with $5.7 billion." I do not think that is the case. In fact, in the report language which is now part of the defense authorization bill, I would like to read something which I think is important. It says:

> As a result of hearings before this and other committees in the Senate and House of Representatives, serious questions have been raised about the validity of the proposed reinterpretation of the ABM Treaty. To its credit, the Administration has acknowledged deficiencies in its review of issues pertaining to interpretation of the ABM Treaty, and has pledged to consult carefully with the Congress before undertaking any further action contrary to the original meaning of the Treaty as presented to this Committee and the Congress in 1972.

Mr. President, those are not my words, those are the words of the report language concerning their interpretation, and indeed it is mine also. This administration will not advance or leave the so-called narrow interpretation of the ABM Treaty without full consultation with the Congress.

Now, that does not mean, obviously, that they will be bound by that, but at least there will certainly be consultation. I would suggest, as the chairman did, there would have to be a majority bipartisan support of a departure from the narrow interpretation of the treaty before they could possibly proceed, because this body still controls the purse strings and this body, on almost any amendment, on almost any bill, could propose an amendment which could prevent a departure from the narrow version of the treaty.

So I have to draw a conclusion, Mr. President, that this whole debate on the so-called Nunn-Levin amendment is to some degree symbolic. Unfortunately, we are dealing with such a serious issue that I do not think that it is really appropriate at this time, particularly given what is at stake.

Let me also talk for a second about SDI itself. There are people all across America who do not support SDI. I think that is very clear. But it is also clear that about 60-some percent of the American people support the concept of SDI. I think that is very understandable, because a majority of the American people are in favor of an experiment or testing to see whether we can arrive at a nonnuclear defensive shield in space as opposed to the uninterrupted buildup of nuclear offensive weapons on the ground.

I also believe as most Americans do, that we have an obligation—to defend ourselves, our citizenry and country. We must find a way to defend our citizens as opposed to holding them hostage as called for today by a doctrine of mutual assured deterrence. This is not only repugnant but, unfortunately, may no longer be viable for various reasons. I do not think it is in our interest to choke SDI in it cradle.

I also would suggest that we will reach a time, perhaps not this year, perhaps not next year, where we will have to make a decision to test this equipment, to see whether actually we can erect some sort of a shield which could, at a minimum, protect us from the threat of nuclear blackmail.

Let me talk just a second about negotiations. We are at a point, according to the media, and according to all the briefings that I have received where we may have achieved or are about to achieve a signifiant arms control breakthrough with the Soviet Union. Why are we at this point? Mr. President, I am not positive that we are going to reach this agreement, but all the signs are leading in that direction.

How did we get to the point where we are today? I think you will find that SDI and a change of leadership in the Soviet Union are the two major factors which contributed to the position we are in, in the negotiations today. In 1983, the Soviet Union left the Geneva arms conference stating that they would never return as long as Pershing and cruise missiles were in Western Europe.

I might remind you, Mr. President, that the reason why the Pershing and cruise missiles were in place in Western Europe was a direct response to the buildup of intermediate nuclear forces by the Soviet Union. The statement was there; it was credible. No one believed that the Soviet Union was ready to return and, indeed there was an invariable agony, as far as our European allies are concerned, as to how they should handle the bleak prospect of the unabated arms race.

Then, of course, SDI came on the scene. Then, for whatever reason—we can talk about credibility, or the lack of credibility SDI had within the Soviet Union—I think they are clear indicators that the Soviet Union gives great credibility to SDI. Look at the enormous amounts of money that they are devoting to their own SDI Program.

Although I have enormous and total faith in our technology and in our way of life, we will always be able to maintain a technological lead in SDI over the Soviet Union. I believe the Soviet Union also understands that. That is why Mr. Gorbachev made it his No. 1 priority and continues to be the No. 1 priority either to reduce dramatically our SDI prospects or to do away with all SDI, as proposed at Reykjavik when the bargaining reached the 11th hour.

So, SDI has made a major contribution to the arms control process and I hope we can appreciate that. I hope we appreciate that when we consider this amendment and what it will do in arms control, in both Geneva and here in the United States. I think our President is in a tough situation. I think President Reagan has to negotiate with two groups. At least Mr. Gorbachev has to negotiate only with the United States. Our President has to negotiate with the Congress and with the Soviets. But be that as it may. That is one of the symptoms of democracy which we will all accept. But I hope that this body would understand how critical SDI is to that process at this time.

Finally, I also want to reiterate, if we do not remove the Nunn-Levin language from this bill, we will doom this bill to failure. I do not think there is any doubt about that. If we do not remove the Nunn-Levin language, we will cripple or, indeed, severely impair the ability of our negotiators to continue at Geneva. We may deprive the American people of the prospect, the hope, that is sparked in the minds and hearts of many people across America that somehow we could get out of this terrible grip of mutual terror which has been brought upon us, which has been wreaked upon us by the continued incessant buildup of offensive nuclear weapons which threaten to incinerate this planet.

I yield the floor.

The **PRESIDING OFFICER**. Who seeks recognition?

Mr. DIXON addressed the Chair.

The **PRESIDING OFFICER**. The Senator from Illinois.

Mr. DIXON. Mr. President, may I just make these comments concerning this debate on the question of moving to the DOD authorization bill? I think that all of the remarks that have been made by my distinguished colleagues on the other side are very informative and very sincere. There is obviously a very considerable difference of opinion between this side and the other side about the interpretation of the ABM Treaty.

But I think the point is also clear that a vote was held in the committee and a majority voted for the narrow interpretation of the ABM Treaty and that is part of the DOD authorization bill.

Now, it is very clear that it is going to take us a long time to pass this DOD authorization bill in my case; a number of days at least. There will be a good many amendments that will be considered by the U.S. Senate during the time that we debate this bill.

I would hope that my colleagues, between now and tomorrow morning, might have a change of heart about going to the issues in the DOD authorization bill. If they do not, we are going to waste all of tomorrow and probably a good deal of Friday discussing going to the bill itself, and I suspect that this side does not have the necessary 60 votes for cloture. So, in effect, we will waste all of this week in connection with this debate.

And, in the final analysis, some kind of an understanding will have to be achieved between the two sides so that we can go on with the business of the Senate, because I feel confident that my colleagues on the other side do really want to pass a Department of Defense authorization bill shortly. In any event, the President can veto the bill if he really takes exception to the language in the bill. And I think it is very clear that they have more than the necessary 34 votes on their side to sustain the veto. So I think that we are wasting a lot of time that could be used usefully in considering the DOD authorization bill.

Now, why should we consider this bill? I think the reason we ought to consider the bill is that there is unanimous opinion among the members of the committee that this is the very best bill that we could achieve, given the fiscal constraints that we face this year. Now, I see a number of members of the committee on the floor right now. I can say that my subcommittee, the Subcommittee on Readiness, Sustainability, and Support, had about 36 or 37 percent of the total amount of money that was authorized in this DOD authorization bill.

I believe I can say that every member of the subcommittee was satisfied with the treatment accorded them. The majority staff worked diligently with the minority staff. The end work product, Mr. President, may I say, was adopted in my subcommittee on a unanimous vote. I think that was generally true of the other subcommittees as well.

I remember very well before the final vote on the question of a narrow or broad interpretation, everyone on the committee expressed absolute satisfaction with the overall work product within the fiscal constraints that we were facing in the committee.

In other words, essentially we have before us a bill that probably has more support in the U.S. Senate than any DOD authorization bill in the 7 years that I have been serving in the U.S. Senate. We are divided on one question. It seems to me in due course we can resolve our differences somehow on that issue. But we ought to be trying to resolve that by conversations between the leaders, and between the distinguished ranking members and the chairman, my good friend from Virginia, who may I say publicly was an outstanding force in the committee for the excellent bill that we passed out of the committee. I know he has unlimited respect and affection for the distinguished chairman of the committee, the senior Senator from Georgia, who I am sure has the respect and affection of every Member of this body, and who has worked diligently to produce this excellent work product of the committee.

I appreciate the fact that everybody wants to make their speeches and there have been some very good ones. I want to congratulate all my colleagues, Madam President, who have made these fine speeches. But I would like to suggest it is 6 o'clock in the afternoon, and that we are going to waste this entire week talking about this issue if we do not shortly begin the DOD authorization bill. I hope we do not have to go through the whole procedure and vote on cloture. I think it is eminently clear that the votes are not here, may I say to my friend, the ranking member, the distinguished senior Senator from Virginia. The votes are not here for cloture. If we do not obtain cloture we will have wasted the whole week. We will not be in Monday. We will get back next week, and it will be a considerable amount of time before we can actually get to the many important issues in this very important bill.

There is probably, may I say, a strong feeling on the other side that we ought to go to this bill, with the exception of their reservations about the Levin-Nunn amendment that provides for the narrow interpretation of the ABM Treaty.

So I would like to entreat my colleague, the ranking member, and the Republican leader and others on the other side, to begin to have some earnest conversations with our side about some way we can resolve this difference of opinion and get on with the important business at hand without wasting this entire week.

I hope, may I say to my friend from Virginia, that perhaps he would spend a little time with his friend from Georgia, and the Senator from Kansas would spend a little time with the Senator from West Virginia, and we would have some nice conversations that would result by perhaps noon tomorrow in going to the DOD authorization bill.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER (Ms. MIKULSKI). The Senator from Virginia.

Mr. WARNER. Madam President, I thank my distinguished colleague from Illinois. It is a pleasure to serve with him on this committee, and indeed in the Senate. He is the Senator that we all recognize—and I think he is speaking from the heart at this moment, but we must recognize—and I take issue with two points today. First a technical point. He said the Armed Services Committee voted on the narrow versus the broad interpretation. I believe the authors of this amendment have tried very carefully to point out we did not do that. We indirectly may have framed the debate for that, but in a sense, all we did was to put in the technical restriction on the expenditure of funds, thereby limiting the President's option at some future time if he so desired to make a shift in the direction of the program. So much for that.

But my second point is disagreement that time has not been wasted. Today has been a good exchange, and very substantive. I am now going over remarks made by others carefully, and learning some things which I, no matter how much time I spent, recognize for the first time.

I ask my distinguished colleague, as I did the majority leader, to think in terms of the work being done by other committees in the Senate on the very issues that are framed by the Levin-Nunn amendment, and whether or not in fairness to them—in fairness to our President who is now completing work, the first section of the work having arrived here in the Senate today—more time is needed for the deliberations of the issues framed by the Levin-Nunn amendment, to give that time to other Members of the Senate, and to proceed on with the bill.

Let us look at the means by which we can take this amendment, and have it set aside as a freestanding measure to be considered by the Senate at a future time.

Mr. DIXON. I thank my colleague from Virginia. He has always been so very dedicated to the work of the committee. I appreciate his comments very much. I did not mean to imply, of course, that this very excellent debate that took place today was a waste of the time either of the Senate, or the country. But I meant to state very forcefully that I believe that in short order we ought to proceed to the bill. If my colleagues wish to continue this debate on the merits of the legislation, I think that is entirely in order. But I think we have a lot of work ahead of us on the bill.

I would hope that before this week is ended, we can begin work on the DOD authorization bill.

I thank my friend from Virginia for his excellent comments.

Mr. WARNER. Madam President, at this time, I see no other Senator seeking recognition, and it is our practice now to allow the leadership to determine the future course of the Senate. I would suggest we put in a quorum call until such time as the Senate receives direction from the leaders. I suggest the absence of a quorum.

The PRESIDING OFFICER. There is no Senator seeking recognition. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Madam President, I ask unanimous consent that there be a brief period for morning business, that it not extend beyond 10 minutes, and Senators may speak therein out of order.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR DOLE'S BICENTENNIAL MINUTE

SENATE PASSES "TARIFF OF ABOMINATIONS"

Mr. DOLE. Mr. President, 159 years ago today, on May 13, 1828, the Senate passed the "tariff of abomination," a high-protective tariff that inflamed sectional passions and triggered a major constitutional crisis.

Tariff rates were tricky business. Manufacturing interests generally favored a higher tariff to raise the cost of imports and promote American manufactured goods; agricultural interests favored a lower tariff to promote overseas sales of their produce and cheaper imports. Those representing agrarian interest in Congress thought they found an ingenious solution. They would vote for the highest possible tariff rates—exactly the opposite of what they wanted. They believed President John Quincy Adams, who was sympathetic to the manufacturers, would be forced to veto the high tariff. He would then carry that stigma in his election campaign against Andrew Jackson.

But the high tariff passed and Adams signed it. The South was outraged and some Southerners began to talk of secession. It was the "tariff of abominations," as they called it, that prompted Vice President John C. Calhoun to write an anonymous pamphlet denouncing the tariff as unconstitutional and unjust, and declaring that the State legislatures had the power to refuse to enforce—or nullify—a Federal law. When South Carolina adopted Calhoun's proposal, President Jackson hotly denied the right of nullification, and threatened to send troops to uphold the tariff. The crisis was at last averted when Senator Henry Clay devised the compromise tariff of 1833, to remove some duties immediately, and gradually lower the rest. But the sectional angers thus aroused never completely disappeared in those tense decades before the Civil War.

The moral to this story, I suppose, is that Senators should be careful of what they vote for, because they might actually get it.

INDIAN FISHING RIGHTS

Mr. BYRD. Madam President, I would inquire of the distinguished Republican leader if Calendar Order No. 113, S. 727, has been cleared on that side.

Mr. DOLE. It has been cleared on this side.

Mr. BYRD. I thank the leader.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 113, S. 727.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 727) to clarify Indian treaties and Executive orders with respect to fishing rights.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

The Senate proceeded to consider the bill which has been reported from the Select Committee on Indian Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof, the following:

SECTION 1. Section 2079 of the Revised Statutes (25 U.S.C. 71) is amended by striking out the period at the end thereof and inserting in lieu thereof the following proviso: ": Provided, That such treaties, and any Executive orders and Acts of Congress under which the rights of any Indian tribe to fish are secured, shall be construed to prohibit the imposition, under Federal law or under any law of a State or political subdivision thereof, of any tax on any income derived by an Indian from the exercise of rights to fish secured by such treaty, Executive order, or Act of Congress.".

SEC. 2. The provisions of this Act shall apply to any period for which the statute of limitations or any other bar to assessing tax has not expired.

Mr. INOUYE. Madam President, I rise today in support of S. 727, a bill to clarify Indian treaties, executive orders, and acts of Congress which secure rights to fish to Indian tribes.

Madam President, the genesis of this legislation is the recent efforts of the Internal Revenue Service to impose taxes on income of Indian treaty fishermen for income derived from the harvesting of this trust resource. This effort has been the subject of disagreement between the Department of the Interior and the Internal Revenue Service which was finally resolved within the administration when the Department of Justice declined to adopt the legal views of the Solicitor of the Department of the Interior and opted, instead, to accept the legal views of the Internal Revenue Service.

The exchange of views of the Department of the Interior and the Department of Justice are set forth in full in the report filed by the Select Committee on Indian Affairs to accompany this bill. It is sufficient, here, to say that the disagreement between the Department of the Interior and IRS hinges on the interpretation of a major Supreme Court decision in this area of taxation of Indian trust resources: *Squire* v. *Capoeman,* 351 U.S. 1 (1956). The Internal Revenue Service has insisted that in the absence of express language in the treaty, executive order or act of Congress establishing an exemption from taxation, the general revenue acts of the Congress should govern and no exemption should be found. The Interior Department argues that most of the fishing rights in question, and particularly those established by treaty, were secured as much as 50 years before the first Federal income tax laws were enacted. It is unreasonable to expect language in such a treaty or other document expressly addressing an issue of Federal taxation. Instead, I firmly believe that the policies underlying the establishment of the right should be controlling.

Madam President, it is the view of the Select Committee that income derived by an Indian exercising his or her right to take fish should enjoy the same tax treatment as income derived by an Indian farming his trust allotment, raising cattle on his trust allotment, harvesting timber from his trust land, or obtaining income from mineral resources on his trust land. On the basis of the Squire case, the Internal Revenue Service has recognized exemptions from taxation derived directly from the utilization of such trust resources. To those Indians deriving a living from the harvest of fish the right to which is secured by treaty, executive order or act of Congress, the fish swimming in the stream or ocean is as much a trust resource as are the lands being worked by these other Indians.

The faith required of the United States to honor its commitments to the fishing Indians cannot be less than that faith owed to the land-based Indian. The purpose of this legislation is to honor that commitment and provide the necessary language to enable the treaties, executive orders or acts of Congress which secured the right to fish in the first instance to be interpreted in the same fashion as those treaties, executive orders or acts of Congress which secured tribal and individual Indian rights in land.

Madam President, I urge my colleagues to join in supporting this important legislation.

Mr. EVANS. Madam President, I rise today in support of S. 727, a bill to clarify the tax-exempt status of income derived by Indians from the exercise of fishing rights secured by treaty, executive order, or act of Congress. The bill is similar to an amendment to the debt ceiling bill accepted by the Senate during the last Congress. For reasons unrelated to the merits of the amendment, however, it did not survive conference of debt ceiling bill.

S. 727 was reported by the Select Committee on Indian Affairs without opposition. During the committee's hearing on this legislation, Assistant Secretary of Interior for Indian Affairs Ross Swimmer testified in support of the bill. Mr. Swimmer made it quite clear that he was testifying on behalf of all the agencies in the executive branch of the Federal Government, including the Office of Management and Budget, the Department of Justice, and the Department of the Treasury.

Madam President, many Indians have relied heavily, some exclusively, on fishing for their food and economic wellbeing. Consistent with the importance of fishing to their way of life, the Indians often retained their traditional fishing rights when they signed treaties with the U.S. Government. Leaders of Indian tribes are generally thought to have understood that they would be able to continue fishing and trading fish without, in any way, having to turn over to the Federal Government a portion of their catch.

I am grateful to my colleagues Senators BRADLEY, DECONCINI, ADAMS, MCCAIN and HATFIELD, and especially to my good friend and colleague Indian Affairs Committee Chairman INOUYE, for their support and their assistance in bringing this bill before the Senate. I urge other Members of the Senate to support our efforts.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill [S. 727] was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to clarify Indian treaties, Executive orders, and acts of Congress with respect to Indian fishing rights."

Mr. BYRD. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. DOLE. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NEW G.I. BILL CONTINUATION ACT

Mr. BYRD. Madam President, on behalf of Mr. CRANSTON, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 1085

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1085) entitled "An act to amend title 38, United States Code, to make permanent the new GI bill educational assistance programs established by chapter 30 of such title, and for other purposes", with the following amendment:

In lieu of the matter inserted by said amendment, insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "New GI Bill Continuation Act".

SEC. 2. SHORT TITLE OF THE NEW G.I. BILL.

Section 701 of the department of Defense Authorization Act, 1985 (Public Law 98-525; 38 U.S.C. 101 note) is amended to read as follows:

"SHORT TITLE

"SEC. 701. This title may be cited as the 'Montgomery G.I. Bill Act of 1984'.".

SEC. 3. CONTINUATION OF ALL-VOLUNTEER FORCE VETERANS' EDUCATIONAL ASSISTANCE UNDER THE NEW GI BILL PROGRAM.

(a) ACTIVE DUTY PROGRAM.—Section 1411(a)(1)(A) of title 38, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988," and inserting in lieu thereof "after June 30, 1985,".

(b) ACTIVE DUTY AND SELECTIVE RESERVE PROGRAM.—Section 1411(a)(1)(A) of title 38, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988," and inserting in lieu thereof "after June 30, 1985,".

SEC. 4 CONTINUATION OF EDUCATION ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE UNDER THE NEW GI BILL.

Section 2132(a)(1) of title 10, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988," and inserting in lieu thereof "after June 30, 1985,".

SEC. 5. REVISION OF DECLARED PURPOSES.

Section 1401 of title 38, United States Code, is amended—

(1) by striking out "and" at the end of clause (2) and redesignating clauses (2) and (3) as clauses (4) and (5), respectively;

(2) by inserting after clause (1) the following new clauses:

"(2) to extend the benefits of a higher education to qualifying men and women who might not otherwise be able to afford such an education;

"(3) to provide for vocational readjustment and to restore lost educational opportunities to those service men and women who served on active duty after June 30, 1985;";

(3) by striking out the period at the end of clause (5), as redesignated by clause (1) of this section, and inserting in lieu theeof "; and"; and

(4) by inserting at the end the following new clause:

"(6) to enhance our Nation's competitiveness through the development of a more highly educated and productive work force.".

Mr. BYRD. Madam President, on behalf of Mr. CRANSTON, I ask that the Senate concur in the amendment of the House to the amendment of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

Mr. BYRD. Madam President, I move to reconsider the vote by which the motion was agreed to.

Mr. DOLE. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REPRESENTATION OF SENATE OFFICERS

Mr. BYRD. Madam President, on behalf of Mr. DOLE and myself, I send to the desk a Senate resolution and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report the resolution.

The bill clerk read as follows:

A resolution (S. Res. 215) to direct the Senate legal counsel to represent the President of the Senate and the President pro tempore in the case of McWherter v. Bush, et al.

The Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, the Vice President, in his capacity as President of the Senate, and Senator STENNIS, in his capacity as President pro tempore, have been named as defendants in an action filed by the Governor of Tennessee in the U.S. District Court for the District of Columbia. The Governor has also named the Speaker of the House as a defendant.

The Congress, in the Nuclear Waste Policy Act of 1982, established a program for the selection of one or more sites for the permanent deep geologic disposal of high-level radioactive wastes and spent nuclear fuel. The act requires the President to submit to the Congress a recommended site for a repository, but it allows any State to object to the location of a permanent repository within its borders by submitting a notice of disapproval to the Congress within 60 days of the President's recommendation. If a State submits a notice of disapproval the Secretary of Energy may not apply to the Nuclear Regulatory Commission for a construction authorization unless the

Congress passes a joint resolution approving the site within a prescribed period after receiving the State's objection.

The statute provides that a State's notice of disapproval shall be considered to be submitted to the Congress on the date of its transmittal to the Speaker and to the President pro tempore. In the Senate, a notice of disapproval is to be referred to committee and the chairman of the committee shall introduce a resolution to approve the site recommended by the President.

When the Congress decided in 1982 that one or more permanent repositories should be developed, it also conceived of, but did not authorize, an interim facility for the monitored retrievable storage of nuclear wastes pending their shipment to permanent repositories. As required by the act, the Secretary of Energy has submitted to the Congress a proposal for legislative authorization of the construction of a monitored retrievable storage facility. The Department of Energy's proposal, which was submitted on March 30, 1987, has been referred to committee. The Department recommended that the facility be constructed in Tennessee.

Section 141(h) of the 1982 act provides that a monitored retrievable facility authorized pursuant to the act shall also be subject to the act's provisions that enable a State to disapprove a site for a permanent repository. The question which Tennessee is raising in this lawsuit is whether the Department of Energy's March 30, 1987, proposal to the Congress triggers the State's opportunity to submit to the Congress a notice of disapproval. The purpose of Tennessee's declaratory judgment action is to obtain a judicial ruling which will determine when Tennessee may utilize its statutory opportunity to disapprove a decision to locate a monitored retrievable storage facility in that State.

The following resolution would authorize the Senate Legal Counsel to represent the President of the Senate and the President pro tempore in this action. There is no actual controversy between Tennessee and either the President of the Senate or the President pro tempore. Neither has taken or will take, in their capacity as officers of the Senate, any action which is adverse to Tennessee. If Tennessee submits a notice of disapproval, it will be referred, absent a directive to the contrary by the Senate, to the appropriate committee. The committee will then decide whether to propose any legislative action to the Senate.

The district court has expedited the case at Tennessee's request. The defendants' opposition to Tennessee's motion for a summary declaratory judgment is due May 14. The court will hear argument on May 20.

The memorandum is as follows:

U.S. Senate,
Office of Senate Legal Counsel,
Washington, DC, May 12, 1987.

MEMORANDUM

Re: *McWherter* v. *Bush.*

To: The Joint Leadership Group; Hon. Robert C. Byrd, Hon. Robert Dole, Hon. John C. Stennis, Hon. Joseph R. Biden, Jr., Hon. Strom Thurmond, Hon. Wendell H. Ford, Hon. Ted Stevens.

From: Michael Davidson, Ken U. Benjamin, Jr.

The Vice President, in his capacity as President of the Senate, and Senator Stennis, in his capacity as President pro tempore, have been named as defendants in an action filed by the Governor of Tennessee in the United States District Court for the District of Columbia. The other original defendant is the Speaker of the House.

The Congress, in the Nuclear Waste Policy Act of 1982, established a program for the selection of one or more sites for the permanent deep geologic disposal of high-level radioactive wastes and spent nuclear fuel. The Act requires the President to submit to the Congress a recommended site for a repository, 42 U.S.C. § 10134(a)(2)(A), but any state may object to the location of a permanent repository in the state by submitting a notice of disapproval to the Congress within 60 days of the President's recommendation, id., § 10136(b). If a state submits a notice of disapproval the Secretary of Energy may not apply to the Nuclear Regulatory Commission for a construction authorization unless the Congress passes a joint resolution approving the site within a prescribed period after receiving a state's objection. Id. § 10135(c).

The statute provides that a state's notice of disapproval shall be considered to be submitted to the Congress on the date of its transmittal to the Speaker and to the President pro tempore. Id. § 10136(b)(2). In the Senate, notice of disapproval is to be referred to a committee[1] and the chairman of that committee shall introduce a resolution to approve the site recommended by the President. Id., § 10135(d)(2)(A). No role is assigned in these initial steps to the President of the Senate, although he might preside over subsequent debate in the Senate on a joint resolution to approve the recommended site.

When the Congress decided in 1982 that one or more permanent repositories should be developed, it also conceived of, but did not authorize, an interim facility for the monitored retrievable storage (MRS) of nuclear wastes pending their shipment to permanent repositories. ID. § 10161. In accordance with section 10161, the Secretary of Energy, on March 30, 1987, submitted to the Congress a proposal for legislative authorization of the construction of an MRS. DOE recommended that the facility be constructed in Tennessee.

42 U.S.C. §§ 10161(h) provides that an MRS facility authorized pursuant to section 10161 shall be subject to the provisions of the Nuclear Waste Policy Act that enable a state to disapprove a site for a permanent repository. The question which Tennessee is raising in this lawsuit is whether DOE's March 30, 1987 proposal to the Congress triggers the state's opportunity to submit to the Congress a notice of disapproval. The purpose of Tennessee's declaratory judgment action is to obtain a judicial ruling which will determine when Tennessee may utilize its statutory opportunity to disapprove a decision to locate an MRS in Tennessee.

We will be coordinating our handling of this case with the Department of Justice and the Department of Energy. The Department of Energy is planning to intervene in the case to present to the court the executive branch's interpretation of the Act. Our principal contention on behalf of the Senate defendants would be that there is no justifiable controversy between Tennessee and either the President of the Senate or the President pro tempore. Neither has taken or will take, in their capacity as officers of the Senate, any action which is adverse to Tennessee. If Tennessee submits a notice of disapproval it will be referred, absent a directive to the contrary by the Senate, to the appropriate committee. The committee will then decide whether to propose any legislative action to the Senate.

District Judge Joyce Hens Green has expedited, the case at Tennessee's request. Our opposition to Tennessee's motion for summary judgment is due the morning of May 14; the court will hear argument on May 20. The court has expedited the case because Tennessee's notice of disapproval must be filed on or before May 29 if DOE's March 30 proposal is determined to have triggered the procedure for State disapproval.

U.S. Senate,
Office of Senate Legal Counsel,
Washington, DC, May 12, 1987.

To: Charles Kinney, Rich Belas.

From: Mike.

We have reviewed the draft floor statement and the position that we propose to take in this case with the staff on both the Committee on Environment and Public Works and the Committee on Energy and Natural Resources. I have also sent an explanation of the case to the Vice President's office and to Senator Stennis's office.

The Court has expedited the case. Our brief is due Thursday morning, May 14, at 9:00 a.m.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 215) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 215

Whereas, in the case of *Ned Ray McWherter* v. *George Bush, et al.*, Case No. 87-1184-JHG, pending in the United States District Court for the District of Columbia, the plaintiff has named George Bush, in his capacity as President of the Senate, and John C. Stennis, in his capacity as President pro tempore of the Senate, as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288(a)(1)(1982), the Senate may direct its counsel to represent Members and officers of the Senate in civil actions relating to their official responsibilities; Now, therefore be it

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[1] The Committee on Energy and Natural Resources has jurisdiction over the "[n]onmilitary development of nuclear energy." Standing Rule 25(g)(1)(12). The Committee on Environment and Public Works has jurisdiction over the "[n]onmilitary environmental regulation and control of nuclear energy." Standing Rule 25(h)(1)(10).

Resolved, That the Senate Legal Counsel is directed to represent the President of the Senate and the President pro tempore of the Senate in the case of *McWherter* v. *Bush, et al.*

MEASURE PLACED ON CALENDAR

Mr. BYRD. Madam President, I ask unanimous consent that H.R. 2360, an act to provide for a temporary increase in the public debt limit, be placed on the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. DOLE. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 912—RURAL ELECTRIFICATION ACT AMENDMENT

Mr. BINGAMAN. Madam President, today I rise to cosponsor S. 912, a bill to amend the Rural Electrification Act of 1936, legislation that is critically important to this Nation's rural citizens. The distance that many Americans live from urban centers makes the power and benefit of electrification difficult to provide. It was for this reason that the Rural Electrification Administration was established in 1936 to alleviate the burden of electrifying America's rural communities. Rural electric systems serve over 25 million citizens at an average of only 5 customers per mile of line. Even in providing electric and telephone service to such sparse populations, the REA has enabled rural America to become economically viable.

However, this Nation's rural areas are presently in a state of economic crisis. Our agriculture industry continues to be mired in low commodity prices combined with high costs of production. It is obvious that, given the current state of affairs, rural communities can not withstand additional economic set backs. Consequently, I am pleased to add my name to the distinguished group of cosponsors of S. 912, to allow rural electric and telephone borrowers to prepay and refinance their long term high interest loans held by the Federal financing bank with private capital at 100 cents on the dollar. I believe that this legislation will assure that electricity costs in rural communities remain stable and competitive.

Current rural electric and telephone systems operate on loans from the Federal Financing Bank. Many of those loans are locked into long-term interest rates as high as 15 percent. It seems only fair to allow the prepayment and refinancing of these loans without substantial penalties.

Not only does REA loan refinancing make sense in terms of policy, it has a positive effect on the 1988 Federal budget. Loan repayments bring a dollar-for-dollar outlay reduction. In addition, by reducing the debt burden on REA generation and transmission facilities, we lower the risk of possible future nonpayment of these loans. Unlike loan asset sales, the Federal Treasury receives 100 cents on the dollar for prepaid loans.

I believe that the merit in this legislation lies in relieving rural electric and telephone generating stations from the burdens of long-term, high interest loans. Realistic refinancing alternatives are a step in the right direction toward stabilizing rural economies while positively effecting the Federal budget. I strongly encourage my colleagues to support this important legislation.

HARRY LLOYD HOPKINS DEFENDER OF DEMOCRACY

Mr. HARKIN. Madam President, I would like to take a few minutes from the press of national business to pause for reflection on the achievements of a remarkable man from my State, Harry Hopkins. Today, while American leaders work on the great challenges facing our Nation: deficit reduction, international competiveness in trade, nuclear armament reductions, and a sensible foreign policy in Central America, we would do well to take a few moments to reflect upon the challenges facing our Nation 40 and 50 years ago: the Great Depression with its hunger, fear, and unemployment, and World War II with its great challenges to Americans at home and abroad.

History professor George McJimsey, of Iowa State University has recently brought a key figure from that era of hard times, Harry Hopkins, into the spotlight again. Professor McJimsey's new book, "Harry Hopkins: Ally of the Poor and Defender of Democracy" brings new perspective to the Hopkin's remarkable career.

Hopkins was born in Sioux City, IA on August 17, 1890. His father David was a harness-maker and his mother Anna was a deeply religious woman, very active in the affairs of the Methodist Church. He was the last of five children and one of the four sons of David and Anna Hopkins.

Shortly after Hopkins was born, his folks moved successively from Sioux City to Council Bluffs to Kearney, NE. Then to Hastings, NE, and Chicago, IL before settling in Grinnell, IA.

Harry L. Hopkins, who described himself as an Iowa country boy, was the man President Roosevelt chose to implement his New Deal policies. Working closely with the President, Hopkins helped shape and then administer a series of programs to revitalize a nation dying of economic blight.

To him fell the task of putting to useful work the millions of unemployed Americans during the Great Depression. These unfortunate victims of a colossal economic collapse they did not understand or control, shuffled in endless breadlines, sold pencils on street corners, huddled cold and hungry in hovels they fashioned out of corrugated iron sheets or stared with resentful frustration at the locked gates of factories where machinery lay idle and rusting.

Harry Hopkins went into action as soon as he was appointed Administrator of the Federal Emergency Relief Agency on the afternoon of May 22, 1933. In his first 2 hours in office, he galvanized the Nation by disbursing $5 million to a half dozen States to be used immediately to put the unemployed to work. He paid their wages in cash instead of food stamps or scrip, so they could see the rewards of their labor and spend it as they wished. During the next 5 years, he employed nearly 18 million men and women on projects that rebuilt and strengthened the economic framework of America. As head of the FERA, then the Civil Works Administration and finally the massive Works Progress Administration, he embarked on a multitude of projects designed primarily to give jobs swiftly to as many people as possible in keeping with their individual talents and the needs of the Nation. They built and improved highways, constructed schools, hospitals, Federal, State and municipal buildings, libraries, bridges and flood control levees. They taught 200,000 illiterates to read and write. The WPA Federal Writers' project employed authors to write books on the States and cities of the Nation, simultaneously providing jobs for editors, printers, and bookbinders. The American Guide Series stands today as a monument to that effort. Actors, stagehands, playwrights and scenic designers found their niche in the Federal Theater project which brought plays to virtually every city and town in America and brought black actors to Broadway with its production of "The Mikado" with an all-black cast.

Never in history had so much been accomplished in such a short time. Gone was the indignity of the dole which left men poor and idle. Their self-respect restored, they could and still do, look with satisfaction and pride at what they accomplished with their own hands and talents. The effort, which exceeded in magnitude the building of the great temples of ancient Egypt, primed the economic pump of the Nation, permitting private industry and enterprise to resume its proper role.

Hopkins managed all this. He spent $9 billion in public funds, more than any other person had handled up until that time. Not a penny of it stuck to his fingers. Even his detractors attested to his honesty. His example prompted the same kind of integrity from his subordinates and, although frequent accusations of improprieties were made, no member of his Washington staff or regional and State administrators was ever found guilty of misappropriation of public funds.

In his book "Four Presidents as I Saw Them" Admiral Wilson Brown, who served Presidents Coolidge, Hoover, Roosevelt, and Truman remarked that Hopkins was not always deeply trusted by Roosevelt but grew into this relationship.

> In those anxious years (the war years) Roosevelt trusted Hopkins' judgment more than that of any other person in the Cabinet, in the Congress, or in his own Staff. It was not so in the beginning of the administration, however. There were times then when Harry's standing in the presidential favor was very insecure. On week-end cruises on the *Sequoia*, during the days of the W.P.A., I heard the President and Louis Howe berate Hopkins more roughly than I ever heard them talk to anyone else. Harry smartly took the wind out of their sails by admitting that he knew nothing about their complaint, that he should have known about it, and that he had been just plain dumb. Although he disarmed further attack by pleading stupidity, we will knew he was not stupid.
>
> From the beginning Hopkins worked with others to prepare the President's speeches, but I think he might have never gained the position of chief counsellor, had he not gone along on the 1935 cruise aboard the *Houston*. During that month aboard ship he was amusing and not too talkative; we could see that he was wearing well. In that brief association, Franklin Roosevelt found in Hopkins a man after his own heart, one who paid little attention to precedent and red tape and kept the goal always in mind; who was courageous, even audacious, in accepting the gravest responsibilities.

By September 1938, Hopkins shared President Roosevelt's concerns about the threat of war in Europe and the sad state of America's defenses. WPA projects were shifted to include military as well as civilian installations. Barracks and airfields were built, and factories were erected that would soon be used to manufacture aircraft and weapons.

At this point, Harry Hopkins' health, which had never been good, deteriorated rapidly. Unable to absorb proteins in his food, his body wasted away and he spent much of his time in bed or in the hospital. It was not until the early part of 1940 that he felt well enough to go out of doors for walks.

On the 10th of May, the President invited him to the White House for dinner to discuss the implications of Hitler's invasion of the Lowlands. He went, although he felt really ill that evening. At Roosevelt's insistence, he stayed overnight. Here he was to remain for 3½ years as guest of the President. The stimuli of swirling events in Europe and the third term political campaign restored Hopkins to action as no medicine could.

He worked closely with the President on all phases of domestic and foreign affairs. He managed Roosevelt's third re-election campaign and acted as personal envoy for the President between Churchill and Stalin. Hopkins was instrumental in forging the Grand Alliance which brought together the big three powers of the United States, Great Britain, and the Soviet Union.

He was appointed Lend-Lease Administrator and ensured the flow of war materials to our allies. By Stalin's own admission, Russia would have lost the war without Lend-Lease aid. Had Russia lost, the entire might of the Nazi forces would have been thrust at the Armed Forces of Great Britain and the United States. Hopkins organized the conferences abroad which brought Roosevelt, Churchill, and Stalin together to deliberate the strategies of war and peace—conferences in which Hopkins, himself, played an important part. When Roosevelt died, Hopkins retired from Government, but he was recalled by President Truman when the deliberations at the San Francisco Conference broke down due to Russian intransigence, threatening the very existence of the United Nations. Truman sent Hopkins to Moscow where, in lengthy conversations with Stalin, he broke the deadlock.

Truman spoke to Hopkins on the day of Roosevelt's funeral. Truman later reflected on this incident in an interview with journalist Merle Miller.

> Well I asked him to come in. I told you how bad he looked, and I apologized for calling him in, but I said I wanted as best he could to tell me about our relations with Russia. He'd been to all those conferences with Roosevelt, to Yalta and the ones at Casablanca and Tehran and I believe Cairo, and he filled me in. He told me everything that he could and it was very helpful indeed.
>
> . . . he really understood Stalin. He told me that afternoon that Stalin . . . he said you could talk to him, and I knew he could, and so in May, when we were having trouble with Stalin—Molotov was threatening not to sign the United Nations Charter. I called Hopkins in again, and I said, "Harry, are you physically able to go to Moscow? If you are, I want you to go over there and tell Stalin to make Molotov sign this Charter."
>
> And he got in a plane and went. He had a three-hour conference with Stalin, and about an hour and a half after that Molotov signed the Charter.

When asked why Hopkins was so successful, Truman responded:

> I don't know. I don't know, but he knew exactly how to do it. He talked tough to them all the time. I don't know how he did it, but he got it done. That was the main thing. He always did whatever he promised to do.
>
> And when he got back from Russia, he made a report to me, and he said, "Old Stalin seemed to be very happy to see me, and he said to give his best regards to the President of the United States."
>
> "Well," I said, "I'm exceedingly obliged to you for what you did and I want to thank you for it."

Although President Truman asked Hopkins to remain in Government, he decided to return to private life. In 1942 Hopkins had married Louise Macy and they had moved to New York. Here, in retirement, he planned to write his memoirs, but his health failed rapidly. Sadly, on January 29, 1946, little more than 6 months after serving President Truman, Hopkins died penniless and in relative obscurity in New York City at age 55. Winston Churchill, in his memoirs, said about Harry Hopkins:

> He was a true leader of men, and alike in ardour and wisdom in times of crises he has rarely been excelled. His love for the causes of the weak and poor was matched by his passion against tyranny, especially when tyranny was, for the time, triumphant.

Even though more than 40 years have passed since his death, Harry Hopkins deserves recognition as the great American that he was. Appropriately, an effort is under way to have the U.S. Postal Service issue a commemorative stamp in honor of the 100th anniversary of Hopkins' birth in 1990. I happily support this effort and urge my colleagues to do the same. Mr. Hopkins and his high standard of public service deserve this honor.

Additionally, I would like to ask unanimous consent that an article on Mr. Hopkins written by John Hyde of the Des Moines Register be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, Mar. 31, 1987]

NEW DEAL GIANT HOPKINS RISES FROM HISTORY'S GRAVEYARD

(By John Hyde)

WASHINGTON, D.C.—Among the world's famous figures, few have been more quickly and completly forgotten than Harry Hopkins, the son of an Iowa harness maker who gained immense influence during the presidency of Franklin Delano Roosevelt.

But a group of well-known public figures is attempting to rectify history's error. They have formed the Harry Hopkins Public Service Institute in an effort to restore his historic standing and hold him as an example of selfless service to the country.

Among their efforts is a drive to have the U.S. Postal Service issue a commemorative stamp in his name. In Iowa Monday, the Senate approved a resolution calling for such a stamp.

Hopkins was only 56 at the time of his death in 1946. Some 3,000 people packed his funeral, to remember a man that Winston Churchill had once described as unquestionably the second most powerful man in the United States, perhaps the sixth most powerful in the entire world.

"The country will never even vaguely appreciate the service he rendered," commented Gen. George C. Marshall.

ASHES UNCLAIMED

Having thus paid tribute to Hopkins, the world turned on its heel and never looked back. In the New York City church where his funeral was held, Hopkins' ashes lay unclaimed for 27 years. His name, when mentioned at all, was usually uttered in connection with a notorious quote—"We're going to tax and tax, spend and spend, elect and elect"—which Hopkins never said.

"This man was truly a great and outstanding human being and public servant," says economist Robert Nathan, who worked under Hopkins at the Commerce Department during the 1930s. "I've seldom had the privilege of being around anyone as astute and direct and truthful as Hopkins. He had unbelieveable commitment to his work, and his integrity was absolute.

"It's a great tragedy to see one of the most important figures of the New Deal forgotten. . . .

"I do believe we're living in a stage when, regretably, there is a tendency to belittle public service. We're driving competent people out of government and I'm afraid we're discouraging good young people from going into public service. . . . We're trying to restore some respect for competence and integrity in public service."

DOCUMENTARY FILM

Among the institute's first projects is preparation of a documentary film on Hopkins, for use by public television and schools.

The institute is also working with officials at Grinnell College, where Hopkins was graduated, to create an annual lecture series on the value of public service.

A book on Hopkins' life, written by George McJimsey, an Iowa State University professor of history, is being published by Harvard Press and is scheduled for release in April.

Nathan serves as chairman of the institute's board of directors, and a "Friends of Harry Hopkins" group has been set up that includes Iowa's congressional delegation, Gov. Terry Branstad, banker John Chrystal and New York Gov. Mario Cuomo—who will be giving the commencement address at Grinnell this spring.

All the attention means the U.S. Postal Service probably will be taking a look at Hopkins as a candidate for a stamp to be issued in 1990, the 100th anniversary of Hopkins birth, a Postal Service administrator said Monday.

The Iowa Senate's resolution, which is expected to also be approved by the Iowa House, will be considered he said.

BRAINCHILD

The Hopkins institute is largely the brainchild of Verne Newton, a native of Humboldt, IA., who served as executive secretary at the Agency for International Development during the Carter administration.

Newton, now an author, was reading some World War II era documents at the National Archives about 18 months ago when he stumbled across a riveting account of a heroic-diplomatic mission conducted by Hopkins in 1941.

Hopkins was desperately ill at the time, the result of a still mysterious ailment that prevented him from receiving nourishment from food. He was kept alive only by continual injections and transfusions.

Though he no longer held an official government position, Hopkins continued to be Roosevelt's closest aide and confidant. "He was deputy president, chief of staff and national security adviser all rolled into one," says Newton. So it was that F.D.R. dispatched him to meet with Joseph Stalin in Moscow and Churchill in London on the eve of America's entrance into World War II.

"The trip was brutal," says Newton. "The plane was very cold, and Hopkins was very frail. . . . When they left Moscow, his medicine was left behind, but he refused to let them return because he was overdue for Churchill. When they arrived in England, the seas were so rough they couldn't land. Hopkins finally ordered them to put the plane down anyway, but he was so weak he couldn't climb off. They had to build a cable to the plane and take him off on a stretcher."

The RAF pilot who flew Hopkins on the mission concluded his account with these words: "As he waved us farewell we could not help feeling that very few persons could have taken what he had endured since we met at Invergarden. . . . We wondered if there was ever any rest for a man so ill and yet showing such unbelievable courage, determination and appreciation for the service of others. His was a noteworthy example of unparalleled devotion to duty."

The pilot's account "struck a chord in me," says Newton. He began to research Hopkins' life and came to the conclusion that it was "an important example of courageous service and was something Americans, particularly since Watergate, should know something about."

Hopkins died "virtually penniless" in New York City.

The paltry nature of Hopkins' estate stands in sharp contrast to the current Washington atmosphere, Newton adds, where Michael Deaver and other White House aides have used their public positions as springboards to enormous wealth.

"The whole notion of public service has changed a lot in this country," says Representative Tom Tauke (Rep., IA.), one of those serving on the Friends of Harry Hopkins board. "One has the impression there were people in earlier generations who were devoted to the idea of public service without the idea of personal return. We need that now."

HAS NUCLEAR WINTER REALLY MELTED DOWN?

Mr. PROXMIRE. Madam President, the time has come to take another hard, long look at nuclear winter. Over the past few years, this Senator has held hearings on nuclear winter. I have expressed my concern here that the climatic effect—the nuclear winter—consequence of nuclear war seriously threatens the continued existence of mankind as a species on this planet. From what this Senator has recently learned, I may have strongly overstated the prospects that a nuclear exchange and particularly a superpower nuclear war would result in a catastrophic change in the Earth's climate. Such a result was alleged by a number of scientists and advanced by this Senator as a drop in the Earth's temperature that could kill much of the Earth's vegetation and cause widespread starvation. A Harvard scholar named Russell Seitz has written a powerful rebuttal of this thesis. In his rebuttal, Seitz quotes a number of authorities to support his position. One of the most impressive is Prof. George Rathjens of MIT. Rathjens is president of the Council for a Livable World. He is a past executive of SANE. Rathjens is quoted as saying: "Nuclear Winter is the worst example of the misrepresentation of science to the public in my memory."

Seitz vigorously attacks the highly influential TTAPS study of nuclear winter. The acronym TTAPS represents the initials of the five respected scientists who authored the study: Richard Turco, Owen Toon, Thomas Ackerman, James Pollack, and Carl Sagan. He charges that the study was based on the assumption that planet Earth was without continents or oceans. He alleges these scholars assumed the Earth to be a "bone-dry billiard ball." As Seitz described it:

> Instead of nights and days, it postulated 24 hour sunlight at one-third strength. Instead of realistic smoke emissions (from the fires ignited by massive nuclear attacks on cities), it simply dumped a 10-mile thick soot cloud into the atmosphere instantly * * * One factor alone, the moderating effect of the oceans—turned out to be the source of a 200 percent error.

Several years ago, this Senator asked representatives of the Defense Department to testify before a subcommittee of the Joint Economic Committee that this Senator chaired. The Defense Department was fully cooperative with the committee. Their witnesses agreed that the nuclear winter threat merited careful study. They also agreed that a study of this possible consequence of nuclear war together with the Soviet Union could provide useful information. In view of the vigor and strength of Russell Seitz' criticism of the widely accepted nuclear winter scenario by the TTAPS scientists, isn't it time for a competent, objective study? This Senator thinks so.

It is imperative that the Congress and the American people understand the full truth about the consequences of nuclear war. If there has ever been any phenomenon which was less in need of myth and exaggeration than the consequences of nuclear war, this Senator cannot imagine it. The United States and the Soviet Union each have more than 10,000 strategic nuclear warheads. Each superpower has additional thousands or tactical nuclear warheads. Both countries are busily adding more warheads to their stockpiles each day. Both France and the United Kingdom have substantial nuclear arsenals. The Chinese also have impressive nuclear strength. We know of the cruel and total devastation of the city of Hiroshima which ensued from the explosion of a single, small, primitive nuclear bomb. We are aware of the similar leveling of Nagasaki from one small nuclear device.

These events occurred more than 40 years ago. We know how much more devastating the tens of thousands of nuclear warheads are today. We know a superpower nuclear war now could mean the destruction of the cities in both countries in a matter of a few hours with the death of a large proportion of the population of both nations. Why do we need the vision of the Earth plunged into months of darkness and years of frigid cold? Why do we need such an additional nightmare to understand the simple fact that a nuclear war would be a total catastrophe? Don't we understand that nuclear winter or no nuclear winter there could be no winners only losers, only the dead, the dying, and the pathetic remnant of two great nations after a nuclear war?

On this nuclear war issue—we need only and only one thing. That is the truth. We need the truth plain. We need it direct. We need no exaggeration. We need no apocalypse. We can live in this nuclear world using deterrence and arms control buttressed by the truth, and only the truth, to prevent the catastrophe of nuclear war. Or like our ancestors throughout history we can blunder into war. But this time war will be different. This time it will be a nuclear war. This time it will be a catastrophe beyond imagination.

Madam President, I ask unanimous consent that the paper by Russel Seitz to which I have referred be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

In From the Cold: Nuclear Winter Melts Down

(Russell Seitz)

The end of the world isn't what it used to be. "Nuclear Winter," the theory that a nuclear exchange as small as 100 megatons, in addition to its lethal primary effects, would usher in a life-extinguishing arctic night, has been laid to rest in the semantic potter's field alongside the "Energy Crisis" and the "Population Bomb." Cause of death: notorious lack of scientific integrity. Like those other once-vaunted theories, "Nuclear Winter" has unraveled under scrutiny. Yet not so long ago policy analysts took it so seriously that there is reason to examine its brief life more closely. What emerges from such an examination is a politicization of science sufficient to result in the advertising of mere conjecture as hard fact.

In 1982 a question arose within the inner circle of the world's disarmament activists: Could the moral force of Jonathan Schell's eloquent call to lay down arms, *The Fate of the Earth*, be transformed into a scientific imperative? Psychological strategists of the peace movement were not content with the fearsome carnage of a nuclear holocaust. They had identified "psychic numbing" and "denial" as impediments to mass demands for disarmament, and needed something new to dramatize the horrors of nuclear war. (Dr. Robert Jay Lifton, of the Nobel Prize-winning peace group Physicians for Social Responsibility, originally characterized the "Nuclear Winter" hypothesis as "an imaginative resource.")

A 1982 special issue of the Swedish environmental science journal *Ambio*, inspired, according to its editor, by the work of the Stockholm International Peace Research Institute (SIPRI), considered the broad range of environmental consequences of nuclear war. The preamble to that issue stated, "There is a considerable fear for the continued existence of man on Earth: in the end that fear, as it gains momentum, may well lead to more effective measures for the prevention of a nuclear catastrophe." Ralph K. White put it more succinctly in his book *The Fearful Warriors:* "Horror is needed. The peace movement cannot do without it."

The *Ambio* special issue focused the attention of several foundation executives and concerned peace activists on the environmental consequences of nuclear war, but its limited circulation and scholarly tone did little to evoke a mass reponse of the sort needed to effect a major change in strategic doctrine. One of its articles, however, "Twilight at Noon" by Drs. Paul Crützen and Stephen Birks, contained the seed of what would become "Nuclear Winter."

Russell Peterson, president of the Audubon Society and husband of the editor of the *Ambio* special issue, brought the subject to the attention of Robert Scrivner of the Rockefeller Family Fund. Scrivner, together with Henry P. Kendall Foundation vice president Robert Allen, convened an ad hoc consortium of foundations seeking to promote disarmament as well as scientific organizations with a bend for political activism. Cornell astrophysicist and media personality Carl Sagan began organizing a scientific advisory board that drew heavily on the existing network of activists heading such organizations as the Union of Concerned Scientists (USC), Physicians for Social Responsibility (PSR), and the Federation of American Scientists (FAS). Two dozen foundations and over a hundred scientists were recruited for the project.[1]

While the foundations assembled funding and laid the groundwork for a major public relations and television production campaign, Sagan seized upon the work of Crützen and Birks, who had considered the hypothetical potential for a climatic catastrophe were the fires ignited by a nuclear holocaust to convert much of the fuel in both woodlands and cities into a globe-enshrouding pall of soot. Theirs was a subjunctive disaster, but in the hands of others it would be transformed into an exhortation. Several of Sagan's colleagues and former graduate students had already created computer software to simulate the interaction of sunlight with dust in a postwar environment; now Sagan asked them to augment this less apocalyptic scenario by loading the existing software's "atmosphere" with the hypothetical soot of Crützen and Birks. The paper that eventually resulted came to be known as TTAPS, after the initials of its authors: Richard Turco, Owen Toon, Thomas Ackerman, James Pollack, and Carl Sagan.

Because so much depended on them, the assumptions embodied in the TTAPS software merit a closer look. Instead of a planet with continents and oceans, the TTAPS model postulated a featureless bone-dry billiard ball. Instead of nights and days, it postulated twenty-four hour sunlight at one-third strength. Instead of realistic smoke emissions, it simply dumped a ten-mile thick soot cloud into the atmosphere instantly. The model dealt with such complications as east, west, winds, sunrise, sunset, and patchy clouds in a stunningly elegant manner—they were ignored. When later computer models incorporated these real-world elements, the flat black sky of TTAPS fell apart into a pale, broken shadow that traveled less far and dissipated more quickly. One factor alone—the moderating effect of the oceans—turned out to be the source of a 200 percent error.

One way to see the TTAPS model is as a long series of conjectures: if this much smoke goes up, if it is this dense, if it moves like this, and so on. This series of coin tosses was represented to laymen and scientists alike as a "sophisticated one-dimensional model"—a usage that is oxymoronic, unless applied to Twiggy. For while there might be a "clear possibility" of a dire outcome on any single one of the model's forty elements, the improbability of so long a string of coin tosses all coming up heads is astronomical.

To the limitations of the software were added those of the data. It was an unknown and very complex topic, the hard data was scant, and the rush to publication did not allow time to clarify the true values of the many variables involved.[2] There was no certain knowledge on which to depend, so guesstimates prevailed. Not only were these educated guesses rampant throughout the process, but it was deemed prudent, given the gravity of the subject, to lean toward the worst-case end of the spectrum for dozens of the numbers involved. Political subliminally skewed the model away from natural history; in restrospect, the politics in question can be seen as those of the nuclear freeze movement. No one who is familiar with the malleability of computer projections can be surprised at the result: For an apparently "robust" range of variations, the projected odds on the end of the world ensuring from the scenario in question came out to be, better than even money, when it should have been as much of a longshot as being dealt a straight flush in poker.[3] It was thus, by worst-case analysis run amok, that researchers arrived at the theory presented to the policy community as a hard scientific fact—something so portentous as to militate for a profound revision in strategic doctrine and a transformation of global politics.

BEHIND CLOSED DOORS

"The question of peer review is essential. That is why we have delayed so long in the publication of these dire results," said Carl Sagan in the fall of 1983. But instead of going through the ordinary peer-review process, the mathematical results of the TTAPS study had been conveyed by Sagan and his colleagues to a chosen few at a closed meeting convened in April 1983. Despite Sagan's Claim of responsible delay, before this peculiar review process had even begun a public relations firm had been hired to publicize the results. The Kendall Foundation paid an $80,000 retainer to Porter-Novelli Associates of Washington, D.C., in advance of the meeting and half a year before any scientific publication of the concept. More money was spent in the 1984 fiscal year on video and advertising than on doing the science.

The meeting did not go as Sagan presumably had hoped; most participants interviewed by this author do not describe the reception accorded the "Nuclear Winter" theory as cordial or consensual, and Sagan himself has repeatedly refused to release the meeting's transcript. (The meeting's organizers have said it was closed to the press to avoid sensationalism and premature disclosure.) According to Professor Kosta Tsipis of MIT, even one of the Russian scientists at the meeting said, "You guys are fools. You can't use mathematical models like these to model perturbed states of the atmosphere. You're playing with toys."

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[1] Footnote at end of article.

With funding for popularizing assured, however, the show went on, with a $100,000 conference on The World after Nuclear War in Washington, D.C., at the end of October.[4] Simultaneous with the conference came the public premiere of the "Nuclear Winter" hypothesis—an October 30, 1983, article by Carl Sagan in the Sunday supplement Parade. The peer review process at Parade presumably consisted in the contributing editor conversing with the writer, perhaps while shaving—Sagan is both.

Over a month later, the TTAPS results at last appeared, as the leader in Science magazine (December 23, 1983). This is the very apex of scholarly publication, a place and format customarily reserved for a review article expounding a mature addition to an existing scientific discipline—one that has withstood the testing of its data and hypotheses by reproducible experiments recorded in the peer-reviewed literature. Yet the many complex variables necessary to operate the model and the uncertainty associated with the value of each element operated upon by the software were not explicitly set forth in the text of that article. They were instead reduced to one line amongst pages of footnotes accompanying the text—a line that said, simply, "In preparation." Which is where the critical details have remained, languishing in unpublished obscurity ever since. The TTAPS "Nuclear Winter" business, from its inception until the transfer of the computer codes into the custody of the Pentagon in 1986, remained a closed shop, one that tended to dismiss any criticism, however, valid, as envelope-back nitpicking by the insufficiently informed. It is no small irony that the TTAPS software became accessible to the scientific community at large only be viture of its arrival in the assist secretary of defense's office; the government, unlike scientists, is obligated by the Freedom of Information Act to turn over the software to all comers.

One week after the publication of the TTAPS article in Science another trade—"Nuclear War and Climatic Catastrophe"—appeared under Sagan's name, in Foreign Affairs (Winter 1983-84). This opened the policy debate, with Sagan arguing that, because of the TTAPS results, "What is urgently required is a coherent, mutually agreed upon, long-term policy for dramatic reductions in nuclear armaments. . . ." Scientists at large had one Yuletide week in which to chase down over 100 references and to consider what would become the received wisdom in policy circles.

In seeking to maximize the impact of the TTAPS work by publishing almost simultaneously in Science and Foreign Affairs, Sagan made mistakes attributable to haste; his Foreign Affairs article cities several passages from a companion piece in Science,[5] passages that did not actually appear in the published version of the later article. One of the passages quoted, for example, runs as follows: "*In almost any realistic case* involving nuclear exchanges between the superpowers, global environmental changes sufficient to cause *an extinction event equal to or more severe than that at the close of the Cretaceous when the dinosaurs and many other species died out are likely* [emphasis added]." The ominous rhetoric italicized in this passage failed to pass peer review and never appeared in the scientific literature. Yet, having appeared in Foreign Affairs, it has been repeatedly cited in the literature of strategic doctrine as evidence.[6]

Sagan's Foreign Affairs article begins: "Apocalyptic predictions require, to be taken seriously, higher standards of evidence than do assertions on other matters where the stakes are not as great." The editor of Foreign Affairs at the time, William P. Bundy, remarked in the note that prefaced the issue, ". . . we were initially skeptical. We were presuaded otherwise by [Sagan's] extraordinary effort not only to set down his own conclusions but also to get comment on them from a large number of experts approaching the subject from many standpoint."

Rather than "higher standards of evidence," Sagan provided testimonials. He had sent return-mail, Federal Express questionnaires to the nearly 100 participants at the April meeting, and from the replies he culled his favorite two dozen quotations. What became of the hard copy of the less enthusiastic reports remains a mystery, but it is evident from the subsequent comments on the record of many of those whose opinions were solicited that something less than the unanimous endorsement of "a large number of scientists" (Sagan's phrase) is closer to the truth. Professor Victor Weisskopf of MIT, one of the first to hear Sagan's presentation firsthand, presciently sized up the matter in early 1984: "Ah! Nuclear Winter! The science is terrible, but—perhaps the psychology is good."

From the start, respected scientists in the field have remained skeptical, if not derisive, of the claims made by the "Nuclear Winter" theorists. These critical voices were not heard, however, because—like studios releasing a movie without prior screenings to avoid negative reviews—Sagan and his colleagues took their case over the heads of their fellow scientists, directly to the public at large. When the research was criticized, it was not in public forums and television studios, but in scientific journals and private discussions. Many scientists were reluctant to speak out, perhaps for fear of being labeled reactionaries, hawks, or closet Strangeloves—acolytes of "nuclearism," the new cult that Dr. Lifton claims to have discovered. For example, Nobel laureate physicist Freeman Dyson was critical in early 1984, but elected to keep his views off the record (they were subsequently made known by a congressional aide). As he put it, "It's [TTAPS] an absolutely atrocious piece of science but I quite despair of setting the public record straight. I think I'm going to chicken out on this one: Who wants to be accused of being in favor of nuclear war?"

Any atmospheric scientist daring to rock the boat three years ago faced both the formidable uncertainties of the science and the social pressure of his peers: It was the Oppenheimer-Teller confrontation revisited. Nuclear ethics had transcended doing the science. Most of the intellectual tools and computational power necessary to demolish TTAPS's bleak vision were already around in 1983; the will, and perhaps the courage, to utilize them was lacking. From leading scientists one heard something of a refrain: "You know, I really don't think these guys know what they're talking bout" (Nobel laureate physicist Richard Feynman, Cal. Tech.); "They stacked the deck" (Professor Michael McElroy, Harvard); and, after a journalist's caution against four-letter words, "'Humbug' is six" (Professor Jonathan Katz, George Washington University). But while all this was going on behind the cordial and collegial marble facade of the National Academy of Sciences, quite different trends were evident in print and on television.

PHYSICS MEET ADVERTISING

From 1984 to the present, despite the appearance of four generations of more realistic calculations, the unrevised time/temperature curves of the "Nuclear Winter," as originally set forth in Science and Foreign Affairs, have been widely reprinted, often with Sagan's complete text, and usually without strong caveats about uncertainty. These artifacts of calculation are cited as the final word on the subject in volumes dealing with everything from the philosophy of deterrence to climate change. No fewer than six books in the "Nuclear Winter" genre have appeared, often to lavish reviews in international foreign policy journals and the press. A popular review of The Cold and the Dark in the San Francisco Chronical went so far as to claim that it could be "the most important book ever published," with greater effect on human history than "the Odyssey, the Bible, the Koran, or the collected works of William Shakespeare."

"Nuclear Winter" has proved a boon to commercial artists as well as to publishers. With funds aplenty at their disposal, "Nuclear Winter's" publicists commissioned serveral renditions of The End. An example of this environmental surrealism may be seen on the dust jacket of The Cold and the Dark. The artistic technique is forthright: first, paint a rendition of the earth as seen from deep space; second, fill your airbursh with acrylic flat black and obliterate the northern hemisphere; finally, deposit squiggles of the darkest hue on whatever nations of the southern hemisphere your fancy dictates or your patron requests. Another airbrushed vision for nature lovers shows a dead whale belly-up in a charcoal sea. The works of this atelier, rendered as color slides, were distributed to every television station that would have them. In consequence, upwards of a hundred million viewers had seen these new icons of the Apocalypse before the scant hundred thousand readers of Science had read of "Nuclear Winter."

The visual aids that accompanied the "Nuclear Winter" media campaign are no trivial matter; in many ways, the iconography is more important than the research it illustrated. Science is not generally identified with semiotics, the creation and manipulation of symbols. Yet the perceived need for emblems that would motivate popular concern about disarmament certainly antedates the technical controversy over "Nuclear Winter," and it is as a symbol that "Nuclear Winter" would seem most likely to survive. Behold the glacial darkness of the movie Threads (the British equivalent of The Day After), and scientifically obsolete docudramas like On the Eighth Day. Such lurid videotapes, as eschatological as anything televangelists have to offer, continue to be used by activists around the world in an unrelenting effort to impress this new Day of Judgment on the popular imagination. Activists asked scientists for a consciousness-raising tool and were given a secular Apocalypse with which to preach for our deliverance from nuclear folly.[7]

While its effect on both policy studies and popular culture was comparatively ephemeral in the United States, "Nuclear Winter" proved enormously potent elsewhere in the world. In India and Brazil, Canada and Greece, Sweden and Tanzania, Sri Lanka and New Zealand, statesmen declared that a new era of global interdependence was at hand. The dissemination of videos, graphics, and pamphlets throughout the world by the Center for the Consequences of Nuclear War, Britain's Scientist Against Nuclear Arms (SANA) and the group European Nuclear Disarmament (END) was combined with a lobbying effort at international conferences on four continents. A "Peacelink" satellite conference spread the word to physicians in Tuvalu, Vanuatu, Kiribati, Nauru, Samoa, Fiji, and Tonga (countries that have since declared the South Pacific a "nuclear free zone"). In the Delhi Declaration of January 28, 1985, six nations pronounced that the use, "even on a limited scale," of nuclear weapons "would trigger an arctic Nuclear Winter" and "transform the Earth into a darkened frozen planet." New Zealand's Prime Minister Lange was not silent: "We in New Zealand like to think of ourselves as living in a sort of antipodean Noah's Ark. But with the coming of the Nuclear Winter we know we will freeze with the rest of you."

A DEAF EAR TO GOOD NEWS

If there was a ready audience for the initial TTAPS results, scant attention was paid to the scientific work that followed. While the apocalyptic scenario played to audiences worldwide, a series of unheralded and completely unpublicized studies started to appear at scientific conferences and in the learned journals—studies that, piece by piece, started to fill in the blanks in the climate modeling process that had previously been patched over with "educated" guesses.[8]

The result was straightforward: As the science progressed and more authentic sophistication was achieved in other models, the postulated baseline effects headed downhill. By 1986, these effects had undergone a devolution from hundreds of days of thirty-below temperatures in pitch darkness throughout this hemisphere to a few weeks of patchy and barely autumnal inclemency; the once global hard frost had retreated from the tropics to the tundra of Labrador and northeastern Siberia. Sagan's elaborate conjecture had fallen prey to Murphy's lesser known Second Law: If *everything* must go wrong, don't bet on it.

By June 1986 it was over: In the Summer 1986 *Foreign Affairs*, National Center for Atmospheric Research (NCAR) scientists Starley Thompson and Stephen Schneider declared, "On scientific grounds the global apocalyptic conclusions of the initial nuclear winter hypothesis can now be relegated to a vanishingly low level of probability."

While a new paradigm of chiaroscuro clouds and cool spells on a local scale was forming within the tiny community of atmospheric scientists, the larger world of the international scientific establishment began to announce the results of the first generations of interdisciplinary ecological and climatological studies that had followed the TTAPS results. These were eagerly awaited by the press, which was not to be disappointed.

Fed journalists examined critically these ecological meta-models. Most merely perused the media materials that *preceded* publication. Science journalists (especially those who had been lobbied by the subject's advocates)[9] proceeded to inform the public that things were looking worse than ever. Bold headlines carried casualty estimates that ran into the proverbial "billions and billions." The process culminated in the reception afforded to both the reports of the National Academy of Sciences (NAS) and the Scientific Committee on Problems of the Environment (SCOPE).[10] Both reports stressed the uncertainties that plagued the calculations then and now. The NAS report, "The Effects on the Atmosphere of a Major Nuclear Exchange," while depending on calculations performed by Turco et al., scrupulously excluded the expression "Nuclear Winter" from its 193 pages of sober text, but the report's press release was prefaced "Nuclear Winter . . . Clear Possibility.' "[11] Sagan construed the reports to constitute an endorsement of the theory. The response of television and most major newspapers seemed to validate his reading: In September 1985 the *Washington Post* carried a front-page story on the 728-page SCOPE report headlined "Scientists Estimate 2.5 Billion Could Perish in Nuclear Winter Famine."

The gap between the public vindication and scientific evisceration of the "Nuclear Winter" conjecture is illustrated by the experience of NCAR's Dr. Stephen Schnieder. In February 1986 he quietly informed a gathering at the NASA-Ames Laboratory that, after five generations of ever more sophisticated models, "Nuclear Winter" had succumbed to scientific progress and that, at worst, "The Day After" might witness July temperatures upwards of +50° in mid-America. The depths of "Nuclear Winter," in other words, could no longer be distinguished from the coolest days of summer. On March 5, however, Schneider appeared on the nationally televised PBS/NAS series *Planet Earth*. The scene, videotaped two years earlier, showed him at the display screen of a Cray supercomputer. On the screen was the output of a climate model emulating TTAPS in its original form. Only one temperature appeared, smack atop Kansas on the computer graphics map: −51° C. The series' producers had overruled a NAS advisory panel member who had requested the deletion of the "Nuclear Winter" segment. Instead, the final episode, "The Fate of the Earth," featured it on an equal footing with the "Greenhouse Effect."

In 1985, within and away from the United States word spread on the scientific grapevine: TTAPS was not the final word on the subject. As the truth slowly emerged, private skepticism turned to public outrage in many quarters, and not just among the "hawks." Attesting to a deep-seated revulsion among scientists against false or selective citation and suppression of evidence in defense of a desired conclusion, Professor George Rathjens of MIT, president of the Council for a Livable World and past executive of SANE, offered this judgment: "Nuclear Winter is the worst example of the misrepresentation of science to the public in my memory."

The following incident is illustrative: The early review copies of the SCOPE report contain a discussion of the usefulness of comparing smoke injected into the atmosphere by the huge 1915 Siberian wildfires with the amount that would be injected by a nuclear war. The review copy cites the area burned as "several hundred million hectares" (several million square kilometers). The failure of such a massive smoke injection to provoke a "Nuclear Winter"-type catastrophe casts some doubt on the claims of the "Nuclear Winter" researchers. When this author pointed this out to Dr. Turco (the first "T" in TTAPS) in 1985, he had the size of the fires reduced in the published text to only "some ten million hectares." If history could be rewritten to reduce radically the area burned, the fact that no catastrophe resulted would be less damaging to the TTAPS thesis. Unfortunately for Turco, the computing center of the USSR Academy of Sciences, citing contemporary sources,[12] had already referred to these "gigantic" fires as having an area of 1.4 million square kilometers. The final version of the SCOPE report thus consigned a million square kilometers of real estate to oblivion.

The misrepresentation culminated in the equation of the climatic effects of a nuclear war and those of the putative asteriod impact that "killed" the dinosaurs. The model used in TTAPS was indeed used to reconstruct the effects of such an asteriod impact after the hypothesis became fashionable in 1980, and did show horrendous results. "Like Nuclear Winter?" asked Ted Koppel on a 1985 Nightline; "Exactly!" replied Sagan. What Sagan neglected to point out, however, was that the understandably catastrophic results of a 10-kilometer sphere of rocky iron striking the earth would have been the product of a blast estimated at over one hundred million megatons—20,000 times more than the 5000-megaton "baseline" scenario of TTAPS and worse than its 100-megaton baseline by a factor of a cool million. In other words, comparable to a nuclear war only if every man, woman, and child on earth were to explode his own Hiroshima-sized bomb.

On January 23, 1986, the leading British scientific journal Nature pronounced on the political erosion of the objectivity vital to the scientific endeavor: "Nowhere is this more evident than in the recent literature on 'Nuclear Winter,' research which has become notorious for its lack of scientific integrity." Yet months later the New York Times reported as the last word on the subject the conclusion of Sir Frederick Warner, the treasurer of SCOPE, that there would be four billion deaths from the synergy of "Nuclear Winter's" effects on our environment. When, in light of the new evidence, Thompson and Schneider published their change of mind on Sagan's conjecture in Foreign Affairs, the silence was deafening—no new movies appeared to publicize its demise. Without a determined media counteroffensive, the climate modelers' conditional surrender will unfortunately do little to shake the hold of the concept on the public's imagination. Given the durability of videotape and the activists' access to the airwaves, the retrograde popular perception of "Nuclear Winter" may endure into the next century.

THE WAY IT WORKS

The easy acceptance of a shaky scientific conjecture by large portions of the media as well as significant portions of the foreign policy establishment requires no conspiracy theory. In fact, in some respects, the successful marketing of the "Nuclear Winter" concept has been remarkable for its openness. One can find an explanation, rather, by examining the sociology of the scientific establishment, its patrons, and its claim on the attention of both the media and policymakers.

Opinion polls indicate and common sense suggests that the public regards the scientific profession as a bulwark of objectivity and credibility in an othewise untrustworthy world. But as William Broad and Nicholas Wade conclude in Betrayers of the Truth, "Science bears little resemblance to its conventional portrait. . . . In the acquisition of new knowledge, scientists are not guided by logic and objectivity alone, but also by such non-rational factors as rhetoric, propaganda and personal prejudice." The scientific community is not that much different form other groups whose ethical constitutions are thought to be less demanding. But the notion of a special social responsibility of science, which arose in large measure from the Manhattan Project and its aftermath, has been cultivated for two generations by the politically active. By the very fact of their activism, politically motivated scientists—and more recently physicians, engineers, educators, and computer professionals, each gathered separately under the rubric "for social responsibility"—have achieved an easy dominance in matters of science and public policy.

This dominion over a variety of organizations and journals has accelerated in its extent and impact in recent years, gaining momentum from the anitwar movement of the 1960s and the environmental concern of the 1970s. At present, for example, the Federation of American Scientists (FAS) and Union of Concerned Scientists (UCS) exercise an almost unopposed and largely invisible role as a coherent force for political action and editorial direction in a broad coalition of organizations and foundations—educational, scientific, and journalistic.[13] Through historians of science have long been familiar with the role of "Invisible Colleges" in the advancement of new theories and disciplines, the powerful synergy operating between this coalition of politically concerned scientists and policymakers, and media eager to report trends in scientific fashion, has gone remarkably unnoticed. Political and ideological motivation have kept pace with the exponential growth of science. If they occasionally threaten to overwhelm the integrity of scientific endeavor, it is nearly always with the best of intentions—in this instance, saving the world.

When the president of the American Association for the Advancement of Science (AAAS), which publishes *Science*, acts also as the publisher of *Scientific American*, while both he and the president of the American Physical Society serve on the interlocking boards of the FAS, the UCS, the Arms Control Association and the Pugwash movement, one would be surprised if those organizations' politics were not reflected in the content of scientific journals.[14] Nor would one be surprised that science journalism in print and on television takes its lead from those primary sources. In the case of *Scientific American* this has long been evident in the alternation of purely scientific lead articles and ones that are concerned with public policy or the conduct of diplomacy.[15]

When a decisive number of the scientific advisers of the MacArthur Foundation, to take just one example, are drawn from the board of the FAS and the masthead of the Bulletin of the Atomic Scientists, it should surprise no one that political and scientific agendas merge into a single fabric—and benefit from an integrated cash flow. (Despite the fall from grace of the "Nuclear Winter" scenario, the author of the phrase, Dr. Turco, recently received a MacArthur "genius" award.) If the resources of major scientific organizations cannot be brought to bear on a subject, another level of direct action on specific projects exists. The UCS chairman is Professor Henry Kendall, scion of the family whose foundation the reader may recall. It was a Kendall Foundation executive who handed over the check in 1983 which retained Porter-Novelli Associates and inaugurated the media campaign on "Nuclear Winter."

Even the National Academy of Sciences, an institution whose credibility depends on congressional perceptions of its neutrality, has been politically transformed in recent decades by the election of a series of officers closely identified with the Office of the Presidential Science Adviser under Presidents Kennedy, Johnson, and Carter. (The Academy first deviated from its customarily strict outward neutrality with an extraordinary 1982 manifesto on arms control.) With their tenure has come a change in the staff that interacts with Congress (via the Office of Technology Assessment) and the media, as well as the emergence of a significant group of personnel linked via fellowships and internships to the orbit of the FAS and the UCS. This phenomenon seems to be a stable and perhaps permanent one; certainly, the ascendancy of the broad movement encompassing Physicians for Social Responsibility and the Federation of American Scientists (which styles itself "the conscience of American science") does not bode well for a return to the era when scientists regarded political endeavor by those within their ranks as barely deserving of even extracurricular sanction. The tendency away from objectivity has reached alarming and notorious dimensions in the overselling and subsequent stonewalling that have characterized the "Nuclear Winter" episode.

But it is by no means solely within the halls of science that responsibility lies or where redress and the prevention of a recurrence must be sought. Policy analysts have demonstrated themselves to be chronically incapable of distinguishing where science leaves off and the polemical abuse of global systems models begins. Non-scientists tend to regard mainframe computers as engines of seraphic power and complexity in comparison with the puny word processors at which they sit. Their confusion is compounded by a naive belief that mathematical models of complex dynamic systems are something more than models. The interdisciplinary software that embodies the "Nuclear Winter" hypothesis is complex to an intimidating degree, and the indistinct boundary between the often hallucinatory world of computer simulations and the rigor of hard science scarcely exists in the minds of the marginally computer literate. The results of this confusion can indeed be serious, and in this context it may be useful to recall a previous example of the "Garbage In, Gospel Out" phenomenon—the "Energy Crisis."

When the fashionable resource depletion curves of the Limits to Growth models, and notably Jay Forrester's econometric model, were linked via television with the gas station lines produced by the 1973 Arab oil embargo, the public became convinced that we were doomed to global energy scarcity amidst Malthusian population growth. Forrester's model gained almost universal credence. As with "Nuclear Winter," the appearance of consensus was easily assembled. Independent international corroboration? The Club of Rome, OPEC, and the London School of Economics were swift to concur. (As was the Soviet computer jockey who recently hastened to "corroborate" "Nuclear Winter": It was the same Dr. Moise'ev of the Moscow State Center for Computer Science who had emulated Forrester's software a decade previously.) Forrester's software was supposedly every bit as robust as that of the "Nuclear Winter" model, and was just as broadly endorsed.

The consensus seemed real enough. An orgy of spending, lending, economic dislocation and subsequent political instability ensued, justified by a fervant belief in the "scientific" vailidity of a linear econometric program run on an IBM-360 and its projection of $50-a-barrel oil forever. By 1978, the energy crisis had become a major intellectual industry as well as an industrial phenomenon. Yet despite its indisputable, indeed dominant, political significance in the 1970s, it was largely devoid of economic meaning.

Just as the political significance of "Nuclear Winter" resides, inviolable, in the videotapes produced by its partisan activists, immune to the stripping away of its scientific meaning by progress in atmospheric physics, so all the changes wrought by perceptions of the "Energy Crisis" are past being undone by the mere fact that we are now in the midst of an "oil glut." Factoids, be they scientific or economic, have a strange life of their own; woe to the polity that ignores the interaction of science, myth, and the popular imagination in the age of the electronic media.

PROPHETS NEW AND OLD

Throughout history, the most eminent practitioners of the ancient profession of predicting the end of the world have been reluctant to reveal to the uninitiated the interior mysteries of their revelations, preferring instead to present their audiences only with the final word. If we consider the Comet Halley scare of 1758, for example, we can see that Carl Sagan is but following in the footsteps of a master.

As that year approached, European savants began to consider the prospect of the confirmation of Newton's laws of motion by the return of the Great Comet of 1682. It also caught the attention of the Rev. John Wesley, who exhorted his listeners that, upon meeting the comet's fiery tail, "The earth would be set afire and burnt to a coal." He offered his audiences a simple prescription: repent and join the Great Revival. A Mr. Paul Gemsege, who in those pre-Freudian days was innocent of the gravity of "psychic numbing" and "denial," was swift to reply to Wesley in a letter to the *Gentleman's Magazine* on the "cruelty of terrifying weak minds with groundless pains." Gemsege observed that Wesley was invoking not merely Holy Writ but a member of the Royal Society, "the excellent and accurate Dr. Halley," and that the founder of Methodism had simply (or conveniently) confused the predictable comet of 1682 that bears Halley's name with the trajectory of another comet—the erratic celestrial visitor of 1680 (which will not return until around 2250).

Gemsege's rejoinder doubtless gave rise to a sigh of relief among the Georgian establishment, just as the recantation by the NCAR researchers in *Foreign Affairs* put the policy establishment back on firm ground after three years in the wilderness. But how could Gemsege reach the populace of rural Britain, where Wesley continued to preach? Likewise, Thompson and Schneider's candid revisionism can do nothing to erase the apocalyptic vision which troubles the minds of viewers in the southern hemisphere who are aware of "Nuclear Winter" only through the televised versions of Sagan's scenario.

Very little seems to have changed since Gemsege wrote, in 1756, what may be the last word on the present hazards of nuclear polemics:

"Authors who throw out such important particulars as these, though it be done with the best design in the world, should be very sure of their hand, before they alarm us with their notices, lest the subjecting of weak minds to groundless panics, should contribute to embitter their lives, which has in it something most very cruel, and even criminal.

". . . *As the tree falls, so it must lie.* A reflection, if it is considered withal, to how many real disasters, without having recourse to any imaginary ones, the life of man is daily exposed, will be abundantly sufficient, for the purpose of true religion. That is, to make men think on the judgment of the Great Day, and therefore, there is no occasion to unsettle their minds by any unreasonable fears that, as they tend so greatly to distract them, instead of doing them any service, are likely in the end to do them a great deal of harm.[11]

The great and undistracted exercise of the judgment and vigilance of statesmen and scientists alike is vital to the avoidance of nuclear war. The relationship of scientists and policymakers should be fiduciary; but if neither group is possessed of good enough courage to practice an integral standard of internal candor in the face of benumbing horror, both will remain hostages to zeal.

Historians of science may one day view this entire episode as a bizarre comedy of manners; having known Sin at Hiroshima, physics was bound to run into Advertising sooner or later. But what about the politics of this issue? Does all this matter? Sagan evidently thinks it does. Characteristically, he has taken the trouble of responding to the new generation of critical scientific studies by hiring a cartoonist. An animated version of his obsolete apocalypse has been appended to his updated television documentary "Cosmos—A Special Edition." Throughout this fall, prime time audiences worldwide will watch in horror as the edge of darkness overspreads planet Earth. They will hear Sagan prophesy that the Reagan administration's SDI program will provoke so overwheliming an increase in Soviet missile throw-weight as virtually to guarantee our frigid end.

Sagan also invites readers of the Fall 1986 issue in *Foreign Affairs* to believe that "a purely tactical war, in Europe, say, . . . may still produce nuclear winter." Be it a 25,000 megaton scenario in 1983, or neutron bombs on 1987, *plus ça change* . . . Marshall McLuhan was right on the mark—with the advent of television, advertising *has* become more important than products.

What is being advertised is not science but a pernicious fantasy that strikes at the very foundations of crisis management, one that attempts to transform the Alliance doctrine of flexible response into a dangerous vision. For "Nuclear Winter" does exist—it is the name of a specter, a specter that is haunting Europe. Having failed in their campaign to block deployment of Nato's theater weapons, the propagandists of the Warsaw Pact have seized upon "Nuclear Winter" in their efforts to debilitate the political will of the citizens of the Alliance. What more destabilizing fantasy than the equation of theater deterrence, with a global *ğotterdammerung* could they dream of? What could be more dangerous than to invite the Soviet Union to conclude that that Alliance is self-deterred—and thus at the mercy of those who possess so ominous an advantage in conventional forces?

Dr. Sagan and the Physicians for Social Responsibility may deny that their good intentions could lead anywhere but to massive disarmament. But nowhere is "psychic numbing" more evident than in their incomprehension of Livy's timeless observation: where there is less fear, there is generally less danger. Until they come to apprehend it, nuclear illusions, some spontaneous and some carefully fostered, will continue to haunt the myth-loving animal that is man.

FOOTNOTES

[1] See *Foundations Magazine*, March 1984, for an account of the preliminary meetings convened by Scrivner and Peterson. For listing of the foundations that eventually provided funding and support, see the acknowledgment section of *The Cold and the Dark: The World after Nuclear War*, Paul R. Ehrlich, Carl Sagan, et al. (New York: Norton, 1984).

[2] Sagan specifically requested and lobbied for a special status designated "accelerated publication" for the TTAPS paper in *Science*.

[3] Dr. Ackerman, the "A" in TTAPS, remarked candidly in 1984 of the model's results, "It doesn't necessarily mean that the temperature is going to go down 30 to 40 degrees [Centigrade]; what's important is [the model has] never displayed such a large response to parameter forcing before." In layman's terms, flooding the atmosphere with soot (instead of dust) finally provoked the dramatic results they had been looking for.

[4] The offerings at this conference were later published as *The Cold and the Dark*, and quickly became accepted as an authoritative text on the subject. Yet the text reveals that Sagan's performance at the conference was not replete with honesty—**his denial on pages 33 and 34 that the TTAPS** results depended on a soot-filled stratosphere is contradicted on page 193, where it emerges that some 30 percent of the black carbon was assumed to be in the stratosphere.

[5] Published simultaneously with TTAPS in *Science* 223 (December 23, 1983) was "The Long-Term Biological Consequences of Nuclear War," by Paul Ehrlich (of *Population Bomb* fame), Sagan, and a dozen-odd co-authors. Harvard Professor Michael McElroy has remarked of this piece, "It was a paper in which the conclusions were reached beforehand, without any consideration of the evidence . . . a political document rather than a scientific document."

[6] General Sir John Hackett, for example, informed the British military establishment on November 14, 1985, that "Human life would disappear, of course, and this planet, an irradiated charnel house, would revolve endless through time and space in continuous cold, dark winter."

[7] How some activist scientists conceive their role is illustrated in literature meant "only for these [peace] organizations" represented at a convention of the group European Nuclear Disarmament held in Amsterdam in 1985. In a document titled "The Role of Scientists in the Peace Movement," this summary is given of a report by Professor Michael Pentz, "Founding Chairman of SANA-UK": "The principal activity of 1984 was in connection with Nuclear Winter and provided a clear illustration of the concept of 'leverage' that was adopted by SANA-UK at its Inaugural Conference [1981], when the decision was made that SANA should be a 'tool-making' organisation rather than a campaigning one. Working through more powerful organisations and public institutions SANA, with a small membership of about 700, has been able to have an impact on public and political awareness that is out of all proportion to what could have been achieved by direct means."

[8] For example, "Atmospheric humidity in the nuclear winter," J. Katz, *Nature* 311:917; "Three Dimensional Climate Models in Perspective: A Comment," Paltridge and Hunt, *Ambio*, Summer 1984; and "Smoke production from multiple nuclear fires in non-urban areas," Small and Bush, *Science* 229: 465-69: a paper examining the empirical distribution of combustible materials in the countryside and revealing that the TTAPS estimates were too high by an order of magnitude.

[9] According to several sources, the New York chapter of the Association of Science Writers was addressed by Dr. Lewis Thomas, who pleaded eloquently for a dispensation from critical inquiry into how "Nuclear Winter" was faring.

[10] SCOPE co-author Dr. Barrie Pittock, interviewed at the NAS in September 1985, responded to an inquiry as to the absence of his colleague Dr. Paltridge from the Australian contingent of climate scientists traveling to the international conferences that led to the SCOPE report's publication by replying, "Paltridge! He's too conservative."

[11] The president of the NAS, Dr. Frank Press, had already put "Nuclear Winter" on page five of his best-selling geophysics textbook *Earth*.

[12] V. B. Shostakovich, "Lesnye Pozhary v. Sibirii/1915," *Ocberki po Zemledeliiu Vostocbnoi Sibirii*, Vol. 47, Irkutsk 1924 *inter alia*.

[13] This extends to textbook publishing as well. Consider John B. Harris and Eric Markusen's core text, *Nuclear Weapons and the Threat of Nuclear War* (Harcourt Brace Jovanovich, 1986), produced in conjunction with the Nuclear War Education Project under FAS sponsorship. It provides only one primary text on "Nuclear Winter"—Carl Sagan's *Parade* article.

[14] Of the fifty or so members of the scientific advisory board of the World after Nuclear War conference, twelve of the most active are affiliated with the FAS, seven with the UCS, and three with PSR.

[15] For example, *Scientific American* has elected to leave its readers out in the cold and the dark about the revisionist article in *Foreign Affairs*. Their "Science and the Citizen" column (September 1986) carried an Orwellian defense of the TTAPS results against the evidence of "Nuclear Winter Reappraised." Dr. Thompson, a co-author of the latter, upon first hearing that his new results "seem to be in keeping with what the TTAPS report predicted" burst out laughing. Despite the fact that the new worst-case scenario involves temperatures dipping barely below +55° F for a week and recovering to the seventies in a month, *Scientific American* reports that "Sagan also maintains that in addition . . . the climate effects would indeed 'raise the death toll' perilously close to the total number of people on earth."

RAYMOND LOSORNIO: A FINE AMERICAN

Mr. HELMS. Madam President, it is difficult to measure the worth of any one person to a nation. But certainly our Nation, which so dearly cherishes each individual's right to live free of coercion, is much the better because of the life of Raymond Losornio.

If ever there was an individual who took our Nation's promise of freedom to heart, and who strove to extend freedom to others, it was Mr. Losornio.

An Oklahoma native, he was a longtime champion of the right to work movement, serving with distinction as chairman of the National Right to Work Committee's board of directors until his death last year. He helped lead a 1964 campaign for a State right to work law in Oklahoma and in 1968 served as president of Oklahomans for right to work.

Madam President, under his stewardship, national right to work forces posted some of their most historic victories against compulsory unionism.

In 1975-76, free-choice advocates repelled big labor's "common situs" picketing assault, and in 1978 defeated union officialdom's so-called labor law "reform" drive.

Mr. Losornio's simple yet powerful motto right to work: No compromise.

"I just cannot see how any man can compromise even the slightest when his own freedom and the freedom of millions of his fellow Americans is at stake," he once said.

Mr. Losornio applied his belief in right to work equally to workers who chose to be voluntary union members.

As assistant comptroller and budget officer for the Army Corps of Engineers, Mr. Losornio was a voluntary member of the National Federation of Government Employees and a past president of union local 386 in Tulsa. He knew well the evils of compulsory unionism and, conversely, of discrimination against union members. As a result, he fought tirelessly to extend right to work protections prohibiting discrimination on the basis of union membership.

The hallmark of Mr. Losornio's 16-year tenure as board chairman was his steadfast refusal to compromise on workers' basic right to make their own choices about union membership. On more than one occasion union officials applied pressure to Mr. Losornio and his superiors in attempts to quash his advocacy of right to work. His outspokenness continued unabated, and the union hierarchy finally abandoned its attempts to silence him.

Madam President, I salute the remarkable achievements of Raymond Losornio during his lifetime of devotion to the defense of freedom.

LIBERTY CENTENNIAL MEMORIAL TREES

Mr. HELMS. Madam President, trees are such an important part of our lives that we too often take them for granted, assuming that they will be there when we need their cooling shade, their fruit and nuts, relief from sights that we may consider eyesores, some protection from the distracting cacophony of passing traffic, or simply the beauty of their silhouettes, colors, flowers, scent, or whispering of gentle breezes through their leaves.

Rarely do we stop to reflect that such simple pleasures and benefits could not be ours had it not been for the farsightedness of our forefathers, many of whom departed this life a long time ago. It was they who planted and nurtured the very trees that we enjoy today, many of which can be seen from the windows of this great Capitol.

Madam President, the point is this: We have a responsibility not only to protect the legacy of trees and forests that we have inherited, but to plant and nurture the shade and ornamental trees that will being benefits and pleasure to our children, grandchildren, and indeed even our great grandchildren in the distant future. I shudder to contemplate what our beautiful landscape will be like should we fail in our responsibility.

We are all aware of the utter devastation of vast areas of land that is taking place, as I speak, in Africa and the Amazon Valley, where great stands of trees are being cleared away. The resulting moonscapes will be wastelands in a few short years. While I do not suggest that such a thing can or will happen in the United States, I do emphasize that tomorrow's forests and shade and ornamental trees must be planned for, planted, and nurtured by us, right now.

It is indeed refreshing and reassuring to know that there are individuals and organizations, in both the private and public sectors, actively addressing this future need for trees. Most of us are familiar with the work of the National Arborist Association, the International Society of Arboriculture, the American Forestry Association, and the many regional and local groups in the private sector that devote their resources and energies to tree planting and tree care. There are also several agencies within the public sector, notably the U.S. Forest Service and the National Park Service, promoting the future of trees in our Nation.

Madam President, there is a truly unique tree planting program that is deeply rooted, if the Chair will forgive the expression, in my own State of North Carolina.

During the well planned effort to restore the Statue of Liberty in New York Harbor in time for the centennial celebration of the dedication of that great gift from the people of France, several member firms of the National Arborist Association volunteered their services, at no charge, to prune and provide other kinds of care to the beautiful shade and ornamental trees that grace Liberty Island, on which the statue is located. At the same time, these arborists volunteered to perform the same kinds of services on the trees growing on nearby Ellis Island, whose facilities were also in a state of restoration. The first phase of this tree care was carried out in November of 1985.

One of the member firms that donated services was the F.A. Bartlett Tree Expert Co. of Stamford, CT. While making a personal inspection of the ongoing work, Robert A. Bartlett, Jr., president of Bartlett Tree Experts, and president-elect of the National Arborist Association at that time, happened to pick up a handful of seed heads from beneath the beautiful London plane trees beside the Statue of Liberty and put them into his coat pocket. He did the same thing later that day when he inspected the tree work on Ellis Island, placing some seed heads in a different pocket.

When he returned home, Mr. Bartlett placed these seed heads in plastic sandwich bags, thinking that it would be nice to have seven or eight trees of such significant parentage in his yard. With the ground at home frozen by then, he took the seed heads to the Bartlett Tree Research Laboratories and Experimental Grounds near Charlotte, and requested that the new trees be started in the nursery. He didn't realize at the time that each seed head contained several hundred seeds.

On his next visit to Charlotte, one of the horticulturists asked Mr. Bartlett what he planned to do with all those London plane seedlings, of which there were some 6,000 now growing in sterile planting medium. His father, R.A. Bartlett, chairman of the board of the Bartlett Co., suggested that these seedlings would be ideal as memorial trees honoring the Statue of Liberty and Ellis Island.

Because the seed heads and the resulting tree seedlings were technically Federal Government property, Mr. R.A. Bartlett came to Washington to secure permission from the National Park Service, because that agency has jurisdiction over Liberty Island and Ellis Island, to donate the seedlings to appropriate recipients. He was accompanied by one of the directors of the Bartlett Co., Robert N. Hoskins, who is familiar with Washington through his many years as assistant vice president, forestry and special projects, for the Seaboard System Railroad.

Messrs. Bartlett and Hoskins made a brief presentation to Mr. Denis P. Galvin, Deputy Director, National Park Service, who granted permission to distribute the seedlings. I ask unanimous consent, Madam President, that the text of Mr. Galvin's June 2, 1986 letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, DC, June 2, 1986.

MR. ROBERT A BARTLETT,
Chairman of the Board, The F.A. Bartlett Tree Expert Co., Stamford, CT.

DEAR MR. BARTLETT: This letter is to express our appreciation to the The F.A. Bartlett Tree Expert Co. for participating, as one of the twenty-three National Arborist Association member firms involved, in the pruning and care of the trees on Ellis Island and Liberty Island in New York Harbor on November 23rd and April 19th. It is important that the trees not be overlooked during the restoration and refurbishing of our national monuments.

We are aware that Robert A. Bartlett, Jr., president of your firm, picked up a handful of seed heads from the ground beneath the London planes (Platanus acerifolia) that grace the Statue of Liberty, as well as from Ellis Island. I understand that these seeds were later planted at the arboretum of The Bartlett Tree Research Laboratories near Charlotte, North Carolina and that a number of the seedlings are thriving.

You have permission from the National Park Service to distribute these London plane (Platanus acerifolia) seedlings, at no charge, to recipients, particularly on state and federal land. I realize that the number of seedlings is limited and that there will not be enough for any sort of mass distribution. It is also my understanding that this distribution will not be used to further the commercial interests of your company.

The planting of these seedlings is an especially appropriate gesture in this, the year of the one-hundredth anniversary of the Statue of Liberty. I understand that your limited supply of seedlings will be ready for transplanting in September and October of this anniversary year.

Thank you for conceiving this living memorial of the Statue of Liberty centennial.

Sincerely,

Denis P. Galvin,
Deputy Director.

Mr. HELMS. Mr. President, Messrs. Bartlett and Hoskins next described their tree donation program to Mr. James B. Grant, executive secretary, National Association of State Departments of Agriculture, who contacted the commissioners of agriculture of all 50 States and the territories to advise them that memorial trees are available. As a result seedlings were donated to officials in all 50 States, the District of Columbia, and the Territory of American Samoa.

Several appropriate public organizations have also received Liberty Centennial Memorial Trees. A representative sampling includes the Hoover Presidential Library Association in Iowa, John Randolph Tucker High School in Virginia, the State Archives Museum in Michigan, the Memphis Zoo and Aquarium in Tennessee, Sturbridge Village Restoration in Massachusetts, Chicago High School for Agricultural Sciences in Illinois, the Patrick Henry Memorial Foundation in Virginia, the J. Sterling Morton Grove in Nebraska, Sequoia National Park in California, several arboretums, and the State house, Governor's mansion, or capital grounds of several States.

In my State of North Carolina, memorial trees have been planted at several court houses, the State Fair Grounds, the University of North Carolina, Carowinds Theme Park, Presbyterian Hospital, the Federal Building in Charlotte, Davidson College, and the R.J. Peeler Future Farmers of America Camp at White Lake.

It is important that the people of France, the original donors of the Statue of Liberty, be remembered for their generosity and friendship. Thirty Liberty Centennial memorial trees were sent to Paris aboard Air France in March and are on hold in a special nursery awaiting planting ceremonies on the Fourth of July, 1987 in United States Square and other locations in Paris. These planting ceremonies will be attended by Jacques Chirac, Prime Minister of France, Robert A. Bartlett, Jr., of the Bartlett Co., and other French and American dignitaries.

We are indebted to Mr. Ralph Ichter, Agricultural Attaché, and Philippe Cardorec, Agricultural Attaché's Office, both of the Embassy of France, in Washington, for their advice, assistance, and cooperation in making and coordinating arrangements in both nations.

I would also recognize the valuable advice, guidance, and assistance provided to this program by two distinguished Virginians now retired from active Government service. Milton Bryain of Arlington served for a great number of years as Liaison Officer, U.S. Department of Agriculture. Ira Whitlock of Alexandria served as Chief, Office of Congressional Liaison, National Park Service for many years. Mr. Whitlock expects to be in Paris for the Fourth of July tree planting ceremonies.

Madam President, I reiterate that this is a truly unique and innovative tree planting project. I take great pride that this program originated on the 300-acre Bartlett Tree Research Laboratories and Experimental Grounds in Mecklenburg County, NC, and that its benefits will be enjoyed and realized over so wide an area of the world for decades, perhaps even a century, to come.

IMPROVING U.S. COMPETITIVENESS

Mr. RIEGLE. Madam President, the Congress is in the midst of a debate over our trade policies and the huge deficits we have with many other countries. Part of this debate has brought out the problems our telecommunication companies are having with other countries' trade barriers. At the same time, we have artificially restricted certain capabilities of our own telecommunications industry in the United States.

Recently an item came to my attention which serves in a small way to illustrate some of our paradoxical economic policies in the United States. In Japan, apparently the Nippon Telephone and Telegraph Co. has installed a capacity in its local phone system that will permit each and every touch tone phone in Toyko to operate as an answering machine. The article that I saw indicated that the Toyko company cannot expand capacity fast enough to keep pace with demand, and that Japanese who were thinking of purchasing normal answering machines were thinking twice about that decision.

In the United States, 4.5 million answering machines were purchased in 1986, and most of them were imported. Our telecommunications trade deficit with Japan was almost $2 billion, which resulted in the loss of tens of thousands of American jobs.

Madam President, I raise this issue because I have found that U.S. telephone companies now have the ability today to install answering systems for local customers using U.S. built equipment. This capacity is presently available but sits idle in many central offices around the country. Our telephone companies are prevented from offering this service as part of the Federal court order which has controlled the telephone system since the divestiture.

It might be wise for us to examine these policies in terms of our world trade problems and from the standpoint of the most efficient usage of our domestic telephone system. We must move in every feasible way to encourage U.S. technological and product development, and help our domestic companies to win back business now being lost to other countries.

DR. PAUL CRAIG ROBERTS

Mr. HATCH. Madam President, one of this country's most significant and innovative economists, Dr. Paul Craig Roberts, recently brought additional honor to himself and to this country in accepting the presentation of the Insignia of the Chevalier of the Legion of Honor from Minister of State Edouard Balladur of the Republic of France. Dr. Roberts and I joined forces in a number of battles as this Nation moved toward the Reagan administration and a new set of economic policies. I fully agree with Mr. Balladur's assessment in his citation for Dr. Robert's Legion of Honor: "You have been the artisan of a renewal in economic science and policy, after half a century of State interventionism * * *. Henceforth, it is no longer possible to consider tax policy as simply a means of filling the state coffers or as an innocent means of transferring revenues."

In a letter, under date of April 8, 1987, President Reagan indicated that Dr. Roberts "* * * has been the intellectual architect of many of the economic policies my administration has implemented over the last six years * * *. In conferring the Legion of Honor upon Paul Craig Roberts, France pays tribute to a man whose supply-side economic philosophy has helped bring about a revolution in American economic thought, a revolution which continues to inspire similar efforts worldwide."

I think we can all benefit from the full text of Minister Balladur's speech and President Reagan's letter. For that reason, Mr. President, I ask that these documents be printed in their entirety.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech Given by the Minister of State Edouard Balladur on the Occasion of the Presentation of the Insignia of Chevalier of the Legion of Honor to Professor Paul Craig Roberts on April 8, 1987

Sir, all those who are gathered here today and who share in your personal and professional life are pleased to be here and to participate in the presentation of the Insignia of the Chevalier of the Legion of Honor.

On occasions such as this, custom dictates that we review the accomplishments of the person we honor. Permit me to follow in this tradition. Throughout your life, you have successfully combined the functions of intellectual contemplation and of advice on direct action.

For a man of thought, there is no greater satisfaction than to be able to verify, concretely, the value of his ideas.

You currently hold the William E. Simon, Chair In Political Economy at the Center for Strategic and International Studies at Georgetown University. You are also a director of a well-known investment company. Your past accomplishments are equally prestigious, in research as well as in the administration where you played a key role in the Treasury Department. You were economic counselor to JACK KEMP, the chief economist to the House Budget Committee, research fellow at the Hoover Institution, and a writer for the Wall Street Journal.

You are a columnist for Business Week, and your articles in the press are awaited with baited breath. Your book "The Supply Side Revolution" speaks with authority.

But today I would like to focus on two specific aspects of your activities.

You have been the artisan of a renewal in economic science and policy, after half a century of State interventionism.

You have contributed to exchanges between practitioners and theoreticians on both sides of the Atlantic.

It is clear from your work that this renewal of economic thought requried first a return to basic tenets and then a reconstruction based upon them. The foundation of this thought is the explanation of the role of relative prices in the choices of individuals and businesses.

The rebuilding of the global economy consists of combining all decisions of supply and demand from all sources and is determined by the working of a multitude of markets. The new application of this classic approach to the study of fiscal policy, saving, and growth was named supply-side theory.

For example, let us consider, as your work invites us to do, the politics of taxation. The vision is striking; it shows that marginal tax rates are the key factors in determining the choice between leisure and work, and between saving and consumption. In the same way, tax rates on profits influence the investment and savings choices of businesses. From this follows:

Your interpretation of "stagflation," a combination of stagnation and inflation that has been experienced by western economies;

Your recommendations to lower marginal tax rates in order to permit growth in supply of goods and services; and

Finally to achieve full economic growth.

After decades in which the State was supposed to regulate growth by slowing or speeding up spending, by increasing global demand without being concerned with the effect of taxes on supply, what a revolutionary change in beliefs! It is true that policy has not always followed accordingly.

Henceforth, it is no longer possible to consider tax policy as simply a means of filling the State coffers or as an innocent means of transferring revenues.

From now on, a tax policy that is aware of its impact on the incentives of individuals and businesses plays a central role in the economic policy of a country and gives it its direction. Sound fiscal policy is one of the foundations of healthy and lasting growth. Its principle can be summed up quite simply: reduce tax rates that discourage work and savings and adversely alter investment choices, while following, in other areas, fiscal policies which restore the equilibrium of public finance. Today, this orientation of fiscal policy inspires reflection and galvanizes action in several countries. Great Britain, West Germany, Australia, India, and Israel have understood the necessity of reducing the tax burden, thereby joining your country, the first to commit itself to this path.

This new perspective has enormous consequences. But this renewal could not have come about simply by the force of thought and reason.

In order to change thinking to this extent, it was necessary to have the courage to think differently. And, moreover, the courage to commit oneself publicly and to gain the support of a small number of economists in the battle against entrenched ideas.

Everyone has been affected by your courage, human warmth and force of persuasion.

Now I would like to evoke the second aspect of your activities. All of your considerations have found reasonance across the Atlantic in our country. I said earlier that your analysis was grounded in classic economic theory. In France, Jacques Rueff, along with a very few others, pursued a similar path. In numerous works he referred to Say's law: "supply creates its own demand," which he generalized to take into account the money supply. In famous and courteous discussions with Keynes, before the war, he supported the approach of classic economists: the central role of the pricing mechanism.

Production can be hindered by tax policy, as well as by regulation. An anecdote comes to mind: In his "letter to interventionists," Jacques Rueff pointed out that "in 1936 there was a government that proposed and a parliament that voted a law that forbade not only the creation of new shoe factories, but also the opening of simple cobblers' shops * * *"

This classic tradition lives on in France. This is why your efforts naturally found resonance with us, first in theory then in practice. From analogous concerns, the government of Jacques Chirac has shown its determination to recognize the link between lower taxes and deficit reduction. Friendly ties have been created between French and American economists, and you yourself have contributed mightily to these exchanges by sharing your experience and thought.

But on the subject of taxes, I would also like to go back for a moment to an ethical problem. Why is this policy, which seeks growth also a just policy? Why are justice and efficiency in a society so intimately linked, and why does this tax orientation serve both at one and the same time?

What everyone hopes for in his life, and activity, is to gain recognition for his work and for his contributions. Everything that does not take into account the effort and the value of individual contributions is perceived as unjust. Popular wisdom and the morality of great civilizations speak with the same voice on this subject.

Also, from the time we are children, we are taught the fundamentals of reward for effort and the exercise of judgment. The same must be true for society and its enterprises.

This is why tax policies that restore just compensation for effort and performance reinforce the values that are the force of our civilization. This kind of policy is inevitably seen as just and effective and unites an entire nation for progress.

Sir, I am particularly happy to be the one chosen to bear witness to your contributions to economic thought and to your impact on economic policy. However, this cannot be transferred in its original form to the French system. We are an old country, steeped in a love for freedom, but also a country which is organized and grouped around the State. This is why we must seek our own way, after 50 years of interventionism, toward a society which is more free, efficient and just.

Nevertheless, I have found in your bearing and thought, strong arguments to confirm my convictions, the convictions that have lead me to put into practice a new economic and financial policy in France. This I believe is evidence of how very happy I am to be your sponsor in our national order.

Paul Craig Roberts, in the name of the President of the Republic, and by virtue of the powers vested in me, I declare you Chevalier of the Legion of Honor.

THE WHITE HOUSE,
Washington, DC, April 8, 1987.

I am pleased to send warm greetings to everyone gathered at the residence of His Excellency and Mrs. Emmanuel de Margerie as Finance Minister Balladur bestows France's highest award, the Legion of Honor, on Dr. Paul Craig Roberts for his contribution to the "revival of economic science and policy."

Craig has been the intellectual architect of many of the economic policies my Administration has implemented over the last six years. As this award recognizes, he has demonstrated throughout his career a keen understanding of the science of economics and its practical implications for public policy. He has proven himself both a forceful academic advocate and an effective public servant. His work, both as my Assistant Secretary of the Treasury for Economic Policy and at Georgetown University's Center for Strategic and International Studies, has consistently emphasized government's proper role in setting economic policy—one which ensures that the people have the maximum freedom to make their own economic choices. His ideas have been tested in the crucible of experience, and they have contributed mightily to America's economic resurgence in this decade.

In conferring the Legion of Honor upon Paul Craig Roberts, France pays tribute to a man whose supply-side economic philosophy has helped bring about a revolution in American economic thought, a revolution which continues to inspire similar efforts worldwide. I congratulate Craig on receiving this high honor and heartily commend our counterparts in the French Government for recognizing his singular contributions in the field of economic science and policy.

God bless you all.

RONALD REAGAN.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Emery, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:20 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 1085) to amend title 38, United States Code, to make permanent the new GI bill educational assistance programs established by chapter 30 of such title, and for other purposes; with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2360. A bill to provide for a temporary increase in the public debt limit.

The message further announced that pursuant to section 204 of Public Law 98-459, the Speaker appoints as a member of the Federal Council on the Aging on the part of the House: Mr. Virgil S. Boucher of Peoria, Illinois, from the private sector.

At 6:23 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986.

The message also announced that the House has passed the following bills, without amendment:

S. 942. An act to amend title 5, United States Code, to extend the pay retention provisions of such title to certain prevailing rate employees in the Tucson wage area whose basic pay would otherwise be subject to reduction pursuant to a wage survey; and

S. 1177. An act to amend title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the Thrufe Savings Fund when restrictions on such investments and payments are caused by the statutory public debt limit.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2360. An act to provide for a temporary increase in the public debt limit.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HOLLINGS (for himself, Mr. Pell, Mr. Inouye, Mr. Stevens, Mr. Bentsen, Mr. Kerry, Mr. Adams, Mr. Breaux, Mr. Weicker, Mr. Mitchell, Mr. Stennis, Mr. Thurmond, Mr. Biden, Mr. Glenn, Ms. Mikulski, Mr. Roth, Mr. Sarbanes, Mr. Kasten, Mr. Matsunaga, and Mr. Murkowski):

S. 1196. A bill to provide for the enhanced understanding and wise use of ocean, coastal, and Great Lakes resources by strengthening the National Sea Grant College and by initiating a Strategic Coastal Research Program, and for other purposes; to the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources, jointly, pursuant to the order of May 12, 1987.

By Mr. DeCONCINI:

S. 1197. A bill to amend the effective date of the provision contained in the Tax Reform Act of 1986 dealing with allocation of indebtedness as payment on installment obligations; to the Committee on Finance.

By Mr. STEVENS (for himself and Mr. Murkowski):

S. 1198. A bill to authorize a certificate of documentation for the vessel F/V *Creole;* to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG:

S. 1199. A bill to prevent suicide by youth; to the Committee on Labor and Human Resources.

By Mr. DODD (for himself and Mr. Pell):

S.J. Res. 128. Joint resolution prohibiting the sale to Honduras of certain defense articles and related defense services; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BYRD (for himself and Mr. Dole):

S. Res. 215. Resolution to direct the Senate Legal Counsel to represent the President of the Senate and the President pro tempore in the case of *McWherter* v. *Bush, et al.;* considered and agreed to.

By Mr. METZENBAUM (for himself, Mr. Heinz, and Mr. Specter):

S. Con. Res. 58. Concurrent resolution to express the support of Congress for private sector efforts aimed at alleviating losses suffered by retirees and employees as the result of pension plan terminations; to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOLLINGS (for himself, Mr. Pell, Mr. Inouye, Mr. Stevens, Mr. Bentsen, Mr. Kerry, Mr. Adams, Mr. Breaux, Mr. Weicker, Mr. Mitchell, Mr. Stennis, Mr. Thurmond, Mr. Biden, Mr. Glenn, Ms. Mikulski, Mr. Roth, Mr. Sarbanes, Mr. Kasten, Mr. Matsunaga, and Mr. Murkowski):

S. 1196. A bill to provide for the enhanced understanding and wise use of ocean, coastal, and Great Lakes resources by strengthening the National Sea Grant College Program and by initiating a Strategic Coastal Research Program, and for other purposes; pursuant to the order of May 12, 1987, referred jointly to the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources.

MARINE SCIENCE, TECHNOLOGY, AND RESOURCE DEVELOPMENT ACT

● Mr. HOLLINGS. Mr. President, I rise today to join with Senator Pell in introducing a bill to reauthorize the National Sea Grant College Program.

Two decades ago, Congress created Sea Grant to foster the understanding, use, and conservation of ocean and coastal resources through university-based research, education, and advisory services. Today, that program stands as a model for partnership among university, government and private sectors dealing with critical resource issues. Last month, I joined with Senator Bentsen and several of our colleagues in introducing a bill to establish a Space Grant College Program. Recognizing the effectiveness of the Sea Grant approach, the new space program is closely patterned after its marine predecessor.

As Sea Grant enters its third decade, it seems appropriate to reassess the condition and direction of the program which we created. The Sea Grant network has grown to include 22 Sea Grant colleges and 7 institutional programs. This network draws upon the academic facilities and personnel of more than 300 universities and affiliated institutions in 39 States. Despite repeated efforts by the current administration to eliminate funding and cripple the program, I am happy to announce today that Sea Grant is alive and well.

Sea Grant contributes to the competitiveness of our marine economy, to scientific understanding of our ocean and coastal resources, and to transfer of technology among marine users. Not only has Sea Grant led to fuller and more efficient use of marine resources, a 1981 study found that certain parts of the program have generated almost $230 million in economic benefits—not a bad return for our investment. Sea Grant success stories are numerous and illustrate its diversity.

In 1970, 2.6 million pounds of soft-shell crabs valued at $1.1 million were harvested along the eastern Atlantic and Gulf coasts. In 1984, independent producers marketed 8.1 million pounds of soft-shell crabs, earning $16 million in gross income and employing 4,000 workers. The demand for soft-shell crabs still exceeds the supply. This successful expansion into domestic and foreign markets is due largely to Sea Grant research and advisory programs.

In Louisiana, Sea Grant research helped transform the wild crawfish harvest into a $70 million aquaculture industry. Current research is committed to converting crawfish waste into commercially valuable products. Similar efforts are underway in my own State of South Carolina.

Also in South Carolina, Sea Grant researchers have been involved in a comprehensive study to examine the State's coastal impoundments. These impoundments are remnants of a once-flourishing rice culture that began about 300 years ago around Charleston. In recent years, interest in these abandoned rice fields has been renewed for use as game preserves, waterfowl habitat, and acquaculture sites. The environmental consequences of rediking areas for private use has sparked controversy. The South Carolina Sea Grant Consortium's study provides the first factual data on the ecology and management of these areas. This information will assist policymakers in permit decisions and will improve the management of currently impounded sites.

In recent years, the National Marine Fisheries Service has turned to Sea Grant for help in reducing intense resistance by shrimp fishermen to the use of turtle excluder devices. Sea Grant extension agents are working with shrimpers to develop and certify safer and less expensive excluder devices, as well as providing information on excluder construction and efficient use.

This legislation recognizes that the Sea Grant College Program is a national effort which is clearly worthy of our support. It would reauthorize the program for 5 years. Authorizations for the base program maintaining the Sea Grant network are set at $45 million for fiscal year 1988 and increase annually to allow for inflation, to $54 million for fiscal year 1992.

The Sea Grant network represents a strong national research capability for addressing questions of emerging national importance. To direct and challenge this capability, the bill initiates a Strategic Research Program which will identify and focus on national research priorities. Sea Grant should bring a unique expertise to bear in areas such as estuarine processes, marine biotechnology, fisheries oceanography, and ocean technology. I look forward to discussing Sea Grant's method for prioritizing national research needs. Funding for the initiative is authorized at $5 million in fiscal year 1988 and would be permitted to increase to $20 million by fiscal year 1992. The bill also strengthens the International Sea Grant Program and broadens the Fellowship Program to include postdoctoral researchers.

Reauthorizing and strengthening the National Sea Grant College Program is essential for maintaining national competitiveness in ocean research. The Sea Grant Program ensures conservation and efficient use of our national resources and better education and training or our Nation in science and engineering. In providing cost-effective cooperation among Government, academic, and private sectors as a fundamental base for technology transfer and development, Sea Grant is truly a program for these times.

Mr. President, I ask unanimous consent that the text of the bill appear in the RECORD following these remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S.1196

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That his Act may be cited as the "Marine Science, Technology, and Resource Development Act of 1987".

DECLARATION OF POLICY

SEC. 2. (a) Section 202(a) of the Sea Grant College Program Act (33 U.S.C. 1121(a)) is amended—

(1) by (A) redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively, and (B) inserting immediately before paragraph (4), as so redesignated, the following:

"(2) The national interest requires a national ocean policy to—

"(A) provide a sound basis for the enhancement and wise use of ocean, coastal, and Great Lakes resources and environment;

"(B) promote public stewardship and encourage wise economic development of the ocean and its margins, the Great Lakes, and the Exclusive Economic Zone;

"(C) understand global environmental processes; and

"(D) promote cooperative domestic and international solutions to ocean, coastal, and Great Lakes resource issues.

"(3) Investment in a strong program of research, education, technology transfer, and public service is essential for effectuating this policy.";

(2) in paragraph (1) and paragraph (4), as so redesignated, by striking "ocean and coastal" and inserting in lieu thereof "ocean, coastal, and Great Lakes"; and

(3) in paragraph (4), as so redesignated, by striking "such" and inserting in lieu thereof "marine".

(b) Section 202(b) and (c) of the Sea Grant College Program Act (33 U.S.C. 1121(b) and (c)) is amended by striking "ocean and coastal" and inserting in lieu thereof "ocean, coastal, and Great Lakes".

DEFINITIONS

SEC. 3. Section 203 of the Sea Grant College Program Act (33 U.S.C. 1122) is amended—

(1) by redesignating paragraphs (4) through (14) as paragraphs (5) through (15), respectively;

(2) by inserting immediately after paragraph (3) the following:

"(4) The term 'directors of sea grant colleges' means the persons designated by their universities or institutions to direct sea grant colleges, programs, or regional consortia.";

(3) in paragraph (7), as so redesignated, by striking "the waters of any zone over which the United States asserts exclusive fishery management authority;" and inserting in lieu thereof "the exclusive economic zone established by proclamation numbered 5030, dated March 10, 1983;"; and

(4) by amending paragraphs (8) and (12), as so redesignated, by striking "ocean and coastal" and inserting in lieu thereof "ocean, coastal, and Great Lakes".

NATIONAL SEA GRANT COLLEGE PROGRAM

SEC. 4. Section 204(c)(5) and (d)(3) of the Sea Grant College Program Act (33 U.S.C. 1123(c)(5) and (d)(3)) is amended by striking "ocean and coastal" wherever it appears and inserting in lieu thereof "ocean, coastal, and Great Lakes".

PRIOR APPROVAL REQUIREMENTS

SEC. 5. Section 205(d)(1) of the Sea Grant College Program Act (33 U.S.C. 1124(d)(1)) is amended by adding at the end the following: "Terms, conditions, and requirements imposed by the Secretary under this paragraph shall minimize Federal prior approval requirements.".

STRATEGIC MARINE RESEARCH PROGRAM

SEC. 6. Section 206 of the Sea Grant College Program Act (33 U.S.C. 1125) is amended to read as follows:

"SEC. 206. STRATEGIC MARINE RESEARCH PROGRAM.

"(a) IN GENERAL.—Within one year after the date of enactment of the Marine Science, Technology, and Resource Development Act of 1987, and every three years after such date, the Administrator shall develop and publish the Sea Grant Strategic Research Plan. The plan shall identify and describe a limited number of priority areas for strategic marine research in fields associated with ocean, coastal, and Great Lakes resources. In addition, the plan shall indicate goals and timetables for the research described in such plan. Upon publication of the plan, the Administrator shall submit the plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives. The Secretary may not make a grant under subsection (c) of this section regarding priority areas identified and described in the plan until after 45 days from the date of receipt of the plan by such Committees.

"(b) CRITERIA FOR AREAS TO BE INCLUDED IN PLAN.—The priority areas in the Administrator's plan submitted under subsection (a) of this section shall concentrate on—

"(1) the critical resource and environmental areas where their national or global scope, their fundamental nature, their long-range aspects, the scale of the needed research effort, or the need for the broadest possible university involvement preclude adequate funding under other sections of this Act; and

"(2) the areas where the strength and capabilities of the sea grant colleges, programs, and regional consortia in mobilizing talent for sustained programmatic research and technology transfer make them particularly qualified to manage the strategic marine research called for in this section.

"(c) PROCEDURES AND ELIGIBILITY.—(1) The Secretary may make grants of up to 100 percent to carry out the strategic marine research program described in this section. The grants shall be subject to the guidelines and review procedures, including peer review, used by the national sea grant office, and sea grant colleges, programs, and regional consortia.

"(2) A grant may be made under this section to—

"(A) sea grant colleges, programs, and regional consortia; and

"(B) any qualified individual at a degree granting institution of post-secondary education.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section not to exceed $5,000,000 in fiscal year 1988, $9,000,000 in fiscal year 1989, $13,000,000 in fiscal year 1990, $17,000,000 in fiscal year 1991, and $20,000,000 in fiscal year 1992. Such sums shall remain available until expended. The amounts obligated to be expended under this section shall not, in any fiscal year, exceed 50 percent of amounts appropriated for such year pursuant to section 212.".

DESIGNATION OF SEA GRANT COLLEGES AND REGIONAL CONSORTIA

SEC. 7. Section 207(a)(2)(A), (3)(A) and (3)(B) of the Sea Grant College Program Act (33 U.S.C. 1126(a)(2)(A), (3)(A) and (3)(B)) is amended by striking "ocean and coastal resources" and inserting in lieu thereof "ocean, coastal, and Great Lakes resources".

FELLOWSHIPS

SEC. 8. Section 208(a) of the Sea Grant College Program Act (33 U.S.C. 1126(a)) is amended to read as follows:

"(a) IN GENERAL.—The Secretary shall support sea grant academic, Congressional, and Federal fellowships to provide educational and training assistance to qualified individuals at the undergraduate and graduate levels of education, as well as support postdoctoral level fellowships to accelerate research in critical subject areas. Such fellowships shall be related to ocean, coastal, and Great Lakes resources and be awarded pursuant to guidelines established by the Secretary. Congressional and Federal sea grant fellowships may only be awarded by the national sea grant program. Academic and postdoctoral fellowships may be awarded by sea grant colleges, regional consortia, institutions of higher education, and professionals associations and institutes.".

SEA GRANT REVIEW PANEL

SEC. 9. Section 209(b)(1) of the Sea Grant College Program Act (33 U.S.C. 1128(b)(1)) is amended by inserting immediately before the semi-colon the following: ", and section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a)".

INTERAGENCY COOPERATION

SEC. 10. Section 210 of the Sea Grant College Program Act (33 U.S.C. 1129) is amended by striking "ocean and coastal resources" and inserting in lieu thereof "ocean, coastal, and Great Lakes resources".

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. Section 212 of the Sea Grant College Program Act (33 U.S.C. 1131) is amended by inserting immediately after paragraph (4) the following:

"(5) not to exceed $46,000,000 for fiscal year 1988, not to exceed $48,000,000 for fiscal year 1989, not to exceed $50,000,000 for fiscal year 1990, not to exceed $52,000,000 for fiscal year 1991, and not to exceed $54,000,000 for fiscal year 1992.".

SEA GRANT INTERNATIONAL PROGRAM

SEC. 12. Section 3(a) of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a(a)) is amended to read as follows:

"(a) IN GENERAL.—The Secretary may enter into contracts and make grants under this section to—

"(1) enhance cooperative international research and educational activities on important ocean, coastal, and Great Lakes resources;

"(2) promote shared marine activities with universities in countries with which the United States has sustained mutual interests in ocean, coastal, and Great Lakes resources;

"(3) encourage technology transfer that enhances wise use of ocean, coastal, and Great Lakes resources, in the United States and in other countries;

"(4) promote the exchange among the United States and foreign nations of information and data with respect to the assessment, development, utilization, and conservation of such resources; or

"(5) use the national sea grant college program as a resource in other Federal civilian agency international initiatives where research, education, technology transfer and public service programs concerning the enhancement and wise use of ocean, coastal, and Great Lakes resources for fundamentally related to the purposes of such initiatives.".

AUTHORIZATION OF APPROPRIATIONS FOR SEA GRANT INTERNATIONAL PROGRAM

SEC. 13. Section 3(c) of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a(c)) is amended—

(1) by inserting after paragraph (4) the following:

"(5) For each of fiscal years 1988, 1989, 1990, 1991, and 1992, not to exceed $1,000,000. Additional funding may be provided through other Federal program elements with a marine science or technology transfer component, or both.".●

● Mr. PELL. Mr. President, as the author of the legislation that established the National Sea Grant College Program in 1966, I am delighted to join today in introducing legislation to continue and strengthen that program over the next 5 years.

The National Sea Grant College Program ranks as one of the major successes of our Government in increasing knowledge, productive use, and wise management of this Nation's marine and Great Lakes resources.

Before enactment of the National Sea Grant College Program Act some 21 years ago, the United States had a strong, but relatively narrow basic research capability in the ocean sciences. Beyond military applications, however, there was little capability or effort in applying the marine sciences to the practical needs of marine-related industries—fisheries, off-shore minerals, aquaculture, marine transportation, recreation. There was no linkage between our marine research base and those people that needed and could use the results of research. There was little focus on the broad need for marine education, and little effort to bring the fragmented ocean sciences and marine engineering into a comprehensive approach to ocean resource problems and opportunities.

The Sea Grant College Program has changed all of that. The program, providing Federal matching funds on a two to one basis, has sparked the development of a national network of 30 Sea Grant Colleges. Patterned after the Land Grant Colleges that transformed American agriculture, the Sea Grant Colleges focus interdisciplinary capabilities on ocean and Great Lakes resources through applied research, education and extension services.

And this network has been extraordinarily productive. One study estimates that Sea Grant sponsored projects are producing an annual benefit of reduced costs, expanded production and new products totaling $230 million a year, compared with an annual Federal expenditure in recent years of $40 million.

I am proud to say that the University of Rhode Island in my home State has been an outstanding example of the success of the Sea Grant Program. Indeed, the University of Rhode Island with its Graduate School of Oceanography was in many ways the birthplace of the Sea Grant Program. The original legislation was shaped at a national conference hosted by URI in Newport in 1965, and in the same year the URI campus was the site of the first congressional hearing on the new proposal. Subsequently, URI was among the small group of institutions that first qualified for grants under the program, and was among the first four institutions later certified as Sea Grant Colleges based on the excellence of their performance in the program.

Despite its success, the Sea Grant College Program needs strengthening if it is to meet the continuing challenges of the coming years. The legislation we are introducing today is designed to meet that challenge in several ways:

The legislation will increase the authorized funding for Sea Grant modestly to $46 million in fiscal year 1988, and stepping up in stages to $54 million in 1992. Despite rising costs, Sea Grant has survived on essentially level funding for several years. Inflation alone has cut the value of Federal Sea Grant funding by 20 percent in the past 5 years. This erosion of funding is beginning to take a serious toll in the number of projects underway and the number of scientists and engineers working on marine resource problems.

This legislation also will create a new Strategic Marine Research Program to focus limited funding on areas determined to have a high national priority. In recognition of their national scope, the Federal Government may fund up to 100 percent of the costs of these projects. The initial $5 million authorization for this program would increase in steps to $20 million in fiscal year 1992.

In addition, the legislation would continue an authorization of appropriations for the Sea Grant International Program.

Mr. President, I wish to commend the distinguished chairman of the Senate Commerce Committee, Senator HOLLINGS, for his work in the development of this legislation and thank him for his consultation with me as the author of the original Sea Grant College legislation. Senator HOLLINGS for years has been among the strongest and most effective supporters of the Sea Grant College Program, and I look forward to working with him to assure final enactment of this meritorious legislation.●

● Mr. WEICKER. Mr. President, I rise today to join my colleagues in introducing the Marine Science, Technology, and Resource Development Act of 1987. This act reauthorizes the National Sea Grant College Program, which has provided expertise to this Nation for more than 20 years by addressing critical marine resource needs. Through a unique network of Sea Grant colleges and institutions nationwide the program has demonstrated that it is a productive and innovative mechanism to promote marine research, education, technology transfer, and public service. Its key components—an emphasis on multidisciplinary research and university/government/industry cooperation—have made it instrumental in contributing to the competitiveness of the nation's marine economy. The highly successful Sea Grant Program is administered by the National Oceanic and Atmospheric Administration.

This legislation reauthorizes the National Sea Grant Program through 1992, giving it the opportunity for stable, long-term planning and growth. It also broadens and updates the 1976 revision of the act to include research and economic development opportunities that will continue to contribute to a sound national oceans policy.

A new provision in this bill sets up a Strategic Marine Research Program. Within this program the Administrator is directed to identify areas of marine research that deserve priority consideration. The Secretary of Commerce is then directed to make grants available for such research. The priority areas are to be updated every 3 years, giving scientists the opportunity to work on long-range programs and encouraging broad-based, multi-institutional involvement.

The legislation codifies the existing program of academic, Congressional, and Federal Sea Grant Fellowships and provides for a new postdoctoral fellowship to accelerate research in critical areas. Industry, State and Federal Government are filled with graduates who learned their skills in Sea Grant programs. The above provisions ensures that we will continue to produce knowledgeable individuals in marine science, technology, and policy.

Finally, this legislation reauthorizes Sea Grant's International Program, which would support technology transfer and cooperative research with foreign nations.

Mr. President, over the years Sea Grant has effectively worked to increase the understanding, assessment, development, and conservation of our marine resources by providing a strong educational base, responsive research and training programs, and timely dissemination of scientific and management techniques. As such it has proven a cost-effective way to contribute to human health issues, environmental quality, and the enhancement of commerce.

The commitment on the part of the Federal Government in its continued partnership with State and local government, industry, and universities is essential to the success of the National Sea Grant Program. The legislation we are introducing today reaffirms this commitment by strengthening the 1966 act to continue the appropriate development and conservation of the oceans, whether it be in estuarine pollution, coastal zone management, fisheries resources, or global environmental processes—or any other relevant research areas.

Senator PELL introduced the National Sea Grant College and Program Act in 1965, establishing the initial program. Athelstan Spilhaus, the internationally known scientist who first introduced the concept of a Sea Grant college to the American public in 1963, spoke at that time of the need to take advantage of the opportunities and challenges the oceans offer us:

> * * * to do this we must have sea-grant universities and colleges that focus with commitment on the sea—that seek to impinge all our intellectual disciplines on the mastery, exploitation, and preservation of the sea. Just as the scholars in the land-grant college developed a passion for the land we must seek through a welding together of science, art, literature, engineering, medicine, law, public administration, and politics to develop a public which will not only homestead our new spaces in the sea but colonize and civilize them through an integrated interdisciplinary education in the sea-grant universities.

With the introduction of this legislation today we, as a nation, reaffirm our commitment to benefit and preserve our marine resources.●

● Mr. ROTH. Mr. President, I rise today to join my colleague Senator HOLLINGS in introducing legislation that would reauthorize the Sea Grant Program through fiscal year 1992, S. 1196. It is very important that we reauthorize this productive, and effective program. Reauthorization of the Sea Grant Program would continue activities that address national priorities for marine resources and the marine environment.

I have always been a strong supporter of the Sea Grant Program. It has managed to effectively combine research, education, technology transfer, and public service into a program which enhances and promotes the wise use of our Nation's estuaries and coastal regions. It is a good example of educational institutions, government, and the private sector working together to address coastal and marine issues for the public good. It is well worth the investment of Federal dollars.

The University of Delaware was designated as a Sea Grant College Program in 1976. I am proud of Delaware's program and accomplishments. It's current emphasis in marine biotechnology, estuarine and coastal environmental assessments, geological and coastal dynamics, and marine program outreach has made major contributions to fuller utilization and greater efficiency in marine or coastal resource based industries. I would like to list some of the recent accomplishments of Delaware's Sea Grant Program.

Fouling—the encrusting of barnacles and other foreign matter on marine vessels and other objects—is an ever present problem. In the marine environment biofouling has major cost problems. Laboratory experiments have resulted in localizing and identifying naturally occurring antifouling components in such marine organisms as corals and sponges. By understanding how natural chemical defenses deter fouling, University of Delaware scientists hope to gain insight into new and better methods of preventing biofouling on marine vessels and other artificial substrates.

Delaware scientists have developed methods to extract chitin, the cellulose like structure found in the shell of crabs, shrimp, and other marine animals, and considered a waste produced by seafood processors. Extracted chitin has produced surgical sutures, high value food additives, and specialty chemicals.

Continued study of the Delaware estuary, a major source of commercial and recreational growth for the mid-Atlantic region, involve an assessment of its health and system functions. The results are used to make decisions on future development on and around Delaware Bay.

The marine advisory service activities encompass a wide range of projects designed to educate and enhance the lives of those who enjoy Delaware's beaches. Among others the marine reports advise boaters and provide updated weather reports, while the seafood retailers and the charter/headboat industry have found the business workshops to be of great value.

Finally, Mr. President, since its designation as a Sea Grant College Program in 1976, the University of Delaware has had, and continues to have a strong commitment to the education of students pursuing marine studies. Many of these students have gone on to successful marine realted careers in industry, State, and Federal Government, and academia.●

By Mr. DECONCINI:

S. 1197. A bill to amend the effective date of the provision contained in the Tax Reform Act of 1986 dealing with allocation of indebtedness as payment on installment obligations; to the Committee on Finance.

ALLOCATION OF INDEBTEDNESS

● Mr. DECONCINI. Mr. President, today I am introducing legislation which is designed to correct language in the conference report of the Tax Reform Act passed last Congress. My proposal would return the bill to the language as passed by the Senate originally. The change which has proven so damaging to business across this country was made with no apparent discussion by the conferees and appears to have been a last minute switch.

The conference report language is threatening to have a serious and adverse effect of many taxpayers, both in my State and throughout the country, who use the installment sales method. The language accelerated the date on which the new installment sales provision applies to fiscal year taxpayers. As a result, the provision will effect these taxpayers in a significantly different way than on calendar year taxpayers in an identical situation. Senator PACKWOOD acknowledged in a colloquy with me during the Senate debate on the tax reform conference report that there was no explicit decision by the conferees to treat taxpayers reporting installment sales differently based solely on their fiscal year.

The bill which passed the Senate had an effective date of taxable years beginning after December 31, 1986. However, the conference report had an effective date of taxable years ending after December 31, 1986. This seemingly small change has had disastrous effects.

My bill seeks to reinstate the original language of the Senate provision, making the effective date taxable years beginning after December 31, 1986.

From the standpoint of equity and legislative procedure, the language change should not have been included in the conference report. This legislation is intended to remedy that situation.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1197

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ALLOCATION OF INDEBTEDNESS AS PAYMENT ON INSTALLMENT OBLIGATIONS APPLICABLE TO TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1986.

(a) IN GENERAL.—Paragraph (1) of section 811(c) of the Tax Reform Act of 1986 is amended by striking out "ending after December 31, 1986" and inserting in lieu therof "beginning after December 31, 1986".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply as if included in the Tax Reform Act of 1986.●

By Mr. STEVENS (for himself and Mr. MURKOWSKI):

S. 1198. A bill to authorize a certificate of documentation for the vessel *F/V Creole*; to the Committee on Commerce, Science, and Transportation.

DOCUMENTATION OF VESSEL "F/V CREOLE"

● Mr. STEVENS. Mr. President, title 46 of the United States Code requires that vessels engaged in the domestic coastwise trade be built in the United States. The law also eliminates the coastwise privileges for U.S.-built vessels which are sold to foreign citizens. If a U.S. citizen purchases such a vessel, a legislative waiver of the documentation and coastwise provisions in title 46 is required.

The legislation I am introducing today would provide such a waiver to an Alaskan constituent. Richard Billings owns and operates a 78-foot motoryacht named the *F/V Creole* (official number 229565). The vessel was built in Seattle, WA, but was subsequently sold to a citizen of West Germany. This creates a defect in the chain of title for purposes of documentation.

Mr. Billings purchased the vessel in 1979, and has been operating a six-passenger charter operation continuously under a time-share arrangement. The Coast Guard informed him in April after 7 years of operation that the time-share arrangement is in violation of title 46. He has no alternative other than a legislative waiver, and will miss a significant portion of the charter season this summer unless the waiver is acted or promptly.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Notwithstanding sections 12105, 1206, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation for the following vessel: *Creole*, United States offical number *229565*.●

By Mr. LAUTENBERG:

S. 1199. A bill to prevent suicide by youth; to the Committee on Labor and Human Resources.

YOUTH SUICIDE PREVENTION ACT

● Mr. LAUTENBERG. Mr. President, I rise today to introduce a bill dealing with the tragic issue of youth suicide.

In my State of New Jersey, the full impact of the problem of youth suicide was brought home to us recently. We were shocked and troubled by the tragic deaths of four young people in Bergenfield, and the deaths and attempted suicides that have followed.

Youth suicide is at alarmingly high levels in this country. About 11 percent of high school seniors—nearly 2 million—have made at least one attempt at suicide. Between 5,000 and 6,000 young people succeed in killing themselves each year.

Experts think that many deaths that are called accidents are really suicides. For people between the ages of 15 and 24, suicide is the third highest cause of death after accidents and homicides. And the danger is growing. The rate of youth suicides is now 300 percent higher than it was in 1950.

This is an epidemic. But it is treated like a dirty secret that no one wants to mention. When a suicide, or a number of suicides, occur in a community, there is concern. There is bewilderment. There are many unanswered questions. And there is guilt.

Experts are paraded before the public, on television, in the newspapers. They point to warning signs. They call for more hotlines, more counseling, more community resources.

But really no one knows what leads one young person to give up on life and another to overcome adversity, to say "yes" to life. A thoughtful witness at a congressional hearing a year ago captured the question. He said it's a complex problem. It is deeply involved in our society. And it is not something we can cure with a drug or an innoculation, which will make it go away like polio or measles.

In our country we have the healthiest, most educated, most involved, and most intelligent young people. At the same time we have young people who seem bent on self-destruction—with drugs—with alcohol—with suicide.

What are we to think? Are the high school years really a walk through the valley of the shadow of death?

For most, they are not. So says a study released earlier this year. Interviewers talked to children between the ages of 8 and 17 about the things that concern them. The poll found that most children are fundamentally content with their personal lives, their families, and their schools.

But these days are not Pollyannas. Most of them say that among their peers there is "at least some" smoking, drinking, sex, crime, drug abuse, and marijuana use. And they think that adults should set more limits for them in order to improve this situation. More enforcement of rules and discipline would help, the students say. More education about the dangers of drug and alcohol abuse would also help.

From this overview, I draw two broad conclusions about the suicide problem. First, we obviously need some near-term programs, some first aid. Teachers, parents, the community needs to learn what the danger signs are in a troubled child. Counseling and therapy must be available. No child should feel so alone in the world that his only choice is to leave it. And those who are left behind after a suicide need help, too.

Second, for the longer term, we need more and better research. We just do not know enough about what works with these kids and what does not. And the findings must be widely disseminated. Everyone who has a significant contact with children should have the best information.

In short, communities need to plan. They need to take stock of their resources, decide what they want to accomplish, and decide what they need to do to achieve their goals.

In many areas, schools and local governments are already trying to do these things. Better coordination is needed. And seed money is needed for places that do not yet have plans or programs up and running.

I think the Federal Government has a role to play. It can provide the seed money. It can support the research. And then it should yield to the parents, teachers, clergy, the community. Let them use this information to find the best way to help their own kids.

I am introducing legislation today to do this. Under the bill, the Department of Education would help coordinate Federal programs and information relating to the prevention of youth suicide. The Department would serve as a liaison between the Federal Government and the organizations concerned with the prevention of youth suicide. The Department would also prepare an annual summary of research on effective programs in this field.

The bill provides for a national hotline and a national resource center and clearinghouse for youth suicide, training for people who will train others in services for suicide prevention, a public awarness campaign, technical assistance to State and local education agencies and organizations involved in suicide prevention activities, and dissemination of information about effective programs. These programs would be contracted to outside organizations.

An Advisory Board on Youth Suicide would be established to provide advice and expertise to the Secretary of Education. The advisory board would have nine members, three each appointed by the President, the Senate and the House of Representatives. The appointments would be chosen from names recommended by groups representing parents, teens, educators, counselors, mental health organizations, physicians, nurses, businesses, print and broadcast media, and organizations concerned with youth mental health and suicide.

The Department of Education would make grants to local school districts and private nonprofit agencies to make plans for coordinated suicide prevention services. The plans would cover awareness activities, training, counseling of youth who have attempted suicide and family and friends of those who have committed suicide, and coordination with related activities.

Grants would also be made to public and private organizations for demonstration and evaluation of innovative programs for suicide prevention. Another grant program would support research projects to evaluate existing programs and identify risk factors. Finally grants would be made to improve data collection on completed and attempted suicides.

The national hotline and resource center and clearinghouse would be established as public-private partnerships. The national hotline would be particularly helpful for young people and those close to them who live outside major metropolitan areas. In areas which could not support local hotline, especially a 24-hour one, the national hotline could fill a gap and could refer people to local services.

The planning and demonstration grants would require a 25-percent matching share. Again, these grants could support public-private partnership activities. The total first year authorization would be $11 million. The authorization over the remaining 3 years would decline, to make clear that this is a program of seed money intended to leverage other public and private funding sources.

Through the planning grants, I expect that local educators, families, and community leaders would work together to decide what is best for their community to do to prevent the tragedy of youth suicide and to deal with the aftermath when a suicide occurs. Adults in daily contact with young people—such as parents, school administrators, teachers, counselors, religious leaders, coaches, community leaders—and young people themselves, need to be more aware of the clues and warnings signs provided by youth contemplating suicide. They need to have more information about how to help these young people and how to refer them to appropriate counseling and other professional services. If the entire community can work together to show their caring for the young people in their midst, then perhaps we can avert more of these tragedies.

The demonstration program, research and data collection grants will provide the backup, the foundation of knowledge that will support the planning efforts. We need to know more about what causes suicide and what can stop it, but we cannot wait until we have perfect knowledge to do something. That is why my proposal contains a mix of near-term community efforts and long-term research.

To sum up, childhood and youth should be happy times—times of learning—and yearning, dreaming of a bright tomorrow. We need to take away those things that cast a shadow on tomorrow. We need to encourage the dream.

Understanding and fighting youth suicide is one step. The foundation for tomorrow is truly found in the best possible education. I urge my colleagues to join me in supporing this bill, and I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Suicide Prevention Act of 1987".

FINDINGS

SEC. 2. The Congress finds that—

(1) the rate of suicide among adolescents has tripled in the last 30 years;

(2) more than 5,000 young people committed suicide in 1986, making suicide the second highest cause of death for people between the ages of 15 and 24;

(3) experts estimate that 500,000 more adolescents attempted suicide in 1986;

(4) thousands of families, friends, schools, and communities are affected by the tragedy of young people taking their own lives;

(5) experts in the study of suicide believe that many suicides can be prevented by suicide awareness programs and crisis intervention programs for youth and their families;

(6) Federal, State, and local governments, together with families, educators, mental health workers, juvenile justice workers, churches, synagogues, and other community resources, must be involved in helping young people to find reasons to live and ways to respond to their problems;

(7) a national resource center and clearinghouse could serve to educate and coordinate public and private organizations involved with suicide prevention efforts;

(8) more research is needed on the causes of suicide and on effective suicide prevention programs and other programs for troubled youth; and

(9) more evaluation is needed to identify effective programs to assist youth who have attempted suicide.

PURPOSES

SEC. 3. The purposes of this Act are—

(1) to provide for coordination of national, State and local efforts to help individuals who are in daily contact with young people to prevent youth suicides through the early identification of, assessment of, and referral to counseling, medical services, and mental health services of, young people vulnerable to, or contemplating, suicide;

(2) to stimulate and encourage State and local governments and community organizations to plan suicide prevention services and mental health services for troubled youth;

(3) to demonstrate innovative types of programs to prevent youth suicide and to provide mental health services for youth;

(4) to support research into the causes and prevention of youth suicide; and

(5) to support improved data collection on suicides and attempted suicides as a means of understanding and preventing youth suicide.

DUTIES OF THE SECRETARY OF EDUCATION

SEC. 4. (a) The Secretary of Education (hereinafter referred to as the "Secretary") shall—

(1) facilitate the coordination of Federal programs and information relating to the prevention of youth suicide;

(2) act as a liaison between the Federal Government and organizations concerned with the prevention of youth suicide, including schools, parent and youth groups, and organizations representing providers of counseling, mental health services, and crisis intervention services for youth;

(3) analyze, compile, publish, and disseminate an annual summary of recently completed research, research in progress, and Federal, State, and local demonstration projects relating to identification of potential youth suicides and prevention of youth suicide, with particular emphasis on—

(A) effective models of Federal, State, and local coordination and cooperation in youth suicide prevention activities;

(B) effective programs designed to promote community awareness of the problem of youth suicide; and

(C) effective models of programs which provide treatment, counseling, or other aid to families, friends, schools, and others in the community who have been affected by an incident of youth suicide; and

(4) prepare, in consultation with the Advisory Board established under section 5, an annual comprehensive plan for facilitating cooperation and coordination among all agencies and organizations with responsibilities relating to the prevention of youth suicide.

(b) The Secretary, either by making grants to or entering into contracts with public and nonprofit private agencies, shall—

(1) establish and operate a national toll-free telephone line by which young people and their families may obtain easily accessible information regarding suicidal crises; and

(2) establish and operate a national resource center and clearinghouse to—

(A) disseminate information to the public with respect to youth suicide, and coordinate the activities of the clearinghouse with activities relating to youth suicide conducted by the Secretary and by the Secretary of Health and Human Services;

(B) conduct training programs for individuals who will train others to provide suicide prevention services for youth;

(C) conduct a national campaign to increase public awareness concerning youth suicide, including the provision of information concerning community resources available to prevent youth suicide and to treat youths who have attempted suicide;

(D) provide technical assistance to State and local education agencies and governments, public and nonprofit private agencies, and individuals conducting programs and activities to prevent youth suicide; and

(E) disseminate information about innovative and model programs, research, and services relating to the prevention of youth suicide.

(c) The authority of the Secretary to enter into contracts under subsection (b) shall be to such extent or in such amounts as are provided in appropriation Acts.

ADVISORY BOARD

SEC. 5. (a) There is established in the Department of Education an Advisory Board on Youth Suicide (hereinafter referred to as the 'Advisory Board'). The Advisory Board shall provide advice and expertise to the Secretary concerning the programs and activities of the resource center and clearinghouse established under section 4(b)(2).

(b)(1) The Advisory Board shall consist of nine members, of which—

(A) three members shall be appointed by the President;

(B) three members shall be appointed by the majority leader and the minority leader of the Senate, acting jointly; and

(C) three members shall be appointed by the Speaker of the House of Representatives and the minority leader of the House of Representatives, acting jointly.

(2) In appointing members to the Advisory Board under paragraph (1), the President, the majority leader and the minority leader of the Senate, and the Speaker and the minority leader of the House of Representatives shall request recommendations from organizations concerned with youth mental health and youth suicide, including organizations representing parents, adolescents, physicians, nurses, educators, counselors, business, and the print and broadcast media.

(c) Members of the Advisory Board shall be appointed within 60 days after the date of enactment of this Act.

(d) Each member of the Advisory Board shall be appointed for a term of four years, except that—

(1) of the members first appointed under subsection (b)(1)(A), one shall be appointed for a term of two years, one shall be appointed for a term of three years, and one shall be appointed for a term of four years, as designated by the President at the time of appointment;

(2) of the members first appointed under subsection (b)(1)(B), one shall be appointed for a term of two years, one shall be appointed for a term of three years, and one shall be appointed for a term of four years, as designated by the majority leader and the minority leader of the Senate at the time of appointment; and

(3) of the members first appointed under subsection (b)(1)(C), one shall be appointed for a term of two years, one shall be appointed for a term of three years, and one shall be appointed for a term of four years, as designated by the Speaker and the minority leader of the House of Representatives at the time of appointment.

(e) A vacancy in the Advisory Board shall be filled in the same manner as the original appointment was made. Any member appointed to a fill a vacancy for an unexpired term shall be appointed for the remainder of such term. A member of the Advisory Board may serve after the expiration of the member's term until a successor has taken office.

(f) A vacancy in the Advisory Board shall not affect its powers.

(g) The members of the Advisory Board shall elect a Chairman from among the members of the Advisory Board.

(h) Five members of the Advisory Board shall constitute a quorum, but a lesser number may hold hearings.

(i) The Advisory Board shall hold its first meeting on a date specified by the Secretary which is not later than 90 days after the date of enactment of this Act. Thereafter, the Advisory Board shall meet at the call of the Chairman or a majority of its members, but shall meet at least three times each year.

(j)(1) Each member of the Advisory Board shall serve without compensation.

(2) While away from their homes or regular places of business in the performance of duties for the Advisory Board, all members of the Advisory Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under sections 5702 and 5703 of title 5, United States Code.

PLANNING GRANTS

SEC. 6. (a) The Secretary shall make grants to local education agencies and private nonprofit agencies for the development of plans for the provision of suicide prevention services and mental health services for youth. Each plan developed with a grant under this section shall include provisions for—

(1) the conduct of activities to increase public awareness of youth suicide and the mental health problems experienced by youth;

(2) the training of teachers, school administrators, school counselors, juvenile justice personnel, peer counselors, parents, and community leaders in the identification of youth with mental health problems and in the prevention of youth suicide;

(3) the counseling of youth who have attempted suicide;

(4) the counseling of the family and friends of youth who commit suicide; and

(5) the coordination of activities conducted and services provided under the plan with related activities conducted and related services provided by Federal, State, and local governments, public and nonprofit entities, and community organizations.

(b) Each plan developed with a grant under this section shall—

(1) identify the resources that will be used to carry out activities and services under the plan and the manner in which such resources will be used to carry out such activities and services;

(2) specify the sources of funding to support such activities and services;

(3) specify the manner in which training will be provided under the plan to school personnel, juvenile justice personnel, peer counselors, parents, and community leaders;

(4) describe the data collection activities that will be conducted under the plan;

(5) describe the manner in which professionals who provide mental health and suicide prevention services for youth, as well as parents, will be involved in activities conducted and services provided under the plan;

(6) specify the activities that will be conducted under the plan to increase public awareness of the problems leading to youth suicide; and

(7) contain such other information as the Secretary may require.

(c) The Federal share of the costs of developing a plan under this section shall be 75 percent. The non-Federal share of such costs may be paid in cash or in kind, and may be paid from public or private sources.

DEMONSTRATION PROJECTS

SEC. 7. (a) The Secretary shall make grants to public and nonprofit private entities for projects to demonstrate and evaluate innovative models of preventing youth suicide.

(b) The Secretary shall make grants under this section to support not more than 10 projects described in subsection (a) for each fiscal year.

(c) A grant under this section shall be made for a one-year period, and may be renewed for one additional one-year period.

(d) The Federal share of the costs of any project supported with a grant under this section shall be 75 percent. The non-Federal share of such costs may be paid in cash or in kind, and may be paid from public or private sources.

RESEARCH GRANTS

SEC. 8. The Secretary shall make grants to public and nonprofit private entities to support research projects designed to—

(1) evaluate existing programs for the prevention of, and intervention in, youth suicide;

(2) identify factors which indicate that a youth is at risk of attempting or committing suicide; or

(3) develop comparative data concerning the risk factors respecting youth suicide existing in various communities and the effectiveness of youth suicide prevention and intervention activities carried out in such communities.

DATA COLLECTION GRANTS

SEC. 9. The Secretary shall make grants to public and nonprofit private entities for projects to improve data collection with respect to youth suicide, including projects to—

(1) improve the accuracy of official certifications of the cause of death in cases of youth suicide; and

(2) increase reporting of cases of attempted suicide.

APPLICATIONS AND REPORTS

SEC. 10. (a). No grant may be made under this Act unless an application therefor is submitted to the Secretary. Each such application shall be submitted in such form, at such time, and containing such information, as the Secretary may prescribe.

(b) Each recipient of a grant under this Act shall submit to the Secretary such reports concerning the activities conducted under the grant as the Secretary may prescribe.

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 11. (a) To carry out section 4(b)(1), there are authorized to be appropriated $2,000,000 for each of the fiscal years 1988, 1989, 1990, and 1991.

(b) To carry out section 4(b)(2), there are authorized to be appropriated $2,000,000 for fiscal year 1988, $1,500,000 for fiscal year 1989, $1,000,000 for fiscal year 1990, and $500,000 for fiscal year 1991.

(c) To carry out section 6, there are authorized to be appropriated $3,000,000 for fiscal year 1988, $2,500,000 for fiscal year 1989, $1,500,000 for fiscal year 1990, and $500,000 for fiscal year 1991.

(d) To carry out section 7, there are authorized to be appropriated $1,000,000 for each of the fiscal years 1988, 1989, 1990, and 1991.

(e) To carry out section 8, there are authorized to be appropriated $2,000,000 for each of the fiscal years 1988 and 1989, and $1,000,000 for each of the fiscal years 1990 and 1991.

(f) To carry out section 9, there are authorized to be appropriated $1,000,000 for each of the fiscal years 1988 and 1989, and $500,000 for each of the fiscal years 1990 and 1991.●

By Mr. DODD (for himself and Mr. PELL):

S.J. Res. 128. Joint resolution prohibiting the sale to Honduras of certain defense articles and related defense services; to the Committee on Foreign Relations.

PROHIBITING THE SALE OF DEFENSE ARTICLES AND SERVICES TO HONDURAS

● Mr. PELL. Mr. President, today, I am joining Senator DODD as a cosponsor to the joint resolution prohibiting the sale of F-5E's to Honduras because it is not in the best interests of the United States nor is it in the interest of peace in tension-ridden Central America. The Foreign Relations Committee received the official notification of the sale late yesterday afternoon; the Congress has 30 days to enact legislation and this joint resolution prohibiting the sale is being introduced quickly so that the issue can get the fullest airing and cooler heads can prevail.

At the appropriate time I will elaborate on the reasons why I believe the Congress should reject the proposed sale. For now suffice it to say that my opposition is based on the belief that the sale of F-5E's to Honduras represents a basic change in the policy of not introducing sophisticated armament into the region and because it represents an escalation of the already tense situation in Central America. I understand the desire of the Honduran Government to modernize its air force and the desire of the administration to assist, but surely there are other aircraft that could serve the purpose and would not represent such a threat to the already too-fragile peace in the area. Finally, I believe that it is very unwise to take such a drastic military step at the very time when the five Central American presidents are preparing for the meeting next month in Guatemala to consider the Costa Rican peace initiative.

Mr. President, I am sure that other Senators will want to join as cosponsors of this important resolution.●

ADDITIONAL COSPONSORS

S. 10

At the request of Mr. CRANSTON, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 10, a bill to amend the Public Health Service Act to improve emergency medical services and trauma care, and for other purposes.

S. 249

At the request of Mr. DODD, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 249, a bill to grant employees parental and temporary medical leave under certain circumstances, and for other purposes.

S. 265

At the request of Mr. HUMPHREY, the names of the Senator from Colorado [Mr. ARMSTRONG], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Washington [Mr. EVANS] were added as cosponsors of S. 265, a bill to require executive agencies of the Federal Government to contract with private sector sources for the performance of commercial activities.

S. 303

At the request of Mr. BRADLEY, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 303, a bill to establish a Federal program to strengthen and improve the capability of State and local educational agencies and private nonprofit schools to identify gifted and talented children and youth and to provide those children and youth with appropriate educational opportunities, and for other purposes.

S. 447

At the request of Mr. CHAFEE, the name of the Senator from Vermont [Mr. STAFFORD] was added as a cosponsor of S. 447, a bill to amend the Internal Revenue Code of 1986 to increase the excise taxes on cigarettes to 32 cents per pack and on snuff and chewing tobacco to 8 cents per package.

S. 476

At the request of Mr. DODD, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 476, a bill to provide assistance in the development of new or improved programs to help younger persons through grants to the States for community planning, services, and training; to establish within the Department of Health and Human Services an operating agency to be designated as the Administration on Children, Youth, and Families; and to provide for a White House Conference on Young Americans.

S. 573

At the request of Mr. LAUTENBERG, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 573, a bill to protect patent owners from importation into the United States of goods made overseas by use of a U.S. patented process.

S. 616

At the request of Mr. DODD, the names of the Senator from Ohio [Mr. GLENN], and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 616, a bill to amend the Truth in Lending Act to provide for more detailed and uniform disclosure by credit card issuers with respect to information on interest rates and other fees which may be incurred by consumers through the use of any credit card, and for other purposes.

S. 714

At the request of Mr. Specter, the names of the Senator from Alabama [Mr. Heflin], the Senator from Maryland [Ms. Mikulski], and the Senator from Ohio [Mr. Glenn] were added as cosponsors of S. 714, a bill to recognize the organization known as the Montford Point Marine Association, Inc.

S. 736

At the request of Mr. Harkin, the name of the Senator from Arkansas [Mr. Pryor] was added as a cosponsor of S. 736, a bill to prohibit the performance of certain functions at arsenals and manufacturing facilities of the Department of Defense from being converted to performance by private contractors.

S. 750

At the request of Mr. Bradley, the names of the Senator from Minnesota [Mr. Durenberger], the Senator from California [Mr. Cranston], the Senator from Vermont [Mr. Stafford], the Senator from New York [Mr. Moynihan], the Senator from Illinois [Mr. Simon], the Senator from Rhode Island [Mr. Chafee], the Senator from Michigan [Mr. Riegle], the Senator from Utah [Mr. Garn], the Senator from Hawaii [Mr. Inouye], the Senator from Nevada [Mr. Reid], the Senator from South Carolina [Mr. Hollings], the Senator from Massachusetts [Mr. Kerry], the Senator from Arkansas [Mr. Bumpers], the Senator from Tennessee [Mr. Gore], and the Senator from Maryland [Ms. Mikulski] were added as cosponsors of S. 750, a bill to amend the Foreign Assistance Act of 1961 to authorize appropriations for the "Child Survival Fund."

S. 780

At the request of Mr. Reid, the names of the Senator from New York [Mr. Moynihan], and the Senator from Tennessee [Mr. Gore] were added as cosponsors of S. 780, a bill to amend the enforcement provisions of the Federal Election Campaign Act of 1971.

S. 902

At the request of Mr. McClure, the name of the Senator from Arizona [Mr. DeConcini] was added as a cosponsor of S. 902, a bill to amend the Food Security Act of 1985 and the National School Lunch Act to extend to 1992 the eligibility of certain school districts to receive alternative forms of assistance for school lunch programs and to amend the Agriculture and Food Act of 1981, the Child Nutrition Amendments of 1986, and the School Lunch and Child Nutrition Amendments of 1986 to extend to 1992 the National Donated Commodity Processing Program.

S. 943

At the request of Mr. Adams, the name of the Senator from New Jersey [Mr. Lautenberg] was added as a cosponsor of S. 943, a bill to amend the Federal Aviation Act of 1958 to ensure the fair treatment of airline employees in airline mergers and similar transactions.

S. 961

At the request of Mr. Heinz, the name of the Senator from Maryland [Ms. Mikulski] was added as a cosponsor of S. 961, a bill to amend title XVIII of the Social Security Act to allow medicare coverage for home health services provided on a daily basis.

S. 962

At the request of Mr. Heinz, the name of the Senator from Maryland [Ms. Mikulski] was added as a cosponsor of S. 962, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for expenses incurred in the care of elderly family members.

S. 964

At the request of Mr. McClure, the name of the Senator from Idaho [Mr. Symms] was added as a cosponsor of S. 964, a bill to amend the Meat Import Act of 1979 to include imports of lamb.

S. 997

At the request of Mr. Pell, the name of the Senator from Maryland [Ms. Mikulski] was added as a cosponsor of S. 997, a bill to require the Director of the National Institute on Aging to provide for the conduct of clinical trials on the efficacy of the use of tetrahydroaminoacidine in the treatment of Alzheimer's disease.

S. 999

At the request of Mr. Cranston, the name of the Senator from Massachusetts [Mr. Kerry] was added as a cosponsor of S. 999, a bill to amend title 38, United States Code, and the Veterans' Job Training Act to improve veterans employment, counseling, and job-training services and program.

S. 1009

At the request of Mr. Matsunaga, the name of the Senator from South Dakota [Mr. Pressler] was added as a cosponsor of S. 1009, a bill to accept the findings and to implement the recommendations of the Commission on Wartime Relocation and Internment of Civilians.

S. 1044

At the request of Mr. Heinz, the name of the Senator from Connecticut [Mr. Weicker] was added as a cosponsor of S. 1044, a bill to provide for Medicare coverage of influenza vaccine and its administration.

S. 1069

At the request of Mr. Bingaman, the name of the Senator from Washington [Mr. Evans] was added as a cosponsor of S. 1069, a bill to revise and extend the older American Indian Grant Program under the Older Americans Act of 1965, and for other purposes.

S. 1107

At the request of Mr. Roth, the name of the Senator from Alabama [Mr. Shelby] was added as a cosponsor of S. 1107, a bill to terminate employment of aliens in U.S. missions and consular posts in certain Communist countries.

S. 1193

At the request of Mr. Matsunaga, the name of the Senator from Hawaii [Mr. Inouye] was added as a cosponsor of S. 1193, a bill to add additional lands to the Kilauea Point Wildlife Refuge on Kauai, HI.

SENATE JOINT RESOLUTION 26

At the request of Mr. Pell, the names of the Senator from North Dakota [Mr. Burdick], and the Senator from Virginia [Mr. Warner] were added as cosponsors of Senate Joint Resolution 26, a joint resolution to authorize and request the President to call a White House Conference on Library and Information Services to be held not later than 1989, and for other purposes.

SENATE JOINT RESOLUTION 87

At the request of Mr. Riegle, the names of the Senator from Minnesota [Mr. Boschwitz], the Senator from Alaska [Mr. Murkowski], the Senator from Rhode Island [Mr. Pell], and the Senator from Alaska [Mr. Stevens] were added as cosponsors of Senate Joint Resolution 87, a joint resolution to designate November 17, 1987, as "National Community Education Day."

SENATE JOINT RESOLUTION 88

At the request of Mr. Bradley, the names of the Senator from West Virginia [Mr. Rockefeller], the Senator from Arizona [Mr. DeConcini], the Senator from Illinois [Mr. Dixon], the Senator from North Carolina [Mr. Sanford], the Senator from Alaska [Mr. Stevens], the Senator from Delaware [Mr. Roth], the Senator from Utah [Mr. Garn], the Senator from Nebraska [Mr. Karnes], the Senator from Virginia [Mr. Warner], the Senator from Maryland [Mr. Sarbanes], the Senator from Illinois [Mr. Simon], the Senator from Alabama [Mr. Heflin], the Senator from Arkansas [Mr. Pryor], the Senator from Massachusetts [Mr. Kerry], and the Senator from Alabama [Mr. Shelby] were added as cosponsors of Senate Joint Resolution 88, a joint resolution to designate the period commencing November 15, 1987, and ending November 21, 1987, as "Geography Awareness Week."

SENATE JOINT RESOLUTION 97

At the request of Mr. Hatch, the names of the Senator from Arizona

[Mr. McCain], the Senator from Indiana [Mr. Quayle], the Senator from Alaska [Mr. Stevens], and the Senator from Indiana [Mr. Lugar] were added as cosponsors of Senate Joint Resolution 97, a joint resolution to designate the week beginning November 22, 1987, as "National Adoption Week."

SENATE JOINT RESOLUTION 98

At the request of Mr. Hatch, the names of the Senator from Ohio [Mr. Glenn], and the Senator from Ohio [Mr. Metzenbaum] were added as cosponsors of Senate Joint Resolution 98, a joint resolution to designate the week of November 29, 1987, through December 5, 1987, as "National Home Health Care Week."

SENATE JOINT RESOLUTION 108

At the request of Mr. Lugar, the names of the Senator from Iowa [Mr. Grassley], and the Senator from South Dakota [Mr. Daschle] were added as cosponsors of Senate Joint Resolution 108, a joint resolution to designate October 6, 1987, as "German-American Day."

SENATE JOINT RESOLUTION 111

At the request of Mr. Heinz, the names of the Senator from Maryland [Ms. Mikulski], the Senator from Nevada [Mr. Reid], the Senator from Texas [Mr. Bentsen], the Senator from Iowa [Mr. Harkin], the Senator from Connecticut [Mr. Weicker], and the Senator from Ohio [Mr. Glenn] were added as cosponsors of Senate Joint Resolution 111, a joint resolution to designate each of the months of November 1987, and November 1988, as "National Hospice Month."

SENATE JOINT RESOLUTION 126

At the request of Mr. Packwood, the name of the Senator from Wisconsin [Mr. Proxmire] was added as a cosponsor of Senate Joint Resolution 126, a joint resolution to designate March 16, 1988, as "Freedom of Information Day."

SENATE CONCURRENT RESOLUTION 15

At the request of Mr. Heflin, the name of the Senator from Tennessee [Mr. Sasser] was added as a cosponsor of Senate Concurrent Resolution 15, a concurrent resolution expressing the sense of the Congress that no major change in the payment methodology for physicians' services, including services furnished to hospital inpatients, under the Medicare Program should be made until reports required by the 99th Congress have been received and evaluated.

AMENDMENT NO. 160

At the request of Mr. Cranston, the name of the Senator from Massachusetts [Mr. Kerry] was added as a cosponsor of amendment No. 160 intended to be proposed to S. 999, a bill to amend title 38, United States Code, and the Veterans' Job Training Act to improve veterans employment, counseling, and job-training services and program.

SENATE CONCURRENT RESOLUTION 58—URGING CONGRESSIONAL SUPPORT FOR PRIVATE SECTOR EFFORTS TO ALLEVIATE LOSSES SUFFERED BY RETIREES AND EMPLOYEES AS A RESULT OF PENSION PLAN TERMINATIONS

Mr. METZENBAUM (for himself, Mr. Heinz, and Mr. Specter) submitted the following concurrent resolution; which was referred to the Committee on Labor and Human Resources:

S. Con. Res. 58

Whereas with the enactment of the Employee Retirement Income Security Act of 1974 (ERISA) (29 U.S.C. 1001 et seq.), Congress has made the retirement income security of millions of Americans a vital public policy objective;

Whereas ERISA seeks to assure older Americans that their expectations of retirement income will be secure by requiring private employers to meet their pension commitments in full;

Whereas ERISA provides a guarantee of pension benefits under defined benefit pension plans through the Pension Benefit Guaranty Corporation (PBGC) to cover those cases in which employers are unable to meet their full pension benefit obligations due to financial hardship;

Whereas pension plan terminations have victimized tens of thousands of older Americans;

Whereas when a defined benefit pension plan is terminated, the guarantee of pension benefits by the PBGC does not protect all pension expectations of American retirees and employees;

Whereas this loss of pension benefits impoverishes individuals on fixed incomes and impairs public confidence in the private pension system of the United States.

Whereas even as Congress explores ways of strengthening the pension insurance system to prevent benefit losses, Congress supports responsible private sector efforts to alleviate these devastating losses of retirement income;

Whereas following the termination of a defined benefit pension plan, it is possible through collective bargaining to establish new arrangements under which an employer may restore pension benefits not guaranteed by the PBGC;

Whereas adoption of these arrangements is an example of employees and retirees seeking to enforce their previously bargained retirement rights, and affords employees and retirees not represented by a labor organization similar retirement security; and

Whereas no responsible agency of the United States Government can or should oppose these private efforts to alleviate the acute hardships caused by short-falls in the pension system of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) expresses its fullest support for privately sponsored programs to alleviate unexpected losses of retirement income caused by pension plan terminations;

(2) affirms the right of labor organizations and employers to engage in free collective bargaining aimed at addressing the acute needs of older Americans affected by pension plan terminations; and

(3) applauds private efforts to supplement the public system of pension guarantees and expresses the sense of Congress that such efforts are fully consistent with the purposes of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

● Mr. METZENBAUM. Mr. President, today I am submitting a concurrent resolution expressing congressional support for private efforts to alleviate pension benefit losses.

Our current pension program includes an insurance program to guarantee retirees and workers a basic level of pension coverage when companies fail to fully fund their pension promises. While this Government insurance program is a vital part of our pension system, it does not guarantee every promised pension dollar. In fact, many workers and retirees suffer significant losses when an underfunded pension plan is terminated.

In many of these instances company sponsors and unions negotiate new retirement arrangements to help reduce losses to workers and retirees. Similar retirement programs are often established for nonunion workers and retirees. These new follow-on arrangements are the only way to prevent many retirees from suffering extreme financial hardships.

Mr. President, the pension insurance system does not provide complete protection for American workers. I hope that one day we will expand the insurance guarantees and strengthen the minimum funding requirements to prevent broken pension promises. But until we do so I believe that this Government should do everything possible to lend support and encouragement to private arrangements that strengthen retirement security. This resolution express the sense of Congress that such efforts are entirely consistent with the spirit and letter of our pension laws.●

SENATE RESOLUTION 215—AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL

Mr. BYRD (for himself and Mr. Dole) submitted the following resolution; which was considered and agreed to:

S. Res. 215

Whereas, in the case of *Ned Ray McWherter* v. *George Bush, et al.*, Case No. 87-1184-JHG, pending in the United States District Court for the District of Columbia, the plaintiff has named George Bush, in his capacity as President of the Senate, and John C. Stennis, in his capacity as President pro tempore of the Senate, as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1)(1982), the Senate may direct its counsel to represent Members and officers of the Senate in civil actions relating to their official responsibilities; Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to represent the President of the Senate and the President pro tempore of the Senate in the case of McWherter v. Bush, et al.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, FISCAL YEARS 1988 AND 1989

PROXMIRE AMENDMENT NO. 195

(Ordered to lie on the table.)

Mr. PROXMIRE submitted an amendment intended to be proposed by him to the bill (S. 1174) to authorize appropriations for fiscal years 1988 and 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes; as follows:

On page 114, between lines 13 and 14, insert the following:

SEC. 812. COMMISSION ON FREEDOM OF THE DEPARTMENT OF DEFENSE PRESS

(a) ESTABLISHMENT, COMPOSITION, AND INITIAL ORGANIZATION OF COMMISSION.—There is established the Commission on Freedom of the Department of Defense Press (hereafter in this section referred to as the "Commission").

(2)(A) The Commission shall be composed of 5 members appointed by the Secretary of Defense from among 10 persons who have demonstrated distinguished service in the field of journalism and are nominated by one or more professional journalism organizations designated by the Secretary.

(B) Members of the Armed Forces, employees of the Federal Government, and persons outside the Federal Government who perform any work in support of the Department of Defense shall be ineligible to serve as members of the Commission.

(3) The Commission shall select a Chairman and Vice Chairman from among its members.

(4) Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(5)(A) The Secretary of Defense shall make all appointments under paragraphs (2) within 60 days after the date of the enactment of this Act.

(B) The Commission shall convene its first meeting within 15 days after the first date on which all members of the Commission have been appointed. At that meeting the Commission shall select its Chairman and Vice Chairman and develop an investigative agenda and schedule for carrying out its duties under this section.

(b) DUTIES OF THE COMMISSION.—The Commission shall—

(1) examine—

(A) the editorial policies and operations of the Pacific edition of the Stars and Stripes newspaper published by the Commander-in-Chief of the United States Pacific Command;

(B) the editorial policies and operations of the European edition of the Stars and Stripes newspaper published by the Commander-in-Chief of the United States European Command; and

(C) the policies and requirements of Department of Defense Instruction 5120.4, dated November 14, 1984,

to determine whether any censorship and news management is permitted by such policies and requirements or is practiced in such operations, and, if censorship of news management is practiced in such operations, whether the practice is impending the free flow of news and information to military personnel;

(2) identify and investigate complaints made to the Department of Defense or the Commission by members and former members of the journalistic staff of the Pacific edition of the Stars and Stripes or the European edition of the Stars and Stripes with respect to matters within the responsibility of the Commission under paragraph (1); and

(3) determine whether increased civilian participation in the editorial operations of such newspapers, including the appointment of a civilian to serve as editor-in-chief of each such newspaper, will decrease the likelihood of censorship and news management in the flow of news and information to military personnel.

(d) REPORT.—Not later than 90 days after the date on which the Commission convenes its first meeting, the Commission shall submit to the Secretary of Defense and Congress a written report containing the results of its investigation under this section together with such recommendations as it considers appropriate.

(e) POWERS OF THE COMMISSION.—(1) The Commission or, at its direction, any subcommittee or member of the Commission, may, for the purpose of carrying out the provisions of this section, hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Commission or such subcommittee or member considers advisable.

(2) The Commission may secure directly from the Department of Defense, any other Federal department or agency, or the Stars and Stripes newspapers such information as the Commission considers necessary to enable the Commission to carry out its responsibilities under this section. Upon request of the Chairman of the Commission, the head of such department, agency, or newspaper shall furnish such information to the Commission.

(f) COMMISSION PROCEDURES.—(1) The Commission shall meet at the call of the Chairman.

(2)(A) Three members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(B) The Commission shall act by resolution agreed to by a majority of a quorum of the Commission.

(3) The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(4) All meetings and hearings of the Commission and any panels established by the Commission shall be open to the public.

(5) Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this section.

(6)(A) Subpenas issued pursuant to subsection (e)(1) shall bear the signature of the Chairman of the Commission and shall be served by any person or class of persons designated by the Chairman for that purpose.

(B) In the case of contumacy or failure to obey a subpena issued under subsection (e)(1), the United States district court for the judicial district in which the subpenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(7) The provisions of section 1821 of title 28, United States Code, shall apply to witnesses requested or subpenaed to appear at any hearing of the Commission. The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the Commission.

(g) COMMISSION PERSONNEL MATTERS.—(1)(A) Except as provided in subparagraph (B), each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for grade GS-18 of the General Schedule under section 5332 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the actual performance of the duties of the Commission.

(B) The Secretary of Defense may accept the voluntary services of any member of the Commission who offers to serve as a member without compensation. No compensation shall be paid under this subsection for voluntary services furnished by a member of the Commission and accepted by the Secretary.

(2) The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3)(A) The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate a staff director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of a staff director shall be subject to confirmation by the Commission.

(B) The Chairman of the Commission may fix the compensation of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the staff director and other personnel may not exceed the rate payable for GS-18 of the General Schedule under section 5332 of such title.

(4) Any Federal Government employee may be detailed to the Commission without reimbursement of the employee's agency by the Commission, and such detail shall be without interruption or loss of civil service status or privilege.

(5) The Chairman of the Commission may procure temporary and intermittent service under section 3109(b) of title 5, United States Code, at rates for individuals which

do not exceed the daily equivalent of the annual rate of basic pay prescribed for GS-18 of the General Schedule under section 5332 of such title.

(6) Service of an individual as a member of the Commission or employment of an individual by the Commission on a part-time or full-time basis and with or without compensation shall not be considered as service or employment bringing such individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United States. Service as a member of the Commission or as an employee of the Commission, shall not be considered service in an appointive or elective position in the Government for purposes of section 8344 or 8468 of title 5, United States Code, or any comparable provision of Federal law.

(h) MISCELLANEOUS ADMINISTRATIVE PROVISIONS.—(1) The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(2) The Administrator of General Services shall furnish the Commission on a reimbursable basis, any administrative and support services requested by the Commission.

(3) To the maximum extent possible, the members and employees of the Commission shall travel on military aircraft, military ships, military vehicles, or other military conveyances when travel is necessary in the performance of a responsibility of the Commission, except that no such aircraft, ship, vehicle, or other conveyance may be scheduled primarily for the transportation of any such member or employee when the cost of commercial transportation is less expensive.

(i) TERMINATION OF THE COMMISSION.—The Commission shall terminate 60 days after the date on which the Commission submits its report under subsection (d).

(j) PAYMENT OF COMMISSION EXPENSES.—The compensation, travel expenses, and per diem allowances of members and employees of the Commission shall be paid out of funds available to the Department of the Army for the payment of compensation, travel allowances, and per diem allowances, respectively, of civilian employees of the Department of the Army. The other expenses of the Commission shall be paid out of funds available to the Department of the Army for the payment of similar expenses incurred by that Department.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON SECURITIES

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Securities of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate on Wednesday, May 13, 1987, at 9:30 a.m. to hold a hearing on authorizations for the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HAZARDOUS WASTES AND TOXIC SUBSTANCES AND THE SUBCOMMITTEE ON ENVIRONMENTAL PROTECTION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Hazardous Wastes and Toxic Substances and the Subcommittee on Environmental Protection, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on May 13, beginning at 9:30 a.m., to hold a hearing on stratospheric ozone depletion and substitutes for ozone depleting chemicals.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMERS

Mr. BYRD. Mr. President, I ask unanimous consent that the Consumer Subcommittee, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on May 13, 1987, at 9:30 a.m. to hold hearings on proposed legislation authorizing funds for the Consumer Product Safety Commission [CPSC].

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation and the national ocean policy study, be authorized to meet during the session of the Senate on May 13, 1987, at 2 p.m. to hold oversight hearings and on proposed legislation authorizing funds for the ocean and coastal programs of the National Oceanic and Atmospheric Administration [NOAA].

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 13, 1987, at 10 a.m. to hold a hearing on drug testing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 13, 1987, at 2:30 p.m., to hold a hearing on judicial nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, MONOPOLIES, AND BUSINESS RIGHTS

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust, Monopolies, and Business Rights of the Committee on the Judiciary be authorized to meet during the session of the Senate on May 13, 1987, at 2 p.m. to hold a hearing on railroad antitrust immunity.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on May 13, 1987, at 2 p.m. to hold markup on trade legislation pending in the committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

AMENDMENT TO THE RULES OF THE COMMITTEE ON THE JUDICIARY

● Mr. BIDEN. Mr. President, I hereby submit for the RECORD an amendment to the rules of the Committee on the Judiciary as approved by the committee on April 8, 1987.

The amendment reads as follows:

VI. ATTENDANCE RULE

From April 8, 1987 until April 8, 1988 official attendance of all Committee markups and executive sessions of the Committee shall be kept by the Committee Clerk. Official attendance of all Subcommittee markups and executive sessions shall be kept by the Subcommittee Clerk.

Official attendance of all hearings shall be kept, provided that, Senators are notified by the Committee Chairman and Ranking Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Member, in the case of Subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

I ask that a copy of the rules of the Judiciary Committee be printed in the RECORD.

The material follows:

RULES OF THE COMMITTEE ON THE JUDICIARY [1]

I. MEETINGS OF THE COMMITTEE

1. Meetings may be called by the Chairman as he may deem necessary on three days notice or in the alternative with the consent of the Ranking Minority Member or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee, at least 48 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. On the request of any member, a nomination or bill on the agenda of the Committee will be held over until the next meeting of the Committee or for one week, whichever occurs later.

II. QUORUMS

1. Eight members shall constitute a quorum of the Committee when reporting a bill or nomination; provided that proxies shall not be counted in making a quorum.

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[1] Reaffirmed by the Committee on the Judiciary in executive session on February 22, 1983. Printed in the Congressional Record on February 23, 1983, pursuant to the Legislative Reorganization Act of 1970.

2. For the purpose of taking sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may submit his vote by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a rollcall vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with eight votes in the affirmative, one of which must be cast by the Minority.

V. SUBCOMMITTEES

1. Any member of the Committee may sit with any Subcommittee during its hearings or any other meetings, but shall not have the authority to vote on any matter before the Subcommittee unless he is a member of such Subcommittee.

2. Subcommittees shall be considered denovo whenever there is a change in the subcommittee chairmanship, and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Banking Minority Member.●

FORMAL NOTIFICATION—PROPOSED ARMS SALE

● Mr. PELL. Mr. President, section 36(b)(1) of the Arms Export Control Act requires that Congress receive formal notification of proposed arms sales under the act in excess of $50 million, or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon receipt of such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with my intention to see that such information is available to the full Senate, I ask to have printed in the RECORD at this point the notification I have received.

The notification follows:

DEFENSE SECURITY
ASSISTANCE AGENCY,
Washington, DC, May 11, 1987.

Mr. GERYLD B. CHRISTIANSON,
Staff Director, Committee on Foreign Relations, United States Senate, Washington, DC.

DEAR MR. CHRISTIANSON: By letter dated 18 February 1976, the Director, Defense Security Assistance Agency, indicated that you would be advised of possible transmittals to Congress of information as required by Section 36(b)(1) of the Arms Export Control Act. At the instruction of the Department of State, I wish to provide the following advance notification.

The Department of State is considering an offer to a Middle Eastern country tentatively estimated to cost $50 million or more.

Sincerely,
PHILIP C. GAST,
Director.●

THE "DEAR COMANDANTE" LETTER

● Mr. HUMPHREY. Mr. President, we all know how the crisis in Central America has created strong emotions on both sides. This will undoubtedly become even more evident as the Iran-Contra hearings proceed.

The hearings, of course, are focusing on alleged transgressions by those who believed we should support the Nicaraguan freedom fighters against the Communist Sandinista regime. I believe we should keep in mind the excesses of both sides in the debate, and for that reason I wish to summit in the RECORD the famous "Dear Comandante" letter of March 20, 1984. This document surely stands as one of the most curious, to say the least, to which a Member of Congress has ever set his or her hand.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 1984.

Comandante DANIEL ORTEGA,
Coordinador de la Junta de Gobierno, Managua, Nicaragua.

DEAR COMANDANTE: We address this letter to you in a spirit of hopefulness and good will.

As Members of the U.S. House of Representatives, we regret the fact that better relations do not exist between the United States and your country. We have been, and remain, opposed to U.S. support for military action directed against the people or government of Nicaragua.

We want to commend you and the members of your government for taking steps to open up the political process in your country. The Nicaraguan people have not had the opportunity to participate in a genuinely free election for over fifty years. We support your decision to schedule elections this year, to reduce press censorship, and to allow greater freedom of assembly for political parties. Finally, we recognize that you have taken these steps in the midst of ongoing military hostilities on the borders of Nicaragua.

We write with the hope that the initial steps you have taken will be followed by others designed to guarantee a fully open and democratic electoral process. We note that some who have become exiles from Nicaragua have expressed a willingness to return to participate in the elections, if assurances are provided that their security will be protected, and their political rights recognized. Among these exiles are some who have taken up arms against your government, and who have stated their willingness to lay down those arms to participate in a truly democratic process.

If this were to occur, the prospects for peace and stability throughout Central America would be dramatically enhanced. Those responsible for supporting violence against your government, and for obstructing serious negotiations for broad political participation in El Salvador would have far greater difficulty winning support for their policies than they do today.

We believe that you have it in your power to establish an example for Central America that can be of enormous historical importance. For this to occur, you have only to lend real force and meaning to concepts your leadership has already endorsed concerning the rules by which political parties may compete openly and equitably for political power.

A decision on your part to provide these reasonable assurances and conduct truly free and open elections would significantly improve the prospect of better relations between our two countries and significantly strengthen the hands of those in our country who desire better relations based upon true equality, self-determination and mutual good will.

We re-affirm to you our continuing respect and friendship for the Nicaraguan people, and pledge our willingness to discuss these or other matters of concern with you or officials of your government at any time.

Very sincerely yours,
Jim Wright, Michael Barnes, Bill Alexander, Matthew F. McHugh, Robert G. Torricelli, Edward P. Boland, Stephen J. Solarz, David R. Obey, Robert Garcia, Lee H. Hamilton.●

YULI EDELSHTEIN IS RELEASED FROM PRISON

● Mr. LAUTENBERG. Mr. President, it is with great joy that I rise to share good news from the Soviet Union about my "adopted" refusenik, Yuli Edelshtein. I recently learned that Yuli has been released from the Novosibirsk prison, and that he has received permission to live with his wife and daughter in Moscow.

Yuli Edelshtein is a man of rare courage and determination. Several years ago, Yuli was denied permission to emigrate from the Soviet Union because of his father's alleged access to state secrets, despite the fact that Yuli had not seen his father in 20 years. After his application was refused, the KGB began to harass him, and he was eventually forced to leave his job as an English teacher. But Yuli was not discouraged, and he refused to let the Soviet authorities put a barrier between him and his religion. Fueled by a passion for Judaism and a longing to live in Israel, Yuli became an observant Jew and learned to teach Hebrew.

Because of his unyielding determination, the Soviets sought to crush Yuli. To put an end to Yuli's activities, the Soviets convicted him on trumped-up charges of "drug possession," and sentenced him to 3 years at a harsh labor camp.

In prison, Yuli's health deteriorated because serious injuries he sustained while performing hard labor were not properly treated. When Yuli broke his thigh and ruptured his urethra last year, his wife, Tatiyana, pleaded with Soviet officials to release her husband from prison. She begged them to release Yuli from prison and transfer him to a Moscow hospital where the operations needed to prevent his permanent disability could be performed. But her pleas fell on deaf ears, and Yuli continued to languish in a Soviet prison hospital.

When I learned of my "adopted" refusenik's medical condition last year, I wrote a letter to General Secretary Gorbachev signed by a number of my colleagues urging him to release Yuli from prison early so he could receive medical attention in Moscow. But the Soviets would not budge. They refused to release Yuli from prison, and his condition continued to deteriorate.

By March, Yuli's condition was so bad that many believed he was in danger of losing his life. His broken thigh and ruptured urethra were a continual source of pain. He had experienced renal failure, an infection of the urethra, and had developed a strep infection on his skin. Again I felt it necessary to intervene on Yuli's behalf and to pressure the Soviets for his early release from prison. I feared that Yuli's release could not be delayed much longer without risking his life. That time had almost run out. So I drafted another letter to General Secretary Gorbachev, which 29 of my colleagues signed, pleading Yuli's case.

Mr. President, it was with great relief that I received the news about Yuli's release from prison. Fortunately Yuli's medical condition appears to have stabilized. But we have not received any information about the long-term effect of his injuries. And still, we do not know if he will suffer permanent damage because he was denied for so long necessary medical treatment.

The Soviet's decision to release Yuli was long overdue. Although this decision was certainly a step in the right direction, it is not enough. Now, the Soviets must give Yuli and his family permission to emigrate from the Soviet Union. Yuli has suffered in the Soviet Union long enough. His greatest desire is to live in Israel, where he will be able to freely and openly practice his faith. He deserves no less.

I will continue to press the Soviets at every opportunity until they grant Yuli and his family permission to emigrate. I hope my colleagues will do the same.●

TRIBUTE TO REGINALD SMITH CALIFORNIA NEWSPAPERMAN

● Mr. WILSON. Mr. President, I was saddened to learn this week of the recent passing of a young constituent of mine, a talented reporter, Mr. Reginald Smith. I first met Reggie at the outset of his career, when he joined the staff of the San Diego Tribune during my service as mayor of that city. He was on the Pulitzer Prize winning team that covered one of the saddest moments in the city's history, the PSA crash in 1978.

Apart from his talent and dedication, Reggie was an affable man, well liked both by his colleagues in the newsroom and by those of us whose service in public office he chronicled, such as Mayor Tom Bradley and Mayor Dianne Feinstein.

While his time with us was short, Reggie's work was lauded by his peers and his good nature was loved by his friends and family. He will be missed.

I would like at this point to insert in the RECORD the San Francisco Chronicle's obituary of Reginald Smith.

The obituary follows:

REGINALD SMITH—FORMER CHRONICLE CITY HALL REPORTER

Reginald Smith, a former City Hall reporter for The Chronicle, died yesterday at Cedars Sinai Medical Center in Los Angeles. He was 31.

Mr. Smith, who had been working as a reporter at the Los Angeles Times, entered Cedars Sinai on May 3 for a lung biopsy. Family members said Mr. Smith died of lung cancer.

"There were a lot of people who respected Reggie and felt he was a rising star in the field," said San Francisco Mayor Dianne Feinstein, whom Mr. Smith covered regularly from 1983 to 1986. "To have that star snuffed out at such an early age is a tragedy."

Born and reared in Los Angeles, Mr. Smith worked as a copyboy for the Los Angeles Times when he was 16 and was editor of his high school newspaper.

He attended West Los Angeles Junior College and graduated from San Diego State University in 1977, majoring in journalism and editing campus newspapers at both schools.

Mr. Smith went to work at the San Diego Tribune, where he was part of a team that won a Pulitzer Prize for deadline reporting on the 1978 crash of a jetliner on a San Diego neighborhood.

He moved to San Francisco to work as a City Hall reporter for The Chronicle in February 1983. During his three years at The Chronicle, Mr. Smith was proudest of his coverage of Jesse Jackson's 1984 presidential campaign.

In 1985, Mr. Smith won the San Francisco Press Club's Christopher Award, its highest honor, for a story that was part of series of articles exposing the waste and ineptitude in the Housing Authority.

He returned to the Los Angeles area last August to work in the San Fernando Valley bureau of the Los Angeles Times, where he covered Simi Valley and worked as a general assignment reporter.

He is survived by his parents, Rachel and Elliott; two sisters, Carol DeMorst and Jackie Winston; a brother, Elliott Jr., and John Maguire, his longtime companion. All the survivors live in Los Angeles.

Donations may be made to Cedars Sinai Medical Center, 8700 Beverly Boulevard, Los Angeles 90048-0939. Funeral arrangements are pending.●

S. 727—REGARDING NATIVE AMERICAN PEOPLE

● Mr. ADAMS. Mr. President, I rise in support of this legislation. This bill addresses a failure by the U.S. Government to honor its treaty obligations to the native American people. This breach of faith is of particular concern to me because the injured parties are from my State, members of the Lummi Tribe who live and fish in the Northwest corner of Washington.

In 1982, the IRS initiated action against members of this tribe for taxes allegedly owed on the value of fish caught in the exercise of treaty-protected fishing rights. About 60 tribal members were subject to these assessments, which total close to $1 million including back taxes and penalties.

These actions represent a major threat to the economic health of the Lummi Tribe. Fishing is the lifeblood of a struggling tribal economy. Individual fishermen rarely make as much as $10,000 a year. Some fishermen face potential tax liabilities several times the value of their annual incomes. There is the very real possibility that the IRS might seize people's boats and homes, and leave them destitute. The total benefit flowing to the U.S. Treasury from this potential heartbreak is estimated at $70,000 a year.

This IRS action is contrary to well-established legal principles governing the relationship between the Federal Government and Indian tribes. This bill does what the executive branch has failed to do so far. It declares that the IRS action is inconsistent with the Federal trust responsibility, and ensures that such actions will not occur again.

The bill says that any treaty, Executive order, or statute under which a tribe is recognized shall be construed to prohibit imposition of Federal, State, or local income tax on income derived from the exercise of rights to fish secured by such treaty, Executive order, or statute.

In 1855, the Point Elliot Treaty guaranteed to the Lummi Tribe the perpetual right to fish in their usual and accustomed places. This right has been confirmed many times by Federal courts.

It is a basic canon of the law of interpretation of native American treaties that treaties be interpreted to mean what the tribes thought they meant when they signed them. This means that the tribal leaders who signed the Port Elliot treaties are generally thought to have understood they would be able to continue fishing and trading without, in any way, having to turn over to the Federal Government a portion of their catch.

Imposition of Federal income tax on exercise of these treaty fishing rights is the equivalent of stopping tribal fishermen when they return to shore, and forcibly removing fish from their boats. As such, it represents a breach of Federal obligations under the treaty.

Furthermore, it is illogical to assert, as the IRS has in the past, that this income is taxable because the treaty in question does not specifically exempt this income from Federal income tax. Given that the treaty in question was signed nearly a half-century before a Federal income tax existed, this argument is not a sufficient basis for breaching the treaty.

It is also important to understand that Indian fishing income is protected from taxation only when exercised in accordance with a treaty, Executive order, or statute. Income derived from fishing outside of a tribe's usual and accustomed fishing grounds is, and always has been, subject to taxation.

In general, the overall response of the Federal Government to this situation has been very disappointing. In 1983 and 1985, the Department of Interior formally asserted that the IRS action was an attack on treaty law, and inconsistent with President Reagan's 1983 policy statement reaffirming the Government's intent to conduct a government-to-government relationship with Indian tribes. The Justice Department, however, chose to side with the IRS. The result is that tribal fishermen are forced to seek private representation in court because the Justice Department cannot represent both the Department of Interior and the Department of Treasury.

Mr. President, this bill represents a message by Congress to both the executive branch and native American peoples. The message is that the Federal trust responsibility is alive and well; and in satisfaction of those duties Congress intends to ensure that the Government keeps its word as solemnly sworn in treaty negotiations with a fellow sovereign entity so many years ago. I urge my colleagues to help us keep our word by passing this legislation.●

IN RECOGNITION OF DURWOOD AIRHART

● Mr. BOSCHWITZ. Mr. President, I would like to take this opportunity to help draw special attention to the fact that President Reagan has declared this week as Small Business Week, 1987.

As a businessman myself, I can appreciate the time, determination, and commitment it takes to start a small business and stick with it. The accomplishments of our Nation's entrepreneurs not only strengthen our Nation's economy, but provide inspiration to other entrepreneurs to undertake new ventures.

Because of their initiative and innovation, small business men and women strengthen the fiber of this Nation's landscape by providing much needed jobs around which our cities and towns can grow.

Just as importantly, I would like to make a special point of recognizing a constituent of mine from Litchfield, MN, Durwood Airhart, who has recently been recognized for his accomplishments as a small businessman by being named among the State Small Business Persons of the Year. Durwood is the CEO of Litchfield Precision Components, a high technology company specializing in chemical milling, laser welding and machining, and the production of glass optical components and flexible circuitry.

Along with three other employees, Durwood started his company in 1975. By 1986 the company had sales of $8 million and 220 employees. Even after a fire destroyed his company's plant, Durwood Airhart stuck with the city of Litchfield and within 10 months had a new plant operating and the prospects of increasing the payroll to 500 employees.

It is with great pride, as a businessman and Minnesotan, that I ask my colleagues to join with me in saluting Durwood Airhart and the rest of America's small business men and women.●

INDIAN TREATY FISHING RIGHTS

● Mr. BRADLEY. Mr. President, I am pleased to see that the full Senate is considering this legislation to clarify Indian treaty fishing rights.

Last year, I became involved with this issue when the plight of the Lummi Tribe came to my attention. The Lummi were rightfully upset when the IRS determined that fishing income would be taxable unless the treaty contained language specifically conferring income tax exemption.

This struck me as strange logic to apply to treaties that were negotiated as long ago as the 1850's—over six decades before the Federal income tax was even adopted. I am sure that had the Indian treaty negotiators known of the future existence of the IRS, they would have been more accommodating at the time.

Last spring, 33 U.S. Senators joined me in signing a letter telling the IRS and the Justice Department that the Indian claims are of substantial merit. These Senators were Republicans, Democrats, easterners and westerners. It was a broad-based group. It was my hope that the Justice Department might have listened to reason and logic of the Indian position. They didn't. This legislation is designed to settle the issue once and for all.

As the 99th Congress drew to a close, I offered an amendment to the debt ceiling bill. Senator Evans joined me in that efort, and the amendment was adopted unanimously. Unfortunately, the House refused to act on any amendment to the bill, and these efforts were stalled.

We will not be stopped this Congress. Today, the full Senate has a chance to signal its strong approval of this effort once again.

The Department of Interior estimates that the tax revenue is small, roughly $70,000 per year. What is at stake, however, is much more substantial. The U.S. policy of respect and support for treaties with American Indian tribes is an international display of our Nation's commitment to justice and human rights. American Indian treaties should not be subject to further erosion through unilateral reversals of long established principles.

Mr. President, I urge my colleagues to approve this legislation.●

THE NEW G.I. BILL

● Mr. D'AMATO. Mr. President, on Friday, May 8, 1987, the Senate demonstrated its commitment to the education of this Nation's future veterans by passing the new GI Bill Continuation Act. I was pleased to join with 60 of my colleagues in cosponsoring this measure, which extends and makes permanent the educational assistance programs of the new GI bill for members of the All-Volunteer Force and the Selected Reserve.

The new GI bill provides basic educational assistance benefits to service members in return for the completion of a 3-year period of active duty. Typically, the service member receives $300 a month for 36 months, or a total of $10,800 in educational benefits. As a partial contribution to the cost of this benefit, the service member's pay is reduced by $100 per month during the first year of enlistment.

As with past GI bills, the new GI bill has played an important role in providing vocational readjustment for service members upon their return to civilian life. In many cases, the new GI bill has provided the benefits of higher education to those who might not otherwise have been able to afford it.

In addition to providing benefits to individual veterans, the new GI bill yields dividends to our society as a whole. By attracting the highest quality recruits to our military services, the new GI bill enhances the strength of our Nation's All-Volunteer Force. Moreover, the new GI bill bolsters our Nation's economic competitiveness by contributing to a more highly-trained and productive work force. It is estimated that for every dollar spent in GI bill benefits, the Nation is returned $3 to $6 dollars in increased tax revenues.

The young men and women who volunteer from the Armed Forces deserve our thanks and recognition in a way that makes a difference in their lives, as they have more a difference in all of ours. I am pleased that the Senate has taken this important step.●

SOVIET REFUSENIKS

● Mr. SIMON. Mr. President, the Soviet Union has stated that it is implementing reforms and has indicated a desire to improve relations with our country. Although recent changes in Soviet policy have not been major, there have been visible improvements in the past few weeks. Last year just over 900 people were allowed to emigrate. This year, in April alone, 717 Jews were released. I sincerely hope that this upward trend continues.

We must not be fooled by figures, however. Emigration levels will not be high enough until every single individual who wishes to leave the Soviet Union is permitted to do so. Over 300,000 Jewish citizens are waiting for permission to emigrate. Among these refuseniks is Naum Meiman. Naum is in his seventies, and he recently lost his dear wife Inna.

I urge the Soviet Government to grant Naum Meiman and all other refuseniks permission to emigrate.●

REMOTEC: SMALL BUSINESS SUBCONTRACTOR OF THE YEAR FOR SOUTHEASTERN STATES

● Mr. SASSER. Mr. President, as we celebrate Small Business Week, I would like to bring to the attention of my colleagues the achievements of a rather remarkable firm located in Oak Ridge, TN. This company, Remotec, has been selected the outstanding small business subcontractor for the Southeastern State. Remotec and its president and technical director, John White, are to be congratulated on this achievement.

This award comes in recognition of the progress made by Remotec in the field of robotics. But, I believe the award also recognizes the great strides Remotec has made since its inception.

Remotec was originally established to provide a unique service. Prior to the company's creation there was little to no market for companies which provide services for remote mechanical handling equipment of nuclear materials and other dangerous chemicals. Formed in 1980, Remotec had annual sales that year of some $300,000. By 1986, the company's annual sales were up to $2.5 million. The firm anticipates 1987 sales to jump to $3.5 million. And it is worth noting, Mr. President, that Remotec has reinvested $700,000 of these sales back into internal product development.

It's this kind of devotion to developing high-technology products that are on the cutting edge which distinguish Remotec from many other firms. And I might add, that it is exactly this type of commitment to staying on top of technological developments that we need to see more of.

The particular efforts of Remotec which warranted this particular award center on the firm's development of a survey and inspection robot which is used for inspections in hazardous areas of nuclear plants. This new technology has already been tested at the Brown's Ferry nuclear plant operated by the Tennessee Valley Authority.

I would add that funding for this new technology came in part through the Small Business Innovation and Research Program. My colleagues will recall that this program is designed to stimulate greater small business innovations and technological developments. Companies such as Remotec provide clear evidence that the SBIR Program is doing just that.

Mr. President, I commend John White and the staff at Remotec for this accomplishment. He and his employees can be proud of their achievements. I look forward to great things to come from Remotec in the years ahead and again congratulate the Small Business Subcontractor of the Year for the Southeastern States, Remotec.●

ORLANDO BALDONADO, TENNESSEE SMALL BUSINESS PERSON OF THE YEAR

● Mr. SASSER. Mr. President, I rise to pay tribute today to Orlando Baldonado, Tennessee's Small Business Person of the Year. Mr. Baldonado is the president of EC Corp. located in Oak Ridge, TN. His story of success is a moving one which will serve as inspiration to small business persons not only in Tennessee, but literally around the world.

Mr. Baldonado was born in the Philippines. He was raised on a farm in that island nation. He came to the United States and became an American citizen in 1973. He studied here and earned a Ph.D. in engineering and applied physics at the University of California in Los Angles.

In 1980, Mr. Baldonado started EC Corp. in 1980. What he has done with this company stands as a vivid testimonial of the vitality of America's small business community. When EC Corp. opened its doors, it employed two persons. Through careful management and development by Mr. Baldonado, EC Corp. has grown by leaps and bounds.

By the end of 1986, Mr. Baldonado had some 470 employees at EC Corp. Further evidence of the phenomenal growth of this company can be seen in its expanding base of operations. EC Corp. has offices in six States, the Philippines and the Marshall Islands. And if more were needed to establish the meteoric rise of EC Corp., we need only look at sales. Sales have grown 10,000 percent in the last 7 years to $16 million. That is an incredible record, Mr. President.

The success of EC Corp. does not end with this extraordinary business track record. EC Corp. is a family-run business which rewards its workers. Several members of Mr. Baldonado's family work at EC Corp. And his workers stay with him. Employee turnover is a remarkable 4 percent. This extremely low rate is attributable to several factors; fringe benefits, job flexibility and internal advancement.

Mr. President, I would also like to point out that Mr. Baldonado is very active in community affairs. And I speak from direct experience on this point. A few years ago, I chaired field hearings of the Senate Small Business Committee in Tennessee. We were exploring small business participation in Federal procurement efforts. Mr. Baldonado agreed to appear as a witness at that field hearing and provided us with key insights into this very important issue.

The work product of those field hearings, combined with other hearing efforts led to major procurement legislation. We owe individuals such as Mr. Baldonado a great debt for their contributions to this legislative effort.

Mr. President, Orlando Baldonado has experienced great success in a number of areas. I look forward to an even brighter future for him and EC Corp. I again congratulate him on his selection as Tennessee's Small Business Person of the Year.●

BUDGET SCOREKEEPING REPORT

● Mr. CHILES. Mr. President, I hereby submit to the Senate the budget scorekeeping report for this week, prepared by the Congressional Budget Office in response to section 308(B) of the Congressional Budget Act of 1974, as amended. This report was prepared consistent with standard scorekeeping conventions. This report also serves as the scorekeeping report for the purposes of section 311 of the Budget Act.

This report also shows that current level spending is under the budget resolution by $3.9 billion in budget authority, but over in outlays by $13.3 billion.

The report follows:

U.S. Congress,
Congressional Budget Office,
Washington, DC, May 11, 1987.

Hon. Lawton Chiles,
Chairman, Committee on the Budget, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: The attached report shows the effects of Congressional action on the budget for fiscal year 1987. The estimated totals of budget authority outlays, and revenues are compared to the appropriate or recommended levels contained in the most recent budget resolution, Senate Concurrent Resolution 120. This report meets the requirements for Senate scorekeeping of

Section 5 of Senate Concurrent Resolution 32 and is current through May 8, 1987. The report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended. At your request this report incorporates the CBO economic and technical estimating assumptions issued on January 2, 1987.

No changes have occurred since the last report.

With best wishes,

Sincerely,

EDWARD M. GRAMLICH,
Acting Director.

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 100th CONGRESS, 1st SESSION AS OF MAY 8, 1987

[Fiscal Year—in billions of dollars]

	Current level[1]	Budget resolution S. Con. Res. 120	Current level +/− resolution
Budget authority	1,089.5	1,093.4	−3.9
Outlays	1,008.3	995.0	13.3
Revenues	833.9	852.4	−18.5
Debt subject to limit	2,258.3	[2] 2,322.8	−64.5
Direct loan obligations	42.5	34.6	8.0
Guaranteed loan commitments	140.5	100.8	39.8

[1] The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has enacted in this or previous sessions or sent to the President for his approval. In addition, estimates are included of the direct spending effects for all entitlement or other programs requiring annual appropriations under current law even though the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

[2] The current statutory debt limit is $2,300 billion (Public Law 99–509).

FISCAL YEAR 1987 SUPPORTING DETAIL FOR CBO WEEKLY SCOREKEEPING REPORT U.S. SENATE, 100TH CONGRESS, 1ST SESSION AS OF MAY 8, 1987

[In millions of dollars]

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			833,855
Permanent appropriations and trust funds	720,451	638,771	
Other appropriations	542,890	554,239	
Offsetting receipts	−185,071	−185,071	
Total enacted in previous sessions	1,078,269	1,007,938	833,855
II. Enacted this session:			
Water Quality Act of 1987 (Public Law 100–4)	−4	−4	
Emergency Supplemental for the Homeless (Public Law 100–6)	−7	−1	
Surface Transportation and Relocation Act (Public Law 100–17)	10,466	−80	2
Technical Corrections to FERS Act (Public Law 100–20)	1	1	
Total enacted this session	10,456	−84	2
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses:			
V. Entitlement authority and other mandatory items requiring further appropriation action:			
Special milk	6	3	
Veterans compensation	173		
Readjustment benefits	9		
Federal unemployment benefits and allowances	33	33	
Advances to the unemployment trust funds[2]	(3)	(3)	
Payments to health care trust funds[2]	(224)	(224)	
Family social services	110		
Medical facilities guarantee and loan fund	5	4	
Payment to civil service retirement and disability fund[2]	(33)	(33)	
Coast Guard retired pay	3	3	
Civilian agency pay raises	358	373	
Replenishment of disaster relief funds[1]	57	50	
Total entitlements	754	467	
Total current level as of May 8, 1987	1,089,479	1,008,321	833,857
1987 budget resolutions (S. Con. Res. 120)	1,093,350	995,000	852,400
Amount remaining:			
Over budget resolution		13,321	
Under budget resolution	3,871		18,543

[1] Included at request of Senate Budget Committee.

[2] Interfund transactions do not add to budget totals.

Note.—Numbers may not add due to rounding.●

OLDER AMERICANS MONTH

● **Mr. CHILES.** Mr. President, earlier this body passed my resolution designating May as Older Americans Month. It is during this month that we honor and recognize the continuing contributions and accomplishments of our senior citizens. All too often, we are guilty of concentrating our comments on the problems of senior citizens. In doing this, we sometimes tend to present them as dependent individuals incapable of leading productive and creative lives. While we need to remain cognizant of the hardships many older Americans face in such areas as health care, economic security, housing and social services, it is important to realize that, despite problems in these areas, over 85 percent of all senior citizens continue to lead both independent and productive lives.

I can think of no better way to illustrate this point than by announcing the 1987 electees to the Dr. Nan S. Hutchison Broward Senior Hall of Fame. These exceptional seniors where selected by a committee of community advocates, and are being honored this morning at a commemorative breakfast in Sunrise, FL. Even a brief outline of the accomplishments of these individuals goes far in dispelling the myth of the dependent senior.

Etta Carey, age 79 from Mirimar, has been described as a "constant bundle of benevolence." As a volunteer at the Hepburn Center in Hallandale, along with her regular visits to senior nursing homes, rehabilitation centers and homes to give care and encouragement to seniors, she has accumulated over 17,000 hours of volunteer time serving meals to needy seniors.

As the former mayor of Tamarac, Walter Falck, age 73, has been involved in numerous organizations to benefit his community. He has served on the Areawide Council on Aging for the past 6 years, where he has helped develop many programs for the county's seniors. Walter's vitality and continued participation is the reason why residents of Tamarac consider him a living example that age is not a barrier to activity.

The community of Sunrise can certainly be thankful for having a resident such as Lillian Kirschenberg. At age 62 Lillian has been responsible for raising over $100,000 through her creation of a theatrical group comprised of seniors aged 55 to 80. The money she has raised helped fund over 30 charitable organizations, as well as such services as MediVan, a medical transport which has saved many lives. Lillian's hard work, dedication, talent, and love have certainly earned her a place in this hall of fame.

Marie Maxson, age 69, from Fort Lauderdale, is another worthy entrant. Her own experiences with cancer led her to develop "Reach to Recovery," a support group which offers love, support and caring for breast cancer patients in Broward County. To date, the group has offered this invaluable service to over 650 people, a total which exceeds all other Reach programs throughout the country. Her love and caring has touched countless lives.

Although she is described as a quiet woman, Fannie Meyer, age 78, from Lauderdale Lakes, has been anything but quiet in her approach to helping the needy and the elderly in Broward County. She serves as first vice-president of the Florida Medical Center Auxiliary, an organization which aids patients and their families. Furthermore, she fills her "spare time" by providing services and transportation for homebound and needy neighbors, and giving reassurance to lonely elders over the telephone.

When her husband was struck with Alzheimer's disease, Molly Pollack, age 73, from Deerfield Beach, became a major force in bringing the attention of residents of Broward County to the devastating effects this disease can have on both the victim and the family. She was the motivating force behind the formation of the Northeast Focal Point Senior Center's Alzheimer Task Force Committee, which I am pleased to say has raised over $90,000 to run a daily Alzheimer Day Care Program at the facility. Broward County residents are privileged to count her as a fellow resident.

Also heavily involved in the care of Alzheimer's victims is William Resnick, age 66, from Deerfield Beach. As leader of the Alzheimer's Task Force Committee, he has coordinated more than 14 fundraising events, raising over $87,000. His full-time dedication over the past year has made the Northeast Alzheimer Day Care Center a reality. His love and concern have made the suffering of many Alzheimer's victims much more bearable.

A glance at the accomplishments and busy schedule of Grace Robinson, age 65, of Lauderdale Lakes, is enough to exhaust the youngest of us. A long time resident of Broward County, Grace is extensively involved in numerous political and community organizations. She has served on the Broward County Democratic Executive Committee, the Northwest Federated Woman's Club Satellite Center, the Florida Consumer Federation Coalition on Voter Registration Drives, and the National Association for the Advancement of Colored People. Her active involvement in such organizations has been of great benefit to her entire community.

Hildegarde Schwartz, age 73, from Fort Lauderdale, is a highly respected and valued participant in a variety of volunteer programs. For 10 years she has served as a member of the board of directors of the Women's League of Voters, and she has also served on the League's State Board. Among her most unique accomplishments was her tenure on the Women's Advisory Board appointed by the sheriff to improve conditions at the Women's Detention Center, where she conducted group counseling with the inmates. Her love and hope have brightened the lives of many, many people.

Joseph Typner, Sr., age 70, from Miramar, has demonstrated a capability to be involved in a good number of simultaneous activities benefiting senior citizens. Joe currently serves on the Advisory Council for the Area Agency on Aging and is assistant State director for the American Association of Retired Persons [AARP]. Among his past activities, he has volunteered at the Jewish Family Services to handle Medicare Information Services, and has served as chairman of the International Year of the Handicapped Committee. The wide variety of his volunteer activities is greatly appreciated by his contemporaries.

These older Americans have proven and are continuing to prove that productivity, creativity, and vitality are not just products of one's youth. I know that all of my colleagues join me in offering heartiest congratulations to each and every one of these outstanding citizens.●

CONGRATULATIONS TO CHILLICOTHE'S SALVATION ARMY IN ITS FIRST 100 YEARS

● Mr. BOND. Mr. President, this year marks the 100th anniversary of the Chillicothe Salvation Army in Chillicothe, MO. It is my pleasure to have this opportunity to add my congratulations to those of the families, friends, and members of this outstanding organization. Since the foundation of this branch in Chillicothe a century ago by Captain Bennett, the Salvation Army has exemplified the accomplishments which can be achieved through hard work and commitment.

The entire community of Chillicothe has benefited immeasurably from the efforts of the soldiers, or members, of the Salvation Army. Only two of these soldiers are paid employees. The rest—over 75 members—are volunteers who donate their time and energy. The American spirit of voluntarism is one of our most precious national resources. This kind of organization is crucial to the continued strength of our country. I salute them for furthering the spirit of altruism and true charity.

This organization has long been held up as a model combination of hard work and vision. Work done on behalf of those in need contributes to the well-being of all our citizens as the positive impact of action ripples throughout the community. One of the most vital services which the Salvation Army offers is the provision of food to the hungry. Church services are conducted each Sunday. Their dedicated work is pledged to the goal of improving the lives of others.

The Chillicothe Salvation Army can be proud of its achievements of 100 years of service in Livingston County in Missouri, and we as Americans share in that pride.

As its members stand poised to enter the new century and new years of service, we wish them continued success and growth. I am proud to commemorate the 100th anniversary of the Chillicothe Salvation Army and to pay tribute to the admirable contribution which its members have made to their community.●

S. 79, THE HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION ACT OF 1987—A PROGRESS REPORT

● Mr. QUAYLE. Mr. President, I would like to take this opportunity to provide my colleagues with a progress report on S. 79, the High Risk Occupational Disease Notification Act of 1987. This bill was introduced by the chairman of the Labor Subcommittee, Senator METZENBAUM, on January 6. After two hearings and two markup sessions, S. 79 was reported out of the Labor Subcommittee on April 28.

This legislation is designed to establish a process for the notification of workers who are considered to be at risk of contracting a disease as a result of their exposure to a hazardous substance or physical agent.

As originally introduced, I felt that the original bill was seriously flawed in many respects. In particular, I faulted S. 79 because of its inadequate scientific and medical basis for notification and its enormous liability potential. I also had very serious concerns about the procedural safeguards in the bill and its job discrimination and medical retention provisions. Finally, I have had a number of significant questions about many of the practical aspects of implementing this legislation.

While I believe much progress has been made in addressing these specific concerns, they have not yet been completely resolved.

I have devoted a great deal of time and energy to this legislation. It is an extremely complex and technical subject. Therefore, I think it would be useful for my colleagues and their staffs to have very detailed information about it so they may gain a realistic understanding of this legislation. That is the purpose of this report. Unfortunately, due to the complexity of the subject, it is virtually impossible to provide this information in abbreviated form.

This report will specifically discuss the following:

I. Background Information re: The History of Occupational Disease Notification;

II. Analysis of S. 79 as Introduced;

III. Revised Version of S. 79;

IV. Improvements Still Needed.

First, let me emphasize that I believe S. 79 establishes a very important principle—that when the Federal Government has knowledge that is relevant to the health of an individual, it is the Government's moral obligation to provide the individual with this information.

However, if the Congress decides to pass notification legislation—which I think it will—it is incumbent upon the Congress to be responsible about where, when, and how to notify people that they are at risk of contracting a disease. We should not enact legislation that will, in essence, put the Federal Government in the position of yelling "fire" in a crowded theater.

I. BACKGROUND INFORMATION RE: THE HISTORY OF OCCUPATIONAL DISEASE NOTIFICATION LEGISLATION

The issue of worker notification arose about a decade ago in the context of a controversy over whether the National Institute for Occupational Safety and Health [NIOSH] ought to provide individual notification to workers found, through its retrospective cohort mortality studies,[1] to be at increased risk of disease as a result of their exposure to an occupational hazard.

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[1] Retrospective cohort mortality studies are epidemiological record studies which involve a review and linkage of various personnel, tax and Social Security records with mortality and medical records. Essentially, these are statistical epidemiologic studies in which all available data on the research topic is analyzed.

Information is then developed about the trends and potential risk factors for groups of workers. This information is of particular interest to the individuals studied when they face an increased risk of disease, particularly when the disease has an extended latency period and would benefit from early detection and treatment.

These studies rarely involve direct contact with the individuals studies nor any knowledge on their part that they are the subjects of the study. While research results of such studies are frequently published and made available to unions and employers, it has not been the general practice of epidemiologists to notify the subjects of the studies' results.

Discussion concerning notification and under what conditions and circumstances it should be done has raised a series of very complex and technical scientific, medical, ethical and legal questions. These questions can be summarized as follows:

The scientific basis for the determination of risk for study subjects;

The scientific validity of extrapolation of risk data beyond the population of studied subjects;

Whether notification should only take place when successful medical intervention is considered feasible;

Who should make the decision to notify and how the decision to notify or not to notify should be made;

Who should be responsible for the notification;

What the appropriate form of the notification is, that is whether it should be made to the employer, the individual worker, the public at large;

What the appropriate content of the notice is, that is what medical information should the notice include;

Who should be obligated for the cost of the medical monitoring of notified workers;

Whether a disease notification program should affect liability and workers compensation issues; and

Whether job discrimination and retention issues should be addressed in a disease notification program.

I believe that these questions are legitimate, but they are questions for which there are no easy and simplistic answers. Legislation on this subject must carefully consider and address these questions.

II. ANALYSIS OF S. 79 AS INTRODUCED

Despite my agreement with the basic principle of S. 79, I found the bill, as originally introduced, to be very seriously flawed. In particular, I faulted S. 79 for its inadequate medical and scientific basis for notification, its virtually unprecedented liability potential and its enormous technical and implementation problems.

To be more specific about my concerns with the original version of S. 79:

INADEQUATE MEDICAL AND SCIENTIFIC BASIS

The bill creates a new entity within the Department of Health and Human Services [HHS] called the Risk Assessment Board. The Board, to be composed of five Public Health Service employees appointed by the Secretary of HHS, is charged with identifying and designating populations of present and former workers who are at increased risk of disease because of occupational exposures.

A "population at risk" is defined as an employee population exposed to an "occupational health hazard," which in turn is broadly defined as just about any hazard found in the workplace for which a single scientific study shows that acute or chronic health effects may occur in employees exposed for "intensities or for durations" comparable to the one study.

My specific concern is that S. 79 requires notification by the Risk Assessment Board that could be based on scientific evidence which may not be valid and which may not establish any real link between a particular substance and the occurrence of a disease in humans.

For example, under the criteria specified in the bill, a human population at risk could be designated by the Board on the basis of a single animal or single laboratory study. If the animal or laboratory study showed that a substance may cause acute or chronic health effects in humans who also have been exposed to the substance at intensities or for durations comparable to those in the study, then the Board could determine that notice should be given. In other words, laboratory rats could be directly equated to humans for purposes of triggering a notification.

There is no requirement in the bill that risk determinations be based on human studies. Neither is there a requirement that the population at risk be limited only to those persons who are exposed for intensities and durations of exposure that clearly establish a human risk. There is also no requirement that potential nonworkplace exposures, that is, cigarette smoking, be examined in determining a population at risk.

Compounding the bill's scientific inadequacies is its requirement that the Risk Assessment Board identify not less than 100,000 employees each year in a population at risk, with the goal of notifying not less than 300,000. Such arbitrary quotas have no scientific basis and are completely unrelated to the results of the Board's risk assessments.

As a practical matter, the pressure to meet such quotas cannot help but force the Board to give something less than careful consideration to all relevant factors in making a risk determination, should reaching the quota be in doubt. Such a quota system could lead a bureaucracy to lean toward the unjustified notification of workers.

LIABILITY POTENTIAL

While S. 79 makes a modest effort to curb the liability any notification bill is bound to generate, it is not sufficient. We need to look at the types of claims such legislation could generate and do our best to make the bill tort-neutral. The following is a review of the types of claims that could be generated by the bill:

1. Tort and workers' compensation claims where an employee would assert that he or she "worries" or suffers "severe emotional upset" because he or she might have an illness or disease. A number of states now permit claims of this type even though there is no showing of physical illness or manifestation of such illness. Workers could claim that they were worried that the "risk" could manifest itself in a serious illness.

2. Tort claims by employees against employers under a newly created exception to the normal workers' compensation "immunity shield". These claims are predicated on the theory that an employer failed to disclose important health information to his employee. Some courts have interpreted worker compensation immunity shield statutes as creating an exception for "intentional" wrong-doing to employees in this type of situation. Attorneys for employees could almost always assert that employers knew of the risk prior to the mandated notification.

3. Tort claims brought on the basis that a named hazard or product caused a specific illness. These claims are likely to arise even when there is no solid scientific connection between a substance or process and a harm. Unfortunately, a growing number of courts are using very attenuated causation principles in product liability cases. Current experience shows that many such cases have been settled for substantial amounts of money even though there is no objective proof that a particular substance or process could actually harm a human being.

MEDICAL REMOVAL PROTECTION

S. 79 requires employers to provide or make available medical testing, monitoring and evaluation to notified employees whether or not they were exposed to the hazard while in their employment. In cases where the employee was exposed to the hazard while in their current job, the employer would have to pay for such services. In other cases, he would either have to provide medical monitoring, testing and evaluation or make these services available to the employee.

If an employee's physician determines that an employee should be transferred to a less hazardous job, the employer must transfer the employee to another job and maintain the earnings, seniority and employment rights and benefits of the job vacated.

If an employee's physician determines that an employee should be transferred to a "less hazardous" or nonexposed job because the employee has received notice, the employer must maintain the employee's earnings, seniority, and other employment rights and benefits as if the employee had not been transferred. This protection is available indefinitely in the case of an actual transfer, and for a minimum of 12 months where another job is available.

Let's put ourselves in the place of the employee's physician. The doctor is in receipt of a Government notice that the employee is at risk from a substance in the workplace, and the employee asks if he or she should be removed to a nonexposed job. The physician has only one answer: "Of course." My guess is that the physician's lawyer would tell him or her to give that answer even if the doctor wasn't inclined to. I think we need a different standard to trigger this removal protection—a standard that will limit it to some objective criterion.

III. REVISED VERSION OF S. 79

Prior to the first subcommittee markup on S. 79, Senator METZENBAUM circulated a substantially revised version of his bill that addressed a number of important problems in the original draft, particularly in the science area. I think the Senator from Ohio made some very significant improvements in the bill, and I certainly commend him for his efforts.

However, these revisions were not sufficient to alleviate all my concerns about the bill, and I am pleased that at the two subsequent Labor Subcommittee markup sessions, a substantial number of additional amendments I offered were accepted.

My amendments to the bill were based on two key principles, which I believe should be the essence of any notification legislation:

First, notification is appropriate and should take place when there is a reasonable scientific and medical basis for it; and

Second, a disease notification program should not serve as the basis for establishing the liability of an employer for an occupational health hazard; nor should it have any bearing on tort or workmans' compensation claims for harm resulting from an occupational health hazard.

To review the contents of my amendments briefly, they would:

Eliminate the 300,000 annual notification quota. To retain this arbitrary provision would undermine the scientific basis on which notification should be based, particularly since the purpose of the bill is only to notify those workers who are truly at risk.

Revise the definition of the term "medical monitoring" to clarify that its purpose is to provide for diagnostic tests and examinations for the disease that is the subject of the notice. I think this change successfully clarifies that it is not the intent of the bill to mandate employer liability for full-scale annual physicals.

Revise the job discrimination provisions that prohibited an employer from discriminating against an applicant for employment because he or she is a member of an at risk population. My amendment provides an exception for an applicant who is a member of a population at risk or who had prior exposure to a hazard to which the applicant would be exposed as an employee. An employer should not be required to put an employee into a situation that will be hazardous to that employee's health. Without this exception, employers would be put into the untenable position of either violating the nondiscrimination provision or exposing the employee to further hazard.

Require that an employer provide the medical removal protections in the bill only if any part of the employees' exposure to the occupational health hazard occurred in the course of their employment by that employer. In addition, an employer would be required to provide medical removal protection only for employees who: receive individual notification under this Act; or who the employer knows or has reason to know are members of the population at risk as determined by the Board.

Revise the provisions relating to the obligations of employers either to pay for or provide medical monitoring. These provisions originally imposed obligations upon an employer for the medical monitoring of exposed employees regardless of whether the exposure occurred during the course of their employment with that employer.

More specifically, my amendment would:

Eliminate the obligation of the employer if none of the exposure occurred in the course of the employee's employment with that employer.

Specify that an employer shall be required to provide monitoring for only those employees: who have been individually notified pursuant to this Act; or who the employer knows or has reason to know are members of a population at risk.

Clarify that, if medical monitoring is a covered benefit under the employer's health plan, the employee may be liable for the deductibles and copayments generally required under that plan.

Provide both the employer and the employee with important due process rights by giving each reasonable opportunities to challenge both incorrect notifications and decisions not to notify. This amendment would enable an employer to challenge the validity of a notification to a specific employee, and also permit the individual employee the opportunity to prove that he or she should have been notified.

Clarify the duties of the Risk Assessment Board as they relate to medical monitoring. S. 79 requires the Board to determine the appropriate "type of beneficial monitoring or health counseling" for the disease associated with the risk. My amendment clarifies that the Board is responsible for determining the appropriate type of medical monitoring, if any, or beneficial health counseling, for the disease in question. I did not think that the phrase "beneficial health monitoring" made sense if we all agree that the sole purpose of medical monitoring is diagnostic.

Require that the notice sent to the employee deemed to be at risk also include information about the extent of that individual's risk compared with that of the population as a whole. I feel this is important information for the notified employee to have in order to permit him or her to better assess his own situation.

Provide that employers who choose to assume the notification responsibilities themselves will be able to have a choice of taking on this task for different populations of their employees. For instance, notifying current workers will probably be a simple task for many employers, but notifying their former workers may be more than they could handle.

Eliminate the goal stated in the bill of certifying one health center in every state. I think we would all agree that these centers should be located where they are the most needed. I found it hard to believe that a state such as Vermont would need health centers as badly as a considerably larger and more industrialized state like New York.

Revise the basis for the selection of certified health centers. S. 79 limited HHS selection of these centers to facilities which are able to provide necessary resources in an "ethical manner." My amendment deleted the use of the term ethical. I do not feel that such a value laden word belongs in statute. In addition, my amendment requires that such centers be located for geographical proximity to designated at risk populations.

Clarify that the provisions requiring Federal agencies conducting epidemiologic studies on occupational disease to notify the subjects of the studies of the study results to not trigger the medical monitoring and employee protection provisions of the bill.

Clarify that the term "current employer" means the employer at the time the notice was issued.

Make a number of important technical and clarifying changes in the bill by: permitting the Risk Assessment Board to extend, for "good cause shown," the time period between issuance of the notice of determination that a population is at risk and the issuance of the final determination; and requiring the Board to consider the extent to which particular populations would benefit from notification.

Make the contents of the proposed notification subject to comment.

Specify that an individual adversely affected or aggrieved by a determination of the Board is entitled to seek judicial review. A person may claim to have been adversely affected or aggrieved by Board determinations that: an agent or process is or is not an occupational health hazard; the class or category of employees is a population at risk of disease; constitute inappropriate medical monitoring or health counseling.

Ensure that the Risk Assessment Board receives the best scientific advice available by authorizing it to appoint a scientific expert or panel of experts in making its determinations of "at risk" populations.

Revise the new research, training and education functions that the bill would assign to the National Institute on Occupational Safety and Health (NIOSH) to make them more appropriate to the Institute's mission and expertise.

IV. IMPROVEMENTS STILL NEEDED

Despite the progress that has been made in improving many aspects of S. 79, I strongly believe further changes in the bill are necessary. While I still have quite a few remaining concerns, the most significant of these relate to: the bill's scientific basis for notification; the bill's provisions granting the Risk Assessment Board complete independence from the Secretary of Health and Human Services; the importance of a tort neutral measure; and the actual workability of the bill.

I strongly urge my colleagues to refrain from cosponsoring the legislation until these very important problems have been resolved.

To elaborate on my outstanding concerns:

SCIENTIFIC BASIS FOR NOTIFICATION

I believe it is critical that more generally accepted scientific principles be incorporated into the notification decisionmaking process by:

First. Revising the definition of an "occupational health hazard."

This definition is based in large part on the OSHA hazard communication standard [HCS]. The HCS was designed as a broad effort to require employers to communicate information concerning all the potential hazards associated with a chemical. This definition also includes the complete universe of chemicals from those that are carcinogens to those that are merely irritants. Although such a standard makes sense for triggering appropriate handling and precautions, it is not appropriate for triggering notification to employees that an actual risk of disease is present.

I think one of the biggest mistakes that has been made in the discussion of this legislation has been the persistent confusion between what constitutes a risk and what constitutes a hazard. To take an example, arsenic is a hazard. People need to know how to handle it so that it doesn't become a risk to them.

It is important that the definition of an "occupational health hazard" be revised to clarify this distinction and to ensure that notification would be triggered only when there is a statistically significant relationship between exposure to the hazard and consequent health effects.

I believe that the definition of an "occupational health hazard," even as revised by the chairman's amendment at the April 28 subcommittee markup makes no sense, and I intend to pursue my amendment in this area.[2]

Second. Tightening the scientific factors upon which determinations of risk are based. The bill consistently requires that the Risk Assessment Board consider a number of factors which may be a causal factor in the etiology of illness or disease in making their determinations to notify. Putting such a speculative, open-ended standard in statute simply cannot be justified on the basis of sound science. These provisions should be modified to ensure that the Board bases its decisions to notify on a less speculative standard.

Third. Incorporating more generally accepted scientific principles into the definition of a "population at risk." S. 79 defines a "population at risk of disease" as employees exposed to an occupational health hazard under working conditions such as "concentrations or durations" of exposure similar to those in studied populations. Again, this would establish a highly speculative standard for notification. This definition needs to be revised to ensure that scientific data are not used inappropriately. As currently drafted, the bill's definition of "population at risk" could result in incorrectly notifying individuals with low exposures, or short durations of exposures, that they are at risk of disease.

LACK OF ACCOUNTABILITY

I believe that the provisions of S. 79 relating to both the decisionmaking process and the decisionmaking authority for determining "populations at risk of disease" are fundamentally at odds with our basic system of Government.

S. 79 gives final decisionmaking authority to the Risk Assessment Board on determinations of "at risk" populations. The Board is located in the Department of Health and Human Services, but is effectively independent of it. The Secretary appoints the Board to fixed terms but has no review or influence over its decisions.

That is bad Government. We elect a President and confirm members of the Cabinet and other high-level officials. This subordinate body has no political accountability and is not answerable to anyone with such responsibility.

Presumably, the argument for the Board's independence is that we want to insulate these scientific decisions from politics. But let us not fool ourselves. Scientific decisions have policy implications; we live in a democracy and not in a technocracy. We need a decisionmaking process that is both scientifically sound and responsive to policy issues. I have proposed—and I intend to continue proposing—revisions to S. 79 that do exactly that.

My revisions retain all the expertise that S. 79 would for the Board—including its method of selection from panels recommended by the National Academy of Sciences—but make the Board's determinations the beginning of a rule-making process of the Secretary of HHS. It restores the element of political accountability that is a fundamental part of our system of Government.

Interestingly enough, there was a similar debate during the enactment of OSHA. At that time, Republicans argued for an independent board, and Democrats supported placing power in the Secretary. But the Republicans argued for a Board that was appointed by the President and confirmed by the Senate. The Board would thus have had an appropriate degree of responsibility. Nobody argued for a technocratic body ensconced in the middle of the bureaucracy with no political accountability whatsoever.

S. 79 provides that a hearing on a proposed determination will be held before the Risk Assessment Board and that its decision is final—subject to judicial review.

My revisions provide that a hearing on a proposed determination will be held in accordance with the formal rule-making procedures of the Administrative Procedures Act, with the Board's proposal and its supporting documentation furnishing part of the record. Thus, these revisions would ensure both scientific responsibility and political accountability.

LIABILITY POTENTIAL

Given the litigious society in which we live, I believe it is unrealistic to think that a disease notification program will not generate an increase in liability claims.

One only has to look at the limited experience with notification to understand the importance of this. In 1979, a pilot notification project NIOSH undertook for bladder cancer because of exposure to the chemical betanapthylamine [BNA] resulted in the notification of 849 individuals and $300 million worth of lawsuits against the companies involved. It is noteworthy that many of these lawsuits were filed by individuals with no evidence of bladder cancer but who did manifest symptoms of other diseases which they now claimed were linked to their exposure to BNA.

While I do not believe that it is possible to prevent this legislation from generating claims under both tort and workers' compensation law, I do believe it is incumbent upon the Congress to ensure that this legislation is tort-neutral.

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[2] The definition of "occupational health hazard" now reads: "a chemical . . . for which there is statistically significant evidence . . . that chronic health effects have occurred in exposed employees." Under my amendment, the definition would read, "for which there is statistically significant evidence *to demonstrate* . . . that chronic health effects have occurred in exposed employees *in connection with such exposure.*" (new language underlined)

Statistics to quote the Encyclopedia Britannica, is the "art and science of gathering, analyzing, and making inferences from data." Statistical significance means no more than that the inference has a certain degree of probability. Under the definition no inference is required. The operative principle is that chronic health hazards have occurred in exposed employees.

But that fact alone has no significance, statistical or otherwise. Webster defines significance as "having or expressing a meaning." The mere fact that 50 cases of a chronic health hazard have occurred in exposed employees has no significance; it expresses a meaning only if the health hazard can be related to the exposure through statistical or other relevant scientific means. Without my amendment, which requires such a relationship, the definition is, in the words of the poet Milton, one of those "empty sentences that have . . . the significance of nothing pertinent."

Let me cite a concrete example to show the difference between the definition with, and without, my amendment. Kenneth R. Foster's article, "The VDT Debate" (74 *American Scientist* pp. 163-168, March-April, 1986) reports on clusters of birth defects occurring in children of mothers exposed to video display terminals (VDTs). Under the definition as proposed by the Chairman, the test would be whether there is statistically significant evidence that the health effect occurred in exposed employees—and there is no question that such effects did occur in the considerable number of instances cited in that article. Accordingly, VDTs would meet the definition of occupational health hazard under the definition without my amendment.

But, as the article also demonstrates, the fact that these clusters exist is no evidence that there is a causal relation between the birth defects and the exposure. The author states that "an epidemiologist would consider the reported clusters to be provocative, but inadequate to *demonstrate any connection between reproductive problems and VDTs.*" (emphasis added) It is that connection which is required by my amendment. While the statistical analysis in the article is complex, it is clear to me that under the definition in the revised version of S. 79, the mere occurrence of a number of cases would meet the definition of a hazard; under my amendment, there would have to be statistically significant evidence connecting the health effect to the exposure. As such a connection is not found in these studies of VDT effects, the adoption of my amendment is critical to a responsible solution.

I think that all Members of Congress are well aware that our legal system is in serious difficulty due to the proliferation of liability claims in recent years. I think we are all very aware of what impact this has had on the ability of businesses to obtain liability insurance and on the cost of that insurance.

Commercial liability premiums alone rose 72 percent in 1984-85. I think it is safe to say that, last year, this was one of the top issues our constituents wrote and talked to us about. I believe most of my colleagues would agree that it would be unsound public policy to pass legislation opening the door to new and unfounded claims on the system. While I certainly commend Senator METZENBAUM's efforts to address this problem, I believe that the language I have proposed will be more effective in making this legislation tort-neutral.

MEDICAL REMOVAL/JOB RETENTION PROVISIONS

While some progress has been made in addressing these issues, considerable revision of these provisions is still necessary.

As I noted earlier, the medical removal provisions need to be revised to establish an objective standard which would trigger a medical removal.

In addition, the job retention provisions are inequitable. Job transfers with benefit and salary retention would be required where a nonexposed job was available. However, where one was not available, the employer would be required to provide the employee with salary and benefits for a 12-month period. Thus, employees who are unable to transfer due to the lack of a suitable job receive income protection for a year, while those who are able to obtain a transferee position receive income protection forever. A more equitable solution needs to be found to address this problem.

IMPACT ON SMALL BUSINESSES

I do not think that the impact of this legislation on our Nation's small businesses has been adequately discussed. I simply do not think it is realistic to expect that small businesses will be able to absorb the employer costs this bill will impose. While I do not believe it would be appropriate to exempt small business employees from notification, I do not think that the Congress can in good conscience require small businesses to provide the costly benefits section 9 of the bill would entail. Therefore, I intend to propose an amendment that would address this issue.

WORKABILITY OF THE BILL

As my staff and Senator METZENBAUM's staff have discussed, the actual mechanics of the bill, its complexities, have become apparent to both sides. One subject that has been under much discussion has been the actual contents of a determination by the Risk Assessment Board that a population is at risk.

The bill provides that a population would be found to be at risk of disease when a class or category of employees had been exposed to an occupational health hazard under working conditions—such as concentrations or durations, or both—comparable to evidence indicating that chronic health effects may occur. I think it is relatively straightforward what a determination would say when very specific information relating to both concentrations and durations of exposure is available.

However, questions arise as to what constitutes comparable working conditions when information about either specific concentration or duration is not available. Will all employees who could have been exposed to a particular substance be notified? Will notification take place on an industry-specific or a plant-specific basis?

In an attempt to resolve these questions, my staff asked the major business groups supporting S. 79, the Chemical Manufacturers' Association [CMA] and the American Electronics Association [AEA], to prepare an example of a determination that might be triggered by an actual occupational health hazard.

I was somewhat surprised that this information was not readily available from these groups. However, I must note that I was really astonished by the reply I received from the American Electronics Association. To quote the AEA's response directly: "Because we are unaware of any exposures in the electronics industry that would trigger a notification, we are unable to provide you with a sample."

Besides the obvious question such a response raises about the value of the support of a group for a bill that regards itself as unaffected by it, I would hope that we will receive more useful replies than this to assist us in formulating such an important part of this legislation.

Another area that I believe requires further thought relates to one of the most fundamental objections to occupational disease risk notification: that recipients will be unduly frightened because notifications will be sent to many individuals who may never contract the disease. This fear is usually voiced by concern that if the risk of disease is 5 per thousand, 995 individuals who will never contract the disease will receive a letter which will cause them great anxiety.

The obvious response to this argument lies in the appropriate composition of the notices. I think it is critical that the notices be appropriately drafted so they will help and not just frighten their recipients. I believe it is important for Members of Congress to have a good idea about the types of notification letters our constituents will be receiving as a result of this legislation.

To resolve these two key concerns, my staff has sent formal requests for sample determinations and notices to the AFL-CIO, the Chemical Manufacturers Association, Crum & Foster Insurance Co., General Electric, IBM, the American Cancer Society, Dr. Philip Landrigan, and Digital Equipment Corp.●

AFGHANISTAN: LETTERS FROM THE STATE OF MONTANA

● Mr. HUMPHREY. Mr. President, last December the brutal Soviet occupation of Afghanistan entered its eighth year. The horrible condition of human rights in Afghanistan was recently described in a U.N. report as: "A situation approaching genocide."

As chairman of the Congressional Task Force on Afghanistan, I have received thousands of letters from Americans across the Nation who are outraged at the senseless atrocities being committed today in Afghanistan. Many of these letters are from Americans who are shocked at this Nation's relative silence about the genocide taking place in Afghanistan.

In the weeks and months ahead, I plan to share some of these letters with my colleagues. I will insert into the RECORD two letters each day from various States in the Nation. Today, I submit two letters from the State of Montana and ask that they be printed in the RECORD.

The letters follow:

BILLINGS, MT.

DEAR MR. HUMPHREY: I want to voice my protest of the Soviet presence in Afghanistan. I, as an individual, with no power or monetary means to stop such inhuman behavior, have only the hope that my voice will be combined with millions of others, who like myself, cannot let this issue slide by without speaking out.

Sincerely,

TONI S. TIKALSKY.

BILLINGS, MT.

DEAR SENATOR HUMPHREY: I read about the atrocities happening in Afghanistan. What can we as ordinary citizens do to stop this?

Please continue to do all you can to get this stopped.

Sincerely,

KAREN COX.●

GENE THOMAS

● Mr. SYMMS. Mr. President, one of Idaho's most distinguished citizens is Eugene Thomas of Boise, ID. Currently Gene Thomas is serving as president of the American Bar Association and I am proud to count him as a personal friend as well as an outstanding representative of my State.

There are few people who attain such levels of civic leadership. But it is no surprise that Gene Thomas has risen to the top of his profession. It is almost as if he has been destined to do so from the beginning.

The current issue of Boise magazine contains an excellent article outlining many of Gene Thomas' impressive accomplishments during his career. In reading this article, one becomes readily aware of why Gene Thomas has been unanimously elected by his peers in the legal profession to lead their national body which has such worldwide respect.

I am honored to share this article with my colleagues and fellow citizens. I ask that the entire Boise magazine article be entered into the RECORD.

The article follows:

EUGENE THOMAS

(By Larry Munden)

Eugene Thomas is certainly one of the few Boiseans who can legitimately claim an international forum for his ideas and accomplishments. As President of the American Bar Association, Thomas is clearly at the zenith of his profession. In talking with him, it is not difficult to understand why. He speaks of the legal profession as a virtual calling rather than a mere profession. Thomas also defines his profession and its role in the judicial branch of government as a critical ingredient in our American way of life, as part and parcel of the responsibility for public service in a democracy. He voices his determination to play an active role in seeing that the legal profession lives up to that responsibility in accordance with the highest possible standards.

An Idaho native who became interested in law at a very young age, Thomas attended Columbia University and the Columbia School of Law, graduating in 1954 and returning to Idaho to be licensed as an attorney that same year. He was elected Ada County Prosecutor in 1955, and served a two-year term before choosing to enter private practice. He was a founder and is currently Chairman and Chief Executive of the law firm of Moffatt, Thomas, Barrett & Blanton. He became active in the Bar Association very early in his career, and was President of the Boise Bar Association in 1962-1963. His rise in the legal profession has been steady—and seemingly inevitable—since that time.

If anyone can be said to have "paid their dues" on the way to the top of their profession, it would be Eugene Thomas. He was elected to the presidency of the Idaho State Bar in 1971, and has been a member of the House of Delegates of the American Bar Association ever since that time. He has served on an extremely wide variety of committees in both the state and national Bar Associations. A listing of those assignments could take up a major portion of this article, but some of the highlights include serving as Chairman of the Steering Committee on the Public Education Division of the ABA and of the Audit Committee of its Board of Governors. He was selected as Chairman of the House of Delegates of the ABA from 1980 to 1982, and served on the association's Board of Governors during that same period.

His election to the presidency of the American Bar Association seems a very logical outcome of his very active career within the legal profession, but—more importantly—it also reflects his status within the profession. Eugene Thomas speaks as someone who is proud of his profession, sure of his place within it, and sure of the profession's role in our society.

Thomas tends to place issues related to the legal profession within the larger context of what is happening in our society as a whole. While he sees the legal profession as being a very important part of our society, he certainly does not see it as being removed from or unaffected by what goes on in the other segments of American life. And he is most certainly no apologist for the profession. His views are both definite and positive. Although he does not deny that there are problems in the profession—particularly in regard to its image—he obviously prefers to talk about what is right with it. Given his viewpoint and his accomplishments, it is difficult to disagree that there are many positive things about the legal profession in America—or to deny that Thomas is a very able spokesman for his chosen calling.

In addition to his very active role with the Bar Association. Eugene Thomas has also been very active in other professional associations as well as in the Boise community. He is a member of the Association of Trial Lawyers of America, the Defense Research Institute, and the International Association of Insurance Counsel. Locally, he has served as President of the Chamber of Commerce, as Chairman of the Mayor's Select Committee on Downtown Development in 1982-1983, as a Director of St. Luke's Regional Medical Center and the Mountain States Tumor Institute from 1963 to the present, and as a Trustee of the College of Idaho from 1980-1985.

These, of course, are merely the highlights of a highly active and distinguished career. Eugene Thomas is an outstanding citizen of Boise, but—far more than that—he is an individual of international stature who represents the American legal system at its finest.

You're obviously very much at the top of your profession now, as President of the American Bar Association. Is that a goal you set for yourself?

No, it is not a goal that I set for myself. I am interested in being President of the American Bar Association for a lot of reasons, but never has it been an aspiration to be at the pinnacle of the profession. It is really more of an interest that I've always had in trying to improve the delivery system of legal services in America.

It has always seemed to me that the law is a unique opportunity for a person who is interested in making America work, which the law is focused upon. From the time that I was admitted to the Bar, I became interested in the fact that we need to improve the delivery system of services both for the sake of the practicing lawyer and his clients on the one hand, but also for the aspirational goals that I have already mentioned.

America just won't work without an effective delivery system for legal services for all people.

It must be an interesting time to hold your position with this being the Bicentennial of the Constitution.

It really is. The focus on the Constitution has generated an awareness in America that probably has never existed before. People are more conscious of the law, they are conscious of the fact that America is different because of a Constitution that makes life better here than it is elsewhere, that there are freedoms and there's stability.

I think that the other thing that Americans are beginning to realize is that our forefathers in creating the Constitution, did one of the most extraordinary things that any group of people have ever done for a nation. Three years after we recognized the Treaty of Paris and became a sovereign nation of the world, our forefathers went back to the drafting board, went back to square one, and said. "Now let's do it right, let's create a Constitution."

They did that in the spring of the year, two hundred years ago in Philadelphia. They met in the spring and then again in the late summer and they had the job done. In between, they had gone out to the thirteen states and had gained support for ratification. They not only created a document the likes of which has never been seen before or since, but they did it with such dispatch. That's something that today the finest minds, the finest leaders and lawyers in America, frankly couldn't do in ten times as many months.

Do you think that people understand the difficulty of that process?

Whether they understand it or not, it makes Americans realize that they are indeed the product of a phenomena of human performance at its best. It is something that has never been equalled. Now we are seeing that around the world certain countries—the Philippines, Brazil, certain countries in Africa and Asia—are attempting to use our role model. It is an inspiration and hope for other people.

I think that we should all remember the words of Thomas Paine when he said that "In America we have no Monarch. In America the Law is King." That means that for each of us the law is fairly dispatched and evenly administered, it isn't some despot. That's a pretty inspiring thing for us all, and it is a very fine year to be President of the ABA because it has the people of this country thinking about the law.

What is the impact of this on the legal profession?

You know that we've had a lot of black eyes in our profession as people have been angry. Lawyers take unpopular cases and frequently the unpopularity slurs over to the lawyer. People have resented, for example, death-row litigation by lawyers who have had the job of representing the most unpopular of our people. We have had tasks in mass disaster circumstances in which people have been hurt. The public has been exasperated and has lashed out against lawyers as though there were almost something worse about the lawyers than there was about the disaster. We've had problems with the image of the profession as people have sometimes thought that we were greedy.

I think this Bicentennial has given us an opportunity to show that this profession is public-service oriented, that it is aspirational in a way that I don't think you can find many that are.

People are focused on Tort Law right now and they are exasperated as I encounter them around the country, because of their anger over insurance costs and things like that. They're not happy about crime in the streets and they're not happy about their tax bills for new prisons, but I find a high level of expertise and knowledge in many Americans as we talk about these things. I trace it to their awareness because of the focus on the Bicentennial.

You've touched on a number of things. In regard to Tort Law, do you see major changes forthcoming?

Oh, yes. I think major changes will be forthcoming out of the profession, out of the courts, and out of the legislatures all around the country—and I think it's going to evolve over a reasonably short timeframe. We're re-examining a lot of our values.

In what way?

We're considering the use of the public power, the power politic of the people, to enforce standards of resolution on people who have disputes. In other words, many of these debates that are going on concern joint and several liability. They concern whether you ought to recover large amounts. What kinds of evidence should be admissible? Should people be trying these cases as though there are always insurance companies on the other side (which is present in the mindset of most juries)? Have we written our laws in the past twenty to twenty-five years to encourage litigation too much, to make victory too easy, to make awards too large? Those are the questions that we're seeing.

And these are the issues that have to be resolved?

The more profound question is not the one that has been articulated, it is this: Have we taken a structure designed to handle a small kind of problem, say a telephone line, and run a huge problem down it? For example, a bolt of lightning? Has the system been designed for one thing, and then given something else to carry? Take the Texaco case, for example, a $13-billion case being decided in a court in Texas. Did we ever design a jury system in a county in Texas with the idea that they would decide whether Texaco would be given to somebody else? I submit to you that no one had that in mind. Now, did the system carry it? Did the telephone line carry the bolt of lightning? That's another question.

There is a public perception that it is the legal profession and, in part, advertising, that is encouraging litigation. How do you respond to that?

Advertising does encourage litigation, because advertising informs people of rules of law that may apply to them and informs people of rights they might have. To the extent that that's what advertising does, I applaud it. To the extent however, that it's misleading people in any way, or to the extent that it is making lawyers look better than they are, or to the extent that it is attracting people to them because of the kinds of things that lead you to a used car salesman, I abhor it.

We have fought in the Supreme Court twice and every way we could against ordinary advertising by lawyers, because we have felt that it was not dignified or suitable. We think the proper role for the profession is to help people understand the law, and we think people should try to resolve their disputes with litigation as a last resort—not a first resort. That has been the professional posture all along. Under Constitutional decisions, however, First Amendment principles, we have been forced to stand back and advertising of the sort you reference has gone forward. I think that that is unfortunate.

How much of a problem is that?

I do not think that it is the cause of the problem that the public is mad about. The public is angry about the fact that there are more and more expensive, time-consuming courses of litigation and that they're generating inconveniences for us in the insurance field and frankly as jurors and witnesses and it has just made life a little more threatening. I would have to tell you that the legislatures of the states, contrary to public impression, are not peopled by lawyers and they're not led by lawyers. They're led by ordinary people; it's been decades since lawyers were the dominant numbers in state legislatures. Take Idaho, for example. We have very few lawyers in the legislature here.

The people themselves have wanted more victories. There was a time, not many years ago, when we couldn't remember anybody winning a medical malpractice case, you couldn't remember anybody succeeding in a suit against an automobile manufacturer. People just didn't win cases against landlords or you could not recover if you fell and hurt yourself in a store. You didn't win those cases and they weren't good cases.

But people decided in legislatures and in courts and in juries—and, remember, the juries aren't lawyers—that there should be more adequate awards and more frequent awards and so, as is typical when we get really furious with things, it turns out that we demand it ourselves. We the people did that, the lawyers didn't. The people decided that there should be more plaintiff victories, and that's part of the tort frustration, and that's what has led to the insurance problem.

I think that the people ought to realize that the insurance companies really stayed out of that, because as far as they were concerned it was kind of like a fella who's got an orange grove outside of town and he looks in and says, "Hey, everybody's going crazy over orange juice." He doesn't run in and say "stop;" he stands back and sells oranges. well, as this liability crisis hit America—and it's really happened in the last twenty years—the insurance companies just wrote more and more policies and collected bigger premiums. Now they wring their hands and point to lawyers. Well, that's hypocritical. The lawyers didn't do this, this is democracy in action.

The insurance companies and the defense attorneys—and look, I'm one of them—and the public decided that they wanted plaintiffs to win more, and that's what happened in the jury room and in the legislatures, and that wasn't lawyers.

Getting back to the Constitution, There is and has been for some time a number of people who want to convene another Constitutional Convention, who see the need for major kinds of changes in the Constitution. Do you see that as being necessary or desirable? And do you see it actually happening?

I don't think that Americans will convene a Constitutional Convention in the near future because there is so much concern over a runaway convention. It would be like a runaway grand jury kind of a thing where, once they're convened, there would be great concern about what could be done to contain them.

You want to remember that two hundred years ago in Philadelphia that's exactly what happened. We had a Constitution, but when they got together in Philadelphia—once they were organized as a Constitutional Convention—they redid a whole, brand-new Constitution. That was not their job, but it happened and lots of people are very worried that if you convened one it would happen again.

I think a lot of people would view the Constitution—and indeed, I would be one of them—as best addressed on an item-by-item basis, if at all, as you see a need for revision. We've done that with a number of Amendments and I believe that it has worked well.

In terms of the Supreme Court decisions, the visible appearance is that we have a less activist court than what has been true for the past thirty years or so.

Since the Warren Court?

Yes! Do you agree with that, and do you think this trend will continue?

I don't agree that we have a less activist or progressive court today than the Warren Court. As a lawyer who has been interested in this all of his life, I believe that the courts have always appeared progressive and activist when there has been a serious backlog born of inactivity in the legislative process.

As we came out of World War II and we came through what had been a depression-ridden period before that the courts found this country looking at serious problems with civil rights, particularly for blacks, and the legislatures were unable to deal with it. The courts responded and filled a void. Today the legislature is dealing with it. Congress has passed all varieties of acts to deal with social problems. So have state legislatures.

When the legislature is responsive and active—I'm not saying "liberal," and I don't mean by that to suggest anything radical. I'm just saying that when they're dealing with problems and answering questions—the courts will then appear to be more conservative and inert. When the legislature is unable to cope, as when black people were riding on the back of the bus, and a black student couldn't go to college at the state university in Mississippi, then the courts step in.

I don't personally think that the Supreme Court as you see it today should be described as "inactive." I think that Berger was an activist Chief Justice in many areas, and I think that it is merely a matter that they weren't called upon to break the new ground that the Warren Court was called upon to break. I can't believe that any American today who is critical of the Warren Court—and many people are—would for one minute challenge the correctness of the decisions concerning America rising up to the issue of racial prejudice.

Now that you have achieved the Presidency of the ABA, have had a platform for doing some of the things that you wanted to do at a relatively young age, where do you go from here?

I'm going to go through the rest of this year as ABA President, and I'm going to raise hell with illiteracy in America, and I'm going to try to establish a program that brings quality law to every community in this country as best we can do it. We need to better write laws so that people can understand them and that they work. Lawyers need to rise up in the public service of the law and the community as well as for their clients, in programs that the ABA is going to forward. I'm going to be a voice trying to work minorities into the main fabric of American life—including the legal profession—because I believe that if we don't do that America will fail. I think we must do it because it's just.

Is there a forum for addressing those issues? Is there an international law association, and does it have a forum?

The answer is yes, but the forum is the American Bar Association. There is an international Bar—I'm involved in it and I was a chairman of a meeting in New York City last September of that group—but the real forum is the ABA. That's where the action is. People have to understand that justice in the world is simply yearning for the American experience. We are the role model everywhere.

I've been in England twice this year. I've been in China and the Soviet Union, and I'm going to France, Argentina, and Chile among other countries—and we are the forum. I want to tell you that when you go to these countries and you say, "I'm here representing the legal profession in America," you are listened to! In the Soviet Union, the morning after my arrival I was in Mr. Gromyko's office for two hours. These people are very interested. The People's Republic of China, the same way—the Ministry of Justice and the ranking officials were interested.

Americans have no idea of what influence they have throughout the world, and they have no idea of what a great country they have because of the justice system that people admire and envy here. You bet there's a forum!

Do you think that our views are representative of the profession as a whole? Are you in the forefront?

Well, they knew my views when they elected me President. They did it unanimously and so I guess that I can conclude, at the risk of sounding immodest, that I do speak for the American lawyer. I think I do speak for what justice is about in this country.

I think it's unfortunate that the public has the impression, somehow, that lawyers are self-serving or over-reaching. I've tried to change the image of the profession by earning a better image with the projects and programs that I've described to you. You don't do this overnight, but I think we've got a start and I think we're well on the way. We've reached out to poverty lawyers, judges, law teachers—people who have been outside this profession in the past—and we've brought them in the ABA this year in a program of waiving any charges at all for those who can't afford them. That's never happened before in the legal profession anywhere in the world.

It's obvious that whatever your other interests or involvements, the legal profession is your first love. Do you see any primary challenges for the profession in the future?

The most important challenge is the same as it has always been. That is the maintenance of an independent judiciary and the autonomy of the legal profession. We must not change the law into a business. The legal profession has to be an independent part of each state, of each community. The Bar Association is critical to that effort.

Our American way of life, as we know it, simply cannot survive without that.●

JIM HAWKINS

● Mr. SIMMS. Mr. President, a number of years ago, far more than I care to enumerate, I had the good fortune of meeting a fellow student at the University of Idaho in Moscow, ID, by the name of Jim Hawkins. My friendship with Jim, a native of Coeur d'Alene, ID, has endured and grown over the years.

Now Jim, after a very successful private business career, has become director of Idaho's Department of Commerce.

Jim Hawkins' new leadership role is good news for the people of Idaho. A recent article in the Boise magazine outlines clearly why this is so.

Jim Hawkins has charted an ambitious course for economic recovery in Idaho and the Boise magazine describes Jim's steady hand on the helm.

I commend this article to my colleagues and fellow Idaho Citizens and ask that the entire Boise magazine article be included in the RECORD.

The article follows:

FOR IDAHO, "THERE IS NO FINISH LINE"

(By Louise M. Schneider)

The framed poster that hangs behind the desk of Idaho's new Director of the Department of Commerce, James V. Hawkins, clearly expresses the philosophy of the new administration under Governor Cecil Andrus, the Department of Commerce, and its new leader: as far as commitment toward Idaho's economic growth and development are concerned. "There Is No Finish Line."

Not since the creation of the Department of Commerce on July 1, 1985, by the 48th Idaho Legislature has there been such a synergy between business, government and individuals in the State of Idaho dedicated to the goal of promoting a healthy economy for the state.

Who is responsible for this new energy and attitude? Primarily, of course, the new Governor, Cecil Andrus, who has long been a proponent of economic development and education in Idaho; and, secondly, Governor Andrus' choice to head the Department of Commerce—life-time Idaho resident James V. Hawkins. This appointment by governor Andrus, in fact, may prove to be one of the most critical in his entire administration—and a decisive step for the State of Idaho.

Jim Hawkins, a Coeur d'Alene native, comes from a family with a strong sense and history of public service. A graduate of the University of Idaho, he also comes with exceptional credentials as a successful businessman in private enterprise with a strong background in banking and marketing.

For virtually the first time since its inception, the Department of Commerce is attracting attention and generating excitement in all areas of the state.

Many citizens are now being exposed for the first time to the inner workings of the Department and the challenging task with which it is faced. The purposes of the Department are several:

Expand and enhance existing Idaho industries,

Promote Idaho investments,

Develop markets for Idaho products, goods and services,

Attract new business and industry to Idaho,

Promote Idaho's travel industry,

Provide technical and financial assistance to Idaho's local governments, and

Promote international trade.

The economic Advisory Council and the Idaho Travel Council are two private citizen groups that help provide policy direction to the Department. The four major divisions of the Department itself are Economic Development, Community Development, Tourism Promotion, and Science and Technology. The key personnel appointed by Hawkins to head those divisions are Terry Bowman, Wayne Forrey, Carl Wilgus, and Rick Tremblay, respectively.

Included among the responsibilities of the Department are such areas as: the Business and Industrial Assistance Program, which is designed to create a positive image of Idaho's business climate and to assist businesses with their expansion and relocation plans; the Development Finance program, through which financial loan assistance is being provided to Idaho's healthy expanding businesses as well as working with banking, investment banking, and community and venture capital firms to increase available capital; the Trade Promotion program, which focuses on developing an awareness of the importance of international trade, marketing opportunities, and the mechanics of trade opportunities for businesses to develop markets for Idaho products; the Procurement Outreach Program, which provides technical assistance to Idaho businesses wanting to begin selling their goods or services to the $180 billion federal procurement market, and the Community Development Program, which offers technical and financial assistance to promote better communities.

The Department has also been given legislative responsibility for promoting travel to and throughout Idaho. In Idaho, as well as nationwide, travel has been one of the fastest growing industries. In Idaho it has grown to become the state's third-largest industry, generating over $1.3 billion in income for Idaho citizens. It is estimated that the four million visitors to Idaho provide an additional $39 million in state tax receipts and $4 million in federal tax receipts. The travel industry in Idaho provides employment for 25,000 people, and generates $179 million in payrolls.

The Idaho Film Bureau is yet another vital part of the Department of Commerce. The Bureau supports and assists with on-location scouting as well as finding logistical support and serving as a liaison between movie companies and government offices. Productions filmed in Idaho have included Pale Rider. Bronco Billy, Breakheart Pass, Northwest Passage, and Bus Stop.

What is the message that the Department of Commerce is carrying to other people and businesses to attract them to Idaho? The message is as rich and varied as the Gem State itself.

The geography of Idaho goes from an elevation of 738 feet to mountain tops of 12,662 feet. Idaho is uncrowded with 83,557 square miles having an average of slightly more than twelve persons per square mile. The entire population of the state is just over one million. Idaho has 788 square miles of inland water with over 2,000 lakes. It has the deepest canyon in North America, Hell's Canyon, as well as 42 peaks of more than 10,000 feet in elevation.

As far as recreational activities, Idaho offers fishing, hunting, boating, rock hounding, hiking, white-water rafting, skiing, ice skating, snowmobiling and much more. Within a day's drive of most of the state's population are the Grand Tetons, the Sawtooth National Recreation Area, Yellowstone National Park, Craters of the Moon National Monument, Jackson Hole, and the Idaho Primitive Area. And then, of course, Idaho also has world-famous Sun Valley!

The cost of living in Idaho is well below the national average, with housing costs 10 percent below, utilities 34 percent below, and transportation costs 5 percent below national averages.

Even though Idaho is a resource-based economy and mining, timber, and agriculture are its mainstays, tourism, technology, and manufacturing are contributing more and more significantly to the region's growth.

Education is important in Idaho, too. Only 1.5 percent of the area's population over 25 years of age has less than five years of schooling and this number is declining steadily. Idaho students score above the national norm on college entrance exams year after year. There are four four-year and two community colleges in the state.

Idaho ranks among the top five states, according to State Policy Reports, in quality of property tax administration. Idaho also has some of the lowest state and local taxes, and has accumulated the lowest state and local debt per capita in the country.

Perhaps the most important strength in Idaho, though, is the people. What Idaho lacks in numbers is more than made up for in quality! Idahoans are open, friendly, well-educated, and hard-working. Inc. Magazine, in its fifth annual report on the states, ranks Idaho seventh nationally in the productivity and sophistication (percent of people over twenty-five who have graduated from high school) of our work force.

As Jim Hawkins points out, the quality of life, work ethic, religious base, diverse ethnic population, strong family unit, low utility costs, diverse geography, quality education, natural resource base, Idaho Nuclear Engineering Laboratory, and technology transfer potential in Idaho all make for a compelling story to attract new businesses and people.

Hawkins believes that the commitment of support from the citizens of Idaho can help the Department return Idaho to economic vitality. This commitment must be an ongoing process, he says. "Let the word go out that Idaho is open for business. Governor Cecil Andrus has pledged to create a true partnership between business and government."

"We have much to offer industry," Hawkins concludes, "including one of the best places in the world to live, and we are determined to make it one of the best places for a business to grow!"●

SENATOR EVANS AMENDMENT TO THE BUDGET RESOLUTION

● Mr. ADAMS. Mr. President, when the budget process began this year, I was unhappy. The President's proposal would have decemated the West; the first committee plan wasn't much better. Each placed a heavy burden on my State in particular and my region in general. They asked for an unequal sacrifice from the West.

I discussed my concerns with the chairman and he responded. The basic Chiles proposal we now have before us represents a good deal in terms of our specific concerns and a good deal in terms of our national concerns. By creating a realistic deficit reduction plan, it will help resolve the major economic problem we confront as a people. By doing so in a balanced way, it has treated the West in the same way that every other region is treated.

In my view, the agreement that I reached with the chairman does two things. First, it cuts in more than half the savings that are to be achieved from programs of particular interest to the West. Second, it eliminates any directions to the authorizing committees which would encourage them to achieve those saving through reforms of PMA's or timber receipts or the like.

My goal was to make sure that the West was not asked to sacrifice more than any other region of the country. That goal was achieved.

Do I want more—sure. Is this amendment attractive—certainly.

But the plain truth is that this amendment, like the others which have been offered, is not a serious attempt to address the dual problems of the deficit and the West. The Chiles proposal is. That is why I helped shape it; that is why I will support it.

In terms of specifics, with the PMA's we can maintain a repayment system that ensures a strong and competitive regional economy. Indirectly, this will benefit the entire Nation. For instance, heavy industry in the form of aluminum manufacturing plants and irrigated agriculture will be able to continue the utilization of this critical infrastructure without detrimentally being impacted.

In the area of shared timber receipts, communities that rely on this revenue source, will be able to maintain their communities without suffering the severe economic and social hardship that would result. Communities like Skamania County, in my own State retains the option to develop and build toward a competitive economic future.

This amendment proposes to add-back dollars for Western concerns within the Energy Committee. But the offset he suggests we use to fund this desirable goal are neither reliable or real. The proposal is analogous to asset sales which in essence sells our economic future. This offset will give away other valuable U.S. assets at face market value as well as add to our deficit. Further, it is questionable whether this is legally valid.

Within the framework of the Chiles plan, I believe the Energy Committee has the flexibility it needs—and the resources it requires—to address our continuing Western concerns. In fact, I am confident that my colleague, the author of this amendment, the senior Senator from my State, who serves on the committee will seek to prioritize these programs that will provide the most benefits to the West. With jurisdiction over 127 separate appropriation accounts, over 70 separate programs, 4 departments and at least 12 separate agencies, a wide variety of alternatives and options are available to this committee.

In the end, we cannot guarantee that we will escape all the burdens of deficit reduction. However, I can guarantee that if we do carry a burden under the parameters offered in this revised budget, it will not be more than anyone else. Further, that burden will not hit us to a major degree in any critical areas. This amendment is attractive, but it is not real. That is why I vote for this amendment.●

AN ALTERNATIVE TO TRA SECTION 806

● Mr. BAUCUS. Mr. President, section 806 of the Tax Reform Act of 1986 requires most partnerships, personal service corporations and subchapter S corporations to conform their taxable years to those of their owners, forcing many of these entities to switch from a fiscal to calendar year.

This requirement, which was added in the final hours of Senate consideration on the tax bill without hearings or debate, would place great burdens on the tax self-assessment system, small businesses, the accounting profession, and the Internal Revenue Service.

Specifically, the tax year conformity requirement will increase small businesses' accounting and legal fees. Small business owners will be required to incur the cost of closing their books twice and filing two sets of tax returns—Federal and State—for each of the two periods ending in calendar year 1987. They will also have to amend contracts, compensation arrangements, and retirement and employee benefit plans.

The tax year conformity requirement also will cause significant scheduling problems for accountants, creating additional burdens for CPA firms during the January through April tax season. Under this conformity requirement much of the work performed during the course of an entire year by CPA's—the audits, the preparation of financial statements, the tax planning and the preparation of tax returns—would be bunched into the same period of time when accountants are extremely busy preparing individual tax returns. This will have a particularly significant impact in relatively small firms in States like Montana, which depend on tax preparation for a large part of their business.

Another problem with the tax conformity requirement is that it fails to reflect the important business considerations that may be involved in selecting a fiscal year. Most entities select a fiscal year ending at a slow time in their business cycle, to facilitate the closing of the books and taking of inventory. For example, a grain elevator owner would want his tax year to end during the summer to permit the closing of the books and the taking of inventory before harvest, not on December 31 when the elevator is full of grain. A retailer would want his tax year to end after the December holidays and before spring merchandise came out, not on December 31 in the middle of the holiday shopping and sales and return cycle. A ski resort owner would want his tax year to end in May or June when there is not snow, not on December 31 when the slopes are filled with skiers and business is at its peak. The tax year conformity rule will disrupt many other small businesses as well.

Mr. President, an argument can be made that section 806 should be flatout repealed. That, however, would result in a $1.7 billion revenue loss over 5 years. Recognizing this problem, I have been working with Montana accountants and with the members and staff of the American Institution of Certified Public Accountants to develop a revenue-neutral modification of section 806.

The proposed modification, in essence, would permit partnerships, personal service corporations, and subchapter S corporations to retain noncalendar years, so long as they make enhanced estimated tax payments to offset any tax deferral that results from the mismatch between the entities' and owners' tax years. By doing so, the proposed modification would permit taxpayers to retain a tax year that suits their business needs, while eliminating any resulting tax deferral. As a result, I expect that many such entitites would retain noncalendar years, avoiding the increased January-April workload crush that section 806 would create.

Mr. President, this proposed modification has the full support of the AICPA. I want to congratulate the members of that organization for their leadership in this matter. Together, we have been working to achieve a solution that is both responsible and effective.

I hope that this proposal can be further refined in the coming weeks. I look forward to working with the chairman and members of the Finance Committee to help enact it into law.

I ask that a description of the proposed modification be inserted in the RECORD.

The description follows:

DESCRIPTION

A. AN ELECTIVE PROVISION

The proposal is an optional one. An entity may choose whether it wants to retain its fiscal year or switch to the calendar year under the TRA '86 rules. The election would be made by the entity and not by the individual owners.

B. PARTNERSHIPS AND S CORPORATIONS

The owners of these entities who elect to remain on a fiscal year would make enhanced estimated tax payments. This would be accomplished by increasing each of the two safe-harbors (100 percent of prior year's tax or 90 percent of current year's tax) by a percentage of the prior year's deferred income. It is proposed that this will be 35 percent for 1987 and 28 percent in the following years with a phase-in over four years. Where the partnership or S Corporation in itself of an interest in a partnership, S Corporation or PSC, the partnership or S Corporation will be required to conform its year.

C. PERSONAL SERVICE CORPORATIONS (PSC)

The income deferral in these entities is often achieved through the deferral of payments to owners into the months after December 31. The remedy under the new proposal is to postpone the deduction at the corporate level if ratable payments to owners have not been made prior to December 31. Ratable payments can be based upon experience from the prior corporate year in order to avoid the necessity of predicting income or payments for the remainder of the current year. Where the PSC itself is an owner of an interest in a partnership, S Corporation or PSC, the PSC will be required to conform its year.

D. IMPORTANT POINTS TO REMEMBER

One of the purposes of the TRA '86 conformity requirements is to eliminate the tax deferral and to collect the taxes closer to the time the income is earned. The proposal reduces the deferral significantly and requires tax dollars to be paid earlier. However, the total taxes paid will be no greater than would have been paid under prior law or with the TRA '86 switch to the calendar year.

There is a four-year phase-in of the enhanced estimated tax payments which correspond to the four-year income spread in TRA '86.

Those entities which would be allowed to remain on or to adopt a natural business year under TRA '86 can still do so without being subjected to the above requirements.

Any entity which comes under this proposal and which elects or changes a fiscal year must select a year ending no earlier than September 30.●

GEORGE SCHARRINGHAUSEN

● Mr. SIMON. Mr. President, with growing concerns of both quality of and access to health care in the United States, I believe in doing all that we can to preserve the relationships between health care provider and patient.

A recent issue of the National Association of Retail Druggists Journal featured a profile of George Scharringhausen, a pharmacist in Park Ridge, IL. George has worked for almost 60 years to cultivate and maintain a quality relationship with the patients and doctors in his community. I commend him for his efforts and fine service. I ask that the article be inserted into the RECORD.

The article follows:

GEORGE SCHARRINGHAUSEN

SINCE 1928, HE HAS MADE RAPPORT WITH THE COMMUNITY HIS BUSINESS

For the 400th time, this month, George Scharringhausen is sending out his monthly communication to colleagues. "We started Secundum Artem, our bulletin, 33 years ago with a mailing list of 15. Now it goes to over 200 deans of schools, physicians, pharmacists, and friends in health fields. It's Scharringhausen Pharmacy's way of maintaining a relationship with doctors in the community," says Scharringhausen.

Each month, Secundum Artem reminds doctors, dentists, and their patients of Scharringhausen Pharmacy's after-hours phone numbers, emergency services, and emphasis on keeping up with new products and new trends in the pharmacy business. The bulletin announces price changes and discusses timely health questions.

And the monthly communication also is a reminder that since the 1920s, when he joined his father as a pharmacist in the Park Ridge, Illinois store, George Scharringhausen has made rapport with the community his business. "A pharmacist has to like people, I smile with my customers," Scharringhausen says, adding, "Smile and call them by name, and you really have something."

STARTING OUT

In the 1920s, the pharmacy business was much more people-oriented, says Scharringhausen. He remembers answering a young doctor's late night call for a maternity kit, "You know, one of those kits manufacturers made for delivering babies at home," and not finishing work that night until after he had helped deliver the baby.

Scharringhausen started out helping people in the Chicago pharmacy where his father worked. "It was a corner drugstore—a good place for business, right on the east-west, north-south transfer corner for streetcars," says Scharringhausen. His father moved and opened the Park Ridge, Illinois store Easter Sunday, 1924 in order to work in a closer community environment.

Scharringhausen Pharmacy is now more than 60 years old and George Scharringhausen's own son, William, a member of NARD's Executive Committee, manages the store with him. Together, they continue to provide 24-hour service to their customers. Whoever is closer to the pharmacy answers the beeper. "Last night, Sunday, I was 20 miles away and came in for an emergency call," says 81-year-old Scharringhausen.

The people and retail aspect of pharmacy always has appealed to Scharringhausen. After graduating from the Illinois College of Pharmacy in 1928, he took night classes at Nothwestern University. "I used to eat up the advertising courses." he says.

Scharringhausen Pharmacy's personalized ads reflect his interest. Scharringhausen and his son write the copy for all the promotions, designed to address the community they serve. For instance, says Scharringhausen, "recently we had a problem with flooding in this area, and Scharringhausen Pharmacy ran ads thanking people who helped. Regularly, we thank the fire department, the police department, and others who serve Park Ridge."

REMINDERS FROM THE PAST

The biggest problem facing his independent business and the services he offers customers, says Scharringhausen, is discriminatory pricing by manufacturers. Today it's more difficult to communicate with the pharmaceutical companies. At one time, the people who made the policies had a background in pharmacy. "Now, many of them don't even know what goes on in back of our counter," he continues.

Scharringhausen has served on the Lederle and Smith, Kline & French pharmacy consulting boards and still sees these boards as an avenue for impressing on manufacturers their responsibility to pharmacists. "What the drug firms need to understand is something my father once told me: When you take a drink of water from the cup, remember who dug the well," says Scharringhausen. "Independent pharmacists have promoted the merchandise manufacturers sell, not hospitals."

OPPORTUNITIES FOR NOW

Scharringhausen has no trouble remembering whom he serves. "Get involved in community affairs," he tells young pharmacists. "There are all sorts of opportunities for meeting the people who will be your customers and colleagues. Try the Boy Scouts, YMCA, local churches, the 4-H."

His community service has paid him back by giving Scharringhausen his most satisfying experiences as a health professional. He joined the local Kiwanis Club in 1929 and for the past 20 years, until last year, was chairman of the Kiwanis Club's Spastic Paralysis Research Foundation. He works as liaison between clubs and reseachers, letting each one know what's going on. "I've spent a great many hours," he says, "and being able to help people has been the best part of my career."●

125TH ANNIVERSARY OF ST. AGNES HOSPITAL

● Mr. SARBANES. Mr. President, on Wednesday, May 20, St. Agnes Hospital in Baltimore will hold a special rededication ceremony to mark a very historic occasion. The Daughters of Charity of St. Vincent de Paul 125 years ago founded this distinguished institution which through its steadfast commitment to the people of the community has given so much to Baltimore's proud tradition of medical excellence. Throughout its history St. Agnes Hospital has truly taken a compassionate, personal approach in caring for all patients, whether young or old.

St. Agnes Hospital traces its beginning to 1862 when, due to Charles M. Dougherty's benevolence, the Sisters acquired a house at Lanvale Street and Greenmount Avenue in the center of Baltimore. At Mr. Dougherty's request the sisters perpetuated the name of his wife, Agnes Kelly Dougherty, in naming their new institution. From the beginning St. Agnes Hospital has followed the Daughters of Charity founding belief: "You are a unique creature of God and you should be so treated and cared for."

In 1876 the hospital was moved to its present location at Caton and Wilkens Avenues, a rolling 30-acre site in southwest Baltimore donated by Lady Elizabeth Caton Stafford, granddaughter of Charles Carroll of Carrollton. At the suggestion of Cardinal Gibbons, Archibishop of Baltimore, St. Agnes became a sanitarium 22 years later and in 1906 was reorganized as a general hospital.

This fine medical care facility continues to take pride in having established the second oldest surgical residency in the United States under the leadership of Joseph Colt Bloodgood, M.D., chief of staff from 1906 to 1935.

The hospital opened its seven-story facility in 1961, another phase in a long-term commitment of people and resources to providing accessible, loving health care with state-of-the-art technology. St. Agnes distinguished itself once again when in 1972 it became the first hospital in Maryland to introduce a comprehensive and progressive coronary care program for the rehabilitation of heart attack patients using a wireless monitoring system similar to that used by American astronauts.

Today, St. Agnes Hospital, a large, full-service teaching hospital with 2,300 dedicated staff members, offers a patient-bed capacity of 458 and the utmost in modern technology for treating 125,000 people annually. The new programs and expansions are too numerous to list, but clearly St. Agnes has continued to respond to the changing needs of Baltimore's citizens and many from throughout the State. The hospital is fortunate to be part of the Daughters of Charity National Health System, the largest not-for-profit health care network in the United States today.

Since 1981 St. Agnes has established numerous centers and specialized programs. Its chest pain emergency center—the first in the Nation—is successfully reducing the occurrence of sudden death due to coronary disease by providing community members experiencing chest pain with rapid coronary care access. A remodeled 20-bed neonatal intensive care unit accommodates infants admitted into that area through the State referral system. The section of audiology, speech and language provides comprehensive evaluation, diagnosis and treatment of patients with hearing and speech difficulties. The adolescent obstetrical service responds to the special needs of pregnant adolescents. The hospital's argon laser service provides effective treatment of the dreaded blindness of diabetic retinopathy. A helipad was utilized for the first time in 1982 when the Maryland State Police Medivac Helicopter transported a critically ill infant to St. Agnes.

St. Agnes Hospital was and remains active in researching and developing programs to improve the health care of its patients in patient teaching, emergency physician service, spiritual care, and comprehensive coronary care.

In addition to working for improved treatment facilities, the hospital plays an important role as educator. Through its devoted and well-organized teaching faculty, St. Agnes effectively fulfills its commitment as a community teaching hospital with four active residency programs in medicine, surgery, obstetrics and gynecology, and pediatrics, serving 90 house staff physicians.

St. Agnes Hospital is an integral part of the Baltimore health care community through its affiliation with the Johns Hopkins University School of Medicine in Surgery and the University of Maryland School of Medicine in Orthopedics. As a cooperating agency it provides the clinical education for student nurses at the University of Maryland School of Nursing and the Catonsville Community College Clinical Nursing Program.

In carrying on its work over the last century and a quarter, St. Agnes Hospital has grown tremendously under the guidance of its board of trustees, the Daughters of Charity. It is very fortunate to have a strong and effective board and professional, hard working staff, not to mention the St. Agnes Foundation, lay advisory board, the auxiliary, and volunteers, who so generously provide support. The partnership of medical professionals and community members working together perpetuates the fine tradition of health care service St. Agnes established so long ago. The accomplishments of St. Agnes Hospital are testimony to this critical partnership and its impact on addressing modern day social and medical problems.

As the hospital celebrates this significant milestone, I wish to congratulate the Daughters of Charity, particularly Sister Mary Louise Lyons, D.C., president of the board of trustees and hospital administrator, as well as other officers, all staff members and volunteers. St. Agnes Hospital can truly take pride in its anniversary theme: "A Tradition of Caring for 125 Years" as it reflects an outstanding record of patient care and community service in fulfilling its founding philosophy.●

LAND WITHDRAWAL FOR VETERANS MEDICAL CENTER

● Mr. BINGAMAN. Mr. President, today I join my distinguished colleague from New Mexico in introducing a bill of critical importance to all veterans and their families in my State. This legislation would transfer ownership of an important 5.081 acre parcel of land in Albuquerque to the Veterans Administration in order to help alleviate a serious parking shortage at the Veterans Administration Medical Center [VAMC].

The parcel of land in question was at one time the property of the Albuquerque VAMC. In April 1974, this land was transferred at no cost to the State of New Mexico. This conveyance was contingent upon its use as a highway corridor. However, the State laid aside plans to build a highway through the land. As a result, the VAMC has sought to reacquire the parcel given the State. At the VA's prompting, the State released this land to the General Services Administration [GSA] at no cost. The VA then requested ownership from GSA. Because GSA has placed a value of $540,000 on the land, the VAMC cannot realistically expect to acquire this land.

The legislation we are proposing would allow for the expeditious transfer of the land from GSA to the VA. The land is needed in the very near future by the VA to accommodate the parking shortage that is expected with the construction of new buildings for use by the VAMC and the Kirtland Air Force Base Hospital. Action must be taken now to provide long-term parking for the use of veterans and their families.

In light of parking problems that would arise without the completion of such a transfer, I urge my colleagues to support this measure.●

ORDERS FOR TOMORROW

RECESS UNTIL 9 A.M.

Mr. BYRD. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Madam President, I ask unanimous consent that after the two leaders or their designees have been recognized under the standing order, there be a period for the transaction of morning business not to extend beyond 9:30 a.m., and that Senators be permitted to speak therein for not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSIDERATION OF H.R. 27

Mr. BYRD. Madam President, I ask unanimous consent that at 9:30 a.m. tomorrow, the Senate proceed to the consideration of H.R. 27.

The PRESIDING OFFICER. Will the majority leader repeat the number?

Mr. BYRD. Yes, Ma'am. This is H.R. 27. It is Order No. 115.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Madam President, there is a time agreement on that measure and it provides for 2 hours overall, including debate on the amendment or amendments, whichever may turn out to be the case. I anticipate that there will be rollcall votes early. I hope that the rollcall votes on that measure would be over by 11 o'clock but I cannot assure that.

May I ask the distinguished Republican leader if he has any further business to transact?

Mr. DOLE. I have no further business. We do hope we can accommodate two of our Senators who must be gone tomorrow, that we can have that last vote on or before 11:30 a.m.

Mr. BYRD. Yes. I thank the leader. I also would express the hope, Madam President, that the Senate could take up the short-term debt limit extension tomorrow hopefully without any amendments hereto. The measure has been cleared on this side. I know the distinguished leader on the other side will probably be talking to the President. May I say that if there are amendments on the other side of the aisle, I expect amendments on this side of the aisle—not that I have any, but there are Senators on this side who want to call up amendments. I assured them that the Republican leader and I were attempting to get an agreement whereby there would be no amendments. And so those on my side of the aisle, at least some of those who had indicated to me they had amendments, stated they would not call up an amendment if that were the case. So it might help the Republican leader in his discussions at the White House for the White House to know that if there is an amendment on the other side of the aisle, there could very well be amendments on this side of the aisle.

It is the hope of both leaders, of course, I say again for the record, that there be no amendments offered to this measure, so that we can get it passed after a reasonably short time for debate and get on with other business.

Mr. DOLE. Mr. President, will the distinguished majority leader yield?

Mr. BYRD. I yield.

Mr. DOLE. I indicate for the record that we think there may be not more than three Senators on this side who have not yet been able to clear this for action. We hope that can be done tomorrow morning, so that we can do it tomorrow afternoon. It is essential.

The President wants us to pass a clean bill. I have indicated to my colleagues that I intend to support the President, and I have made that clear in our policy luncheon and to other Senators since that time.

I certainly understand the rights that all Senators have, and I know that some feel very strongly that this is the time to have budget reform and to do some other things. I hope that in this instance we might forgo that and pass a clean debt ceiling. That would save several hours, at least, of the Senate.

Mr. BYRD. I thank my friend.

RECESS UNTIL 9 A.M. TOMORROW

Mr. BYRD. Madam President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 9 o'clock tomorrow morning.

The motion was agreed to, and at 6:26 p.m., the Senate recessed until tomorrow, Thursday, May 14, 1987, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate May 13, 1987:

DEPARTMENT OF STATE

James H. Michel, of Virginia, to be Ambasssador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala.

BOARD FOR INTERNATIONAL BROADCASTING

Kenneth Y. Tomlinson, of New York, to be a member of the Board for International Broadcasting for a term expiring April 28, 1990, vice Arch L. Madsen, term expired.

DEPARTMENT OF JUSTICE

Michael W. Carey, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years, vice David A. Faber, resigned.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. John H. Moellering, [redacted], U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 1370:

To be lieutenant general

Lt. Gen. Dale A. Vesser, [redacted], U.S. Army.

The following-named officer for appointment to the grade indicated, under the provisions of title 10, United States Code, section 601(a), in conjunction with his assignment to a position of importance and responsibility, designated as such by the President under title 10, United States Code, section 601(a):

To be lieutenant general

Maj. Gen. Jimmy D. Ross, [redacted], U.S. Army.

HOUSE OF REPRESENTATIVES—*Wednesday, May 13, 1987*

The House met at 10 a.m.

The Reverend Dr. Henry C. Beatty, chairman, Chaplain Services, VA Medical Center, Grand Island, NE, offered the following prayer:

Almighty God, we pause to honor Your name. Inspire our minds with an awareness of Your redemptive presence. So enliven our minds with discernment that vital issues will be confronted with insightfulness, legislative pressures managed with ethical sensitivity, and all relationships nurtured with empathy.

Dear God, impart to these Members of Congress sensitive judgment, vision, and perseverance to help those who suffer wrong and disclose through their deliberations compassion for the poor, suffering, and friendless. Cleanse public life of every evil and so subdue in our Nation, all that is harmful that we may respond as a disciplined people who by the quality of our lives give the Kingdom of Heaven an operational base in America. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 91. Concurrent resolution authorizing the 1987 Special Olympics Torch Relay to be run through the Capitol Grounds.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1157) "An act to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disasters in 1986."

The message also announced that pursuant to the order of May 7, Mr. CHILES, Mr. HOLLINGS, Mr. JOHNSTON, Mr. SASSER, Mr. RIEGLE, Mr. EXON, Mr. DOMENICI, Mr. ARMSTRONG, Mrs. KASSEBAUM, and Mr. BOSCHWITZ, be the conferees on the part of the Senate to the concurrent resolution (H. Con. Res. 93) "Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1988, 1989, and 1990."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1177. An act to amend title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the thrift savings fund when restrictions on such investments and payments are caused by the statutory public debt limit.

THE REVEREND DR. HENRY C. BEATTY

(Mrs. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SMITH of Nebraska. Mr. Speaker, many of us are called to be parents, students, workers, but surely God must have a special blessing for those who are called to be chaplains.

Chaplain Henry C. Beatty, one of those special people, has a long distinguished record of service and faith. The chaplain is a former professor of languages at Northwestern University in Chicago, has served Methodist congregations in Scottsbluff, Gering, Columbus, Lincoln, Central City, and Omaha, all in Nebraska. Chaplain Beatty speaks several foreign languages, including Hebrew. After starting his career as a college professor at Northwestern, he was called to the Methodist ministry and served congregations across Nebraska for 33 years. He has traveled extensively in Europe and in the Holy Land.

Chaplain Beatty, retired after 46 years in the Methodist ministry, has been the chief of the chaplain service at the Grand Island, NE, Veterans' Medical Center for the past 8 years.

Chaplain Beatty is known and respected for his devotion and dedication to his patients at the VA hospital. He is chief of a staff including three other chaplains at the center—a VA center that serves thousands of patients a year—serving 50,000 square miles, 45 Nebraska counties, and 12 Kansas counties.

It is a very special honor for the members of the Grand Island Veterans' Administration Medical Center to have their Chaplain Beatty, with his long record of inspiration, faith and service, offer this special prayer to the House of Representatives.

NEW GI BILL CONTINUATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1085) to amend title 38, United States Code, to make permanent the new GI bill educational assistance programs established by chapter 30 of such title, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the House amendment to the Senate amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "New GI Bill Continuation Act".

SEC. 2. SHORT TITLE OF THE NEW GI BILL.

Section 701 of the Department of Defense Authorization Act, 1985 (Public Law 98-525; 38 U.S.C. 101 note) is amended to read as follows:

"SHORT TITLE

"SEC. 701. This title may be cited as the 'Montgomery GI Bill Act of 1984'.".

SEC. 3. CONTINUATION OF ALL-VOLUNTEER FORCE VETERANS' EDUCATIONAL ASSISTANCE UNDER THE NEW GI BILL PROGRAM.

(a) ACTIVE DUTY PROGRAM.—Section 1411(a)(1)(A) of title 38, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988," and inserting in lieu thereof "after June 30, 1985,".

(b) ACTIVE DUTY AND SELECTIVE RESERVE PROGRAM.—Section 1412(a)(1)(A) of title 38, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988," and inserting in lieu thereof "after June 30, 1985,".

SEC. 4. CONTINUATION OF EDUCATION ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE UNDER THE NEW GI BILL.

Section 2132(a)(1) of title 10, United States Code, is amended by striking out "during the period beginning on July 1, 1985, and ending on June 30, 1988" and inserting in lieu thereof "after June 30, 1985".

SEC. 5. REVISION OF DECLARED PURPOSES.

Section 1401 of title 38, United States Code, is amended—

(1) by striking out "and" at the end of clause (2) and redesignating clauses (2) and (3) as clauses (4) and (5), respectively;

(2) by inserting after clause (1) the following new clauses:

"(2) to extend the benefits of a higher education to qualifying men and women who might not otherwise be able to afford such an education;

"(3) to provide for vocational readjustment and to restore lost educational opportunities to those service men and women

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

who served on active duty after June 30, 1985;";

(3) by striking out the period at the end of clause (5), as redesignated by clause (1) of this section, and inserting in lieu thereof "; and"; and

(4) by inserting at the end the following new clause:

"(6) to enhance our Nation's competitiveness through the development of a more highly educated and productive work force.".

Mr. MONTGOMERY (during the reading). Mr. Speaker, I ask unanimous consent that the House amendment to the Senate amendment be considered as read and printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. SOLOMON. Mr. Speaker, reserving the right to object, and I will not object, I will not take up the time of the House because of the long day that we have before us, but I would ask the good chairman if he would explain the matter before us.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. Mr. Speaker, I yield to the gentleman from Mississippi for that purpose.

Mr. MONTGOMERY. Mr. Speaker, as the gentleman knows, the House passed H.R. 1085 on March 17, by a vote of 401 to 2. On May 8, by a vote of 89 to 0, the Senate passed the bill with minor amendments.

We have met with the leadership of the Veterans' Affairs Committee in the other body and with the leadership of the House Armed Services Committee, Mrs. Byron and Mr. Bateman and have resolved our minor differences. The proposed House amendment to the Senate amendment would change the House-passed measure by adding three new purpose clauses to the declared purposes of the new GI bill.

The new purposes would be as follows:

First, to extend the benefits of a higher education to qualifying men and women who might not otherwise be able to afford such an education;

Second, to provide for vocational readjustment and to restore lost educational opportunities to those servicemen and women who served on active duty after June 30, 1985; and

Third, to enhance our Nation's competitiveness through the development of a more highly educated and productive work force.

These are the only amendments to the House-passed bill. They would have no budgetary impact.

I urge the adoption of the proposed House amendment to the Senate amendment.

Mr. SOLOMON. Further reserving the right to object, Mr. Speaker, I would like to begin by thanking everyone who has been involved in making the new GI bill permanent including Wayne Dowdy, chairman of the Education, Training and Employment Subcommittee and the ranking member of the subcommittee, Chris Smith. I wish to particularly commend the hard work and diligence of Mr. Montgomery. It was his dedication to our men and women in uniform which made this legislation a reality.

Clearly, the primary objective of assisting veterans in obtaining an education is the most important benefit of the program, although we must acknowledge the benefits of the program in attracting high quality young people to our military services.

Mr. Speaker, as the pool of eligible recruits for our Armed Forces shrinks from 9.5 million people in 1987 to 7.8 million people by 1995, this legislation will continue to be one of the best recruitment tools we possess.

Within 3 years, the competition between private industry and our military for entry level jobholders will be intense, and without the GI bill, the Pentagon will be hard pressed to meet its recruitment goals. By the early 1990's it appears that it will be necessary to recruit into the military one out of every two eligible noncollege males. The success and very survival of the All-Volunteer Force are at stake.

As a readjustment mechanism for veterans returning to the civilian world;

As an incentive to attract high quality young people into the military service; and

As an investment in the men and women who have served their country.

It would be difficult to design a better program than the Montgomery GI bill.

Mr. Speaker, I would hope that every Member of the House would support this bill today, because the very future of America, and particularly our young people, are at stake with this legislation.

Again, I take off my hat to the chairman of the full committee, the gentleman from Mississippi, Sonny Montgomery, who has done such an outstanding job in leading this bill to its fruition as a permanent piece of legislation. It is altogether fitting that the legislation which established the new GI bill be named for Sonny Montgomery.

Further reserving the right to object, Mr. Speaker, I yield to the gentleman from New York [Mr. Gilman].

Mr. GILMAN. Mr. Speaker, I want to commend the gentleman from Mississippi [Mr. Montgomery], the distinguished chairman of the Committee on Veterans' Affairs, and the gentleman from New York [Mr. Solomon], the ranking minority member, for bringing this measure back to the floor in such a prompt and expeditious measure that will be strongly supportive of providing motivation for our fine young people to pursue a career in military service.

On March 17 of this year, the House adopted H.R. 1085, the Montgomery GI bill of 1987, by a vote of 401 to 2. This legislation was more recently considered in the other Chamber on May 8, when it was adopted with minor amendments, by a vote of 89 to 0. It is my understanding that an agreement has been achieved between the two bodies, and that this motion to concur in the Senate amendment with an amendment will meet with no opposition in the other body. I wholeheartedly urge my colleagues to offer their like support.

H.R. 1085 makes the new GI bill education assistance program permanent. Authorized under Public Law 98-525, the current demonstration program has been a tremendous tool in recruiting and enlisting talented young persons to serve in our Armed Forces. With funding from both the Veterans' Administration and the Department of Defense, basic grants are provided to eligible military personnel of $300 per month for up to 36 months. To be eligible servicemen and servicewomen must have a high school diploma or its equivalent; have been honorably discharged from the service; and have served either a minimum of 3 years in active duty or 2 years in active duty and 4 years in selective service.

The proposed House amendment to the Senate amendment would change the House-passed measure by adding three new purpose clauses to H.R. 1085 as follows: First, to extend the benefits of a higher education to qualifying men and women who would not otherwise be able to afford such an education; second, to provide for vocational readjustment and to restore lost educational opportunities to those service men and women who served on active duty after June 30, 1985; and third, to enhance our Nation's competitiveness through the development of a more highly educated and productive work force.

In closing, I would like to take this opportunity to thank the distinguished chairman of the Committee on Veterans' Affairs, Mr. Montgomery, and my dear friend, the ranking minority member, Mr. Solomon, for their dedication in serving our Nation's veterans. Accordingly, I urge my colleagues to support the House amendment to the Senate amendment to H.R. 1085.

Mr. DOWDY of Mississippi. Mr. Speaker, earlier today the House again demonstrated its full support for H.R. 1085, as amended, a bill to make the new GI bill a permanent program. This measure was enthusiastically endorsed by the House on March 17, 1987, and returned to us with minor amendments following a Senate vote of 89 to 0 on May 8. We resolved our differences with the other body in record time and expect that H.R. 1085 will be on its way to the President for his signature next week.

All of us in the House can take pride in today's action. The new GI bill has proven to be a great success and will provide educational assistance benefits to hundreds of thousands of young people who demonstrate their commitment to our Nation by serving in the Armed Forces.

I want to commend the chairman of the Committee on Veterans' Affairs, my dear friend and colleague from Mississippi, the Honorable G.V. (SONNY) MONTGOMERY, for his tenacious advocacy of the new GI bill. The existence of the new GI bill today is due to his determined leadership on this issue.

Mr. SOLOMON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1085.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

RAISING THE DEBT CEILING

(Mr. MATSUI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MATSUI. Mr. Speaker, today the House will vote to raise the debt ceiling, and for the sake of the integrity of U.S. financial markets, I urge a "yes" vote.

If we do not enact a higher debt ceiling today, we will create economic chaos both here at home and abroad.

Without a higher debt ceiling, the United States—like Mexico and Brazil—would not be able to pay the interest or the principal on its foreign debt. For the first time, we would default on credit extended through foreign loans.

Mr. Speaker, I don't want to see the United States become a credit risk like some of our neighbors in the Third World. Defaulting on loans affects the way the world treats us in the world market.

We would be sending a signal to investors on Wall Street and overseas that the United States cannot honor its contractual obligations. We would be telling investors, in effect, to stop investing in the United States.

And we would be condemning ourselves to pay more in interest payments to borrow money in the future, thus adding to the Federal deficit and further exacerbating our economic situation.

Mr. Speaker, if we do not enact a higher debt ceiling today, we will pay the consequences by destroying the financial integrity of the U.S. financial markets.

PERSECUTION OF THE IRANIAN BAHA'I POPULATION AND THE REACTION OF THE INTERNATIONAL COMMUNITY

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, ever since the advent of the Iranian revolution, Americans have been concerned about the human rights violations in the Islamic Republic of Iran.

Singled out for special persecution have been Iran's Baha'is, who, because their faith is considered an outgrowth of Islam, are treated as apostates, and have no legal status or rights.

It is quite evident that the fate of the Iranian Baha'is, and other human rights abuses in Iran, continue to need to be addressed by the international community.

Yet we have learned that the United Nations may be on the verge of dropping the human rights issue in Iran from its agenda.

In early March, countries such as Brazil, China, Pakistan, India, East Germany, Nicaragua, and Sri Lanka voted in the U.N. Commission on Human Rights—with Argentina, Colombia, Japan, and Cyprus, among others, abstaining—for a motion to defer action on Iran. That motion failed by a tie vote.

A similar resolution may be brought before the Economic and Social Council, which is now meeting in New York.

Mr. Speaker, let us not stand for the callous dismissal of the cries of the oppressed in Iran by indifferent members of the international community and let us support the efforts of the administration to assure that this issue remains on the international agenda.

APPOINTMENT AS MEMBER OF FEDERAL COUNCIL ON AGING

The SPEAKER. Pursuant to section 204 of Public Law 98-459, the Chair appoints as a member of the Federal Council on Aging on the part of the House the following person from the private sector:

Mr. Virgil S. Boucher of Peoria, IL.

APPOINTMENT OF MEMBERS TO ATTEND THE MEMORIAL SERVICE FOR THE LATE HONORABLE STEWART B. McKINNEY

The SPEAKER. Pursuant to House Resolution 161, the Speaker appoints as members of the committee to attend the memorial service for the late Stewart B. McKinney the following Members on the part of the House:

Mr. GEJDENSON of Connecticut; Mr. MICHEL of Illinois; Mrs. KENNELLY of Connecticut; Mrs. JOHNSON of Connecticut; Mr. MORRISON of Connecticut; Mr. ROWLAND of Connecticut; Mr. ST GERMAIN of Rhode Island; Mr. FISH of New York; Mr. McDADE of Pennsylvania; Mr. ALEXANDER of Arkansas; Mr. FRENZEL of Minnesota; Mr. RANGEL of New York; Mr. GILMAN of New York; Mrs. BOGGS of Louisiana; Mr. JEFFORDS of Vermont; Mr. MINETA of California; Mr. SCHULZE of Pennsylvania; Mr. MARKEY of Massachusetts; Mr. THOMAS A. LUKEN of Ohio; Mr. LEACH of Iowa; Ms. OAKAR of Ohio; Mr. WEISS of New York; Mr. GREEN of New York; Mr. CLINGER of Pennsylvania; Mr. DANNEMEYER of California; Mr. SENSENBRENNER of Wisconsin; Ms. SNOWE of Maine; Mr. WOLPE of Michigan; Mr. PARRIS of Virginia; Mr. DREIER of California; Mr. FRANK of Massachusetts; Mr. GUNDERSON of Wisconsin; Mr. WORTLEY of New York; Mr. CARR of Michigan; Mr. McMILLAN of North Carolina; Mr. SLAUGHTER of Virginia; and Mr. GALLEGLY of California.

THE FEVER AND CHILLS OF THE DOLLAR

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, in analyzing the British monetary experience for the years 1931-39, the late American monetary scientist, Benjamin M. Anderson wrote:

> The prestige of a great government and a long-established government can go far in upholding the value of its paper money even if the rational foundations for the value of paper money have waned. The pound sterling made a brave show on the basis of this kind of prestige. There was no great capital flight from Britain. As the sterling went low, the outside world bought it. London thought she had made a new discovery. But all was not well, and sterling unanchored to gold was subject to constant fevers and chills * * *.

History tells the rest of the story. The fevers and chills led to the loss of the empire, and the humiliation of Suez. John Bull had to go begging, hat in hand, to the European Common Market for a place in the sun.

Mr. Speaker, as the dollar goes low, the outside world is still buying it. But we should not kid ourselves that we have made a new discovery. Rather, we should ask ourselves: "Where will Uncle Sam go begging when the dollar, too, succumbs to its bout of fevers and chills?"

Members have a chance today to say that enough is enough. We should vote "no" on this 60-day extension. There are conditions that should be added to extending this debt, this madness, this debt on future generations. A modest step is just to suggest that we can correct Gramm-Rudman by inserting a provision whereby we estimate the deficit for fiscal year 1988, and automatically the duty of the President to sequester comes into existence. It seems to me we should exert the courage to do at least that much.

SMALL BUSINESS WEEK

(Mr. HATCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HATCHER. Mr. Speaker, as many of you know, this is National Small Business Week, and I would like to take this opportunity to salute our country's small businesses. The men and women who own and operate small businesses truly comprise the backbone of our economy. They develop new products and services, and provide jobs and opportunities for millions of Americans. Their creative responses to the ever-changing economic and market conditions produce new and innovative ideas all the time. We have just passed a comprehensive trade bill designed to make our country more competitive. The fact is that dynamic and innovative small businesses will create new and better products, as well as new jobs, as long as we provide them with a stable and growing economy. In the long run, this is what will make us truly competitive in the world market. Our role in this body should be to do all we can to maintain a stable economy which will allow our small businesses to flourish on their own.

Let us then take time this week to recognize the invaluable contributions that small businesses make to our American society—we salute you and we thank you.

MAY 15, POLICE MEMORIAL DAY

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, it is with great respect and appreciation that I rise today to recognize this Friday, May 15, as Police Memorial Day. At 11 a.m. on that day, a moment of silence will be held across this Nation so that we may offer our deepest sense of gratitude to those officers who gave their lives in a supreme effort to "protect and serve."

The police officer is the front-line representative of the criminal justice system, and in that position is the most visible and perhaps the most valuable to the Nation. He stands on the front line of law enforcement ready to defend and protect our neighborhoods and communities from the scourge of crime. All too often, however, his brave service goes unnoticed and indeed unappreciated by many law-abiding citizens.

Far from being the glamorous profession that is often depicted on television, law enforcement officers are faced with a job that poses numerous risks and uncertainties as they approach their duties each day.

Mr. Speaker, since 1960, 2,600 officers of the law have perished in the line of duty. On May 15, I urge all of my colleagues to observe a moment of silence in honor and remembrance of the brave men and women police officers who gave their lives defending our communities.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

(Mr. DERRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERRICK. Mr. Speaker, I rise today to urge the Members of the House to support the increase in the public debt limit when we consider that legislation later today.

If we do not increase it, we are subjecting an already fragile economy to a shock that could do serious harm. We have a record trade deficit. The dollar has plunged in value in the last year. Interest rates are rising. The American public and foreign investors, on whom we have become increasingly dependent, have doubts about the ability of Congress and the President to reduce the Federal deficit. I think that the economy is going to improve, but given the immediate problems we have we cannot afford to give the impression that this Government does not take its fiscal responsibility seriously. Members should realize that the first default on Federal obligations in our history will occur within a couple of weeks if we do not raise the limit. There just is not any wiggle room this time around because of the way the debt limit will actually be slashed by $200 billion at midnight this Friday and because of the way we have limited the flexibility to borrow from trust funds that the Treasury used to have. Think about the effect on confidence in our Government and our economy if on June 1 banks tell Social Security recipients that they will not cash their checks and the Government tells bond holders that they will not get their monthly interest payments.

If we want to instill confidence in the Government and the economy we need to eliminate our debt, not repudiate it.

TEMPORARY INCREASE IN THE NATIONAL DEBT

Mr. BRENNAN. Mr. Speaker, in recent years the national debt has increased by huge amounts to the extent that we actually have doubled it in just 6 years. What we are doing is enjoying benefits today and forcing our children and grandchildren to pay for them tomorrow. It is a little like inviting all your friends and relatives to the very fanciest restaurant in town and ordering the most expensive foods and wines and when the check comes say "My son or daughter will be along to pay for it in a few years." I say it is morally irresponsible. Today, in order to avoid the sorry spectacle of the richest country on the face of the Earth having its checks bounce, we will be asked to increase the national debt by $20 billion for 60 days.

Today I urge my fellow Members to do the responsible thing and not to demagog and not to posture, and support the increase now so that the U.S. Government might avoid the embarrassment worldwide of our checks bouncing but at the same time commit ourselves to reducing the amount of debt that we are leaving as a legacy to our children.

SHAME ON YOU, JAPAN—SHAME ON YOU, JAPAN

(Mr. RAVENEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAVENEL. Mr. Speaker, the migration route for the remnants of the east coast right whale population lies off the coast of my home State of South Carolina. It was the first whale hunted in North America because it was slow moving and floated after it was killed. That's why it was called the "right" whale. The numbers of these gentle giants fell sharply by the middle of the 19th century. Despite total protection for over 50 years, the right whale has not recovered, only about 350 remain. The International Whaling Commission attempted to prevent a recurrence of this tragedy by voting a moratorium on commercial whaling. Japan will ignore this moratorium via a new scam; they will continue whaling for the "benefit of science". Rather than learning from the tragedy of the right whale, they are seeking to create similar tragedies with other species of whales—shame on you, Japan—shame on you, Japan.

RAISING THE DEBT CEILING OR "LET'S MAKE A DEAL"

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, the debt ceiling is up again and it is time to reenact that famous TV game show "Let's Make a Deal." In the words of that show's inimitable host, Monty Hall, "Come on down, come on down." Today we are offering potentially the best deal of a fiscal lifetime, a 2-month's extension of the debt ceiling that is clean, no complicating amendments. Many of us often refuse to vote for the debt ceiling extension. So where is the deal? Because we vote for extending only 2 months.

But there is more. We also give notice that we will not extend again unless Gramm-Rudman is reformed including a sequestration mechanism. And there is more: No more extensions unless there has been a fiscal policy commission working out a budget putting everything on the table: Spending cuts, taxes, budget reform, accounting practices. That is the deal. Vote "no"; you do not send a message, you put the Government in default. You do not force all parties to come to the table.

So come on down Republicans, come on down Democrats, and most importantly, come on down Ronald Reagan. Without you there is no deal.

CONGRESS MUST DEAL WITH THE DEADLY AIDS VIRUS QUESTION IMMEDIATELY

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, since yesterday 5,000 to 10,000 new people have been infected with AIDS. Every day we tarry another 5,000 to 10,0000 Americans are infected with the deadly virus AIDS and at least half of those people are going to get full blown AIDS and die.

We have prostitutes in this city and in other cities in the country who know they have the AIDS virus, who continue to ply their trade infecting innocent Americans who in turn go home to their wives and loved ones and infect them. The epidemic spreads unchecked.

We have 2 million to 4 million people at least with the AIDS virus and it is doubling every 10 to 12 months. We have an epidemic, an invisible forest fire virus spreading across this Nation and this body is doing nothing.

Congressman DANNEMEYER of California and I have legislation that will deal with facets of this terrible epidemic. And the committees of the House will not hold hearings on them.

Mr. Speaker, I submit this as something that we must deal with immediately and I urge those committee chairmen to get on with holding hearings on this legislation.

WE MUST RAISE THE DEBT CEILING

(Mr. DURBIN asked and was given permission to address the House for 45 seconds and to revise and extend his remarks.)

Mr. DURBIN. Mr. Speaker, today when we consider the debt ceiling extension, I hope my colleagues will join me in voting for it.

A letter recently sent to Members of Congress by the Secretary of the Treasury, Mr. Baker, summarizes what we are faced with. He said in that letter:

> Our Founding Fathers regarded the full faith and credit of the United States as a sacred trust, and for over 200 years the United States government has upheld this fiduciary duty. The United States has never defaulted on its debt obligations. To do so would be unthinkable and irresponsible.

The strength of our economy is grounded on the fragile balance of trust. Let us hope that those who are moved today to make pious statements about their fiscal purity by voting against this extension will keep that in mind. A lot of Americans will be watching.

DEBT CEILING EXTENSION

(Mr. FLIPPO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLIPPO. Mr. Speaker, I rise today in support of raising the debt ceiling limit. Action on this issue is both vital to our Nation's financial security and the only course available to the responsible men and women of Congress.

Only one true question exists: will the U.S. House of Representatives faithfully discharge its duties to the American people, of preserving the solvency and integrity of the Nation's Government.

The facts of this issue are well known. The temporary debt limit of $2.3 trillion reverts to the $2.1 trillion permanent ceiling at midnight May 15. This is the law which Congress passed, and there is no longer any doubt that failure to establish a new temporary debt ceiling will force the Federal Government into bankruptcy before the end of the month.

Let there be no doubt: I am not happy to stand here today calling for a new debt ceiling. Nothing would please me more if the extension of a new ceiling were not a fundamental necessity. Yet, ladies and gentlemen, that is what we face today: an issue on which political posturing cannot be accepted and our personal preferences must be set aside.

Failure to pass an extension of the debt ceiling limit would mean economic chaos at home and around the world. There can be no pride in placing the United States of America in the same category with impoverished Third World nations unable to pay their debts. But the heaviest burden of shame would come from failing to meet our Nation's financial obligations to our own citizens.

Not one Member of this body was sent here to stand by while the Federal Government defaulted on its commitments to the American public, including social security recipients, veterans, the military, civil servants, and farmers. We may individually and collectively be dedicated to balancing the budget, but that is not the issue we face today. The only issue before us today is meeting our duty to preserve the financial honor of the Nation. I strongly urge my colleagues to support extension of the debt ceiling limit.

□ 1030

GRAND VALLEY POWERPLANT

(Mr. CAMPBELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAMPBELL. Mr. Speaker, on January 5, 1986, the contract for the operation of the Grand Valley powerplant, near Grand Junction, CO, expired.

In the original law (Public Law 71-708) Congress made no arrangements for the plant's continued operation, and as a consequence, the plant was shut down.

On April 30, 1986, the Bureau of Reclamation entered into an interim contract for the operation of the powerplant until new legislation is passed. The interim contract expires on December 31, 1987.

In consultation with the Bureau of Reclamation, the Grand Valley Water Users Association, the Orchard Mesa Irrigation District, and the staff of the House of Interior Subcommittee on Water and Power Resources, I have introduced legislation which will allow the plant to be operated for an additional 25 years. The legislation also makes it possible for the title to the reclamation project and the powerplant to be transferred to the Grand Valley Water Users Association, if the parties so desire.

Federal funds have never been expended on the powerplant, and will not be expended under the proposed legislation. I also believe the U.S. Treasury will benefit from the acceleration of repayments mandated by the legislation.

I ask for your help in passing this measure, and I look forward to working with you to ensure that once expensive reclamation and hydropower projects are built, they do not go to waste.

DEBT CEILING EXTENSION

(Mr. VISCLOSKY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Speaker, I rise in strong support of H.R. 2360, a bill to temporarily increase the debt limit to $2.32 trillion through July 17, 1987. I wish to also lend my support to Chairman ROSTENKOWSKI's amendment to permanently increase the debt ceiling to $2.578 trillion, the amount requested by the administration in a May letter from Treasury Secretary Baker to the chairman. The Rostenkowski amendment would save a great deal of time and energy that could be dedicated to reducing the deficit, instead of being expended on intermittent debate on the debt ceiling.

On this occasion, I am happy to agree with the administration that the extension of the debt limit should be accomplished with alacrity. From here we must move forward and concentrate our efforts on responsibly handling the fiscal and procedural problems involved with the budget. It is imperative that we exercise the political will for which we were elected to ensure the financial viability of our Government, instead of reverting to political posturing and rejecting an increase in the debt limit. If we do not raise this ceiling, we will precipitate a crisis of confidence as we fail to meet our foreign and domestic obligations.

Should H.R. 2360 be defeated, we will be forced to default on credit extended through foreign loans; suspend the issuance of Treasury securities; and, terminate benefit payments to Social Security and welfare recipients, paychecks to Federal employees, and refunds to taxpayers. To allow these disastrous consequences would be a serious breach of the American people's faith in us as their elected representatives.

I urge my colleagues to join me in supporting a clean extension of the debt ceiling to avert this catastrophe and to provide us with the opportunity to concentrate on the challenge of responsibly reducing the growth of spending and decreasing our monstrous debt.

AMERICA MUST STOP BORROWING FROM FOREIGN SOURCES

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, more than 200 years ago, our Founding Fathers drafted the Declaration of Independence, a spirit of national independence that has guided our Nation since its inception.

But for the past 6 years, this administration has promoted economic policies not true to the spirit of that grand document. Their policies can only be described as a "Declaration of Dependence." They'll borrow from anybody to keep our ship of state afloat. An estimated 25 percent of all commercial and industrial loans in the United States are held by foreign banks. Only 1 of the top 10 banks in the world is U.S. owned.

The impact of foreign control over our economy becomes clearer every day. At last week's Treasury bond auction, Japanese investors bought half of the bonds. Headlines tell the story. The New York Times, May 7: "Bonds Dive as Japanese Hold Back." Foreign investment in our marketplace is causing volatile swings on Wall Street that are unhealthy for our financial stability.

Foreign interests should not have that kind of leverage over our financial markets. And, if we look at those industries vital to the Nation's defense: Machine tools, metal fasteners, steel, autos, bearings, and even textiles, we see parts of America being sold to pay our foreign creditors. This is unprecedented in our history.

As a nation, we must begin the job of reclaiming America. This means getting the budget and trade deficits under control. It means investing our own dollars again and stop borrowing from foreign sources. As we vote on the debt ceiling today, we should ask ourselves how America can pay its own way and stop borrowing from foreign creditors.

RAISING THE DEBT CEILING

(Mr. LELAND asked and was given permission to address the House for 1 minute.)

Mr. LELAND. Mr. Speaker, it is not often that I find myself rising to advocate a position taken by the administration. But today, Congress is faced with an issue that transcends partisan ideology. That issue is: Will this country honor its credit obligations, or will it renege on those commitments?

Secretary James Baker has advised us that unless we vote today to raise the temporary debt limit, which expires at midnight, May 15, this country will run out of money to pay both its domestic and foreign debts on May 28.

Defaulting on our credit obligations would send shock waves throughout the international financial community. Our position as the world's most trustworthy credit risk would collapse.

Never in this Nation's history have we defaulted on our debt obligations. Let's not let it be recorded that the 100th Congress breached the sacred trust of the full, faith, and credit of the United States.

Secretary Baker has urged us to act quickly to increase the current debt ceiling. For once, Mr. Speaker, I want to urge my colleagues to follow the administration's advice.

AIDS BRIEFING

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, at 12 noon, which is only 1 hour and 25 minutes from now, I am going to be sponsoring a briefing on AIDS downstairs in room H-139.

I first did this over 1½ years ago, back in September 1985, and we only had four Members show up. Since then, two of them have been very active in legislation, the gentleman from California [Mr. DANNEMEYER] and the gentleman from Indiana [Mr. BURTON].

After a passage of 2 more months, because a fool could see how these death rate figures were going off the charts, I had another briefing by Health and Human Services, and only three Members showed up.

I had a third luncheon early in 1986, and only two Members showed up.

Now that a Member has died, Stewart McKinney of Connecticut, of AIDS, and there are rumors that one more Member in this—I will not even identify the body, either the other Chamber or here—may have tested positive for the AIDS virus, I think it is time for us to really start getting knowledgeable on AIDS.

Twelve noon, downstairs, H-139. Let me have Members from both sides of the aisle. How about a dozen Members? Would that not be good, to learn about the plague? Some 21,000 will be dead this week. We must act. But first we must get educated.

A SPECIAL COMMISSION ON AIDS

(Mr. LEVIN of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Speaker, it was announced recently that President Reagan will appoint a special commission to oversee the battle against AIDS. All Americans should applaud that decision.

Several weeks ago, after considerable silence, the President labeled AIDS public health enemy No. 1. That underlines how crucial it is whom the President appoints to the commission.

I urge the President to select members based on their expertise, not their ideology. Clearly, society's response to AIDS involves issues of basic values, but there is a supreme value at stake in this battle: life itself.

It will not wait as some fight over other issues or interests.

Today the special committee investigating Irangate holds the glare of publicity. As critical as that proceeding, it is possible that the President's place in history will be judged even more by the nature of his response to the spread of AIDS.

A commission can be an important tool. It is critical the President construct it well.

VOTE FOR CLEAN 60-DAY EXTENSION ON DEBT CEILING

(Mr. MacKAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MacKAY. Mr. Speaker, I speak on behalf of a bipartisan group which is trying to use the leverage of the debt ceiling expiration to force fiscal discipline. Some persons are surprised that our group is supporting a clean 60-day extension of the debt ceiling.

We are because we believe it is irresponsible to risk default and the ruining of America's credit. But let it be clear that this is not the end of the debt ceiling issue. This is the beginning.

Now that everyone is focused on the problem of fiscal discipline, we believe the 60 days will allow an orderly period of time during which we can arrive at a consensus as to what this country should do to learn how to live within its means.

We urge everyone to vote today for a clean 60-day extension. We want to make it clear that on July 15, we will oppose further extensions absent a rededication to deficit reduction. We hope we will have arrived at a consensus by that time that we are going to take steps to resolve the problems of fiscal policy.

WE CANNOT IGNORE OUR DEBT OBLIGATIONS

(Mr. CARDIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, as a freshman Member of the House, this is my first experience with the process by which the Congress addresses the statutory debt ceiling of the United States.

My previous experience was in the State legislature. The task of preserving the fiscal integrity and good name of the State of Maryland, I'm pleased to say, was taken seriously. We didn't play games, and we certainly didn't engage in the kind of brinksmanship that some have threatened in this process.

Every Member of this body understands the need to end the tidal wave of red ink. Members who are concerned about the deficit should work through the legislative process to enforce the spending and revenue decisions we approved in the budget.

But it is irresponsible to hold the national and international financial community hostage with threats to renege on obligations secured by the full faith and credit of the U.S. Government. I strongly urge my colleagues to support the amendment that will be offered by the chairman of the Ways and Means Committee to increase the debt ceiling sufficiently to last through fiscal year 1988. We have a responsibility to reduce the deficit. But we have no right to ignore the obligations we have already incurred.

□ 1040

PUBLIC DEBT LIMIT INCREASE

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 165 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 165

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2360) to provide for a temporary increase in the public debt limit, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill for failure to comply with the provisions of clause 2(l)(6) of rule XI are hereby waived, and all points of order against the bill for failure to comply with the provisions of clause 5(a) of rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment under the five-minute rule. No amendment to the bill shall be in order except an amendment printed in section two of this resolution by, and if offered by, Representative Rostenkowski of Illinois, or his designee, which shall be considered as having been read, which shall be debatable for not to exceed thirty minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, which shall not be subject to amendment, and all points of order against said amendment for failure to comply with the provisions of clause 5(a) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

Sec. 2. Strike out subsection (a) of the first section of the bill and insert the following: "That (a) subsection (b) of section 3101 of title 31, United States Code, is amended by striking out the dollar limitation contained in such subsection and inserting in lieu thereof '$2,578,000,000,000'.".

Amend the title to read as follows: "A bill to increase the statutory limit on the public debt.".

The SPEAKER pro tempore (Mr. Montgomery). The gentleman from Texas [Mr. Frost] is recognized for 1 hour.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Tennessee [Mr. Quillen] pending which I yield myself such time as I may consume.

Mr. FROST. Mr. Speaker, House Resolution 165 is a modified closed rule providing for the consideration of H.R. 2360, to increase the temporary limit on the public debt. The rule provides for 1 hour of general debate on the bill which is to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against the consideration of the bill for failure to comply with the provisions of clause 2(L)(6) of rule XI which requires a 3-day layover of measures reported from committees prior to consideration by the House. The Committee on Rules has recommended this waiver for the simple reason that expeditious consideration of the increase of the temporary debt limit is of critical importance. As Members know, on Friday of this week, the ceiling of $2.3 trillion on the public debt expires reverting the ceiling to $2.111 trillion. Outstanding public debt already exceeds that level. The Committee on Ways and Means reported H.R. 2360 on Monday, and in order for the bill to be considered today, it is necessary to waive the 3-day layover requirement.

Mr. Speaker, the rule also waives all points of order against the bill for failure to comply with the provisions of clause 5(a) of rule XXI. Clause 5(a) of rule XXI prohibits the inclusion of appropriations in a legislative bill. However, since an increase in the public debt limit is an appropriation and is within the jurisdiction of the Committee on Ways and Means, the Committee on Rules recommends this waiver.

The rule provides that after general debate the bill shall be considered as having been read for amendment under the 5-minute rule and no amendment to the bill shall be in order except a committee amendment by, and if offered by, Representative Rostenkowski or his designee. The amendment shall be considered as having been read and shall be debatable for 30 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, and shall not be subject to amendment. The rule also waives all points of order against the committee amendment for failure to comply with the provisions of clause 5(a) of rule XXI, which prohibits the consideration of appropriations in a legislative bill. The committee amendment made in order in the rule extends the public debt limit to $2.578 trillion which is the level estimated to be necessary to carry the Government through fiscal year 1988.

Finally, the rule provides that at the conclusion of the consideration on the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

Mr. Speaker, we are once again faced with the necessary task of extending the limit on the public debt and we are once again facing that task at the 11th hour. If the public debt limit is not increased, beginning on May 16, the Treasury will not be able to issue new securities and by May 28, the United States will run out of cash and begin defaulting on its obligations salaries and benefits due June first would not be paid. The possibility of the U.S. Government defaulting on its obligations is intolerable.

H.R. 2360 provides for a 60-day temporary increase of the public debt limit and increases that limit from the current $2.3 trillion to $2.32 trillion. The limit provided in the bill would revert to the permanent limit of $2.111 trillion after July 17. As my colleagues know, when the House and the Senate reach agreement on a conference report on the budget, the special process of amending the permanent limit will commence. The budget conference began yesterday and there is every reason to believe the conferees will reach agreement prior to July 17.

The committee amendment made in order in the rule increases the debt ceiling to $2.578 trillion, the amount estimated in the President's budget to be necessary for fiscal year 1988. The administration requested this amount if Congress was not willing to adopt an increase to $2.8 trillion, the amount sufficient to get us through the November 1988 election.

Mr. Speaker, the rule provides for full consideration of the temporary increase in the debt limit and of the administration's requested level of increase. The rule before the Members is fair and responsible and I urge its adoption.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I urge adoption of the rule. The bill this rule makes in order raises the current temporary public debt limit from $2.3 trillion to $2.32 trillion, an increase of $20 billion. The current debt limit will expire after this Friday, at which time the limit would revert to the permanent debt limit of $2.111 trillion. At this time, the present outstanding public debt already exceeds $2.2 trillion. This means that beginning Saturday, May 16, if the public debt limit is not increased, the Department of the Treasury will be legally unable to issue new securities and by May 28, the U.S. Government would exhaust its cash reserves and begin defaulting on its obligations. The Department of the Treasury has notified the Congress that even if the Secretary of the Treasury disinvested the trust funds, the Federal Government would still be unable to pay Federal salaries and benefits due on June 1.

That we have no choice but to increase the public debt limit is not in doubt. The bill's $20 billion increase should cover Government borrowing until mid-July. This is the correct approach. It will allow the Congress and the administration 2 months to resolve differences relating to the fiscal year 1988 budget and also determine what changes should be made to the Gramm-Rudman-Hollings Act which is now in a serious state of disrepair because of last year's Supreme Court decision.

Mr. Speaker, there will be an amendment offered by the chairman of the Committee on Ways and Means to extend the debt limit through fiscal year 1988. However, I feel that the 60-day extension is the proper approach. The House should follow that 60-day approach in order to keep the pressure on to correct deficiencies in the budget process which must be corrected if we are to follow Gramm-Rudman-Hollings.

Mr. Speaker, I urge adoption of the rule, and as much as I hate to say so, I urge the Members to pass the bill so that this Government can continue to operate. Historically, I have always voted against an increase in the debt limit, but there is a time when we here in the House must rise above politics and vote to keep this Government of ours running.

Mr. Speaker, I intend to do that. I urge adoption of the rule and passage of the bill when it is presented to the House this afternoon.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. FROST. Mr. Speaker, I have no requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 165 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2360.

□ 1052

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2360) to provide for a temporary increase in the public debt limit, with Mrs. SCHROEDER in the chair.

The Clerk read the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 30 minutes and the gentleman from Tennessee [Mr. DUNCAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the current ceiling on the public debt of $2,300 billion expires this Friday, May 15. The debt ceiling then reverts to its permanent level of $2,111 billion.

This bill, H.R. 2360, provides for a temporary increase of $20 billion in the public debt limit, increasing it to $2,320 billion July 17, 1987. Under this bill, the limit on the public debt will revert to its present law, permanent limit of $2,111 billion on July 18, 1987.

Without a further increase in the debt limit, it will be impossible for the Federal Government to borrow from anyone or to roll over existing Treasury obligations which mature after May 15. Furthermore, after May 15 there can be no savings bond sales. No State and local government series sales, and no investment of new money for any trust fund including the Social Security funds.

The Treasury has enough cash to redeem obligations coming due on May 21, but will not have enough on hand to redeem those coming due May 28. If the Treasury is forced to redeem maturing obligations with cash on May 21, many small investors will receive cash instead of an automatic rollover of their Treasury note and consequently lose interest earnings. If the debt limit is not increased prior to May 28 when the Government does not have sufficient cash to redeem its obligations, then the Government will default.

When the debt ceiling was increased last fall, the May 15 date was selected in order to force us to expedite the budget process for fiscal year 1988 and determine what changes should be made to the Gramm-Rudman-Hollings Act. Although considerable progress has been made on a budget resolution for fiscal year 1988, we do not expect to pass a conference committee report on the budget resolution this week. Passage of such a conference report would, under the House rules, automatically send a debt ceiling bill to the other body.

In response to this situation the Committee on Ways and Means reported H.R. 2360, which provides 2 additional months for Congress to resolve those budget issues.

Failure to enact a debt limit bill prior to May 28 will produce cataclysmic results. Foreign and other investors will be reluctant to buy U.S. securities. Consequently, borrowing costs to the U.S. Treasury will increase significantly. Because U.S. Government obligations form the centerpiece of the international financial system, default on those obligations even for a short period of time, would threaten international financial stability.

On May 1, Secretary of the Treasury James Baker wrote to the Committee on Ways and Means urging an increase in the public debt limit in order to avoid default. In his words, and I quote:

> The United States has never defaulted on its debt obligations. To do so would seriously erode this country's premier credit position and break faith with our citizens.

Madam Chairman, I urge the adoption of this legislation.

☐ 1055

Mr. DUNCAN. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, first I would like to commend my chairman, the gentleman from Illinois [Mr. ROSTENKOWSKI], for the leadership that he has taken in this matter in trying to solve a very difficult situation.

Madam Chairman, today we face another difficult decision on the public debt limit. We can vote to increase the ceiling for 60 days, or for a fiscal year. We can argue about the choice, but we must do one or the other. To do nothing would be to court disaster.

Specifically before us is H.R. 2360, providing a temporary increase in the statutory limit on the public debt to $2.32 trillion. This legislation would expire at midnight on July 17, and further action on the limit would be required before that time.

We also have an opportunity to vote on a Ways and Means Committee amendment which would raise the statutory limit to $2.578 trillion. This is the amount which the Treasury Department estimates would be sufficient to last through fiscal year 1988. The amendment responds to the administration's request for a clean, long-term debt limit extension, and would avoid disruptions caused by the prospect of a series of short-term extensions.

The current debt limit of $2.3 trillion will expire at midnight on May 15—this Friday. At that time, it will revert to its permanent ceiling of $2.111 trillion, which will be about $160 billion above actual outstanding debt.

After May 15, the Federal Government will be unable to borrow from the public to finance any current obligations, or to roll-over existing Treasury obligations which mature after May 15.

The current situation is very different from what has happened in the past. In recent years, debt limit extensions have been required as the Government "bumped up" against the ceiling. Under those circumstances, Treasury had some administrative flexibility—including deferring investment in—or disinvesting—trust funds—in order to continue, on a short-term basis, to borrow from the public to pay bills due, make benefit payments and meet other obligations.

Those circumstances do not apply today. When the debt limit expires, on May 15, it will revert to a level that is $160 billion below actual debt subject to limit. Treasury spokesmen have testified that there is no administrative flexibility to manage cash when the debt is well in excess of the permanent limit. No new Treasury securities can be issued, and maturing issues must be redeemed as long as cash is available.

Officials have testified that the Treasury will run out of cash on May 28. On that date, Treasury bills totaling $14.7 billion will mature and in the absence of an increase in the debt limit, Treasury will have to refund those maturing obligations from its current operating cash balance. A similar refunding will occur on May 21. Treasury has reported that it will not have sufficient cash to refund those obligations and that the U.S. Government would then be in default. Such a default would be unprecedented, and one could only speculate upon the adverse reaction in financial markets to such an occurrence.

With regard to Social Security and other benefit payments due in June, Treasury has stated that it would be unable to make those payments, even if the trust funds were disinvested. This is because the debt is so far in excess of the permanent limit that disinvestment of the trust funds would not provide sufficient additional borrowing authority to allow Treasury to raise the cash needed to pay benefits. I should make it clear that I do not favor disinvestment because it costs taxpayers a lot of money in the long run and it confuses beneficiaries. But that is not a real alternative now, in any case. According to Treasury, disinvestment would not work this time.

The requirement for increases in the debt limit is always a contentious issue, and this year is no exception. Particularly when our fiscal house is so badly in need of repair, there are tremendous pressures to try to resolve budget policy and budget process issues, with the debt limit bill held hostage to that effort.

I can't quarrel with those who argue that the budget process doesn't work and perhaps should be completely reworked, or with those who argue that we need to correct the constitutional flaws of the Gramm-Rudman law and restore its effectiveness. I would only say that we have limited time in which to resolve these issues, if they are linked to the debt limit extension, and I would hope that we can start that essential process today.

The simple truth, Madam Chairman, is that the way to control our public debt is to control our tendencies here to authorize and appropriate more than we can afford. By the time we are asked to raise the legal ceiling, the money already has been spent, and creditors are knocking on our door. I understand that many of my colleagues feel that a vote on the debt limit is the only lever available to express their opposition to congressional spending excesses. But, unfortunately, the bills for past expenditures are being presented and we are honor bound to pay.

Madam Chairman, until a few years ago I did not vote for extensions of the debt limit, but times and economic conditions have changed. Today, I can see that we face, potentially, a very catastrophic time, and I want to see my Social Security recipients and my veterans receive their checks when they are due. If Members are opposed to this, I presume that they would vote against the debt extension, but I for one am certainly going to support my chairman, my committee, and my President.

Madam Chairman, I yield such time as he may consume to the gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. Madam Chairman, it is with reluctance that I take the floor and suggest to my colleagues that the only responsible vote on this issue is to reject both the amendment that would get us through fiscal year 1988 as well as the 60-day extension.

The reason that I say that is because about the only time that we get the attention of the spenders that dominate this institution, both Houses, those who pay more attention to those who receive the money than the taxpayers who pay it or the unborn children who will be fastened with this debt that we are creating here today, is when push comes to shove at a sensitive time like this when something has to give.

There are alternatives to this default that we are talking about. For example, we all know of Gramm-Rudman-Hollings, which was adopted several years ago. It was designed to bring the deficit under control. Let us look at it a moment. The Gramm-Rudman-Hollings deficit projection for fiscal year 1986, last year, was as we all know some $174 billion. How much did we increase the national debt by last fiscal year? Would you believe $285 billion? That is right, that was the measure of the deficit, not what the Gramm-Rudman-Hollings target was.

The deficit projection for fiscal year 1987, our current year, is $144 billion. Do you know how much we are going to increase the national debt by this fiscal year? Try about $200 billion.

□ 1105

The Members know what the Gramm-Rudman-Hollings deficit projection for next fiscal year is, the one we are working on right now, $108 billion.

How much are we projected to increase the national debt by in the next fiscal year? Try about $198 billion. In other words, in just 3 fiscal years we are going to add two-thirds of a trillion dollars to the national debt of this country.

You do not have to be a graduate economist. You do not even have to be a graduate of high school to figure out, just common sense, that something is fundamentally wrong with the economic system of this country, when all the best minds in the Congress of the United States can do is to bury this Nation in debt in the magnitude that I have described.

It is about time that the Members recognize that the experiment with the paper dollar that was started in 1968 has been interesting, but we should declare it to be over and done and ended.

Let economists in future times write about this history from 1968–87 with interest and judgment, but those of us who have the responsibility of running the fiscal affairs of this Nation should recognize that it should be over.

Ask ourselves this question: How much did we sell U.S. debt instruments for before 1968 when we separated the link between the dollar and gold? The answer: Under 3 percent.

How much is the average cost of maintaining the national debt today, some $2.3 trillion? Answer: About 9½ percent.

What happens when the historic link is restored between the dollar and gold? We drive down the cost of interest expense in maintaining the national debt back to three or lower, and in so doing, reduce the annual interest expense by over $125 billion a year.

That is a pretty good reduction in the deficit.

That is the option we should be pursuing.

Mr. DUNCAN. Madam Chairman, I yield 1 minute to the gentleman from Florida [Mr. IRELAND].

Mr. IRELAND. Madam Chairman, I believe the Members have heard and will hear considerable dialog here this morning about the great tragedy that will befall this country if we do not extend this debt limit.

I would suggest to the Members that on this day, if the debt limit is not extended, two very good things will happen.

Instead of the market coming apart at the seams, as some would suggest, I think the world market, the American market, is sophisticated enough to approve our action in not extending the debt limit.

The market is scared, because we go on year after year and month after month without facing the real task ahead.

If we, today, refuse to extend the debt limit, the market will know that at least we are serious.

The other good thing that will happen is, that having refused to extend the debt limit in the remaining days before the crisis is supposed to come, something will be done.

Mr. DUNCAN. Madam Chairman, I yield 3 minutes to the gentleman from Florida [Mr. MACK].

Mr. MACK. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, it is interesting that the previous speaker and I share a common background in the sense that we were in the banking business for a number of years, and so I have a tendency to approach this question of the debt ceiling from that vantage point.

I realize that we are talking to three different groups here today. We are talking to groups who basically have supported the various programs that our Government is involved in, supported those issues.

I would expect those individuals to continue to support those programs by extending the debt ceiling. There are other groups, other individuals, that fall into a second group that say, look, I have never supported the spending programs. I am not going to support an extension of the debt ceiling, and there will be people that will fall somewhere in between those groups, but say that the time has come that we do something about reforming the budget process, about Gramm-Rudman, and putting the fix into place.

I think my remarks are really directed more at the individuals who fall in those second two categories, and I think of it from this vantage point.

I mentioned a moment ago the banking background. In banking we issue lines of credit or credit limits on individual credit cards or the credit line usually has with it some kind of condition upon borrowing.

In December 1985, when we passed Gramm-Rudman, we basically said to the Nation, to the Executive, that additional borrowing is based on new conditions that we established in December 1985. One of those conditions was the establishment of the targets of borrowing, and as one of the previous speakers has indicated, those targets were $108 billion for this year. We are not going to meet it. We did not meet it last year.

Put yourself in a position of either being an individual having a credit card or having a credit line, and going back in to your banker not having complied with the conditions that has been established in the first place and asking for an increase in the credit line.

The average banker would say, that is not going to happen. There are other things that have to take place beforehand. We have to go down the conditions that we established initially, see what can be done to correct those conditions.

What the gentleman from Florida [Mr. IRELAND] and I and other Members are asking you to do today is to defeat the extension of the debt ceiling either for 60 days or longer.

There is time to force both the administration and others to become involved in making the right kinds of decisions about putting the proper conditions on future borrowing of the Federal Government, and one of those conditions has got to be the correction of the Gramm-Rudman trigger.

I would ask those Members who fall in those two categories, either having turned down spending programs in the past or who have some concern about the necessity for reform, now is the time to bring pressure to bear.

I would remind each of the Members that we never would have passed Gramm-Rudman in December 1985 if we had not continually been in a position to place pressure both on the administration and on this body and the other body.

Without that pressure, we cannot be successful. I urge a vote against the debt ceiling extension.

Mr. DUNCAN. Madam Chairman, I yield 3 minutes to the gentleman from South Carolina [Mr. RAVENEL].

Mr. RAVENEL. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, when I sent out my questionnaire this year, my first questionnaire being a freshman Member of the House, one of the questions I asked was: "What do you consider the most serious problem facing America as a whole today?"

I got back 5,000 responses. Fifty-three percent of the people who responded from my congressional district, the First Congressional District of South Carolina, said the Federal deficit.

I come from a State where we have a constitutional amendment that requires a balanced budget. We also require statutorily a midterm correction like you folks try to get, those of you who are in the Congress. So if the funds do not come in, the target is not met and you sequester the funds. That is the teeth in South Carolina that gives us the triple A rating and keeps our ship of state on a firm course.

I just got here. I did not make this mess, and I am not going to vote for any extensions of the debt ceiling. I am not going to become a debt-aholic. I am not going to be like that alcoholic who takes that one more drink, that womanizer who makes that one more call to the girlfriend, or that person who is hooked on cigarettes who smokes that one additional cigarette.

What we have going on up here in this Congress is a Chicken Little situation. My colleagues all remember that story. An acorn fell and it hit the chicken in the head, Chicken Little, and he went running around saying, "The sky is falling, the sky is falling."

The sky is not falling. Until we send a message to our fellows and send a message to the administration that we ain't going to go along with any more extension of the debt ceiling, nothing is going to be done.

I would say to those of my colleagues on my side of the aisle, was it not nice that the Secretary of the Treasury condescended to come down and for 10 minutes patronize us and say if we did not do something by the 15th the sky would fall, and by the 28th we would run out of money.

My colleagues all know, Wall Street knows, the world knows that if we hold their feet to the fire, by George, they will pull their feet out and put on some responsible shoes.

Mr. DUNCAN. Madam Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. Kyl].

Mr. KYL. Madam Chairman, I agree with my colleague, the gentleman from California [Mr. Dannemeyer]. The only time we get the attention of the big spenders is when the bill becomes due and it is time to have it paid. Then they ask for help to bail them out of the predicament.

This is precisely the time to say no. We will help you out by saying no and forcing some reform in the system.

The response is: "We need just a little bit more time," but that is always the response. This is the time when the pressure requires action.

We have 2 whole weeks, and when there is something as important as this on our agenda we can accomplish some reform in the system in 2 weeks.

In his new book, "Beyond Our Means," by Alfred Malabre, who, by the way, is the news editor of the Wall Street Journal, the point is made that we will have a catastrophic economic downturn in this country because we have been spending and borrowing beyond our means. I commend this sobering book to all of my colleagues.

The author notes that our private and corporate and Government debt in this country now totals $7 trillion, $35,000 for every man, woman, and child in this country. We have got to stop this unrestrained borrowing and spending, and the only thing I know to get the attention of those who are in a position to do something about the Government portion of the problem is to say no to increasing the debt ceiling.

My colleagues have all heard the slogan for another disease that afflicts our society, "Just say no." That is what I commend to my colleagues in voting against both of the propositions to raise the debt ceiling.

Mr. ROSTENKOWSKI. Madam Chairman, I yield 2 minutes to the gentleman from Florida [Mr. MacKay].

Mr. MacKAY. Madam Chairman, I speak today on behalf of a bipartisan group who are urging that the debt ceiling be extended clean for 60 days, but who are also making it clear to the leadership of both parties that at the end of that 60 days our group expects to dig in its heels and get some results on the questions that we have not been able to deal with.

What is not recognized here is that tax reform and spending reform are not separate issues. They are two sides of a single issue. That issue is properly known as fiscal policy. The question is why we cannot have a coherent fiscal policy in America. All of the world waits for the answer to that question.

Our group believes that we are not going to be able to deal with the question of fiscal policy unless we deal with that question in a bipartisan manner. We believe that the model that could be followed very well by this Congress is the model that was followed in the tax reform debate.

Previous speakers have emphasized the fact that the financial markets are looking to see whether we are going to act responsibly. The fact is there are two mistakes we can make. The first would be to allow America to default on our financial obligations. This would clearly be disastrous. The other mistake, equally disastrous, would be to indicate that we do not recognize the urgency of our situation by continuing to avoid putting our fiscal house in order.

Our group is saying we are willing to allow 60 days for the development of a bipartisan consensus. We think that can be done. Short-term, this means cleaning up Gramm-Rudman. We think there are modest things that can be done that will make that mechanism work the way it was intended to work.

Before we approve a further extension of the debt ceiling on July 15, we also want an assurance that a bipartisan mechanism will be established to deal with the long-term aspects of the problem.

□ 1120

The long-term mechanism should be either a bipartisan commission patterned after the 1983 Social Security Commission, or else some type of fiscal policy summit. The important thing is that all issues involving fiscal policy must be on the table.

Mr. Chandler and I believe our bipartisan plan will convince not only the financial markets, but also our constituents that we are prepared to act responsibly, without resorting to unnecessary brinksmanship.

Mr. DUNCAN. Madam Chairman, I yield 1 minute to the gentleman from Arizona [Mr. Kolbe].

Mr. KOLBE. Madam Chairman and Members of this body, it is not a pleasant situation for me and I think many of my colleagues on my side of the aisle to be in to oppose the administration, oppose some of my leadership, but I think that we have got to put ourselves in a position where we do something to get the attention of this country, this body about the problem of our deficit spending.

What was done last year with the debt ceiling extension, the way we restricted further borrowing, was done deliberately. It was done in order to bring us to this point where we would have to address this problem, we would have to do something about Gramm-Rudman-Hollings, about fixing that up.

There is a crisis today in the United States but the crisis is one of deficit spending. The crisis is one of debt. The crisis is not that that will temporarily afflict us if we do not pay our bills next week.

A 60-day extension will be better than nothing but I would suggest, Madam Chairman, that we have known this date was coming for a long time. What is to say that in 60 days we are going to solve this problem? We should begin by solving it today, begin by saying "no" to the debt extension, "no" to increased spending until we resolve this problem.

Mr. DUNCAN. Madam Chairman, I yield 5 minutes to the gentleman from Washington [Mr. Chandler], a member of the committee.

Mr. CHANDLER. Madam Chairman, I urge you today to support the 60-day extension of the debt limit. Frankly, I believe it would be irresponsible to do otherwise. We risk default on our obligations, we could miss Social Security payments, we could fail to meet Federal payrolls and much more. Obviously that is clearly unacceptable. But I also want to say that it is now an opportunity to act, a unique opportunity to finally get our fiscal house in order. We should say "no" to the higher debt ceiling without meaningful reform. We should use this opportunity for a bipartisan approach to this problem. I want to thank my colleague, Mr.

MacKay of Florida, as we have worked together on this. I believe that we have an idea, an idea that could result in a fix for Gramm-Rudman and more.

We can demand realistic revenue estimates, we can adopt sensible accounting procedures, we can pass a reconciliation bill that really will reduce the deficit.

Madam Chairman, I think a look at history might be in order.

Between 1787 and 1981 we accumulated our first trillion dollar debt, 194 years. Five years later we had another trillion dollars and by the end of fiscal year 1988 it will have reached $2.5 trillion. As a nation we spend $10 for every $8 we collect in taxes; 14 percent of our budget goes to pay interest on the national debt, a debt that is so huge that a 1-percent increase in the interest rate adds $20 billion to the deficit. We have accumulated a huge foreign debt. We have become the largest foreign debtor of any nation in the world. And this year's deficit alone would have run the entire Federal Government in 1968.

I do not blame the Speaker of the House, nor do I blame the Democrats in this body; I do not blame the Senate, nor do I blame the President. Congress has tried.

In 1982, there was enacted the largest tax increase in the history of this country. Every year we pass a well meaning reconciliation bill. In 1985, we adopted Gramm-Rudman. Frankly it was compromised beyond recognition, then dismantled by the Court and I think is now being abandoned by the Congress.

We need an extraordinary effort to find a solution.

In the next 60 days we should revitalize Gramm-Rudman, mandate realistic baseline projections and revenue estimates, reinstate sequestration. Be realistic and add a year to the Gramm-Rudman timeframe.

Then we should convene a bipartisan commission, a commission to reach the kind of budget accord that solved the Social Security crisis in 1983, a commission that can bring about the kind of bipartisan approach that resulted in tax reform last year.

The commission might draft a multiyear reconciliation bill. It could suggest budget-scoring reforms. It could propose the tough solutions which frankly elude us in a highly charged political environment.

My colleagues, this is not passing the buck; a commission can propose but the Congress must enact whatever is proposed.

I am reminded that 200 years ago in Philadelphia, during a hot summer, the Founders of this Nation brought about a near miracle. They gave life to this great country. Today that country is under economic siege; mortgaging its children's future, running huge trade deficits, destroying the very confidence other countries have had in us all along.

Our forefathers rose to the challenge before them then and I think we can do so now. To succeed the President must be involved, the House and Senate leaders must be involved, we need a bipartisan solution.

Yes, we should vote today for the 60-day extension but we should vote against the long-term extension of the debt limit.

We must maintain the pressure. My colleagues, we must maintain the pressure on ourselves.

I thank you for your attention.

Mr. DUNCAN. Madam Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. Frenzel], a member of the committee.

Mr. FRENZEL. Madam Chairman, I have voted both ways on debt ceilings. I have looked for pressure points. I have tried to use those points in such a way that the Congress would be forced to match our resources with our willingness to tax ourselves. I believe that when you get to the debt ceiling, the spending is already over. The sins have been committed. The entitlements have been passed; the appropriations have been passed; and what we are talking about now is the due bill to the piper.

We have all danced, and the piper has some claim on each of us. Some of us, of course, have danced a lot harder and faster than the rest. Those spenders are the ones who should carry the burden of passing the extension of the debt ceiling.

Even so, it is, a matter of responsibility for all of us to see that the debts voted by some of us are paid. We have tried to amend our debt ceiling extension procedure so that we can extend the debt ceiling simply by passing the budget. Then those who vote for the budget, mistaken as they may be, can spend wantonly and carry the burden for extending the debt ceiling all in one easy vote. Because the Senate did not go along with that House procedure we are in the position that we find ourselves in today.

I, myself, am going to support the amendment of the chairman to extend the debt through fiscal year 1988 until October 1988. The only sensible way in which we can sit down to reduce the deficit and straighten out our fiscal position is one in which we are not forced to vote every other month on debt extensions.

Others may feel otherwise. To me, the most responsible position is, however, to provide the working room in which we would hope that this craven collective could at least assemble some courage and do the job that needs to be done.

Mr. ROSTENKOWSKI. Madam Chairman, I yield 3 minutes to the gentleman from California [Mr. Fazio].

Mr. FAZIO. Madam Chairman, if we do not take this opportunity to act responsibly here today and enact this resolution we will bear the responsibility of further destabilized markets, further economic travail and perhaps something we cannot even control, the free fall of the dollar.

I really had not intended to speak today until I had heard some of my colleagues acting in a fashion which really amounts to a temper tantrum. But this is not merely a partisan responsibility of the majority to act responsibly to pay our bills. This is really an opportunity for us to act in a bipartisan way to fulfill our bipartisan responsibility, to pay the bills that we have in a bipartisan way incurred.

I look at my friend, Mr. Dannemeyer from California. Mr. Dannemeyer has come to our Subcommittee on Energy and Water Appropriations for over a billion dollars to help solve the flooding problems in Orange County, CA. We readily gave support. It was warranted. It seems to me we have acted in a mutually beneficial way to aid all those people who have come with legitimate projects that have cost-sharing attached to them and we have given them what they deserve to help their people at home.

It is that kind of open-handedness and perhaps excessively bipartisan approach that has caused me to say "Bill, come and join us today and pay the bills we have written out of the national checkbook.

Mr. DANNEMEYER. Madam Chairman, will the gentleman yield?

Mr. FAZIO. I yield to the gentleman from California.

Mr. DANNEMEYER. I thank the gentleman for yielding.

Madam Chairman, the gentleman knows as well as I do that that was an authorization measure, not an appropriation measure. Does the gentleman agree that the most constructive thing we can do today is to correct the minor deficiency in Gramm-Rudman by just inserting a little——

Mr. FAZIO. If the gentleman will allow me to reclaim my time I think the most constructive thing we can do today is to follow the direction of Mr. Chandler and Mr. MacKay who are asking us not just say "no" but let us do something constructive to move on from here. Let us use this opportunity first to act responsibly and pay the bills we have already incurred but to ask more of the system, create a commission that would help us by externalizing this problem, finding a solution to the need for long-term deficit reduction. This is not really something that should be stunning to any of us. We know we failed as a group. We have not acted responsibly in an economic sense. But let us not compound it by political irresponsibility here on the floor today. This is a chance for us to look to revenues, yes; to entitlement reform, yes, to further restraint on all forms of spending, not just SDI on our side of the aisle or education on the Republican side. This is really an opportunity we can all take to move on from this very difficult crunch that we face here today.

Madam Chairman, I rise today to urge my colleagues to take expeditious action in approving a clean extension of the debt ceiling bill.

Our approval today of H.R. 2360 is imperative. The United States has never defaulted on its obligations—either domestic or foreign. Failure to act will result in a crisis of confidence both here and abroad. How do we tell the American people, including Social Security recipients, that they won't be receiving their monthly checks because we failed to act? Of equal import, our standing in the world as a strong trustworthy credit risk would be severely damaged.

We need to act now and pass a clean bill today because, as we all know, we have reached the limit of the debt ceiling. We no longer have the luxury of taking our time on this action. Simply put, we do not have flexibility to deal with extraneous amendments and the consequences of failing to act on a clean bill are clear.

To those of my colleagues who want long-term reform, they will have their opportunity. The efforts of Mr. MACKAY and Mr. CHANDLER are to be commended and they hold the promise of long-term deficit reduction if the administration will participate in a bipartisan commission. However, now is the time to live up to our obligation to the American people by approving this legislation without extraneous amendments. I urge your support.

But I would hope we would have a strong bipartisan vote, because none of us want to take full responsibility for something we all created and none of us should be left out of the responsibility to pay the bills that benefit all our constituents when spent out as appropriations.

Mr. ROSTENKOWSKI. Madam Chairman, I yield 2 minutes to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Madam Chairman, today, we have a chance to do that thing which none of us likes to do—vote for an increase in the debt ceiling. Republican don't like it. Democrats don't like it. I don't like it.

Having said that, a majority of my colleagues later today will approve a 60-day extension of the debt ceiling. It is the responsible thing to do. Our President has requested it. So have our legislative leaders. Today, I plan to do the responsible thing.

To the President and our leaders I would add, don't count on me and scores of my colleagues in 60 days to do the same thing unless some changes are made.

Those changes are outlined in this letter that I hold, to the President and our legislative leaders.

What changes?

First, we want to revitalize the intent of Gramm-Rudman to ratchet down the budget deficit over a reasonable number of years and by a reasonable amount each year.

How?

First, mandate the use of realistic economic assumptions and baselines in both the President's budget and ours;

Second, replace the constitutionally defective sequestration mechanism with one that will pass constitutioned muster; and

Third, face reality and add 1 additional year to the Gramm-Rudman timetable, and, then let's meet that timetable.

Next, let us elect to convene a Fiscal Policy Commission to do for the budget process what a similar commission did for the Social Security system in 1983. Regrettably, the President has resisted a better ideal—a budget summit—where we would put on the table the components to a real solution to our budget dilemma: entitlement program reform, revenues, budget procedure reforms and accounting changes.

We need to find a way to depoliticize a difficult, prickly problem if we are to have a decent shot at resolving it. The statement that persists on the budget must be addressed. Our failure to do so invites consequences that none of us want to think about.

In conclusion, if our friends over at 1600 Pennsylvania Avenue are listening, if our legislative leaders are listening, please hear this message.

Today, I will follow a course that you tell us is responsible. I plan to heed your counsel. If we return here in 60 days and have made no progress on the proposals addressed in this letter, that I hold, I will vote then in a way that you will deem less responsible. But in doing so, I will be responsible to those Delawareans who have elected me to represent them to deal effectively, and soon, on putting our fiscal house in order.

The CHAIRMAN. The gentleman from Illinois [Mr. ROSTENKOWSKI] has 19 minutes remaining and the gentleman from Tennessee [Mr. DUNCAN] has 3 minutes remaining.

Mr. DUNCAN. Madam Chairman, I yield my remaining 3 minutes to our Republican leader, the gentleman from Illinois [Mr. MICHEL].

Mr. ROSTENKOWSKI. Madam Chairman, I yield 1 additional minute to the gentleman from Illinois [Mr. MICHEL], the Republican leader.

The CHAIRMAN. The gentleman from Illinois [Mr. MICHEL] is recognized for 4 minutes.

Mr. MICHEL. Madam Chairman, raising the debt ceiling is not a popular issue to talk about in a positive way. But I am compelled to support the increase to keep our Government from defaulting on its obligations. This is not a routine exercise we are going through today as has been the case in years past when you recall that the consequences were only shutting down the Government for a day or two to make a point and there were those who frankly reveled in the prospect of doing that.

So what if Social Security benefits did not go out or the farm loans or other obligations, the world would not come to an end. But you will recall that last year we changed the law so we are talking about something completely different today.

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While the permanent ceiling reverts to the temporary ceiling this coming weekend, there still will be enough cash on hand, because of income tax receipts and all the rest, to run through the end of the month, possibly to the 2d, 3d, or 4th of June, I am not sure, but then, frankly, it is lights out, period, on all our obligations, foreign and domestic.

We read so often in today's papers about some of the debtor nations around the globe, particularly to our south, whether they will default on their obligations. What would happen if, after 200 years, the greatest of them all, the United States, finds itself in that kind of position to default on its obligations? What kind of message would that send around the globe?

I, for one, cannot see my country taking that route.

I know there is frustration, particularly on my side. I understand that. We do not control the Congress. We have not controlled it for all the time I have been here, for 30 years I have been a member of the minority. I could always cop out and say that I did not do it, I did not do it. But, I did some of it. I cannot back away from all of it.

We do have the Presidency, however. I am grateful for that. The President cannot spend a dime, however, unless Congress first appropriates the money. I wish we would give him a line-item veto and a few other things to maybe have a little bit more executive control over what this body and the other body over there do collectively.

Quite frankly, hearing a few of our freshman Members, I do not feel that any freshman Member on either side of the aisle has any obligation at all to vote for this thing. They were not a part of this. They could probably say that those of us who have been around as long as we have and longer are more responsible and I suppose we are. We have got to answer to our folks for that. The new Members did not cast the votes for spending that brought about the problem that we are confronted with today.

I guess I made my own mark in this House of Representatives before I became leader when I was a member of the Committee on Appropriations and offered amendment after amendment to do the things we felt necessary to hold down spending and the Federal deficit. We won on some, lost on others. Now I am the leader on our side and I have to put myself above it all and simply do what I think has to be done to keep our Government financially afloat.

During the next 60 days, we do have an obligation in the Congress, on both sides of the aisle, to really do something meaningful about coming to grips with budget reform, whether it is a Gramm-Rudman fix or whatever. I personally happen to think maybe because the targets were so far afield when we initially began Gramm-Rudman that that has got to be adjusted, but let us do something that is realistic and meaningful and then stick to our guns.

The budget process just falls apart if there is meaningful reconciliation. It is one thing to set a goal at the beginning of the year, and another to completely default on our obligation when we come to September and October. The whole idea of the Budget Act was that we would have reconciliation to bring the two parts together in order to really make it a meaningful process, and then, of course, to have a realistic enforcement mechanism.

Personally, I will vote for the chairman's amendment to extend through September 30, 1988, but in the interest of getting some kind of agreement for the next 60 days, I will certainly support the 60 days.

Mr. ROSTENKOWSKI. Madam Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. SLATTERY].

Mr. SLATTERY. Madam Chairman, as someone who has never voted for a permanent debt ceiling increase in the time that I have been here, I am rising today to urge my colleagues to listen very carefully to what the gentleman from Washington [Mr. CHANDLER] and the gentleman from Florida [Mr. MACKAY] are suggesting with respect to this idea of giving everyone notice that we are going to vote just this once for a 60-day increase in the debt ceiling to hopefully create an environment with which we can do what we all know has to be done, and that is get the President and the players in this body and across the rotunda together to do what is responsible.

We are going to have to reduce some spending; we are going to have to deal with entitlements; we are going to have to deal with revenues. Hopefully within this 60-day period of time, we can also come to grips with budget reform.

I strongly support the idea of cleaning up Gramm-Rudman. I want a real wall if we can build it and a real trigger if we can do it.

We are saying to the leaders of this country that we are going to work with them for 60 days to accomplish these things, but we are putting them on notice that if we are not together in 60 days, do not count on our support for a permanent increase in the debt ceiling.

I think it is very important also for us to take into consideration what the minority leader has just told us about the change in law that has occurred in the last year.

A year ago, we had some fudge time when we got to this point in the process. This year, we do not have that. We are right at the edge of the cliff when we run out of authority for the debt ceiling and we cannot go any further.

The minority leader is right. The responsible thing for us to do is to pass the 60-day temporary debt ceiling increase and give everybody notice that we want a summit, we want some budget reform in this period of time, and if we do not get it, do not count on our support for a permanent debt ceiling increase.

Mr. DUNCAN. Madam Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING. Madam Chairman, I rise in strong opposition to this amendment.

Madam Chairman, the statutory limit on the public debt has never proven to be very limiting. Every time we hit the ceiling, Congress jumps in and jacks that ceiling up another notch to accommodate more spending and more red ink.

And—here we go again—we are going to do it again today.

Despite its failings, the statutory limit on the debt does serve a purpose. It does tell us loudly and clearly—in no uncertain terms—that something is very, very wrong. It tells us that the engines of Federal spending are being over-reved and that we are entering the danger zone.

And, Madam Chairman, the debt ceiling gives us an opportunity to do something about it.

Unfortunately, this resolution we are considering today, ignores that warning and ignores the opportunity we have to do something about it. This is the perfect opportunity to strengthen the budget process. This is the perfect opportunity to restore the teeth in the Gramm-Rudman Act. This is the perfect opportunity to give the President the powers he needs to reduce unnecessary spending. But we are going to pass up these opportunities and pile another stack of IOU's on our children's backs.

If we pass this resolution without taking advantage of any of these opportunities, it will only prove that there is no limit—no limit at all—to fiscal irresponsibility in this body.

Mr. YOUNG of Florida. Madam Chairman, with the U.S. national debt once again at the statutory limit set by Congress, it would be useful, I believe, for us to take a look at what is the major cause for the increase in our national debt. The major cause is not the payment of Social Security benefits to our Nation's older Americans, and it is not strengthening of our national defense. The major cause is the annual interest payment the Treasury must make on our national debt.

When President Reagan was sworn into office in January 1981, he inherited a $1 trillion national debt, a debt that he had nothing to do with creating but for which he is responsible for making the annual interest payments.

The interest payment on the debt included in President Reagan's first budget, for fiscal year 1982, was $117.2 billion. The annual interest payment for the current fiscal year is now $191.8 billion. That is a 64-percent increase over 6 years making our annual interest payment on the national debt the fastest growing component of our Federal budget. The annual interest payment has grown 20 percent faster over the same 6-year period than President Reagan's much criticized national defense program.

The first full fiscal year during which President Reagan was in office, fiscal year 1982, had a $127.9 billion deficit. But $117.2 billion of the $127.9 billion was the interest payment on the national debt he inherited. For fiscal year 1983, the budget deficit was $207.8 billion, but of that amount $128.6 billion was the interest payment on the national debt. The Federal deficit in 1984 was $185.3 billion, but again the annual interest payment was $153.8 billion of the $185.3 billion.

The 1985 Federal deficit was $212.3 billion, of that annual interest payment was $178.8 billion. Last year, fiscal year 1986, the Federal deficit was $220.7 billion with the annual interest payment being $190.2 billion of it.

Finally, the projected fiscal year 1987 Federal deficit is $173.2 billion. The estimated annual interest payment is $191.8 billion. This means that if it were not for the interest payment on the national debt, the Federal budget would show an $18.6 billion surplus, the first budget surplus in almost two decades.

The funds that are appropriated to pay the interest on the national debt will not provide any hospital or medical care. These dollars will not provide for the education of our children, and will not build roads or bridges, nor improve our national defense. We are getting nothing for that money except paying the interest on the national debt, most of which the incumbent President inherited when he took office.

In six budgets President Reagan has submitted to Congress, from fiscal year 1982 through 1987, he has had no choice but to request and spend $960.7 billion just to pay the interest on the national debt. Of the $1.369 trillion increase in the national debt since President Reagan submitted his first budget, $960.7 billion, or 70 percent of that increase, has been used to pay the interest on the national debt.

Those who would blame President Reagan for the mounting budget deficit that we are faced with today are laying their blame on the wrong doorstep. The facts show that 70 percent of the increase in the national debt since President Reagan took office is due to interest payments on the national debt he inherited and that came about because of Federal spending programs that he had practically nothing to do with.

Mr. Speaker, Congress has the constitutional responsibility to make Federal budget and spending decisions. The President cannot spend any Federal funds that have not first been approved and appropriated by the Congress. We find ourselves in a situation today where the Federal Treasury has reached another ceiling on the Federal debt because a majority of the Members of Congress have not been willing or able to make the difficult and politically sensitive votes to control Federal spending, reduce our Federal deficit, and move closer to a balanced budget.

Our Nation's economy, burdened with a public debt of more than $2.3 trillion, is on the brink of disaster. Budgetary gimmicks such as Gramm-Rudman-Hollings, budgetary summits between the President and Congress, and fiery rhetoric with no supporting action won't reverse the tide of red ink we find ourselves in today.

What is required is a commitment by this House and the Congress to establish Federal priorities and make the difficult decisions about how we are going to rein in Federal spending and reverse the tide of deficit spending. There is no easy solution to this problem. The solution clearly lies in a willingness by each and every Member to cast the difficult votes on authorization and appropriation legislation that comes before us.

Mr. SCHUETTE. Madam Chairman, I find myself today in the somewhat unusual position of rising in support of a resolution to increase the temporary ceiling on the national debt ceiling for 60 more days. Although I have voted only on very rare occasions to do the same in the past, I do support H.R. 2360 today for two very important reasons: First, because we must take steps to guarantee the solvency of the Nation; and second, because a temporary extension of 60 days will provide this body with a vehicle to begin to implement much-needed budget reform.

Regarding the former, I cannot emphasize enough the importance of H.R. 2360 for ensuring the continued ability of the Nation to pay its bills. If the Congress fails to adopt an increase in the national debt ceiling by May 28, the statutory debt ceiling will revert back to last year's level of $2.1 trillion—$144.9 billion more than the amount outstanding less than 1 week ago.

Under these circumstances, the Federal Government would be forced to default on all its obligations after that date. There simply would be no money available to honor its checks. That means that groups such as the Nation's farmers, the elderly, and the poor would have to go without their June payments or benefits. In effect, the Federal Government would be reneging on past agreements made to these groups. This would unfortunately be true because there will be no financing gimmicks allowed this year.

But perhaps even more important than preserving the ability of the Government to cover its checks, I support H.R. 2360 because it offers an excellent opportunity for the Congress to finally inject a much-needed dose of fiscal discipline into the budget process. This bill buys us more time to flesh out the discussion about how we might reintroduce a Gramm-Rudman type mechanism of expenditure restraint that will force the hand of the Congress to begin to make the difficult choices needed to balance the budget.

While I do not believe that this is a panacea for the bigger fiscal problem, it does represent the best short-term possibility for us to begin to move substantively in the direction of expenditure restraint. Therefore, Madam Chairman, I encourage my colleagues to adopt H.R. 2360, to extend the temporary debt ceiling for 60 more days. At the same time with the adoption of this resolution, it is my hope that the Congress will work diligently toward adopting the necessary budget reform during the intervening period.

Mr. SHUMWAY. Madam Chairman, today marks the 18th straight year in which Congress has been forced to raise the debt ceiling. Sadly, this practice has become an annual Capitol Hill ritual.

As the record shows, the 100th Congress is already losing the war against the deficit. Since convening in January, Congress has overridden two Presidential vetoes of multibillion-dollar budget busting spending bills and has rejected all of the President's requested spending cuts without proposing any new deficit reduction ideas of its own, except to continue to raise taxes. In short, congressional spending continues at a whirlwind pace.

The bill which we consider today, H.R. 2360, increasing the debt ceiling to $2.32 trillion, merely reaffirms the fact that Congress has still to become serious in its efforts to curtail runaway Federal spending. Increasing the statutory debt limit again today assures that similar actions will be taken in the future. Unfortunately, with each succeeding step a $3 trillion or even a $4 trillion national debt becomes an ever increasing economic reality. Given the burdens placed upon our Government and economy by a $2.285 trillion national debt, further increases do not bode well at all for our future welfare.

I will not engage in this ritual today. Instead, I choose to vote against this bill in order to halt the congressional spending juggernaut and to ensure a future unencumbered by the burdens of a gargantuan national debt.

Mr. GALLO. Madam Chairman, today the House of Representatives will decide whether to extend the debt ceiling. If the debt ceiling is not extended, massive disruptions in the operations of the Federal Government will take place. If this House does nothing by May 28 our Government will be in default.

This is a crisis situation, but it is also an opportunity to get our fiscal house in order, once and for all.

Therefore, I rise in qualified support of a 60-day extension of the debt limit in order to use these 60 days to achieve some fundamental reforms in our budget process.

Let me make clear that this is the last debt ceiling extension I will vote for unless major budget reforms are achieved. Specifically, I join with the Republican leadership in calling for a revitalization of the intent of Gramm-Rudman by mandating the use of realistic economic assumptions and by reinstating a sequestration mechanism for achieving a balanced budget.

If this objective is not achieved within the 60 days, I will not support any further extension of the debt limit.

The American people deserve more responsible action by this body. The spending practices in the House of Representatives are out of control and the budget process is nonexistent. If the average American household ran its financial affairs the way that this Congress does, it would face financial ruin.

The American public has placed in our hands the responsibility to be fiscally responsible. The average American expects this Government to pay its bills on time and to live within its means, just as they must do. Without a major reform of the budget process, we will betray that trust.

Mr. INHOFE. Madam Chairman, last August, Congress raised the debt limit ceiling on Federal borrowing from $2.0 to $2.1 trillion. In October it was raised to $2.3 trillion. Now we are again asked to raise the Federal debt ceiling to over $2.5 trillion.

It is my view that extending the debt without making necessary reductions in spending in the coming fiscal year represents a seriously flawed fiscal policy. Passage of the debt limit extension bill sends out a message to the American people that Congress isn't serious about balancing the budget nor reducing deficit spending.

Recent legislation passed by this body will do three things:

First, it would increase spending over and above last year's level;

Second, it would raise taxes by over $118 billion over 3 years; and

Third, it would increase future deficits.

The legislation I am referring to is the first concurrent budget resolution and the supplemental appropriations bill for fiscal year 1987. This reckless and unnecessary spending represents the most irresponsible action of Congress. In fiscal year 1987 Gramm-Rudman requires that the deficit not exceed $144 for the current fiscal year. However, according to recent estimates by the Office of Management and Budget [OMB] the fiscal year 1987 deficit will exceed $190 billion: an excess of approximately $50 billion.

If these reckless policies continue, the Congressional Budget Office [CBO] predicts the fiscal year 1988 deficit will top $169 billion, making the 3-year deficit a whopping $581 billion. Serious long-term economic consequences will result if we do not address deficit spending.

FUTURE GENERATIONS FORCED TO PAY FOR CURRENT DEFICITS

Previous spending has already led to an exorbitant $10,000 debt being borne by every American. This massive debt does not disappear; it must be paid by our kids and future generations. Currently, over 15 percent of total expenditures go to pay the interest on outstanding debt. Incredibly, that means the U.S. taxpayers are forced to pay $170 billion in taxes for the sole purpose of paying interest on the debt.

NATIONAL DEBT

In the last 5 years the United States has gone from being the world's biggest lender to the largest debtor nation. The debt is now over $2 trillion with Federal IOU's equaling 50 percent of the gross national product [GNP]. Next month, Congress will have to come face to face with raising the debt ceiling or face a Government shutdown.

SLOWS BUSINESS GROWTH

Foremost among the problems of this borrowing is the prospect of slower economic growth. Business activity slows when the U.S. Treasury's borrowing clashes with the needs of the private sector. Alarmingly, the annual deficit is now absorbing 30 percent of all capital available in the private market. Furthermore, every dollar that Uncle Sam borrows is a dollar that can't be channeled into productive resources by corporations, small business operators, and home buyers.

INFLATION THREAT

The debt is also boosting the odds for another inflationary spiral. The reason is that the Federal Reserve may increase the money supply to keep interest rates down, thereby, halting economic recovery. If the economy slows and begins heading toward a recession—productivity falls and the inflation rate goes up.

DEPENDENCE ON FOREIGN CAPITAL

A bigger part of the U.S. demand for cash has been met by a huge flow of capital from overseas investors. In 1985, foreign investors held 12 percent of the Federal debt. In 1986 foreigners held even more of the debt causing the U.S. Government to owe more to foreigners than the U.S. banks and lenders loaned overseas.

A slide in the dollar could prompt foreigners to stop investing in the United States forcing the Treasury to take a bigger share of domestic savings to pay the debt. In effect, forcing a "run" on the U.S. Treasury causing the Government into bankruptcy.

CLOSING

In closing, I believe we owe it to succeeding generations to do something to halt the growth of the debt. Future generations deserve a fair chance, one without the burden of out of control debt. Congress must begin to curb the debt by cutting spending and not increasing the debt limit ceiling.

Mr. ROSTENKOWSKI. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. Pursuant to House Resolution 165, the bill is considered as having been read for amendment under the 5-minute rule.

The text of H.R. 2360 is as follows:

H.R. 2360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) during the period beginning on the date of the enactment of this Act and ending on July 17, 1987 the public debt limit set forth in subsection (b) of section 3101 of title 31, United States Code, shall be equal to $2,320,000,000,000.

(b) Effective on and after the date of the enactment of this Act, section 8201 of the Omnibus Budget Reconciliation Act of 1986 is hereby repealed.

The CHAIRMAN. No amendments to the bill are in order except an amendment printed in section 2 of House Resolution 165, by, and if offered by, Representative ROSTENKOWSKI, or his designee, said amendment is considered as having been read, is not subject to amendment, but is debatable for not to exceed 30 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

AMENDMENT OFFERED BY MR. ROSTENKOWSKI

Mr. ROSTENKOWSKI. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROSTENKOWSKI: Strike out subsection (a) of the first section of the bill and insert the following: "That (a) subsection (b) of section 3101 of title 31, United States Code, is amended by striking out the dollar limitation contained in such subsection and inserting in lieu thereof '$2,578,000,000,000'.".

Amend the title to read as follows: "A bill to increase the statutory limit on the public debt.".

POINT OF ORDER

Mr. MACK. Madam Chairman, I have a point of order on the Rostenkowski amendment.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. MACK. Madam Chairman, I make a point of order against the amendment on the grounds that it violates clause 7 of the rule XVI, the germaneness rule, and ask to be heard on my point of order.

Madam Chairman, subsection (a) of H.R. 2360, the reported bill, makes a temporary and indirect change in the permanent public debt limit through July 17, 1987.

The amendment offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] makes a permanent and direct change in existing law. It directly amends title 31, section 3101 of the United States Code. The base does not.

Let me cite three precedents in support of my position:

Procedure in the House, 97th Congress, chapter 28, section 19.1:

> To a bill proposing a temporary change in law, an amendment making permanent changes in that law is not germane.

Chapter 28, section 19.3:

> To a bill reported from the Committee on Ways and Means providing for a temporary increase in the public debt ceiling for the current fiscal year not directly amending the Second Liberty Bond Act, an amendment proposing permanent changes in that Act and also affecting budget and appropriations procedures was held not germane.

Chapter 28, section 19.4:

> To a proposition authorizing appropriations for one fiscal year, an amendment making permanent changes in law is not germane.

The CHAIRMAN pro tempore. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. ROSTENKOWSKI. I do, Madam Chairman.

The CHAIRMAN pro tempore. The gentleman from Illinois [Mr. ROSTENKOWSKI] is recognized.

Mr. ROSTENKOWSKI. Madam Chairman, in 1983 the rule providing for the consideration of H.R. 2990, to increase the public debt limit, provided for a waiver of clause 7 of rule XVI, the germaneness rule, against an amendment in the nature of a substitute recommended by the Committee on Ways and Means. The germaneness waiver was necessary because the committee amendment to repeal the temporary debt limit and to make the entire ceiling permanent was not germane to the original bill which only provided for an increase in the temporary debt limit.

With the enactment of H.R. 2990 into law in 1983, the distinction between the temporary and permanent public debt limit was eliminated. It was only with the passage of the 1986 Budget Reconciliation Act that we again temporarily increased the public debt limit.

I would argue that the committee amendment to the bill before us is germane because, first of all, the fundamental purpose of the committee amendment is consistent with that of the bill, namely a temporary increase in the public debt. The bill before us provides debt authority, which is estimated to be sufficient until July 17, 1987. The committee amendment provides debt authority until October 1, 1988. Both the bill and the amendment provide debt authority, which eventually will prove to be insufficient and, therefore, both are temporary in nature. In addition, the bill has the effect of amending the same section of the United States Code as the committee amendment. Finally, I would argue that the amendment is germane because it passes the common sense test of not introducing a subject matter which is "different from that under consideration."

The issue before us is how long to increase the public debt. The amendment gives the House two choices on these issues. I urge the Chair to rule the amendment germane.

□ 1145

The CHAIRMAN (Mrs. SCHROEDER). If there are no further speakers on the germaneness issue, the Chair is ready to rule.

The gentleman from Florida [Mr. MACK] makes a point of order that the amendment offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] is not germane. The amendment would directly amend existing law by striking the existing dollar limitation in section 3101 of title 31 of the United States Code and inserting a new dollar figure, with the intention to increase the Government's borrowing authority for an unspecified but necessarily temporary period of time.

However, the bill, H.R. 2360, in subsection (a), refers to, and in the opinion of the Chair, is tantamount to, a change in the same provision of the law as the amendment.

Both the bill and the amendment are based upon estimates of sufficiency of the total amount of borrowing authority over different periods of time. For this reason, the Chair believes the amendment to be closely related to the fundamental purpose of the bill, and to accomplish that purpose by amending the same section of law referenced in the bill.

Therefore, the Chair overrules the point of order.

Under the rule, the gentleman from Illinois [Mr. Rostenkowski] will be recognized for 15 minutes and the gentleman from Tennessee [Mr. Duncan] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Illinois [Mr. Rostenkowski].

Mr. ROSTENKOWSKI. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the amendment that the Committee on Ways and Means is offering to H.R. 2360 would raise the debt limit to a permanent level of $2,578 billion. This amount, sufficient to meet the Treasury's needs through fiscal year 1988, was officially requested by Secretary of the Treasury James Baker, on behalf of the administration.

I would urge my colleagues to vote for this amendment. It is of vital importance that we vote for a permanent increase in the public debt limit. Delaying action until July will only bring us to the brink of default for a second time this year.

There are those who would like to attach budget reform proposals to the debt bill. No matter how well intentioned and founded these changes may be, this is a very dangerous effort, for it tampers with the financial stability of the United States. Budget process reform should stand on its own and not hold the debt bill hostage.

I urge my colleagues to adopt this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. DUNCAN. Madam Chairman, I rise in support of the extension and of the request made by the chairman of the committee, and I yield 3 minutes to the gentleman from California [Mr. Dannemeyer].

Mr. DANNEMEYER. Madam Chairman, I thank the gentleman for this time.

Madam Chairman, the argument that my colleagues, the gentleman from Kansas [Mr. Slattery] and the gentleman from Washington [Mr. Chandler] have made sound very reasonable because in 60 days we can work something out. What is needed to be worked out is known by every Member of this Chamber who has been around here at least a week. When the U.S. Supreme Court struck down a legitimate effort to put some restraints on the spending tendencies of this body, all it did was trigger into existence the alternative method whereby Gramm-Rudman-Hollings would serve to bring some discipline to this institution; namely, all we have to do as a body is adopt a resolution which fixes the projected deficit for fiscal year 1988. When we do that by resolution, we fix Gramm-Rudman-Hollings, that is, at least the provision that was struck down by the U.S. Supreme Court. That is all we have to do. It is a simple act.

When we look at the rule for this provision, there is nothing here, because the amendment offered by the gentleman from Illinois [Mr. Rostenkowski] does not have that provision in it, and I will suggest to my colleagues why that simple provision is not here.

The Members of this institution, the spenders that control it, do not want the discipline that comes from the imposition of sequestration that automatically follows once we have established what the projection of the deficit is for fiscal year 1988. All we have to do is put that provision in here. We do not need 60 days to do it. We could do it this afternoon, at 3 o'clock. All we need is the will to do it.

I would submit it would be interesting in the sense of accountability for our constituents to find out by a rollcall vote, up or down, how each of us stands on an effort to control this massive, runaway spending in this country.

The reason that provision is not in here is because the Members who run this shop, the Democratic leadership, do not want it there, because it would establish accountability for all of us as to where we stand on modestly restraining deficit spending in this country.

So that deficit in this provision is why I reluctantly cannot support even a 60-day extension. If that provision were in here, I think that would make some sense in terms of how the debt problem could be resolved.

Madam Chairman, for these reasons, I think the responsible vote is to vote "no" on both occasions, "no" on the long-term extension and "no" on the 60-day extension.

Mr. DUNCAN. Madam Chairman, I yield 2 minutes to the gentleman from Washington [Mr. Chandler].

Mr. CHANDLER. Madam Chairman, this is clearly the key vote today, and I urge my colleagues to vote "no." I do so with all due respect to the chairman of the committee and certainly to my friend and colleague, the gentleman from Tennessee [Mr. Duncan], the ranking member of the Committee on Ways and Means, my new committee assignment.

If we extend this debt ceiling beyond the 60 days, as proposed in the original bill, we have let the camel's nose in the tent, the horse out of the barn, and the spenders loose, and we have lost the ball game. What we really need is the kind of pressure that I think my colleague, the gentleman from California [Mr. Dannemeyer] has referred to. And he has referred to me as "reasonable." Maybe "Reasonable Rod" will be my nickname from now on.

But I think it is reasonable to say to all concerned, with all due respect to the President and the leaders of the Congress, that you have 60 days, but that is it. We face a crisis soon if we do not extend the debt limit. Yes, that is true. The immediate crisis should be avoided. But let us bring that crisis about 60 days from now if our demands are not met. Pogo said that "we're the enemy," and that is right. We, in one way or another, brought about this situation, and only we can fix it. But we cannot do it with a Democratic proposal, nor can we do it with a Republican proposal, nor can the President suggest an idea that will succeed. It has got to be one that is reached by all parties involved, one that can come to the floor and be defended as the suggestion of the Congress of the United States, with both parties and all Members working together to bring it about.

Madam Chairman, if we do not rise to that level of statesmanship we are not going to succeed.

Mr. DUNCAN. Madam Chairman, I yield 1 minute to the gentleman from Michigan [Mr. Pursell].

Mr. PURSELL. Madam Chairman, I want to concur with the previous speaker, the gentleman from Washington [Mr. Chandler]. I think it is imperative that this House begin to exercise a reasonable degree of fiscal responsibility on both sides of the aisle.

As we look at foreign policy since Vietnam, we understand that we have a left and we have a right here in the House, and I think it is time on foreign policy and on domestic affairs that we try to find an accommodation.

On foreign policy we are talking about maybe the Vandenberg-Truman bipartisan foreign policy so this Nation can speak with one voice.

So it is true that in matters of fiscal and domestic responsibilities, this is the most serious issue facing this Nation. The debt ceiling is probably the only vehicle that we have to work with.

So I am going to vote for the short-term, 60-day limit here to give us a chance to have this House develop a bipartisan policy and solve the domestic issue of our day, that is, the rising national debt. There has been a lack of discipline in this House, and I think the Democratic Party can contribute in that respect, and if the Republican Party can make its contribution, I think we can solve this problem.

Mr. DUNCAN. Madam Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I just rise to ask my colleagues to vote no twice. I will tell them why I think they should vote no twice.

I just had nine homebuilders from Georgia in my office. They are very worried about interest rates, they have seen a dramatic increase in interest rates, and they said to me, "We want confidence."

I said, "Fine. You tell me how to vote today. I can vote for confidence for 60 days or we can force a crisis to make this system pay attention to try to put Gramm-Rudman back into effect, to make sure that in the long run we have real change. Which would you rather have me do?"

They voted 9 to 0, and one of them characterized it as the "confidence of the ostrich." He asked, "Does anybody in this building really think we don't know what is going on? Does anybody in this building really think we don't understand that you don't have the deficit under control, that you don't have spending under control, and that the long-term money markets are basically saying that we should be worried about America because its politicians are totally irresponsible?"

They said, "Look, we have been through crunches. We were through a crunch in 1974, and we were through a crunch in 1981. Put the Government through a 2-week crunch. Make it stop and pay attention. Make all the Members quit their junkets and their trips. Make everyone stay in this building for 24 hours a day, if you have to, but when you finally pass the debt ceiling, make sure you have teeth attached to it so you really bring it under control."

I would just say this to my friends: Those who want to vote for the 60-day extension, having covered themselves by voting "no" on Rostenkowski, what are you going to accomplish in the next 60 days that you could not accomplish in the next 6 days? It is not an issue of inventiveness, it is not an issue of ingenuity, it is an issue of will power and determination, and if we stick together and say we are not going to leave this room and we are not going to leave this city until we fix Gramm-Rudman, we will accomplish our purpose. I would accept a Gradison fix of an extra year, and I would accept a little bit of a fix that spreads it beyond defense a little bit more. But we need to do it now, and we need to stop kidding ourselves.

Mr. DUNCAN. Madam Chairman, I yield 1 minute to the gentleman from Florida [Mr. MACK].

Mr. MACK. Madam Chairman, I thank the gentleman for yielding this time to me.

Again I would say to my reasonable friends and Members on the other side of the aisle, who I believe are well intentioned about getting someone's attention during the next 60 days, that I know that they believe that, but I would suggst to them, as the last speaker just did, that 60 days from now the speakers who support this—and Jim Baker will make exactly the same arguments all over again—must realize that the calamity that they talk about will be no different 60 days from now than it is today.

If we really want to get the President's attention, if we really want to put a commisson together, we should force him to do it now, not 60 days from now, because they will be able to convince us 60 days from now that the calamity is so bad, that interest rates are going to go up, that the dollar is going to come down, and that confidence in the American system is going to be eroded, and they will tell that to us again and everybody will rush back out here to extend the debt ceiling one more time.

Madam Chairman, if Members are really serious about it, they will vote no on both issues before us.

Mr. DUNCAN. Madam Chairman, I yield 1 minute to the gentleman from Texas [Mr. ARMEY].

□ 1200

Mr. ARMEY. Madam Chairman, I thank the gentleman for yielding.

There is an old adage in politics that if you have the votes, vote; if you do not, debate. Apparently those of us who are asking for a no vote are the only ones debating, so the outcome is probably predetermined.

I do not like brinksmanship. I think the chairman makes a good case and I think the Secretary of the Treasury makes a good case of the kind of brinksmanship we have by way of threatening the security of the world financial markets if we do not extend this debt ceiling and do it clean; but on the other hand, we are on the brink. We are on the brink of stagflation, and even worse, perhaps on the brink of depression if we do not get control of our spending habits in this body. We can only get control if we get busy with serious budget reform and serious decisions about reforming our whole structure of Federal spending.

People ask for time. I would like to see us have time, but I am afraid if time is granted here, time will wound all heals.

Mr. DUNCAN. Madam Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. FRENZEL], a member of the committee.

Mr. FRENZEL. Madam Chairman, the Rostenkowski amendment would extend the debt ceiling through fiscal year 1988. That is what we did when we passed the budget. I did not vote for the budget. My friends on my left did so. When they voted for that budget, they in effect extended the debt ceiling through that period.

Now we are faced with the expiration of the debt ceiling and we must extend it.

In my judgment, it makes great good sense to extend the ceiling through the fiscal year so that we are not stuck with having to extend it many, many times through the next year, perhaps as often as every other month.

Now, a number of our colleagues here have indicated that the Ways and Means Committee is not using its important authority because we have not seen fit to freight down the debt ceiling extension with some amendment or other that satisfies their particular desires with respect to cleaning up the fiscal nightmare in which the Congress has plunged this country.

I can understand the efforts of the gentleman from Washington [Mr. CHANDLER] and the gentleman from Florida [Mr. MACKAY] who want to create a commission in connection with the debt ceiling extension. And I can understand those who want to make sure that Gramm-Rudman is a functioning bit of law that actually forces us to do those things that this Congress has refused to do time after time after time. However, those amendments are quite clearly not germane to the function of our committee or to the extension of the debt ceiling.

To those who happen to sit with me on this side of the aisle, I think it is also fair to say that if we are to add things that are not germane, or even that are, to a bill of this kind, they are not likely to be the things that we in the minority suggest. Therefore, what is left to us is the responsible course and that is to continue to vote against the ridiculous budgets which this House promotes and which this House has just passed. Those budgets are what put us into this trouble.

To continue to vote against the ridiculous entitlements that skyrocket our expenses in the future and to continue to vote against the ridiculous appropriations that pick up everything the entitlements do not pick up will only put us in deeper trouble. Part of our problem in the minority is that we have not been successful in convincing our constituents, the national electorate, that our vision and fiscal sobriety is one the country ought to adopt. But merely because we have not been successful on the floor we should not then try to organize the defeat of the debt ceiling extension, which will plunge our country into even deeper economic distress. The idea of creating some ashes from which the Phoenix ought to rise is one that is a little radical, even for fiscal conservatives.

I say to them first of all, that you do not have the votes to do it, and I say second, that the price you pay for doing it is extreme.

In my judgment, we ought to adopt firmly the process of having the budget extend the debt ceiling. Then those who want to support enormously swollen budgets can take whatever shame comes with extending the debt ceiling.

For the time being, as long as we are forced to abide by the process that is now before us, we ought to pass the chairman's amendment. Then we can take up the new fiscal year's budget and make such adjustments as we know are necessary.

Madam Chairman, I yield to the distinguished gentleman from New Hampshire [Mr. GREGG].

Mr. GREGG. Madam Chairman, I thank the gentleman for yielding to me.

From my standpoint, the gentleman makes a good point. I would like, however, to state that the appropriate approach here is to extend this for 60 days and I will strongly support the underlying bill which does extend the debt ceiling for 60 days.

The reason being that I do think there is an opportunity here to address some of the fundamental budgeting problems that we have in the House and this mechanism allows us to put some pressure on the parties who are involved in correcting those budgeting mechanisms and we should pass it for that reason.

Mr. ROSTENKOWSKI. Madam Chairman, I have no further requests for time and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ROSTENKOWSKI].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DANNEMEYER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 259, not voting 11, as follows:

[Roll No. 116]

AYES—162

Ackerman
Akaka
Alexander
Anthony
Aspin
Atkins
Bateman
Beilenson
Berman
Biaggi
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Borski
Bosco
Boxer
Brooks
Brown (CA)
Bruce
Buechner
Cardin
Clay
Clinger
Coelho
Coleman (TX)
Collins
Conte
Cooper
Coyne
Davis (MI)
de la Garza
Dicks
Dingell
Dixon
Donnelly
Downey
Duncan
Durbin
Dwyer
Dymally
Early
Edwards (CA)
Espy
Evans
Fascell
Fazio
Foglietta
Foley
Frank
Frenzel
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Goodling
Gradison
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Horton
Houghton
Howard
Hoyer
Hyde
Jenkins
Johnson (CT)
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Manton
Markey
Matsui
Mavroules
McDade
McGrath
McHugh
Mica
Michel
Miller (CA)
Mineta
Moakley
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Nagle
Natcher
Oakar
Oberstar
Obey
Owens (UT)
Panetta
Parris
Pease
Pepper
Perkins
Petri
Pickle
Price (IL)
Rahall
Rodino
Rose
Rostenkowski
Russo
Sabo
Sawyer
Scheuer
Schneider
Schulze
Schumer
Sikorski
Skaggs
Smith (FL)
Smith (IA)
Solarz
St Germain
Staggers
Stangeland
Stark
Stokes
Stratton
Studds
Swift
Synar
Towns
Traxler
Udall
Vander Jagt
Vento
Visclosky
Volkmer
Waxman
Weiss
Wheat
Wilson
Wolf
Wortley
Wylie
Yates

NOES—259

Anderson
Andrews
Applegate
Archer
Armey
AuCoin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bates
Bennett
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bonker
Boucher
Boulter
Brennan
Broomfield
Brown (CO)
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clarke
Coats
Coble
Coleman (MO)
Combest
Coughlin
Courter
Craig
Crane
Crockett
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
DeFazio
DeLay
Dellums
Derrick
DeWine
Dickinson
DioGuardi
Dorgan (ND)
Dornan (CA)
Dowdy
Dreier
Dyson
Eckart
Edwards (OK)
Emerson
English
Erdreich
Fawell
Feighan
Fields
Fish
Flake
Flippo
Florio
Ford (MI)
Gallegly
Gallo
Gekas
Gibbons
Gilman
Gingrich
Glickman
Gonzalez
Gordon
Grandy
Grant
Gregg
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hochbrueckner
Holloway
Hopkins
Hubbard
Huckaby
Hughes
Hunter
Hutto
Inhofe
Ireland
Jacobs
Jeffords
Johnson (SD)
Jones (TN)
Jontz
Kanjorski
Kaptur
Kasich
Kemp
Kolbe
Konnyu
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Leland
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Marlenee
Martin (IL)
Martin (NY)
Martinez
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McEwen
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Myers
Neal
Nelson
Nichols
Nielson
Nowak
Olin
Ortiz
Owens (NY)
Oxley
Packard
Pashayan
Patterson
Penny
Pickett
Porter
Price (NC)
Pursell
Quillen
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Savage
Saxton
Schaefer
Schroeder
Schuette
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Spratt
Stallings
Stenholm
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torres
Torricelli
Traficant
Upton
Valentine
Vucanovich
Walgren
Walker
Watkins
Weber
Weldon
Whittaker
Williams
Wise
Wolpe
Wyden
Yatron
Young (AK)
Young (FL)

NOT VOTING—11

Annunzio
Boner (TN)
Conyers
Ford (TN)
Jones (NC)
Miller (OH)
Rangel
Ray
Roybal
Tauzin
Whitten

□ 1225

The Clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr. Jones of North Carolina against.

Messrs. SPRATT, MARTINEZ, and JOHNSON of South Dakota changed their votes from "aye" to "no."

Mr. STOKES and Mr. TOWNS changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. FOLEY], having assumed the chair, Mrs. SCHROEDER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2360) to provide for a temporary increase in the public debt limit, pursuant to House Resolution 165, she reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DANNEMEYER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 296, noes 124, answered "present" 1, not voting 11, as follows:

[Roll No. 117]

AYES—296

Ackerman
Akaka
Alexander
Andrews
Anthony
Aspin
Atkins
Badham
Barnard
Bateman
Beilenson
Bennett
Berman
Bevill
Biaggi
Bilbray
Bliley
Boehlert
Boggs
Boland
Bonior (MI)
Bonker
Borski
Bosco
Boxer
Brennan
Brooks
Broomfield
Brown (CA)
Bruce
Bryant
Buechner
Bustamante
Byron
Campbell
Cardin
Carper
Chandler
Chapman
Cheney
Clarke
Clay
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Conte
Cooper
Coughlin
Coyne
Darden
Davis (MI)
de la Garza
DeFazio
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Dowdy
Downey
Duncan
Durbin
Dwyer
Dymally
Early
Edwards (CA)
Emerson
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Flippo
Foglietta
Foley
Ford (MI)
Frank
Frenzel
Frost
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Glickman
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Gray (PA)
Green
Gregg
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hiler
Hochbrueckner
Horton
Houghton
Howard
Hoyer
Huckaby
Hughes
Hyde
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lagomarsino
Lancaster
Lantos
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lowry (WA)
Luken, Thomas
MacKay
Madigan
Manton
Markey
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (WA)
Mineta
Moakley
Mollohan
Montgomery
Moody
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Nagle
Natcher
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Pashayan
Patterson
Pease
Penny
Pepper
Perkins
Petri
Pickett
Pickle
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Rhodes
Ridge
Roberts
Rodino
Roe
Rogers
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Russo
Sabo
Saiki
Savage
Sawyer
Saxton
Scheuer
Schneider
Schroeder
Schuette
Schumer
Sharp
Shaw
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Spratt
St Germain
Staggers
Stallings
Stark
Stenholm
Stokes
Stratton
Studds
Sundquist
Swift
Synar
Tallon
Thomas (GA)
Torres
Towns
Traficant
Traxler
Udall
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walgren
Waxman
Weiss
Wheat
Whittaker
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wortley
Wylie
Yates
Yatron
Young (AK)

NOES—124

Anderson
Applegate
Archer
Armey
AuCoin
Baker
Ballenger
Bartlett
Barton
Bates
Bentley
Bereuter
Bilirakis
Boner (TN)
Boucher
Boulter
Brown (CO)
Bunning
Burton
Callahan
Carr
Chappell
Combest
Courter
Craig
Crane
Crockett
Daniel
Dannemeyer
Daub
Davis (IL)
DeLay
DeWine
DioGuardi
Dornan (CA)
Dreier
Dyson
Eckart
Edwards (OK)
English
Erdreich
Fields
Florio
Gallegly
Gilman
Gingrich
Gunderson
Hammerschmidt
Hansen
Hastert
Hefley
Henry
Herger
Holloway
Hopkins
Hubbard
Hunter
Hutto
Inhofe
Ireland
Jacobs
Jontz
Kasich
Kemp
Kolbe
Konnyu
Kyl
Latta
Leach (IA)
Lewis (FL)
Lightfoot
Lujan
Lukens, Donald
Lungren
Mack
Marlenee
Martin (IL)
McCandless
McCollum
McEwen
Molinari
Moorhead
Myers
Neal
Nelson
Nichols
Nielson
Oxley
Packard
Porter
Ravenel
Regula
Richardson
Rinaldo
Ritter
Robinson
Roemer
Roth
Schaefer
Schulze
Sensenbrenner
Shumway
Shuster
Smith (NE)
Smith, Denny (OR)
Smith, Robert (NH)
Solomon
Spence
Stangeland
Stump
Sweeney
Swindall
Tauke
Taylor
Thomas (CA)
Torricelli
Upton
Vucanovich
Walker
Watkins
Weber
Weldon
Wyden
Young (FL)

ANSWERED "PRESENT"—1

Gonzalez

NOT VOTING—11

Annunzio
Conyers
Ford (TN)
Jones (NC)
Miller (OH)
Parris
Rangel
Ray
Roybal
Smith, Robert (OR)
Tauzin

□ 1240

The clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr. Robert F. Smith against.

So the bill was passed.

The result of the vote was announced as above-recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. Montgomery). Is there objection to the request of the gentleman from Illinois?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

The SPEAKER pro tempore. Pursuant to House Resolution 152 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1748.

□ 1248

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, with Mr. Rostenkowski in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, May 12, 1987, the amendment printed in section 2 of House report 100-84, relating to the C-17 aircraft program, offered by Representative Darden as the designee of Representative Aspin, had been disposed of.

Pursuant to House Resolution 160, it is now in order to debate the subject of ballistic missiles for 60 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

At the conclusion of such debate, it is in order to consider the amendments relating to ballistic missiles, contained in section 1 of House report 100-84, by, and if offered by, the following Members, or their designees, which shall be considered in the following order only:

(A) By Representative Hertel;
(B) By Representative Frank;
(C) By Representative Dellums;
(D) By Representative Kyl;
(E) By Representative Dickinson;
(F) By Representative Weiss;
(G) By Representative Feighan.

Under the rule, the gentleman from Wisconsin [Mr. Aspin] will be recognized for 30 minutes and the gentleman from Alabama [Mr. Dickinson] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. Aspin].

Mr. ASPIN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, the amendment I will be offering would transfer all funds for procurement of the Trident II, or D-5 missile into an account for procurement of the Trident I, or C-4 missile. The amount to be transferred is $2.26 billion.

All of us want to ensure that the United States maintains a secure retaliatory deterrent against Soviet nuclear attack. However, the proposed new D-5 missile threatens to make our submarine force a less effective deterrent against Soviet attack but one more likely to set off a nuclear war.

The current plan is to deploy 480 Trident II, D-5 missiles, which would carry approximately 4,000 warheads. This large a force of warheads, which can be delivered with an accuracy never before achieved by a submarine-launched missile with a yield almost five times that of the C-4, would enable us to destroy the entire Soviet land-based missile force. The flight times of both C-4 and D-5 missiles to their targets would be as low as 15 minutes, half of the time it takes for a land-based missile to travel between the Soviet Union and the United States.

We know that we will never launch a first strike against Soviet missile silos. Nevertheless, with the D-5 we would have the capability to destroy them all if we ever did. The simple fact of our having that capability will cause the Soviets to take steps which will threaten our national security.

Faced with an overwhelming United States capability to strike its missile silos, the Soviets will have a much greater incentive to launch a preemptive strike against us in a crisis. The D-5 would destabilize the strategic balance, increasing the danger for both of us. Furthermore, deploying a D-5 force would push the Soviets to adopt a launch-on-warning policy, which would dramatically increase the danger of accidental nuclear war.

Beyond the destabilizing effect the D-5 would have on the strategic balance, it would undermine our efforts in arms control. For a decade now we have demanded that the Soviets reduce the size of their ICBM force because of the threat it poses to American land-based missiles. We fear that the Soviets could use these missiles to destroy our ICBM silos in a first strike. But the Trident II will pose an even greater threat to Soviet land-based missiles. How can we expect to get the Soviets to negotiate cuts in their hard-target killing missiles, when we are deploying a new generation of our own? The Trident II will kill the chance of reducing strategic weapons just as negotiations in Geneva are starting to make progress.

We also need to look at history. History shows us that no matter what weapon we deploy, the Soviets are not far behind. It is likely that sometime next decade, the Soviets will develop their own accurate SLBM. We could then face a force of Soviet submarines, stationed just off our shores, armed with missiles that would give us almost no warning time before they could reach targets on our soil. It is a daunting prospect. But there is a way to avoid it. We should forgo the Trident II now, and try to negotiate a ban on SLBM's more accurate than the S-4.

What makes this destabilizing weapon an even worse defense idea is that it comes at an extremely high cost. A CBO study released last August shows that if we had chosen Trident I instead of Trident II last year, the taxpayers would have saved between $9.6 and $11.3 billion. Estimating conservatively, we can still save at least $7 billion if we choose Trident I this year. In this time of desperate budget deficits, does it make sense to deploy a destabilizing weapon that will exact such a high cost, both financially and strategically? I urge you to support my amendment to transfer the $2.26 billion from the D-5 account to the account for the procurement of the C-4 missile.

Mr. DICKINSON. Mr. Chairman, I yield 5 minutes to the very distinguished gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, I rise in strong opposition to the amendment to be offered by Mr. FRANK to delete the 12 MX test missiles. The funding of these MX test missiles does not increase the number of MX missiles in our strategic arsenal—it just ensures that the launchers and ground crews work. In essence, Mr. FRANK's amendment can be called the antimissile safety amendment.

These missiles would not be added to the strategic arsenal. They are for testing purposes only. They carry dummy warheads only. They will all be fired from Vandenburg AFB, in my district. As my colleagues are aware, America's Space Program, both military and civilian, has been badly hit with tragedies and failures. We witnessed the shock of the *Challenger* crash. We have seen many Atlas, Titan, Delta, and Minuteman rockets malfunction and crash. Just last week an American-made Polaris missile launched by the British in a test off Florida had to be destroyed. Ballistic rockets are complex mechanisms. They also form an important leg of our strategic triad. It is paramount for strategic stability and deterrence that we know that these delivery vehicles perform according to design. These MX test missiles are also needed for safety and reliability reasons. Remember, these are nuclear weapons with immense destructive power. Congress rightly insists on the most stringent testing requirements for safety and effectiveness of other weapons systems. It does not make any sense to have lesser standards for our ICBM's upon which the United States and our allies must rely for deterrence. Recent Minuteman launch failures dictate that a continuous testing of rockets and crews are needed.

Delaying the procurement of test missiles, which this amendment would do, only makes them more expensive. Why pay more tomorrow and wait for something that you need today and can get today for less? This amendment would cause excessive costs to reassembly production infrastructure and restart production to buy the test missiles. It would cost over $2 billion. That's right, $2 billion. I know Mr. FRANK purports that the $200 million for two missles keeps production lines open. But, this low level is far below the fixed production line costs and would, in essence, result in a production shutdown—MX production capability would cease. Because the Air Force needs more than two tests a year, the adoption of this amendment would result in us soon running of test missiles leading to at least a 4-year moratorium on in flight testing. This would have a very serious, negative impact on our Flight Testing Program.

The Frank amendment is a very poor and dangerous way of eliminating MX/Peacekeeper production. I emphasize to my colleagues that these missiles do not add to the total number of MX missiles. Whether or not you are for or against the MX/Peacekeeper, Congress has already deployed the MX and not buying sufficient test missiles makes absolutely no sense. It's like buying a new aircraft and then not authorizing flying hours. Congress has fully supported the full Minuteman and other missile test programs. The MX testing requirement is the lowest of all and according to two CBO reports is the most austere missile program. I urge my colleagues to oppose this very shortsighted and antisafety amendment.

□ 1255

Mr. ASPIN. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Chairman, the first amendment that will come up after this hour's debate will be my amendment to delete $250 million for the MX rail garrison system.

First of all, I would like to point out that we have had over 30 basing modes suggested by the Department of Defense over the last few years. All have been rejected by this Congress for good reason because just as we see with this one, we gain no deterrence whatsoever by putting MX missiles on railroad cars.

Second, we know that the Department of Defense, for the last 2 years, has already had $172 million to do various studies of basing modes. So we see that with this $250 million, which is a great deal of money, they would go forward, not only to develop, but to deploy this MX garrison system at this time.

It does not make any sense at all.

First of all, it would take 4 hours, and these are the Air Force figures, 3 to 4 hours to remove the missiles, put them on the tracks, take them to a firing location. Unfortunately, because of this terrible period in which we live, when launch time has gotten down to minutes, we would have 3 or 4 hours to get them to their firing point. Therefore, they would be sitting-duck targets in the garrisons. So we gain no deterence whatsoever. We gain no threat, no use for this MX missile with the rail garrison system.

The opponents are going to say that it is better than putting them and leaving them in the silos. That is not true. That is not true because you can actually have a softer target by putting them on the rail lines than by having them in the silos themselves and certainly by having them in the garrison. That is no advantage; that is no gain.

There will be some talk about this being used with a small mobile as a combination. It does not help the small mobile, in fact, it is just another reason for the administration to have more MX missiles that this House has said time and time again we do not want to purchase.

Everytime we take money and put it someplace else, that slows down the development of the small mobile.

By the way, we are talking about dispersal time for a small mobile of less than 10 minutes, probably 6 minutes, according to the Air Force figures, versus 3 or 4 hours for the MX rail system.

Many of you have probably heard from the public that they think this is an outrageous idea. I certainly did. In fact, I think the Air Force had a lot of nerve, to say the least, to release this latest basing mode shortly after the very tragic railroad accident that we had between Washington and Baltimore.

We know that we have a great problem with our tracks being unsafe. We certainly do not want MX missiles on these railroad tracks in populated areas, and the Air Force has those plans. We know that by putting them on railroad tracks, we would vastly increase the opportunities for sabotage or terrorism or the types of terrible accidents that we have seen in our past history with railroad tracks.

The Air Force claims that they would only be putting these missiles on the railroad tracks during time of alert. But because of all of the arguments that I have already brought out as to how vulnerable these missiles are in the garrisons, it seems only a matter of time that the Air Force might recommend to some future administration, or the administration itself in the future might decide that these missiles would be clearly less vulnerable if they were on the tracks for a longer period. Maybe some future administration would decide constantly and maybe they would have new definitions of what alert status is for different weapons systems.

That is the only thing that would make tactical sense and, of course, that is a frightening thought because we would never want these MX missiles on railroad tracks constantly or on a regular basis because, as I point out, there are too many chances for great disasters to occur.

They would be the simplest target for sabotage, for terrorism, and for the unforeseen accident.

I ask you to join with me and once again tell the administration they have a bad, unusable basing mode, and once again, we do not waste this money on MX missiles, and once again tell them, once and for all, that we reject having additional MX missiles.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we enter into the general debate on the subject of missiles, we are addressing several types of missiles and several basing modes.

We have already heard from the gentleman from New York, who is unhappy with the D-5 missile and who proposes to offer an amendment that would take the money out of the D-5 program.

Just to put this matter in perspective and to show you how unrealistic such a proposal would be, we have gone forward with the Trident submarine. We have made the conscious decision, voted on in this House, to upgrade the missile aboard the submarines from the C-4 to the D-5. We have already started manufacturing the submarines that will use the new missile. They will soon have an operational capability. We are giving it a hard-target kill capability. We are working with the British who will also have the system in the future.

We have already committed on the D-5 and to take money out at this time, and go back to put money into a C-4 line that is not even in existence just makes no sense at all. You could not build them if you wanted to at the present time without starting from scratch.

Another two missiles that will be under discussion today are the MX and the small mobile ICBM. To put the MX into perspective, the Department of Defense determined some years ago that they needed a follow-on missile to the Minuteman 3. I think perhaps it is unfortunate that they did not just name this the Minuteman 4 and go on and build it, but instead, they called it the MX, "X" for experimental, and finally this administration gave it the name of Peacekeeper.

Because the MX appeared to be a totally new system compared to the Minuteman, it came under a great deal of attack and scrutiny and it has been controversial ever since.

We have had a long series of studies and proposals on how to best base the MX missile. The first to receive serious consideration may have been the best: the multiple protective shelters.

□ 1305

That concept was to build a number of shelters interspersed throughout the countryside on arid and nonused land, and to put missiles only in a small fraction of those shelters. The concept resembled the pea under the shell game, and an enemy could not attack the missiles with any degree of certainty because they would not know which shelters contained missiles.

Technically, this may have been the best solution that has been put forth by the Department of Defense. But for political reasons, not technical, the concept was killed. The State of Utah, the State of Nevada, and other Western States, where the missiles were supposed to be based, on Federal reservations for the most part, said they did not want the missiles. After a study was conducted, western Senators came back and said this was not the best basing mode. So the Pentagon looked for some alternative basing mode.

Then we came up with a series of different basing modes, all of which were designed to try to make the MX missile survivable. We knew that we could not just set it up on a pedestal, like you would fire off an old Atlas rocket, because that would not be survivable in that mode. So the problem was how to best to make it survivable. We all knew that MX in a silo, like the Minuteman III, was unacceptable, because in a race of hardness versus accuracy, accuracy is going to win every time. We could watch the tests of the Soviets and we could see that their missiles were getting more and more accurate and approaching the same degree of accuracy as United States missiles, and we realized that it would be very difficult, if not impossible, to harden silos sufficiently to give any degree of certainly that missiles in those silos would survive an attack.

So what other alternative did we look to? We looked to dense pack basing, in which you would put silos close together, preferably behind a mountain, so that attacking missiles would create such a cloud of debris and rocks that subsequent incoming missiles would be destroyed. This phenomenon is referred to as fratricide.

So dense pack did not work out too well. Then the Pentagon came up with the idea of race track basing, in which missiles were to be placed on big oval tracks on some relatively unused land in the West. At different points on the track would be hardened stations, where the missile could be hidden.

That concept did not work out too well either. Next, the Pentagon came up with another idea: I thought it was a joke when I first heard it, but it was a serious proposal, known as the big bird concept. The idea was to build a fleet of big airplanes with diesel engines, and they were going to keep half of them flying at any one time, so that the missiles could be launched from the air. I was surprised that the big bird concept did not die from being laughed at, but there were some serious proponents of it. It did not get very far.

Then someone came up with the dumbest of all, and that was the DUB basing mode. That is the deep underground basing mode. In this concept, missiles would be placed several thousand feet underground and covered up. Then, if there were a nuclear exchange, after the initial attack, the missile would burrow itself out and be launched—perhaps after the United States had been annihilated.

I could go further through this litany of basing modes, because there were many more studies. Everyone recognizes that there has to be a survivable basing mode for MX if our deterrence is to be credible.

I think that the rail garrison concept is probably the best available to us now. There is some $250 million in this bill to go forward with a study to determine the feasibility of this concept.

This rail garrison concept has nothing to do with the so-called Midgetman, the single-warhead missile that will be independently conveyed in its own hard mobile launcher. This concept simply recognizes that we cannot sufficiently harden silos. Rail garrison is an attempt to come up with a viable solution to the ICBM vulnerability problem, and this money is to study, not to deploy, a rail garrison. I do not know where my friend, the gentleman from Michigan [Mr. HERTEL] has gotten his information, but he is certainly reading from different sources than this Member and the committee. He says it takes 4 hours to flush the missiles from the garrison. Nothing could be further from the truth. Under the concept, you could fire the missile without deploying it at all. You could fire it from the rail system itself in the garrison. You could send it 5 miles or you could send it 50 miles. Four hours to deploy and fire is ridiculous. It would not take any more time to fire it than it would take for the Midgetman or that it would take to flush out bombers. Everybody recognizes that there would be some time, some notice, some warning time.

Mr. HERTEL. Mr. Chairman, will the gentleman yield to me?

Mr. DICKINSON. I will when I have finished my presentation.

The whole concept is not to run missiles up and down the public highways or railways. The missiles would be on Federal reservations, capable of being moved out promptly on notice. To say that they are any more vulnerable than the Midgetman is ridiculous.

Do the Members know what the proposal for basing the Midgetman is? They propose to put the missiles right next to the silos containing MX missiles. They will have to deploy the Midgetman just the same as you would have to get ready to shoot the MX from its own silo.

Rail garrison is a reasonable approach that calls for further study of the survivability of the MX. The committee agreed that this was so, and we put money in for it. Both of these figures were adjusted in committee. There was money taken out for the small mobile, and there was money taken out for the rail garrison. As a matter of fact, we have already taken out 57 percent of the requested money for the rail garrison, and we took out only 8 percent for the small ICBM. What we are attempting to do in the rail garrison concept is no threat to the small mobile.

In the language that was adopted in the committee I specifically, made it a generic term for the transport of any ICBM. It could be the small mobile, it could be the MX, it could be a follow-on missile. It is not married to nor is it necessarily a component of the MX missile.

We had an agreement some time back that we were going to develop both systems, that we would go forward with the MX and cap it at 50. I was in the conference when we agreed to do that. And we said we would go forward with the small mobile and develop that concept. I was in the conference when we agreed to that.

I would not, at the present time, try to attack either system, but if the gentleman wants to attack part of the agreement and take out the rail garrison, then it makes just as much sense to me to go after the most vulnerable, the more economically unsound of all the systems, and that is the small mobile.

I am quite content to let both programs go down dual tracks until they prove themselves, but certainly we should not delete the funds for either system now. I think it would be very unwise at the persent time to do that.

So, Mr. Chairman, I think that we should keep the committee bill as it is. We have heard the testimony in committee, we have heard witnesses, and we have been a party to prior arrangements and agreements as to what we were going to develop to determine what our total ICBM posture is to be. So I am hoping that the committee and the whole House will allow the committee position to stand, that we would not take out the rail garrison money for a study and development of the concept.

That being the case, there is no reason to even bother the money for the small mobile that is in here, because we are going forward with that concept, too. So I would hope that the D-5, the rail garrison, and the small mobile funds provided for in the committee by the committee members who are knowledgeable of the subject would be allowed to remain intact, and that the Hertel amendment would not be adopted.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 7 minutes to the chairman of the Subcommittee, on procurement and military nuclear systems the distinguished gentleman from New York [Mr. STRATTON.]

Mr. STRATTON. Mr. Chairman, the rail garrison mode of the MX is, I think, a very fine proposal, one that brings the MX missile, as the gentleman from Alabama has already indicated, into a better position than it has been in the past.

Some years ago the Senate indicated that they were not going to support any more than 50 missiles, although the President wanted 100 and President Carter wanted 200 missiles. But they would only go for 50 MX missiles because they did not believe there was an appropriate basing mode; and so they said they would only approve more MX missiles if they knew that a new basing mode was guaranteed.

Well, that is precisely what the Secretary of Defense, Mr. Weinberger, has come up with. It is the rail garrison mode. The gentleman from Michigan [Mr. HERTEL], I think, has not designated it very clearly or plainly. It is not an operation that is going to go out on the railroad lines and compete with the railroad trains that are coming down from New York or going back up into Boston. It is instead a reasonable and, I think, a rather ingenious effort to insure that the MX will be a tough target to destroy.

What the problem of the Soviets will be with the rail garrison mode is that they will find it almost impossible to designate a precise firing spot when the MX in the rail garrison mode is moved along even a small railroad track where they will find it almost impossible to designate a target. That is the beauty of the rail garrison mode. In fact, what we are doing is following what the Soviets have also done. The X-24 and the X-25 are rail garrison operations for the Soviet version of the MX, and I think what has been planned and is already underway is in the case of Warren Air Force Base, which is a few miles north of Cheyenne, WY, the rail lines that go into the Warren Air Force Base. Inside the base will be sections of railroad tracks which will move out of the base and finally come to a precise point. They do not have to go out 25 miles; you do not have to go 50 miles, nor do you have to take a railroad trip even into Cheyenne. If the train moves down 3, 4, or 5 miles away from the garrison, the Soviets will have problems in trying to determine whether they have an exact fix on that car, and they will not know whether it is moving forward or backward.

So I think, as the Soviets themselves have recognized, that this is something that will be difficult to destroy.

Also, in connection with this general debate, I would point out that the one thing that is most important in terms of American security is to have something that can take on the Soviet's SS-18 and SS-19. It seems to me that what we need to watch are the Soviet land-based ICBM's. We need something that can take on the SS-18's and the SS-19's, which are the most destructive weapons and the most damaging weapons in the Soviet arsenal aimed at us.

□ 1320

And yet the proposal of the gentleman from Massachusetts [Mr. FRANK] would eliminate the MX spares. The gentleman from Massachusetts [Mr. MAVROULES] who has been a very staunch opponent of the MX has acknowledged that if you are going to have the MX as a weapon, you have to have a certain number of test missiles, and what has been provided in the vote of the Armed Services Committee is an additional 21 spares and those spares are going to make the system operable and we will then know that it can be operated and can be fought and fired if necessary; but if we are going to eliminate the spares, we might as well give up and allow only the Soviet long-range missles to be the ones that are going to be flying through the atmosphere. I think that is a short sighted kind of thing and certainly if we should be confronted with an emergency, those missiles could be fired to take out the incoming 18's and 19's.

I think is it very foolish to cut those spares.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, I have for some time contended, as many others have, that we need to move our strategic weaponry to nontargetable modes. The sooner we do that, the safer America will be and the more secure our deterrent capabilities will be and will be perceived to be by our potential adversaries. For that reason, we really must move toward deployment of the Midgetman, and if possible, toward moving the MX to a nontargetable mode. That I hope will continue to be the emphasis of this body and the United States as we consider the committee's recommendations, which are appropriate and consistent with those objectives. The sooner we can replace those vulnerable MX missile silos with alternative nontargetable strategic weaponry, the safer the United States will be.

Furthermore, those weapons are inherently destabilizing.

But today I would like to concentrate my remarks on the single most important weapon that we can move into our arsenal. I am talking about the D-5 or Trident II missile. The amendments that will be offered by the gentleman from New York [Mr. WEISS] and the gentleman from Ohio [Mr. FEIGHAN] should be opposed by Members of this body. The D-5 missile is our deterrent ace in the hole. We must deploy it as we have previously, frequently, indicated we would.

The *Ohio*-class submarines were designed for the D-5.

There are a variety of reasons why the arguments that have been offered previously against the D-5 are invalid. Opponents of this weapon are concerned primarily, it is said, about the potential contribution to instability in a crisis situation. I contend, among other things, their arguments are wrong because they are confusing "hard-target capability" with "first-strike capability." They are not the same.

The United States must develop and maintain a counterforce capability to hold at risk the full range of Soviet nuclear capabilities, particularly their missile silos capable of being reloaded, their hardened command and control facilities and their nuclear weapons storage dumps.

The weapon that we must have in reserve in case a nuclear war does begin that has full deterrent capability is the nontargetable one that is underseas—the D-5. That hard-target kill capacity weapon must be there in deterrent reserve should a nuclear war begin.

More importantly, however, I think the more likely threat to this country really comes through the possibility of nuclear blackmail. As long as we have those D-5's deployed in a nontargetable mode, as long as we have alternatives on land and sea, we are in far better shape to prevent a nuclear holocaust.

Stick with the decision to deploy the D-5 missile on our *Ohio*-class based submarines. It is the most important weapons system we will have for the remainder of the century. It is a peacekeeper.

Mr. Chairman, we have been told that the D-5 missile is a highly accurate, hard-target weapon capable of transforming the undersea leg of the American nuclear triad from a nonprovocative deterrent into a highly destabilizing force of over 4,000 silo-busting warheads. Opponents of this weapon are concerned primarily about its potential contribution to instability in a crisis situation. In short, we are told that if the United States acquires this weapon we may one day find ourselves in a crisis situation where the Soviet Union will be forced either to fire first or face the prospect of losing all their missiles in the event we might fire first. Opponents ardently believe that by procuring this weapon the United States is increasing the chances of an inadvertent nuclear war.

I contend that this argument is profoundly wrong for a variety of reasons and that those errors are in part the result of confusion on several strategic nuclear issues.

I would like to remind my colleagues that hard target capability is not the same thing as first-strike capability.

First-strike capability means the ability to deliver, in a preemptive first strike, an attack so devastating that a nuclear retaliation will not cause unacceptable damage to the attacker. In other words, first strike is the capability to disarm the enemy without deterring fear of retribution. Neither country has, nor likely will have, a first strike capability if both the United States and the Soviet Union maintain a significant percentage of their strategic offensive forces at sea, immune to a coordinated preemptive strike, through deployment of relatively invulnerable ballistic missile submarines [SSBN] and in other non-targetable or difficult-to-target modes. Consequently, the United States cannot acquire a confident first strike capability, nor is it our policy to seek such a capability.

Nevertheless, it is absolutely crucial that the United States develop and maintain a counterforce capability to hold at risk the full range of Soviet nuclear reloaded, their hardened command and control facilities, and their nuclear weapons storage dumps. It is most preferable that we deploy this counterforce capability on nontargetable platforms in order not to provoke or tempt preemption during a period of crisis. The ultimate purpose of this counterforce capability must be to curtail the Soviet Union's ability to proceed to higher and higher levels of U.S. destruction if, for what ever reason, a nuclear war begins.

Contrary to the analysis offered by its opponents, the D-5 missile will contribute to enhanced deterrence because any enemy planning a preemptive attack will know that the D-5 can continue at risk a full range of targets. I realize this begs the question of why, given the mutual vulnerability afforded by the submarine forces, either power could contemplate such an attack. I will take up this point momentarily. For now I wish to emphasize that the most realistic defined deterrent is one that carefully provides for defense should deterrence fail.

There is an additional reason why we should acquire the D-5. Without this potent and highly accurate missile, our only continuing retaliatory capability after a nuclear war could begin would be against so-called soft targets, a strategic phrase which, shorn of its technical fur means people, specifically the Soviet people. Although opponents of the D-5 missile likely do not prefer, in time of nuclear war, the destruction of an enemy's population to destroying its remaining missiles their preference for the lesser accurate C-4 missile would actually only leave our leaders with no other choice. This is a troubling point with further implications.

I invite my colleagues to consider the following wartime scenario. The Soviets fire a volley of highly accurate missiles that eliminate—or requiring us to use if in a use-it-or-lose choice—our land based deterrent including whatever hard target capable land forces that we may have at that time. Absent a deployed D-5 missile on submarines our leaders would then be left only with the choice of responding with our present seabased C-4 missiles against Soviet "soft" civilian targets with the likely result the Soviets would further respond or threaten to respond in kind against our civilians with their remaining secure hard target missiles. I believe it is indeed possible that our leadership might be tempted to succumb to such a situation of nuclear blackmail. Therefore, how credible a deterrent do we really have without the D-5? If under wartime conditions we have the capability to respond with the C-4 but choose not to do so, we will have effectively permitted the Soviets a successful first strike. Should we not take measures to prevent such an occurrence? Should we not take measures to prevent even the appearance that such an option might even exist for the Soviets? If instead we acquired the ability to destroy remaining hard target Soviet missiles, would we not spare ourselves the risk of nuclear blackmail leading either to the United States accepting a global defeat or assuring the destruction of the United States or both populations?

I realize that thinking through a war-fighting strategy is not a very appealing exercise. Nevertheless, it must be done if we are to ensure that we have an effective deterrence to nuclear war. Those who oppose the D-5 on the grounds that it might prove destabilizing in a crisis situation are no doubt partially correct. The point is, however, that the increased Soviet apprehension with the D-5 affords beneficial aspects that outweigh the negative aspects.

Therefore, I urge my colleagues to oppose the Weiss amendment that would transfer production funds from the D-5 [Trident II] missile to the much less accurate C-4 [Trident I] missile. The cause of peace demands no less.

At this time in our history the D-5 Trident II missile, deployed on submarines is by far the single most important weapon that either can be placed or is now deployed in our arsenal. The D-5 missile is our deterrent ace in the hole. The *Ohio*-class submarine was designed for the D-5. We must continue with this deployment decision. We must defeat the amendments of the gentlemen from New York [Mr. WEISS] and Ohio [Mr. FEIGHAN].

Mr. SPRATT. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana [Mr. McCLOSKEY].

Mr. McCLOSKEY. Mr. Chairman, I thank the gentleman from South Carolina for yielding this time.

I rise in support of the Hertel amendment to strike funding for rail mobile basing of the MX ICBM.

The purpose of rail mobile basing is not to provide a survivable basing mode for the MX ICBM. It is to protect a future request to buy more MX missiles.

And even if you agree that rail basing might be attractive to use in combination with the small mobile missile, the MX system remains extremely vulnerable to a host of threats including sabotage and submarine launched cruise missile attack.

No matter what is said about rail mobile basing, ICBM's based in this manner are soft targets. They can be destroyed by older generation Soviet missiles using only a relatively few warheads even after dispersal.

I hope my colleagues approve the Hertel amendment and urge a "yes" vote.

Mr. SPRATT. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, as we begin debate on specific amendments, one of the amendments to be first addressed will be the Hertel amendment, which will deal with the striking of $250 million left in the bill after the Aspin amendment, which is allocated to rail mobile basing of the MX missile.

I would like to point out, Mr. Chairman, that in the last 3 fiscal years we have provided substantial funds for hardening and for alternative basing modes for the MX. In fiscal year 1985, we provided $220 million for silo hardening experimentation and studies.

In fiscal year 1986, we provided another $52.2 million for alternative basing mode studies, and last year, or this fiscal year, we have provided $120 milion; so in the last 3 fiscal years we have provided $392.2 million for alternative basing mode studies as to the MX.

Now, we have available from those prior year moneys, including fiscal year 1987 moneys that we have budgeted, some $85 million to $90 million, most of which has been unexpended, earmarked, allocated to rail mobile basing.

The point I am making is simply this. Out of prior year allocations for studies on rail mobile basing and other alternative basing modes for the MX, we have provided $392 million, a substantial sum of money by any measure and a substantial sum of money, $85 million to $90 million remains available to study the concept, to find the rail mobile garrison basing mode for the MX, $85 million to $90 million; so if we knock out, if we eliminate the $250 million still in the budget for rail mobile garrison basing, there will still be $85 million to $90 million for concept formulation, and surely that is enough money to conceive a lot of concepts.

What we are really talking about therefore, and what we will be talking about under the Hertel amendment is not concept design, it is not analysis of rail mobile basing, what we are talking about is the startup of a major program. We are talking about the downpayment on the expenditure of some $8 to $10 billion, because that is what it will cost to build and to deploy 25 MX carrying trains, garrisons at some 10 site bases, special track laid, and it will cost another $3 to $4 billion to acquire 50 more MX missiles to deploy on these 25 trains that will be used in the rail mobile basing mode.

We are talking therefore today about the downpayment, a very small downpayment, on a very substantial sum of money. The total, it is not an exaggeration to say that the total expenditure which we are about to commit ourselves to if we go with the $250 million downpayment is somewhere in the range of $12 to $15 billion altogether, because basically what we are committing ourselves to is the program of rail mobile basing of the MX, not concept formulation, that money is already there. A substantial sum, $85 million to $90 million was appropriated last year. If the Air Force needs a few million more to better conceive or work out the idea, it can take it out of their own budget, come back to us for reprogramming, and surely we can come up with that.

So the issue is not concept formulation. We are not precluding that when we knock out the $250 million. What we are precluding is a startup on this major program.

What is really at issue under the Hertel amendment, what is really at issue in the debate today is a choice between the Midgetman, the single warhead mobile missile, and the rail mobile garrison basing.

The gentleman from Nebraska [Mr. BEREUTER] just said that what he favors is both, and it would be nice to have both, but in truth we have one mobile system already, and that is our Trident, as the gentleman indicated. We are bringing on line an excellent missile there that is mobile that operates in the opaque seas, the D-5 missile, that will vastly enhance our strategic capabilities, particularly with our sea-based leg of the triad.

Now we have a choice between two land-based modes of an ICBM that are mobile. It would be nice to have both if you wanted to augment our strategic forces as much as possible, but we have limited resources and we have a budget choice to make this year.

I submit to the House that if we are looking at this matter in terms of cost effectiveness, if we want to buy the system which has the most survivable warheads, then the system we ought to buy is the single warhead system, the Midgetman system.

Sure, we can buy the MX. It would be cheaper to deploy and cheaper to procure, cheaper to maintain, cheaper life cycle cost. If we do that, we will end up with a system, number one, which is vulnerable to a bolt out of the blue.

The Air Force dispenses with this argument by saying it will be all right to cluster these MX missiles at these garrisons and leave them there vulnerable to a bolt out of the blue attack, because the Soviets are very, very unlikely to strike us with a bolt out of the blue.

Well, the Japanese were very unlikely to strike us at Pearl Harbor.

We will have a window of vulnerability, that bolt out of the blue, that surprise attack, still unaccounted for in our land mobile missiles if we go with the rail mobile basing mode. We will not have that window of vulnerability if we go with the Midgetman single warhead mobile missile as an alternative to it.

One final point. We have bought to date 86 MX missiles. We will buy if we go through with our budget plan in this bill 12 more. We will be buying MX missiles if we buy the 193.

We have 9 more years to procure the MX missile. We have an open line at our present rate of procurement for 9 more years.

We have got the future in which to commit ourselves to this $10 billion expenditure if the Midgetman does not come through, if arms control falls apart. We can consider this later on. In the meantime, we have adequate money there to study the concept. I submit to the House that we should spend that money and not commit ourselves this year to $9 or $10 billion more for this system at this time.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. DAVIS].

Mr. DAVIS of Michigan. Mr. Chairman, I want to talk in this general debate about the amendment of my colleague and friend on the rail garrison. It is nice sometimes to be a friendly adversary, but I have to rise in opposition to the amendment on the rail garrison to cut off the funds. I think we are talking about promising technology and the possibility of cutting off funds in research and development right now, I do not think makes sense.

Mr. Chairman, our ICBM's have always been a crucial part of our strategic triad and thus an important element of our deterrent. In fact, it is so important that the Skowcroft Commission—which has been embraced by people of all political persuasions—called for 200 MX missiles. The Congress looked at the MX question last year and capped the total at 50 deployed missiles. With that cap came a message to the Pentagon: If you want more MX's, come back to us with a smarter basing mode.

Now the Pentagon has come back with a basing mode that at least appears to have merit. During periods of normal relations, missile carrying trains would be securely garrisoned on existing military bases. In time of crisis, however, they would be disbursed on a national rail system with more than 18,000 miles of track. Mobility would equal survivability and that would equal deterrence. Put yourself in the shoes of a Soviet planner trying to track these missiles as they disburse from 10 MX installations across the country.

Would this work exactly the way we want it to? We don't know yet. That is why we need this R&D funding. Is the rail garrison plan perfect? Probably not, but no system is. What rail garrison offers is the best available mix of cost and survivability.

I urge my colleagues not to oppose rail garrison funding in a knee-jerk fashion simply because of opposition to the MX. The results of this technology may have some important implications for other missiles, including Midgetman and future generations of ICBM's.

I urge my colleagues to fund this research and hear the results before making any decision on additional deployment of MX missiles.

□ 1335

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. I thank the gentleman for yielding time to me.

Mr. Chairman, the debate that we have today is many times shaped politically very stark. We either have one side or the other, and it is clearcut and Members are for this system or against this particular one, but we have a number of amendments today that can be confusing and I want to express my views and let the House know my position, before we start these debates.

I am going to go in reverse order of how the amendments are offered. First, I am strongly opposed to the Weiss and Feighan amendments on the Trident D-5's. I think that it is absolutely essential that we continue to develop and eventually procure the D-5's. I think that they are one of the truly survivable deterrents that we have today, and it is important that we continue that development. I do not think that it is a first-strike weapon, and I do not think that it is destabilizing, as some would indicate.

The other amendment, though, that we face concern two systems that this country is yet to settle on or to resolve, and that is the issue of the MX and the Midgetman. I have been a strong proponent of the small mobile ICBM. I think that it is important that we have a mobile ICBM—it has been dubbed "Midgetman."

It is a survivable system. It is one that I think we should move forward with aggressively and we should continue to fund. There are those who argue that we need to MIRV it—put more warheads on it. The cost/benefit ratio improves if you do that. I do not think that is the argument. I don't believe that that is the argument we should be concentrating on today.

It is important that we go mobile. The Soviet have done it. Over the past decades we have urged through arms control proposals and by the pressure that we have been placing on the Soviets for them to go mobile, they have finally gone mobile. The second they do it then we sit around and cannot get our act together and cannot decide on which systems we are going with.

Mr. Chairman, it is important that we continue the funding for Midgetman.

The next amendment is to cut the MX test missiles offered by the gentleman from Massachusetts [Mr. FRANK]. I will oppose his amendment. The gentleman from Massachusetts [Mr. MAVROULES] and I offered the amendment a couple of years ago to freeze the MX's at 40, which eventually became 50, and that was the basis of an agreement in exchange for Members to support the mobile systems, Midgetman, and to protect the current system.

I will live up to that agreement, and I think that MX test missiles are important, and that his effort to cut them is not proper.

The issue though of rail garrison is a much more difficult issue, and I want to quickly try to explain my position. In committee I agreed that moving to procurement of MX for rail garrison is not a very wise move at this point—additional MX's. I think it does make sense, however, for us to continue some research, generic research, to see whether or not rail garrison can offer a survivable mode either for Midgetman or perhaps even the original 50 MX's.

Because of that I have a hard time supporting the gentleman's position. I understand that we need the leverage when we go to the Senate to debate and perhaps work an agreement on Midgetman versus MX, but I think that in the long term the bottom line, the end result, should be that we have some generic research, and I think that the gentleman from Alabama [Mr. DICKINSON] would not disagree with that.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. ROWLAND].

Mr. ROWLAND of Connecticut. Mr. Chairman, I believe that the debate on the ballistic missile section of this bill comes down to one simple thing: are we in favor of developing the best, most survivable missile system at the lowest costs possible?

Like it or not, in my opinion there was a deal made several years ago that we would deploy the MX in silos while a mobile basing system was developed. At the same time, as the gentleman said, we would begin work on developing a small ICBM, the Midgetman.

Well, now that a mobile basing mode for the Peacekeeper has been identified, some Members want to kill it. I find it ironic that those same individuals who opposed the MX because it was in the silos—calling it sitting duck—now oppose the rail garrison mode.

Mr. Chairman, I would argue that we cannot have it both ways. If the MX is not survivable in fixed silos—and some say that it is not—then we should continue with the agreement that we made in the 98th Congress and the 99th Congress, and that was to develop a survivable mobile base system. We have that system before us today.

We are going to hear arguments, "Oh, no. Don't base the MX in a rail garrison mode because it will be destabilizing."

I would argue that if 50 mobile MX missiles are going to be destabilizing, then what will the 500 planned Midgetman missiles be?

I think that we are going to hear about cost. "Rail garrison will be too expensive."

I would say that a mobile basing system would require a lot less money—significantly less money—than the Midgetman itself. If we continue with the Midgetman production, we will spend somewhere around $42 billion.

Mr. Chairman, I believe that we need to make a choice, and I have said repeatedly that we should not continue to try two missile systems. I am prepared to support not only the gentleman from Alabama [Mr. DICKINSON] and the gentleman from Arizona [Mr. KYL], but I would even support the gentleman from California [Mr. DELLUMS], who proposes scrapping the Midgetman missile altogether, saving some $2 billion in the first year.

Mr. Chairman, I would merely argue that we need to put a plan together and move forward and save some dollars and do the right thing if we really are in favor of this missile system.

Mr. SPRATT. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. I thank the gentleman for yielding time to me.

Mr. Chairman, let me try to clean up some of the inconsistencies and mistakes that Members have made in the debate.

I agree with the last gentleman, it is kind of strange that the Members who were fighting to have the MX built and put in silos are now admitting in this debate that the MX missiles in silos are vulnerable. I did not want them in the silos, but many of the Members who are talking about having more MX missiles are the very Members over the last few years who voted and fought to have the MX go ahead into development and to be put in these very vulnerable silos. I am glad now that at least everyone agrees and admits that they are vulnerable in the silos.

Now that does not solve the problem, though, of taking another bad basing mode, because I agree with the ranking minority member from Alabama, all the way through the first part of his remarks he talked about why all of the systems that have been brought up over these years are so bad, and some were even laughable, he said. He was right.

Unfortunately, well, this one sounds better, but it is not better. I point out to the gentleman that the information that I listed as to 6 to 10 minutes for the small mobile being deployed versus the MX rail being deployed is 3 to 4 hours for the MX rail, 6 to 10 minutes for the mobile midget. What is the comparison? I mean, I wish the situation were not that we are talking about launch in a matter of minutes, but that is the terrible reality. There is no comparison.

So as the gentleman from South Carolina pointed out, if you save a few dollars and have a system that is still vulnerable, as vulnerable as the silos when it sits in the garrison, and as the gentleman from Indiana pointed out, where the Soviets can use cheaper, older weapons to target the garrison and the rail system, then you do not pick up a thing. You just kid yourself to have more MX missiles for no purposes of deterrence.

□ 1345

Mr. MARVOULES. Mr. Chairman, will the gentleman yield?

Mr. HERTEL. I yield to the gentleman from Massachusetts.

Mr. MAVROULES. Mr. Chairman, the one point I wanted to make, I notice we have three amendments with reference to the Midgetman. We have terminated, we have cut, we have cut.

We continue to get the same story that the Midgetman will be so much more expensive than the rail garrisons, the MX'd missiles or the siloed missiles, whatever.

It is only fair to state that to all of the Members, that about 85 percent of the technology being used on the MX missile can be transferred over to the Midgetman missile, so the figures that are being kicked around probably are not factual at this point.

It is much too early to determine the total cost of a Midgetman missile and, of course, the mobile system.

Mr. HERTEL. I thank the gentleman.

Let me point out a few other things. The gentlemen are honest; they are talking about the fact that this $250 million is for going forward with the MX garrison system.

We have already pointed out that we have already spent $172 million over the last few years. They are now saying they are for that, for going ahead with it.

The issue is honest. It is not for study. It is to go ahead with the MX garrison system.

The administration backs it, and other Members have talked about going in favor with it today.

That is the issue, whether we do it or do not do it.

I point out to the gentleman from New York, those are public railroad tracks that we are talking about. We are not talking about tracks on a reservation, or something like the Midgetman missile on a reservation.

We are talking about public railroad tracks to be used to transport MX missiles during an alert.

The House is going to have to decide, and I hope for the last time, whether we want to go forward with another MX basing system that is not a deterrent, that is still vulnerable or whether we want to save our money and the taxpayers' money for a system like the Midgetman that is not a first-strike weapon.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, the question is, are we serious about defending the United States, or are we not.

We have the very best weapon, the very best strategic weapon under development now, the MX missile, partially deployed. It is the most accurate. It is the most ready to launch. It provides flexible targeting, and it is the most cost-efficient strategic weapon we have got.

Are we serious about our defense or not? Are we going to protect this weapon or not?

The MX was recommended by the Scowcroft Commission suggesting, however, that we should study a more survivable basing mode. So this Congress, the other body and the House, recommended that study. Pursuant to congressional direction, the Air Force has been doing precisely that.

The administration requested $591 million, but the committee only authorized $250 million.

To the gentleman's point a moment ago that there may be some money left over we could just use, my guess is, that is simply as a result of the way we spend the money around here, that it is part of the 2-year authorization process; and the same thing is true with respect to the $1.1 billion for the Midgetman. You will find not all of that has been spent yet; but my guess is by the time the fiscal year 1988 budget money is ready to be spent, that money in large part will be gone.

The Soviets have already recognized the advantages of dispersal, as has every military establishment in the history of the world. Von Clausewitz, the Soviets, the Germans, the United States—you do not give the enemy a fat target to attack. The Soviets recognize this. They disperse their weaponry; and, of course, so does the United States.

The Soviets have already tested their rail-based ICBM SSX-24, and they are beginning deployment of that system this year.

I would like to quote somebody who is frequently quoted by Members on the other side here, Senator NUNN.

I am quoting from the Aerospace Daily of May 12, 1987:

> Senate Armed Services Chairman Sam Nunn has declared that it is important to preserve intercontinental missile options for the next President and fund both the rail garrison MX and the Midgetman missile programs.
>
> In a talk to a closed Capitol Hil session sponsored by the Institute for Foreign Policy Analysis, Nunn was asked if he felt rail garrison MX and Midgetman should be funded this year and next to provide a land-based mobile missile option for a new President in 1989.
>
> "I think we need to preserve the MX possibilities on the rail garrison; I think we certainly need to preserve the Midgetman," he replied. "I think the only hope for a consensus is some combination of those two. I think we will end up with both those programs as live possibilities."

I agree in this case. It is important to integrate both systems, and that is why I will be opposed to the Hertel amendment.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. DICKINSON] has 1 minute remaining.

Mr. DICKINSON. Mr. Chairman, I yield the remaining 1 minute to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I hope we go back and think about this deployment of the MX. Years ago we stood here in 1981 and debated where we would put it.

I remember when candidate Ronald Reagan came to Salt Lake City and talked to a group of us; and he said, we are not going to put this in the MPS system if I become President of the United States.

That was the idea where you build huts, travel around, and it would pop out at the right time, kind of a modified rail garrison, you could call it.

The MX, probably the best missile we have ever come up with, and those of you who have gone to Vandenberg and seen this thing fly, we have finally learned how to make something that works.

This one works and works better than anything we have played with. We are always fussing about the B-1 and the trouble it has and the C-5 and the Bradley fighting vehicle, and now we have got a bird that really hits the target.

I was so impressed when I was at Vandenberg, let me just say, we are now down to the point, how can we deploy it. We have come up with the Scowcroft Commission has one accurate way to do it. We are now finding another accurate way; and if it comes right down to it, the smart thing for us to do would be to accept the rail garrisons, to make this thing fly.

The CHAIRMAN pro tempore. All time has expired on general debate.

AMENDMENT OFFERED BY MR. HERTEL

Mr. HERTEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment it as follows:

> Amendment offered by Mr. HERTEL: Strike out subsection (b) of section 201 (page 30, lines 6 through 9) and insert in lieu thereof the following:
>
> (b) ALTERNATE ICBM BASING TECHNOLOGIES.—Of the amount appropriated for the Air Force for fiscal year 1988 for research, development, test, and evaluation, none may be used under the ICBM modernization program for concept formulation and analysis of rail basing schemes for intercontinental ballistic missiles. The amount authorized in section 201 for research, development, test, and evaluation for the Air Force for fiscal year 1988 is hereby reduced by $250,000,000.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Michigan [Mr. HERTEL] will be recognized for 10 minutes and the gentleman from Alabama [Mr. DICKINSON] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I want to restate a few of the points I made in general debate because they bear upon this particular amendment.

First of all, let me make the point that we have already allocated $392 million to studying alternative basing modes. What we are talking about in this particular bill is not further study, because the money for further study is already available. Last year we provided $120 million more to study alternative basing modes for the MX. Those moneys are still available in this fiscal year. Some $85 million to $90 million has been earmarked for concept formulation, concept definition, analysis, engineering studies and design, whatever they may need it for to flesh out this idea of rail mobile garrison basing for the MX.

There is already available $85 to $90 million, and by voting to knock out or eliminate this $250 million we are not precluding further study or exploration of the idea of rail mobile basing as an alternative basing mode for the MX missile.

What we are precluding at this point in time is a go-ahead, a startup on a program which will ultimately cost $10 to $15 billion, because the $250 million which is in the bill now is not for concept exploration. It is the initial installment, the first downpayment on a train of outlays that will ultimately in the aggregate equal $10 to $15 billion, and will lead us to 25 hardened trains deployed at some 10 SAC bases with 50 additional MX missiles deployed in addition to those that are deployed now in Minuteman silos. The cost of that is not $250 million or $691 million as the President requested this year; it is $15 billion.

So the choice before my colleagues is a choice between a Midgetman and survivable warheads, or the MX, and still in a very vulnerable basing mode.

Mr. DICKINSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think this is a thinly veiled attempt to kill the MX or any other type of weapon system that might be deployed in a rail garrison basing mode.

What is wrong with the rail garrison concept? The answer is nothing. As I have said in general debate, we have tried for a long time to come up with a successful, survivable basing mode for U.S. ICBM's. We considered the multiple protective system [MPS] to hide a number of ICBM's in a large number of holes in the ground. MPS failed for political reasons. We considered the racetrack basing mode. Racetrack also failed. The list goes on and on.

We have presently put our MX missiles in Minuteman III silos which are fixed, identified, targets. For political reasons, this is the best that we could come up with.

We continuously hear that opponents of MX oppose it because it is vulnerable in a fixed silo. So why not harden it?

The fact is, you cannot adequately harden missile silos because improvements in missile accuracy will overcome silo hardness every time. You cannot adequately harden a silo against a direct hit or a near hit of a nuclear weapon.

Just as we have increased our missile accuracy, so too have the Soviets. So we know we must have a more survivable system.

To reiterate, the Defense Department has been attempting to develop such a survivable system. They came up with an idea of housing it in, and launching it from an airplane. This idea fell by the wayside.

They came up with the idea of burying missiles thousands of feet under ground, so that when the shooting was over, it could dig itself out and be launched. We have considered numerous schemes, some good, some bad. At present, the administration has come up with a basing mode similar to that the Soviets are using on their SS-24's.

The Soviets have built and are in the process of deploying a rail mobile SS-24 missile system. They do not worry about public opinion in the Soviet Union, so their mobile systems are not even stationed in garrisons. But as the Soviets realize and our own intelligence experts tell us, there is no way you can target all rail mobile systems. You cannot be sure where they all are all the time. This is what we are proposing to do with rail garrison, except we will station them in garrisons until such time as there is a threat. Rail garrisoned missiles will not be roaming the rail network during peacetime. Rail garrison is similar to how we disperse our aircraft in times of an alert, and similar to how we plan to disperse our small mobile missile when deployed. In the event of a Soviet nuclear attack, we will have some warning time, and it does not make any difference if we can only disperse them 5 miles, 50 miles or 500 miles. You have built in an uncertainty factor and a survivability factor so that a potential enemy could never be sure that a first strike will be successful.

This is what Congress asked and the Scowcroft Commission recommended the Defense Department to do—build a more survivable system.

The money is in here because the Members of the committee thought it the responsible thing to do. We are going forward to develop the concept. Although the MX will fit on it, the small mobile will also fit on it, as will any follow-on missile. But we are only developing a concept, and the committee has approved $250 million for this, which incidentally is a reduction of about $250 million from what the administration requested. We would like to develop the concept.

In no way is rail garrison a threat to the small mobile missile. In fact the small mobile missile could ultimately be deployed on this rail concept.

Please do not deny the Department of Defense the capability of developing this concept. This is a research and development program to develop the rail garrison concept so that in time of crisis or even war we could disperse a percentage of our ICBM's as we would disperse the small mobile missile, our bombers, and the other strategic systems.

□ 1400

Rail garrison makes sense, it is what we have been working toward. It is less expensive than the alternatives that have been proposed and certainly much cheaper than the basing and operational plan for Midgetman. It is about $15 billion compared to $45 billion.

According to the Air Force, the small mobile missile will call for 10,400 additional personnel than we presently have just to man and protect the system. So the Congress and the administration agreed that we would take a dual track in modernizing our ICBM force. I hope we keep the rail garrison money in the defense bill. It makes sense. If some in Congress are going to breach the agreement, others, myself included, will try to cut the small mobile money out of the bill. So if we are going to reduce rail garrison, then we are going to try to reduce the Midgetman money also.

Mr. Chairman, I reserve the balance of my time.

Mr. HERTEL. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MAVROULES].

Mr. MAVROULES. I thank the gentleman for yielding.

Let us see if we can get this argument back in perspective here and I probably will respond to my very dear friend from Alabama on some of the statements he has just made.

I wonder if any of you realize that this is the first time the Air Force has come forth volunteering except for one other program which happens to be an airplane with a 20-year life cycle program. I am talking about the Midgetman missile, when we talk about the expense of the Midgetman missile. They do not volunteer these programs to anyone. I think what they are trying to do is say to us "We don't want the Midgetman, what we do want indeed is 50 more MX missiles come hell or higher water." Quite frankly, I think I am being very candid when I say that, I believe that is the bottom line where the Air Force is coming from.

By the way, when the Scowcroft Commission, Mr. Chairman, had recommended 50 MX missiles—they recommended 100 but said they could live with 50—and the reason they went to 100 was not a military decision, by the way, it was an economic decision. I think it is safe to say that before the House today so that all of us will have all the facts in front of us.

And by the way, I think it is also fair to say that the Air Force back in the 1960's, if you recall, rejected, absolutely rejected any rail launching of missile systems because they did not feel it would work accurately.

Mr. Chairman, I have been briefed on this subject as have many other members of the committee. I promised to keep an open mind, knowing, of course, and realizing, I think, people realize my position on the MX missile from day one. Yet while their position and their line, official line is that this is a generic basing mode, while the official line is that no judgment has been made on the deployment of a second set of 50 MX missiles, let us be very clear, I repeat, heck or high water they want an additional 50 MX missiles any way they can get them.

If the rail garrison is funded, Members of the House can count on additional MX debate next year and perhaps the year after that leading eventually perhaps to another agreement to settle this problem.

Now, we have a compromise in place: 50 MX missiles in Minuteman silos. We do have a small mobile missile in full scale development. By the way, the Secretary of Defense has used that argument, the Soviet Union with all their mobile systems.

This Congress has funded properly, at proper levels the amount of money necessary to get the Midgetman missile going on a mobile system for that deterrent factor which is very important.

So therefore, Mr. Chairman, we can get into facts and figures all day long. The bottom line is this: If you vote for the rail garrison you are going to kill the Midgetman missile.

Mr. Chairman, I rise to speak in support of the Hertel amendment, and urge my colleagues not to fund the rail garrison initiative.

It was 2 years ago that Congress agreed to compromise language limiting deployment of the MX missile to 50. It was a good compromise that put to an end, 3 years of very hostile and acrimonious debates on the MX Program.

Last December, I traveled out to the Air Force's Ballistic Missile Office at Norton Air Force Base in San Bernardino, CA. I was briefed on the concept of rail garrison, and while it is well known that I am not an MX supporter, I promised the Air Force I would keep an open mind.

Yet, while the official line is that this is a generic basing mode—while the official line is that no judgment has been made on the deployment of a second set of 50 MX missiles—let us be very clear what is at issue today.

The Under Secretary of Defense for Policy, Mr. Fred Ikle in testimony to the other body, has made it very clear that the issue before us is the deployment of an additional 50 MX missiles in the rail-mobile system. That would lead to a total of 100 missiles deployed.

If rail garrison is funded, Members of the House can count on additional MX debates next year and perhaps the year after, leading eventually to another compromise to settle this problem.

We have a compromise in place. Fifty MX missiles in minuteman silos. We have a small mobile missile in full scale development. We have an advanced technology bomber, and other strategic systems in production.

Mr. Chairman, more MX missiles is not the answer.

Support the Hertel amendment.

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. I thank the gentleman for yielding.

Mr. Chairman, it is interesting as we discuss this particular point of this MX and the deployment, again we go back to the issue of how do you want to do this? I think it seems abundantly clear that the rail garrison as it would be used on the MX, the same type of principle could be used for another missile. Of course, we have to realize that President Jimmy Carter wanted 200 missiles at the time. Now we have heard every scenario from 200 on down to nothing, which has been brought up. When the Air Force talked about the 60 that the gentleman from Massachusetts was talking about he was basically talking about the theory of shooting them all around the country. They would be on the system that was used for civilians. Now that would have a big problem interfacing with what the civilians would do so you could not use this. So we have another system here.

So when you talk about the MX now being used, the system of 50 in the hardened and the additional in the rail garrison, it seems to be abundantly clear that we are promoting and pioneering something that could be used for other missiles at that time. I would hope that members of the committee and Members would look at that carefully when they get to the point of voting on this rail garrison and realizing the importance of promoting this idea for the MX, which in my humble opinion, as I said before, is one of the best things we have got going and it seems a shame we do not come up with another system besides the hardened silos.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman from Alabama [Mr. DICKINSON] has 12 minutes remaining and the gentleman from Michigan [Mr. HERTEL] has 5 minutes remaining.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. I thank the Chairman.

Mr. Chairman, I certainly understand the arguments of the gentleman from Massachusetts but I want to tell you that this is not a debate about whether we are going to have 50 more MX's or what we are going to do with the 50 MX's we currently have. This is a debate about mobility. This is a debate as to whether we should take our land-based systems and make them mobile.

You know, Scowcroft said they ought to be mobile. He made that argument in the Scowcroft report. The Congress itself said we ought to explore the possibility, we ought to come back with a better basing mode, which means mobility. We said that in 1986.

Arms control experts, both liberal and conservative, even the chairman of this committee, I am sure, believe mobility makes more sense in terms of how we want to base our land-based strategic systems. The Soviets themselves are moving toward mobility with the SS-25. There is not anybody I can think of who does not think that mobile systems are ultimately the answer for greater stability with land-based forces, with our land-based forces and with the Soviet land-based forces. And now it may be we are not comfortable with putting 10 warheads on a mobile system but as the gentleman from Alabama pointed out, this is not just a mobile system to accommodate MX, this is a mobile system that can accommodate the single warhead system.

So, ladies and gentlemen, if you want to provide for greater stability vis-a-vis the Soviets and them vis-a-vis us, we ought to be moving toward mobile systems, not these hardened silos that can clearly be targeted. If you have a mobile system you confuse military planners on both sides of the ocean in terms of this debate and it makes abundant sense to move toward mobility. Let us defeat the Hertel amendment. This is not a vote on MX. This is a vote on whether we want our land-based forces to be mobile and provide greater stability and greater security in the world today.

And I say, my goodness, there is not a more important vote we are going to cast today than this vote to defeat Hertel, keep Midgetman alive and, my goodness, give ourselves a chance to put this land-based vulnerable force in a mobile mode that will provide greater security for the entire world.

Mr. HERTEL. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. McCLOSKEY. I thank the gentleman for yielding.

Mr. Chairman, again what we are talking about today is really not a program for MX mobility development, it is a program for more MX's, period.

It has been understood with the Congress and the administration for some years that the MX Program has been capped and that is definitely the case and, as has been stated previously, the MX on a mobile basing system mode would be extremely vulnerable to Soviet sabotage and other countermeasures. In a time of budgetary stringency we are also talking about throwing $15 billion or so out there at a rate and a figure that we do not need.

So I say again very strongly support the Hertel amendment.

The CHAIRMAN pro tempore. The gentleman from Michigan [Mr. HERTEL] has 4 minutes remaining and the gentleman from Alabama [Mr. DICKINSON] has 2 minutes remaining.

The gentleman from Michigan is entitled to close debate.

Mr. DICKINSON. Mr. Chairman, I yield the balance of my time, 2 minutes, to the distinguished gentleman from Arizona [Mr. KYL].

Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Alabama.

Mr. DICKINSON. I thank the gentleman for yielding.

Mr. Chairman, I think what we are seeing here is pretty obvious, one in a series of attempts to absolutely do away with our ICBM system. Following this there will be an amendment to take out all the test missiles, then take out all the testing of nuclear warheads. I believe this is just one of a series of things to just denude us of our nuclear capability. I hope that the Members realize that. And also realize that by defeating this amendment we will obviate two more amendments and save a great deal of time.

Mr. KYL. I appreciate that gentleman pointing that out. As a matter of fact, I was going to mention the same thing.

Both Mr. DICKINSON and I have an amendment which would reduce the funding of the small ICBM but only in the event that the Hertel amendment should be adopted. Therefore, the best way to defeat our two amendments is to defeat the Hertel amendment.

Mr. Chairman, this is a vote, a very important vote to protect our best strategic missile and I cannot understand why anyone would want to leave our missiles unprotected. That is precisely the effect of the Hertel amendment.

What exactly would it do? It would eliminate any further work on any survivable basing mode for the Peacekeeper or for that matter, for the small ICBM. It will cause at least an 18-month slip in any schedule or possible IOC for alternate survivable basing technology.

Specifically, rail garrison R&D would cease, contractor teams would be disbanded and scattered, no work would be done in fiscal year 1988. This would occur in the year when the Soviets will likely declare their SS-X-24 system operational and, as I said, the year in which it would be deployed. We would then not be able to develop an equivalent survivable mode until 1992 or 1993. Of course, this would further exacerbate the already destabilizing imbalance of strategic forces. Moreover, our arms control efforts in Geneva would be without one of its major levers to force the Soviets to make meaningful concessions in strategic arms.

Mr. Chairman, I urge my colleagues to defeat the Hertel amendment.

Mr. HERTEL. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it is getting a little confusing. The gentleman from Alabama says this is part of an effort, this first amendment, to reduce all ICBM missiles because of the following amendments. Well, my amendment stands by itself. I am going to oppose some of the amendments that are coming up. So it is separate.

But the last gentleman from Arizona said that if this amendment passes to take out the money for the MX garrison he is going to put in an amendment to reduce money for the Midgetman. I do not understand what that has to do with it at all because the ranking member is concerned that we have enough money for our land-based force. The gentleman, from his own side, says he is going to reduce money for the Midgetman. Why?

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. HERTEL. I yield to the gentleman from Arizona [Mr. KYL].

Mr. KYL. I thank the gentleman for yielding.

Mr. Chairman, the reason is quite simple, because as the Scowcroft Commission reported, these are integrated systems, complementary systems. It seems to us that we have got to find a way to protect them both.

Mr. HERTEL. So you are going to reduce money for the Midgetman and that will protect them both?

Mr. KYL. What we will need to do is not build a missile that cannot be protected. There is no reason to throw money away if we cannot protect the weapon. The Armed Services Committee report notes this money, the $250 million for the rail garrison would be applicable to both of these systems. We would like to build them both, as a matter of fact.

Mr. HERTEL. The administration has been very honest. This is for the MX rail garrison, this $250 million.

Mr. KYL. I was referring to the Armed Services Committee report.

Mr. HERTEL. The administration has been very honest about it. They want this $250 million to start an MX rail garrison system. What this is, I think we have seen through the debate, is this is the back door to having additional MX missiles.

The House agreed after many, many votes that they would cap it at 50 because it was a vulnerable system and therefore making it a first-strike system. We have not had anybody say they are going to take them out of the silo and put them on a railroad, no. This is in addition to.

We have also learned it is going to cost $10 billion to $15 billion more for the MX rail system and we know now that others are going to try to cut the Midgetman system because there is not enough money for everything, I assume that is the reason because many of us are backing the Midgetman.

A lot of questions have been unanswered in this debate. We said if they are put on trains they would be open to sabotage, terrorism, and accident during these alerts and if the alerts were ever broadened to a longer period of time. Those charges have not been answered at all. That is one of the reasons, one of the reasons that the Air Force rejected this idea for Minuteman years ago.

Now, no one has disputed the launch time because that came from the Air Force in March 1987, 3 to 4 hours for the MX garrison, only 6 minutes for the mobile missile. And no one has been able to say it is not a soft target because they will use cheaper and older Soviet missiles to go after the MX rail garrison.

A few people have alleged that if you only got it not to the firing point, not the full 3 or 4 hours, but if you got it 3 or 4 miles out of the garrison that that would be survivable. We all know that is not true, that is not true at all; it would be destroyed, it would be destroyed.

Let us go back to the Scowcroft Commission. What did they say? First of all, they pointed out that the President was wrong in the 1980 election, there was no window of vulnerability regarding a missile race or missile gap. They said we needed some MX missiles and the generals' argument in the report and in person before the committee was to show "resolve."

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He admitted that they were sitting ducks, as the ranking member has said.

This does not change it, they will still be vulnerable and we will be wasting $10 to $15 billion more for additional MX missiles that will still be vulnerable.

Vote "yes" on the amendment.

Mr. CHENEY. Mr. Chairman, I rise today in support of the Nation's ICBM modernization program.

I don't have to remind my colleagues of the long history this program has had in the Congress. Nor do I have to remind my colleagues that long ago the debates surrounding ICBM's transitioned from rational discussions of important issues to purely political sensationalism. Well, for a brief time today, let's return to a rational discussion of important strategic issues that compel us to continue to search for a modernized land-based ICBM force.

First, some history, in 1983, the Scowcroft Commission—a highly respected bipartisan group of strategic thinkers—convened to address the continuing problem of modernizing the land-based ICBM's. This highly respected Commission carefully reviewed the issues and concluded that attempting to solve all ICBM issues with a single missile in a single basing mode "made the problem of modernizing the ICBM force so complex as to be virtually insoluble." Therefore, the Commission recommended a three-pronged approach which suggested: First, prompt deployment of 100 MX missiles in Minuteman silos to immediately reduce the Soviet advantage in ICBM capability; second, development of a small, single-warhead ICBM to be deployed in the early 1990's in such a way to enhance survivability and stability; and third, vigorous investigation into follow-on ICBM basing technologies to enhance future ICBM survivability. This approach was accepted by the President and unanimously supported by the Secretary of Defense, the National Security Council, the Joint Chiefs of Staff, the Secretary of State, and the Congress, which authorized the Air Force to proceed. But, as you know Mr. Chairman, the bipartisan consensus did not last long.

Congress decided to cap the deployment of MX missiles in silos at 50 due to continuing concern over survivability. We also told the administration to look again at ICBM survivability and gave the Department of Defense funds to explore alternative basing technologies along with the small ICBM. Well, the Air Force did exactly what we asked them to do. They came back with another examination of ICBM basing and, this time, combined the elements of mobility and deception we implored them to consider.

Now we have before us the President's proposal to develop a basing mode to garrison missiles in railroad cars on SAC bases and to develop the small ICBM. This dual approach finally solves the ICBM survivability problem—but only if we allow development to proceed.

The President's proposal has much to commend it. The fact that the Soviets right now are deploying their huge 10 warhead SS-24 ICBM's on railroad cars and their smaller SS-25 ICBM's on trucks should dispel any escalatory or feasibility concerns in Congress over the President's plan. It should be judged fairly as a practical, realistic reaction to what the Soviets are already doing—neither provocative nor destabilizing. As for possible Soviet military responses to the United States ICBM modernization program, there is no obvious countermeasure that they could take to gain significant advantage over the rail-garrisoned Peacekeeper and mobile small ICBM.

The simplicity of placing the Peacekeeper in railroad cars, securely garrisoned on SAC bases, that would be deployed off base only in time of crisis is a concept that can be readily understood and accepted by the American people. There would be minimal public interface with ICBM's except when deployed in a crisis. The President's plan does not depend on complex, and perhaps terrifying, notions such as "fratricide" in close-spaced basing to survive a Soviet first strike. It would give the dispersed U.S. ICBM forces much greater survivability. It would also permit the United States to deploy rail-mobile Peacekeeper missiles, like bombers and submarines, in a show of force to help quell a crisis and to enhance the prevention of war. It also would allow the President much more time—hours, even days—to decide on whether or not to launch an ICBM strike.

An effective ICBM force guards against shortcomings in the other legs of the triad and vice versa, of course. Each element of the triad possesses some capabilities and limitations that differ from those inherent in the others.

In the ICBM force, each basing mode would pose different targeting problems for the Soviets, have different survivability characteristics, all of which should function synergistically to minimize Soviet first strike incentives. Multiple ICBM basing modes avoid unforeseen but possible catastrophic failure of any particular basing mode under conditions of nuclear attack. Deterrence is very much about confidence, or its lack thereof, and the design of forces. In short, a United States ICBM would pose formidable, really impossible, difficulties for Soviet war planners, and, therefore, would preserve deterrence and ensure peace.

But, even now, some would criticize this proposal to develop, not deploy, survivable basing for our ICBM's. They would try to eliminate funds for one or another portion of this vital strategic improvement. Let me address just two of the issues I feel particularly well qualified to discuss.

One of the key arguments is that dispersing the trains out of the garrisons would be provocative or destabilizing during a crisis. What a crisis manager wants more than anything is a "bag full" of response options from which he can pick and choose. Rail garrison gives you just that. You can disperse one train, several trains, no trains, or all the trains, as the situation dictates. Also keep in mind that any action taken regarding the rail garrison system will be a part of a larger set of responses to a crisis. It is not a single system that will wind up being the only crisis response.

Another argument is that we will not have sufficient strategic warning to disperse the trains in time to be fully survivable. As a member of the House Select Committee on Intelligence, I am very confident of our abilities in this area. The United State has invested billions of dollars in this decade to improve our intelligence capabilities. Greater improvements are planned for the next decade.

Mr. Chairman, I think the time for partisan bickering on this vital program is past. We have before us a request to develop a package of complementary ICBM systems. Together they help to address existing shortfalls in our strategic capability, and finally to complicate Soviet attack planning as to make our ICBM force largely invulnerable. Let's continue this development—we can't afford not to.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). All time for general debate has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. HERTEL].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HERTEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 239, not voting 9, as follows:

[Roll No. 118]

AYES—184

Ackerman
Akaka
Anderson
Anthony
Aspin
Atkins
AuCoin
Bates
Beilenson
Berman
Biaggi
Boggs
Boland
Bonior (MI)
Bonker
Borski
Boucher
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Cardin
Carper
Carr
Clarke
Clay
Coelho
Coleman (TX)
Collins
Conte
Conyers
Cooper
Coughlin
Coyne
Crockett
DeFazio
Dellums
Derrick
Dingell
Dixon
Donnelly
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Espy
Evans
Fascell
Fazio
Feighan
Flake
Florio
Foglietta
Foley
Ford (MI)
Frank
Frost
Garcia
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hertel
Hochbrueckner
Horton
Howard
Hoyer
Jacobs
Jeffords
Johnson (CT)
Johnson (SD)
Jontz
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kostmayer
LaFalce
Lantos
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Luken, Thomas
MacKay
Manton
Markey
Martinez
Matsui
Mavroules
McCloskey
McHugh
Mfume
Miller (CA)
Mineta
Moakley
Moody
Morella
Morrison (CT)
Mrazek
Nagle
Nowak
Oakar
Oberstar
Obey
Olin
Owens (NY)
Owens (UT)
Panetta
Patterson
Perkins
Pickett
Porter
Price (NC)
Rahall
Richardson
Ridge
Roberts
Rodino
Roe
Rose
Rostenkowski
Russo
Sabo
Savage
Sawyer
Scheuer
Schroeder
Schumer
Sensenbrenner
Sharp
Sikorski
Sisisky
Skaggs
Slaughter (NY)
Smith (FL)
Smith (NE)
Smith (NJ)
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Visclosky
Walgren
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates

NOES—239

Alexander
Andrews
Applegate
Archer
Armey
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boner (TN)
Bosco
Boulter
Broomfield
Brown (CO)
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Chandler
Chapman
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Combest
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeLay
DeWine
Dickinson
Dicks
DioGuardi
Dorgan (ND)
Dornan (CA)
Dowdy
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
English
Erdreich
Fawell
Fields
Fish
Flippo
Frenzel
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Goodling
Gradison
Grandy
Gregg
Guarini
Gunderson
Hall (TX)
Hammerschmidt
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hiler
Holloway
Hopkins
Houghton
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jenkins
Jones (TN)
Kanjorski
Kaptur
Kasich
Kemp
Kolbe
Kolter
Konnyu
Kyl
Lagomarsino
Lancaster
Latta
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mazzoli
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Mica
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morrison (WA)
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Ortiz
Oxley
Packard
Parris
Pashayan
Pease
Penny
Pepper
Petri
Pickle
Price (IL)
Pursell
Quillen
Ravenel
Regula
Rhodes
Rinaldo
Ritter
Robinson
Roemer
Rogers
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schneider
Schuette
Schulze
Shaw
Shumway
Shuster
Skeen
Skelton
Slattery
Slaughter (VA)
Smith (IA)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Watkins
Weber
Weldon
Whittaker
Whitten
Wilson
Wolf
Wortley
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—9

Annunzio
Ford (TN)
Jones (NC)
Leath (TX)
Rangel
Ray
Roybal
Schaefer
Tauzin

☐ 1425

The Clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr. Leath of Texas against.

Messrs. PEPPER, VOLKMER, and SLATTERY changed their votes from "aye" to "no."

Messrs. ROSE, SIKORSKI, and BIAGGI changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FRANK

Mr. FRANK. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FRANK: At the end of section 206 (page 32, after line 25), add the following new subsection:

(g) MX MISSILE SYSTEM.—The amount authorized to be appropriated in section 103 for the Air Force is hereby reduced by $673,700,000.

The CHAIRMAN pro tempore. Under the rule, the gentleman from

Massachusetts [Mr. Frank] will be recognized for 10 minutes, and a Member in opposition, the gentleman from Alabama [Mr. Dickinson] will be recognized for 10 minutes.

PARLIAMENTARY INQUIRY

Mr. DICKINSON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DICKINSON. Mr. Chairman, it has been my understanding from a previous conversation with the proponent of the amendment that a unanimous-consent request would be necessary. I did not hear, because of the noise in the Chamber, whether the request had been made or whether it had been granted.

The CHAIRMAN pro tempore. The Chair will state that no request has been made as yet.

Mr. DICKINSON. Mr. Chairman, if the gentleman would like to make such a request, I will state that I was going to enter into a colloquy, but I am not going to block the request.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Massachusetts [Mr. Frank].

Mr. FRANK. Mr. Chairman, I ask unanimous consent to modify the amendment.

An error occurred in the Rules Committee in printing the amendment, and it includes an incorrect section number. It was made in order by the rule, but in incorrect form, so I ask unanimous consent that the amendment be modified.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Amendment, as modified, offered by Mr. Frank: At the end of section 110 (page 16, after line 11), add the following new subsection:

(f) MX Missile System.—The amount authorized to be appropriated in section 103 for the Air Force for missiles for fiscal year 1988 is hereby reduced by $673,700,000.

The CHAIRMAN pro tempore. Is there objection to the modification?

Mr. DICKINSON. Mr. Chairman, reserving the right to object, just for clarification, it is my understanding that there was a typographical error made by the Rules Committee, and that the number that was used would simply make it appear in a different but erroneous section of the bill, but it does not change the sequence nor the money nor the effect of it; am I correct in that?

Mr. FRANK. Mr. Chairman, if the gentleman will yield to me under his reservation, let me state that he is absolutely correct.

Mr. DICKINSON. Mr. Chairman, I have no objection to the modification, and I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

The gentleman from Massachusetts [Mr. Frank] is recognized for 10 minutes in support of his amendment.

□ 1440

Mr. FRANK. Mr. Chairman, I want to begin by thanking the ranking minority member for his courtesy. This is probably the last thing I will say all day that the gentleman agrees with, so I wanted to get it out there, but I do appreciate the courtesy the gentleman and other Members on that side have shown.

Mr. Chairman, we heard some very eloquent rhetoric earlier today, as well as a lot not so eloquent rhetoric earlier today, on the question of the day. This amendment would save $673 million from this bill. It would leave to the discretion of the Appropriations Committee, which will get this bill later, whether all of it should be returned to the Treasury to reduce the deficit or whether some of it might be available to help fund other accounts, conventional weaponry and ammunition. What it says is this. We have agreed to build 40 MX's and put them in holes in the ground.

Now, the House in a rare gesture of obeisance to Jimmy Carter has just voted that Carter was probably right all along and we should study the railroad basing mode that he originally was for. Given that vote, it seems to me all the more illogical at this point when we have a current basing mode, the House has called into question the current basing mode. We have said we were going to put 40 missiles in there. No one thought 40 missiles was a good idea. Some people wanted fewer, some people wanted more, no one thought 40 made any sense, so we accepted it as a compromise.

Now we have just voted to study a new basing mode so we might not even want to go ahead with this, so we are now being asked to vote 12 more missiles so they can test for a basing mode that the House has just voted it does not want anymore, probably, so we are asked to spend $673 million on a proposition of such dubiousness that it amounts to throwing good money after bad.

We were told that we needed spares and tests. When the bill came out of the committee before it was amended under the initiative of the chairman of the committee, it has 21 spares, 21 spares for 40 missiles this year. Had we gone along with the committee, pretty soon we would have had more spares than reals. It looked as if it was really an alternative way, many of us think, of getting extra production. They were limited to 40 and they know we do not want 40, so they came in to build 21 more as tests.

They cannot do that many tests. They were looking for kind of a back door way to increase the production.

So the question is, at a time of great budget stringency, do we want to spend some $800 million to test missiles for a basing mode that we have now called into question.

I originally thought we should not have any, but in a fit of moderation last week I decided to leave in enough for 2, because there might be some unexpected contingencies, so this amendment would allow them 2 spares for the 40 for this coming fiscal year. We will be studying the alternative basing mode.

What we have is this. They have got the MX missile and no one is satisfied with it. Forty is too few. We have too few missiles in the wrong place, so they now say they need to be able to test because we have got too few missiles in the wrong place, so they want to build to put them in another place.

This has got to be the clearest shot Members are going to have, Mr. Chairman, at saving $673 million.

Now, I know by defense standards that $673 million is not a lot of money, but for virtually any other program in housing, in health care, even in agriculture, $673 million is not chopped liver. If we can save $673 million, even with the money they have now got to study their railroad trains, knowing they will probably build a scale model of Utah somewhere in Alaska so they can test it to see what the environmental impact will be, so they have plenty of money and they still have money to build two spares and they want us to give them another $673 million.

Those who showed their concern rhetorically for the deficit today by bravely threatening not to pay for money we already owe have a chance now to prevent the incurring of greater debt. The best way to avoid being hammered by a debt limit is not to reach it.

I am offering Members, Mr. Chairman, a chance to save $673 million.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the very learned and distinguished gentleman from California [Mr. Badham].

Mr. BADHAM. Mr. Chairman, I thank the distinguished gentleman from Alabama.

Mr. Chairman, this amendment represents an old idea whose time still has not and should never come.

Every year since 1984 we have considered an amendment to either shut down or significantly reduce the MX production line. And every year since 1984 we have rejected this proposition.

This year should be no exception—unless we want to gut the MX Program. But I am hard pressed to understand why we would want to cripple the MX—especially at a time when we are engaged in active negotiations with the Soviet Union.

The MX missiles that we are debating today are test missiles. They are not deployable missiles. We have a legislative cap of 50 on the number of MX misiles than can be deployed. In supporting the MX, the House is not being asked to lift the cap today.

The House is being asked to support the buy of test missiles to support the operational MX systems. As with flying hours or spare parts for aircraft, the MX test missiles support the operational deployment of an important weapon system.

The MX Test Missile Program is like any other weapon system in that we must test what we have chosen to deploy. We need to have high confidence that the system will work if we ever have to use it. Also, it is important that the Soviets understand that we have high confidence that our systems will work—a basic principle of strategic deterrence.

Every ballistic missile system that we have requires periodic testing while they are deployed. The MX is no exception.

As I explained last year, the MX Test Program is modest in comparison to our other systems. While the MX requires 108 test missiles, the Minuteman I requires 210 test missiles; the Minuteman II, 171; Minuteman III, 242; Trident I, 334; and Pershing II, 120 test missiles.

Even the Congressional Budget Office in its January 1986 working paper on the MX Test Program noted that:

> Given the objectives of a ballistic missile test program, when Phases I and II are considered together, the MX test program seems modest in size. The MX Text Program is also modest in size compared to test programs for other U.S. ballistic missiles.

Simply stated, the amendment would prevent us from achieving confidence in the safety and effectiveness of our most modern land-based ballistic missile. Further, the amendment would unilaterally cripple the only active ICBM production line the United States has without obtaining any Soviet concessions—a proposition of dubious merit.

I respectfully request that my colleagues vote "no" on the amendment.

Mr. FRANK. Mr. Chairman, I yield, with great anticipation, 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I would like to say that we do not work for the railroad. We are not here to send signals. We are here today to develop a legislative initiative that might put some sanity into this MX debate.

Now, I have been around here going on my second term. I stated that the MX was really a sitting duck, but today I say it is more than that. It is a turkey that should be shot down.

But today, I want to talk about it as we really should, and that is economically.

Mr. Chairman, we have a white elephant here that we put billions of dollars into. Now we are going to put billions of dollars more into finding a way to disperse it—for what?

In all honesty, this is a first-strike weapon that we will not detonate.

Now, let us talk about it as a deterrent. As a deterrent, I believe we have enough to destroy the world 50 times over. I do not believe the Soviets are going to take us on because I do believe we will clean their clock and they know that.

We need a deterrent, but what have our generals told us, what have our admirals told us? They told us that if we are behind, it is in the conventional arena, but now we are going to go on and continue to spend billions and billions of dollars.

Mr. Chairman, I say that if there is pork barrel in this House, it is not in improving the infrastructure of America. It is in these types of boondoggle programs. We should put an end to it.

I am not finished yet. I would like to address one other factor in supporting the amendment of the gentleman from Massachusetts [Mr. FRANK]. If you take the floor and oppose the MX, you are called on defense. People around here have labeled the gentleman from Massachusetts [Mr. FRANK] and the gentleman from Ohio [Mr. TRAFICANT] weak on defense. I do not believe we are weak on defense. I believe we are showing some common sense.

I am proud to stand here today with the gentleman from Massachusetts [Mr. FRANK]. I believe what the gentleman is doing is right. I think if there is any common sense and sanity in this House, we would put an end to this pork barrel business, the real pork barrel. It is the kind of pork barrel that is not getting back to the American people.

So with that, Mr. Chairman, let us shoot this turkey down and let us put some sanity in the process.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I believe this turkey ought to fly, and I would like to talk about that a minute.

Mr. Chairman, I rise in strong support of keeping the Peacekeeper production line open.

I don't think there is anyone here today who wouldn't agree that the Peacekeeper missile has been a real success story. We've had 17 straight successful test flights, its accuracy is twice as good as Minuteman III, and it is already 5 years ahead of its planned performance goals. On top of this, the program has come in on cost and on schedule. While we have had many debates over the basing mode, I believe most would agree that the Peacekeeper is a model missile.

As most of my colleagues know, Congress already authorized the 50 MX missiles needed for deployment. This year's production request was not for more deployed missiles, but for test missiles. I stress we are discussing test missiles here. Test missiles have nothing to do with deployment of additional Peacekeepers. Congress capped the MX at 50. The Department of Energy has stopped the production of warheads at 50, and the Air Force has stopped the production of silo hardware at 50. Test missiles will not lift that cap.

Every ballistic missile program meets test missiles. The Navy uses them, the Army uses them and so must the Air Force. We've heard it said that "test missile launches are to ICBM's what flying hours are to aircraft." As we continually fly aircraft for proficiency and readiness, we need to test our missiles to check their reliability and performance.

I've listened to some of my colleagues argue that the B-1B and the Bradley tank are experiencing difficulties today because of a lack of testing. Test missiles will assure that the Peacekeeper will not be lumped in with other weapons systems which are being criticized because they haven't been tested.

The MX program needs 123 test missiles to be used over the next 15 years. This is considerably less than other like programs. For example, we purchased 248 test missiles for the Minuteman III—MX needs half that amount. In fact, the MX Program requires less test missiles than any previous ballistic missile program, including all of Minuteman, the Army's Pershing, and the Navy's C-4 and D-5 missile programs.

The question is: What happens if we stop production of the MX test missile this year? Let me say that it would be a serious mistake.

First, stopping production would collapse the MX production base. Hundreds of suppliers, vendors, and defense contractors would be terminated. That would mean that our ability to secure needed spare parts for the MX would be jeopardized. In short, stopping production this year could effectively close down the only ICBM production line in this country. The havoc that would be caused if we stopped production this year of test missiles makes no sense at all.

Some of you may argue that the Air Force can always reopen the production line next year; that this is just a production pause. Let me assure you that if the line is shut down this year, there will be considerable costs to reopen it. The first cost is to recertify many of the manufacturers that make the sophisticated hybrids and electronics. Then, there are costs associated with finding new suppliers to replace those permanently lost to the program and to get those new suppliers qualified. There are also termination costs, costs to mothball and costs to retrain and restart. The Air Force has told me that a conservative estimate of this cost would be in excess of $2 billion and a 3 year slip in missile delivery.

Second, to stop production of needed test missiles would be an unprecedented action. When we needed test missiles for Minuteman I, II, and III, we bought them.

Third, stopping production of test missiles would jeopardize the Air Force's ability to certify the MX's continued reliability and operational performance. This would seriously reduce our confidence in the system and degrade our overall strategy of deterrence. Such an adverse action would raise considerable doubt about our credibility in funding a weapon system for deployment, then choosing not to properly support it.

I urge continued production of needed test missiles this year, and urge rejection of the Frank amendment.

Mr. FRANK. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I congratulate them on the fact that they have had 17 successful tests. They ought to quit while they are ahead. They have had 17 tests already.

We have had two things come out in the debate that show what we are really talking about here. One, they do not want to shut down the production line. This is an effort to keep open the production line because they do not think 50 is enough. They have never thought 50 is enough. They want more and more. The House adopted 50 as a compromise and said that would end it.

The Pentagon has never been for that. They have tried many times to get out from under it. This is an effort to keep it going.

□ 1455

Look at what you are committing yourselves to if you vote against this amendment. The gentleman quite honestly said they will need 123 of these; 12 is just the downpayment. So the $800 million this year, multiply that, they are talking about $8 billion that is going to come in these test missiles for a system of dubious value when the House has just voted to test an alternative basing mode.

Let us at least, if we are going to test them, wait until we have tested the alternative basing mode before we commit to testing what may be an outmoded mode.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). the gentleman from Alabama [Mr. DICKINSON] has 5 minutes remaining and the gentleman from Massachusetts [Mr. FRANK] has 3 minutes remaining.

Mr. DICKINSON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, I oppose the amendment. Simply stated it guts the MX Program. As I said last year when a similar amendment was offered,

It completely reverses the careful compromise that was crafted between the Congress and the administration on the basing of the MX missile.

As we all know, agreement was reached to deploy 50 MX missiles and provide sufficient test missiles to support that deployment. Today, the House is being asked once again to undo that agreement and the fragile consensus that emerged as a result of the compromise that was reached.

Both in fiscal year 1986 and fiscal year 1987, the Congress agreed to fund 12 MX test missiles. It seems to me, therefore, that the Congress has spoken with some degree of consistency on this issue. We voted to deploy 50 MX missiles, and we have voted for the past 2 years to support the test missile program.

The amendment really is asking us to go back to the drawing board. For years, we searched for a way to modernize our land-based strategic forces. Finally, 2 years ago we obtained the compromise of deploying 50 MX missiles in Minuteman silos.

To reverse course now would be a costly mistake. We have invested considerable sums in the MX Program. To reduce it below the minimum sustaining rate of 12 missiles in midcourse would represent a colossal waste of funds, and hand the Soviets a significant victory without their lifting a finger.

This is no time to engage in such folly. Our strategic triad is too important to our overall defense posture, and the MX is an essential ingredient of the equation.

I strongly urge my colleagues to vote down the amendment.

Mr. FRANK. Mr. Chairman, I yield myself the remainder of my time.

The CHAIRMAN pro tempore. The gentleman from Massachusetts [Mr. FRANK] is recognized for 3 minutes.

Mr. FRANK. The gentleman from New York [Mr. STRATTON] says, among other pleasantries, that we are being inconsistent. Accusing any of us of being inconsistent on the MX missile is to say that we are Members of the House. As the gentleman well knows, the House has zigzagged on the MX missile. The only evasive action that has ever been taken successfully with this foolish missile is here in the House and its pattern of votes. But here is where we are.

We got 50 as a compromise to which the Pentagon never subscribed. They want to keep the production line open so that they can build more and more and more. They have come forward with a request for 21 test missiles—not 12, they asked for 21—because they wanted to make more, not just for testing, but for use. They want to keep the production line open.

Look what we are committing ourselves to. The gentleman from Utah said it: They are going to need 123. So they are asking you today to vote for an $800 million downpayment on an $8 billion boondoggle. And of course we have the specter of cheering Soviets.

Every time it looks like we might save a buck or two over at the Pentagon, out trots the Kremlin, and we see the holograph of the dancing, cheering, Kremlin, the chorus line of the Kremlin, to get us to spend money. That seems to be the major function of the Soviet Union around here: They can be invoked to drain our Treasury.

We are not talking about undoing the compromise of 50, we are talking about living up to it, because this is an effort to keep open the production line, to build 123 more tests, we are told, not just this 12—there is another $8 billion.

The final point is this: The House just voted to say that the basing mode does not make sense. Well, we knew that. Remember, the original notion of the MX missile was that the current holes in the ground were not safe, so we tried all kinds. The gentleman from California gave a great exposition I believe of the 35 different modes. He acted out about 14 or 15 of them. He did a great act on that.

We finally came back to putting them back in the same holes in the ground. So we are now spending enough for 50 MX's for the same holes in the ground that originally we thought were vulnerable, so that is why we needed a new one. Now the House has decided that Jimmy Carter was probably right all along, and we ought to put it on railroad trains, but while we are simultaneously voting for expensive testing to change the basing mode, Members are being asked to vote $800 million to test on the old mode.

Why the rush to test on the old mode when you are going to switch to a new one? Why the need to test under a mode that the House has just called into question? The answer is very simple: they want more than 50.

The Pentagon has never thought that 50 made sense. They have no mission for 50. This is an effort, if they get these additional missiles and keep the production line open, to try to get more. Why would you simultaneously say, "The basing mode probably is not good; let us change to the railroad mode. And while we are at it, please commit yourself to $8 billion for testing under the old mode."

It is a great mistake, and we have a chance to save some money.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. DICKINSON] has 3 minutes remaining.

Mr. DICKINSON. Mr. Chairman, to close debate, I yield the balance of my time to the erudite, persuasive, and debonair gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, this is a very, very serious debate. Some of my colleagues on the other side of the aisle would really rather kill the MX program outright. Many of the arguments that we have just heard are basically a rehash of reasons why they do not like the program in the first place. But, it does not make any sense, now that we have the MX program, to say that just because you do not like it, you do not care whether it works or not.

Specifically I have reference to my colleague from Massachusetts, who remarked that since we had conducted 17 successful tests, we ought to quit while we are ahead. That is not a serious statement. It is not a serious proposition, but I suggest that it characterizes this particular debate.

Everyone knows that you have to have tests on any military equipment to know whether it will work, and particularly equipment that is as important as the MX missile. We tested, to the extent required, the Minuteman I, II, and III. We test all of the major and minor military programs, sometimes ad nauseam, as has been pointed out. Why do we not want to test the primary and the most important piece of the strategic triad that we have?

The reason, it appears, is because some of our colleagues here do not like the MX. That is not a good reason to be arguing against testing when we have already made the decision to deploy it. This is a very serious business.

Mr. Chairman, this is an extremely important proposition that we are trying to establish here. All of the weapons that we vote with taxpayer dollars we want to work. Otherwise we are simply wasting their money, and they appropriately argue that we have not done our job.

Now the Congress has voted to deploy 50 MX missiles. Are we serious about the question of whether they will work or not? Here are some of the reasons why it is important to continue testing. I know that my colleagues understand this, but apparently we need some reminding.

It is needed to establish and monitor the reliability of these systems; to continue to monitor their accuracy; to test force improvement modifications; aging trends, which is extremely important; and to provide confidence in the force.

It is also important, I think, to let the Soviets know what we are up to if these missiles are to provide the important deterrent effect which we want them to have.

This requirement for testing is the lowest of all of the ballistic-missile programs that we have had. Two separate CBO reviews found the Peacekeeper to be an austere program. It is a cost-efficient program.

As I said, test missile flight tests are very important, because they represent visible evidence of our strategic capability, which is a key factor to deterrence.

We have always required vigorous testing of our operational systems, and it should be no less true on the MX. As a result, Mr. Chairman, we should not be rehashing the debate on whether we favor MX or not; we have crossed that bridge. We have deployed or will be deploying 50 of these missiles. We have got to be sure that they continue work; and as a result, we should vote "no" on the amendment.

The CHAIRMAN pro tempore. All time for general debate has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. FRANK], as modified.

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DICKINSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 258, not voting 11, as follows:

[Roll No. 119]

AYES—163

Ackerman
Akaka
Anthony
Atkins
AuCoin
Bates
Beilenson
Bennett
Bereuter
Berman
Biaggi
Boehlert
Bonior (MI)
Borski
Boucher
Boxer
Brennan
Brooks
Bruce
Campbell
Cardin
Carr
Clarke
Clay
Coelho
Collins
Conte
Conyers
Coyne
Crockett
DeFazio
Dellums
Dingell
DioGuardi
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Espy
Evans
Feighan
Flake
Florio
Foglietta
Ford (MI)
Frank
Garcia
Gejdenson
Gephardt
Gibbons
Gonzalez
Goodling
Gradison
Gray (IL)
Gray (PA)
Hall (OH)
Hawkins
Hayes (IL)
Hertel
Hochbrueckner
Howard
Jacobs
Jeffords
Johnson (CT)
Johnson (SD)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kostmayer
LaFalce
Leach (IA)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lightfoot
Lowry (WA)
MacKay
Manton
Markey
Martinez
Matsui
McCloskey
McHugh
Mfume
Miller (CA)
Mineta
Moody
Morrison (CT)
Mrazek
Nagle
Nowak
Oakar
Oberstar
Obey
Olin
Owens (NY)
Perkins
Petri
Rahall
Richardson
Ridge
Roberts
Rodino
Rostenkowski
Roukema
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schumer
Sensenbrenner
Sharp
Sikorski
Skaggs
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Solarz
St Germain
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tauke
Torres
Torricelli
Towns
Traficant
Traxler
Udall
Vento
Volkmer
Walgren
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates

NOES—258

Alexander
Anderson
Andrews
Applegate
Archer
Armey
Aspin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bentley
Bevill
Bilbray
Bilirakis
Bliley
Boggs
Boland
Boner (TN)
Bonker
Bosco
Boulter
Brown (CA)
Brown (CO)
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Carper
Chandler
Chapman
Chappell
Cheney
Clinger
Coats
Coble
Coleman (MO)
Coleman (TX)
Combest
Cooper
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
Dornan (CA)
Dowdy
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
English
Erdreich
Fascell
Fawell
Fazio
Fields
Fish
Flippo
Foley
Frenzel
Frost
Gallegly
Gallo
Gaydos
Gekas
Gilman
Gingrich
Glickman
Gordon
Grandy
Grant
Green
Gregg
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hiler
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jenkins
Jones (TN)
Kasich
Kemp
Kolbe
Kolter
Konnyu
Kyl
Lagomarsino
Lancaster
Lantos
Latta
Leath (TX)
Lent
Lewis (CA)
Lewis (FL)
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
Madigan
Marlenee
Martin (IL)
Martin (NY)
Mavroules
Mazzoli
McCandless
McCollum
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Mica
Michel
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Morrison (WA)
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Ortiz
Owens (UT)
Oxley
Packard
Panetta
Parris
Pashayan
Patterson
Pease
Penny
Pepper
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Ravenel
Regula
Rhodes
Rinaldo
Ritter
Robinson
Roe
Roemer
Rogers
Rose
Roth
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schuette
Schulze
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton

Slattery
Slaughter (VA)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Spratt
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Tallon
Taylor
Thomas (CA)
Thomas (GA)
Upton
Valentine
Vander Jagt
Visclosky
Vucanovich
Walker
Watkins
Weber
Weldon
Whittaker
Whitten
Wilson
Wolf
Wortley
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—11

Annunzio
Broomfield
Ford (TN)
Jones (NC)
Miller (OH)
Moakley
Rangel
Ray
Roybal
Schaefer
Tauzin

□ 1520

The Clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr. Jones of North Carolina against.

Mr. GLICKMAN changed his vote from "aye" to "no."

Mr. BEREUTER and Mr. ANTHONY changed their votes from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DELLUMS: Page 22, line 6, Sec. 201(3), "for the Air Force, strike $15,800,427,000 and insert in lieu thereof the amount $13,737,219,000 for the fiscal year 1988."

Page 30, after line 9, insert a new Sec. 206(c),

"SMALL ICBM-MIDGETMAN

"None of the funds authorized in Sec. 201 are available for the Small ICBM-Midgetman program."

(Subsections (c), (d), (e) and (f) should be redesignated (d), (e), (f) and (g) accordingly).

The CHAIRMAN pro tempore. Under the rule, the gentleman from California [Mr. DELLUMS] will be recognized for 10 minutes and a Member in opposition will be recognized for 10 minutes.

Does the gentleman from Alabama seek recognition?

Mr. DICKINSON. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. DICKINSON] will be recognized for 10 minutes.

Mr. DELLUMS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment before the body this afternoon is an amendment that would reduce the funding for research and development for a weapons system euphemistically referred to as the Midgetman. And as the first Member of Congress to oppose the MX missile, which started us down this road toward the development of a mobile missile, I have become somewhat of a historian in this body on the issue of mobile missiles and I would like to, for a moment, particularly for those freshmen Members or Members who have not been here very long, to recite for you the history of how we got to Midgetman.

First of all, Mr. Chairman, back in the late 1960's and early 1970's the Pentagon suggested that our land-based missiles would be vulnerable to Soviet attack by the mid-1980's.

Mr. Chairman, the Pentagon suggested that in order to overcome this issue of vulnerability in our land-based leg of our nuclear triad that we must pursue the development and evolution of a mobile land-based missile.

So the search was on for a mobile missile. We came up with a concept of drilling 5,000 holes in the ground. That was not welcomed. We then came with the transit system, not welcomed. We came up with the racetrack concept, very creative but not welcomed.

This gentleman took the well in 1977 and I opposed the MX missile. I opposed the MX missile saying it was not only expensive, that it was not only an environmental hazard, that it was not only dangerous, but that it was unnecessary.

The argument that we made at that time with respect to the issue of necessity was that the Soviet planner could not look at one leg of our nuclear triad, namely the land-based missiles and suggest, in the mid-1980's "they are vulnerable, therefore let us attack."

My argument was that that was absurd, that a Soviet planner must look at our nuclear inventory in its aggregate, to look at our sea-launched missiles and our air-launched missiles, not just our land-based missiles.

So I became inadvertently the father of the concept of synergism. That is that a Soviet planner must look at our nuclear weapons in the aggregate. But the debate goes forward.

President Reagan comes into the White House. He decides he wants to resolve the issue of the MX mobile missile. He establishes a commission known as the Scowcroft Commission. The Scowcroft Commission met for several weeks, debated long and hard over what shall be the future of the MX missile. They came out with the following idea: That they would place 50 MX missiles, each with 10 warheads, which means 500 warheads, 50 missiles would be deployed not in the racetrack, not in the 5,000 holes but in 50 holes occupied by the so-called vulnerable Minuteman.

So then people said, "Wait a minute, you are putting MX missiles in the same old vulnerable Minuteman holes?" And guess what the Scowcroft Commission's response was. They said, "You must embrace the concept of synergism. The Soviet Union cannot rely on one leg of our nuclear traid being vulnerable, they must look at our weapons systems in the aggregate."

As I said then, "I told you that 7 years before the Scowcroft Commission and it did not cost you any money and you did not have to set up a commission and you did not have to staff it. I gave it to you right here in the well of the House."

But we were not credible. The Scowcroft Commission was indeed credible.

Now then how do we move from the MX missile to the Midgetman missile? There are a group of my colleagues, Mr. Chairman, that I refer to as the yuppie arms controllers. A yuppie arms controller is one who embraces arms control because it is fashionable but will not stand up and oppose a weapons system.

So, Mr. Chairman, a group of people we now euphemistically refer to as the yuppie arms controllers decided that they would trade their vote in support of the 50 MX missiles, 500 extremely accurate, very expensive missiles, if the Pentagon, in turn, would support the Midgetman.

So that is how we got to Midgetman.

The administration did not say they wanted Midgetman but some of our arms control colleagues said "We will give you the 50 missiles, we will give you the vote on the 50 MX missiles if you give us Midgetman."

Now, Mr. Chairman and members of the committee, this may shock you but I believe that one could probably make a cogent intelligent fair argument in support of a single warhead missile if it indeed replaced the number of MIRV missiles that we have in place. I think one could argue that that is less destabilizing, it probably would create fewer problems for arms controllers. I think you could make that argument if you replace these MIRV missiles with Midgetman single warheads. But the fact of the matter is that that is not where it is at. What you have is 500 MX missile warheads plus a proposal, plus a proposal for 500 Midgetman missiles that will cost us approximately $44 billion. At a time when Gramm-Rudman deficit reduction politics have us rendered impotent in our capacity to address the human misery of many of our constituents, why are we talking abut pursuing this course? You can argue logically perhaps one system but not both systems in the aggregate.

Now you are talking about 1,000 warheads, 500 single warheads, 500 multiple warheads. Where are we going down this incredible and strange road?

To summarize: We never needed a mobile missile. The Soviet Union is not going to attack one leg of our triad because they know what each and every one of us on this floor knows who has any degree of rationality and that is that if we start down the road toward nuclear war we are going to annihilate all life on this planet. The future of the planet does not lie in Midgetman, it does not lie in single warhead missiles or incredible preoccupation with rail garrison MX. The future of the world depends upon our capacity to sit down rationally and sanely and negotiate the circumstances under which we will live with each other. Technology is not the hope of the future in nuclear weapons, the hope for the future in nuclear weapons is not arms escalation but arms control.

I realize that this gentleman's role is to start out down the road challenging missiles and have my head bloodied and at some point when it gets to be 150, 160 votes then suddenly the yuppie arms controllers take the amendment because now it becomes part of the establishment. Some day someone will come in this well and they will oppose Midgetman the same way this gentleman is opposing it but they lack the courage at this point to do it because in too many instances no one wants to challenge a weapons system here but they will go home and beat their breasts as arms controllers and advocates of peace. But if you look at their voting recored, they never voted against one nuclear weapons system in their entire career in the Congress of the United States. Our future should not be in the hands of these politicians dancing in the middle on the winds of political expediency.

I say to you that if you want MX, stop the Midgetman. If you do not need any mobile missiles, stop the Midgetman. So you on this side of the aisle can join with many of us on this side of the aisle in opposing Midgetman because the logic makes no sense. Where we can come together, left and right, is to say that you do not need both of these missile systems. You do not need to go down that road. If you support MX you should oppose Midgetman. If you believe as I do that the world has too many missiles now, oppose both of them as I do. I believe you can made a cogent and rational and intelligent argument in that respect.

I thank my colleagues for the opportunity of giving you what I perceive to be the history, the litany of lunacy that got us to this particular point. Again, at a time when we need to redirect our resources and our energies let us make a tough decision, let us quit gathering in the middle, trying to act as a hawk and a dove simultaneously. I come here as an advocate of peace.

□ 1535

I come here committed to address the social problems of this country. I come here as a social worker. I did not come here to get in bed with missiles but I found out that we have a morbid preoccupation with the technology of death, and so I got in bed with the Committee on Armed Services. I learned about all these missiles. I learned your language. I am prepared to debate you on the floor of this Congress anytime, anyplace, anywhere, under any circumstances.

This missile makes no sense. Join me in opposing it.

Mr. DICKINSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. (Mr. GRAY of Illinois). The question is on the amendment offered by the gentleman from California [Mr. DELLUMS].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

The CHAIRMAN pro tempore. For what purpose does the gentleman from California [Mr. DELLUMS] rise?

Mr. DELLUMS. Perhaps it is too late, Mr. Chairman, but the Chair did recognize the gentleman in opposition, and I simply wanted to say, by unanimous consent, that my distinguished colleague, the gentleman from Montana [Mr. WILLIAMS], where this missile will be developed, wanted very much to enter into a colloquy with the gentleman from Wisconsin [Mr. ASPIN] in order to ask where this missile system is going.

I am simply suggesting that the vote is premature. There are 10 minutes in opposition to the amendment.

The CHAIRMAN pro tempore. The Chair would state that the distinguished gentleman from Alabama [Mr. DICKINSON] yielded back his 10 minutes, so there is no more time in opposition.

Mr. ASPIN. Mr. Chairman, if we could continue the debate, I will strike the last word.

VACATING VOTE ON DELLUMS AMENDMENT

The CHAIRMAN pro tempore. Without objection, the Chair will vacate the putting of the question on the amendment.

There was no objection.

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. ASPIN] is recognized for 5 minutes.

Mr. ASPIN. Mr. Chairman, I yield to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I appreciate the gentleman's courtesy, along with the courtesy of my colleague, the gentleman from California [Mr. DELLUMS], in regaining some time.

Inasmuch as the announcement has been made that it is to be deployed, at least in its initial stages, in Montana, it seems to me that we ought to try to clarify much of the confusion and doublespeak that comes from the Joint Chiefs, from the Air Force and from the Department of Defense with regard to what this missile is going to look like.

I recall the chairman's support for this missile was based in large measure on the fact that it was going to assist the United States and the Soviet Union, hopefully, in building down. I understood that the gentleman's support and the committee's support was based upon this missile being a single-warhead missile.

I cannot get either the Air Force or the Joint Chiefs or the Secretary of Defense to tell me whether or not they support this as a single-warhead missile.

Is that the chairman's understanding, that this is to be a single-warhead missile?

Mr. ASPIN. Let me just say that you can talk to a lot of different people and get a lot of different answers on the question, but the Air Force has decided to go ahead with the smaller version of the Midgetman missile. There was a possibility at one point and they looked at the possibility of going forward with a Midgetman the size of which we could carry three warheads.

They have since decided not to do that and have gone ahead with the 37,000 pound missile, which is the original size that the Scowcroft Commission recommended, and which is the size consistent with a single warhead.

At least we know that they are at least now consistent with a single warhead program.

Mr. WILLIAMS. Mr. Chairman, can the gentleman respond to whether or not this missile is likely to contain the new high-technology penetration aids and guidance systems which were not originally envisioned to be part of it?

Mr. ASPIN. I am advised that the answer is "yes."

Mr. WILLIAMS. That would make a build-down less likely if we are going to put new penetration aids and make this missile then tend to be more destabilizing than we had originally envisioned it. Many of us who supported it had found in the first instance that we did not think it was going to be what the Pentagon calls a wiley missile.

If it is going to be that, then that changes the opportunity that we believe this missile has to bring the Soviet Union to the bargaining table.

Mr. ASPIN. It seems to me that what we are talking about here is a missile that is the kind of thing that we ought to be building and we ought to be able to build it for a whole host of reasons, one of which is arms control; the other of which is defending the country, and if we are going to continue to have land-based missiles, I think this is the kind of land-based missile that we ought to have.

The single warhead is important in anticipation of a world in which what we are going to be counting is warheads, not launchers. I think that future arms control agreements, should there be such, would probably put a limit on warheads, rather than launchers.

That being the case, it is better to have single-warhead launchers than multiwarhead launchers because you are able then to spread out the aim points and able to, in a sense, perhaps, depending upon the agreement, move to a de-MIRVed world.

That, I think, is the core. It really is the number of warheads, not the penetration aids that count. What really counts is the fact of the number of warheads-to-aim points ratio in a stable world. To move to a more stable world, I think the gentleman is right, and it is very important that we do end up with a single-warhead missile.

Mr. WILLIAMS. Is that where the chairman supports, a single warhead missile?

Mr. ASPIN. Yes, sir, the gentleman is correct.

Mr. WILLIAMS. Finally, Mr. Chairman, as the gentleman knows the technology advances have made the launch and destruction capability of Soviet submarines much greater in the past decade. I wonder if the chairman has had an opportunity to consider the survivability of the Midgetman based in the high plains of the United States rather than placed in the Southwest of the United States?

Mr. ASPIN. Does the gentleman mean placed on Minuteman—colocated with Minuteman, as opposed to putting them on military reservations?

Mr. WILLIAMS. Yes. Currently, if it is placed in Montana, as is envisioned, it would piggyback the current Minuteman system.

My question is that because of the capability of Soviet submarines, we may be making that missile less survivable in the high plains than it would be in the Southwest.

Mr. ASPIN. The gentleman is correct. If we are worried about firing from submarines, cruise missiles off the shore, low warning time, we would be better off having the things out on a military reservation.

Mr. WILLIAMS. Mr. Chairman, I again appreciate the generosity of the gentleman's time.

Mr. DICKINSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore. The gentleman from Alabama [Mr. DICKINSON] is recognized for 5 minutes.

Mr. DICKINSON. Mr. Chairman, I yield to the gentleman from Montana [Mr. MARLENEE].

Mr. MARLENEE. Mr. Chairman, can any Member of this body cite a single instance, document one time, or outline any policy change by the Soviets where by their actions they reduced their throwweight, accuracy or attempted, to lessen the free world's concerns and fears of their preoccupation with total dominance.

Past Soviet deployments and increases in their warhead accuracy have given them the capability of destroying our land-based missiles in a first-strike. This is an extremely destabilizing situation. It's a problem that has been discussed over and over on this floor. I'd like to take a couple of minutes to talk about one program designed to address this vulnerability.

Ongoing progress in the Midgetman, or small missile program, has been impressive. Midgetman is a mobile missile designed to spread out at a moments notice, survive a Soviet first strike, and retaliate at those Soviet assets they value most: hardened silos, command and control facilities and leadership bunkers. This would significantly reduce Soviet incentives to strike first in a crisis. By doing so, Midgetman will significantly increase our deterrent capability and help prevent a war from ever occurring. And isn't that what it's all about—to prevent a war from ever occurring?

When it reviewed our strategic modernization program, the Scowcroft Commission recommended a number of actions, including development of a small, mobile missile for long-term ICBM survivability. Yes, our submarines at sea and bombers on alert are survivable. And, yes they are capable of delivering a retaliatory blow against Soviet aggressions. However, the commission recognized that technological breakthroughs could, perhaps, decrease the survivability of our subs or decrease the ability of our bombers to penetrate Soviet airspace. We need a long-term hedge against any such developments.

For these reasons, Mr. Chairman, I urge a "no" vote on any attempt to sabotage ongoing efforts to deal with land-based survivability. Vote "no" on the Dellums amendment to cut Midgetman funding.

□ 1545

Mr. DICKINSON. Mr. Chairman, I think we have a very strong difference of opinion between the Soviets and ourselves as to philosophy and as to which is the better route to take. The Soviets depends more heavily on ICBMs with multiple warheads, but then they are not encumbered by a Congress such as ours. I think that is probably the biggest encumbrance we have, because whatever our experts and our military analysts decide and whatever their studies show, they still have 435 experts in the House and 100 experts in the Senate to second-guess them, the real experts, and approve or not approve.

Actually if we were not equally encumbered, I think we would do as well as the Soviets in our deployment.

Mr. MARLENEE. Mr. Chairman, if the gentleman will yield further, I would urge a "no" vote on any attempt to sabotage the ongoing efforts to deal with our land-based survivability.

Mr. ROWLAND of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Connecticut.

Mr. ROWLAND of Connecticut. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the amendment, which has been offered by the gentleman from California [Mr. DELLUMS].

As always, Mr. DELLUMS has spoken from his heart on a matter which is of grave concern to him, and as such, I can respect his position.

I come at the issue of the ICBM program in a little different manner than does the gentleman from California, however. Mr. DELLUMS clearly does not believe that our Nation's security requires an intercontinental ballistic missile system—either the MX Peacekeeper or the small ICBM Midgetman.

I believe that we must—in fact—have an ICBM capability.

However, I believe that the MX missile can fulfill such a role on its own. In my opinion, the Midgetman is little more than a $42 billion waste of taxpayers' money.

Having said that, I continue to maintain that as long as we are going to have an ICBM missile like the MX, we must continue to work for the optimum basing mode to assure its survivability.

In the final analysis, I strongly support Mr. DELLUMS proposal to scrap the Midgetman. Quite frankly, we don't need it.

Mr. DICKINSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The question is on the amendment offered by the gentleman from California [Mr. DELLUMS].

The amendment was rejected.

AMENDMENT OFFERED BY MR. WEISS

Mr. WEISS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The Clerk read as follows:

Amendment offered by Mr. WEISS: At the end of title I of division A (page 21, after line 15), add the following new section:

SEC. 116. TRIDENT MISSILE PROGRAMS.

(a) PROHIBITIONS ON EXPENDITURES FOR TRIDENT II PROGRAM.—None of the funds appropriated or otherwise made available for procurement of weapons for the Navy for fiscal year 1988 may be obligated or expended for the Trident II missile program.

(b) FUNDS FOR TRIDENT I PROGRAM.—Of the amount authorized in section 102(b) for weapons (including missiles and torpedoes) for the Navy for fiscal year 1988, $2,258,317,000 is available only for procurement under the Trident I missile program.

The CHAIRMAN pro tempore. Under the rule, the gentleman from New York [Mr. WEISS] will be recognized for 10 minutes, and a Member in opposition, the gentleman from New

York [Mr. STRATTON] will be recognized for 10 minutes.

The Chair recognizes the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, what my amendment seeks to do is to take $2.25 billion in this bill which is allocated to the Trident II or D-5 missile and not delete it but transfer it to the account of the Trident I or C-4 sea-launched ballistic missile and thereby save over the course of this program some $7 billion and, equally as important, save us from putting into motion a system which will not act as a deterrent but in all likelihood will bring us closer to the onset of nuclear war.

Mr. Chairman, the C-4 will do everything that the D-5 can possibly do, with one exception: The C-4 missile, with 192 warheads about each submarine, has the capacity to destroy airfields, troop concentrations, naval bases, industrial facilities, and governmental centers. It has a yield of 10 kilotons. That is 100 times the yield of the bombs dropped on Hiroshima and Nagasaki.

What can it not do that the D-5 can do? It cannot dig land-based nuclear missiles of the Soviet Union out of their silos. The sole purpose of the D-5, which has almost five times the nuclear yield of the C-4, is to dig those land-based missiles in the Soviet Union out of their silos.

We have been told all along that the reason we want sea-launched ballistic missiles is for the purpose of deterrence, to let the enemy know that no matter what they do to our stock of nuclear weapons on land, we have sufficient power left on our submarines to in fact retaliate and destroy them and thereby deter them from starting an attack. But with the D-5, what we have done is to move from deterrence to a first-strike capability, because that is really the only justification for the D-5. We can cry until we are blue in the face that we have no intention to strike first, the Russians who will read it and who do read it will see it in exactly that fashion, and they will in fact take a look at this very heavy yield weapon which has pinpoint accuracy, and which, the same as the C-4, will get to its target in 10 to 20 minutes and has the same range as the C-4, 4,000 to 6,000 miles, depending on payload, and they will say, "In order to safeguard our land-based missiles, the first instance that we have, the first notice that we have that we may have an attack against us, we will have to launch on notice, on warning."

So what we do is set in motion the prospect of starting an accidental nuclear war, and we get no other benefit at all from the D-5.

It seems to me, then, that at a time of budgetary crisis, at this time when we seem to be moving toward nuclear arms agreements for the first time in many, many years, we ought not to be squandering our resources. We had debates this morning about the debt ceiling and how terrible it is. Here is $7 billion that we can save by adopting this one amendment. Maybe this afternoon that $7 billion does not seem as important to some Members as it did this morning. To me it means an awful lot, and if at the same time in the bargain we can take a step to reduce the prospects of nuclear war, it seems to me this is the kind of amendment my colleagues ought to be supporting.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. The gentleman from New York [Mr. STRATTON] is recognized for 10 minutes.

Mr. STRATTON. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, I would like to point out to my good friend, the gentleman from New York [Mr. WEISS] that similar amendments were offered by Mr. WEISS in the fiscal year 1985 authorization bill, and they were defeated. That was defeated by a vote of 93 yeas to 319 noes. In the fiscal year 1986 authorization bill, my good friend also offered the same amendment, and that was defeated, with 79 yeas and 342 noes. In the fiscal year 1987 authorization bill it was defeated by 94 yeas to 306 noes.

So I think it does not make much sense to argue an amendment that has not gotten much support over a period of years.

The proposal of the gentleman from New York [Mr. WEISS] is that we ought not to have the D-5. That would be a first strike, he says. A first-strike weapon is something that is designed to wipe out everything. The D-5 is simply a very effective piece of machinery which could be needed in conjunction with other actions.

But if one wants to destroy funds, if one wants to waste money, the proposal that the gentleman from New York is making is that it would wipe out the submarines that are now under construction and which are also sailing the seven seas, because if we eliminate the D-5 missile, it is impossible for the C-4 missile, which the gentleman from New York would like to put into these missiles, to be backfitted into any of the Trident submarines.

I think practically every Member of this House believes that the Trident submarine is a terrific weapon and one which they strongly support. But the idea of having to wipe out half of that Trident fleet because of a refusal to include the D-5 missile would be a foolish move, an expensive move, and one that would make us a laughing stock.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the distinguished gentleman for yielding.

Mr. Chairman, I would go even further than the gentleman from New York in his comments on the D-5 missile and suggest that it is the most important weapons system we either have in our arsenal or that we are about to deploy. One cannot rationally and consistently argue against the silo-based MX missile and also be opposed to the D-5 missile. This D-5 is missile our deterrent ace in the hole.

This is a weapons system that protects us from nuclear blackmail. This is a weapons system that is currently not targetable. This is a weapons system that is a deterrent against a first strike. The proper comparisons in accuracy and throw-weight or megatonnage are not those between the currently deployed C-4 and the Trident II or the D-5 missile. We have roughly the same capacity in the MX as we will have in the D-5, both in accuracy and in throw-weight.

What is important, however, is that the D-5 is survivable and nontargetble. Deploying it as contemplated is precisely the step that we should take and reaffirm here today. It is a step that we the Congress said we were going to take when we began work on the *Ohio*-class submarines as soon as the D-5 missile was avaiable. It is a step we should take right on schedule by rejecting this amendment by the gentleman from New York [Mr. WEISS] and the amendment to be offered by the gentleman from Ohio [Mr. FEIGHAN]. The D-5 missile deployed on submarines is the most important weapons system in our arsenal.

Mr. Chairman, I ask the Members to vote against the amendment offered by the gentleman from New York [Mr. WEISS].

Mr. STRATTON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BADHAM].

Mr. BADHAM. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I think it is now incumbent on some of us to point out a strange coalition that is developing here.

We have had, with our nuclear deterrence, since the time we had a nuclear deterrent, a situation in which we have prevented a global conflict. I think that is largely due to our nuclear deterrent. It has gone on for over 45 years, and I think that is some sort of record in the free world or in the world as we know it today.

It is strange that today we have beat back attacks on one leg of the triad, the triad being a three-way system that has offered us a nuclear deterrent, and it is strange that now we have survived four attacks on one leg of that triad. We are now undergoing attack on the second leg of the triad, and we can better believe that on Monday we will start with an attack on the third leg of the triad. And I can vouchsafe to say that I think it is reasonable to assume that those who voted to kill one leg of the triad virtually by identical numbers will vote to kill the second leg of the triad, and those who so vote on that will vote to destroy the third leg of the triad. That causes this Member to feel it necessary to point out that should those Members have their way, we would have a triad with no legs, and I think the American people would take very unkindly to being undefended.

The CHAIRMAN pro tempore. The Chair will state that the gentleman from New York [Mr. STRATTON] has 4 minutes remaining and the gentleman from New York [Mr. WEISS] has 5 minutes remaining.

Mr. WEISS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oregon [Mr. DEFAZIO].

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Mr. DEFAZIO. Mr. Chairman, it is interesting, we are hearing that this amendment would kill one of the legs of the triad, yet if the father of the triad, Mr. Scovill, were with us here today, he would support this amendment.

We have heard that it will wipe out our submarine force. This is not an amendment that goes to the 16 submarine Trident force. This is an amendment that goes to what will those submarines carry? Will they carry a deterrent missile? Will they carry the C-4, a missile that can land within 1,500 feet of its target, a missile that can carry eight 100 kiloton warheads, a missile that can deliver 960 Hiroshima's from one submarine, 15,360 Hiroshima's from the fleet. Is that a deterrent? Yes.

Is the D-5 necessary for deterrence? No. The D-5 is only necessary if we want to equip these submarines with a hard target kill capability and if we happen to have an extra $10 billion to spend. Well, we do not have the extra $10 billion or $11 billion, which is what we could have saved last year had this amendment been accepted last year, and I am glad we are voting on it this year because I was not here last year and I did not have a chance to support it.

Second, now we can save $7 billion. I think we could spend $7 billion probably somewhere else or we could use it to decrease the deficit.

There is no reason to go ahead with the D-5 missile. The C-4 is more than adequate for the mission of the submarines for deterrence and I strongly support the Weiss amendment.

Mr. STRATTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. HUNTER], a strong supporter of the D-5.

Mr. HUNTER. Mr. Chairman, the gentleman from Nebraska [Mr. BEREUTER] was absolutely right when he said that the D-5 is one of the most important systems in the world, not only to people in this country but to other free peoples throughout the world.

We have talked about our triad and the fact that separate components of the triad have a synergistic effect. It is very difficult for the Soviet Union to launch ICBM's to knock out our land-based missile force and knock out our bombers also and have any chance of taking out our submarines at the same time. We will have some submarines in port, but basically our sub force has been the most durable leg of the triad, even through the problem with the Walkers and the giving away of American technology recently by Toshiba to the Soviet Union that has quieted their submarines down.

Our submarine force and the D-5 will continue for the foreseeable future to be one of the most stabilizing parts of our triad.

Liberals and conservatives alike in arms control concur that you have to have an accurate ICBM. We have just gone through the MX debate and we have concurred that it is very difficult to find an invulnerable basing mode for land-based ICBM's. For that reason, the D-5 takes on even more importance because it is still the least vulnerable of our missiles and will be once our submarines are outfitted. It is absolutely the pillar of Western deterrence.

So I would urge every Member to reject this amendment. This system is one of the most important systems in the world to the security of free people and everyone in the arms control process who is serious about arms control concurs that it would be a major blow to our security to stop this program.

Mr. WEISS. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. DELLUMS], who I think is the most eloquent and learned Member of our body on the issue of nuclear weapons.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 3 minutes.

Mr. DELLUMS. Mr. Chairman, my distinguished colleague who began this debate in opposition to the amendment offered by the gentleman from New York [Mr. WEISS] suggested that there was no merit in this amendment because over several years the amendment had received a minority vote. I would point out to you that at one point in the history of the evolution of life on this planet if a poll had been taken, the majority of the people thought that the planet was flat. That we found out was not a correct position, simply a popularly held position; so for a person to come in on the minority side of a vote over a few years in this body does not in and of itself communicate that the gentleman's amendment is incorrect, simply what is popular at a given moment.

I believe that the gentleman from New York is absolutely correct. We are moving beyond the concept of nuclear deterrence to the development of a nuclear war fighting capability with enormous and frightening and dangerous implications.

Mr. Chairman, if we are not contemplating fighting a nuclear war, then why is the D-5 a time urgent hard target silo killing weapon? If we are talking about weapons firing at empty silos, why do we need this kind of highly explosive, highly accurate nuclear weapon? If we continue to operate within the framework of nuclear deterrence, query: Why do we need more accuracy? Why do we need greater range? Why do we need greater capacity to destroy, unless we go beyond the notion of deterrence and begin to make nuclear war thinkable.

I would suggest, Mr. Chairman, that if we make nuclear war thinkable, acceptable, and possible, ultimately we will make it inevitable.

The Trident II missile is on its face destabilizing and a first-strike nuclear weapon. I stated that it is designed to destroy nuclear silos, a war-fighting strategy.

The Navy envisions a huge force of Trident missiles. There will be 24 Trident missiles on each of 20 submarines and since each missile will carry at least 8 warheads, there will be 3,840 powerful, accurate, silo-killing weapons targeted at the Soviet Union. This large force of powerful, accurate, Trident II missiles, will give the United States the ability to destroy every Soviet ICBM, creating a great destabilization on this planet, not taking us closer to peace, but closer to destabilization.

Together with other elements of our force, the Trident II will give us that dangerous first-strike capability that none of us wish to see us have. We need to stay within the confines of reason and sanity. The Trident II missile takes us beyond that.

Finally, Mr. Chairman, the Soviet response to all these highly accurate, highly mobile missiles, will be to place their missiles in a launch on warning mode. I would caution my colleagues that once this world gets to that level of hair-trigger nuclear capability, we have created a monster that we may not be able to retreat from.

I ask that we support the gentleman's amendment.

Mr. STRATTON. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, many of us on the floor believed in the actions of the past days we saw unilateral concessions on arms control made in this body. Now we are considering our strategic triad, our fundamental strategic defense, and we are going to do so in a series of amendments, some of which we have had and some we have not had before us yet.

We voted earlier not to modernize the land-based missiles. On this vote we would vote not to modernize the sea-based deterrent. In another vote to come later we will vote on manned bombers and maybe not modernize that part of the triad leg. The result would be no commitment to our fundamental strategic defense.

Some in this House will cast their personal vote in that series of votes for no strategic defense. In this dangerous world, that is disturbing beyond belief.

Mr. STRATTON. Mr. Chairman, I think as the gentleman from California [Mr. BADHAM] indicated, a number of Members have been voting for different aspects of a triad, but I would remind my colleague from California that in the last two votes we began to switch a little bit. I think when we find out what the D-5 can do and what the aspect of its power can threaten to the Soviet Union, we may find that we will continue to look for more votes on the other side.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. WEISS].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. WEISS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 93, noes 330, not voting 9, as follows:

[Roll No. 120]

AYES—93

Ackerman
Atkins
AuCoin
Bates
Beilenson
Berman
Bonior (MI)
Bonker
Bosco
Boxer
Brennan
Brown (CA)
Bruce
Cardin
Carr
Clay
Collins
Conte
Conyers
Coyne
Crockett
DeFazio
Dellums
Dixon
Downey
Durbin
Dymally
Early
Edwards (CA)
Espy
Evans
Feighan
Flake
Frank
Garcia
Gejdenson
Gonzalez
Gray (PA)
Hawkins
Hayes (IL)
Hochbrueckner
Howard
Jontz
Kastenmeier
Kennedy
Kildee
Kostmayer
LaFalce
Lehman (FL)
Leland
Levine (CA)
Lewis (GA)
Lowry (WA)
Markey
Matsui
McHugh
Mfume
Miller (CA)
Moakley
Moody
Morrison (CT)
Mrazek
Nagle
Oakar
Oberstar
Obey
Owens (NY)
Panetta
Penny
Rodino
Rostenkowski
Russo
Sabo
Savage
Schneider
Sikorski
Solarz
St Germain
Staggers
Stark
Stokes
Studds
Swift
Torres
Towns
Vento
Walgren
Waxman
Weiss
Wheat
Williams
Wolpe
Yates

NOES—330

Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Biaggi
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Borski
Boucher
Boulter
Brooks
Broomfield
Brown (CO)
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Carper
Chandler
Chapman
Chappell
Cheney
Clarke
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Combest
Cooper
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Donnelly
Dorgan (ND)
Dornan (CA)
Dowdy
Dreier
Duncan
Dwyer
Dyson
Eckart
Edwards (OK)
Emerson
English
Erdreich
Fascell
Fawell
Fazio
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Frenzel
Frost
Gallegly
Gallo
Gaydos
Gekas
Gephardt
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Green
Gregg
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Kanjorski
Kaptur
Kasich
Kemp
Kennelly
Kleczka
Kolbe
Kolter
Konnyu
Kyl
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Marlenee
Martin (IL)
Martin (NY)
Martinez
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Mica
Michel
Miller (WA)
Mineta
Molinari
Mollohan
Montgomery
Moorhead
Morella
Morrison (WA)
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Olin
Ortiz
Owens (UT)
Oxley
Packard
Parris
Pashayan
Patterson
Pease
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Roemer
Rogers
Rose
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Sawyer
Saxton
Scheuer
Schroeder
Schuette
Schulze
Schumer
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Spratt
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torricelli
Traficant
Traxler
Udall
Upton
Valentine
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walker
Watkins
Weber
Weldon
Whittaker
Whitten
Wilson
Wise
Wolf
Wortley
Wyden
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—9

Annunzio
Ford (TN)
Jones (NC)
Miller (OH)
Rangel
Ray
Roybal
Schaefer
Tauzin

□ 1625

The Clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr Jones of North Carolina against.

Mr. TRAFICANT and Mr. FOGLIETTA changed their votes from "aye" to "no."

Mr. SWIFT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FEIGHAN

Mr. FEIGHAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FEIGHAN: At the end of section 102 (page 8, after line 25), add the following new subsection:

(g) PROHIBITION OF RETROFITTING TRIDENT SUBMARINES FOR D5 MISSILES.—(1) None of the funds appropriated or otherwise made available to the Navy for fiscal year 1988 for other procurement or for operation and maintenance may be used for conversion of a Trident submarine to enable such submarine to carry Trident II (D-5) missiles.

(2) The amount authorized in subsection (d) for other procurement, and the amount authorized in paragraph (4) of that subsection for ordnance support equipment, are each hereby reduced by $958,000. The amount authorized in section 301 for operation and maintenance for the Navy is hereby reduced by $13,900,000.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Ohio [Mr. FEIGHAN] will be recognized for 10 minutes and the gentleman from Florida [Mr. BENNETT] will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me start by addressing some of the misconceptions about my amendment. This amendment will not cancel the Trident II program.

It continues the procurement and deployment of the D-5.

It guarantees that the D-5 missiles will be installed in every new Trident submarine that this country produces.

It ensures that our Trident fleet will have the necessary firepower, including hard-target capability to penetrate Soviet missile sites. Very simply, my amendment says that we will not retrofit the existing eight Trident submarines now at sea. These submarines were designed to carry the C-4 and they were deployed between 1979 and 1985. It would not affect Trident II submarines which are designed to carry the D-5 missile. It will not call for the reopening of the C-4 production line. It will save $14.9 million in fiscal year 1988 and $5.3 billion over the life of the program.

I think logic alone would compel us to support putting the D-5 missile in the submarine it is designed for and keeping the C-4 in the submarine it was designed for. And if not convinced by the logic, let us at least consider the idea that we can save $5.3 billion and still have the D-5.

The gentleman from New York [Mr. WEISS] has made an argument that canceling the D-5 program and retaining the C-4 for all the Tridents would prevent us from crossing the first-strike threshold and thereby have a stabilizing effect. Others argued that we need our best missiles ready to deter the Soviets. Wherever you stand in that debate, my amendment offers a different approach—a full fleet of Tridents: the 8 Trident I submarines equipped with the C-4 missile designed for it; and 12 Trident II submarines equipped with the D-5 it was designed to carry. This fleet will still have 660 D-5 missiles, each equipped with either 12 Mark-IV warheads or 8 of the more powerful Mark-V warheads.

Now, how will this combined fleet of Tridents measure up to the Soviet nuclear forces? With a combined fleet of C-4 and D-5 equipped Tridents, we will still be able to double target—such as, target two hard-target penetrating warheads for each Soviet missile silo.

Canceling the retrofit will in no way diminish our ability to retaliate against the Soviet Union. We will have the D-5. We will have the C-4—a missile with the same range as the full payload D-5 and with enough firepower to destroy Soviet military targets, industrial facilities and government centers. This amendment will in no way diminish the deterrent effect of our strategic forces.

The D-5 is the most expensive weapons system we have. The full program will end up costing nearly $100 billion. I am not asking to cancel the program. Far from it. But, I am pointing a way to reduce those costs in prudent and commonsense fashion.

In its January 1987 report, the Congressional Budget Office in its report entitled "'Reducing the Deficit" suggested canceling the retrofit as one step at reducing the Federal deficit. The amendment will reduce the deficit by a total of $5.3 billion: $2.1 billion for the retrofit, and $3.2 billion savings by not procuring D-5's for the first eight submarines.

We have the chance to stop the retrofit before the program gets underway. Too often in these debates we find that we are half way into a controversial program where we cannot reasonably continue to fund it and we cannot reasonably vote to terminate it. Only $2 million has been spent on the retrofit to date and the actual work won't begin for several years. Now we have a chance to save money from the start.

Finally, I would leave with an argument for common sense. Why on Earth are we recalling our Trident fleet to spend $5.3 billion redesigning submarines deployed as recently as 1985. The C-4 is neither obsolete or deficient. We are not talking about refurbishing WW II vintage aircraft carriers. We are talking about replacing the C-4 missile which today arms the submarine leg of our strategic triad.

This amendment is a measured and commonsense proposal. It promises as many D-5's as we need and no more than we can afford. It gives us the D-5, it gives us hard target capability against the Soviet Union, it preserves our strategic deterrent capability, and it saves $5.3 billion. For those of you who face these votes each year and say, "I support arms control and that's why I strongly support the Trident program," I ask that you continue in the logic of that argument and vote for this amendment that supports arms control, supports the continued procurement and deployment of the D-5 and saves the American taxpayer $5.3 billion along the way.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Ohio [Mr. FEIGHAN] has consumed 6 minutes.

Mr. BENNETT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, there are a number of misimpressions that have been involved in this. In the first place, the Congressional Budget Office does not recommend anything, a cut or an addition. They give facts, and the facts that they give to me point out the fact that this should not be a reduction in this particular instance.

They pointed out, as did the previous speaker, this is only 5 percent of the total cost of the Trident Program. It is a lot of dollars, true, but according to the Congressional Budget Office, the amendment will result in the loss of over one-third, that is 2,000 warheads capable of attacking the full spectrum of Soviet targets.

We just completed a vote which strongly stands by this arm of the triad. This is an important part of our triad, in fact, and is by far the most important part of the triad, the Trident submarine facility, as we know, because it is the least capable of being knocked out and the most powerful as far as doing damage to the enemy is concerned.

This was planned when the Trident submarines were built, and it is not going to be done in an uneconomic fashion. It was in the plan from the very beginning to try to program in and include these conversions.

These conversions are to be accomplished during the submarine's first overhaul period about 10 years after commissioning, and it is the largest and the most accurate and important payload for the Trident II. So this is something that is going to take place when they are having their overall repairs done anyway. It was planned from the very beginning. It was the most important part of our deterrence so far as nuclear weaponry is concerned, because it is not a thing where the Russians have any way to attack, and it is not a large percentage of the cost of the Trident Program.

It was planned to have this program this way anyway, and I hope that the committee will approve the continuing of congressional approval for this money and not approve this amendment.

□ 1640

Mr. FEIGHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, there seems to be—I stood at the door before the last vote and talked to some folks—a little misunderstanding, "is this a vote for or against the Trident submarine?" It is not.

The question is, What will be the equipment on those submarines? In this case we are dealing with eight already deployed invulnerable submarines, each carrying 24 missiles, each of those 24 missiles carrying eight warheads, each of those warheads are capable of landing within 1,500 feet of its target. The question we have to ask today, given our limited resources is: Should we spend $5 billion to take those submarines out of service, to refit them with a different missile so that they can land within 400 feet of their target? Is that deterrence? Is that necessary? Can we afford it?

Those are the questions we have to ask.

The submarines as now deployed are perfectly adequate for their job. They are doing the job today, we are at peace. They are deterring the Soviet Union. They will deter them tomorrow. We do not need to take our submarines out of service. We do not need to spend this $5 billion.

I believe there are other places that that money can be more profitably spent for the defense of this Nation.

With that I would urge my colleagues to join in supporting this amendment, to not take those submarines out of service, to not refit them with this expensive new missile and allow the C-4 to be the deterrent it is now today and will be in the future, and continue the deployment of those submarines.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. My colleagues, this is an anti-D-5 amendment, make no mistake about it.

If you voted "no" on the last amendment, you should vote "no" on this amendment.

Let me tell you why this is so important, why the D-5 missile is so important.

The MX or any other follow-on ICBM is going to have a very difficult time surviving. On both sides of the aisle we concur in that fact, because of the high accuracy of the Soviet SS-18 missile and their preemptory capability, it is going to be difficult to build a survivable land-based system.

Because of that this part of the triad, our submarine part of the triad is extremely important. We have to have an accurate missile. One reason we need an accurate missile is because the Soviet leadership which would, in the circumstances of a nuclear attack, make the decision to go ahead and plan that particular attack, must know that if they launch an attack against the United States, not only will the average Soviet citizen be at risk, but they will be at risk, the Soviet leaders who initiated the attack.

They have constructed a network of bunkers and other very, very protected areas in an attempt to shield themselves from any American retaliatory strike.

Many of these people are the same people who were involved in carrying out Stalin's execution plan for some 20 million of the Soviet people, their own people. It is important that they know that if they strike America they are going to feel the brunt of that retaliation. We do not have a system on the land that is invulnerable at this time. The Soviets have a preemptory capability against land-based missiles. It is very important and all serious arms control experts agree we must go forward with the D-5 missile. I would urge your "no" vote on this amendment.

Mr. FEIGHAN. Mr. Chairman, I yield myself 1 minute.

I do this for the purpose of underscoring that this is not an anti-D-5 amendment at all. In fact, under this amendment we will be able to procure and deploy 660 D-5 missiles. The only purpose of this amendment is to ensure that we do not incur that additional expense of $5.5 billion to retrofit a fleet of eight Trident I submarines that are already very capable, that have C-4 missiles in them, that have virtually the same range as the D-5 and therefore have virtually the same survivability.

Mr. Chairman, I yield my remaining time to the gentleman from Ohio [Mr. TRAFICANT].

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman from Ohio [Mr. TRAFICANT] is recognized for 1 minute.

Mr. TRAFICANT. I thank the chairman.

Mr. Chairman, I am very glad to stand on the floor today in support of the amendment of my colleague from Cleveland, OH, Mr. FEIGHAN. I believe he is exactly right. Once you start down the path of these programs it is almost impossible to stop them. To date we have invested about $2 million in this retrofit process. If we do not vote for the Feighan amendment today we will spend $5.3 billion, invest in a system that we can handle on the Trident II. Some of this deployment for the Trident I was as late as 1985.

Do you know what really gets me? If we vote to spend another $5.3 billion we will be called statesmen and diplomats for taking care of national security. But if you vote in this House to build a highway that is needed in the city of Los Angeles—not my district, folks—it is called pork barrel.

I am saying today we should stop this before it gets started. A "yes" vote for the Feighan amendment will kill this retrofitting but will not kill the D-5 nor the Trident II program, which is necessary in this Nation. We need a mobile system from which we can defend this country. The Trident II can certainly fit those plans. But we need not spend $5.3 billion to retrofit a system we already have.

Vote for the Feighan amendment.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. I thank the gentleman for yielding time to me.

Mr. Chairman, I wish to address the issue of trying to rebuild Trident [D-5] submarines already under construction for the Trident [C-4] missile.

The submarine launcher system, ballast, and the technical support engineered into the submarine are uniquely matched to either the D-5 system or the C-4 system. Because the D-5 is larger and heavier than the C-4, a specific Trident submarine carries either D-5's or C-4's—but not both. A C-4 missile cannot be launched using D-5 equipment.

Submarine construction and conversion is not a simple undertaking. It takes 6 years to construct a nuclear-powered Trident D-5 or C-4 ballistic missile submarine [SSBN]. It would take 1½ years to convert an SSBN from its D-5 configuration to a C-4 configuration if components are available. Moreover, the submarine is not usable during this period.

Through fiscal year 1987, 14 Trident submarines have been authorized by the Congress; 8 of these were designed to carry the Trident C-4 missile; the other 6 Tridents now under construction are designed to carry the D-5 missile. The fiscal year 1988 contains a request for the seventh D-5 configured Trident.

Trident program considerations are substantial. The D-5 missile production schedule is matched to D-5 Trident submarine construction schedules. It would take several billion dollars and 4 years from go-ahead to first delivery to restart, requalify, and acquire new C-4 missiles and C-4 ships' equipment for replacement of the D-5 system in the D-5 Trident hulls presently under construction. It would take about $1 billion and 2 to 3 years to restart, requalify, and acquire C-4 ships' equipment even if C-4 missiles were made available from retiring SSBN's.

In addition, the United States Government commitment to the United Kingdom Trident II program would have to be withdrawn, requiring the United Kingdom to redesign their new submarine and support infrastructure. This is certainly no way to treat an important and valued NATO ally.

Mr. Chairman, the case for the Trident D-5 has been made and remade through the years. To change our minds and reverse our course at this point make no sense whatever. We simply cannot afford such fickleness in our defense budget.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I am going to take a little different tack in my remarks. I rise against this amendment which would delete a program that the House has consistently endorsed and eliminate back funding of the Trident missile D-5 into our existing Pacific-based eight Trident submarines.

Eliminating this retrofit program not only will cause us to lose significant planned deterrent capability but it will also force us into a very inefficient force structure. Let me address that issue, if nothing else.

By following through with our backfit plan, with the retrofit plan we will eventually achieve sea-based deterrence with one highly capable operational missile system, the D-5. Having only one system means we need only one logistic program, one basic training program for support, one common support system shared by the east and west coast bases. If we eliminate the retrofit we will be required to maintain the older C-4 system on the west coast, requiring us to keep two logistic systems, two training programs, two sets of repair parts and two sets of support systems.

We have already invested a tremendous amount of money in Kings Bay, GA on the Trident II developmental system. If we do not convert we have some targeting flexibility problems in the future by not being able to maneuver the D-5 missile into both coast systems.

So in summary, the retrofit plan leads to an efficient force structure, it is capable and an upgraded nuclear deterrent and if we eliminate the retrofit we cause our support costs to increase because we have to support two different systems. That is a very bad idea and it should be defeated, as the prior amendment was overwhelmingly.

Mr. BENNETT. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. Darden].

Mr. DARDEN. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in opposition to the Feighan amendment that would negate much of our effort to modernize our strategic forces. I refer, Mr. Chairman, to the proposal to eliminate backfit of the Trident II [D-5] missile into the first eight Trident submarines, which now carry Trident I [C-4] missiles in the Pacific Ocean. Our strategic modernization program is well underway. The D-5 missile is an essential part of that modernization. Eliminating the backfits would deprive us of a most cost effective part of the D-5 program. The proposal not to perform the D-5 backfits would unravel our consensus to proceed toward a strategic submarine force consisting solely of Trident submarines, each armed with the highly capable D-5 missile.

The cost of backfitting these eight ships with D-5 missiles has been estimated to be approximately $5 billion. That is indeed a large sum of money. However, consider what that $5 billion will buy. The capability gained by the backfit of those eight ships is the equivalent of 500 to 700 small ICBM missiles, which would cost far more. The backfit of the D-5 into our Pacific based ships will spread this capablity over both the Atlantic and Pacific Oceans, thus complicating Soviet defense and enhancing deterrence. The Trident submarine was originally designed to accommodate the larger D-5 missile. By not backfitting the D-5 missile we would not be fully utilizing our most survivable deterrent launch platform. D-5 gives us a survivable and crisis stabilizing deterrent which can hold at risk virtually all targets in the Soviet Union. Thus, for less than 10 percent of the Trident Program cost we will be able to equip eight ships with D-5 missiles. This investment will effectively double the D-5 force we now envision at a small fraction of the total cost.

Mr. Chairman, I encourage my colleagues in the House to strike down this proposal.

Mr. BENNETT. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. Badham].

Mr. BADHAM. I thank the gentleman for yielding.

I think most of the information requisite here has been pointed out other than the fact that this is another one of those amendments to cripple one leg at a time by well meaning people in an unsuspecting and perhaps unwitting coalition to destroy the triad that has kept the free world defended with nuclear deterrence since 1945. I think this is ill-advised because the Trident II missile was designed to be retrofitted into the Trident I submarines and indeed it shall be and indeed it should be to keep the technological edge that this country has maintained.

I thank the gentleman for yielding.

Mr. MOODY. Mr. Chairman, I rise in support of Mr. Feighan's amendment to prohibit the Trident retrofit program. I believe both strategic and budgetary realities should lead each of us to support it.

The Navy plans to build 20 Trident submarines; this amendment deals only with the first 8 of these subs which are already built. Let me emphasize that these are brand new subs built specifically to carry C-4 missiles. The following 12 Trident subs will be equipped with D-5 missiles.

The Navy now proposes to do three things: First, spend $1 billion to "refit" the first 8 submarines to accommodate D-5 missiles; second, scrap the C-4's currently on these subs; and third, spend an additional $6 billion to replace them with 180 D-5 missiles.

Mr. Feighan's amendment would cancel this wasteful and unnecessary retrofit program. The Navy argues that we need this program to augment the number of "silo-busting" D-5 missiles at sea.

The first point to make is that the C-4 missile which the Navy wants to retire is no dinosaur. It is an extrememly lethal, accurate, eight-warhead missile. The production line for these missiles closed only last year. The last C-4 was deployed as recently as 1985.

The second point is that we do not need an additional 180 "silo-busting" missiles at sea. We are already putting some 200 D-5 missiles with over 2,000 warheads on the next 12 Trident submarines.

The argument in support of silo-busters is that our sea-based missiles need to threaten Soviet ICBM's in case our vulnerable land-based missiles are knocked out. Essentially, we are planning to spend billions of dollars to target empty Soviet missile silos. Why would they be empty? Because, in the event of war, we assume they would be used immediately to knock out our 1,000 land-based missiles. The entire argument is absurd. We do not need to spend another $5 to $6 billion for this refit program and additional D-5 missiles.

If we do need to threaten other hardened targets, such as command centers, we can do so with the D-5 missiles deployed on the next 12 Trident submarines.

Mr. Chairman, if we approve this amendment, we will save $14.9 million this year and $6 billion over the life of the D-5 program. If the refit program goes forward, we will pay $6 billion for an upgrade that adds little to our security. We have just spent taxpayer money to put modern, reliable C-4 missiles on these Trident submarines; it would be wasteful to retire them prematurely.

I hope we will look closely at the merits of this amendment. It is a new issue for the Congress. Mr. Feighan's proposal is a prudent and reasonable one and I urge my colleagues to support it.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. Feighan].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. FEIGHAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 109, noes 311, not voting, 12, as follows:

[Roll No. 121]

AYES—109

Ackerman
Atkins
AuCoin
Bates
Beilenson
Berman
Biaggi
Bonior (MI)
Bonker
Boxer
Brennan
Brown (CA)
Bruce
Cardin
Clarke
Clay
Collins
Conte
Conyers
Cooper
Coyne
Crockett
DeFazio
Dellums
Dixon
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Evans
Feighan
Ford (MI)
Frank
Garcia
Gejdenson
Gephardt
Gonzalez
Hall (OH)
Hayes (IL)
Hochbrueckner
Howard
Jacobs
Jontz
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kostmayer
LaFalce
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Markey
Matsui
Mavroules
McHugh
Mfume
Miller (CA)
Mineta
Moakley
Moody
Morella
Morrison (CT)
Mrazek
Nagle
Oakar
Oberstar
Obey
Owens (NY)
Panetta
Pease
Penny
Rodino
Russo
Sabo
Savage
Sawyer
Scheuer
Schneider
Schumer
Sikorski
Skaggs
Smith (FL)
Solarz
St Germain
Stark
Stokes
Studds
Swift
Torres
Towns
Traficant
Udall
Vento
Walgren
Weiss
Wheat
Williams
Wolpe
Yates

NOES—311

Akaka
Alexander
Anderson
Andrews
Anthony
Applegate
Archer
Armey
Aspin
Badham
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boggs
Boland
Boner (TN)
Borski
Bosco
Boucher
Boulter
Brooks
Broomfield
Brown (CO)
Bryant
Buechner
Bunning
Burton
Bustamante
Byron
Callahan
Campbell
Carper
Carr
Chandler
Chapman
Chappell
Cheney
Clinger
Coats
Coble
Coelho
Coleman (MO)
Coleman (TX)
Combest
Coughlin
Courter
Craig
Crane
Daniel
Dannemeyer
Darden
Daub
Davis (IL)
Davis (MI)
de la Garza
DeLay
Derrick
DeWine
Dickinson
Dicks
Dingell
DioGuardi
Donnelly
Dornan (CA)
Dowdy
Dreier
Duncan
Dyson
Edwards (OK)
Emerson
English
Erdreich
Espy
Fascell
Fawell
Fazio
Fields
Fish
Flake
Flippo
Florio
Foglietta
Foley
Frenzel
Frost
Gallegly
Gallo
Gaydos
Gekas
Gibbons
Gilman
Gingrich
Glickman
Goodling
Gordon
Gradison
Grandy
Grant
Gray (IL)
Green
Gregg
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Holloway
Hopkins
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jeffords
Jenkins
Johnson (CT)
Johnson (SD)
Jones (TN)
Kanjorski
Kasich
Kemp
Kolbe
Kolter
Konnyu
Kyl
Lagomarsino
Lancaster
Lantos
Latta
Leach (IA)
Leath (TX)
Lehman (CA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Lott
Lowery (CA)
Lujan
Luken, Thomas
Lukens, Donald
Lungren
Mack
MacKay
Madigan
Manton
Marlenee
Martin (IL)
Martin (NY)
Martinez
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morrison (WA)
Murphy
Murtha
Myers
Natcher
Neal
Nelson
Nichols
Nielson
Nowak
Olin
Ortiz
Owens (UT)
Oxley
Packard
Parris
Pashayan
Patterson
Pepper
Perkins
Petri
Pickett
Pickle
Porter
Price (IL)
Price (NC)
Pursell
Quillen
Rahall
Ravenel
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Robinson
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland (CT)
Rowland (GA)
Saiki
Saxton
Schroeder
Schuette
Schulze
Sensenbrenner
Sharp
Shaw
Shumway
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Slaughter (VA)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith, Denny (OR)
Smith, Robert (NH)
Smith, Robert (OR)
Snowe
Solomon
Spence
Spratt
Staggers
Stallings
Stangeland
Stenholm
Stratton
Stump
Sundquist
Sweeney
Swindall
Synar
Tallon
Tauke
Taylor
Thomas (CA)
Thomas (GA)
Torricelli
Upton
Valentine
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walker
Watkins
Waxman
Weber
Weldon
Whittaker
Whitten
Wilson
Wise
Wolf
Wortley
Wyden
Wylie
Yatron
Young (AK)
Young (FL)

NOT VOTING—12

Annunzio
Ford (TN)
Gray (PA)
Jones (NC)
Mica
Miller (OH)
Rangel
Ray
Roybal
Schaefer
Tauzin
Traxler

□ 1705

The Clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr. Jones of North Carolina against.

Mrs. LLOYD and Mr. OWENS of Utah changed their votes from "aye" to "no."

Mr. MATSUI changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SCHULZE. Mr. Chairman, my amendment would restore the $30.8 million requested by the Army for the tactical Army combat support computer system [TACCS] but denied by the Armed Services Committee in the Aspin substitute.

Let me very briefly explain what this program is and why restoration of the amount is warranted.

TACCS is a ruggedized commercial computer designed to automate the combat service support functions of the tactical Army. This includes personnel, administration, supply, maintenance, medical, and transportation functions.

TACCS has been under contract since August 1984 and the planned 4 year production program is on going. The fiscal year 1988 request is the fourth year's buy of a mature program that Congress has fully funded for the past 3 years.

TACCS is a system that has a validated projected savings of $1.46 billion over a 10-year period and it allows for the reduction of 2,500 personnel spaces in the Army's division force structure.

Mr. Chairman, this is not a new program. It is a program that is on schedule and meeting costs. It is a program that has followed previous congressional suggestions by taking commercial equipment that has already been developed and adapting it to military use. This is a prime example of a program that gets the very most for the taxpayer's dollar. It is putting equipment in the hands of the soldier in a very short time.

The Army's requirement for TACCS has been validated at over 10,500 units but the Army has only been able to budget for just 7,300 units, including almost 1,900 units requested for fiscal year 1988. Termination of the program at this point would end the program at less than one-half the validated requirement.

Mr. Chairman, I am aware of the budget constraints imposed on the defense bill by the budget resolution and the potential problem of adding dollars to the bill without providing a suitable tradeoff. However, I would point out that the Aspin substitute is lower than this resolution, and hence, restoration of the TACCS program can be accomplished without exceeding the budget resolution authority.

Mr. Chairman, there would also be a serious economic impact in Downingtown, PA, and the surrounding area, where TACCS is produced. The Downingtown plant facility employs almost 400 people on this program. Frankly, such an unexpected cancellation of this program would cause untold suffering to many of my constituents. If the fiscal year 1988 request is not approved, the production line would have to be shut down in October of this year.

Mr. Chairman, I do not believe there was justification to zero this ongoing and successful program. It is an example of the type of program that Congress continually calls upon the Department of Defense to produce. This is a program Congress should not kill. I urge all potential conferees to retain funding for the TACCS program.

Mr. ASPIN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore (Mr. GRAY of Illinois). The gentleman from Wisconsin [Mr. ASPIN] is recognized for 5 minutes.

Mr. SCHULZE. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Pennsylvania.

Mr. SCHULZE. Mr. Chairman, I would like to enter into a short colloquy with the distinguished chairman of the Armed Services Committee, Mr. ASPIN, concerning my amendment to restore funding to the TACCS program.

Mr. Chairman, I understand that the committee has some concerns that are presently being addressed by the Army. Is that correct?

Mr. ASPIN. The gentleman is correct. It is my understanding that the Army is in the process of addressing these issues.

Mr. SCHULZE. Given the importance of this program, to the Army, the manufacturer, and the employees who may lose their jobs, and its performance to date, would the chairman not agree that if the Army response is acceptable that the committee might reconsider allowing the Army to proceed with this year's requested buy in order to complete the program as planned?

Mr. ASPIN. I understand your concerns and the Army's needs to proceed with the program, but with the severe budget constraints imposed on our bill it is obvious that many deserving programs have not been approved. However, I will concede that the circumstances of this particular program may be unique.

Mr. SCHULZE. I appreciate the chairman's concern. Since TACCS is currently funded in the Senate bill, I wonder if he will be willing to keep this particular program and these points in mind during the conference. Perhaps the chairman will be able to accept the Senate position if these concerns are met and if the dollars work out.

Mr. ASPIN. We will certainly keep in mind the points the gentleman has made to the committee.

Mr. SCHULZE. I thank the chairman for his understanding and attention to this matter.

Mr. ASPIN. Mr. Chairman, I would like to enter into a colloquy with the gentleman from Alabama [Mr. DICKINSON] about the schedule on Monday.

Mr. Chairman, when the Committee of the Whole rises and we get back into the full House, the leadership, which is conferring now about the schedule, will have more to say about the particulars of the schedule for the rest of this week and for next week, but I would like to talk to the gentleman from Alabama about what we plan to do with the defense bill for Monday, which is the next day that we meet on this issue.

Let me say at this point that I believe we will be coming in at noon on Monday, although we will have to wait for the leadership to announce it. I believe we are coming in at noon on Monday and going directly to the DOD bill. That being the case, what we have in mind is in essence dealing with the kinds of amendments that we tried to do on the Monday and Friday previous, which means that there would probably be a number of votes, but anything major will not be brought up on those days. In fact, anything of that type would probably be dealt with on Tuesday.

It is our intention to finish this bill on Tuesday, and I think if we go to a reasonable hour on Monday—reasonable meaning 6 or 7 o'clock at night—we could probably finish the bill on Tuesday. I think it is important to the leadership for other reasons, that we try to finish up the bill on Tuesday.

Let me outline what we have agreed to do, as I understand it, and I invite the gentleman from Alabama to make any corrections he feels are necessary. We have an amendment that I will offer to put some more money in for the pay raise. That was the money that was taken out due to the drop in the SDI funding amendment. I would like to offer that amendment first.

Second, we have an amendment that the delegation from the State of Washington is working out together, an amendment having to do with the N reactor. There are about three Members who are interested in that. I understand the gentleman from Oregon [Mr. AUCOIN], the gentleman from Washington [Mr. LOWRY], and the gentleman from Washington [Mr. MORRISON], a Republican, were hoping that they could work that out. Therefore, I understand that that amendment will not take a lot of time.

The third amendment on the agenda is an en bloc amendment. These are amendments of the committee, meaning that the gentleman from Alabama on the Republican side and I on the Democratic side have decided to accept these amendments. There is a rather large number of those. Some of that is going to take some time because some of the Members will want to enter into a colloquy. I would anticipate doing that as the third item on the schedule.

Fourth on the schedule is a number of individual amendments. Going back to individual amendments, we have only about four or five of them left. We would like to clear those up.

The final item on the agenda on Monday would be to go to some amendments that we have concerning Central America, and if the Members are interested in looking at the schedule, they will see what those amendments are.

If we do all those things, assuming that we will have a normal number of votes, and so forth, it looks like about 6 hours' worth. If we can come in on Monday and get right at it starting at noon, we could get finished by 6 or 6:30 on Monday.

Again the reason we have been able to finish earlier than we thought is because we have had the cooperation of the House. A number of Members did not offer amendments that we thought were going to be offered today. Not all the amendments were carried to a vote. To the extent we are able to do this again on Monday, we will be finished earlier than we anticipate.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. ASPIN. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Chairman, we have discussed this, and I have no objection or no problem with anything the gentleman has mentioned.

The N reactor is more or less a local thing, a parochial thing, that is of interest, I think, to Members of only two States. I have no idea how long the debate will take. But as the gentleman has outlined it and as we see it, I do not know that we will be able to finish all the debate and the votes dealing with Nicaragua or Central America. There are four votes anticipated. If we are willing to work late Monday—by late I mean 6, 7, or perhaps 8 o'clock—to finish that, that will leave us seven individual amendments of Members to be dealt with on Tuesday, and if I read the schedule correctly, then we will have chemical weapons, Asat, nuclear testing, and also the Broomfield amendment on Tuesday, each of those has 6 hours. That is 6 hours, plus the time for the individual seven amendments.

So it is likely or it is possible that we will conclude this bill and go to final passage Tuesday evening even if we have to work late. I did not sign on to make a career out of one bill, although it looks like we have about done that.

But now it looks as though we will have final passage of the defense authorization bill at least by Tuesday evening if the Members are willing to stay here and work that late. Would the gentleman agree that that is a proper assessment?

Mr. ASPIN. The gentleman from Alabama is absolutely correct.

Mr. DICKINSON. Mr. Chairman, I want to thank the chairman of the committee for his cooperation, and I see no reason why we cannot finish the bill, with what we can reasonably foresee. I appreciate the gentleman's clearing these matters up with Members on this side of the aisle and with Members of the House in general.

Mr. ASPIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MOAKLEY] having assumed the chair, Mr. GRAY of Illinois, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1748) to authorize appropriations for fiscal years 1988 and 1989 for military functions of the Department of Defense and to prescribe military personnel levels for such Department for fiscal years 1988 and 1989, and for other purposes, had come to no resolution thereon.

□ 1720

LEGISLATIVE SCHEDULE

(Mr. LOTT asked and was given permission to address the House for 1 minute.)

Mr. LOTT. Mr. Speaker, I have asked for this time for the purpose of receiving the schedule for the balance of the day. I understand that the majority leader has some good news for us, so we want to give the gentleman a chance to get that out early with regard to the schedule for today and the balance of the week.

Mr. Speaker, I yield to the distinguished majority leader, the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Mr. Speaker, I thank the distinguished Republican whip for yielding.

We will consider today H.R. 1157, the conference report on the Farm Disaster Act. I do not believe this is likely to produce a recorded vote. I hope that it does not.

We will also have some unanimous consent requests with regard to S. 1177, the Thrift Savings Fund Investment Procedures Act. That will conclude the business for today and for the week.

The House will adjourn tomorrow in honor of our late colleague, Stewart McKinney.

We will have no session on Friday.

The House will meet at noon on Monday and will, as previously discussed between the chairman and the gentleman from Alabama [Mr. DICKINSON], continue on the Department of Defense authorization bill. We will not work very late on Monday, but we might work a little bit beyond the 6 o'clock hour previously announced in order to make the kind of progress the gentleman from Alabama and the gentleman from Wisconsin discussed.

Mr. LOTT. But we can expect recorded votes on the DOD bill on Monday?

Mr. FOLEY. There will be recorded votes on Monday and Members should be advised of that. In fact, there could be a number of recorded votes on Monday.

We will then continue on Tuesday and it will be my intention to ask unanimous consent for the House to come in at 10 a.m. on Tuesday in the hope that we might finish this bill without a late session on Tuesday night, but we would like to finish the bill on Tuesday, if possible.

On Wednesday and Thursday, May 20 and 21, the House will consider H.R. 5, the School Improvement Act, subject to a rule being granted.

I might note for the Members that the 16th of May is the demarcation point in the schedule of the House and that the House will be meeting normally at 10 a.m. on Wednesday and Thursday and, of course, any Friday sessions following May 16.

The House will then be expected to enter its Memorial Day district work period at the conclusion of business on Thursday. We will be returning on Wednesday, the 27th of May.

Mr. LOTT. Mr. Speaker, if I may at that point before the gentleman leaves this week, we have Wednesday and Thursday, May 20 and 21, just the one bill, H.R. 5, the School Improvement Act. I guess, of course, there is a possibility that if we did not finish with the DOD bill on Tuesday, obviously it would go over on Wednesdays, but if we did complete the DOD business on Tuesday and we just have the one bill, H.R. 5, we would not expect to go that late then on Thursday, is that correct?

Mr. FOLEY. That is correct.

Mr. LOTT. The gentleman is saying that we will come back then the week of Memorial Day, Monday, the 25th. We will be back in business and can expect votes on the 27th?

Mr. FOLEY. On the 27th, we will be expecting votes. There is, unfortunately, a rumor abroad that there will not be any session of the House on the 27th or the 28th. The present plan is for the House to meet and for votes to be had on both those days.

There will be conference reports.

We will attempt to bring up matters with respect to suspensions if permission is granted for Wednesday and Members should not assume that the House will be out that entire week.

Mr. LOTT. Well, let me state that another way a little more emphatically, if I could. The House should expect to be in and have votes on Wednesday, May 27, and Thursday, May 28, is that correct?

Mr. FOLEY. The gentleman is correct. We intend to be in on Wednesday, the 27th of May, and Thursday, the 28th of May, with votes on both days.

Mr. LOTT. Mr. Speaker, I thank the distinguished majority leader. I have no further questions.

HOUR OF MEETING ON TUESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, May 18, 1987, it adjourn to meet at 10 a.m. on Tuesday, May 19, 1987.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

ADJOURNMENT TO MONDAY, MAY 18, 1987

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday, May 14, 1987, it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

MAKING IN ORDER CALL OF SUSPENSION CALENDAR ON WEDNESDAY, MAY 27, 1987

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that it be in order on Wednesday, May 27, 1987, for the Speaker to recognize Members for motions to suspend the rules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

ORDER OF AMENDMENTS TO BE CALLED ON MONDAY, MAY 18, 1987, ON H.R. 1748, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1988

MR. BADHAM. Mr. Speaker, assuming the approval of the tentative schedule for Monday next on the DOD bill, I ask unanimous consent that after amendment No. 83, the amendments be brought up in the following order: No. 4, Boxer; No. 5, Boxer; No. 3, Bates; and No. 18, Badham; instead of Nos. 3, 18, 4, and 5.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. ASPIN. Mr. Speaker, reserving the right to object, I would ask the gentleman: I hear that the gentleman from California wants to restructure the order of amendments, and could the gentleman please enlighten us as to why he wants to do this?

Mr. BADHAM. Yes. Mr. Speaker, if the gentleman will yield, I expect to be here in plenty of time, but to preclude any necessity of further insurance, I would ask the indulgence of the chairman to approve this slightly revised order.

I would under the gentleman's reservation thank the gentleman for bringing this to the attention of the House and also say that on these two amendments in which I am very much interested, I have been ready and waiting and I have been here, I would say to the chairman, to present these amendments all the time we have had on this bill, with the exception of two hours.

Mr. ASPIN. Further reserving the right to object, Mr. Speaker, is this the same gentleman that took great umbrage at the fact that we were trying to move the poor old C-17 amendment over just one 24-hour period to help the poor gentleman from Georgia who was attending his daughter's graduation and trying to get back and was unable to get back; the gentleman from California was saying that we ought to go by the schedule, and the gentleman is now asking to change the schedule for his own convenience, is that what I hear?

Mr. BADHAM. Indeed, if the gentleman will yield under his reservation, I just really hate to take the time of the House with this explanation; but, yes, the same gentleman fired both shots.

Having said that, Mr. Speaker, I might say that what I was trying to do, I was not taking great umbrage at the activities of the chairman or the gentleman from Georgia or his daughter's graduation, I was trying to save them by efficient use of time and a further horrible embarrassment at the terrible defeat they took on that amendment. I was trying to let them off easy and early.

Mr. ASPIN. The gentleman from Wisconsin appreciates the explanation and withdraws his reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THRIFT SAVINGS FUND INVESTMENT ACT OF 1987

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1177) to ament title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the Thrift Savings Fund when restrictions on such investments and payments are caused by the statutory public debt limit, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. BURTON of Indiana. Reserving the right to object, Mr. Speaker, I will not object, but I just want to say the minority concurs in the passage of this bill and supports the gentleman in his efforts.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Thrift Savings Fund Investment Act of 1987".

SEC. 2. THRIFT SAVINGS INVESTMENT.

(a) INVESTMENT AND RESTORATION OF THE FUND.—Section 8438 of title 5, United States Code, is amended by adding at the end the following new subsection:

"(h)(1) Notwithstanding subsection (f) of this section, the Secretary of the Treasury may suspend the issuance of additional amounts of obligations of the United States, if such issuances could not be made without causing the public debt of the United States to exceed the public debt limit, as determined by the Secretary of the Treasury.

"(2) Any issuances of obligations to the Government Securities Investment Fund which, solely by reason of the public debt limit are not issued, shall be issued under subsection (f) by the Secretary of the Treasury as soon as such issuances can be issued without exceeding the public debt limit.

"(3) Upon expiration of the debt issuance suspension period, the Secretary of the Treasury shall immediately issue to the Government Securities Investment Fund obligations under chapter 31 of title 31 that (notwithstanding subsection (f)(2) of this section) bear such interest rates and maturity dates as are necessary to ensure that, after such obligations are issued, the holdings of obligations of the United States by the Government Securities Investment Fund will replicate the obligations that would then be held by the Government Securities Investment Fund under the procedure set forth in paragraph (5), if the suspension of issuances under paragraph (1) of this subsection had not occurred.

"(4) On the first business day after the expiration of any debt issuance suspension period, the Secretary of the Treasury shall pay to the Government Securities Investment Fund, from amounts in the general fund of the Treasury of the United States not otherwise appropriated, an amount equal to the excess of the net amount of interest that would have been earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period if—

"(A) amounts in the Government Securities Investment Fund that were available for investment in obligations of the United States and were not invested during such debt issuance suspension period solely by reason of the public debt limit had been invested under the procedure set forth in paragraph (5), over

"(B) the net amount of interest actually earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period.

"(5) On each business day during the debt limit suspension period, the Executive Director shall notify the Secretary of the Treasury of the amounts, by maturity, that would have been invested or redeemed each day had the debt issuance suspension period not occurred.

"(6) For purposes of this subsection and subsection (i) of this section—

"(A) the term 'public debt limit' means the limitation imposed by section 3101(b) of title 31; and

"(B) the term 'debt issuance suspension period' means any period for which the Secretary of the Treasury determines for purposes of this subsection that the issuance of obligations of the United States may not be made without exceeding the public debt limit.".

(b) REPORTS REGARDING THE OPERATION AND STATUS OF THE FUND.—Section 8438 of title 5, United States Code, as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(i)(1) The Secretary of the Treasury shall report to Congress on the operation and status of the Thrift Savings Fund during each debt issuance suspension period for which the Secretary is required to take action under paragraph (3) or (4) of subsection (h) of this section. The report shall be submitted as soon as possible after the expiration of such period, but not later than 30 days after the first business day after the expiration of such period. The Secretary shall concurrently transmit a copy of such report to the Executive Director and the Comptroller General of the United States.

"(2) Whenever the Secretary of the Treasury determines that, by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of subsection (f) of this section, the Secretary shall immediately notify Congress and the Executive Director of the determination. The notification shall be made in writing.".

The SPEAKER pro tempore. The gentleman from New York [Mr. ACKERMAN] is recognized for 1 hour.

Mr. ACKERMAN. Mr. Speaker, I yield myself such time as I may consume.

S. 1177 is very timely in view of the legislation we passed earlier today providing for a short-term increase in the public debt limit. The bill was proposed by the Federal Retirement Thrift Investment Board, and has been cleared with the minority.

S. 1177 simply provides that the thrift savings plan which we created last year as part of the Federal Employees' Retirement System will be treated the same as the Civil Service Retirement Fund and the Social Security Trust Fund when investment of moneys in those funds halts because the debt limit has been reached. The thrift savings plan invests employee savings in Government securities. When the debt limit is reached the Treasury's authority to issue securities is suspended and moneys held by the plan cannot be invested. In such a case, the bill permits the Treasury to make up any loss of earnings to the plan resulting from suspension of Treasury borrowing authority due to the debt limit.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING PAY RETENTION PROVISIONS TO CERTAIN EMPLOYEES IN TUCSON WAGE AREA

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 942) to amend title 5, United States Code, to extend the pay retention provisions of such title to certain prevailing rate employees in the Tucson wage area whose basic pay would otherwise be subject to reduction pursuant to a wage survey and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. KOLBE. Reserving the right to object, Mr. Speaker, and I shall not object, I rise in support of Senate bill 942.

Mr. Speaker, I rise in support of Senate bill 942, providing a 2-year pay freeze for Federal wage grade employees in the Tucson wage area.

Under civil service prevailing wage laws, private sector wage surveys are performed annually. Their results determine Federal employee blue-collar pay rates in specific wage areas. Although such surveys normally result in upward adjustments in wage scales, the opposite can occur. As a result of the survey performed in the Tucson wage area in 1986, the eight lowest wage grade levels experienced extraordinary cuts in pay during the March 22 pay period. This drastic reduction occurred because of the closing of copper mines in the area, resulting in a loss of over one-third of the jobs used in the survey.

For example, a WG-1 civil servant who earns approximately $15,000 per year, had his pay cut by over 15 percent—over $2,600 per year eliminated from his pay check in one quick slice. As a result, many are facing the loss of their homes and property. The economic impact on Sierra Vista, AZ, alone will amount to a direct loss of $216,195 in Federal payroll. This is not due to inefficiency or mismanagement by the Federal Government, simply to a poor economy.

Many of the high skill jobs performed in the copper industry are used in the local wage survey. Truck drivers and loaders, carpenters and electricians all earn wages at the high end of the scale and are included in the wage survey. Because of the massive layoffs in the copper industry, the Federal blue-collar employees' wages reflect this drain of high skilled workers. And yet, these mines, though located in the Tucson wage grade survey area, do not economically benefit communities like Sierra Vista.

It is argued by some that when the economy was good these employees benefited along with the private sector; now that things have turned sour they are just complaining. This is simply not the case. Wage grade employees' wages are capped at the level of increase that General Schedule Federal employees receive. Thus, while mine employees can—and frequently did—receive very large wage increases during the copper boom years of 1973 to 1981, Federal wages did not keep pace. But when wages go down there is no "parachute" provision to cap wage losses. There has never been a 15-percent annual increase in civil service wages, but the wage grade employees in the Tucson wage area have now experienced a 15-percent cut.

This situation is not unique to southern Arizona. It could happen anywhere where there is a sudden loss of jobs in the local wage survey. Last year, in fact, Louisiana and Chicago had similar problems that were only avoided because a lag in wage increases from years of inflation offset a dramatic drop in the survey's local wage scales.

S. 942 extends the current regulations providing for pay retention for civil servants as a result of adverse employment actions. Specifically, this bill provides for pay retention for 2 years for blue-collar Federal wage grade employees in the Tucson wage area who experience a reduction of pay as a result of the local wage survey. To be eligible for this pay retention, an employee must have been in Federal employment at least 52 consecutive weeks.

I have no quarrel with the prevailing wage system in general. We should strive to maintain comparability between private and public wages in a geographic area. However, with fundamental shifts in our Nation's economic fabric, we are seeing results that could not have been anticipated when the prevailing wage structure was set up. The intent of this legislation, therefore, is to give Federal employees the chance to adjust their economic circumstances in anticipation of potentially drastic pay cuts.

S. 942 saves these hard working Federal employees from suffering severe reductions in pay for arbitrary reasons. I ask the support of my colleagues for this legislation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. UDALL. Reserving the right to object, Mr. Speaker, I rise in support of the legislation.

Mr. Speaker, I rise in support of the unanimous-consent request of the gentleman from New York. S. 942 is a very limited bill that responds to a very special situation.

In the wake of a severe local economic recession in the Tucson area, a salary review and adjustment survey for Federal workers was conducted in 1986 pursuant to title 5 of the United States Code.

For years, copper industry employment has been a major factor in Tucson area wage surveys. But the collapse of the local copper industry and closing of mines drastically lowered copper industry employment and depressed local wage rates.

The impact was especially hard on lower grade levels. Tucson area wage grade employees, under current laws, will see their salaries cut by as much as $2,600. Cuts of this size will cause real hardship for Federal employees in the Tucson area. The purpose of wage grade surveys is to set a competitive wage rate and I support that general principle. But the wage cuts that will result from the 1986 survey reflect a very short-term depression in local wage rates. Employment is again expanding in the Tucson wage area. Wage rates are expected to rise again this year and next.

The sharp 1-year wage reduction that would result under current law would prove very disruptive. Many Federal workers would have to quit and seek other employment. To prevent that, S. 942 would impose a temporary freeze on wage levels for wage grade Federal employees in the Tucson area.

Again, I urge support for the unanimous-consent request of the gentleman from New York.

Mr. UDALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 536.104(a)(3) of title 5, Code of Federal Regulations, Federal wage employees in the Tucson, Arizona wage area whose pay has been reduced as a result of a wage survey conducted during fiscal year 1986 shall be entitled to pay retention under 5363 of title 5, United States Code, commencing on the date such reduction took effect.

The SPEAKER pro tempore. The gentleman from New York [Mr. ACKERMAN] is recognized for 1 hour.

Mr. ACKERMAN. Mr. Speaker, S. 942 authorizes pay retention under section 5363 of title V United States Code, for those Federal employees in the Tucson, AZ, area who were adversely affected by the prevailing rate wage survey conducted in 1985. The measure has been cleared with the minority.

Mr. Speaker, every year the Federal Government conducts prevailing rate wage surveys in 132 different areas around the country. In 1985, the Tucson area was hit particularly hard by a severe recession due to the collapse of the local copper industry. Consequently, blue-collar Federal employees in that area suffered substantial cuts in pay. Other surveys around the country have produced pay cuts but none as large as those suffered in the Tucson area.

The 99th Congress responded to the plight of those employees with an amendment to the 1985 Budget Reconciliation Act (Public Law 99-272) freezing their pay at 1985 levels. That amendment has now expired and 750 employees again face drastic cuts; 224 employees at Fort Huachuca are in the lowest grade levels and may face salary cuts as much as $2,600 per year. Other employees will face pay cuts of $1,500 per year.

When the prevailing rate statute was enacted in 1972, the intent of Congress was that the Federal Government should pay wages competitive with the private sector—not to reap budget windfalls from drastic salary reductions of dedicated employees.

Mr. Speaker, these people have given many years to Government service. They have made long-term financial plans. Many have mortgages, children in college, and are struggling to make ends meet. These pay cuts affect those employees who can afford it least. I ask my colleagues to support this emergency legislation. It is the right thing to do.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate bills just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There is no objection.

CONFERENCE REPORT ON H.R. 1157, FARM DISASTER ASSISTANCE ACT OF 1987

Mr. DE LA GARZA. Mr. Speaker, pursuant to the order of the House of May 12, 1987, I call up the conference report on the bill (H.R. 1157) to provide for an acreage diversion program applicable to producers of the crop of winter wheat harvested in 1987, and otherwise to extend assistance to farmers adversely affected by natural disaster in 1986, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of May 12, 1987, page H3486).

Mr. DE LA GARZA (during the reading). Mr. Speaker, I ask unanimous consent that the statement be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas [Mr. DE LA GARZA] will be recognized for 30 minutes and the gentleman from Michigan [Mr. SCHUETTE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge the House to approve the conference report on H.R. 1157, the Farm Disaster Assistance Act of 1987.

The conference agreement on H.R. 1157 will fulfill the commitment Congress made last fall, in the Continuing Appropriations Act for Fiscal Year 1987, to assist those of our Nation's farmers who were victims of catastrophic natural disasters in 1986. The bill will ensure that all farmers who suffered severe losses in 1986 will be treated equitably and that farmers will obtain assistance at the levels intended by Congress in the Appropriations Act. At the same time, the bill will have the effect of ensuring that a substantial amount of acreage is not put into production in 1987, thereby reducing some commodity program costs.

The conference agreement essentially adopts the House bill and accepts the Senate amendments except for the provision for a required sunflower marketing loan program.

The Congressional Budget Office has looked at both the House bill and the Senate amendments. Based on CBO's analyses, I can assure my colleagues that this legislation will not increase Federal outlays. For those provisions that involve direct spending, CBO estimates that the bill will actually reduce spending. All other provisions of the bill are authorizations, subject to later appropriations.

The House bill, which is retained in the conference report, contains provisions to expand the so-called 50/92 program for 1987 winter wheat to a 0/92 program, and let producers of the 1987 crop of feed grains adversely affected by flood damage to a levee in 1986 also enter a 0/92 program. It will authorize, under the 1986 agricultural disaster program that was established under the Fiscal Year 1987 Continuing Appropriation Act, additional PIK certificate payments to cover the full amount of claims submitted by farmers, subject to appropriations being made. Further, it will extend the 1986 Agricultural Disaster Program to cover harvested hay and straw destroyed by flooding—limited to $1 million—and apples lost to freezes.

The Senate amendments retained all House provisions and added several provisions.

The new provisions under the Senate amendments that affected the House provisions will extend the 0/92 eligibility based on levee break damage to 1987 spring wheat, upland cotton, and rice, and provide 0/92 eligibility to other 1987 spring wheat producers prevented from planting because of 1986 disasters. With respect to the Disaster Program under the continuing resolution, the Senate amendments would eliminate eligibility restrictions based on 1985 planting for sugar producers, and peanut and soybean producers who lost eligibility because of rotation practices; reopen the program to producers in the State of Maine; and allow benefits for upland cotton quality losses.

New provisions in the Senate amendments add language requiring that appropriations under the bill be made in accordance with the Budget Act and authorizing the Corps of Engineers to consider certain benefits in conducting a risk-benefit analysis of proposed flood emergency projects.

Also, the Senate amendments added new provisions to encourage the Secretary of Agriculture to review provisions of the 1985 farm bill relating to the conservation reserve to ensure that they are being implemented to encourage the placement of producer-owned land in the reserve; authorize "wetland" designations in South Dakota; establish an advisory panel to study the cost-effectiveness of ethanol production; require the Secretary to submit to Congress, by July 1, 1987, a study on marketing loan programs; and authorize a Price Support Loan Program for the 1987 through 1990 crops of sunflowers, with a requirement that sunflower marketing loans be triggered if there is a soybean marketing loan.

Under the conference agreement, the House accepted the Senate amendments with the following modifications:

First, technical revisions of the 0/92 programs to make the language of the programs consistent;

Second, establishment of a uniform cutoff date for new applications for assistance under the 1986 Disaster Program under the continuing resolution, as follows: 30 days after enactment;

Third, technical revisions of the exceptions to the 1986 Disaster Program restriction applicable to sugar and certain soybean and peanut producers;

Fourth, addition of language to the Budget Act provision to include Department of Agriculture appropriations;

Fifth, addition of language to the conservation reserve provision to reiterate the general applicability of the 3-year ownership requirement;

Sixth, addition of language to require appointment of the ethanol panel within 30 days after enactment of the bill;

Seventh, with respect to the marketing loan study, addition of language to require study of the effect of marketing loans on sunflower and other oil seeds; and

Eighth, deletion of the requirement that a sunflower marketing loan accompany a soybean marketing loan, in favor of sense of Congress language to the same effect.

Mr. Speaker, this conference report incorporates the improvements to the House bill made by the Senate amendments, while adhering to the budget process.

I deeply appreciate the spirit of cooperation in which the Senate conferees, led by Chairman PAT LEAHY, worked with the House conferees. The conferees have reached a sound resolution of the differences in an expeditious manner.

As a result, the House has before it an innovative bill that is cost-saving with respect to the 0/92 program and compassionate within the constraints of the budget with regard to the 1986 Disaster Assistance Program. The conference report is worthy of approval by the House today.

□ 1735

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. NOWAK], who represented the Public Works and Transportation Committee on an item on which they had jurisdiction.

Mr. NOWAK. Mr. Speaker, this bill contains a provision relating to the Water Resources Program of the Corps of Engineers. It amends section 5 of the act of August 18, 1941, which authorizes the Corps of Engineers to undertake emergency flood preparation activities to protect loss of life and property threatened by flooding. It includes flood fighting, rescue operations, repair and restoration of flood control works, and protection of Federal flood control structures.

The provision contained in H.R. 1157 would amend this emergency authority by providing that, in the preparation of a benefit/cost analysis for an emergency project, the Corps of Engineers shall consider benefits resulting from protection of residential, commercial, and agricultural establishments.

Our Committee on Public Works and Transportation completed 6 years of difficult work last year when the Water Resources Act of 1986 was signed into law. That legislation establishes comprehensive new cost sharing and evaluation procedures for water resources projects. The provision in H.R. 1157 on computation of benefits is consistent with both the Water Resources Development Act and corps procedures. We read it as confirming existing law and policy.

Such provision, dealing as it does with water resources projects of the Corps of Engineers, is a matter solely within the jurisdiction of the Public Works and Transportation Committee, and in recognition of this fact, members of our committee were appointed exclusive conferees on this provision. In the interest of passing H.R. 1157 without undue delay and with our understanding of the provision in question, I have no objection to its inclusion.

Mr. SCHUETTE. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. STANGELAND], a member of the committee.

Mr. STANGELAND. Mr. Speaker, I rise in strong support of the conference report on H.R. 1157.

Mr. Speaker, I would like to make a few clarifying remarks on an amendment adopted by the other body and incorporated into the conference report. The amendment relates to procedures used by the Army Corps of Engineers in evaluating the economic feasibility of proposed emergency flood control activities. This amendment relates to matters which are within the exclusive jurisdiction of the Committee on Public Works and Transportation. Thus, my good friend, the gentleman from New York [Mr. NOWAK], and I, as chairman and ranking Republican member of the Subcommittee on Water Resources, were appointed as conferees solely on this provision.

The amendment, while general in applicability, is aimed at high lake level, problems on the Great Lakes. I understand the problems that residents and businesses in the Great Lakes' States are facing due to record high lake levels. Our subcommittee has held 2 days of extensive hearings on this serious matter and is currently exploring potential solutions in detail. I commend the Senate for its initiative in seeking a means of facilitating solutions by pointing out that all benefits produced by Corps of Engineers flood control projects must be thoroughly and consistently considered by the corps. I have been advised by the corps that they already examine the various categories of benefits listed in the amendment and weigh those benefits. I certainly hope this is the case, because agricultural, commercial, and residential impacts are extremely important.

At the same time, the committee has received testimony indicating that agricultural benefits are not always given full weight in evaluating the feasibility of advance measures under the corps' control authority.

In light of the corps' assurances that the amendment does not alter current policy and in light of the amendment's apparent consistency with the Public Works Committee's intent that agricultural benefits, residential benefits and commercial benefits receive full weight, we have no choice to the amendment added by the Senate on this issue.

Mr. SCHUETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. DAUB].

Mr. DAUB. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of the conference report and to commend my colleagues, particularly the gentleman from Michigan [Mr. SCHUETTE], for their hard work, and to indicate that in that conference report the support for ethanol- and alcohol-blended fuels and for the idea of a marketing loan so needed in Nebraska, where we raise beans and wheat and corn, that moves this idea along are the reasons why I rise in support of this conference report.

Mr. SCHUETTE. Mr. Speaker, I yield myself such time as I consume.

Mr. Speaker, I rise in strong support of H.R. 1157, and first want to commend my chairman, the gentleman from Texas [Mr. DE LA GARZA], and the vice chairman, the gentleman from Illinois [Mr. MADIGAN], for their work on this measure, and certainly the subcommittee chairman, the gentleman from Kansas [Mr. GLICKMAN], and vice chairman, the gentleman from Montana [Mr. MARLENEE].

This bill is important in a number of different provisions in it, certainly for Michigan and States that were flooded out in 1986. Disaster aid to assist farmers who weathered the worst storm that the State of Michigan has seen in modern history saw Congress respond in a timely fashion.

However, the amount of claims made depleted our original disaster fund, and this measure would authorize an additional $135 million so that farmers in Michigan and across the country can participate in this disaster challenge.

Additionally the 0/92 Program is an important program, and I rise in strong support and urge my colleagues' support.

Mr. Speaker, I reserve the balance of my time.

Mr. DE LA GARZA. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Speaker, I just want to say that we have a good bill. It was an emergency bill, disaster-related. We took care of a lot of problems. I want to compliment the gentleman from Oklahoma [Mr. ENGLISH], who is an author of this bill. The gentleman from Kansas [Mr. WHITTAKER], who is here, had a lot to do with getting us interested in moving ahead in connection with the disaster part of the bill.

I realize that it does not satisfy everybody, but it sets a good precedent. I like the 0/92 Program. I think that it has a lot of ramifications in future years. I urge my colleagues to support the conference report.

Mr. DE LA GARZA. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oklahoma [Mr. ENGLISH].

Mr. ENGLISH. Mr. Speaker, I would simply like to commend the chairmen of the committee and the subcommittee as well as the ranking minority members of both the full committee and the subcommittee. I think without question that this piece of legislation is one that is going to be helpful not only to the farmers but to the taxpayers.

It has the potential of giving the farmer greater flexibility while at the same time saving the taxpayers money. At the bottom line, Mr. Speaker, I think that the thing that we need to do is to proceed more toward the line of a paid-diversion effort. This is one that makes a lot of sense. Certainly it is the cheapest way to go to solving many of our farm problems.

Mr. DE LA GARZA. Mr. Speaker, I yield back the balance of my time.

Mr. SCHUETTE. Mr. Speaker, I yield back the balance of my time.

Mr. DE LA GARZA. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FREE THE FARMERS TO SELL THEIR PRODUCTS: THE CUBAN MARKET BECKONS

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ALEXANDER. Mr. Speaker, to help the American farmer get out of an economic depression and aid the Nation in the quest to reduce the huge United States trade deficit, today I have introduced legislation to except the sale of United States agricultural commodities from the embargo on trade with Cuba.

In the current trade climate, and given the enormous agricultural depression, the United States must follow a policy of aggressive export promotion. No potential market should be excluded from this policy.

We should allow American producers to compete fully and fairly in the world market by selling whatever they can to whomever they can unless the sale of the product would threaten national security.

Last year, we experienced a trade deficit of almost $170 billion. At the same time, the economic conditions of Arkansas and other agricultural States are the worst they have been since the Great Depression of the 1930's.

These two problems are intertwined. American agriculture is based on the presumption of export. There is a depression on the farm because U.S. agricultural exports have dropped more than $17 billion in real dollars since 1981.

Under these conditions, it does not make sense for the American Government to prohibit the farmer from selling his product to willing buyers in nations like Cuba.

Cuba imports approximately $489 million a year in agricultural commodities. Much of this figure represents income foregone by the American farmer as his sacrifice on the altar of foreign policy.

My bill focuses not upon foreign policy, but upon helping the farmer and improving America's competitiveness in world markets. The bill would have no impact on United States defense or foreign policy toward Cuba, and would apply only to food. The Cubans cannot shoot a bushel of rice back at us after we sell it to them.

The American farmer, and not the Cuban Government, is the true victim of the embargo policy. In its 25-year history, the embargo has done nothing to modify the behavior of the Cuban Government toward its own citizens or the rest of the world. Some experts argue that our futile efforts to punish the Cuban Government have strengthened Castro, and in reality, only inflicted punishment upon our hard-working farmers here in America.

I think it is time we took another look at the futility of trade embargoes as an instrument of foreign policy. I believe we will find that embargoes hurt Americans more than they hurt the countries they are supposed to punish.

If we reflect upon the historical record, we will find that embargoes have chronically displayed a dismal pattern of self-inflicted wounds. In 1980, for example, the embargo against the Soviet Union caused a shift away from American supplies, so that Russian markets were lost and the United States reputation as a reliable supplier was damaged.

The agricultural export moratoria of 1974 and 1975 and the embargo of 1973 had patterns of failure similar to the 1980 embargo. After the 1973 embargo, prices for soybeans in such major international centers as Rotterdam rose and domestic U.S. prices fell sharply. The policy of self-imposed bans on exporting farm products has always reaped a bitter harvest of falling prices, lost markets, and damaged reputation as a reliable source of agricultural goods.

The bill I've introduced would permit the American farmer to compete in a market in which he can be the dominant force.

I urge my colleagues to join me in supporting legislation to free the American farmer to sell to the Cuban market, which lies beckoning only 90 miles from Florida.

My constituents in Arkansas do not approve of the Cuban Government's actions, but they grow bountiful crops of rice and other farm products every year that they wish to sell. Throughout the mid-South, farm trade to Cuba is a proposal that is gathering powerful momentum. It has been unanimously endorsed by the Arkansas State Senate, the American Agriculture Movement, the Arkansas Farm Bureau, the Episcopal Diocese of Arkansas, and many other prestigious leaders and groups.

As the light of common sense has begun to shine on this issue and a glimmer of reason appears on the horizon the proposal has attracted national support. Speaker JIM WRIGHT has endorsed it. Moreover, Chairman CLAIBORNE PELL of the Senate Foreign Relations Committee has asked me to testify before his committee later this year in order to shed further light on this important question.

Many people in America are increasingly coming to realize that there is an elemental question of fairness involved here: If a Kansas wheat farmer can sell wheat to the Soviet Union, why should an Arkansas rice farmer be forever forbidden from selling his rice to Cuba?

In places such as Cherry Valley, AR, the Government is piling up millions of bushels of surplus farm products, yet our Government will not free the farmers to sell those products to markets that could be ours for the taking. In Cherry Valley and other locations in my district, those mountains of surplus products rise from the delta rice fields like Egyptian pyramids, and they are somber monuments to the failure of our farm policy.

Freeing the farmers to sell to Cuba would not save all family farmers, but it would save some of them, and that is a goal well worth pursuing.

Cuba is one important market that ineffective policies have denied the American farmer. We must take action to slay the double-headed monster of the trade and farm crises. Lamenting the crises is not enough. As the farmer often says: "Don't just sit there, do something, or get out of the way!"

H.R. 2391

A bill to make an exception to the United States embargo on trade with Cuba for the export of agricultural commodities produced in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT TO EMBARGO AUTHORITY IN THE FOREIGN ASSISTANCE ACT OF 1961.

Section 620(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)(1)) is amended by inserting before the period at the end of the second sentence the following: ", except that any such embargo shall not apply with respect to the export of any agricultural commodity produced in the United States, including fats, oils, and animal hides or skins.".

SEC. 2. LIMITATION ON EXISTING RESTRICTIONS ON TRADE WITH CUBA.

Upon the enactment of this Act, any regulation, proclamation, or provision of law, including Presidential Proclamation 3447 of February 3, 1962, the Export Administration Regulations (15 CFR. 368-399), and the Cuban Assets Control Regulations (31 CFR. 515), that prohibits exports to Cuba or transactions involving exports to Cuba and that is in effect on the date of enactment of this Act, shall not apply with respect to the export to Cuba of agricultural commodities produced in the United States.

SEC. 3. LIMITATION ON THE FUTURE EXERCISE OF AUTHORITY.

(a) EXPORT ADMINISTRATION ACT OF 1979.—After the enactment of this Act, the President may not exercise the authorities contained in the Export Administration Act of 1979 to restrict the exportation to Cuba of agricultural commodities produced in the United States.

(b) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—After the enactment of this Act, the President may not exercise the authorities contained in section 203 of the International Emergency Economic Powers Act to restrict the export to Cuba of agricultural commodities produced in the United States, to the extent such authorities are exercised to deal with a threat to the economy of the United States.

SEC. 4. DEFINITION.

For purposes of this Act, the term "agricultural commodities" includes fats, oils, and animal hides or skins.

LEGISLATION TO PROHIBIT DISCHARGE OF TOXIC WASTEWATER INTO THE AQUATIC ENVIRONMENTS OF NORTHERN AND CENTRAL CALIFORNIA

The SPEAKER pro tempore (Mr. MOAKLEY). Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I am introducing legislation on behalf of myself, Congressman LANTOS, and Congressman GEORGE MILLER of California, chairman of the House Interior Subcommittee on Water and Power Resources, which would protect some of the most environmentally sensitive and economically productive aquatic environments in the country from the contaminating effects of toxic waste water drainage.

I am introducing this legislation in response to concerns that this contaminated water, which is the cause of the ecological disaster at the Kesterson Reservoir in Merced County, may be drained into the Pacific along California's central coast, in the waters of San Francisco Bay or into the Sacramento-San Joaquin Delta. The U.S. Bureau of Reclamation is now in the process of considering options for the treatment and/or disposal of this polluted water. According to a study now being prepared by the Bureau, the ocean disposal plan will be recommended to the Secretary of the Interior as the best available long-range alternative for disposal of the toxic drainage water, with drainage into San Francisco Bay or the Sacramento-San Joaquin Delta listed as the second and third ranked options respectively.

As the preferred option, I am advised that the study will recommend transporting untreated wastewater across the coastal range at an undetermined cost and placing it in the ocean between Estero Bay in the Cambria area of San Luis Obispo County and San Gregorio in San Mateo County. It is estimated that 265,000 acre-feet of drain water containing 2.5 million tons of toxic salts will be produced in the western part of the valley annually by the year 2005. Unfortunately, it is my understanding based on preliminary reports, that the study fails to discuss the effect of large volumes of heavy metals and trace elements on the ocean's food chain.

While ocean disposal was ranked first on a list of nine possibilities which includes the area that will generate the drain water, San Francisco Bay was ranked second and the Sacramento-San Joaquin Delta was third. The Kesterson area itself was placed low along with the other inland areas on the list because of threats to wildlife from pollution.

I believe I speak for the citizens and government officials of the coastal communities which I represent and the communities and industries which depend on San Francisco Bay and the delta when I say that it is totally unacceptable to use these areas for the disposal of the valley's toxic runoff. It makes no sense to address the contamination of one sensitive aquatic environment with a multibillion-dollar construction program which will ultimately lead to the pollution of another. These areas could not receive this drainage without irreparable damage being inflicted. The contamination of the central coast, San Francisco Bay or the delta would pose serious economic, environmental and public health problems for local communities, and could devastate locally and nationally important tourist, commercial fishing, and marine research activities. One needs only to consider the unique physical and biological qualities of these areas and their national cultural and research significance, to determine that these are totally inappropriate sites for the discharge of the San Joaquin Valley's toxic drainage water.

The Bureau of Reclamation will continue its study of the options before submitting a final report to the Secretary of the Interior. Once the Secretary has adopted such a report, legislation enacted last year will require that the Secretary submit the plan for congressional approval. Rather than wasting the time and resources of the Interior Department and the Congress by further considering options which would only extend the potential for ecological and economic damage, the search for a disposal solution should focus on crafting a responsible and workable plan. For this reason, the legislation I am introducing today would prohibit further consideration of the ocean discharge option or the San Francisco Bay, San Joaquin River or Sacramento-San Joaquin Delta sites for disposal of the wastewater.

While I do not profess to hold the key to solving the drainage problem, it is my hope that Congress will direct State and Federal officials to focus on more sensible alternatives for the disposal of the San Joaquin Valley's toxic drainage water. A more reasonable approach would not threaten California's coastal and estuarine environments, economies, and the health of our citizens. Land disposal, the use of evaporation ponds and treatment facilities and other alternatives which dispose of drainage closer to the source would seem to be more ecologically sound and cost effective than the aquatic discharge options.

Mr. Speaker, the Bureau's insistence on pursuing these ill-advised proposals necessitates congressional action to focus Federal consideration on those disposal options which offer a more practical solution to this problem. This legislation would provide an insurance policy against action which could ultimately jeopardize the sensitive marine ecology of the central coast and the bays and estuaries of the Sacramento-San Joaquin Delta and San Francisco Bay.

H.R. 2415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION.

The Secretary of the Interior is prohibited from obligating or expending funds authorized or made available under any authority of law to study, or construct, facilities to discharge wastewaters from any unit of the Central Valley Project into the Pacific Ocean between Morro Bay and San Francisco Bay, California, including the bays and their environs, the San Joaquin River and the Sacramento-San Joaquin Delta and Estuary.

□ 1745

POLICE RECOGNITION WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. BONER] is recognized for 5 minutes.

Mr. BONER of Tennessee. Mr. Speaker, this week, we pay tribute to our Nation's law enforcement officers.

For most of us, the challenges and difficulties which our law enforcement officers face are filtered through the television programs which comprise our daily diet of news and entertainment. But, no matter how realistic programs like "Hill Street Blues" are in portraying the lives of our police men and women, nothing can substitute for the first-hand experience gained from riding with a police officer on his or her rounds.

This past Monday, I had the opportunity to ride with two metropolitan Nashville police officers. In the course of my 8-hour ride, I joined the officers in confronting some of the daily crime which characterize our Nation's urban areas. From illegal gambling to drug sales to domestic disputes to traffic violations to noise complaints, our police officers are called upon to address the problems which unfortunately accompany our modern society. Our police are asked to fix the problems which other parts of our society have failed to address.

I thank metro Police Officers Keith Claybrooks and Oscar Davison for allowing me to ride with them. These individuals represent a police force that is at times called upon to be social workers and peacemakers, as well as law enforcers. But most of all, the force is comprised of men and women of integrity and dedication who are all too often the last to be thanked for a job well done.

I join my colleagues in saluting our law enforcement officers this week.

DESCRIBING THE AMERICAN LEFT AS THE LEFT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, tonight's special order is entitled "Describing the American Left as the Left," and is an elaboration on some points I have been making recently during the defense debate.

I have had several interesting discussions with friends of mine who are Democrats who are concerned about why I have been talking about the votes on defense and why I have been describing them from the standpoint of right and left.

I want to make clear that I think it is very important in a free society to use words in a way that people can understand you, to be clear in your definitions.

George Orwell wrote a brilliant essay on politics and the English language in which he said that it is very, very important to be able to use words accurately, because that is the base of thinking clearly.

We have an example this week of what has been happening in Europe. The parties of the left in Europe have come upon hard times. The SPD in Germany, the Socialist Party in Germany, has in effect ceased to be a real competitor for government. The Labor Party in Britain seems to be in very deep trouble, and I am convinced that part of that reason that they have been in trouble is that there has been a systematic effort to describe accurately what the policies of the left mean in Europe and what their impact is.

To describe the cost of socialism, the cost of higher taxation, the cost of a welfare state, to be clear and candid about the dangers of unilateral disarmament and appeasement, and to say it out in the open so people understand what is going on.

By contrast, politics in America have been less intellectual, less clear; and the definitions have been less accurate and, as a result, many people whose philosophy and votes and politics are on the left have used the language of the center and have tried to avoid responsibility for their belief in the system.

To give you an example of the difference between the European clear definition of the left and the American definition, there was a fascinating article in today's Washington Times about the upcoming British election.

I quote: "Prime Minister Margaret Thatcher yesterday pounced on a Labor leader's comment in Moscow that, 'the Russians are praying for a Labor victory' as Britain's election campaign began in a cloud of partisan fire and smoke; no doubt a Labor government which would unilaterally give up Britain's nuclear deterrent would be an answer to the Kremlin's prayers," Mrs. Thatcher told a raucous House of Commons, answering to Labor Foreign Affairs spokesman Dennis Healy's statement on Monday, "but I am bound to say that I do not think very much praying goes on in the Kremlin," Mrs. Thatcher said.

I think they would find it more realistic to realize that after the election they probably have to deal with a conservative government which believed in standing up for Britain's defenses.

Mr. Healy met yesterday in Moscow with Soviet Foreign Minister Eduard Shevardnadze and called him a colleague.

Mr. Healy said as much about praying for Labor victory was unfortunate and offensive to the Russians, but there is no question that on these arms control issues I was discussing, the Soviet position is much closer to ours than the Conservative position, Mr. Healy also said.

The thing I find fascinating is that you have in Britain a clear distinction. You have a British Prime Minister who is willing to say flatly that the Labor Party would unilaterally disarm. She is willing to say flatly that they are too close to the Soviets, and that they would be dangerous to Britain's security to elect.

Because in Germany and in Britain the Conservatives have been willing to clearly state the values and the positions of the left, I think they have been effective in reaching out to people and in making clear the risk that voting for the left carries with it.

Consider, for example, today's votes in the House on defense.

An amendment which would defeat the $250 million for alternative ICBM basing, and which would bar the use of the funds for the rail garrison basing system. In other words, let us go ahead and in this House stop the Defense Department from trying to find the best way to base intercontinental ballistic missiles. Let us go ahead in the House, among lawyers and farmers and optometrists and other people, but not military professionals and politically decide what America cannot do; 68.5 percent of the Democrats voted to stop the Defense Department from considering how to base our intercontinental ballistic missiles.

By contrast, 92 percent of the Republicans voted against that amendment. In other words, you could hardly have a wider party gap. Two out of three Democrats voted to automatically handcuff the Defense Department.

Nine out of ten Republicans voted against handcuffing the Defense Department.

The next amendment, reducing the authorization for the MX missile by $673 million, eliminating the funds for 10 of the 12 test missiles. In other words, do not allow the Defense Department even to test. Take away 10 of their 12 test missiles.

Democrats: 58 percent in favor of stopping the Defense Department even from testing. Republicans: 89 percent against stopping the Defense Department.

The next amendment, barring expenditures for the Trident II missile program, again an effort here to look at, should we in our submarine-based missiles stop the Defense Department from spending money, or should we allow the Defense Department to work on what everyone has agreed is our safest, our most secure and our most stable deterrent?

In this case, even among Democrats, this was too dangerous, too destructive an amendment. Only 37 percent of the Democrats voted for it. By contrast, only 1.2 percent of the Republicans voted for it.

Even on an extremely destructive amendment which virtually every Democrat who is on the Committee on Armed Services would say went right at the heart of our most stable, our safest and our most secure deterrent, the Trident II submarine, over a third of the Democrats are willing to vote yes to stop spending on that program.

Finally, on an amendment which would stop us from going back and refitting the Trident I submarines, giving them a more sophisticated missile system, in effect upgrading them, a very expensive technique compared to buying new submarines, making our oldest submarines more effective, helping them last longer as a deterrent, 43 percent of the Democrats voted in favor of stopping us from going back and retrofitting our Trident I's.

Only 1.8 percent of the Republicans voted that way, so you have a pattern where almost no matter how far to the left the amendment, over a third of the Democrats would automatically vote for it.

On the second, I think it is fair to say, most leftward amendment, 43 percent of the Democrats voted for it. On the other 2 amendments, 68 percent of the Democrats voted to handcuff the Defense Department, and 58 percent voted to stop the Defense Department from even testing.

That pattern fits the general direction of the Democratic Party, a direction which the gentleman from New York [Mr. KEMP] described in a Washington Times editorial entitled: "Broken Budget Promises."

I want to quote this, because I think it is very helpful from the gentleman from New York [Mr. KEMP]:

> After their takeover of both houses of Congress last November, Democrats promised a new vision for America. Over the past six months, we have seen that new vision take form—and desipite new rhetoric, it turns out to be the old vision of an America turned inward, an economically backward and undermanned Fortress America.
>
> The Democratic House of Representatives continues to try to end assistance to those fighting the enemies of freedom, while passing a trade bill that bashes our trading partners. Both the Senate and House Democratic majorities are hard at work redefining the Anti-Ballistic Missile Treaty to keep the Strategic Defense Initiative in the lab, while forcing unilateral compliance to another arms control treaty that a previous Democratic Congress refused to ratify.
>
> With the Senate's passage last week of the budget resolution, the final elements of the new agenda have fallen into place. The four-year budget includes a $118 billion tax increase, a 10 percent real cut in defense spending and an increase in domestic spending.
>
> It's the same old poison, but there's a new label. They've jettisoned the old arguments that defense spending represents misplaced priorities, and that we need more taxes to redistribute wealth. Despite the tax increase and the defense cut, the rhetoric says this is really a fiscally responsible, prodefense budget—on the grounds that the tax increase will go into a special fund that will prevent an even larger real cut in defense.
>
> If the president and Congress really mean what they say about building a strong defense, the argument goes, they will have the courage to pay for it. Democrat Lawton Chiles of Florida, chairman of the Senate Budget Committee, argues that this is a "pay-as-you-go" approach for defense, like the gas taxes that were raised to pay for new highways.
>
> Well, we've been down this road before. And as the American people and many in the Congress—including my own party—have learned to their regret, it's a road to nowhere.
>
> Twice in the past five years, Congress passed three-year budget resolutions that include massive tax increases that were argued on the same grounds.
>
> The 1983 Budget Resolution raised taxes $98 billion for 1983 through 1985 under the provisions of the "Tax Equity and Fiscal Responsibility Act" of 1982 (TEFRA).
>
> The Deficit Reduction Act of 1984 was the centerpiece of the 1985 budget resolution: It raised $51 billion in new taxes over the next three years.
>
> Defense spending in both resolutions was cut well below the amount requested by the president and necessary to meet our national security needs. But it was argued at the time that there would still be some real growth in defense and that we could finance these small increases only with large tax increases.
>
> In fact, it soon became clear that Congress would deliver only on the tax increases, not on the promised defense increases.
>
> Congress solemnly kept its word in raising new taxes, and American families and businesses had to meet the obligations of the new tax laws. But the promises of these grand budget compromises on higher defense spending were broken as soon as House congressional committees could scrounge a quorum.
>
> The actual outlays on defense from 1982 through 1987 will fall $113 billion short of the amount pledged in the two budget resolutions. This equals all the money spent last year for the salaries of the millions of Americans in our armed forces plus one-half the operations and maintenance budget.
>
> The record on promised reductions in overall spending was just as bad. Instead of the much-ballyhooed promises of $3 in spending cuts for every $1 of tax increase, each $1 of tax increase has actually been, accompanied by $1.58 in spending increases, according to a recent study prepared for the Republican members of the Joint Economic Committee.
>
> The new Senate budget makes these broken promises look like timid white lies. Defense is billed to keep pace with inflation—but that's only for one year, and then only if the president signs a tax increase. But the $118 billion in new taxes really buys only a $28 billion nominal increase in defense outlays. This would be a decline in real (inflation-adjusted) terms over the next four years and would leave defense's share of the economy at its lowest level since 1979.
>
> And the only guarantee that taxes will go to reduce the deficit is a less-than-impressive assumption that Congress will set up "an appropriate procedure" at some undefined date, telling itself not to spend the new taxes it just imposed.
>
> During last fall's electoral campaign, it was hard to find a Democrat anywhere who was willing to advocate higher taxes, slashing the defense budget, a weaker foreign policy publicly, or a bigger role for government in our national life. Instead, Democrats adopted the pro-growth, low-tax and patriotic themes which, under Republicans, have captured the imagination of America.
>
> Now, in control of both Houses of Congress, however, the Democrats seem to have forgotten the promises of last November. They will answer for this at the polls in 1988. But in the meantime, the cost to our economy and to our ability to protect and promote freedom here and abroad is a price our nation cannot afford to pay.
>
> Americans have an almost infinite patience with their national legislature. But when they learn that they will face the largest one-year tax increase, and the second-largest four-year tax increase, in our nation's history—in return for a weakened America—Americans will reject this budget without further ado and the parties who put forward its twisted priorities.

□ 1800

That was a quote by Congressman JACK KEMP.

The point is this: those of us who are conservative and who believe in an America that is strong, that has an adequate defense, that has a strategic defense to protect us from nuclear weapons, that is capable of protecting freedom against the Soviet empire, those of us who believe in keeping taxes lower and government smaller have not been doing an adequate job of telling the truth to the American people.

I think much of the burden of the American people's patience with the left wing of the Democratic party must fall on those conservatives who do not talk as clearly as Margaret Thatcher.

Jefferson once said: "If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be." The point Jefferson was making was that the price of freedom is knowing about your government, knowing about the world you live in, knowing what your choices are.

Let me make those choices clear, and I think the votes of the last two weeks reinforce what I am saying: the Democratic Party today is the party of unilateral weakness. It is the party of appeasing the Soviet empire. It is the party of writing into American law negotiating positions which, to quote labor Minister Healy, "There is no question on these arms control issues that we are discussing the Soviet position is much closer to ours than the conservative position."

Now this is not because in any way the Democrats are pro-Soviet. It is because the Democrats in their view of the world represent a tradition of isolationism and of pacificism which goes back 50 or 60 years in American history. It goes back certainly to William Jennings Bryan before World War I. There is a very deep tradition in America which says "America is good, the world is evil, if only we stay away from the world we will be safe." That tradition disarmed America before World War I. We were so weak back then that as late as 1916, 2 years into the First World War in Europe, the U.S. Army had to rent three cars to get General Pershing from Texas to New Mexico when there was an incident on the Mexican border. They had to rent the car. There was a war raging in Europe but our Army was so small that there was no base for us to have any kind of strength. We have ignored all the lessons of World War I. We demobilized, we relaxed, we adopted isolationist legislation much like this House has been adopting in the last 2 weeks. And it breaks your heart to read the correspondence between Churchill and Roosevelt, to see Churchill pleading for help in 1940 during the Battle of Britain and to have President Roosevelt say, "I can't help you. I can't do this and I can't do that because it is against the law. The Congress has tied my hands." Then we got into World War II. We rearmed and we freed the world from Nazism.

Now once again in the third cycle of this isolationist pacificism we see reemerging simple arguments on the left. This is not just an American phenomenon. You can take the most clear ideological statements in this House by the party of the left, the Democrats, you can compare it with the SPD in Germany, the Labor Party in Britain, the language is the same, the rhetoric is the same, the words are the same because there is a deep belief in the leftwing of Western intellectual thought. It is a belief that strength is dangerous, that peace is best brought by accommodating tyranny, that weapons are in themselves dangerous and they are a waste of money, that the way to remain free is not to offend anyone.

Now it is very hard for those on the left to explain Czechoslovakia, occupied by the Russians, Poland, occupied by the Russians, Afghanistan, invaded by the Russians. But they say, "Don't look at those. We can trust the Russians. After all, they are going to be different this time. They are going to be nicer this time. Don't look at the Russians in Nicaragua, don't look at the Cubans in Nicaragua." So the left defines for itself a world in which it feels it can be safe.

Furthermore, the left never talks about the size of government it wants, how many new bureaucracies it needs. Somehow it is always for the smallest government possible except, and then the next bill comes down the road.

Let me suggest that there is a very large wing of the Democratic Party in America today and we will see it in the next few months in the Presidential campaign, which is basically a direct parallel to the unilateral disarmament socialist wing of European politics. Its commitment on agriculture is for government agriculture, in effect for a farming police who will tell you how much you can grow, when you can grow it and who will then, of course, have to have the right to come and check out your property, check out your records, to police you. Of course, the decisions will be made in Washington and will be remarkably like socialist agriculture. There is a segment that says "Ah, we can help America grow, all we need is more power in Washington, a bigger bureaucracy and we will tell America which industries to invest in," very much like the socialism which failed Mitterand in the early 1980's.

There is a wing which says "we don't need any of these weapons." Let me again just for today's vote: 68 percent rejected alternative basing modes, 58 percent rejected even testing enough MX's, 36 percent wanted to stop spending on the most stable, the most secure submarine program we have; 43 percent did not want to go back and retrofit our Trident I. Again and again what you find is that the left wing of the Democratic Party, between 37 and 48 percent in the House of the Democratic caucus is very, very consistent. In fact, I would guess that we will discover by the end of these 3 weeks that probably 25 percent of the Democrats never voted, ever, for a single program. They could not find any of the weapons systems they liked, they could not find any of the programs they liked or maybe out of 90 votes they found three.

What does that say? It says that the intellectual and the emotional pressures in the Democratic caucus are consistently parallel to the Socialist Party in Germany and the Labor Party of Britain. It says that the activist, dynamic tough wing of the Democratic Party is essentially a unilateral disarmament wing. It says that the forces, the answers that that wing of the Democratic party comes up with, to a remarkable degree mean a larger government, more bureaucracy, higher taxes, more power in Washington. And in that setting what I am suggesting to my colleagues is that there is a real lesson to learn from Helmut Kohl in West Germany and Margaret Thatcher in Britain. That is that when simple plain language is used, when people are told clearly what the choice is, when people are willing to stand up and say "This is unilateral disarmament, this means that America will be too weak to defend our interests, this means that the Soviets will have too much relative power, this will increase the danger in the 1990's," at that point it turns out that all of these movements for unilateral disarmament and appeasement, all of the momentum we saw in the eighties in Europe gradually disappear, because as people look at what the Socialist Party would have done in Germany, as people look to what the labor party would have done in Britain, they would have said, "Oh, that is impossible." In fact, in Britain the term that became popular was "the loony left." People said that is clearly wrong, we cannot possibly do that and now we have to go find a better answer.

So I would urge as we come back next week and we look at the defense debate in its continuing days, I would urge my colleagues to be very explicit, to say it very carefully, but to lay out the case. And after this debate I would urge my colleagues and my fellow citizens look day after day at the size and the percentage of the Democratic caucus committed to buying weapons; look day after day at the enormous percent of the Democratic caucus committed to having America relatively weaker than it was last year and then think back to the last time that we had a Democratic House and Democratic Senate and a Democratic President. Think back to Jimmy Carter in 1979 and 1980 and ask yourself: Do we really want America to be that weak again? Do we really want America to decay that much again? Do we really want America to be that disarmed again? Will we really be that much safer if Gorbachev has the weapons and we do not? Will we be really that much better off if the Soviets decide, having conquered Afghanistan, to move on to the next target? Or is it time to take stock to define the left accurately, to engage the intellectual debate, to lay out the case and then to have the American people decide?

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHUETTE) to revise and extend their remarks and include extraneous material:)

Mr. GINGRICH, for 60 minutes, today.

Mr. GILMAN, for 60 minutes, on May 27.

(The following Members (at the request of Mr. BENNETT) to revise and extend their remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, today.

Mr. BONER of Tennessee, for 5 minutes, today.

Mr. MFUME, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SOLARZ, and to include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,024.

(The following Members (at the request of Mr. SCHUETTE) and to include extraneous matter:)

Mr. ROTH.

Mr. CONTE in two instances.

Ms. SNOWE.

Mr. COURTER.

Mr. BROOMFIELD.

Mr. CHENEY.

Mr. SAXTON.

Mr. DONALD E. LUKENS.

Mr. BEREUTER.

Mr. SUNDQUIST.

(The following Members (at the request of Mr. BENNETT) and to include extraneous matter:)

Mrs. BOXER.

Mr. WHEAT in two instances.

Mr. ATKINS.

Mr. ECKART in two instances.

Mr. COELHO.

Mr. FASCELL.

Mr. SMITH of Florida in two instances.

Mr. FRANK.

Mr. HAWKINS.

Mr. GARCIA.

Mr. WEISS.

Mr. MILLER of California.

Mr. PEPPER.

Mr. KANJORSKI.

Mr. MURPHY.

Mr. GEPHARDT.

Mr. HOWARD.

Mr. KOLTER.

Mr. WAXMAN.

Mr. MATSUI.

ADJOURNMENT

Mr. GINGRICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 13 minutes p.m.), under its previous order the House adjourned until tomorrow, Thursday, May 14, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1397. A letter from the Secretary of Education, transmitting a copy of final regulations for the Income Contingent Loan Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1398. A letter from the Secretary of Health and Human Services, transmitting the annual report for fiscal year 1986 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Education and Labor.

1399. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting notification of a travel advisory issued by the Department for the Philippines which has security implications for Americans traveling or residing in that country, pursuant to 22 U.S.C. 2656e; to the Committee on Foreign Affairs.

1400. A letter from the Assistant Secretary of State, Legislative and Intergovernmental Affairs, transmitting a report on the status of United States preparations for the International Conference on Drug Abuse and Illicit Trafficking, pursuant to Public Law 99-570; to the Committee on Foreign Affairs.

1401. A letter from the Executive Director, Committee for Purchase From the Blind and Other Severely Handicapped; transmitting the Committee's annual report during the fiscal year ending September 30, 1986, pursuant to 41 U.S.C. 46(i); to the Committee on Government Operations.

1402. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting notification of a proposed modification of a Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1403. A letter from the Acting Director, Office of Workers' Compensation Programs, Department of Labor, transmitting notice of a proposed computer match of Federal records systems, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1404. A letter from the Special Counsel, U.S. Merit Systems Protection Board, transmitting a copy of the report submitted by the Administrator of Veterans Affairs setting forth the findings and conclusions of his investigation into allegations of violations of law and regulation at the Veterans Administration Medical Center, Northport, NY, and the State University of New York, Stoney Brook, NY, pursuant to 5 U.S.C. 1206(b)(5)(A); to the Committee on Post Office and Civil Service.

1405. A letter from the Secretary of Transportation, transmitting a report on how the Department has administered sections 408, 409, 412, and 414 of the Federal Aviation Act of 1958, pursuant to 49 U.S.C. app. 1551 nt; to the Committee on Public Works and Transportation.

1406. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the following annual trust fund reports which are contained in the winter issue, first quarter, of the Treasury Bulletin: Airport and Airway; Black Lung Disability; Hazardous Substance Response; Highway; Inland Waterways; Nuclear Waste; Reforestation, pursuant to 26 U.S.C. 9602(a); 42 U.S.C. 9633(b)(1); 33 U.S.C. 1801(c)(1); 42 U.S.C. 102222(e)(1); 16 U.S.C. 1606a(c)(1); jointly, to the Committees on Public Works and Tranportation, Education and Labor, Energy and Commerce, Agriculture, Interior and Insular Affairs, and Ways and Means.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. STOKES. Permanent Select Committee on Intelligence. H.R. 2112, a bill to authorize appropriations for fiscal year 1988 for intelligence and intelligence-related activities of the U.S. Government, for the Intelligence Community Staff, for the Central Intelligence Agency Retirement and Disability System, and for other purposes; referred to the Committee on Armed Services for a period ending not later than May 29, 1987, for consideration of such provisions of the bill as fall within that committee's jurisdiction pursuant to clause 1(c), rule X (Rept. 100-93, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER (for himself, Mr. MOODY, Mr. WEISS, Mr. LELAND, Mr. CAMPBELL, Mrs. SCHROEDER, Mr. LOWRY of Washington, Mr. MARKEY, Mr. WILLIAMS, Mr. AUCOIN, Mr. OWENS of New York, Mr. FAUNTROY, and Mr. CLAY):

H.R. 2391. A bill to make an exception to the United States embargo on trade with Cuba for the export of agricultural commodities produced in the United States; to the Committee on Foreign Affairs.

By Mr. BIAGGI:

H.R. 2392. A bill to encourage the States to prescribe the death penalty for willfully killing a law enforcement officer; to the Committee on the Judiciary.

H.R. 2393. A bill to amend the Internal Revenue Code of 1986 to exclude $2,000 from the gross income of auxiliary policemen and volunteer firemen; to the Committee on Ways and Means.

H.R. 2394. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts which are received from a public retirement system and which are attributable to services as a Federal, State, or local policeman or fireman; to the Committee on Ways and Means.

By Mr. BOLAND (for himself, Mr. CONTE, and Mr. MINETA):

H.R. 2395. A bill to repeal Public Law 87-186 relating to the National Armed Forces Museum Advisory Board of the Smithsonian Institution; to the Committee on House Administration.

By Mr. BONER of Tennessee:

H.R. 2396. A bill to amend title II of the Social Security Act to eliminate certain provisions which presently require the rounding of automatic cost-of-living increases, so as to ensure the eligible individuals will receive the full amount of such increases; to the Committee on Ways and Means.

By Mr. CAMPBELL (for himself, Mr. BROWN of Colorado, Mr. HEFLEY, Mr. SCHAEFER, Mrs. SCHROEDER, Mr. SKAGGS, Mr. UDALL, Mr. RICHARDSON, and Mr. MURPHY):

H.R. 2397. A bill to provide for the accelerated repayment of the Grand Valley Project, CO, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DE LA GARZA (for himself, Mr. VOLKMER, and Mr. GLICKMAN):

H.R. 2398. A bill to provide for counseling and outreach programs to aid farmers and rural families, and for other purposes; to the Committee on Agriculture.

By Mr. DE LA GARZA (for himself, Mr. MADIGAN, Mr. VOLKMER, Mr. MORRISON of Washington, Mr. FOLEY, Mr. STALLINGS, Mr. JEFFORDS, Mr. OLIN, Mr. HATCHER, Mr. BROWN of California, Mr. BRYANT, Mr. SKELTON, Mr. WILSON, Mr. RICHARDSON, Mr. SCHUETTE, Mr. HERGER, and Mr. HOLLOWAY):

H.R. 2399. A bill to provide for study and research on the decline in U.S. forest productivity and to determine the effects of atmospheric pollutants on forest environments, and for other purposes; to the Committee on Agriculture.

By Mr. GEPHARDT (for himself, Mr. LEVIN of Michigan, Mr. LEHMAN of Florida, Mr. MACKAY, and Mr. GLICKMAN):

H.R. 2400. A bill to amend title 17 of the United States Code to provide artistic authors of motion pictures the exclusive right to prohibit the material alteration, including colorization, of the motion pictures; to the Committee on the Judiciary.

By Mr. DE LA GARZA (for himself, Mr. MADIGAN, Mr. VOLKMER, Mr. JEFFORDS, and Mr. MORRISON of Washington):

H.R. 2401. A bill to extend the authorization of the Renewable Resources Extension Act of 1978, and for other purposes; to the Committee on Agriculture.

By Mr. DELLUMS (for himself, Mrs. COLLINS, Mr. CONYERS, Mr. CROCKETT, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FORD of Tennessee, Mr. HAYES of Illinois, Mr. LELAND, Mr. OWENS of New York, Mr. SAVAGE, and Mr. WEISS):

H.R. 2402. A bill to establish a U.S. Health Service to provide high quality comprehensive health care for all Americans and to overcome the deficiencies in the present system of health care delivery; jointly, to the Committees on Energy and Commerce; Armed Services; Banking, Finance and Urban Affairs; the District of Columbia; Education and Labor; the Judiciary; Post Office and Civil Service; Veterans' Affairs; and Ways and Means.

By Mr. FAUNTROY (for himself and Mr. BEREUTER) (both by request):

H.R. 2403. A bill to provide for participation by the United States in replenishments of the International Development Association and the Asian Development Fund and in a capital increase of the African Development Bank, for United States acceptance of the merger of the capital resources of the Inter-American Development Bank, for membership for the United States in the Multilateral Investment Guarantee Agency, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. FLIPPO:

H.R. 2404. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of educational benefits provided under certain prepaid college education contracts; to the Committee on Ways and Means.

By Mr. HAWKINS:

H.R. 2405. A bill to assist States to provide quality child care services to recipients of aid to families with dependent children to enable such recipients to effectively participate in education, training, and initial employment activities; to the Committee on Education and Labor.

By Mr. LaFALCE:

H.R. 2406. A bill to expand the availability of long-term capital for industrial mortgages; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LAGOMARSINO:

H.R. 2407. A bill to amend the United States Housing Act of 1937 to exclude from the income calculation of elderly residents in public housing amounts received under federal job training and employment programs; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LUJAN:

H.R. 2408. A bill to transfer jurisdiction over certain lands in Bernalillo County, NM, from the General Services Administration to the Veterans' Administration; to the Committee on to Government Operations.

By Mr. MATSUI:

H.R. 2409. A bill relating to the tariff classification of certain leather belts; the Committee on Ways and Means.

By Mr. MICA (for himself, Ms. Snowe, Mr. Fascell, and Mr. Broomfield):

H.R. 2410. A bill to improve security at the U.S. Embassy in the Soviet Union, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MILLER of Ohio:

H.R. 2411. A bill to continue until January 1, 1991, the existing suspension of duty on m-Aminophenol; to the Committee on Ways and Means.

H.R. 2412. A bill to continue until January 1, 1991, the existing suspension of duty of Trichloro salicylic acid; to the Committee on Ways and Means.

By Mr. NAGLE:

H.R. 2413. A bill extending the existing suspensions of duty on certain chemicals until January 1, 1991; to the Committee on Ways and Means.

By Ms. OAKAR:

H.R. 2414. A bill to extend for 3 years the existing suspension of duty on natural graphite; to the Committee on Ways and Means.

By Mr. PANETTA (for himself and Mr. Miller of California):

H.R. 2415. A bill to prohibit certain discharges of waste waters into the Pacific Ocean between Morro Bay and San Francisco Bay, CA, including the bays and their environs, the San Joaquin River and the Sacramento-San Joaquin Delta and Estuary; to the Committee on Interior and Insular Affairs.

By Mr. RAY (for himself, Mr. Barnard, Mr. Darden, Mr. Gingrich, Mr. Hatcher, Mr. Jenkins, Mr. Lewis of Georgia, Mr. Rowland of Georgia, Mr. Swindall, and Mr. Thomas of Georgia):

H.R. 2416. A bill to establish the Jimmy Carter National Historic Site and Preservation District in the State of Georgia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROBERTS (for himself and Mr. Stenholm):

H.R. 2417. A bill entitled "The Farm Base Acreage Flexibility Act of 1987"; to the Committee on Agriculture.

By Mr. ROWLAND of Connecticut:

H.R. 2418. A bill to continue until January 1, 1991, the existing suspension of duties on 4,4'Bis(a, a-dimethylbenzyl) diphenylamine; to the Committee on Ways and Means.

By Mr. RUSSO:

H.R. 2419. A bill to correct the tariff rate inversion on alloy iron and steel pipes and tubes; to the Committee on Ways and Means.

By Mr. SCHULZE:

H.R. 2420. A bill to provide for the temporary suspension of the duty on triethyleneglycol dichloride; to the Committee on Ways and Means.

By Mr. SUNDQUIST:

H.R. 2421. A bill to extend for 3 additional years the existing suspension of duty on certain forms of amiodarone; to the Committee on Ways and Means.

By Mr. THOMAS of California:

H.R. 2422. A bill for the relief of Fabrimetrics, Inc.; to the Committee on Ways and Means.

By Mr. TORRES (for himself and Mr. Waxman):

H.R. 2423. A bill to amend the Clean Air Act to require new stationary sources of air pollutants which are located in nonattainment areas to periodically reduce emissions; to the Committee on Energy and Commerce.

By Mr. WALGREN:

H.R. 2424. A bill to extend the temporary duty suspension on O-Benzyl-p-chlorophenol; to the Committee on Ways and Means.

By Mr. WHITTEN (for himself, Mr. Ray, Mr. Anthony, Mr. Barnard, Mr. Conte, Mr. Derrick, Mr. Frenzel, Mr. Gingrich, Mrs. Johnson of Connecticut, Mr. Lewis of Georgia, Mr. Nichols, Mr. Petri, Mr. Roth, Mr. Schulze, Mr. Solomon, Mr. Spence, Mr. Stangeland, and Mr. Sundquist):

H.R. 2425. A bill to amend the Tariff Schedules of the United States to make the temporary changes in tariff treatment on certain disposable surgical gowns and drapes permanent; to the Committee on Ways and Means.

By Mr. WYDEN for himself and Mr. Thomas A. Luken):

H.R. 2426. A bill to amend the Federal Trade Commission Act to authorize the Federal Trade Commission to prevent false advertising with respect to airline passenger services; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. GEJDENSON:

H.J. Res. 277. A joint resolution to prohibit the proposed sale of F-5E/F aircraft to Honduras; to the Committee on Foreign Affairs.

By Mr. HAMMERSCHMIDT:

H.J. Res. 278. A joint resolution to designate March 17, 1988, as "National China-Burma-India Veterans Association Day"; to the Committee on Post Office and Civil Service.

By Mr. TAUZIN (for himself, Mr. Leland, Mr. Dymally, Mr. Wolpe, Mr. Frank, Mr. Stokes, Mr. Conyers, Mr. Lewis of Georgia, Mr. Dixon, Mr. Hawkins, Mr. Gray of Pennsylvania, Mr. Solarz, Mr. Rangel, Ms. Oakar, Mr. Roe, and Mr. Fauntroy):

H.J. Res. 279. A joint resolution to designate the period commencing on June 15, 1987, and ending on June 21, 1987, as "National Anti-Apartheid Week" and to designate June 16, 1987, as "National Anti-Apartheid Day"; to the Committee on Post Office and Civil Service.

By Mr. WYLIE (for himself, Mr. Applegate, Mr. DeWine, Mr. Eckart, Mr. Feighan, Mr. Gradison, Mr. Hall of Ohio, Ms. Kaptur, Mr. Kasich, Mr. Latta, Mr. Thomas A. Luken, Mr. Donald E. Lukens, Mr. McEwen, Mr. Miller of Ohio, Ms. Oakar, Mr. Oxley, Mr. Pease, Mr. Regula, Mr. Sawyer, Mr. Stokes, Mr. Traficant, Mr. Pursell, Mr. Upton, Mr. Rhodes, Mr. Broomfield, Mr. Badham, Mr. Vander Jagt, Mr. McCandless, Mr. Conyers, Mr. Kildee, Mr. Dingell, Mr. Craig, Mr. Saxton, Mr. Bunning, Mr. Ireland, Mr. Edwards of Oklahoma, Mrs. Johnson of Connecticut, Mr. Gingrich, Mr. Young of Florida, Mr. Conte, Mr. Taylor, Mr. Pashayan, Mr. Shaw, Mr. Lewis of Florida, Mr. Bateman, Mr. Ritter, Mr. Spence, Mr. Emerson, Mr. Parris, Mrs. Roukema, Mr. Schumer, Mr. Miller of Washington, Mr. Volkmer, Mr. Hansen, Mr. Sweeney, Mr. Konnyu, Mrs. Martin of Illinois, Mr. Gonzalez, Mr. Duncan, Mr. Sundquist, Mr. Bartlett, Mrs. Morella, Mr. Lightfoot, Mr. Rowland of Connecticut, Mr. Frenzel, Mr. Gunderson, Mr. Solomon, Mr. Anderson, Ms. Snowe, Mr. Carr, Mr. Brown of Colorado, Mr. Schulze, Mr. Hunter, Mr. Weldon, Mr. Baker, Mr. Roth, Mr. Young of Alaska, Mr. Stangeland, Mr. Goodling, Mr. Montgomery, Mrs. Patterson, Mr. Harris, Mr. Rowland of Georgia, Mr. Callahan, Mr. Barnard, Mr. Hopkins, Mr. Stump, Mr. Slaughter of Virginia, Mr. Henry, Mr. Lewis of California, Mr. Leach of Iowa, Mr. Wolpe, Mr. Smith of Iowa, Mr. DioGuardi, Mr. Shumway, Mr. Dickinson, Mr. Hertel, Mr. Lehman of Florida, Mr. Bereuter, and Mr. Hammerschmidt):

H.J. Res. 280. A joint resolution to observe the 300th commencement exercise at the Ohio State University on June 12, 1987; to the Committee on Post Office and Civil Service.

By Mr. CLAY (for himself, Mr. Stokes, Mr. Traficant, Mr. Applegate, Mr. Feighan, Mr. Frost, Mr. Eckart, and Mr. Regula):

H. Con. Res. 122. Concurrent resolution to express the support of Congress for private sector efforts aimed at alleviating losses suffered by retirees and employees as the result of pension plan terminations; to the Committee on Education and Labor.

By Mr. RANGEL:

H. Con. Res. 123. Concurrent resolution expressing the sense of the Congress that the Harlem Hospital Center be recognized for 100 years of community service; to the Committee on Post Office and Civil Service.

By Mr. SOLARZ (for himself and Mr. Leach of Iowa):

H. Con. Res. 124. Concurrent resolution expressing the sense of the Congress concerning representative government, political parties, and freedom of expression on

Taiwan; to the Committee on Foreign Affairs.

By Mr. DREIER of California (for himself, Mr. Gallegly, Mr. Ravenel, Mr. Dornan of California, Mr. Dannemeyer, Mr. Armey, and Mr. McCandless):

H. Res. 166. Resolution to amend the Rules of the House of Representatives to require a two-thirds vote on legislation which increases the statutory limit on the public debt; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

68. By the SPEAKER: Memorial of the Legislature of the State of Maine, relative to an application pending with the Interstate Commerce Commission; to the Committee on Energy and Commerce.

69. Also, memorial of the Legislature of the State of Kansas, relative to the apartheid system of racial segregation in South Africa; to the Committee on Foreign Affairs.

70. Also, memorial of the Legislature of the State of Arizona, relative to voluntary prayer in public schools; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. DOWDY of Mississippi introduced a bill (H.R. 2427) for the relief of Joseph W. Newman, which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 47: Ms. Oakar and Mr. DioGuardi.

H.R. 51: Mr. Studds, Mr. Leach of Iowa, Mr. Bustamante, Mr. Gilman, Mr. LaFalce, Mr. Mavroules, Mr. Tallon, Mr. McHugh, Mr. Rose, Mr. Rahall, Mr. Kildee, and Mr. Moody.

H.R. 66: Mr. Nichols, Mr. de la Garza, Mr. Hefner, Mr. Smith of Florida, Mr. Young of Florida, and Mr. Lancaster.

H.R. 74: Mr. Fuster.

H.R. 378: Mr. Lewis of Georgia.

H.R. 382: Mr. McEwen and Mr. Solarz.

H.R. 384: Mr. Morrison of Connecticut.

H.R. 387: Mr. Wyden and Mr. Hochbrueckner.

H.R. 388: Mr. Staggers and Mr. Sabo.

H.R. 403: Mr. Marlenee.

H.R. 537: Mr. Hutto and Mr. Anderson.

H.R. 544: Mr. Sharp, Mr. Dymally, and Mr. Bonker.

H.R. 551: Mr. Ballenger, Mr. Martin of New York, Mr. Emerson, Ms. Snowe, and Mr. Rinaldo.

H.R. 621: Mrs. Boxer.

H.R. 631: Mr. Edwards of Oklahoma and Mr. Wolpe.

H.R. 632: Mr. Crockett and Ms. Oakar.

H.R. 676: Mr. Wolpe.

H.R. 678: Mr. Wolpe.

H.R. 786: Mr. Sweeney and Mr. Denny Smith.

H.R. 792: Mr. Hochbrueckner.

H.R. 954: Mr. Dowdy of Mississippi.

H.R. 1067: Ms. Kaptur, Mr. Hansen, Mr. DeFazio, Mr. Traficant, Mr. Manton, Mr. Schumer, Mr. Spence, Mr. Yates, Miss Schneider, Mr. Wortley, and Mr. Fascell.

H.R. 1154: Mr. Atkins, Mr. Bliley, Mr. Dellums, Mr. Donnelly, Mr. Early, Mr. Fascell, Mr. Fish, Mr. Ford of Tennessee, Mr. Gregg, Mr. Hammerschmidt, Mr. Hawkins, Mr. Henry, Mr. Holloway, Mr. Kastenmeier, Mr. Kennedy, Mr. Lantos, Mr. Martin of New York, Mr. Price of Illinois, Mr. Richardson, Mr. Ridge, Mr. Sabo, Mr. Stenholm, Mr. Visclosky, and Mr. Watkins.

H.R. 1242: Mr. Morrison of Connecticut.

H.R. 1313: Mr. Hutto, Mr. Wise, Mr. Staggers, Mr. Durbin, Mrs. Boxer, Mr. McCurdy, Mr. Campbell, Mr. Hefner, Mr. Montgomery, Mr. Swindall, Mr. Rowland of Georgia, Mr. Bunning, and Mr. Hatcher.

H.R. 1336: Mr. Applegate, Mr. Traficant, Mr. Borski, Mr. Foglietta, and Mr. Barnard.

H.R. 1346: Mr. Kolter.

H.R. 1347: Mrs. Saiki, Mr. Dymally, Mr. Saxton, Mr. Lightfoot, Mr. Martin of New York, Mr. Lipinski, Mr. Henry, Mr. Torres, Mr. Tauke, Mr. Martinez, Mrs. Boxer, Mr. Neal, Mr. Hall of Texas, Mr. Shumway, and Mr. Bunning.

H.R. 1369: Mr. Lagomarsino.

H.R. 1370: Mr. Lagomarsino.

H.R. 1393: Mr. Copper and Mr. Stenholm.

H.R. 1412: Mr. Schuette and Mr. Kolter.

H.R. 1480: Mr. Neal.

H.R. 1506: Mr. Lewis of Georgia.

H.R. 1536: Mr. Derrick and Mr. Wortley.

H.R. 1546: Mr. Feighan and Mr. Dyson.

H.R. 1568: Mr. Hughes.

H.R. 1632: Mr. Hubbard, Mr. Pickett, Mr. Sunia, Mr. Anderson, Mr. Fascell, and Mr. Oberstar.

H.R. 1662: Mr. Kolbe, Mr. Moorhead, Mr. Watkins, Mr. Stump, Mr. Tallon, Mr. Davis of Michigan, and Mr. Swift.

H.R. 1707: Mr. Brown of California, Mr. Schuette, Mr. Hefner, Mr. Jontz, Mr. McCollum, Mr. Murtha, Mr. Lancaster, Mr. Dornan of California, Mr. Duncan, Mr. Wolf, Mr. Nielson of Utah, Mr. Craig, Mr. DeLay, Mr. Callahan, Mr. Huckaby, Mr. Rhodes, Mrs. Morella, Mr. Donald E. Lukens, Mr. Jeffords, Mr. Broomfield, Mr. Harris, Mr. Sundquist, Mr. Slaughter of Virginia, Mr. Dreier of California, Mr. Edwards of Oklahoma, Mr. Molinari, Mr. Marlenee, Mr. Taylor, Mr. Parris, Mr. Fields, Mr. Gilman, Mr. Madigan, Mr. DioGuardi, Mr. Ravenel, Mr. Leath of Texas, Mr. Hall of Texas, Mr. Smith of New Hampshire, Mr. Bryant, Mr. Hansen, Mr. Coleman of Texas, and Mr. Dyson.

H.R. 1726: Mr. Fazio, Mr. Frank, Mr. Ridge, and Mr. McEwen.

H.R. 1752: Mr. Saxton and Mr. Martinez.

H.R. 1786: Mr. Kemp, Mr. Saxton, Mr. Bunning, Mr. Eckart, and Mr. Vander Jagt.

H.R. 1815: Mr. Edwards of Oklahoma and Mr. Wolpe.

H.R. 1843: Mr. Edwards of California and Mr. Feighan.

H.R. 1885: Mr. Weber and Mr. McCollum.

H.R. 1902: Mr. Mfume, Mr. Lewis of Georgia, Mr. Stokes, Mrs. Johnson of Connecticut, Mrs. Boxer, Mr. Biaggi, Mr. Owens of New York, and Mr. Feighan.

H.R. 1932: Mr. Biaggi and Mr. Duncan.

H.R. 2032: Mr. Bennett.

H.R. 2059: Mr. Kolter and Mr. Schuette.

H.R. 2068: Mr. Davis of Illinois.

H.R. 2148: Mr. Bruce.

H.R. 2232: Mr. Armey, Mr. Daub, Mr. Davis of Illinois, Mr. Dornan of California, Mr. Fawell, Mr. Fields, Mr. Gallo, Mr. Gunderson, Mr. Hansen, Mr. Henry, Mr. Hiler, Mr. Inhofe, Mrs. Johnson of Connecticut, Mr. Kyl, Mr. Lagomarsino, Mr. Lightfoot, Mr. Lujan, Mr. Madigan, Mr. Moorhead, Mr. Oxley, Mr. Quillen, Mr. Regula, Mr. Ritter, Mr. Rogers, Mr. Rowland of Connecticut, Mr. Shaw, Mr. Shuster, Mr. Spence, Mr. Stangeland, Mr. Stump, Mr. Sundquist, and Mr. Young of Florida.

H.R. 2243: Mr. Howard.

H.R. 2249: Mr. Fazio, Mr. Mfume, Mr. Martinez, Mr. Williams, Mr. Udall, Mrs. Collins, Mr. Gilman, Mr. Dymally, Mrs. Johnson of Connecticut, Mr. Dixon, and Mr. Savage.

H.R. 2260: Mr. Weldon and Mr. Gregg.

H.R. 2318: Mr. Stump.

H.R. 2371: Mr. Tallon, Mr. Howard, Mr. Robinson, Mr. Staggers, Mr. Skelton, and Mr. Bateman.

H.J. Res. 83: Mr. Stump, Mr. Gekas, and Mr. Sensenbrenner.

H.J. Res. 106: Mr. Kennedy, Mr. Chapman, Mr. Daniel, Mr. Dornan of California, Mr. Garcia, Mr. Pashayan, Mr. Kolter, and Mrs. Johnson of Connecticut.

H.J. Res. 137: Mr. Packard, Mr. Lehman of Florida, Mr. Bennett, Mr. Gibbons, Mr. Jones of North Carolina, Mrs. Boxer, Mr. Gunderson, Mr. Hayes of Louisiana, Mr. Volkmer, Mr. Martinez, Mr. Thomas of Georgia, Mr. Quillen, Mr. Mazzoli, Mr. Houghton, Mr. Stratton, Mr. Clay, Mr. Bryant, Mr. Miller of California, Mr. Badham, Mr. Nielson of Utah, Mrs. Martin of Illinois, Mr. Harris, Mr. Goodling, Mr. Berman, Mr. Natcher, Mr. Brown of California, Mr. Evans, Mr. Traficant, Mr. Davis of Illinois, Mr. Flake, Mr. Stenholm, Mr. Yatron, Mr. Dixon, Mr. Dannemeyer, and Mr. Oberstar.

H.J. Res. 148: Mr. Olin, Mr. Hall of Texas, Mr. Valentine, Mr. Hayes of Illinois, Mr. Espy, Ms. Snowe, Mr. DioGuardi, Mr. de la Garza, Ms. Kaptur, Mr. Dymally, Mr. Weiss, Mr. Gilman, Mr. Lagomarsino, Mr. Kastenmeier, Mr. Barnard, Mr. Johnson of South Dakota, Mr. Mavroules, Mr. Lewis of Florida, Ms. Slaughter of New York, Mr. Swindall, Mr. Foley, Mrs. Meyers of Kansas, and Mr. Bennett.

H.J. Res. 155: Mr. Ford of Tennessee.

H.J. Res. 208: Mr. Badham, Mr. Conte, Mr. Dymally, Mr. Garcia, Mr. de la Garza, Mr. Hatcher, Mr. Hefner, Mr. Henry, Mr. Kostmayer, Mr. LaFalce, Mr. Lancaster, Mr. Leland, Mr. Lipinski, Mr. McDade, Mr. Roe, Mrs. Roukema, Mr. Sisisky, Mr. Solarz, Mr. Stump, Mr. Wilson, and Mr. Bliley.

H.J. Res. 253: Mr. Gray of Pennsylvania, Mr. Fazio, Mrs. Bentley, Mrs. Boxer, Mr. Boner of Tennessee, Mr. Lipinski, Mr. Kastenmeier, Mr. Stokes, Mr. Frost, Mr. Kemp, Mr. Kostmayer, Mr. Jones of North Carolina, Mr. Miller of Ohio, Mr. Horton, Mr. LaFalce, Mr. Lagomarsino, Mr. Lancaster, Mr. Lewis of Georgia, Mr. McHugh, Mr. Volkmer, Mr. Leland, Mr. Kildee, Mr. Bonior of Michigan, Mr. Leath of Texas, Mr. Chapman, Mr. Hughes, and Mr. Roybal.

H.J. Res. 261: Mr. Olin, Mr. Fauntroy, Mr. Traficant, Mr. Bosco, Mr. Levin of Michigan, Mr. Frost, Mr. Kennedy, and Mr. Hughes.

H.J. 266: Mr. Rostenkowski, Mr. Kolter, Mr. Moorhead, Mr. Atkins, Mr. Hochbrueckner, Mr. Dymally, and Mr. Dornan of California.

H.J. Res. 272: Mr. Lungren, Mr. Horton, and Mr. Martinez.

H. Res. 16: Mr. Vento, Mr. Kolter, Mr. Hughes, and Ms. Snowe.

EXTENSIONS OF REMARKS

THAT WAR IN AFGHANISTAN IS STILL GOING

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. COURTER. Mr. Speaker, I believe that this House is under rather stern moral and political mandates to pay close attention to what is going on in southwest Asia. Afghanistan, long independent, was crushed 7 years ago, and contemporary events make it clear that Pakistan, too, could be pulled into the vortex of war. All lingering thoughts about the U.S.S.R.'s defensive motives should be banished for the nonsense that they are. Chatter about troop withdrawals has gone on since 1980, and does not deserve serious consideration from people truly intent upon seeing the Afghans freed. The only clear-eyed view of this war is to see it as a holocaust, the kind of tragedy about which future Congresses will pass mournful commemorative resolutions. Everything we say and do about this war must reflect that unapologetic certainty about what the true stakes are in the matter.

Mr. Speaker, the model political man on the Afghanistan issue has been Senator GORDON HUMPHREY. He has made enormous efforts to increase and concentrate American awareness of the war. He deserves the praise of his countrymen for his work.

A few days ago Senator HUMPHREY spoke on the subject of the Afghan war in his appearance at the Voice of America Conference. His address well deserves recording in our RECORD for today, and I ask that it be reprinted. It has been slightly shortened to accommodate printing requirements.

STATEMENT OF SENATOR HUMPHREY ON WORLD REACTION TO THE SOVIET INVASION OF AFGHANISTAN, VOICE OF AMERICA CONFERENCE MAY 8, 1987

When the Soviets first invaded Afghanistan, world reaction was one of outrage. The U.S. and other concerned nations imposed economic sanctions and boycotted the Moscow Olympics. President Carter declared the scales had dropped from his eyes and said he had come to understand the Soviet Union for what it really is.

Now, seven and a half bitter years later, the Soviets are still in Afghanistan, daily raping and bludgeoning a country that never posed a threat to them; driving more than five million people, one third of the prewar population, out of their homes; and waging a brutal war that has killed one million Afghans, most of them non-combatants, many of them women, children and the elderly. As Mr. Gorbachev smiles and talks about glasnost, millions of Afghans suffer appalling hardship and heartbreak, their loved ones left behind, dead in the rubble of bombed out villages, their futures seemingly bleak and hopeless.

There are reminders of Nazi atrocities. Only a few weeks ago we read reports of Soviet troops surrounding villages and preventing escape by their civilian residents while Soviet aircraft and artillery wiped them out. The Soviets pursue a strategy to depopulate whole areas of the country to deprive the resistance of food, shelter and local support.

In addition, aircraft of the quisling Kabul regime have conducted about 350 attacks this year against civilians in Pakistani border villages, killing hundreds and wounding more than 1,000.

In the words of the United Nations Special Rapporteur for Afghanistan, speaking last November of the operations of the Soviet Army and its puppet regime: "Continuation of their military solution will . . . lead inevitably to a situation approaching genocide. . ."

Since 1979, the justification for international outrage against Soviet crimes in Afghanistan has greatly increased, not diminished. But how does the world and, specifically, America, deal with the agony of Afghanistan today? Shamefully. Outrage has given way to boredom and preoccupation with the old agenda of detente.

Lest Afghanistan get in the way of detente, the United States has lifted virtually every sanction of importance imposed at the time of the invasion. Not only was the embargo on grain sales removed, we are now subsidizing wheat sales to the Soviets.

We have initiated or extended a myriad of agreements with the Soviets: economic, cultural, scientific and political. Among them are agreements to: Resume direct commercial airline service. Resume cultural exchanges, which ended in 1980. Revive cooperation in agriculture. Resume meetings of the Joint Commercial Commission, the announcement of which, revealingly, came on the day designated by the President as Afghanistan Day. Even now we are negotiating with the Soviets to open consulates in Kiev and San Francisco.

Couldn't landing rights for Aeroflot wait until Soviet troops had left Afghanistan? Couldn't resumption of cultural exhanges wait until the Soviet butchery in Afghanistan had ceased? Couldn't cooperation in agriculture wait until the Soviet Army had stopped its systematic destruction of Afghan agriculture and villages? Couldn't further commercial contacts wait until the Soviets had earned access to western technology by leaving the Afghans to determine their own destiny? And what's so important about consulates, that they can't wait until the Soviet puppets abandon Kabul to legitimate representatives of the Afghan people? Sadly, it is not only back to business as usual again; it is business ever more friendly and warmer than usual.

Our rhetoric, however, is brave and colorful. Last December, in its annual Afghanistan review, the Reagan administration called for "steadily increasing pressure on all fronts—military, political, diplomatic" as a way to "induce the Soviets to make the political decision to negotiate the withdrawal of their forces." At long last, the military pressure has been increased, and the gallant freedom fighters are showing ever-increasing skill. But the political and diplomatic pressures have been reduced, not increased. I challenge the State Department to name one thing of value to the Soviets which has been withheld from them as a penalty for Soviet crimes in Afghanistan.

Commenting on our policy at hearings of the Congressional Task Force on Afghanistan last February, Richard Pipes rated it "very poorly. It's really on the back burner, quite neglected. All the motions are perfunctory," he said. He noted the statements are good, but otherwise, he stated, "very little is done. I think the signal sent to Moscow is . . . that we really don't terribly much care."

U.S. half-heartedness in carrying out its stated policies itself prolongs the war. The Administration's listless approach, despite repeated efforts in Congress, has helped to make Afghanistan a back-burner issue. Thus:

The Administration continues to recognize the Kabul regime as the legitimate government.

The Administration continues to permit trade with the Kabul regime. I have introduced a bill to ban all trade and make it clear we classify the regime with Nicaragua, Cambodia, Cuba and other outlaw regimes with which we refuse to trade.

A third example. We need maximum efforts to keep the plight of Afghanistan before the world. I applaud the holding of this conference, but I have to note that despite Congressional prodding, USIA still does not have an Afghanistan field desk. Also, the Administration has been very slow in implementing the Afghan Media Project initiated by Congress in August 1985.

Fourth, despite repeated urging on the need for a comprehensive, aggressive country plan for Afghanistan, USIA's response has been lethargic. It lists Afghanistan as a priority country plan for FY 1988, and some small steps have been taken. But much more interest has to be shown.

Fifth, the Administration has only grudgingly followed Congress's lead in providing overt humanitarian aid to the people inside Afghanistan. On my recent trip I found a great need for more aid, yet the Administration is requesting for next year only the same $30 million Congress authorized for this year. This program should be doubled. Indeed, Congress has had to take the initiative on virtually every major overt assistance program for the Afghans.

When you put all this together, you have to say that what Dr. Brzezinski told our task force two years ago still holds today: "United States policy towards Afghanistan . . . has suffered from managerial neglect."

For some in the executive branch, Afghanistan seems to be an inconvenience that should be kept in the background and not allowed to interfere with detente.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

QADHAFI CONFIRMS TRUE NATURE OF SANDINISTA REGIME

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. SMITH of Florida. Mr. Speaker, most, if not all, of official Washington is intensely focused on the hearings being conducted by the Select Committees on the Iran/Contra Affair. As the hearings proceed, it seems increasingly probable that certain U.S. officials consciously skirted the laws of this Nation to fulfill their personal foreign policy goals. Although I have in the past supported the Contras, I do not condone extra-legal means to achieve any policy objective.

The select committees' deliberations are expected to last for 3 months or longer. In this highly charged atmosphere, I am concerned that the real issue of who the Sandinistas are and the threat they present to this country will be blurred by the committees' investigation into the activities of a few overzealous U.S. Government operatives.

This condition could lead to a Central American policy spirited by timidness and apprehension. The nature of the Sandinista regime has not changed simply because American foreign policy briefly ran astray.

For the benefit of my colleagues, I am including a May 5, 1987, article from the Washington Times for the RECORD:

QADDAFI ADMITS ARMING NICARAGUA

CARACAS, VENEZUELA.—Libya has supplied the Nicaraguan government with arms and money, Libya's Col. Muammar Qaddafi was quoted as saying in an interview published yesterday. In an interview in Tripoli with Venezuelan journalist Alfredo Pena, the Libyan leader reportedly blamed the Reagan administration's "stupid policy" for pushing Nicaragua to the left.

"The [Sandinista] government is already Marxist. And that is the fault of the United States of America for pushing Nicaragua to adopt this way," Col. Qaddafi was quoted as saying. "If they [the U.S.] would leave Nicaragua to follow its own path, without interferences, that country would arrive at Jamahiriya [Col. Qaddafi's doctrine of popular socialisms], a system really not aligned with any bloc," he added, according to the account. Asked if Libya had provided the government of Nicaraguan President Daniel Ortega with arms and funds, the newspaper said Col. Qaddafi replied without elaborating, "Yes, of course."

Mr. Speaker, this article reconfirms the views of those who see the Sandinista government as a corruptive, antidemocratic influence in the Western Hemisphere.

I ask my colleagues not to lose sight of what the issues are in Central America. It is imperative for the good of the Nation that lawmakers are able to distinguish between well-chosen policy objectives and faulty implementation of that policy.

COMMUNITY SERVICE REPORTS, UNIT 125, AMERICAN LEGION AUXILIARY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. CONTE. Mr. Speaker, the following community service reports of the Frank R. Stiles Unit 125 of the American Legion Auxiliary in North Adams, MA, shows an admirable record in their efforts to support community based volunteer programs. I am proud to be able to share with you these reports which specifically details their continuing efforts to help others.

COMMUNITY SERVICE REPORT, 1986-87, FRANK R. STILES UNIT 125, NORTH ADAMS, MA

During the 1986-1987 Season, Unit 125 was involved in many facets of Community Service. Several members volunteered scores of hours in church work; serving as lectors and Eucharistic ministers, doing clerical work, working at church supports, breakfasts, card parties, dances etc., and spending countless hours all year on bazaar projects. Donations were also made to several special collections. A total of $889 was spent and 2000 hours were volunteered in this area.

The Unit donated to several charities during the year: $20 to the Cancer Fund, $30 to the Heart Fund, $25 to United Way, $10 to the Massachusetts Mental Retardation Research Institute, $10 to the Leukemia Fund, and $75 to Hospice of Northern Berkshire. Donations were also made by several members to these and other charities for a total of $428. One member volunteered 26 hours at a cancer bowl-athon and another member worked 3 hours for the United Way.

Throughout the year, the Unit provided coffee for the workers at the surplus food distributions at the Legion home, in cooperation with Community Action. Three members also help check names and hand out the food.

Many hours were volunteered by members who helped the sick, elderly, and needy by taking them shopping, to meetings, for doctor's appointments, to hairdressers, etc. They also helped in the homes by baking, doing laundry, cleaning, sewing, and doing shopping.

Unit members donated 40 pairs of eyeglasses, old jewelry and hearing aids to "Eyes for the Needy".

The Unit donated $25 to Radio Free Europe.

Two members volunteered 50 hours during the summer at the city's tourist information booth.

Nine members rang the bell at Christmas time for the Salvation Army Red Kettle and members donated clothing valued at $100 for the needy cared for by the Salvation Army.

A total of 662 hours were volunteered at nursing homes and hospitals. One member volunteered at least once a week at the hospital. Two members took communion to the patients in the local nursing homes once a month. Food baskets, flowers, gifts, get well cards were sent to patients. Favors were made for nursing homes for the holidays. Many hours were spent visiting patients.

One member serves as a "Hospice" volunteer. She comforts the patients and their families and is available at any time of the day or night to render her services.

Two members belong to the Stroke Club and the Cancer Club and devote many hours setting up programs for these two groups.

One member is a LPN and volunteered at the Blood Mobile.

Four members belong to the Honor Roll Committee to update the city's honor roll which originally included only the names of World War II veterans. Although the honor roll was dedicated October 12, 1985, the committee has been meeting monthly. The workmanship did not meet the specifications of the contract, and it was not until March, when the matter was taken to court, that the contractor agreed to make the necessary changes. It is hoped that the work will be finished by Memorial Day.

Members have been helping at Legion brunches and dinner dances. Both were held monthly throughout the year. Each Christmas, the Post sponsors "Be My Guest" dinners so the lonely can enjoy a meal in the company of others. Meals are also taken to the homes of shut-ins. Auxiliary members also gave a hand at this event.

Members also show their compassion when a death occurs. A total of $340 was donated for food and donations and 1171 hours were volunteered. The Unit made donations to the Heart Fund and to St. John's Church in memory of two deceased members. Also, memorial services were conducted at their wakes and poppies were placed on their caskets. Honor guards were formed at their funerals. Memorial services were held at Unit meetings and the Charter was draped for 30 days.

Several members participated in Memorial Day, Fall Foliage and Veterans Day parades.

In conclusion, Unit 125 members reported spending $3233 in Community Service work and volunteering 4183 hours.

A copy of the Community Service Report is being sent to the Legion's National Legislature Division.

CHILDREN AND YOUTH REPORT, 1986-87, FRANK R. STILES UNIT 125, NORTH ADAMS, MA

During the 1986-1987 season, Unit 125 reported a total of $1,549.50 spent and 228 hours volunteered in various Children and Youth programs and 154 children aided.

At the February meeting, the Department Children and Youth project was discussed and a $25 donation was voted for a "Child's Wish Come True".

Also, a $25 donation was sent to "The American Legion Child Welfare Foundation" for 500 comic books, "Secret of Animal Island". The Unit President had contacted the school superintendent for his approval to distribute the comic books. The project was turned over to the health coordinator who was in the process of setting up her programs and who was enthusiastic about including the comic book in the program for the third graders. She will also use the color book "How to Keep a Body Safe" for the second graders.

The Unit will be notifed when the programs are finalized and 375 copies of each book will be given out to the students.

Each month from October to June the Unit sponsored a party for 16 special needs children at Greylock School. Each child who has a birthday during the month is honored and presented a birthday card. A decorated cake is served with ice cream, hot chocolate, milk, or punch. While waiting for the volunteers, the children have fun trying to guess how the cake will be decorated. Special holidays are usually the theme. Each child is also given a bag of goodies to take home.

During July, the Unit sponsored a picnic for forty campers at the Mary Jezyk Sunshine Camp. The children were treated to barbecued hot dogs, chips, pickles, cookies, punch and watermelon. Also, each was presented a multi-colored pinwheel.

Each year, the Unit sponsors two Girls State delegates. At the October meeting, the girls and their mothers are invited to a covered dish supper and they report on their activities at Girls State.

The Unit awards three $100 scholarships each year and the President announces the winners at High School Class Night.

Another program to which Unit 125 donates is Children's Haven International which sponsors a Mexican orphanage. The Unit became involved through one of its members who spends the winter in Texas. She reported that the orphanage receives no help whatsoever from the Mexican government as the Spaniards who are in control do not want to educate the poor Mexicans. A $25 contribution was voted and members also saved 777 Campbell labels which the orphanage redeems for office and playground equipment.

Members also saved four pounds of cancelled stamps for "Stamps for Food, Inc.", an organization which helps children throughout the world from the sale of the stamps. Among the groups aided are Shrine Crippled Children's Hospitals, Boy's Clubs, and a mission for Chinese orphans in Macao, near Hong Kong.

The Unit took six Junior members on an outing in August. The girls enjoyed playing miniature golf and a treat at Burger King.

The other Unit donations were as follows: $20 to the Girl Scout Campership program, $25 towards expenses for a Girl Scout trip to Ireland, $10 to Mental Retardation Research Institute, $10 to Massachusetts Society for Prevention of Cruelty to Children, $25 to Greylock School Parent Teachers Group for patrol trip to Boston, $20 to the Salvation Army Camp Program, $5 to the Americanism Youth Conference.

The Unit participated in the Horizons for Youth Life Saver Drive in April and members collected $325 before running of Life Savers.

Throughout the year members donate to charities, food sales, school programs, and scholarships.

The Unit conducts food sales, tag sales, raffles etc. for its children and youth projects.

A CONGRESSIONAL SALUTE TO JOSEPH E. BALL ON RECEIVING THE ANTI-DEFAMATION LEAGUE'S TORCH OF LIBERTY AWARD

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Joseph E. Ball who has been chosen to receive the Anti-Defamation League's prestigious Long Beach Torch of Liberty Award.

Mr. Ball was born in Stuart, IA, in 1902. He received his A.B. degree from Creighton University and his law degree from the University of Southern California.

Joseph Ball is currently a senior partner in the highly respected law firm of Ball, Hunt, Hart, Brown & Baerwitz. Throughout his successful professional career beginning in 1927, Joseph has been a great source of inspiration and leadership to the legal community, as well as to those who have been wronged and have had to rely upon Mr. Ball for his legal services.

Joseph has been extremely active in the legal profession throughout his long career. He has served in such distinguished capacities as president of the California State Bar Association as well as president of the American College of Trial Lawyers.

Other highlights of Mr. Ball's illustrious professional career include: a member of the Advisory Committee on Criminal Rules of the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States (1960–72); a member of the Advisory Committee on Prosecution and Defense Functions of the ABA's Project on Minimum Standards for Criminal Justice (1960–74); a member of the Commission to Revise the Constitution of the State of California (1963–73); senior counsel to the Commission to Investigate the Assassination of President John F. Kennedy; chairman of the Special Committee on Criminal Justice of the State Bar of California (1968–70); and a member of the Senior Advisory Board of the Judicial Council of the Ninth Circuit (1982–85).

Joseph Ball is not only committed to the legal profession, but also to his family. His wife, children, grandchildren, and great-grandchild have someone they can be very proud of, and thankful for.

The legal profession and all of those who seek redress and justice through the courts are fortunate to know such a man dedicated to a sense of justice as is Joseph Ball. Because there can be no justice without liberty, and no liberty without justice, it is fitting that he has been chosen to receive the Torch of Liberty Award for his tremendous personal and professional service.

My wife, Lee, joins me in commending and congratulating Joseph Ball for being the recipient of this year's Anti-Defamation League's Torch of Liberty Award. We wish him and his wife Sybil, their children Pat and Ellen, and their grandchildren and great-grandchild, continued success and happiness in the years ahead.

TORTURE IN ETHIOPIA

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. ROTH. Mr. Speaker, this month's Amnesty International reports widescale torture in Ethiopia. Several thousand political prisoners are being held, interrogated, and tortured on a systematic basis.

For example, guards tied a rope around the wrists and ankles of a priest. They then inserted a pole behind his knees, suspended him between two pillars, turned him upside down, and beat him on the soles of his feet until he lost consciousness.

Prisoners, including young children, are routinely beaten. Many of them have died or disappeared.

I urge my colleagues to join me in cosponsoring H.R. 588 which calls for the release of all political prisoners in Ethiopia and a halt to the widescale torture and human rights abuses there.

WIDESCALE TORTURE REPORTED IN ETHIOPIA

Evidence compiled by Amnesty International reveals that Ethiopian authorities routinely torture political detainees during interrogation sessions.

Amnesty believes there are several thousand political prisoners in Ethiopia, some of whom have been held since 1974 when the Provisional Military Administrative Council overthrew the government of Emperor Haile Selassie. While Amnesty believes that torture was particularly widespread during the government's "Red Terror" campaign against political opponents in the late 1970s, Amnesty reported in February that torture persists on a substantial scale today.

During the "Red Terror" campaign members of the previously pro-governmental All-Ethiopia Socialist Movement were among the victims. Several were summarily executed. During that period, authorities also arrested members of some Protestant churches.

In February, 1980 authorities imprisoned hundreds of members of the Oromo ethnic group on suspicion of membership in the Oromo Liberation Front. Many continue to be detained, including the former Minister of Law and Justice, Zegeye Asfaw.

Authorities have also tortured Eritreans and Tigrayans on suspicion of having links with armed opposition groups.

In December, 1983 authorities reportedly arrested and allegedly tortured members of the Ethiopian People's Democratic Alliance to force them to reveal information on their organization.

Most torture reportedly takes place at investigation centers under the control of the Central Investigation Organization of the Ministry of State and Public Security. This is the principal internal security agency responsible for investigating anti-revolutionary activities and opposition to the government.

At any given time authorities are believed to hold up to several thousand prisoners in these centers. The prisoners, including children as young as 13, are reportedly routinely beaten to extract confessions and information. Authorities have reportedly beaten some to death. Other prisoners have reportedly "disappeared." Prisoners have no effective recourse to any legal safeguards against human rights abuses, says Amnesty. Ethiopia's code of criminal procedures states that anyone arrested should be brought to court within 48 hours. However, political prisoners are usually denied formal legal and judicial procedures. Since 1974 very few political prisoners have been formally charged and brought to trial.

Prisoners testifying to Amnesty have requested anonymity because they fear their families could suffer reprisals. In fact, authorities have reportedly frightened many ex-prisoners into silence with threats that they will be arrested again if they reveal details of their captivity.

However, statements that Amnesty has compiled from former prisoners willing to give testimony reveal that physical beatings, electric shock torture, mock executions, and rape are all common.

A high school teacher, arrested in Gemu Goffa in March, 1985, apparently in connection with her elder brother's earlier arrest in Mekelle as a suspected member of the Tigray People's Liberation Front, told Amnesty that during her interrogation, officials tied her hands behind her back, threw her to the floor, and whipped her for about 15 minutes daily. These interrogation sessions went on for two weeks. She also reported that while she was in prison, officials killed three other women and dumped their bodies into the street. The murdered prisoners, a teacher and two students, had previously been beaten while hanging from the ceiling.

A priest, arrested in Mekelle early in 1985, reported that during his interrogation, guards tied a rope tightly around his wrists and ankles. They then inserted a pole behind his knees, suspended him between two pillars, turned him upside down, and beat him on the soles of his feet.

Amnesty International recently expressed concern to the Ethiopian head of state, Mengistu Haile-Mariam, about the safety of 10 long-term political detainees who have reported "disappeared" from detention.

The detainees include Gezahegne Kassahun, former Deputy Chairman of the All-Ethiopian Trades Union, and Kebede Demissie, a former Ministry of Agriculture official, both detained without trial since 1980 and adopted by Amnesty as prisoners of conscience. They reportedly "disappeared" from the Central Investigation Center in Addis Ababa in mid-October, 1986 and have not been heard of since. There are unconfirmed reports of their extrajudicial execution. Amnesty has urgently called on the authorities to clarify these reports.

NAVAL DUTY NEARLY IMPOSSIBLE FOR WOMEN

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mrs. BOXER. Mr. Speaker, the following opinion piece by our colleague DON EDWARDS was published recently in the Los Angeles Times. I would like to call it to the attention of all Members because it contains insightful and important comments on the plight of women in the Navy.

NAVAL DUTY NEARLY IMPOSSIBLE FOR WOMEN

(By Don Edwards)

When Navy Secretary John F. Lehman, Jr. left office Friday, he was honored with a 19-gun salute. Even that accolade was mild in comparison with the media's extraordinary praise of his role in building a 600-ship Navy. So much has been written about retrofitting and renovating that we seem to have forgotten that ships don't defend, that men and women do. But, under Lehman's command, women were arbitrarily excluded from ships. The contempt shown by Lehman and his newly sworn-in successor toward 45,000 female enlistees is cause for concern.

The Navy's male chauvinism is unique among the armed services of this country. Women in the Army and the Air Force serve in combat support roles and specialties; Navy women cannot. In the course of congressional hearings concerning women in the military, which I chaired in 1983, we discovered that women in the Coast Guard serve on—and in some cases command—all ships in the Coast Guard fleet. Coast Guard women also are doing an excellent job in the dangerous war on drugs.

At the end of last year Lehman reneged on an October, 1986, announcement that women would be allowed to serve on mobile logistics support vessels. The Navy's reclassification of six types of logistics support ships to that of "other combatant" prohibits women from serving on them and thus prevents career Navy women from obtaining valuable experience.

Military service is difficult for everyone, but, under Lehman, military and civilian service has been made close to impossible for Navy women—even though the overall quality of the female recruits (as calibrated by the Armed Forces Qualification Test) is higher than that of male recruits. The recent decision of the Equal Employment Opportunity Commission in favor of civilian submarine engineer Pamella Doviak is a further indictment of the former Navy secretary's treatment of women.

In 1982 Doviak, who works in the Portsmouth (N.H.) Navy Shipyard, suddenly was denied access to submarine sea trials aboard the Kamehameha—although she had participated before. Doviak specializes in ship silencing—a job that requires her to test her work at sea.

Doviak complained, using the Navy's own internal grievance procedures. At each level of review the Navy found discrimination and offered her monetary compensation, but no guarantee of future access to submarines. Each time Doviak refused the offer. When the final finding of discrimination was sent to Lehman for review, he overturned them.

Doviak, with the support of her supervisors and co-workers, then took her case to the Equal Employment Opportunity Commission. The commission agreed with the Navy's internal review, and ruled that the Navy had discriminated against Doviak. But Lehman appealed the decision. For the third time Doviak won, but not really. Despite the commission's ruling, the Navy still has no plans to allow Doviak to participate in submarine sea trials.

Yet another Lehman assault against women was averted last month when Defense Secretary Caspar W. Weinberger reversed Lehman's decision to freeze the number of women on active duty rather than stick to the original goal of increasing female enlisted strength by 10% in the next five years.

Recent opinion data suggest that it is Weinberger's position, not Lehman's, that is in harmony with the views of the American people. The National Opinion Research Council found a "strong national consensus on extensive participation by women in military roles well beyond the traditional ones of nursing and clerical work."

Navy Secretary James H. Webb, who was confirmed on April 9, seems inclined to follow in Lehman's footsteps. Webb, who formerly was assistant secretary of defense for reserve affairs, has said that "the military has by and large lost more than it has gained by bringing in women." Webb also said that women at service academies lower the quality of combat training because such training is no longer as rigorous as when the academies were all male.

Two years ago Weinberger sought to alleviate concern over Webb's opposition to women in the military. He wrote that Webb "has reversed the position he held five years ago about women at the service academies."

Yet in a 1986 speech Webb again voiced his opposition to women in the academies. We can only hope that he will abide by the terms of the Equal Employment Opportunity Commission's decision and forgo further stonewalling in the Doviak case.

Sexism is abhorrent in any environment. But when sound personnel decisions are sacrificed so that a few macho leaders can indulge in nostalgia, we are in danger. The men who monitor the latest in electronic and computer wizardry invoke Navy lore that women at sea are "bad luck." Is it "good luck" to arbitrarily recruit the less qualified? Does this tradition make us feel safe?

PROTECTING OUR NATIONAL PARKS

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. COELHO. Mr. Speaker, a recent editorial in the Los Angeles Times succinctly stated how the mission of the National Park Service has changed in the past few years from one of preserving our national parks to one of exploiting these natural resources. This change is evident in the Secretary of Interior's defense of the air tour industry in the Grand Canyon, and his opposition to legislation I authored, which passed the House on May 4, to finally force some action on overflights of the parks.

Our national parks are there not only for us to enjoy, but also to permit future generations to experience what we see today. We may be allowing some short-term pleasure to a few individuals by permitting these overflights without any regulation, but I believe the continuation of these flights will only harm these national treasures and the people who are fortunate enough to visit them.

I submit the text of the Times editorial for my colleagues:

LETTING MOTHER NATURE REIGN

From the very beginning, the legal mission of the National Park Service has suffered from an inherent conflict. The service was charged by Congress with preserving the parks in their natural state for the appreciation of future generations of Americans. At the same time, the service was to make the parks accessible for the enjoyment of Americans here and now.

Underlying legality, though, was a basic logic: If the parks are despoiled through injudicious use now, they cannot be preserved in their natural state for the future. Until recently, the Park Service and its parent, the Department of Interior, followed this logic to the benefit of both the people and the parks. If a use was incompatible with park appreciation, it was not allowed.

Some years back, the Park Service quit the traditional nightly firefall from Glacier Point in Yosemite National Park. At dark the embers of a bonfire would be sent cascading thousands of feet down the rock face in a sparkling counterpoint to Yosemite Falls across the valley. While the firefall was extremely popular, the service properly decided that it was inconsistent with the proper enjoyment and preservation of Yosemite's natural wonders.

Today, however, the Interior Department has retreated from that view. Emphasis appears to be placed on the greatest pleasure for the greatest number of people. Interpretation of the parks' natural features by expert rangers has been deemphasized.

This shift has caused considerable alarm among veteran park officials, but when they dared to voice their alarm in public they were punished or muzzled. Interior officials try to pretend that there is no dispute, or treat the fuss as nothing more than bureaucratic whining. But the words of Interior Secretary Donald P. Hodel reveal the extent on the official shift in park philosophy.

For example, Hodel defends the growing number of sightseeing flights in the Grand Canyon and rejects the complaints about aircraft noise as the selfish babbling of "elitists." He asks rhetorically if the gripes of 30 or 40 backpackers deep in the canyon should be given more weight than the right of thousands to buzz the canyon at an eagle's-eye level from airplanes and helicopters. To Hodel the answer clearly is no.

But he ignores the fact that thousands of visitors viewing a canyon sunset from the rim might find the noise offensive, or that the mere idea of airplanes flying at or below the rim violates absolutely the reason Grand Canyon is a park at all. Hodel argues there cannot be a "meat-ax approach" to what one can and cannot do in the parks, to what activities are and are not allowed. Demands must be balanced, he says.

Rubbish. Like it or not, there must be a meat-ax approach. The lines have to be drawn somewhere. Those who want to stand in awe of America's natural wonders, and to gain knowledge and strength and humility from the experience, must do so in a way that respectfully preserves these special places for their children and their grandchildren. Those who want manufactured entertainment and high-speed thrills should try the nearest amusement park.

SELWYN EPSTEIN, APPAREL MANUFACTURER OF THE YEAR

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. FRANK. Mr. Speaker, the most important industry in the southeastern part of Massachusetts which I represent is the apparel industry. Faced with a flood of unfair imports, people in the apparel industry have been staunch in their efforts to fight back and preserve this important area of economic activity in the United States.

Two weeks ago, at the annual apparel banquet held by the Fall River Area Chamber of Commerce, which I unfortunately was not able to attend because of an all day markup session of the Housing Subcommittee of the Banking Committee, Selwyn Epstein, vice president of Shelburne Shirt Co., was recognized as "Apparel Manufacturer of the Year for 1987." This award, presented jointly by the New England Apparel Manufacturers Association and the Fall River Area Chamber of Commerce and Industry was extremely well-deserved.

Selwyn Epstein is an outstanding businessperson who deserves the praise he has received. I ask that the program description of Selwyn Epstein and the work that he has done be printed here.

SELWYN EPSTEIN, APPAREL MANUFACTURER OF THE YEAR

Selwyn Epstein, Vice President of Shelburne Shirt Co., Inc. is the "Apparel Manufacturer of the Year for 1987." The award, jointly sponsored by the New England Apparel Manufacturer's Association and The Fall River Area Chamber of Commerce & Industry is given annually to the manufacturer who best promotes the local needle trades. This year's recipient is no exception.

Upon receiving the award, Epstein said, "I am deeply appreciative in being asked to represent the hundreds, really thousands of Shelburne people who for over 55 years earned this award."

Born in Brooklyn, NY to Sander and Rae Epstein, Selwyn Epstein exhibited considerable promise and capability at an early age, Scholastic excellence became the norm during his school days, graduating at the top of his class in high school and again at Columbia University. The foundation of his present leadership qualities were born there and fortified through rigorous Army OCE training, where he once again was the paramount student.

Shortly thereafter, he began an illustrious business career here in Fall River at the Shelburne Shirt Co. which was founded by his father, Sander Epstein and Bernard Lasker in 1931. Beginning as the Cutting Room Supervisor, be advanced to Plant Manager and eventually Vice President in charge of manufacturing, his present position.

Adhering closely to his personal tenents of diligence and growth, Epstein has kept Shelburne flourishing and expanding. Through innovative methods, such as vestibule training and employee seminars, Epstein has instilled the idea of pride in workmanship to all his employers. This he feels is an invaluable ingredient that will assure long-range success. Also, the fact that Shelburne has the lowest turnover percentage in this women dominated industry, is living tribute to Epstein's close relationship with his employees.

However, Epstein's accomplishments are not confined to the business area. He also continues to be heavily involved in community affairs. His civic-mindedness has been well documented throughout the years. He is currently the chairman of the Fall River Heart Association's Carousel Committee, and has been influential in many innovative endeavors, such as having a catholic mass held in his industrial plant. He continues a long tradition of constant participation in any worthwhile community cause.

With the award, however, does not come complacency or stagnation. Epstein assures additional growth and prosperity for local manufacturer's saying "I look forward with the strengthening support of this community, it's Chamber, it's leaders and it's populous to having Shelburne participate in the ongoing development of the needle trades and other career opportunities on a continously expanding scale."

OLDER AMERICANS MONTH

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. SMITH of Florida. Mr. Speaker, I am pleased to recognize May as Older Americans Month, a time to honor the vital contributions senior citizens have made and continue to make to our country.

This is the month to celebrate the joys of aging and to recognize that all Americans, regardless of age have the opportunity to be a positive contributing force in society. Older Americans Month allows us to recognize the needs and concerns of our Nation's senior citizens and honor their accomplishments.

Through thousands of organizations, older Americans make a real difference in their communities and help improve the quality of life for citizens of all ages. Seniors serve as volunteers in our schools, elected officials in our municipalities, builders of our economy in their spending power, and voters in support of key issues affecting people of all ages. Older Americans are involved in projects to meet every type of our Nation's needs, ranging from community beautification to athletic programs for youngsters.

Earlier this year I introduced a resolution designating the third Sunday in August as National Senior Citizens Day. This bill recognizes that senior citizens are the foundation of our Nation's contemporary life and they serve a valuable role in relaying intact our extraordinary American heritage begun by our forefathers.

While celebrating Older Americans Month, it is only fitting to recognize the Broward County Area Agency on Aging, located in my district, for its efforts to prevent the premature institutionalization of frail senior citizens and for its commitment to recognize the valuable contributions that older Americans continually make to our country.

No honor is too great for our senior citizens. They are the foundation of our Nation's contemporary life and reflect our past, present, and future. They have viewed what was, created what is, and provide the inspiration for what will be.

THE CHALLENGE OF AMERICAN CITIZENSHIP

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. CONTE. Mr. Speaker, I would like to take this opportunity to present to you the winning essay of Mr. Jonathan C. Dailey, of Williamstown, MA. Jonathan, a student at Mount Greylock Regional High School, was the winning contestant from Massachusetts based on his essay entitled, "The Challenge of American Citizenship." I am pleased to share the following essay with you:

The challenge of American citizenship is to rise to the full promise of belonging to a free and democratic nation. Citizenship is not a provincial label, signifying an indefinite something; it is not simply a "good cause" which on closer scrutiny is devoid of meaning; rather, it symbolizes purpose in the promise of being all that one can be in our unparalleled democratic system.

The process of becoming a responsible citizen must be learned. The process is long; the technique is the result of precise political thought that has evolved from the contributions of political geniuses from ages past. It requires a development of character, a sense of honorable obligation, a capacity for loyalty to certain ideals . . . ideals one must never take for granted. Freedoms upon which we build the promise of America are: free elections, free press, freedom of thought and association, freedom of belief and freedom to change your belief; in effect, freedom is the absence of fear—it is that which gives meaning to our existence as a nation. It is life giving; and our challenge is to reach the full promise of our free society.

The prevailing challenge of good citizenship is primarily as a voter. Participation in government is the obligation of each one of us and we can best do this by preparing ourselves to be discerning voters. A solid education is foremost in preparation to being an informed voter. We must listen to the candidates, weigh their proposals, scrutinize their platforms, and, then, decide. In order to participate fully as a citizen, we must feel empowered—that means we must feel as though our vote counts. And it does! My vote is equal to the vote of any other man or woman—or young adult—I know my vote can make a difference. The challenge is to cast my vote thoughtfully. To have a sense of social responsibility and know that the voter holds the key to preserving democratic ideals. It is an individual responsibility and requires individual effort; a privilege as well as a challenge that is fundamental to reaching the fullness, the promise of America.

A second challenge of American citizenship is to go beyond the voting booth to actual participation in the slow mechanics of decisionmaking at the local, state, or national "level". This involves the capacity for independent thinking, critical evaluation, wholesome toleration of others' views, and a fundamental commitment of service to society. If we are to preserve the political and social institutions of which we are a part, we are bound to be participants in the process. The majority rules in a democracy; in a republic, elected officials represent the masses . . . then, the best of the citizenry must rise to their individual promise . . . and be willing to serve. If the politician sees his role as one of service, he will conscientiously serve—to preserve, and protect the freedoms we love and promote social justice for all. I would like to be able to say in the future, "My son or daughter wants to be a politician—" and be proud that the vocation implies service for humanity—the quest for truth rather than the seamy aspects that have become stereotypical all too often. The challenge, then, includes restoring trust and faith; to be able to say of the office holder: he has performed his work well, in service to our nation's peoples and our nation's ideals.

In our celebration of the United States Constitution and its Bill of Rights, let us reaffirm our convictions and that the citizen has the inalienable right to think for himself, to judge freely, and to participate in the promise of America as voter and office holder. It is the intelligent manner in which we face these fundamental challenges of citizenship that will ultimately lead to security under the rule of law so we may live peaceful lives by the fireside of the home, and in the family of nations.

TRIBUTE TO DICK SULLIVAN

HAPPY BIRTHDAY, DICK!

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. ANDERSON. Mr. Speaker, May 17 marks the 70th birthday of a good friend of yours and a good friend of mine, Richard J. Sullivan. Dick, as so many people in this city and around the country know, is chief counsel of the Public Works and Transportation Committee.

What may not be generally known about Dick is that he came to Washington, DC, on a temporary assignment in 1957 to serve under Chairman Buckley, and the Nation is fortunate that his temporary stay has not yet ended.

There has not been a significant piece of legislation reported by the Public Works Committee in 30 years that hasn't had Dick's substantial mark upon it. Each bill, each law, is better than it would have been absent Dick's handiwork. He has been not only a careful legislative craftsman, but despite his frequent protestations that "only Members make policy," he has helped guide and shape our thinking, asking all the right questions and, Dick being Dick, seldom failing for an answer.

Mr. Speaker, there are few of us in this House, and you are one of the few, whose tenure predates that of Dick Sullivan. In the years that Dick has been here, Members have come and gone, illustrious careers have been established, and the committee has enjoyed the service and leadership of six chairmen. Through it all, Dick has been here, and as he has provided advice and counsel to each chairman, so has he learned from each. So, he is even more effective and knowledgeable today than he was 30 years ago.

Clearly, Dick has played an important role in the development of our Nation's public infrastructure. But anyone who knows Dick knows that that is only one part of the Sullivan story. Mr. Speaker, many bright, eager, and talented people come to Washington each year to help staff Congress. Few though, and I think this has become increasingly true as our staffs have grown and bureaucracies have mushroomed, add to their jobs and their surroundings the personal touch that Dick brings to every task.

While there are many new faces coming to the Hill with talent, few bring with them the flair and the spirit as has Dick. I am not sure at this point, in my 19 years on the committee, how many times I have heard Dick give his renditions of "When Irish Eyes Are Smiling," or "New York, New York." And of course, a dinner with Dick, without being treated to at least one soft-shoe routine, is not a dinner with Dick.

Mr. Speaker, in my 19 years with Dick, and I realize that in his eyes I am still somewhat of a newcomer to Public Works, we have not been without our differences. Sincere people can view things differently, and from time to time, we have. But Dick, don't forget, "Members make policy."

To say that he has been an outstanding counsel to the committee for 30 years, and has contributed mightily to the welfare of this Nation is certainly sufficient praise for any person, but in Dick's case it is not saying enough because it does not capture the man. To say that he has done this with a style and a grace that is unique and wonderful also falls short.

Mr. Speaker, it must still be added that Dick has done all of this with an unfailing sense of integrity, of fair play, and with an understanding of how our actions in Washington impact upon the person in the street, whether that street be in the Bronx from where Dick hails, a wide avenue in southern California where we have benefited from his input, or any point between.

Mr. Speaker, Dick is turning 70 on Sunday. On behalf of all those who ride on our Nation's highways or public transit systems, fly in the skies, live in a redeveloped urban area or Appalachia, or can simply turn on a tap and get clean water, I say "Happy birthday."

My wife, Lee, and I wish Dick, his wife, Julie, and their entire family many more years of good health and happiness. Happy birthday.

WESTERN VALUES

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. OWENS of Utah. Mr. Speaker, today I would like to call to the attention of my colleagues in the House of Representatives the speech that Chairman Paul Kirk of the Democratic National Committee made last Thursday, April 30, 1987, in Santa Fe, NM.

The work that Chairman Kirk has done to stress Western States values is an important achievement. Political parties have an obligation to speak out, to reflect American values, and to take a stand on vital issues. Chairman Kirk has a message for everyone, regardless of party or geographic location. Education, Social Security, economic growth, and defense are not parochial, but national issues. I appreciate and wholeheartily agree with the chairman's remarks, and ask you to spend a few minutes and judge them for yourself.

SPEECH BY DEMOCRATIC NATIONAL CHAIRMAN PAUL G. KIRK, JR., SANTA FE, NEW MEXICO, APRIL 30, 1987

Some may be asking why the National Democratic Party chose to meet here in the inter-Mountain West in April of 1987.

My answer is simple. The single most important thing a political party can do after a successful election is get ready for the next one. And so we have come west to Santa Fe.

The country is beginning to focus on the Presidential election of 1988. We have brought our meeting here to make a deliberate political statement, and it is this.

The Democratic Party of the United States is hearing and heeding the call of the west—its voices as well as its values.

Our political statement is made not just to the voters of this region. It is made to those who seek the Presidential nomination of the Democratic Party. It is made to those who seek the nomination of the Republican Party, and it is made to the country as a whole.

I often say that until we have our Presidential nominee or a Democratic President, the Democratic National Committee has the difficult but important job of conducting "a campaign without a candidate." We are the advance persons who send a message for a nominee not yet chosen. We are asked to set a tone for our future nominee and for the Party.

Today, we meet to do more than set a tone for our candidates. We meet in the West to set a challenge. That challenge is to do as the Democratic National Committee has done and will continue to do—to listen and respond to the call of the families of this region, to come here to hear their voices, to heed their values, to ask for their votes, and to make sure that the West is part of the Democratic Party's national message to its national audience.

The National Democratic Party cannot have a national message unless the voices and values of the West are a part of that message.

The National Democratic Party cannot have a national message to a national audience unless the voters of the West are a part of that audience.

And the National Democratic Party cannot have a competitive national strategy unless it is determined to compete to win in the West as a part of that strategy.

So let me also put a challenge before the Republican National Party and the 1988 Republican nominee. In the Presidential election of 1988, the Democratic Party of the United States will not write off a single electoral vote.

We will compete with and challenge the Republican Party for every electoral vote in the West, in the Southwest, and in every region of this country.

Two years ago, shortly after my election in 1985, it was no accident that I chose Scott Matheson—a respected leader from the inter-mountain West and a former Governor of Utah—to Chair our Democratic Policy Commission. It was the voice and vision of that son of this region that helped set the Democratic Party on a course towards the successful elections of 1986 and a return of the United States Senate to a Democratic majority.

And, in the results of those important elections last November, the Democratic Party heard the strong voices and sturdy values of the voters of the West.

We heard them from Alaska in Steve Cowper's election as Democratic Governor. And the DNC responded with the nomination of Alaska's Virgie King to the Credentials Committee.

Above the pounding surf of the Pacific, we heard them in the resounding re-election of Dan Inouye to the United States Senate.

We heard them from California with the re-election of Alan Cranston to the Democratic majority of the United States Senate. And we will hear them again in June with the election of our own Nancy Pelosi to the Congress of the United States. And the DNC responded with the nomination of Justin Ostro of California to the Rules Committee.

We heard them from Colorado with the election of Tim Wirth to the United States Senate and Roy Romer to the Democratic Governorship.

We heard them from Oregon and Idaho and from Wyoming with the election of Democratic Governors Neil Goldschmidt and Cecil Andrus and Mike Sullivan.

From Washington state to Washington, DC., the voices and values of the voters of the West could be heard with the election of Brock Adams to the U.S. Senate.

And the voices I enjoyed hearing most were the voices from the home state of both the Republican National Chairman and the Republican General Party Chairman. They were the voices of the voters of Nevada who said "No" to Frank Fahrenkopf, "No" to Paul Laxalt, and "No" to Ronald Reagan. They said "we want a Democrat in the Senate. We want a Democrat in the State House, and we say "Yes" to men of value like Harry Reid and Dick Bryant."

And finally, the values of the West could be heard most clearly in the voices of the voters right here in New Mexico. And they elected Democrat Jim Lewis as State Treasurer, the first black statewide elected official in the history of New Mexico, a state with a mere 2% black voting population. The citizens of this state judged a candidate as all Americans should judge all candidates—"not by the color of his skin, but by the content of his character" and by his competence for office.

And in 1988, the voices and values of the voters of New Mexico will be heard once again—as they will return to the Democratic majority of the U.S. Senate one of America's outstanding young, fighting leaders; a man of decency and dignity who serves the citizens of this state so ably—New Mexico's own Jeff Bingaman.

And how grateful we are for the public service, the dedication, and the ability which the citizens of Santa Fe and the 3rd Congressional District recognize, as we do in one of the country's outstanding young Congressmen—Bill Richardson.

But, despite Democratic successes in the West at the state and local level, the saying goes that electoral politics here are "split-level" politics. The linkage is broken between the issues, the platform, the values of the National Democratic Party and those of Western state and local candidates.

Here, where the electoral college continues to grow, we are told—when it comes to Presidential politics, "forget it; the West belongs to the Republicans." In recent years, the record bears that out. But this new era of National Democrats will not "forget it".

If the levels are said to be split or the linkage broken or perceived to be, let's not be afraid to ask the tough questions: Who split those levels? Who broke that linkage? Who caused that perception? How can it be repaired? If Democratic candidates can win state-wide in the West, why haven't national Democratic candidates won more recent state-wide contests in this region? Why—when a National election is the one moment when these very same voters are asked to respond to their most profound hopes for balanced economic growth, for preservation of a clean and wholesome natural environment, for prudent and principled and positive, pragmatic government, for a strong defense of freedom, for a sure direction for the country, and for a shared vision of our national character?

The answer to these questions is—we can and will earn the support of the families of this region in 1988 and beyond if only we continue to hear and heed their voices and respond to their call. We will broden our national base without abandoning our traditional base. And we are determined to rebuild the linkage with the individuals and families of the West by reaffirming the vision and values of our national character we share with them. That is why we chose to come here today.

This history of America's West is the history of America itself. It's story is our story. The pioneers to this region came from somewhere else to settle its new frontiers. The story of their sons and daughters is one of facing challenge and change and adversity; of solving problems by innovation and perserverance. They are proud, pragmatic, and patriotic. Their vision and values are of individual rights and rugged individualism, but of common sense and common purpose. They combine toughness of mind with compassion of heart. They combine independence of thought with a spirit of community. And they work to fulfill the American dream of leaving something better than they found. Their story is our story. Our hopes are their hopes.

The voters of this region respond to a candidate of the national Republican Party who said government was the problem. But the elite establishment of national Republicans did not tell them that 8 years of fiscal failure and historic budget deficits and paralyzing the ability to invest in their future was the only solution to the problem.

Westerners know what it means to store up reserves for the harshness of winter; they invest for the good of the future. They do not store away their problems for their children to bear or borrow at will from the futures of their grandchildren. The families of the West respond better to challenges than to promises—and so do national Democrats.

After a national Republican establishment leaves behind an economy resembling "swiss cheese" from region to region, and a country more sharply divided along economic class lines than ever before, the challenge of the Democratic Party in 1988 is to renew respect for the independence and the equal opportunity of each individual while restoring the linkage and interdependence of all of us as Americans.

Like the families of the Rocky Mountain West, the National Democratic Party understands that when a copper miner, or a cattle rancher, or a farmer of this region is foreclosed, the families of the machinists who supply their rigs from the factories in the Mid-West, the workers who provide the metal for those rigs from the steel mill in the East, the oil refiner in the South who supplies the energy to forge the steel—their jobs, their standard of living, their quality of life, their hopes, their futures are affected as well.

While the national Republican establishment would cut back on public education by 28%, the Democratic Party, like the families of the Southwest, understands that a good education for our children is a wise investment for the future of all of us. If the Hispanic children of Sante Fe and the Southwest, or children anywhere in this country, minority or otherwise, are not provided a quality education: How can they find a decent job that will pay a decent wage? Will it be their earned wages or ours which are used to support their families?

If we don't invest in education for the young, old age will continue to be a risk instead of a reward of American society.

If we don't invest in young Americans so that they can live a productive life, where will the revenue come from to cover Social Security for the aging Irish grandmother in

South Boston or the pension benefits for the Polish war veteran in Chicago?

And if we don't invest in quality education today, who will have the skills to produce the quality goods to enable America to complete in the global marketplace tomorrow?

Investing in the future is not only the smart thing to do. It's the right thing to do.

From the hearty family on the mountain range to the homeless family in the inner city, from the rain forest to the everglades, from Canyon lands to Cambridge, Sun Belt and Frost Belt, young and old, no matter the color of one's collar or the color of one's skin, we are all in this together—one nation, indivisible. America's diversity remains its strength.

It is up to us to use that diversity to weld a balanced, diversified economic growth, that unifies instead of divides, and that gives all Americans the equal opportunity to leave a better situation than they found.

Our heritage is one of accepting the challenge, facing the facts, and doing what must be done today to lighten the load and brighten the future for tomorrow. It is a heritage of strength and confidence, of hope and opportunity. It is that proud heritage which today, in Sante Fe, the Democratic Party of the United States reaffirms with the families of the West as together we begin the challenge of leading this country to the future.

Let's get on with it.

DIPLOMATIC RECIPROCITY AND SECURITY ACT

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. BROOMFIELD. Mr. Speaker, Representatives DAN MICA, OLYMPIA SNOWE, DANTE FASCELL, and I have introduced the Diplomatic Reciprocity and Security Act. This bipartisan bill, cosponsored by the chairmen and ranking minority members of the Foreign Affairs Committee and its Subcommittee on International Operations, will correct significant United States weaknesses which Soviet espionage activities have exploited.

The United States cannot afford to continue to permit the Soviet Union to inflict damage on the national security of the United States through espionage directed against United States diplomatic personnel and against sensitive United States diplomatic, military, and intelligence communications.

The Soviets have penetrated the present and proposed United States Embassy sites in Moscow with electronic listening devices. The Soviets use their present and proposed diplomatic facilities in the United States, including the new Soviet Embassy atop Mount Alto in the District of Columbia, for electronic espionage to intercept sensitive United States Government communications.

In addition to damaging United States national security through espionage aimed at United States diplomatic premises or conducted from Soviet diplomatic premises, the Soviets have worked hard to make the quality of life miserable for United States diplomats in the Soviet Union, even though the United States affords all the creature comforts of America to Soviet diplomats in the United States.

The time has come for a strong United States response to the Soviets' despicable conduct. The Diplomatic Reciprocity and Security Act is an important element of that response. To combat Soviet espionage, the legislation will improve the security practices and procedures followed, in United States diplomatic activities. The legislation also is designed to improve Soviet treatment of United States diplomats in the Soviet Union by ensuring reciprocity between United States treatment of Soviet diplomats and Soviet treatment of United States diplomats.

I urge my colleagues to support enactment of the Diplomatic Reciprocity and Security Act. A brief section-by-section summary of the bill follows:

SECTION-BY SECTION SUMMARY

DIPLOMATIC RECIPROCITY AND SECURITY ACT

Section 1 entitles the bill "Diplomatic Reciprocity and Security Act".

Section 2 provides a table of contents for the bill.

TITLE I—SOVIET EMBASSY IN THE UNITED STATES AND UNITED STATES EMBASSY IN THE SOVIET UNION

Section 101 provides for U.S. withdrawal from the U.S.-Soviet new embassy agreement of 1969, which provided for the new Soviet Embassy on Mount Alto, in Washington, D.C. and the new U.S. Embassy in Moscow. The President may waive the provision if he determines and reports to the Congress that it is vital to U.S. national security to continue the agreement, and that steps have been or will be taken to improve security at the new U.S. Embassy chancery building in Moscow and to eliminate the threat to U.S. national security posed by electronic surveillance from Soviet facilities in the United States.

Section 102 expresses the sense of the Congress that the U.S. should recover damages from the Soviet Union for costs incurred by the U.S. due to Soviet intelligence activities directed at the new U.S. Embassy chancery building in Moscow.

Section 103 requires the Secretary of State to ensure that the U.S. Embassy in the Soviet Union receives treatment equivalent to that which the Soviet Embassy in the U.S. receives on pricing of and access to goods and services, and on the quantity and quality of embassy real estate.

Section 104 requires the Secretary of State to report on reduction of the number of Soviet commercial personnel in the United States.

TITLE II—IMPROVING STATE DEPARTMENT PERSONNEL PRACTICES AND ORGANIZATION TO COUNTER HOSTILE INTELLIGENCE THREATS

Section 201 requires periodic counter intelligence scope polygraph interviews for Diplomatic Security Service personnel.

Section 202 requires the Secretary of State to establish a special personnel security program for Department of State security personnel, and for security guard personnel, assigned to U.S. diplomatic and consular posts in high intelligence threat countries, such as communist countries.

Section 203 requires an accountability review board review in any case of a serious breach of security involving intelligence activities of a foreign government directed at a U.S. diplomatic or consular mission abroad.

Section 204 prohibits employment of communist country nationals in U.S. diplomatic and consular facilities in communist countries after FY 1989.

Section 205 requires the Secretary of State to ensure that the United States does not pay pension benefits to foreign national employees of U.S. diplomatic and consular posts who engage in intelligence activities directed against the United States.

Section 206 requires the Secretary of State to report to the Congress on the advisability of employing foreign nationals at foreign service posts abroad.

Section 207 streamlines and consolidates Department of State bureaus responsible for security, communications, construction, and foreign diplomatic posts in the United States.

Section 208 retitles as "Assistant Secretary of State for Foreign Missions" the current title of the "Director of the Office of Foreign Missions."

TITLE III—ADDITIONAL MEASURES TO PROTECT AGAINST HOSTILE INTELLIGENCE THREATS

Section 301 provides funds necessary to improve security at U.S. diplomatic and consular posts abroad.

Section 302 requires the Secretary of State to conduct periodic security surveys at diplomatic and consular posts to identify security weaknesses and correct them.

Section 303 provides that, if the Secretary of Defense judges that acquisition of U.S. real estate by an unfriendly foreign country for an embassy or consulate might improve that country's electronic espionage capability, the country may not acquire the property. The section also provides that, if the Director of the FBI judges that acquisition of U.S. real estate by an unfriendly foreign country for an embassy or consulate might improve that country's non-electronic espionage capability, the country may not acquire the property.

INTERIOR DEPARTMENT GIVE AWAYS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. MILLER of California. Mr. Speaker, I am increasingly concerned about the "bargain basement" mentality which has taken control of the Department of the Interior. This Department, in particular and this administration, appears intent on giving away this Nation's mineral resources at bargain basement prices.

Take for example the Department's proposed regulations concerning the collection of royalties from natural gas leases. The Department has proposed changing the value of gas for purposes of collecting royalties—an action which will reduce the amount of money the companies owe the Federal Government.

To make matters worse, the Department proposes to make these changes retroactive. This means that all of the companies which have not been paying what they owe the Government for the last few years, have been let off the hook. The net loss to the Treasury could be hundreds of millions of dollars.

In the next week or so, Congress will be voting on legislation designed to prevent the Department of the Interior from transferring 270,000 acres of public oil shale land to private interests for $2.50 per acre. It is unconscionable that the Department would propose to dispose of public lands in such a way and at literally rock-bottom prices. The loser, once again, is the Federal taxpayer.

The Secretary and this administration have talked a lot about their pay-as-you-go philosophy—using it to justify decreased expenditures for national parks and increased entrance fees for citizens to use our parks and recreational and scenic areas. And, for the record, I don't mind paying my fair share to save and preserve and maintain our parks. What I do mind, however, is the double standard: ordinary citizens will pay more to use our national parks, while energy companies are being given lands and resources at bargain basement prices.

The Secretary tries to justify these giveaways as necessary for protecting our national security. I would suggest that the security he is really protecting is that of the energy companies, not of the Nation.

Mr. Speaker, I would like to bring to the attention of my colleagues an insightful article which recently appeared in the New York Times by John B. Oakes entitled "Hodel Squanders Our Birthright." Mr. Oakes does an excellent job of exploring the give-away policies of this administration.

However, I fear he has only touched the tip of the iceberg and that the more we probe and examine the activities of this Secretary, the more give-aways we are going to find.

Mr. Speaker, I ask unanimous consent that the article by Mr. Oakes be included at this point in the Record.

HODEL SQUANDERS OUR BIRTHRIGHT

(By John B. Oakes)

If James G. Watt were still Secretary of the Interior, he couldn't have done much worse than Secretary Donald P. Hodel has done in recent weeks. Except for differences in decibel level, the two have faithfully followed the identical policy of squandering the nation's natural resources for presumed short-term gains.

Mr. Hodel's two most recent violations of his trust are separate but related. The first was to throw open to oil extraction the entire coastal plain of the Arctic National Wildlife Refuge in northeastern Alaska, the only place in North America where the complete range of Arctic ecosystems is still preserved intact.

The second, a week later, was Mr. Hodel's decision to open for oil and gas leasing millions of acres of the most environmentally sensitive off-shore areas along the Atlantic, Pacific and Alaska coasts.

The Reagan-Watt-Hodel leasing program is not a sensible or orderly method of stretching out America's dwindling supply of this finite energy resource. It is, rather, a self-destroying crash program, as though the nation's life depended on draining America dry of all its oil reserves as quickly as possible.

There are other and better ways of tackling the energy problem, but the Administration shows little interest in them. All of its emphasis is on extraction. None is on the far less costly and far more productive avenues of greater energy efficiency (especially in transportation, housing and manufacturing) and of alternative energy sources (especially solar). The discovery of new oil can hold off for only a few years at most of the total depletion within the next several decades of domestic oil resources at present rates of consumption.

The facts about the Arctic Refuge are straightforward, but what Mr. Hodel says about them is not. The key area that he would now open to oil exploitation is its huge coastal plain, comprising the only 100 miles of Alaska's 1,100-mile North Coast still fully protected from oil development. It is indispensable terrain for North America's largest herd of caribou, whose annual trek from the Canadian side of the border is one of the world's unique wildlife migrations. A request from the Canadian Government for continued protection of the herd was ignored.

The Arctic coastal plain is also home to an immense variety of other animal and bird life of the tundra whose habitat—and therefore whose existence—would be irretrievably damaged by any kind of industrial incursion into a wilderness as fragile as this. Violation of this land of majestic silence would be an act of spiritual degradation. It should be contemplated only as a last resort.

By the Government's own admission, the chances of finding any oil at all beneath the refuge in commercially exploitable volume are less than one in five. The department's mean estimate of the amount of oil available (on the 19 percent chance that *any* is available) would only be enough to meet America's energy needs for less than 200 days.

Assistant Secretary William P. Horn speaks glibly of an oilfield potentially the size of neighboring Prudhoe Bay. The respected analyst Armory Lovins of the Rocky Mountain Institute points out that the overall possibility of such a strike is no more than 1 percent.

To replicate the Prudhoe Bay complex is Mr. Hodel's goal. Prudhoe Bay is producing half as much air pollution as New York City. Water pollution from its oil spillage and toxic chemical waste is spreading out through the flat wetlands of the tundra. Even in the unlikely event that another Prudhoe Bay would in fact be discovered, it would, while it lasted, reduce America's dependence on foreign oil only from 40 to 30 percent.

To enlist native Alaskan support for prospective oil development in the refuge, the Interior Department has been attempting to trade subsurface mineral rights in the area for lands held by native corporations in other parts of Alaska. The cynical idea is to induce the native Alaskan groups to add their pressure to the Government's own strenuous campaign to open the area to oil development, regardless of the effects on native culture and way of life. Not for the first time, the Government is engaged in the dirty business of corrupting native societies for a shabby purpose.

Only Congress can save the situation now. A bill introduced by Morris K. Udall, the House Interior Committee's chairman, will do the job by turning the refuge into an officially designated wilderness area where there can be no mineral or any other kind of exploitation. In 1980, Mr. Udall, a father of the Alaska Lands Act, was forced to compromise on protection of the refuge to secure passage of the basic law. This time around, there can be no compromise.

Secretary Hodel again showed his contempt for environmental values when he set a five-year schedule for offshore oil and gas leasing that would threaten some of the most crucially important fishery, wildlife and scenic areas on either coast.

Advertised by the Interior Department as a compromise with environmentalists, this is no compromise at all. If it were, the outcome would have been different in the Bering Sea, for example. One of the world's richest fishing grounds, the sea is also one of the heaviest concentration areas for Alaska's exotic marine mammals and birds. It is up for grabs under the oil and gas leasing program.

In what could have been a historic step in resolving conflicts between environmentalists and developers, representatives of conservation organizations, fishermen, native Alaskan groups and major oil companies—meeting under aegis of Robert Redford's Institute for Resource Management—negotiated a compromise agreement on Bering Sea areas to be excluded from oil and gas development.

But it was not to be. Mr. Hodel has rejected the recommendations. He has included in the lease program some 32 million acres of the most environmentally sensitive areas off the Alaskan coast that the interested parties had agreed to include. So much for compromise.

While recognizing a near-shore buffer zone along most of the Atlantic coast, the Hodel plan leaves unprotected the famed Georges Bank, a rich fishing ground off New England that one oil spill could annihilate. Most of the offshore deep water areas off the northern California and Northwest Pacific coasts that Mr. Hodel deferred from the leasing program are tracts in which the oil industry is not now particularly interested.

Mr. Hodel triumphantly called his five-year leasing program "the foundation of America's energy future." If America is to have an "energy future," it will have to be based on a whole lot firmer foundation than this.

The search for new sources of domestic oil at any cost is at best a temporary expedient, not a policy. A realistic energy policy would concentrate instead on development of alternative energy sources and on a serious program of promoting energy efficiency and fuel conservation.

The Administration has consistently downgraded both these paths to energy independence. It has cut severely the already meager appropriations for research and development of alternative energy, especially solar. Late last year, President Reagan actually vetoed a bill (that has since become law) setting Federal energy efficiency standards for home appliances that have the endorsement of the industry itself.

This new bill alone will save, before the end of the century, the energy equivalent of at least one billion barrels of oil, which could easily surpass the entire output of the projected Arctic Refuge development. A program to efficiently insulate America's housing stock would save within a few years much more than even the most optimistic production prospects of the refuge. Substitution of fuel-efficient cars for the current supply of "gas guzzlers" would do the same.

But where is the national policy to achieve such goals? Everything the Administration does on this issue—from relaxing gas consumption standards and raising speed limits to belittling the search for renewable energy alternatives—moves in the opposite direction.

The point is not that there should be no leasing or development of prospective oil-bearing lands, but that there is no reason to plunge into the relatively few areas where exploitation would do permanent and irreparable environmental harm with dubious and temporary economic results. There is a compelling national interest, however, in constructing a high-priority Federal program to develop both energy efficiency and alternative methods of energy production. That would be the creative pathway to an "energy future" for America.

FAMILY OPPORTUNITIES FOR CHILD CARE ACT OF 1987

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. HAWKINS. Mr. Speaker, there has been a great deal of discussion in the past several months about the need to move recipients of aid to families with dependent children [AFDC] into education, training, and employment programs. Any new approach to achieve this goal will not be successful unless child care assistance is a major component of any comprehensive effort to reform the current welfare system.

To address this critical need, today I am introducing the "Family Opportunities for Child Care Act of 1987." This bill provides for developmentally appropriate child care at the market rate which will enable recipients of AFDC benefits to make productive use of education, training, and employment programs. Developmentally appropriate child care must include not just custodial care, but also provide a stimulating educational environment which will enhance children's learning skills. The cost of quality child care must reflect the reasonable going rates for the various regions across the country.

In fiscal year 1986, 10,995,000 persons, or 3,747,000 families received AFDC benefits. Of that total, 7,294,000, or two-thirds of the recipients, were children. The lack of affordable quality child care is a severe impediment to educational achievement and work experience necessary for the attainment of self-sufficiency for a significant proportion of families who receive AFDC benefits. How can we expect to assist these families to achieve self-sufficiency unless there are provisions for the care of their children?

This bill provides support to States for extended day, full-year child care through contracts and/or child care certificates for recipients during their participation in education and training programs. Child care assistance is to be provided to recipients who obtain unsubsidized employment for a period up to 12 months, part of which will be on a sliding fee scale. For recipients who obtain subsidized employment, child care assistance will be provided for a period up to 18 months while they are searching for unsubsidized employment.

My bill increases child care services, requires coordination among existing State and Federal child care services, and establishes a demonstration program that will support innovative child care activities such as training for child care providers and parent education, particularly for young parents. The bill makes a long-term commitment to the need for child care services through the establishment of a national commission to develop a long-range national child care policy. Five hundred million dollars are authorized to carry out provisions of the bill in fiscal year 1988 and such sums as may be necessary in succeeding fiscal years.

In fiscal year 1984, there were 1,545,000 children under the age of 3 years who received AFDC benefits; 1,502,000 between 3 and 5 years; 2,282,000 between 6 and 11 years; and 1,824,000 between 12 and 18 years. Considering that the national average cost of care is $3,000 annually, our investment will need to be great over an extended period of time.

The Census Bureau recently issued a report that working women in this country pay about $11 billion a year for child care while at work. During hearings on welfare reform and related issues, including child care, that were conducted by the Education and Labor Committee, many of the witnesses stated, "Child care is not cheap." It would be grossly unfair to expect no support for child care and supportive services for individuals on AFDC who are attempting to make the leap from dependency to self-sufficiency. Studies have shown that people on welfare want to work if given the opportunity.

I am talking about the future of this Nation, our most important resource, our children. It is critical that we invest in them as early as possible. We can invest now and give American children a safe and stimulating care environment, while their parents work toward achieving self-sufficiency. Or, we can pay later to support poor families who will need assistance year after year. Paying now means more high school graduates, more taxpayers, better educated citizens, and fewer dropouts doomed to economic misery.

ADDRESS BY RABBI ARTHUR SCHNEIER

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. WEISS. Mr. Speaker, on February 14, 1987, Rabbi Arthur Schneier, president of the Appeal of Conscience Foundation, was one of several international religious leaders to address the religious section of the International Forum for the Survival of Humanity, for a Nuclear Weapon Free World, which was convened by Soviet Leader Mikhail Gorbachev in Moscow. Rabbi Schneier, the senior rabbi of the Park East Synagogue in New York, heads the Appeal of Conscience Foundation, an ecumenical organization dedicated to strengthening religious freedom and human rights throughout the world. I would like to share with my colleagues Rabbi Schneier's important and eloquent remarks.

ADDRESS BY RABBI ARTHUR SCHNEIER, D.D.

I am honoured to address this International Forum for the Survival of Humanity, for the Nuclear Free World. Our coming together is an occasion to exchange ideas and—no less important—to meet old friends and make new ones.

Religious leaders welcome such opportunities. We especially appreciate the outreach to diversity of views and the encounter with men and women of science, scholarship, the arts and the world of business.

I speak to you today as an American who has been privileged to work with leaders of major faiths in many countries, in the interest of peace, mutual understanding and international cooperation. Our conscience dictates a commitment to the preservation of the human family—unity within diversity.

Those of us who are from the religious sphere are cognizant of our limitations. We know what we can and cannot do. We cannot make decisions for our governments—but we can seek to influence them. We cannot speak for the men and women who worship in our churches, temples, mosques and synagogues—but we can speak to them. And while we seek through prayer to reach on high to the Almighty, we know that we live down here, on this earth, in this world.

Just as we speak to our congregants, so also do we listen to them. We hear cries of anguish as we do their shouts of joy. What do they tell us, these families within the great human family? They speak to us of their fears no less than of their hopes.

There is the fear of nuclear accident. Here Americans no less than Soviet citizens are worried—increasingly so. The names of Three Mile Island and Chernobyl strike terror into our hearts, one for the horror that might have happened, the other for the horror that did.

And finally there is the fear of nuclear Holocaust that could destroy life as we know it on the planet Earth. The word Holocaust of course resonates with a special doom in the Jewish community, for it is the word we use to describe the awful events that befell our people in Nazi-occupied Europe.

I also speak to you as a Jew, born in Vienna, who fled as a child with his family to what we thought was the safety of Budapest. I remember the Nazi terror, which turned the streets of Budapest into hunting ground where Fascists stalked Jewish children and women and old men and shot them or put them onto trains for the journey to hell or, at the end, made them march to their death.

I was one of the lucky ones. In Budapest, just 42 years ago last month I was liberated by the Red Army, and I will never forget the moment, nor my profound gratitude to the soldiers whose courage and determination freed not only me but also helped free a whole continent from the evil of Nazism and the doctrine of racial superiority. I appear before you today as someone who has directly experienced war, a survivor of the Holocaust and Hitler's War against humanity, someone whose life was for ever changed by war. I do not speak here academically about violence unobserved: I speak as a witness to the Known War, as a victim whose testimony must be heard; for the involuntary fraternity of victims of war know a language and a perspective that only we can utter. This perspective and language speaks of agony, terror, and the profound sanctity of life. Of all those living in the world today, surely it is the survivors who understand why there must not and cannot be war again for the awful fact is that there is little likelihood any of us would survive a nuclear Holocaust or the nuclear winter that would follow.

Having survived the Nazi Holocaust I am driven by the need to prevent a nuclear Holocaust. Is this merely a dream, the idea that we can prevent what to many seems to be the inevitable destruction of the planet? My countryman Martin Luther King, Jr. some

25 years ago inspired all Americans with the words, "I have a dream". It is a dream that has begun to come true because so many of his fellow-Americans shared that dream with him, and joined him in the quest for fulfillment of it. I believe that we here, and the people whom we represent, in a sense share the dream of peace enunciated by the Prophets of old, the dream turning swords into plowshares and of making war no more.

The proliferation of nuclear weapons to many more countries and the development of missile systems with multiple warheads has made this dream a practical necessity. The truth is that we have created a technology that can exceed our ability to control it. Technology has acquired a dynamism into itself, one that eventually may defy human safeguards.

Concurrent with the expansion of technology to unbelievable proportions, our abilities to regulate it have been infinitely complicated by problems related to the distances and scope over which these technologies operate. The new generations of weaponry outdistance the regulatory machinery presently available for controlling the arms race. We must remain one step ahead. Agreements which do not anticipate the future are in danger of being rendered obsolete. The tools that we have customarily used, the statements that we have made in the past, have become, through our progress, inadequate to deal with our new conditions. The same intensity of seminal thought that has resulted in the machinery of war must now be directed toward peace.

Additional problems are associated with the advances made in the technology of human armament. While the knowledge of the inner-workings of a nuclear reactor is not within the grasp of most of humanity, it has been amply shown that any educated individual who so desires can create a nuclear bomb by following design plans available in a number of scientific texts.

The Special UN Session on Disarmament, in its Final Document, put it best: "The hundreds of billions of dollars spent annually on the manufacture of weapons are in sombre and dramatic contrasts to the want and poverty in which the third of the world's population lives". Have we the right to deny the world community the improvements of life that are now possible as a result of advancements in technology?

What is to be done about this nightmarish situation? We must speak of an intellectual and spiritual transformation as the midwife of disarmament. If we want to approach the 21st century, force must be replaced by dialogue. We must reemphasize our mutual interdependence.

In the face of man's inability to find in technology the answers he seeks, there has been a dramatic reaffirmation of religious faith in all parts of the world. Religious leaders therefore bear a special responsibility to harness spiritual resources in the quest for peace. In the words of the Prophet Ezekiel: "But if the watchman see the sword come, and blew not the trumpet, and the people be not warned; if the sword come, and take any person from among them, he is taken away in his iniquity? but his blood will I require at the watchman's hand." (33.6).

Dare we, watchman of faith, close our eyes to the sword of the destruction hovering over mankind?

Regrettably, this task of peace-building seems so vast and difficult that many of us have stopped trying and devote our energies instead of our private concerns, leaving it to "others" to deal with the great issues of war and peace. The issues are complicated, the knowledge required so vast, the technology so advanced that many just throw up their hands and say, "It is beyond me. I cannot deal with it".

I think this is wrong and dangerous, both, I believe there are things we can and must do. I believe we cannot leave it to the experts but must come to grips with the issue ourselves.

Remarking on the human condition, Rabbi Tarfon is quoted in the Ethics of the Fathers: "The day is short, the task is great, the workmen are lazy, the reward is great and the master is insistent." (Ch. II, 15).

This dictum serves as an exhortation that is as relevant to the spiraling arms race as it is to an individual. We all realize that in our time we face the potential for self-induced cataclyms of unparalleled proportions. To avert the calamity let us remember that the day is short and that the task is great. We are forges of our own fate and if we rise to meet the challenge the regard is indeed great. Time is running out for human existence. We dare not delay.

The elevation of humanity through its own travail to a level of just coexistence and peace is an imperative that requires persistence and urgency. Human history can be aborted precisely at a time when instant communication has potentially improved mutual understanding between peoples.

At the very outset, we must—it seems to me—learn to trust one another. That is no easy task, and I am not so naive as to suggest that any of the states whose citizens are with us today, including my own country, should lay down its arms in a unilateral manner out of "trust" that others would do the same. But trust can be earned, by acts of faith and of decency, by behaving in such a way as to demonstrate—in the word of the United States Declaration of Independence—"a decent respect to the opinion of mankind".

Here I believe we who are men of religion have a special role to play. We are not policy-makers, but we can be trust-builders. We can call on our leaders to live up to their international obligations, and also to the obligations they owe their own citizens. Here is just one example:

When Soviet authorities revealed the full scope of the damage wrought by the nuclear accident in Chernobyl, that helped create confidence. And when America responded by sending some of its leading scientists and physicians to join in the Soviet effort to limit the damage and heal the sick and the injured, that too created trust.

Americans watch with great interest and satisfaction the new process of openness—what is known as glasnost—that we are witnessing in the Soviet Union today.

The release of Dr. and Mrs. Sakharov, yes his very presence at this Forum today is a measure of trust and confidence. The release of dissidents and the reevaluation process on refuseniks signifying a new approach in the field of human rights is a measure of trust and confidence—to be harnessed as we seek to halt the armaments race.

In the realm of arts and literatures, all of us can take heart that works, long absent from library bookshelves and bookstores, are now becoming available, some for the first time. In the cinema, in music, art and theatre, there are signs of a new tolerance. This builds confidence.

In the Soviet press we see problems long ignored now openly discussed, and we read of vigorous debate about foreign and domestic policies. Another cause for trust and confidence.

What is so striking, it seems to me, is the great window of opportunity that is presented to the world today. In my country, President Reagan is nearing the end of his second and last term as President. I fervently believe this President wishes to bestow upon future generations of America a legacy of peace and improved relationships with the Soviet Union. And, judging from his recent words and actions, I believe Secretary Gorbachev also wishes to end or significantly reduce the arms race and the huge burden of armaments his country bears, so that the energies of the Soviet people may be devoted to the health and welfare of all of the people, the same wish that I believe my President has for his countrymen.

If I were speaking to Ronald Reagan and Mikhail Gorbachev today, I would say to them: Join hand, one with the other, in another summit meeting, to continue the discussions that seemed until the very end to be going so well in Reykjavik. Schedule another meeting, soon. Let it be in Washington, and schedule still another one, after that, for Moscow. Can it happen? Will it happen? Are the leaders of the United States of America and the Soviet Union on the same track? I strongly believe so, and I will offer one piece of evidence that astonished me when I first learned of it.

Last June, in a remarkable talk to a group of Soviet writers, Secretary Gorbachev said in part: "The society is ripe for change. If we step away, the society will not agree to a return. The process must be made irreversible. If not us, then who? If not now, when?"

This language, and the thought itself, struck me and many Americans as familiar. Who was it? None other than President Reagan, in his second inaugural address, some 18 months earlier. The President was speaking about the need to end decades of deficit spending, but his language was significant: "We've come to a turning point, a moment for hard decisions. I have asked the cabinet and my staff a question, and now I put the same question to all of you. If not us, who? and if not now, when?"

A coincidence? Perhaps. But both Secretary Gorbachev and President Reagan were quoting Jewish sage Hillel, the great spiritual leader of his generation nearly 2000 years ago. It was Hillel who first asked:

"If I am not for myself, who is for me? If I care only for myself, what am I? If not now, when?"

In these ancient questions, so aptly quoted by both Ronald Reagan and Mikhail Gorbachev, there are grounds for convergence and reason to hope. Let us hope, and let us pray, let us join hands together, and let us build the house of peace—peace with friendship, peace with justice, for ourselves and our children and our children's children.

TRIBUTE TO FRED SILVERMAN

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. GARCIA. Mr. Speaker, I rise today to mourn the passing of my friend Fred Silverman, 52, president, Bronx-Lebanon Hospital Center and nationally recognized hospital leader, who died on April 16 following a heart attack. Mr. Silverman, president since 1977, was the driving force behind the hospital's New Directions Program. Under his leadership, Bronx-Lebanon reestablished its financial stability and has emerged as the largest voluntary provider of health services in the South Bronx, maintaining an occupancy rate of 90 percent during the past 3 years, and providing 193,000 inpatient and almost 400,000 outpatient and emergency room visits annually. "An ability to succeed when all the odds were against him was a quality we continually witnessed and admired," said Myron Strober, chairman of Bronx-Lebanon Hospital Center's Board of Trustees.

He literally took Bronx-Lebanon from the brink of bankruptcy to the point where it is now ready to break ground on its New Directions major upgrading, modernization, and community revitalization program. This program, which Mr. Silverman and the hospital's board of trustees initiated in June 1981, is a multifaceted program that includes construction to replace the hospital's existing antiquated physical plant with new and modern facilities, the expansion of mental health services, establishment of a skilled nursing facility and sponsorship of needed housing and other community development projects to help stimulate the revitalization of the Bronx community.

During his tenure as president of the 565-bed voluntary teaching hospital affiliated with Albert Einstein College of Medicine, Silverman set a high performance/cost effective pace aimed at providing quality service for the people of the South Bronx.

The President initiated extensive outreaches into the community to help improve the health and quality of life for the people of the South Bronx. As a result, the hospital is widely known in the metropolitan areas as "the hospital that goes beyond its four walls."

As Silverman said of New Directions, "There is desolation in the South Bronx. But one can also sense a miracle in the making, an opportunity to help rebuild a community that has begun to save itself, and a chance to permanently strengthen the health care institution that looms largest in the community's daily struggles."

Silverman played a key role in creating the New York State Emergency Hospital Reimbursement Program [EHRP], Transitional Reimbursement Program [TRP] and the New York State prospective hospital rate reimbursement methodology [NYPHRM], all of which have provided funds necessary to finance care to the medically indigent.

Most recently, he was instrumental in securing the passage of the New York State distressed hospital capital financing bill, which will provide those hospitals serving indigent patients with critically needed bond financing for their capital construction programs. He was also responsible for implementing one of the first hospital industrial engineering programs and one of the first hospital quality assurance programs in the United States.

Prior to his appointment as president, Silverman was deputy director of Montefiore Hospital and Medical Center (1972-77). From 1969 to 1972, he was division administrator, Hospital of the Albert Einstein College of Medicine.

Silverman was the recipient of numerous professional/government/community awards, including the Patrolmen's Benevolent Association Award, the New York City Community Leadership Award given by the Urban League, the Merit Award from Bronx Council of Churches, and the Outstanding Citizen of the Year Award from the Bronx Citizens Club.

He was cited in the CONGRESSIONAL RECORD in 1981. He was chairman of the Coalition of Distressed Hospitals and the Government Affairs Committee of the Greater New York Hospital Association, a member of the Board of Directors of the Hospital Association of New York State, and, a member of the special subcommittee of the New York State Council on Health Care Financing.

His public and community service included membership in the Task Force on the New York City Crisis-Health Committee, Bronx Community Planning Board No. 3, Bronx Chamber of Commerce, Health Systems Agency Board (Bronx Borough) and Health Systems Agency (local board).

Among his teaching appointments were: New York University, associate professor; City University of New York, assistant professor, and with Leham College, School of Nursing.

He is survived by his wife, Lois, and four children, Mark, Gail, Karyn, and Jeffrey Silverman; his father, Joseph Silverman, and sister, Ruth Forbes.

The South Bronx will miss a great man, a leader in the caring of our sick. Fred Silverman, thank you very much, we will always be in your debt.

F-5E JET FIGHTERS TO HONDURAS

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. GEJDENSON. Mr. Speaker, today I am introducing a resolution of disapproval for the sale of F-5E advanced fighter aircraft to Honduras. The United States has had a longstanding policy of not being the first to introduce advanced weaponry into Central America. This policy of restraint has so far kept a terrible ground war on the Honduras/Nicaragua border from escalating into a devastating air war. But with the sale of these weapons that policy of restraint will be abandoned and with it the hopes for ever bringing peace to the region. The conflict can only escalate introduction of these fighter jets into Honduras. Nicaragua has threatened to seek delivery of Soviet Mig's if and when Honduras buys F-5's. Central America threatens to become a region as armed and as tense as the middle east.

Mr. Speaker, we should not be blind to the true purpose of providing advanced weaponry to Honduras. It is not for the defense of Honduran territory, Honduras is not threatened by Nicaragua since that country has virtually no airpower. In fact, Honduras is the only country in the region with any jet fighters at all. Why, then, are we proposing to sell F-5's to a country that has no need for them? F-5's are usually sold to countries that face an enemy with superior airpower. No country anywhere near Honduras poses such a threat.

No, Mr. Speaker, these jet fighters are not for the defense of Honduras against incoming air attack, they are to provide air cover for the Contras as they invade Nicaragua.

We know that Honduras is already the staging ground and safe haven of the Contras. Millions of dollars worth of military equipment and airstrips originally for the purpose of joint United States-Honduran military exercises have been made available to the Contras. Indeed, very little of what we give Honduras in the way of military assistance is really for the defense of that country.

In 1981, before it had convinced the Argentinians to help create a Contra army, the administration proposed only $5 million in military aid to Honduras. For fiscal 1988 it has proposed $181 million. No, these F-5's are not for the defense of Honduras. They are for the Contras so that once again, as in Vietnam, the United States can be instrumental in providing air cover for ground troops moving in hostile territory. It is not hard to imagine how rapidly a ground war can escalate to air war if the right equipment is available.

It seems to me that if our purpose in providing the F-5's to Honduras is really to assist the Contras, the administration should say so and put the sale in the next Contra aid request rather than drag the Hondurans further into a war they did not start and do not deserve to die in.

Mr. Speaker, there has been altogether too much subterfuge in our foreign policy and far too much secret assistance to the Contras. To allow this kind of backdoor help to go through. If the Contras need air cover for their assault on Nicaragua, let the administration come to the Congress, make its case and ask for it.

The use of third parties—Honduras in this case—to further hidden foreign policy agendas has to stop and the sale of F-5 fighter jets to Honduras is the place to begin.

NATIONAL OSTEOPOROSIS PREVENTION WEEK

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Ms. SNOWE. Mr. Speaker, on May 4, 1987, the House passed legislation which I introduced and which was cosponsored by 221 of my colleagues designating the week of Mother's Day, May 10 through May 16, 1987 as "National Osteoporosis Prevention Week."

This year on Mother's Day families across the country celebrated motherhood. But, beyond the obvious significance of this day, there are more subtle meanings that we have come to associate with Mother's Day. More than ever, the link between the generations is symbolized by women who care for their children and who also have a role in the care of their parents.

As family caregivers, women are the great communicators of ideas among the generations. This intergenerational sharing is most crucial in the area of health care. While health care is not only a woman's issue, women face special health problems as well as special biases in the care that they receive.

In a recent report released on the health of older women, the Older Women's League [OWL] has found that although women live longer today, they do not always experience good health in their later years. Women are subject to special health problems that increase with age, and many may face their own illness in conjunction with the responsibility of caring for a spouse or an older parent.

In recent years, we have all become more aware of the effect of lifestyle on our health. Just a few short years ago, osteoporosis, a bone disorder common in older women, was a word that was hardly known, and then only in a select circle. It was because of this lack of awareness that in 1985 and again in 1986 I sponsored legislation in the House of Representatives, which was signed by the President, establishing "National Osteoporosis Awareness Week." This year, in an effort to build upon the awareness that has been successfully generated, I introduced "National Osteoporosis Prevention Week" to be celebrated during the week of Mother's Day.

Osteoporosis afflicts 24 million Americans, most of whom are women. Known as "the silent thief," osteoporosis robs the skeleton of its resources—often for decades—until the bones are so weak that they cannot withstand normal stress. While everyone loses bone tissue with age, postmenopausal white women are at greatest risk of this disease, particularly if they are slender, have a family history of osteoporosis, or have a history of low calcium intake, inadequate physical activity, excessive smoking, or heavy alcohol use. In fact, by the time a woman reaches her 80's, she can have lost up to two-thirds of her bone mass.

Osteoporosis is not a normal consequence of aging. It is, however, the leading cause of hip fractures in the elderly and costs our Nation between $7 and $10 billion a year. Curiously, however, although the costs in human suffering and health care expenditures is great, little research has been done on bone disorders in general and osteoporosis in particular. Recently, the newly formed National Osteoporosis Foundation has spearheaded efforts to support research and education associated with the risks, causes, and effects of osteoporosis in an attempt to reduce the widespread incidence of this disease. The causes of osteoporosis are not known exactly and treatment remains controversial. Consequently, experts agree that prevention is essential to decreasing the prevalence of osteoporosis in our country. Women are in the position to decrease some of the risks associated with bone disorders like osteoporosis by making lifestyle changes such as increasing their calcium intake, eating a well-balanced diet, performing weight-bearing exercises such as walking, and avoiding smoking.

Sadly, bone loss is found increasingly in younger women and many experts agree that women in their 20's and early 30's should be screened for bone loss. Bone mass peaks at approximately age 35 and begins to accelerate at menopause. Of course, some women are more tragically affected by the loss of bone mass than others. Thus, it is extremely important that research continue and that an attempt be made to educate women about the risks of osteoporosis and the prevention of its tragic effects.

For this reason, during the week of Mother's Day, it is appropriate to appreciate and thank the women and mothers of this country, both as family caregivers and family health educators. Equally important, we should use this week to support women in obtaining a healthier life in old age by providing them with the information and treatment relevant to special health problems such as osteoporosis. By recognizing osteoporosis as a national public health threat, we will hopefully encourage continuing research regarding the risks, causes, and treatment of osteoporosis, which will eventually lead to an optimal quality of life for all older citizens of our country.

A DEMOCRATIC FOREIGN POLICY

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. SOLARZ. Mr. Speaker, select committees of the two Houses are currently looking into the foreign policy imbroglio associated with the sale of arms to Iran and the diversion of money to the Nicaraguan Contras. Behind the specifics of this scandal, however, lie broader questions about the purposes and direction of American foreign policy. In the hopes that it might help to stimulate further discussion on those important matters, I ask that the following address, which I delivered before the Democratic Women's Club of Indian River County (FL) a few weeks ago, be printed in the RECORD.

A DEMOCRATIC FOREIGN POLICY

(By Congressman Stephen J. Solarz)

Today, perhaps more so than at any time since the beginning of the 1980's, we Democrats have a renewed confidence in our Party and its future.

We have just come through a succession of successful—a few of them miraculous—victories in last November's elections, culminating in the recapture of the Senate.

Recent polls show that the teflon of Ronald Reagan's early years has finally worn thin. Americans in increasing numbers are now daring to say that the emperor truly has no clothes.

There has now arrived on the scene a new generation of young, dynamic Democratic leaders—men and women eager to lead the Party, and the nation, into the 21st century—men and women, moreover, who are well prepared to do so.

The Reagan Administration, on the other hand, currently finds itself ensnared in a scandal of still widening proportions, complete with sordid revelations of clandestine arms sales, secret Swiss bank accounts, disreputable middlemen, and the illegal diversion of funds.

It seems likely that past and present senior Administration officials have violated the law and will be the subject of criminal prosecution. One of them, Michael Deaver, has already been indicted.

Yet for all the attention that will be—and, I might add, should be—focused on the current scandal, we should not forget that Iranamuck is only the latest in a long line of foreign policy debacles perpetrated by the current Administration.

Looking back on this sorry record, Americans have a right to feel betrayed by the Reagan Administration.

It is an Administration that pledged it would never bargain with terrorists—and then engaged in the most shameless intrigues to exchange American weapons for hostages.

It is an Administration that pledged it would never pay ransom for the release of American hostages—and then fell all over itself to trade a Soviet spy for an innocent American journalist.

It is an Administration that told us that we must accept vast new sacrifices in order to maintain America's security—and then offered at Reykjavik, to the utter dismay of the Joint Chiefs of Staff, to eliminate all our ballistic nuclear missiles without at the same time addressing the question of the Warsaw Pact's overwhelming superiority in conventional forces.

It is an Administration that voiced pious platitudes about arms control—and then tore up arms control treaties that helped to insure our safety for the past 15 years.

It is an Administration that launched a farcical disinformation campaign against Mu'ammar Qadhafi—and succeeded only in deceiving the American people.

It is an Administration that promised a "hands off" policy in the Persian Gulf War—and then secretly provided arms to one of the combatants and intelligence to the other.

It is an Administration that sought to bring about a government of laws, not men, in Nicaragua—but in the process subverted the rule of law here in the United States.

It is an Administration that blows rhetorical kisses to human rights—even as it cuddles up to despots in Latin America, racists in southern Africa, and repressive regimes in the Far East.

The conclusion is inescapable: We are dealing here with something far more fundamental than simply a few individuals who, in their zeal to secure the release of American hostages or aid the contras, may have broken the law.

What confronts us is nothing less than an Administration whose foreign policy is out of control—an Administration whose policies have seriously eroded the political, strategic, and moral position of the United States throughout the world.

In short, we are in rather desperate need of a reformulated, restructured, and revitalized foreign policy.

And that gets me to the gist of my remarks before you this evening.

I believe it would be a profound mistake for Democrats simply to sit back and count on returning to power in 1988 solely because of the mistakes and miscalculations of the Reagan Administration.

We must recognize that criticism, no matter how justified, is not an adequate substitute for a policy of our own.

So for the next few minutes I'd like to lay out for you a blueprint for a Democratic foreign policy—a foreign policy that will protect our national interests and promote our national ideals, a foreign policy consistent with American values and reflective of American aspirations.

There can be little doubt that the major foreign policy problem we face today is how to manage our relationship with the Soviet Union.

For the first time in our history, the United States confronts a country that is not only strategically and ideologically hostile to us, but also has the military capacity to destroy our entire society.

In the half century since the beginning of World War II, the Soviet Union has extended and enforced its dominance over more than 100 million people, from the Baltic Republics in the north to the Balkan nations in the south.

During this period of time, we have also seen the terrible toll of Communist tyranny in the Gulag Archipelago of the Soviet Union, in the Cultural Revolution of China, in the autogenocide of Cambodia, in the torture of political prisoners in Cuba, and in the reeducation camps and boat people of Vietnam.

Today, the reality of Soviet repression and Communist tyranny represents not a distant memory, but a living nightmare.

It is a nightmare in the distant valleys of Afghanistan, for the peasants who have seen their loved ones murdered and their land destroyed.

It is a nightmare in the remote jungles of Southeast Asia, for the villagers who have been killed or crippled by yellow rain.

It is a nightmare in the infamous prisons and labor camps of the Soviet Union, for the dissidents and refuseniks who are yearning to breathe free.

It is a nightmare in the bleak streets of Poland, for the supporters of Solidarnosc whose dream of an independent trade union was crushed by martial law.

But Democrats also know that however profound the differences that divide us from the Soviet Union, our two nations have no choice but to strive for the kind of controlled competition and creative cooperation which will reduce the threat of nuclear war.

We must be prepared to stand up to the Soviets whenever necessary—but also to sit down with them whenever possible.

Democrats will give the highest priority to repairing our relationship with the Soviet Union.

For Democrats know that in the atomic age, the pursuit of peace is a moral and political imperative.

In arms control, more than anywhere else, we have an obligation and an opportunity to achieve a breakthrough in our relations with the Soviet Union that could substantially reduce the threat of war.

And here the present Administration has failed most tragically.

The arms control policies of this Administration—insofar as it has an arms control policy—have been characterized by intransigence and intractibility.

The Reagan Administration is the first Administration in a quarter century which has failed to reach an arms control agreement with the Soviet Union.

President Kennedy negotiated the Limited Nuclear Test Ban Treaty, President Johnson the Nuclear Nonproliferation Treaty, President Nixon the SALT I and ABM Treaties, President Ford the Peaceful Nuclear Explosions Treaty, and President Carter the SALT II Treaty.

And the Reagan Administration?

Not only has it failed to achieve any new agreement. It has systematically set out to destroy existing agreements.

It has renounced the SALT II Treaty.

It has sought to redefine the ABM Treaty in such a manner as to render it meaningless.

It has publically stated that it has no interest in a Comprehensive Test Ban Treaty.

To be sure, after six long years, it now appears we may be on the verge of an agreement with the Soviet Union to eliminate all intermediate-range nuclear weapons from Europe, which would certainly be a welcome step in the right direction.

But even this would do little to protect the United States from those strategic systems capable of striking American soil from the Soviet Union.

For that we continue to need an accord on strategic weaponry that would deal with those sea-launched and land-based intercontinental ballistic missiles capable of destroying our entire civilization.

So far our ability to get such an agreement has been handicapped by the Administration's stubborn insistence on developing and deploying a "Star Wars" defensive system.

Of course, if we could develop a perfect defense against nuclear weapons, it would be in our interests to do so.

Not even the President's own advisers, however, believe that we will see a leakproof shield against nuclear attack in our lifetimes, despite the billions of dollars being poured into the SDI program.

But an "almost perfect" defense is meaningless in the context of a fullscale nuclear attack.

Even if we were able to stop 95 percent of the incoming warheads, the remaining 5 percent would be more than sufficient to destroy American society as we now know it.

In short, the President's Star Wars program will make arms control impossible and set the stage for a massive escalation of the arms race, since the Soviets will feel compelled to counter our defensive systems by increasing the number of their offensive weapons.

And at the end of the day, after the expenditure of hundreds of billions of dollars, neither of us will be any more secure than we are now.

Fortunately, the makings of a grand compromise on arms control are clearly visible.

With a measure of goodwill and a determination on both sides to succeed, it should be possible to hammer out an accord where the Soviets would agree to mutual and verifiable reductions in their offensive strategic forces, in return for our acceptance of mutual and verifiable restrictions in Star Wars and other defensive technologies.

Before an agreement along these lines can be reached, however, the Administration must get its own house in order.

Internally driven by ideological conflicts between the Far Right and the Farther Right, the Reagan Administration, even after six years, has yet to formulate a coherent arms control strategy.

If the Administration can call a halt to its internal ideological warfare, Democrats stand ready to work with it to fashion a coherent national approach to arms control.

We recognize, for instance, that a total ban on Star Wars research is neither verifiable nor desirable, and we remain willing to fund such efforts at reasonable levels.

At the same time, we are not prepared to support the Administration's desire to rush into the earliest possible deployment of an untested ABM system, thereby undermining arms treaties currently in place.

Democrats call for a reaffirmation of our commitment to the ABM Treaty.

Democrats call for a return to the numerical limits of the SALT II treaty, and a pledge to abide by these limits so long as the Soviets do so.

Democrats support the negotiation of a Comprehensive Nuclear Test Ban, and deplore the fact that this Administration is the first in thirty years to reject such a goal.

Democrats urge Senate ratification of the Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty.

Democrats believe that a country as dependent on overhead satellites as our own should open negotiations with the Soviets to head off a race in anti-satellite weaponry.

And finally, Democrats believe that we must remember the words of John Kennedy, who declared: "Let us never negotiate out of fear, but let us never fear to negotiate."

Yet arms control, important as it may be, is not a panacea for the many problems that confront us, let alone any guarantee that war will be avoided.

The preservation of peace will depend primarily on our ability to manage our global differences and regional disputes with the Soviet Union.

We must be under no illusions that solutions to the problems in Afghanistan, Cambodia, Eastern Europe, and Central America will be easily achieved.

But given the very real possibility that a regional crisis could easily escalate into a superpower confrontation, we have no alternative but to pursue the peaceful resolution of these dangerous disputes.

The Middle East is perhaps the area where a regional crisis is most likely to escalate into a superpower confrontation.

And here as well the Administration has failed to build upon the successes of its predecessors.

It has frittered away six years by not effectively following up on the historic breakthrough achieved by President Carter at Camp David.

In the absence of progress toward peace, another Middle East war is virtually inevitable.

And without an active American involvement in the region, there is not likely to be any progress toward peace.

President Nixon recognized this reality, and took an active role in working toward a regional settlement.

So did President Ford.

And, of course, so too did President Carter.

But under Ronald Reagan, the United States has abdicated its role and its responsibility for moving the peace process forward.

The Camp David accords remain the single most significant step toward peace in forty years of unrelenting conflict and confrontation in the Middle East.

Democrats call upon the Administration to reinvigorate the Camp David process, as the region's best hope for a just and lasting peace.

We have an obligation to Israel—our closest friend and our most reliable democratic ally in the region—to work harder for a general Mideast settlement, for another war in the Middle East could jeopardize the security and even the survival of Israel.

But we also have an obligation to ourselves, for renewed fighting could have serious consequences for vital American interests as well.

It could endanger our access to oil from the Persian Gulf.

It could jeopardize our relations with moderate Arab regimes.

And it could bring us to the brink of a military confrontation with the Soviet Union, as occurred during the Yom Kippur War in 1973, when Chairman Brezhnev threatened to send six Soviet airborne divisions to rescue the encircled Egyptian Third Army, and President Nixon responded by putting the United States on a nuclear alert.

In Central America, our Party will work with our democratic friends in the region to resolve the conflict in Nicaragua through peaceful rather than military means.

The Reagan Administration has involved the United States in what is essentially a civil war in an effort to overthrow an internationally recognized regime.

In sharp contrast to the situations in Cambodia and Afghanistan, where we are being asked by our friends in the region to help indigenous resistance forces oppose a foreign occupation, many of our friends in Latin America have assailed our efforts to bring down the government of Nicaragua.

Let me make it clear: Democrats hold no brief for the Sandinista government in Managua.

We believe that the Sandinistas have betrayed the democratic promises of their revolution.

And we have said repeatedly that the Sandinistas have no business interfering in the affairs of their neighbors.

Our profound disagreement with the Administration concerning Nicaragua is not over what we think of the Sandinistas, but how to deal with them.

Essentially there are three ways to solve the Nicaraguan problem.

We could rely on the contras to overthrow the Sandinista regime.

But the chances of that occurring are virtually non-existent.

Today the contras are no closer to taking power than they were a year, or two, or three years ago.

Moreover, no one seriously believes that, with or without American aid, the contras can prevail in their efforts to overthrow the Sandinistas.

This leads to our second option: We could send in the Marines to do the job which the contras are incapable of doing by themselves.

Yet I can hardly imagine a more disastrous course of action on which our country might embark.

To Americanize the war would be enormously divisive here at home, would fan the flames of anti-Americanism throughout the hemisphere, would embitter our friends and jeopardize our alliances in Europe, would hand the Soviets an immense propaganda bonanza by drawing attention away from their invasion of Afghanistan, and would probably bog down our armed forces for years to come in a protracted and bloody guerrilla war.

The American people do not want any more Cubans in our hemisphere.

But neither do they want any more Vietnams.

If our differences with Nicaragua cannot be resolved on the battlefield, then they must be settled at the bargaining table, which gets us to the third of our three possible options.

Recently Costa Rica put forth a comprehensive peace plan that appears to be drawing increasingly serious consideration in the region.

The plan calls for an immediate ceasefire to all the guerrilla wars in the region, a cutoff of aid to all rebel groups, a general amnesty, the withdrawal of all foreign military advisors, a prohibition on the creation of foreign military bases, the establishment of freedom of the press and freedom of speech, and the holding of genuinely free and fair elections.

There is no guarantee that this plan will be any more successful in bringing peace to Central America than its predecessors.

But we will never know if it can succeed if we fail to give it a chance.

So far the Administration's response to this proposal has been characterized by the kind of vacuous vacillations which belie a fear that it might actually work.

Democrats, on the other hand, would actively support this initiative on the grounds that it provides what may well be the last best hope for a peaceful settlement of the conflicts in Central America in a way that would preclude the establishment of a Soviet or Cuban military presence in the region, while simultaneously advancing the prospects for human rights and political pluralism.

Speaking of human rights, we must recognize that by advancing the prospects for democracy, we not only are faithful to our own values, but enhance the stability and security of our friends and allies as well.

Unlike the Reagan Administration, which regularly denounces the suppression of human rights in Communist countries while often remaining silent in the face of similar violations by anti-Communist regimes, a Democratic foreign policy will oppose tyranny wherever it is found.

There is something profoundly wrong with the values of an Administration that stands up for pluralism and democracy in Central America, but stands still for racism and repression in southern Africa.

There is something profoundly wrong with the values of Administration that denounces material law in Poland, but supports World Bank loans to the repressive regime in Chile.

Democrats believe that American interests can be secure only in a world that respects basic human rights, and the American interests are advanced by our taking an uncompromising stand in defense of freedom.

That is why a Democratic foreign policy will make the cause of human rights a major American priority.

Democrats would speak up on behalf of Andrei Sakharov in the Soviet Union, but we will also call for the release of Nelson Mandela in South Africa.

Democrats will denounce state-sponsored terrorism abetted by Communist countries like Bulgaria, which may have been involved in the attempted assassination of the Pope.

But we will also condemn terrorism by fascist countries like Chile, which committed murder in the streets of our nation's capital.

A Democratic foreign policy would end the double standard which has characterized the Reagan Administration's policy toward human rights.

Nowhere do our differences with this Administration come into sharper focus than in our opposition to the President's policies toward South Africa.

The Administration's policy of constructive engagement toward South Africa, which was based on the notion that by cozying up to the racist regime in Pretoria, we could somehow induce it to abandon apartheid, is a monument to moral myopia and wishful thinking.

It has made the United States appear an apologist for apartheid.

It has placed our country on the wrong side of one of the fundamental moral questions of the twentieth century.

The Administration, in opposing sanctions against South Africa, has said it is not our task to choose between blacks and whites in that country.

But that is not the choice we face.

There are, after all, many whites in South Africa who are strongly opposed to the apartheid system.

The choice that confronts us in South Africa is not a choice between black and white, but between right and wrong, between decency and indecency, between justice and injustice.

Supporters of the Administration's policy have contended that sanctions against South Africa cannot be justified since there are many other human rights-abusing regimes around the world against which we have not imposed sanctions.

Yet the United States has adopted a wide range of sanctions against other governments that violate human rights, ranging from the total embargoes we have placed on commerce with Communist countries like Cambodia, Vietnam, and Nicaragua, to the comprehensive restrictions we have placed on trade with such non-Communist countries as Libya, Uganda, and Iran.

In view of this record, the United States would have been more vulnerable to a charge of inconsistency and selective indignation had we failed to adopt sanctions against South Africa.

Democrats reject President Reagan's rapprochement with racism.

Under Democratic leadership no longer will anyone wonder where America stands.

We shall stand in total opposition to apartheid and the injustice it represents, for we well remember what President Kennedy told us, that "Those who make peaceful reform impossible will make violent revolution inevitable."

Finally, we must remember that to be effective, American foreign policy must reflect the ideals and values of the American people.

Selling arms to terrorists fails to meet this test.

Proclaiming one policy in public while pursuing its opposite in secret fails to meet this test.

Opposing repression in some countries while winking at it in others fails to meet this test.

Subverting the mechanisms of international law by mining Nicaraguan harbors and thumbing our nose at the World Court fails to meet this test.

Writing assassination manuals fails to meet this test.

Stretching or simply ignoring the law fails to meet this test.

Fifty-odd years ago, Franklin Roosevelt told an earlier generation of Americans that they had a rendezvous with destiny.

I'd like to think the same is true of this generation.

Certainly the Democratic Party stands ready to play its part.

After some years of fractious contention on foreign policy issues the Party is once more united in support of such fundamental American objectives as strengthening the NATO alliance, preventing the spread of Soviet hegemony, assuring the survivial and security of Israel, advancing the cause of nuclear nonproliferation, attacking worldwide economic want and social injustice, and everywhere encouraging the cause of human freedom and dignity.

We have before us an ambitious agenda—but one worth pursuing.

The United States can neither police the world nor retreat from it.

But together we can better the world.

And in the process, we can help America fully live up to its historic promise—a promise of strength wisely employed, of justice consistently sought, and of peace resolutely and relentlessly pursued.

THE END OF FOWLER'S REIGN OF ERROR AT THE FCC

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. ECKART. Mr. Speaker, last month an era came to an end at the Federal Communications Commission, and not a moment too soon. FCC Chairman Mark Fowler retired, ending a reign of deregulatory error the likes of which have not been seen in this country's many years of broadcast regulation.

For over 40 years, through both Republican and Democratic administrations, the broadcast industry has benefited from a balanced administration of the existing communications laws.

These laws have always prescribed a minimal intrusion by the Government into broadcasting but have also required a continuing commitment by broadcast licensees to serve the public interest.

The American broadcasting industry flourished under the stable consensus that developed over the years. It is one industry that is unmatched anywhere in the world.

But now, after 6 years of "anything goes, devil-may-care, public-be-damned deregulation," we are left with an industry facing increasing uncertainties and the growing conviction that a sense of balance must be restored.

Mark Fowler's deregulatory reign of error has turned 40 years of broadcasting regulation on its head. Broadcast licenses, and even whole networks, are selling as fast as hotcakes—and with as little thought. I fear that a whole industry is losing sight of a commitment to the public interest in a mad rush to maximnize the bottom line.

What is needed is not a radical set of new laws but a restored commitment to existing law. We need to reaffirm the truth that broadcasting is more than a business. It is also a vital public trust.

The recent House Telecommunications Subcommittee hearings on the impact of media mergers on network news operations were an important step in asserting the public interest in the public's airwaves. Another important step was taken today when the full Energy and Commerce Committee voted to report out H.R. 1934, a bill to codify the existing fairness doctrine. Final passage is expected shortly.

Mr. Speaker, I would like to submit for the RECORD an article that appeared in the Washington Post on April 20, 1987 by Tom Shales. Mr. Shales states with his usual clarity and force a sentiment that is definitive regarding Chairman Fowler's tenure at the FCC.

[From the Washington Post, May 20, 1987]

FOWLER'S WAY: FOUL IS FAIR

(By Tom Shales)

When the Federal Communications Commission declared last week that it was going to crack down on sexually explicit language in broadcasting, it was slapping itself on the wrist. Or shooting itself in the foot. The FCC was addressing a problem it helped create.

Six years of anything-goes, devil-may-care, public-be-damned deregulation of the broadcasting industry nurtured the environment in which so-called raunch radio was able to flourish. By announcing the FCC's intention to get tough, outgoing Chairman Mark S. Fowler was in effect declaring his own policies and philosophy to be colossal failures.

There are those who knew this all along.

For six years Fowler has howled a tirelessly repeated litany about how this holy entity called "the marketplace," not the government, should set the rules for broadcasting. Right. So in the matter of raunch radio, the marketplace was heard, loudly and clearly. In city after city, frisky deejays regaling listeners with lewd innuendo zoomed to the top of the ratings in their markets.

Howard Stern, the notorious smutmonger who once steamed up the Washington market, has been a smash hit in New York. After NBC radio dropped him, he went to another station and continued to thrive. If ratings are votes, thousands of listeners vote each day to keep Stern and others like him on the air, and in full filth.

In Rochester, N.Y., recently, TV station WUHF polled its viewers to see how many would like to see unedited R-rated movies in prime time. Electronic Media reports that 23,000 viewers cast yes votes and only 5,277 were opposed. Here is a case of the marketplace speaking decisively. But according to the new FCC edict on dirty words, that vote could be overturned by the very commission that has said there should be almost no regulation of broadcasting, certainly not of program content.

Now, suddenly, and just as he hotfoots it out of office, Fowler seems to be conceding his vision of an unregulated utopia was never very realistic. Indeed, for communications activists, for any of those who believe that the electronic media have enormous influence on the quality of life in America—and thus enormous obligations—it wasn't just unrealistic, it was ruinous.

What Gerald Ford said after Watergate could as well be said about the departure of Fowler; our long national nightmare is over. The clampdown on naughty language, misguided though it may be, is only the beginning of Flowler's repudiation. Clearly the most radical and arguably the most reckless chairman in the history of the FCC, Fowler will probably live to see most of his dirty work undone.

If the FCC won't regulate, Congress will force it to. A golden age of de-deregulation seems already underway. One bill now being considered would codify the principles of the Fairness Doctrine, which protects the public from one-sided coverage of controversial issues. Fowler wanted the doctrine abolished.

Fowler was the great absolutionist. He absolved broadcasters of all social responsibility. Their task was only to make money. In making money, it was imagined, the social benefits would fall into place. The precise social benefits of raunch radio are hard to discern.

So are the precise social benefits of gigantic mergers of communications companies, deemphasis on minority hiring practices at TV and radio stations, and an avalanche of witless kiddy shows built around the marketing campaigns for toys and dolls. These are some of the legacies of the Fowler era.

From the beginning, Fowlerism was doomed. It was dopey all along, predicated on foolhardy renegade suppositions. The most specious was summed up in one of Fowler's favorite catch phrases: "the print model." He must have uttered "the print model" 184,000 times since he took office. He recently invoked it repeatedly during unconvincing rote testimony at congressional hearings on the proposed Fairness Doctrine legislation.

Fowler insists that broadcasting is the same as print, merely a different publishing technology, and therefore should suffer no more regulation than print does. A child of 4 can perceive the fundamental differences between print and broadcasting, but Fowler never could, or never would.

During Fowler's tenure, Americans saw broadcasting standards plummet. Dirty radio was only part of it. The old genteel image of the citizen broadcaster concerned for his community was replaced with that of the quick-buck trafficker buying and selling stations for enormous fast profits. Fowler's FCC dumped the antitrafficking provisions.

Of course, Fowler was up front about where his sympathies lay. He saw his mission as making life easier and more profitable for business executives involved in broadcasting. No other interests seemed to concern him.

Jack Valenti, president of the Motion Picture Association of America and longtime Fowler foe, once noted, "The rules that have protected the powerless are the rules that he's trying to change." David Levy, executive director of the Caucus for Producers, Writers and Directors in Hollywood, wrote last May, "We view his years on the FCC as a disaster for the public good and as a gigantic windfall for private interests."

Throughout his tenure, Fowler made himself available to speak to cheering throngs at industry get-togethers, but, says consumer advocate Ralph Nader, repeatedly declined requests to address public interest groups involved in communications issues. "Fowler has done more damage and proposed more damage than any of the top 100 Reagan people," Nader once said, "and he's a coward in addition."

In an ironic way, the dirty-words decision last week is like the first coat of farewell tar-and-feathers for Fowler, who officially left office on Friday. Other, and much more significant, reversals and revisions of Fowlerism are sure to follow. Reaganomics and trickle-down will end up looking immortal by comparison.

So will the Twist, the Black Bottom and the Turkey Trot.

"He is passionately devoted to an ideal that he hasn't the slightest hope of understanding," one broadcasting industry insider has said of Fowler. That may be the key to his failure at the FCC; he just never quite realized that broadcasters have rightly been held to higher standards than those applied to upholsterers, haberdashers and fumigators.

"I don't consciously try to make those meetings entertaining or funny," Fowler said of FCC proceedings in a USA Today interview last June. "There are serious issues. There's a lot of money at stake." Yes. Money. A lot of money. It didn't ever dawn on Fowler that there was more at stake than that.

We are as well rid of him as the indignant villagers were well rid of Dr. Frankenstein. Fowler was one for the books: a mad scientist who kept trying to burn down his own laboratory.

DOWN IN MY FLORIDA

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. PEPPER. Mr. Speaker, I would like to take this opportunity to recognize Mr. William Rigsby, a resident of Miami for 62 years and a poet. Mr. Rigsby has woven together words that promote the beauty "Down in My Florida" and truly captures the soul of my home State. It is with great pleasure that I enter into the RECORD one of Mr. Rigsby's poems.

DOWN IN MY FLORIDA

The breezes are the softest that gently blow,
The oceans and rivers the bluest that flow,
Down in my Florida.
The flower blossoms are the sweetest that bloom,
While to me none can compare, with that tropical southern moon,
Down in my Florida.
Nowhere: do birds sing quite so sweet,
Nowhere: do hearts so lightly beat,
There's nowhere: a land so fair
So full of song,—so free of care,
As in my Florida.
Tis' there the sun shines brightest,
There orange blossoms are whitest,
The days are never quite so long,
Yet always filled with happy song,
Down in my Florida.
Therefore, I'm sure that happy land,
Our "Lord" prepares for immortal man is built kinda on a plan,
As my Florida.

—*William E. Rigsby.*

SCHOLARSHIP MONEY AWARDED FOR WINNING ESSAYS

HON. JACK BUECHNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. BUECHNER. Mr. Speaker, I rise today to congratulate three outstanding young people from my district who will be awarded scholarship money from the Creve Coeur Chamber of Commerce for their winning essays.

The winners are Jonathan Levy, of Parkway North High School and the recipient of a $1,500 scholarship; Julie Cox, of Westminster Christian Academy and the recipient of a $1,000 scholarship; and Ethan Gross, of Ladue High School and the recipient of a $700 scholarship. Their winning essays centered on the running of the Federal Government.

These young adults understand clearly that the burgeoning national debt and the budget deficit are serious problems that must be dealt with quickly. They also know that our inability to follow general business principles have resulted in the largest deficits in this Government's history.

This kind of clear thinking by our Nation's future leaders gives cause for optimism. These three outstanding young people have demonstrated not only their first-class academic abilities, but the rare characteristics of leadership that will serve this country well.

In this, the year of the Bicentennial of our Constitution, the true meaning of the document, its basic concept of freedom with responsibility, is particularly clear when viewed with the wonderment and enthusiasm of our young citizens. From time to time, it is refreshing and, I think, instructive to think about the greatness of our country, and our constitutional government, from a youthful perspective.

Our core values and beliefs are shaped by the previous generations. And, so it is especially heartening to see the basic American values that are enshrined in our Constitution passed on to our young generation.

Mr. Speaker, I commend these three talented young people—Jonathan Levy, Julie Cox, and Ethan Gross—for their extraordinary gift for the written word, and their youthful insight. I wish Jonathan, Julie, and Ethan my sincere congratulations and continued success in their academic pursuits.

TRIBUTE TO JOHN MARSHALL HIGH SCHOOL ACADEMIC DECATHLON TEAM

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. WAXMAN. Mr. Speaker, it is with much excitement and great pride that I call to your attention and the attention of this House to the first-place victory of Marshall High School of Los Angeles in the national academic decathlon.

Marshall High students competed with teams from 38 States. They scored a stunning victory with 49,369 points out of a possible 60,000.

The academic decathlon attracted almost 400 contestants—including students at the A, B, and C grade average levels. The contest includes six multiple choice tests, speeches, personal interviews, essays, and a grueling round-robin super quiz on constitutional law.

John Marshall High School and the homes of virtually all the academic decathlon contestants fall within my district. Marshall's winning team reflects the rich ethnic diversity of the district.

Contestants and observers agree that the team's success was due not only to the brilliance of the students, but also to the tremendous effort made by their coach, David Tokofsky, his assistant, Ann Choi-Rho, and Marshall's principal, Don Hahn.

David Florey, a Marshall senior in the C average category, beat out every other student in the competition by scoring nearly 9,000 points. Florey won a stunning 89 percent of possible points.

The winning team included: David Chan, Silva Darbinian, Matthew Elstein, David Florey, Gideon Javier, Susie Kim, Ethan McKinney, Christopher Nichelson, Stephanie Shelton, Ben Wolf, and Howard Wu.

I am particularly proud of the five team members of foreign birth: David Chan from Hong Kong, Silva Darbinian from Soviet Armenia, Gideon Javier from the Philippines, Susie Kim from South Korea, and Howard Wu from the People's Republic of China. These young people symbolize the creativity, drive, and vitality added to our Nation's life by citizens of foreign birth.

I know that people from all over the world who have settled in Los Angeles take deep satisfaction in the achievements of these fine youths.

As thrilling as the Marshall team's victory was, the reaction in Los Angeles was equally inspiring. The team, its coaches, and 24 faculty and parents who joined Principal Hahn on the trip to Dallas were met by hundreds of exultant classmates, neighbors, and friends. They were welcomed at the airport by the school band and a large contingent of cheerleaders.

The John Marshall academic decathlon team came back with impressive tangible gains in scholarships, medals, and awards. However, equally important, the Marshall victory showed the broad public a side of our young people often neglected.

At long last, attention was given to teenagers, not for athletic prowess, drug abuse, or unwanted pregnancies, but for keen intelligence and the ability to make an Herculean effort to win for themselves, their school, and their city a never to be forgotten moment of glory.

I ask my colleagues in the House of Representatives to join me in saluting John Marshall High School of Los Angeles and its triumphant academic decathlon team!

R.S. McCLELLAND RETIRES

HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. TAYLOR. Mr. Speaker, On May 23, 1987, R.S. McClelland, Jr., the chairman and chief executive office of the Missouri Telephone Co. will retire.

While he will remain as the chairman of the board, Bob will not participate in the day-to-day operations of the company.

Bob began his telephone career in 1951 and his contribution to the industry over the past 36 years has been significant indeed.

He has served on the board of directors and the executive committee of the U.S. Telephone Association, as well as the Missouri Telephone Association where he was president in 1976–1977.

He has been a member of the board and president of the National REA Telephone Association (now NRTA). He was a board member of OPASTCO as well as the Theodore Gary Chapter of I.T.P.A.

Bob has been very active in civic affairs and has devoted considerable time and effort as a member of the board of trustees of Southwest Baptist University at Bolivar, MO. He was vice chairman of the board in 1971.

Those of us who have had the opportunity to know Bob McClelland have always enjoyed his dry wit and humor. He is astute, honest to the core, and is the kind of man you are proud to call a friend.

Bob and his wife Bette, will retire in Springfield, MO where I know they will continue to be active in community affairs albeit at a little slower pace.

AN ANTIDEMOCRATIC TONE IN CENTRAL AMERICA PROTEST

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. BEREUTER. Mr. Speaker, recently, the Omaha World-Herald published an incisive, thoughtful editorial on the subject of the recent demonstrations here in Washington that protested U.S. policy in Central America. I commend it to the attention of my colleagues.

[From the Omaha World-Herald, Apr. 25, 1987]

AN ANTIDEMOCRATIC TONE IN CENTRAL AMERICA PROTEST

Not everyone who went to Washington, D.C., for this weekend's demonstration against U.S. policies in Central America may be aware of a behind-the-scenes struggle over the demonstration's purpose. But the struggle is worth knowing about. It goes to the heart of one of the major issues involved in the protests.

Organizational activities have been proceeding since last fall. Sponsors include labor unions, church groups and political organizations. Not all the sponsors merely oppose U.S. policies. A few have openly supported the Sandinistas in Nicaragua and the Marxist-Leninist movement that is trying to overthrow the democratically elected government of El Salvador.

AFL-CIO President Lane Kirkland objected to having member unions associated with the demonstrators who supported Marxism in Central America. According to an account by Morton Kondracke in The New Republic magazine, Kirkland wrote a letter to other union leaders urging them to withdraw their support.

"It is possible to criticize the Reagan administration's policies toward Nicaragua without embracing the Sandinista regime," Kirkland wrote. "It is possible to criticize the administration's policies toward El Salvador without supporting the guerrilla movement."

Protests from Kirkland and other labor leaders got the organizers' attention. A group of seven religious leaders wrote to Kirkland denying that the idea was to demand a cutoff of all U.S. aid to democratic governments in Central America. Speaking invitations for a representative of the Sandinistas and a Salvadoran dissident were withdrawn, a demonstration leader said, because of concerns expressed by organized labor.

The issue that caused Kirkland to become concerned can't be glossed over so easily. Despite whatever changes may have been made to reduce the objections, the fact remains, as Kondracke pointed out, that "a vast, committed network of church, labor, peace-and-justice, student and women's groups has grown up that opposes U.S. policy in Central America—not just aid to the contras but also efforts to aid the elected governments of Presidents Duarte in Salvador and Vinicio Cerezo in Guatemala."

It is one thing to take the position that the United States is going about it all wrong in trying to encourage democracy, justice and stability in Central America. To take a position favoring the overthrow of democratically elected governments by Communist insurgents is quite another.

The American labor movement has a record of patriotism and anti-communism. It is no wonder that some of its top leaders have found the political agenda of some of the demonstration's organizers to be too much to swallow.

CONGRATULATIONS TO JONATHAN TONY FOR WINNING ESSAY

HON. JACK BUECHNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. BEUCHNER. Mr. Speaker, I rise today to congratulate a young man from my district who was one of the winners of an essay contest on the bicentennial of the Constitution. His name is Jonathan Tony, a third-grader at Carrollton Elementary School in Bridgeton.

The true meaning of our Constitution, its basic concept of freedom with responsibility, is particularly clear when viewed with the wonderment and enthusiasm of a young person. From time to time, it is refreshing to think about the greatness of our country, and its founding document, from a youthful perspective.

In his essay, Jonathan imagined taking a time machine back to Philadelphia's Independence Hall where he saw George Washington, James Madison, Ben Franklin, and Jonathan Dayton. He watched a debate on the length of the President's term, then invoked the Bill of Rights when a policeman arrested him for eavesdropping on the secret meeting.

There's very little more important today than holding great knowledge of the history that has shaped our Nation. This is especially important for our young people, who will become the world leaders of tomorrow.

Our core values and beliefs are shaped by previous generations. And, so it is especially heartening to see the basic values that are enshrined in the Constitution passed on to our young generation.

Secretary of Education William Bennett, who named all of the winners, called the real message of the Constitution "particularly clear when seen through children's eyes, with children's wonder and simple clarity."

Mr. Speaker, I commend Jonathan Tony for his extraordinary gift for the written word, and his youthful insight into the meaning of our Constitution. I wish Jonathan my sincere congratulations and continued success in his academic pursuits.

HONORING A HEALTH CARE LEADER, SISTER ROSEMARY DONLEY, EXECUTIVE VICE PRESIDENT OF CATHOLIC UNIVERSITY

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. WALGREN. Mr. Speaker, we all know some people that have such special qualities that words cannot encompass them. Sister Rosemary Donley, who has recently been appointed to serve as executive vice president of Catholic University, is such a person.

As a Sister of Charity, Sister Rosemary has kept her life centered on the values of her Order. How extraordinary it is to see someone who contributes so much to individuals recognized for having so much to contribute to the administration of such a complex institution as Catholic University.

Recently the spring issue of the university's Journal of Contemporary Health Law and Policy was dedicated to Sister Rosemary in recognition of her contribution as dean of the Catholic University School of Nursing. It is a wonderful testament to a remarkable person who is making the world a much better place for life.

DEDICATION

On September 1, 1986, the sixth Dean of the School of Nursing of The Catholic University of America became the third Executive Vice President of the University. It is with unbounded joy and great pride that The Board of Editors of The Journal of Contemporary Health Law and Policy dedicates this volume in honor of Professor Rosemary Donley, S.C.

After serving seven outstanding years as the Dean of the School of Nursing and overseeing the ambitious development of the School to the point that it received national recognition by being ranked ninth in the country in 1985 by deans and nurse researchers associated with accredited schools of nursing, Sister Donley now directs her considerable administrative talents to the University, itself, as it moves into its second one hundred years. Her infectious wit and graceful charm complement her total dedication to her work with her colleagues, to her students, the University, to excellence and creativity in scholarship, and to the honorable devotion to her vows as a Sister of Charity.

Her record of professional accomplishment is one that is writ in bold print for it is one of total service to her profession and of truly remarkable achievement. As a Sister of Charity, Sister Donley has spent her professional life in search of answers to the complex medical-legal-policy questions that have proliferated in the high technology milieu of health care in the United States in the latter half of the twentieth century. She has brought to the search basic skills in thinking and analyzing the Jesuit tradition first acquired during her baccalaureate preparation at St. Louis University and fine-tuned in graduate work at the University of Pittsburgh where she earned a Master's Degree in Nursing Education and Ph.D. in Higher Education.

Her understanding of multifarious health issues in this country and the political realities surrounding the federal legislative process in health matters was strengthened by her selection as a Robert Wood Johnson Health Policy Fellow under a grant from the Robert Wood Johnson Foundation and the Institute of Medicine of the National Academy of Science in 1977. During her fellowship year, Sister Donley worked in the office of Congressman Doug Walgren of Pennsylvania and obtained invaluable experiences with the subcommittee on Health and Environment of the Interstate and Foreign Commerce Committee as well as with the majority staff of the Senate's Human Resources Committee, which was then chaired by Senator Harrison Williams. That year on Capitol Hill afforded her an opportunity to gain an expanded and deepened grasp of the American polictical process but also enabled her to build a network of congressional staff members who provide her with continuing access to the development of current health legislation. This network has also enriched graduate nursing students with professional opportunities to become involved with the political health scene as part of their required course work for their degrees. As a result of her influence in the Nursing School, graduates of the program are better prepared to contribute to health policy formulation when they assume leadership positions in nursing education and nursing administration.

Sister Donley has shared her knowledge and insights on health issues and especially on the role nurses can play in the formulation of policies and health legislation in the future. She has accomplished this with enthusiasm, charisma and a genuine concern for people—those in need of care and those responsible for that care in their professional positions at all levels of nursing. Her reflections on health care, health policy and nursing have appeared in chapters in numerous books and in approximately forty journals.

Sister's scholarship and contributions to nursing have had an impact on the quality of nursing care provided by nurses who have been influenced by her thoughtful and dynamic presentations on nursing and health care in the country and, indeed, throughout the world. As a board member of the Professional Seminar Consultants, Inc., she has been Seminar Director and Study Tour Leader to the U.S.S.R. and to Israel in 1985, The People's Republic of China in 1984 and 1982, Spain in 1983, and Kenya in 1981. As Senior Editor of Image: The Journal of Nursing Scholarship, she was invited to be program chairperson of the International Association of Nurse Editors in England in 1984.

In this country, her numerous presentations to professional groups include speeches on Health Care Financing, Prospective Payment Systems and DRG's the new Federalism, Health Perspective for the 1980's Health Care Delivery, and Leadership and Health Care Policy. She has maintained special interest in the National Student Nurses' Association and addressed them at their national meetings. Of particular note is her participation as the Harriet Osburn Jackell Lecturer at St. Vincent's Hospital in Portland, Oregon, and the Sr. Annetta Walsh Lecturer at St. Xavier's College in Chicago, Illinois.

Currently, Sister Rosemary is a Member of the Secretary of the Navy's Health Care Advisory Committee, the National Advisory Committee for the Robert Wood Johnson's Program for Health Care for the Homeless, The Mission Board of the Bon Secours Health Corporation, the Corporate Board of National Childrens's Medical Center, Washington, D.C. and the Mayor of The District of Columbia's Committee on Corrections.

She holds appointments on the Editorial Board of Educations Records, Nursing Success Today and The Journal of Contemporary Health Law and Policy and is President of the National League for Nursing. In the past, her activities with Sigma Theta Tau, the National Honor Society in Nursing, included National President (1975-1981) and National First Vice President (1971-1974). Her many contributions to nursing have been recognized by awards as a distinguished nursing leader and educator including the conferal of honorary degrees from Villanova University (1985) and Felician College (1981) as well as recipient of the Outstanding Alumna Award of the Department of Higher Education at the University of Pittsburgh (1985), the Distinguished Service Award of Sigma Theta Tau (1981); the Alumni Merit Award of St. Louis University (1980); and recognition as a Fellow at The American Academy of Nursing (1980).

In the School of Nursing, Sister has been truly a woman of the eighties—a woman of spirit and one, for all times. Her generous sharing of herself, her talents and her knowledge have encouraged the development of faculty members, expanded their opportunities for scholarship and instilled an excitement for teaching and learning among faculty and students alike. Beyond the School of Nursing, Sister Rosemary embodies a wonderful role model for women of the nineties and, indeed, the twenty-first century. She has been a protagonist in improving the delivery system for health care. Her ability to challenge, to encourage, and to support others has had a profound impact on nurses and on the health care they provide. Her departure from the Nursing School Deanship will be a loss—but her influence will remain in commitment to improved health care, contributions to the profession, involvement in research and maintaining the quality of educational programs not only in the School of Nursing but in the total University.

Long before The Journal of Contemporary Health Law and Policy became a reality, Sister Donley encouraged and supported its planning and development. Now that it is established, she has continued to support its growth in thought, word and deed and has become a most valued friend. It is altogether fitting that we recognize her support and also mark her selfless commitment to the School of Nursing and to our University by dedicating this volume in her honor; for, in reality, Sister Rosemary's life exemplifies the very motto of the University, Deus Mea Lux Est.

The Student Editorial
Board
MARY JEAN FLAHERTY, S.C.
GEORGE P. SMITH, II

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PERSONAL EXPLANATION

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. TORRES. Mr. Speaker, I was unavoidably absent on official business during rollcall votes No. 102 through No. 115 Monday, May 11, and Tuesday, May 12. Had I been present on the House floor, I would have cast my votes in the following manner:

Roll No. 102, "yea", Journal approval.
Roll No. 103, "no", Hunter amendment.
Roll No. 104, "aye", Hunter amendment.
Roll No. 105, "aye", Young amendment.

Roll No. 106, "no", Armey amendment.
Roll No. 107, "no", Hefley amendment.
Roll No. 108, "aye", Dellums amendment.
Roll No. 109, "no", Rowland amendment.
Roll No. 110, "aye", Bennett amendment.
Roll No. 111, "no", Kemp amendment.
Roll No. 112, "aye", McCloskey amendment.
Roll No. 113, "no", Courter amendment.
Roll No. 114, "aye", AuCoin amendment.
Roll No. 115, "no", Darden amendment.

SLAIN POLICEMAN HONORED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. KANJORSKI. Mr. Speaker, few of us ever risk our lives in the course of a day's work, yet our Nation's police officers are called upon to do just this every day of their lives. I would like to take this opportunity to draw your attention to those brave men and women who have died in service to their communities.

On Friday, May 15, the Grand Ladies Auxiliary Lodge of the Fraternal Order of Police will hold a special memorial service honoring those police officers who have fallen in the line of duty during the past year on the west front of the Capitol Building. Among those being honored for their brave service is Patrolman Richard Janczewski of Avoca, PA.

Richard Janczewski was 23 years old when he was shot and killed last Memorial Day while patrolling a wooded area near the Scranton/Wilkes-Barre Airport. He had been responding to a complaint about a man who was considered to be unbalanced when he was slayed. The man, who many believe had no intention of shooting Officer Janczewski, may have panicked in his state of confusion. Sadly, we will never know the exact passing of events for this man took his own life after committing the murder.

To give one's life in the effort to save the lives of others is the most precious gift any of us have to give, and no memorial can ever express adequate gratitude. To the families of those who lost their lives and particularly to Officer Janczewski's young widow, Julie, we who have benefited from their services can bestow honor upon their names and remember their deeds. This small tribute is the least we can do.

Mr. Speaker, we too often fail to recognize the everyday bravery our police officers exhibit in their efforts to protect the citizens of this Nation. Perhaps a fellow officer of Richard Janczewski said it best,

> All the police officers around here are like a brotherhood. We see things like this happen every day. But when it happens to one of our own * * * it's hard to take.

It is especially difficult when one is so young. It is an honor for me to bring to our attention the deeds of Police Officer Richard Janczewski and of all the other police officers across the country who are being honored for their sacrifices to upholding the laws of this Nation.

JAMES O. BROWN: TEACHING US ABOUT LIFE

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. DERRICK. Mr. Speaker, I rise to honor one of South Carolina's finest educators and one of the most decent men I have ever known, James O. Brown, on the occasion of his pending retirement.

J.O. was born on a plantation in Marlboro County 37 years ago. The road he has traveled from sharecropper's son to principal of A.L. Corbett Middle School in Wagener, SC has been a long—and sometimes difficult—one. But his career—as a student, an athlete, a solider and now an educator—has been marked by a determination seldom found in individuals.

He is respected by his colleagues, admired by his students and loved by his family.

He has instilled in Corbett's teaching staff his long-held beliefs that our schools need discipline and that our instructors deserve respect. "We need discipline," he recently told the Aiken Standard, "because without it, the teachers can't teach and the other students can't learn."

We have learned much from J.O. Brown through the years, not just about education, but about life in general.

As part of that same newspaper profile, J.O. also spoke of his life in Aiken County. "Looking back," he remarked, "I think maybe it was predestined that I would come to Wagener. After living here and working here for several years, I looked around and realized that I was enjoying Wagener. It was a good place to be, and a good place to raise a family."

In fact, J.O.—through his accomplishments in the field of education—has made Wagener a great place to be and to raise a family. All of Aiken County owes him a debt of gratitude. And I, Mr. Speaker, owe him my thanks for his valued friendship over the years.

JACK BUECHNER HONORS ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

HON. JACK BUECHNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. BUECHNER. Mr. Speaker, I rise today to honor the Anti-Defamation League of B'nai Brith on the occasion of their annual Americanism award dinner this evening in St. Louis. As an honorary chairman of the dinner, I would like to express a few thoughts about the ADL and the recipient of the ADL's "Americanism" award.

Tonight's recipient of this year's Americanism award is my good friend and Missouri's Governor, John Ashcroft. I can think of no other person more deserving of this award than John. He indeed embodies that dedication to the democratic ideals we all share and respect.

The Anti-Defamation League has done much good work not only for the Jewish people, but has worked for the fair treatment of all citizen's alike. It is fitting that as the ADL enters its 75th anniversary it has been able to remain true to their ideals as drafted in their charter of 1919. They have made an outstanding contribution to the country, to State and to local communities to end discrimination and support the civil rights of all people.

I must also mention the excellent work that the ADL has done to aid Israel and the plight of Jews all over the world. From issues such as United States defense spending for Israel to Soviet Jewry, and to issues that are just emerging such as an international peace conference, the ADL has always been there in support of such efforts.

I wish the Anti-Defamation League continued success as they work on behalf of human rights in this country and worldwide.

THE NATIONAL COLLEGE SAVINGS INCENTIVE ACT

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. FLIPPO. Mr. Speaker, I am pleased to introduce today a bill that would help parents and families cope with the rising costs of a college education. The National College Savings Incentive Act is designed to assist parents in planning and providing for the postsecondary education of their children.

A recent study published by the Carnegie Foundation for the Advancement of Teaching found that college students and their families bear the brunt of college costs. According to the foundation president, Ernest Boyer, "Family resources and students' own earnings together cover 72 percent of college costs, leaving the rest to be made up by grants, loans, and scholarships."

The rising costs of a college education, however, threaten to undermine the ability of future generations of college students to finance a college degree from a 4-year institution. Since 1970, the price of a college education has increased faster than the Consumer Price Index. The rate of increase has accelerated in the 1980's.

The total changes (tuition and fees, room and board) at an average cost public university increased by 143 percent between the 1973–74 academic year and 1985–86. The average increase has been much higher among private universities.

The average annual cost at a 4-year public institution for a commuting student rose from around $2,900 in the 1980–81 academic year to $4,240 in 1985–86. The cost of attending a private 4-year institution rose from approximately $5,400 to around $8,350 over the same time period. If similar trends persist in the future, and from all indications they will, it will be virtually impossible for many of our brightest young people to obtain a college degree.

The rising costs of higher education have triggered the development of new and innovative programs to help families deal with the problem of rising college costs. A number of States and institutions are following the example of the State of Michigan in implementing an innovative prepaid tuition program.

Under the Michigan plan, the parents, grandparents, or any other interested party may guarantee the college education of a child by allowing them to pay a child's college tuition at any time after the child's birth. The prepaid tuition payment is pooled together with similar payments from other parents in an invested sinking fund. When a participating child has been accepted by and enrolls at the school of his or her choice, the trust will pay the tuition of the child without further tuition cost to the child or his or her family.

The effectiveness of the prepaid tuition plans are limited by Federal gift tax and income tax laws. The purpose of the bill I am introducing today is to clarify Federal income tax treatment of the prepayments of the cost of higher education and insure proper administration of trust funds. The essential features of this bill are as follows:

A state, an education institution (public or private) or a consortium of educational institutions (public or private) would be permitted to establish programs guaranteeing a package of prepaid educational benefits.

The sponsored plans could guarantee a broad range of educational benefits including tuition and fees, room and board, and/or books.

Potential sponsors would include parents, grandparents, guardians or any other individual or entity willing to guarantee payments including employers.

Prepayments could be lump sum or serial.

Portability of benefits would be permitted.

No Federal tax deduction would be allowed for the prepayment. Thus, financing would be with after-tax dollars.

No Federal tax would be imposed on interest earned on trust fund investments.

No Federal tax would be imposed on a sponsor or a beneficiary upon receipt of educational benefits.

The National College Savings Incentive Act represents sound public policy. It is an appropriate response to a growing national problem. The young people of our nation are slowly but surely losing access to higher education. The rising cost of attending college is pricing this option out of the reach of far too many of our talented youngsters. The bill I am submitting today will help assist parents and families deal with the high costs of educating their children. The education guarantee programs have an additional benefit to society in that they encourage savings.

This bill does not represent a new Federal program or initiative. It is an appropriate Federal response to innovative new ideas and concepts initiated by the various States and private institutions. Federal legislation is necessary to make the State and local program work more effectively and efficiently.

Mr. Speaker, I urge my colleagues to support the National College Savings Incentive Act.

MENTAL HEALTH DISCRIMINATION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. FASCELL. Mr. Speaker, today I am joining several of our colleagues in sponsoring H.R. 1067, the Medicare Mental Illness Non-Discrimination Act of 1987. I am pleased to join in sponsoring this measure because it addresses a long-standing inequity in the treatment of mental health illness under the Medicare Program. Since the inception of the Medicare Program, the maximum reimbursement for services provided by a psychiatrist or nonpsychiatric physician providing for the treatment of mental, psychoneurotic, or personality disorder has been limited to $250 per calendar year for each Medicare beneficiary. In constant dollars, this benefit is now worth approximately $57 a year. While the benefits for physical illnesses have increased throughout the program, treatment for mental illnesses has been stymied.

Such discriminatory practices over the last two decades leave us with a very difficult problem today. While it is clearly time to curtail the prejudices against mental health in our Medicare system, CBO estimates the cost of this legislation at as much as $150 million in 1988 and between $1.5 and $2 billion over the next 5 years. At a time of severe cutbacks and budget restrictions, this sum is very hard to swallow.

The American Psychiatric Association acknowledges this financial dilemma and has stated its support for an incremental increase. I have joined in sponsoring H.R. 1067 to state my support for ending this historic discrimination. I urge our colleagues to join in supporting this principle and to work with the sponsors of the bill to find an affordable solution to this problem and begin alleviating this inequity.

TRIBUTE TO CHINN HO

HON. DANIEL K. AKAKA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. AKAKA. Mr. Speaker, it is with profound sadness that I report the passing yesterday of one of Hawaii's greatest sons, Chinn Ho. I know that the Members of this House will join me in mourning his death, and extending our wholehearted sympathies to his wife, Betty; his sons, Stuart, Dean, and John; his daughters, Karen, Robin, and Heather; his brothers, Leonard and William; his sisters, Alice, Hilda, and Laura; and, of course, his 16 grandchildren.

To say that Chinn Ho lived a long life is clear; he died at the age of 83. To say that he lived a full life, however, is an understatement; Chinn Ho may well have coined the phrase.

An exemplary individual, the friendship that we developed and built over the years is a friendship that I cannot forget. I think his loss is not only my loss, and a loss to those who loved him, but it is really a loss to those who make Hawaii their home.

From a professional point of view, Chinn Ho was a financier extraordinaire; a genius who has set a pace for growth in Hawaii that has led us to where we are today, and that ensures great potential for us in the future.

Of course, the real test of a person's success in their profession is the manner in which he is viewed by his peers. Well, I can say with great confidence that Chinn Ho was held only in the highest esteem. Just listen to some of the comments made in a recent Honolulu Advertiser article:

> Chinn Ho was my best friend and teacher. He made a mark on Hawaii that can never be erased.* * *—Philip Gialanella, publisher, Honolulu Advertiser.
>
> For those of us who started in the streets, he was the original Horatio Alger. He was a real role model and we all looked up to him.—Walter Dods, president, First Hawaiian Bank.
>
> Chinn Ho was a very, very special man with a keen ability to seek out good investments. He had the boldness and fortitude to take large positions in certain investments, and stick with it. He had a special place at the firm.—Cedric Chun, vice president, Dean Witter Reynolds Inc.

Rising from modest, humble beginnings, Chinn Ho was a man of uncommon intellect, energy, and compassion. It was precisely this combination that led him to achieve the local, even global, recognition that he knew. A model of commitment, of service, I believe that even in death his influence will live on.

On a personal note, I remember Chinn Ho, as I think all who know him do, with joy, with inspiration, and certainly with concern for his fellow man.

I hope each and every one of the family and friends will find solace in knowing that today we mourn Chinn Ho's death, but for years to come we will celebrate his life.

U.S. HEALTH SERVICE INTRODUCTION STATEMENT

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. DELLUMS. Mr. Speaker, today I am reintroducing the U.S. Health Service Act, a bill to establish a National Health Service to provide high quality, comprehensive health care for all Americans.

Each Congress, starting with the 95th Congress, I have introduced bills to create a National Health Service. In the 99th Congress this bill was H.R. 2049.

There has been a flurry of interest in recent months concerning proposals for catastrophic health insurance. However, even the most comprehensive of the proposed bills provides only partial coverage even to the limited population group it covers.

Once again, we are pursuing a piecemeal approach to the problems of our Nation's health. Catastrophic health insurance, while potentially helpful for addressing the problem of financial disaster as the result of a costly illness, does nothing for the provision of comprehensive care to the population.

It is time to begin to approach the problem of health and health care in a rigorous and comprehensive way. In the past year, a number of groups concerned with the increasing health care crisis have banded together to promote the idea of a National Health Service Program. This renewed interest has led to the rebirth of the Coalition for a National Health Service. The coalition, supported by leading figures in the health field, as well as such groups as the Gray Panthers, has become instrumental in promoting the program as well as organizing local campaigns in support of a National Health Service.

Last November the people of Massachusetts overwhelmingly endorsed a ballot measure calling for a National Health Program. Numerous other jurisdictions have placed or are placing referenda measures on their ballots in support of such legislation and popular support is rapidly increasing.

A renewed indication of support this year is important to further the growing efforts across the country.

Detailed explanations of my legislation are available from my office.

TRIBUTE TO RALPH FASANELLA

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. ATKINS. Mr. Speaker, on May 18, 1987, the citizens of Lawrence, MA will salute the artist Ralph Fasanella, who for over 40 years has used the tools of his trade to realistically portray the life of the American working class. Today, I would like to join in this tribute to this gifted artist.

Born to working class parents, Fasanella has long been sensitive to the struggles and tribulations of the working class. As a young man, he was actively involved in the labor movement, and then in the mid-1940's, Fasanella turned his energies toward the canvas.

Beginning with little formal training as an artist, Fasanella taught himself to paint through trial and error. Over time, he perfected his skills as an artist—some have called him the best American primitive artist since Grandma Moses—but he never forgot his working class roots. Throughout his career the central themes of his work were the struggles of labor and the lifestyle of those who made up its work force. His over 100 paintings capture the essence of the movement and express the artist's utmost respect for the American laborer.

In the late 1970's, Fasanella's deep concern and personal interest in the history of the U.S. labor movement led him to the city of Lawrence—the site of the 1912 bread and roses strike. This strike, the first of its kind to include both disgruntled men and women, marked a significant step in the rise of the labor movement in the country.

Fasanella spent 2 years researching the strike, and the lives of the textile workers who lived in Lawrence in the early 20th century. His stay in Lawrence inspired his painting of 17 works of art, included among them is "Lawrence 1912: Bread and Roses Strike."

Mr. Speaker, this year has been designated the "year of the worker" in the city of Lawrence. It is therefore without question appropriate to honor a man who has spent the better part of his life depicting the life of the American laborer for all the world to see. Through Ralph Fasanella's works, the spirit of the American labor movement endures today.

IN APPRECIATION OF THE WORK OF THE COMMUNITY LEADER STEPHEN LOUIS EPSTEIN

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. SCHUMER. Mr. Speaker, I would like to call the attention of my colleagues to the longstanding commitment and contributions of an outstanding member of our community, Stephen Louis Epstein.

Known as the "Sheriff of Nottingham" for his tireless work on behalf of the Nottingham Park area of Brooklyn, Mr. Epstein tonight retires after 15 years of service to the Nottingham Association. Appointed to the board of directors of the Nottingham Association in 1972, he was elected vice president in 1976 and president in 1978.

Under his excellent direction, the Nottingham Association has grown into a vibrant and active association with 1,200 member families, both neighborhood homeowners and tenants. One of Mr. Epstein's most important roles in the association has been that of radio monitor and backup man to the Nottingham Association car patrol.

As editor since 1976 of the Nottingham Park News, the local newspaper of the Nottingham area, Mr. Epstein has won several awards for his editorial excellence.

Mr. Epstein has served New York City since 1964 as a teacher in the New York City Board of Education schools, having received a masters degree in elementary education from Long Island University. He has received several awards for his community service and for his activism as a member of the United Federation of Teachers. He is married to Loretta Bendis; Lori and Steve are the proud parents of two sons, David and Andrew.

Stephen Epstein's leadership has been an outstanding example to the community. I ask my colleagues to join me today in thanking Stephen Epstein for his tireless work on behalf of the community, and in wishing him and his family good luck and good health.

HAPPY 70TH BIRTHDAY TO DICK SULLIVAN

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. HOWARD. Mr. Speaker, Sunday, May 17, is the 70th birthday of Richard J. Sullivan, a man who has served the public for 30 years as the chief counsel of the Committee on Public Works and Transportation.

Mr. Sullivan arrived in Washington to begin serving as the committee's chief counsel in 1957 during the Presidency of Dwight D. Eisenhower and just 1 year after the approval of the Interstate Highway System. He has been here ever since, which is longer than virtually all of the Members of the House.

Although he came to the committee from the Bronx, NY, he has served with chairmen from Maryland, Minnesota, Alabama, California, and New Jersey as well as New York. There has not been a public works project or public works bill in three decades on which he has not left his mark.

As the chief counsel, Mr. Sullivan has overseen the drafting of some landmark legislation in the Public Works Committee. There has been the Economic Development Act of 1965, the Aviation and Airway Improvement Act of 1970, the Clean Water Act of 1972, the Airline Deregulation Act of 1978, the Motor Vehicle Reform Act of 1980, and the Surface Transportation Assistance Act of 1982, to name just a few. In the last few months, the committee has reauthorized the Superfund Program, the Clean Water Act, the highway transit program and has passed a major overhaul of the Nation's water resources policy.

In his three decades on the committee, Dick has become a master at getting things done. With his direct, blunt and gruff style, he can get things moving in the Halls of Congress and in other parts of Washington as well. Without Dick's wise political and legal counsel, the Public Works and Transportation Committee would move forward much less surely.

Richard J. Sullivan was born in the Bronx 70 years ago to Joseph and Katherine Sullivan. He received a B.A. degree from Fordham University and an LL.B. from Fordham Law School. He served during World War II in North Africa, Sicily, and the European Theater as an infantryman. He was awarded eight battle stars and a combat infantry badge. Dick and Julie Sullivan celebrate their 35th wedding anniversary this year.

It has been an honor to have known Dick since I came to Congress in 1965. He has been a trusted friend, legal counselor and general adviser. In recent years, he has talked about retirement but I have squelched that. I believe he is too valuable to the Congress to allow him to retire.

I want to wish Dick Sullivan a happy 70th birthday and thank him for the many years of public service. I know all my colleagues will join in that wish with me.

AFFORDABLE CHILD CARE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. BIAGGI. Mr. Speaker, I would like to call to the attention of my colleagues the remarks of Secretary of Labor William E. Brock, as he recently addressed the first national conference on work and family issues. As Secretary Brock stated, the major changes in our work force, including the rapidly increasing number of dual-earner and single-parent families, will affect our Nation's productivity and competitiveness. As we strive to increase our competitiveness, Secretary Brock questions, "whether or not we can find a way to achieve that productivity without sacrificing our human values and our greatest national strength—our families."

One of the biggest problems facing our families today is the problem of quality and affordable child care. Almost half of our Nation's mothers return to work before their child's first birthday. Over half of the mothers of children under 3 are in the labor force and 70 percent of the mothers of school age children are either working or looking for work. However, with the growing number of working mothers, we have not seen adequate child care. As many as 7 million children under the age of 13 are left alone for some part of their day. This cannot continue.

That is why I have introduced legislation which addresses the issue of quality and affordable child care. What better place to have child care than at the location of parental employment. The Department of Labor shines as an example with one of the few Federal onsite day care centers. My legislation seeks to ensure more employees can have the advantage of onsite day care, by providing a tax incentive to employers to establish day care facilities.

Secretary Brock said, "investments in child care have both a short-term and a long-term payoff for productivity. In the short-run, safe, adequate, affordable and available child care helps resolve the most serious dilemma faced by working parents. It helps make them better, less worried, less harried, more productive workers." The national employer supported child care project survey of onsite day care concluded that onsite child care resulted in a 65-percent reduction in employee turnover, a 53-percent reduction in employee absenteeism, an 85-percent increase in employee recruitment, and a 90-percent increase in employee morale. Who can argue with results like these?

I agree with Secretary Brock that the organization that can adapt to the changing needs of the work force are the organization that will prosper. I further concur that the "organizations which do not adjust to these changes will not be able to recruit and retain the skilled and committed employees who are essential to a company's success." I urge my colleagues to look at H.R. 541, the Onsite Day Care Privatization Act. This is a relatively inexpensive method to address a potentially expensive problem. We must increase our competitiveness. We must encourage our Nation's employers to join with us in changing to meet the new needs of employees. I urge my colleagues to cosponsor H.R. 541. Not only will you be helping employers, you will be helping parents and children, and above all, our national competitiveness.

BILL TO CHANGE THE CLASSIFICATION OF LEATHER BELTS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. MATSUI. Mr. Speaker, today I am introducing a bill to change the classification of leather belts, and parts thereof, designed to carry tools. They are worn by construction workers, carpenters, linemen, and other workers. As such they are articles of apparel in that they are worn on the person and are essential articles to the men and women who wear them in their trades. Yet it appears that these articles are not being classified under TSUS item 761.60, leather apparel belts, but are being classified in the basket category for leather articles, other than footwear uppers in TSUSA item 791.9020.

To correct this misclassification, the proposed legislation would establish the correct classification by an addition to the headnote of subpart B or part 13 of schedule 7.

Under the present classification, imported articles are duty-free. Under the proposed correct classification, imports would be subject to a duty of 5.3 percent ad valorem. This is of importance to domestic manufacturers who are feeling the adverse impact of growing imports. U.S. manufacturers of the articles in question are located in California, Florida, Missouri, and Oklahoma.

TENNESSEAN IS VOLUNTEER OF 1987

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. SUNDQUIST. Mr. Speaker, I would like to bring to your attention that this year's National Volunteer of the Year is Mrs. Martha Summers, from my district in Tennessee.

That distinguished honor has been bestowed by Joint Action in Community Service, Inc., a national organization with a network of volunteers throughout the United States, Puerto Rico, and the United States Virgin Islands. Their purpose is to help disadvantaged youth to make the transition from Job Corps training to community life.

Since beginning her service with J.A.C.S., Mrs. Summers has assisted nearly 2,000 former Job Corps members, providing employment and housing location, transportation, continuing education assistance, and general support as they readjust to the community.

In her efforts, Mr. Summers utilizes the resources of the American Red Cross, as well as others J.A.C.S. agencies.

Mr. Speaker, I am honored to bring the efforts of this outstanding citizen to your attention, because, in my opinion, our country needs more individuals who are willing to give their efforts to their community. One of the reasons America is such a great Nation is that we have an exceptional record of giving our time and services to those who are not as fortunate, and here we have a shining example for other to emulate.

And may I also say that I think it's appropriate that this year's honoree was chosen from the great State of Tennessee, the Volunteer State.

Mr. Speaker, I am very proud of the efforts of this fine American citizen, and I thank you for your time.

HONORING GEN. GEORGE C. MARSHALL

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. MURPHY. Mr. Speaker, I take this opportunity to recognize the achievements of Gen. George C. Marshall, a Uniontown, PA, native, whose memory is being honored during the Marshall Plan Commemoration Weekend, May 15–17, at the Pennsylvania State University's Fayette County campus. Friends, family and a host of official dignitaries will gather in Marshall's boyhood hometown to pay tribute to this outstanding American patriot.

This celebration marks the 40th anniversary of the Marshall plan which provided for the postwar recovery of Europe. For his work, General Marshall received worldwide acclaim, climaxing in his being awarded the Nobel Peace Prize.

George C. Marshall was born December 31, 1880, in a two-story house on West Main Street in Uniontown, PA. Ironically enough, this spot is now the site of the Uniontown Post 47 Veterans of Foreign Wars building. Marshall's father was a coal and coke operator in Dunbar, PA. Unfortunately, George's father died only a few months after his son was commissioned as an Army officer. Stories are still told of how George would play down by the placid Coal Lick Run. Nicknamed "Flicker," General Marshall's boyhood days may best be remembered for the ferry that George built to get fellow students across the Coal Lick Run and to school.

Marshall studied at Miss Alcinda Thompson's private school on West Church Street. Though just an average student, the General did not begin showing his true worth until he entered the Virginia Military Institute [VMI] at the age of 17.

Marshall and his family attended St. Peter's Episcopal Church on Morgantown Street. One of George's duties was to pump the bellows on the pipe organ during the services.

After graduation from VMI, Marshall was commissioned as an officer on February 2, 1903, in Uniontown. He then left for the Philippines. Marshall had a distinguished military career and by the time he was to return home to Uniontown in September of 1939, he had already been named Army Chief of Staff. Other offices held by Marshall included Secretary of State and Secretary of Defense. The General retired from public service in 1951.

Two years later, the General proudly returned to Uniontown to show his wife where he had spent his childhood years. He toured the area giving a few speeches and reminiscing with old friends. He talked fondly of places such as Chalk Hill, Dulaney's Cave, and the Summit.

The General made one special stop along the way to talk with the students of Uniontown High School. Marshall wanted the students to understand and study history, especially their local history. Marshall said, "It is of great importance for you to understand the facts of history—the cause and effect. It is the failure to comprehend this which has got us into more trouble than anything else."

The General would visit Uniontown only once more in his lifetime for the 200th anniversary of the Battle of Fort Necessity.

Five years after this final trip, Gen. George Catlett Marshall died on October 16, 1959.

Uniontown certainly has not forgotten its favorite son. The Uniontown Lions Club dedicated a stone monument with a bust of Marshall and a plaque in the minipark between West Church and South Street. This area has since been renamed Marshall Square. Gen. George C. Marshall Post 103 of the American Veterans has its home on Buttermilk Lane in Hopwood, and the main auditorium in the Uniontown VFW home is called Marshall Hall. Uniontown and the neighboring areas will continue to honor Marshall with the 40th anniversary of the Marshall Plan Commemoration.

RECOGNITION OF EDWARD U. MILLER

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to recognize Edward U. Miller on the occasion of his graduation from the U.S. Naval Academy.

Mr. Miller and his parents, Billie U. Miller and the late G. Edward Miller, are long-time residents of Asheboro, NC. His late father and I grew up in the same small town, Erwin, TN. Mr. Miller graduated from Asheboro High School in 1982 and while in high school achieved the rank of Eagle Scout. He is a member of the Asheboro First Baptist Church and participated in a number of youth programs there.

At the academy, he has maintained a grade point average of over 3.0. Upon graduation, he will be assigned to the pilot training school at the Naval Air Station in Pensacola, FL.

I congratulate Edward on his assignment and his distinguished academy career and I look forward to his future accomplishments which will continue to make Asheboro and the Fourth District of North Carolina proud of him.

INTRODUCTION OF THE FILM INTEGRITY ACT OF 1987: PRESERVING AMERICA'S FILM HERITAGE

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. GEPHARDT. Mr. Speaker, I am introducing today the Film Integrity Act of 1987. Simply put, this legislation gives the screenwriter and director of a film the right of consent for any alteration of their work. It leaves these artists with the right to decide whether the artistic integrity of their film is being violated.

This legislation reflects my deep concern over the potential impact of techniques like colorization on America's film treasury. Film is a uniquely American art form: we brought it to life, we made it talk, we used it to address our deepest social concerns. Classic feature films are a vital part of America's living heritage. They have become one of the most potent voices through which one generation speaks to the next.

But these voices are now in danger of being muffled and distorted because the best films in America's library are threatened with colorization. What would our lives be like without the images we all share from black and white films: the stark Oklahoma landscapes of "The Grapes of Wrath," symbolizing the poverty and the hope of Americans during the Great Depression; the raging ice-filled river into which Jimmy Stewart plunged in "It's a Wonderful Life"; the black elevator grates closing in front of Mary Astor's blanched face at the end of "The Maltese Falcon." Other films scheduled for colorization include "Casablanca," "Grand Hotel," "Woman of the Year," "Suspicion," "They Died with Their Boots On," "The Philadelphia Story," "Treasure of the Sierra Madre," and "A Night at the Opera." We must not lose these and other pieces of America's film legacy.

The choices of how a film is created and developed are very personal; these decisions should not be second-guessed by entrepreneurs in search of a quick buck. We are not just talking about the older black and white films. In modern classics like Woody Allen's "Manhattan" and Martin Scorsese's "Raging Bull," for example, the directors made a conscious artistic decision that their message could be told best in the simplicity of black and white. All of us who have enjoyed these and other recent black and white films share their judgment.

The potential abuses of colorization are endless. How would it be if some business executive decided that the start of "The Wizard of Oz" should be colorized, and the second half "de-colorized"? It would be like giving a disco beat to Louis Armstrong's classic jazz recordings, or taking Ansel Adams' photographs of Yosemite, and coloring the sky blue and the grass green.

My legislation does not stand in the way of new advancements in film technology. It does not ban these changes. But it does restrain film editors and computer technicians who would distort the original intent of our films. It holds those who would tamper with our American heritage to a higher standard than a mere dollar sign. We must insist on nothing less.

KPRS: A TRADITION OF EXCELLENCE

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. WHEAT. Mr. Speaker, it is my pleasure to congratulate radio station KPRS-KPRT which is celebrating its 36th anniversary in the broadcast industry on May 13. The station, which is located in Missouri's Fifth District, is the oldest black-owned radio station in the country.

In 1952, Mr. Andrew Carter became the first black person to be issued a broadcast license by the Federal Communications Commission and that year he became part owner of radio station KPRS. Subsequently, Mr. Carter became principle owner and president of the radio station, a position which he still holds today. As head of KPRS, Mr. Carter served as chairman of the Kansas City Model City Program and as a director of the Kansas City Ad Club, the Civil Counsel, the NAACP, and the YMCA. Mr. Carter and his wife, Mildred, who is chairman of the board of KPRS Broadcasting, continue to oversee the operations of the radio station.

This family owned and operated radio station has been broadcasting continuously since 1952. Its operations were expanded onto the FM dial in 1963 as KPRT. Throughout the years, KPRS-KPRT has provided valuable service to thousands of listeners in the metropolitan community. Each year, KPRS stages fundraising events to help the crime prevention efforts of the ad hoc committee of Kansas City. The station also holds an annual food basket drive to help provide food for the needy during the Christmas holidays. Thousands of listeners tune to KPRS-KPRT for their religious news and news about the metropolitan area's boys and girls clubs.

I am proud to share with my congressional colleagues the achievements and tradition of community service of radio station KPRS-KPRT. As the station moves into its 36th year of operation, it will be broadcasting via a more powerful transmitter. As a result, more listeners will be able to tune in to KPRS-KPRT and enjoy its fine commerical programming and participate in its community service activities.

25TH ANNIVERSARY OF VOCATIONAL AND TECHNICAL EDUCATION

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. SAXTON. Mr. Speaker, I rise today with great pleasure to commemorate the 25th anniversary of the establishment of vocational and technical education in Burlington County, NJ.

The first meeting of the Burlington County Vocational Board of Education was held on Tuesday, May 22, 1962, in the Office of the County Superintendent of Schools.

By the effort and foresightedness of its first director, Jon Ossi, and its beginnings in a facility with 8-foot high partitions separating classrooms, the vocational education program in Burlington County has expanded to two fine campuses offering an impressive array of full-time vocational education classes along with a complete academic program.

The first graduating class consisted of 15 licensed practical nurses in 1964. Since then, the program has experienced unparalleled growth and success, graduating over 4,700 students in a variety of programs.

Under the leadership of superintendent, Dr. Benjamin Verdile, and a team of distinguished faculty and staff, the Medford and Westampton campuses are alive with energy. Students participate in a myriad of classes and programs in school and in the community. From cosmetology and art to environmental science and computer technology, the students develop and demonstrate their expertise in a variety of creative fields preparing them for productive and fulfilling lives.

I commend the Board of Freeholders and the Burlington County Vocational Board of Education for working together to develop a quality education system responsive to the needs of students and our society.

I also extend my congratulations to the excellent faculty, student body and staff at Burlington County vocational and technical schools. It is through their accomplishments and contributions that this program is celebrating its 25th year with a flair of pride.

A SALUTE TO KENT AMOS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. STOKES. Mr. Speaker, I want to take a few moments to share with my colleagues the good work of Kent Amos who is committing his time and talents toward developing America's greatest resource—our children.

For over 6 years Mr. Amos has opened his home to and shared his financial resources with needy inner-city youth, providing tutoring, counseling and emotional support. Through his efforts these "extended family" members have gone on to achieve high school and collegiate honors and professional success.

An article about Kent's current work with over 42 children appeared in a recent issue of the Washington Post Parade Magazine. Kent has directed his efforts to provide love, hope, and inspiration for these students.

Mr. Speaker, I know of few people who can boast such an impressive record. Kent Amos is an exceptional and dedicated human being. I would like to share the article with my colleagues and ask them to join me in saluting Kent Amos.

LOVE WITHOUT MEASURE

(By Sherrye Henry)

An affluent entrepreneur in Washington, D.C., gives new meaning to the concept of the extended family. Six years ago, Kent Amos and his wife, Carmen, had only two children—Wesley, now 22, and Debbie, 17. Today, they have 42 girls and boys and, if Amos has his way, the number will soar geometrically. Why? "The capacity to live is without measure," he says, "and so are the children who need help."

The first Amos family additions were accidental: Basketball players Wesley brought home from Calvin Coolidge Senior High School after practice stayed for dinner and conversation one night and kept coming back for more. Typical inner-city kids, many were from broken homes or no homes, with most of the disadvantages that entails.

Milton Newton was one of them. He had spent most of his life getting into trouble—until he met Kent Amos. "Milton needed a lot of help," Amos recalls. "I'm not sure where his father was. His mother was in the Virgin Islands. He needed family. He'd failed eighth grade and was having a rough time with ninth after his grandmother had sent him to live with an aunt here in Washington. I took a liking to him. For the last five years, he's called me Dad."

Milton and his friends soon became regular after-school visitors to the Amos home and were asked to stay for dinner almost every night. A routine was established dining as a group, then a two-hour study period. Says Amos: "During this period, there is silence—no phones, no television. They are required to do their work and study and read." Eventually, group discussions ensured about long-range goals, and then came private dialogues about their personal concerns. Soon, all the boys were calling him Dad, and Kent Amos was living the part.

He saw their teachers regularly, checked their report cards, attended their games and began to love them as his own. He also set rigorous standards for behavior and scholastic achievement, pledging college as a reward—and they met the challenge. Milton, now 22, graduated from high school with honors and a full athletic scholarship to the University of Kansas, where he is completing his junior year. In addition to Milton, there are now 13 more "children" in college.

"The first kids just evolved," says Amos. "But then Carmen and I made a conscious decision to broaden what we were doing. We decided our house could accommodate 20 to 25 kids a night. So we went to the school and said we would take them on."

Kent Amos kept his expanding family running smoothly by tapping into his business skills; He is a trained systems and management expert and was the youngest corporate director in Xerox history. A second refrigerator was purchased for the house; another pantry was added for paper plates, canned goods and fruit juices; shelves were stocked with school supplies, thesauruses and dictionaries. On most school nights and almost every evening in the summer, eight to 10 boys and girls gathered at the Amos home for what they could find in no other place—constant attention and continuous affection.

Initially, Carmen cooked for the group. But when the rapidly growing number became unmanageable for this homemaker with a demanding job as a customer-service representative for Xerox, Kent sought out a sympathetic home-economics teacher at Coolidge High who agreed to prepare dishes in class if the Amoses would provide the food. Twice a month, Kent spends several hours in a supermarket stocking up. "I take four or five kids to the store," he says. "Each one takes a shopping cart. We use a separate checkout lane just for us, and I spend from $400 to $500 every two weeks on food."

Kent Amos' favorite word in describing his relationship with his children is "consistency." He admits that some youngsters are naturally smarter, cleaner, more attractive and more productive than others. "But that doesn't matter," he says. "I love and treat them all the same. They are all my children."

Still, being consistent with these children tests the Amoses for more emotional fiber than most middle-class parents will ever need. Kent had to go to court with one of his first boys, an 18-year-old who later broke probation after being arrested for burglary. He was sent to the prison where his real father and stepfather were inmates. During regular visits, Kent oversaw the boy's efforts to acquire a GED (high school equivalency diploma). He since was released from prison and has a job. A worse fate befell André, slain at the age of 17 by a drug dealer against whom he had agreed to testify. André was killed in the autumn of 1985 in the same house in which his father had killed his mother 10 years earlier.

Most of the chidren have only a single parent, or they live with relatives in large groups of siblings or half-siblings where father figures, if present, often are involved in illegal activities. A few have stable homes, but most face overwhelming financial disadvantages. One boy—a top-ranking student from a strong, solid home—lost his father to cancer.

After Kent stops by the school—first to watch his girls at cheerleading practice, then to measure the basketball team's progress and, finally, to check on one talented forward whom he once had ordered off the court until he'd improved his grades—he arrives home shortly before his children do. Carmen is icing a cake (two boys are celebrating birthdays tonight), and they have a rare moment to measure the personal costs involved in being responsible for so many lives. Kent insists the costs are minimal. The 14 young people in college all have scholarships that require only supplemental living expenses, although occasionally one of the youngsters has a pressing need, including clothing—from underwear to a topcoat. Kent estimates that he spends from $15,000 to $20,000 each year on his brood; hardly small change. But he looks around his tastefully furnished home and says, "I'm living in a pretty nice house, I have a good life and manage my money well . . . My wife and I each drive a Mercedes . . . What am I giving up—stocks?"

How about leisure time?

Kent shrugs away the thought of any activity that does not include Carmen or the children, "They are my life," he says.

The children burst through the door at this point, strewing jackets across a giant pool table and carrying foil-wrapped platters of lasagna and bowls of salad into the kitchen. Carmen directs the table-setting and food-warming for tonight's group of 14, some of whom already are studying for exams. Kent soon is in the midst of them, firing questions. Though Carmen appears infinitely calm, she says that Kent has far more patience with this daily gathering of youngsters, "I'm more private than he is," she says. "Once I get everybody situated and fed, I'll take my quiet time, Kent thrives on having the kids around. He's the special force."

Her only major problem, she says, initially involved losing her living room to a study hall. But Carmen and Kent eventually set up tables in another part of the house so the kids could study and she occasionally could entertain friends. "If there are a lot of dishes, or if I'm tired, the kids'll do them," Carmen says. "They are also good about picking up after themselves. We share a lot of love. That's why the program works."

And it is a program now. At the beginning of 1986, Kent set up his own management-consulting firm, The Triad Group. Concurrently, with a major contract from Xerox, he orchestrated the nonprofit Urban Youth Investment Program, which already has installed $250,000 worth of computer equipment in Coolidge High to train students for skilled jobs. Kent not only intends to expand his own parental responsibility to 200 children, but he also hopes to provide a concrete programmatic model for others who might wish to pursue his vision.

After dinner, Kent savors the quiet as the children study. Among his successes is Derrick Davis, 20, who once faced glum prospects. Just two years ago, Derrick was going nowhere. Then Kent arranged living space for him in a good home and took him into the Amos program. Today—after leading Coolidge High's basketball team to the city championship and being named all-American—Derrick is a freshman at Oklahoma State University, which granted him an athletic scholarship.

Derrick remembers the dark days, before Kent Amos helped him: "I was a street hustler. I wanted to make fast money. I was living with my father, and things weren't going right between us. I had a girlfriend . . . she had a baby . . . When I first came to Coolidge, I didn't have anything on my mind but cutting class, hanging out with boys who didn't go to class. Then Mr. Amos came to me and asked me what kind of life did I want. He said if I went to school, enhanced my study habits. I could have that. What I said I wanted—what I want—is a nice job, a nice family and to raise my own kids someday. After he talked to me, I said: 'Why throw that away when I can give it a chance?' When the guys I used to hang out with ask where I've been, I say in school, and they say, 'Yeah, that's good.' Good that I'm trying to make something out of myself. Since my father's seen some of these people trying to help me, he's been coming back. This program made a big difference for me. Now I can dream of being like Mr. Amos—helping young people."

Kent Amos passionately believes in people and the power of love. "These kids don't need to drown," he says. "There are enough substantial adults out there—entertainers, athletes, professional people—who can make a difference and who—if they would just walk into the water and lock arms—would stop these kids from being swept downstream." There are, he maintains, vast numbers of children ready to be saved, and well-meaning people ready to help—if shown what to do.

"Kids are easy to love, once you get to know them," says Kent Amos, "and love is truly the answer."

POLICING THE JAPANESE AUTO INDUSTRY

HON. DONALD E. "BUZ" LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. DONALD E. LUKENS. Mr. Speaker, I was interested to hear my distinguished colleague from Missouri, Mr. WHEAT, speak recently on the floor of the House about the United States-Japan trade deficit and the fact that nearly 60 percent of that deficit can be attributed to automotive products. Mr. WHEAT also suggested Congress take a close look at this largest single segment of the deficit. He went on to point out that perhaps as much as $8 billion of the $34 billion auto deficit results from Japanese manufacturers finding ways to export cars around the quota imposed on them by the Government of Japan.

My votes in this Chamber will show that I do not favor protectionist legislation, and I consider myself a supporter of free markets and trade. However, I am opposed to any foreign company illegally dumping products in the United States below costs and any foreign company circumventing their own government's export control by shipping parts to third countries for assembly and reexport to America. Also, it stretches reason to permit export of passenger cars disguised as trucks just because there are no legal quotas on trucks. For instance, look at the very small Mitsubishi Montero or Suzuki Samurai models which are smaller than our American Motors own Jeep. Who can call these midget cars trucks?

The gentleman from Missouri calculates that as many as 150,000 vehicles are imported into this country disguised as trucks. And these are in addition to the Japanese Government's authorized quota of 113,000!

I believe there will be much more trade legislation to come before this Congress and I, for one, will be carefully monitoring car exports to see if the Japanese Government is willing to police its own voluntary restraint order before more action is taken by this Congress.

REV. LUTHER HEYDE RETIRES

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1987

Mr. KOLTER. Mr. Speaker, today I rise to honor a constituent of the Fourth District of Pennsylvania, Rev. Luther Heyde of Butler.

A retiring minister from St. Marks Evangelical Lutheran Church, Reverend Heyde has contributed greatly to the religious community since 1951.

Not only did he carry out full-time pastoral duties, Reverend Heyde was also involved in music with the Youth of America. He has published numerous musical compositions and arrangements.

Reverend Heyde was born in 1921 in Attica, OH, the son of a Lutheran pastor. He later moved to Logan, OH, and graduated from Capital University in 1942. Also in 1942, he attended Evangelical Lutheran Seminary in Columbus. On September 2, 1945, Pastor Heyde was ordained. He married Marvalene Cretcher on October 27, 1945. They later traveled to India to do missionary work.

The dedicated service of Reverend Heyde has been a valuable asset to the Butler religious community and I am proud to tell my colleagues of the achievements of Rev. Luther Heyde.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, May 14, 1987, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 15

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on S. 970, authorizing funds for a research program for the modification of plants and plant materials to develop new marketable industrial and commercial products.
SR-332

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 506, Digital Audio Recorder Act.
SR-253

Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings to examine activities of the Food Safety and Inspection Service of the Department of Agriculture.
SD-342

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Housing and Urban Development, and independent agencies.
SD-124

Labor and Human Resources
Business meeting, to resume consideration of S. 538, to implement the recommendations of the Secretary of Labor's Task Force on Economic Adjustment and Worker Dislocation, and other pending calendar business.
SD-430

11:15 a.m.
*Agriculture, Nutrition, and Forestry
Agricultural Credit Subcommittee
To resume markup of S. 57, to establish an agricultural loan interest subsidy program, and related measures.
SR-428A

2:00 p.m.
Labor and Human Resources
To resume hearings to review Federal efforts in AIDS research.
SD-430

MAY 18

10:00 a.m.
Finance
Private Retirement Plans and Oversight of the Internal Revenue Service Subcommittee
To hold hearings on the status of the Pension Benefit Guaranty Corporation (PBGC), and on proposals to increase the PBGC premium and to change the rules governing minimum plan funding.
SD-215

2:00 p.m.
Commerce, Science, and Transportation
To hold hearings on pending nominations for the Board of Directors of the Corporation for Public Broadcasting.
SR-253

Energy and Natural Resources
To hold hearings on proposed legislation to expand the clean coal technology program.
SD-366

MAY 19

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988 for the Department of Defense.
SD-192

10:00 a.m.
Commerce, Science, and Transportation
To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration, focusing on atmosphere and satellite programs.
SR-253

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1145 and H.R. 278, bills to provide Alaska Natives with certain options for the continued ownership of lands and corporate shares received pursuant to the Alaska Native Claims Settlement Act.
SD-366

Foreign Relations
Business meeting, to consider S. Res. 167, to declare the policy of the Senate with respect to the Constitution, and as it applies in interpreting the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems.
SD-419

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
SR-325

10:30 a.m.
Agriculture, Nutrition, and Forestry
Nutrition and Investigations Subcommittee
To hold hearings on S. 305, S. 236, S. 902, and H.R. 1728, bills to improve the administration for the commodity distribution program and to extend the eligibility of certain school districts to receive alternative forms of assistance for school lunch programs.
SR-332

2:00 p.m.
Commerce, Science, and Transportation
To resume hearings on S. 907, to further United States technological leadership by providing for support by the Department of Commerce of cooperative centers for the transfer of research in manufacturing.
SR-253

Governmental Affairs
Business meeting, to consider S. 328, Prompt Payment Act Amendments of 1987, the nomination of Norma Pace, of Connecticut, to be a Governor of the U.S. Postal Service, and proposed trade legislation.
SD-342

Judiciary
Business meeting, to consider pending calendar business.
SD-226

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
SR-325

MAY 20

9:00 a.m.
Appropriations
Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988 for the Judicial Conference, Commission on the Bicentennial of the Constitution, U.S. Sentencing Commission, and the State Justice Institute.
S-146, Capitol

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Governmental Affairs
Business meeting, to continue markup of trade legislation.
SD-342

10:00 a.m.
Agriculture, Nutrition, and Forestry
To resume oversight hearings on the implementation of the Federal Insecticide, Fungicide, and Rodenticide Act, focusing on pesticide residues in domestic and imported food.
SR-332

Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988 for Army military construction programs.
SD-192

Foreign Relations
Business meeting, to consider proposed legislation relating to trade issues on those programs which fall within the committee's jurisdiction.
SD-419

Judiciary
To hold hearings on the nominations of Richard B. Abell, of Virginia, to be an Assistant Attorney General, and Verne L. Speirs, of Virginia, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention, both of the Department of Justice.
SD-226

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
SR-325

2:00 p.m.
Energy and Natural Resources
To hold oversight hearings to review energy security issues.
SD-366

Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.
SR-325

MAY 21

8:45 a.m.
Veterans' Affairs
To hold hearings on S. 6, Veterans' Health Care Improvement Act, S. 216, to increase the per diem rates paid to States for providing care to veterans in State homes, S. 631, to improve the procedures for the procurement of medical and pharmaceutical supplies by the VA, S. 713, to facilitate the recruitment of registered nurses by the VA, proposed Veterans Administration Health Care Personnel Act of 1987, and other related proposals, and proposed legislation approving VA construction of major medical facilities.
SR-418

10:00 a.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition
To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affairs.
SR-325

1:15 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on H.R. 799, to designate a segment of the Kings River, California, as a wild and scenic river, and H.R. 626, to convey certain Federal public lands in Cherokee, Dekalb and Etowah Counties, Alabama, to any trustee who will convey such lands to the current owners of record.
SD-366

2:00 p.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

SR-325

MAY 27

10:00 a.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To resume joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 28

9:30 a.m.
Judiciary

To hold hearings on the nomination of Charles F. Rule, of the District of Columbia, to be an Assistant Attorney General, Department of Justice.

SD-226

10:00 a.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

MAY 29

10:00 a.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

2:00 p.m.
Select on Secret Military Assistance to Iran and the Nicaraguan Opposition

To continue joint hearings with the House Select Committee to Investigate Covert Arms Transactions with Iran on matters relating to the Iran/Contra affair.

2172 Rayburn Building

JUNE 2

9:30 a.m.
Energy and Natural Resources

To hold hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 4

9:00 a.m.
Office of Technology Assessment

The Board, to meet to consider pending business.

EF-100, Capitol

9:30 a.m.
Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

SR-253

Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

2:00 p.m.
Judiciary

Business meeting, to consider pending calendar business.

SD-226

JUNE 5

9:30 a.m.
Energy and Natural Resources
Water and Power Subcommittee

To hold hearings on current water-related programs of the U.S. Geological Survey, focusing on quantification and analysis of ground water resources.

SD-366

JUNE 10

9:30 a.m.
Veterans' Affairs

To hold hearings on S. 9, Service-Disabled Veterans' Benefits Improvement Act, S. 453, Veterans' Ionizing Radiation Compensation Improvements Act, S. 1002, Veterans' Radiation Exposure Disability and Death Benefits Act, and other related measures.

SR-418

JUNE 11

9:30 a.m.
Energy and Natural Resources

To resume hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 12

9:30 a.m.
*Energy and Natural Resources

To continue hearings on oil and gas leasing in the coastal plain of the Arctic National Wildlife Refuge in Alaska.

SD-366

JUNE 17

10:00 a.m.
Veterans' Affairs

To hold oversight hearings on the implementation of the Veterans Administration loan guaranty program, and on proposed legislation relating to the VA loan guaranty program.

SR-418

JUNE 18

9:30 a.m.
Energy and Natural Resources
Water and Power Subcommittee

To resume hearings on current water-related programs of the U.S. Geological Survey, focusing on quantification and analysis of ground water resources.

SD-366

JUNE 30

9:30 a.m.
Veterans' Affairs

Business meeting, to consider S. 6, Veterans Health Care Improvement Act, S. 9, Service-Disabled Veterans' Benefits Improvement Act, proposals providing VA compensation, pension, education assistance, home loan, and other related benefits, and proposed legislation providing for disability payments based on nuclear-detonation radiation exposure.

SR-418

CANCELLATIONS

MAY 14

8:00 a.m.
Judiciary
Constitution Subcommittee

Business meeting, to mark up S. 558, to revise the procedures for the enforcement of fair housing under title VIII of the Civil Rights Act of 1968.

SD-226

10:00 a.m.
Labor and Human Resources
Education, Arts, and Humanities Subcommittee

To resume hearings on S. 373, authorizing funds for programs of the Elementary and Secondary Education Act.

SD-430

JUNE 23

10:00 a.m.
Appropriations
Foreign Operations Subcommittee

To hold hearings to review proposed budget estimates for fiscal year 1988 for the Department of State.

SD-192